

LANGUAGE

AND SOCIETY



MALAK

Premier McKenna:

TWO EQUALITIES

Number 25, Winter 1988

An Interview with Fortier:

DOING MORE, DOING BETTER

Dean Macdonald:

BILINGUALISM OR DUALISM?

LANDMARKS

A few of the Commissioner's activities and appearances over the years:

October 29, 1987: Address to the first conference of the Council of Translators and Interpreters of Canada held in Ottawa: "Bridging the language gap."*

From November 4, 1987, to February 3, 1988: Five appearances before the Standing Joint Committee on Official Languages, with comments on presentations by federal agencies convened to study the Commissioner's Report for 1986 (published in the Committee's minutes).

November 7, 1987: Address in Saskatoon on the future of French-speaking minorities in Canada, on the occasion of the 75th anniversary of the Association culturelle franco-canadienne.*

November 13, 1987: In Montreal, address to the second conference of the Commission nationale des parents francophones: "From words to deeds."*

November 24, 1987: Appearance before the House of Commons Standing Committee on Communications and Culture in Ottawa, supporting the requests of official language communities relating to broadcasting.*

March 22, 1988: Tabling of the 1987 Annual Report, accompanied by national and regional press releases and preliminary remarks for the press conference.*

From March 23 to June 21, 1988: Two appearances as a principal witness before the House of Commons Legislative Committee examining Bill C-72 (Official Languages), followed by some 12 additional appearances as an adviser.

April 5, 1988: Statement on language rights in Saskatchewan following the Supreme Court decision in the *Mercure* case and tabling of a Bill on the use of English and French by the provincial government.*

April 8, 1988: Address to the Canadian Multiculturalism Council meeting in Quebec City. "Official languages and multiculturalism are interrelated."*

April 28, 1988: Statement on the agreement between the federal and Yukon governments on official languages. "A commitment to develop concrete rights and services for the French-speaking minority in the Yukon."*

May 28, 1988: Comments by Peter Rainboth, Deputy Commissioner, at a panel discussion during Alliance Québec's Annual Meeting in Montreal on the theme: "Are language tensions in Québec inevitable?"*

June 15, 1988: Statement on agreements between the governments of Canada and Saskatchewan. "This agreement marks the start of a new era of broader co-operation."*

June 16, 1988: Statement on Alberta's Language Bill.*

June 24, 1988: Address to the Annual Meeting of the Fédération des francophones hors Québec in Ottawa.*

September 26, 1988: Introduction of the new Official Languages Act at the Bilingual Studies Centre, University of Regina.

October 5, 1988: Address to a symposium of representatives from the private and voluntary sectors in Hull: "Leadership and challenge."*

October 13, 1988: Address to the Tri-University Conference on Languages and Education, Faculté Saint-Jean, University of Alberta, Edmonton, delivered by Roger Fréchette, Regional Representative of the Commissioner.*

Most libraries have copies of the minutes of Parliamentary Committee meetings.

*Titles followed by an asterisk may be obtained free of charge from the Communications Branch, Office of the Commissioner of Official Languages, Ottawa, Ontario K1A 0T8. Tel.: (613) 995-0826.

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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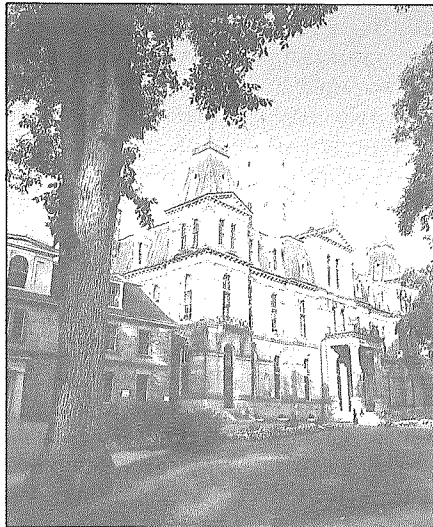
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Cover:
The New Brunswick Legislature



Language and Montreal's
Black Community (p.19)

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.

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Doing More, Doing Better

D'Iberville Fortier, Commissioner of Official Languages, discussed the new Official Languages Act in a mid-October interview with Peter Cowan. In the interview, the Commissioner talks about how the new Act differs from the old, how he thinks it will affect the application of official languages policy and his own role as Commissioner.

Peter Cowan: Was a new Act really needed at this point in the country's development?

D'Iberville Fortier: Several amendments were absolutely necessary. The Canadian Charter of Rights and Freedoms provides for enforceable linguistic rights. The old Act didn't. The Charter sets out "significant demand" and "the nature of the office" as criteria for the provision of bilingual services by federal institutions. The 1969 Act called for bilingual districts that were never created as such. Section 16(1) of the Charter declares English and French to be the two official languages of Canada. The new Act's preamble is a commitment to *promote* official language minority communities and our two national languages across all of Canadian society. It is intended to reflect the Meech Lake-Langevin agreement between Ottawa and the provinces. The Act was updated to take all this and the experience gained during 19 years into account.

Thus, the Government rightly decided to introduce a new Act and Parliament, after serious scrutiny and many amendments, adopted a law which is likely to last for a very long time.

— How do you see your role evolving under the new Act?

— Most sections of the new Act relevant to the Commissioner's mandate are quite similar to those in the 1969 Act. There are a couple of interesting changes. The most important, of course, gives the Commissioner the right to seek redress through legal action before the Federal Court. That's

the most significant one and it will be used with care and common sense. I consider it a last resort. What I want to do is to continue in the tradition set by my predecessors, seeking conciliation and using the Court when all else has failed. However, I propose to use all the powers that are vested in the Commissioner when the circumstances warrant.

— Will the teeth added to the new Act affect the conciliatory and tolerant style that has allowed progress up to now?

— I think there is room for both as we are dealing with at least two separate but convergent streams. The first one is the social pact or partnership between two broad linguistic communities and their minorities.

Secondly, we are dealing with individual rights. Mr. Justice Gérard La Forest, who wrote the majority judgment in the now famous *André Mercure* case, reminded us earlier this year that "...language rights are a well-known species of human rights and should be approached accordingly." If that is so, why shouldn't language rights receive full protection?

— How do you reconcile the symmetrical treatment of English and French in the Act and the obvious asymmetry in the real-life situations of official language minorities?

— The Official Languages Act, as I suggested earlier, further defines the language rights proclaimed in the Charter which apply equally to everyone. However, the Act also provides that in promoting the status and use of English

and French, the government must pay due regard to significant demand and the particular characteristics and needs of the population or community served. The two main problems of language reform are interrelated: the threatened status of the French language in North America and the weakened state, in varying degrees and different conditions, of our French and English linguistic minority communities.

The federal government is active on both fronts at once. For example, it has taken steps to favour greater use of French in scientific activities and has co-operated with other French-speaking countries to bolster French-language television, etc. At the same time, the government lends support to English-speaking minorities in Quebec and French-speaking minorities outside Quebec for a broad range of educational and community development projects. Finally, the Act commits the government to "co-operating with provincial governments and their institutions" in all these areas. This is an important guarantee.

— After your recent speech on the language of business, some persons claimed that there is a conflict between the Official Languages Act and the francization of Quebec enterprises. Is there a conflict?

— In my view, the problem is more perceived than real. Quebec's need to francise its enterprises is a reminder that Quebec was the only Canadian province where the majority language was therefore not the working language and it was necessary to impose it through legislation. Regrettable perhaps, but necessary. There is nothing in the Official Languages Act that conflicts with that. Quite the contrary.

If French did not enjoy its rightful place in Quebec, what would be the point in upholding its status within the federal administration? By making French the main working language in the federal administration in Quebec, the first Official Languages Act contributed a lot to the promotion of French in that province. Basically what this new Act is saying is that people can be served in the language of their choice; that they should be able to learn their second official language, if they want; and that businesses and national voluntary organizations can get technical aid they need when they try and meet these legitimate goals. The federal government has been helping with all of this for years and there is no reason

to believe that from now on it will start disregarding provincial interests and concerns. What is foreseen is *more and better* in this area.

— *Were you surprised by the level of opposition to the new Act?*

— Public opinion was favourable in most parts of the country. The three national parties support it. The final tally in the Commons was 129 yeas and nine nays. There will always be some resistance somewhere in the country to full acceptance of Canada's linguistic duality and a few rearguard battles.

I suspect, however, that opposition, because of legislative and constitutional developments, is likely to recede as the new Act becomes better understood and fears in some quarters about French domination of the Public Service, or federal interference in matters of provincial jurisdiction, prove unfounded.

— *What did the 1969 Official Languages Act achieve?*

— It pretty well achieved its main goal of contributing to national reconciliation. How could a largely unilingual federal government be acceptable to the other "majority" as the B and B Commission called it? The federal Public Service can now serve Quebecers in the language of their choice and French is, as it should be, the dominant language of work in that province. That made a difference and removed an irritant. The number of complaints received from Quebec have decreased dramatically as a result. In the National Capital Region, Francophone participation in the Public Service, which is still not perfect, has made great strides. The use of French as a language of work in Ottawa leaves much to be desired. It is in regard to the treatment of Francophone minorities outside Quebec — with the possible exception of New Brunswick — and participation of English-speakers in the federal Public Service in Quebec, that the least progress has been made.

There are still many complaints. There has been a growing number over recent years. Most come from Francophones outside Quebec. We expect 2,600 this year. The increase in complaints is due not to a deterioration of services, but to greater awareness by Canadians of their linguistic rights.

We have our work cut out for us.

— *Could you discuss other significant ways in which the new Act differs from the old?*

— The first five parts of the new Act have a quasi-constitutional nature and take precedence over other ordinary Acts of Parliament. Many of their provisions are enforceable by court order. In other words, language rights can be enforced by the Federal Court following an application either by a complainant or through the Commissioner of Official Languages. These enforceable rights relate to language of service or language of work in the federal administration. Where there is "significant demand", bilingual services must be offered *actively* by federal institutions. Three other major features of the new Act are its recognition of the merit principle in staffing of federal jobs, its explicit anti-discriminatory provisions and the regulatory powers to be exercised by the Governor in Council, under parliamentary control, in half a dozen key areas.

— *Are the rights of unilinguals sufficiently protected?*

— The new Act protects them in several ways. First, it guarantees their right to use their language at all times in the debates and proceedings of Parliament and before federal courts. It also compels federal institutions to communicate with them in their language where there is significant demand. The Act states that when bilingualism is required for a federal job, that requirement must be *objectively* determined. Some 28% of federal positions require a knowledge of English and French, but there are language training programs for public servants. Finally, the Act guarantees the right of federal employees to work in their preferred language, subject to reasonable limits. These are serious guarantees backed up in most cases by the right to take legal action, if necessary.

— *Here in the National Capital Region, there are public servants who feel victimized by language policy. There are observers who complain about over-representation by French-speaking employees in some areas of the federal Public Service. How do you react to that?*

— Well, when a specific point is raised, we try and listen carefully to it and confine ourselves to specifics. It is very difficult to be general.

The section of the Act that deals with participation of the two linguistic communities does indicate that there will be variations from one institution to another in accordance with their mandate, the public they serve and their location.

The new Act is also more specific than the previous one. There must not be any discrimination of any type.

On over-representation of Francophones in certain institutions, it is true, especially for many small agencies. Across the whole Public Service, Francophones now hold slightly more jobs than their percentage of the population would justify. But we're talking about the federal Public Service alone. Take only two of the largest Crown corporations, which also fall under the Official Languages Act. By themselves, they turn the whole discrepancy around.

Some of the phenomenon in the Public Service occurs in support categories in the National Capital Region and we have stated repeatedly that something must be done about it. However, if you look at how support staff are recruited in capitals all over the world, you will find that they are always recruited locally. The National Capital Region, is comprised of 65% English speakers and 35% French speakers; it is normal that these percentages should be reflected in local recruiting and it accounts for a large part of the observed discrepancy. The rest resulted from the insufficient number of qualified Anglophone candidates. The situation should be corrected as they progressively come on stream.

On the other hand, in certain very important categories, like the management, science and professional categories, there is still a significant under-representation of Francophones as there is under-representation of Anglophones in the federal Public Service in the province of Quebec. When you look at it overall, you find that the imbalances are far less acute than some would like to portray them and far less important than those which have been corrected. I think the whole problem is manageable.

— *Is it realistic for the Act to guarantee the right of federal Public Servants to work in their preferred language?*

— Initially, at least, the recently proclaimed new rights in this area are to be exercised in New Brunswick, in the National Capital Region and in designated locations in Quebec and Ontario. Francophones make up 37.5% of the population living in these three provinces. Any proposed geographical changes would require special parliamentary scrutiny. This is one way of looking at it. The other is that there can be no genuine equality between the two official languages, unless public servants subject to some limitations can and do exercise their right to use their own language at work.

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— *If there were to be an ideal Official Languages Act, what would you like to see it contain that is not there now?*

— There might have been procedural guarantees relating to the impact of privatization, provincialization or municipalization on language of service. In practice, this might have been done through negotiated agreements with

— What is very interesting is that at no point during the parliamentary debate was the traditional interpretation of the Commissioner's role challenged by anybody. That was very significant; right from the start, from the first Commissioner down to myself, there has been a very liberal and broad interpretation given to the Commissioner's role. There is a realization that the con-

— and this is new — any of their activities relating to the advancement of English and French in Canadian society. Now the entire preamble in the Act relates to the federal government's role in Canadian society as a whole. So it is only logical that there be a commensurate extension of the Commissioner's powers. In effect, you could say that the new Act has come much closer to giving the Commissioner authority over an area in which we have already been active for years. In that sense it is the Act that adapted to the Commissioner, rather than the other way around.

— *Is there a conflict between your role as an ombudsman and a promoter of language reform?*

— This dichotomy has existed since 1969 and has not been an obstacle. The Act makes it clear that the Commissioner must perform his duties in relation to complaints and studies with impartiality and fairness. It is also important to note that the Commissioner does not have enforcement powers and is, therefore, not at the same time judge and jury.

— *What will be the most important challenge in the area of official languages for our new government?*

— The government must continue to show leadership while respecting constitutional jurisdictions. In matters of social reform, and language certainly belongs in that category, legislation is needed but is not of itself sufficient if serious progress is to be achieved. Secondly, it will have to explain, inspire, monitor and ensure that there is accountability. Thirdly, it must allocate the needed human and financial resources to this fundamental national priority. But the public, especially the official language minorities, have a key role. They must insist that their rights are respected.

I would also like to offer the following observation. The new Act is not revolutionary. Rather, it is a most welcome update of the first one. It is a splendid tool, not only for language reform, but for building a stronger Canadian identity while fully respecting Canada's diversity. Canada is a model for other countries in this area and Canadians can be proud of their achievements. I am confident that the new challenges will be met in the same spirit of fairness and will allow for continued progress both in the federal Public Service and in Canadian society. ■



interested parties. Federal regulatory agencies could also have been granted some authority in official languages matters, especially in dealing with private concerns exercising a monopoly or quasi-monopoly. There might have been more specific provisions concerning regulatory activities relating to the health, safety and security of the public. On balance, however, the new Act is quite good. I only wish it had been possible to spell out in greater detail the meaning of Section 23 of the Canadian Charter of Rights and Freedoms relating to education in the minority language in order to bring an end to the judicial agony over this issue across the country. Of course, this is a matter of provincial competence, and it would not have been constitutional to include such considerations in the Act.

— *Your predecessors and yourself have enjoyed much latitude in the performance of the Commissioner's task. Now that the federal government possesses promotional powers under the new Act, will this change?*

cern for the language duality of the country must be broad-based and go beyond federal and provincial jurisdictions.

I would like to make the general observation that if you want to have an acceptable pool of public servants who speak both languages, your emphasis is on a society which is going to produce this pool. It is also quite obvious that if you are interested in a society which communicates well, you are also interested in a schooling system that will produce people who can communicate with the other group.

This unity of purpose, which intellectually goes beyond the technical requirements of the job, was recognized by the first Commissioner and, ever since, it has hardly been challenged. That is why, perhaps, the role of the Commissioner was not changed, except to add the power to go to court, and one other interesting addition to the Commissioner's role. That is in Section 56, which speaks of administration of the affairs of federal institutions, including

The 1988 Official Languages Act and the Legislative Committee

Stephen Acker

Bill C-72 emerged from its polishing in Committee — an integral part of our democratic parliamentary process — none the worse for wear and with some new and interesting facets.

Much useful and often unheralded work is performed in legislative committees of the House of Commons. Some Bills emerge from the draftsman's workshop as nearly finished diamonds, and all that is required of legislators is to polish a facet or two to let the light shine through clearer. Other Bills enter the House of Commons rough-hewn and imperfect — perhaps because of haste or garbled policy instructions or perhaps because they raise legitimate partisan concerns. Whatever the dynamic at play, the study of Bills in Committee is an integral and important part of our parliamentary democracy.

The 1988 Official Languages Act was born as Bill C-72 and received first reading in the House of Commons on June 25, 1987. Many months passed before the Bill was read a second time and referred for study to an eight-member legislative committee.

Expert testimony

The Committee, as is usual, first heard expert testimony from the sponsoring minister, the Minister of Justice, as well as from the Secretary of State and the Minister of State for the Treasury Board, whose departments have important obligations under the Act. They also heard testimony from the Commissioner of Official Languages as well as from a number of interested groups, including several minority language associations, Canadian Parents for French, the Public Service Alliance, the Association for the Preservation of English, and the Law Society of Alberta. Although a fair cross-section of opinion was aired, many disappointed groups and individuals were unable to appear because of time constraints

and a general desire to get on with the job of reporting the Bill out of Committee, back into the House, and on to the Senate and Royal Assent.

Having heard long hours of advice, criticism and praise from the experts, Committee members went on to the formidable task of clause-by-clause study. Given the concerns expressed by some members, and the hostility to the basic principles of the Bill on the part of some other MPs not on the Committee, it was evident that C-72 was not about to pass unscathed, or at least without vigorous attempts to dilute it.

Opposition

The usual partisan stance of Opposition versus Government was turned upside-down in this unorthodox Committee. The two Opposition members were among the staunchest partisans of the Bill, whereas its most heated opponents came from the Government benches. It was little wonder then that the Honourable Ray Hnatyshyn, the sponsoring Minister, devoted considerable time and effort to defending the Bill before the Committee, to explaining the rationale behind each clause, and attempting to impose a minimum of party discipline. At the same time, the Minister declared himself receptive to suggestions that would truly improve the Bill without either gutting it or extending its reach beyond acceptable limits.

Many amendments were proposed, most to cut the Bill down, though some were put forward to extend its reach. In the end, after much debate and not a little gentle persuasion, a number of changes of substance were accepted by the Committee. Though relatively few, they are nonetheless interesting, and potentially of great value as the Act

begins to take on a life of its own. Some of the changes were made to allay concerns or fears that the Bill "went too far", whereas others responded to proposals, by the Opposition and the Commissioner in particular, to strengthen its provisions.

On the concern-allaying or clarification side of the ledger, the Committee accepted the necessity of prefacing each mention of the word "court" in Parts I, II and III with the adjective "federal". While technically redundant, the change made it abundantly clear that provincial courts and tribunals are not covered by those parts of the Act.

To allay fears that bilingual regions for purposes of language of work might be created arbitrarily or indiscriminately, several amendments were made to ensure that the regulatory process would be open to parliamentary scrutiny and that no unpleasant surprises would be sprung by the government as regulator.

A number of changes of substance were accepted.

Existing regions established in 1977 by Treasury Board directive were incorporated by reference into the Act. Additions or deletions to that list of regions (all of which are in Ontario, Quebec and New Brunswick) would have to take into consideration express criteria involving the number and proportion of English- and French-speaking public servants and members of the public.

All regulations under the Act, including those delimiting regions for language of work, must be made by the Governor in Council (Treasury Board had shared the task before the change) and all regulations would be subject to a pre-publication scheme designed to give parliamentarians and the public genuine input into the regulatory process. For any regulations involving language of work regions, a negative resolution procedure was added so that 15 Senators or 30 Members of Parliament could put the proposed regulation to a vote and have it defeated by a majority in either Chamber. All of these precautions are salutary checks on the government's regulatory powers and ought not, in our view, impair the government's prerogative to govern.

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The other major concession to concerns that the Bill might hurt the careers of unilingual public servants was a non-discrimination clause requiring that the linguistic designation of positions be done solely on objective grounds. Henceforth, the designation of a position as bilingual, or staffing it "imperatively" with someone already bilingual, will have to be defended, if challenged, on the basis of objective need. Persons aggrieved, or indeed any complainant, may invoke this new section to complain to the Commissioner and ultimately, failing a satisfactory solution, have the issue brought before the Federal Court.

