



Office of the
Commissioner of
Official Languages

Commissariat
aux langues
officielles

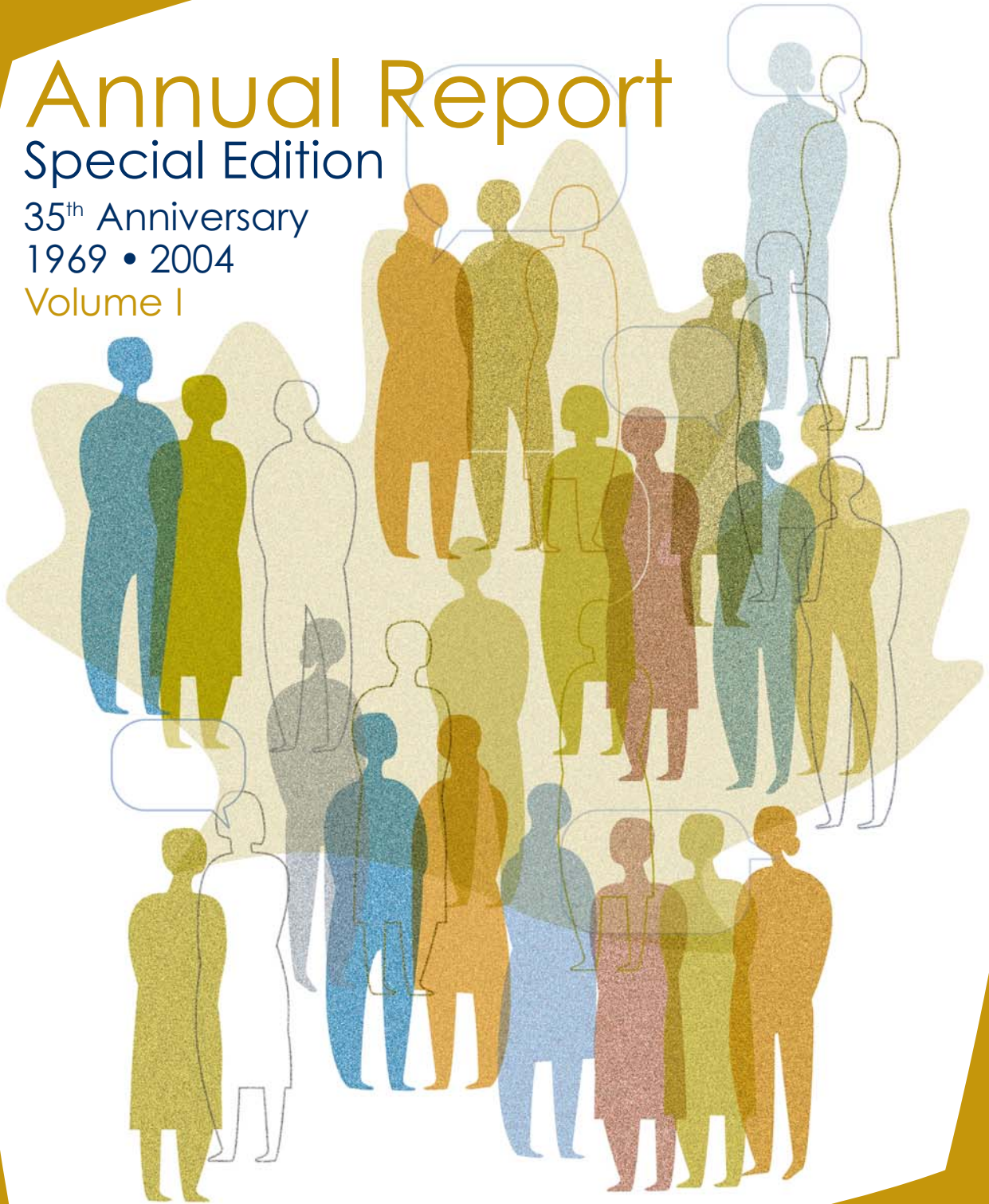


Annual Report

Special Edition

35th Anniversary
1969 • 2004

Volume I





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Commissioner of Official Languages,
dial toll-free 1 877 996-6368.

Illustrations by Jérôme Mercier

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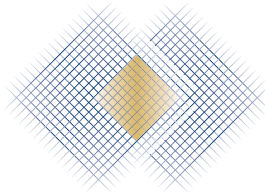
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“Since 1970, Canadians have witnessed a clear progression in nearly all aspects of their daily lives when it comes to official languages. This progression is the result of the efforts of different levels of government, the increasing openness of the population, an interest in learning the other official language and the mobilization of official language minority communities.”



The texture of Canada

A fabric is woven of many threads. Those of us who speak English and those of us who speak French — ourselves made up of many different elements — have joined together to weave a social fabric called Canada. The golden fabric at the centre of the pin symbolizes the meeting place of our two linguistic communities and the richness of the dialogue between them.



Wearers of the emblem of the Office of the Commissioner of Official Languages are signifying their commitment to fostering harmonious human relations between the English-speaking and French-speaking components of Canada's social fabric.

**THE SPEAKER OF THE SENATE
OTTAWA**

Mr. Speaker,

Pursuant to section 66 of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the Annual Report of the Commissioner of Official Languages covering the period from April 1, 2004 to March 31, 2005.

Yours respectfully,

A handwritten signature in blue ink, appearing to read 'Dyane Adam', written in a cursive style.

Dyane Adam

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Summary

The year 2004–2005 marks the 35th anniversary of the *Official Languages Act* (the Act) and the Office of the Commissioner of Official Languages. The Commissioner commemorates this occasion in the annual report with a special presentation reviewing the achievements of this 35-year period. Thus, this annual report is exceptionally composed of two volumes. Volume I is devoted to a report on 35 years of the Act. In Volume II, the emphasis is on 2004–2005.

1969–2004: 35 years of official languages

When the Parliament of Canada passed the *Official Languages Act* in 1969, it was acting upon the findings of the Royal Commission on Bilingualism and Biculturalism, which had documented the poor state into which linguistic duality had fallen. The Act reaffirmed duality as a fundamental principle of Canada. The linguistic framework established at that time committed Canada to a major social transformation that definitely could not be accomplished overnight. Today we see an uninterrupted series of changes, both large and small, that have enriched the Canadian personality.

Canada's first *Official Languages Act* in 1969 marked the establishment of sound legal foundations for linguistic duality. The *Canadian Charter of Rights and Freedoms* followed in 1982 and the second Act in 1988. Over the years, the courts, especially the Supreme Court of Canada, were called upon to clarify these laws and forced governments to assume the responsibilities they established, especially for education. Several other pieces of federal legislation related to broadcasting, product labelling, the *Criminal Code*, and immigration, among others, consolidated the federal linguistic framework. This momentum at the federal level spread to most provinces and territories, which in turn adopted linguistic frameworks that took both official languages into account to varying degrees.

On these foundations, communities and governments progressively developed many, often original, models of governance to promote and ensure full expression of these rights. A number of programs and initiatives were implemented by Canadian Heritage, the Treasury Board, the Department of Justice, the Public Service Commission, the Privy Council Office, and so on. The provinces and territories began to work together for education and Francophone affairs. Minority communities were quick to create advocacy groups in each province and territory, and more recently achieved governance of their own schools nationwide. Virtually all social, cultural and professional sectors established representative and collaborative bodies. More recently, joint governance models have brought together stakeholders from communities and different levels of government.

Duality is now reflected at all levels: from the highest government institutions to civil society, the private sector, and among citizens. Equality of both official languages is embodied most clearly in education, as the two official language communities now have education rates that reflect greater equality. French became stronger in Quebec and generally held its own elsewhere in Canada; as did English in Canada. English remained overall stable in Quebec. Canadians in all regions are more bilingual. Federal services are increasingly available in both official languages. Anglophones and Francophones are more equitably represented within the federal administration, where they can work more frequently in their own language. The nation's major cultural institutions (the CBC, the Canada Council for the Arts, the National Film Board, and so on.) exemplify duality and actively support it. At mealtimes, Canadians across the country generally see labels on consumer products written in both official languages. Income gaps in both major linguistic communities have narrowed considerably. Awareness of the importance of delivering health care in a citizen's own language is now well entrenched. National sports are played to a greater extent in both languages and they involve athletes from both communities.

The Canadian personality has achieved full maturity thanks to its unique components of linguistic duality, multiculturalism and openness to diversity. It communicates with others, participates in the democratic process, and cherishes tolerance and diversity. It travels, having acquired experience that is, in many respects, recognized and sought out around the world. It is one of our strengths, but in this changing world, it cannot afford to let its guard down. To preserve past achievements and obtain justice on as yet unexplored fronts, there are still many challenges confronting linguistic duality, which is thus a work in progress.

The promises contained in the Constitution and the *Official Languages Act* have not yet been completely fulfilled. Several issues in the field of linguistic duality will therefore require careful monitoring in years to come. These are the most important ones:

- **Government leadership.** The major accomplishments dating from 1963, 1969, 1982, 1988 and 2003 came to fruition through strong political leadership at the federal level. Conversely, achievements are eroded when the Government of Canada fails to remain committed and vigilant in promoting duality, especially in supporting linguistic minorities. In addressing the issues we have identified, Government of Canada accountability and co-operation between all levels of government and civil society will remain the key determinants of success.
- **Diversity and duality.** Canada was built through the efforts of a population with diverse histories, ethnic origins, cultures and languages. The country is firmly committed to recognizing and promoting this diversity nationally as well as internationally. Much is at stake in this process, given the impact of globalization. Despite the complex governance that results from this openness, it is important for Canadian policies in areas such as immigration, multiculturalism, cultural and artistic development, and trade

and international affairs to more fully reflect the linguistic duality inscribed in the foundations of Canadian society.

- **Comprehensive education.** The curtailing of French language education in minority communities stands as a dark chapter in Canadian history. Despite the turnaround over the past 15 years, much remains to be done to ensure that the Francophone minority has access to a comprehensive education system. In general, minority schools must be given the means to recruit and keep the target school population defined under section 23 of the *Canadian Charter of Rights and Freedoms*, as by failing to enrol, members of the minority will lose the ability to pass along these education rights. The English school network in Quebec succeeds in enrolling most entitled students, but is challenged by the need to accommodate an increasingly diverse student clientele.
- **Learning of official languages.** Progress has been made in terms of individual bilingualism, but Canadian society is not yet fully equipped to tap the potential of Canadian bilingualism and world multilingualism. Canada has developed expertise in second language learning, especially through immersion programs and bilingual school environments. This expertise should have a much greater presence in provincial and territorial educational institutions. More resources should be devoted to learning one's second official language and partnerships created between the government and communities to achieve better outcomes in the future, particularly in education, but also on a lifelong basis.
- **Bilingual government.** The federal administration has made considerable efforts to serve the Canadian public in both official languages, to ensure equitable participation by Anglophones and Francophones in its workforce, and to allow them to work in their own language. The results over 35 years show that the government can make progress on this front, but we have also noted stagnation on several levels over

the past 10 years or so. In addition, transformations in government will generate new ways of serving the public which continue to respect official language provisions.

- **Joint governance.** Part VII of the *Official Languages Act* identifies the responsibilities of federal institutions for the vitality and development of official language minorities. One of the positive outcomes of these provisions has been the implementation of joint governance mechanisms that bring together representatives from government institutions and communities. This is a very valuable innovation that should be extended to many other fields of activity.

- **Review of the federal linguistic framework.**

It will only be possible to meet the challenges we have identified if the government undertakes a serious examination of the state of its linguistic framework. The government must review its focus on the Act. It should no longer be seen as a collection of parts—communication with the public, language of work, promotion, and so on.—but as a coherent and logical whole with a single goal. This will not only assure the equality of status of English and French in federal institutions, but also support the development of minority communities and lead to equality of status of the two official languages in Canadian society. Such an approach follows the jurisprudence of the Supreme Court of Canada, which states that language rights should be interpreted broadly and in the spirit of the law, based on the purpose of these rights. In the short term, some changes are imperative. The scope of section 41 of the Act must be clarified through legislation. The government must also adopt a regulatory framework specifying the means federal institutions shall use to fulfil their obligations with respect to the development of communities and the promotion of linguistic duality. As well, since the government must now modify the regulations governing the RCMP's linguistic obligations, as a result of a

recent decision, we strongly encourage the Government of Canada to show leadership and review the entire *Official Languages (Communications with and Services to the Public) Regulations*.

2004–2005: In the wake of the Action Plan for Official Languages

During 2004–2005, official languages made encouraging progress. The success stories and the leadership prize awarded this year show how the Government of Canada continues to work hard for official languages. Still, much remains to be done.

Investigations and audits conducted during the past year show that improvements are needed in the areas of service to the public, language of work, and the development of minority language communities. These are the issues that will continue to hold our attention, especially as the government seeks to develop new ways to deliver its services to Canadians.

For the first time, the Commissioner's report cards offer an evaluation of the implementation of the official languages program in 29 federal institutions. These assessments make it quite clear that simply having an infrastructure in place is not enough. Rather, policies and directives must provide consistent results on the ground. Just one-third of the federal institutions earn a "good performance" in this first version of what will be an annual report card.

A slow and timid approach appears to be holding back the changes recommended in last year's annual report to advance certain strategic portfolios. Stronger and more visible leadership is needed to counteract this.

In short, the past year shows that work in the area of official languages is stagnating. Stronger political and administrative leadership is required from the Government of Canada. Our political and administrative leaders must chart

a clearer course, by proposing a generous and stimulating vision for our society.

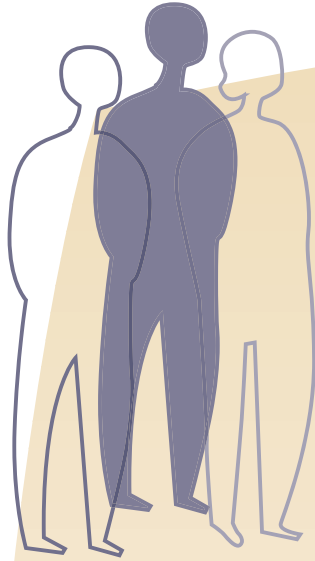
At the conclusion of these two volumes, the Commissioner does not make any specific recommendations. She focusses on the historical progress in the area of linguistic duality since the adoption of the first *Official Languages Act* in 1969 and demonstrates the challenges still to be met. One of the few turning points in developing linguistic duality was the unveiling of the *Action Plan for Official Languages* in 2003. While this is no simple achievement, the implementation of the Plan does not meet the expectations it created. As was clearly seen in last year's annual report, political leadership is in a downward spiral and is running out of steam; it lacks the strength to properly undertake the renewal of linguistic duality announced in 2003. And, as the report on the past 35 years shows, if this political and governmental leadership does not emerge, Canada may well see its linguistic duality fade.

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Introduction

Canada's *Official Languages Act* was passed in 1969 in the wake of the Royal Commission on Bilingualism and Biculturalism¹ report, which had drawn a portrait of the country's linguistic duality. On the occasion of the 35th anniversary of the Act, the 2004–2005 Annual Report by the Commissioner of Official Languages reviews what has been achieved over this period.

Together with Native peoples and multiculturalism, linguistic duality is one of the fundamental features of the Canadian identity. As this feature has evolved over the past 35 years, it has shaped the way Canadians see themselves and are seen by the world. The existence of two communities, one Anglophone and one Francophone, with equal standing recognized in the Constitution and actively promoted by the government's policies, confers a distinctive shape on the Canadian personality.

Of course, the composition and structure of these official language communities are not frozen in time. On the contrary, throughout the last century, the Canadian population has continued to diversify, partly through immigration, but also to a certain extent through the intermingling of the groups that make up Canada. But the fact remains that, multiculturalism and diversity aside, Canada still cherishes its linguistic duality. English and French constitute the integrating framework of this mosaic. Today, three quarters of Canadians recognize the importance of preserving the country's linguistic duality.

Canada is also seen abroad as a country that has promoted diversity by guaranteeing respect for its minority groups in the Constitution itself and putting governance structures into place that encourage its citizens, especially minorities, to participate in major societal issues. Recently, the United Nations Development Programme cited Canada as an example for its language planning. Drawing on its extensive experience in official languages, Canada has much to contribute to the rest of the world. Its expertise in minority governance as well as second language teaching, translation and language technology, bilingualism, and more, is in fact much sought after in world markets. It is important to add that this expertise benefits not only institutions but also individuals, who, by becoming bilingual, broaden their horizons.

If we have used the term "progress" to describe what has been accomplished over the past 35 years, it is because the situation at the outset was far from equitable for the two official language communities and the road toward equality was full of obstacles. It should be added that we have yet to reach our destination. Although we have covered considerable ground, we still have a considerable distance to go. Nevertheless, our achievements to date offer convincing evidence that our mission can be accomplished.

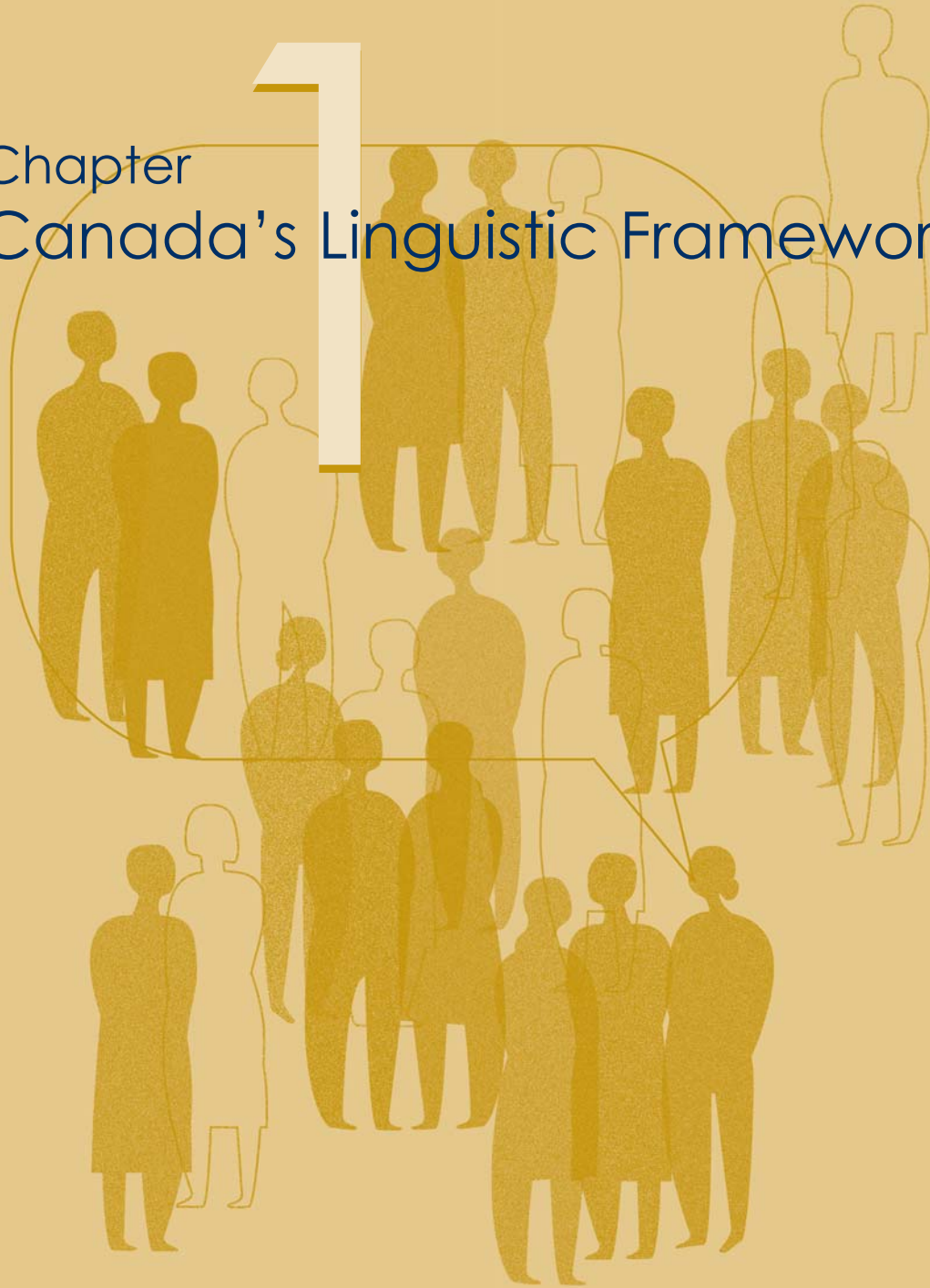
In the following pages, we will examine the achievements and challenges of managing linguistic duality in Canada. By now, it has become such an integral part of the Canadian personality that we will be discussing this issue as if it were a real person. Accordingly, after examining its framework, that is, its legal and historical foundations (Chapter 1), we will analyse the face of duality (Chapter 2), then, in turn, the degree to which this duality is an integral part of the way Canada governs itself (Chapter 3), grows and learns (Chapter 4),

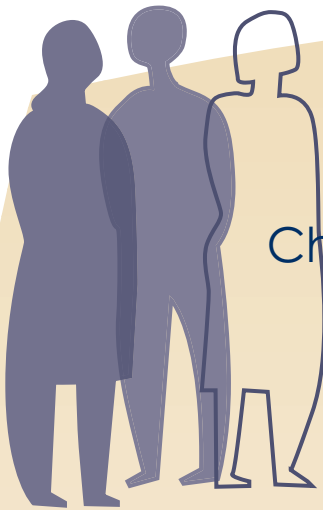
¹ Henceforth referred to as the B and B Commission.

communicates and creates (Chapter 5), and lives a healthy lifestyle, produces and travels (Chapter 6).

