LANGUAGE AND SOCIETY

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Number **26**, Spring 1989

Our report on the language of signs

PREMIER ROBERT BOURASSA: "... THE SPIRIT OF THE SUPREME COURT"

Official Languages

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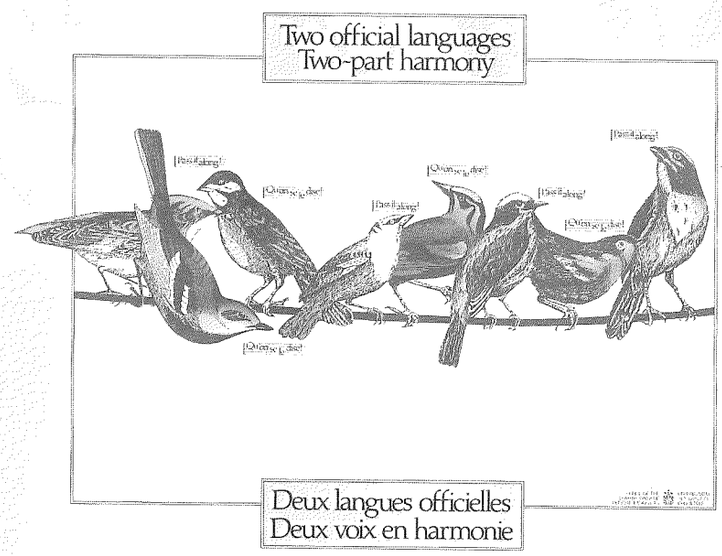

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LANGUAGE AND SOCIETY

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Photo composition
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Acart Graphics

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Subscriptions
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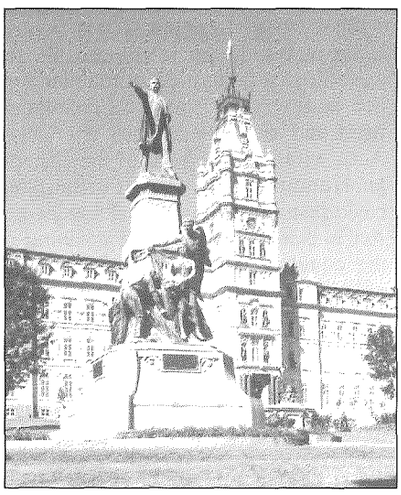
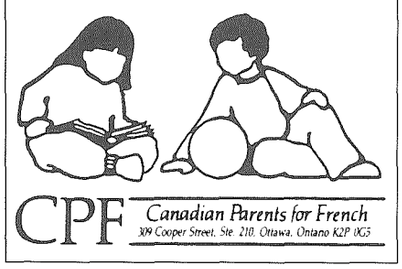


Cover:
The Quebec National Assembly



Canadian Parents for French, founded in 1977, is alive and well (p. 34)

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.

COMMISSIONER OF OFFICIAL LANGUAGES
COMMISSAIRE AUX LANGUES OFFICIELLES

LANGUAGE AND SOCIETY

The Commissioner as Linguistic Ombudsman

D'Iberville Fortier

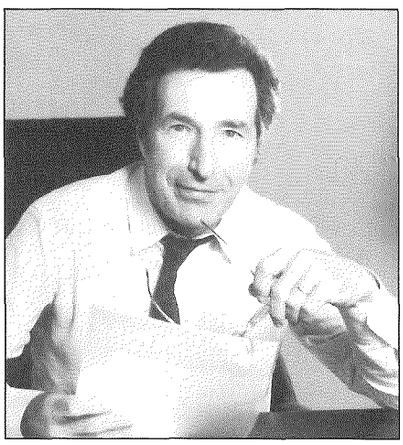
In a few weeks the Commissioner will table his Annual Report in Parliament. As usual, the media will focus only on certain aspects of current interest or public concern. How can we blame them for this? But the readers of *Language and Society* are entitled to a more substantial report concerning our main *raison d'être*, the defence of citizens' rights.

The Commissioner of Official Language was the first federal commissioner to be assigned the responsibilities of an ombudsman. In 1978 such duties were also assigned to the Chief Commissioner of the Canadian Human Rights Commission and in 1983 to the Privacy Commissioner and the Information Commissioner.

The concept of an ombudsman as we know it today had its origin in Sweden in 1809 and was introduced in Finland in 1919. Only in 1967, however, did ombudsmen's offices begin to proliferate to the point where they are now to be found in nearly all democratic countries and in nine Canadian provinces. This phenomenon is attributable to the increasing complexity of relations between government institutions and citizens.

Today's ombudsmen, commissioners or public protectors frequently have a mandate closely related to human rights and exist in order to assist citizens in exercising their rights with respect to public authorities. In a sense, they are the ambassadors of the everyday to government. It is worth pointing out that, in Canada, language rights were enshrined in the Canadian Charter of Rights and Freedoms in 1981 and were reaffirmed in 1988 in the Supreme Court decision in the Mercure case (Saskatchewan), which made explicit the link between language rights and human rights by stating that language rights "are a well-known species of human rights and should be approached accordingly."

The Commissioner, like most of the ombudsmen who are responsible to the legislative rather than the executive power, is an agent of the Parliament of Canada, to which he presents a report annually. This direct link to Parliament gives him added authority in terms of the measures he can take with respect to federal institutions. Moreover, like that of other ombudsmen, the position of Commissioner was created to provide citizens who believe their rights have been infringed with the services of



an impartial and easily accessible intermediary, thereby avoiding the complexity, cost and delays inherent in recourse to the courts. He receives complaints and conducts investigations and audits, either in connection with these complaints or on his own initiative, in order to make recommendations to the institutions in question that are designed to rectify contraventions of the Act. All of his investigations are conducted in secrecy, and he ensures that the anonymity of complainants is always preserved, unless they wish their identity to be revealed. The Commissioner of Official Languages must notify the deputy head of each institution, or the equivalent, before conducting an investigation. Priority is given to making informal representations to the institutions concerned, based on persuasion and negotiation, in order to ensure that corrective action is taken as quickly as possible and in accordance with the principles of administrative fairness.

The Commissioner of Official Language differs, however, in some important respects from other ombudsmen. First, his powers are based on a single Act concerned with a single subject: the official languages. This makes him a *specialized ombudsman*. Second, the 1988 Official Languages Act, whose letter and spirit he is responsible for enforcing, is a quasi-constitutional Act; that is, it springs from the Constitution itself and thus has primacy over other Acts, with the exception of the Canadian Human Rights Act. Further, the basic feature of the Official Languages Act is that it spells out the meaning of the equal constitutional status of the official languages within the federal administration. There are three components of this equality: service provided to the public, the language of work of government employees, and the equitable participation of both official language groups. Among other things, these three components affect intergroup relations and the psychology of individuals. They have an impact on politics, as well as economic and administrative implications. These attendant factors have a direct influence on the institutional changes underway, which can be brought to fruition only if official language majorities and minorities agree with the changes recommended, or at least are prepared to accept them. Accordingly, the Commissioner is called upon to exercise his role as ombudsman in a dynamic manner so as to promote language reform in Canada in a spirit respectful of the rights of all the parties concerned.

The role of the Commissioner of Official Languages has been strengthened in several respects by the 1988 Act. In particular, it provides for court remedy (Part X) whereby a complainant, or the Commissioner with the complainant's permission, may apply to the Federal Court if this is the only way in which respect for rights can be won. This added recourse will very likely make it possible to obtain decisions on complex issues that were previously impossible to resolve. Furthermore, the Commissioner is called upon to intervene on behalf of public servants who believe their rights have been infringed because the language requirements of a position were not established on the basis of objective criteria (Section 91). This new provision provides government employees with a safeguard against administrative practices that might adversely affect their careers.

Complaints: A key to opening doors

It scarcely needs repeating that complaints are the essential tool of any ombudsman. The role of well-founded complaints as the spur to language reform can hardly be overemphasized. Far from underestimating their impor-

tance, the Commissioners have always believed that one complaint may represent dozens, or even hundreds, of contraventions and therefore deserves their attention and that of their colleagues. Each complaint carries a twofold message, for it brings to light a contravention of a right and, in addition, frequently points to the source of the contravention which, in many cases, is systemic in nature — collective agreements that violate rights, inadequate government policies, unsatisfactory directives or procedures, and so forth.

25,000 complaints

Since 1969 the Office of the Commissioner has investigated more than 25,000 complaints. They have been a decisive factor in the progress made by language reform in Canada. The number of complaints received has more than doubled in recent years; it passed the 1,000 mark in 1985 and reached 2,200 in 1988. This is attributable in part to the high visibility of the program during debate on the 1988 Act in Parliament and to greater awareness on the part of the public and government employees of their rights. Of the 2,200 complaints received annually, approximately 85%, (1,870) come from the general public and 15% (330) from government employees. Investigation of these complaints has enabled the Office of the Commissioner to identify the shortcomings of the previous Act and of the policies and procedures promulgated by federal institutions. It has also made it possible to recommend changes, most of which were accepted by the Government and are now incorporated in the 1988 Act.

As far as our clients' satisfaction with our services is concerned, a survey taken in 1987 showed that the investigation of a complaint leads to correction of the contravention in nearly 50% of cases (our goal is to exceed a 75% success rate in the near future) and that 86.4% of our correspondents were pleased with our services. A sampling of typical contraventions of the Act and the results obtained by investigating particular complaints will be found on pages 18 and 19.

In conclusion, we invite those who believe their rights with respect to the official languages have been infringed, whether a Member of Parliament or a member of the general public or a government employee, to write or telephone us (see list of regional offices on page 17) so that together we may contribute to promoting the equality of status of Canada's two official languages. ■

It all began with the judgment of the Supreme Court on the languages to be used on signs in Quebec, followed by Premier Bourassa's Bill 178. These, combined, constituted a parmount event in the always sensitive area of Canada's official languages. In seven articles, we consider the question from a number of points of view.

Premier Bourassa and the Spirit of the Supreme Court

Hal Winter

The decision of the Supreme Court of Canada on Quebec's language law created difficulties, but the Premier says there is no crisis.

Time must cool current tensions before any more satisfactory solution can be sought in the language area, says Quebec Premier Robert Bourassa.

And he plans to concentrate on convincing the rest of Canada that recent events have merely highlighted the need to ratify the Meech Lake accord, he told *Language and Society* on the eve of his departure for a six-week European trade mission.

"There is little use considering any sort of Quebec language summit until the existing climate of tension has been dissipated and cooler heads can be brought to the conference table. But I am certain that, given time, both sides will recognize the wisdom of the compromise approach contained in our Bill 178 legislation."

Meanwhile, protection for French will continue to be ensured by resort to the "notwithstanding" clause to prevent the integrity of Bill 101 from being further eroded by judicial decisions under the present Constitution.

No crisis

The Supreme Court decision concerning the language of public signs and the government's inside/outside response have created a "difficult situation", Bourassa concedes. But it's an unwarranted exaggeration to suggest there's any language crisis in Quebec.

Avoidance of escalation of the language dispute into another English-French confrontation is clearly a key concern for the Premier, however, as he seeks to heal internal party division in good time for the Quebec elections expected later this year.

And the resignation of three Anglophone cabinet ministers in protest against the government's failure to conform fully to the Supreme Court judgment hasn't made things any easier, he agrees.

"But they remain as active, voting members of our caucus. So I am convinced that the Liberal Party can continue to offer the most effective vehicle for expression of all the aspirations and

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concerns of the English-speaking population of Quebec."

Background

Hard experience has made Premier Bourassa highly sensitive to the explosive political implications of the language issue.

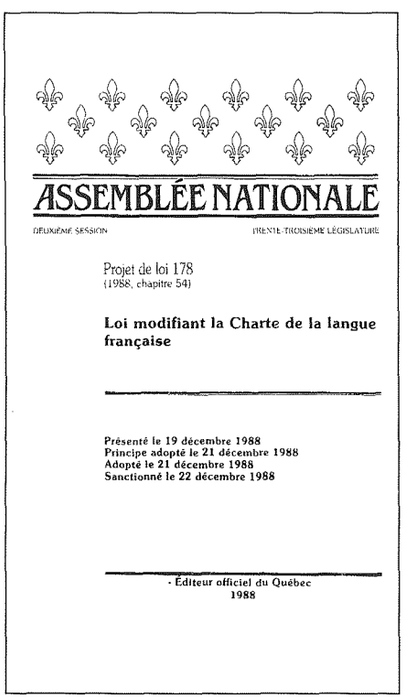
It was in the wake of a language crisis that he first came to power in 1970, and another bitter language dispute toppled his massive majority government only six years later.

Following the 1968 language riots in the Montreal suburb of Saint-Léonard, the Union Nationale government under Premier Jean-Jacques Bertrand enacted Bill 63, guaranteeing parents freedom of choice in their children's language of education.

A few months later, few were more surprised than freshman Opposition Leader Robert Bourassa when French-speaking Quebecers angrily rejected Bill 63 and elected his Liberals.

Unrest

Throughout the early 70s, Bourassa's economic revival plans were disrupted by escalating social unrest, deriving largely from a mounting Francophone sense of language insecurity. In 1974, the Premier attempted to cure this with his own Bill 22 language law.



ASSEMBLÉE NATIONALE

DEUXIÈME SESSION — TRENTE-TROISIÈME LÉGISLATURE

Projet de loi 178
(1988, chapitre 54)

Loi modifiant la Charte de la langue française

Présenté le 19 décembre 1988
Principe adopté le 21 décembre 1988
Adopté le 21 décembre 1988
Sanctionné le 22 décembre 1988

Éditeur officiel du Québec
1988

This too was rejected by both sides. Anglophones saw it as a curtailment of their rights. For Francophones the legislation was "too little — too late". So the Parti Québécois came to power, and immediately brought in the more stringent Bill 101.

Robert Bourassa

This is the harsh background against which the Premier today has to weigh the conflicting interests of his province's English- and French-speaking citizens.

As head of the only Francophone government in North America, he is acutely conscious of his responsibility for protecting the French language. And, he stresses, Quebec Anglophones continue to enjoy better treatment than any minorities elsewhere in Canada.

But Bourassa is also committed to the principle of freedom of expression. And he is extremely sensitive to the weight of the opinion of the courts.

Asked why he didn't simply declare the Charter of the French Language inviolable and invoke the escape clause fully across the board, Bourassa lays bare the essence of his dilemma.

"There is a limit to how far you can go in saying 'no' to the courts. So we sought a solution which respects the spirit of the Supreme Court judgment, while still protecting French."

Notwithstanding

The Bill 178 compromise, Bourassa maintains, doesn't really undermine Quebec's language law since "we still have the power to act with the 'notwithstanding' clause. That is the real message of the Supreme Court decision and our Bill 178 legislation."

The Premier says he's not worried about the recent call for the abrogation of the "notwithstanding" clause by Premier David Peterson of Ontario. "We can talk it over and I'm sure we will come to an understanding."

Nor, says Bourassa, is he unduly concerned over Manitoba's apparent rejection of the Meech Lake accord following Quebec's adoption of the inside/outside law. "We may be going through a difficult period. But I'm convinced Meech Lake will survive. And Manitoba too will rally if it really wants to see Senate reform."

Bourassa denies that the decision to soften Bill 101 was in any way influenced by outside pressures from world money markets concerned with freedom of expression in Quebec. "I'll be able to judge this better on my [European] trip. But with our compromise solution, I'm well equipped to answer any criticism...".

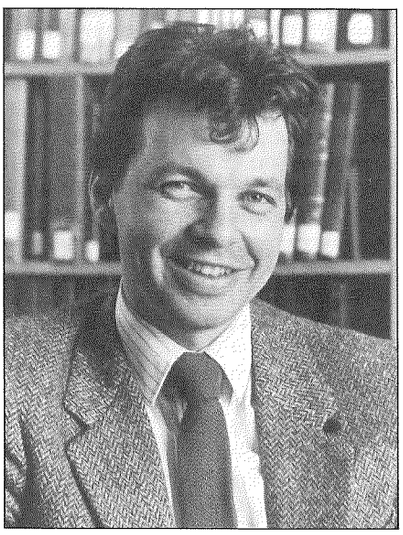
Queried about the exact nature of pre-election promises to allow bilingual signs, Bourassa agrees that Quebec Liberal Party policies tended to indicate this as a desirable concession.

"But we also have the task of assessing the whole situation in the light of our responsibility for maintaining a climate of social peace. I am convinced that Bill 178 can do the job." ■

Alliance Québec: Reaction

The Anglophone-rights group is organizing in hope of putting together a new social contract between English- and French-speaking Quebecers.

Alliance Québec is launching a multi-front campaign to win Francophone recognition of Anglophone community rights in Quebec, through constructive dialogue, consultation and political pressure.



Royal Orr

If initial hopes on both sides bear fruit, a key ally in the coming struggle could be none other than Quebec's traditional nationalist voice — La Société Saint-Jean Baptiste (SSJB).

"We're really planning to get back to basics, going out to gather support at grassroots level across the province," says Alliance founder and first president Eric Maldoff, speaking in mid-January. He welcomes the SSJB's recent overtures, suggesting a new era of co-operation.

Royal Orr, who was then in Alberta, had said on December 22 that the path to language peace would be through consultation with Francophone Quebecers. "We have a new opportunity to talk to French-speaking people about how we see Quebec," Orr said.

"We feel this is the opportune time to sit down together and try to establish areas of difference and agreement, where we may share some common ground," Montreal Société Chapter President Nicole Boudreau told *Language and Society*. "In the last analysis, we are all Quebecers anxious to find a way to live together in harmony."

Historic letter

The Société's peace offer was contained in an historic letter from Boudreau to a beleagured Royal Orr following the burning of the Alliance's Montreal headquarters after it voiced opposition to Premier Bourassa's Bill 178 language law.

"It's most significant that this offer should have come from the Montreal Chapter of the SSJB," says Maldoff.

"Other SSJB chapters have always shown themselves much more sensitive to Anglophone rights. In Sherbrooke, they even came out in favour of bilingual signs. Now, there seems a real possibility of a dialogue where there was none before."

Boudreau admits that the path ahead could be "delicate and dangerous" for both organizations.

"But the problem has become urgent and we don't feel we can simply leave its solution to government. We have had a number of calls from concerned English-speaking people and we would like to extend this dialogue across the entire Anglophone community."

Quest for peace

This is particularly welcome news, Maldoff says, since all Quebecers are united in the quest for social peace.

"And we have to recognize that we can only achieve this kind of peace by making a deal. It cannot come from unilateral action.Our goal is recognition of the Anglophone community's legitimacy on a partnership basis. Then rights will flow as a consequence."

This question of unequivocal recognition is at the core of the province-wide drive Alliance Québec plans over the months ahead. In this context, the language of signs question tends to be seen as symbolic, rather than the real issue. "However the Supreme Court judgment has made the status quo impossible," Maldoff admits.

Nicole Boudreau

"But we recognize there can be no quick solution. Bourassa is not about to cave in and repeal the law. So the real question is whether the English community has a right to exist in Quebec.The debate must determine just who is legitimate and who isn't."

Social contract

To put together the pieces of what it hopes will be a fresh social contract between Anglophones and Francophones, Alliance Québec is organizing action across a range of constituency levels.

A task-force on the English-speaking community — headed by McGill University's Professor Charles Taylor — is to consolidate Anglophone intellectual resources and develop a plan of action.

And a "think-tank" composed of about 100 community leaders chaired by Montreal lawyer Peter Blaikie is to present the views of the "brightest and best" on finding a long-term solution to Quebec's eternal language problems.

Anglophones are to put pressure on politicians with "lobby days" in Quebec City and Ottawa. MNAs and MPs — especially those from English-speaking Quebec ridings — will be "buttonholed

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and asked exactly what they plan to do to get rid of Bill 178...".

Premier Bourassa and his key cabinet colleagues are to find themselves bombarded with protest in a postcard campaign calling attention to what the Alliance sees as blatant disregard for Quebec's own Charter of Rights in the inside/outside language legislation.

Then there's the possibility of direct political action.

New political party?

Maldoff says there has been mounting pressure for formation of a new political party to give Quebec Anglophones a voice.

"This might not be a bad idea. But, of course, there would have to be careful analysis of possibilities on a riding basis, to assess our real strength. There'd be no point in winning just a few seats. But if we could take 20% of the vote...".

Some observers envisage a scenario where the formation of an Anglophone party could create a backlash and push French-speaking Quebecers into the ranks of Jacques Parizeau's Parti Québécois.

This could cut Premier Bourassa's huge majority to the point where the Anglophone party might even hold the balance of power, much like the Quebec Créditiste phenomenon of the early 1960s.

The thrust of the Alliance campaign will be to build bridges.

The idea, Maldoff concedes, is not without attraction....

But, in the meantime, the thrust of the Alliance campaign will be to build new bridges between English- and French-speaking Quebecers. And central to this will be a drive to convince Francophones that their Anglophone compatriots are not a threat to their language.

"I don't think many Anglophones would deny that French is in danger, given the geographic realities of this continent. And we would like to join forces with Francophones in addressing this," Maldoff says.

"But we must make it clear that this same danger would still exist — even if there wasn't a single bilingual sign, not one Anglophone left in Quebec. If we can just demolish mythologies, I am sure we can reach a working consensus with the majority." *H.W.*

Bill 101 and Bill 178: Official Actions and Reactions

Tom Sloan

Premier Bourassa's response to the judgment of the Supreme Court of Canada was a compromise. The new policy was embodied in Bill 178, sanctioned December 22.

For a brief moment following the Supreme Court judgment allowing bilingual external commercial signs in Quebec as long as French was given pride of place, it appeared to some of Canada's ever-cautious politicians that the long dispute over the issue might at last be over. Given the Court's explicit recognition of Quebec's right to legislate to accord priority to French over other languages, there seemed some reason for hope that the province could accept the Court's solution.

Three Anglophone ministers resigned from the Quebec cabinet.

The mood was well expressed by Senator Lowell Murray, Leader of the Government in the Senate and Minister Responsible for Federal-Provincial Relations, who suggested that the ruling basically gave Quebec what it needed to settle the language issue once and for all. "It is clear that the Court would accept a law that required the use of French but did not exclude the use of some other language," Murray said.

Slightly more explicit was another government member of the Senate, Gérald Beaudoin: "The door is open to a preponderance of French in Quebec without the need to resort to the 'notwithstanding' clause."

Within Quebec, however, it quickly became clear that there would be no easy consensus. A coalition of nationalist groups, including Quebec's three largest unions and backed by Montreal mayor Jean Doré, joined forces to fight the decision and demand that Premier Robert Bourassa take appropriate action. Even the mayor of Hull, a member of the National Capital Commission, got into the act, denouncing the judgment as a threat to social peace and French-language culture. "I think all Canada loses because this was an occasion to allow the French language to bloom and become better known," he told reporters.