On the other side of the ledger, a number of changes made in Committee either strengthen the Commissioner's hand or help make the watchdog role more efficient. Any attempts to intimidate complainants or obstruct investigations may now be brought to light and thereby thwarted. Powers of delegation have been widened. In proceedings before the Federal Court, the Commissioner may adduce as evidence information of complaints (other than those before the Court) that involve the same institution, thereby allowing a pattern of non-compliance to be demonstrated. The tradition of the Commissioner intervening in provincial court proceedings in other language cases, such as ones involving minority language education, has been explicitly recognized.

In the part of the Act dealing with criminal proceedings, the Committee added one further linguistic protection. Any written judgment issued must be made available in the language of the accused. And, in the parliamentary sphere, a provision was added requiring that any document tabled in Parliament by a federal institution must be tabled in both languages.

A number of minor technical amendments were also made to bring the English and French versions closer together. As well, the Yukon was explicitly excluded from the ambit of the Act, following a federal-territorial agreement and the adoption of a Yukon language ordinance mirroring the Act.

The legislative committee phase of Bill C-72 raised a lot of heat and somewhat less light all across the country, but the Bill emerged from this arduous process intact and with a few valuable additions. The Senate gave its approval without proposing any amendments. We think the Bill, now the Official Languages Act, 1988, is an improvement and we hope the months and years ahead will bear witness to the wisdom of the Committee's work. ■

Freedom in Action

It is possible, even under a democratic government, for someone to feel oppressed by the law. In Canada, the federal government offers the Court Challenges Program to citizens who wish to initiate legal action on an issue related to equality rights or language rights.

In 1985 the Program, until then administered directly by the Department of the Secretary of State, was transferred to the Canadian Council on Social Development, which has since been responsible for its proper administration, while two subcommittees consisting of qualified volunteers select cases that deserve funding.

Language rights

The Official Languages Subcommittee examines all applications for grants in the area of official languages. Financial assistance of up to \$35,000 is provided for each stage of legal proceedings from the trial court to appeal to the Supreme Court. In exceptional circumstances, assistance may exceed the prescribed limit. The Subcommittee alone is empowered to select the cases that meet the Program's criteria. It consists of five members, most of whom are lawyers. However, it does not hesitate to call upon the expertise of specialists, who are asked to assess the legal significance of the cases submitted to it. Gérard Lévesque, an Ottawa lawyer who has replaced Victor Goldbloom, is the Subcommittee's chairman.

Lévesque notes that, as a rule, his Subcommittee does not provide funding to school boards for two reasons: first, they are already funded by school taxes and government grants, and, second, they are frequently parties in legal proceedings brought by plaintiffs that the Subcommittee feels it should fund.

In order to initiate action for acceptance of a language case by the Subcommittee, the case must first of all involve the provisions of a legal document of national importance, such as the Manitoba Act, 1870, the Constitution Act, 1867, the Constitution Act, 1982, or the Canadian Charter of Rights and Freedoms. Since Ontario, unlike New Brunswick, is not bound by a constitutional document to provide services in French, a case involving that

province's French Language Services Act would not be accepted.

What is striking, when considering the approximately 40 language cases that have been funded since the Program has been administered by the Canadian Council on Social Development, is the large number of cases, some 14, concerned with the education rights of an official language minority, as recognized in the Canadian Charter of Rights and Freedoms. Lévesque attributes this to the fact that the majority English-speaking provinces have not fulfilled the commitment they made to respect such rights when they signed the agreement that led to patriation of the Constitution. With the exception of New Brunswick, they are all in the dock, or have been recently, in cases ranging from the establishment of a French-language grade 1 in Prince Edward Island to that of an exclusively French school in Alberta.

The Program also frequently serves to dispel the legal vagueness surrounding the use of French in criminal trials by challenging unilingual English summonses, appearances or evidence submitted to the courts. The *Mercure* case, which was taken to the Supreme Court and finally won, involved not only a unilingual summons, but also the status of French, and, according to Lévesque, it is the most striking example of a case funded by the Program.

Since it has been in existence, the Official Languages Subcommittee has accepted only one application from Quebec: the case of *La chaussure Brown's et al.*, represented by Alliance Québec. This case is currently before the Supreme Court and concerns the province's law on unilingual signage.

There is nothing in principle to prevent federal public servants who feel their language rights have been violated from availing themselves of the Program, and Lévesque is amazed that it has received only one application of this kind to date. It involved a nurse working in a federal penitentiary who challenged the validity of directives prescribing the exclusive use of English in official communications. An amicable settlement was reached before the case was taken to court. ■

Multiculturalism: Some Reactions to the New Act

Stella Ohan

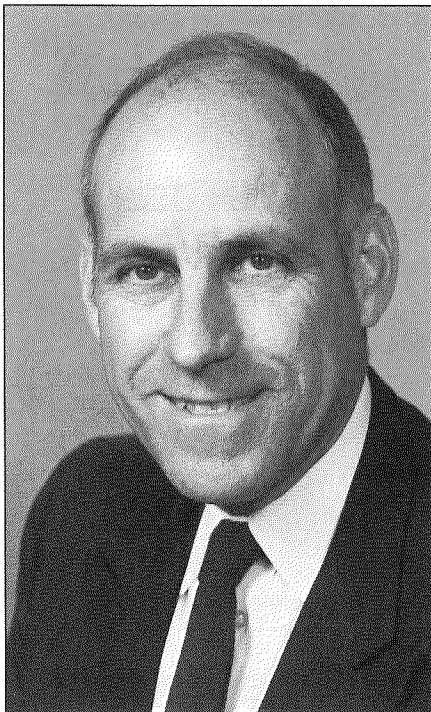
The Multiculturalism Act, which recognizes the pluralism that marks Canadian society, elicited diverse reactions.

On third reading last July 12, the House of Commons unanimously adopted Bill C-93, the Multiculturalism Act. On July 15, it was the Senate's turn and on July 21 the new Act received royal assent. According to the Minister of State for Multiculturalism, Gerry Weiner, this federal multiculturalism legislation is the first of its kind. Inspired by the provisions of the Canadian Charter of Rights and Freedoms, and particularly those of Section 27, which refers to the multicultural character of Canada, it officially recognizes the pluralism that has marked Canadian society from its origins. "It strengthens our vision of the kind of society in which we want to live, now and in the future," said the Minister upon the Bill's adoption.

The legislation is the first of its kind.

Although the idea of a Commissioner of Multiculturalism, which some had suggested, was not accepted, the Act clearly defines the responsibility of all federal institutions with respect to multiculturalism and also specifies measures designed to implement its provisions. Thus, the Minister of State for Multiculturalism will, among other things, be responsible for submitting an annual report to Parliament on the Act's implementation. The Act also provides for the establishment of a committee comprising members of the Senate or the House of Commons, or a joint committee, to be specifically responsible for its implementation. Finally, it empowers the Minister to create a consultative committee on multiculturalism.

Depending on the follow-up, this Act could result in a profound transformation of Canadian society. It should therefore come as no surprise that it gave rise to diverse reactions. As soon as the Bill was tabled, it aroused keen



Gerry Weiner

interest, especially in the ethnic communities to which it offered new prospects after several years of effort. Overall reaction, however, was rather mixed. Once the Act was passed, a wide range of opinion immediately became apparent. A number of commentators trotted out the old argument to the effect that the multiculturalism policy had been invented out of whole cloth in 1971 to silence certain "ethnic" opposition to the 1969 Official Languages Act. The fact that Bill C-93 was

adopted just a few weeks before passage of the new Official Languages Act (C-72) only confirmed the scepticism of the cynics.

Criticism...

On the day after passage of C-93, Keith Spicer, the first Commissioner of Official Languages and Editor of the *Ottawa Citizen*, attempted a balanced assessment of the Act in a column called "The best and worst of multiculturalism". While acknowledging that the multicultural character of Canada predated any official policy, he regretted that the new Act had as its purpose not only the "preservation" of multiculturalism, but also its "enhancement". He feared that the effect of the Act would be to "legislate ethnicity as a feature of Canadian life" and commented ironically, "we are going to pay in perpetuity to ensure that Canadians will never feel they are a single, distinctive people."

Some Canadians of ethnic origin also spoke with regret of the unexpected way in which multiculturalism is developing. Cécile Gédéon-Kandalaft, a special contributor to *La Presse*, feels that multiculturalism has two aspects: one concerned with preserving culture and the other with fighting to win more and more rights. Frank Piscopo, a former senior public servant, wrote that multiculturalism "in large doses" tribalizes Canadian society by giving the lie to the existence of a common Canadian identity. According to Bhaussaheb Ubale of the Canadian Human Rights Commission in Toronto, inter- and intra-group conflict has increased in the past decade. He added that he felt less Canadian than before because of the current set of circumstances.

...and approval

Reacting to the criticism, the Executive Director of the Canadian Ethnocultural Council, Andrew Cardozo, cautioned readers about Spicer's remarks, which he called "dangerous". Dan Iannuzzi, a well-known figure in multicultural and ethnic media circles in Toronto, added that ethnic groups have as much right to participate fully at all levels of the political process as Canadians of older stock. Finally, the Fédération des francophones hors Québec adopted as the theme of its annual general meeting: "Convergence — the Francophone community — Multiculturalism — Francophilia." At the meeting, Aurèle Thériault stated that it was in the interest of Francophones to open their doors wider to the ethnic communities. ■

Premier McKenna: Two Equalities

The Premier of New Brunswick, Frank McKenna, gave Language and Society an interview approximately two months before his government tabled its official languages policy. Eldred Savoie, a Fredericton journalist, interviewed him on our behalf. The article that follows the interview is concerned with the new policy, and the two texts should be read as a unit. They describe Premier McKenna's thinking and, to an extent, the hopes and expectations that prompted him to enter the lists.

Eldred Savoie: *What motivates you to make New Brunswick bilingual and to respond to the Acadian needs?*

Premier McKenna: I believe in it. I guess with each passing year my faith in the bilingual nature of our province becomes more and more reinforced. Spending more and more time in the two cultural communities, either campaigning or as Premier, has left me totally convinced that we have two rich cultures and I also recognize the importance of the minority culture, particularly — and I say "minority" only in the sense of numbers, not in terms of status — but the minority culture particularly having institutional safeguards or it will lose its culture. I've seen the beauty of the cultures. I've also seen the loss of the culture. I can understand the threat of assimilation from having seen it take place. For that reason I think New Brunswick is a richer place by having two distinct linguistic communities and I think it's morally right that two distinctive linguistic communities be allowed to live in their own tongue, in their own culture.

— *What mechanisms do you intend to put in place?*

— Much has been done in New Brunswick. But much is left to be done. We're using a variety of different approaches. First of all, I think it's criti-

cally important that Francophones have an equitable representation in the Public Service and particularly at the decision-making levels. That means that decisions which affect the life of the minority in terms of numbers will be influenced by members of their own cultural community, so that people in health, people in education, will be able to understand the problems. The first thing that I've done is to attract high



Frank McKenna

profile, well-respected Acadians to government. Examples within the office are Janice Leblanc and Denis Losier, Fernand Landry, Aldéa Landry, Jean-Guy Vienneau, and the people in the rest of the Public Service, Théo Gagnon of the Workers' Compensation Board, for instance. I think if you examine our appointments you will find that Francophones are very highly represented with just absolutely very high calibre people. That's helped me to understand the issues better and it's helped them understand the issues better. So that's one thing that we've done.

Secondly, we believe that the language question itself is important. For that reason we are putting together a

linguistic policy which will spell out how the government is to provide services to the two linguistic communities, the mechanism. And also we hope to identify a mechanism for enforcing that, or at least a mechanism by which people can indicate their pleasure or displeasure with this system. So, I guess, you could call it an enforcement mechanism. So that is important, the language question itself.

Then there's the question of a better, a more equitable economic relationship. In that respect we're committed to a program of "rattrapage" — recovery — for the North and we're funding that with extra money. We're also committed to finishing the hospitals in the North as quickly as possible, and that's being done. To providing decentralized Workers' Compensation Board facilities, and that's being done. To promoting even greater economic activity in the North, and what we're doing in Bathurst and Campbellton, and throughout northern New Brunswick, the Caribou Mines and so on. We're doing that as well. And you'll see more of that. So we're making an effort to ensure the linguistic and the economic and social equality of the two communities.

— *Could the federal type of legislation be useful in New Brunswick?*

— I believe we have the legislative framework now. What we need is the policy. In other words, the power is there but there is no articulated policy, I presume because of its controversial nature. We intend to have a policy that will guide us. That's needed. Whether there's more required than that is something we'll know after the policy has been introduced.

— *So the idea of a Language Commissioner or of some kind of coercion....*

— We're looking at that. We're hoping that that may be identified as part of the policy. Coercion is the wrong word. But we need a mechanism to hear complaints.

— *How long will it take to have New Brunswick completely bilingual?*

— I'd like to work at it in five-year increments and do as much as possible in five years. I don't want to arouse expectations that I can't meet, but we're working at it now. Certainly in terms of representation at senior levels we're seeing results. In terms of social commitment, I believe we're already

seeing results. And on the language front I believe that we will be able to see results within a term.

— *The Society of Acadians (SAANB) wants to get equality of the linguistic communities entrenched in the Constitution.*

— At this stage, the Meech Lake agreement is our preoccupation. I've made a commitment that we are prepared to advance a constitutional resolution that would recognize New Brunswick's fundamental characteristic, which I believe is similar to what SAANB is asking. The difference seems to be in timing. Our view is that that should not be advanced until the Meech Lake question is resolved.

— *Is the federal-provincial agreement a prelude to the type of relationship that you want with the federal government on language matters?*

— We've actually signed the first agreement in Canada on language and we're always looking for more funding. Many provinces are moving on language questions reluctantly and money is being used as a stick. In our case, we want the money because we want to move on language questions. We want to provide better service. Our educational system, for example, both French and English, needs money to address linguistic matters, language training. There's no doubt at all about that. We need money for exchange programs to take place. That's important. It's important for community centres, and also for cultural activities. There are all kinds of areas where we can use the money. So we're really looking for more money from Ottawa. Whereas other communities, other provinces, seem to accept it with more reluctance, we want it.

— *What is your reaction to the Alberta language legislation?*

— Well, it's going in the opposite direction from New Brunswick. We're committed in the Legislative Assembly to providing services in the two official languages. In the courts, we're going further and further every day towards ensuring total access, not just through translation, but in the language of choice. So it's the opposite from us and we believe we're going in the right direction in providing untranslated services to the public wherever possible. More and more of our members are communicating in both French and English. More and more people in New

Brunswick are communicating in French and English, and we think it's the right direction to be going in. All of our statutes have already been translated and all will be in the future.

— *Did you have any impact on Saskatchewan?*

— I tried.

— *You don't think it mattered?*

— Well, I called Premier Devine and offered our full resources here and encouraged him to accept the decision, so I guess obviously I didn't have very much impact. But we will continue to offer our services to Saskatchewan, and particularly now with the new Lexi-Tech operation in Moncton. We're going to make sure they know about that, because it represents a commercial possibility in New Brunswick as well. This is something rather interesting — that in New Brunswick languages are not only a culture but an industry, in a sense.

— *Do you think New Brunswick is a model for the rest of Canada?*

— I hesitate to say that, because I think Francophones would believe that we're overstating the case. I think New Brunswick has made good progress. But I think that I would be leaving the impression that we had finished the job if I were to suggest we should be a model for others. I believe others should look at the direction we're taking with the full understanding that we haven't reached the end of our road yet either.

— *Are you waiting for the job to be done, so to speak, before entrenching the equality Bill?*

— No, that has nothing to do with it. That's just tied up with Meech Lake. I don't think that with entrenchment we will be at the end of the road. The other areas — services offered to everyone in the language of their choice, the possibility of people working in the language of their choice, equal representation in executive positions — these are all important. No, there are still a lot of things to be done.

— *You talked to Grant Devine. Have you talked with Don Getty?*

— No.

— *Do you intend to?*

— Maybe I will, to offer him our resources, to share our experience. But it's a tricky business, seeming to interfere in other provinces' business. And I'm a little shy about it because I must admit that there is a lack of equality here. We don't have equity here, we don't have everything right here, and it's somewhat hypocritical for me to preach to others.

— *Are you a leader on this?*

— I'd like to think so. I talk with Joe Ghiz a lot about it. I know he's very sympathetic and very dedicated. And he just signed a language agreement there. He's studying French as well. He has more luck than I do. But he's working at his French. And also, I talked to Premier John Buchanan and I've pushed the idea of the Acadian heritage being part of our new tourism trust. Yes, in different areas.

— *You're talking about opening an office in Paris.*

— Yes, we talk about Maritime co-operation there.

— *In the near future?*

— Yes, we talked about that before I was elected. Our commitment is not that overwhelming. The problem there is money, getting the best value for our money. It's not the co-operation problem so much. We're looking at the situation in Boston and it's very, very expensive: \$400,000.

— *As far as language is concerned, do you think that Ontario's going fast enough?*

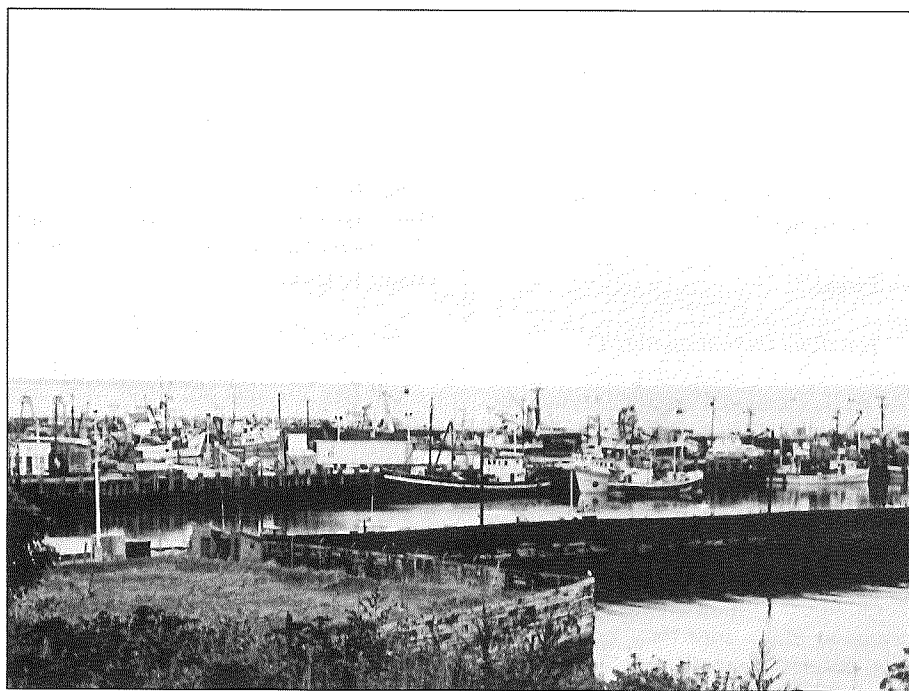
— I'm impressed with David Peterson's commitment. We talk a lot about language matters. I'm very impressed with how liberal and progressive he is on that issue. Yes.

— *Do you think Ontario should be made bilingual?*

— Well, I'm not going to interfere in the affairs of their province. All I can say is David Peterson has shown tremendous courage and leadership on the language question. I am very, very pleased with the direction he's taking.

— *Richard Hatfield used to say that Ontario should become bilingual and, if I'm correct, it seems that he thought that this was preventing Quebec from recognizing certain English rights.*





Caraquet

— Well, I can understand him saying that at the time. But with David Peterson Ontario is becoming very bilingual. And he'll know when it's right. Before there was no progress that was visible. Now there is very real progress in Ontario that's recognized by the linguistic community.

— *How is your relationship with Premier Bourassa? Some view you as l'enfant terrible of the Meech Lake accord.*

— I don't know how the premiers view me. I don't view myself that way. And I don't want to be stubborn. I don't want to be the odd man out on national issues. But I do believe in certain principles and I feel an obligation to speak out on them. I've a very good personal relationship with Premier Bourassa. I like him a great deal and I have a lot of respect for his leadership.

— *Can you attain the goal of understanding between the two communities, instead of having the split between the two communities that now exists?*

— It makes governing more difficult in New Brunswick. And it makes the challenge for all the people in New Brunswick more difficult, because there does tend to be the provincial pull, which is that you're a New Brunswicker, you share a common heritage, common geography, common taxes, common government, what-

ever...that's there. But also, there's no doubt that Acadians have some pull as well from Francophones in Quebec and from other Francophones across the country. And Anglophones in New Brunswick have some pull from other Anglophones. The end result has been to blur the distinctive identity of New Brunswick. It's not as sharp an identity as in some other provinces. And I guess, what I'm really trying to preach as a message is "Let's not try to blur that identity, let's recognize that there is an identity, that we are a bilingual province, with two linguistic communities living side by side." And that, just as Nova Scotia is known as a Scottish-settled province and distinctive and Prince Edward Island as an island, New Brunswick is a bilingual province and that's our identity and we should be proud of that identity.