The Office of the Commissioner is conducting this review to help Canada's citizens and governments better understand the mission our country embarked upon 35 years ago and to consider ways we can fully realize all we set out to do. The second volume reports on the Commissioner's activities over the past year. In this volume, we track the progress of the *Action Plan for Official Languages*, launched in March 2003. We also, for the first time, issue "report cards" on 29 federal institutions based on their implementation of the *Official Languages Act*. Furthermore, the second volume provides a follow-up on actions taken by these institutions based on recommendations made in the Commissioner's 2003–2004 Annual Report. Finally, it provides a list of Canadian official language success stories, as well as follow-ups to investigations and audits done throughout the last year.

Chapter Canada's Linguistic Framework





Chapter



“To quote the Durham report (1838), ‘they thus live in a world of misconceptions, in which each party is set against the other not only by diversity of feelings and opinions, but by an actual belief in an utterly different set of facts ...’ Thus it was that the regional meetings a century and one quarter later, very often gave us the impression of listening not to a dialogue, but to two soliloquies.”

— B and B Commission, *Preliminary Report*, Ottawa, 1965, p. 129.

1969–2004: The 35th anniversary of Canada’s *Official Languages Act*

Thirty-five years ago, the Government of Canada followed up on the first recommendations of the Royal Commission on Bilingualism and Biculturalism by passing the *Official Languages Act*. This put Canada’s fundamental linguistic duality back on the agenda. Over the past 35 years, considerable progress has been made with respect to official languages, as comparisons with the B and B Commission’s findings illustrate.

In this chapter, we will present highlights of the recognition and establishment of Canada’s linguistic duality. The milestones in this chronology will be analysed in greater detail in the chapters that follow in order to identify the gains made and the challenges that remain.

The origins of duality

1867 The *Constitution Act, 1867*, a pact between representatives of Lower Canada (Quebec), Upper Canada (Ontario), New Brunswick and Nova Scotia, is passed. Later, it comes to be viewed as a double federal pact: one between the provinces making up the new country, and one between the English and French populations, the so-called “founding peoples.” Two dominant traits of contemporary Canada are thus established: federalism and linguistic duality. Native peoples’ ancestral rights and, later, multiculturalism round out the core personality of Canadian society. In the *Constitution Act, 1867*, the country’s linguistic duality is mostly reflected in section 133, which recognizes the right to use either English or French in the federal parliament and the Quebec legislature, as well as in courts under federal or Quebec jurisdiction. Section 93 enshrines the rights of Protestant and Roman Catholic minorities to denominational schools in provinces where they are already recognized, which—at a time when language is intimately associated with religious affiliation—amounts to recognition of language rights in education.



ACHIEVEMENTS:

- In Quebec, a guarantee that government will operate in French and that the Anglophone minority will be protected.
- A guarantee of denominational education that also translates into a guarantee of French language education in Ontario and English language education in Quebec.

- 1871 New Brunswick Schools Crisis
- 1885 Northwest Rebellion
- 1890 Manitoba Schools Crisis
- 1901 Northwest Territories Schools Crisis
- 1912 Ontario Schools Crisis

Francophone minorities from east to west had been organizing locally in religious associations and administering their own schools and hospitals since well before Confederation. The Société Saint-Jean Baptiste, founded in Quebec in 1834, had local chapters in a number of Francophone communities across Canada. But given the risks they face, Francophone minorities start forming their first collective organizations in 1881, with the creation of the Société nationale des Acadiens in the Maritimes. The same scenario plays out in Ontario, Manitoba and the other provinces. In the years that follow, official language minorities in each

Late 19th Century: Crises and organizing

by minorities. As early as 1871, the New Brunswick Schools Crisis illustrates the precarious nature of linguistic duality: Francophone schools are threatened with closure unless they abandon their Catholic character. This situation is repeated elsewhere in Canada (see box).

COMMUNITY OFFICIAL LANGUAGE GOVERNANCE

Province/Territory	Advocacy organizations for official language minorities (founding date)	
New Brunswick	Société des Acadiens et Acadiennes du Nouveau-Brunswick (1973)	Société nationale de l'Acadie (1881)
Nova Scotia	Fédération acadienne de la Nouvelle-Écosse (1968)	
Prince Edward Island	Société Saint-Thomas-d'Aquin (1919)	
Newfoundland and Labrador	Fédération des francophones de Terre-Neuve-et-Labrador (1973)	
Quebec	Alliance Quebec (1982), Quebec Community Groups Network (1995)	
Ontario	Assemblée des communautés franco-ontariennes (1910)	
Manitoba	Société franco-manitobaine (1916)	
Saskatchewan	Assemblée communautaire fransaskoise (1912)	
Alberta	Association canadienne-française de l'Alberta (1926)	
British Columbia	Fédération des francophones de la Colombie-Britannique (1945)	
Northwest Territories	Fédération franco-ténoise (1978)	
Yukon Territory	Association franco-yukonnaise (1982)	
Nunavut	Association des francophones du Nunavut (1997)	
Canada (Francophone)	Fédération des communautés francophones et acadienne du Canada (1975)	

Note: the names used for the organizations are their current ones.

province and territory form their own associations (see box).



ACHIEVEMENTS:

Throughout this century, leadership, activist engagement and a collective conscience develop, and community governance gradually takes shape within the Francophone minority.

EARLY STEPS TOWARD BILINGUAL SERVICES IN THE GOVERNMENT OF CANADA

- 1927 French takes its place beside English on postage stamps ...
- 1936 ... and bank notes
- 1945 Federal family allowance cheques are issued in both official languages for Quebec recipients
- 1959 Simultaneous interpretation is provided in the House of Commons
- 1962 Federal family allowance cheques are issued in both official languages across Canada

FEDERAL INSTITUTIONS AT THE FOREFRONT OF LINGUISTIC DUALITY

- 1934 The Translation Bureau
- 1936 The Canadian Broadcasting Corporation
- 1939 The National Film Board
- 1952 The Collège militaire royal de Saint-Jean
- 1957 The Canada Council for the Arts
- 1964 The Language Training Centre
- 1967 Telefilm Canada

The years of awakening

1963 The **Royal Commission on Bilingualism and Biculturalism** (B and B Commission), chaired by A. Laurendeau and A. D. Dunton, is convened by the government of the Right Honourable Lester B. Pearson to re-examine the linguistic duality instituted by the federal pact. Starting with its preliminary report in 1965, the Commission provides a stark assessment of the crisis in which Canada finds itself. It recommends a series of official language measures in a variety of areas, including education, culture, labour, immigration, associations and the workings of the Public Service and the national capital. The guiding principles for these recommendations are equality of status, as well as equality of opportunity for individuals, the creation of conditions for cultural development, equality and a degree of self-determination for each community and, finally, respect and generous treatment for minorities.

ACHIEVEMENTS:

A large body of knowledge and research is established, and the first large-scale official language reform program is put on the table.



1969 The 1969 *Official Languages Act* of Canada is the most direct outcome of the B and B Commission. The Act is passed by the government of the Right Honourable Pierre Elliott Trudeau.

- The Act formally recognizes the equal status of English and French.
- Its main purpose is to ensure that the services provided by federal institutions are available in both official languages in the National Capital Region and in districts designated as bilingual.
- The concept of “territoriality,” based on bilingual districts, will eventually be abandoned in favour of one of “personality” (individual rights) in order to increase coverage of bilingual services.
- The Act also creates the position of Commissioner of Official Languages, whose role is to oversee implementation of the legislation, receive and investigate complaints lodged by the public, conduct independent studies and report to Parliament.
- The parliamentary resolution passed in 1973 specifies its principles and how it will be administered.



ACHIEVEMENTS:

Legislative guarantee and a complaint mechanism to protect citizens’ place in Canadian society and their right to interact with the Government of Canada in their own language.

NEW BRUNSWICK: THE ONLY OFFICIALLY BILINGUAL PROVINCE

New Brunswick’s approach to language legislation is worthy of mention. Over the years, the province has passed a number of laws dealing with official languages:

- the *Official Languages of New Brunswick Act* (1969);
- the *Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick* (1981);
- the *Act to Amend the Official Languages of New Brunswick Act* (1990); and
- the constitutional amendment of 1993 (New Brunswick), which enshrined in the Constitution the principle of equality of the two linguistic communities through the addition of subsection 16(1) to the *Canadian Charter of Rights and Freedoms*.

In June 2002, the provincial government took an additional step by passing a new *Official Languages Act* following the Court of Appeal ruling in the Charlebois case. The new Act modernized and enhanced the 1969 Act. It had a number of objectives: to ensure that the province was fulfilling its constitutional obligations under the *Canadian Charter of Rights and Freedoms* (of which subsections 16(2), 17(2), 18(2), 19(2) and 20(2) apply only to New Brunswick), and to ensure that court rulings were respected. Furthermore, the new Act:

- placed linguistic obligations on certain municipalities;
- created an Office of the Commissioner of Official Languages;
- granted the province’s population the right to receive health care services in both official languages; and
- provided a mechanism for reviewing the Act.

THE TONE SET BY THE FIRST COMMISSIONER OF OFFICIAL LANGUAGES, KEITH SPICER

"I spoke of common sense, imagination and generosity—a triad which I later told our staff should be the operating slogan for our whole office. I spoke of hope, not fear; of fair play; of a better chance for our children; of trying to understand frustration on all sides; of exploiting Canada's promise to the world of a tolerant society based on two globe-spanning languages. I spoke of two national languages, then as always, not as a problem but as an opportunity. It helped that I actually believed all this."

— K. Spicer, *Life Sentences: Memoirs of an Incurable Canadian*, Toronto, McLelland and Stewart, 2004, pp. 98–99.



1970 The Secretary of State launches the **Official Languages in Education Program (OLEP)** to support minority language and second-language education. To date, this remains one of Canadian Heritage's most important official language programs.

ACHIEVEMENTS:

Since then, millions of students in the Anglophone and Francophone communities have learned the other official language, and thousands of official language minority students have gained access to schools in their own language, in part through OLEP funding.



1971 The Government of Canada adopts an official policy of **multiculturalism**, which recognizes the equal value and dignity of all ethnocultural groups. In 1982, the Charter enshrines Canada's multicultural nature in the Constitution, and the 1988 *Canadian Multiculturalism Act* completes this legislative framework. This multiculturalism policy acknowledges the growing diversity of Canada's make-up, which stems largely from immigration.

ACHIEVEMENTS:

Formal recognition of multiculturalism and of the contribution of cultural diversity to the social fabric of Canada.



The years of social action

1974 The conflict with the **Quebec air traffic controllers**, which begins in 1974 and runs through to 1980, highlights the tensions surrounding bilingualism in the country. Shortly after the 1969 Act comes into force, bilingualism is introduced into air traffic communications, resulting in a collision of diametrically opposed views on the scope of linguistic duality.

ACHIEVEMENTS:

Expansion of linguistic duality into the airline industry; use of both official languages for technical and scientific purposes.





1977 The *Charter of the French Language* (Bill 101) is enacted in Quebec in 1977 (see box).

ACHIEVEMENTS:

Reinforcement of the French fact in Quebec and, by extension, in Canada.

QUEBEC'S LANGUAGE FRAMEWORK

The goal of Quebec's language framework was to promote French as the primary language used in the province, given its minority status on the continent. This framework was implemented gradually, starting in the 1960s.

- The Office québécois de la langue française was created in 1961;
- The *Act to Promote the French Language in Québec* (Bill 63) was enacted in 1969;
- The *Official Language Act* (Bill 22), which gave pride of place to French, was enacted in 1974;
- The 1977 *Charter of the French Language* reinforced the use of French in the public sphere.

The policy, while affirming the primacy of French, also recognized the rights of the Anglophone minority and the contribution of English institutions to Quebec society. For example, in 1987, amendments to the *Act respecting health services and social services* guaranteed that health and social services would be delivered to Anglophones in English. Furthermore, Bill 86 recognized the right of minorities to post signs in their language also, provided French was predominant.

The co-existence of the federal and Quebec governments' language policies is often perceived as a source of conflict in Canada and provides plenty of fodder for columnists. While the Government of Canada's policies recognize the language rights of individuals (the personality principle) and seek to further both languages, Quebec's policies recognize the language rights of a community making up the majority of the population in a given territory (the territorial principle) and place emphasis on a single language. The courts have considered this distinction on a number of occasions and, generally speaking, have recognized the goals of the *Charter of the French Language* as legitimate, provided its provisions are implemented in accordance with the rights set out in the *Canadian Charter of Rights and Freedoms* and the *Quebec Charter of Human Rights and Freedoms*.²

However, the broader approach of accommodation that characterizes this relationship can be seen as exemplary because it was born of a democratic process: "... it is the democratic process of adopting the laws and of implementing them more than the achieved results that may in the long run best establish the legitimacy of the language planning effort in Quebec and Canada."³ In terms of the results obtained, some see Canada's situation as exemplary on an international scale as well. In fact, the 2004 Global Human Development Report of the United Nations Development Programme (UNDP) cites Canada as a model for its system of asymmetric federalism and the positive effect this has on protecting the Francophone element.⁴

² See judgments *A.G. Quebec v. Quebec Association of Protestant School Boards*, [1984] 2 S.C.R. 66; *Ford v. A.G. Quebec* [1988] 2 S.C.R. 712; *Devine v. Quebec (A.G.)*, [1988] 2 S.C.R. 790; *Entreprises W.F.H. Ltée v. Quebec (A.G.)*, [2001] R.J.Q. 2557 (C.A.).

³ R. Y. Bourhis and D. E. Marshall, "The United States and Canada" in *Handbook of Language and Ethnic Identity*, edited by J. A. Fishman, New York, Oxford University Press, 1999, p. 261.

⁴ United Nations Development Programme, *Human Development Report 2004, Cultural Liberty in Today's Diverse World*, New York, 2004.

1977 **Canadian Parents for French** is created in 1977 to promote linguistic duality in Canadian society. This organization plays an important role in promoting the teaching of French as a second language.



ACHIEVEMENTS:

Leadership and commitment to linguistic duality in the Anglophone majority; a contribution to increased bilingualism among young Anglophones.

1978 The Government of Canada supports the creation of the **Court Challenges Program of Canada** in 1978 (see box).⁵



ACHIEVEMENTS:

The only mechanism of its kind in the world that places resources in the hands of all Canadians and enables them to assert their constitutional equality and language rights.

THE COURT CHALLENGES PROGRAM OF CANADA: A WORLDWIDE ONE OF A KIND

In March 1992, Supreme Court of Canada Justice Bertha Wilson wrote in a letter to the Minister of Justice, “[...] it is totally illusory to confer rights on people who do not have the means to enforce them.” With these words, she summed up one of the foundations of the Court Challenges Program.

We may recall that, during the 1970s, a number of provincial laws virtually ignored the protections granted by Canada’s Constitution. The Government of Canada created the Court Challenges Program in 1978 to help give individuals and groups with limited resources the ability to have their linguistic rights clarified. Over the years, the Program has undergone many changes. Its mandate was expanded in 1985 to include equality rights with respect to legislation, regulations, guidelines and practices at the federal level only. Because of budget cutbacks, the Program was terminated in 1992 but subsequently revived in 1994. Since being reinstated, it has been administered by a decision-making body that is completely independent from the government.

The Court Challenges Program of Canada is the only known program of its kind in the world. Since it was founded 26 years ago, a number of now-famous language cases have received financial assistance from the Program, including the Ford, Forest, Mahé, Arsenault-Cameron and Doucet-Boudreau cases, to name just a few. The Program has enabled a number of official language communities to go to court and, in most cases, obtain broad, generous interpretations of their language guarantees. For example, school management was finally achieved thanks to cases supported by this program, although challenges on this issue unfortunately continue to be necessary.

Source: R. Goreham, *Language Rights and the Court Challenges Program*, Commissioner of Official Languages, Ottawa, 1992.

⁵ The Web site for the Court Challenges Program is www.ccppcj.ca/e/ccp.shtml.

1978 Quebec signs an agreement with the Government of Canada in 1978 regarding the management of **immigration** within its borders. A new agreement in 1991 reinforces the role played by the province. This initiative proves to be a model that would later be adopted by other provinces.



ACHIEVEMENTS:

Canada's demographic policy becomes more representative of linguistic duality.

1980 The **Joint Committee on Official Languages** is created in 1980, bringing together members from the Senate and the House of Commons. It becomes a standing committee in 1984 and is replaced by separate Senate and House of Commons standing committees on official languages in 2002, with mandates under the 1988 Act.



ACHIEVEMENTS:

Creation of a parliamentary oversight mechanism to foster the equality of the two official languages.

1981 Implementation of the **National Program for the Integration of Both Official Languages in the Administration of Justice** (POLAJ) begins in 1981 with co-operation between the Secretary of State of Canada, the Department of Justice and other federal institutions and institutions of higher education. POLAJ fosters the development of common law tools in French and of civil law tools in English, as well as legal information tools to enable both systems of law to be taught and practised in the minority official language.

ACHIEVEMENTS:

Improved access to justice in both official languages, as the players in the Canadian justice system have specialized terminology, teaching and documentary tools.



1982 In 1982, the Government of Canada led by the Right Honourable Pierre Elliott Trudeau repatriates the Constitution and adds to it the **Canadian Charter of Rights and Freedoms**. A number of sections of the Charter (16 to 20 and 23) guarantee language rights.

ACHIEVEMENTS:

The Charter :

- affirms the equal status of English and French in Canada, which means that all laws must be passed in both official languages, that either of the two can be used for any parliamentary business and in legal proceedings in federal courts, and that anyone can receive services from, and communicate with, the Government of Canada in the official language of his or her choice;
- affirms that New Brunswick is an officially bilingual province; and
- recognizes the right of parents in official language minority communities to manage their own public education facilities and to have their children receive instruction in their own language.



The years of legal challenges

1985 Parliament adds **Part XVII to the *Criminal Code***, specifying language rights that apply under criminal law. However, it is not until 1990 that defendants obtain a general right to a trial in their language in all provinces and territories.



ACHIEVEMENTS:

The right to be heard by a judge, prosecutor and jury that understand the official language of the accused in criminal proceedings throughout Canada.

1985 The **Committee of Deputy Ministers of Official Languages** is created in 1985 to centralize management of the government's official language priorities and programs. The accountability framework built into the 2003 *Action Plan for Official Languages* grants the Committee jurisdiction over all issues relating to the application of the Act.



ACHIEVEMENTS:

All public servants are encouraged to play a leadership role, assume responsibility and foster horizontal co-ordination.

1988 The new ***Official Languages Act*** tabled by the government of the Right Honourable Brian Mulroney is passed in 1988 to ensure that the language rights guaranteed in the 1982 Charter are fully implemented. It is considerably broader in scope than the 1969 version.

- The first five parts of the Act dealing with the operations of the Government of Canada and its relations with citizens prevail over any other federal legislation or regulation except the *Canadian Human Rights Act*.
- Part VII commits federal institutions to enhancing the vitality and supporting and assisting the development of official language minority communities while fostering the full recognition and use of both English and French in Canadian society.
- The mission of the Commissioner of Official Languages is expanded and organized around six roles: ombudsman, auditing, promotion and education, institutional and community liaison, monitoring and court remedies.
- The Act is supplemented by the 1992 *Official Languages (Communications with and Services to the Public) Regulations*. Since 1994, approximately 30 federal institutions must also meet special reporting requirements under Part VII.

ACHIEVEMENTS:

Reinforcement of the Government of Canada's responsibility for promoting official languages; improved guarantees regarding the exercise of legal remedies where the right to be able to work and receive services in the official language of one's choice is not respected; important recognition of linguistic minorities as communities.



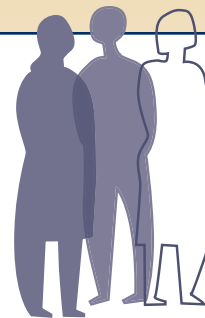
OFFICIAL LANGUAGES GOVERNANCE

Implementing rights requires political leadership, organizational capacity and resources. This type of governance takes place on a number of levels: federal, provincial/territorial and municipal.

At the **federal level**, political leadership is provided by Cabinet and has been co-ordinated, since 2001, by a Minister responsible for Official Languages. Of course, the legislative framework is handled by Parliament and its standing committees on official languages (since 1980). The Commissioner of Official Languages monitors the government's commitments vis-à-vis the provisions and spirit of the Act. Co-ordination at the administrative level is provided by the Privy Council Office through the Official Languages Branch (since 2001), under the leadership of the Committee of Deputy Ministers of Official Languages (since 1985). The Minister of Canadian Heritage manages the main budget dedicated to official languages outside the Public Service and co-ordinates the implementation of Part VII of the Act, Treasury Board sets the guidelines for the federal administration, and the Department of Justice ensures that legislation in this area is consistent. All federal institutions are subject to the Act, and some 30 are required to meet special reporting requirements under Part VII of the Act with respect to development of official language minority communities and the promotion of English and French in Canadian society.

At the **provincial/territorial level**, two provinces, Quebec and New Brunswick, have had highly developed language frameworks for a number of years. In 1986, Ontario finally began to address the almost total lack of French language services. The Northwest Territories and the Yukon passed positive language laws in 1984 and 1988, respectively. Prince Edward Island (1999), Nunavut (1999) and Nova Scotia (2004) all have very recent laws that stem from previous policies on the provision of services in French. Manitoba not only has a policy dedicated to French language services (1988), but the province is also subject to specific constitutional obligations. British Columbia and Newfoundland and Labrador have no laws or policies regarding official languages. Alberta and Saskatchewan both enacted regressive pieces of official language legislation (1988), although the latter recently developed a French language services policy (2003). However, all the provinces and territories have been working together on French language services through the Ministerial Conference on Francophone Affairs since 1994 and, in education, through the Council of Ministers of Education, Canada (CMEC) since 1967.