Compromise

Premier Bourassa's own response to the judgment was a compromise between the Court's decision and the nationalist demands. It consisted of an invocation of the "notwithstanding" clause provided for in the Constitution to allow the continuing prohibition of English on exterior signs, along with a softening of the Charter of the French Language to allow, under certain conditions, the use of a language other than French inside commercial establishments. The new policy was greeted with bitter resentment by both Francophone nationalists and English-language rights groups in Quebec. Outside the province, reactions were more muted, with expressions of support coming from most, but not all, Francophone minority groups, and critical comment from federal and provincial government leaders.

Quebec Anglophones...

Within Quebec, Alliance Québec, the Anglophone rights group, and the Montreal Board of Trade were among the few organizations objecting to the use of the "notwithstanding" clause. Alliance Québec president Royal Orr assailed the Bourassa government as being "without principle, without the

courage to do what is right, and without the quality and integrity of leadership which command respect."

Former Environment Minister Clifford Lincoln, one of three English-speaking ministers to quit the provincial cabinet, expressed his philosophy: "In my belief, rights are rights. There is no such thing as inside rights and outside rights." The sole Anglophone to remain in cabinet, Energy Minister John Ciaccia, said he did so "to prevent distrust between French and English from being institutionalized." The three ministers who resigned said that they would remain as members of the Liberal caucus.

...Francophones...

On the other side, Parti Québécois leader Jacques Parizeau led a chorus of nationalists, including singers, poets and artists, in denouncing the inside-outside solution as a betrayal of Bill 101 and a first step in a return to bilingualism. Accusing Mr. Bourassa of going in every direction in trying to satisfy his Anglophone and Francophone caucus members, Parizeau continued: "He is simply getting deeper into the swamp. There is no future in the swamp. We are not frogs."

There were voices of dissent from Alberta and Manitoba.

For his part, Michel Plourde, a former member of the government's main language advisory body, praised the invocation of the "nothwithstanding" clause as "an avant-garde solution, pointing the way to reconciling individual and collective rights in society."

...and ethnic groups

With one exception, the Quebec ethnic groups that expressed themselves condemned the Bourassa policy. Arthur Hiess, president of the Canadian Institute of Minority Rights, called on members of cultural communities to lobby the federal and Quebec governments to remove the "notwithstanding" clause from the Constitution. He was supported by spokespersons from the Jewish, Chinese, Japanese and Jamaican communities, among others. However, a spokesperson for the Hellenic Community of Montreal said its members support anything that has to be done for the preservation and protection of French in Quebec.

Federal parties

On the federal scene Prime Minister Brian Mulroney condemned the new sign legislation, saying that it subverted English-language minority rights. While all three party leaders expressed regret at the use of the "notwithstanding" clause, backing for their stand was not unanimous within their own parties. Several members of the Quebec Progressive Conservative caucus, led by Secretary of State Lucien Bouchard, publicly supported its use, and some Quebec Liberals also refused to condemn Bourassa, while the whole leadership of the Quebec wing of the New Democratic Party was on record as supporting the nationalist cause in Quebec on the issue.

Francophone minorities

Neither was there total unanimity among Francophone minority groups across the country, although the weight of opinion appeared to be on the side of the Quebec government.

For the director general of the Fédération des francophones hors Québec, Aurèle Thérriault, the Bourassa decision could only strengthen the French face of Quebec and, as a result, the position of Francophones across the country. "If French is weak in Quebec, how can it be strong elsewhere across Canada?" Similar sentiments came from Jean-Pierre Nadeau, executive director of the Société nationale des Acadiens. "The best way for Quebec to support Francophones all around North America is to be totally French and proudly French." Support also came from Rupert Baudet, president of the Association culturelle franco-canadienne de la Saskatchewan, who said that the Fransaskois community was willing to make its own sacrifices if necessary to help Quebec. "If the legislation of Mr. Bourassa is the compromise that must be made in order to maintain the French face of Quebec, we are ready to live under unilingual English signage as long as we have our fundamental rights."

There were voices of dissent, however, from Alberta and Manitoba. For Georges Arès, president of the Association canadienne-française de l'Alberta, it would have been preferable for all concerned if Quebec had accepted the Supreme Court judgment. By his action, the Quebec premier sent "a clear message to the Anglophone provinces to the effect that they could take away from and deny to their Francophone minorities their fundamental rights." On the same wavelength was Denis Clément, president of the Société franco-manitobaine, who assailed the Quebec decision as "incoherent and unjust" for all concerned. Both leaders expressed support for the principle of bilingual signs in Quebec in a context of French predominance.

There are asymmetries between our English- and French-speaking minorities

Premiers

While many provincial premiers were unwilling to comment publicly on the actions of their Quebec colleague, Manitoba Premier Gary Filmon announced he was suspending, at least for the time being, the ratification process of the Meech Lake accord in the Manitoba legislature. Premier David Peterson of Ontario expressed sorrow at the turn events had taken. "One of the hallmarks of this country has always been a deep commitment to the principle of freedom of expression. While I understand the dilemma faced by Premier Bourassa, I regret that he decided to use the 'notwithstanding' clause of the Canadian Charter of Rights and Freedoms." In a later statement, the Ontario premier flatly called for removal of the clause from the constitution. ■

The Commissioner's Position

In his initial reaction on December 16, 1988, the Commissioner of Official Languages highlighted the importance of the Supreme Court decisions which invalidated certain provisions of the Charter of the French Language as contrary to the right of free expression, while recognizing, in the light of the situation of the French language in Canada, the legitimacy of its predominance and even of its marked predomi-

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nance in commercial signage. In his opinion, the judgment reconciled the double imperative of protecting the French language and face of Quebec while respecting the right of free expression guaranteed to all in the two Charters of Rights.

In a more detailed statement on December 20, following the policy decisions taken by the government of Quebec in response to the Supreme Court judgments, Mr. Fortier underscored the traditional role of the Commissioner of promoting generosity towards Canada's official language minorities and the respect of their fundamental rights. The Supreme Court had just confirmed that freedom of speech, including the language of commercial expression, was among these rights and that it had not been demonstrated that the exclusive use of French was necessary for its protection. Premier Bourassa himself recognized that in adopting the so-called inside/outside formula, under the "notwithstanding" clause, he had taken "a decision to suspend, technically, a fundamental freedom."

The Commissioner once again noted the asymmetries between our English- and French-speaking minorities, the threats to the French language in the North American context, and the fact that Quebec is the only province which contains two minorities. He nonetheless reaffirmed his position regarding respect for fundamental rights coupled with measures accepted by the Supreme Court concerning the French language proper, and he indicated that the authorities concerned had been reminded of this.

The frustration of a large number in the English-language community of Quebec was very easy to understand. The leader of the Quebec government had noted, however, that a strengthening of Quebec's cultural security might enable the province to abandon the "notwithstanding" clause and eventually to reconsider some of the measures announced. The Commissioner concluded with the statement that "We very much hope that the goal of fully respecting fundamental rights can be achieved as soon as possible everywhere in Canada."

On January 3, the Commissioner deplored the arson at the Alliance Québec offices in Montreal, regretted this attack on a democratic and peaceful organization and stated his belief that "Canadians, and Quebecers in particular, condemn such reprehensible acts that threaten our society as a whole." ■

Language: The Press Reviews It

As expected, press reactions to the Supreme Court's signage judgment and Quebec's new Bill 178 were divided and heated.

The Supreme Court ruling striking down the Quebec prohibition on English-language commercial signs and the resulting decision by Premier Robert Bourassa to take advantage of the "notwithstanding" clause in the Canadian Charter of Rights and Freedoms, thus enabling the province to override the Court, caused a good deal of handwringing among both English- and French-speaking commentators and editorialists, especially, but not solely, in Ontario and Quebec.

Immediately following the judgment, the prevailing attitude among English-language newspapers was exemplified in an editorial in the *Winnipeg Free Press*. "The public sign nonsense in Quebec grew into a grand political crisis because it went on so long. The Supreme Court...has now given Premier Robert Bourassa the occasion to end the hesitation. He should seize the chance to rid Quebec of an obnoxious anachronism and open a new and confident era in the development of the French language....Quebec does not become more French by stamping out public displays of English. It becomes more French by ensuring that its people know and enjoy their language, know that they are free to use it and know that choosing a French language and culture does not cut them off from wider opportunities."

Variations on a theme

For other English-language papers, it was essentially a matter of variations on the same theme. To Toronto's *Globe and Mail*, "These are not easy days for Mr. Bourassa. But his best and most honourable way out is to follow through on his party's position — to assure Quebecers that French will remain, and predominate, on all signs and to restore to minority-language groups the freedom to use their languages as well." The Montreal *Gazette* raised a question: "How could a Liberal government, elected on a specific pledge to permit bilingual signs, break its word?"

If the Anglophone press showed an unsurprising unanimity, Francophone editorialists were engaged in an internal discussion which, in one case, pitted against each other two colleagues from the same paper.

Internal discussion

This was at *Le Devoir*, where the paper's Director, Benoit Lauzière, favoured adhering to the Court's decision, while Editor-in-chief Paul-André Comeau did not. To Lauzière, there was a basic question: "Do we now feel strong enough to impose respect for the French language everywhere in Quebec and particularly in Montreal, an international city in North America? With French everywhere, but allowing other Quebecers to also show their own presence in the marketplace, always insisting on the right to work and be served in French...?" To Lauzière, the answer was yes.

If all linguistic extremism must be rejected, is traditional bilingualism now outdated?

To Comeau, however, given the demographic decline of Francophone Quebec, the government has a special duty. "In this whole affair, the basic problem comes from the collision, inevitable in some circumstances, between individual and collective rights." Collective rights must prevail, Comeau concluded.

Other editorialists tended to agree with him. To Claude Gravel, Associate Editor of Quebec City's *Le Soleil*, "The present situation demands adequate solutions to a clear problem. We must decide, once and for all, whether in this last bastion of Francophones in North America...a people has the right to protect its future."

In the February *L'Actualité*, Jean Paré wrote: "Furthermore, when the Supreme Court decides that the government of that minority does not have the latitude necessary to ensure survival, it is unrealistic to think that we can do without the 'notwithstanding' clause. On the contrary!...the solution proposed by the Supreme Court would have been more advantageous for French and for Quebec. It would have made the linguistic reality of Quebec obvious — that French is the province's main language."

In Montreal's *La Presse*, Associate Editor Claude Masson wrote that "All linguistic extremism must be rejected", but at the same time traditional bilingualism is now outmoded. The solution: "French unilingual signage outside businesses; French-priority signage inside, while permitting the use of one or several secondary languages, according to the specific needs of the business concerned."

That this turned out essentially to be the solution favoured by Premier Bourassa, did not prevent *La Presse* from indulging in a little soul-searching of its own following the government decision. Twitting Quebec nationalists, who were denouncing the proposed law (Bill 178) as a sell-out, editorialist Alain Dubuc asked for comprehension for the minority. "The losers, let us not forget, are the Anglophones....This defeat will have serious consequences for the Anglophone community. The body that represents them, Alliance Québec, has for years preached moderation and accepted the French fact. What will the leaders of Alliance Québec say now to those Anglophones who found the group too conciliatory?" Now is the time, concluded Dubuc, for the Premier to "find a way of extending his hand to the Anglophone minority to restore linguistic peace."

Anglophone anger...

As if to confirm the Dubuc analysis, the *Gazette*'s William Johnson called for a change of leadership in the Anglophone community, which he denounced as too moderate in its views towards the majority "in a Quebec sick with nationalist fever....English Quebec, its hopes and its faith in ruins, exposed to the savage resentment of its enemies, finds itself abandoned today by all it took to be its friends. It must start all over again."

While the words were less inflammatory, the *Gazette*'s editorial attitude was also one of anger. "Premier Bourassa had a hard choice to make....He chose the course of political expedience and injustice." When minority rights are suppressed, "That is a very bad precedent, one that is bound to come back to haunt Quebecers and all other Canadians in ways and at times now unforeseen."

The *Globe and Mail* was no kinder. "What a fearful price this country pays for its Robert Bourassas. His years of dithering and frittering, dissimulation and weakness — followed by Sunday's bold decision to do the wrong thing — condemn us all to a diminished union. This is not a good week for Canada."

The *Ottawa Citizen* did not entirely agree. Noting "the roots of French fears" in the field of language, it described the Bourassa solution as "the least awful of any of the odious choices he faces." In its turn the *Citizen* was attacked for its "idiotic" stand by the *Ottawa Sun*. Said the *Sun* about the *Citizen* editorial: "There was not one word about 'principle'....Only misguided political expediency."

...Francophone assessments

In the French-language press, assessments of Bourassa and his strategy continued to differ. That of Michel Roy in Ottawa's *Le Droit* tended towards the positive. "After several days of reflection, we can see that the compromise on which Bill 178 rests...resists the most negative reactions on both sides of the fence, and should normally meet the test of socio-political reality...".

Montreal's *La Presse* columnist Lysiane Gagnon was less charitable. "If the introduction of bilingualism in signs was a matter of principle for Bourassa, he should have dealt with it as soon as he achieved power. A real leader, with moral authority and convinced of the correctness of his position, would have found arguments acceptable to the Francophone population, which has a deep sense of tolerance."

Conciliation

Taking up the cudgel on behalf of the minority on the eve of the Bourassa announcement was another *La Presse* columnist, Marcel Adam. Part of the distinctiveness of Quebec, he noted, is that it has the largest linguistic minority in the country. "To promote the French language in a way that prevents that community from publicly displaying its presence is to make it feel that its language is not presentable. To legislate in a way so as to create this feeling in a minority that believes it has inalienable historical or acquired rights in linguistic matters cannot lead to lasting social peace. If French signs have a symbolic value for French-speaking Quebecers, the right to signs in their language in no less symbolic for Anglo-Quebecers."

Looking to conciliation among Francophones was Benoit Lauzière of *Le Devoir*. Affirming that there is no reason for anyone to assume that his opinions are right and all others wrong, Lauzière continued: "...it is fortunate that all the Francophone newspapers, no more than all Francophones, did not have the same position. Some might have wished that, at a time of difficulties and uneasiness aroused by the judgment on commercial signs, the combatants divide themselves according to their language as they do elsewhere according to their ethnic background, their colour or their religion. Happily such simplistic, Manichaean divisions did not occur."

Three resignations

One immediate result of the Bourassa decision was the resignation of three of four Anglophone ministers from the provincial cabinet. Editorialists in both English- and French-language papers expressed both sorrow and understanding at their decision.

To the *Gazette*, it was a necessary protest against governmental policies. "Messrs. Lincoln, Marx and French will leave large holes in Mr. Bourassa's cabinet. Their departure will hurt the Quebec government, at home and abroad, and so it should. The whole purpose of such resignations is to draw attention to acts than men of conscience could not abide."

To Pierre Vennat in *La Presse*, it was an act of courage. "Nobody can choose to be born black or white, Jew or Arab, Francophone or Anglophone. The three who have resigned have chosen to assume their own responsibilities, based on who they are. Considering themselves 'humiliated', they have left. No one has the right to mock them."

It was precisely such an attitude on the part of some Parti Québécois Members of the National Assembly, claiming that the resignations were a political game, which aroused the ire of Gilles Lesage in *Le Devoir*. "One only has to read their moving statements...to understand their basic motives, devoid of strategic calculation and low electoral considerations." *T.S.*

Opinion:

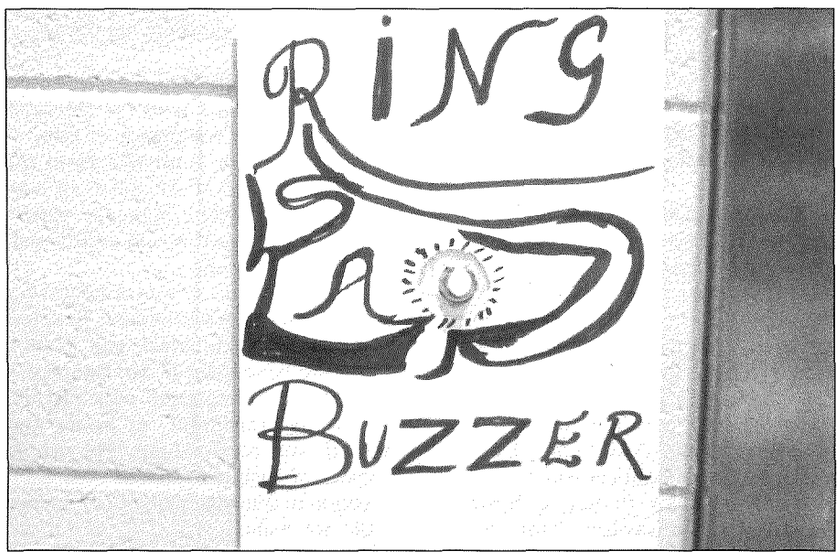
The Supreme Court Decision

*José Woehrling**

"Exclusivity for the French language has not survived the scrutiny of a proportionality test and does not reflect the reality of Quebec society."

On December 15, 1988, in *The Attorney General of Quebec* v. *La Chaussure Brown's Inc.*, the Supreme Court of Canada declared inoperative Sections 58 and 69 of Quebec's Charter of the French Language (Bill 101) as counter to the freedom of expression guaranteed by the Canadian Charter of Rights and Freedoms (the constitutional charter) and by the Quebec Charter of Human Rights and Freedoms (the Quebec charter). The provisions in question prescribe, with certain exceptions, that public signage and commercial advertising may use French only and that only the French version of a firm's corporate name may be used in Quebec. According to the Supreme Court, these provisions restrict freedom of expression in that they *prohibit* the use of languages other than French, but they do not offend against any right or freedom by *requiring* the use of French.

In order to reach this conclusion, the Court had first to find that freedom of expression includes the freedom to express oneself in the language of one's choice and that it extends to commercial and advertising messages. Since both Charters make provision for setting "reasonable" limits on the rights and freedoms that they guarantee, the Court also had to find that the restrictions on freedom of expression that it deemed to exist in Bill 101 were unjustified.



A distinction

With respect to the linguistic aspect of freedom of expression, the Supreme Court drew a clear distinction between the use of languages in the government sector, in which it does not believe any linguistic freedom is guaranteed under the heading of freedom of expression, and their use in the area of private relations, in which the individual must be free to use the language of his choice. Such a point of view, which had already been expressed by the Quebec Human Rights Commission, in a brief in 1983, seems to us to be unassailable.

Before the Charters came into force, freedom of expression, in Canadian law, was not considered to include commercial and advertising messages. In the United States, after refusing to extend the benefit of freedom of expression to "commercial speech" for many years, the Supreme Court reversed itself in 1976 in a decision concerning advertising of the price of medicine. This American precedent seems to have had a great influence on the Supreme Court of Canada, which followed it in the *La Chaussure Brown's* case by adopting the theory that "commercial expression [is]...an important aspect of individual self-fulfillment and personal autonomy" (pp. 58-9). However, in the United States itself, the Supreme Court's reversal gave rise to keen criticism and was the subject of sharp dissent within the Court. That Court, moreover, took a partial step backward by admitting that freedom of expression can be subject to more stringent limitations with respect to commercial speech than with respect to political discourse. The same idea is also to be found in the law of a growing number of European countries and in the case law of the agencies responsible for implementing the European Convention on Human Rights. Thus, while it involves a philosophical choice that is open to criticism, the extension of freedom of expression to commercial messages is a general trend in Western countries, and it is not surprising that the Supreme Court of Canada adopted this solution in its turn.

A twofold criterion

The Canadian Charter of Rights and Freedoms provides that the rights and freedoms it guarantees are "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." The Supreme Court has derived from this provision a twofold criterion which also applies to the limiting provision found in Section 9.1 of the Quebec Charter. If a rule of law that limits a right or freedom is to be considered reasonable and justifiable, it is necessary (1) that it have a sufficiently important social objective and (2) that the means taken to achieve this objective be reasonable, i.e., that they have a *rational* connection with the objective

***José Woehrling is a professor in the Faculty of Law of the University of Montreal.**

in question, that they be such as to impair the right *as little as possible* and, finally, that there be a *proportionality* between the effects of the measures limiting a right or freedom and the objective sought. Clearly, this is a very demanding criterion.

In the *Brown's* case, the Supreme Court had no difficulty in deciding that the *objective* of Sections 58 and 69 of Bill 101, namely to ensure the predominance of French in the 'visage linguistique" of Quebec, was legitimate. However, in examining the relationship between this objective and the means used to achieve it, the Court found that "it has not been demonstrated that the prohibition...of any language other than French...is necessary to the defence and enhancement of the status of the French language in Quebec or that it is proportionate to that legislative purpose" (p. 74). It added, however, that a solution requiring the "predominant display of the French language, even its marked predominance" on signs and notices would be proportionate to the objective of promoting and preserving the French "visage linguistique" of Quebec and therefore would be justified under both Charters.

And, the Court added: "French could be required in addition to any other language or it could be required to have greater visibility than that accorded to other languages. Such measures would ensure that the 'visage linguistique' reflected the demography of Quebec: the predominant language is French. This reality should be communicated to all citizens and non-citizens alike, irrespective of their mother tongue. But exclusivity for the French language has not survived the scrutiny of a proportionality test and does not reflect the reality of Quebec society." (pp. 74-75).

The Supreme Court thereby gave Quebec advice on how to rewrite its legislation, based on a new doctrine to the effect that signage regulations should reflect the demographic reality. The concept of "marked predominance", however, was very sketchily developed and can therefore be interpreted in various ways. One of these might consist in maintaining the exclusivity of French on the exterior of businesses while permitting the use of other languages inside. This was precisely the solution chosen by Quebec in Bill 178, which was passed in the wake of the decision. Rather than leaving it up to the courts to rule on the validity of this form of predominance of French, the government preferred to exempt its legislation from both charters by invoking both override Clauses. ■

Opinion:

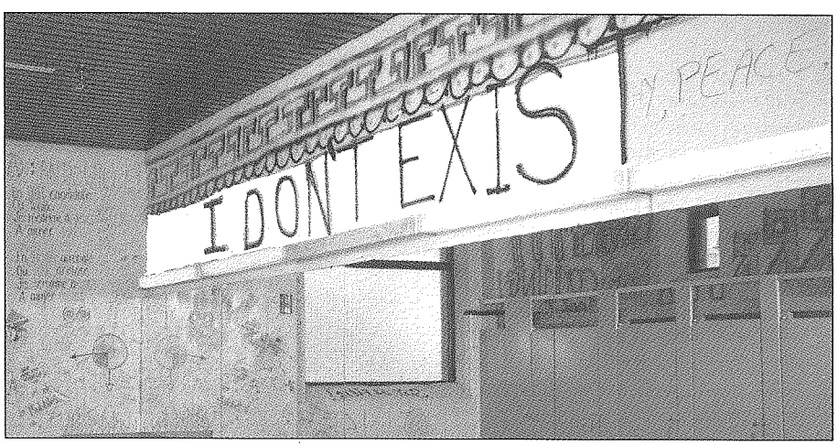
"I don't exist"[1]

*Paul Pupier**

Signage: "It is essential to remember...but to keep score is infantile and vengeful. Instead, let us lay foundations for the future."