— *Does the fact that the Acadian culture is so close to that of Quebec present a problem in creating a New Brunswick identity?*

— Yes, it does, very much. Our polling shows that as well, incidentally — that there is very much of a blurring of New Brunswick's identity. I don't think there's any doubt that many Anglophones and many Francophones feel a great deal of affinity with people outside the province. But that's the challenge of governing New Brunswick that all premiers have had to face. That's the challenge of a bilingual province. Somehow we have to ensure that the

things which we have in common become more welded, become better defined and better highlighted.

— *How do you see this in the context of the blossoming of the two linguistic cultures?*

— I recognize that all of Canada has a multicultural heritage. I respect that. But I never speak about the two in the same breath. These are completely different issues. In New Brunswick, we have two founding cultures: French and English. And that shouldn't even be considered in the same context as multiculturalism.

I would like to think, and I would like history to record, that I represent the maturing of New Brunswick: an Anglophone who can function reasonably well in both French and English and is comfortable in both communities and admires both communities and believes in both communities. That my family share the same values and I think I represent tens of thousands and hundreds of thousands of other New Brunswickers who share the same values. I would like to think that my liberalism on linguistic matters is a reflection of the maturing of New Brunswick, possibly as a result of the age group that I'm in, or educational background or the maturing of the issues. But that's got nothing to do with multiculturalism. It's just a recognition and understanding of what New Brunswick is and I think more and more people are starting to appreciate that.

— *Do you have a big task ahead?*

— It's always sensitive, because it's so mixed up with unemployment. People see a connection between the two, frequently. And in a poorer province like New Brunswick it represents a special challenge to push ahead on linguistic matters, because there are so many people who need work who view their linguistic situation as the reason they can't obtain work, or who need services and view money being spent on bilingualism as being the reason they are deprived.

So it's a special challenge and I think we should be proud of what we've accomplished with the limited resources available to us. Certainly if more people were employed and were better off financially, the job could be made easier. But I think, with the financial limitations, New Brunswick has gone far and I hope to move it even farther. ■

Official Languages Policy in New Brunswick

Eldred Savoie

On August 26, 1988, the Premier of New Brunswick, Frank McKenna, tabled his government's official languages policy. It consisted of a general statement of the new Liberal government's commitment to ensuring that departments, agencies, institutions, organizations and Crown corporations respect their constitutional and legislative obligations to provide the public with service in the language of its choice and to allow employees of the provincial Public Service to work in the official language of their choice.

The objective of the McKenna government's official languages policy is to "ensure the delivery of services of equal quality in both official languages by provincial departments, agencies, Crown corporations and institutions." It stresses the constitutional and legislative obligation to offer service to the public in the official language of its choice, regardless of numbers and regardless of the region of the province. Thus, any citizen and any business can expect from a department, agency, Crown corporation or institution of the provincial government (including hospitals and government liquor stores)

*Premier McKenna
is a determined
pragmatist.*

services of equal quality in the preferred language. Municipalities are not subject to this policy or to the Official Languages of New Brunswick Act.

With respect to language of work in the provincial Public Service, the language policy commits the government to creating "the conditions conducive to the use by the employees of the official language in which they choose to work."

In the absence of an Official Languages Commission, implementation of

the policy is placed under the responsibility of the Chairman of the Board of Management, and the Cabinet Committee on Official Languages will make regular assessments of its implementa-

*SAANB has called
the new languages
policy vague.*

tion. Any complaints from the public will be dealt with by the Ombudsman, the public protector.

The Société des Acadiens et Acadiennes du Nouveau-Brunswick (SAANB) conducted and is still conducting a campaign to have the Official Languages Act of New Brunswick amended so that its provisions would have at least as much force provincially as the federal Official Languages Act does in all federal institutions. Among other things, SAANB wants the provincial Act to take precedence over other Acts and the establishment of an Official Languages Commission responsible not to a department of the government but to the Legislative Assembly.

SAANB has called the new languages policy vague, pointing out that it does not address the issues of equitable representation or regional identity.

But Premier McKenna is determined. A pragmatist, he wishes to be judged by what he accomplishes during his term of office. On August 30, three days after tabling his language policy, he called a meeting of his deputy ministers and gave each of them until September 1, 1989, to submit an implementation plan to him. Subsequently, each department will have four years to achieve a level of service to the public that satisfies Mr. McKenna.

Mr. McKenna does not see equality of the two language communities solely in linguistic terms. He wishes to reduce regional economic inequalities and also

recognizes that Francophones must be represented equitably at the upper levels of the provincial Public Service so that "the decisions that affect the numerical minority are influenced by members of their own cultural community." In the capital, where the decisions are made, figures show that Francophones account for only 19% of the Public Service.

Going further

While the actions taken by the McKenna government to redress the inequalities between Acadians and Anglophones have been welcomed, the Acadians are pressuring the Premier to go further. On August 15, the Acadian national holiday, the major Acadian institutions (except for the Conseil économique du Nouveau-Brunswick) signed a memorandum of support for the entrenchment in the Constitution of Bill 88, which concerns the equality of the two language communities. The Premier expressed his agreement with this aim and promised to see it through, but only after the constitutional process on the Meech Lake accord that he initiated is completed.

An asset to the province

Mr. McKenna would like to see the fundamental characteristic of New Brunswick, the equality of the two language communities, to be understood and seen as an asset to the province.

The major challenge for the Premier is to succeed in giving his province an identity of which his fellow citizens can be proud: that of a bilingual province. "Let's recognize that there is an identity, that we are a bilingual province, with two linguistic communities living side by side. And that, just as Nova Scotia is known as a Scottish-settled province and distinctive and Prince Edward Island as an island, New Brunswick is a bilingual province and that's our identity and we should be proud of that identity."

Premier McKenna will have an opportunity to win recognition for this New Brunswick identity on the international scene through his participation in the Francophone summits, the Agence de coopération culturelle et technique (ACCT), the Francophone Games, the conference of Francophone ministers of education and the conference on youth and sport. Because of the province's French-speaking community, the previous government accepted the federal government's invitation to participate in ACCT and in the Francophone summits as a government member, like Quebec. ■

Acadian Reactions to Premier McKenna's Languages Policy

Hal Winter

Consensus may be lurking somewhere, but it's not visible in the complex background against which the drama of Premier McKenna's language policy is playing.

Thanks for trying. But please try harder. This is the reaction of the Acadian community to Premier Frank McKenna's new language policy designed to achieve equality in practice for English and French throughout New Brunswick.

The proposals, Francophone leaders say, lack both substance and teeth. There is nothing to guarantee much more than gestures of goodwill and a perpetuation of language inequities. And Acadians are no longer prepared to make "yet another act of faith..."

There is a growing consensus here that, because of extremist intransigence in the Anglophone majority, Fredericton can never hope to come to genuine grips with the age-old language problem. So Francophones feel they must look to Ottawa for protection.

Pressure tactics

This, Acadian militants say, means a concerted campaign of pressure to convince the McKenna government to negotiate for enshrinement of the principle of New Brunswick language equality in a revised Canadian Constitution. This, they suggest, could be the price of the province's ratification of the Meech Lake accord.

The scope of this pressure campaign could be extended beyond the Premier's office. All 23 Acadian MLAs the activists say, should also be put under the gun and forced to live up to their language reform election promises. As minority rights watchdogs, they could constitute a sort of unofficial opposition to a government which swept to power in October 1987 by capturing all of the province's 58 seats.

Though they support the thrust of the drive to revise the Constitution, some

thoughtful members of the 225,000-strong Acadian family fear open pressure tactics could create a backlash. While they too find the McKenna policy "uncomfortably vague and full of loopholes", they call for "the patience and perseverance" which has been the traditional Acadian key to survival in an often hostile world for over three centuries.

Francophones, they point out, are only one-third of New Brunswick's population, so the prudent course is to give the Premier a chance to put his policies into effect, then look for concrete results. After a couple of years, they suggest, it will be clear if McKenna and his advisers are really sincere.

The best of times...

Those with a bent for history point out that today's position of the province's language minority is like that of Francophones in the whole of Canada 20 years ago. Anglophone resistance to institutional language equality at the Laurendeau-Dunton hearings in the 1960s finds an echo in the objections voiced at New Brunswick's Poirier-Bastarache inquiry of the mid-80s.

Moreover, they note that the findings of both bodies in the language reform area were strikingly similar. Following the B and B Report, Canada's 1969 Official Languages Act initially met with powerful diehard resistance, but, over time, the equality principle became generally accepted, paving the way for the further progress of the 1988 Official Languages Act.

Today, they point out, Canada's revised Official Languages Act gives New Brunswick Francophones more real protection than anything enacted in their own province over the past 20



Photos: Retina Goldsager

Martin-J. Légère

years. Perhaps with time, the proponents of patience say, this same pattern can be repeated within the province.

...and the worst of times

Time, the militant leadership retorts, is a luxury the Acadian people can no longer afford.

"When you're a minority — a community in danger — you can't hope to survive on faith alone," comments Société des Acadiens et Acadiennes du Nouveau-Brunswick (SAANB) President Michel Doucet. "We've been doing just that since 1969 — and where has it got us? We need our rights now."

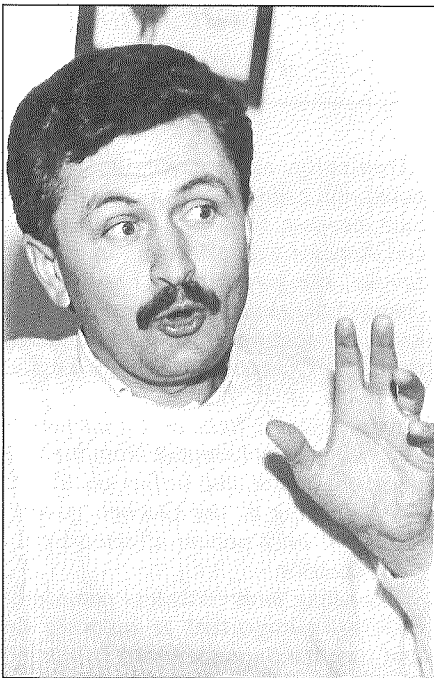
Doucet, who teaches law at the University of Moncton, spoke in reaction to a meeting with the government in a bid to work out a compromise on the McKenna policies more acceptable to Francophones. "It ended in stalemate. Now all we can do is keep on increasing the pressure on our Acadian MLAs."

This is a task for which the organization he heads seems singularly well-prepared. At SAANB headquarters in Petit Rocher, General Manager Norbert Roy produces an impressive mass of documentation outlining the struggle for equality during the 15 years of the 5,000-member pressure group's existence. This includes in-depth studies, briefs to government, analyses and even a draft of a comprehensive proposed language law.

"Today, the question is urgent. We live daily with a 7% rate of assimilation into the English community. And on top of this, our birth rate has fallen

below that of the Anglos. The immigration flow, of course, is always in their favour."

The best solution, according to Roy, is to have the principle of language equality, as enacted in Bill 88 under the government of Richard Hatfield, written into the Canadian Constitution. This would provide an unshakeable basis for all provincial legislation.



Norbert Roy

"McKenna claims he's hesitant about signing Meech Lake because he's worried about the rights of Francophones outside Quebec. Why can't he start right here at home? If he can't, we'll just have to see what our MLAs can come up with. If it turns out to be nothing, then we'll have to think of other means."

As if in preparation for a lengthy struggle, the Acadians have been closing ranks.

Caraquet

Caraquet — a prosperous fishing port recognized as the unofficial capital of the Acadian nation — is proudly 100% French-speaking. Unilingual signs are even more in vogue than in Quebec. And the Acadian flag (the French tricolor with the Star of Mary in the corner) is everywhere, sometimes flown above the flag of Canada.

Concrete evidence of self-sufficiency is provided by the success of the region's daily newspaper, *L'Acadie Nouvelle*. Following the death of the daily *L'Évangéline* after a century of struggle, Acadians still wanted their

own paper. Four years ago, they became tired of going cap-in-hand for government help and put up the capital themselves. Today, this lively tabloid with a readership of more than 30,000 across the north-east handles world and local news with equal zest.

General Manager Camille McLaughlin (whose Irish potato famine ancestors found an affinity with starving Acadians) also sees the McKenna language policies as "pretty timid". But, he conceded, at least "it's a gesture of goodwill."

There is some evidence today, he suggests, that "Anglos may be getting a bit more reasonable", but an editorial in his paper labelled Saint John Mayor Elsie Wayne "a bigot" for her attacks on the McKenna government's "favouritism" towards Francophones. "And don't forget," he adds, "there is a slate of candidates running in the election on a strict anti-bilingualism ticket."

Like similar seacoast centres all along the Acadian Peninsula, Caraquet owes much of its recent prosperity to the Japanese taste for Maritime crab, lobster and herring-roe caviar. The opening of this rich Oriental market has pushed prices sky-high over the past decade. "Millionaires," says McLaughlin, "were created here."

Today, however, there are signs of a falloff in demand. This troubles observers like Chambre de commerce Secretary-General Martin-J. Légère, who see economic independence as a basis for cultural vigour. Only too well aware how times can change, Légère — who has played a key role in the development of the Francophone *caisse populaire* and co-operative movements over more than three decades — tends to advise a cautious approach to the language question. And, he feels, McKenna "really wants to do something for the Acadians." The new policies, he says, represent "the first time any premier has attempted to implement the principles of Bill 88. All the rest was nothing but talk. So let's give McKenna a chance over the next couple of years. Then we'll know if he's really sincere."

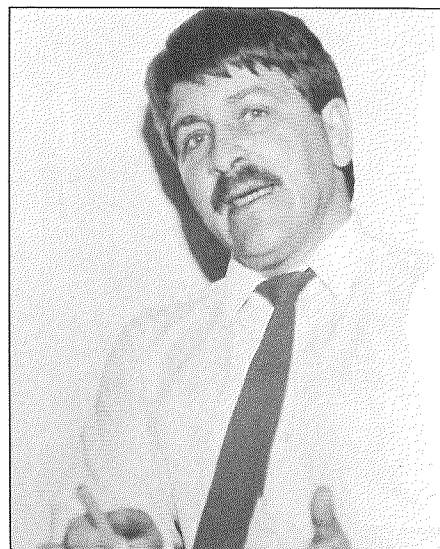
The 72-year-old writer and historian also warns of the danger of backlash "if McKenna tries to go too fast." He recalls how Premier Louis Robichaud had to have police protection at his home in 1969 after he introduced the province's first language rights legislation. And, all too vividly, this holder of the Order of Canada remembers how his grandmother made him hide in a closet because "an Anglo was coming to the house..."

Old fears and mistrust, Légère says, must be discarded. Acadians have to realize that "our worst enemy is not the Anglos, but Francophones who have no backbone. We can only win if we can develop a genuine sense of solidarity."

This is the complex backdrop against which the drama of the McKenna language policy proposals is unfolding. Everyone admits that the Premier has a rough road ahead, trying to walk the middle ground between extremes on both sides.

Consensus

Consensus may be lurking somewhere. But it's certainly not visible on the immediate horizon. Pointing this out most poignantly is a study completed in May 1988 by the University of Moncton's linguistics department. This is an analysis comparing the conflicting view points spelled out in briefs to the Poirier-Bastarache Commission and to the subsequent Guérette-Smith hearings, held to help government draw up



Camille McLaughlin

an equitable languages program. Whereas New Brunswick's Francophones, the study says, "see the existing situation as inequitable and consequently demand language equality and more legislation, the second group [Anglophones] feels the situation is already more than equitable and rejects any form of legislation." It concludes that, apart from agreement on the principle of two official languages, "there is no common ground between the two communities."

Small wonder that neither Anglophones nor Francophones in New Brunswick have welcomed Premier McKenna's language policy proposals with anything at all like open arms. ■

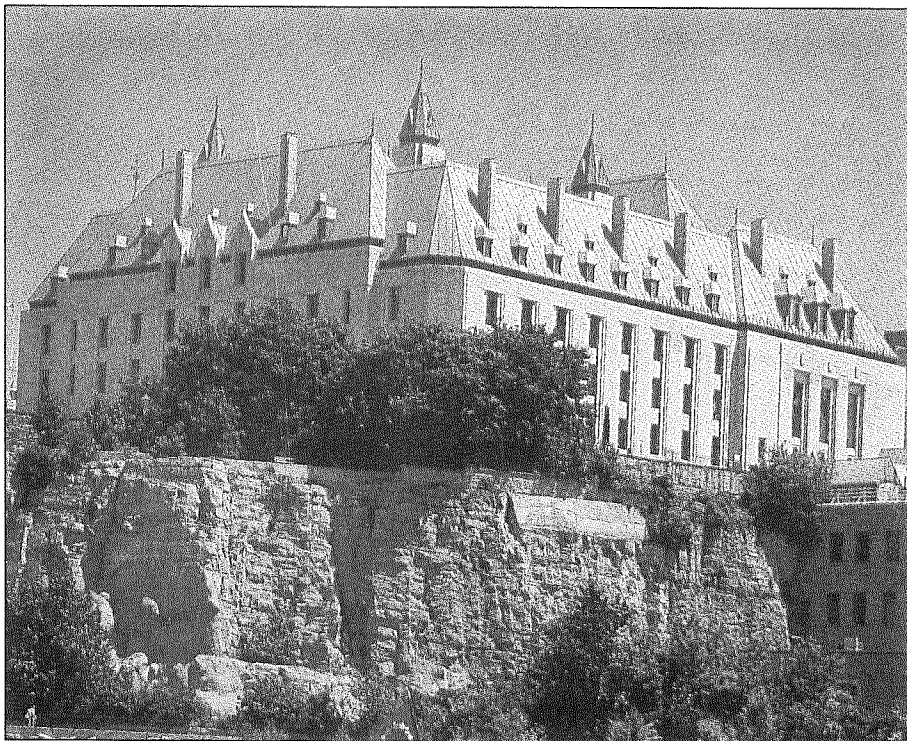
The Case of Nancy Forget

Tom Sloan

A nursing assistant who had failed her written French test appealed the section of Quebec's Bill 101 forbidding her professional corporation to issue her a licence to practise.

Even though the judgment did not touch directly on it, it would appear that a September Supreme Court of Canada decision ensures that one of the require-

The case before the Supreme Court revolved around Nancy Forget, a graduate nursing assistant living in Montreal who had applied to the courts in 1981 following 11 unsuccessful attempts to



The Supreme Court of Canada

ments for professional men and women to obtain a licence to practise in Quebec will continue to be an adequate knowledge of French.

Valid language...

The requirement comes from Section 35 of Bill 101, the Charter of the French Language, which states: "The professional corporations shall not issue permits except to persons whose knowledge of the official language is appropriate to the practice of their profession."

pass a written French test, and the consequent refusal of the Corporation professionnelle des infirmiers et infirmières du Québec to grant her a licence.

...valid law

Lawyers for Forget did not question the validity of Section 35 itself. Rather, they challenged a regulation under the law that required professionals who had not had at least three years of education in French-language institutions to take oral and written exams in the language.

The lawyers argued that this was discrimination and contrary to the Quebec Charter of Rights and Freedoms.

The Supreme Court ruled that this was not the case and that Quebec was within its rights to require such testing on specific categories of persons.

There are plans to improve the teaching of French.

Ironically, as three of the justices noted, the ruling was in practice irrelevant, because, following an earlier Quebec Appeals Court decision in Forget's favour, the government had in 1984 changed the regulations to exempt from language testing all those graduating from any Quebec high school, English or French, after 1985.

As a graduate from an earlier period, Forget is still not exempt from the testing requirement, and in fact could well be, according to the Quebec government, the only person affected by the court decision.

The ruling is nevertheless considered politically important as marking the first time the Supreme Court has recognized the validity of any language requirements put forward under Bill 101 and its regulations. Still to come is a much more significant ruling on the constitutionality of its prohibition of public signs, posters and commercial advertising in languages other than French.

Reactions

Reaction to the Court's decision was cautious acceptance, occasionally tinged with some regret or a touch of elation, depending on who was reacting.

Guy Rivard, the Minister responsible for Bill 101, expressed satisfaction with the result. "The judgment reconfirms the right of Francophone Quebecers to be served in French and our right to make French the normal, customary language of work in Quebec."

