

LANGUAGE AND SOCIETY



Commissioner's Editorial

LANGUAGE RIGHTS MUST BE STRENGTHENED

Number 35, Summer 1991

Quebec's English Speakers

HOPES AND FEARS

The Situation of Francophones outside Quebec

MORE COMPLEX AND OFTEN BETTER THAN RUMOUR HAS IT

**LANGUAGE POLICY
IN TOMORROW'S
CANADA**

Bilingualism and Multiculturalism

I am an eighth generation Canadian of Scottish-French heritage and I believe that bilingualism is an enormous asset to Canada. That is why I was very disappointed to see an article on multiculturalism in the *Language and Society* magazine.

Multiculturalism and bilingualism are two different competing views of Canada, one in which Canada is a cultural mosaic and the French are just another ethnic group. The other view is that Canada is a historic compact between English and French, a bilingual duality.

Ethnic Canadians don't particularly care about protection of French language rights outside Quebec and they don't buy this historic business about the English-French partnership in the country and they do not feel that Francophones should have more status than they have.

When the Italian-Canadian mayor of Sault Ste. Marie said his English-only resolution was a victory for multiculturalism, he was right, but it was also a defeat for Canada's bilingualism policy. When the mayors of North York and Mississauga refused to provide French-language services to Franco-Ontarians, it was another victory for multiculturalism and our bilingual policy gets pushed further and further into the background....

The Minister of Multiculturalism is also responsible for our bilingual policy, which is a conflict of interest. He has always promoted multiculturalism more zealously than bilingualism in English Canada for political gain. Your magazine should be non-political and you should be promoting bilingualism only.

Canada was founded on two people, two cultures, two languages, English and French, and that should be a basic belief of every Canadian. In these days of unrest and disunity, our bilingual policy must be given priority over multiculturalism.

Ronald McLaren
Whitby, Ontario

Reading Things into Meech Lake

I must take strong issue with the general point put forward by Réjean Pelletier in his column "Quebec — A Distinct Society?" in *Language and Society* 34. From the perspective of an Anglophone and a Torontonion (the terms are not synonymous, by the way) and from the vantage point of a person who found the Meech Lake Accord to be an affront, Professor Pelletier is way off base when he assumes that the Accord was about "a question of recognizing both the distinct character of Quebec and its desire to develop in its own way."

The Accord resembles nothing so much as tea-leaves. One may discern in those strangely shaped leaves whatever one wants to see in them. Anglophones and Francophones saw different shapes lurking therein. The Accord was unpopular in TROC (The Rest of Canada) for the following reasons:

1. It was seen solely as an initiative of the unpopular Mulroney administration, which is seen, rightly or wrongly, as "selling out" the interests of TROC and Canada.
2. It was presented to English Canadians as a "do-or-die" affair, a "last chance", and no one likes to have a gun to his head.
3. It was an agreement produced in the atmosphere of a pressure cooker or a hot house, with instant constitutional experts on television affirming its constitutionality, as if it wasn't constitutional — a bizarre sight to be sure.
4. It was a failure in terms of addressing the most pressing concerns of the country, notably the economy, including regional disparity, but especially, as it turned out, those of the native peoples.

Continued on page 7

LANGUAGE AND SOCIETY

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

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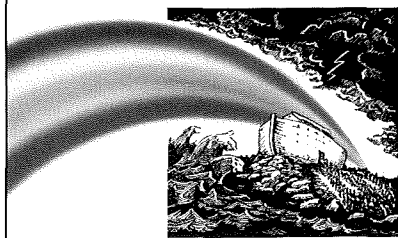
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 Quebec's English Speakers
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MORE COMPLEX AND OFTEN BETTER THAN RUMOUR HAS IT
 LANGUAGE POLICY
 IN TOMORROW'S CANADA

Cover Design: Rachel Dennis

Cover:

While the country is being overwhelmed by an avalanche of often contradictory proposals on our constitutional future, supporters of linguistic equality, who form a too-often silent majority, must consider how to preserve the achievements of language reform in the context of a generous and enlightened political vision.

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:
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LANGUAGE AND SOCIETY

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LANGUAGE POLICY IN TOMORROW'S CANADA

The Official Languages on Trial?

Strengthening Language and Minority Rights Would Also Strengthen Canada

The language issue is no longer at the centre of the national debate, as it was previously, but it is again becoming topical, with all the misunderstandings, dangers and opportunities that that implies.

In his last Annual Report (1983), my predecessor Max Yalden wrote, "...there is no turning back....A brighter linguistic future is there for the taking..." The new 1988 Official Languages Act, which clarifies the language provisions of the Canadian Charter of Rights and Freedoms of 1981-82, seemed to him to give reason for hope. Certain movements, various persons of note and distinguished academics have recently expressed doubts, and political leaders are lending them an ear. After a long, quiet winter, it seems that the official languages are once again on trial. This editorial and several articles in the first section of this issue seek to contribute to the debate.

I would have preferred to devote my last editorial to other themes. For example, to a demonstration that the myth of Sisyphus — so often cited when referring to the slow progress of federal institutions — which condemned the founder of Corinth to eternal renewal of his punishment, has lost its relevance. The famous rock is rolling back less and less each year and reaching greater heights. But, in the circumstances, it is another myth, it seems to me, that we must refute — that of the scapegoat. Some would have us believe that a large share of our current troubles must be attributed to our language policy, that is, to

the quest for equality of our two national languages and to the rights granted to our minorities. These troubles would disappear as if by magic if we agreed to sacrifice the official languages on the altar of national unity. That is the new myth. Can we really believe that this should be the cornerstone of a new constitution? Or, finding ourselves short of solutions to more concrete problems, are we perhaps trying to reinvent the wheel?

For our part, we believe that we showed in the conclusions of the retrospective survey in our 1990 Annual Report that the language reform initiated 22 years ago has on the whole proven a national success. It could of course stand to be improved in many respects and, as professional critics totally immersed in the subject, we are in a good position to know it. The structure of the present system, however, seems to us to be well adapted to the needs and realities of Canada.

After referring to currents of opinion, let us survey the basic issues and criticisms that concern some Canadians, examine certain suggestions for possible reforms of the present system, state our position and conclude by restating of our own proposals.

Ideas in the wind

Language rights have always had their heralds as well as their bitter detractors. The most

important of the former include Trudeau and Mulroney on the federal scene, and Hatfield, McKenna, Peterson and Rae for their respective provinces. It is striking that these "pairs" of democratic leaders, despite their differing views in so many areas, have been unanimous about the importance of language rights to our national identity and unity.

Moreover, despite the political confusion that has marked the past year, no public opinion poll has shown that language reform has lost the favour it previously enjoyed among the public.

Quite the contrary. Barely a year ago, 80% of the population said they wished both languages to be treated equally, and 75% wanted their children to be bilingual. It might have been feared that a certain disaffection would follow the failure of the Meech Lake Accord and the strong reaction it provoked among Quebecers. But, in discussing a poll taken between April 4 and 15, 1991, for the *Globe and Mail* and the CBC, *Globe* journalist Hugh Winsor wrote: "Contrary to much of recent public commentary, the survey found that support for official bilingualism remains strong, and has even increased since the *Globe*-CBC News survey taken last summer.... Canadians as a whole also continue to reject a suggestion that the country should drop bilingualism and move toward

two unilingual regions, with French as the only official language in Quebec, and English the only official language in the rest of the country." Franco-phones almost unanimously support federal bilingual services throughout Canada, and a solid and growing majority of Anglophones say they agree. And last September enrolments in French immersion courses increased by 8%. What do the Cassandras have to say in response? As things now stand, few policies and still fewer politicians can boast of such results.

But grumbling and groaning are the order of the day in Canada, regardless of the topic. It cannot be denied that the adversaries of linguistic duality as a pan-Canadian reality, taking advantage of the hospitable climate, are organizing and asserting themselves more than in the past. There are those who have always shut their ears or closed their eyes to avoid the offensive sound or sight of the other national language; there are those who have been led to believe that it is government policy to make all Canadians bilingual; those too who have swallowed holus-bolus the idea of a plot and the ridiculous slogan "bilingual today, French tomorrow"; finally, there are those who quite frankly fear that their unilingualism is detrimental to their advancement (some of them no doubt are right, but it

is the job of public servants to serve the public and not the other way around). Then, to be sure, there are groups and movements, APEC being the proud leader, who do their best to maintain prejudices so ancient that some of their members appear even to revel in the sobriquet "dinosaurs".

The rise in the West and the East of the Reform Party and of CoR must also be taken into account. And some Quebec Francophone groups find support for their struggle against various forms of bilingualism in



the real threat posed to the French language by the weight of English in North America. As if serving a minority in its own language threatened a whole society with anglicization! The program of each of these groups, it is true, goes well beyond the issue of language.

Must we capitulate to these pressures or, as we have often urged, should we try to better inform the population which remains deeply ignorant of these matters, as survey after survey shows? Movements such as Canadian Parents for French, many journalists and some political leaders — albeit too few — are actively engaged in doing so.

Some disturbing questions

Some of the arguments frequently invoked against the

preservation and strengthening of language rights deserve to be examined here, if only briefly.*

First of all, since the language reform effort at the federal level and in at least two provinces has not achieved its avowed objective of national reconciliation, should we continue to waste time on it? This is a legitimate question. It is true that we have not achieved national reconciliation. However, our relative success with regard to official languages, far from having been an obstacle, has brought us closer together and most of its

results would retain their value in almost any constitutional scenario. The attempt to ensure the equality of the two official languages was never intended single-handedly to solve the problem of what the B and B Commission called "the two distinct societies," or that of power sharing in our federation.

Second, an excerpt from an important article published on March 30 in the *Globe and Mail* under the signature of its editor-

in-chief, William Thorsell, and later reprinted in *Le Devoir* with the title "X-ray of a serious illness", presents an argument that, in our opinion, betrays a similar misunderstanding — especially considering the subtitle of the French version: "Promotion of bilingualism coast to coast, a fatal error." Here is the passage in question: "In essence, Ottawa tried to dilute Quebec nationalism by dispersing it across Canada, most obviously in the form of official bilingualism. The strategy was basically this: Ottawa would deny Quebecers additional powers in their own province in exchange for additional rights in Ottawa and all the other provinces. The intent was honourable. But it is clear that Quebecers will not be bought off this way...."

In order to draw this conclusion that a strategy failed, the existence of the strategy must be based on more than mere hypothesis. What are the facts? It is true that some national leaders, and not the least important of them, thought this way and, in that sense, their strategy seems to have failed. However, the extensive work of the B and B Commission and of subsequent royal commissions leads to quite different conclusions. To its authors, institutional bilingualism seemed necessary in the name of history and equity: the federal administration had to cease to be linguistically a foreign government to Francophones in Canada wherever they existed in sufficient numbers. This did not prevent the Commission from noting the existence in Canada, as we have seen, of two distinct societies and the co-existence of multiple cultures, with the problems and solutions that that implied. As for language rights, the Supreme Court of Canada has confirmed their nature by describing them as "a well-known species of human rights." A backward step in this area would be a direct attack on these rights and not simply recognition of the failure of a strategy.

Third, we must once and for all set to rest what many regard as the "scandal" of official Quebec unilingualism as opposed to the bilingualism of the federal government and some of the provinces. Bill 178 was a severe jolt to public opinion in English Canada. But let us look at the situation as it really is. Quebec is still subject to the three-fold linguistic obligation set out in Section 133 of the Constitution Act, 1867. Services in English are available in the province in a great many sectors, especially in places where the vast majority of English-speaking Quebecers live: in education; government services; social and health serv-

ices, as guaranteed by the recent Bill 142; a large number of municipal services; cultural services; recreation and communications. English is commonly used in business, technology and in the press and media. Quebec has by far the largest number of bilingual residents: 30% of Francophones and nearly 60% of Anglophones say they are bilingual. The "scandal" therefore disappears when we look at the situation of our two languages, not only from a theoretical point of view, but also in terms of realities.

Fourth, for a growing number of gravediggers of the minorities, the Francophone communities outside Quebec are disappearing and therefore are not worth further trouble. The disastrous assimilation of many of our minorities, especially the most scattered and numerically smallest, should not make us lose sight of the undeniable trend toward consolidation among the large minorities in recent years and the astonishing dynamism that now exists among large and small alike. Two articles in this issue tackle the subject head on. The study by Angéline Martel, *Official Language Minority Education Rights in Canada: From Instruction to Management*, which we have just published, eloquently reminds us of the losses of the past and of the new horizons that have recently opened up. It also reminds us that a recent decision of the Supreme Court of Canada stated that the right to instruction in the minority language is the "linchpin in this nation's commitment to the value of bilingualism and (*sic*) biculturalism."

Fifth, is it not possible, others ask, by making concessions on language to persuade Quebec and possibly certain western provinces to reduce their constitutional demands? This is to dream in technicolour, so disproportionate are the means and the objective! As for possible

negotiations with Quebec, it is clear that jurisdiction over language will have a role to play, but it is also clear that, if Quebec now wishes to add to its constitutional powers, it is mainly in the hope of obtaining greater autonomy in areas that are not necessarily linked to language and culture. We can believe the assurances given with regard to language: it is not a question of restricting the rights and institutions of the English-speaking minority in Quebec. As it is well aware, the more Quebec distances itself from the rest of Canada, the more it will have to give its English-speaking minority firm guarantees. Such guarantees would certainly be in keeping with a long tradition of generosity, but perhaps even more with Quebec's need to protect itself from any reproaches from its many important partners in the English-speaking world. So why should the fate of English-speaking Quebecers be dissociated from that of Francophones outside Quebec, or vice versa?

Trying to solve a non-existent problem

Suggestions of a structural nature are advanced by some academics who believe that, because of continuing opposition to certain aspects of Canadian language reform, more extensive powers in the area of language should be transferred to the provinces. According to a 1988 decision of the Supreme Court, under our Constitution powers in the area of language, in principle, follow the existing division of powers between the two orders of government. It would therefore be difficult to transfer to the provinces powers that already lie with them. In the event of a new division of powers, language would clearly be part of the transfer.

Could this mean, beyond the discreet language thus far

employed, allowing the provinces who wish to do so to repudiate their commitment to provide instruction in the minority language where numbers warrant? If so, this would deprive the minorities in question of the hard-won results of more than a century of struggle, and this just a short time after they had received constitutional and legal sanction. Such action might justifiably be branded as unfair, indeed as infamous.

A federal minister, Lowell Murray, claiming on the basis of

cation rights to shirk their obligations? We should bear in mind that Section 23 of the Charter was included with the agreement of the provinces and that even 10 years earlier they had declared that they were ready to accept such a commitment. Since Quebec did not sign the Charter, it could not give its approval to this provision, but Section 59 specifically suspends the application of part of Section 23 pending authorization by the legislative assembly or government of Quebec.

persons and in the other "cantons" just under one million Francophones. Thus, the idea of an exclusively French Quebec and an exclusively English "rest" of Canada seems rather far-fetched to us. Reality requires, in addition to federal bilingualism, that there be a minimum set of common rules enshrined in a constitution or central statute.

According to the excellent report in *Maclean's* (April 1991), Queen's University political scientist John Meisel believes that Canada's policy on bilingualism no longer reflects Canadian reality, where various groups such as the aboriginal peoples, women and the disabled now vie for influence with the authorities. The concept of the English-French partnership appears outdated. It must be borne in mind, however, that these aboriginal peoples, women and the disabled generally use one or other of our official languages, and that their interests in the matter are therefore protected by existing rights, as are those of all other Canadian citizens.

But the situation becomes really bewildering when Francophone minority leaders or media attack federal bilingualism on the grounds that the possession of linguistically homogeneous institutions would be the only solution for the minorities (no doubt where numbers and resources permit). It is partly, it seems to us, thanks to federal policies and grants, of which institutional bilingualism is an integral part, that such linguistically homogeneous public institutions exist in the areas of education, communications and in some cases, health. New Brunswick is special in that the principle of equality of linguistic communities is entrenched in provincial legislation.

Going forward or backward?

To conclude, without having tried to exhaust the subject, is it

"All the anti-French extremists in Canada," wrote Lysiane Gagnon in La Presse of March 2, 1991, "would heartily applaud on the day when language policy is under exclusively provincial jurisdiction." But is this the way to preserve what the government of Canada still considers, pending evidence to the contrary, to be a fundamental characteristic of Canada?

unknown sources that language reform was losing ground in public opinion, took up this idea of transferring powers in an interview with the *Montreal Gazette* in April. While making reference to his government's unflinching support for official bilingualism, he suggested that one way of reducing "the very serious linguistic tensions" in Canada might be to examine closely the possibility of transferring to the provinces certain powers over language. Would the objective of this be to help strengthen Quebec's sign law or to encourage some provinces that are still dragging their feet in implementing the Supreme Court decision on minority edu-

The discovery of Switzerland

To our knowledge, at least two or three academics are suggesting that we adopt the Swiss model, whereby the cantons, with minor exceptions, have complete authority in language matters. This proposal has a dangerous attraction for Canada. The model is well enough suited to Switzerland, although one may be seriously concerned about the future of the smallest of its minorities, which really does not have the means to defend itself without the energetic support of the authorities in Berne. But, unlike the Swiss, we have in one of our "cantons" an English-speaking minority of seven or eight hundred thousand

conceivable that our society could wash its hands of its obligations to the equality of the two official languages and the rights of the linguistic minorities without, sooner or later, endangering the whole edifice of human rights and the increased respect that we would and must give to many groups in our society? What is at stake here is the very quality of our society, before or after the coming constitutional reform. That is why we miss no opportunity to warn the proper authorities that sacrificing the linguistic scapegoat would solve nothing at all. It would be the wrong remedy for the wrong problem. It might on the contrary give the signal for a national debacle. This is a prospect that would gladden the hearts only of those who have irretrievably lost faith in the future of Canada.

That is why in our last Annual Report we presented a comprehensive plan to preserve and strengthen the rights of our two linguistic communities and their respective minorities. None of these rights would be abrogated or diminished in any way. Some changes relating to Ontario and New Brunswick would confirm existing legislative provisions in those provinces. A code of the communities, to which provinces that wished to could subscribe in whole or in part, would complete the set of proposals by opening up new possibilities for the future.

Quebec, to be sure, would retain Bill 101 in its present form since it is necessary for the protection of French as, for instance, the principal language of work in that province. It might in due time, like the other provinces, subscribe to the new code of the communities. The province's Bill 178 was deemed necessary by Quebecers, but is considered gravely offensive by English Canadian public opinion. We can only reiterate here

the hope expressed just before its adoption. A renewal of confidence on the part of Quebec in its linguistic, cultural and demographic security should allow it to amend Bill 178 along the lines of the Supreme Court decision, which would provide for the marked predominance of French without excluding other languages.