In the debate following the Supreme Court decision, Jean-Pierre Proulx (*Le Devoir*, December 17, 1988) proposed the formula for regulating the language of signage that I suggested in the pages of the same newspaper on March 6, 1987. My formula can be justified only if it is acknowledged that the problem is not essentially one of freedom of expression in "commercial speech", nor one of individual versus collective rights, but rather of the right of individuals, and all the more so of groups, even minority groups, to visibility, provided they are prepared to pay the price for it. It is in terms of the right to visibility that the justifications of Bill 101 itself have situated the debate. Do visitors to Quebec absorb the uniligual message of signage? If so, that may not be the aim of the tourist industry: the appetite of some American tourists for exoticism is limited. In any event, there are people, from elsewhere and even from here, who believe that prohibiting any language other than French in signage is evidence of intolerance toward the Anglophone community. That is a very erroneous perception if it is true that Quebec can give lessons in tolerance to many countries in the world! However good and necessary it may be as a whole, Bill 101 goes too far in the symbolism on which it is based. Symbols that obscure reality may be counterproductive and result in injustice.

In view of all the disadvantages of the imposition of unilingual signage, has anyone ever shown that it would aid the survival of French? Not to my knowledge. It would seem that immigration policy, education policy, the language of work and the language of government are far more crucial areas for the development of French. In these areas, Bill 101 is basically correct, and its drafters had the courage to attack the problems head on.



Easy targets

The issue of signage, however, has become the target, perhaps because signs are immobile targets, easier to hit — and to deface? Nevertheless, the complaints one reads in the French-language press more often have to do with refusals (real or imagined) to offer

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***Paul Pupier is chairman of the scientific committee of the Institut international de droit linguistique comparé and a professor in the Department of Linguistics of the University of Quebec (Montreal).**

service in French than with a store's language of signage. Bill 101 seems to have taken on the status of a sacred cow, and any change that might be made to it is sacrilege to some. It is an easy religion, moreover, for it is not on its followers that the weight of its prohibitions falls.

Such a state of affairs is not without its dangers. I do not wish to dwell on the plight of the "crucified" of Mount Royal or the intolerance of those who say they have been "at war" over this issue for some time — there can be no war without shooting. What is more disturbing, for example, is the fact that a newspaper that makes a show of its ethics could publish on its first page irresponsible allegations against an innocent party, allegations that continue to be believed (why?). Dare we imagine what might have happened had there been a case of arson somewhere else?

The unconditional allegiance of so many to a law, in a country that has no tradition of legalism, leads one to believe that some Quebecers look for their security from the state. This is logical, since that is where their power resides. But those are not the most important stakes. French may well be the only language on signs. What is the use of that if the director of Hyundai (near Montreal) still can speak only English on Radio-Canada? And what will the situation be with respect to the new companies merged under American control? In the English-speaking world, French has a foothold in the terminology of fine cooking. Will it be reduced in Quebec to the vocabulary of the shop window? People here are fighting about signs, but the free trade agreement with the American colossus was passed without any real debate in Quebec. Even the Parti Québécois gave it its blessing (even before the independence of Quebec). And yet the protection of French in this new wide-open market represents an additional cost for which the Americans should be no more prepared to pay than they are for the reduction of acid rain.

It is essential to remember, but to keep score since Wolfe and Montcalm is infantile and vengeful. Instead, let us lay foundations for the future. ■

Note

[1] Graffito photographed in a public washroom in Montreal. (From *Montréal Graffiti Bis*, by Jeanne Demers, José Lambert and Line McMurray, published by VLB).

The Three Major Parties and the Official Language Minorities

There was little discussion of the rights of the official language minorities during the recent federal election campaign. But we can take heart: the Fédération des francophones hors Québec (FFHQ) had the inspiration, in the midst of the election campaign, of asking the three major parties for their positions on this issue. In this connection, the FFHQ had prepared and sent a questionnaire to each of them and the parties readily participated in this mini-survey.

Brian Mulroney

The Progressive Conservative Party was categorical: "Canada's linguistic minorities must be treated generously." It did not, however, agree to include the topic of minority rights on the agenda of a future round of constitutional negotiations. On the other hand, it favoured the conclusion of agreements with the provinces, like those negotiated with Saskatchewan following the Mercure decision.

The question asked by the FFHQ was: "Do you agree that, despite the Constitution Act, 1982, and the Meech Lake accord, constitutional guarantees are still inadequate for Francophones outside Quebec? If yes, what solution do you propose? Would you agree to add an appendix to the text of the Meech Lake accord that would provide additional guarantees for Francophones outside Quebec? If not, would you make them the subject of a second round of constitutional negotiations?"

The Liberal Party believes that constitutional guarantees for Francophones outside Quebec are inadequate. But it found itself unable to answer the question because not all the provinces have yet signed the Meech Lake accord.

Are constitutional guarantees for Francophones outside Quebec adequate?

For its part, the New Democratic Party stated that the proclamation of unilingualism by Alberta and Saskatchewan might never have taken place if the Meech Lake accord had been in effect. It believed, however, that the constitutional discussions suggested by the FFHQ were a good idea because they would clarify the meaning of the accord.

Broadcasting

One question dealt with Bill C-136 on broadcasting in Canada. The New Democrats are in agreement with its basic principles. The Conservatives and Liberals are prepared to pass it as quickly as possible. However, the Liberals would like to amend the Bill in order to oblige cable broadcasters to offer a range of French-language services throughout Canada. According to

John Turner

the Conservatives, the Bill already includes this obligation.

The Fédération asked the three parties to explain their intentions with respect to the Bill clearly: "If you take power, will you ensure that the new Act includes a provision guaranteeing access to a range of French-language broadcasting services everywhere in Canada?"

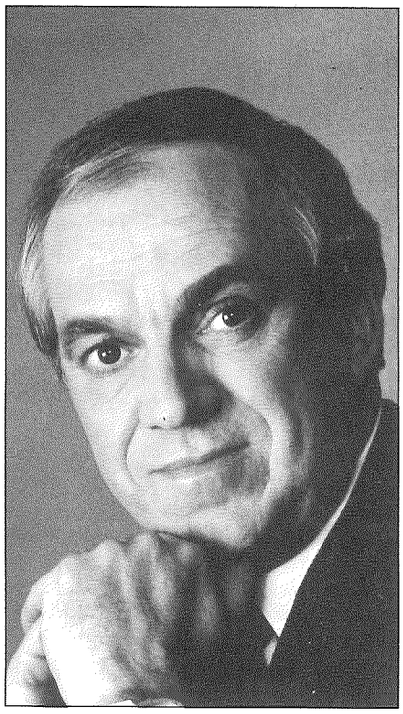
Implementation of the Gilbert report on the television programming needs of Francophones outside Quebec would cost the CBC $81 million. It will be recalled that in July 1988 the CBC proposed a plan for meeting the needs of Francophones outside Quebec with respect to French-language television. The question asked by the FFHQ was a direct one: "Are you committed to providing the CBC with this sum of money to implement the plan over the next five years?"

The three federal parties are in broad agreement.

The Progressive Conservatives pointed out that the government neither examines nor approves the funds allocated to the CBC in terms of specific projects, but it stated that any reasonable request would be considered. The NDP had not examined the details of the report; it therefore could not take a position on such an expansion of the network or on the exact sums to be allocated for it. The Liberals were not opposed to the plan and agreed to provide the CBC with the $81 million requested.

Many aspects of this vast topic deserve treatment in greater detail. Our purpose here, however, is simply to provide an overview of the positions taken by the three parties during the election campaign.

Alliance Québec took a somewhat different approach from that of the FFHQ. It sent a questionnaire to each candidate in Quebec rather than to the three parties. At the time of writing, the Alliance had not yet analysed the answers it received. We will publish a summary of their analysis in a future issue. ■



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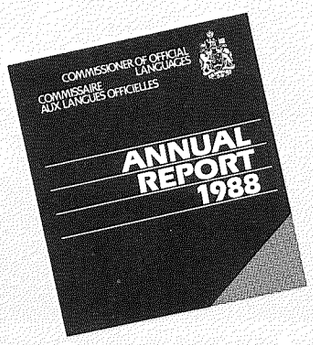


The Commissioner's 1988 Annual Report

D'Iberville Fortier, Commissioner of Official Languages, will submit his 1988 Annual Report to Parliament on April 11. After examining the scope of the 1988 Official Languages Act, the Commissioner will set out recommendations on how to best ensure the full implementation of the Act within a reasonable time. As well, with 1988 having been marked by the passing of language laws in several provinces, the linguistic situation over the year provides much material worthy of comment. The Report will thus include a number of reflections on Canada's linguistic situation.

As in past years, the 1988 Report will assess the relevance of federal official languages policies and programs, as well as the performance of 50 federal institutions. The year's major legal rulings touching on language rights will be examined and a large part of the Report will be devoted to the presentation of the major cases affecting official language minorities in each province, including, naturally, the response to the Supreme Court decision on Quebec's signage law. Finally, the Report will present a brief summary of the learning of second languages.

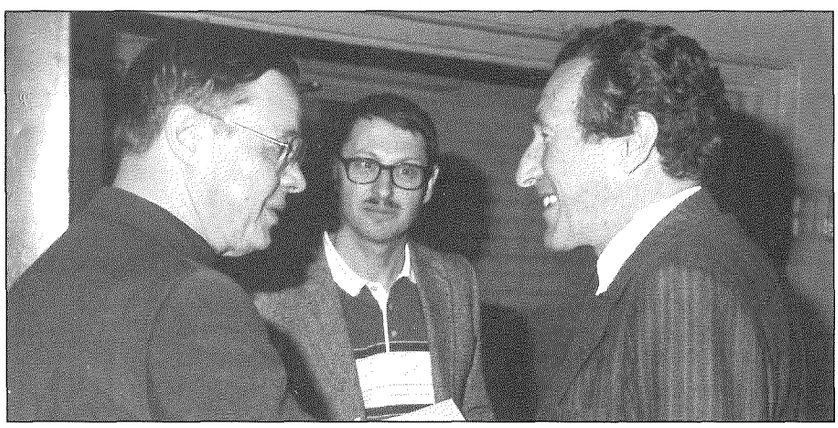
D'Iberville Fortier in Manitoba

*Lucien Chaput**

As part of his continuing policy of promoting awareness of the needs and aspirations of language minority groups, the Commissioner travels extensively througout Canada. In November he went to Manitoba

"To be unilingual is to be illiterate." The 131 persons listening to D'Iberville Fortier, the Commissioner of Official Languages, broke into laughter. Could the former Canadian ambassador to Belgium, the officer of Parliament who has been responsible for advancing and winning respect for bilingualism in Canada for over four years, have uttered these words — even if he did attribute them to the German poet Goethe.If we dwell on these few words spoken by the Commissioner during his visit to Manitoba in November 1988, it is to draw attention to one of the roles of the Commissioner of Official Languages and to point out that, after 20 years of official bilingualism in Canada, these words, even quoted out of context as they are here, did not make headlines the next day.

Each year, D'Iberville Fortier meets with the various minority official language groups across Canada. On this November morning, at the Collège universitaire de Saint-Boniface, which he visited for the first time 45 years ago, five minutes from downtown Winnipeg, he was addressing the members of the Société franco-manitobaine, the political arm of Manitoba Francophones, which was meeting in plenary session.



Mgr. Antoine Hacault, Archbishop of St.Boniface, a bilingual journalist of the *Winnipeg Free Press* and D'Iberville Fortier

His listeners were not having a hearty laugh at the expense of their mainly unilingual Anglophone friends. Instead they were imagining the uproar the Commissioner might have caused if he had quoted this dictum of Goethe's in 1987 before a mainly Anglophone and unilingual audience: Goethe and the Commissioner would not have been very popular. But as Mr. Fortier always says, "Being Commissioner of Official Languages is not like taking part in a popularity contest."

By telling this story of a blunder he did not commit, the Commissioner put a human face on the defender of Canadian bilingualism. This is no small feat considering that for many Francophones in Manitoba the offices and the representatives of the Commissioner of Official Languages are associated solely with a complaint process. They were not served in French, so they head for the office and ask the Commissioner or his representative to rap the knuckles of the guilty party!

The first Francophone to be Commissioner of Official Languages, having won over the crowd, was then able to convey his message: 1989 should be the year of rebirth. This message he was to develop in greater detail in meetings with journalists from the English- and French-language press, another of his duties as the official promoter of Canadian bilingualism.

"No minority anywhere can exist without a struggle," he says. "It seems to me that an effort is required if one wishes to retain one's identity. Struggle does not mean perpetual begging. So, when service in the minority language is not actively offered, service is usually not requested. It is clear that linguistic justice demands of public agencies that they offer services consistently, actively and audibly. This is now affirmed in the 1988 Official Languages Act."

Tangible evidence

In the Commissioner's view, the Act is justified by Canada's linguistic duality. "For me, the primary reality is the linguistic duality of the partnership between two great language communities, each of which has minorities. That is absolutely fundamental, because once linguistic duality is accepted, institutional, and then individual, bilingualism follows."

In the 20 years that the bilingualism of federal institutions has been the law of the land, the job of Commissioner has no doubt become a little easier. Bilingualism is increasingly accepted by the vast majority of Canadians. "In terms of national opinion, all the surveys that have been done show that most Canadians now acknowledge that the official language minorities should be served in their own language, not only by the federal government but also by provincial and private institutions," Mr. Fortier pointed out.

The Commissioner saw tangible evidence of this openness when he met with officials of the Hôpital général de Saint-Boniface and of the Association des élus municipaux francophones du Manitoba to inform and encourage them.

Although the federal government is not responsible for hospital or municipal services, the Commissioner and his

***Lucien Chaput is a journalist with the weekly *La Liberté* of Saint-Boniface.**

representatives can play an active role in this area as advocates and resource persons. In the case of the Hôpital général de Saint-Boniface, for example, despite its name, there were no services in French; it ranks second among hospital centres in the province and it operates almost exclusively in English.

The regional office of the Commissioner, located until a year ago just opposite the hospital, regularly received complaints. Instead of saying, "It's too bad, but we can't do anything," the regional office unofficially suggested how hospital administrators could rectify this situation, which was harmful to the institution's public image. Its long-term work has now borne fruit: a staff member responsible for French-language services in the hospital will take up his duties this spring.

It was the same story for the rural municipalities and villages with a large proportion of Francophones within their boundaries. In this case, a former Manitoba representative of the Commissioner, now retired, explained to the municipal councils in question how to develop a policy on bilingual services. To date, four municipal councils have adopted such a policy.

When travelling, the Commissioner never forgets the majority either. During the 48 hours available, he once again met with the regional directors of federal institutions to explain the requirements of the 1988 Official Languages Act, with the provincial president of Canadian Parents for French in order to discuss the teaching of French as a second language, and with Premier Gary Filmon, and the Leader of the Opposition, Sharon Carstairs.

He is always grateful to provincial officials for their attention to him, since this gives him the opportunity to speak for the aspirations of groups interested in official languages and to gain a better understanding of the political realities as they are seen by the party in power and by the opposition.

Perseverance and common sense, firmly grounded in a vision of Canada where Anglophones and Francophones must be at home everywhere ("That is the very definition of a country," D'Iberville Fortier maintains) — these are the watchwords of the Commissioner and his representatives. For the Commissioner, despite his new powers, says that he intends "to pursue the tradition established by my predecessors, that is, to seek conciliation and apply to the Court only as a last resort." What might Goethe have thought of this? ■

Language Rights

Information? Complaints?

Members of Parliament, the general public, public servants, minority official languages groups — in short, anyone who believes his or her rights with respect to the official languages have been infringed — may contact one of these regional offices of the Office of the Commissioner of Official Languages:

Office of the Commissioner of Official Languages
110 O'Connor Street
Ottawa, Canada
K1A 0T8

Telephone: (613) 992-LANG

Atlantic Regional Office
Heritage Court
Room 303
95 Foundry Street
Moncton, New Brunswick
E1C 5H7

Telephone: (506) 857-7047
1-800-561-7109

Atlantic Liaison Officers

Prince Edward Island
Réjeanne Gallant
Telephone: (902) 854-3002

Nova Scotia
Marie-Adèle Deveau
Telephone: (902) 769-2147

Newfoundland
Vacant

Quebec Regional Office
Room 401
1179 Bleury Street
Montreal, Quebec
H3B 3H9

Telephone: (514) 283-4996
1-800-363-0628

Quebec Liaison Officers

Louise Gauthier Fraser
Telephone: (418) 651-7665

Ontario Regional Office
Suite 2410
1 Dundas Street West
Toronto, Ontario
M5G 1Z3

Telephone: (416) 973-1903
1-800-387-0635

Ontario Liaison Officers

Northern Ontario
Pierrette Morin
Telephone: (705) 268-5575

Sudbury Region
Thérèse Boutin
Telephone: (705) 560-9381

Manitoba and Saskatchewan Regional Bureau
Centre-Ville Building
Room 200
131 Provencher Boulevard
St. Boniface, Manitoba
R2H 0G2

Telephone: (204) 983-2111
1-800-665-8731

Northern Saskatcewan Liaison Officer

Thérèse Gaudet
Telephone: (306) 922-1533

Alberta, British Columbia, Northwest Territories and Yukon Regional Office
Liberty Building
Room 1100-A
10506 Jasper Avenue
Edmonton, Alberta
T5J 2W9

Telephone: (403) 495-5603
1-800-661-3642

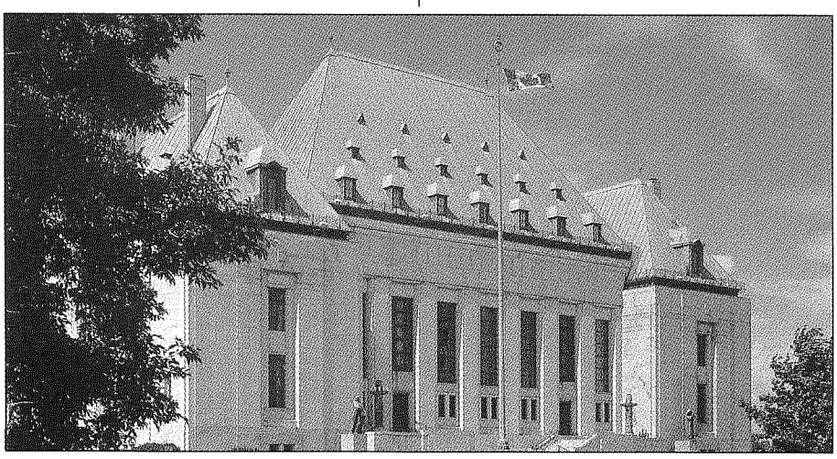
Vancouver Liaison Officer

Chantal Rivest
Telephone: (604) 929-1483

The Public's Turn

Complaints are an essential tool in ensuring and safeguarding respect for rights and in advancing language reform in Canada.

There is no such thing as a routine complaint. The thousands that we have received and investigated in the past 20 years are so many spurs to prod on, slowly but surely, the ponderous beast known as language reform. The cases we will describe are just a few current and recent examples of contraventions of the Act by federal institutions, which, of course, are the only ones that fall within our jurisdiction. These situations were brought to our attention through complaints and were successfully resolved, both in terms of the satisfaction of the correspondents directly concerned and the progress of language reform. It should be noted that in 1988, 89.5% of the complaints we received came from Francophones and 10.5% from Anglophones; these percentages are reflected in the examples that follow.



Getting back on track

Over the years travellers have lodged many complaints concerning the lack of French-language services in train stations and aboard trains. Our investigations showed that the problem — the assignment of unilingual Anglophones to duties requiring a knowledge of both official languages — arose largely from collective agreements that took precedence over the provisions of the Official Languages Act. By grouping together a large number of similar complaints, the Commissioner was able to submit a special report to the Governor in Council in December 1986. Subsequently, in August 1987, Via Rail concluded an agreement with the union involved allowing it to assign bilingual personnel to positions requiring contact with the public, whether in stations, telephone sales offices or food service operations. There are, to be sure, other shortcomings in the Via Rail system concerning compliance with the provisions of the Official Languages Act, but we have found that the agreement arrived at has had a very positive impact on the provision of services to the public in the official language of choice. Now that significant improvements are being made, it is a question of sustaining the momentum and monitoring the situation. This both Via and the Office of the Commissioner are doing, each from its own point of view.

Communicating

Whereas outside Quebec some departments used to publish their announcements only in English-language newspapers, in Quebec they sometimes insisted on publishing them only in French-language media. Just over a year ago our intervention prompted two additional departments, Indian and Northern Affairs and Public Works, to clarify their internal directives on the use of the minority press to communicate with both official language communities.

Collecting duties

Year after year we received many complaints about the lack of French-language services at border crossings, particularly in Ontario. Despite the assignment by the Revenue Canada (Customs and Excise) of additional bilingual employees to such locations, complaints persisted. We investigated the situation in 1987 in close co-operation with departmental officials. It was obvious that the measures taken, such as the use of a card with standard phrases or referral to another customs post, however praiseworthy, were not sufficient to solve the problem. What was needed was a system that would tell the traveller where to go to obtain bilingual service. In the same year, the Department agreed to install a bilingual booth with clearly visible markings at each of two border crossings in Ontario. This worked well, and the Department experienced a significant increase in demand at these locations. All indications are that this solution will be adopted by the Department at other border crossings where the provision of bilingual service poses problems.

The Supreme Court's example

In 1983 a number of complainants noted that the texts of Supreme Court decisions appeared first in English and were translated into French only much later. Some time previously we had raised with the Court the issue of the excessively long delay in publishing the French version. Since it had already begun to look into the matter, the Court quickly found a fully satisfactory solution to the problem by announcing that henceforth it would publish the texts of all its decisions simultaneously in both languages. This it has done ever since. This solution satisfied both the letter and the spirit of the Act, which requires the simultaneous publication only of decisions of general public interest or importance.

The free trade team

In June 1986 a complainant advised us that there were very few Francophone or bilingual members of the Canadian free trade negotiating team. The matter was also widely reported in the media. Since the composition of the team was not definitively determined at the time when the complaint was made, it, com-

bined with the importance of the issue to the public, most likely prompted officials to take this issue into account when new members were added and to resolve it on the basis of the candidates' merit, as determined by their own criteria. A few months later, the principal negotiating team included five Anglophones and three Francophones and nearly 70% of the entire staff was bilingual.

Active offer and service

Late in 1986 Canada Post opened a postal boutique in Dieppe, New Brunswick, whose population is over 70% French-speaking. The residents soon found that it was difficult to obtain service in French. Only two of the five clerks were bilingual. Since they worked in shifts, there were times when no bilingual service was available. French-speaking clients were greeted in English and there was nothing to indicate where they might obtain service in their own language. As a result of the Commissioner's intervention, Canada Post indicated in November 1988 that four of the five were now bilingual and that the unilingual clerk was never left alone to serve the public, thereby ensuring high-quality service in both official languages.