Alliance Québec President Royal Orr said that Forget had paid the price for an educational system that had ill prepared her for working in French and pleaded for the government to show generosity in her particular case. Government spokesmen indicated there was no reason to do so, since she still has the right to continue writing tests until she passes.

As for the *Montreal Gazette*, while it commiserated with Forget, it concluded

that she was not a victim of discrimination, and described the judgment as "disappointing but fair."

To Claude Filion, a member of the National Assembly and spokesman for the Parti Québécois, the decision was a step forward rather than a real victory in the battle to legitimize Bill 101. But, "It's good news for Quebec to the extent that the government takes maximum advantage of the new room for

Regulations were changed to grant wider exemptions.

manoeuvre offered by the Court to relaunch francization operations, to strengthen the regulations concerning French as the language of work."

The PQ call for further government action was supported by columnist J.-Jacques Samson of Quebec's *Le Soleil*, who warned the government that it would be making a mistake if it limited itself to a passive acceptance of the ruling. He called on Premier Robert Bourassa to take vigorous measures to strengthen the position of French as the language of work and of service to the public. "The Supreme Court does not tell governments what to do....It always remains the responsibility of governments to impose policies. At least in this aspect of language policies, the language of work and the language of service, Mr. Bourassa cannot hide behind a court decision to justify his refusal to act."

Guy Rivard subsequently said that, while the government had no intention of returning to the pre-1984 situation or otherwise revising the regulations, there were plans for a new government program to improve the teaching of French in general, and in particular to offer more courses to immigrants to encourage their integration into the Francophone community.

As for Nancy Forget, at last word she was employed as a homecare worker in a Montreal community centre and studying health science part time at Concordia University. She has said she would still like to be licensed as a nursing assistant, but didn't yet know whether she would go through the testing process again. "I'd have to take a course in written French. I don't know if it's all worth it at this point," she told a Montreal reporter. Before the court cases started, she had already passed her oral examinations. ■

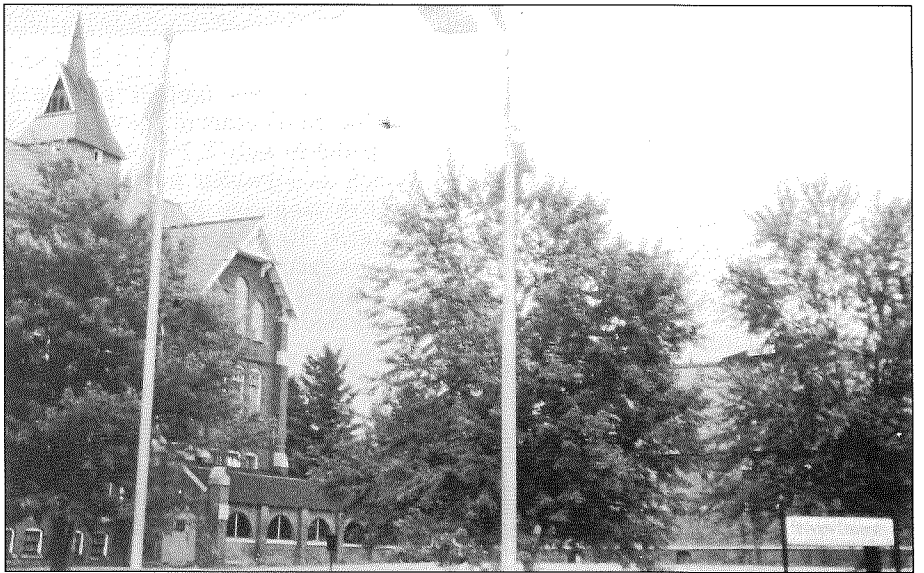
Shrinking Horizons: An Eastern Townships Minority Case Study

Michael O'Keefe

Opportunities for the English-speaking community in the Townships are increasingly restricted and job prospects for the young are bleak.

A recent study of the English-speaking community of the Eastern Townships of Quebec prepared for the Office of the Commissioner of Official Languages by researchers Bill Reimer and Frances Shaver highlights both the challenges faced by the community and the com-

region, making it the largest single English-language community in Quebec. Today, the English-speaking population is only 34,020, or approximately 9% of the local population. The English-language population of the Townships continues to shrink due to a low birth rate and the absence of immigration into



Bishop's University

munity's response to those challenges. The study points to the community's demographic decline and to its widely distributed population as the principal threats to continued community vitality.

Demographic decline

The demographic decline of the English-speaking community in the Eastern Townships is not a recent phenomenon. The region, which was first settled by American and British immigrants in the 1790s, had a majority English-speaking population until 1871. In the mid-19th century almost 90,000 English speakers lived in the

community. However, compared to the English-speaking community of Quebec as a whole, the English-language population of the Eastern Townships is one of the most stable.

Language use

English-speaking Townshippers are widely dispersed throughout the region's 10,000 square miles. While 50% of the English-language population lives in communities with a substantial English-speaking population, "the remaining 50% is virtually hidden in regions with a large majority of French-speaking residents." Signifi-

cantly, and unlike their French-speaking counterparts, English mother tongue senior citizens tend not to congregate in larger centres and are evenly distributed throughout the region

The absence of ghettoization in the Townships has contributed to the historical mixing of English- and French-speaking populations in the region. The study points to a community which is increasingly bilingual. Among people surveyed under the age of 65, 80% stated that they understand or speak French. The level of unilingualism is, however, significantly higher among older members of the English-speaking community. Of the 15% of the survey groups over 65 years of age, 58% spoke no French.

Of those surveyed, 82% said that they used English with federal government services "always or more than half" of the time, and 8% expressed dissatisfaction with the language situation experienced with federal government services. The level of dissatisfaction reported with the language situation in provincial government services was 33%.

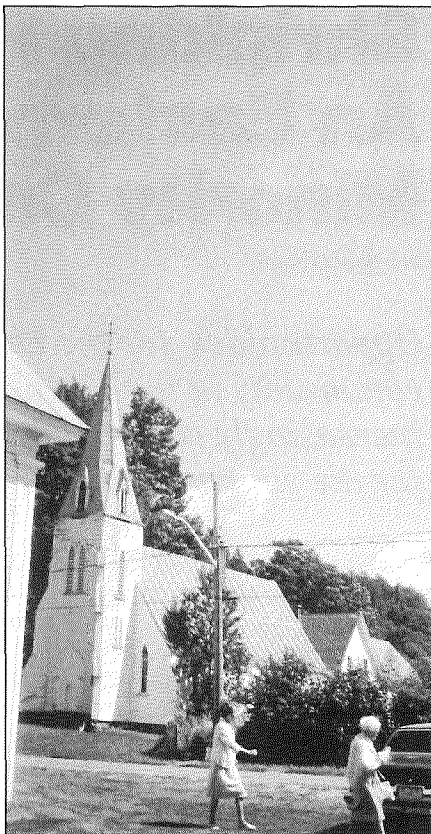
Respondents indicated that they used English frequently with friends (87%), neighbours (75%) and at school (85%). English was used less frequently at work (59%) and during regular shopping (40%). The degree of use of English appears to reflect the degree of choice open to respondents in the use of language.

Institutional infrastructure

The Eastern Townships case study also examined the institutional infrastructure of the community. There is a legacy of institutions, organizations and voluntary associations which helps explain the continued vitality of the community. These institutions and organizations are not immune to the effect of a shrinking English-language population. With a declining membership or clientele, many groups have moved away from providing services strictly to the English-language population and are increasingly using French in their activities.

In the health sector, hospitals once regarded as "English hospitals" are increasingly staffed by Francophone personnel. In the future, researchers concluded, "the availability of English service would depend on the presence of a Francophone staff person who spoke English."

Health and social services are particularly important given the high proportion of senior citizens within the minority language community: "18.5%



of those whose mother tongue is English are 65 years of age or older, as compared to only 8.7% of those with French as a mother tongue." As the English-language population in the Eastern Townships continues to decline, access to English-language services will become increasingly problematic. The minority language community's geographic fragmentation exacerbates this problem.

School enrolments have dropped by almost 50% in the last 11 years. Beyond the demographic decline, the English-language school system has suffered from the perception that their level of French second-language instruction is inadequate. Many parents therefore consider sending their children to French-language schools. The Reimer-Shaver study reveals that at present 80% of the English-speaking community's children attend English-language elementary schools.

Prospects

The results of the Reimer-Shaver study tend to confirm the findings of previous studies which indicate that job prospects for young English-speaking people in the Townships are bleak. Only half the respondents believed that the Eastern Townships is a region where an English-speaking person can build a secure future. Moreover, 61% believe that the English-speaking community is in danger of disappearing. When the

researchers asked which group, institutions or individuals they felt were most important to the preservation of an English-language community, the Townshippers Association was mentioned most frequently (34%), followed by Alliance Québec (15%), schools (14%) and churches (9%).

The respondents expressed strong support for the provision of federal government services in both official languages in all parts of Canada: 90% felt this was very important. In addition, respondents indicated an overwhelming belief in the ability of English- and French-speaking Townshippers to work together to get things done.

Reimer and Shaver conclude that the English-speaking community in the Eastern Townships is experiencing a shrinking of its horizons. That is to say, opportunities for the community are increasingly restricted. The study recommends support for unilingual Anglophones through groups that are already trying to meet their needs and measures to encourage the individual bilingualism found within the English-language community.

NOTE: *The Minority Case Study: Eastern Townships Region is the first of two minority language community studies. A report on the second, which focuses on the French-speaking community in Welland, Ontario, will be included in a future issue of Language and Society.*

Press Agency

The Association de la presse francophone hors Québec (APFHQ) has opened a press agency in Ottawa. A total of 23 newspapers belong to APFHQ, including both dailies and weeklies published outside Quebec. As members, these papers will receive reports from the Parliamentary correspondent Yves Lusignant. Lusignant, who has worked for *L'Acadie Nouvelle* and *L'Eau Vive*, will provide the press serving Francophone minorities outside Quebec with national news and articles on regional events of interest to readers in other parts of Canada.

Language and Montreal's Black Community

Reinea Goldseger*

Massive immigration, especially from Haiti and French Africa, has resulted in a vibrant Black Community in Montreal. What are the present problems, and what may the future hold?

The language revolution in Quebec over the past two decades has radically transformed Montreal's Black Community. Out of a scarcely visible, virtually 100% Anglophone enclave of a few thousand has developed a vibrant, 170,000-strong minority whose contribution to Francophone society is very significant.

This phenomenon is due to the coincidence of a double dynamic: massive immigration — especially from Haiti and French Africa — and Quebec's own linguistic affirmation and its impact on economic and cultural life. Despite resistance to full acceptance of visible minorities, there is today unprecedented opportunity for Blacks in Montreal's mainstream society.

A future factor?

Beyond the ability to speak and function in French, there is the crucial question of perception, of how great an asset Quebec sees in these newcomers at a time of birth-rate crisis and how far the Black Community considers itself a future factor in Quebec's identity as a distinct society.

With the lowest birth rate in the western world, Quebec needs immigration to sustain its population. Recent financial incentives have been legislated to combat the falling birth rate but already one out of every three pupils in the Commission des écoles catholiques is of immigrant stock, and projections point to one in two before the turn of the century.

Accordingly, as immigrants must, by law, go to a French school, the Protestant School Board of Greater Montreal

*Reinea Goldseger is a Montreal journalist.



Céltard Toussaint

has been increasing its French sector for its new enrollees, mainly East Indians, Asians, Latins and West Indians, says Gwen Lord, its Regional Director. "Our English sector has not been enlarged. It remains fixed and stable."

The largest percentage of immigrants to Quebec is from Haiti, followed by other non-white countries. The distinct society is becoming multi-coloured, with French as a fulcrum.

Quebec's former Minister of Education and Deputy Premier, Jacques-Yvan Morin, sees no obstacle to the full integration of Blacks or other visible minorities. "But," adds the former president of French Canada's Estates General, "the French language is the pivotal point."

A mecca for artists

"Montreal is a mecca for artists," exclaims prize-winning Montreal painter, Didier D. (Didy) Deokor, a native of Togo. "I've studied in Paris

Montreal's Black Community is 170,000 strong.

and lived in New York and Toronto. But here I find a beautiful city, peaceful relations, a warm people and a future for everyone." At ease in French, English, German and his mother tongue, Didy explains that multilingualism is quite the norm among Africans.

Indeed, Montreal is becoming a crossroads for Black internationals in the arts and letters who are at home in the French milieu.

Yvonne América Truque, winner of the 1988 Humanitas prize for poetry, studied French in her Spanish-speaking homeland of Colombia (where 20% of the population is Black) before continuing at the University of Madrid. "Media," she says, "focus on the folkloric aspects of newcomers here, bypassing their serious works of art." As a poet, she hopes for Quebec's encouragement and support of its creative artists of colour.

Makombe Bamboté, a writer and publisher from the Central African Republic, is also impressed with the peaceful atmosphere of Montreal compared with that of European cities. "Quebec, especially Montreal, is open to the world...a melding of languages with a French overtone," he says. "Truly a writer's dream."

Quebec is stepping onto the stage of world culture and economics in its own right, and it wants an identity separate from France. With its burgeoning dynamism, the creative Black Francophone has access to a prominence impossible in the great encircling English-speaking ocean of North America.

Enriching Quebec

Bamboté feels enriched living here. On the other hand, he points out, "We are enriching Quebec. But Quebec has been slow in recognition or support." □

To be published, Black writers must turn to Europe, Latin America, New York, and, despite writing in French, to Toronto.

It was an experimental student program that first brought Ebwene Taki to Montreal more than a decade ago from Zaire. He has since combined his talents in computer programming with his background in the fine arts to produce a method of computerizing, in two-dimensional form, representations of African traditional sculpture. At his recent exposition at Montreal's Complexe Guy Favreau, he deplored the language barrier separating the Black Community. "The English never hear of these events. They know nothing of us." Unilingual Anglophones are unaware of the extent to which these Francophone newcomers are transforming the city's cultural profile.

Nowhere is this transformation more obvious than in entertainment. Increasingly, an evening out for dining, dance, music appreciation or film means crossing the Main — the great St. Lawrence — the boulevard dividing Anglophones and Francophones.

In the past, leisure activities were centred in the English West End. Musicians and entertainers were brought from the United States. The tone was emphatically Anglo-American. The recent impact of Black Francophone entrepreneurs has introduced the city and its visitors to the spicy flavours, rhythmic tempos, colourful drama and dramatic art of the Caribbean, Latin America and Africa, all with a French overlay. And the Francophone Black renaissance in Montreal's East End not only exposes Quebec to a new view of the Black Community, but simultaneously offers the world another dimension of Canada's French Fact.

French plays a unique role among Haitians.

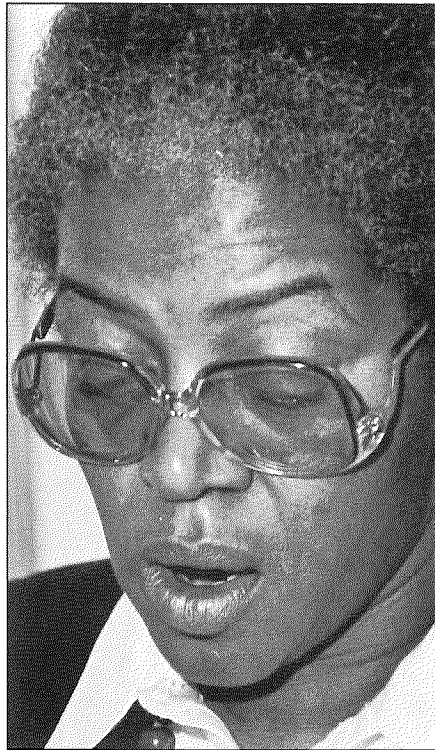
Part of this exposure is provided through the annual week-long African Film Festival, first produced four years ago by Vues d'Afrique, an organization of Montreal journalists and cinematographers.

"This is basically a Francophone festival. Most of the films are in French or have French sub-titles," explains

Françoise Wera, co-founder and director. "The festival brings many peoples together," she continues. "The theatres are always filled. At least 25% of the viewers are Montreal Blacks, Africans and Asians. We work closely with the Black Community, but only its French faction."

Haitians

French plays a unique role among Haitians, says Frantz Voltaire, a Haitian-born University of Quebec at



Gwen Lord

Montreal professor and founder and curator of the International Documentation Centre, a resource centre and publishing institute for Haitian and African history and data.

Haitians are primarily Creole speakers; French is a class phenomenon used by the bourgeoisie as a status barrier. Worker and peasant groups strive to francisize themselves to elevate their position; incorrect or poorly-spoken French is cause for ostracism. Thus, Haitians are highly motivated towards French. "English," Voltaire says, "is perceived as more neutral as it carries no social values."

At Maison d'Haïti in north-east Montreal, not only are Haitians francisized, but they are also given job training, child care and teen programs, with housing, immigration and employment assistance, if needed. "Our volunteer staff numbers many we helped when they were young," the director, Celitard

Toussaint, proudly informs us.

Seeing the need for Black history to be aired on television, three Francophones organized Montreal's Black Community Communication Media, Inc., also located in the East End. Added to this bilingual public service, Haitian-born Philip Fils-Aimé, his technician compatriot, Roger Boisrand and Montreal-born author and Sorbonne graduate, Paul S. Brown, offer Black hopefuls training in the arts of television broadcasting.

Language and history

Quebec's French Fact, pigmented by third world immigration, contradicts the perception that Blacks are Anglophones. "I've spoken French every day since first grade. But at job interviews," reports Tracy Thompson, Montreal-born, bilingual Black graduate of Concordia University, "my language skills are often doubted. I've learned to prove my fluency by immediately speaking French relentlessly even though the eyebrows rise."

In the early 17th century Matthieu de Costa, a Black Francophone, translated the Micmac language for Samuel de Champlain. And, according to Dorothy Williams' soon-to-be-published history, *Geographical Demographics of the Montreal Black Community*, there has been a Black presence in Quebec from Marie-Joseph Angélique's 1734 burning of Montreal in her personal bid for freedom from slavery to the northern migration of free discharged Black British soldiers from the American Revolutionary War; from the underground railroad's beginnings in 1788 with the southward escape of British Loyalist slaves into the free northern American states, to the northern flight of American slaves into Canada with the passing of America's 1850 Fugitive Slave Act. Slavery had ended in British North America in 1834.

Free Blacks were part of the Montreal economy as tradesmen and artisans. For those outside the city, there were the fur trade, fishing and mediation of French-Indian disputes.

More than 2,500 American Black refugees found employment with Canada's railways before 1850. That year, with the building push between the main trunk line cities of Montreal and Toronto, the railway went to the British West Indies to recruit workers. The resulting growth in the number of Montreal's English-speaking Blacks brought about the founding, in 1902, of Canada's first women's organization, says Williams. This was the Coloured Women's Club of Montreal, which

interceded in the housing, social and leadership needs of this transient and isolated Anglophone railway group.

Though colour was a deterrent to full acceptance, linguistically, they identified with the ruling Anglophone powers, and perceived Francophones as an anomaly in an English-speaking North America.

Giant steps were made by Quebec in the late 1950s with the change from a rural economy to one based on industry and services. With an expansion in Canadian trade, jobs were abundant. Once again immigrant labour was sought from the British West Indies. "This time," comments Fils-Aimé, "they were female domestics, a station

tion program. "We're planning more neighbourhood community centres where newcomers can meet, feel welcome and design their own projects," says the Minister, Louise Robic. While reminding media that broadcasts can no longer imply that "Quebec is all white, French and Catholic," she's eager to hear the success stories of new Quebecers.



Yvonne América Truque

Before 1977, the year of Bill 101, English ruled the workplace. The French themselves gave precedence to functioning in English. It meant food on the table, fuel in the furnace.

How much of an asset does Quebec see in the newcomers?

"English was so exalted," recalls Dr. André Arcelin, Haiti-born co-president of Quebec's Conservative Party, "that immigrants in the hospital's emergency ward, though Francophone, insisted on using whatever smattering of English they could muster, expecting it to improve their status or to act as a magic curative potion."

held largely by Irish Catholics a century earlier, as surrogate homemakers for the new army of working women."

In 1955 Canada's West Indian population was about 7,000. Twenty years later, Canada had welcomed 115,000 West Indians in less than a decade. The Caribbean being multilingual, this population was more open to French, but Quebecers, after centuries of isolation from foreign influence, eyed these Anglophone strangers with suspicion, perceiving their presence as another stratagem for intensified English domination.

Caught in the middle

"We're caught in the middle," declares Alwing Spence, West Indian-born Concordia professor. "It is the English and French who are at each other's throats. We, in Quebec, suffer by aligning with the English. We're encouraging our children, today, to excel in French. We, ourselves, will have to begin looking towards Quebec City, instead of only to Ottawa."