These proposals will no doubt be deemed too ambitious or even unrealistic in the present circumstances. Perhaps they are, but perhaps more Canadians than we think have heard enough bleak scenarios and are searching for a more generous vision of the future.

It is never very easy to live together and accept linguistic or other differences. The real question, however, is whether it would be easier to live separately and whether we would be better off. That question is beyond our area of competence. We remain personally convinced that, at the moment of truth, Canadians in general and Quebecers in particular will not wish to abandon their common heritage, including their two national languages, not even for the undoubted but fragile satisfaction of being freer to do as they please. This will no doubt require that all concerned limit their demands to what is necessary for their survival and development.

On that positive note, dear readers everywhere and in all walks of life, whose faithfulness we so much appreciate, I leave you, asking that you continue to put your shoulder to the wheel and wishing *Language and Society* a long life.

D'I. F.

* For other arguments and figures, see the brochure "Some Basic Facts", which can be obtained free of charge at the headquarters of the Office of the Commissioner or from its regional offices.

Letters

(from page 2)

5. It was like the thin edge of the wedge for provincial demands, according to at least one constitutional expert with a wide following, the late Eugene Forsey.
6. It was redolent of the "two nations" theory, long dismissed as unworkable, especially now that most English Canadians see the country as a collection of "distinct societies", each with competing claims on federal power and no federalists minding the store....

John Robert Colombo
Toronto, Ontario

Charter Language Rights

Your main article on page 38 [*Language and Society* 34] opens by stating that parents of official language minorities are guaranteed the right to have their children taught in their own language.

This is, unfortunately, only a half-truth. The statement applies to only the French-speaking minorities outside Quebec.

Section 59 of the Charter of Rights and Freedoms, which has been in effect for nine years, withholds this right from the English-speaking parents of Quebec.

Richard J. Joy
Ottawa

Editorial Note

In this article, as you point out, the author stated that "parents of official language minorities are guaranteed the right to have their children taught in their own language". This is correct as this is indeed what is provided for in Section 23 of the Canadian Charter of Rights and Freedoms, with regard to both "the mother tongue criterion" (Paragraph 23(1)(a)) and the "Canada clause" (Paragraph 23(1)(b)).

It is true that this statement should be further qualified, as you suggest. However, most English-speaking children of Canadian citizens living in Quebec do have access to education in their own language since the "Canada clause" of Paragraph 23(1)(b) is in effect in that province.

LANGUAGE POLICY IN TOMORROW'S CANADA

1. Language Policy in Tomorrow's Canada

John E. Trent*

All things considered, language policy in Canada has been relatively successful and responsive in recent decades. The proof is the relatively peaceful evolution of our



John E. Trent

ethnic relations. If at the present time these policies require modification it is a question of adjustment rather than dismemberment, of reform rather than revolution. Nevertheless, there are obviously a number of grievances and competing visions of Canada that we must sort out in this article before we can delineate priorities for the future.

Complaints about language policy

- Western Canada feels more strongly than ever that a

bilingual policy which is "foreign" to its social tradition is being forced on it by an Eastern-dominated central government.

- Various Ontario pressure groups are once again complaining about the "cost" of bilingualism.
- Nationalist voices in Quebec worry about the security of the French culture if language policy can be dictated by the Canadian majority.
- Some older Anglophones, feeling discriminated against by bilingualism, want to turn the clock back to an earlier "British" definition of Canada.
- The representatives of official language minorities, both in and outside Quebec, want fuller services, rights, and recognition of their status.
- The 40% of Canadians of neither British nor French extraction, including the aboriginal peoples, are tired of hearing about the "two founding peoples". Some want equal support for their languages.
- Many English-speaking Canadians who say they have nothing against Quebec still think we should all speak English which, they believe,

is rapidly becoming the world language.

To my mind, a number of these issues are red herrings. The cost of providing services in the two official languages is ridiculously small and, in any case, overlooks the benefits of language learning and underestimates the costs of the separatist alternative. Multilingual demands completely misinterpret the intention of multiculturalism, which was not to create a series of untenable linguistic ghettos but to provide dignity and respect for cultural diversity as part of the integration process to the established Canadian languages. Although native languages can probably be preserved in the North the crux of the Canadian language issue remains the proper handling of the relations between the English and French tongues.

Basic principles

What these grievances show is that the real problem in Canada is our lack of consensus concerning the basic nature of the country. Behind the grievances lie competing sets of principles, that is, differing argumentations about the nature of our society and, hence, the best language regime for it. Even more difficult, each set has its own merits. At the risk of overgeneralization, the conflicting principles can be summarized under the following headings.

The Mobility Principle: As promulgated by Pierre Trudeau and others the mobility principle holds that if Francophones are restricted to Quebec (and Anglophones feel excluded from it) then they will no longer feel a part of Canada and the country will inevitably drift apart. Believers in this principle hold that, at a minimum, all Canadians should be served by their federal government in two languages wherever they live and official language minorities should be guaranteed education services in their language. Additionally, the provinces should be encouraged to guarantee bilingual rights and services. Unfortunately, this originally clear principle has often been corrupted into the notion of "bilingualism from coast to coast", which was not at all the intention.

The Territorial Principle: Also known as the Swiss principle, it holds that in the modern world, in order to persist, language communities need a solid territorial base and frontiers within which one language is predominant. It is up to the people living in the territory to adapt to the majority culture. People espousing this principle believe strong fences make for language peace and that Quebec must be considered the French fortress of North America.

The Integration Principle: which holds that when immi-

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grants from many lands came to Canada they were induced to give up their traditional language and to integrate into their new home. By extension of this logic, this principle declares that the tiny French minority of western Canada, much smaller than other ethnic groups, should do the same.

The Traditional Rights Principle: English and French language minorities hold that their communities have existed across Canada, in some cases since before Confederation, that they were promised linguistic rights in the constitutions of the new provinces, and that the rights and services they are beginning to enjoy are their legitimate due, the promise of Canada, for which they have struggled long and hard.

Sorting it out

On the basis of human values, political claims and historical precedent, each of these sets of principles has its own sort of appeal. How in heaven's name do we choose among them? Here are five guidelines which, admittedly, owe more to political prudence than to rationalistically preordained codes of rights.

Peace and Prosperity: First, we must decide what is the overriding priority for Canadians. What do (or should) we value the most? For me, the essence of Canada, its salutary uniqueness, is its capacity for permitting people of different ethnic communities to live and prosper in peace. This takes precedence over nationalistic claims on the one hand or extreme individual rights on the other. Our "peaceable kingdom" is the result of our respect for each other and for democratic procedure based on our qualities of courtesy, civility and tolerance. But why do we have these qualities?

My hypothesis is that it is the tensions resulting from our linguistic duality, our multiple



Photo: Reflexion

"For me, the essence of Canada, its salutary uniqueness, is its capacity for permitting people of different ethnic communities to live and prosper in peace."

ethnicity and our regional diversity coexisting within a federal regime which obliges Canadians to exercise their talents of civility and compromise, that make our society more peaceful and tolerant. Thus, while seeking to minimize conflict, we should accept the inevitable tensions resulting from our ethnic and regional differences within a federal system as a healthy aspect of our country, to be welcomed, not rejected.

Territorial Security: Second, current research *does* seem to uphold the validity of the Swiss model, that is, regions where one language is politically legitimated.¹ This helps to maintain both language peace and language stability. As long as Canadian majorities, using the federal Constitution and the imported American style of individual rights, can override Quebec cultural policies the resulting linguistic weaknesses will be blamed (often incorrectly) on English Canadians and conflict will be the order of the day.

Social Realities: Third, as a political rule it is best to propose policies which seem to coincide with social realities and do not depart too greatly from current norms. The fact is that almost by osmosis we have already moved towards the

Swiss model of linguistic territoriality, with French (both historically and currently) concentrated within the central Canadian region.

The limiting factor, another reality, is the political claim for minority language rights on the basis of acquired status and the cultural needs of a mobile population that may be temporarily posted in any part of the country. In other words, Canada is not exactly like Switzerland and we cannot plan as though it were.

Public vs. Private Bilingualism: Fourth, we must try to assess what is causing the real political problems in Canada. It seems to me that problems arise when demands for publicly visible linguistic practices exceed what is acceptable in local conditions even when there is no opposition to private rights and services. In other words, we have conflict when constitutional and legalistic conceptions impose themselves on politically validated perceptions of collective rights or the general good. At the same time, we have completely underestimated the potential for personal and private sector language services.

Perhaps the best known examples of this type of conflict are the refusal of English signs in Quebec, the opposition to airport and cornflake box bilin-

gualism in the West ("don't stuff French down our throats") and the gratuitous objection to bilingualism in certain Ontario municipalities. At the same time, these public rejections were being contradicted by additions to services for "private" bilingualism: in Quebec a new law (142) has reinforced English services in health and social services; in the West more students than ever are enrolled in immersion French learning; in Ontario considerable strides are being made in French educational, legal and health services.

But, here's the rub. While we might accept the practice of personal services and rights having precedence over public displays of "official" bilingualism, we would certainly be

"We must find practical solutions."

accused of political laxity and immorality if this practical proposition were extended to a principle of allowing a particular conception of the public good to always predominate over private rights.

So now we arrive at the crux of our problem. Can language rights be classified at the same level as our political and democratic rights and freedoms? I think not. In fact, put this way, the evidence is overwhelming. Who ever suggested that immigrants arriving in a new land should be served in their languages? How many countries in this world offer freedom of choice in public language rights? If I want freedom of speech and association, do I not want, first of all, to have the capacity to express myself to

the public in the language of the place — and, perhaps, secondly, to converse with my co-linguists in my own language within my private associations? The conclusion is that freedom of choice of language in the public domain (as opposed to liberty of speech) must cede pride of place to the collective right of the majority population to protect or demonstrate its culture. Even so, a civilized and generous population should afford its minorities the widest latitude of language rights commensurate with local culture.

Practical Generosity: A fifth and last guideline is simple practicality. The simple reality is that the English language and culture are not only massively dominant in North America but increasingly so internationally while French is under pressure everywhere. If ever a population could afford to be understanding and generous it should be the English-speaking majority of Canada. Anglophones, if they want to maintain the multiple benefits of Canada, including its peacefulness and prosperity, must now accept that a special language policy is required to protect French in Quebec while, *at the same time*, abundant French services must be provided to permit comfort and mobility for Francophones across Canada.

Language policy for tomorrow

If the premises underlying the foregoing political guidelines are accepted, then language policy and planning for tomorrow would look something like the following.

1. The federal government would maintain its policies supporting English and French as the official languages of Canada. Government services are planned to meet demand. Officials continually explain that the policy is one of public service

and not individual bilingualism.

2. Language and cultural policies should become (or remain) a predominant provincial domain, not to be overridden by federal laws.
3. Provincial policies will vary from bilingualism in New Brunswick, to multilingualism in the North, to bilingual services within unilingual regimes in Quebec and Ontario.
4. The federal government should reinforce its programs of aid to official language minorities and aboriginal languages. This would include financial assistance for language education and immersion, reinforcing public broadcasting services and maintaining language training in the federal Public Service.
5. The federal and provincial governments should emphasize language services to minorities not only in the public sector but through support for cultural centres in major cities and also through aid and encouragement to the private sector to provide bilingual services in such fields as hospitals, transportation and tourism.
6. The Secretary of State will have a mandate to develop understanding and pride in Canada's dualistic language heritage and to promote exchanges between Canadians, especially our youth.
7. Multiculturalism will be understood as being complementary to Canada's linguistic duality with special programs to promote

linguistic integration and transcultural learning and co-operation.²

8. Federal institutions will be slightly remodelled to give special protection to Quebec and the French culture within executive agencies, a reformed parliament (the Senate?), the judiciary and the Public Service.
9. Provinces will take more positive and imaginative steps to *promote* their cultures through good education, growth in research and development and production of literacy and communications excellence.

In short, Canada's linguistic policy should be to recognize the special need to protect French in Quebec while seeking to make English and French as widely available as possible in the media, government services

and in cultural "poles of attraction" in major centres.

Simplistic solutions and slogans will not solve complex problems. The imposition of legal and official policies often serves to enhance, not deflate, conflict. Separatism would solve very little; most of the same problems would be present in the successor states. We are condemned to work together to find *practical* solutions to try to make each other as comfortable as possible in our "linguisticness" — and to derive all possible benefits from it. ■

Notes

- ¹ Jean Laponce, *Langue et territoire*, Les Presses de l'Université Laval, Québec, 1984.
- ² Kimon Valaskakis, *Canada in the Nineties: Meltdown or Renaissance?*, Ottawa, World Media Institute, 1990.

The Department of Multiculturalism and Citizenship

According to the magazine *Together* published by the Department of the Secretary of State, Bill C-18, An Act to establish the Department of Multiculturalism and Citizenship, received royal assent on January 17, 1991. The new Department looks after the following programs: Multiculturalism, Citizenship Registration and Promotion, Literacy, Voluntary Action and Human Rights. Its creation makes the link between multiculturalism and citizenship official, gives tangible meaning to the broad sense of the expression "being Canadian" and officially recognizes that cultural diversity constitutes a major feature of Canadian citizenship. In addition, Bill C-63, establishing the Canadian Race Relations Foundation, has been given first reading. The Foundation will promote the development, sharing and application of knowledge and skills intended to eliminate racism and all forms of racial discrimination in Canadian society.

LANGUAGE POLICY IN TOMORROW'S CANADA

2. Ultimately, a Choice Society Will Have To Make

Jean-Claude Leclerc*

What will become of the French language in Canada and English in Quebec after the impending constitutional shake-up? The clash, if not the war, of the two languages has been a major factor in the crisis now besetting Confederation. Any constitutional change will probably involve modifications to the language arrangement. But, whatever the country's future may be, is it desirable to alter the status of the official languages?

This crisis is of great concern to the official language minorities, especially Acadians and Anglo-Quebecers. They are afraid, not without reason, of losing the country they know and finding themselves in another where their language rights may no longer be guaranteed.



Photo: Jacques Grenier

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Ottawa is apparently considering new arrangements with the provinces. Political forces, aware of the unilingual sentiments being voiced in Canada, are not hiding their desire to get rid of the current system of bilingualism. No one dares to openly propose abolishing rights recognized in the Constitution or in other legislation, but the minorities sense that they may get the short end of the stick in any deal that may be struck.

Although official bilingualism has made strides in Canada, it has not yet succeeded in becoming part of the fabric of society. The support it has won among the public is still fragile. Some are already predicting that, in a Canada without Quebec, French would not retain its status for long: the French minorities would soon be lost among the other ethnic groups, and English would become the only official language. And in an independent Quebec, or if Quebec were the sole master of its language policy, French, which is already the official language, would end up crowding out all the rest, thus threatening the English-speaking minority with extinction.

Some of these fears may be exaggerated, but history, including Canadian history, shows that they cannot be dismissed as completely far-fetched. For the country has never fully accepted linguistic diversity. On the con-

trary, it was taken for granted that the aboriginal cultures would disappear. In the not-too-distant past, Francophones were destined for a similar linguistic fate. And, of course, immigrants were expected to become assimilated without demanding a share in the country's identity.

This long and sad tradition has made it difficult not only to reach an accommodation between the "two majorities", but also to make the transition to an authentically multicultural society. (It is no accident that the country has been so slow in settling aboriginal claims and in achieving more than a symbolic equality between the sexes.) A certain form of intolerance even prompts some people to consider moving to another province — an attitude that does nothing to improve the country.

Nevertheless, certain developments give grounds for hope. The future does not necessarily belong to those who reject anything but unilingualism and are scarcely more tolerant of other kinds of differences.

First, New Brunswick officially recognized the equality of its two principal language groups. It is hard to see how it would sacrifice this balance, even if the system is not yet fully satisfactory.

Although the situation is different in Ontario, it is not in that province's interest to regress in its services to the French-speaking minority.

And a "sovereignist" Quebec, under whatever government, would be willing to enshrine minority rights in its constitution.

But before talking about legal guarantees, it is important to distinguish between the different aspects of the language question.

First of all, in a multilingual society, the population needs a common language. A society cannot function if people have to resort constantly to translation in their everyday lives. Nor can it require that all its citizens be multilingual.

If a common language does not emerge naturally from social interplay or if language is a source of conflict, the government might have to choose one language and impose it.

Adopting a common language in a federation or province does not mean attacking or devaluing other languages, or creating two classes of citizens. Canada could function in English at the federal level, as is already largely the case, and Quebec could do the same in French, without placing the minority languages in a worse position than they are in at present. However, care would have to be taken to ensure that the language of work of the government did not favour one group at the expense of another, or prevent the provision of services to minorities in their language.

Next, it is important to distinguish between a society's common language, the language of

LANGUAGE POLICY IN TOMORROW'S CANADA

operation of government and the languages of the communities that make up the population. Regardless of the official language or the common language, minorities should have the right to their culture and to institutions that protect, transmit and develop it.

What matters is that the language rules be clear and fair and that people know where they stand. Even though the Constitution enshrines mobility rights in Canada and the principle of equality before the law, it should be possible to consider, if necessary, some kind of linguistic zoning. As well, bilingualism, based on the concept of two founding peoples, might benefit by no longer being a symbol of Canadian unity, especially outside "central Canada". On the other hand, all regions of the country must take a serious look at their language policies.

How could Canada or a province be regressive in language matters and still claim to be progressive in its respect for cultural and other differences? Thus Quebec cannot continue to protect French culture, no matter how "threatened" it may be in North America, by imposing limits on other cultures. Unless it wants to lose a large part of its population and a valuable medium for communicating with the world, even an *indépendantiste* government would have to allow a place for English and the English-speaking minority.

But the fundamental issue is not just one of utility. How can we still live in a free and democratic society if a language system, in Quebec or elsewhere in Canada, oppresses one of the communities? This is a choice society will have to make, and it is one that will affect our quality of life and our future in the world. ■

(Our translation)

3. *A View from the West* It's Hard to Fight Myths

Catherine Ford*

Considering the Official Languages Act without considering the state of Canada itself is like arranging the wedding before finding a mate. It may be the most perfect ceremony ever planned, but without the requisite players it means nothing.

And the future of this legislation, first foisted upon a well-meaning but confused and unsuspecting Canadian public in 1969 and strengthened in 1988, is tied inextricably to the future of the Canadian federation itself. Without a federation, without a community of equals, there is little reason — and certainly no commitment — to continue with an Official Languages Act.