Communications in Quebec

During the first years of its existence, the Canadian Security Intelligence Service was the subject of innumerable complaints about the sending by telex of operating directives from headquarters to its offices in the Quebec region in English only. In 1986 we were notified of more than 750 such cases by numerous correspondents. Following intervention by us and pressure from members of Parliament and public opinion, the Service issued firm instructions to those in charge of such communications and put rigorous controls in place. Remarkable progress was made: the number of complaints fell to 60 in 1987 and to two in 1988.

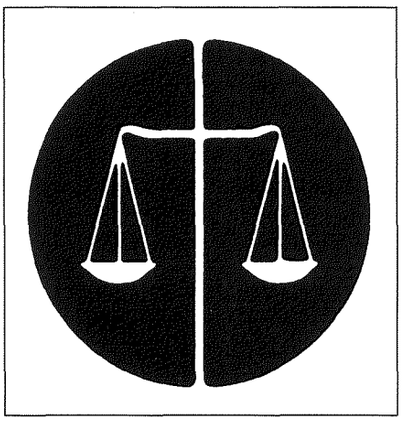
Signage in national parks

Several years ago a visitor to Cape Breton Highlands National Park drew a commissionaire's attention to the fact that the place names on roads signs in the Park were unilingual, for example "Paquette Lake" and "Miette River". Investigation of this complaint and of similar ones brought to our attention by correspondents in other federal parks led the Department to review its policy on place names to bring it into line with the equality of status of the two official languages on a Canada-wide basis. Implementation of this new policy is nearly completed in the Atlantic region and is on schedule in Ontario and Quebec. The Department is preparing a vigorous action plan for the parks in the West to make up for lost time.

Planning is important

Fortunately, it does not always take months or years to rectify contraventions of the Act. For example, the Department of Fisheries and Oceans had made provision for only 200 folders for Anglophone visitors to its booth at the International Show for the Fifty-Plus, held in Montreal in the spring of 1987.

As soon as this stock was exhausted — and it was within hours of the Show's opening — irritated Anglo-



phone visitors went to the booth of the Office of the Commissioner. Our on-the-spot intervention enabled the Department to rectify the situation promptly; it took the names of those interested in the documentation and had it mailed to them without delay.

Equality on the air

Judicious action is required to ensure the necessary balance between the services provided to Canadians of both official language groups. In 1972, for example, the Commissioner was informed that in some cases private French-language radio stations were broadcasting few songs in French; more than 80% of the selections were in English. The CRTC was notified of this state of affairs by the Commissioner, and it passed a regulation requiring that 65% of the songs broadcast by French-language radio stations be in French.

Equality — and quality

In 1987 the RCMP appointed a new NCO to command in Caraquet, New Brunswick. This Detachment serves an almost entirely Francophone population. The intermediate level of bilingualism specified seemed inappropriate in view of the communications requirements associated with pubic safety and the intimidating aspects of the position. After receiving complaints supported by certain media pressure, the RCMP changed the language requirements of the position and a sergeant with the higher level of bilingualism was appointed.

The move that never was

After two federal departments had decided not to transfer some of their units to Quebec, fearing the impact of the language situation on their Anglophone staff, an agency decided in 1979 to move its Ontario regional office from Cornwall to Peterborough, where neither schooling nor services were available in French. The Commissioner intervened repeatedly, up to the level of the Office of the Prime Minister, and the plan was abandoned as heedless of the rights and needs of the Francophone staff of the agency.

Equal rights

In 1985 an Anglophone employee complained to the Commissioner about the behaviour of his supervisor, a Francophone, who was sending memoranda to all his subordinates, and even personal notes to his Anglophone subordinates, in French only. The agency in question, the Public Service Commission, acknowledged that the complaint was well founded and took the necessary action to rectify the situation. The complainant expressed his satisfaction with the measures taken.

Bilingualism in the air

For many years the Air Canada office at the terminal in Timmins, Ontario, had not provided service in French. Travellers protested more and more insistently about a situation that clearly contravened the Act. Since the airline had no bilingual employee at the terminal, it was difficult for it to communicate with its clients in the appropriate language, causing very legitimate frustration to many travellers. Their complaints, which the Commissioner brought to the attention of Air Canada, had a beneficial effect on services. In 1987 two bilingual agents started work at Timmins, enabling their employer to provide service in either official language.

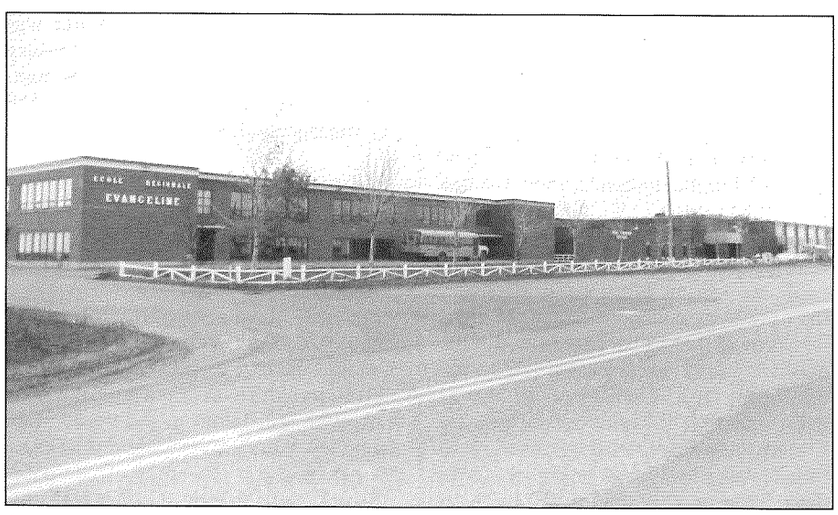
We hope that the cases described will assist you in recognizing situations in which your language rights may have been violated. You may contact one of our regional offices to report any contravention of the Act. ■

The Island Acadians: Courage and Perseverance

Réjeanne Gallant and Jan Carbon

Bilingualism is increasingly in demand in both the private and the public sectors in Prince Edward Island.

In Prince Edward Island, as in all minority environments, survival depends on the opportunity to preserve one's language and to learn it in the first place. The family and the school play a vital role in this respect. Mixed marriages, however, are increasingly common, and when they occur the English-speaking (and unilingual) parent nearly always prevails. Moreover, it is impossible for many Acadian parents to send their children to a French school. The province has only one French-language school board, Unit 5, which serves the Évangéline area from its school in Abrams. The 1986 census showed 5,155 persons with French as their mother tongue in Prince Edward Island.



Évangéline School

Education

Antoine Richard, ex-President of the Société Saint-Thomas-d'Aquin (SSTA), which represents the minority community, expressed himself categorically: "Without the school, the French presence in the Évangéline area would not be so vibrant." We have only to compare this area, where assimilation seems to have been checked, with that of Prince West, in the vicinity of Tignish. When the schools were consolidated, the province closed a dozen small Acadian schools there. Now, nine years later, 300 families in the area are asking for a French school, a request discouraged by education officials who fear that it could lead to "division" in the community. Many Acadian children therefore attend immersion classes. The rate of assimilation in the Tignish area verges on 70%. Essentially the same situation prevails in the Summerside area. Francophone parents there obtained confirmation of their right to French-language education from the provincial Supreme Court in March 1988. But they are still waiting for the province to provide them with a school. Meanwhile, more than 40 children from Summerside and some 20 from the Canadian Forces Base take the bus every day to attend the Évangéline school.

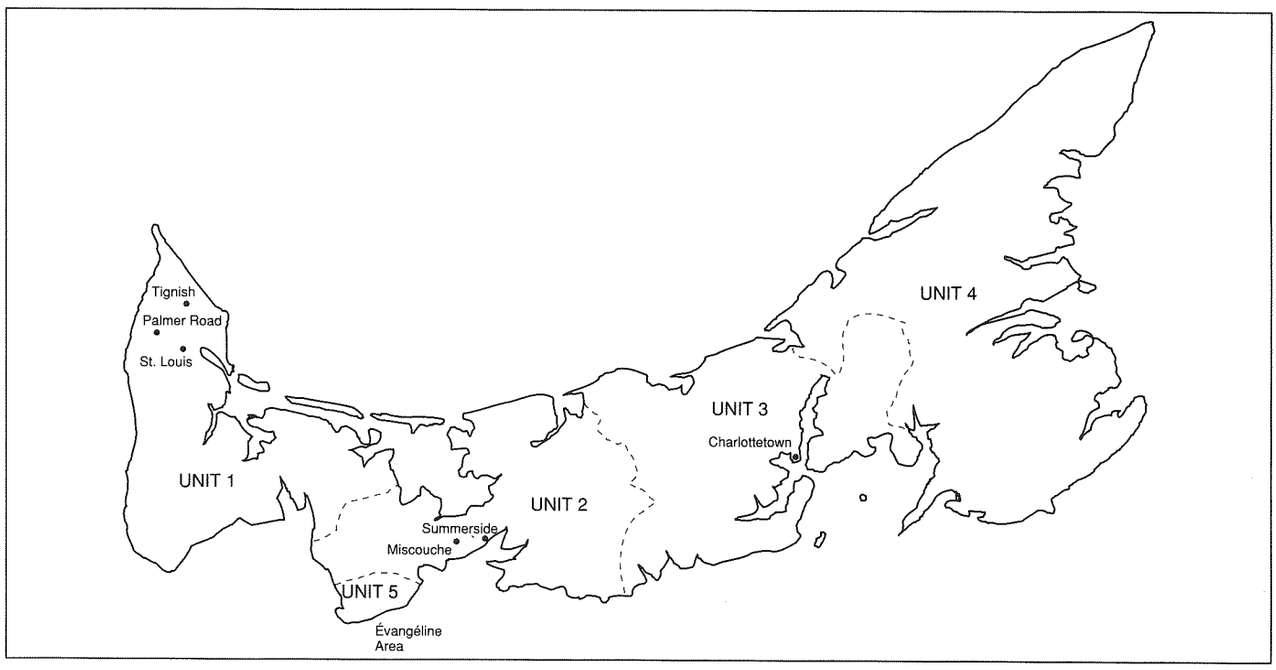
In Charlottetown approximately 40 children are enrolled in François-Buote School, which was established when the Department of Veterans Affairs was transferred there. This French-language primary school is currently housed in a church basement. On November 29, 1988, after years of negotiations, the federal and provincial governments signed an agreement for the construction of an educational and community centre in the capital. When it is completed, the Francophones in the area will have a school with grades 1 through 12.

The situation with respect to education is thus far from being altogether positive for the Island's Francophones. It is accordingly a high priority for the SSTA, which will keep a close watch on the action taken by the province in the wake of the decision of the Island's Supreme Court. The province must amend its School Act in the very near future to make it comply with the Canadian Charter of Rights and Freedoms.

Immersion

Prince Edward Island has the second-highest French immersion rate in Canada: 12% (15% in the Charlottetown area). Clearly, bilingualism is popular on the Island, and not only among Acadians, for whom it is a guarantee of a job. Bilingualism is an asset increasingly in demand, both in the private sector, which is in part oriented toward tourism, and in the public sector. In the latter, the official languages policies recently adopted by the province will require that bilingual public servants be able to meet the needs of Francophones, whether they be fishermen or farmers. It is also expected that all the Island's advertising for tourism will be done in both official languages starting this summer.

The province's greater sensitivity to the needs of the Acadian community is in large part attributable to the Honourable Léonce Bernard, who is in charge of Francophone affairs and is the Minister of Industry. Mr. Bernard represents the Évangéline area in the Legislative Assembly. He has handled matters successfully and signed a framework agreement with the Secretary of State. In both cases, an extension of the Island's bilingual services was involved. In 1982 his Department established, in the Évangéline area, the first French services centre. It provides a wide range of provincial services, in French, and organizes information sessions with officials in charge of various



Prince County is home to most Island Acadians.

programs that closely affect the people, such as health and employment. Several federal departments also make use of the centre, which last year located its offices in Wellington, in a new shopping centre.

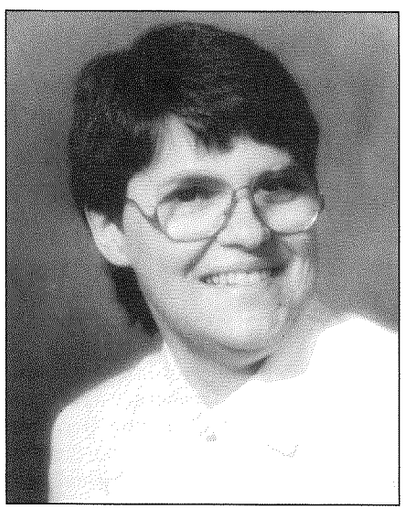
Leadership

In 1987 the Commissioner of Official Languages recommended that the federal government follow the province's example and also provide its services from centres closer to the clients (see *Language and Society*, Nos. 21 and 22).

Although the Commissioner's recommendations were modest and were well received both by federal officials on the Island and by spokepersons for the Acadian minority, federal action has been slow in coming. The Treasury Board cited the passage of the Official Languages Act (Bill C-72) and then of its associated regulations as an obstacle to taking action. The President of the SSTA, Mélanie Richard, believes this means "not before March 1991!" Since a federal services centre was proposed in May 1987, such a delay is too long, in her opinion.

Federal financial support for the Évangéline services centre was legally sanctioned by Sections 41 and 43 of the 1988 Official Languages Act. Ironically, while the federal government funds this useful tool that enables the provincial government to provide French-language services, it hesitates to have its own employees follow suit. They, moreover, ask for nothing more. In December 1988 the federal government asked the Treasury Board to expand the provincial services centre to include federal services.

The most striking thing about government services on the Island is their remoteness. Repeated approaches have



Florence Hardy

to be made to public servants, who are located in the provincial capital. This is why the solution of bringing services closer to the clients has met with such favour. It is, moreover, in keeping with the Acadians' habit of deriving their essential energies from the community in the form of mutual assistance and co-operation. Léonce Bernard was trained in the co-operative movement. Before entering the political arena, he was manager of the Caisse populaire Évangéline. The Évangéline area has no fewer than 15 co-operatives which influence many vital aspects of the community, both economic and cultural. For example, a cable broadcasting co-operative has been established there that offers 10 channels, four of them in French. Elsewhere in the province, only one French-language channel is available. Two workers' co-operatives have also recently been established; one makes potato chips that can be found in stores as far east as Ottawa, and the other childrens' clothing, some of which is exported to New Brunswick.

Thus the Acadian community on the Island is in transition and the signs of progress, of prosperity and of the preservation of French are more and more heartening. This is due not only to the tenacity of the Acadians, but also to another character trait that they have inherited. A recent survey of the members of the SSTA showed that 53% of the Acadians valued harmonious relations between Anglophones and Francophones more than the assertion of their rights. The Acadians of Prince Edward Island, fundamentally opposed to petty quarrels, have always preferred to come to terms with the majority. That majority seems increasingly to understand the richness that the presence of the Acadians lends to their province. ■

Quebec's Anglophone Communities

What is the situation of the Anglophone minority in Quebec? The community is still large and active, but does it feel that its standing is now precarious?

While every official language minority community in Canada is in its own way unique, the English-speaking community in Quebec has a particularity all its own.

One of the reasons is sheer size. Despite its recent losses — of which more later — the English-speaking minority in Quebec is roughly equal in numbers to the total of all the French-speaking communities in the other nine provinces and two territories combined.

A sometime thing

Size is not all. Geographical, psychological, historical, economic, political and constitutional factors have all combined to set the Anglophone Quebecers apart. All of them combined help explain why English-speaking Quebecers have for generations enjoyed rights, privileges and a way of life unique among official language minority groups in Canada. From the start, with the co-operation of governments at all levels, the community, at first mainly British and Irish in its heritage, built its own institutions in the areas of health, education, welfare and the media. For a long time, whether urban or rural, rich or poor, English-speaking Quebecers felt secure.

A feeling of security can, however, be a sometime thing. As of November 1988, more than 100 years after the first Canadian census, 30 years after the start of the Quiet Revolution, and 12 years after the election of the first Parti Québécois government, what is the situation of the Anglophone minority in Quebec? In a phrase, not yet precarious, but...?

The community is certainly still large and active. It has a wide variety of religious institutions across the province. It is served by its own media, including three daily newspapers, three television stations and several radio outlets, both public and private, as well as a network of English-language weeklies across the province. It continues to exercise a considerable degree of local control over a number of institutions, and Anglophones are entitled by law to services in their own language.

In education, despite declining enrolments and still unresolved questions about the relative places of language and religion in school administration, a viable educational network continues to exist throughout the province, including three universities and several other post-secondary institutions.

For generations, English-speaking Quebecers have enjoyed a way of life unique among official language groups in Canada.

On the social and human side, English-speaking Quebecers have their own organizations, ranging from the Quebec Farmers' Association through regional and local educational and school groups to the English-language rights group, Alliance Québec.

Cultural diversity

What they do not have is any all-embracing cultural organization as such. The reason is simple. Unlike French-language minority communities elsewhere, the Quebec English-speaking community is a culturally diverse grouping in which the old British and Irish stock has been mixed with people of many other backgrounds. As a result, English-speaking Quebecers are united by language rather than by culture. Such diversity does not mean that English-speaking Quebecers cannot come together on specific issues and for specific purposes. It does mean that the term "community" has a more restricted sense than in the case of other such minority groups across Canada. This does not detract from its vibrancy; essentially, it undoubtedly enhances it. But it is a complicating factor that must be taken into account.

The most serious cause for concern for English-speaking Quebecers undoubtedly lies in the realm of past population trends and future projections. Demographics, as has often been pointed out, is not an exact science; but it has a tale to tell. For English-speaking Quebecers, the tale is a lengthy one, in which the action has speeded up in recent years.

Numbers, numbers

In 1871, when the first Canada-wide census was taken, Anglophones accounted for about 20% of Quebec's population. For the next century, the story was one of gradual, sometimes almost imperceptible, and steady decline. In 1901 the percentage was 17. Seven decades later, in 1971, it was 13.1%. In 1981 the figure was 10.9%, representing a loss of over 16% in one decade. The process has continued, with estimates for 1986 putting English-speakers at 10.4% of the population.

Losses

These are province-wide statistics, but regional breakdowns are also instructive. During the decade ending in 1981, virtually everywhere, the numbers of English-speakers saw an absolute as well as a relative decline. The only areas showing some stability were the Outaouais, across from Ottawa, and the south shore of the St. Lawrence across from Montreal, apparently due in both cases to a certain influx of suburban dwellers from the metropolitan areas. In two other regions, north-east and central Quebec, losses exceeded 25% during the period. The process of Anglophone depopulation in much of the Quebec countryside could hardly be clearer.

In absolute terms, the number of English-speaking Quebecers was 706,000, compared to 789,000 a decade earlier. Demographer Jacques Henripin has estimated that, should the process continue at the same rate, the "prob-

lem" of the Anglophone minority in Quebec will have "solved" itself within the next five decades. There would be none left.

Of course, projections are only that. But the trend is unmistakable. According to all statistical indicators, the English-speaking population of Quebec is both shrinking and aging perceptibly and has been for some time.

The major factor in recent years was a massive emigration of Anglophones in the late 1970s and early 1980s, accompanied by an equally dramatic decline in the numbers of English speakers coming into the province.

One statistic is eloquent. Between 1976 and 1981, 131,500 Anglophones left Quebec. The number entering as residents was 25,200. The net exodus was more than 100,000.

The precise reasons for the phenomenon are still under discussion. One observer, McGill University sociologist Uli Locher, has concluded that the major reason was economic, with many members of the English-speaking minority — relatively speaking, a mobile group at any time — deciding that they would be financially better off elsewhere. Others have tended to put greater emphasis on the changes in the political and linguistic climate that occurred with the arrival in power of the Parti Québécois government in late 1976 and the passage of the Charter of the French Language, Bill 101, the following year.

Collective status

Whatever the reason, there is no doubt about what happened. And, while the rate of decline in the numbers of the English-speaking population seems to have eased off somewhat since 1981, there was still a drop amounting to almost 5% between that year and the census of 1986.

Such a process has its own inevitable side-effects wherever it occurs — especially involving greater difficulties in maintaining essential institutions and organizations whose function it is to serve the community and its members.

There is another result of the process that is unique to today's Quebec since the passage of Bill 101. Despite several alleviations to the law since 1977 and the continuing protection afforded by our original constitution in the legislature and in the courts, it has brought about a loss of collective legal status.

That status is essentially defined by Section 113(f) of Bill 101, under which a certain number of health, welfare, educational and civic institutions serving a majority non-French-speaking clientele are exempted from the full rigour of the French-only requirements of the law.

Among such institutions are several score cities, towns and villages across the province that have operated in both English and French since Confederation.

Under the law, only municipalities with a non-Francophone majority have the right officially to do so now. Such municipalities have the right to things such as bilingual signage, bilingual internal records, and the right to communicate in English as well as French with other similar administrations.

There is, of course, nothing that forces any municipality to show a bilingual face to the world, but any that wish to do so must be covered under Section 113(f).

In fact, the bilingual status of a municipality does not impinge much on everyday life. Even in non-bilingual towns, Anglophones can quietly be provided with services in their language. But to many Quebecers, whatever their mother tongue, bilingual status is of major symbolic importance in expressing both historical traditions and a spirit of social harmony where people speaking the two official languages live side by side.

Thus, when last January the rapidly growing town of Rosemere, north of Montreal, was deprived of its bilingual status by the Office de la langue française on the grounds that, due to a recent Francophone influx, English-speakers were no longer in the majority, the French-speaking mayor and a majority of his council challenged the decision in court. The town asserted that while the law assigns bilingual status there is no provision for taking it away, once given.

At last count there were more than a hundred municipalities across the province enjoying bilingual status, the majority being on Montreal Island and in the Eastern Townships and western Quebec. The list includes two cities, Côte St. Luc and Dorval. Should Rosemere lose its case, a large number of these other municipalities would be in danger of also losing their special status. Within a few years, according to some estimates, there would be a mere handful, even though in many places considerable Anglophone populations would remain. Montreal is, of course, the prime example of a municipality that is administratively unilingual despite the large number of English-speaking residents who, in practice, receive many services in their own language.

This presence in practice of services is, of course, appreciated; but symbols cannot be dismissed. The issue of the right to post bilingual commercial signs is a basic one to many Anglophone Quebecers, but so too is the external aspect of a village or town where, in many cases, they and their ancestors may have lived for generations.

The irony is inescapable. As, however hesitantly, other provinces belatedly expand the recognition of long-overdue Francophone rights to their own minorities, English-speaking Quebecers are seeing some of theirs being eroded as their numbers fall. Is it a vicious circle — a process that could be halted or slowed down by a climate of greater official tolerance? Or is it historical inevitability?