In Quebec City, the Ministry of Cultural Communities' 1988 \$16 million allocation for French classes alone is but part of its multi-pronged franciza-

Quebec needs immigration to sustain its population.

Modestly, Jean-Marie Abel hesitates to call himself a success. But the prospect of unemployment seven years ago, when his company moved to Toronto, prompted him to form his own business. His driving school now has three branches in Quebec and one in the United States. "My patrons come from both language groups," says the president of Association des gens d'affaires Haïtiens de Montréal Ltée. "Montreal's Anglophone and Francophone Black Communities represent a market of over a billion dollars a year. We're building our community economy and at the same time bridging the language gap. This year, we created our joint credit union."

"Communication with both language groups is mandatory for success in Quebec business today," agrees Montreal Board of Trade Vice President Alex Harper. "Unilingualism restricts markets. There is a receptive air in Montreal now," he continues, "and we at the Board welcome all backgrounds. But we strongly recommend bilingualism."

The 1987 Francophone Summit in Quebec City raised Quebec awareness of the mosaic of Black nations, languages and cultures. No more, the stereotypes of American films and television.

West-Indian-born Desmond Williams, principal of Montreal's Coronation Elementary School, sums up today's attitude: "Our children are in French immersion and are competing educationally. We can confidently expect them to make a significant contribution to the future of this society." ■

Meeting Real Needs

Patrice Audifax*

What is good for the Vancouver-based Chambre de commerce franco-colombienne is good for the province's Francophones, and vice versa.

Since last April, Daniel Lavarière, a 32-year-old businessman originally from Saint-Jean d'Iberville, Quebec, who settled in British Columbia 17 years ago, has been President of the *Chambre de commerce franco-colombienne* (CCFC). An insurance agent by profession, he is the third president of the organization, which is beginning its sixth year of existence.

Like all Francophone associations in British Columbia, the *Chambre de commerce franco-colombienne* is scaled to a community estimated to number some 50,000 persons scattered throughout the province.

The CCFC has approximately 100 members in all — a modest but stable figure that has more to do with the situation of Francophone business people in Vancouver than with a lack of participation. "What do you expect?" asks Daniel Lavarière. "Not all Francophones are in business. Moreover, we are not concerned about numbers but about quality."

Objectives

The objectives of the *Chambre* are essentially the same as those of any organization of its kind, but they are conditioned by the fact that Francophones are a minority in British Columbia. As Daniel Lavarière notes, "In Vancouver, it would be unthinkable for a businessman or businesswoman to expect to live or even survive in French. The market is English-speaking for the most part. English is the language of business and work, and a daily fact of life for most Francophones who live in British Columbia."

In short, like it or not and without exception, the same rule applies to everyone: here there is no choice, things are done in English. And, naturally, in a city where French, by defini-

tion, is not very useful given the reality of the business world, the members of the *Chambre de commerce* are the first to suffer from the situation. Hence, the desire to restore to French its prestige by using it, insofar as possible, in all the activities of the organization and in all the services it offers its members and the community.

*The use of French
has to do with more
than folklore or
tradition.*

"Our organization has significantly changed the language situation for Francophone and francophile business people in Vancouver," says Lavarière. "This is probably what has enabled some of us to discover or rediscover the rest of the community, to better adapt to its needs, and, finally, to live a little more in tune with it."

A luxury

The *Chambre* is now able to provide all its information, its basic documentation and all its services in French. In British Columbia this is a luxury that is not available everywhere. For example, the *Chambre de commerce française de Vancouver* handles all its business in English, and at the *Swiss Chamber of Commerce*, English and German are the essential languages. Thus, it can easily be imagined how important and useful the CCFC is to new arrivals who have a poor command of English or are not yet familiar with the laws, regulations and procedures in effect in Canada and in British Columbia.

The use of French by the CCFC therefore has to do with more than folklore or respect for tradition. It meets a

real need, which is an essential requirement if the organization is to participate in the growth and development of the Francophone community in Vancouver.

French, however, is also the cement, the link, the medium, the common denominator that binds the CCFC to a community that it badly needs to ensure its own development. In fact, in the particular case of Vancouver, it is clear that the CCFC and the Francophone community are two intimately linked entities, and it is hard to imagine how things could be otherwise. "We are quite aware," Lavarière says, "that we must become ever more closely associated with the Francophone community and the associations that represent it." He adds, "We must help them to implement all the plans that we consider useful to the community, because, in the final analysis, what is good for it is good for us and what is good for us is good for everyone."

Housing

This is not mere boasting. An example is the case of the *Société d'habitation LaVérendrye*, a non-profit organization that builds housing for low-income Francophone families. All the members of the *Société's* board of directors are also members of the *Chambre de commerce*. Their volunteer work has already made it possible to complete two projects that provide more than 40 housing units. At the present time, another project of this kind is under way and others are to follow. Lavarière sees this as an indication of the commitment of the members of the *Chambre de commerce* to the Vancouver Francophone community.

Community centre

Another project, a large-scale one, illustrates the participation of the *Chambre de commerce franco-colombienne* in the Francophone community: the Francophone community centre, a building that will allow all the Francophone associations in Vancouver to be located under one roof. Cost of construction: approximately \$4 million, some of which is to come from the Secretary of State. Daniel Lavarière is very familiar with this project, and has been working on it for months with members of the *Chambre de commerce* and of other Francophone associations. "This centre," he says, "will provide the shot in the arm needed to invigorate the Francophone community in Vancouver." He says no more, but it is not hard to imagine what he is thinking. ■

*Patrice Audifax is Editor of the weekly *Le Soleil de Colombie*.

University of Winnipeg Professor Gains Palmes académiques

Frances Russell*

The newest member of France's prestigious Order of Palmes académiques believes Manitoba Francophones are caught in a dilemma every bit as important to their survival as the climactic 1983-84 battle for French language rights.

Dr. Carol Harvey, head of the University of Winnipeg's French department and one of very few foreigners ever to win the highest academic honour the French government bestows, sees Manitoba Francophones in danger of being swamped in a rapidly-rising sea of general provincial bilingualism.

Franco-Manitobans

In an interview in her Winnipeg office, Harvey said the 1985 Supreme Court decision upholding Manitoba's constitutionally bilingual character has provided a stable environment for the French language and culture in Manitoba and heightened the eagerness of Manitobans generally to become bilingual. Franco-Manitobans are starting to witness their culture and institutions being used more and more by bilingual Manitobans not of French heritage.

"I think they are caught in a dilemma," she continued. "To survive, they need the political and financial support for their institutions and the climate of acceptance that has been growing since the legal resolution of the issue. But, having got that support, they must find out how to retain their own unique identity."

She noted, however, "that is what bilingualism is all about, the ability to participate in either language and culture regardless of your own background. Anything else and we will continue to have language battles."

Carol Harvey personifies the non-Francophone bilingual Canadian. Born

in Yorkshire, she was "just like all English Canadians who take regular French courses at school. I could read and write it, but I could neither speak nor understand it."

Her life was changed by a year she spent as an "au pair" girl with a doctor's family in the Vendée in southern Brittany after she graduated from high school.

"I intended to take English and journalism at university but was too young and had to wait out a year. The love of the language and culture never left me after that."

She returned to Britain and completed her Ph.D. at the University of Edinburgh in 1969. Married and the mother of two small children by that time, she and her doctor husband came to Canada, settling in Winnipeg in 1970.

She had lectured for a year at the University of Caen in 1963-64. Shortly after her arrival in Winnipeg, she was hired as an assistant professor by the University of Winnipeg, becoming a full professor in 1984.

Awards and career

She is the author of 48 articles, book reviews and conference papers. Aside from the Palmes académiques, she received the Social Sciences and Humanities Research Council of Canada Travel to International Scholarly Conferences Award in 1982 and won the Gold Medal in French and the Vans-Dunlop Scholarship at the University of Edinburgh in 1963. She will be senior research scholar at Corpus Christi College of the University of Cambridge in England for one term next year.

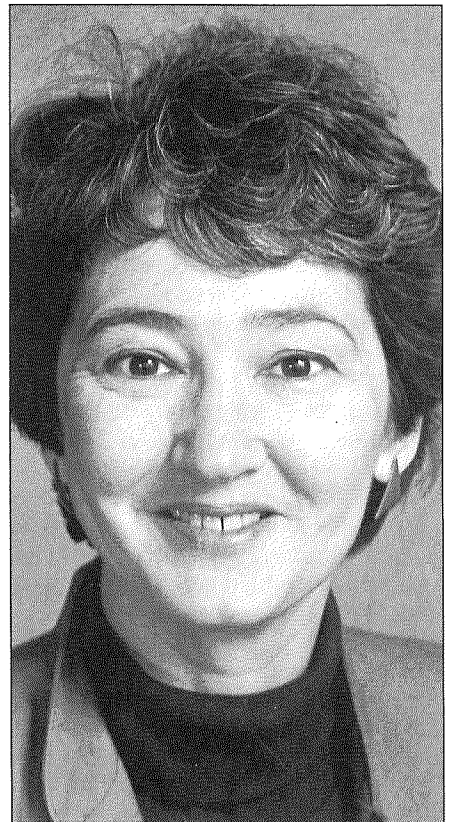
She was the chairman of the Junior High French Curriculum Committee of

the Manitoba Education Department's Bureau de l'éducation française from 1983 to 1986 and is the Manitoba French Oral Examiner for the International Baccalaureate program.

Harvey is embarking on a study of St. Boniface author Gabrielle Roy. She noted, ironically, that her material is "of all places, in the library of the Quebec legation to France in Paris."

The personal example

Using herself as an example, Harvey said it is not necessary to speak French as a child in order to become fluently bilingual. The only difference between those who learn a language as children or as adults is in the accent, she says.



Carol Harvey

"If you learn as a child, your accent will be natural, or native." Anyone who is interested and willing can get over what she calls "the hump", the point at which one thinks in the second language and ceases being intimidated about using it.

She is most proud of the exchange program she has established between the University of Winnipeg and the University of Perpignan in the south of France. Canadian students can take a full year of academic credits there toward their degree.

"I know how crucial that kind of experience is to develop a fluency and appreciation of the language." ■

*Frances Russell writes for the *Winnipeg Free Press*.

The Voices of Quebec

Quebec's Conseil de la langue française acts as a language guardian in a highly volatile field.

Ask any dozen citizens about the current language situation in Quebec and you'll get 12 different answers. The educator's view isn't that of the electrician. The plumber's perspective parts company with that of the politician. And Francophone, Anglophone and Allophone assessments tend to reflect prevailing sentiment in each background society.

In the absence of any clear consensus, therefore, the task of the legislator in the highly volatile language field is far from easy. Favour one faction and you injure another. Redress injustice here and you curb freedoms there. And how can you measure progress — or know you're on track?

Conseil de la langue française

Faced with this dilemma, in 1977 the Quebec government established the Conseil de la langue française as a crucial adjunct to its historic Charter of the French Language (Bill 101). With representation from the cultural, labour, business, academic and ethnic segments of society, the 12-member body acts as a language guardian, reporting on how well legislation is working and advising on developments in the overall political context.

It is not a job for the timid, yet into the key post of president recently stepped a soft-spoken linguistics professor from the University of Sherbrooke. Pierre Martel took office January 1, 1988, but already he has been making headlines.

The first explosion came in the early weeks of his mandate when a plan to send agents into retail outlets to quietly check on the language of service to customers was revealed by a Montreal newspaper. Denounced as a "spy network", the idea was promptly quashed.

Bill C-72

Then came the Council's outspoken stand against application in Quebec of Bill C-72. The Council argues that federal legislators persist in looking at Francophone Quebec as a provincial majority, instead of a national minority

in constant need of protection. By encouraging bilingualism — especially in municipal services and the workplace — Ottawa could use its spending power to upset the balance and undermine French in Quebec. Thus, however well-intentioned and helpful to Francophones outside Quebec, the federal law sanctions a principal of "language symmetry" which runs counter to the spirit of the Meech Lake agreement. "This symmetry is a pure and simple negation of the 1987 recognition of the distinct character of Quebec society."

At first blush, this might smack of militancy, or even chauvinism. But in conversation, Martel comes across rather as a protective parent, whose prime concern is to ensure that a fledgling offspring gets off to a good start.

French in North America...

Acutely conscious of the basic fragility of the French Fact in the North America of tomorrow, the former Dean of Humanities sees Bill 101 as merely laying the foundation for the building of a genuine French society. "It took the past 10 years just to get the framework set up, the structures in place. Now we have to go on to concentrate on consolidation and quality."

Though he doesn't care to discuss the incident, it was clearly this concern with quality which prompted the plan to send Council agents into Quebec stores to see just how the French language is used today in dealing with customers. There have been growing complaints that, a full decade after passage of Bill 101, there is a tendency to return to *de facto* bilingualism.

Now Martel admits, in view of the furor in the media, another means of measuring language quantity and quality will have to be devised. But, for the moment, he declines to speculate on what this might be.

...and the future

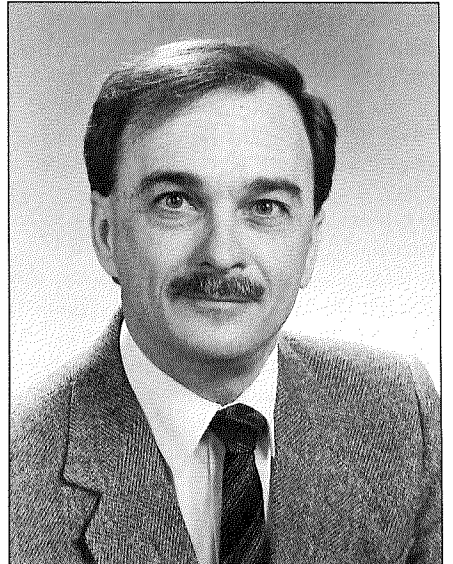
What the former Association québécoise de linguistique president is eager to talk about is the urgent need for a

dynamic Quebec to stride confidently into the 21st century, carrying to the world the products of its own creativity. Nowhere is this more vital, says Martel, than in the crucial area of computer technology.

"We must develop more and more of our own computer software within Quebec, as well as translating and adapting all that we borrow from the United States and elsewhere. Not only will such technology, specifically tailored to our own special concepts and abilities, make for much greater efficiency, but we can then export our ideas to the rest of the French-speaking world."

Martel suggests that unless Francophone Quebec can achieve a real breakthrough in this "key to the world of tomorrow", all the other painstaking efforts to conserve a truly distinct society may prove futile. The Council plans to make this a priority for the future.

A vital element is the psychological revolution involved. An impressive range of conceived-in-Quebec comput-



Pierre Martel

er software programs already exists, Martel points out. "But people still aren't aware of this. A perception persists that all the best leading-edge technologies must always come from the Anglo-Saxon world. We continue to suffer from the Silicon Valley syndrome."

Immigration

Here, however — as in the field of language and culture in general — nothing can be achieved over the long term without the will of the people. Thus the need to create, define and sustain a

continuing consensus within Quebec's increasingly diverse population has become another important area of concern for the Council. And this revolves around the attitude of the new ethnic communities evolving from the ever-rising tide of immigration.

"This is a troubling problem," says Martel. "With the dramatic drop in the birth rate, and if present trends continue, our population will see a decline in absolute numbers by the year 2025. Immigration can help counteract this. But we have to improve our ways of making newcomers feel at home here."

Better reception and integration of immigrants is all the more important when statistics clearly suggest that many of the voices speaking for Francophone Quebec in the future will also represent a wide range of different ethnic origins. Studies are already underway, Martel says, to determine exactly why English continues to exert such a powerful attraction over newcomers.

The path ahead for Quebec isn't an easy one. But near miracles have already been achieved in language and culture by a society which for 200 years centuries after the Conquest had to fall back on a primarily oral and rural-based literary tradition, Martel says.

Complexities

Meanwhile, the Language Council will continue to study and advise on the complex issues confronting Quebec in a rapidly-changing world. Recent analyses, for example, deal with the projected effects on language of free trade with the United States, the role of French in the scientific and technical information field, how the language fares in a multi-ethnic school system and the demolingistic effects of Quebec's population evolution.

Despite the magnitude of the problem, Martel is optimistic. "As to language quality, well, we should

*Pierre Martel
is optimistic.*

remember that 2,000 years ago the Roman orator Cicero was constantly complaining about bad Latin.

"In the 1960s Quebec went through its crisis of adolescence. Now there are new challenges to be faced as we stand on the threshold of adulthood." *H.W.*

After Apple Picking



From left to right, Shelley and Philip Lyall, Pam and Bob Hobson

An Ontario orchard, established in 1932 in the rural community of Mountain some 45 minutes south of Ottawa, teaches its



Towards the orchard

visitors, in both official languages, how to pick apples. On a warm fall Sunday afternoon after a wagon ride from the parking lot to the orchard, some 30 of us were warmly greeted by Philip Lyall, one of four owners, in both official languages. Standing under an apple tree,

red with fruit, he proceeded to give us a lesson on the proper technique of apple picking. Our care would protect next year's crop since the buds are very close to this year's fruit.

His presentation, done in both official languages, was a sure way of protecting the orchard owner's investment. Had the presentation been given in one language, many would-be Mac lovers through no fault of their own would have seriously damaged next year's crop.

Their active offer made us all feel welcome in the orchard that afternoon as we gathered our fall supply of big Macs.

On our way back to the parking lot, bushel in hand, I took time to congratulate Lyall for his bilingual presentation. He commented that although his French and that of his fellow owners was limited to information about life around the orchard, some 50% of their business was from Francophone families. Therefore a bilingual service was good for business. This year, for the first time, they hired bilingual guides for the Francophone and immersion student tours, an excellent initiative they intend to repeat.

My family and I certainly intend to make our orchard visit an annual event!

J.-G. P.

The Fédération des francophones hors Québec

Johanne Kemp

Relations between the Francophone community and the concept of multiculturalism were considered at the FFHQ's 13th annual meeting.

Last June the Fédération des francophones hors Québec held its 13th annual general meeting, taking as its theme "convergences". The discussions dealt with the impact on Francophones of two developments in Canadian society: multiculturalism as an official national policy, and the recent predilection, outside Quebec, for the French language and culture. The participants were asked if a convergence between the French community and multiculturalism was possible and, if so, what form might it take; and, if not, what might be the contradictions involved? With respect to the new attraction to French on the part of Anglophones, they were asked if this phenomenon would have an impact on the future of Francophones outside Quebec.

Francophones and multiculturalism

The presence in Canada of a large number of people of different languages and cultures is definitely an asset. The 1986 census lists, in addition to English and French, some 60 different languages, five of which are in fairly widespread use — Italian, German, Ukrainian, Chinese and Portuguese. It is interesting that more than half of the Canadians who speak these languages live in five cities: Montreal, Toronto, Winnipeg, Edmonton and Vancouver. This cultural diversity was first officially recognized in 1971, and again more recently in the Multiculturalism Act, which was passed July 21. For Francophones outside Quebec, this is a significant issue because the new Act speaks of preserving and enhancing "the use of languages other than English and French, while strengthening the status and use of the official languages of Canada." Two observations must be made in connection with this statement of principle:

the English language retains its attractive power in North America, and French in Canada, especially outside Quebec, remains subject to insistent assimilative pressure.

Louis Musto of the Canadian Ethnocultural Council maintained that multiculturalism and bilingualism are inseparable and mutually strengthen one another. On the one hand, bilingualism offers various ethnocultural groups the opportunity to communicate

al group belongs to one of the two main language communities and, conversely, each language community is made up of a number of cultural groups. Thus, since language and culture of origin are not necessarily linked, Canada is a bilingual and multicultural country.

Defining the problem

Professor Gérard Étienne of the University of Moncton believed, on the contrary, that multiculturalism is a vague concept that is ineffective as it is defined and has nothing to do with the Canadian historical context. The identification of some 10 ethnocultural groups does not, in his opinion, justify the establishment of an administrative unit catering to organizations that consume millions of dollars at a time when Francophones still have to solve a host of problems that currently threaten their future.

Étienne agreed that the tide of immigration has changed the face of Canada. Thus, it is important to define the problem and develop policies having the primary objective of ensuring respect for and the celebration of differences. Taking an approach opposite to that of Ottawa, which tends to balkanize the



A panel discussion

in either language while, on the other, multiculturalism allows them to preserve their original culture, thanks to government policies based on the concept of the equality of the cultural groups present in Canada. Every cultur-

country into a series of social and electoral fiefdoms, Étienne maintained that it is first and foremost a question of public education, beginning from the grass roots and proceeding upward. Multiculturalism, as now defined, does

not help to reduce existing racial tensions. These tensions can be eliminated only through public education based on the Charter of Rights and Freedoms.