The OLA's future

It's a sure guarantee that the OLA will be second out the door right after Quebec storms off in



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a huff. No Quebec: no Official Languages Act. That can also be translated, especially in the West, as No French: no hassle.

Logically, therefore, there is no point in discussing the Official Languages Act until after the 1992 referendum in Quebec. Certainly there is no point in tinkering with it, making promises about it, or even talking about it until Canada finds out if Quebec is still going to be a part of it.

Yet rumours are rife that the federal government will deed language and culture control to the provinces, and as the rest of Canada became more English, Quebec would become more French. Alberta wouldn't have to provide French schools and Quebec could ban bilingual signs without having to circumvent the Charter of Rights.

Now, that's a great step forward for the rednecks on both sides of the language issue, although most Canadians will surely fail to appreciate how divisiveness will help offset the splitting of the country. Former Prime Minister Joe Clark said: "Any nation, great or small, is a unity of differences. We in Canada seem persistent, and among large western nations almost unique, in developing the differences and not the unity."

If that culminates in a divided Canada after 1992 there is an argument to be made that, regardless of Quebec's status,

there are Francophone Canadians in the rest of Canada who need and deserve government services in their first language.

Don't bother betting on their chances. A Canada left hanging without Quebec, an English-speaking Canada, would waste little time in eradicating from government all of the legislation that ensures the linguistic and cultural duality of this nation. Some of it would be done in anger, some in sorrow; most of the dismantling would be purely pragmatic. Any federal government extant in a post-Quebec Canada would learn quickly that the American model of English first, last and only would be the only law acceptable.

A post-Quebec Canada is not going to be a kinder and gentler place to live, but it will be English-only. The anti-bilingualism forces are strong enough now — consider their clout if Quebec pulls out of Confederation.

There may be other legislation as reviled as the Official Languages Act, other facts of Canadian life as misunderstood as bilingualism, but the Canadian government's policies and practices surrounding language stand alone to be cursed with equal vigour in both English and French. At least Canadians agree on something from sea to sea to sea. For those with a twisted sense of humour, the Official Languages Act and all the rules and regulations sur-

rounding it stand as the singular fact of Canadian life upon which both Anglophone and Francophone are in accord — get rid of it.*

Mutual agreement about anything involving language and culture in this country should be worth a couple of brownie points, but nobody's holding a deep breath that there will be any softening of the public's dislike for mandated bilingualism. The fact remains that if official bilingualism could be dismantled by fiat, by provincial statute, or by wishing it so, it would long ago have ceased to exist.

Thoroughly successful, thoroughly misunderstood

Surprisingly enough, official bilingualism has been a thoroughly successful program across the country. Thoroughly successful and thoroughly misunderstood. The public outcry to abandon the policy of official bilingualism and to eradicate its tendrils will follow immediately, and vociferously, upon the heels of any Quebec separation — sovereignty-association notwithstanding.

Any discussion of the future of Canadian bilingualism must take into account the pig-headed refusal of the Canadian public actually to understand what it means and the government's inability to convey the message that making the country bilingual doesn't mean shoving French down the throat of the farmer in Indus, Alberta.

Since the first Official Languages Act in 1969 the federal government's commitment to provide government services in the language of the citizen's choice has been guaranteed. Now, 18.3 million English-speaking and 6.5 million French-speaking Canadians can deal with Ottawa in their own language.

All this emotion over one small 20-year-old article of political faith is without precedent, particularly as it is the

most misunderstood of the federal government's fiats.

"Language equality does not mean that a lot more Canadians will have to be bilingual. Quite the contrary. Our policy will help make it possible for the vast majority of Canadians not to have to speak a second official language more often — and never to have to speak a second language at all, if that is their wish." Prime Minister Pierre Trudeau's eloquence in 1977 was well-placed but his vision of the future was somewhat skewed. What he didn't see was the transformation of the federal Public Service from a predominately English-speaking elite to a French-speaking elite. The elite part is still the same. But despite assurances that you don't have to be bilingual to be appointed to senior federal Public Service jobs, the myth persists that Francophones get the plum appointments these days. It's hard to fight myths, especially when they're chimera. Officially, only 29.3% of public service positions are designated bilingual. "At least 134,000 (63.8%) public service jobs are open to unilingual Anglophones and 25,000 (11.9%) are open to unilingual Francophones," to quote one of the information booklets sent out by the Commissioner of Official Languages. "Overall," the booklet states, "Anglophones currently hold 37.4% of bilingual positions and Francophones hold 62.6%. However, this is not true for senior management jobs. Anglophones hold 74.3% of bilingual positions in the top management group."

All this is very interesting but it doesn't change perception one iota. The farmer just east of Calgary believes that all the federal public servants in Ottawa and all the top job holders are Francophones and no statistics, no yelling, screaming or tossing charts at him will change that perception.

He believes it's all a conspiracy for the French to take

over the country, another one of those tricks pulled by Eastern bastards, which is why he's joining Preston Manning's Reform Party, doncha know? That there is no reasoning with this attitude is obvious. The government itself, by perpetuating the myths, by its inability to explain exactly what official bilingualism comprises, has only itself to blame.

Caring about being Canadian

We can, in this country, conduct official post office business in English or French, tell you where the air-sick bag and the safety instructions are in both official languages, make sure that every missive from the

federal government contains *français au verso*. We don't care about the French on the corn-flakes box, we never did. What we care about is being Canadian, a tag that is obviously more important to Anglophones than to Francophones. Sure, we have an Official Languages Act, but the census form doesn't recognize "Canadian" as a nationality or ethnic origin.

That's surely the crux of the entire problem. Not French. Not English. But, first, Canadian. ■

Editorial Note

* This was written prior to the latest *Globe and Mail*-CBC public opinion survey referred to in the editorial and elsewhere.

Coming in No. 36

In September *Language and Society* will carry an article by Charles F. Johnston of the United Church of Canada. Some extracts follow.

...In 1877 an amendment to Section 110 of the North-West Territories Act...instituted parliamentary, legislative and judiciary bilingualism. This was a recognition of the high proportion of Francophones in the population of the Territories at that time....

...It is apparent that in both provinces [Alberta and Saskatchewan], the beleaguered Francophone minorities, although still lacking many services, have provided themselves with the educational and cultural instruments and the legal safeguards that offer at least a basic hope of maintaining their toehold on the Prairies in the future.

Despite this, in the face of so much public hostility aroused during the controversy over the Meech Lake Accord, provincial governments may be tempted to make their local minorities the innocent victims of the resentment; and if Quebec's demands for a form of sovereignty lead to a backlash in Anglophone Canada against the policy of bilingualism those minorities would be still further victimized.

LANGUAGE POLICY IN TOMORROW'S CANADA

4. Political and Legal Organization

Benoît Pelletier*

It is not easy to predict what Canada's future language policy will be. Such an exercise in futurism is all the more uncertain since the future of Canada itself is now the subject of serious questioning. Will the country survive and, if so, what form will its political and legal organization take?

In the "adventure" on which I am embarking, not without being well aware that no one can predict the future, I shall take it for granted that tomorrow's Canada will still be a federal state and that the various trends now evident with respect to language will continue in the future. I shall therefore refrain from speculating on major upheavals that might at some point have an

impact on the structure of Canada, but whose occurrence is, at this stage, purely hypothetical.

The trends with regard to language to which I just referred lead me to make three predictions:

- a) The federal jurisdiction will continue and even intensify its encroachment, through its language legislation, on areas of provincial legislative jurisdiction.
- b) The federal government will continue to view the linguistic situation in Canada symmetrically.
- c) Existing linguistic provisions of a constitutional nature will be maintained.

a) Continuation and even intensification of federal encroachment on areas of provincial legislative jurisdiction

There is no mention in the Canadian Constitution of legislative jurisdiction in the area of language. Constitutional jurisprudence, however, has recognized that both the federal government and the provinces might pass legislation in this area under one or another of the powers expressly assigned to them. In other words, language has been regarded by our courts as an area of joint federal and provincial jurisdiction, and the power to legislate

in it as being accessory to the other legislative powers specifically assigned to the federal government or the provinces.

The federal government may therefore legislate as it sees fit with respect to language, subject to the obligation to respect certain constitutional provisions to which I shall refer later, *but also subject, let it not be forgotten, to the obligation to respect the limits of its legislative powers as set out in the Constitution*. The problem, however, is that the federal government increasingly tends to take advantage of the fact that its powers in the area of language are still poorly defined in order gradually to intrude in areas of provincial legislative jurisdiction.

Even before the Canadian Charter of Rights and Freedoms took effect in 1982 it was recognized that the 1969 Official Languages Act might apply to provincial courts when they heard cases involving the Criminal Code of Canada.¹ Might the same hold true, to take things to an extreme, if the same courts were asked to rule on matters having to do with bankruptcy or divorce — other areas under exclusive federal jurisdiction?

Subsection 16(1) of the 1982 Charter states that English and French are "the official languages of Canada." Subsection 16(3) specifies that the Charter should not be interpreted as limiting the authority of the federal government or the provinces to

advance the equality of status or use of English and French. This latter provision must be seen as an acknowledgement of the power of the federal government to promote bilingualism. It is to be feared that, in the future, the federal government may take advantage of this power to interfere in legislative areas that do not concern it.

The new 1988 Official Languages Act, moreover, fed these fears of ours. Part VII of the Act, dealing with the advancement of English and French, has a great deal to say about federal ambitions. Suffice it for now to cite Section 41, which contains a commitment on the part of the federal government to "enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and ... fostering the full recognition and use of both English and French in Canadian society." This surely is sufficient to provide the federal government with a justification, or at least a pretext, for involving itself, little by little, through the unlimited spending power which the courts have acknowledged it possesses, in areas of exclusively provincial legislative jurisdiction.

Thus there is every reason to believe that, in tomorrow's Canada, the federal government, cloaked in noble intentions to "advance", "support" and



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"encourage" bilingualism in "Canadian society", will continue to want to impose its vision of bilingualism in an even larger number of spheres under provincial jurisdiction. But what, in fact, will this federal vision of bilingualism be?

b) Perpetuation of the symmetrical vision of Canada by the federal government

The various components of Canada's linguistic reality do not form a homogeneous whole. Far from it. Indeed, it appears that Quebec is the only province where, as the now dead Meech Lake Accord stated, French-speaking Canadians are concentrated. Moreover, it is in Quebec that we find the largest official language minority in any province. Finally, as if things were not already complicated enough, account must be taken of the fact that the survival of the French language is threatened everywhere in Canada, including Quebec, where it is nonetheless the majority language.

And yet the federal government has never acknowledged the particular needs of the French language in Canada. Both the 1969 and the 1988 Official Languages Acts simply protect in a relatively equal manner the official language minorities in each province without making provision for additional measures designed to provide special protection to Canada's French-speaking com-

munity, whose future is so precarious. For the federal government, therefore, the official language minorities in the provinces must be treated symmetrically, although the English language is not, unlike the French language, threatened in Canada.

This way of viewing things is not, however, perfect or without danger. It has the defect of denying a reality, that of the heterogeneity of the situation of language rights in Canada of which I have just spoken. It also has the effect of accentuating the imbalances between the

distortions on the daily life of these minorities. The thus far chaotic and disparate implementation of Section 23 of the Charter, which gives the minorities theoretically equal rights with regard to language of instruction provincially, eloquently illustrates the enormous gap that separates legal recognition of a right from its concrete implementation.

Thus, the federal government's falsely egalitarian manner of viewing the Canadian linguistic situation (false because it does not permit the actual attainment of the objec-

for Section 23 of the Charter, to which reference has been made. This means that these provinces may legislate as they wish with regard to language — subject, however, to the obligation to respect the limits of the legislative powers conferred on them by the Constitution. This naturally includes the power to declare official unilingualism for provincial purposes, as has been done.

I believe that in tomorrow's Canada the constitutional provisions to which I have alluded will be preserved intact. I find it difficult to believe that the federal government would agree to abrogate the "Quebec aspect" of Section 133 of the Constitution Act, 1867, of Section 23 of the Manitoba Act, 1870, or of Subsections 16(2) to 20(2) of the Charter concerning institutional bilingualism in New Brunswick.² At most, perhaps, only the provisions that now constitute the "federal aspect" of Section 133 of the Constitution Act, 1867 might be repealed, since they duplicate Subsections 16(1) to 20(1) of the Charter, which also concern institutional bilingualism at the federal level. Clearly the chances of seeing these predictions — that the currently existing constitutional rights of provincial scope will be maintained in the future — come true will depend on what becomes in future of the proposal made by the 1979 Task Force on Canadian Unity concerning the advisability of leaving all the provinces complete legislative freedom with regard to language. Such a proposal, if it were one day accepted, might lead to the repeal of Section 133 of the Constitution Act, 1867, as far as Quebec is concerned, of Section 23 of the Manitoba Act, 1870, and of Subsections 16(2) to 20(2) of the Charter.

Lastly, I would also be very surprised if the provinces not yet subject to some form of constitutional bilingualism

"I hold little hope of seeing official bilingualism advance at the provincial level."

"tangible rights" of the Anglophone and Francophone minorities in Canada. When I speak of "tangible rights" I am obviously referring to the effective implementation of language rights and not to their official recognition. In fact, acknowledging everyone's equal rights does not mean that their application will be equal and that everyone will be able to benefit from them equally. In the area of language, the imbalance between the tangible rights of the linguistic minorities is even more marked because the geopolitical reality of Canada imposes very major

tives of equality that it holds up) is, as I see it, here to stay. It does not at present seem to be the subject of any serious reconsideration by the governing authorities and will therefore continue, in my opinion, to be supported by the federal government in tomorrow's Canada.

c) Preservation of existing constitutional provisions on language

Section 133 of the Constitution Act, 1867, imposes a limited form of legislative and judicial bilingualism in the federal sphere and in Quebec. Section 23 of the Manitoba Act, 1870, added identical provisions for that province. In 1982, both New Brunswick and the federal government agreed to be bound by the additional constitutional provisions contained in the Charter with respect to institutional bilingualism.

The provinces other than New Brunswick, Quebec and Manitoba are not bound to comply with any constitutional provision on language except

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Bilingual Reformers**

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should decide, in tomorrow's Canada, to subject themselves to it voluntarily. At the most, bilingualism will continue, in my opinion, to characterize some aspects of provincial affairs through the introduction of programs designed to advance it or, in rare cases, through legislative recognition.

Conclusion

I have attempted in this article to sketch the outlines of what the linguistic face of tomorrow's Canada might look like. To do so I have naturally had to draw on current experience to shed light on what might well be our collective future.

Clearly I hold little hope of seeing official bilingualism advance at the provincial level. The federal government will, however, in my opinion, attempt in the future to maintain and even intensify its involvement in this area, to the point where it is to be feared that by doing so it will interfere in legislative areas that are exclusively provincial. Finally, aside from the constitutional and purely legislative recognition of the equality of status of the two official languages in Canada, they will, in my view, continue to exist, as far as their actual use is concerned, in a situation of glaring imbalance. ■

(Our translation)

Notes

¹ See *Jones v. Attorney General of New Brunswick*, [1975] 2 S.C.R. 182, at 191 and 192.

² Moreover, under the current amending formula, the agreement of the federal government is required in order to repeal or amend these constitutional provisions.

5. Considering Canada: Commissions, Academics and Minority Leaders

Peter Cowan*

How would a radically new constitutional deal between Quebec and the rest of Canada affect the linguistic duality that has become a fact of national life since the late 1960s?

Some experts suggest Canada is quietly moving away from present policies of linguistic duality towards territorially-defined language guarantees where, while a much-reduced federal government would remain bilingual, devolution of powers towards the provinces would greatly increase their jurisdiction over language. This would mean Canada's approach would be closer to Switzerland's and Belgium's.

In March it seemed that this view was gaining ground when news reports revealed that academics and senior federal officials had discussed softening current language policy. Federal officials said that news reports were exaggerated and most discussion had centred on constitutional change.

Supporters of the traditional approach argue that linguistic duality is too intertwined with the Canadian experience to allow tampering.

Seven commissions

The final answer will lie in any new constitutional deal. And if a

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new deal averts a Quebec-Canada split it will probably result in a much more decentralized Canada.

Two federal and five provincial commissions are studying the constitutional alternatives facing Canada in the wake of the failure of the Meech Lake Accord.

A sixth provincial commission, Quebec's Bélanger-Campeau Commission, in its final report last March, proposed a Quebec referendum on sovereignty by October 1992 unless the rest of Canada offers acceptable proposals for constitutional reform.

Language will be a key issue in whatever emerges from this post-Meech soul-searching.

The federally-appointed Citizens' Forum, or Spicer commission, will deliver a final report by July 1.

Last March the Select Committee on Ontario in Confederation issued an interim report that concluded, on the basis of presentations from more than 600 persons and organizations, that Quebec needs power over language and culture to protect its identity. It also called for additional powers for all the provinces over culture, communications and immigration. Canadians will also hear from British Columbia's Cabinet Committee on Confederation, the Constitutional Reform Task

Force of Alberta, the Commission on New Brunswick's Role in the Canadian Federation and the Manitoba Constitutional Task Force.

The other federal study is less high profile than the Spicer commission but ultimately may have more influence. It is the Special Joint Committee on the Constitutional Amending Process, chaired by Senator



Tony Silipo, Select Committee on Ontario in Confederation

Photo: Canapress Photo Service

Gérald Beaudoin and MP James Edwards. Part of its mandate is to examine the role of the Canadian public in the amending process. It will also deal with amending formulas, referendums and constituent assemblies.

The Citizen's Forum

On language, an alarming note was sounded by the Spicer commission's interim report — a working analysis prepared by



Keith Spicer

Forum staff for commission chairman Keith Spicer, who was Canada's first Commissioner of Official Languages. The report stated that calls to Forum 1-800 lines and written briefs were critical of bilingualism and multiculturalism.

"Bilingualism and multiculturalism," said the interim report, "are endorsed by a majority of our participants as worthy personal and individual goals, but those same participants — including Franco-phones in Quebec as well as new Canadians — almost uniformly reject the treatment of our official languages, the funding of multicultural programs, and the apparent official encouragement of 'hyphenated Canadians'."

The report says while there was support for the "symbolic value" of a bilingual Canada, there was "virtually no endorsement of existing official languages policy." It said most participants leaned towards delegating language jurisdiction to the provinces or making French Quebec's official language and English the official language of the rest of the country.

But the commission's data-gathering was not scientific. At a news conference following publication of his 1990 Annual Report, Commissioner of Official Languages D'Iberville

Fortier said careful examination of the assertion about bilingualism in the Spicer commission's interim report showed only 6.9% of respondents (by telephone) actually objected to bilingualism.