And yet, despite its diversity, its diffuseness, the Quebec English-speaking community remains a vibrant part of the equation. Recognizing that demographics is not an exact science and that few events in human history are written in stone, Quebec Anglophones are continuing to assert their viability as a society within a society. The French immersion phenomenon is one indication among several of a desire to integrate into a predominantly French-speaking society, one with its own demographic problems resulting from an extremely low birthrate. Combined with this is a determination by the community to maintain its own integrity.

Helping it in this endeavour were indications that Quebec Francophones themselves are supportive, including a Sorecom public opinion poll released last summer showing that an overwhelming majority of French-speaking Quebecers accepted the legitimacy of the Quebec English-speaking community and approved the existence of English services for its members.

Also helping was a recent Act of the National Assembly guaranteeing services in English in the area of health care in hospitals as well as the granting by the government of a new autonomous post-secondary institution — Heritage College — in Hull.

And just in the past year the English-speaking community has seen the appearance of a new English-language theatre in the Eastern Townships, a new province-wide writers' association, a new daily newspaper and no fewer than three magazines in Montreal. These are just a few indications of a certain psychological resurgence.Despite the difficulties, as a whole, English-speaking Quebecers see the future as still open, and act accordingly. *T.S.*

The Olympic Games: Renewed Impetus for French

*Pierre Brault**

Surveys show that Albertans today seem more open than ever before to Francophone rights in their province.

After the Calgary Olympic Games in February 1988, the *Calgary Herald* reported that, according to a poll, 75% of Calgarians supported a form of recognition of the French language. Another poll, taken by the *Edmonton Journal*, showed that 53.4% of those questioned in Edmonton favoured the passage by the Alberta Legislative Assembly of laws in French. The results of these two polls clearly indicate that Albertans, or at least those living in the province's two largest cities, are a jump ahead of their provincial government.

The fact that the Olympic Games were bilingual in every respect contributed to these results, but an organization called the Société de théâtre de Calgary is also surely responsible in part, thanks to its broadcasts on the community television channel of Rogers Cable.

Gérard Guénette, Jocelyne d'Amour and Claude Labrie

Franc-Contact

The fall and winter schedule of the community channel of Rogers Cable Television in Calgary includes 16 30-minute broadcasts in French entitled "Franc-Contact" produced by the Société de théâtre de Calgary. This represents a continuation of the co-operation between the two groups initiated in 1986 by Michelle Lehardy, then artistic director of the Société, when the idea occurred to her of presenting plays in French on community television. This idea became a reality and led to the current major project. The broadcasts were originally entitled, "The Société de théâtre de Calgary presents...".

The project was highly successful, thanks in particular to the many volunteers who donated their time in various ways as technicians, camera operators, sound technicians, interviewers and so forth. This year the director of communications, television and radio for the Société de théâtre de Calgary, Jocelyne d'Amour, will have two teams of eight persons each available to her. This will make the job a little easier and avoid volunteer "burnout", as she aptly terms it.

Rogers Cable

From the point of view of Rogers Cable, it is clear that the participation of Francophones in the community hannel's programming constitutes good free publicity and is a public relations exercise beneficial to Calgary's French community.

The Société de théâtre de Calgary broadcasts on Rogers Cable.

It is common for various ethnic groups to use community channels as public relations tools and as a means of making themselves known to the Canadian public. Most such broadcasts, however, are of a folkloric or cultural nature. No doubt there are other Francophone groups outside Quebec with similar programs, but the developments in Calgary are nevertheless remarkable.

The director of programming, David Campbell, and the producer of "Franc-Contact", Brian Smith, co-operate closely by helping the volunteers familiarize themselves with the equipment and teaching them the various techniques associated with production. This ensures a high quality of production and a level of professionalism that does credit to the volunteers. It should be noted that the studio, the equipment and a small production crew are made available free of charge to groups wishing to broadcast. This policy attracts many volunteers who want to become more familiar with television techniques, develop their talents, improve their knowledge of French or simply enjoy a hobby.

A widening role

In addition to presenting a season of theatre and supervising the Ligue d'improvisation de Calgary, the Société broadcasts a French-language program on Saturdays on the community radio station of the University of Calgary to inform and entertain the community. Claude Labrie, in addition to being vice-president for publicity, prepares the broadcast and co-hosts it with Jocelyne d'Amour.

The mandate of the Société de théâtre de Calgary has broadened considerably in recent years, to the point where man-

***Pierre Brault is Editor of the weekly *Le Franco Albertain*.**

agement is considering changing its name and turning into an organization to supervise all aspects of communications in the Francophone community. This does not mean, however, that it plans to trespass on the territory of the Association canadienne-française de l'Alberta, Calgary section, or that of other socio-cultural agencies. Aware of the importance to the Francophone community of being well informed, it simply wishes to play its role and help these organizations achieve their goals by facilitating their task in the area of disseminating information and by supporting them in their efforts to strengthen and win respect for their rights.

Cable and community

This example of co-operation between a cable broadcaster and the Calgary Francophone community certainly deserves notice. There can be no doubt that when the minority official language community provides itself with the tools and the means to make itself better known and more visible to the people of Calgary, it is assured of winning significant support from that community, which, more and more, is accepting the French "fact", despite what some Albertans may think and say. The enthusiasm shown by Anglophones for the French immersion program is surely another clear sign of this growing interest on their part in official bilingualism in Canada. Community radio and television are therefore becoming very important communication tools for the promotion of the French language and culture.

Many volunteers donated their time.

Some account must also be taken of those who, unfortunately, have been lost to assimilation. They can see that there is a vibrant French culture in Calgary, and this in many cases gives them the desire to reverse their course and return to their true origins: their mother tongue, French, and the rich Franco-Albertan culture left by the pioneers.

Albertans today seem more open to the Francophones of their province. If this renewed interest in the minority persists, it will certainly be the finest legacy to posterity of the Calgary Winter Olympics. ■

Ontario's First French-Language Community College

*Carole Landry**

The creation of two other French-language colleges in the province is imminent.

The creation of the province's first French-language community college in Ottawa helps French take its place in the front rank of higher education in Ontario.

On January 12, the then Secretary of State, Lucien Bouchard, and the Ontario Minister of Colleges and Universities, Lyn McLeod, called a press conference in one of the majestic rooms on Parliament Hill.

With pleased expressions, they announced a "historic breakthrough" for French in Ontario: $100 million to be allocated over an eight-year period for the creation of a French-language community college system. The first such college is to be located in the Ottawa area.

Ontario's 500,000 Francophones will now have access to French-language post-secondary schools. The English minority in Quebec has for a long time had a sound institutional foundation: eight CEGEPs, the lastest of which opened in Hull last January, and three universities.

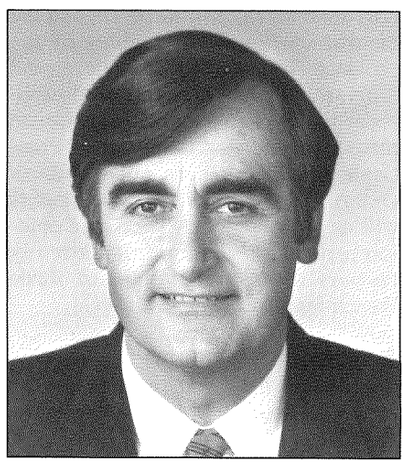
Elsewhere in Canada, Francophones in New Brunswick have four community colleges, while the first such French-language college in Nova Scotia, the Collège de l'Acadie, will open within five years.

September 1990

The cost-sharing agreement, negotiations for which started only six months ago, provides for the first college to open in September 1990. By 1992 the French-language community college in Ottawa will have new facilities.

Mr. Bouchard said he saw this agreement as a sign of continuity and progress. The first French-language secondary schools in Ontario opened in the 1960s. Thirty years later, completion of the French education system in the province is within sight, he noted with satisfaction.

"The 1990s will be the decade of the community colleges," Mr. Bouchard



Lucien Bouchard

stated. Some 30 leaders of the Franco-Ontarian community who attended the press conference welcomed this prediction with hearty applause. Fully two-thirds of the sum earmarked for the system will go toward the establishment of the French-language college in Ottawa. Construction of the facilities will cost $35 million, while an additional $10 million will be needed for the purchase of equipment.

Under the joint cost-sharing agreement, $20 million will be allocated for the development of French-language programs at the Ottawa college. Currently, Algonquin College offers 47 programs in French in four areas: health sciences, commerce, applied art, and technology. Starting in 1990, Algonquin College will offer English-language programs only.

The French-language college in Ottawa will be able to accept the 1,800 full-time Francophone students enrolled

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***Carole Landry is a journalist with Radio-Canada's "Ontario 30".**

at Algonquin College. A board of governors should be in place in March to oversee the hiring of staff and the definition of the mandate of this first French-language institution of higher learning in Ontario.

In the opinion of the Association canadienne-française de l'Ontario (ACFO), the federal-provincial agreement will be a weapon for Ontario Francophones in their struggle against assimilation. "It may be possible to save a whole generation of young Francophones from assimilation," said the president of ACFO, Rolande Soucie.

According to Ms. Soucie, the establishment of two additional French-language community colleges, one in northern and the other in southern Ontario, is imminent. Under the agreement, the federal and provincial governments will contribute $35 million for the expansion of French-language education services in the north and the central-southwestern regions of the province. The Ministry of Colleges and Universities has ordered studies in order to develop the most appropriate models for meeting the needs of Francophones in northern and southern Ontario. The results of these studies will be known late in March, and opinion within the community already favours the establishment of three French-language colleges.

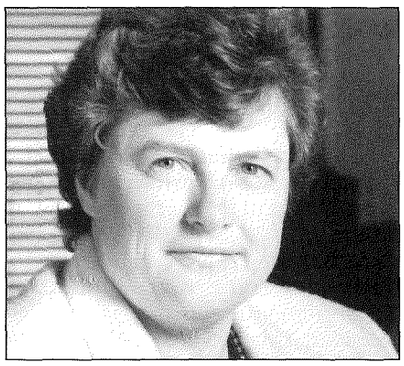
A province-wide basis

"We cannot treat Francophones in the north and south like second-class citizens," said Marc Godbout, President of the Conseil de l'éducation franco-ontarien (CEFO). "Once the principle of establishing a separate institution for Francophones in eastern Ontario is accepted, it has to be applied province-wide." The CEFO is an advisory body to the Ontario government on all matters relating to French-language education.

In Sudbury approximately 1,000 Francophone students attend Cambrian College, which has a total enrolment of some 3,000 students. In 1978 a French-language component was established in order to increase the independence of Francophones at Cambrian College. This component has 90 professors. In addition, in northern Ontario, there are also French-language components within Canadore College in North Bay and Northern College in Timmins.

In southern Ontario, Niagara College in Welland offers French-language programs of study. In Cornwall, Saint Lawrence College also receives provincial funding to provide some French-language instruction. These six institutions constitute the system of bilingual Ontario community colleges whose establishment dates back to 1966.

In the present decade the bilingual colleges have become the subject of discontent on the part of the Francophone community, which points out the absence of a "French environment" for community college education and the gradual erosion of French-language programs due to budget cuts.



Lyn McLeod

This absence of a French environment leads to some disturbing statistics. Francophone community college enrolment is 50% lower than that of Anglophones, according to the Stacy-Churchill Report on Franco-Ontarian education. "Having to pursue a program of studies in English can certainly lead a Francophone student to abandon post-secondary studies," the Minister of Colleges and Universities acknowledged in July 1988.

Until then it had been the policy of the Peterson government to designate community colleges "bilingual" under the French Language Services Act of 1986.

The Franco-Ontarian community is opposed to the designation of community colleges as bilingual on the grounds that students have the right to an education in a genuinely French-speaking environment.

According to the leaders of the Franco-Ontarian community, the federal-provincial agreement is a historic breakthrough that will open the way to the creation of a system of three French-language community colleges and prepare the ground for the next item on their agenda: a French-language university in Ontario. ■

Note:
Lucien Bouchard was Secretary of State at the time of the announcement. The current minister is Gerry Weiner.

Letters

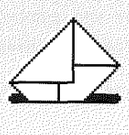
Upon my return to Université Kinshasa XI after spending some time doing historical research in Europe, I was pleasantly surprised to find the first issue of the new series of *Language and Society*, in both English and French.

I would like to thank you very kindly. While my own language is Dutch, I have always used French, the official language of Zaïre, where I have taught history for 38 years, for my scientific publications.

I found some of the articles very interesting, particularly René de Chantal's "Du 'franc' à la 'francophonie.'" "Franc" in the sense of "free" also occurs in my native tongue, and we even have an expression "vrij en vrank" (frei und frank: free and free!).

I simply wish to say that, while neither a linguist nor a philologist, I greatly appreciated your gesture.

François Bontinck
Professor Emeritus
Kinshasa, Zaïre



The Second Language
Why does the Office of the Commissioner not inform Canadians that as an internationally useful language French is second only to English? Most English Canadians seem unaware of this fact. If they knew it, I think they would be more open to French.

P.J. Desaulniers
Sainte-Foy, Quebec

Editor's note: See the special report on *la Francophonie* in *Language and Society* No. 20, entitled "The Universality of French".

Bill 8: In Good Health?

Sarah Hood

Ontario is in the process of planning for French-language health services. Last November, health care providers from all over the province met in Sudbury.

An 80-year-old woman in a home for the elderly is lonely and wants to talk about her family. A little boy is frightened of his first inoculation. A patient entering the emergency ward needs to explain his symptoms. Situations like this occur routinely all over Canada, and in most cases health care providers are ready to deal with them. But if the patient is a Francophone outside Quebec, these common situations may be difficult for the health professional and even dangerous for the patient.

Throughout the country, except in Quebec, there is a severe shortage of French-speaking professionals in health services, as well as, except possibly in New Brunswick, in social services. Relatively little formal consideration has been given to the provision of health care in French outside Quebec. The services that do exist may all too often be left to a precariously informal arrangement with anyone who happens to be able to speak French or some French.

French-language services

Ontario is in the process of taking a close look at its health care system with an eye towards planning for French-language health services. One year to the day before the province's French Language Services Act comes into effect, making the provision of many of such services mandatory in designated areas, the Association canadienne-française de l'Ontario (ACFO) held a forum on French-language health services, with the co-operation of the provincial Ministry of Health. Called "La Loi 8, Est-elle en santé?", the forum gathered health care providers from all over the province to Sudbury for a three-day discussion last November 18-20.

The provincial Health Minister, Elinor Caplan, addressed the 250 participants in French as well as English, announcing the creation of a new French-language community health centre to serve Toronto. "There is perhaps no field," she said, "where this guarantee [of French-language service] will have a more profound and personal effect than in health care." She discussed some of the other means by which the Ministry of Health hopes to be able to provide health services in French by November 1989, including funding for studies to assess the needs of Francophones in designated areas, French-language training for health professionals and assistance in the translation of forms and other documents.

Programs and problems

The Minister described special programs that encourage the development of Francophone health professionals in the vast, sparsely-populated northern regions of Ontario, where many Francophone communities are located. She also spoke of complementary programs within other ministries, such as a program run by the Ministry of Colleges and Universities that enables Ontario residents to study medicine, dentistry, social work and similar subjects in French at Quebec universities. Rémy Beauregard, Executive Director of Ontario's Office of Francophone Affairs, Dr. Martin Barkin, Deputy Minister of Health, and Denis Fortin, Co-ordinator of French-Language Health Services, also stressed the provincial government's commitment to making good quality health services available to Ontario's Francophone community within the year. An impressive symbol of this commitment was the ability of these government representatives to address their audience entirely in French.

On Saturday participants attended workshops conducted by health professionals specializing in acute and long-term care, public health and community health service centres. These seasoned resource persons came from hospitals, universities and medical centres in Ottawa, Welland, Hawkesbury, Cornwall, Sudbury and Toronto. Among the topics discussed were the supply of qualified French-speaking health care providers, planning of services, management models and ways to encourage Francophones to request service in their own language. Later meetings grouped participants according to the regions of the province they serve. Those present in the workshops spoke of the difficulties of merely identifying French-speaking professionals, of the tendency for one or two French speakers within an institution to be burdened with the unrecognized work of organizing French services, and of the reluctance of many Francophones to declare their language preference.

A new French-language community health centre will serve Toronto.

As part of the proceedings, ACFO and TVOntario (the Ontario Educational Communications Authority) offered a seminar for health care professionals interested in pursuing a follow-up to the forum and those who wanted to receive training to set up a regional health care network or to promote French-language services in the professional community. An ACFO seminar later the same day explored the possibility of organizing an association for French health care professionals.

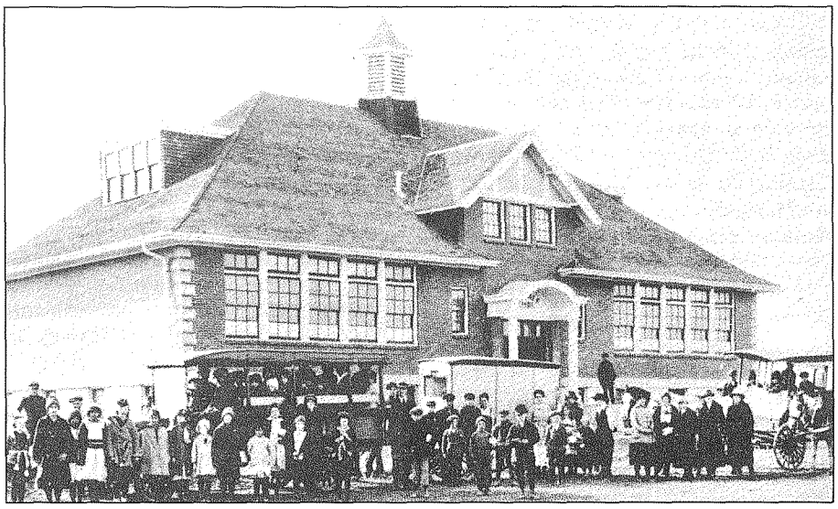
Recommendations

Seventy-four recommendations made by participants in the workshops were read at the plenary session, attended by Bernard Grandmaître, Minister Responsible for Francophone Affairs. Representative of the concerns of the group were recommendations calling for increased encouragement and aid for young Franco-Ontarians thinking of embarking on careers in health and social services, improved communication with the Franco-Ontarian community, and a guaranteed voice for Francophones at all levels of Ontario's health care system. It was significant of the success of the event that one of the recommendations was for further sessions like the forum, to be held over the next year in all regions of the province. It seems possible, as Elinor Caplan put it, that "This conference marks the start of an exciting new phase in the delivery of French-language health services" in Ontario. ■

Various Views of Language Rights

Canada's minority language press has a wide range of interests and just as wide a range of opinions.

The preoccupations of the minority language press across the country during the past few months have been almost as disparate as the country itself, with several themes emerging in the different regions. In two provinces, Alberta and New Brunswick, some criticisms were directed at members of the minority communities themselves.



Alberta

French-language schooling was a major continuing concern in the editorial rooms of *Le Franco Albertain* of Edmonton, which welcomed some new developments, even while chiding some elements within the Francophone community on the subject.

One happy development was the decision in December by the Edmonton Catholic School District to go ahead with a French-language secondary school. "It is with a clear sigh of relief that the Francophones of Edmonton have seen the end of this rather sad chapter in the struggle for a French secondary school....It is now possible for them to see their future with more confidence, not only because they will enjoy a service essential for their development, but also because they will be able to invest in other important areas all those energies which, for several years, have been swallowed up week after week in this difficult matter."

Another development hailed by the paper was the green light given to the project for a French-language elementary school at St. Paul, 200 kilometres northeast of Edmonton.

One difficulty facing the progress of Francophone education, as noted by editorialist Guy Lacombe, has been the reluctance of some parents to support the idea. "What's wrong with us in Alberta that we become so easily divided on such a basic principle? When a group of parents takes the initiative to get a French school, within a week they are being called fanatics or separatists. By whom?...By other Francophone parents."

Answering arguments that immersion schools are all that is needed, Lacombe wrote that experience had demonstrated "that the only way for a Francophone in a minority situation to become bilingual, which is to say perfectly competent in the mother tongue first and in English afterwards, is the French school."

The state of bilingualism in general was the subject of another Lacombe editorial. Noting that the United States has apparently embarked on a bilingual path, he contrasted the situation at home. "How strange and disturbing it is to realize that while the Americans are trying to repair as quickly as possible the grave shortcomings of their educational system, we find in our officially bilingual country a province such as ours that is going backwards, proclaiming itself unilingually English, a province where the premier treats bilingualism as a shameful disease."

Ontario

Bilingualism was also a topic for editorialist Lucille Laplante in *Le Nouvel Ontarien* of Sudbury — specifically in the matter of road signs. "And they call this a bilingual province? And they say too much money is being spent translating documents, etc. Well, it certainly isn't obvious when you head south in your car in this province. If there were only French signs in Sudbury, there would certainly be some very angry Anglophones. They would certainly protest and complain. So what are we Francophones waiting for?" Among other things, more French-language signs would increase Francophone tourism in the province, Laplante suggested.

Another editorialist for the same paper, Simon Laflamme, appealed to the pride of Franco-Ontarians. Taking note of recent Laurentian University findings that Francophone students were no less competent in their language than were Anglophones in theirs, Laflamme appealed for Francophones to use French. "The Franco-Ontarian is not linguistically inferior to the Anglophone in Ontario. He does not improve his competence by slipping into his neighbour's tongue."

Saskatchewan

On a similar note, editorialist Jean-Pierre Picard in Regina's *L'Eau Vive* deplored a perceived tendency for both pupils and teachers to slip into English between classes in French-language schools in Saskatchewan. "We ask our young people to use French? Let us give an example by making French the normal language, in the schools and at home. For, if example is the best method of preaching, it is not surprising that our children use English with each other. They are only imitating certain of their teachers and even their parents."

Northwest Territories

Another aspect of bilingualism, seen from the point of view of a professional journalist, preoccupied Denise Canuel of *L'Aquilon*, published in Yellowknife. Her target was the government of the Northwest Territories and its recent practice of advertising in French in

English-language newspapers for French-speaking workers. Canuel was not contesting the government's right to do so. "But the poor taste of bilingual advertising in a unilingual paper has no limits. The Department of Personnel forgets (or refuses?) to publish these same job offers in the only French-language paper in the Northwest Territories." Such a practice gave cause for concern. "If their lack of tact in policies concerning advertising extends to policies concerning education, health, justice, etc., we had all better become bilingual quickly."

New Brunswick

Journalism — more precisely the prospects for a new regional daily — was also a major concern in New Brunswick. In an editorial in *Le Moniteur* of Shediac entitled "J'accuse les Acadiens", Henri-Eugène Duguay assailed his fellow Acadians, including politicians, educators and church leaders, for dragging their feet on the project. At the centre of it is *L'Acadie Nouvelle*, a former weekly, now a local daily in Caraquet, which is aspiring to become a province-wide newspaper this spring.