Another speaker, Alfred Abouchar of the Association multiculturelle francophone de l'Ontario, believed it is no longer true that multiculturalism out-

*For Francophones
outside Quebec,
multiculturalism is
a significant issue.*

side Quebec is English-language multiculturalism and wonders what will become of the new Francophones of non-Canadian origin who now constitute a heterogeneous, multicultural community. This transformation in the Canadian Francophone community could lead to the development of an entirely new concept of the French-speaking community in Canada — a pluralistic community made up of Franco-Ontarians, Fransaskois, Acadians, Belgians, Swiss, Moroccans, Vietnamese, and so forth. Abouchar hoped to see French-Canadian culture become a dynamic and welcoming culture with a capacity for social integration such that the convergence of aspirations, ideally, will produce a new economic and political force.

These three presentations were then commented upon by two Francophones from outside Quebec, Jocelyne Ladouceur of the Association canadienne-française de l'Ontario, and Raymond Hébert of the Collège universitaire de St-Boniface. Ladouceur made a fundamental distinction between multiculturalism as a social phenomenon and multiculturalism as a government policy. The legitimacy of the first is beyond question. Immigrants have the right to preserve their identity and their values and to enjoy the respect of all Canadians. Ladouceur made essentially the same points as Étienne and, in part, Abouchar: since the government's policy on multiculturalism threatens to fragment Canadian society, it is important to develop as many services as possible to enable immigrants to integrate smoothly into the language community of their choice.

As for Hébert, he saw no contradiction between the promotion of the French language outside Quebec and

the concept of multiculturalism; he saw the possibility of a convergence between the demands of each of these groups, and even of an alliance against the American melting pot.

The Francophone community and francophilia

The convergence of ideas and opinions on this theme was striking. Although francophilia in Canada may be understood in a number of ways, the three Anglophone speakers all agreed that francophiles truly wish to associate themselves with the Francophones of the Canadian provinces.



D'Iberville Fortier

The FFHQ invited Rod Macdonald of the McGill University Faculty of Law, journalist Graham Fraser of the *Globe and Mail* and Douglas MacAdams, a lawyer from British Columbia, to participate in this round-table discussion.

For these Canadians it is undeniable that there is currently a remarkable upsurge of interest on the part of Anglophones, and even of allophones, in the French language and culture. In MacAdams' view, the efforts of federal officials over the past 20 years certainly have had something to do with this. He noted the immense popularity of French immersion courses and said that in about 30 years more than half the population of British Columbia would be able to speak both official languages.

Macdonald, for his part, made a distinction between the Francophone and the francophile communities, the first being rural, popular, scattered and traditional, while the latter is urban, intellec-

tual, concentrated and rather eclectic. Keeping these differences in mind and seeking to give each group its due, Macdonald believes that current developments could definitely aid in the advancement of Francophones outside Quebec.

Finally, Graham Fraser stressed two points. First, just a few years ago, attitudes toward official languages and multiculturalism were still sectarian. It would then have been impossible, if not useless, to discuss these issues in the spirit of good will and co-operation such as prevailed at this meeting. Second, we must remember that French — despite its remarkable advances — remains a private language that is used in the public sector only in certain regions of Canada. Francophones outside Quebec must in the future strive to raise it to the status of a public language. Wherever Francophones outside Quebec are to be found — in business, in the legislative assembly, in unions — they must make themselves seen and heard in their language, for it will be easier for Anglophones to come to appreciate the French language if they are exposed to it frequently.

Comments

Two Francophones from outside Quebec, Gaétan Gervais of Laurentian University in Sudbury and René Guindon of the firm A.C.O.R.D. in Ottawa, then commented upon the three presentations. They believed that, on the indi-

*Canada is a bilingual
and multicultural
country.*

vidual level, the bilingualization of the majority is a positive development that serves to advance attitudes. They were more sceptical, however, about its collective impact, especially if the learning of French by the majority implies integration of the two groups, in the long term, in the same institutions. They pointed out that the motivations and interests of the two groups are not the same, although they have features in common, and that it is preferable to envisage institutions specific to Francophones outside Quebec, institutions that will reassure them as to their status and their future and, consequently, will have an impact on Canadian society as a whole. ■

Minority Press Review

Tom Sloan

The continuing struggle to maintain Acadian institutions in New Brunswick suffered a severe blow last June with the disappearance of *Le Matin*. This French language daily, while still regional in fact, had been striving to provide province-wide distribution. The paper, even with its government-funded trust established to assist in covering the cost of distribution to all regions, succumbed to financial pressures just two years after it had been founded to replace *L'Évangéline*. Both papers were published in Moncton. Like its predecessor *Le Moniteur Acadien*, launched at the end of the last century, *L'Évangéline* attempted to serve Maritime Francophones. It survived, off and on, from 1940 to 1982. Caraquet-based *L'Acadie Nouvelle*, presently the sole French-language in New Brunswick, serves the north-east of the province. Now in its fifth year of existence, it is more and more actively considering becoming the provincial French-language daily.

New Brunswick

The question of a successor to *Le Matin* was quickly raised in the columns of the Acadian weekly press.

Writing in *Le Madawaska* of Edmunston, Jean L. Pedneault took issue with "...the dominant Acadian high priests of the south-east who, once more, want to impose their own solutions" on the whole Acadian community. "One has only to look at all the sectors of Acadian society to understand that Moncton and the surrounding region is not the brain and the heart of Acadia. In order to re-launch a Franco-phone daily with a provincial character, there must be agreement among all regions, including the north-east and the north-west."

As for Gilles Belleau, writing in the *Pro-Kent* of Richibouctou, the failure of *Le Matin* was inevitable. "The Acadian people are proud. They love their language and culture, and assimilation concerns them a great deal, but they have never seen themselves reflected in their provincial French-language daily....The challenge to be met was enormous, a territory too large to cover and a people still feeling burned out

following the closure of *L'Évangéline*. All this eventually worked against those who were trying to provide Acadia with a daily." Belleau concluded that, despite its best efforts, the weekly press cannot meet the needs of Acadians, "which is why sooner or later the Acadian people will have to create a medium of communication in which they will be able to recognize, protect and promote their origins. The Acadian community is proud, but it still must demonstrate and defend this pride."

Will *L'Acadie Nouvelle*, with the support and participation of all regions, succeed in striking the right balance, thereby becoming a true "Acadie nouvelle" reconciled and united?

Nova Scotia

In Nova Scotia, media issues were also to the fore. In this case, the issue concerned the request by *Le Courrier de la Nouvelle-Écosse*, published in Yarmouth, for financial aid from the local, provincial and federal governments to help it continue its 52-year-old weekly operations across the province.

While noting that the media needs of Nova Scotia's Acadians are more modest than those of New Brunswick, editorialist Richard Landry nevertheless insisted that some financial aid, in the form of a million-dollar trust fund, is essential. "Without this assurance of a stable future, considering the financial problems we have undergone in the past as a result of the province-wide mission of the paper, the fate of the enterprise is in question."

Bill C-72

In Ontario and the West, it was the passage of the new Official Languages Act that stirred considerable commentary, not surprisingly favourable, in the minority press. For *Le Nord*, published in Hearst, Ontario, the passage of Bill C-72 marked the potential end of a long struggle for survival going back to the failure of Louis XIV of France to fortify what was then New France, which led in turn to defeat on the Plains of Abraham in 1759. "The dream has almost become reality. Now it is up to the provinces to follow the road already mapped out. Francophones, 229 years

after the defeat long past, have finally conquered the current of assimilation."

Also welcoming the law was Huguette Burroughs in *Le Journal de Cornwall*. She had a warning, however: "Dinosaurs will always be dinosaurs, and as long as one remains on this planet, questions of language and culture will always remain sensitive issues that no one can ever think of discussing without first putting on white gloves and one's Sunday best."

Another note of caution came from *La Liberté de St-Boniface* and its editorialist Lucien Chaput. "The adoption of Bill C-72...will probably not change anything in our daily life in the near future. We shall have to wait, patiently, until competent bilingual persons (be they Anglophones or Francophones) take their places in the Public Service." However: "With the phenomenal growth of immersion and with the development of a network of French schools across Canada, these persons will become less and less rare."

On a slightly tangential point, Guy Lacombe in *Le Franco Albertain* of Edmonton assailed English-speaking Albertans who cite Quebec's Bill 101 as a reason for denying rights to their French-speaking compatriots. Listing the school, health, social and other services enjoyed by English-speaking Quebecers, Lacombe concludes: "There is not a single French minority in Canada that enjoys one-fifth of these privileges and services....The people who denounce the treatment of the Anglophone minority in Quebec display crass ignorance: either they have never been there or they have never attempted to inform themselves properly."

Heritage College

In western Quebec, it was a time for celebration for the *Shawville Equity* at the birth of Heritage College, a post-secondary Anglophone spinoff from the Collège de l'Outaouais. Wrote editor Ross Dickson: "The victory is a very important one for the English-speaking community, not only of West Quebec but of the whole province." It signifies, Dickson wrote, that despite pressures and uncertainty stemming from the Meech Lake accord and its recognition of Quebec as a "distinct society", the provincial government remains committed to Anglophone rights. "Alone, Heritage College cannot stop the movement of the English-speaking population out of Quebec but it will slow it, and provide another focus for the community. There will be many who hope for its failure: it is up to us to ensure that it succeeds." ■



Fortier Visits Gravelbourg

The Commissioner, D'Iberville Fortier, recently paid a visit to the students of Collège Mathieu in Gravelbourg, Saskatchewan, which was destroyed by fire May 14. The school will be rebuilt and should be ready when classes resume in the fall of 1989, according to its Director General, Florent Bilodeau, who is exploring every possible avenue to raise the funds required for its rebuilding.

Reconstruction plans and a model of the Collège were made public on August 18. The Chairman of the Board of Directors, Irène Chabot, emphasized

that the proposed plans meet the needs of the Collège and the expectations of its staff.

The total cost of rebuilding Collège Mathieu will be approximately \$8 million.

At the time of writing, the school's directors had collected \$7.3 million from insurance, a previous fund-raising campaign and formal commitments from the federal and provincial governments. They need an additional million dollars, which they will attempt to raise through another appeal to supporters. We wish them the best of luck.



Revenue Canada: In the Forefront of Bilingualism

Revenue Canada, Taxation, maintains direct contact with Anglophone and Francophone language minorities by means of annual visits and announcements in newspapers. By doing so, the Department enhances the bilingual character of its services and encourages members of these minorities to complete their income tax returns in their own language so as to ensure that they are subsequently served in that language.

Telerefund

In its Montreal district office, the Department has tested a computerized system capable of recognizing the human voice. The system, known as Telerefund, provides taxpayers with information, in both official languages, on their income tax refunds. In view of its success, Telerefund will gradually be extended to all district offices throughout Canada.

Nova Scotia Supreme Court Rejects French-Language School

Jacques Robichaud

In a disappointing judgment, which did not notice Section 23 of the Charter of Rights and Freedoms, Cape Breton Acadians were refused their own schools.

Fifty students in nine grades (although in separate classes of an English-language school) do not constitute a sufficient number to justify the use of public funds to provide minority language education. This was the opinion of the Mr. Justice Doane Hallett of the Supreme Court of Nova Scotia, in a judgment rendered August 29 on the application of Cape Breton's French-language education committee. Mr. Justice Hallett brought down the ruling despite the fact that several English-language schools are

The number of students was not deemed sufficient.

already operating in the province with a comparable number of Francophone pupils. However, he did say that had the number in question been 150, he would have ruled in favour of establishing a French-language school run by Francophones.

A good part of the judgment dealt with the costs of such an initiative. The decision concluded that the ministers of an elected government are better able to determine the related costs and allocation of public funds required than are the courts. According to Mr. Justice Hallett, judges should therefore refrain from intervening in this type of affair, except in cases involving bad faith, bias or injustice on the part of the authorities.

This reasoning is based on the common doctrine concerning judicial review of decisions made by administrative tribunals, according to which higher courts refrain from substituting their own judgments for the decisions of the lower courts on the merits of the dispute, unless the tribunal in question has overstepped the bounds of its jurisdiction or flagrantly ignored the basic rules of justice and equity. The only case considered by Mr. Justice Hallett involved a decision rendered by the Supreme Court of the United States about 40 years ago. No mention was made of the constitutional nature of the rights guaranteed by Section 23 of the Canadian Charter of Rights and Freedoms. The purpose of the section was not discussed, nor was the fact that it is common practice in constitutional issues to give a flexible, liberal interpretation of the country's founding legislation. Furthermore, the Court did not mention any of the previous decisions on the issue rendered by the higher courts of Quebec, Ontario, Alberta and Prince Edward Island, or even by the Supreme Court of Canada.

The judge also felt that immersion courses provide an acceptable alternative to French-language courses, despite the fact that in Sydney immersion courses are not available until grade 7. In any case, it is well-known that immersion courses are designed to meet the needs of the majority rather than those of the minority, in cases where parents wish to give their children a better knowledge of the minority language. Such a program would therefore not involve French as the main language of instruction.

The judgment is to be followed by Mr. Justice Hallett's decision as to whether Nova Scotia's Education Act is consistent with Section 23 of the Charter, which deals with minority language education rights. That decision is to be rendered shortly. However, the Court has already stated that this decision will probably have no impact on the current ruling, thus shattering the hopes of the applicants.

Regulations

In 1981 Nova Scotia amended its Education Act to grant legal recognition to Acadian schools, or schools where instruction for Francophones is given primarily in French. The Minister of Education then sent draft regulations, intended to implement the new measures, to district school boards. The Minister's decision to defer the study of cases submitted until the regulations were officially adopted meant that

Nova Scotia's Education Act allows for recognition of Acadian Schools.

Francophones had to wait to exercise the rights they had assumed were guaranteed by the Act and the Constitution.

The regulations were adopted in 1983, and some schools have since been designated as Acadian schools. Other applications for this status are still pending, and designation is slow in coming. The Act obliges school boards to request authority from the government to designate Acadian schools, on the recommendation of the Minister of Education, the final decision being left to the discretion of the government. It is also the Minister of Education who decides on the construction of new facilities or the improvement of existing facilities, at the request of the school board and with authorization from the Lieutenant-Governor in Council. Title is then transferred to the school board in question.

A disturbing opinion

In the case in question, testimony by the Department of Education's chief director of education programs brought to light the disturbing opinion that the 50 students registered in the French-

language program would need instruction in both English and French for a certain period of time because of their weakness in French. One can only wonder about the state of the language skills of those students in a few years' time, if they continue to be refused instruction in French. Rather than elaborating on this last point and underlining the real and omnipresent risk of assimilation, the Court preferred to ignore the gravity of the situation. The judge focused on the cost and difficul-

The judge felt that immersion courses were an acceptable alternative.

ties involved in providing high-quality education to the children because instruction would have to be given in each course at various levels. According to the Department's representative, although such a situation is not desirable it would still be acceptable. He also said that these schools meet the minimum standard of the Department, and that the school advocated by the parents' committee would have done as well. According to the judge, even if the applicants were prepared to have their children taught in French in an English-language school, this arrangement would represent only a slight improvement over the current situation, as non-Francophone students also attend classes where instruction is given in French. Furthermore, he said, the cost of ensuring instruction in this manner would be more than twice that needed to provide instruction within the existing program.

Appeal

The decision, which will undoubtedly be appealed, is not only extremely perplexing, but, paradoxically, was handed down three days after the signature of a memorandum of understanding between the federal government and Nova Scotia to establish a French-language community college — the Collège de l'Acadie — with a mandate to meet the specific needs of the Acadian population in Nova Scotia as regards teaching and professional training. This praiseworthy initiative calls for greater consistency from the provincial authorities with respect to elementary and secondary education. ■

A Francophone College for Nova Scotia

Lyne Ducharme

The Collège de l'Acadie will open next fall.

Last August the governments of Canada and of Nova Scotia signed a memorandum of understanding concerning the creation of the Collège de l'Acadie, a Francophone community college "without walls". This agreement marks the first step toward the development of a program to promote Acadian communities, similar to the programs in existence for minority official language communities in other provinces such as Saskatchewan, Prince Edward Island and New Brunswick.

Under the agreement, the federal government, through the Department of the Secretary of State, and Nova Scotia will each assume half the cost of establishing the college, which is estimated at approximately \$10 million over a five-year period. The federal government has agreed to contribute \$200,000 to the province in 1988-89; some of this money will be used to establish a committee to consult with members of the Acadian community (industry, business people, educators, labour, Acadian organizations) and to plan educational programs adapted to the market and to the needs of Nova Scotian Acadians.

The opening of the Collège de l'Acadie is anticipated in September 1989. It will serve the entire Acadian population of Nova Scotia, some 1,460 persons (see the figures on Nova Scotians of Acadian origin in *Language and Society*, Number 24, p.27) and will belong to a network of seven community colleges. It will make use of the latest technologies for distance education (television, audio-visual equipment, telephone). The Collège will have a headquarters located in a town in an Acadian area and six instructional centres linked by satellite and located in the Francophone regions of Argyle, Halifax, Clare, Chéticamp, Richmond and Ponquet. At the headquarters there will be a director general, an information officer, a technical co-ordinator and a student services officer. There

will also be a central library linked to the libraries in the regional instructional centres. The regional centres will be staffed by a course organization co-ordinator, a student services officer and a technician. Each region will have the basic instructional material and the resources to develop more of its own. It is still too early to estimate how many students will enroll in the Collège's various programs. At the start, plans are to offer courses in literacy, remedial French and French-language upgrading courses, and then gradually to add the program available at English-language technical institutions, following assessment of the educational needs of Francophones. The courses will be intended for those who wish to further their knowledge or to resume their education at the level at which it was left off. Those in charge of the project will have to co-ordinate a major publicity campaign to announce the courses that will be offered on-site, in the Acadian towns, by distance education or under agreements with colleges in other provinces. Under the agreement, the government of Nova Scotia is committed to offering all Acadians the opportunity to attend the courses of their choice, even if this means that they may have to be sent to another province.

A side effect of the distance education system to be used at the Collège de l'Acadie will be to link geographically separated communities by enabling them to communicate among themselves as never before.

In addition, the federal and provincial governments will conclude a general agreement for the promotion of Acadian communities in Nova Scotia similar to the one signed between the federal government and other provinces as a way of gradually implementing the policy concerning service in French to Acadians, which has been in existence for two years. ■

Reaction to a French-Language Community College

By the 1990 academic year, Ottawa will have a French-language community college — the first of its kind in Ontario. The Office of the Commissioner of Official Languages applauds this initiative as a sign of the times and the symbol of a new age.

For Bernard Grandmaître, Minister Responsible for Francophone Affairs, September 29 was a day for celebration. The Minister of Colleges and Universities, Lyn McLeod, announced that a French-language college would be established in Ottawa. "Ontario has taken up the challenge issued by the federal government. At last, we're making progress," McLeod stated.

In July the Department of the Secretary of State, always concerned with education for official language minorities, had stated its intention to provide financial support for the establishment of French-language colleges in Ontario. According to Secretary of State Lucien Bouchard, this contribution could cover up to 50% of the costs involved and would come from the Department's Official Languages in Education program. Assistance for the Ottawa college should amount to \$60 million over five years.

The largest college

The number of students at Algonquin College makes it the largest community college in Ontario. Although this will change in 1990, the college is taking it all in stride. Robin Dorrel, Algonquin's public relations director, said, "We are very, very pleased; we'll even lend a helping hand. Transferring assets is a complicated process, but we would be happy to talk about it."

In a September 30 editorial in *Le Droit*, Pierre Tremblay noted: "Particular care will have to be given to establishing an institution that meets the needs of its intended users. Students always have the choice of attending English-language or bilingual colleges

if the new college does not offer the programs they are looking for. Students want job opportunities, certainly, but they also want a window on the world outside of Ontario. The Francophone community offers unexplored resources in this regard."

Concern

There is every indication that the new college will occupy Algonquin College's Colonel By campus. This decision does not seem popular with the *Fédération des élèves du secondaire franco-ontarien*. Isabelle de Courville-



Lyn McLeod

Nicol, president of the *Fédération*, goes so far as to say that the provincial government is ignoring the real needs of young people from northern and southern Ontario. What worries her most are the "possible repercussions of

a drain of Franco-Ontarians from these two regions toward Ottawa." This drain, she says, hinders development in northern and southern Ontario. "We want more services for Francophones in Ontario, so they can stay in their own communities." Like other Franco-Ontarian organizations, the *Fédération* would prefer to have three French-language colleges, one in each of the province's three regions.