Fortier said Canadians are free to discuss language as much as they wish but that recent attempts to create "a climate of doubt around the future of official languages" is tantamount to "playing with dynamite" because recognition

by Canadians of linguistic duality "is, and always will be, a fundamental characteristic of this country."

Guy Matte, president of the Fédération des francophones hors Québec (FFHQ), points out that the commission was simply following its mandate and providing a sounding board for people with things to get off their chest.

In his Annual Report Fortier cited data from several 1990 scientific surveys that indicate majority support for official bilingualism across Canada. In this issue of *Language and Society* he updates the data with the highly encouraging outcome of the latest April 1991 *Globe and Mail*-CBC poll.

The future of language policy

François Rocher, a Carleton University political scientist who specializes in Quebec affairs, federal-provincial relations and the Constitution, is "pessimistic", but he thinks the post-Meech commissions may mark the first serious search for the "true Canada".

Rocher thinks linguistic duality will give way to something similar to a Swiss or Belgian model where language is territorially defined. While he sees language rights being maintained federally and provincially in areas where official language

minorities are numerically strong, i.e., Ontario, Quebec and New Brunswick, they may not be upheld in other provincial jurisdictions. "If I were in British Columbia, I wouldn't understand why French-language services were being provided. The Asian community is very much bigger."

The more pluralistic demographics of Canadian society, brought on by immigration, may affect attitudes to language, according to K. D. McRae.

McRae, a Carleton University political scientist who specializes in the study of multilingual western democracies, was a senior researcher for the Royal Commission on Bilingualism and Biculturalism. He suspects many Canadians do not see things in the same way as those who lived through the Commis-

will remain, along with "satisfactory levels of service" for the larger minorities in Ontario, Quebec and New Brunswick, as well as Manitoba "for constitutional reasons." "The others are more of a question because we know that the minorities are fairly small in these provinces," says McRae, who considers broad language guarantees in these provinces "unrealistic".

Official language minorities

Another major factor in any discussion of linguistic duality will be the official language minorities themselves.

Senator Beaudoin — who will not comment on what recommendations the Special Joint Committee on the Constitutional Amending Process might make on language in its report — says that during hearings in

Scientific surveys show majority support for official bilingualism across Canada.

sion's era. "Basically, emotionally, I am still attached to the dual model. But, as a social scientist, I think probably the scales are tipping against the model."

He feels Fortier is committed, as were his predecessors, to the expansion of personal bilingualism, but thinks that expanding bilingual services on the "where numbers warrant" principle may inadvertently fuel the "paranoia" of a certain portion of the population.

McRae thinks that Canada has been drifting towards something like a Swiss or Belgian model, but he does not foresee a mirror image of either of these models for Canada, with federal bilingualism and resolutely unilingual provinces.

He expects that Charter guarantees of education rights for official language minorities

the four western provinces, the Yukon and the Northwest Territories, French-speaking minorities called for better constitutional protection for their rights.

By the time its work is finished the Committee will have heard the views of official language minorities all over Canada.

The FFHQ's Matte agrees that language rights could be affected if federal powers over services now offered in both languages are given to the provinces. He says in such a case standards must be set so that language guarantees follow devolution.

A central thrust of Fortier's Annual Report is that any new constitutional arrangement must not only recognize both official languages but recognize them as "fundamental characteristics of Canada."

The Report also proposes constitutional provisions that would recognize official minorities, guarantee their rights, make Ontario officially bilingual and recognize Quebec as a distinct society.

The will to survive, even more than guarantees of rights, has allowed official language minorities like the Acadians to flourish, says Pierre Arsenault, president of the Société nationale des acadiens.

Arsenault thinks that current developments will ultimately improve the position of the French language and culture across Canada.

While he admits official minority rights could be limited by devolution of powers towards the provinces, Arsenault points out that there are now Charter school rights. And no matter what deal is concluded, he says, Quebec and the rest of Canada will continue to have links. "And this means that if the English-speaking



Michel Bélanger and Jean Campeau

minority in Quebec is to be respected, in the other parts of Canada the French-speaking minority must be respected."

Jean Tanguay, president of the Association canadienne-française de l'Ontario, says that too often rights for French-language minorities exist on paper but not in fact, a phenomenon he dubs "the Canadian mirage". He would end the mirage by giving minorities the

means to establish and administer their own institutions and services.

Tanguay says that English Ontario could help defuse the current crisis by making it clear to Quebecers that it is honestly committed to support for French language and culture. "Since Confederation, the Canadian soul has been defined by the recognition of linguistic duality," says Tanguay.

Robert Keaton, president of Alliance Quebec, is equally fervent. "The concept of two official languages is one of the foundations of the identity of the country. We would always oppose any attempt to define the country as one where Quebec is exclusively French-speaking while the rest of Canada is exclusively English-speaking."

Keaton says Alliance Quebec would oppose any attempt to reduce the degree to which the Charter of Rights applies to Quebec or the status of the two official languages. "We will look at any new division of powers through these optics."

J. R. Mallory, professor emeritus of political science at McGill University, says that undermining language duality serves the goals of Quebec nationalism. "It's fairly obvious that if we accepted the conventional wisdom of the Quebec political elite that bilingualism is bad and that Francophones

outside Quebec are due for extinction anyway, so write them off, it's sort of flying in the face of 20 years of history to the contrary."

He fears that devolution might harm official language minorities because provincial governments are naturally reluctant to respect their rights. He says school rights guaranteed by the Charter will probably be relatively unaffected because the Charter is popular and attempts to amend it would spark outrage.

Then there are those who are not alarmed about the effect major constitutional change might have on language.

Senator Arthur Tremblay, who was constitutional adviser to former Prime Minister Joe Clark and to Prime Minister Brian Mulroney, says federal bilingualism will be upheld along with constitutional guarantees for education. Pointing out that provincial obligations vary now according to constitutional requirements or provincial laws, like Ontario's Bill 8, Tremblay says, "It is already territorially-defined. It always has been."

But, as the seven post-Meech commissions start the process of determining what form Canada will take, those who care about linguistic duality, like Pat Brehaut, president of Canadian Parents for French, worry. "I guess the encouraging part is what we hear of people's desire for personal bilingualism. It appears, from what I read and hear, that the reactions seem to be against official bilingualism and legislated things."

She makes the point that no matter what happens, Quebec and the rest of Canada will still be geographically and socially attached and official language minorities will still exist. Brehaut sums up the challenge facing the country when she says: "Canadians must take care not to throw out the baby with the bath water." ■

Alliances

"The other area in which there may be an alliance between the Quebec political class and the English-Canadian right wing is, obviously, language....All English-Canadian anti-French extremists will wholeheartedly welcome the day when the provinces have complete jurisdiction over language policy. Actually, this sad alliance already exists: have we not seen the Bourassa government, in the name of sacred provincial rights, support the Alberta and Saskatchewan governments in their stance against Francophone minorities?" — Lysiane Gagnon, *La Presse*, March 2, 1991.

Telephone to the rescue

If you live in the Montreal area, are writing something in French and need linguistic advice, just call 873-9999 (using touch-tone equipment only) to reach the linguistic consultation service of the Office de la langue française. The service consists of 101 (a coincidence, apparently) pre-recorded messages.

LANGUAGE POLICY IN TOMORROW'S CANADA

6. Quebec's English Speakers: Hopes and Fears

Tom Sloan

It has often been asserted during the ongoing discussions of the present and future of official language minorities in Canada that the situation of the English-speaking community in Quebec is fundamentally different from that of the French-speaking minority in the rest of the country. The essential difference lies in the fact that, unlike the position of French outside Quebec, the English language in Quebec is in no danger of disappearing.

For this there are two reasons given. First, there is the sheer size of the Anglophone community, amounting to some 700,000 people and concentrated mainly in a relatively small area on and around the island of Montreal. Second, there is the pervasive presence of English throughout North America. Even if there were no English-speaking community in Quebec, English would be regularly used by those Quebecers dealing in one way or another with the rest of the continent and large sections of the rest of the world.

In addition, it is argued, English-speaking Quebecers have a network of institutions and a range of services in their language that are the envy of their Francophone counterparts elsewhere.

While these affirmations are essentially true the picture is somewhat more complex. For one thing, there are also some French-speaking minority communities that are relatively

solidly established, most particularly those in eastern Ontario and northern New Brunswick. For another, within Quebec, outside the Montreal area, a good many long established English-speaking communities consider their own situation precarious and growing more so every day. Even in Montreal, as the English-language media bear witness, there is considerable and growing anxiety.

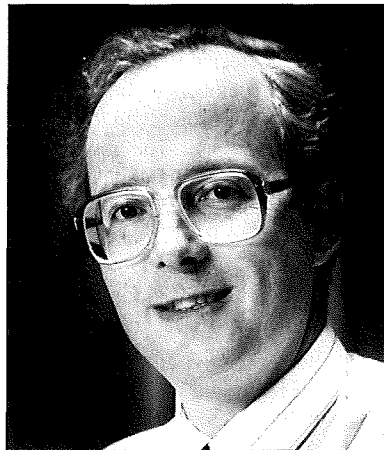
In short, while on the surface the situation of the Quebec English-speaking population might appear to be eminently satisfactory, many Anglophones are apprehensive about the future.

In common with other official language minorities English-speaking Quebecers are concerned with the critical constitutional situation that has arisen since the collapse of Meech Lake. They know very well that the dénouement of the debate now raging could directly and drastically affect them and their future.

Growing involvement

Despite their concern, however, English-speaking Quebecers have not been totally hypnotized by the issue. Over the past several years, in fact, as the 1990 report of the Commissioner of Official Languages points out, there has been a growing involvement on their part with the French-speaking majority community with which they share Quebec. While, in its most

extreme form, "two solitudes" was always an oversimplification, it was nevertheless a reasonably accurate description of the attitude of many English-speakers, who were content to live to themselves, quite isolated from the lives and concerns of their Francophone neighbours. In this respect, the



Norman Webster

changes have been dramatic. The new attitude is expressed by Norman Webster, editor of the *Montreal Gazette*: "I believe the Anglophone community ought to be aware of everything happening in the Francophone community."

The new spirit of participation in the larger Quebec society is symbolized in the fact that 60% of English-speaking Quebecers now claim to be functionally bilingual, and that many of them spend at least part of their working day operating in French.

The continuing popularity of French immersion is another

indication of the growing commitment of Anglophones to Quebec and to the Francophone majority struggling to protect its own culture in the North American context.

This does not mean that English-speaking Quebecers are resigned to losing their own heritage and are ignoring their

own interests. It is the combination of their increasing recognition of the legitimate aspirations of the majority and their determination to protect their own heritage that gives a certain poignancy to their present situation, which combines a climate of both tension and co-operation between the two groups.

Alliance Quebec

The two distinct aspects of Anglophone attitudes are well represented in and by

Alliance Quebec, the province-wide English-language rights group recognized as the principal representative of the Anglophone community by both the federal and the provincial governments.

In a 140-page brief last December to the Bélanger-Campeau Commission on Quebec's constitutional future — a brief preceded by three months of massive community consultation — the Alliance clearly defined its dual commitment to Quebec and Canada. President Robert Keaton told the commissioners "a renewed





Robert Keaton

federal structure that assures the provision and protection of Quebec's unique place in Canada remains the most suitable foundation for the enhancement of the quality of life of all citizens. We are convinced that this option will best meet the needs and aspirations of the minority and majority communities in Quebec."

At the same time, Keaton emphasized the substantial efforts made by the minority to adjust. "English-speaking Quebec is and will continue to be a strong partner in a predominantly French Quebec." It will, however, continue to resist the idea of a Quebec that is exclusively French-speaking. The brief expressed the fear that the minority had not yet been fully accepted by the majority and renewed the attack on the refusal, under Bill 178, to allow English on external commercial signs.

Not surprisingly, Alliance Quebec has had its own internal disagreements on tactics and strategy, if not on fundamentals. Former acting president Peter Blaikie took strong exception to the group's first reaction to the Allaire Report which, last winter, called on the Quebec Liberal Party to adopt a policy of radically decentralized federalism. The response by the Alliance — that the report

should be considered as a starting point for negotiations — was criticized by Blaikie as weak and ineffective. For David Birnbaum, the Alliance's executive director, however, the response was realistic. "At least the report got us off the fast track to separatism," he contends.

Equality Party

While Alliance Quebec is generally recognized as the most authentic province-wide voice of

the English-speaking minority, it is not the only minority voice. Apart from the media, including the *Gazette*, the *Sherbrooke Record*, the weekly newspapers and radio and TV, there is also a new political presence, the Equality Party, which elected four Anglophone members to the National Assembly in the last provincial poll. The Equality Party, which sometimes takes a confrontational approach in defending English-language interests, claims to represent a considerable Anglophone constituency — a fact not denied by the Alliance. Relations between the two can be described in terms of "creative tension", according to David Birnbaum: "We have differences in our approach, but the bottom lines are basically the same."

Regional groups

More or less loosely affiliated to Alliance Quebec are regional groups based in areas ranging from the Gaspé Peninsula to the east to the Outaouais in western Quebec, each with its own unique perspective arising from its own social and geographical situation. "We have our own lifestyle that they don't necessarily understand in Ottawa and Montreal," says Myrna McCauley, president of the Townshippers Association. The widely scattered and aging

population of the Eastern Townships poses specific problems, similar to those of the Gaspé and quite different from those of Montreal. These do not entail any basic differences in policy or approach from the Alliance, for example, but specific local conditions must be considered when policies and strategies are being formulated.

In the Outaouais the situation is different again. The proximity both of Ontario and of the federal government provides some psychological support. That doesn't cause any difference in basic attitudes, says Outaouais Alliance executive director Carol Pritchard-Murtagh, "but here we tend to have considerable rapport with and trust in the federal government."

To the southeast of Montreal, in a region that encompasses a bedroom municipality and an extensive rural area, the Châteauguay Valley English-speaking People's Association has developed its own approach which, for a while, led to differences with Alliance Quebec. "We thought they were too willing to compromise to make a deal," says president Maurice King. "We're more militant." However, he continues, there has been a rapprochement: "We're very hopeful of resolving our differences."

In and around Quebec City the 19,000 Anglophones have adapted to a life that is overwhelmingly lived in French, a situation reflected in the approach of the Voice of English Quebec. The VEQ, President Deborah Hook points out, was the only minority association in Quebec to unconditionally endorse the Meech Lake Accord. And, replying to a questionnaire prepared by the group, a considerable number of English-speakers expressed acceptance of the idea of Quebec sovereignty if the majority so decides. "Life is good here," Hook says. "We are

happy to be part of the fabric of Quebec. We are comfortable — as comfortable as a minority can be." There are, nevertheless, issues to be tackled, such as defending the threatened bilingual status of the Quebec City airport, a federal responsibility. In general, Hook says, the VEQ supports the goals and strategies of Alliance Quebec.

Special concerns

In all regions of Quebec, including the provincial capital, there are several concerns widely shared by Anglophones regardless of any differences they might have in specific approaches.

One of them involves the availability of health care and social services in English. Although the law guarantees English-language health services in principle there are worries that in practice such services may be hard to find in some areas of the province. In addition, recent moves to decentralize health and welfare operations are seen as endangering Anglophone institutions that have traditionally cared for a clientele from a wide geographic area.

Immigration is another potentially touchy subject. Alliance Quebec maintains that specific measures that have been announced to attract Franco-phone immigrants and to integrate them into the French-speaking community fail to address the fact that, due to out-migration and a birthrate even lower than that of Francophones, the English minority community is in peril.

In the field of education, the influx of families whose first language is neither French nor English, and whose children, under the law, must attend French schools, has caused a rapid growth in the French-language sector of the Protestant School Board of Greater Montreal, to the point where, in 1990, 43% of the enrolment was

LANGUAGE POLICY IN TOMORROW'S CANADA

in French-language institutions. Should these pupils become a majority, the PSBGM, historically a bastion of the English-language community, could, under the provisions of the French-language charter, lose its right to operate as a bilingual institution.

In the post-secondary sector the signals were mixed in 1990. While the government announced major renovation projects for Bishop's University



Reed Scowen

and two colleges, the financial situation of all three English-language universities grew steadily worse owing to accumulating operational deficits.

A continuing subject of concern is the Quebec Public Service, in which, in 1990, the proportion of English-speakers was not quite three-quarters of 1%. "Now, more than ever, at this critical time in Quebec's development, the government must reaffirm its belief in and commitment to the principle of the equitable participation of the English-speaking community in the Public Service," said a statement by Alliance Quebec.

A different vision

In the midst of the debates over the Constitution, federalism, Anglophone

participation and several other issues, there has arisen a renewed interest on the part of English-speaking Quebecers in their own heritage. It is epitomized in a new book by Reed Scowen, a former Liberal member of the National Assembly, and more recently, the official representative of Quebec in London.

In *A Different Vision* Scowen insists that English-speaking Quebecers have no reason to deny their own language or be ashamed of using it. Anglophone Quebecers should not hesitate to affirm their own identity both as individuals and as a community. "English Quebecers want the right to be English in Quebec and to have this right explicitly recognized by their government." The English-speaking community, Scowen affirms, is a "distinct society" within Quebec and should be accepted

as such. "The English community can remain and grow in Quebec, but English-speaking Quebecers must make it happen.... English Quebecers must undertake the personal and collective action necessary to ensure their own revival."

While for some Anglophones, such as Maurice King, Scowen, as a former parliamentary secretary to Premier Bourassa, "has a long way to go to regain credibility", others have enthusiastically endorsed him and his thesis. "The community received it as a tremendous shot in the arm," says David Birnbaum. We have to behave as a cohesive community. That is the message, and we're comfortable with it." ■

Francophones outside Quebec

7. Encouraging Demographic Data in New Brunswick and Ontario

Charles Barker

In spite of the widespread myth that the French-speaking population outside Quebec will soon cease to exist, la Francophonie clearly does not end at the borders of Quebec. Nearly one million persons whose mother tongue is French, or approximately 15% of Canada's Francophones, live in the other provinces or territories, fully half of which have a population of under one million each. Three-quarters of these Francophones live in Ontario and New Brunswick, Quebec's neighbouring provinces.

A quick but quite objective survey of the demolinguistic situation of these communities shows that Acadians and Franco-Ontarians are generally doing fairly well (see table).

Statistics Canada has developed a "language continuity index" by comparing mother tongue with the language spoken most often at home (home language). This index is used to measure the linguistic health of the groups concerned. The index for Quebec is 1.00, which means that, for all practical purposes, the number of individuals speaking French at home matches the number whose mother tongue is French, although they are not necessarily the same individuals.