Following a series of three editorials apportioning blame for delays on a wide spectrum of provincial and other leaders, Duguay concluded: "We have finished our examination of conscience. Now is the time for firm resolutions. It's a new beginning! A collective beginning! Who's coming along?"

Also supporting the project was Jean L. Pedneault in *Le Madawaska* of Edmunston. "*L'Acadie Nouvelle* will be successful as a provincial paper if its readers, its journalists, and its advertisers are satisfied....Between now and next March, changes are desirable and possible. Good luck, and in this land of Madawaska we are looking forward to reading *L'Acadie Nouvelle*."

Acadians

The continuing difficulties of extending French-language education in the Atlantic provinces was the subject of a sharp editorial in *Le Gaboteur* of St. John's, Newfoundland. Pointing to the example of Sydney, Nova Scotia, where a judge had decided that 50 potential pupils did not justify a French-language school, the paper noted that there are already a number of Anglophone schools in the area with 50 pupils or less. "One law for the rich and one for the poor? You decide."

On a more general note — the whole future of Acadia — Gérard Étienne, writing in *Le Voilier* of Caraquet, asked when Acadians could expect the same treatment as the native peoples of the Northwest Territories in terms of achieving a territory of their own. "We are pleased to see that the government of Mr. Brian Mulroney is repairing the monumental errors committed with regard to the first inhabitants of Canada. Will we have to wait another century to give to Acadians and Francophones all the powers they need to become masters of their social, political, economic and cultural life?"

Language laws

On a yet broader scale, editorialist Bernard Bocquel of *La Liberté* of St. Boniface, Manitoba, raised the issue of the whole future of *la Francophonie* in Canada in the light of Quebec's language policies. Written just before the Supreme Court decision on the language of commercial signs, he appealed to Quebecers to consider the interests of Francophones all over the country in deciding on their response, which, he suggested, would be a test of maturity. Should they conclude that their existence depends on unilingual signs, they would be caught up in a narrow and ultimately self-defeating territorial logic. "That logic can be easily summed up: In order to convince ourselves that we can exist, everything around us must be uniquely in French....A terribly defensive and negative logic, since it implies...that Francophones need a linguistically homogeneous territory to...'survive' in North America. The whole drama of Canadian Francophonie stems from this absurd idea that Quebec must act as the sanctuary for the Francophones of North America. In exoneration of Quebecers, it is true that it is in the historic nature of Canada to 'provincialize' Francophonie....But let us hope above all that the court judgment will serve as a starting point for new thinking on the necessity of an open Canadian Francophonie. This means, from the start, its deprovincialization."

Not surprisingly, it was precisely the Supreme Court ruling and Premier Robert Bourassa's decision to override it to allow English only inside commercial establishments that preoccupied the minority language press in Quebec.

A point of view supportive of the premier came from the Val d'Or *Star*. "What we are hearing are passionate pleas, coming from both sides, urging us on the one hand to place the rights of the individual first, urging us to respect the rights of the collectivity on the other...both sides have legitimacy, but no one side is completely right....In an imperfect world, Robert Bourassa has tried to please both sides. It might appear as though he's pleasing neither side...but his choice is the only logical one at the present."

Closer to the prevailing Anglophone editorial point of view, however, was the *Town of Mount Royal Weekly Post*. "Rights are rights, it is now clear, only as long as the government of the day agrees to grant them. Any legal challenge to a law based on a charter of rights is useless unless the political battle to change that law is won as well....Mr. Bourassa's law diminishes the rights of all of us as solemnly enshrined in our Quebec and Canadian charters. He has failed in his duty as an elected leader, to uphold the supremacy of law and the liberty that flows from it."

The Pointe Claire *Chronicle* was also blunt: "Everyone now knows what the distinct society really means. It's a society that has no respect for the highest court in Canada, the Constitution, the bill of rights of Canada or Quebec."

For the *Westmount Examiner* "it is well to continue to believe that the vast majority of our fellow Québécois do not bear their fellow citizens ill-will; that even if most of our neighbors of French origin conscientiously believe that their language and culture remain threatened...they likely are as embarrassed as any of us by the extreme reaction of our government to the...decision."

A somewhat original tack was taken by the *Stanstead Journal*: "In some ways, it would have been preferable for Premier Bourassa to ban English on commercial signs altogether. He has taken the step of violating constitutionally protected rights, so why do half a job? That way, at least, no one would be accusing English Quebecers of forcing Bourassa to soften Bill 101. As it is, Bourassa has set Anglos up as a target...".

Even before the decision and response, editorialist Brian Dryden of Montreal's *Suburban* had a simple suggestion for the Quebec minority. Noting that, under a two-party system, it seems inevitable that the Parti Québécois will eventually take power, he concluded that "the time is right for a third party in Quebec....it is time the Tories plant roots and grow a provincial party. Many of the Conservatives in Quebec are nationalists, but they are not separatist, Lucien Bouchard notwithstanding....It is either the PQ or a third party, and the Tories are in a position to give us another choice." *T.S.*

French Language Rights in Saskatchewan

*Dale Eisler**

The issue of Saskatchewan minority official language rights erupted a year ago when the Supreme Court ruled that Section 110 of the North-West Territories Act was still in force.

A French-language rights controversy in Saskatchewan that spilled into the national arena last spring has dramatically subsided in the wake of efforts by both the provincial and federal governments to expand services for Saskatchewan Francophones.

The issue of minority language rights in Saskatchewan erupted last February when the Supreme Court ruled that an obscure law, guaranteeing French-language rights and dating back to before Saskatchewan became a province in 1905, still applied.

Father Mercure

The Court ruling arose from a test case brought forward by Father André Mercure, who received a speeding ticket in 1980. Mercure, who was from North Battleford and who died before the case reached the Supreme Court, argued that Section 110 of the North-West Territories Act which guaranteed French-language rights was still in force in Saskatchewan. He refused to pay his ticket because it was issued in English only.

While the Supreme Court agreed that the law still applied, it also said the province could unilaterally modify the language rights of Francophones in the province by amending the legislation. Unlike an earlier language controversy in Manitoba, the law in Saskatchewan was based in a statute and was not a part of the provincial constitution as the case in Manitoba.

Language law

Using that option, the Grant Devine government passed a language bill that had the effect of nullifying previously existing — if largely unknown and unexercised — French-language rights.

The move quickly triggered an emotional response. The Saskatchewan arm of the Association culturelle franco-canadienne saw the move as a repudiation of their historic language rights in the province.

"The real issue is the survival of the Saskatchewan French minority," exclaimed ACFC Rupert Baudais at the time.

But, with Francophones making up less than 3% of Saskatchewan's population, the Devine government argued that it had to "politically manage" the expansion of French language rights in the province.

So, instead of embarking on a costly exercise to translate all existing and future provincial statutes, the government declared it would gradually move towards bilingualism at a pace that would be politically acceptable.

Regina-Ottawa agreement

Ultimately two events, only one of which was planned, helped to ease concerns of the Francophone community about the Devine government's commitment to expansion of the French language. The first was a federal-provincial education agreement announced last June.

With Quebec Premier Robert Bourassa expressing his support for the manner in which the Saskatchewan government was handling the issue, the federal government announced it would pump approximately $50 million into education and a minority language institute in Saskatchewan. The institute is being established at the University of Regina and is geared to provide language training to professionals.

The federal government committed more than $17 million towards the cost of the new institute. Of that total, $10 million is for capital expenditures over five years beginning 1988-89. Another $10 million in federal money was provided to improve French minority language education through curriculum development and improving access to French education at the secondary level.

As well, the federal government pledged financial and personnel support for the Saskatchewan government to assist in the translation of statutes into French.

Collège Mathieu

Ironically, at approximately the same time, fire virtually destroyed Collège Mathieu in the French-speaking Saskatchewan community of Gravelbourg. Recognizing that it was the province's largest French-language high school and the heightened sensitivity to the minority language issue, the Devine government quickly indicated that it would provide $1.5 million to help pay reconstruction costs not covered by insurance. At the same time, the federal government indicated it would give $4 million to the Collège Mathieu project and the Quebec government also indicated it would assist in the reconstruction.

Those events have largely defused what appeared to be an explosive and possibly divisive minority language issue last spring.

Translation

While the provincial government's efforts in the gradual translation of statutes into French have been moving slowly, officials maintain that there will be a measured, yet steady, effort to make Saskatchewan a more bilingual province.

As an indication of the government's commitment to translation, it has helped to establish a small company in Regina that hopes to speed up the process of translating provincial statutes.

The company has rights to computer-based technology that is said to be capable of translating written texts from English to French. If the computer program used in the translation is judged acceptable, then plans are for more rapid translation so that a growing number of Saskatchewan laws and services will be available in both official languages.

And, to demonstrate his own personal commitment to the process, Devine himself points out that his wife is a Francophone and his own school-age children attend French immersion schools and are fluently bilingual. ■

***Dale Eisler is a political columnist and Legislative Bureau Chief for the Regina *Leader-Post* and Saskatchewan correspondent for *Maclean's*.**

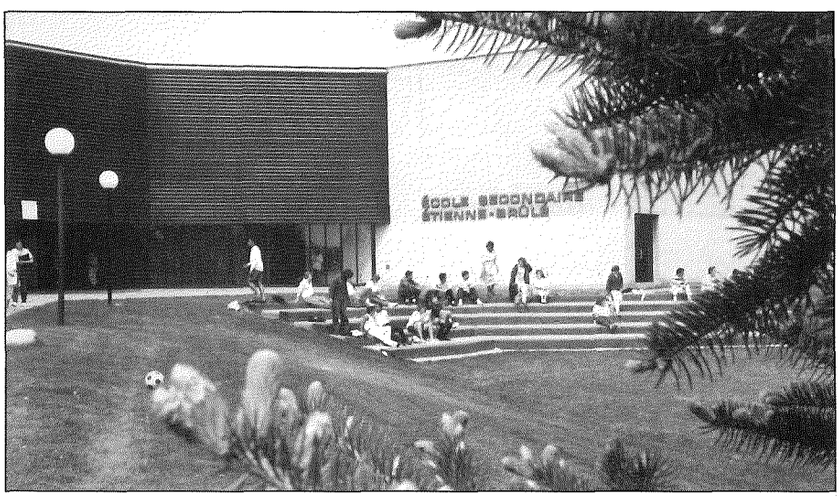
Toronto Francophones Manage Their Own Schools

*Marie-Josée Métivier**

Eight members of the Conseil des écoles françaises de la communauté urbaine de Toronto officially took up their duties on December 1.

Pierre Touchette says: "After fighting for 200 years for complete control over our schools, we finally have our own French school board in Toronto." He is a member of the new Conseil des écoles françaises de la communauté urbaine de Toronto (CEFCUT).

The eight members of the school board elected during the recent Ontario municipal elections (one seat remains vacant) officially took up their duties on December 1. They are responsible for five public schools, three elementary schools (Jeanne-Lajoie, Félix-Leclerc and Gabrielle-Roy) and two secondary schools (Étienne-Brûlé and the French-language school of Jarvis Collegiate Institute). These schools were formerly administered by the school boards of Toronto or North York. The French-language Catholic schools in the Ontario capital will remain under the jurisdiction of the Metropolitan Toronto Separate School Board, unlike those in Ottawa-Carleton, where both Catholic and public schools are administered by a single French-language school board.



***Marie-Josée Métivier is a researcher and journalist in Toronto.**

Services

In order to ensure stability during the current school year, administrative and educational services will not be transferred immediately to the new board. It will take them over from the boards now in charge of the French-language schools. By the end of the school year, however, CEFCUT will have full control over the budget, the hiring of teachers, admission criteria, and so forth. This small new board will, as well, have the option of "purchasing" services from certain school boards, if necessary.

"With this new body, with Francophones elected by universal suffrage, by a real ballot, not by a group of eight persons, Toronto for the first time has an elected Francophone board with official status," notes Pierre Touchette. He believes that this will have a powerful impact on the community. "Suddenly, it's official. The whole community will look to this unsubsidized group, which is recognized by the entire province. It's the only case in which an Ontario law gives powers to Francophones."

Teachers will be able to work in a French-speaking environment.

This is good news for the Francophone community in metropolitan Toronto. "It's an exhilarating challenge," comments Josette Blais, community development officer for the board. "It's our own French-language board, and we are responsible for our decisions only to ourselves." And Pierre Touchette adds: "The French character of the schools will be guaranteed by the board members, and will no longer depend on concessions granted by Anglophone board members."

Teachers

The teachers, who have a little over a year to decide whether they will remain with the old board or join CEFCUT, will finally be able to work in a French-speaking environment. A professional activities day in which some 100 teachers took part has already been held in French. "Activities like this foster a sense of solidarity that is something quite new among Francophone teachers," Josette Blais says. The teachers will now have greater access to other French-language schools in Ontario, will manage their own educational resources centre and will benefit from easier contact with other French-speaking teachers in the area.

The primacy of French

The phrase on everyone's lips is the primacy of French. No one in Toronto tries to hide the fact that in the school corridors and playgrounds, the children play, sing and speak mainly in English. According to Lise Dubois, the parent of a child who attends Félix-Leclerc School in Etobicoke, the main point is that CEFCUT will be able to make French stronger and more visible in the schools. "It's the quality of French-language education that I'm interested in," adds Annie Dell, another parent. She deplores the lack of French-language services in the schools at present and

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hopes that the members of CEFCUT will be able to redress the situation: "French-speaking children, unfortunately, have no challenges and lack stimuli. If we improve the quality of instruction, Francophone children who attend schools in the English system or immersion schools will return to the French schools."

Radical changes are not expected.

According to Vicky Lehouck, a member of the board of directors of the Centre francophone de Toronto, the French schools will depend on community awareness for their support. She notes that there were still some concerns because the new board is very small and thus will have limited resources, but, she hastens to add, "We must take risks and this one is worth taking. The voters have elected strong leaders to the board and once it has begun operating I am sure it will succeed. The schools will certainly be better adapted to the needs of Francophones."

Transition

According to CEFCUT, the community is pleased that the schools will be administered by people who are familiar with the situation of Francophones in a minority environment. It can only improve the visibility of French schools in the community, as André Lalonde, superintendent of CEFCUT, points out. The board will be able to advertise for its schools, which is not always possible when a single school is lost within an English-language board. Lalonde is confident that the participation of Francophones in the administration of their schools will increase. That is the key to the success of CEFCUT.

The transition is taking place in a climate of confidence, according to Joseph Lefebvre, principal of Étienne-Brûlé School. "We must allow the board some time to settle in," notes Pierrette Bordeleau, vice-principal of Gabrielle-Roy School. However, radical changes are not expected. "In the next two years," Pierre Touchette believes, "we will mainly see changes in attitudes." He ends on an optimistic note, anticipating that the planned advertising campaign will result in a substantial increase in enrolment. He estimates that there are 10,000 French-speaking children in the Toronto area who will be able to attend the schools administered by the board. ■

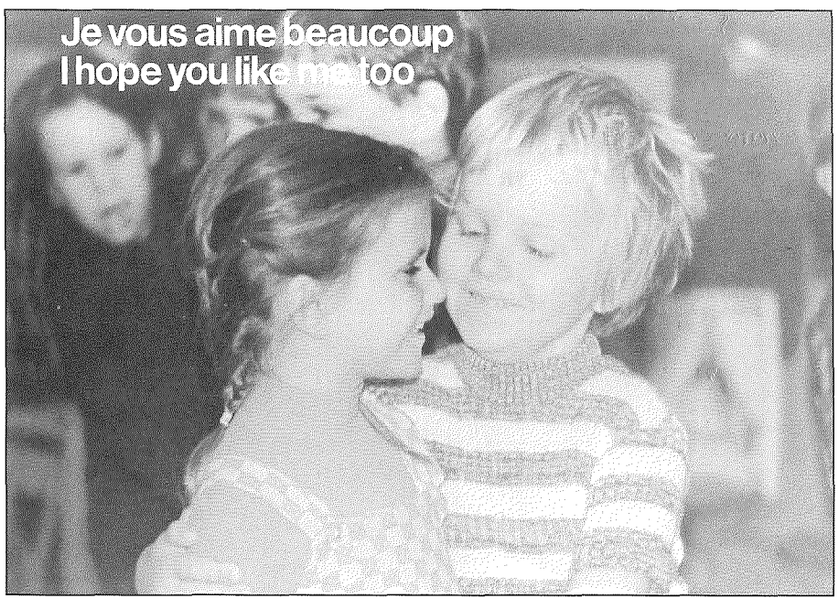
Two Successful Initiatives

*Nicole Keating**

Federal bursary programs help students learn the other official language and discover Canada at the same time.

The two national official language programs, the Summer Language Bursary Program and the Official Language Monitor Program, are now nearly 20 years old.

In 1969 the first Official Languages Act was adopted after a long and difficult debate.



Shortly afterwards, the federal government concluded agreements with each of the provinces to help cover the costs of teaching the second official language and providing first-language support for the linguistic minority.

In 1971 the provinces, in conjunction with the Council of Ministers of Education, Canada (CMEC), assumed responsibility for administering the only two federal programs operating at the national level: the Summer Language Bursary Program and the Official Language Monitor Program.

In December 1983, after several years of discussion, the provinces (acting through the CMEC) joined with the Department of the Secretary of State in approving a memorandum of understanding on the bilateral agreements, to apply over a period of three years. The memorandum also covered agreements pertaining to the national programs, giving them a new and very welcome stability.

The Summer Language Bursary Program

The Bursary Program is aimed at students at the post-secondary level and affords them the opportunity to study the other official language — usually outside their own province — for six weeks in the spring or summer.

Participants immerse themselves in a different language and culture. They follow courses, attend workshop ses-

***Nicole Keating is a teacher of French as a second language at York University's Glendon College.**

sions, sing, dance, relax, engage in sport and occasionally even dream in the other language.

In 1988 a total of 7,000 bursaries, each valued at $1,350, was awarded for the whole of Canada. About two-thirds of these went to Anglophones and about one-third to Francophones. Some 50 institutions — including both universities and colleges — are participating in the program. The number belonging to each language group is about equal.

The federal government also awards 300 bursaries to Francophones outside Quebec to help them upgrade their mother tongue and become more familiar with their own culture. These courses are offered at two institutions in Quebec and one in New Brunswick.

The Bursary Program attracts a great deal of interest among students. Waiting lists are long, and chances of waking up one fine summer morning in Quebec, the Maritimes or British Columbia are slim. For many of the young men and women who apply successfully, however, this is a unique opportunity to experience firsthand another language and culture, to discover Canada and Canadians, to form independent judgements, and thus to arrive at a better understanding of the diverse nature of this country.

We should mention here that, since 1972, more than 100,000 students have participated in the program.

The Official Language Monitor Program

This program was established in 1973, through the efforts of Keith Spicer, the first Commissioner of Official Languages. It is intended to encourage the acquisition and use of the official languages through the exchange of students who act as language monitors across Canada.

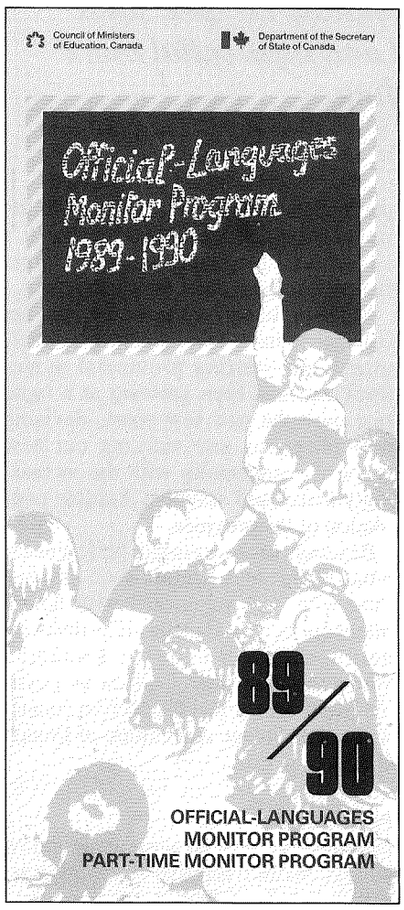
In 1977 the Monitor Program for Francophones outside Quebec was instituted to help Canada's minority Francophone communities improve their knowledge of the French language.

In 1978 the Full-Time Monitor Program was added, in order to meet the needs of rural and semi-urban areas.

In the 1987-88 academic year there were about 1,300 monitors working in schools, colleges and universities across Canada. As usual, most are part-time monitors, who must be studying full-time at a post-secondary institution.

For several hours a week the monitors help teachers make the language come alive, and bring it out of the textbooks. The monitors give the culture they represent a real, concrete dimension and allow the students a glimpse of life in Quebec, Manitoba or Newfoundland.

The monitors are truly ambassadors of their language and culture. Their youth, enthusiasm, and frequently their tastes bring them close to the youngsters they encounter. They establish communication by means of songs, stories, games, physical activities and group outings.



Many Canadian children have acquired a liking for English or French because they had a monitor who brought the other language to life and made it real — something which, in many cases, they had never experienced before.

The key to success

In spite of ups and downs, the vagaries of negotiations between the federal government and the provinces, and problems of an administrative or budgetary nature, these two programs, remarkably enough, are still in existence and still amazingly successful.

The key to this success is essentially the fact that both programs have, over the years, consistently met their objectives.

It is clear that they are becoming more and more popular with users. Another important factor is that the money for these programs has not disappeared into the general pool of funds allocated to bilingualism in education, but is clearly visible and producing tangible results.

The strength of the programs can also be attributed to the fact that they constitute an exceptional example of co-operation between the federal government and the provinces and territories. The Department of the Secretary of State, which provides the funding, has always seemed to accord the programs special importance.

The provinces and the territories, for their part, have set up an efficient administration under which the programs can operate flexibly. The CMEC, as national co-ordinator, also plays an essential role. These programs prove that interprovincial co-operation is possible when it is to the advantage of all concerned.

Outlook

In 1983 Max Yalden, then Commissioner of Official Languages, was already recommending that the federal government give these very popular programs the financing required for further expansion.

In November 1988, the provinces and the federal government signed a new memorandum of agreement on bilateral agreements to cover a further five-year period, according to which there will be an annual increase of 5% for the national programs.

Such modest amounts will certainly not enable the programs to meet the ever-increasing demand which they stimulate.

There are still many young people in Canada who have not yet had the opportunity to spend a whole summer in second-language immersion, or to have a classroom monitor who can put them in direct contact with his or her language and culture.

However, the Department of the Secretary of State and the provinces should be congratulated on the co-operation they have attained in an area which is full of pitfalls. The new memorandum of agreement reflects the desire of the two levels of government to pursue the task of making bilingualism a reality in Canada.