As for the president of the college's Francophone academic staff association, Gilles Gatién says that the Colonel By campus is not equipped to accommodate the Francophone students.

The *Association canadienne-française de l'Ontario*, rather than seeing the decision as cause for celebration, claims to be disappointed and even upset. The president of the Association, Rolande Soucie, does not mince words: "The terms used by Mrs. McLeod are so vague and non-committal that there is every cause for concern." Soucie is referring to a letter sent by McLeod to the Secretary of State, in which she wrote: "More specifically, we are considering the possibility of establishing a French-language college in the Ottawa region." The words "considering" and "possibility" worry Soucie. "I am disappointed because I was expecting a definite announcement for a college in eastern Ontario, as well as a firm commitment for the northern and southern regions of the province."

The *Association des enseignantes et enseignants francophones de l'Ontario* (AEFO) is also disappointed. President Jacques Hallé told *Language and Society* that AEFO welcomes the creation of a community college in eastern Ontario, but that the Ministry of Education should not continue to ignore northern and southern Ontario, where there are large Francophone populations. A community college in each of these regions is necessary, he said. This will be AEFO's next priority. Bernard Dallaire, who teaches at Cambrian College in Sudbury, joined his colleagues in northern Ontario in condemning "government favouritism toward Ottawa."

We should also mention that those in favour of decentralization feel that the Minister of Colleges and Universities is hindering the development of French-language programs in colleges in the north of the province. Bernard Grandmaître has also stated that negotiations with the Department of the Secretary of State will have definite consequences on the fate of French-language programs in the five other bilingual colleges.

L. de B.

Business and Language

Charles Barker

A useful colloquium brought together representatives of the private, voluntary and government sectors.

A colloquium on "the language of business and the business of language" was held in Hull on October 5 and 6, 1988. Sponsored jointly by the Canadian Society of Association Executives, the Secretary of State and the Commissioner of Official Languages, the colloquium was attended by 60 representatives of private business firms, voluntary and labour organizations, official language minority associations, and federal, provincial and municipal government institutions.

The importance of the official languages

The colloquium was opened by Jean Fournier, Under-Secretary of State, who welcomed the delegates on behalf of Secretary of State Lucien Bouchard and who spoke of the expanded role of the Secretary of State's Department in light of the 1988 Official Languages Act. Jack Shand, President of the Canadian Society of Association Executives (CSAE), followed and stressed the importance of official languages for Canada's national associations, saying that their viability depends on their responsiveness to language considerations. That was why, Shand observed, the CSAE had undertaken a major study of language practices and needs of national associations. D'Iberville Fortier, Commissioner of Official Languages, was the third speaker. Fortier emphasized the requirement, in view of the new Act, for increased co-operation between the institutions of the private and voluntary sectors and those of government. He concluded that "a sound approach to language of service (whether in government or the private and voluntary sectors) requires an ongoing commitment to cope with Canada's two official languages as a normal part of everyday management."

National associations

There followed detailed presentations by CSAE representatives of the findings of their study of national associations. Based on 299 mail questionnaires and interviews with executives of 40 associations, the study presents a snapshot of languages in national associations. Of the 40 associations, 15 were



In session...

found to be "exemplary" regarding bilingualism, distinguishing themselves by their commitment to language equality for both Anglophone and Francophone members. These associations are officially bilingual by virtue of their by-laws, strive to offer equal services and opportunities to members of both language groups, and publish all documents in a bilingual format. They have made use of Secretary of State grants programs. Seventeen others offer some

bilingual services, but the "official" bilingualism typified by the letterhead does not extend to all publications or plenary gatherings. While there may be a policy acknowledging language duality, there is no formal bilingualism development plan. Finally, eight of the 40 associations were found to be unilingual English to all intents and purposes, despite the presence of Francophone members. Such associations have difficulty answering correspondence and supplying other basic services in French. Sixteen recommendations designed to further co-operation between the government and national associations in language matters were made to the Secretary of State. They call upon the Department to expand assistance programs for associations which seek to become more bilingual.

Government programs

Colloquium delegates then heard from members of the Secretary of State's Department and the Public Service Commission concerning programs currently in place to assist the private and

voluntary sectors in relation to language, both in terms of grants for general bilingual development and in specific terminological, translation or language training needs. Later, over dinner, the delegates were treated to a witty and elucidating speech by the Editor of the *Globe and Mail*, Norman Webster, who told them that much progress has already been achieved in official languages but that further work is required. According to Webster,

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...Listening closely.

bilingualism is no longer a luxury, but a necessity, for Canada's national institutions.

Recommendations

The most exacting task facing the colloquium delegates came in the small group work sessions designed to provide further recommendations to the Secretary of State's Department. These sessions were organized and directed by outside resource personnel, and del-

Many of the language problems of the private and voluntary sectors are similar to those of government.

egates reviewed the CSAE report and drew on their personal experiences in their associations. One of the most interesting results of this exercise was the strong endorsement, supported by all four study groups, of the CSAE's recommendation "that the Secretary of State establish a proposed Canadian Council on Official Languages and that the Council's mandate include consideration of the role of associations in advancing bilingualism." A second result was to call for more publicity for existing government programs, which are apparently under-utilized by many associations. Other suggestions were

that the use of grants by associations be more carefully evaluated and that the successes of associations in implementing bilingualism development plans be



Peter Rainboth

advertised and indeed "celebrated". There was also some interest in a proposed "business language centre" and improved federal-provincial coordination in dealings with the private and voluntary sectors.

Concluding remarks were made by Peter Rainboth, Al Cormier, and Alain Landry, respectively from the Office of the Commissioner of Official Lan-

guages, the Canadian Society of Association Executives and the Department of the Secretary of State. They concluded that the colloquium had been a useful means of bringing together representatives of the private, voluntary and government sectors for discussions relating to official languages, that while the settings are different many of the language problems of the private and voluntary sectors are similar to those of government and close co-operation is vital, and that much work must be done to implement the spirit as well as the letter of the 1988 Official Languages Act. ■

Letter

Esperanto

It seems as if the North American press, which is about 30 years behind that of Western Europe in this case, in the past year has started a campaign to disparage Esperanto — doubtless because it realizes that Esperanto, which is now over a century old, shows no sign of disappearing. Language and Society is no exception: of all the possible quotations that might have been chosen in reviewing Mr. Blancpain's work (Language and Society No. 24), you have opted only to feature a misleading statement about Esperanto.

Manuel-M. Campagna
President, Esperanto Ligo
Ottawa

Press Review

Tom Sloan

The occasionally fierce, if unequal, debate that swirled around the final passage by Parliament of Bill C-72, the 1988 Official Languages Act, caused much ink to flow — not always in the same direction — in the nation's editorial boardrooms. While the Bill received vigorous endorsement from most editorialists and commentators, many of whom took the opportunity to excoriate the small group of government backbenchers who waged a rear-guard action against it, the "dinosaurs", as they were called, also had their defenders.

There was related second issue under discussion — the extent to which Quebec, with its own long-term policies aimed at ensuring the priority of French in the province, could or should be bound by a law aimed at fostering institutional bilingualism across Canada.

Bill C-72

The major English-language dailies, including the *Vancouver Sun*, the *Calgary Herald*, the *Toronto Globe and Mail* and the *Montreal Gazette*, were unanimous in their support for the new Act, and they had many smaller allies.

One example was the *Brockville Recorder and Sun*, which had strong criticism for the last-ditch attempts by the backbench group to limit the application of the law to a few areas in Eastern and Central Canada. "We've said it before, and we'll say it again. The battle over bilingualism is over. It's been over for 20 years. These Tories have ignored the fact that a bilingual country is precisely that, a country, not a region, city or province. Canada is bilingual, not just Ottawa, Quebec, New Brunswick or Ontario."

The *Victoria Times-Colonist* also attacked the critics. "The new Official Languages Act threatens no one. It plays no favourites. But there is a threat. It comes from a small but vociferous cluster of frightened people who ignore Canada's proven capacity for inter-cultural tolerance, who imagine the worst and who have no faith in our Parliament, even when all parties support a bill."

Strong support both for the law, and

most especially for Prime Minister Brian Mulroney's handling of it, came from *Le Droit* of Ottawa. Editorialist Pierre Tremblay had no reservations. "Standing before the country, the affirmation of fidelity to the official languages is more important than free trade or tax reform. For it concerns the very image that Canada projects to itself. Any weakness on the part of the Prime Minister would have relegated him to second-class status. His firmness just could help him return to an office which no one can claim to occupy if he retreats when national unity is at stake....In acting as he has, Brian Mulroney has himself opened the door of 24 Sussex for four more years."

Joy was not unconfined, however, even in the French-language community. Writing in *Le Nouvelliste* of Trois-Rivières, Claude Bruneau noted sardonically that, despite proclamations of support from all sides, it had taken the Bill a year to pass, and that even then many members absented themselves from the vote. "There remains such a bitter after-taste that many Quebecers will continue to wonder whether they are really wanted as equals in this country."

Almost as if in answer, the *Hamilton Spectator* provided a counterpoint from one extreme of the spectrum. "The bill to expand official bilingualism is ill-considered political pandering to Quebec. Worse, it reinforces an ominous trend started in the Trudeau era, raising up the federal civil service as a privileged elite, dedicated to serving itself rather than the public. Bill C-72 will allow civil servants in certain jobs to work in the language of *their* choice — and if the taxpayer they're supposed to be serving doesn't understand that language, well, that's his tough luck." As for the all-party support for the law, the *Spectator* dismissed it as "shameless greed for Quebec votes."

The *Belleville Intelligencer* agreed that this was indeed "...an iniquitous law....With Bill C-72, Ottawa may be opening the door to further discrimination against the Anglophone community, and to a gradual decline in the influence of that group". The editorial was entitled "Selling Out to Quebec".

A western echo came from the *Calgary Sun*: "Well, if being a 'dinosaur' in the age of official bilingualism means worrying about the rights of the majority of Canadians who speak only one official language...you can call us a Brontosaurus."

Backing the law, but supportive of a local MP who was one of nine who voted against it, was the Peterborough *Examiner*. "Bill Domm, and the eight other Tories who broke party lines... wear the maverick label proudly. Let us be too harsh, consider where the nation would be were there no critics. Canada has little choice but bilingualism. But it should not be with blinkers on."

As for the specifically Quebec connection, there was widespread concern in the French-language media about the impact the new law would have on the province's own language goals. A particular focus of attention was Parti Québécois leader Jacques Parizeau, who denounced any idea of federal spending to encourage bilingualism within the province and called for punitive taxes for any group taking advantage of federal largesse in the field.

For Paul-André Comeau, Editor-in-chief of Montreal's *Le Devoir*, the basic premise in any federal-provincial agreement must be that: "In Canada and on the continent as a whole, only the French language is seriously threatened. To deny the evidence it to be incapable of reading the alphabet of elementary truths." Any framework agreement must place precise limits on federal intervention. "Quebec must keep the authority over its legislation and its linguistic responsibilities."

Gilles Lesage, also of *Le Devoir*, insisted on the basic incompatibility between the two directions open to Quebec: to become a more Francophone society or a more bilingual one. Questioning both the ability and the desire of the federal government to protect the province's Francophone essence, he concluded: "The vigilance and the resistance must come from Quebec."

Minority rights

Writing in Sherbrooke's *La Tribune*, Roch Bilodeau also had a warning. "Quebec obviously must respect the basic rights of its Anglophone minority....But it must jealously preserve the powers that allow it to protect the French language in the midst of an Anglophone ocean."

Hardly surprisingly, PQ leader Parizeau's call for an anti-bilingualism tax was not well received by the

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English-language press either in Quebec or elsewhere. "Irrational and sad," wrote the *Montreal Gazette*, which continued: "The federal law, let us all recall, is designed to aid *minorities*. It will have no effect at all on majorities. Not the English-speaking majorities in other provinces, not the French-speaking majority here. Nobody need fear it. Anyone not consumed by paranoia should welcome it."

For the *Globe and Mail*, the linguistic minority in Quebec has the same rights as official language minorities elsewhere. "The federal government has a stake in seeing the minority is not humiliated...and not just because it is the right thing to do. If Ottawa cannot work to provide services for Anglophones in Quebec, it will have a harder time selling its worthy plans to provide services for Francophones outside Quebec."

The issue was also clear to the *Ottawa Citizen*: "...the Anglophones of Quebec are just as entitled to federal services in English as Francophones are to French outside the province."

At least one French-language editorialist appeared to be on the same general track. Under the title "Down with extremism", Claude Masson, Associate editor of Montreal's *La Presse*, took on fanaticism on both sides of the language divide. The Tory dinosaurs, he suggested, could well help to stir up a hornet's nest of nationalist sentiment in Quebec. On the other hand, "The new law on official languages...should also make Quebecers realize that it would be difficult to at one and the same time call for bilingualism elsewhere in Canada and French unilingualism here at home. How can we denounce the intolerance of others if we ourselves are to become intolerant?"

A similar note struck by *Gazette* columnist Gretta Chambers. "French in Quebec is not threatened by any foreseeable effects of a national policy. French would be threatened in the rest of Canada should Quebec balk at the implementation of such a policy here."

A final, ironic comment on the whole language debate came from the *Nanaimo Daily Free Press*. "One thing is clear. If the language bill is a plot by Quebec to turn Canada into a French-speaking nation, someone forgot to tell the Parti Québécois."

Multiculturalism

It is not merely bilingualism that has been stirring controversy in the language field. Multiculturalism, and specifically the passage by Parliament of a law setting up a full-fledged



Keith Spicer

Department of Multiculturalism, raised a few cheers and several hackles across the land.

In the former camp was the *Star* of Sault Ste. Marie, which saw the new law as "adequately promoting" the cause of multiculturalism, itself a worthy cause. It dismissed, however, criticisms from the opposition parties and ethnic organizations that the law did not go far enough. "Bill C-93 reinforces the Charter's ban on discrimination against people because of their ethnic, racial or national background. That's good. But when it comes to actually promoting the self-interest of Canada's many ethnic and cultural groups, surely this responsibility should lie with these groups and not depend on government funding and support."

To *Ottawa Citizen* editor Keith Spicer, however, the whole concept of official multiculturalism is suspect. "In a word, we are about to legislate ethnicity as a feature of Canadian life....we are going to pay in perpetuity to ensure that Canadians will never feel they are

a single, distinctive people."

Describing multiculturalism as "our biggest growth industry", the *Toronto Sun* wrote that its official recognition was nothing more nor less than raw political calculation. "These politicians are willing to have New Canadians nurture old loyalties while government funds pour in to fertilize the process...though many of us are fed up with hyphenated Canadianism and want us all to be as special as the next guy."

Félix Leclerc

The death of singer and poet Félix Leclerc brought an outpouring of sentiment in Quebec, especially from the French-language press.

For Marcel Adam in *La Presse*, "Quebec has lost a giant who has enriched our cultural heritage by his work and by the extraordinary influence he wielded...as a model for a whole generation of singer-composers." He was, Adam observed, seen by Quebecers as their national poet, despite the fact that not all agreed with his espousal of separatist ideals. "But Félix Leclerc was a towering figure and his reputation never suffered from his political commitment. This is doubtless due to the breadth of views and the tolerance of Quebecers, who are able to make distinctions and dissociate the artist from the committed citizen. A characteristic one does not see in all peoples."

Le Droit's Pierre Tremblay dismissed Leclerc's political influence as unimportant. "But whatever were the results, the words and the music...will remain intact, an eternal anthology of the most beautiful feelings that we have experienced here, in this country, of which he was the master singer, before all others."

For Martine Corriveau in Quebec's *Le Soleil*, "Félix the story-teller has left us the most beautiful love songs and the most biting patriotic refrains. Like those others who were the greatest artists of our century. Those who lived what they sang."

At least one English-language daily, the *Montreal Gazette*, also took notice of "...the first of the *chansonniers* who wrote and sang their own songs about Quebec....He was the first to show Quebecers that they and their land were worth singing about, and that the songs were worth listening to, both for them and for others....The grief...is felt by Quebecers who did not share his political ideals. They, too, admired him and loved him, for the gifts he gave their society and their individual lives. They know that what he did and what he tried to do, were for them." ■

Machine Translation: Getting Off the Ground

Jan Carbon

For the time being, at least, computer translation is useful only for lengthy, repetitive or technical documents.

Any discussion of computer translation requires a whole new vocabulary. The term "machine translation" applies to the entire range of tools that computer technology offers translators. Although millions of words are translated in Canada every year, the use of such tools is not very widespread. Translators still work in much the same way they did at the beginning of the electronic age; the number of truly modern resources used by today's translator is limited, with dictaphones and personal terminology files used more often than computers and on-line terminology banks.

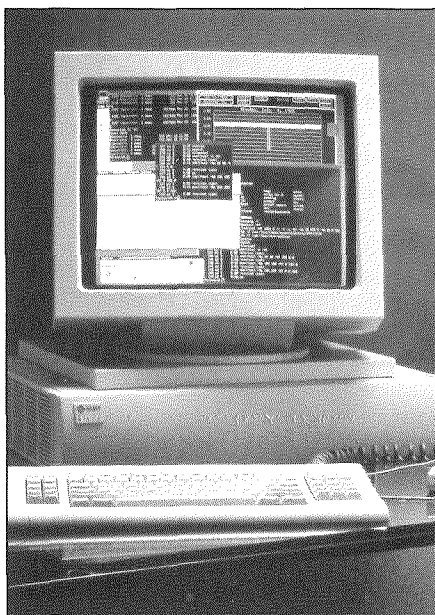
Machine translation includes a whole range of systems, which can be divided into three main categories: computer-assisted human translation, human-aided computer translation, and fully automatic machine translation. In the first category the work is done by the human translator with the help of sophisticated computer technology ranging from word processing to terminological research. In the second, although the computer provides the translation, the human translator intervenes actively in the process — before, during or after. With respect to fully automatic machine translation, the computer performs the task of the translator almost completely independently; the translator's involvement is minimal.

Dexterity at the controls

At the Department of the Secretary of State, only a third of the translators have access to word processors or personal computers. In private translation companies the percentage is often higher, although even here resources for computerization continue to be limited. The use of less sophisticated methods, such as writing drafts by hand or recording them on dictaphone, means that transcription is necessary, resulting in a very costly "double" revision of

the typed text. In addition, texts from contractors are submitted in various forms — tape, paper, diskette — and, in the latter case, systems are often incompatible.

At the Canadian Workplace Automation Research Centre (CWARC), which is part of the federal Department of



Communications, researchers have developed an experimental work station that is integrated into a network, with translators sharing a number of tools. Apart from word processing, translators have access to a comparator, a word frequency counter, a terminology file manager, the Secretary of State's terminology bank (TERMIUM), a spelling checker, an editor, a computerized grammar aid and a word counter. The major remaining problem is compatibility — although these programs are all readily available on the market, some dexterity is required to handle them. As the goal is to maximize the system's usefulness, translators must be able to switch from one application to another as easily and quickly as possible.

In the meantime, translation schools (for example, at the University of Ottawa) are training translators to work with personal computers and to familiarize themselves with software that will one day be indispensable to the entire profession. At present, however, there is no guarantee they will be able to find this environment outside classroom walls.

In context, Canadian efforts in automatic translation seem paltry.

The advantages of the computerized work station are considerable. According to Secretary of State, receiving source texts in electronic format and having them translated and produced in the same format alone makes it possible to save 1.5 person-years for each million words translated. These savings affect both the client and the translator.

The last word

Although the computer has proven incredibly proficient at handling numerical data, the same cannot be said when it comes to simulating mental processes. One need only compare the impact of computers on the space program, for example, with their influence on translation. If the past 20 years of research into "artificial intelligence" have produced any results at all for automatic translation, it has been to demonstrate that the translator uses a whole range of complex skills and knowledge that no machine — at least for the moment — can equal.

Intervention

In order to ensure a certain level of quality, all the commercial systems available depend on the intervention of the translator. Such intervention may take the form of work done before the computer is involved — pre-editing. Any typographical error in the source text, for example, results in a problem. Furthermore, a certain degree of simplification is beneficial; the less ambiguous the text and the more direct the style, the better the output will be. Some users, in fact, write with the machine in mind. At the pre-editing stage, the translator must also input all the terminology required. ⇨

With some systems, the translator's intervention is required at the actual time of translation, to "help" the machine with lexical or syntactic problems it cannot solve. This is known as the "interactive" process. Later, the translator revises the output in order to check quality and make corrections — post-editing.

New skills

The computerization of the profession means a whole range of new skills to acquire and an accompanying gamut of new tasks, such as pre-editor, post-editor, interactive parser and software developer, not to mention text-drafting consultant. At worst, the profession would consist in revising the output of a fairly incompetent machine. At best, routine and uninteresting tasks could be assigned to a machine that never gets bored. Whether satisfied with such systems or not, users agree on one point: computer translation is only practical for lengthy, repetitive or technical texts, as the start-up costs are considerable.