In New Brunswick, particularly in areas near the border with Quebec, the index is close to 1.00, a figure on which demographer Jacques Henripin

based his reference to the remarkable resistance to assimilation of New Brunswick's Acadians (*Language and Society* 24). In northern and eastern Ontario, where two-thirds of Franco-Ontarians live, the index is above 0.80. For some time, Franco-Ontarians appear to have been showing greater resistance to assimilation. Henripin has remarked that the proportion of Franco-Ontarians declined at a rate three times slower in 1981-86 than in 1971-81 and that the continuity index increased slightly, from 70.5% in 1981 to 71.1% in 1986, whereas there had been a decline between 1971 and 1981. However, the situation west of Ontario and east of New Brunswick, where 24% of Canada's minority French-language communities are located, is cause for considerable concern.

Education: belated, uneven, but progress

Since the promulgation in 1982 of the Canadian Charter of Rights and Freedoms, which guarantees the right to instruction in the minority language, Francophones outside Quebec have made significant progress in the area of education. In the two territories and nine provinces outside Quebec, more than 150,000 children attend French-language schools or are enrolled in French classes in mixed schools. Ontario, for

POPULATION BY MOTHER TONGUE

Home Language and Language Continuity Index, 1986

(Source: Statistics Canada — Canada — A Linguistic Profile — Catalogue 98-131)

	Mother Tongue	Home Language	Language Continuity Index
Quebec	5,408,985	5,343,210	1.00
New Brunswick (Total)	237,545	219,350	0.93
North and East New Brunswick	222,065	210,535	0.96
South New Brunswick	15,480	8,815	0.58
Ontario (Total)	484,310	340,545	0.71
North and East Ontario	310,520	252,625	0.81
Rest of Ontario	173,790	87,920	0.51
Newfoundland and Labrador, Prince Edward Island and Nova Scotia	44,400	30,315	0.69
West and North of Canada	179,625	82,260	0.46
Total Francophones outside Quebec	945,880	672,470	0.71

example, has a higher enrolment (94,200) than does the Commission des écoles catholiques de Montréal, and the number continues to increase. There are 150 homogeneous French-language schools in New Brunswick. Manitoba now has 15 such schools with 3,230 students, and Nova Scotia has 12, with 1,959 students. Growth in the three western provinces has been remarkable, with a 60% increase in enrolment over two years, although the figures are still modest — seven homogeneous schools with 1,170 students.

Significant progress has also been made in half the provinces and in the Yukon, where Francophones have been given responsibility for the management and control of their educational institutions. Angéline Martel has documented progress and shortcomings in a recently released study entitled *Official Language Minority Education Rights in Canada: From Instruction to Management*. For years New Brunswick has had

parallel English- and French-language educational systems. The first wholly French-language school boards in Ontario (in Ottawa and Toronto) were not established until 1989-90, but there are plans for others. In Prince Edward Island, a French-language school board was created at the provincial level in 1990. Approximately one year ago, subsequent to the March 1990 Supreme Court ruling in the Mahé case, several jurisdictions, in particular Alberta, Manitoba, British Columbia and the Northwest Territories, reacted slowly but on the whole favourably to the demands of their Francophone communities with respect to education.

At the post-secondary level, New Brunswick justly prides itself on the Université de Moncton, a wholly French-language institution, and Ontario has three bilingual universities providing a range of programs in French to approximately 15,000 Francophone students. Ontario has also just

established the Cité collégiale, its first French-language community college, with campuses in Ottawa, Hawkesbury and Cornwall; others will follow. We should also mention Université Sainte-Anne in Nova Scotia, Collège universitaire de Sainte-Boniface in Manitoba and the University of Alberta's Faculté Saint-Jean in Edmonton, all of which offer their courses in French. Five provinces other than Quebec now have French-language post-secondary institutions.

Needed: a legal, social and institutional framework

A good legal, social and institutional framework, where it exists, goes a long way to supporting the vitality of minority communities. Many Francophones in New Brunswick and Ontario live in environments that have the means to ensure their linguistic development. French has been one of New Brunswick's official languages since 1969, and relations between the two principal com-

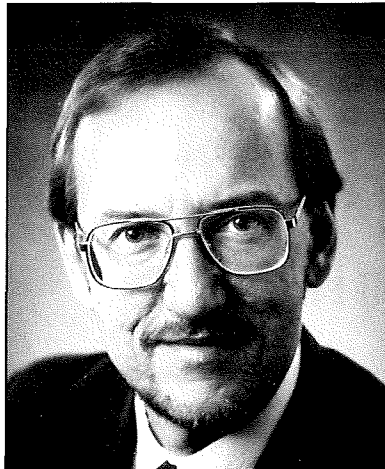
munities are governed by the Act Recognizing the Equality of the Two Official Linguistic Communities. Furthermore, in several counties in New Brunswick Francophones are easily in the majority, and in certain bilingual districts or municipalities such as Moncton there has been a marked improvement in French-language services. In Ontario, through legislation that came into force less than two years ago, Francophones have access to a full range of government, health and social services in 22 designated regions and more than 30 municipalities, including those with the largest Francophone populations, provide services in French. The municipalities that last year declared themselves to be unilingual account for less than 9% of the province's total population. An extensive private infrastructure consisting of caisses populaires, festivals and so forth complements these municipal services. Although the deprivations of the past cannot be forgotten, the recent dawning of a new and promising era cannot be ignored.

The small communities

Because small communities are so widely scattered and the provincial legislative frameworks are less favourable to them, their linguistic situation continues to be difficult and requires heroic efforts. In spite of this, a number of such communities are doing very well. For example, the Francophones in Winnipeg/Saint Boniface have just won the right from the City of Winnipeg to an expanded range of services in their language. Manitoba Premier Garry Filmon recently told a general meeting of the Société franco-manitobaine of his government's commitment to improving health and social services in French. In Vancouver, a Francophone beacon over the Pacific Ocean

has been established in the form of the Maison de la Francophonie. In Gravelbourg, Saskatchewan, Collège Mathieu, which was destroyed by a disastrous fire, has been rebuilt. Several French-language school/community centres have been established, for example, in Mainland, Newfoundland, and in Calgary, Alberta. Many minority communities, among them Clare, Nova Scotia, and Saint Boniface, Manitoba, have established community radio stations. The determination of small Francophone communities in the face of challenge is remarkable and deserves better than the ignorance, indifference and even contempt expressed by some.

The vitality of their associations is outstanding. They include the Association culturelle franco-canadienne in Saskatchewan, the Fédération acadienne de la Nouvelle-Écosse and functional associations of parents, women, young people, journalists or members of the legal community. These groups usually express themselves clearly and lobby their govern-



Guy Matte

ments vigorously on major issues of the day, with varying results. Many groups, for example, have submitted reports to various constitutional commissions, primarily the Bélanger-Campeau Commission in Quebec, which was viewed as likely to have a decisive impact on their future.

Francophones outside Quebec: greater mutual respect

The provincial associations of Francophones outside Quebec

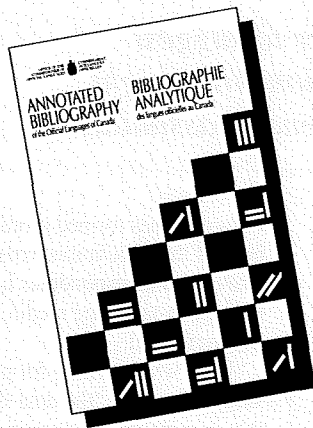
are determined to make Quebecers aware that they all belong to the "same big family" of Francophones in America. They have pointed out that Quebecers do not know them well and therefore do not always show them the respect they deserve. Quebec's intervention in support Alberta and against the Francophone parents in the well-known Mahé case involving the management and control of French-language schools in

Alberta, for example, scandalized more than a few Francophones outside Quebec. They point out that both groups have much to gain from greater mutual respect and assistance. Franco-Ontarians have spoken of the rapid expansion of their caisses populaires. Opportunities for greater economic cooperation with Quebec should not be overlooked. Similarly, more fruitful exchanges in the fields of vocational training, education and culture may also be helpful.

Most associations of Francophones outside Quebec have been reluctant to make clear statements on the constitutional future of Quebec, not because they lack feeling for Canada, but to avoid possible accusations of interference, even though some options open to Quebec may prove costly to them. However, some groups, including Franco-Manitobans and Franco-Albertans, have firmly expressed their preference for renewed federalism and have asked Quebecers to consider this option. There has even been persuasive talk of a partnership between Quebec and Francophones outside Quebec, and a Francophone community that would continue to be pan-Canadian. Guy Matte, President of the Fédération des francophones hors Québec, speaking at a news conference on March 7 on ongoing constitutional reform, stated that Canada must continue as a federal political entity and emphasized that negotiations in this area must recognize, among other things, the need to preserve the country's linguistic duality. ■

(Our translation)

Now Available...



An annotated bibliography, commissioned by the Office of the Commissioner of Official Languages and prepared by the International Centre for Research on Language Planning, Laval University, is now available. The publication, which complements the previously published "Our Two Official Languages Over Time", is an excellent reference document describing the principal works published on official languages in Canada from 1960 to 1989, including the attitudes of Canadians to bilingualism and language rights.

Copies of the "Annotated Bibliography of the Official Languages of Canada" may be obtained from:

Communications Branch
Office of the Commissioner of Official Languages
110 O'Connor Street
Ottawa, Canada
K1A 0T8 Telephone: (613) 995-0826

LANGUAGE POLICY IN TOMORROW'S CANADA

*Vision d'avenir***8.** Findings Await
an Action Plan

Gilles Laframboise*

Young Francophones in minority communities want to speak French and hope that their children will too, but in their everyday life they have become "culturally bilingual".

This is the picture that emerges from the most recent reports of *Vision d'avenir*, a wide-ranging research study on the assimilation of young Francophones in minority communities. Conducted by the Commission nationale d'étude sur l'assimilation, which was established by the Fédération des jeunes Canadiens français, the study has resulted in the publication of four documents on the future of the French language and culture in Canada.

The last of these documents, the final report, will be made public by the Fédération in June. It will contain a summary of the hearings held throughout Canada last fall, but most importantly the results of a sur-

vey on the linguistic behaviour and cultural awareness of young Francophones. It will also present models and recommendations for checking assimilation in minority communities.

An article in *Language and Society* 34 (Spring 1991) summarized the first research documents and described the objectives of *Vision d'avenir*.

La crème de la crème

In conducting their survey, researchers under the direction of Roger Bernard, a professor at the University of Ottawa, administered a questionnaire to nearly 4,000 young Francophones living in minority communities outside Quebec and attending a French school. Each participant was questioned for approximately 45 minutes.

"It must be understood," Professor Bernard comments, "that our sample of 15 to 24 year-olds does not reflect the opinions of all young Francophones in minority communities, but only the thoughts of those who have chosen to attend French schools, a group that might be called 'la crème de la crème'."

In such a study it would have been impossible to isolate the other Francophones, those who were unable to attend a French school for want of access, those who are firmly embarked on the path to assimilation or those who are already part of the English majority.

The approximately 100 tables prepared by the research team

describe linguistic behaviour at home, with friends, in the school setting and in the work environment, cultural activities and attitudes towards the French language and its future in Canada. The data even make it possible to evaluate the differences between families where both parents are Francophones and those where the father or mother is an Anglophone.

They also show the linguistic progress of young people who were asked to describe their language habits at age 6, at age 13 and at the time when they completed the questionnaire.

According to Bernard, the mass of data collected did not reveal unexpected patterns of behaviour, but served mainly to quantify what was already suspected, that "as young Francophones grow up, they become more bilingual and then assimilate."

while they believe that "French is important" and that their own children should attend French schools, their cultural behaviour belies this belief.

French no longer has "its" place

"We can confirm that there is no longer any purely French enclave among these young people, no area where French is used exclusively," Bernard reports. "At best, the environment is bilingual, even in the census subdivisions where Francophones form the largest group."

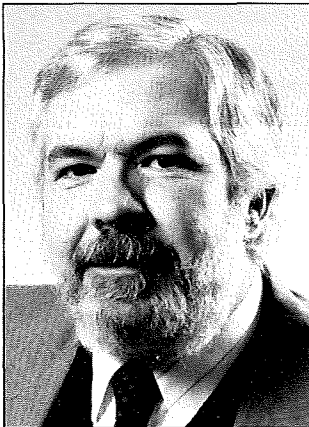
In order to accurately understand the relationship between young people and the media, the researchers measured 12 activities. "Regardless of whether it was television, radio, video games or films on videocassette, in all the communities, even where

"We prefer to suggest proven solutions that might help reverse the trend to assimilation."

Moreover, a majority of them — nearly 60% — are very aware, especially in this period of national grumbling and groaning, of the danger that lies in wait for them as Francophones. This strong majority of respondents believes that the future of the French language is "uncertain" in Canada. And,

Francophones formed more than 60% of the population, young Francophone respondents listen to English-language media," Bernard noted.

"Even when writing for pleasure," he added, "the data show that in minority communities young people prefer English to French, even in heavily Franco-



*Gilles Laframboise is a freelance journalist.

phone areas of Ontario and New Brunswick."

However, according to Gérard Bertrand, who is well known in Francophone circles in Ontario, "It remains to be seen whether

"It is necessary to create cultural centres."

this sobering finding marks a new and deep disaffection for French on the part of young people, the warning signs of the rejection of a language and the culture that goes with it, or a phase of rejection in the life of young people who will later regain a feeling of attachment and faithfulness to their rediscovered language and culture."

An end to the doom and gloom

In its final report the Vision d'avenir project might have simply denounced the present situation, but, as project coordinator Matthieu Brennan explains, "We prefer to put an end to the doom and gloom and suggest models that work, proven solutions that might help to reverse the trend to assimilation and take us away from the paths that lead to it."

As we go to press the project directors are putting the final touches to a dozen recommendations. All are based on the research findings and public hearings in which hundreds of people from all across Canada actively participated.

Among the success stories, Brennan notes, is the concept of the school and community centre. "It is no longer enough to have a school; it is now

necessary to root the language in the culture, to create cultural centres", he stated.

This requirement implies a new and less restrictive definition of the school. In the view of Vision d'avenir, the school in the minority community must also be the community centre, the focus of the entire Francophone community. "It would not be unusual for supporters of abortion to hold a meeting at such a school one evening and for opponents of abortion to do the same the next week, for example."

For Brennan, the school must also be an outlet for cultural life and not restrict itself to dealing with school subjects. "The culture must be alive," he says, "and young people must understand that 'punk' can also exist in French."

The final report also cites the model of the medical and social centre to provide social and

health services to Francophones in minority communities. The only such centre in Canada, located in Toronto, has not only succeeded in providing services to Francophones in the region but is also the gateway to Toronto's specialized hospitals for a great many Francophones from Northern Ontario.

"The centre in Toronto, which is similar to Quebec's local community service centres," Brennan remarked, "is proof that it is possible to innovate, to break out of traditional government structures, in order to respond adequately to the needs of Francophones."

In the coming months the Fédération des jeunes Canadiens français will attempt to integrate the project's conclusions into its activities and distribute the report among minority community and government leaders. ■

(Our translation)

Inside the Federal Public Service: Languages at Work

Michael O'Keefe

If success is good management in action, then two surveys of public servants on language issues highlight both the degree of success achieved and the areas where policies can and should be improved. The most recent, a 1990 survey conducted by the Professional Institute of the Public Service of Canada (PIPS), a union representing professional and scientific employees in the federal Public Service, was sent to its 21,075 members. It received 7,687 completed questionnaires, a 36% rate of return.

PIPS survey

Since the study deals only with the PIPS membership it is difficult to draw general conclusions regarding language in the federal Public Service based only on this poll. For instance, 42% of the PIPS respondents were auditors, computer system administrators and scientific researchers. These employment categories represent less than 5% of the Public Service's 214,494 employees. There are only half as many women respondents and fewer Franco-

phones in the PIPS survey and membership relative to the Public Service as a whole. The results are nonetheless interesting.

The survey showed that 79% of respondents considered themselves familiar or somewhat familiar with the Official Languages Act and 82% with official languages policy. However, only 61% said they were familiar with their rights under the Act. Two-thirds of respondents expressing an opinion believed that the Act is applied equitably and fairly

in their workplace. Fewer than one in five (17%) did not think the rights of both official language groups were defended equitably.

The survey reveals that only 6.6% of respondents felt that the government's language policies had a negative effect on their ability to obtain an initial position in the Public Service. Only one in four reported that the policy has had a negative impact on their advancement in their category. Most (66%) reported that they would apply for a position for which they



did not meet the language requirements; 25% said they would not.

One-third of respondents had taken language training at government expense and most (78%) felt the length of the training was sufficient. Three out of four (72%) in bilingual positions agreed that there is an actual need for the use of both languages and 73% agreed with the bilingual designation of their position.

Where language of work is concerned, 83% reported that they are able to communicate in the official language of their choice with most of their colleagues and 90% stated that they are able to communicate with their supervisors in the official language of their choice.

The government must bring in language of work regulations.

However, a third of Francophones reported that they could not communicate with their supervisor in French and 41% reported that job-related courses were not available in their language. Interestingly, while 61% of all respondents stated that work instruments are available in both languages, only 55% reported that they work in regions designated bilingual. It is difficult to generalize on the availability of work instruments in English and French within the Public Service based on this survey since PIPS members work in largely scientific and technical areas, where the specific problems relating to the availability of documentation in French are well known.



Iris Craig, President of the Professional Institute of the Public Service of Canada

Statistics Canada survey

Perhaps the more significant of the two surveys is the 1989 study on "Barriers to Advancement in the Public Service" conducted by Statistics Canada on behalf of the Task Force on Barriers to Women in the Public Service. The methodology of this study raises fewer concerns regarding self-selection given the size of the sample, the rate of return and the fact that the questionnaire does not focus solely on language issues.

Statistics Canada sent the questionnaire to 20,000 public servants and received 12,044 completed questionnaires, an extremely high (60%) rate of return. The sample for this survey was carefully selected to represent men and women from all departments and agencies, all groups and classification levels and all areas of the country.

The survey revealed that 18% of respondents identified having appropriate skills in the other official language as very or somewhat important in getting their current position. When asked to identify the first most important factor in getting their current positions 31% of respondents identified educational qualifications, 18% previous work experience, 12% the opportunity to act in a position prior to appointment, 3% access to appropriate

training, 2% developmental assignments which prepared them for the job and 2% appropriate skills in the other official language.