At the **municipal level**, New Brunswick and Quebec have both imposed legislated language frameworks that take minorities into account at the municipal level. As well, there are cities in Nova Scotia, Ontario, Manitoba, Saskatchewan, Alberta and the Northwest Territories that have proclaimed their bilingual status or offer services in both languages.



1988 **Positive rulings and legislative setbacks.** While the *Official Languages Act* is undergoing a renaissance, two judgments from the Supreme Court of Canada in *Forest*⁶ and *Mercure*⁷ restore language rights in Western Canada, although with very different outcomes.

- The *Forest* judgment acknowledges that section 23 of the *Manitoba Act, 1870* is the counterpart of section 133 of the *Constitution Act, 1867* and that, under the Constitution, Manitoba is required to translate its laws and regulations and expand access to courts in both official languages.
- The *Mercure* judgment acknowledges that the content of section 110 of *The Northwest Territories Act* is similar to section 133 of the *Constitution Act, 1867*, but rules that this Act is not entrenched in the Constitution and therefore offers no constitutional guarantees.
- To avoid being subject to the same language framework as Manitoba, **Saskatchewan** and **Alberta** respectively pass the *Act Respecting the Use of the English and French Languages in Saskatchewan* (1988) and the *Languages Act* (1988), which revoke the historical rights of their linguistic minorities.
- The resulting outcry in the Franco-Saskatchewanian community leads the Secretary of State to sign the first Canada-Community agreement with this community in 1990.



ACHIEVEMENTS:

Restoration of Franco-Manitoban language rights; new awareness of the fragility of the rights of linguistic minorities; new support from the Government of Canada.

1990 The Supreme Court of Canada ruling in the 1990 *Mahé* case clarifies the purpose of section 23 of the Charter, namely, "... to preserve and promote the two official languages of Canada, and their respective cultures, by ensuring that each language flourishes, as far as possible, in provinces where it is not spoken by the majority of the population." The ruling also acknowledges that "... section 23 is to remedy past injustices."⁸ French language school management is established in most provinces and territories following this judgment (see box).



ACHIEVEMENTS:

A new interpretive framework for section 23 that guarantees school management for official language minorities.

⁶ *R. v. Forest*, [1988] 2 S.C.R. 712.

⁷ *R. v. Mercure*, [1988] 1 S.C.R. 234.

⁸ *Mahé v. Alberta*, [1990] 1 S.C.R. 342.

THE CREATION OF OFFICIAL LANGUAGE MINORITY SCHOOL BOARDS

- 1846 – Quebec.** A law is passed guaranteeing denominational school boards in Quebec, thereby granting school management to the province's Anglophone minority. In 1997, a constitutional amendment eliminates the denominational school system and establishes Anglophone school boards.
- 1978 – New Brunswick.** Homogeneous school boards are established.
- 1986 – Ontario.** The first board is established in Toronto, followed by one in Ottawa in 1988 and in Prescott-Russell in 1992. Since 1997, eight Catholic and four public Francophone school boards have been created.
- 1990 – Prince Edward Island.** One school board covers the province's entire Acadian population.
- 1991 – Yukon Territory.** The Comité scolaire de l'École Émilie-Tremblay is turned into a school board, but the present Yukon Francophone School Board (No. 23) is created in 1995.
- 1993 – Alberta.** The first three Francophone school boards are created, with a fourth added in 2000.
- 1994 – Northwest Territories.** The Conseil scolaire francophone de Yellowknife is created.
- 1994 – Manitoba.** The Franco-Manitoban School Division (No. 49) is created.
- 1994 – Saskatchewan.** The Conseil scolaire fransaskois de la Vieille is created in Gravelbourg, followed by seven new Francophone school boards in 1995, then scaled back to a single school division in January 1999.
- 1995 – British Columbia.** The Conseil scolaire francophone is created.
- 1996 – Nova Scotia.** The Conseil scolaire acadien provincial is created, although it was preceded by a board administered in French in the Clare-Argyle region in 1982.
- 1997 – Newfoundland.** The Conseil scolaire francophone provincial is created.
- **Nunavut** is still awaiting genuine school management for Francophones.

The years of re-evaluation

EVALUATING FEDERAL PROGRAMS IN THE 1990s

In the mid-1990s, the Government of Canada conducted a program review in an effort to cut its expenditures. The government restructuring that resulted took on many forms: federal responsibilities were passed on to new agencies or transferred to other levels of government, services were privatized, programs were eliminated and budgets were considerably reduced. This restructuring undermined much past progress in official languages: Treasury Board's control over a variety of areas of government activity decreased markedly, efforts under Part VII of the Act were only minimally co-ordinated, official language-oriented activities were relegated to the back burner, the number of federal offices designated as bilingual declined, and so on.⁹

Overall, progress toward real equality of both official languages actually *lost ground* during this period. Nearly 10 years later, the *Action Plan for Official Languages* sought to remedy this situation. Although the plan represents a new departure, this corrective action still falls short of the constitutional obligation to do more in the area of official languages.

⁹ Office of the Commissioner of Official Languages, *Government Transformations: The Impact on Canada's Official Languages Program*, Ottawa, 1998.

1996 An innovation in **joint governance** arises in 1996 with the creation of the National Committee for Canadian Francophonie Human Resources Development, which is made up of representatives from a number of federal institutions and the minority Francophone community. The model is copied in 1998 by the National Human Resources Development Committee for the English Language Minority Community, then applied to other areas, such as health in 2000 and immigration in 2002.



ACHIEVEMENTS:

Official language minority communities gain greater control over their community economic development; a new model of federal-community official language governance is introduced.

1999 The 1999 *Beaulac*¹⁰ judgment by the Supreme Court of Canada specifies that equality of official languages in Canada means “equal access to services of equal quality.” Language rights require government measures in order to be implemented, and therefore create obligations on the part of the State.



ACHIEVEMENTS:

Language rights must in all cases be interpreted in a manner consistent with the preservation and development of official language communities in Canada.

2000 The 2000 *Arsenault-Cameron*¹¹ judgment by the Supreme Court of Canada defines the powers to be held by school boards and the obligations to be fulfilled by governments.



ACHIEVEMENTS:

Consolidates the principle of school management by and for minority communities, which had already been acknowledged in the Mahé¹² ruling (1990), and reinforces the collective nature of the right to receive instruction in the minority language.

The years of revitalization

2001 A **Minister responsible for Official Languages** is appointed for the first time in 2001. Recognition of the setbacks in the official languages file results in the federal Action Plan being prepared and ultimately launched in 2003. Its role is to translate government leadership into initiatives, which it is in charge of co-ordinating. The Official Languages Branch of the Privy Council Office provides administrative support to the Minister.



ACHIEVEMENTS:

The Government of Canada gives greater importance to the official languages issue; leadership and accountability are concentrated in a ministerial position.

¹⁰ *R. v. Beaulac*, [1999] 1 S.C.R. 768.

¹¹ *Arsenault-Cameron v. Prince Edward Island*, [2000] 1 S.C.R. 3.

¹² *Mahé v. Alberta*, [1990] 1 S.C.R. 342.

2002 When the *Immigration and Refugee Protection Act* is renewed in 2002, official languages are incorporated as a recruitment criterion. At the same time, the Government of Canada creates the Citizenship and Immigration Canada–Francophone Minority Communities Steering Committee. The Act is followed the same year by a regulation that grants immigration applicants higher scores for knowledge of Canada’s official languages.



ACHIEVEMENTS:

New support from the Government of Canada to Francophone communities for pilot projects fostering Francophone immigration.

2002 The crisis surrounding the attempted closure, then downsizing of Ottawa’s **Montfort Hospital** comes to an end in 2002 after large-scale mobilization of the Ontarian and Canadian Francophonie and a legal battle.



ACHIEVEMENTS:

Improvements in the health care services provided to the Franco-Ontarian minority; confirmation of health care as a development priority for official language minority communities throughout the country; acknowledgment of the unwritten constitutional principle of minority protection.

2003 In the *Doucet-Boudreau v. Nova Scotia* judgment (2003), the Supreme Court of Canada affirms that the courts must issue remedies based on the purpose of the right and that they can retain their jurisdiction to declare a remedy complete and effective.¹³

¹³ *Doucet-Boudreau v. Nova Scotia* (Minister of Education), [2003] 3 S.C.R. 3.

ACHIEVEMENTS:

Confirmation of the rights and obligations of governments to act diligently with respect to education, given the progressive erosion of official language communities.



2003 The government of the Right Honourable Jean Chrétien announces its *Action Plan for Official Languages* in 2003. It is supported by an additional budget envelope of some \$750 million delivered over five years, to offset the negative effects of government restructuring on the promotion of official languages and the development of official language minorities, especially in the area of education. It also addresses new sectors such as language technologies and immigration. Coordination of the Plan is entrusted to the Minister responsible for Official Languages. The Plan is accompanied by an accountability framework.



ACHIEVEMENTS:

Organized approach by the federal administration, along with an accountability framework.

2004 Treasury Board reviews its official language policies and guidelines in 2004. One of its policies now imposes across-the-board **imperative staffing** as the standard for bilingual positions. This review leads to long-awaited major changes.



ACHIEVEMENTS:

Reinforcement of language standards in the staffing process for the federal administration, with greater respect for the merit principle.

Conclusion

This chronology illustrates the advances, some hard-won, that led to the establishment of Canada's linguistic duality. The B and B Commission's dramatic assessment in the late 1960s provided the initial impetus. The first *Official Languages Act* of 1969 gave rise to an uninterrupted series of advances, especially in the legislative and legal fields. It led to language rights being enshrined in the Constitution through the 1982 *Canadian Charter of Rights and Freedoms*, then the strengthening of the *Official Languages Act* in 1988, particularly as regards the government's obligations toward official language minorities. However, it fell to the courts to clarify the scope of these laws. In the wake of these advances, governance mechanisms were progressively implemented, both in the various levels of government and in the official language communities. In the majority Anglophone community, openness to linguistic duality increased, especially in terms of learning French as a second language. These advances also changed the face of Canada, in its federal administration, schools, grocery stores, on its roads—in short, in Canadians' daily lives.

Though we have come a long way, there are still many challenges ahead. Canadian society has become considerably more diverse since Confederation. Aboriginal peoples are gradually taking their rightful place in the country's governance. There has been a tremendous influx of immigrants, and Canadian multiculturalism attests to the country's desire to recognize this variety of ethnocultural identities while encouraging national cohesion. Group identities are less centered on language and religion than in the 19th century and involve a sense of belonging to many different groups. Still, linguistic duality remains one of the structural features of Canadian society. While Canada's personality now reflects its cultural diversity, it continues to express itself in two official languages.

We can see that the progress made with official languages is linked to a combination of factors, including the mobilization of minority groups, political leadership, court intervention and the support of the majority. At least five turning points stand out in the above chronology, and each is marked by strong political leadership with regard to official languages:

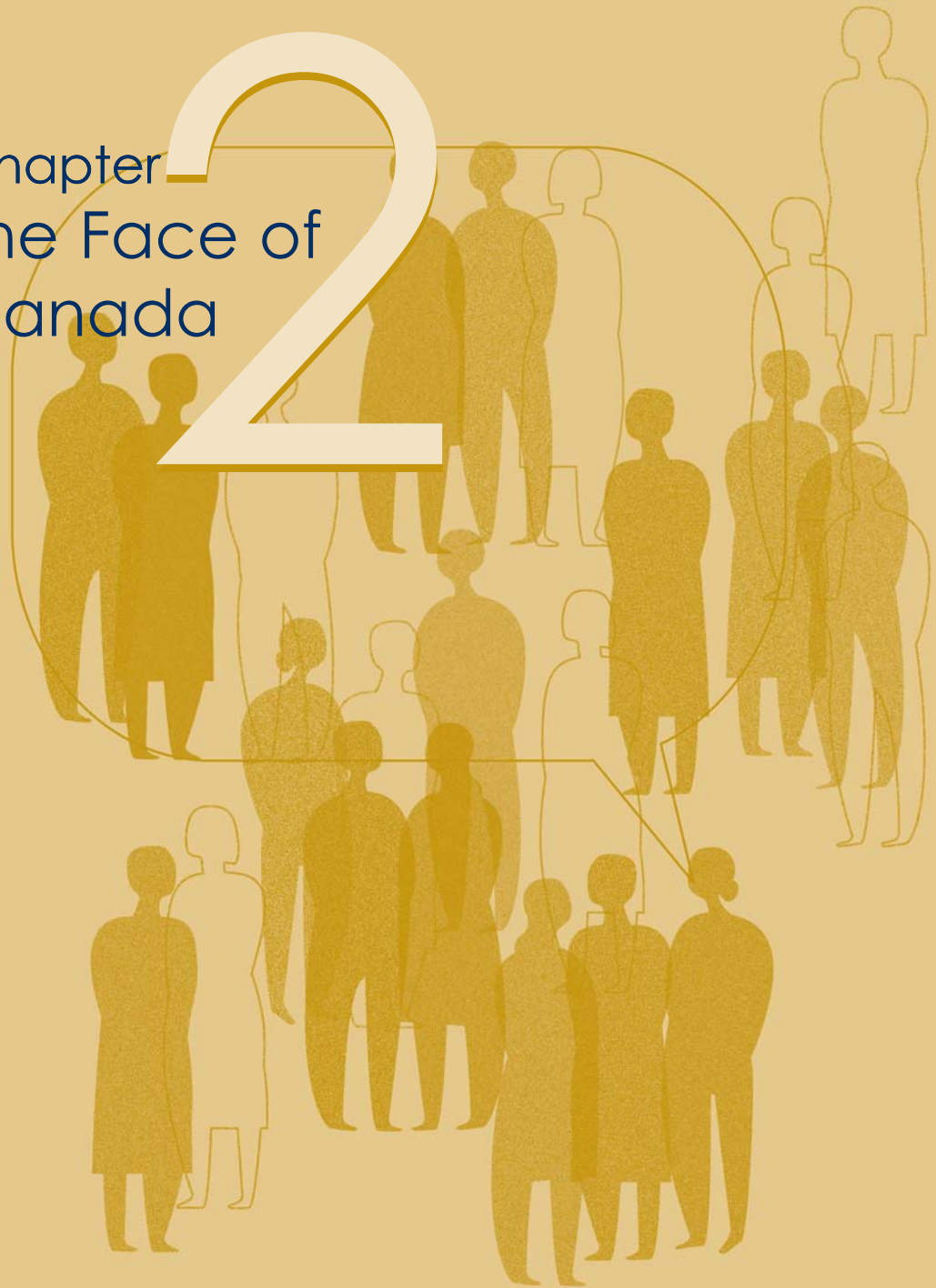
- the convening of the B and B Commission by the government of the Right Honourable Lester B. Pearson in 1963;
- the enactment of the *Official Languages Act* by the Government of the Right Honourable Pierre Elliott Trudeau in 1969;
- the entrenching of the *Canadian Charter of Rights and Freedoms* in the Constitution in 1982, an initiative of the Right Honourable Pierre Elliott Trudeau;
- the enactment of the *Official Languages Act* by the Government of the Right Honourable Brian Mulroney in 1988; and
- the adoption of the *Action Plan for Official Languages* by the Government of the Right Honourable Jean Chrétien in 2003.

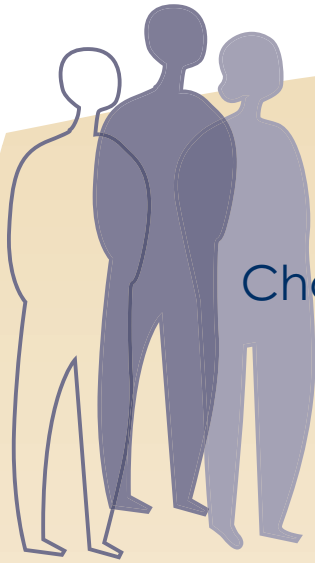
The *Action Plan for Official Languages* appears to portend a new, more global approach to official languages. After implementing Canada's language framework gradually, piece by piece (the Public Service, equitable participation, minority communities, etc.), the government now appears to be forging an overall strategy to bring the complementarity of all these dimensions together.

The following chapters will discuss the aforementioned achievements and challenges in greater detail.

Chapter
The Face of
Canada

2





Chapter

2

"We have constantly declared our desire to see all Canadians associating in a climate of equality, whether they belong to the Francophone or Anglophone society. Members of 'other ethnic groups,' which we prefer to call cultural groups, must enjoy these same advantages and meet the same restrictions. Integration, with respect for both the spirit of democracy and the most deep-rooted human values, can engender healthy diversity within a harmonious and dynamic whole."

— B and B Commission. *Book IV: The Cultural Contribution of the Other Ethnic Groups*, Ottawa, 1969, p. 14.

Linguistic duality is, of course, first and foremost a matter of language. Everywhere in the world, speaking, listening, writing and reading help to shape communities over time. The fact that this communication takes place in Canada in two official languages not only strengthens our respective linguistic communities but also gives shape to our linguistic duality, which is

a collectively shared condition, an image that we project to ourselves and the world.

This second chapter will illustrate how much Canada has changed over the past 35 years while preserving linguistic duality as one of the fundamental elements of its personality. The principal achievements we will see in this chapter are:

PRINCIPAL ACHIEVEMENTS

- Two official language communities preserved even as the Canadian population became ethnoculturally diverse;
- French more solidly established in Quebec;
- Increased participation by minorities in the governance of official languages;
- Generalized efforts to provide translation and interpretation;
- Growth of individual bilingualism in Canada and of bilingualism in organizations and businesses operating nationwide;
- Dialogue engaged in civil society between official language communities; public opinion generally favourable and stable with respect to bilingualism;
- Increased participation by Francophones in the governance of immigration: since 1978 in Quebec, since 2002 in the rest of Canada;
- The two language groups growing closer, which is one of the effects of exogamy; and
- International leadership by Canada in developing cultural diversity and bilingualism and in strengthening the world Francophonie and the Commonwealth.

A bilingual society

Ethnolinguistic composition of the population

There are three trends influencing Canada's demographic evolution from the viewpoint of official languages:

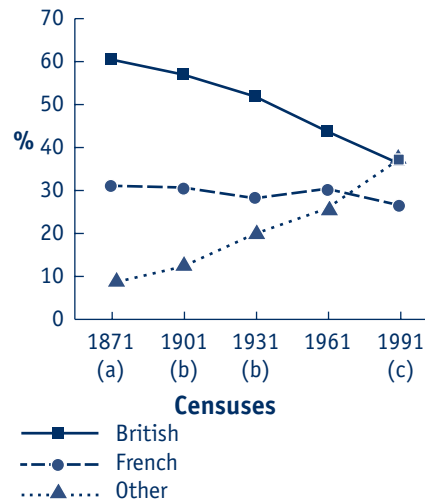
- both major linguistic communities have been maintained;
- in an ongoing trend, official language minorities are making up a smaller proportion of Canada's population; and
- Canada's population is becoming more and more cosmopolitan.

Diversification. Canada's population grew considerably and changed greatly during the 20th century. Census data from 1871 to 2001 show the population increasing from 3.5 million to almost 30 million, and comparable data on ethnic origin from 1871 to 1991 show a phenomenon of ethnocultural diversification underway (see Figure 1). While the proportion of the population of French ethnic origin remained relatively stable, the proportion of British origin decreased as the proportion of people of other origins grew.

French and English, still. During this period, English and French remained the two most spoken languages in the country. In 2001, only 10% of the population most often spoke a language other than English or French in the home.¹⁴ People with Chinese as their mother tongue ranked third, comprising 3% of the Canadian population.¹⁵

However, linguistic minorities as a percentage of the population have continued to decrease (see Figures 2 and 3). While the minority with French as a mother tongue grew by a third to reach approximately a million in 2001, this now

Figure 1
Population by ethnic origin,
Canada, 1871–1991



Source: C. Castonguay, "The Fading Canadian Duality," in *Language in Canada*, edited by J. Edwards, Cambridge, Cambridge University Press, 1998, p. 37.

Notes: (a) Nova Scotia, New Brunswick, Quebec and Ontario only. (b) Does not include Newfoundland and Labrador. (c) The cases of mixed origins have been allocated equally based on the indicated origins.

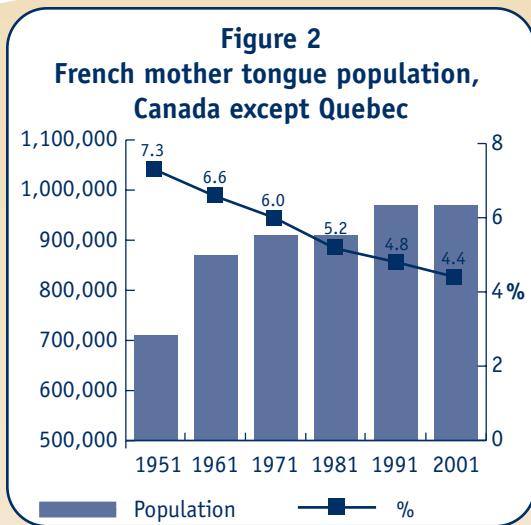
Did you know...



Expo 67, which took place in Montréal at the very time when the B and B Commission was preparing its report, was one of the events that spotlighted the existence of Canada's Francophone community. This event was to show the whole world, but also the rest of Canada, that French was an integral part of the country's fabric.

¹⁴ L. Marmen and J. P. Corbeil, *Languages in Canada, 2001 Census*, Ottawa, Canadian Heritage (New Canadian Perspectives) and Statistics Canada, 2004, p. 47.