The Canadian translation market is estimated to be worth \$250 million.

First, software and hardware must be acquired; the necessary terminology must then be collected and entered, as the software comes with only a very basic vocabulary.

Organizations that have been able to make the most of computer-assisted translation systems — and there are few — are all private companies that use the systems for precisely the kinds of text described above. General Motors, for example, uses CAT to translate maintenance manuals for trucks, and Unisys relies on automatic translation for its software manuals. Cost reduction is less important to these firms than speeding up the translation process itself — an important factor where competition is a major consideration.

Secretary of State has tested and rejected most of the commercial software available on the market, with the exception of LOGOS. This American program was tested at the Translation Bureau in Montreal, in a section that specializes in the computer field. The

Bureau decided to extend the trials another year, and establish a second test module at National Defence. At present, six federal translators are working with this program. The Bureau also hopes to test new versions of other commercial programs that were evaluated previously, as well as programs now under development.

Solo flight

Secretary of State, which funded the Automatic Translation project at the University of Montreal (TAUM) in the 1970s, is responsible for the only operational automatic translation system that dispenses with the translator almost completely: TAUM-METEO. This system supplies weather forecasts issued daily by Environment Canada. The key to its success is an automatic translation program tailor-made for a natural sub-language. (A "sub-language" defines a specific subject area, and is limited in both vocabulary and syntax.) TAUM-METEO, which became operational in 1977, now translates more than 16 million words a year, at a cost of less than a quarter of a cent per word. Over 95% of the texts require no human intervention whatsoever; problem texts are simply rejected by the computer and given to the translators.

Once TAUM-METEO had been launched, Secretary of State suggested that the team tackle an even bigger challenge — that of translating all maintenance manuals for the Canadian Armed Forces' new patrol aircraft: a total of 90 million words. A prototype was ready by 1981, but it was decided that the project would not be cost-effective in the short term and TAUM-AVIATION was abandoned.

CWARC is now spearheading Canadian research in the area of automatic translation. A small group of experts is working on a research program, and development includes three areas: a work station for the translator, research into sub-languages which would make it possible to repeat the success of TAUM-METEO, and the long-term design of third-generation CAT systems (software now available is described as second-generation). This system, which is still at the prototype stage, has already been given a name: CRITTER. Its most impressive characteristic is that it translates from French to English as well as the reverse.

At the same time, Japan has been spending millions of dollars on a fifth-generation computer project involving about a dozen teams (all larger than the CWARC team); part of the research is geared toward automatic translation.

The 12 countries of the European Economic Community are putting the final touches on EUROTRA, a system that will make it possible to translate texts in each of the Community's nine languages. The estimated cost of the project is \$25 million.

Future shock

The stakes are high. The Canadian translation market is estimated to be worth \$250 million (with Secretary of State handling 36% of it). Although the domestic market represents less than 5% of the world market, it apparently accounts for 5-19% of the international English and French market. Experts claim that the market is growing at a rate of 10% per year and could go up by 30% if costs were lowered. The military equipment Canada intends to purchase by the end of the century could necessitate the translation of some 8.4 billion words, and National Defence already has a backlog of about a billion words. These figures are formidable indeed, especially since there are only about 5,000 translators in Canada and this number is relatively stable, with newcomers merely replacing those who are leaving the profession.

Between 1980 and 1988, cuts of 266 person-years were made at Secretary of State Translation Bureau, but production continued to increase, rising from 250 to 265 million words over the same period. To meet the demand, the Bureau believed it could count on private translation firms as well as on increased computerization for its own translators. However, not only did the growth in demand raise the rates charged, but the pool of translators available apparently proved smaller than expected. The Bureau was not able to obtain the resources required to purchase the necessary equipment; in fact, its physical resources were reduced even further.

Given this context, Canadian efforts in automatic translation seem paltry indeed. On two separate occasions the Department of Communications had independent experts assess the potential automatic translation market in Canada. In 1985 Cognos, a software company, came up with a very favourable prognosis. Two years later, the Coopers & Lybrand consulting group produced more reserved estimates. The CWARC program is based on both reports.

Will Canada, which was a leader with its TAUM-METEO project in the 1970s, still be in the running at the end of the 1990s? There are certainly no guarantees. ■

Did Julien Green Betray Julian Green?

Julien Green, *Le langage et son double*, Editions de la différence, 1985, 413 pages.

The first language of novelist Julien Green, born in Paris in 1900 of American parents, was French. Quite naturally, the speech of the children of Paris with whom he played spontaneously became his own. As a child, he wondered why at home, where he was called "Julian", his parents persisted in using strange sounds to communicate with each other, sounds that, to his ears, were meaningless.

Later, in 1926, when he decided to be a writer, the author of *Moïra* chose to write in French, as if there were really no alternative. Only many years later, in 1940, did Julien Green begin to write in English. From then on he wrote in French when he was in France and in English when he was in England or the United States. Sometimes he also wrote in English in Paris to pique the curiosity of his hosts. Nineteen forty marks his discovery of the full beauty of his mother tongue and his assumption of his "Americanness".

Bilingualism and translation

The most surprising thing about this austere man is that he himself was a translator of his own works and that in them he makes some very interesting observations about translation. Giovanni Lucera has collected Julien Green's most important bilingual texts in this volume, and has provided a preface and notes. This fine collection contains some 15 bilingual texts presented *en face*. Among them are a number of brief biographies, including one of William Blake, reminiscences, excerpts from the author's journal and essays on various subjects concerning Green's own life and career, including some extremely original observations on the phenomenon of belonging to two ethnic groups and on bilingualism and translation.

For someone born in and living in a country like ours, these are basic issues, and it is very worthwhile to peruse a volume such as this. The reader will undoubtedly find in it lessons about life and social behaviour.

"It is almost impossible to be completely bilingual," says Julien Green (p. 173), basing his opinion on personal experience and on the reflections that resulted from a striking literary incident. "In July 1940, having arrived in America," he recalls, "I had the idea of writing a book on France, not a book about the recent events, but one about what I owed to France." He goes on to say that he started to write in French, but after about 10 pages he asked himself what American publisher would ever publish such a book. He then decided to begin again in English, translating his own work, only to realize quickly that the second version was quite different from the first. "In English," the astonished author concluded, "I had become a different person."

If we think about it, and if we accept the idea, this conclusion has profound consequences for the point of view, behaviour and motivation of anyone who plays a leadership role in Canada and whose actions have an impact on both English and French Canada, especially if such people consider themselves "fully bilingual".

For Julien Green a twofold heritage required the ability to be two persons in one — a serious problem, considering that it is quite difficult for ordinary people just to be one person. This twofold heritage, by the same token, constitutes a bipolarity, and I am convinced that it provides the explanation for the psychology of many of the author's characters and of the author himself.

A dual vocation

Turning our attention to the subject of translation, Green, the biographer and translator of Charles Péguy, switched from one language to the other with facility and, while he did not leave an exhaustive treatise on translation, there

are enough notes and comments on the subject in his work to allow us to deduce some useful principles about it.

The translator, as both technician and artist, must be faithful to the original text and to the rules of the language into which it is being translated. A translator is expected to have two qualities that are difficult to reconcile: respect for the text *and* an appreciation of its beauty. To be a technician of language and a creator is the twofold vocation of all those who, over the generations, have successfully translated literary masterworks from one language to another, infusing them in the second language with vitality and genuine poetry without divesting them of their original personality. We might cite as examples, as indeed Giovanni Lucera does in his preface, the famous translations by Charles Baudelaire of the tales of Edgar Allan Poe.

Translators are perhaps the least free of artists in that they must take a back seat: they do not have the right to misrepresent the original creator of the work, who came before and whose name will continue to appear on the translated version. A short story by Poe translated by Baudelaire remains a short story by Poe, and must retain the basic qualities it had in the original language. It may have been an easier task for Green to translate Green because he was fully aware of the intentions of the author, although, if it is true that in changing languages our personality also changes, then there may be more to say on the subject.

From the creative point of view, this duality can enrich the translated text while ensuring its faithfulness to the original. It is interesting to note the simplicity with which Julien Green seems to translate himself and others, as if he were following in the footsteps of the original — the words, their syntactical order, the figures of speech — with remarkable ease. But, Green complains, translation will always be treason: no translator and no translation can do justice to the strength and beauty of the sounds of the original language.

In this bilingual country of ours there has as yet been no writer who has attempted a literary work that alternates freely from one language to the other. Jacques Godbout, who had an English-speaking mother, might have done so. There have also been others of "mixed" parentage, but in many such cases the children have opted for one of the two cultures, thereby making a political choice that excluded the other.

André Renaud

Bilingualism or Dualism?

Roderick A. Macdonald*

Knowledge of legal materials in one language only is inadequate to the demands of Canadian law.

Those who make and interpret Canadian laws are now quite familiar with our country's official practice of legal bilingualism. Statutes and regulations of the federal Parliament and executive are promulgated in both English and French; decisions of the Supreme Court of Canada and the Federal Court are published in our two official languages; defendants in criminal cases generally may insist on being tried in the language of their choice. These features have contributed to a national legal system which, at least in its formal trappings, operates bilingually. However, if we are to have a truly bilingual legal culture, we cannot be content with legal artifacts appearing in both languages. We must also strive for a method of understanding and interpreting these legal rules which necessarily draws on both their English and French versions. Otherwise we risk transforming the promise of legal bilingualism into a practice of *de facto* legal dualism; that is, the pretence that Canadian law can be understood with reference to only one of the two official texts.

Interpretation and translation

Here I distinguish "interpretation" — the process of elaborating a legal rule in textual form — from "translation" — the process of rendering a text from one language into another. I claim that the interpretation of legal texts must engage a search for the true meaning to the legal rule — a meaning which finds only imperfect expression in a statute or judgment. Any text, whether written in English or French, represents more than just the words that compose it. Words, phrases, and even entire statutes and judicial decisions, are symbols which contain both explicit and implicit meanings.

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The problem of interpretation — of bringing to consciousness all these aspects of meaning — is at once greater and lesser when a text comprises two languages. To begin, one linguistic version may be a derivative translation of the other, in which case the implicit meanings of the primary version are often lost or ignored. In fact, it is



Veritas

doubtful that legally significant one-to-one translations are even possible. Such an exercise is predicated upon the dubious proposition that words carry with them detachable, fixed meanings which one can look up in the *Collins-Robert* and transcribe into the other text. Second, even when both versions have been crafted as originals, one text may better reveal the true meaning of the underlying legal rule. A legal rule

which seems clear in one language may not be so straightforward in the other. The meaning of the rule cannot be reduced simply to its clearest exposition. Third, the language of law is embedded to a large extent in legal tradition. In Canada, we have not only two official languages, but also two legal cultures. A statute which translates mortgage as *hypothèque* fails to acknowledge how much legal language presumes legal culture.

Legal dualism

Given these challenges of legal bilingualism, it is not surprising that many of those who are called upon to interpret bilingual legal texts — judges, lawyers and academics — actually practise what I have called legal dualism. Evidence supporting my claim that legal dualism is pervasive can be found in the orthodox practice of private law in Quebec. Legal practice in Quebec has always been carried on in English and French. But until recently these practices have remained largely insulated from each other. Accepted interpretations of statutes and codal articles have differed according to language, as has the deployment of certain legal institutions such as the trust and substitution. Moreover, secondary resource materials (texts, articles, precedents) have tended to be deployed primarily by those who practise law in the language in which these doctrinal sources were composed.

The problem with legal dualism is that many of the possible interpretations of our legal rules are lost or at least are not consciously in the mind of the interpreter who looks to only one version. Rather than seizing upon the opportunity to exploit a second language in order to enrich our legal vocabulary and to achieve greater sophistication in legal interpretation, we remain satisfied with incomplete descriptions and jejune interpretive methods. There are two other unfortunate consequences of legal dualism. First, the aspiration to a national legal system is frustrated if the invocation and interpretation of legal materials depends on the language employed by the lawyer or judge. Instead, we get two legal ghettos. Second, legal dualism encourages derivative translation and impedes cross-linguistic criticism of legal rules and their interpretation. The more that translated materials become readily available in both languages, the less interpreters will have to confront the assumptions, nuances and metaphors of the other language as sources of ideas and inspiration.

Legal bilingualism

I claim, contrary to many who aspire to a bilingual legal culture, that the antidote to legal unilingualism lies neither in exercises of bureaucratic normalization of legal terminology, nor in increased translation of all forms of legal texts, both of which encourage legal dualism. The antidote to legal unilingualism lies in the promotion of a truly bilingual legal order, or if you will, a *babale legale*, along the lines suggested below.

It is doubtful that legally significant one-to-one translations are even possible.

In a bilingual legal order there will be little place for translation. The drafting of legislative instruments will reflect and attempt to render the same legal rule in two languages. Bilingual statutes will be the result of the interpretation and integration of two separate texts crafted initially in a fashion sensitive to the contexts and subtleties particular to each language. This craftsmanship would inspire not only the vocabulary, but also the grammar and syntax of legislation. Neither version would be a translation of the other. The interpretation of these legislative texts will reconstruct the expansive process of their drafting. Interpreters will know that knowledge of one version alone is insufficient and will understand texts as fully embracing both English and French contexts, and as meaning what both versions say. We will no longer speak of two texts being equally authoritative; to the extent that any linguistic formulation of a legal rule can be authoritative, we will speak rather of one authoritative bilingual text. For this reason, interpreters will treat any apparent inconsistency between English and French versions no differently than any apparent consistencies between them. In both situations interpreters will construct, as best as possible, the true rule represented by the two texts, rather than seek the narrowest possible meaning consistent with both.

The other primary vehicle for stating legal rules — the judicial decision — is even less amenable than the statute or code for translation resting on a one-to-one correspondence of language. In

addition to conveying a legal meaning, judgments are aimed at persuading the reader. Tools for persuasion — explicit argument, rhetoric, syntax, etc. — are language specific. Not only is the case for discursive translation of judicial decisions much less compelling than for legislation, so also is the case for bilingual crafting of judgments. A judgment is not a bureaucratic exercise of a committee; it is the literary product of a single mind. It follows that, unless judges are able to write poetry in two languages, they should not attempt to write judgments in two languages. Nevertheless, because the symbolism of language rights in Canada requires, at least for the moment, that text of judgments be issued in both English and French, translation (rather than the dual craftsmanship just suggested) is inevitable. But the existence of “official” translations must not prevent us from indicating which text is a translation. Nor must it prevent translators from attempting to capture the literary and rhetorical aspect present in all judgments. Translated judgments ought to be less the mirror image of their originals than their metaphorical equivalent.

The symbolism of texts

The ideal of a truly bilingual legal system requires a legal audience which is willing and able to explore the symbolism of legal texts in both languages. This audience would interpret statutes

A legal rule which seems clear in one language may not be so straightforward in the other.

by seeking meaning in both their written forms, and would have no need for translated judgments of any kind. In all cases the search for legal normativity would be the product of a bilingual discourse — the “translation” process would be one of normative meaning to textual expression, not English to French or vice versa. Until such a state is reached, translations of non-legislative materials from one language to the other will continue. But this temporary bow to the imperatives of the present

should not prevent us from rejecting translation as a means of creating bilingual statutes, from constructing the meaning of bilingual statutes from both texts, and from demanding non-discursive translations of judicial decisions clearly marked as translations. Even as we strive for a truly bilingual legal system and as we await a legal profession capable of practising within it, we must recognize that knowledge of legal materials in one language only is inadequate to the demands of Canadian law. In other words, we must recognize that overcoming legal dualism tomorrow demands a full commitment to legal bilingualism today. ■

Gilles Lalande, 1927-1988

We have been deeply affected by the news of the unexpected death on September 4 of Gilles Lalande, Deputy Commissioner of Official Languages from 1980 to 1986.

The Office of the Commissioner was fortunate to have him on its senior staff. Thoroughly familiar with the complexity of the Canadian linguistic scene, he had a vast experience of the academic milieu and the diplomatic world, an experience which gave his priceless contribution a very personal dimension.

His sensitivity, tact and humanity were particularly appreciated by his immediate co-workers.

Former co-secretary of the Royal Commission on Bilingualism and Biculturalism, he continued to be active in the linguistic field after retiring, as seen from his chairmanship in 1986 of the Quebec Working Group on the Charter of the French Language. Recently, he had also participated in the activities of a committee of the Business Linguistic Centre, which was acting as a consultant to a major federal department.

The Office of the Commissioner joins all those who grieve his loss, and extends to his wife and children as well as to the rest of his family its most sincere condolences.

Minority Language Children: A Challenge

Georges Duquette*

In the last two decades our society has recognized the importance of providing special education services to children with special needs. We have trained highly skilled professionals in such various fields as special education, speech pathology, audiology and language therapy.

This major effort has generally been applauded by educators and the general public. But, unfortunately, most of the training, the case studies, the language backgrounds of professionals, and the services provided have been intended for unilinguals. The result has been that minority language children whose mother tongue is not English have been receiving services in a language that is not their first one.

We know from research in bilingual education how important the role of the first language is in language development, and we also know that assessing a child's cognitive or basic language development in a language that is not the child's mother tongue is statistically invalid.

If a child has special needs, it is vitally important that he or she be given every chance to develop an underlying proficiency based on the roots and experiences of that child's first language. To ask a child with special needs who has not yet begun verbal communication to follow an educational program in a second language is fundamentally absurd. However, once the first language has been emphasized at home and at school, exposure to the second (majority) language can be a constructive experience encouraging development in both languages.

We cannot expect an entire profession to be retrained instantly, to become expert in bilingual education, to have a native's proficiency in a second language, to develop and administer culturally authentic assessment materials or to create educational programs in keeping with the child's home language and culture. However, there are measures which can, and should, be taken.

Each province should establish a lan-

guage assessment and development centre to serve the needs and special needs of minority language children. These centres should be staffed by specialists in language development and in bilingual education and, as well as services, would offer expert advice to language professionals trying to meet the needs and special needs of minority language children.

Also needed is a graduate-level university program in bilingual education and special education to train professionals to provide the kind of advice that is desperately needed in our society. Specialists could be trained in first- and second-language education and special education, counselling and administration, and might even combine this expertise with studies in speech pathology, language assessment, therapy and the like.

The combination of centre and university program could offer training to professionals aimed specifically at meeting the needs and special needs of non-Anglophones. At the same time, expertise could be provided to unilingual teams of competent language professionals now in the field.

In the meantime, parents should play a major role in the development of their child's communication system and the key component of that system should be in the home. Families of minority language children with special needs should maintain the home language and culture and communicate with their child in the language most natural to the entire family, while establishing school routines which are consistent with the home environment.

Language specialists who are open to and can appreciate the importance of emphasizing the child's home language and culture in developing communications skills should be selected and cognitive and language assessments and the communication program of the child should first be carried out in the family's home language. Language specialists should be aware of the child's routines in the home and should have the necessary cultural and linguistic competence to understand and value those routines. Professionals doing assessments must be fluent in the child's first language and able to syn-

chronize with the home culture.

To this end, the family should be sure that the assessment and educational program is not just a watered-down version and/or translation of an English-language program. Testing instruments must have the same statistical reliability and the tests the same validity as the English-language tests. Test materials should be "authentic" — produced by native speakers for native speakers — to the culture of the child.

In bilingual communities, and elsewhere when numbers warrant it, schools for children with special needs should provide the necessary expertise. In more monolingual communities, there should be one or more school staffers belonging to the minority language group.

Any parent with a developmentally handicapped child needs a good support system. Groups such as the Association for the Mentally Retarded must be well informed about the needs of their parent members who are linguistically and culturally different and should know that the services such parents seek are not always available.

School board trustees, municipal organizations and families and friends can all have an impact on the hiring of professional staff to provide specialized services, but the primary responsibility for education lies with the provinces, which should see that the training of language specialists and professionals places a greater emphasis than at present upon meeting the needs of children from minority language groups. Parents should have much to say about the education and services their children receive and ought to ask whether their children are guaranteed necessary special education services. Parents need to know their rights if they are to benefit from competent professional services so that suitable language assessment and development programs can be implemented.

The needs are real. For a minority-language child with these special needs, the proper services in the native tongue can mean the difference between success and failure in the development of a system of communication. ■

For further information on the ideas contained in this article, please consult: Duquette, G., "Cultural processing and minority language children with needs and special needs." In L. Malavé and G. Duquette (eds.), *Language, culture, and cognition: A collection of studies in first and second language education for educators in Canada and the United States*. Clevedon, England: Multilingual Matters.

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