The national programs must remain part of this great effort; moreover, their continued existence should be the measure of their success. ■

Canadian Parents for French: Two Provinces

CPF is a distinctively Canadian institution, small in numbers but huge in dedication. Despite some problems, it is alive and well and influential more than a decade after its founding.

Kathryn Manzer

Marilyn Miller and Hildi Konok are in one sense widely separated — by some 5,000 kilometres, the distance between British Columbia and Nova Scotia. But they are close together in another, more pertinent way. Both are active volunteers and leading lights in an organization that gives them a common cause and has helped to change the educational face of Canada over the past 12 years.

CPF has helped to change the educational face of Canada

The organization is Canadian Parents for French (CPF), of which Miller is the British Columbia provincial director and Konok, still a leading participant in the group's multi-faceted activities, the former Nova Scotia director.

In many ways the two CPF members deal with different problems and challenges, resulting from differing regional realities, the consequences of history, geography and political developments.

Two provinces

In British Columbia the current reality includes a recent Royal Commission report which, among other things, recommends a sharp increase in the time devoted to the teaching of French as a second language in the schools — a proposal strongly supported by British Columbia's Parents for French.

Marilyn Miller has other uniquely regional concerns as well — for example, the translation of a brochure on the importance of learning French. It's aimed at the large number of immigrant families in the greater Vancouver area.

In Nova Scotia, Hildi Konok and her colleagues have been working to energize a late-starting provincial movement that has been growing at a rapid rate over the past few years, devising new programs and working out new ways of co-operating with the increasingly active and assertive Acadian population of the province.

Beyond such regional differences, what Miller and Konok have in common with each other, and with fellow members across Canada, is a determination to bring as many Canadian youngsters and their families as possible into friendly and productive contact with the language and culture of French Canada.

Foundation

Founded in 1977 by a small group of young, mainly English-speaking parents in Ottawa, CPF has since grown to a membership of about 18,000 in almost 200 chapters across the country. The growth in numbers has been impressive, but even more so has been the growth in influence and the achievements recorded.

The most visible sign of success has been in the realm of French immersion schooling, advancement of which has, from the start, been one of the group's first priorities. The number of elementary and secondary school pupils enrolled has jumped from 37,385 in 1978 to almost 225,000 a decade later. By the end of 1988, 1,642 schools were directly involved in the program.

Despite its importance, immersion has not been the only issue to concern CPF. For the great majority of young English-speaking Canadians, the more traditional non-immersion courses — in educational terminology "core" language programs, sometimes as little as 20 minutes a day in grades where they are available — provide the only introduction to Canada's other official language. For the past several years, CPF has been at the forefront of the fight both to increase the amount and improve the quality of such core programming.

Beyond the classroom

CPF goes far beyond strictly classroom learning. Among its ambitious programs is a Canada-wide French-language public speaking contest, the Festival national d'art oratoire, directly involving some 55,000 elementary and secondary school pupils from both core and immersion programs as well as regular Francophone institutions. About 50 finalists from the three senior years, representing all provinces and territories, take part in an annual non-competitive finale, usually held in the nation's capital. This spring, exceptionally, to celebrate the 125th anniversary of the Charlottetown Conference, the precur-

There are almost 200 chapters across Canada.

sor of Confederation, the finale will be held in the capital of Prince Edward Island.

A new experiment, begun in 1988, is Rendez-vous Canada. Pilot projects in four provinces brought up to 50 English- and 50 French-speaking grade 7 and 8 pupils together for an event-filled weekend, the goal being both to encourage the use of French by Anglophones and to help forge lines of mutual understanding and appreciation.

No one province or region is typical of any other.

While most of the activities are run by parent volunteers, there is a small but busy full-time national staff in Ottawa, headed by Executive Director Jos Craven Scott. In addition to organizing and co-ordinating national programs, it puts out a National Newsletter and many other documents on CPF activities and on educational developments across the country. In 1984 it published a 146-page handbook entitled *So You Want Your Child to Speak French!*, which became a national best-seller, with 15,000 copies distributed across the country. The book is currently being revised for re-release early next year. A new practical guide, encapsulating the results of recent experiences in second-language training, entitled *More French, s'il vous plait!*, has been selling briskly since publication in 1986.

In addition to informing its members and parents already interested in the question of language, CPF is also seeking to make an impact on a wider audience. During the first three months of this year, it is holding a public awareness campaign through the placing of thousands of posters in public transportation vehicles in most provinces. The slogan is simple and effective: "Learning French Matters".

Public policy

Discussion of questions of public policy, as they affect language, has been a primary concern of CPF through the years. It is proudly a lobbying group for French-language rights as well as for the language itself. It co-operates both nationally and regionally with minority language groups and, in 1984, put out a joint statement with the Fédération des Francophones hors Québec underlining the commitment of both groups to the expansion of French-language educational opportunities for young Canadians of both linguistic backgrounds. More recently it has become deeply involved in discussions of the Meech Lake accord and the 1988 Official Languages Act, presenting its views in several forums, including the parliamentary committees considering both matters.

British Columbia

Provincial governments too have learned to respect the voices of regional CPF bodies. In British Columbia, 17 different briefs were filed by CPF chapters before the Royal Commission on Education, and, as in other provinces, CPF is active in local and province-wide educational groups, working with and pressing the government to continue improving French-language courses offered in the educational system.

The British Columbia group may already be large, with almost 6,000 members and 45 chapters, but Marilyn Miller, who herself has three children in immersion programs, says there is still much to do. "We're still very much in the growth phase," she says enthusiastically. Despite this, the group already has substantial achievements to its credit.

Last year, it had a day-long overflow audience of several hundred for the presentations of the hundred-odd finalists in the public speaking festival. This spring, it is holding its own youth conference. An annual in-house training exercise, InfoXchange, draws parent participants from across the province, and a French family camp, held in three locations, attracts several hundred families each summer. During the school year, local chapters offer a parade of events designed to spotlight French language and culture. To keep information flowing, a glossy quarterly newsletter is distributed to about 9,000 British Columbian households.

Although the Francophone community in British Columbia is relatively small, it is increasingly active. A recent co-operative effort involving CPF was the publication of a bilingual brochure entitled "French Language Programs for British Columbians/Éducation en français, Deux clientèles, Deux programmes", giving information on courses available to students of French both as a first and as a second language.

French immersion, which covers more than 20,000 pupils, remains central to the activities of the British Columbia group. However, the vital importance of other, less intensive education, is not ignored. The vast areas covered by some school districts make immersion programs impractical. There are also different requirements of individuals and groups that must be respected. "It's important to realize that the aims of core and immersion are different, and that there's ample room for both," Marilyn Miller observes.

Nova Scotia

While it was a latecomer to immersion, and current enrolment is still a modest 2,900, Canadian Parents for French in

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Nova Scotia is now expanding at a rapid rate, as has immersion enrolment itself, jumping 30% between 1987 and 1988. Hildi Konok thinks that even the late start could be advantageous, allowing the province to learn from the experience of others.

Co-operation from the provincial government has reflected the overwhelming support in the province for French-language teaching shown in a recent Gallup Poll, with the Department of Education enthusiastically involved in expanding language programs. An experiment in enriched core teaching, including whole history courses in French, is currently under way. The government has also appointed a full-time immersion consultant, and guidelines are being prepared for the end of the year.

Involvement goes far beyond strictly classroom activities.

Nova Scotia CPF activities have also been expanding, including participation in the public speaking festival, and day and summer camp programs drawing increasingly enthusiastic response — one grew from 50 to 288 participants in four years. Then there is the development of joint programs — including travelling entertainers and the use of teachers and teaching facilities — with the province's well established Acadian community.

There is a shortage of qualified post-secondary teachers.

English-speaking Nova Scotians are also increasingly supportive. Any indications there might have been of backlash have all but disappeared, notes Hildi Konok. "I've seen a real change in the past five years." In fact, during the past two years, there has been a wave of enthusiasm for French teaching in rural areas of the province.

Post-secondary education

Of course, not all is wine and roses. One problem, shared by British Columbia and Nova Scotia among others, is in post-secondary education — specifically the paucity of courses designed for graduates of immersion programs. The biggest headache of all, however, and a national phenomenon, is a growing shortage of qualified teachers of French as a second language, whether in core or immersion

Jos Craven Scott

programs. There was an estimated shortfall of 1,000 last year, with no real improvement in sight.

This is, in fact, the first priority of the new CPF president, Kathryn Manzer, who last fall took over from Dr. Susan Purdy. "My particular concern is certainly the teacher supply situation," says Manzer, herself a former French teacher. At its Winnipeg convention, CPF passed a resolution urging all concerned to become actively involved with the problem. But, notes Manzer, "There has been a lot of buck-passing because this is an issue for which no one has final responsibility." The key, she believes, lies in the country's two dozen faculties of education. "That's where it must happen." A short meeting called by the Secretary of State's Department early last year was a start, but there is much more to do at both levels of government, the new CPF president says.

Concerns and achievements

A second major concern is the teaching of French at the secondary level. One specific problem, Kathryn Manzer says, lies in immersion. The number of courses offered is reduced because there aren't enough students, and students drop out because there aren't enough courses. "It's a real chicken and egg situation."

Immersion is not the only issue to concern CPF.

Within CPF itself there are also internal concerns. Communications within the organization and the amount and quality of volunteer training are two specifics mentioned by Executive Director Jos Scott. And, in dealing with school boards and others, vigilance is always necessary to combat a tendency to see immersion as a sort of frill, subject to the whims of short-term economic expediency.

Despite the problems, however, more than a decade after its founding (which had the active assistance of then Commissioner of Official Languages Keith Spicer) CPF is alive, and apparently has never felt better. Certainly, it is a distinctively Canadian institution, small in absolute numbers but huge in dedication — and in influence. We have focused here on two provinces, not

CPF was founded in Ottawa in 1977.

because they are typical of all the others — no province is. They do, however, illustrate an active and growing awareness on the part of many Canadians of the importance of language partnership. Nova Scotia's Hildi Konok notes that "Canadians are on the leading edge of second-language learning in the world. People come here from all over to see what we are doing." Certainly, CPF itself is on the leading edge of this particular, crucial aspect of Canadian education. *T.S.*

The Official and the Non-Official Use of Languages

*Joseph-G. Turi**

The fundamental aim of all language legislation is to regulate problems that arise from linguistic contacts, conflicts and inequalities. There are two categories of language legislation....

Why do states legislate nowadays in a major way with respect to language policy? The basic reason for the existence of significant language legislation is that, in certain political contexts, there are contacts, conflicts and inequalities among opposing languages in a single geographical area. Hence the coexistence (which creates problems) of languages that are objectively or seemingly dominant or dominated, and thus of linguistic majorities and minorities. It must be said, however, that the reality underlying the concepts of linguistic majority and linguistic minority is historically conditioned. We have only to think of Finland and Quebec, where for a long time the Swedes and the English — statistically linguistic minorities — were, for all practical purposes, local linguistic majorities, although this is no longer the case today.

The fundamental aim of all language legislation is to regulate, in some way, the language problems that arise from these linguistic contacts, conflicts and inequalities by making provisions concerning the status and use of the opposing languages in accordance with certain rules or criteria.

Two categories

Language legislation is divided into two categories, depending on its area of application: that which deals essentially with the official use of languages (such as Canada's Official Languages Act), and that which deals essentially with the unofficial or with both the official and the non-official use of languages (such as Quebec's Charter of the French Language).

We call legislation intended to make official one or more specified languages in the areas of legislation, justice, public administration and education "official language legislation". Languages can be made official in various ways: by formally designating them official languages or national languages, by designating them the language or languages of certain official areas, or by granting them a legal status superior to that of other languages. One way of doing this is to declare that only certain official texts written in these languages are "authentic". In some "regional" constitutions, such as the Basque and Catalan constitutions, Basque and Castilian, in the one case, and Catalan and Castilian, in the other, are declared official languages. However, Basque is declared to be the "distinctive" language of the Basque homeland, while Catalan is declared to be the "special" language of Catalonia.

Making one or more languages official does not in itself necessarily have significant legal consequences. The linguistic meaning or scope of the concept of "official language" will depend on the actual legal treatment of the language in question.

Psychological impact

The making of a specified language or languages official may, in a given political context, be merely declaratory, rather than executory, in nature and consequently have only a psychological impact. The importance of this should, however, not be discounted.

Legislation intended primarily to normalize one or more specified languages in the non-official areas of work, communications, culture, trade and business is called "normalizing language legislation".

"To normalize" one or more specified languages means to make them the normal and habitual languages of a country or region, possibly with the aim of making them its common languages. Needless to say, where a language is truly the common language, there is no need for such normalization.

Regarding the fundamental distinction between the official and the non-official use of languages (between which, of course, there are grey areas), a 1979 United Nations study, the Capotorti Report, provides a good summary of the situation with respect to the legal meaning and scope of language legislation throughout the world, particularly as regards the use of minority languages. While the Report in itself is not exhaustive, it states that, in terms of the non-official use of languages, "the information available furnishes no example showing that the right of persons belonging to linguistic minorities to use their own language in non-official matters has been prohibited or made the subject of legal restrictions."

Languages can be made official in various ways.

With respect to the official use of languages, the report says: "...while in some countries minority languages are used extensively in official matters, in other countries their use is restricted to specified activities." It confirms, in a sense, the study that we conducted in 1976 of the constitutional provisions concerning language in 147 sovereign countries. Of these 147 countries, 110 (including 18 of the 22 federal states) had such constitutional provisions.

In general, these 110 countries legislate constitutionally only with respect to the official use of language, and then only to promote one or more languages. Moreover, depending on the situation, they do so in such a manner as (explicitly or implicitly) to exclude or embrace other languages. In the United States, however, 17 states (including Califor-

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***Joseph Turi is Secretary General of the Institut international de droit linguistique comparé and Director of the Secrétariat et des Services juridiques of the Commission de la protection de la langue française.**

nia, in 1986) have passed language legislation, while other states have legislated or plan to legislate only with respect to the official use of languages, in order to declare in principle that English is the official language within their jurisdiction. It should be noted, however, that the federal government and some of the states have passed legislation to promote a type of bilingual education in the United States.

110 counttries have constitutional provisions concerning language.

Ordinary language legislation does exist with respect to the non-official use of languages (for example, in Canada, Quebec, New Brunswick, Belgium, France, Italy, Mexico and Portugal). But such legislation is relatively rare and, while designed to protect a particular language, is generally permissive with respect to other languages and, with some exceptions, has limited application, as for example, to the area of trade and particularly to labelling and consumer protection. Thus the legislation in Belgium (where communication between firms and their employees must take place in the "language of the region") and in Mexico (where a certain type of commercial signage within the federal district can be in Spanish only), as well as Section 58 of Quebec's Bill 101 (which, with some exceptions, forbids the use of any language but French in commercial signage), are exceptions in this regard.

A language or *the* language?

A language policy may or may not be accompanied by language legislation. When there is language legislation, the conception, wording, interpretation and application of its provisions give rise to many problems, both thorny and novel, among them: what is the legal meaning and scope of the expressions "right to *a* language" and "right to *the* language"? In 1986, in the MacDonald case, the Supreme Court of Canada ruled that the right to use *a* language, in this instance English or French, before a Canadian tribunal was a "historic" right, while the right to *the* language, i.e., the right to be understood in whatever language before such a tribunal, was a fundamental right and hence permanent and universal as far as the official use of languages is concerned. ■

Doctalk

*Harry Bruce**

It would be better to die according to the rules than to live in contradiction to the Faculty of Medicine.

Like bureaucracies, the law, the military and academia, the medical professions wallow in mumbo jumbo. Some medical doubletalk camouflages embarrassing truth. Thus, when a nurse at an American hospital turned the wrong valve and thereby killed both a woman in labour and her unborn child, the institution avoided that nasty word *malpractice* by calling the cause of death *therapeutic misadventure*.

Incidental misadventures

Medication incidents also kill patients. After staff at one hospital dispatched an 84-year-old man with an overdose of morphine, the hospital said it wanted "to assure the community that responses have been commenced and that a plan of correction will be filed....The board wishes to reaffirm that this *medication incident* was due to human error and that the quality of care in the hospital continues at the highest level." The *Philadelphia Inquirer* recently reported that when a surgeon accidentally perforated a patient's colon and the resulting complications killed the patient, the hospital attributed the death to *diagnostic misadventure of a high magnitude. Death* itself is a word many medical people dislike. Some concoct weird euphemisms for it, such as *negative patient-care-outcome*.

The medical world likes to describe the physician-patient relationship in terms not of the doctor's actions but of the patient's reactions. Doctors rarely talk out loud about a *wrong diagnosis*, *administered overdose* or *treatment error*. "One of the preferred alternatives," Martin A. Zeidner writes in the *Quarterly Review of Doublespeak*, "is *ingestion error*. The beauty of this is that it suggests the fault lies not with the practitioner who prescribes, but with the patient who takes the wrong remedy." Doctors *may* say that a patient is *recalcitrant*, *refractory*, or *unresponsive*. But what they *mean*, Zeidner argues, is that, "The treatment is perfectly correct, the victim's illness is wrong." Or, as Molière put it, "Sir, it would be better to die according to the rules than to live in contradiction to the Faculty of Medicine."

Honoré Daumier: Le Malade Imaginaire

But much doctalk has less to do with dodging responsibility than with a combination of bombast and the satisfaction that comes from using an insider's code. *Newsweek* reports that the new lingo of the medical professions includes *procedure* for any treatment that requires cutting, puncturing or jabbing; *cognitive service* for any treatment that requires thinking, counselling or talking; *product lines* for departments such as Radiology and Orthopedics; and *patient accrual* for getting business.

Patient clients

Patients, incidentally, are fast becoming *consumers*, though some doctors bill them for *patient encounters*. Hospitals have also taken to calling patients *clients*, a colder, more business-like

In 1985 Harry Bruce was awarded the honorary degree of Doctor of Civil Law by the University of King's College, Halifax. His latest books are *Each Moment As It Flies* and *Movin' East.

word that suggests not Florence Nightingale but tax accountants, ad agencies and escort services. Thus, *College Communiqué*, a missive from the College of Nurses of Ontario, discusses the *client* in this example of what one of its readers has rightly described as "pretentious obfuscation":

"The Level III nurse evaluates independently as well as in collaboration with the *client* and other members of the health team. The Level III nurse identifies and uses criteria for evaluating the effectiveness, appropriateness, adequacy, and efficiency of both the process and outcomes. The Level III nurse identifies side effects of the strategies and their impact on care. Criteria of usefulness are used in order to evaluate the adequacy and appropriateness of the model selected for the individual *client* situation."

Does it comfort you to know that the next time you're in a hospital — whether you're suffering pneumonia, having a baby or enduring surgery — nurses will be using one heck of a lot of criteria to evaluate the adequacy and appropriateness of the model they've selected for your individual client situation? Or would you rather they just kept you clean and comfortable, nursed you back to health and turned the right valves?

Bombastic bafflegab

But why blame nurses for bafflegab when their bosses teach it to them? "Your attention to this detail inputs directly into the schematic that will be selected for future implementation," the San Francisco General Hospital recently advised staff. In response to complaints about hospital services, the president of a hospital in Glen Falls, New York, issued this lather of blather: "The quality assurance system in place at our institution is one in which we take singular pride and one in which the community can take comfort. Nonetheless, we constantly seek to rebuttress the purpose and values of the organization through careful review and analysis of the outcomes of care giving."

He might have said, "We're sorry you have a complaint. Actually, we're rather proud of the job we do, but not complacent about it. We constantly review our services to make sure they're up to scratch." That's how an ordinary person might have put it. What the pretentious lingo of the medical professions reveals is that many of their members see themselves not as ordinary people, but as something far better. ■

Multiculturalism in Public Discourse

*Karim H. Karim**

The inconsistent and ambiguous use of public terminology in the realm of language and culture seems odd in a country that debates these matters with periodic intensity.

A society's distinctive features are often to be found in the particular nuances of the terms that it uses to describe itself. Canadians have not been slow to give new connotations to already existing terms nor to formulate original ones in articulating the conception of an officially bilingual and multicultural country. "Mosaic", "official languages", "heritage languages", "language minorities", "visible minorities" are part of the terminology that is regularly employed in Canadian discussions about language and culture. However, as with much of public discourse, our glossary of linguistic and cultural differentiation lacks precision and at times clouds fundamental issues of national identity.

Our glossary of linguistic and cultural differentiation lacks precision.

Administrative meanings

Meanings of terms formulated for administrative purposes are not always clear when used in broader public discussion. Some formulations that have gained currency through frequent bureaucratic and media usage probably manage to bewilder the uninitiated. For example, whereas "official languages" is self-explanatory, the term "heritage languages" appears to deny that other languages are parts of their respective speakers' heritages. In addition to the official categories of Anglophones and Francophones, Quebec has the semi-official designation of "Allophones", those who — in federal parlance — speak "heritage languages". Such terminology appears to emanate from the debate regarding the place of language in culture — left unresolved in the national compromise of "multiculturalism within a bilingual framework".

"Mosaic" and "multiculturalism", favoured over the American "melting pot", emphasize the coexistence of the various cultural groups residing in this country. The Multiculturalism Act proclaims that "multiculturalism is a fundamental characteristic of the Canadian heritage and identity". But public discourse generally limits the term to describing only part of the nation's citizenry in adherence to a tripartite image of a Canada consisting of the British-French majority, the aboriginal population and the "multicultural community". The media habitually refer to gatherings including people such as Ukrainians, Greeks, Haitians and Indians as "multicultural events", but similar meetings of their Scottish, Welsh and French counterparts are rarely described in the same way. And in Quebec the designation "cultural communities" is officially reserved for those not of French, British or native ancestry. While such use of "multicultural" and "cultural" may facilitate reference to certain sections of the population, it also fosters the institutionalized separation of the mainstream from "les autres".

Ethnicity

"Ethnic" is another, more widely-used term for non-British, non-French or non-aboriginal persons. Although the anthropological definition of the word has to do with any human being's race and culture, its etymology indicates a long-standing purpose in marginalizing various groups. Professor Raymond ⇨

***Karim H. Karim is Canadian correspondent for the Luxembourg-based Compass News Features and a doctoral candidate in Communications at McGill University.**

Williams traces its origin to *ethnikós*, Greek for nation.

While "ethnic" is often substituted for "minority", "minority" does not always denote "ethnic". Public discourse occasionally includes natives among "minorities"; the official term for isolated Anglophone and Francophone communities is "language minorities"; and since the early 1980s "visible minorities" has denoted non-white, non-aboriginal Canadians. Interestingly, with the emergence of the latter term, "ethnic" is increasingly limited to referring to Europeans of non-British and non-French origins. On the other hand, "immigrants" has become almost synonymous with "visible minorities" — reflecting the increase in newcomers from Asia, the Caribbean and Latin America and their greater difficulty in integrating into the national mainstream.