The respondents were asked whether they had been denied a promotion during the last three years for reasons having nothing to do with their skills and 51% said yes. Asked the reasons they think they missed out on a promotion, 7% identified being either an Anglophone or a Francophone as the first

most important factor. Taking into account the representation of the two groups in the sample, Anglophones were marginally more likely identify their linguistic group as a reason for being denied promotion. The most frequently cited reason had to do with "not being part of the group". Other frequently cited reasons had to do with the manager/supervisor not wanting to replace the person, not supporting the person's application, thinking they were not giving information about the job or not getting along with the person.

Respondents whose career plans for the next five years included promotion or reassignment of some sort were asked what would help them most in realizing their career aspirations. Since the question was open-ended the answers ranged widely. These included 6% who cited language training, 5% to be bilingual and 2% less bilingualism. Among the 19% whose career plans called for "no change" in jobs during the next five years, 5% identified language barriers they faced as the first most important factor.

The rules of the game

In presenting the results of its survey to the Standing Joint Committee on Official Languages, PIPS emphasized the

need to review imperative staffing procedures. Imperative staffing means the candidate must meet the language requirements of the position at the time of appointment. These views were also echoed by the Public Service Alliance of Canada (PSAC). It should be remembered that Section 91 of the Official Languages Act specifies that when staffing a position the official language requirements must be "objectively required to perform the functions" of the job. Both PIPS and the PSAC attested to their members' genuine desire to have greater access to second-language training. Both also emphasized that they and their members fully support the provision of federal services to the public in the citizens' official language of choice.

As PIPS concluded in its brief to the Standing Joint Committee: "One overriding concern summarizes the problems both language groups have with the federal government's Official Languages Policy. It is the lack of commitment, on the part of government to a bilingual public service." In this regard the government's task force on renewal of the Public Service, PS2000, provides a unique opportunity to address official language issues within the Public Service.

The 1990 Annual Report of the Commissioner of Official Languages and previous Annual Reports have repeatedly raised the availability of work instruments and job related courses in both languages, the impact of imperative staffing practices and access to language training. These concerns are reflected in the Commissioner's recommendation that the government bring in regulations under the Official Languages Act governing language of work. PIPS agrees that regulations are needed to help clarify the rules of the game. ■

Press Review

The Season of the Commissions

Tom Sloan

The first half of 1991 might well be described by future Canadian historians as the Season of the Commissions as Canadians talked to and at one another in greater numbers and with greater intensity than ever before.

Of the three groups that drew the most attention, two were, not surprisingly, from Quebec. The first to issue a report was the constitutional committee of the Quebec Liberal Party, chaired by businessman Jean Allaire. The second was the Bélanger-Campeau commission on the future of Quebec, created in 1990 by the Quebec National Assembly, which issued its report in mid-March. The third was the Citizens' Forum on Canada's Future, generally known as the Spicer commission, which started its inquiries into the thoughts and suggestions of Canadians late in 1990 and is scheduled to deliver its final report on July 1.

Allaire

The Allaire report, which called for sweeping constitutional changes that would radically reduce the jurisdiction of the federal government, had critics as well as defenders, even in Quebec. Wrote Lysiane Gagnon in *La Presse*: "The Allaire report is distinguished not only for its ambiguity and



pathetic contortions to which it resorts to conform to the polls. What is also striking is the poor quality of the document, its slapdash research and its stupefying ignorance of the rest of Canada." It was a report based only on political opportunism, she concluded.

The paper's editorialist-in-chief, Alain Dubuc, was sharply critical of the five-word dismissal of any sort of Senate as an insult to Canadians who for years have worked diligently for Senate reform. The basic shortcoming, however, was elsewhere. "Until now, Liberals have tried to change the status of Quebec to allow it to be more comfortable within Canada, as with the five conditions of Meech. But the Allaire report tries to change the whole of Canada to make it acceptable to Quebec."



Raymond Giroux of Quebec's *Le Soleil*, could not have differed more. Despite all the criticisms, "the ultimatum of the Liberal Party to the federalists has relaunched the whole debate loudly and strongly in Quebec and in Canada. It may have bombed with the critics, but we can say with no risk of error that it is a real popular success."

And, in a long three-part series in *Le Devoir*, publisher Lise Bissonnette cautioned Premier Robert Bourassa against

indulging in false hopes and over-flexibility. Speculating that the premier might be hoping for a more or less acceptable response from the rest of Canada, on the basis of which a compromise might be worked out, she issued a stern warning: "If that is Mr. Bourassa's game, it is the worst one imaginable, for it is no longer a matter of tactical changes in matters of minor importance. By endorsing the Allaire report, the premier has committed the credibility of Quebec. He cannot retreat in disorder without compromising the new political balance that has been achieved with difficulty since the 1980 referendum. He would be tinkering, for partisan reasons, with the future of a people; and he would risk blocking that future for a long time."



Across town, the Montreal *Gazette* seemed to be in favour of a little tinkering. In an editorial entitled "More realistic than it looks", the *Gazette* contended that, in fact, the Allaire proposals and the party's acceptance of them were really an essential part of the negotiation process. "The policy is indeed...quasi-separatist. But it is far from the last word." The real negotiations the *Gazette* saw as still ahead.

The significance of the Allaire report was variously interpreted



elsewhere. The *Globe and Mail* saw a need to look beyond the report and hope for some federal leadership that would produce new, acceptable proposals. "It is important that Canada not allow Mr. Bourassa alone to define the agenda for the nation. An independent alternative must be devised — an alternative vision that has the power in its own right to compete for the support of Canadians everywhere."

The *Ottawa Citizen* stressed the ambiguities inherent in the situation. "To many Canadians, Premier Robert Bourassa may not look like a federalist, talk like a federalist or walk like a federalist, but in mainstream Quebec these days, he is as federalist as it gets." The paper called for patience from other provinces to provisionally accept the determination of Quebec to negotiate directly with Ottawa.

Bélanger-Campeau

The report of the Bélanger-Campeau Commission, which called for a referendum to decide Quebec's future before the end of 1992, received strong support in the Quebec press.

One strong backer was Jean-Jacques Samson in *Le Soleil*. "The Bélanger-Campeau proposal has exceeded our greatest expectations and has the merit of being simple and straightforward. It will allow us to better



measure the 'worthwhile risk' of renewed federalism under the threat of a guillotine that is hanging over the head of English Canada. If a satisfactory fundamental change in the structures of the country is not submitted to us before the 1992 referendum, Quebecers will give a strong and clear answer to the question."



For Lise Bissonnette in *Le Devoir*, the next 18 months could well be a dangerous period involving devious political manoeuvrings both within and outside Quebec. "What may be lying in wait is a dead end of confusion. Contrary to a myth that comes from I know not where, Mr. Bourassa is not an excellent constitutional strategist. All the dealings he has had in the field with Canada since his political debut have ended in impasse or failure. The ones now beginning are the most difficult of any of them. He will not escape from them without making enormous compromises that risk either attaching Quebec to a Canada that is still in a state of crisis or simply leading to another impasse. In its panic, the federalist camp can only hope to devise some ambiguous solution. It is morally indefensible once again to mortgage our future in such a way. If Canada has no clear idea of where it wants to go, no one has the right to harness Quebec again to a will-o'-the-wisp."

To *La Presse's* Alain Dubuc, the most surprising aspect of the report was that it offered a reprieve to allow new efforts to devise some sort of new federalism. "The real consensus... is that Quebecers want a profound change, which could come about in two ways, sovereignty

or the renewal of federalism.... This approach gives the premier enormous space in which to manoeuvre."

The sharpest attack came from Marcel Adam, also of *La Presse*, who called it: "The biased report of a partial commission", a commission stacked with anti-federalists. "It would have been very difficult for the handful of other commissioners who were not entirely wedded to the nationalist vision to have prevailed with a more balanced historical perspective."

The *Montreal Gazette* also adopted a harsh tone. It described the document as "a crude ultimatum to the rest of Canada." There was one ray of light. "This report is no more binding on the government than any other report would be."



In the West, the *Calgary Herald* called for a comprehensive, long-term approach. "Canada's response... should be neither hasty nor limited. Despite the commission's call for a sovereignty referendum in 18 months there is still time to renew federalism. There is also the real possibility of that renewal occurring over a longer time-frame, without Quebec.... Both options must be explored while the nation prepares for another, perhaps final, round of constitutional negotiations involving all the members of confederation as it now stands."

To the *Edmonton Journal*, however, 18 months is "an impossible deadline." The only hope it saw was for the rest of Canada to float new ideas on the Constitution, in which case "Bourassa might be able to sidestep the demand for a legally binding proposal from the rest of Canada."

Spicer

Unlike the other two commissions, the Spicer commission did not receive a great deal of attention from the French-language papers, but was under the close scrutiny of the English-language press, where the reviews were mixed.

The commission's interim report, which identified a number of thorny issues, including distrust of politicians and suspicion of official languages and multiculturalism policies, caused a split in editorial opinion.

The *Victoria Times-Colonist*, for instance, commented: "The commission's largely undefined mandate to engage in national soul-searching virtually assured that it would become just a convenient platform for national belly-aching.... this costly and long-winded process is unlikely to bring Canada even one step closer to the goal of constitutional reform and effective power-sharing."

However, the *Edmonton Journal* saw the report as a means of bringing Canadians face to face with their own realities. "Canadians have to be concerned by the continuing gap between Quebec and the rest of Canada. If it is not closed the two solitudes of other years will

become two countries in the future. Is that what Canadians really want?... Two monologues are now in being. Ottawa, the traditional bridge, will attempt to draw them together.... If it is to succeed, Canadians outside Quebec will have to overcome attitudes towards Quebec that, according to Spicer, strongly persist. Quebec too will have to rediscover positive feelings towards Canada that at present seem mortally weak. Are Canadians ready for such sea changes?"

The last words on the subject could, perhaps, go to Pierre Gravel of *La Presse*. The real value of the commission, he suggested, is therapeutic, allowing Canadians, especially English-speaking Canadians, to blow off steam — Franco-phones having had several recent opportunities to do the same. However, he warned, "Those Canadians... who expect from the Spicer commission new information and useful advice to get us out of the present crisis risk being disappointed. To avoid falling into a new depression when the final report is published, they would be well advised to take it for what it really is: an improved hotline for a desperate and despairing country." ■

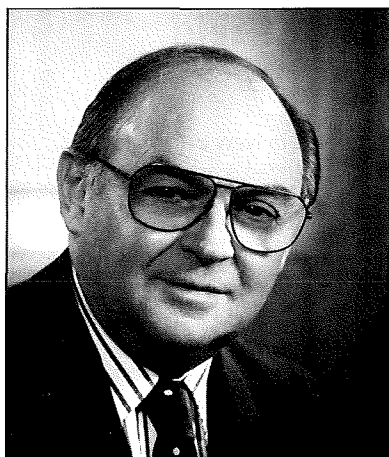
A statistic

Only two people out of the more than 1,000 at the last Governor General's Awards presentation requested the instant interpretation earphones available. The *Globe and Mail* called it "perhaps the only cultural event in Canada — especially when held in Montreal — to bring into one room large numbers of Anglophone and Francophone writers, poets, journalists, publishers, editors, illustrators, translators and playwrights." The lack of interest in the interpretation devices was a measure of the ceremony's bilingualism, the *Toronto daily* commented.

Language of Work — Regulations Needed!

André Creusot

Readers will recall that last November 8 the government tabled the first set of proposed draft regulations under the Official Languages Act, those on communications and services (see *Language and Society* 33 and 34). Referred for study to the Standing Joint Committee on Official Languages, they were presented and explained to the Committee by the President of the Treasury Board, Gilles Loiselle. At the December 4 session, Loiselle stated, to general surprise, "...we are not



Gilles Loiselle

planning to propose regulations on these matters [language of work] in the near future because, in our view, they are not required."

To fully understand the significance of this statement, it should be noted that regulations have a special place in the hierarchy of texts that define rights and obligations. At the top is the *Constitution*, followed a little lower by *statutes*. Then come *regulations*, which derive

directly from statutes. Thus, regulations come well before *administrative instructions* (directives, procedures, policies, etc.), whose existence does not necessarily depend on a statute. While not, strictly speaking, being legislative in nature, regulatory texts have a status well above that of administrative instructions.

That is why the President of the Treasury Board's statement caused something of a stir among those concerned with such matters. The very next day, members of the Committee raised the issue with the Commissioner.

Without, of course, answering for the government, the Commissioner stated first of all that "If these regulations were not useful or required, they would not have been spelled out in considerable detail in the Act itself." The legislator, in fact, devoted nearly half of the part of the Act on language of work to various regulatory procedures. These details were not provided for nothing.

Those familiar with the situation of our two languages in the federal administration realize that only a text with regulatory status can bring about the required equality of status in the workplace. One need only consider Crown corporations, which account for fully one-third of all federal employees and where Treasury Board directives did not apply in the vast majority of cases, to be aware of this fact.

What reason is there, then, to think that the situation is now better and to state that it is not necessary to adopt the regulations provided for in the Act, especially since many of the directives still in force are no longer relevant to the present situation? Some no longer comply with the Act (in particular, because they do not apply to Crown corporations), and, taken together, these directives — issued as required over a period of some 15 years — constitute a jumbled mass that is very difficult to apply. For want of regulations the government risks being faced with a large number of court cases, and the decisions of the courts might be more restrictive.

Our audits and the complaints we receive continue to show the persistence of obstacles to the free use of French, a fact borne out by the results of a survey of its members by the Professional Institute. One supervisor in four does not meet the language requirements of his or her bilingual position, and many of those who are bilingual in theory cannot, in fact, perform their duties in both official languages: meetings, supervision, performance evaluation and other types of communication therefore take place in the language of the supervisor rather than in that of the employees, to say nothing of the other linguistic constraints to which employees are subjected. In the circumstances, the "work environments that

are conducive to the effective use of both official languages", which constitute the central element in the Official Languages Act's provisions on language of work, represent a distant utopia rather than a realistic and feasible objective. Only regulations will bring about the required renewal in language of work: first of all, by defining certain parameters that will breathe life into the still empty concept of "conducive environment"; then by making a clean sweep of what has become a morass of directives; and, finally, by providing a new impetus from the highest levels of government to fully implement the intention of the legislator.

As if all these reasons alone did not suffice, the Treasury Board itself has provided another in a study, published last March 23 in Part I of the *Canada Gazette*, on the impact of draft regulations on communications and services. Examining the "alternatives considered", it states: "The option of avoiding the use of regulations, in favour of issuing additional Treasury Board directives without the force of law, was considered but rejected because the legislative framework of individual rights and institutional obligations regarding federal services in English and French would remain incomplete." It would be hard to be more convincing — or more contradictory. Why would what applies to the provision of services not also apply to the choice of language of work? ■

(Our translation)

A Scandal?

Does It Really Cost \$100 Million To Translate Maintenance Manuals for the Frigates?

Roch-André LeBlanc

Last March 13, Diane Francis wrote a shocking article in *The Financial Post* entitled "Megabucks lost in translation".

The author complained of the supposed excesses that application of the Official Languages Act produced with respect to the translation of manuals for Canadian frigates. She claimed, among other things, that the translation of half a million pages was going to cost \$100 million and would be used by only about 200 French-speaking crew members: \$500,000 per French copy! Even more serious, however, was her assumption that the translation policy was idiotic and scandalous.

We do not know where Ms Francis or *The Financial Post* obtain their information, but a check with National Defence and the Department of Supply and Services showed that the interpretation of the information was erroneous. Let us therefore take a look at the facts before looking at the policy on which decisions of this kind are based.

The technical manuals for the frigates, which are to be translated, represent some 2,000 different manuals, or at most half a million pages, and are to be used for regular first- and second-line maintenance, that is, routine maintenance done on the vessel itself and in navy shipyards.

The cost of translation already contracted for is \$8.7 million

and, according to estimates, might reach \$43.5 million by the time work is completed. Compared to the estimated cost of \$6.2 billion for the 12 frigates, translation expenses represent 0.7% of the total bill. Frigates have their uses, but no one ever said they were cheap.

Further, *The Financial Post* article gave the figure of 200 persons who would rise the translation. Once again, the facts are quite different. The manuals will be used by the crews of five ships: by those of three frigates that will operate in French and by some of those on the training ship and the transport when it is time to rotate crews. In all, National Defence says that at least 900 persons will use the manuals during the first year of the frigates' operation. With crew rotations every three years and a life expectancy of approximately 30 years per frigate, it is expected that at least 9,000 Francophones will use the translated maintenance manuals over the next 30 years.

There is indeed a cost to be paid to enable Francophone personnel to work in the language of their choice, but it does not seem exorbitant.

Translation policy

That said, what are the general requirements of the Official Languages Act regarding language of work? It sets out the principle that only "regularly and widely used work instru-

ments" must be made available in both official languages.

This is also the pragmatic view taken by the aeronautical industry in France, where only manuals for the use of maintenance employees must be in French, while other documentation is in the language of the contractor. The legislation and

its legal interpretation strike a balance between individual language rights and simple common sense, which dictates a judicious expenditure of public funds. Is to imply otherwise, especially during an acrimonious national debate, not to add fuel to the fire? ■

(Our translation)

Richard Hatfield 1931-1991

Mr. Hatfield was a dominant force in New Brunswick politics for almost 20 years and played a prominent role on the national scene especially where official languages were concerned.

While regretting that he never truly mastered the French language, Mr. Hatfield was, in his own words "bilingual in spirit and mind", and played a crucial part in furthering the equality of English and French as official languages of New Brunswick.

It was under his stewardship that the province implemented its 1969 Official Languages Act, adopted an Act Recognizing the Equality of Two Official Language Communities in New Brunswick, amended the Schools Act to provide more comprehensive linguistic equality for English- and French-speaking children, and entrenched bilingual provincial services in the Canadian Charter of Rights and Freedoms.

In a 1988 interview with *Language and Society*, Mr. Hatfield spoke movingly of his admiration for Acadians and their love of fun and music, their politeness, sense of family, hospitality and tolerance. "I loved them for that, and I still do. I'm sure I always will."

We have lost an advocate of tolerance and good will among all Canadians. Richard Hatfield will be sorely missed.

The Annual Report

An Inquisitive Look into Past Achievements, Improvements for the Future and a Partial Thaw in 1990

D'iberville Fortier bows out with a final Annual Report that drives home the point that bilingualism is largely a success story and suggests constitutional measures to ensure linguistic equity in the Canada of tomorrow.

In fact, the Report makes Fortier the only high-profile federal official currently calling for further constitutional entrenchment of the rights of official language minorities and the recognition of language rights as basic rights.

Fortier, who is completing the final weeks of his seven-year mandate as Commissioner of Official Languages, has written his Annual Report — entitled “A Partial Thaw” in reference to relative progress in federal institutions in 1990 — as an official swan-song. It sounds a clear note of cautious hope at a time when Canada's future has rarely looked bleaker.