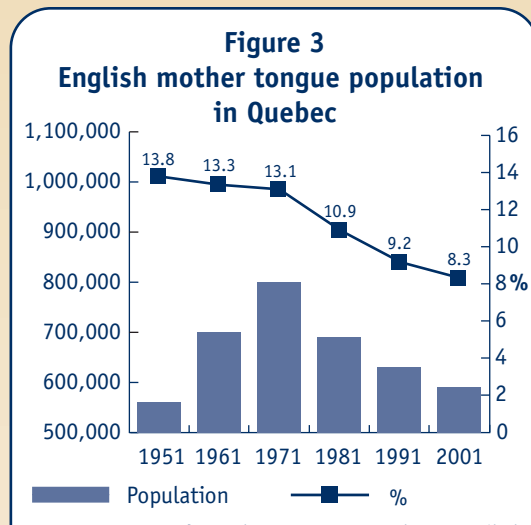
¹⁵ L. Marmen and J. P. Corbeil, *Languages in Canada, 2001 Census* 2004, p. 3.



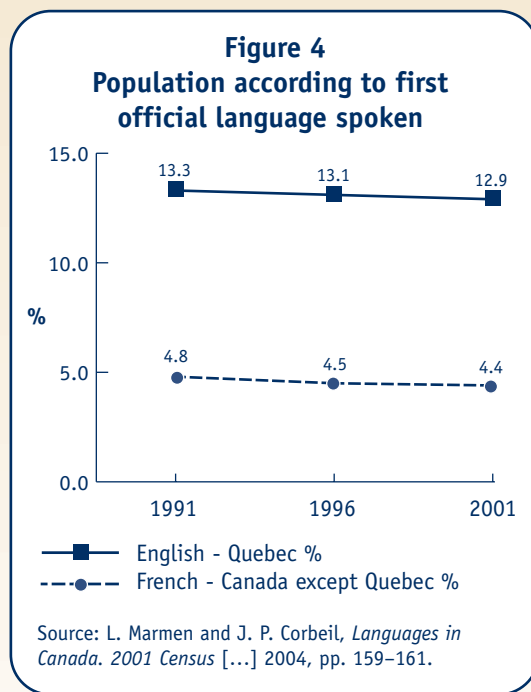
represents no more than 4% of the population of Canada outside Quebec, compared to 7% in 1951. This relative decrease is largely explained by the significant growth of the English-speaking population, particularly as a result of immigrants joining the Anglophone majority.

On the other hand, Quebec's minority of people with English as a mother tongue has swung widely, going from 600,000 in 1951 to almost 800,000 and then back down to 600,000 people in 2001. At the same time, its relative share of Quebec's population shrank from 14% to 8%. This relative decrease was mainly due to the exodus of English-speakers to other provinces during the 1980s.

Since 1991, a clearer picture is obtained by looking at the demolinguistic trends from the point of view of "first official language spoken," defined as the official language that a census respondent currently speaks and in most cases first learned.¹⁶ Over the past 10 years, we have seen the French-speaking minority in Canada and the English-speaking minority in Quebec both decrease by half a percentage point (see Figure 4).



Source: Censuses of Canada, 1951 to 2001, data compiled by M. O'Keefe (Privy Council Office), *Demographic Trends and Minority Language Communities in Canada*. Presentation delivered in Edmonton, April 2003. On-line: www.pco-bcp.gc.ca/olo/docs/reference/demodata_e.pdf.

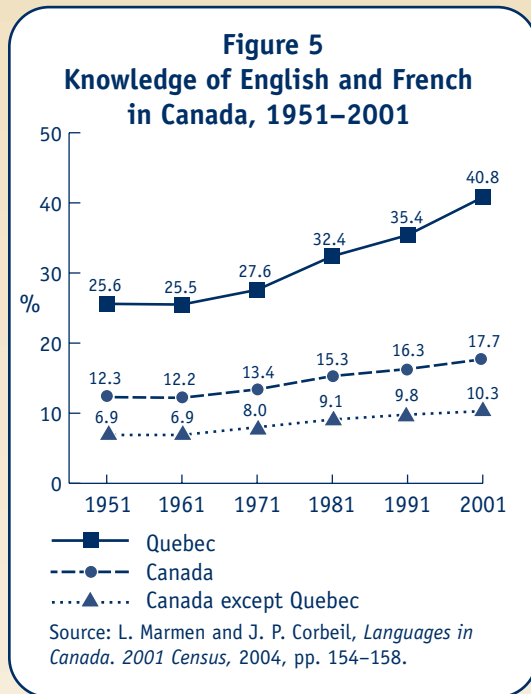


Source: L. Marmen and J. P. Corbeil, *Languages in Canada. 2001 Census [...]* 2004, pp. 159-161.

¹⁶ L. Marmen and J. P. Corbeil, *Languages in Canada, 2001 Census* 2004, p. 140.

Let us examine how linguistic duality has taken root in various segments of society—the general population, civil society and the private sector.

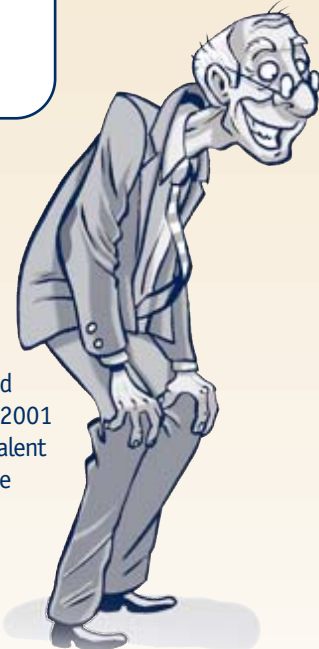
Within the general population



Quebec accounted for most of the increase in individual bilingualism, where the number of bilingual speakers went from 1 million (26%) to 3 million (41%) between 1951 and 2001. In comparison, New Brunswick saw its number of bilingual speakers grow from 100,000 (19%) to 250,000 (34%) in the same period. Across Canada, the rate of bilingualism today is higher among Francophones (44%) than among Anglophones (9%). In Quebec, however, more Anglophones are bilingual (67%) than Francophones (37%).

Until the second half of the 20th century, Canada’s English and French communities lived relatively separate lives and needed only a minimal level of bilingualism. In 1931, 13% of the Canadian population was considered to be bilingual.¹⁷ In 1951, this figure remained almost unchanged at 12% but it started to climb in the mid-1960s and reached 18%, or 5.2 million individuals, in 2001 (see Figure 5).¹⁸ Five million people—the equivalent of the population of an influential country like Denmark or Finland!

What do you want to be when you grow up?



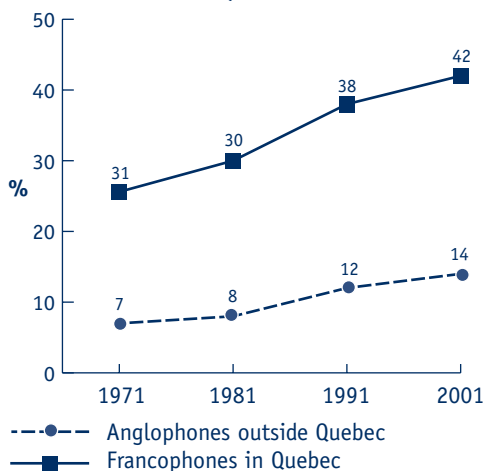
I want to be bilingual!



¹⁷ R. Lachapelle and J. Henripin, *The Demolinguistic Situation in Canada: Past Trends and Future Prospects*, Montréal, Institute for Research on Public Policy, 1980, p. 333.
¹⁸ L. Marmen and J. P. Corbeil, *Languages in Canada, 2001 Census 2004*, p. 55.

Among youth 15 to 24 years of age, we can see that the bilingualism level has doubled in the past 30 years among Anglophones outside Quebec to reach 14%, while it has increased by a third among Francophones in Quebec to reach 42% (see Figure 6).

Figure 6
Mastery of the other official language in the 15-24 age group, Anglophones outside Quebec and Francophones in Quebec, 1971-2001



Source: Census data, compiled in Canada, *The Next Act: New Momentum for Canada's Linguistic Duality, Action Plan for Official Languages*, Privy Council Office, Ottawa, 2003, p. 22.

With the population becoming increasingly bilingual and the principle of duality taking root, people in politics have had to meet higher expectations. Since the Right Honourable Pierre Elliott Trudeau, all prime ministers have been able to speak both official languages. Similarly, the heads of the major political parties have been bilingual or have had to learn their second official language.

"In national politics, it's now a given [...] that a party leader, let alone a prime minister, must be somewhat or fluently bilingual."

— Jeffrey Simpson, *The Globe and Mail*, February 28, 2004.

However, there is still a long way to go with respect to individual bilingualism because, as we will see, Canadians' support for the idea of using our two official languages exceeds their actual ability to speak both languages.

Civil society

Canadian civil society, that is, non-governmental and not-for-profit organizations, do not fall under the *Official Languages Act*, but they adhere to its spirit in large part and now embody linguistic duality.

Bilingualism in national associations. Most large national organizations increasingly operate in both languages, among them, for example, Volunteer Canada, the Association for Canadian Studies, the Canadian Paralympic Committee, the Canadian Institute of Actuaries, Saint John Ambulance, the Canadian Environmental Network, and the Canadian Urban Transit Association. The Government of Canada has certainly helped promote this bilingual face through various programs now implemented by Canadian Heritage. For example, there are the Assistance for Interpretation and Translation Program and the Development of Official Language Services Program, which have existed for 25 years. One of the challenges related to the level of commitment within civil society is the danger of limiting linguistic duality to the translation or interpretation of national content, without factoring in the experience and aspirations of each of the different groups making up the official language communities.

Canadian Parents for French. The dialogue around Canada's linguistic duality has taken shape through a number of initiatives by civil society groups. Canadian Parents for French (CPF) is one of these groups. It actively supports French as a second language education through its lobbying, training and resource networking activities.¹⁹ Created in 1977, this association has spread across the country and has some 18,000 volunteer members. It has helped the Anglophone community achieve a deeper appreciation of the value of Canada's duality and understand the importance of learning French. Canadian Parents for French is particularly supportive of French immersion, which has been remarkably successful since its beginnings in 1965. Not only have several million young Anglophone students developed skills in their other official language thanks to this intensive method, but they have been exposed to a variety of cultural experiences that have given them a broader view of the world. For example, as of 2002–2003 there were some 357,000 Anglophone students in French immersion (more about French immersion in Chapter 4).

“Interestingly, French immersion is also one of Canada's major exports in international education, with educators in Japan, Wales, Spain and the USA applying made-in-Canada immersion methodology to the teaching of second languages, enhancing the language skills of young people around the globe.”

— J. Shea, Canadian Parents for French, “Canada's Education Revolution in its Second Generation,” *Canadian Issues/Thèmes canadiens*, June 2003, p. 39.

Exchanges. Numerous government initiatives aimed at promoting learning and exchanges between young people in Canada have been supported by the official languages policy since the 1970s. These include EduCanada, Katimavik,²⁰ Exchanges Canada,²¹ Young Canada Works²² and programs for official language monitors and official language bursaries.²³ Thousands of young people have thus contributed to the official languages dialogue and started to prepare for the bilingual and multicultural Canada of today.

The private sector

The private sector, especially large nationwide businesses and those operating in Quebec, are also increasingly accepting Canada's linguistic duality. Aware of the size of the Francophone market share, large companies such as Bell, Bombardier, banks and financial institutions often project their corporate image in both languages.



¹⁹ The Web site for Canadian Parents for French is www.cpf.ca.

²⁰ The Web site for Katimavik is www.katimavik.org.

²¹ The Web site for Exchanges Canada is www.exchanges.gc.ca.

²² The Web site for Young Canada Works is www.pch.gc.ca/special/ycw-jct/html/welcome_e.htm.

²³ The Web site for the CMEC's official language programs for youth is www.cmec.ca/olp.

MY VIEW...

Interview with **John Stanton**, President and Founder, Running Room Ltd, Edmonton

“Our entry in the province of Quebec forced us to look at being—and becoming—a fully bilingual company. Operating in the two languages helped mature us as a company.

When we offered our various forms in the two languages in Ottawa, we realized that 20 to 30% of those picked up were in French. We realized that quite inadvertently we had in effect been forcing our Francophone clients to use English.

Operating in both languages in Quebec and in cities like Ottawa, Moncton and Sudbury was a huge challenge initially. Now we are able to offer our products and services in both languages.

Retailers need to think of language in terms of what the customer wants. We need to be respectful of our customers.

Public reaction to our decision to become bilingual has been really positive. We have had loads of compliments for instance on our bilingual Web site and telephone messages.

What help might government provide? One important area is translation. It would be very helpful if some sort of advisory resource were able to help companies find the right French terminology in certain specialized fields such as ours.”

— Interviewed on January 13, 2005

Even a smaller business—Mountain Equipment Co-op (MEC)—has recently contributed to the promotion of the French language as part of its expansion with the production of a French glossary of outdoor sports terms.²⁴ In relation to the challenges involved in transforming a unilingual business into a bilingual one, MEC’s President, Peter Robinson, has indicated that serving the Francophone community has expanded the outdoor equipment co-operative’s sales and membership and has also fostered new enthusiasm among its employees and even its suppliers.²⁵

Public opinion about bilingualism

How do Canadian citizens view Canada’s linguistic duality? Numerous opinion polls have been conducted on this issue over the years, and these snapshots formed the basis for a report on this subject prepared recently by the Centre for Research and Information on Canada (CRIC).²⁶ In general, it appears that support for bilingualism has changed relatively little.

The studies showed that support for bilingualism varies across respondent categories:

²⁴ Mountain Equipment Co-op, *Le petit MEC*. Montréal, Éditions Carte blanche, 2004.

²⁵ Address to the *Vision and Challenges for the 21st Century: Symposium on Official Languages*, Toronto, March 2004.

²⁶ A. Parkin and A. Turcotte, *Bilingualism: Part of our Past or Part of our Future?* The CRIC Papers, No. 13, Ottawa, Centre for Research and Information on Canada, March 2004. On-line: www.cric.ca/pdf/cahiers/cricpapers_march2004.pdf.



more supportive ←————→ less supportive

Quebec ... Atlantic provinces ... Ontario ... Western provinces

young people ... more than ... older people

women ... more than ... men

Francophones ... more than ... allophones ... more than ... Anglophones

PUBLIC OPINION



On the principle. Support remains strong on matters of principle.

- Since 1987, 77% of Canadians recognize the importance of preserving both official languages.
- In 1977 and in 2002, approximately 80% of Canadians supported the right of all citizens to receive Government of Canada services in their own official language.



Education. There has been great progress in Canadians' support for education.

- Between 1965 and 2002, Anglophones' support for public funding of French-language schools outside Quebec jumped from 14% to 91%.



Costs. Support is somewhat low when the question asked refers vaguely to “bilingualism on a national scale” or refers to the resources this requires.

- From 1977 to 2003, Canadian public support went from 51% to 56%, with a drop to 46% following the failure of the Meech Lake Constitutional Accord.
- Since 1977, between 40% and 50% of Canadians believe that too much effort has gone into bilingualism.



Globalization. One of the promising signs revealed by this CRIC poll is that support for bilingualism increases when seen from the point of view of Canada adapting to a globalized economy.

- 90% of Canadians agree that people who speak more than one language have a greater chance of success in the globalized economy.
- 74% of Anglophones and 93% of Francophones believe that their children should learn the other official language.



Diversity. Support is also strong when bilingualism is considered from the point of view of diversity.

- 70% of Canadians and, in particular, 75% of those born abroad believe that bilingualism makes Canada more welcoming for immigrants.



Analysis of these data shows that the Government of Canada still needs to promote linguistic duality.

MY VIEW...

Interview with **Beverly Nann** (Order of British Columbia), President, Vancouver Asian Heritage Month Society

“The more languages you know, the better off you are. Knowing another language is a door into the other culture.

Bilingualism is one of our distinguishing features. It makes us different from the United States. There is no downside to bilingualism. The challenge is to make it a reality, to make it inclusive, not exclusive. The challenge is how to get everyone on board.

If we truly want to be a bilingual country, we have to start with kids in the schools. Why aren't we doing that?

We have to create opportunities to be exposed to French and to use it. One way would be to have more contacts with the Francophone community here in Vancouver.

Bilingualism is a major contributor to our multicultural society. If you know a second language, learning a third or even a fourth is so much easier.

The resistance here is not to bilingualism or to having two official languages. It comes from the frustration of not having the opportunity to learn French and use it. People know that being bilingual is essential if you want a career in the Public Service. Whatever backlash there is comes from people feeling a lack of opportunity.”

— Interviewed on January 11, 2005

Active minorities

Where there is a majority, there is a minority, and together they illustrate a universally established social phenomenon: resources tend to be unequally distributed among the elements making up a community. There is nothing predetermined about how majorities and minorities relate, not even numbers. These relations depend on the relative levels of wealth, power and status that develop among the components of a community.

Majorities are naturally little inclined to egalitarianism when the current situation is to their advantage. It is often up to minorities to create change and promote innovations.²⁷ Without minorities becoming aware, mobilizing and

making strategic approaches to majorities, some kinds of progress would not be made. As W. Kymlicka stated, “...minority nationalism has proved to be an effective vehicle by which national groups can modernize their societies, and participate more actively in the global economy and in the increasingly dense networks of international law and civil society.”²⁸ Linguistic duality is in fact a type of relationship that has been instituted to create political and social equality between Canada's two linguistic components.

Governance of official language minorities

Canada's Anglophone and Francophone minorities are indeed active and have gradually mobilized in order to advance their interests through official

²⁷ S. Moscovici, *Social Influence and Social Change*, London/New York, Academic Press, 1976.

²⁸ W. Kymlicka, *Politics in the Vernacular. Nationalism, Multiculturalism and Citizenship*, Oxford, Oxford University Press, 2001, p. 275.

languages. Over the course of the 20th century, they organized representative organizations in all the provinces and territories and, starting in the 1960s, they began receiving financial support from the Secretary of State, later Canadian Heritage.

Canada-Community agreements. Since the 1990s, Canadian Heritage has negotiated Canada-Community agreements to provide financial support for the development of minority communities. These agreements encouraged partnerships and increased co-operation within the communities, which had to define their collective priorities and administer the resources provided under an overall development plan. However, the level of financial support they received has clearly proven insufficient to fund the implementation of these plans and has led to competition for resources, which has not always supported community cohesion. Canadian Heritage is currently redefining its approach.

Joint governance. More recently, new forms of governance have developed that not only promote horizontal federal co-operation, but also enable representatives of federal institutions and of Anglophone and Francophone minority communities to work together and co-ordinate their efforts to make Government of Canada support for their development more relevant and effective.

- The National Committee for Canadian Francophonie Human Resources Development was the pioneer and model in 1997. The strength of this formula resides in sound collaboration between partners, with each party bringing its expertise and authority to the table. They agree on a common definition of the development issues in a sector and on the integrated sectoral development strategy that best meets the needs of the communities,

then co-ordinate its implementation. This formula was applied to Quebec's Anglophone minority in 1998.

- Variations on this community-government joint committee approach were used in the areas of health in 2000, immigration in 2002 and justice in 2003–2004.
- A memorandum of understanding between the Government of Canada, the Government of Manitoba, the Association of Bilingual Municipalities, and the Economic Development Council for Manitoba established a joint committee and a framework document for ongoing co-operation between the three levels of government for economic and human resources development in Manitoba's Francophone community. This type of joint committee, to the extent that it actually designs and implements an integrated development plan for the official language minority of a province, strongly reflects the spirit of section 43 of Part VII of the Act. It appears that similar approaches involving service-focussed, multilateral co-operation may also be in the works in Atlantic Canada.

To be or not
to be bilingual:
that is the question!



MY VIEW...

Interview with **Frances Russell**, Winnipeg journalist and author

“Duality is at the core of what it means to be a Canadian. Duality not only created Canada, it defined our national character and wrote our national narrative. It is duality that led to our respect for difference and accommodation of diversity—the hallmark of our culture and the mainstay of our values...

It must, at all costs, be maintained. Without it, Canada ceases to be.

Tragically, a major opportunity was lost early on with the Government of Canada’s failure to create bilingual regions as originally envisaged under the *Official Languages Act*. Now, 30 years later, the Government of Manitoba is attempting to turn back the clock, but it may well be too late. The latest census shows Manitoba has suffered the largest loss among the provinces and territories in bilingual capacity. Without critical mass, the minority language cannot survive and withers.

Canada must move quickly to establish bilingual regions and to accord the highest priority to the teaching of Canadian history to both French and English Canadians. Future generations must know our founding story. They do not. Future generations must understand how we came to be who we are. They do not.

A country cannot subsist in the ether. It must be on the ground, living and breathing alongside its citizens.”

— Interviewed on January 12 and 20, 2005

The Francophone minority

Until the 1960s, Francophones in Canada had in common a French-Canadian identity, with those in the Atlantic provinces sharing an additional Acadian identity. Both these identities were founded on the French language and the Roman Catholic religion. Except in Quebec, these identities were largely unconnected to government, which operated mainly in English. The nationalist movement in Quebec and the development of the welfare state progressively undermined this French-Canadian unity.²⁹ The B and B Commission was created at this time.

Did you know...



Western Francophonie. Francophone communities have been present in Western Canada since well before Confederation. The vitality of their communities was evidenced by their Catholic parishes and associations such as the Société Saint-Jean-Baptiste, the Dames de Sainte-Anne, and so on. They had religious communities that provided education, hospital care and social services. They were also major economic players in the fur trade, and later in agriculture. Today, this heritage can be seen not only in the number of communities that continue to live in French but also in the geographical names that reflect the historical French presence, such as Portage la Prairie, Manitoba; Fort Qu'Appelle, Saskatchewan; Lacombe, Alberta; and Quesnel, British Columbia.

²⁹ J. Y. Thériault (ed.), *Francophones minoritaires au Canada : l'état des lieux*, Moncton, Éditions d'Acadie, 1999.

Except in Quebec, Francophones will continue to make up minority language communities in the future. In response to the changes taking place around them, to federal intervention in the governance of official languages and to provincial intervention in education and health, the former French-Canadian and Acadian associations are increasingly being restructured on a provincial or territorial basis; they are complemented by the existing nationwide organizations (see box on page 5).