Hazy definitions

The seeming indifference towards the haze surrounding public definitions of language and culture appears venturesome for a country that debates these issues with periodic intensity. Lacking clarity, the various terms are open to manipulation for temporary gains, leaving fundamental problems unresolved. Current usage ostensibly appears to deny Canadians of British, French and native backgrounds heritage, culture and ethnicity and, conversely, places undue emphasis on the other groups' collective identities in underplaying their respective members' individualities. The inconsistent and ambiguous use of words like "heritage", "culture", "ethnic" and "minority" impedes, conceptually and concretely, the "equitable participation of individuals and communities of all origins" in Canadian society envisioned by the Multiculturalism Act. It tends instead to place multiculturalism within a bicultural framework. While a homegrown vocabulary is critical to the exercise of national self-definition, Canadians should be wary of becoming entangled in the webs of words that we ourselves weave. ■

A homegrown vocabulary is critical to the exercise of national self-definition.

Language Learning: The Key to Understanding and Harmony

*Anthony Mollica**

Teachers, parents and researchers can give a long list of advantages to be derived from studying a second language.

The incorrect translation of a word may have very well been responsible for the deaths of over 200,000 people. Towards the end of the Second World War, the United States had offered Japan an opportunity to surrender. The Japanese reply contained the word *mokusatsu* which means "witholding comment pending decision". Through mistranslation, the verb *mokusatsu* was rendered as "ignore". As a result, the Allies believed that the ultimatum had been flatly rejected and President Truman ordered the use of the atomic bomb.

Gaffes

Less tragic examples abound. The *Wall Street Journal* reported that General Motors was puzzled by the lack of enthusiasm the introduction of its Chevrolet Nova automobile aroused among Puerto Ricans. The reason was very simple. "Nova" means "star" in Spanish, but when spoken it sounds like "no va" which means "it doesn't go". GM quickly changed the name to Caribe and the car sold nicely.

Linguistic and cultural gaffes made by translators or by non-native speakers have often been a source of chagrin. One recalls the embarrassment President Carter faced when a translator stated that the President "lusted" for Polish women. A more recent situation reported by The Canadian Press involved Montreal's former mayor, Jean Drapeau. The mayor, at the end of a speech in China, urged his audience "to beat up your brother when he is drunk." The text showed that, in fact, what Mr. Drapeau had said was, "Il faut battre le fer pendant qu'il est chaud."

Cultural meanings

Our ability to communicate effectively is dependent upon our skill in using language. But it is important not only to teach communication but also the cultural meanings of words. Language and culture are inseparable. To teach one means to teach the other. Authors of second-language textbooks must not only identify the *denotation* of words but also, where necessary, the *connotation* of those words and idioms. Where words seem to correspond lexically in their denotation, they may well diverge considerably in their connotations or the emotional associations they arouse. While "bread" and "le pain" may correspond lexically in their denotation, they certainly do not correspond in their connotation. "Bread" is often found in a plasticized wrapping and is soft. The French "pain" brings markedly different associations to mind.

Teachers and parents are quick to recite a whole litany of advantages and benefits to be derived from studying second, or more, languages.

- Second-language students perform better in English than non-second-language students.
- A second language helps students gain greater insight into their own culture.
- The self-concept of second-language students is significantly higher than that of non-second-language students.

***Anthony Mollica, a former editor of *Language and Society*, is an Associate Professor of Education at Brock University and Editor of *The Canadian Modern Language Review/La Revue canadienne des langues vivantes*.**

- Studies have shown positive correlation between the study of a second language and the creative functioning of learners.

- A working knowledge of other languages is important for research.

- Reading skills are shown to be transferable from one language to another.

- Second-language learners have larger vocabularies.

- Today's students are career oriented, and they cannot overlook jobs that require second languages. The knowledge of a second or third language increases opportunities.

- The knowledge of the language of a region or country being visited makes travelling more enjoyable.

And the list could continue.

But all these reasons can fall under four major objectives for studying a second language, as outlined by Jan Amos Comenius, Czech writer and humanist (1592-1670):

- *Political*: to serve the nation's interests.

- *Cultural*: to know the culture of another people for one's personal enrichment.

- *Practical*: to be able to communicate in the language of a foreign speaker.

- *Educational*: to sharpen the mind and to shape the personality of the learner.

Heightened abilities

The Canadian researchers E. Peal and W.E. Lambert repeatedly pointed out that learning more than one language heightens the learner's ability to call into play a variety of learning configurations which would otherwise have been limited. "Figuring out" the sound system and grammatical rules in more than one language seems to increase the learner's ability to organize perceptions of reality, to recognize concepts in several different forms and to solve complex linguistic and cultural problems.

Raymond Aron said, "I have always felt that the ability to speak freely in two different languages provides us with a kind of personal freedom that no other means can provide. When I speak English or German, I don't think the same way as I think in French. This frees me from feeling like a prisoner of my own words."

While the practical and educational values of learning two or more languages are readily recited, what is not as well known is that, as psychological research has now documented beyond any doubt, learning another language brings about a whole series of psychological and affective benefits as a by-product to the practical ones.

Myth

Before going into the kinds of research which pertain to this statement, it is perhaps useful, and probably necessary, to dispel a long-held myth about foreign language teaching, a myth which Marcel Danesi, a professor at the University of Toronto, in several studies has called the "neurological space myth". Essentially, this was a myth which was generated by research on bilingual children during the 1930s, 40s and 50s in the United States and which was connected to socio-cultural variables rather than to psychological ones. The subjects of study were always from lower-class backgrounds which did not stress the learning of languages in the home. Nevertheless, this research gave the impression that the learning of another language, or the retention of the mother tongue as a second language, was detrimental to overall cognition because it was believed, or was hypothesized, that the brain had only so much space in it for language. To put another code into the brain, it was argued, would take away from the space the dominant language needed to be able to function and to operate normally in school environments.

This myth has now been debunked by a whole series of neurological studies which show the exact opposite: that the insertion of another code into the brain, either in the primary ages during childhood or in the secondary stages during adolescence and adulthood, brings with it a reorganization of neurological linguistic operation so that what another code does in the brain helps the brain to function more globally, more holistically and more completely than it otherwise would. Canadian researchers such as W.E. Lambert, Jim Cummins and others have documented this phenomenon in several of their studies.

Social convergence

In a study done a decade ago, B. McLaughlin observed that the research in Canada provides evidence that "bilingual education leads to a more liberal and enlighted perception of other ethnic groups." Similarly, the research done by Jim Cummins and Merrill Swain of the Ontario Institute for Studies in Education finds that heritage language programs, for example, promote inter-ethnic cohesion by allowing ethnically diverse children an opportunity to adapt gradually to a new psycho-cultural way of living. By generating a favourable attitude to one's ethnic identity and background, these programs tend to produce what may be called a "social convergence" effect; that is, they promote cross-cultural understanding by inhibiting a natural tendency to reject cultural modes that might be perceived as being "different".

Other worlds

In learning a second language, students acquire new modes of thought and new ways of behaviour. They begin to understand these new modes and new ways. Understanding leads to acceptance. Acceptance leads to tolerance and diversification of one's world view. As I recently claimed, "Monolingualism *can* be cured", because it is, in a way, a type of cognitive disease. Monolingualism constrains. Monolingualism lessens our viewpoint and our *Weltanschauung*, the personal philosophy of the world. Learning other languages cannot help but diversify and broaden the point of view. Therefore, once we've come to see another person's point of view, we accept the other person. By accepting the other person, we accept that person's culture. Accepting another culture leads to increased tolerance and harmony and, ultimately, to peace in the world. This, after all, was the contention of Alfred Korzybyski, the founder of general semantics. The science and theory of general semantics was based on the view that knowing how other people talk is knowing how they think, how they behave, and that this knowledge will lead to acceptance.

Language and unity

This conclusion contradicts the waving placards of demonstrators against the 1988 Official Languages Act: "One language unites, two languages divide." It is, in fact, the opposite: "Two languages unite, one language divides." Only when the study of either official language is depoliticized, only when it is taken out of the political arena and the learning of either language is accepted for its own intrinsic qualities, will we be able, in my opinion, to have linguistic peace and harmony in this country. ■

Squaring the Circle

*Charles Haines**

Per le nove radici d'esto legno
vi guiro che già mai non ruppi fede
al mio segnor, che fu d'onor si degno.

The speaker is Pier della Vigna, the Emperor Frederick II's chancellor and closest adviser. Plotted against, he was suspected of treason by Frederick and punished by being blinded; and, in 1248, committed suicide. Suicides are deprived of their human bodies in Dante's Hell and re-form as trees. In these lines della Vigna tells Dante and Virgil that he had not been guilty of plots and treason. He swears it: by the roots of this tree...by the nove roots of this tree.

The roots of meaning

In Italian "nove" can mean "nine" and it can mean, in the feminine plural, "new". Both meanings are valid here. Della Vigna has been in Hell a mere 52 years when Dante talks with him; and nine is, in the medieval view, a powerful, nearly magic, number, being three, the Trinity, multiplied by itself, and thus a forceful confirmer of an oath. Dante perhaps intended the word to carry two distinct meanings. What is his translator to do?

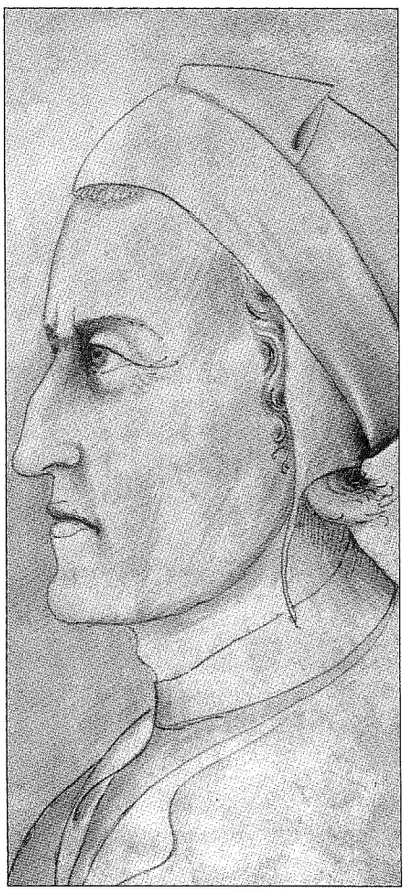
Ciardi, Sinclair, Huse, Cary, and Carlyle have "new". Sayers has, unaccountably, "strange new". (If she needed a syllable, why did she not put "nine new"?) Binyon has "fresh". They all have made a decision. They have not solved the problem.

On many Italian trains, small plaques near the windows give passengers a brief message in four languages: *Ne pas se pencher au dehors — nicht hinauslehnen — Do not lean outside* [sic] *— È pericoloso sporgersi.* In other words, French, German, and English travellers are told, simply and directly, that they are not to lean out of the windows. The Italian passengers, though, are informed, in their language, that it is dangerous to lean out. The translation work on that plaque has been taken by some irreverent wits as a key to the whole Italian national character. If an Italian, it has been archly suggested, is categorically forbidden something, enticement toward what's forbidden will inevitably become irresistible; and told not to, an Italian would be by nature bound to lean at last out of the prohibited window. Safety, the goal of the plaque, the translator has felt, will lie for Italians along a more reasonable path than interdiction, however in violation of the given text.

Thou art translated

Altering public announcement phraseologies can be justified or explained. Is it acceptable to translate Shakespeare into more modern terms? Should *West Side Story* replace *Romeo and Juliet* in a lot of urban high schools? Should Hamlet say something like "evening prayers" instead of "orisons" at the end of his great soliloquy? Not many modern *Measure for Measure* Isabella would refuse so bitterly and so harshly to spend one hour in the judge's bed, if being there could save a brother from the electric chair. Should Isabella's story be translated? Ought today's Angelo to order her not to come to his bed but, say, to murder her father, Angelo's bitter political enemy? At what point does translation become national updating? If we reason that the poetry of Tegner, Pushkin, Petöfi, and Camoens must be translated (if poetry can be translated) for most of us because we cannot be asked to learn more than two or three languages other than our own, can we not also reason that some people, perhaps many, grasp music more easily than they do words, and therefore Mendelssohn's Midsummer Night's Dream music is more moving, more informative, to them than Shakespeare's version of the magical Athenian events? Can music be legitimately spoken of, thought of, as a translation of poetry? (If it can be, "...Bottom, bless thee! thou art translated" takes on an unexpected layer of meaning.) Conversely, did Shakespeare write a Ninth Symphony? Did Vermeer paint a *Much Ado*?

Problems of transliteration, transmogrification, transformation, transmutation must come into the translator's art,



Dante by an unknown 14th century artist

but in a short article it's perhaps best to limit consideration simply to a few stumbling block terms that can serve as examples of kinds of problems, and stay away from basis and theory. Back, as it were, to *nove*.

Most Italians in Italy today, when they have to use the term, will say, in Italian, "iceberg" — pronouncing it à la Italian: "ah-eece-uhbare-guh". Some purists suggest, instead of "iceberg" "monte di ghiaccio", but it's an awkward and colourless phrase — and inexact: mountain of ice. Gabrielli, Italy's Eric Partridge, endorses "ghiaccio gallegiante" — floating ice — in an attempt to keep the language pure. Palazzi, one of Italy's Websters, prefers an antique term: "borgognone". No one uses it. What ought the translator to do? Use "iceberg" in Italian? It's too easy to answer yes, arguing that English has appropriated "espresso", "soprano",

***Charles Haines, the author of English Is Chaos, lectures on English literature at Carleton University in Ottawa.**

and "pasta", because on the other hand English has not appropriated "vitello", "tenore", and "Basta!" Does the good translator know instinctively where to draw the appropriation line?

What of the French "gentil"? It cannot be put fully into English. Fine, amiable, pleasing, courteous, graceful, kind do not cover the quality. Is it possible that the English-speaking mind does not conceive of "gentils" persons and things? What of "sympathique". A number of Chekov's stories are "sympathiques". What are instructors of literature to say to their unilingual-English charges?

Places and pet words

Nor is the place-name problem very different from the "gentil-sympathetique" difficulty, nor any less troublesome — the problem exemplified by the Kobenhavn-Copenhagen/Aarhus-Aarhus paradox. Why alter Venezia and Livorno to Venice and Leghorn, but leave, in English, anyway, La Spezia and Palermo untampered with? "Convention" is not a sufficient answer. Why call Petrarca Petrarch in English? Why has Boccace for Boccaccio, once used, not caught on? Ought Calais to be pronounced, by the English, to rhyme with "alleys"? Why not? Only the jocular retain the French pronunciation in English of the capital city of France. Where is a translator to turn? Why in Canada is the Rideau River not referred to in English as the River Curtain or Curtain River? Trois Rivières is called Three Rivers by many Anglophones. And how do Anglophone Canadians manage to say "reedoe" and not "riddoo" — even people who pronounce the last name Lemieux "Le-Mew"?

Not to jump on Italy, but the Italian language has no word for "pet", no collective term for the Snoopys, Lassies, Garfields, and Tweety Birds of this world. "Animale domestico", "animale di case", with enforcedly "pesciolino" and "uccellino" for the non-animal fish and birds, are not happy terms. It's not that Italians don't have pets. They have. What they don't have is a collective term to identify them.

Then there's the question of translation from current English into current English. The word "peasant" can be used as an example. What Canadian today speaks (seriously) of the peasants of Prince Edward Island or of Saskatchewan? Not one. "Peasant" turns up in current semi-slang English with the meaning of lout, boor, goon. Even so, radio and TV, if not print journalism (but see the *Globe and Mail*, August 19, 1988, p. A14), speak easily, with no insult consciously intended, of the peasants of, say, Nicaragua or of, more frequently, some of the African nations: "...the peasants that live near the Nile...". We speak of a Prince Edward Island or a Saskatchewan farmer. Why not of the Egyptian farmers, the Nicaraguan farmers? Does translation betray deep-lying subconscious biases? Some old enough to remember the 1939-45 War may recall public announcements made from time to time in the British Armed Forces, announcements concerned with arrangements for a dance, perhaps, or some other social occasion. Directions came over loudspeakers as follows: "Officers and their ladies will....NCOs and their wives will.... Other ranks and their women...". Could such an announcement be made today? Probably not. It would have to be translated. The thought? or the words?

The $10,000 girl

There is, finally, a North American show-biz rumour that a prize of at least $10,000 is waiting somewhere to be paid to the person that can provide a clear and usable English title for the Jean Dauberval (1778) ballet (danced in the 1940s so memorably by Renée Jeanmaire) *La fille mal gardée*. A usable title would have to be short — four or five words — and have to carry as much of an implication of scandal as the French title does. "The Daughter Not Well Chaperoned", "The Badly-Watched Daughter", "A Girl Not Diligently Supervised": these and titles at all like them, would be hopeless on a marquée if nowhere else. A completely mod title perhaps is called for: "Chaperonic Slippage" or, simply, "Trouble!" Is it possible that a short simple French phrase, clearly understood by anyone who knows even a little French, cannot be put into English? Ought 18th-century French to be translated into 18th-century English — not easy to do today — or into 20th-century English — which may misrepresent the author? Ought *Madame Bovary* and *Fathers and Sons* to be retranslated every 50 years, about? (In 1988 is that title better *Fathers and Children*?) Untranslated Chaucer is almost as foreign to many English readers as untranslated Villon or Rabelais. Will we soon, like it or not, be obliged to translate Shakespeare, or he won't play? Translate? or update? — and is the one the other?

Are translators sometimes called on, in their own terms, to square the circle? ■

The right to be different

The right to be different, published in December 1988, traces the history (all too briefly, perhaps) of the Canadian Human Rights Commission during the first 10 years of its existence. Its publication coincides with the celebration of the 40th anniversary of the Universal Declaration of Human Rights.

In 40 pages, 20 in English and 20 in French, the Commission recounts the history of progress in human rights in Canada and outlines the changes that have marked Canadian society since the end of the Second World War.

However, as Maxwell Yalden, the Chief Commissioner, says in his introduction, "The Commission's own record over the last ten years is a mixed one as well, and we can no doubt learn as much from its defeats as from its victories....It is a time to review our objectives and look for fresh and imaginative ways to obtain prompt and honourable redress for individual complainants while at the same time taking on formidable long-term challenges such as employment equity, pay equity and the rights of the disabled."

The chronological format — 1948, 1978 and 1988 — highlights the path travelled by a society continually seeking reforms, the most important of which is the ending of discriminatory practices in all areas.

The right to be different is a useful, and to some extent essential, publication whose aim is to present the views of various Canadians on our collective achievements. It includes contributions from John P. Humphrey, Yvon Beaulne, Gordon Fairweather and Rosalie Silberman Abella, as well numerous comments, gathered by Morton Ritts, from representatives of human rights groups.

The record of Canadian achievements in the field of human rights may not be completely positive, but it is at least promising.

The Motivations of Anglophone Second-Language Students

*Lionel Meney**

The impetus often comes from an encounter with the French fact.

Concentrating, poring over their Petit Robert or Bescherelle, they are working hard. I, their professor, admire them — Jeff, Noëlle, Rhonda and the others.

I admire them and wonder why they have chosen to do something so difficult as to study a language, in this case French. Why have they left their families, friends and surroundings to come to Quebec City?

Intrigued by this question, I decided to ask them. This is what they told me.

Encounters

The impetus came from an encounter with the French fact. In her childhood, Barbara knew neighbourhood children who spoke "a funny language". Their parents came from Quebec. Others, like Nancy and John, had a French-speaking father, mother or grandmother. Sandra is an Anglophone Quebecer. She was raised in the west end of Montreal. When she was a child, she told me, it was possible to be unaware of the French fact, even in Montreal. Now times and attitudes have definitely changed. Thomas is a Franco-American. Born in the United States, he had virtually no knowledge of his parents' language. However, to communicate with his grandmother, he had no choice but to use French. He decided to "return" to Canada and has even become an employee of the Quebec government.

Sometimes it was simply a trip to Quebec that was the trigger. Or one to Europe, for our students are great travellers. This is often the occasion for a great discovery — there are societies and countries in the world that use other languages. Laura and Susan discovered, in France and Belgium, that one part of their own country spoke French. That is why they decided to come to Quebec City. And for its charm, of course, on its remarkable site overlooking the St. Lawrence, for its special atmosphere, its unique character. But also because it is regarded, and rightly so, as the most completely French-speaking city in North America: 96% of its inhabitants are Francophones.

A living language

Here, at least in theory, there is no danger of yielding to the temptation of the easy way out — to stay among Anglophone friends. You must continually find some way of getting along, no matter where. "I finally realized that French is a living language," Janis told me.

To be sure, the first moments in an entirely French-speaking environment are sometimes difficult, even if Quebecers, as a number of students commented, are very gracious and welcoming. They do not hesitate to speak English with those who do not speak French. But there are so many things to do, so many words to find: renting a room, choosing the companion with whom you will share expenses, studying the bus system, discovering the city (the best bar, the fashionable discotheque). You must explore the campus, do battle with the university bureaucracy (in French, if you please!). Enrolment, exemption, equivalency, meetings with professors — a veritable minefield. A diploma should be awarded just for surviving the start of the academic year.

But is French part of their future? Mary-Jane and Barbara think that young Canadians should be bilingual to be able to communicate better with one another. This theme of pride in living in a bilingual country that shares in two great world cultures is frequently expressed by my students. Young Anglophones in Quebec learn French in order to take a greater part in the life of their native province. Others learn it simply for the pleasure of knowing a second language, of discovering at the same time another view of the world, of standing back a little from their own culture.

Higher standards

Some have more specific objectives. Kelly wants to become a French immersion teacher. She knows that standards for future teachers will be increasingly demanding. A "bath" in Quebec City seems an indispensable plus to her. Hilary is planning to be a translator. She noted that there is a large market for French-to-English translation. If Toronto figures in the careers of young translators from Quebec, those of Anglophones may well unfold in Montreal or Quebec City. But in this field, too, standards are becoming higher. Businessmen understand the importance of hiring translators who translate into their mother tongue.

Some, with less definite ideas, have decided to study French because they believe knowledge of the two official languages will make it easier for them to find a job, especially in the federal Public Service. As for James, he dreams of a political career....

The experience of bilingualism

Are these young people who have decided to devote a good deal of their energy to learning a second language satisfied with the level they have achieved?

Most of them are perfectionists. They want to write and speak French like Francophones, to become fluently bilingual. So when I return a text covered in red to some of them, I sense that they are disappointed. But have they not set their standards a little too high?

In any event, I who have taught them can say: I admire you. You are courageous. You have outdone yourselves. Your level of French, if we are speaking of functional French, is excellent. You can function in a French- speaking environment. But you must set reasonable goals. Learning a language is a long and difficult process. If you reach the functional level — so that you are understood orally and in writing — you have succeeded.

Now that you are about to return to your own province, town and environment, talk about your experience and encourage those younger than you to encounter bilingualism as you have. ■

***Lionel Meney is a professor of French at Laval University in Quebec City.**