He looks at the current post-Meech constitutional crisis and appeals to Canadians to make sure that any new constitutional agreement — even if it leads to major redistribution of powers or decentralization — specifically recognizes:

- Not only the status of English and French as Canada's two official languages but also as “fundamental characteristics of Canada.”

- The equal status of both languages in all the activities of the central government as well as the government's duty to promote their equality in Canadian society.

- The duty of the “two principal orders of government in Canada” to acknowledge that “the existing language rights of Canadian minorities constitute fundamental and inalienable human rights.” Fortier mentions existing education rights and the right to use either language in criminal proceedings throughout Canada and in federal courts. Present or future provincial or territorial legislation that advances linguistic rights would be present in a new Constitution in the form of a code of communities. This code would bear on areas such as health and social services for official language minorities, both English and French, and allow for opting in by interested provinces. Ontario is invited to accept the same formal obligations as Quebec in Section 138 of the Constitution and New Brunswick to enshrine the principle of the equality of its two linguistic communities. The latter two points would merely confirm existing legislation.

The long-term and the short-term watch

Fortier looks back on the legal and administrative reforms that shaped language policy during his watch. But in a time of national angst, he also examines language reform in terms of the 21 years since Canada legislated official bilingualism and started appointing a Commissioner of Official Languages to oversee it.

Much remains to be done. But he stresses that in that relatively short time three important things have happened:

- The federal government and Public Service have come to reflect Canada's linguistic duality.
- Official language minorities — due to shifts in provincial policies and public attitudes — are standing taller.
- Official bilingualism enjoys the support of most Canadians.

During his mandate Fortier pushed hard for legislative and administrative reforms that would advance bilingualism. This resulted in the new Official Languages Act in 1988. Afterwards, he had to keep pushing so the government would produce the directives and administrative

regulations that give effect to the principles set forth in the law.

It was a two-year battle. Finally, last November the first and most vital draft regulations, dealing with communications with and services to the public, were tabled in the Commons. But there is still no action in other vital areas.

This is why the title of the 1990 Annual Report is “A Partial Thaw”, a title Fortier says is “the most optimistic” in seven years. “It is much less than we were hoping for, but much better than no thaw at all,” he writes in the preface to his Report. Fortier concludes that the new Official Languages Act has had a positive impact on 20 of the 50 institutions evaluated in the Report, especially on services to the public. But he underscores lack of progress on the use of French in the workplace outside Quebec and deplores the unwillingness to introduce the draft regulations that would get action in this area.

Where official language minorities are concerned, Fortier's Report provides a fascinating demographic analysis which shows that official language populations were relatively stable. For example, between 1976 and 1986 Francophone minorities decreased somewhat as a



percentage of population because of immigration, but increased numerically.

He has special praise for the Department of the Secretary of State which, after helping minorities develop representative institutions, focused its efforts in the 1980s on effective community development projects.

Outside Quebec, Franco-phone minorities are experiencing "a cultural renewal". And, as Fortier points out, in the three provinces where 76% of official language minorities live — Ontario, Quebec and New Brunswick — an acceptable infrastructure of education and other essential services now exists.

Fortier writes that a movement that started with the Royal Commission on Bilingualism and Biculturalism in the 1960s and was "consolidated" in the Charter of Rights continues. "After more than 20 years of effort our minority official language communities are still a long way from being in an ideal situation. However, it is worth remembering that in many respects Canada and the provinces have moved well beyond the recommendations of the B and B Commission and that the initial momentum is by no means exhausted."

Progress on linguistic duality is, however, only one part of the equation.

Through many pages of rigorous analysis Fortier warns that Canada is at the crossroads. But where others see an end-game, Fortier suggests that we may be witnessing the opening gambits in a decisive new round of constitutional reform.

He recalls that the B and B Commission recognized that "the two dominant cultures in Canada are reflected in distinct societies." And, while governments may have had trouble coming to grips with this,

writes Fortier, successive studies and consultations have not.

In a chapter entitled "Retrospective: From One Crisis to Another", Fortier looks at the 1981 Constitutional Accord, which Quebec did not have a role in negotiating but which gave Canada its Charter of Rights, the failed Meech Lake Accord and the current situation.

He concedes that the Charter safeguards language rights in many ways but warns that "its symmetrical approach eludes the Quebec question."

Fortier points out that every serious look at the Canadian federation during the last three decades — the B and B Commission, the National Unity Task Force (the Pepin-Robarts Commission) and the Royal Commission on the Economic Union and Development Prospects (the Macdonald Commission) — openly or tacitly recognized

that Quebec constitutes a distinct society.

He concludes that Quebec, as the only province in which Francophones are the majority, has always "felt the need to define itself in terms of the far larger Anglo-phone majority in Canada and North America." Collective insecurity about language, fuelled by concern about assimilation, has led Quebecers to take measures to protect their language and culture. Fortier argues that recognition of Quebec as a distinct society will provide a sense of cultural security that will allow Quebec to truly feel part of Canada.

Recognition of linguistic duality and Quebec as a "distinct society" were at the heart of the defunct Meech Lake Accord, which Fortier supported.

"Today," Fortier writes, "we are once again in the depths of a crisis whose

consequences we cannot yet fully assess. What is certain, however, and what recent history has taught us, is that we shall be unable to maintain the cohesion of Canada without full recognition of all aspects of its linguistic duality and the obviously distinct character of Quebec society."

As Fortier takes his leave he sees a troubled country, but one in which the national government reflects Canada's linguistic duality, official language minorities are on a more solid footing and where surveys continually show that most Canadians support linguistic duality, despite the noise generated by bilingualism's opponents.

His message seems to be this: We can build on our impressive national achievement with language — or dash it to pieces by turning the opening moves in a new constitutional round into an end-game. P. C.



Martel Study

On April 10, the Commissioner of Official Languages gave a copy of the Martel study to representatives of those chiefly concerned — students. The study, details of which we gave in our last number (No. 34, p. 38), deals with the general scope of Section 23 and the problems involved in implementing it in Canada.

The photo shows D'Iberville Fortier and some young friends at École Jeanne-Sauvé in Orléans, Ontario.

*The New Regulations***Report of the Standing Joint Committee**

The proposed draft regulations on communications and services, which were tabled by the government on November 8, 1990, were examined by the Standing Joint Committee of the Senate and the House of Commons on Official Languages between December 4, 1990, and early May 1991. In the course of 16 public hearings, the Committee heard from the President of the Treasury Board, the Commissioner of Official Languages and representatives of minority federations and communities, of certain interested groups, of Public Service unions and of federal agencies.

On May 7 the Committee submitted the conclusions of its review to Parliament. Its report first of all describes the proposed draft regulations; it then summarizes the hearings it held and the briefs it received and, finally, it formulates seven recommendations.

Two of the recommendations are intended to establish the very principle of the language rights of Canadians who speak a minority official language. On the one hand, the Committee recommends that care be taken to ensure that the regulation establishing a certain number of "bilingual offices" in major centres is fully consistent with the Charter and the Official

Languages Act. On the other, it recommends that the rights of the travelling public now recognized in Ontario, Quebec and New Brunswick be guaranteed for the future. The other five recommendations concern the creation of a framework to promote the general exercise of these rights. The government should consult the linguistic minorities concerning the manner of organizing services, give instructions concerning the active offer of service in both languages (a *sine qua non* for equitable service in the minority language) and make as much use as possible of new technologies and of the minority press in order to meet the Act's objec-

tive regarding the vitality of the linguistic minorities.

The Committee concluded by inviting "the competent authorities to display generosity toward minority official language groups and more especially toward the less numerous and more isolated groups."

The report was accompanied by three dissenting opinions from two Liberal members of Parliament, one New Democrat and one Progressive Conservative.

The Commissioner believes that the draft regulations can easily be improved before their final adoption. Look for further information in our next number. *A.C.*

THE LEGAL SCENE

Jacques Robichaud

1. REGINA, SASKATCHEWAN

Friday, April 19

The Court of Appeal ruled that, pursuant to the Mahé decision handed down last year by the Supreme Court of Canada in an Alberta case, Section 23 of the Canadian Charter of Rights and Freedoms recognizes the right of the linguistic minority to manage its own schools and that this right also applies in Saskatchewan.

The Court also ruled that the province's school legislation does not comply with Section 23, but it refused to order the government, as requested by the applicants, the Association des parents francophones, to rectify the present situation by meeting its constitutional obligations. To do so would have obliged the provincial legislature to pass appropriate legislation. To date, no court in Canada has so ordered.

2. SAINT-JÉRÔME, QUEBEC

Monday, April 15

In the trial of three English-speaking Mohawks accused of having committed criminal acts during the Oka crisis, a judge of the Superior Court allowed the Crown attorneys to use French in their pleadings. The Court thereby gave precedence to Section 133 of

the Constitution Act, 1867, over the amendments recently made to the Criminal Code recognizing the right to be tried before a judge, or a judge and jury, who speaks the official language of the accused. Under these amendments, an accused and his counsel may also use either official language at the preliminary inquiry and the trial or in written pleadings, while witnesses have the right to testify in either official language. The amendments provide that the accused has the right to require that the Crown prosecutor speak the same official language as he does and that the court is required to offer interpretation services to the accused, and to counsel and witnesses.

3. SAINT-JÉRÔME, QUEBEC

Thursday, May 2

However, on May 2, in Saint-Jérôme, in the Montour case, a similar trial also involving English-speaking Mohawks, a judge of the same Court ruled that Section 133 of the Constitution Act, 1867, protects the language rights of private individuals who find themselves before the courts by no choice of their own, but not the rights of Crown attorneys. In his opinion, Part XVII of the Criminal Code does not contradict Section 133 because it does not oblige the attorney to choose one official language; rather it gives the accused the right to have an attorney who agrees to use his language. The Crown then has the responsibility to assign the case to counsel capable of doing so.

*Regional Roundup***News from the Regional Offices****Newfoundland**

Thirty-five Francophone parents in Goose Bay are claiming the right to instruction in their own language. However, the school board is unable to meet their request and contends that the Francophone population is quite unstable. It promises, however, to offer enriched French courses.

Prince Edward Island

Under a Canada-Prince Edward Island agreement, \$2.3 million will be spent on the promotion of official languages. The federal contribution of \$1,630,125 will enable the province to improve government services and promote the linguistic and cultural heritage of Acadians.

Nova Scotia

The RCMP wants to have a higher French profile everywhere in the province. As of March 18, a centralized service based in Halifax was to be set up to serve locations where there are no officers able to speak French.

Relying on the assistance of the Commission nationale des parents francophones, the residents of Sydney are calling for a school and community centre along the lines of the community centres in Fredericton and Newcastle, New Brunswick, and Charlottetown, Prince Edward Island.

New Brunswick

The debate about New Brunswick's Bill 88 continues. The Francophone community would like to see it entrenched in its entirety, while Premier McKenna has asked the federal government to include only its principles. The debate, which is of great interest to Acadians, appears to be deadlocked.

The Coalition pour une télévision française en Acadie, which includes more than 100 Francophone organizations in Atlantic Canada, continues to remind the CBC and political figures of its importance in the region. Among other things, the Coalition is organizing a major cultural festival in Moncton to coincide with its meeting with the CBC Board of Directors scheduled for May 1991.

There is increasing interest in community radio. Ten community radio stations have just formed the Association des radios communautaires acadiennes du Nouveau-Brunswick.

Quebec

Some 15 municipalities with Anglophone majorities located in the Eastern Townships support the initiative of the municipality of Montreal West to allow English signs. In addition, the Société des aéroports de Montréal provides service to the travelling public in both official languages. It should be noted, however, that the administration plans to use only French as its language of work.

In its report, the Blair Committee makes suggestions for rectifying the under-representation of Anglophones in the Quebec Public Service. It also feels that it will be difficult to remedy the situation without appropriate legislation.

Ontario

The Trillium Terminal at Toronto's Lester B. Pearson Airport was inaugurated on February 21. Telephone operators, nearly a third of whom speak French, answer calls from the public in several languages. There is even talk of using electronic translators. This terminal is operated by the private sector.

As part of a pilot project, two police stations in Toronto will be designated to offer service in French: one in North York and one in Cabbagetown. The aim of this pilot project is to evaluate the need and demand for service in French. The Toronto police force has some 5,500 officers, 166 of whom speak French.

The Senate of the University of Ottawa has approved the creation of a Centre des droits linguistiques to be attached to the Faculty of Law. Its purpose will be to promote research on Canadian language rights and teaching of the subject from the perspective of international law. This Centre will assemble a comprehensive collection of documents dealing with language rights and establish a

computerized national inventory.

Manitoba

The municipality of De Salaberry, 58% of whose residents have French as their mother tongue, is the sixth in the province to adopt a bilingualism policy. Who said that bilingualism was losing ground?

Saskatchewan

A dream has finally become reality in Prince Albert. Eleven associations have banded together under a single roof with the name "Carrefour fransaskois". This is something the community has wanted since 1984. In addition, for about a year the Fransaskois have pooled their resources by using an array of modern communication tools such as facsimile machines, telematics, etc. Nine centres, with a nerve centre in Regina, are now part of this "electronic village", which was recently christened "Réseau-Mercure".

Alberta

The Edmonton Separate School Board has announced the opening of two new French elementary schools for the fall of 1991, bringing their total number in Edmonton to four.

On the open-line show "Wild Rose Forum", broadcast on the CBC in Alberta, a majority of callers were in favour of official

bilingualism even after hearing the Alberta Minister of Culture, Doug Main, say at the start of the program that the policy had divided Canadians and ought to be reviewed.

British Columbia

The Association des parents du programme-cadre de français (APPCF) has good reason to be proud. Today the program has 2,210 students, representing an increase of 800% since its beginnings in 1980. In 1991 the APPCF will devote a great deal of energy to preschool education.

Northwest Territories

L'Aquilon celebrated its fifth anniversary in February. The paper won first prize in its category from the Association de la presse francophone last year.

The education situation is becoming somewhat complicated. The Department of Education will no longer pay the basic per student grant to Allain St-Cyr School in Yellowknife, which already receives a grant from the Department of the Secretary of State. According to the school board, this action may force it to abandon the courses it offers in French from kindergarten to grade 6.

Yukon

Since January 1, all new territorial laws have been adopted in both official languages. Existing laws will soon be translated into French.

The Director General of the Association des Franco-Yukonnais believes it will be difficult to introduce a system of school management by Francophones in Whitehorse. He cites in particular the financial problem caused by the freeze on Secretary of State transfer payments and a certain lack of interest on the part of the Department of Education. ■

Canada Winter Games in Prince Edward Island

Gold Medal or Paper?

*Jacinthe Laforest**

The seventh Canada Winter Games were held in Prince Edward Island from February

17 to March 2. For some, they will go down in history as the best games ever held. For others, the 1991 Games deserved only a paper medal, particularly as regards the availability of services in French.

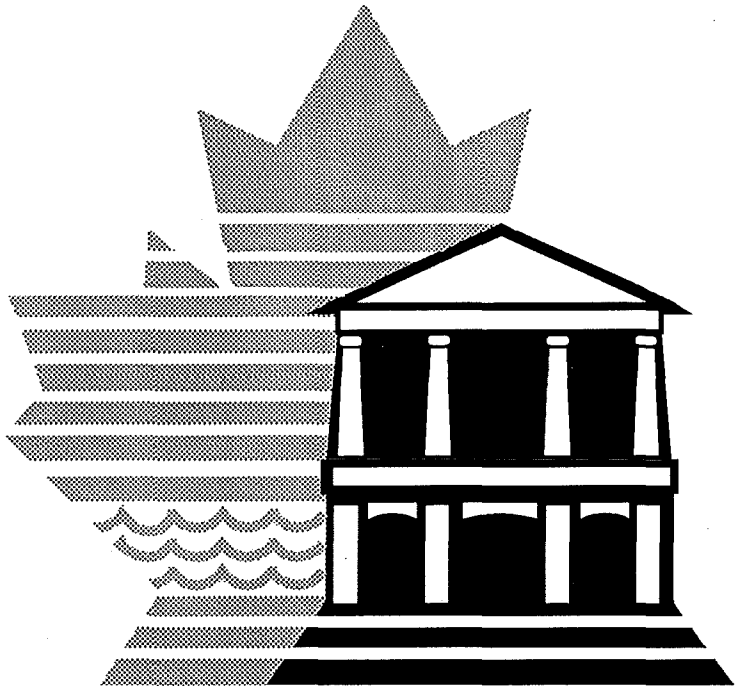
For the first time in the history of the Canada Games, a whole province, Prince Edward Island, the "cradle of Confederation," hosted this sports and cultural event. The theme of the closing ceremony, "Welcome home, Canada", was chosen to recall the first meeting of the Fathers of Confederation in Charlottetown in 1864.

According to the 1986 census, the province has a population of approximately 125,000, including 5,050 Francophones (4%), nearly half of whom live in the Évangéline region some 100 kilometres west of the capital, Charlottetown.

Out of a total of 5,000 volunteers, approximately 900 (18%) bilingual individuals were recruited from all across the province.

According to Jeanne Renault, head of the regional office of the Commissioner of Official Languages in Moncton, there was virtually no active offer of bilingual service and in some places it was difficult to obtain any service in French. On the

*Jacinthe Laforest is a journalist with *La Voix Acadienne*.



other hand, some delegations from Quebec and some French-language media said they were delighted with the welcome they received in French. "They expected few services in French and thought they would receive none."

Coming a long way

Only since the Saskatoon Games in 1989 has Fitness and Amateur Sport, the chief sponsor of the Canada Games, included a linguistic clause in the multipartite agreement among the principal partners, including the host corporation. At previous Games, complete reliance was placed on the good will of the organizing committees.

Despite praiseworthy efforts to make the 1991 Games a

success, many mistakes were made, mainly when the Games corporation initially filled reception service positions.

The story of the Games ends on a positive note, however, since representatives of the organizing committees for Kamloops in 1993 and Grande Prairie in 1995 came to meet with the organizers of the 1991 Games. The chairman of the Kamloops committee announced that he intended on his return to British Columbia to contact the Fédération des Franco-Colombiens to ask for their co-operation as soon as possible. Perhaps they will deserve a gold medal for their service in French! ■

(Our translation)

Quebec: The Equality Party's Position

Gretta Chambers*

In Montreal on March 17 the two most instantly recognizable voices of English-speaking Quebec delivered their respective messages. It was St. Patrick's Day and the Irish held their traditional parade, complete with the green line painted down the centre of the city's best known commercial thoroughfare, St. Catherine Street. The parade drew a half a million people of every ethnic, linguistic and cultural stripe. The cheerful crowd celebrated the coming of spring by becoming Irish for a day. The title of the old song, "Everyone Loves a Parade", was proved true in shamrocks. The ease with which people of such widely differing origins joined in the celebration of a national culture with which most of them have no connection whatever gave the event a significance beyond the good weather and smiling Irish eyes. There was an inclusiveness abroad that is rare in these days of uncertainty about Quebec's political and constitutional future.