By creating the Fédération des francophones hors Québec (FFHQ) in 1975, the Francophone minorities in the provinces and territories created a common vision for themselves. While the vision received financial support from the Secretary of State, the Francophone minority was concerned that its existence would be overshadowed by the new multiculturalism policy and that the official languages policy was aimed mainly at bilingualism in the Public Service. The FFHQ's publications, *The Heirs of Lord Durham*³⁰ and *Face to Face with a Failing Country*³¹ paint a sombre picture of the situation experienced by this minority and argue for corrective action. The spirit of this argument would eventually reappear in key judgments of the Supreme Court of Canada.

Governance within the Francophone minority also operates through an extensive network of institutions that cover all sectors and areas of the country. A number of national organizations (representing community radio stations, senior citizens, the press, parents, lawyers, women, the health sector) are members of the Fédération des communautés francophones et acadienne du Canada (the FFHQ's name since 1991), while other organizations such as the Fédération culturelle canadienne-française, the Association canadienne d'éducation de langue française and the Fédération nationale des

conseils scolaires francophones are themselves large associations.

The new name, the Fédération des communautés francophones et acadienne du Canada (FCFA), reflects a new vision that values the diversity of the Canadian Francophonie and is more in tune with Quebec. The Francophone minority has finally recognized that cultural diversity in Canada has also come to their communities, and it is once again reaching out to the Francophone majority in Quebec, especially since setting up an office in Quebec in 1988. In recent years, Quebec has also played a more active role in the Canadian Francophonie.

It is interesting to note that in Ontario, for example, leadership in the Francophone community is changing to reflect the growing diversity of this community. Many sectoral organizations now represent the interests and aspirations of the different segments of this community and are in some ways compelling the large community organizations to redefine themselves. The Association des communautés franco-ontariennes has reviewed its structure in the past few years to reflect this new reality.

The Anglophone minority

The history of the Anglophone minority in Quebec is a different story. Since the late 1970s, when the Parti québécois was elected in this province, the Anglophone population has not shared a common sense of belonging. Its ethnocultural composition is as diverse as the population in the rest of Canada, and Anglo-Quebeckers identify more with Canada as a whole than with their province. In fact, it was the Quebec nationalist movement that pushed them into taking an interest in their own collective existence in Quebec.³²

³⁰ Fédération des francophones hors Québec, *The Heirs of Lord Durham*, Ottawa, 1977.

³¹ Fédération des francophones hors Québec, *Face to Face with a Failing Country: New Association for the Two Founding Peoples*, Ottawa, 1979.

³² G. Stevenson, *Community Besieged: the Anglophone Minority and the Politics of Quebec*, Montréal, McGill-Queen's University Press, 1999.

Immediately following the 1976 Quebec election, a few Anglophone interest groups sprang up: Participation Quebec, Positive Action Committee, Townshippers Association, and others. But it was really during the consultations prior to the adoption of the *Charter of the French Language* in 1977 that the Anglophone community realized that it would be more efficient to work together, thus the Council of Quebec Minorities was created. The PQ government's re-election in 1981 then led the Anglophone minority organizations to regroup under the banner of Alliance Quebec, which was created in 1982.

This organization receives financial support from Canadian Heritage under its official languages policy. Alliance Quebec relies on its broad-based membership and on regional chapters that reflect the Anglophone minority across the province. It has played a key role in gaining

legal recognition of the right to education in English as set out in section 23 of the Charter. It has helped obtain improved health and social services and ensured that the language rights of the Anglophone minority were respected when responsibility for labour force development was transferred from the Government of Canada to Quebec.

During the 1990s, negotiations between the Government of Canada and community groups to reach a Canada-Community agreement resulted in the creation of the Quebec Community Groups Network (QCGN). Formed in 1995, the QCGN is made up of 23 member organizations, among them Alliance Quebec, regional organizations and interest groups representing sectors such as health and social services, adult education, employment, farming, the arts, the press, Catholics, Blacks, young people and parents. One of the

MY VIEW...

Interview with **Richard Walling**, Executive Director, Holland Centre (Health and Social Services in English in the Greater Quebec City Area)

"We should never underestimate the importance of having a legislative framework. The *Official Languages Act* reminded the Government of Canada that linguistic minorities exist and need assistance.

The Act created an environment for the communities, in effect telling communities that they had their space. It forced different federal departments to invest in them.

Twenty years ago, these communities were mainly focused on their rights. Today, they are taking charge and suggesting solutions, in health and education, for example. We can now move forward with much more confidence than 35 years ago.

The Act enabled us to make progress. Even though its numbers have declined, the English language community in Quebec is more dynamic. We have a great deal more experience and research behind us.

This is fertile ground for research. We are doing more and more work with McGill University and the Canadian Institute for Research on Linguistic Minorities in Moncton.

Our communities are very diverse. The Anglophone communities in Harrington Harbour and Montréal are worlds apart! In fact, many of our communities, like the one in the Gaspé, are very much like small Francophone communities outside Quebec. The Act gives vulnerable communities a fighting chance."

— Interviewed on January 12, 2005

Anglophone minority's governance challenges is that Anglophones still do not strongly identify with the groups seeking to represent them. A recent study commissioned by the Office of the Commissioner of Official Languages showed that half of Anglophones in Quebec do not know which group best represents their interests.³³

The Commissioner has noted that both Anglophone and Francophone minority communities are tending to put more emphasis on diversity and are seeking to create alliances with the majorities. In addition, the organizations representing these minorities have a wealth of human resources, in the form of volunteers or employees, who are helping make Canadian society more just and equitable with respect not only to linguistic duality but also to democracy and socioeconomics. There is a need to continue strengthening this leadership and promoting its role in advancing Canadian society as a whole.

Duality, diversity and the intermingling of cultures and ethnicities

"In short, Canada is a world leader in three of the most important areas of ethnocultural relations: immigration, indigenous peoples, and the accommodation of minority nationalisms. [...] That we have managed to cope with all these forms of diversity simultaneously while still managing to live together in peace and civility is, by any objective standard, a remarkable achievement."

— Will Kymlicka, *Finding Our Way: Rethinking Ethnocultural Relations in Canada*, Toronto, New York, Oxford University Press, 1998, p. 3.

The face of Canada's duality has been progressively transformed by the intermingling of English and French cultures, the recognition of Native peoples, and the arrival of people with different ethnicities and cultures. The biculturalism fervently supported by the B and B Commission certainly remains a fertile ground for contemporary Canadian culture, but the diversity of our influences has given rise to multiculturalism, which now also expresses itself through our linguistic duality.

A PIN REFLECTING CANADA'S SOCIAL FABRIC



A fabric is woven of many threads. Those of us who speak English and those of us who speak French—ourselves made up of many different elements—have joined together to weave a social fabric called Canada. The golden fabric at the centre of the pin symbolizes the meeting place of our two linguistic communities and the richness of the dialogue between them.

Wearers of the emblem of the **Office of the Commissioner of Official Languages** are signifying their commitment to fostering harmonious human relations between English-speaking and French-speaking components of Canada's social fabric.

³³ Office of the Commissioner of Official Languages, *Going Forward: The Evolution of Quebec's English-Speaking Community*, Commissioner of Official Languages, Ottawa, 2004, p. 45.

Aboriginal peoples and duality

Canada's Aboriginal peoples and their ancestral rights certainly predate the Canadian government and the country's linguistic duality. While relations between the English and French, and later with immigrant communities, formed the basis for building the country, Aboriginal peoples were gradually marginalized and found themselves in socio-economically disadvantaged circumstances. Little by little, their ancestral languages have died out. Today, only about 50 Aboriginal languages still exist, spoken by an ever-shrinking proportion of the Aboriginal population.³⁴

Aboriginals have ancestral rights that were recognized in the 1982 *Canadian Charter of Rights and Freedoms*. The Charter sets out in some detail the rights of English and French as official languages of Canada and the education rights of the Anglophone and Francophone minorities. These rights do not conflict but are in fact complementary. Rights for Aboriginal languages are very important because language is the essential tool we use to construct our identity as individuals and as members of a community. Indeed, language laws in the Northwest Territories, Nunavut and, to some extent, the Yukon have recognized the linguistic contribution of the Aboriginal and Inuit peoples by granting these languages certain rights and privileges.

Multiculturalism

Paradoxically, the work of the B and B Commission brought to light another reality that developed over the course of the 20th century—the diversity of Canada's composition as a result of immigration.

Demands for multiculturalism. Citizens making up the new face of Canada pleaded in favour of a more inclusive vision. Canadians of Ukrainian origin, for example, pointed out their role in colonizing the Canadian West and called for "multiculturalism" in place of biculturalism. Although the Commission kept its reflections focused on the link between the two languages and two cultures of the "founding peoples," it agreed that the descendants of the British and French peoples "... are no longer the only ones in Canada and they will have to take this very important human factor into account."³⁵

Official multiculturalism. The Government of Canada made this a reality in 1971 when it adopted an official multiculturalism policy that recognized the equal value and dignity of all ethnocultural groups. The Charter enshrined Canada's multicultural character in 1982, and the 1988 *Canadian Multiculturalism Act* set out its scope. Canadian multiculturalism is linked to linguistic duality and the recognition of the rights of Aboriginal peoples.

³⁴ M. J. Norris and L. Jantzen, *From Generation to Generation: Survival and Maintenance of Canada's Aboriginal Languages Within Families, Communities and Cities*, 1996, Ottawa, Indian and Northern Affairs Canada and Canadian Heritage, January 2004. On-line: www.ainc-inac.gc.ca/pr/ra/fgg/index_e.html.

³⁵ Canada. *A Preliminary Report of the Royal Commission on Bilingualism and Biculturalism*, Ottawa, 1965, p. 119.

Immigration

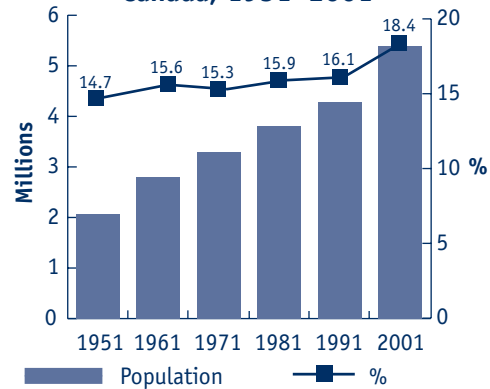
Growth. The immigrant population has grown at a rate three times higher than that of the Canadian-born population, and therefore represents an increasingly greater proportion of Canada's inhabitants (see Figure 7). This has had a significant impact on the country's demographics and an even greater impact on the Francophone population, which has seen its numbers decrease through assimilation and a low birth rate.

In fact, the main effect of immigration has been to increase the size of the Anglophone population. In 2001, there were more than eight English mother-tongue immigrants for every French mother-tongue immigrant (see Figure 8).

Quebec. Until very recently, this imbalance existed in both Quebec and the rest of Canada. In recent years, however, Quebec has been able to partially rectify the situation through a joint federal-provincial agreement reached in 1978 that gave the province the power to manage its own immigration programs. As a result, Quebec has been able to increase its population of French-mother-tongue or French-speaking immigrants, which has helped strengthen Canada's Francophonie. Quebec's Anglophone minority is itself increasingly made up of individuals of diverse ethnic backgrounds. Today, 67% of people whose first official language is English are of an origin other than Canadian or British.³⁶

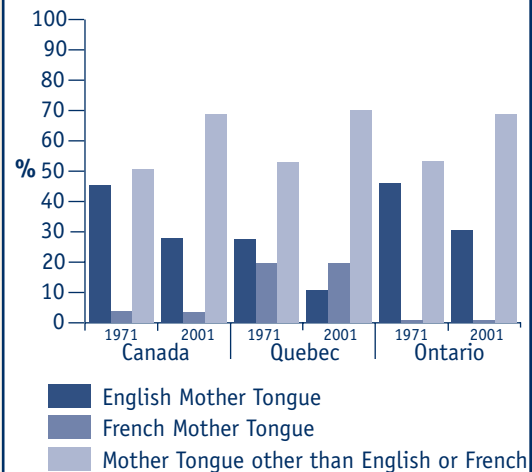
Francophone minority. In 2001, while appearing before the Standing Committee on Citizenship and Immigration, the Commissioner asked the Department of Citizenship and Immigration to ensure that the Francophone population benefits from immigration. Data from 2003 illustrate the small extent to which immigration has increased the Francophone population (see table on page 36). This request produced results, since the new 2002 *Immigration and Refugee*

Figure 7
Immigrant population,
Canada, 1951–2001



Source: L. Marmen and J. P. Corbeil, *Languages in Canada. 2001 Census*, Ottawa, Canadian Heritage (New Canadian Perspectives)/Statistics Canada, 2004, p. 88.

Figure 8
Composition of immigrant population
by mother tongue, 1971 and 2001



Source: L. Marmen and J. P. Corbeil, *Languages in Canada. 2001 Census*, Ottawa, Canadian Heritage (New Canadian Perspectives)/Statistics Canada, 2004.

³⁶ Office of the Commissioner of Official Languages, *Going Forward: the Evolution of Quebec's English-Speaking Community*, 2004, p. 19.

LANGUAGE KNOWLEDGE OF IMMIGRANTS BY PROVINCE AND TERRITORY, 2003

	Y.T.	B.C.	N.W.T.	NT.	ALTA.	SASK.	MAN.	ONT.	QUE.	N.B.	N.S.	P.E.I.	N.L.	CANADA
English	30	15,083	48	6	7,741	883	2,726	62,202	6,639	351	803	85	190	96,787
French	0	108	0	0	99	0	45	1,020	8,612	58	25	0	0	9,967
French and English	9	584	0	0	399	0	114	3,401	11,488	67	111	11	9	16,193
Neither French nor English	18	19,453	43	0	7,591	735	3,607	53,118	12,812	191	537	57	160	98,322
Total	57	35,228	91	6	15,830	1,618	6,492	119,741	39,551	667	1,476	153	359	221,269

Source: Permanent Resident Data System (PRDS), Citizenship and Immigration Canada.

Protection Act stipulated that immigration must support the development of the two linguistic communities and promote the principle of equal status of both languages in Canada.

In November 2003, this requirement translated into action when the Department launched the Strategic Framework to Foster Immigration to Francophone Minority Communities outside Quebec. The Framework describes a series of measures designed to increase Francophone immigration from 3.4% to 4.4% by 2008. In 2004, the Department began developing recruitment missions in regions of the world that could be sources of Francophone or Francophile immigrants. The Framework is also designed to encourage Francophone immigration into small Francophone and Acadian communities and to facilitate the process of integrating immigrants. Communities are enthusiastic about this measure, and a number of pilot projects are currently underway.

The following provinces and territories have entered into immigration agreements with the Government of Canada: British Columbia, Saskatchewan, Manitoba, Prince Edward Island and the Yukon. Even though language clauses are part of these agreements, they are very vague.

CITIZENS AS AGENTS OF CHANGE

Immigration. After Commissioners received complaints relating to the immigration process, the Department of Citizenship and Immigration broadened its interpretation of the Canadian Francophonie by reversing its decision to prevent two immigrants from settling in Francophone communities outside Quebec. The Department also rectified the unequal administration of language competency tests for people wishing to immigrate to Canada. Thanks to a study showing that Francophones had to travel greater distances than Anglophones to take the tests, it is now possible to take the French test in a greater number of countries.

Citizenship. After complaints were filed with the Office of the Commissioner of Official Languages against Citizenship and Immigration Canada, the Department is now required to hold its citizenship ceremonies in both official languages, and citizenship judges must be able to communicate in both official languages.

While the agreements support Francophone immigration and commit governments to consult with representatives of the Francophone community, there are no firm commitments with respect to the number or percentage of provincial nominees that must be Francophone. None of these provinces reports on the number of Francophones among the nominees they choose, but the department is committed to ensuring accountability from the provinces in this matter.

At present, it is difficult to measure the impact that these agreements are having. It is well known that the numbers of Francophone immigrants to Quebec and bilingual immigrants to the rest of Canada have increased. People speaking both languages represented 4.4% of all immigrants in 2000 and 6% in 2003.³⁷

Issues. Nine million dollars in funding is being allocated over five years to support Francophone immigration initiatives included in the *Action Plan for Official Languages*. This is a beginning, but the lack of resources is starting to have an impact. In fact, since the launch of the Strategic Framework in 2003, progress seems to have slowed at the Department of Citizenship and Immigration. A number of the measures described in the Action Plan are at the draft stage or so far are only intentions. Moreover, outside Quebec, almost everything related to Francophone immigration is still to be created: reception structures, integration services, etc. A serious effort will have to be made to ensure the Department reaches its objectives.

Finally, in response to recommendations made by the Commissioner, Canada's immigration nominee selection criteria were changed to include more nominees with greater knowledge of official languages. This was a significant achievement.

IMMIGRATION HEADLINERS

Increasing numbers of immigrants are star performers in their field on the Canadian stage, a sign of greater integration into Canada's linguistic duality. Here are some examples:

- Corneille, Rwanda, singer
- Michaëlle Jean, Haiti, journalist
- Wajdi Mouawad, Lebanon, playwright
- Adrienne Clarkson, Hong Kong, Governor General
- Atom Egoyan, Egypt, director
- Michael Ondaatje, Sri Lanka, author

In Canada's 38th Parliament, 38 members (12%) and 12 senators (11%) were born outside Canada.

CITIZENS AS AGENTS OF CHANGE

Census. In the 1970s, the Commissioner of Official Languages received complaints from citizens about census activities being conducted primarily in English. The Office of the Commissioner urged Statistics Canada to permanently remedy the situation. Today we must acknowledge Statistics Canada's exemplary role in the collection and analysis of demolinguistic data. Its work in this field has produced one of the basic tools used by researchers and decision makers alike. Statistics Canada has consistently shown a willingness to respond to input from stakeholders in this field and has, in fact, gone on to acquire an international reputation in demolinguistics.

³⁷ Citizenship and Immigration Canada, *Annual Report to Parliament on Immigration 2004*, Ottawa, 2004.
On-line: www.cic.gc.ca/english/pub/immigration2004.html.

Cultural diversity around the globe

For several years, Canada has been lobbying world forums in support of cultural diversity. Canada argues that cultural commodities play a more significant role in our societies than other products and services, that cultural diversity refers as much to openness to other cultures as it does to the promotion of local culture, and that cultural diversity plays a role in social cohesion, economic prosperity and human security. Canada supports an international instrument enabling governments to preserve and promote cultural diversity.

Since the 1950s, Canada has been active in promoting the Francophonie around the world in order to reflect Canada's linguistic duality. Canada has been involved in many different organizations that make up La Francophonie and, in particular, hosted the second (Québec, 1987) and eighth (Moncton, 1999) summits. This has been the case throughout the Commonwealth since 1931. Canada is also attempting to get UNESCO, the World Trade Organization and the Organization of American States to reach a consensus on cultural diversity. Canadian Heritage, the department responsible for this effort, is working with the government of Quebec and many civil society organizations. This effort is of course aided by Canada's own history, which has been marked by people of diverse origins, languages and cultures. The instruments that protect and promote this diversity in Canada are now being tested by globalization, which is why this battle must be fought on an international level.

Conclusion

Canada has made great strides and reflects linguistic duality to a much greater extent than it did 35 years ago. At the beginning of this chapter, we listed Canada's achievements in the area of bilingualism. However, much remains to be done before equal status for our two official languages is assured. Here is a summary of some of the key issues that will have to be tackled head-on:

- **Language data.** It is difficult to assess progress in the area of linguistic duality, because language data collected over the years are not readily comparable. With more and more Canadians having neither English nor French as their mother tongue, Statistics Canada has developed useful indicators such as "first official language spoken." Considering the changes in Canada's population, in future we should include all those people who speak the language rather than only those for whom it is the "first official language spoken." The Commissioner believes that central agencies must agree on suitable and comparable indicators for their reporting standards.
- **Joint governance.** In less than a decade, we have seen joint governance structures established involving government institutions and official language minority communities. This model has opened the door to enhanced co-operation that will help achieve the goal defined in Part VII of the *Official Languages Act*. In addition to economic development, health, and immigration, other areas that foster the vitality of official language minorities must benefit from better governance as well; the different levels of government must partner with community groups to achieve this.

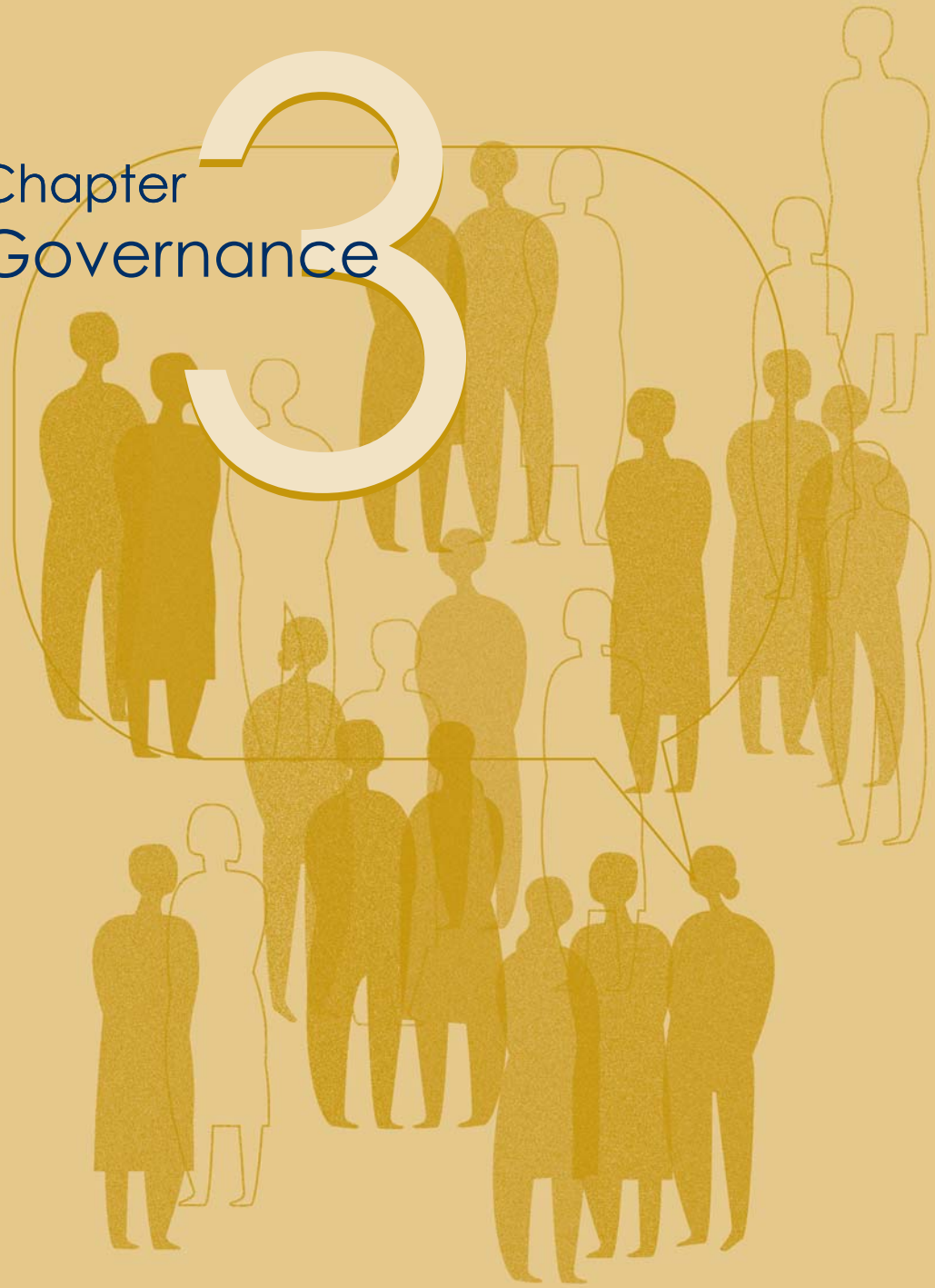
- **Learning of official languages.** Despite Canadians' favourable outlook on the country's two official languages, more must be done to encourage them to learn and use their second official language. The Government of Canada must play a more central role in promoting and supporting this learning and in creating community partnerships.
- **Immigration.** Immigration was addressed fairly recently from the perspective of linguistic duality. The 2003 *Action Plan for Official Languages* supports initiatives to promote Francophone immigration outside Quebec; however, this is just a starting point. Almost all of the immigration infrastructure still needs to be developed: reception structures, integration services, etc. The Government of Canada needs to kick-start this process in order to achieve its objectives. Multilateral agreements will be key instruments in this endeavour.
- **New social contract.** On a more basic level, given the population's changing composition and structure, we will in future have to re-evaluate the collective identity being promoted by the Government of Canada. This identity, which focuses in many respects on the Canadian people's development through history, should perhaps give way to the concept of a society governed by a social contract.³⁸ The historic and cultural experience of Canadian Aboriginals, Francophones, Anglophones and allophones is so diverse that their rallying point would be better achieved through the concept of a contract based on relational principles. These principles would undoubtedly include democracy, diversity, openness, non-aggression, accommodation of others, mutual respect, inclusiveness, equal participation, equal rights and opportunities, the rule of law, respect for minorities, and linguistic duality.³⁹

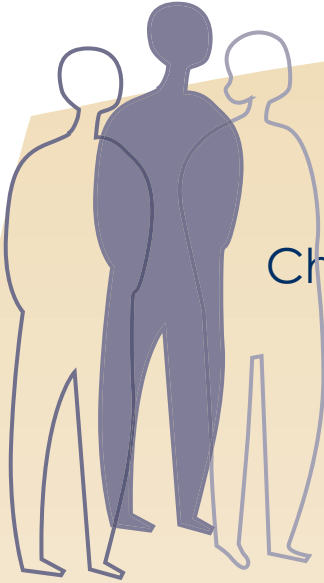


³⁸ Idea and argument put forward by C. Bernier, "Mon pays ce n'est pas un pays, c'est une idée..." *Canadian Diversity/Diversité canadienne*, 3:2, spring 2004.

³⁹ The *Reference re Secession of Quebec*, [1998] 2 S.C.R. 217 specifically mentions four fundamental and organizing principles of the Canadian Constitution: democracy, rule of law, federalism, and respect for minorities.

Chapter
Governance





Chapter

3

“It is not enough to tell public servants that they may speak French if they wish; the whole milieu will have to be changed if the public service is to become a bilingual institution.”

— B and B Commission. *Book III: The Work World*, Ottawa, 1969, p. 204.

The government is on the front line in implementing its official languages policy, and it was at the administrative level that the first steps were taken to launch Canada’s linguistic duality. The objectives of the Government of Canada’s institutional bilingualism are to:

- 1) ensure that citizens can communicate with, and receive services from, federal institutions in the official language of their choice;
- 2) ensure that employees can work in the official language of their choice in regions where there is a high proportion of both linguistic groups; and
- 3) ensure that the linguistic makeup of Canadian society is reflected within federal institutions.

To this we can add the objective that the Government of Canada regulate or actively support bilingualism on a wider scale within Canada.

This chapter reviews the main achievements and the main challenges yet to be overcome in these areas. The principal achievements may be briefly described as follows:

PRINCIPAL ACHIEVEMENTS

- The Government of Canada’s bilingual capacity has increased; for example, the number of designated bilingual positions has quadrupled;
- Various ways of serving the public have been designed, such as single windows, which can improve the provision of bilingual services;
- Anglophones and Francophones participate equitably within the federal administration nationwide;
- Consumer products carry bilingual labelling;
- The information technology gap between English and French is shrinking, thanks to the growing use of French in digital media;
- The image of a bilingual Canada is more widely disseminated abroad;
- The right to be heard in either official language in federal courts has been established.

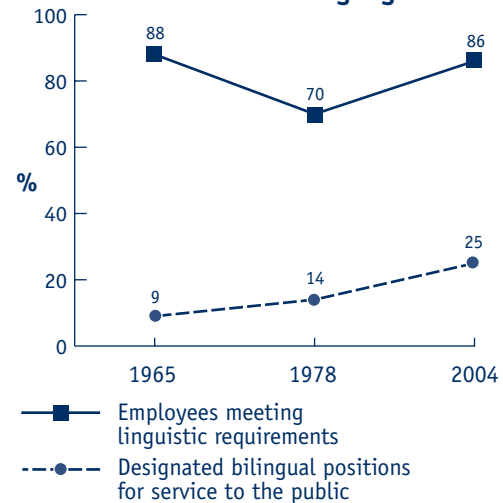
Services to the public in both official languages

Improving bilingual skills. Until the 1960s, English unilingualism was viewed as a rational and efficient way to operate within the federal Public Service. It seemed natural to use only English in public administration as well as with citizens. The B and B Commission noted that, in 1965, only 9% of all positions in the federal administration were designated bilingual. While there were a few positions in Ottawa, the majority were in Quebec; they all probably involved the delivery of services to the public.⁴⁰

Data from 1978 to 2004 show the growth in the number of positions dealing directly with the public designated as bilingual. During this period, the proportion of bilingual positions grew from 14% to 25% of all service delivery positions within the Public Service (excluding institutions where Treasury Board is not the employer). The proportion of public servants in these positions who met the bilingual requirements rose from 70% to 86% (see Figure 9).

Management Framework. Starting with the government of the Right Honourable L. B. Pearson, and especially after the *Official Languages Act* was passed in 1969, a radical shift in perspective accompanied the Government of Canada's language reform.⁴¹ Under the reform, services were to be available in both official languages in the National Capital Region and wherever demand was sufficient. Rules were set for communication with the public and within the government. The first efforts in the area of language of service were made. Positions were designated bilingual, but the choice to become bilingual or remain unilingual was initially left up to employees. The language training program, which was established in

Figure 9
Service to the public in both official languages



Sources: Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World*, Ottawa, Queen's Printer, 1969, pp. 356–59; Public Service Human Resources Agency of Canada, *Annual Report on Official Languages 2003–2004*, Ottawa, 2004. On-line: www.hrma-agrh.gc.ca/reports-rapports/arol-ralo_e.asp.

1964, started to expand. In 1973, realizing that the impetus behind bilingualism was insufficient, the government passed the *Parliamentary Resolution on Official Languages*, which strengthened the drive toward bilingualism. The Treasury Board became more demanding and increased training and merit awards. Although the results obtained continued to fall short of the objectives, a gradual shift was underway.

⁴⁰ Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World*. Ottawa, Queen's Printer, 1969, p. 374.

⁴¹ See overview by J. Robichaud, "Le bilinguisme dans l'administration fédérale du Canada (1969–1982)," *Les Cahiers du droit*, 24:1, March 1983.

LANGUAGE OMBUDSMAN

Investigating complaints lodged by members of the public and formulating recommendations are some of the main roles of Canada's Commissioner of Official Languages. Every year, about 900 of the some 1,200 complaints received concern language of service, almost 80% of which are founded. The investigations enable the Commissioner not only to resolve immediate problems, but also to work with the federal institutions to achieve sustainable results. For example, the House of Commons improved its French services following complaints about commissionaires, guided tours and commemorative plaques.

It is interesting to note that some provinces and territories also have official language commissioners: the Northwest Territories (1991), Nunavut (1999) and New Brunswick (2003).

Recent innovations. The Government of Canada went through a difficult program review in the mid-1990s in an effort to reduce its expenditures. The ensuing government restructuring often eroded earlier progress in the area of official languages.⁴² However, this negative restructuring also led to innovations in service delivery that are better able to address linguistic duality. Single windows are a good example of this. They offer access to a range of federal services and, in some cases, to services from other levels of government or even the private sector. For example, the Canada Business Service Centres Network and the Service Canada Access Centres have shown that they optimize bilingual resources and improve linguistic minorities' access to services in their own language. Manitoba's bilingual service centres are an excellent example of this approach.



Challenges. The Office of the Commissioner of Official Languages monitors the quality and quantity of federal services offered to the public in both official languages. Language of service accounts for about 80% of all complaints received. In 2001, the Commissioner reviewed the

TRIPARTITE BILINGUAL SERVICE CENTRES: AN INNOVATION

In Manitoba, the federal, provincial and municipal governments joined forces to provide the public with a range of bilingual services such as program information, bill payment services, etc. The Saint Boniface Service Centre, with its alternative approach to the delivery of government services, was subsequently replicated in the Franco-Manitoban communities of Notre Dame de Lourdes and Saint-Pierre-Jolys. The development of these services followed recommendations made by Judge Richard Chartier in his 1998 report entitled *Above All, Common Sense*.⁴³ Based on Manitoba's experience with bilingual service centres, the federal and Saskatchewan governments will launch a pilot project in Regina in 2005–2006. This measure was part of a recommendation made by the Commissioner in her report *The Single Window Networks of the Government of Canada*, published in 2003.⁴⁴

Government of Canada's responses to the recommendations contained in a series of studies conducted since 1994 on the delivery of

⁴² Office of the Commissioner of Official Languages, *Government Transformations: The Impact on Canada's Official Languages Program*, Ottawa, 1998.

⁴³ Chartier, Richard (Judge), *Above All, Common Sense: Report and Recommendations on French Language Services Within the Government of Manitoba*, Winnipeg, Government of Manitoba, May 1998.

⁴⁴ Office of the Commissioner of Official Languages, *The Single Window Networks of the Government of Canada*, Ottawa, 2003.

services to the public.⁴⁵ This review highlighted the slow progress made during this period: in 30% of the roughly 3,500 points of service designated as bilingual, services were not always available in French. Results from observations made in 2004 showed that in one quarter of approximately 300 high-demand offices, services were not always available in both official languages (see the performance report on federal institutions in the second volume of this report).

Since the Commissioner's review in 2001, the Government of Canada has made important changes, namely the new 2004 staffing policy states that a candidate for a bilingual position must generally be able to satisfy the linguistic requirements of the position when hired.

CANADA REVENUE AGENCY: ONGOING IMPROVEMENT IN SERVICES OFFERED IN BOTH LANGUAGES

The Canada Revenue Agency (CRA) is one of the federal institutions that deals with a large number of Canadians over the years. Many complaints have been lodged, often repeatedly, against CRA about income tax forms being sent out in the wrong language, the poor quality of French in its documents, and its inability to provide information in a requester's language. The Agency, however, has made remarkable progress over the past 15 years. Taxpayers can easily complete tax returns and obtain information from Agency staff in the language of their choice. A recognition of the importance of providing services in both official languages appears to have entered CRA's organizational culture. The complaints received have served as a catalyst for this remarkable progress.

A change in culture is nevertheless required. Even good bilingual capacity is not enough to respond to the public effectively. From the outset, federal employees must offer the public the choice of using either official language, whether an inquiry is made over the telephone or in person. This is one way of showing respect for the public. However, active offer is currently the Achilles' heel of service delivery to the public: it is limited, and has remained stagnant for 10 years. Following the creation of Service Canada in the federal budget of March 2005, the government must monitor these new services to ensure they are available and actively offered in both official languages so that the needs of both official language communities are met. Perhaps single windows, with fully bilingual staff or effective on-line services would represent part of the solution, at least outside the major bilingual regions of the country where services are generally accessible in both languages.

Although it is the only regulation governing official languages, the *Official Languages (Communications with and Services to the Public) Regulation*, which was passed almost 15 years ago, is another weak link. The Governor in Council must modify this regulation before the end of 2006 to respond to the Federal Court's decision in the *Doucet* case.⁴⁶ In this process, it will be essential for the government to rethink the regulation to make it simpler, consistent with case law, and, finally, relevant to the citizens of Canada.

Because of government restructuring, the Treasury Board is no longer the employer for a growing number of federal agencies. In the future, when the Government of Canada creates new agencies such as Service Canada, it will

⁴⁵ Office of the Commissioner of Official Languages, *National Report on Service to the Public in English and French: Time for a Change in Culture*, Ottawa, 2001.

⁴⁶ *Doucet v. Canada*, [2004] F.C. 1444.

have to ensure that its policy on the different patterns of service delivery fully respects official language obligations. Legislation establishing these agencies will have to take explicit account of the *Official Languages Act*.

“For linguistic duality to finally assume the place it deserves in the government and its institutions, a far-reaching change in culture is needed.”

— Dyane Adam, Commissioner of Official Languages, *Annual Report 2000–2001*, Ottawa, p. 76.



Did you know ...

Active offer. An office designated as bilingual is effective when the services it offers are of equal quality in both languages and it recognizes and respects an individual’s distinctiveness and his or her language and culture.

- Signage, posting and documentation indicate that services are available in English and French.
- Phone service is automatically offered in both languages.
- Members of the public are greeted in person in both official languages, and communication continues in a client’s preferred language.
- The linguistic quality of service is satisfactory.

Language of work

Over and above bilingual designation for positions involving services to the public, the one enduring challenge since the creation of the federal language policy has been to create environments in which public servants can work, be supervised,

and have access to the tools they need in their own language. This is a right under the *Official Languages Act*.

Marginalized French. In 1969, the B and B Commission observed that the culture within the federal administration, a culture that had evolved since the 1920s, resisted not only Francophones’ presence within the workplace, but also the use of French. The Commission also noted that only two federal institutions had a clearly defined policy concerning language of work: the Canadian National Railway Corporation and Canada Mortgage and Housing Corporation.⁴⁷

Advances. Data compiled for the Public Service between 1978 and 2004 nevertheless indicate that significant improvements have taken place (see Figures 10 and 11 on the next page). In positions that support the use of both official languages at work, namely internal administrative services and supervisory positions, language requirements are broader and the proportion of employees who satisfy the language requirements has grown. The greatest progress has occurred in supervisory positions. It is important to add that employees generally have the tools they need in their language of choice.

Nevertheless, in her recent study *Walking the Talk*, the Commissioner indicated that English is still the predominant language in the organizational culture of federal departments in the National Capital Region.⁴⁸ Senior management is perceived as unilingual, although most managers meet the linguistic requirements of their positions. Many use their second official language only rarely, and their behaviour usually drives the organizational culture in their respective institutions.

⁴⁷ Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World*, 1969, pp. 101–102, 118.

⁴⁸ Office of the Commissioner of Official Languages, *Walking the Talk. Language of Work in the Federal Public Service*, Ottawa, 2004.

Figure 10
Language of work in internal service positions of the federal public service, 1978–2004

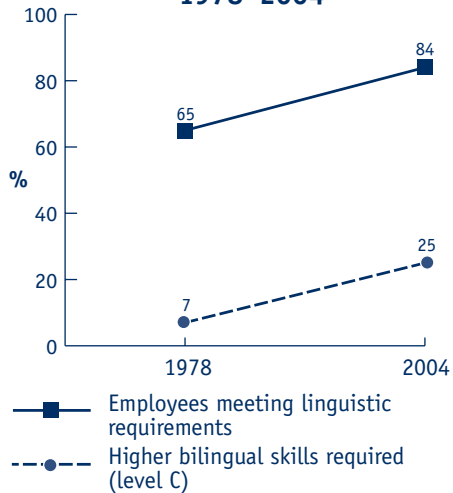
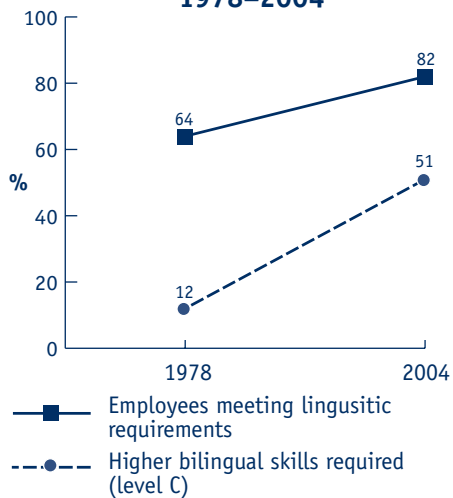


Figure 11
Language of work in supervisory positions of the federal public service, 1978–2004



Source: Public Service Human Resources Agency of Canada, *Annual Report on Official Languages 2003–2004*, Ottawa, 2004. On-line: www.hrma-agrh.gc.ca/reports-rapports/arol-ralo_e.asp.

Bilingual regions of Quebec. The Commissioner noted that the same situation exists in federal offices located in bilingual regions of Quebec. Her most recent study on this subject indicated that French clearly dominates as the language of work in Quebec.⁴⁹ Anglophones, as the linguistic minority, must often interact with their colleagues in French. However, federal public servants in Quebec must often interact in English with public servants from the National Capital Region.

Crown corporations. In the same study, the Commissioner also looked at the language of work in eight Crown corporations. The results of the study indicate that in Crown corporations in the National Capital Region, the use of the two official languages mirrors the example set by the departments in the region, which is to use English. In Crown corporations located in Montréal, the use of both official languages is almost equal, which creates a strongly bilingual work environment.

Regulatory framework. Although the Right Honourable Lester B. Pearson underlined the importance of language of work in 1966, the *Official Languages Act* of 1969 did not directly address this issue. Language of work became part of the Government of Canada’s language policy in 1973, and this aspect was further strengthened in 1988, with Part V of the Act containing specific language of work provisions. However, the most important achievement occurred only recently, in 2004, with application of imperative staffing for bilingual positions across the board, particularly at the EX level. This will ensure greater compliance with the merit principle.

Challenges. We cannot be satisfied with achieving the required language profile, since this does not necessarily mean that both official languages are actually being used. The Commissioner has proposed the creation of an organizational culture that truly respects employees’ language

⁴⁹ Office of the Commissioner of Official Languages, *Making It Real: Promoting Respectful Co-existence of the Two Official Languages at Work*. Ottawa, 2005.

rights through measures taken in three strategic areas: leadership, personal capacity, and institutional capacity.⁵⁰ These three areas are interdependent and require ongoing and simultaneous attention. However, a great deal of the solution depends on the leadership of senior management; without clear involvement of all levels of managers, the spirit of the *Official Languages Act* is often not respected. Furthermore, the Commissioner believes that bilingual requirements must also apply to deputy ministers and associate deputy ministers. This is the only way to ensure that the work culture within the Public Service has every chance of reflecting Canadian linguistic duality.

Assets. The study *Making it Real* highlighted significant assets upon which the Government of Canada can build in order to speed up its progress. Bilingualism has enjoyed great support from both Anglophone and Francophone

employees. They agree that French represents a positive resource for all members of Canadian society. Moreover, they are proud to be able to work in a bilingual environment. Ultimately, bilingualism leads to improved service delivery to Canadians.

Equitable participation

The Government of Canada's institutional bilingualism is not limited to service delivery and the language of work; it seeks to reflect linguistic duality within the Public Service. The government thus embodies bilingualism through the equitable participation of Anglophones and Francophones in its operations.

Increased participation by Francophones.