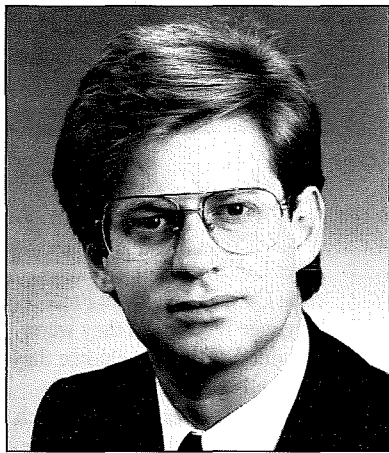
Meanwhile, further west in Notre-Dame-de-Grâce, the Equality Party was holding its first-ever policy convention. Delegates, some 250 strong, applauded proposals that would divide rather than unify Quebec.

A one-plank platform

Born out of Anglophone rage and frustration after the adoption of Bill 178, the Quebec

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

government's "inside-outside" commercial sign law, the Equality Party has had no other plank to its platform but English language rights. That was enough to attract 50% of the "English" vote and elect MNAs in Quebec's four most heavily English-speaking ridings. The party's support was based on Anglophone feelings of resentment and betrayal in relation to the Bourassa government's language policy; it had nothing to do with provincial politics in general. The Equality Party MNAs were therefore sent off



Robert Libman

to the National Assembly to become Anglophone thorns in the side of the government.

It was a tough assignment made all the more difficult by the widely differing views of the four members in question. They agreed on very little, including how the rights of English-speaking Quebecers could best be defended and protected. They had no effect whatever on the government and the fervour of their support

among Anglophones waned significantly. Today, of course, language laws, no matter how unpopular, are not at the top of English Quebec's list of political anxieties. The constitutional impasse and the prospect of Quebec independence loom much larger on the horizon.

English-speaking Quebecers are overwhelmingly federalist. So the Equality Party decided to have a constitutional position as well as one on language; hence the policy convention at which it unveiled its proposals for Quebec's political future.

New policies...

Billing itself as the only federalist political party in Quebec, a potential rallying point for the province's now homeless federal forces, the Equality Party came out strongly in favour of the status quo ante the Quiet Revolution. This alone makes it unique.

It went further. To much applause, it was decided that if Canada was divisible so was Quebec. Should the majority of Quebecers decide to separate from the rest of the country the parts of the province which wished to remain loyal to Canada should be allowed to leave Quebec. From Anglophone enclaves and a "Canadian" corridor in the south joining New Brunswick to Ontario, to the vast stretches of northern Quebec's native treaty lands, the territory of a sovereign Quebec was to be cut down to size.

All that is, of course, only to apply if things go wrong. For

the affairs of the Canadian nation to unfold according to Equality Party convictions the federal government must be strengthened, not weakened, because "strength at the centre has brought us...peace, order and good government," said the chairman of the committee which drew up the policy paper. It recommends rejecting special status for any Canadian province, repealing the notwithstanding clause of the Charter of Rights, making English and French official languages in Quebec and all other provinces and giving all Canadians freedom of choice in the language of their children's schooling in Quebec. Less controversially, it recommends that the right of natives to self government be recognized, that Quebec take charge of family law, manpower training, regional development and income security and that Ottawa have exclusive jurisdiction over the environment.

But it also chips away at one of the pillars of modern day Quebec's political structure, the 1978 law regulating the financing of political parties. This, along with Bill 101, is probably the most popular legislation to have been adopted in Quebec in the last 20 years. The Equality Party is now challenging the clause which stipulates that the names of those who donate over \$100 to a political party be made public, claiming that the party's often unpopular views make people leery of coming forward in public with such hard support for fear of reprisals. The fact that they may have a point and that this most

democratic law can, in a climate of political distrust, inhibit democracy goes too much against the grain of majority Quebec opinion to be given the time of day.

...old ideas

The meaning and message of the Equality Party remain quite outside the Francophone mainstream and have, today, little relevance to the thinking of troubled Anglophones searching for ways of reconciling the "distinct society" in which they live with the wider country of which they are a part. The party reflects the views of those English-speaking Quebecers who feel that giving an inch to

the sensibilities and perceived political imperatives of Franco-phone Quebecers is tantamount to giving up on English Quebec. There is a kind of Alice in Wonderland quality about Equality as it talks about the future with its attention firmly focused on a rear-view mirror.

Its tunnel vision is a disservice not only to itself but to the political debate in general. Much is made of the party's championing of individual rights in a province where, it claims, collective rights hold sway. The issue is relevant and deserves to be aired. But, in Equality rhetoric, for individual rights read linguistic rights, period. The question is therefore reduced to

a self-serving argument for putting the linguistic clock back a couple of decades. And no real debate is ever engaged.

The Equality Party is not a force to be reckoned with, nor will it ever be in its present incarnation. It cannot be written off, however, as simply an aberration or an anachronism. As the debate over Quebec's future intensifies, Anglophones and Allophones find themselves in a quandary. Before the Quebec Liberal Party came out with the Allaire Report, 78% of English-speaking Quebecers were saying they would vote Liberal and only 17% claimed to support the Equality Party. Two weeks after Allaire was adopted

by the Liberal convention, ratings had dropped to 41% among Anglophones and Equality's ratings had risen to 34%. Even among hitherto massively loyal Allophones the Liberals were only polling 56% and Equality had made a breakthrough with 21%.

These figures are not likely to stand up in an election. But they are indicative of a political vacuum. As there is nowhere else to register strong federalist sympathies, many non-Francophones are expressing support for the Equality Party as a statement of their uneasiness with the ambivalence of the Liberal party's pro-federalist position. ■

Justice and Official Languages: A 10th Anniversary

The National Program for the Integration of the two Official Languages in the Administration of Justice is celebrating its 10th birthday. Several factors operated in favour of its introduction in 1981: 1) adoption of the federal and New Brunswick Official Languages Acts in 1969; 2) decisions of the Supreme Court of Canada in the *Blaikie* (Quebec) and *Forest* (Manitoba) cases; 3) changes made to the Criminal Code concerning the right of an accused to trial before a judge (or judge and jury) who speaks his or her official language; and 4) gradual recognition of the use of French as an official language of the courts of Ontario and the translation of a number of Ontario statutes.

The foundations for the National Program were laid in Fredericton in 1980 by representatives of the federal Department of the Secretary of State, New Brunswick, Ontario, Manitoba, their respective bar associations and the Canadian Bar Association. The Program was officially launched in Ottawa on February 11, 1981. As a result,

Canada now has a series of bilingual lexicons of the common law, as well as practical solutions to the problems posed by legal translation and interpretation in the courts.

The Program has also made available the work of five centres specializing in the translation and publication of legal documentation on the common law in French: the Centre de traduction et de terminologie juridique de Moncton (whose existence predates the National Program), the Canadian Law Information Council, the Centre for Legal Translation and Documentation in Ottawa, the Quebec Research Centre of Private and Comparative Law (created in 1975 and affiliated with McGill University) and the Centre de ressources et de rédaction de la common law en français at the Collège universitaire de Saint-Boniface.

The creation of these five centres resulted in an extremely rapid increase in the adaptation into French of legal and legislative documents. It quickly became apparent that French common-law terminology was liable to vary significantly from

one jurisdiction to another, and even from one translator to another. For this reason, in co-operation with the common-law provinces that recognize legislative and judicial bilingualism, in whole or in part, the Program undertook to standardize French common-law terminology.

After the adoption in December 1988 of the Revised Statutes of Canada 1985, the Program's directors deemed the time right to provide jurists and translators with a lexicon reflecting the major changes resulting from this recasting of the French versions of federal statutes, particularly the new terminology used in many legislative documents. Under the Program, the departments of the Secretary of State and Justice jointly published the *Legal Glossary of Federal Statutes* in 1989.

The Program's participation at international conferences and the dissemination of its publications abroad have even given it an international mission, for many countries now face the problem of transposing legal concepts from one language to another. *J.R.*

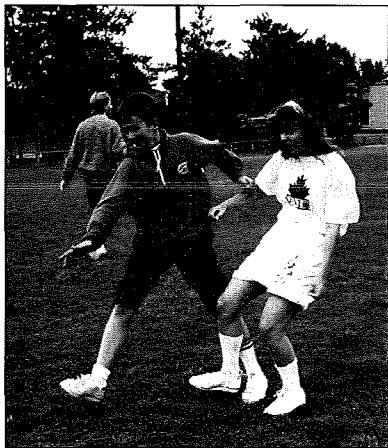
Trans-Canadian Interlinguistic Exchanges: Unexpected Benefits

The thousands of young people who take part in interlinguistic exchanges have no idea of the extraordinary complexity of the system that enables them to improve their knowledge of the other official language and familiarize themselves with another culture.

Dozens of private agencies work in close co-operation with the federal government and all provincial governments to ensure that the exchanges take place each year.

Large budgets

In Ottawa, the responsibility for interlinguistic exchanges lies



mainly with the Department of the Secretary of State, which undertakes federal initiatives in this area and administers bilateral agreements on exchanges with all provinces.

Under one of these programs, post-secondary students may obtain a study grant of \$1,565 to pay for a six-week immersion program. It is expected that more than 7,600 young Canadians will receive such a grant

this year. Young Francophones from outside Quebec can also participate in training programs to improve their knowledge of their mother tongue. In 1989-90, some 160 Francophones took advantage of the program.

Through the Official Languages in Education Program, the federal government also provides grants to second-language monitors. The program enables students to assist second-language or minority language teachers as part-time monitors while pursuing their studies in a province other than their own. In 1989-90, 100 full-time and 80 part-time monitors worked in

Francophone schools outside Quebec.

Under agreements with the provinces, the Department of the Secretary of State also maintains close relations with the provinces, which design programs to meet their particular needs.

Reduction in exchanges

Although they are important, interlinguistic exchanges are not immune

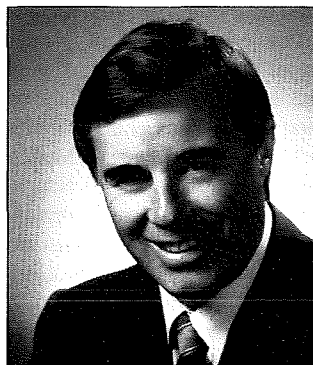
from the federal government's budget cuts. A case in point is Hospitality Canada, the best-known Secretary of State program. Its purpose is to foster a better knowledge and appreciation among young people (from 14 to 22) of the diversity of Canadian society and its institutions.

For each of the past five years Hospitality Canada received an average of \$9.5 million to pro-

mote the participation of some 18,000 young people in exchange programs. For the current fiscal year, the budget was reduced to \$3.3 million, a 65% drop from the previous year. The number of participants is expected to fall from 18,636 in 1989-90 to approximately 6,000 this year.

The federal government is not, however, questioning the value of the exchanges. On the contrary, a study by the consulting firm of Peat, Marwick and Partners for the Secretary of State Department showed that "personal contacts and interaction raise the level of tolerance."

According to the same study, "90% of the facilitators say that the program contributed, if only slightly, to improving the



Sandy MacKay

second-language knowledge of participants in exchanges involving bilingual groups."

The giant of the private sector

Of all the agencies funded by the Department to operate



exchanges, one stands out: the Society for Educational Visits and Exchanges in Canada (SEVEC). This agency has been in existence for 50 years and provides its services to more than 7,000 students each year. Most of the participants opt for an exchange of classes during the school year or the summer vacation. The two classes are able to meet thanks to SEVEC, whose knowledge of and experience in exchanges are unquestioned.

SEVEC also offers individual exchanges, immersion courses, educational visits, and exchanges for future French teachers and for Francophone minorities, as well as exchanges within a multicultural environment.

According to the agency's executive director, Sandy MacKay, SEVEC would like to increase the number of students who enrol in its programs, but its limited budget prevents it from doing so. "At present," he explains, "we must limit our advertising because we can meet only 50% of the demand."



Does this mean that the fallout from Meech Lake has had no impact on exchanges? MacKay shrugs his shoulders. In his view, such political factors are negligible among students and teachers, either Anglophone or Francophone, who have decided to participate in an interlinguistic exchange.

“Regardless of political events,” he says, “the number of requests continues to increase in all regions of the country; the people at the grass roots want to get to know one another better, that’s all.”

As an example, he cites a recent exchange involving a group from Beauport, Quebec. “The group landed at Murillo, close to Thunder Bay, where the municipal council had just passed a

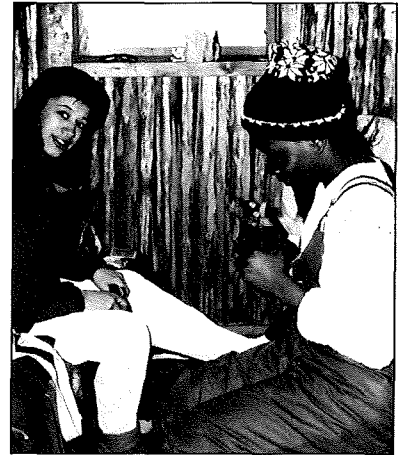
resolution in favour of English unilingualism,” he recounted. “I cannot deny that the young Quebecers hesitated a little before leaving, but after their arrival, their hosts did everything possible to show that they were welcome and that not all English Canadians were in favour of unilingualism. This

exchange was definitely one of our best.”

Unexpected benefits

Asked to explain the benefits of an exchange, MacKay stressed the spinoff effects in the host families and other results that many do not expect. “In most cases,” he says, “young people end up meeting not only the person with whom they are twinned, but also living in that person’s family.” Thus, not only the participants benefit, but all their relatives and friends in both communities.

Just in terms of second-language learning, studies commissioned by SEVEC or conducted by independent researchers have shown that, in two weeks, young Anglophones make as much progress in



French as they do in school in a year. Young Francophones make as much progress in English as they would in two years of English classes.

These results fully justify the exchanges, but that is not the whole story. Citing a study by American researchers of 2,500 secondary school students, one-



One of the Best Ways of Getting to Know One Another

Few people are more familiar with interlinguistic exchanges than the former chairperson of the Ottawa Board of Education, Jane Dobell.

For more than 20 years she has participated in exchanges at all levels, both as the parent of an exchange “twin” and as a senior official of the Department of the Secretary of State.

Her commitment to this cause dates back to the early 1970s, shortly after she was elected a school trustee in Ottawa. “It did not take a genius at that time to see that our French second-language program was not very good,” she says today. For the Board of Education, “French was a matter between the teacher and the student, without any link to the real world,” she comments.

A dynamic element, an additional motivation, therefore had to be added to the French program. Consideration was given to interlinguistic exchanges with school boards in Quebec: “the best way to understand that the other language is a living language, spoken and lived by thousands of persons in our country,” in Dobell’s words.

She notes that it took several years to overcome the resistance of the educational bureaucracy. In some places, she adds, exchanges with Quebec schools were so successful that they have become a tradition that no one would dare challenge. “But I will not really be satisfied until the day when all students have the chance to take part in an exchange, simply because they are all entitled to.”

Armed with her educational experience, Dobell worked in the Secretary of State’s Department in the early 1980s. Already well known in exchange circles, she was hired to bring order to exchange budgets and grants to organizations dedicated to interlinguistic exchanges.

When she left the Public Service, Dobell agreed to chair the Society for Educational Visits and Exchanges in Canada for a few years. It is the largest exchange organization for young people in the country.

“Anyone who has a vision of this country cannot help but be in favour of exchanges, which are one of the best ways of getting to know one another and overcoming prejudices and ignorance,” she concluded.



third of whom came from countries other than the United States, MacKay explains that the exchanges change participants' attitudes and behaviour in a lasting way. The authors of the study, AFS International/Intercultural Program Inc., who attended a SEVEC congress, showed that, after an exchange, young people exhibited permanent changes in areas other than second-language learning, such as ease

of adaptation, non-materialism, interpersonal communication, critical spirit, understanding of other cultures, sharing of ideas, the need to have meaningful relationships, independence, open-mindedness and appreciation of their own family.

Provincial exchanges

The benefits of exchanges are well known to provincial departments of education, which

promote them under bilateral agreements with the federal government and the other provinces.

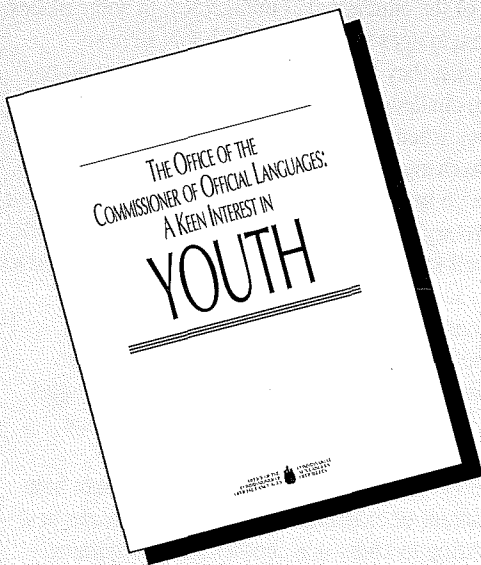
Because of its French character, Quebec, naturally, has signed the largest number of agreements. According to Jean-Marc Peter, adviser on Canadian affairs to the Quebec Department of Education, the six-month program is undoubtedly most important.

Under this program, 200 Ontario secondary students arrive early in September in Quebec to live with young Francophones for three months. They attend school as they would at home, but this time the school is French. Throughout this period they live with the host family. When they return to Ontario at Christmas time, they begin to prepare to welcome the young Quebecers who will stay in Ontario for three months starting in February. Last year, nearly 750 young Canadians benefited from such a three-month immersion in another province and another culture.

Quebec has also just launched another exchange program to enable young Quebec Francophones and Anglophones to get to know one another better through exchanges. This program is in addition to the bilateral agreements with the other provinces. G. L.

(Our translation)

A New Publication...



A new publication has recently been released which provides an overview of Office of the Commissioner of Official Languages' youth-related activities and initiatives in the area of education and demonstrates young people's positive attitudes towards the official languages. The document

includes information on this Office's position regarding second-language education and minority education rights (under Section 23 of the Charter) through activities affiliated with key associations and interest groups and legal intervention.

Anyone interested in receiving a copy should contact:

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