Over the course of the 20th century, the main problem related to participation in the federal

WITNESS AND CATALYST: EDGAR GALLANT AND SOCIETAL CHANGE

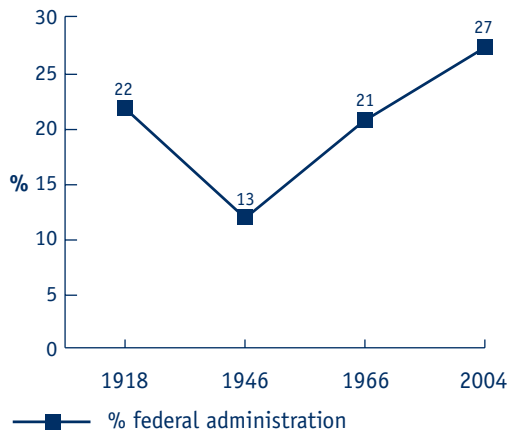
Edgar Gallant, an Acadian from Prince Edward Island, became a federal public servant upon joining the Department of Finance in 1949. As a recent graduate of the *École des Sciences sociales* at Université Laval, he had never had the opportunity to perfect his English. In his words, "During my first year, I listened more than I spoke." Indeed, the federal Public Service in the 1950s was a unilingual English environment.

He quickly rose through the ranks to positions of significant responsibility, such as President of the Public Service Commission and Chairman of the National Capital Commission. Throughout his long career, he was both a witness to and a leader (he prefers the term "catalyst") of the changes taking place in the Public Service to give both official languages equal status. Political leaders and senior officials had to show great determination. "To kick-start the process, a fairly authoritarian style was needed. It was necessary to impose certain conditions and at the same time encourage unilingual public servants to enrol in language courses." He believes that, over time, most public servants have come to understand that the Public Service is there to serve all Canadians, many of whom do not speak English.

According to Edgar Gallant, offering language training to public servants was an important factor in the success of what he refers to as the "revolution" in employees' attitudes. "Instructors were teaching the French language, but they also emphasized French culture." Overall, most public servants came to accept linguistic duality as an integral part of the Canadian personality. "If we let this duality weaken, Canada's very identity will suffer." And in his view, globalization and the constant influence of the United States make it crucial to strengthen this identity.

⁵⁰ Office of the Commissioner of Official Languages, *Walking the Talk: Language of Work in the Federal Public Service*, Ottawa, 2004.

Figure 12
Francophone participation in the federal administration

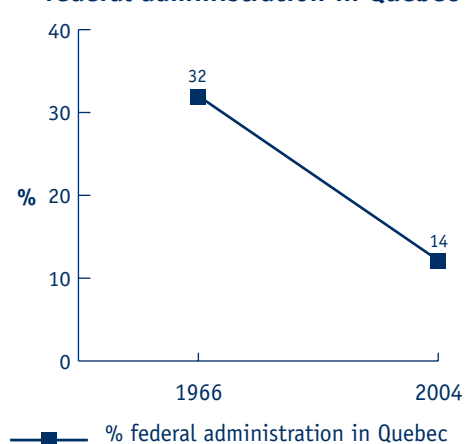


Sources: Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World*, 1969, p. 101, 407; Public Service Human Resources Management Agency of Canada, *Annual Report on Official Languages 2003-2004*, tables 12 and 14.

administration was the under-representation of Francophones. At the time of its inquiry in 1965, the B and B Commission reported that the number of Francophones had dropped by half between 1918 and 1946. In 1965, the Commission estimated that the federal administration (the Public Service plus the seven main federal agencies) consisted of approximately 21% Francophones, while individuals with French as their mother tongue represented approximately 28% of Canada's population.

As noted above, various initiatives were undertaken over the years to improve the situation, but it was not until the new Act was passed in 1988 that the expectations of the Public Service in this regard were spelled out (in Part VI). Successive Commissioners of Official Languages have persistently put this question on the table, suggesting definitions and criteria

Figure 13
Anglophone participation in the federal administration in Quebec



Sources: Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World*, 1969, p. 408-409; Public Service Human Resources Management Agency of Canada, *Annual Report on Official Languages 2003-2004*, tables 12 and 14.

as well as practical approaches to achieving this goal. Significant progress has been made since 1966 in Francophone participation in the federal administration as a whole,⁵¹ which rose from 21% to 27% (see Figure 12). In 2004, Canadians reporting French as their first official language made up 24% of the population.

It should be noted that it is difficult to obtain a clear picture based on available data. For the purposes of Statistics Canada and the implementation of government policy on official languages, the linguistic variable used is the "first official language spoken." For the Treasury Board Secretariat, however, federal civil servants are classified as Anglophone or Francophone based on self-identification, which then becomes their key linguistic identifier. Comparisons between datasets can therefore be misleading.

⁵¹ Federal administration includes the Public Service and all federal agencies for which the Treasury Board is not the employer (for example, the Royal Canadian Mounted Police).

Concerns within Quebec's Anglophone minority.

In Quebec, the rate of participation among Anglophones has started to be cause for concern, dropping by half. In 1961, Anglophones made up around 13% of the population of Quebec and were thus overrepresented in the federal administration. In 2004, this community held about 14% of jobs in the federal administration (see Figure 13), in line with its share of the population, 13%. However, as noted in the study by J. Jedwab, Anglophones occupy only 7.6% of positions within federal departments in Quebec.⁵² This situation is cause for concern, as the Public Service is the part of the federal administration that offers the widest range of services to the public, and it is important that the minority be equitably represented. The *Action Plan for Official Languages* has recognized this and aims to increase the number of Anglophone employees by 1,000.

Today. Generally speaking, the Anglophone and Francophone communities have achieved equitable representation in the federal administration in relation to their respective numbers in the national population. Francophones have also increased their participation in management positions; they held 25% of such positions across the entire federal administration in 2004.

Community development and official language promotion

Federal involvement

When it amended the *Official Languages Act* in 1988, Parliament stipulated in section 41 of the Act that the government and all federal institutions were responsible for supporting the development of linguistic minorities and for

promoting linguistic duality in Canadian society. These responsibilities also stemmed from the stated purpose of the Act.

Supporting development. The provisions of the Act committed the Government of Canada to enhancing the vitality of the Anglophone and Francophone linguistic minorities and to supporting their development. It is therefore the job of all federal institutions to implement measures that provide concrete support for the development of official language minority communities.

More encouragement necessary. Part VII sets out the obligation to promote English and French with a view to putting Canadian society on the path toward equality in the status and use of both languages. Unfortunately, this stipulation remains one of the great oversights on the part of federal institutions. It is important to provide the necessary guidance so that institutions define activities designed to promote linguistic duality and assess their effectiveness.⁵³

Framework for implementation. Ever since the new Act came into force in 1988, the various federal institutions have seemed reluctant to embrace their obligations under Part VII and have too often relegated their responsibilities to the Department of Canadian Heritage.⁵⁴ Indeed, although the obligations in question apply to all federal institutions, the Act confers a co-ordination role on the Minister of Canadian Heritage. This department's lack of authority over other departments and federal institutions has caused inexcusable delays in the implementation of this part of the Act. Although the Prime Minister's Office and Treasury Board have at times issued directives, it appears that no overall co-ordination initiative has ever actually gotten off the ground.

⁵² Office of the Commissioner of Official Languages, *Going Forward: The Evolution of Quebec's English-Speaking Community*, 2004, p. 51.

⁵³ Office of the Commissioner of Official Languages, *Annual Report 2003–2004*, Ottawa, 2004, p. 84.

⁵⁴ Office of the Commissioner of Official Languages, *A Blueprint for Action: Implementing Part VII of the Official Languages Act, 1988*, Ottawa, 1996; Commissioner of Official Languages, *Government Transformations: The Impact on Canada's Official Languages Program*, Ottawa, 1998.

In 2003, the government adopted an Accountability Framework that specifies the responsibilities of federal departments and institutions with regard to Part VII. Nevertheless, it should be kept in mind that this framework may be subject to the vagaries of government decision making. The Commissioner is of the view that the Accountability Framework cannot be fully established until the scope of Part VII of the Act is clarified.

Challenges. In the absence of a clear statutory and regulatory framework, a genuine willingness to put development and promotion measures in

place remains uncertain at best. The Government of Canada in fact prefers to let court cases, such as the *Forum des maires de la péninsule acadienne* case,⁵⁵ clarify the scope of Part VII. The government claims that the obligations under this part of the Act represent political commitments and not “enforceable” obligations. The issue will be decided by the Supreme Court of Canada, which has agreed to hear the appeal on the aforementioned case, unless Parliament chooses to settle the matter in the meantime through legislation, by adopting Bill S-3 introduced by now-retired Senator Jean-Robert Gauthier.

PART VII OF THE OFFICIAL LANGUAGES ACT: THE HONOURABLE JEAN-ROBERT GAUTHIER’S VISION

The promotion of linguistic duality is quite rightly associated with the Honourable Jean-Robert Gauthier, the retired Senator and politician who made this issue his number one priority during an outstanding political career. Mr. Gauthier was the Member of Parliament for Ottawa-Vanier from 1972 to 1994 and Senator from 1994 to 2004. Prior to that, he served as a school trustee for 12 years.

Before his retirement from the Senate in 2004, the Honourable Jean-Robert Gauthier worked energetically to convince his fellow parliamentarians to resolve the ambivalence in the Government of Canada with respect to Part VII of the *Official Languages Act*. He tabled several bills designed to confer enforceability on this part of the Act, which commits the Government of Canada to enhancing the vitality of Canada’s English and French linguistic communities and to promoting full recognition and use of English and French in Canadian society.

The goals of the Honourable Jean-Robert Gauthier’s proposals have been to:

- require federal institutions to take positive measures to implement the Government of Canada’s obligations;
- allow adoption of a regulation defining federal institutions’ specific obligations; and
- guarantee that anyone who lodges a complaint with the Commissioner of Official Languages concerning, among other things, an obligation or right contemplated under Part VII, has recourse to the courts.

The Senate voted unanimously to adopt the last two bills introduced by Senator Gauthier, although the first one died on the order paper when the House of Commons was prorogued in 2003. The last of the Senator’s bills, Bill S-3, has passed second reading in the House of Commons and was sent to the House of Commons Standing Committee on Official Languages for study in the spring of 2005.

In our last two annual reports, we recommended that the Parliament of Canada find a legislative or regulatory means of clarifying the legal scope of Part VII of the Act. Strengthening the Act would agree with the vision of Jean-Robert Gauthier—a tireless defender of the rights of linguistic minorities.

⁵⁵ See the judgment *Forum des maires de la Péninsule acadienne v. Canada (Canadian Food Inspection Agency)* 2004 FCA 263.

Provinces and territories: key players

The provinces and territories are critical partners in ensuring the vitality and development of official language minority communities. In fact, they signed the first provincial – federal accords on the promotion of official languages in 1988. These accords encouraged several provinces to adopt policies or legislation on services to the public (for example, bilingual signage, translation of documents, and language training).

Ministerial Conference on Francophone Affairs. Governmental collaboration expanded from bilateral to multilateral with the creation of the Ministerial Conference on Francophone Affairs in 1994.⁵⁶ The purpose of this round table was to stimulate leadership and intergovernmental collaboration among the provinces and territories on matters affecting official languages and in particular the vitality of Francophone and Acadian minorities. This body's discussions have primarily focused on health, economic development and the visibility of Francophone communities. Since 2003, Quebec has been a full participant and not merely an observer. In 2005, the Government of the Yukon announced the creation of a Francophone Affairs Secretariat, a piece of good news that was eagerly anticipated by the Franco-Yukoner community. While the Ministerial Conference on Francophone Affairs is to be commended for its work, it should also be encouraged to expand its efforts, as it has a substantial impact on the recognition of official languages in the provincial and territorial context.

Support for bilingualism

The government uses means other than its structure and activities to help give life to linguistic duality in Canada. As we will now see, it supports duality in several other areas.

At home...

Canada's citizens wake up to linguistic duality on a daily basis. For many years now, under a regime in place since 1974, all packaged and labelled goods they come across are printed in both official languages. Canadians have only to pick up a box of breakfast cereal, pour a glass of milk, grab a tissue or squeeze out some toothpaste to see that their country provides labelling in both official languages. This is a significant development, given consumers' current level of interest in product information.

Bilingual labelling on consumer products is not a requirement of the *Official Languages Act*, but other laws and regulations, including the *Consumer Packaging and Labelling Regulation* [s. 6(2)], do require this. The Commissioner has confirmed that both industry and the public have accepted this practice and understand that its usefulness



⁵⁶ The Web site for Intergovernmental Francophone Affairs is www.afi-ifa.ca.

LEADERSHIP AWARD OF THE OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES 2004–2005 AWARDED TO THE NATIONAL CAPITAL COMMISSION

In 2004–2005, **Marcel Beaudry**, Chairman of the National Capital Commission (NCC), received the Leon Leadership Award of the Office of the Commissioner of Official Languages for the exemplary effort made by his organization to integrate both official languages into its operations and promote linguistic duality in the National Capital Region.

The NCC ensures that its services are provided to the public in both official languages; this is confirmed by investigations conducted by the Public Service Human Resources Management Agency of Canada and the Office of the Commissioner. The NCC also takes part in various municipal initiatives designed to promote linguistic duality. Under Mr. Beaudry's leadership, the NCC adopted a management framework that encourages the use of both official languages in the workplace. Under this framework, lunchtime language classes are provided to staff and a bilingual protocol is used to conduct meetings (see Volume II of the Annual Report for more details).

far outweighs its costs.⁵⁷ Achieving bilingual packaging and labelling (fostered by the *Official Languages Act*) has become an asset for Canadians within the context of the globalization of trade. Our bilingual labelling, in fact, predisposes us to the multilingualism required by world markets, but we must remain vigilant to preserve our bilingualism within an increasingly integrated market.

⁵⁷ Office of the Commissioner of Official Languages, *Cost Impact of Two-Language Packaging and Labelling on Small- and Medium-Sized Businesses in Canada*, Special Study, Ottawa, February 1997.

⁵⁸ Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. General Introduction and Book I: The Official Languages*, Ottawa, 1967, p. 118.

In the national capital...

The historic compromise at the heart of Confederation led to the selection of Ottawa, on the border between Upper and Lower Canada, as the capital of the new Canada. In 1967, the B and B Commission wrote that, in Ottawa, "... the French language is scarcely recognized officially in the provincial and municipal administrations. Nowhere else in Canada is there a comparable concentration of Francophones who have so few language rights."⁵⁸ It therefore recommended that the equal status of the two official languages be fully recognized in Ottawa and that public services, the administration of justice, and education be delivered in both languages. The B and B Commission quite rightly felt that the capital must reflect Canada's linguistic duality.

Bilingualism was gradually introduced into municipal and provincial services over the years. In 1982, Ottawa Municipal Council adopted an official languages policy that granted "the same rights, status and privileges to both official language groups." When municipal amalgamation took place in 1999, the City of Ottawa was unsuccessful in having the province designate the city as bilingual. In 2001, the city adopted a bilingualism policy. On March 3, 2005, the province enacted legislation officially requiring the city to adopt a policy. Although enacting this legislation is a step in the right direction, the Act does not seem to guarantee equal status to both official languages in municipal service delivery. Despite this, the City of Ottawa, as the nation's capital, must continue to be guided by these principles of equality as it implements its bilingualism policy.

PARKS CANADA: THE BILINGUAL FACE OF OUR NATURAL AND HISTORICAL HERITAGE

Canada's national parks and historic sites are considered to be a reflection of the values cherished by Canadians: the preservation of our vast open spaces and the promotion of our historical heritage. Just how important these parks and sites are to our sense of identity can be seen from the millions of Canadians and foreign tourists who visit them.

Parks Canada was slow to catch up with the country's linguistic duality. During the first two decades that the Act was in effect, the Office of the Commissioner received a large number of complaints concerning unilingual signage, printed materials and visitor reception services. These complaints from citizens spurred progress. While some gaps still exist, the situation has greatly improved over the past 15 years, and our parks and historic sites across the country project a much better image of our linguistic duality.

More generally, the National Capital Commission, a Crown corporation created in 1959 to manage the development of the capital region, must, under the terms of its mandate, take into account "... equality of status of the official languages in Canada ..." ⁵⁹ Visitors to the capital now invariably see a public image reflecting Canadian duality. Much remains to be done, however, for private businesses to present the same image.

On the Internet...

Government On-Line. For some 10 years, communications and the dissemination of information over the Internet have played a significant role in Canadians' daily lives and the government services they receive.

- **1999.** The Government of Canada announced plans to give Canadians direct access to all government information and services when and where it suited them. Its goal was to become the world's most connected government by 2005.

- **2004.** It certainly appears that the government has made tremendous progress, given that in 2004, for the fourth year in a row, Canada led the world in on-line access to government services.⁶⁰ In addition to information on its own services, the government's Web sites provide data of all kinds on Canada and Canadians. Industry Canada's Strategis site⁶¹ and the Culture.ca⁶² site are good examples of this.

It goes without saying that Canada's goal of serving its citizens on-line has created a significant linguistic challenge. The introduction of Government On-Line led to a huge increase in the volume of documents to be drafted and translated. This issue has proven especially challenging for departments involved in technical or scientific fields that must produce a large volume of specialized and technical documents in both official languages. The process of digitizing these documents has placed an added burden on translation services, which can no longer meet the demand. The departments in question should exercise tight control over content to avoid unnecessary digitization.

⁵⁹ *National Capital Act*, 1985, 10 (1)(b).

⁶⁰ Accenture, *2004 News Releases: Governments Must Find New Ways to Encourage Citizen Take-Up of eGovernment*. On-line: www.accenture.com/xd/xd.asp?it=enweb&xd=_dyn/dynamicpressrelease_718.xml.

⁶¹ The Strategis Web site is www.strategis.gc.ca.

⁶² The Culture.ca Web site is www.culture.ca.

The Commissioner has nevertheless noted shortcomings on certain federal Web sites with respect to the equivalence of English and French content, the quality of French versions and the use of addresses that do not comply with the *Official Languages Act*. One study published by the Office of the Commissioner in 1999 and two in 2002 raised the alarm and reminded the Government of Canada of its obligations with respect to official languages on Web sites.⁶³

Presence of French on the Internet. The growth of the Internet has also had a significant impact on the linguistic landscape. The government has made a huge investment in connectivity and the digitization of Canadian content to counter the fact that the Internet entered Canada as a primarily English language phenomenon, due in large part to the ubiquity of American content. Since 1998, Industry Canada's *Francommunautés virtuelles* program, for example, has addressed the special needs of Francophone and Acadian communities in the area of information and communications technologies, the creation and launch of Web sites, and the development of applications, content and services.

Challenges. While the government has indicated it will follow up on the Commissioner's recommendations through a range of measures, several of these recommendations have yet to be addressed, either because of lack of funds or lack of commitment. Canadian Heritage has played an important role in co-ordinating the government's support; however, achieving full co-ordination among the many federal institutions still represents a major challenge. To deal with the ever-increasing need for translation, Canada's translation resources must be increased tenfold and translators must be given the technological tools they need to boost their productivity. The investments in language industries announced

in the *Action Plan for Official Languages* should support this. With the Internet growing at such a phenomenal rate, the Commissioner urges the institutions involved to make a concerted effort to implement these measures.

Abroad...

In 1965, a study prepared for the B and B Commission noted that Canada's foreign policy did not incorporate linguistic duality as a precept, important goal, technique, process or benefit.⁶⁴ Of course, 40 years later, Canada's image abroad has changed considerably, and our foreign policy has made a point of stressing Canada's bilingual nature, in particular through its leading role in the Commonwealth and the International Organisation of the Francophonie.



⁶³ Office of the Commissioner of Official Languages, *The Government of Canada and French on the Internet*, Special Study, Ottawa, August 1999; *French on the Internet: Key to the Canadian Identity and the Knowledge Economy*, Ottawa, 2002; *Official Language Requirements and Government On-Line*, Ottawa, 2002.

⁶⁴ L. Sabourin, *La dualité culturelle dans les activités internationales du Canada*, Documents of the Royal Commission on Bilingualism and Biculturalism, Ottawa, 1970.

The Speech from the Throne on October 5, 2004, and subsequent statements by Prime Minister Paul Martin noted that cultural diversity is a key aspect of Canadian identity and a source of creativity and innovation.⁶⁵ The Department of Foreign Affairs has pointed out that our ability to have greater influence on the world stage is rooted in our values and the importance we place on diversity.⁶⁶

A recent study by the Commissioner concluded that two pilot projects by the Department of Foreign Affairs designed to emphasize Canada's diversity and linguistic duality—open diplomacy and Canadian studies—have proven to be efficient tools for promoting Canadian interests.⁶⁷ These programs have shown that linguistic duality opens doors for us, sharpens our understanding of the world and encourages non-Canadians to enter into a dialogue and do business with us.

Nevertheless, these projects might never see the light of day as full-fledged programs. The Department of Foreign Affairs has not yet managed to translate these initial successes into a rejuvenated diplomacy. Its strategic plans and priorities have not been modified to put linguistic duality at the forefront, and several of Canada's most important diplomatic missions still have only a tenuous hold on this fundamental part of our identity. There is a marked tendency to reduce linguistic duality to its cultural aspect, despite the fact that it embodies far more of the Canadian personality (economy, governance, and so on).

Yet a great deal is at stake here, especially in terms of our relations with the United States, where so many of our national interests are focused. The Minister of Foreign Affairs recently emphasized the importance of explaining how the principles of tolerance, pluralism and the

celebration of differences have made Canada a unique and privileged country.⁶⁸ We should also expect to base one of the major pillars of Canadian foreign policy on our experience in the following areas: governance of linguistic and cultural diversity (legislation, policies, civil society, etc.); the ombudsman role and the promotion of language rights (Court Challenges Program); language teaching (language training in the Public Service, immersion, bilingual education at the post-secondary level, etc.); language technologies (computer-assisted translation, etc.); and bijuralism (legal co-drafting, and civil and common law teaching and research in our two official languages).

To judge and protect

Linguistic duality also plays a role at the federal level in the judicial process, the administration of justice and the protection of citizens; these three topics round out this chapter.

Bijuralism

Despite the many barriers that were encountered during the 20th century, Canada's duality has been an ongoing presence in the form of bijuralism, that is, the co-existence within Canada's borders of two legal systems—common law and civil law. Although the Parliament of Canada is not required to recognize bijuralism in its legislative activities, it does take this into account when it sets the rules that may affect private law originating in the provinces and territories. This accommodation led to the practice of co-drafting, which has proven to be extremely efficient and should serve as a model in other areas of government administration.

⁶⁵ Speech from the Throne of October 5, 2004, and Response by the Prime Minister on October 6, 2004. Speech by Prime Minister Paul Martin to the United Nations on September 24, 2004.

⁶⁶ Speech by the Minister of Foreign Affairs, Pierre Pettigrew, on October 24, 2004, in Gatineau.

⁶⁷ Office of the Commissioner of Official Languages, *Doorway to the World. Linguistic Duality in Canada's International Relations*, 2004.

⁶⁸ Speech by the Minister of Foreign Affairs, Pierre Pettigrew, on October 24, 2004, in Gatineau.

Canada has been recognized as an international leader in:

- the use of French in common law teaching and research;
- the use of English in civil law teaching and research;
- the translation of procedural rules and judicial decisions; and more generally,
- basic research on legal reform.⁶⁹

The interaction between the two systems and the need to harmonize the terminology used in federal legislation with both systems certainly pose challenges. There is still a need to improve bilingual skills in the legal community and to create more “points of contact” between the two systems.

The administration of justice

The administration of justice in both official languages has been evolving since 1867:

- **1867.** The *Constitution Act, 1867* (s. 133) gives citizens appearing before the courts of Canada and Quebec the right to do so in either English or French.
- **1870.** The *Manitoba Act, 1870* (s. 23) establishes the same right in Manitoba.
- **1970.** The *Criminal Code* contains language provisions (Part XIV.1) that allow an accused to be tried by a judge and, if appropriate, by a jury who speaks his or her language. However, the provinces could still sidestep their linguistic obligations.

- **1982.** The *Constitution Act, 1982* (s. 19(2)) recognizes the right to use both official languages before the courts of New Brunswick.
- **1985.** Parliament adds Part XVII to the *Criminal Code* to provide better protection in the area of linguistic rights.
- **1990.** An accused person’s right to a criminal proceeding in his or her official language is proclaimed in all the provinces and territories. Several (Alberta, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, the Northwest Territories, the Yukon Territory and British Columbia) also incorporate some provisions of Part XVII of the Code into their own legislation relating to offences.⁷⁰

The Commissioner noted in 1995 that citizens belonging to official language minorities were not receiving an active offer of services in their own language before the courts.⁷¹ In its decision on the Beaulac case in 1999, the Supreme Court of Canada recognized that the provisions of the Code address not only the equal status of accused persons before the Court, but also the real equality of official language communities. Members of linguistic minorities must therefore expect to receive “equal access to services of equal quality” before federal courts.⁷²

Despite these guarantees, a substantial number of jurists, lawyers, judges, prosecutors and legal workers who practise in provinces and territories where French is the minority language are dissatisfied with the judicial and legal services provided in French. That was the finding of a survey conducted for the Department of Justice in 2002⁷³ in response to studies published by

⁶⁹ M. Bastarache, “*Quelques réflexions sur le bijuridisme et son rapport avec le bilinguisme et le biculturalisme*,” address to the Canadian Bar Association, Quebec Section, in Montréal on April 22, 1998.

⁷⁰ V. Gruben, “*Bilingualism and the Judicial System*,” in M. Bastarache, (ed.), *Language Rights in Canada 2004*, p. 195.

⁷¹ Office of the Commissioner of Official Languages, *The Equitable Use of French and English Before the Courts in Canada*, Study, Ottawa, November 1995.

⁷² *R. v. Beaulac*, [1999] 1 S.C.R. 768, para. 22.

⁷³ PGF/GTA Consultants, *Environmental Scan: Access to Justice in Both Official Languages*. Report submitted to the Department of Justice, Ottawa, July 2002. On-line: www.justice.gc.ca/en/ps/franc/enviro/toc.html.

the Commissioner of Official Languages.⁷⁴ In Quebec, a study by J. Jedwab reported that only 41% of Anglophones in Quebec were satisfied with judicial services in 2002.⁷⁵

“Twenty years of administration of justice in both official languages is a theme that might lead some to conclude that equal access to justice for all Canadians, regardless of their official language, is now a reality, a fait accompli. This is a conclusion we are not able to draw in 2001.”

— Morris Rosenberg (former Deputy Minister of Justice, Deputy Attorney General of Canada), address to the symposium: *POLAJ: Twenty years of administration of justice in both official languages—Taking stock and looking ahead*, Ottawa, November 23, 2001.

Since then, the Department of Justice has established a Consultative Sub-Committee on Access to Justice in Both Official Languages that is made up of representatives from the language communities and members of the legal professions. It has also established a Federal-Provincial-Territorial Task Force on Access to Justice in Both Official Languages.

Goals. In most regions of Canada that are predominantly Anglophone, and in the non-urban regions of Quebec, improvements must be made to the bilingual capacities of the judiciary and the judicial system as a whole.

Public security

Two institutions come to mind when the subject turns to public security, both domestic security and the protection of our democratic values, in Canada and abroad. These are, of course, the Royal Canadian Mounted Police and the

Department of National Defence. Both institutions have made their mark over the years and have contributed to Canada’s enviable image around the world. However, both face a number of challenges related to linguistic duality.

Royal Canadian Mounted Police (RCMP). The RCMP is one of the federal institutions that best symbolizes Canada and is among the most visible to Canadians at large. In addition to being bound by the *Official Languages Act*, the RCMP is the very embodiment of respect for the law and reflects the role of government in everyday life. Since the 1970s, the RCMP has certainly made progress in official languages. For example, training is now given in both official languages at its Regina school, where some 40% of the instructors are bilingual. Every year, a Francophone contingent is created. Since 1993, communication with candidates wishing to enter the force must be in both languages.

Unfortunately, these advances have not prevented the RCMP from being the subject of many complaints, inquiries and language audits over the years. Most of these complaints have involved the quality of services offered in both languages by RCMP detachments acting as municipal or provincial police forces. In some places, integrating a body of municipal officers into the RCMP has proven particularly problematic with respect to language and has raised issues of linguistic identity and staff language training. The RCMP must ensure that its detachments have the language capacities required to effectively meet the needs of the communities it serves.

National Defence. Within the timeframe of 100 years, the Department of National Defence saw its Francophone contingent steadily decline, from 36% to 13% between 1868 and

⁷⁴ Office of the Commissioner of Official Languages, *The Equitable Use of French and English Before the Courts in Canada*, Study, 1995; Office of the Commissioner of Official Languages, *The Equitable Use of French and English Before Federal Courts and Administrative Tribunals Exercising Quasi-Judicial Powers*, Special Study, Ottawa, 1999.

⁷⁵ Office of the Commissioner of Official Languages, *Going Forward: The Evolution of Quebec’s English-Speaking Community*, 2004, p. 46.

1946.⁷⁶ Two events played a key role in the subsequent shift toward bilingualism within the armed forces: the creation of the Collège militaire royal de Saint-Jean in 1952, where officer training was provided in English and French (note that officer training was centralized with the move to the Royal Military College in Kingston in 1994), and the appointment of the first Francophone Chief of the Defence Staff, General Jean Victor Allard, in 1966. General Allard instituted a number of changes in the language of work and the participation of Francophones in the Canadian Forces.

Since the adoption of the *Official Languages Act*, real progress has been made. Between 1966 and 1987, for example, the proportion of Francophones within the ranks rose from 17% to 28% and within the officer corps from 9% to 22%.⁷⁷ Nevertheless, the Office of the Commissioner of Official Languages receives numerous complaints every year relating to the armed forces. In the early 1990s, for example, a complaint lodged about services provided to military families led to a new policy that was more respectful of the language spoken by family members.

There are two official language issues in Canada's armed forces: the recruitment of bilingual officers and their training in both official languages.

- Although the Canadian Forces adopted a policy in the late 1990s requiring the officer corps to become completely bilingual, this goal has yet to be attained.
- To reach this goal, officer training at all levels must be offered, whatever the cost, in each officer's official language.

Conclusion

The face of the federal administration has become bilingual since the 1960s, as shown by the list of achievements presented at the beginning of this chapter, but there are still many obstacles on the road to equality. As the 1990s showed, political and organizational changes (for example, partnerships with the private sector, devolution, new Web-based service delivery models) and budgetary decisions may undermine linguistic duality, and it is important to integrate these changes fully into the government's operations and organizational culture. It will be necessary to pay special attention to the following key issues in future:

- **Services to the public.** The stagnation that has characterized the development of services to the public in both official languages for the past 15 years, particularly in areas with fewer minorities, must be overcome. Innovative approaches such as single windows and Service Canada may be profitably employed for this purpose. The implementation of new service delivery models will make it necessary to review the *Official Languages (Communications with and Services to the Public) Regulations*. The time seems particularly right in light of the Federal Court decision in the Donnie Doucet⁷⁸ case, which obliged the government to review the Regulations.
- **Language of work.** Despite undeniable progress in public servants' bilingual capacities, language of work continues to be a priority because this capacity must be ongoing on a daily basis. It is still necessary to create an organizational culture around language of work that combines invigorated leadership on the part of the government and its managers with solid institutional bilingual capacities and strong individual language skills.

⁷⁶ J. Pariseau and S. Bernier, *French Canadians and Bilingualism in the Canadian Armed Forces*, Volume 1, Ottawa, Supply and Services Canada, 1987, p. 16.

⁷⁷ J. Pariseau and S. Bernier, *French Canadians and Bilingualism in the Canadian Armed Forces*, Volume 2, Ottawa, Supply and Services Canada, 1991, pp. 116–117.

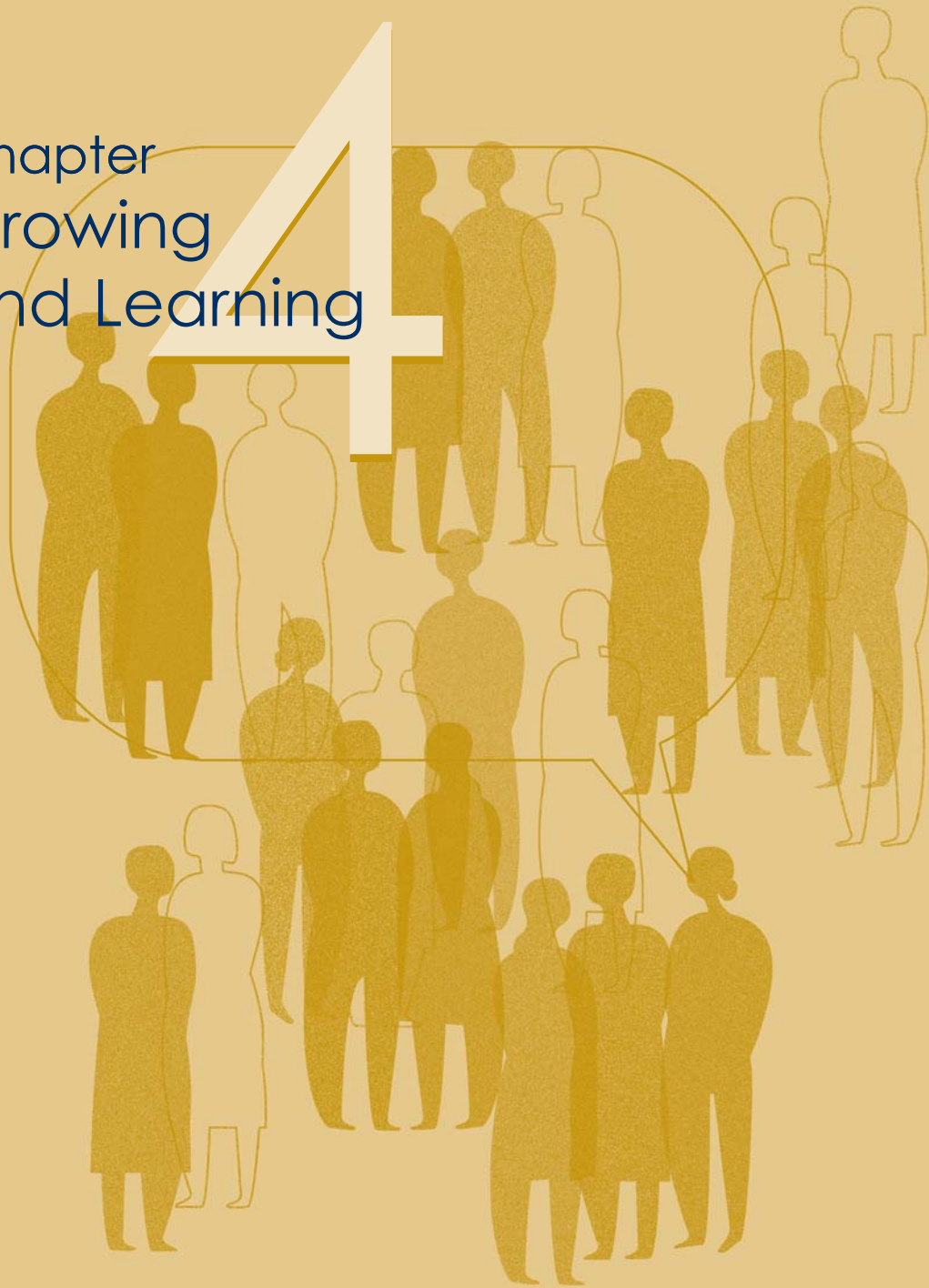
⁷⁸ *Doucet v. Canada*, [2004] F.C. 1444.

- **Internet.** The Internet is both a medium for delivering an increasing number of government services and a mirror reflecting Canadian society as a whole. The Internet is quickly entering our lives and it is important to improve the quality and quantity of the English and French content found there. The government must co-ordinate its support in this area more effectively.
- **Canada's image and place in the world.** Canadian experience in such areas as language planning, translation, joint drafting of laws, language technology and bilingual education is recognized and exportable. The same applies to its expertise in governing minorities and building a society that incorporates linguistic duality and cultural diversity. Within the context of the implementation of its new policy on international relations, Canada should promote its linguistic duality abroad more effectively, not only to respect this fundamental characteristic but also to help spread this concept around the world.



Chapter Growing and Learning

4





Chapter

4

“Education is vitally concerned with both language and culture; educational institutions exist to transmit them to a younger generation and to foster their development. The future of language and culture, both French and English, thus depends upon an educational régime which makes it possible for them to remain ‘present and creative.’”

— B and B Commission. *Book II: Education*, Ottawa, 1968, p. 3.

If linguistic duality is truly at the heart of the Canadian identity, the educational system must transmit it to Canadians from early childhood through to the start of their professional lives. Today, Canada is close to achieving such a vision. In the educational field, the past 35 years have been marked by significant progress.

Progress in raising educational levels

From the outset, we must mention the progress that has been made in raising educational levels in Canada, in both the official language majorities and minorities. Figure 14 illustrates this progress by comparing the incidence of low educational levels in different generations in 2001.

PRINCIPAL ACHIEVEMENTS

In the language of the minority:

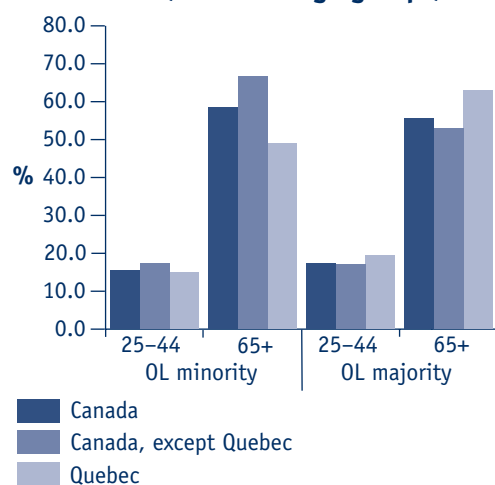
- The rights to instruction in the language of the minority and to school governance are now enshrined in the Constitution, and the Anglophone minority in Quebec controls its own school boards, as does the Francophone minority in the rest of Canada.
- Communities are working together to finish building the Francophone educational system for minorities.
- A comprehensive network of English and French early childhood services exists in Quebec.
- University and college networks have been established in the official language minority communities; these helped double the number of Francophone minority graduates between 1971 and 1996.

In second language education:

- Second language teaching is delivered across Canada.
- Innovation in teaching methods through the introduction of immersion is a model for the world.
- A permanent structure for language training in the federal administration is another field of expertise recognized beyond Canada’s borders.

- **Canada.** In Canada as a whole, people aged 25 to 44 are little affected by low educational levels (between 15% and 19%), while people aged 65 and over are strongly affected (between 50% and 67%). The gap between these two generations represents the progress that has taken place over the past 40 years.
- **Majority-minority variations.** There is a variation between official language majorities and minorities among people aged 65 and over, especially between the Francophone minority (67%) and the Anglophone majority (53%) outside Quebec, but also between the Anglophone minority (49%) and the Francophone majority (64%) within Quebec. These differences are also present among people aged 25 to 44, but are less pronounced.

Figure 14
Low educational levels (no high school diploma) in official language communities, selected age groups, 2001



Source: Official Languages Support Programs—Canadian Heritage, February 2005, based on data from the 2001 Census. Not published.

The quest for educational rights

This progress has only been possible because Canada's history has been marked by fundamental inequalities in educational rights, and because it was possible to overcome these inequalities. Here is a brief historical overview of developments in this area.

The *British North America Act* of 1867 gave the provinces jurisdiction over education but also protected the previously recognized right to denominational schools for the minority in Quebec (Protestant schools) and Ontario (Catholic schools) under section 93. Catholic schools in Manitoba were subsequently protected under the *Manitoba Act* of 1870.

Over the following century, Quebec kept its constitutional commitments by supporting the Anglophone Protestant school system. The Anglophone minority first gained control over their schools in 1846 through legislation guaranteeing the denominationality of schools and their governance by religious school boards.

In New Brunswick, Manitoba, the Northwest Territories and Ontario, various efforts by governments to sidestep their obligation to deliver education in French led to conflicts over schooling⁷⁹ at the end of the 19th century. However, these struggles did not prevent a progressive decline in Francophone school enrolments.

The Francophone minority in most Canadian provinces was thus deprived of public schools. It was the B and B Commission that first sounded the alarm on this situation. The *Official Languages Act* of 1969 was of limited assistance because it applied solely to the federal sphere. In Quebec, the language framework implemented by the *Charter of the French Language* raised concerns in the Anglophone population about constraints on recruiting students for English language schools.

⁷⁹ Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book II: Education*, Ottawa, 1968, Chapter III.

Minorities had high hopes that constitutional reform would finally allow the spirit of linguistic duality to spread throughout the educational field.

During the constitutional talks of the 1980s, organizations representing Francophone minorities worked in vain to obtain recognition for their vision of linguistic duality and the collective rights that should be granted to them in a new Constitution.⁸⁰ Commissioner Max Yalden actively supported enshrining language guarantees and educational rights for official language minorities.

The *Canadian Charter of Rights and Freedoms*, which is enshrined in the *Constitution Act, 1982*, grants official language minority parents the right to have their children receive instruction in their own language. This constitutional guarantee was promptly interpreted by the courts to broaden access to English language schools in Quebec.⁸¹ However, it would take the Francophone minority another 10 years of court battles to win the right for parents to govern their schools. Three key decisions by the Supreme Court of Canada interpreted educational rights, and the right to governance in particular, from a collective rights perspective: the *Mahé v. Alberta* decision in 1990, the *Manitoba Reference* in 1993 and the *Arsenault-Cameron v. P.E.I.* decision in 2000.⁸² Commissioners of Official Languages were interveners in the cases that led to recognition of minorities' right to school governance.

WHO IS A RIGHTS-HOLDER?

Under section 23 of the *Canadian Charter of Rights and Freedoms*, rights-holders are Canadian citizens who have the right to have their children receive primary and secondary school instruction in the minority language. This right is reserved for Canadians:

- whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside;⁸³ and
- who received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is that of the English or French linguistic minority of the province.

In addition, a citizen of Canada whose child has received or is receiving primary or secondary school instruction in English or French in Canada has the right to have all their children receive primary and secondary school instruction in the same language. "Rights-holders" also refers to the target school enrolments under section 23.

As researcher Angéline Martel stated, "In using the parents as the means by which children are entitled to educational services, section 23 fosters the transmission of the minority language from one generation to another, and consequently its collective preservation."⁸⁴

⁸⁰ M. D. Behiels, *Canada's Francophone Minority Communities. Constitutional Renewal and the Winning of School Governance*, Montréal/Kingston, McGill-Queen's University Press, 2004.

⁸¹ *A.G. (Que.) v. Quebec Protestant School Boards*, [1984] 2 S.C.R. 66.

⁸² *Mahé v. Alberta*, [1990] 1 S.C.R. 342; *Reference on the Public Schools Act (Man.)*, [1993] 1 S.C.R. 839; *Arsenault-Cameron v. Prince Edward Island*, [2000] 1 S.C.R. 3.

⁸³ This condition does not apply to Quebec.

⁸⁴ A. Martel, *Rights, Schools and Communities in Minority Contexts: 1986–2002*, Ottawa, Commissioner of Official Languages, 2002.

ALBERTA FRANCOPHONE PARENTS AND THE MAHÉ CASE: THE FIGHT FOR A FRENCH SCHOOL

In the early 1980s, a group of Francophone parents, including Jean-Claude Mahé, joined forces through the Association Georges-et-Julia-Bugnet and launched an epic battle for recognition of the right to a French school in Edmonton. “What did we want? What did the parents want to achieve through their demands? A quality French school. That and that alone,” Mr. Mahé said a few years later upon receiving the Prix Boréal on behalf of the parents’ association.

At the outset, neither the majority community nor the Francophone community were behind the effort. The court victories were a relief to the parents. The Supreme Court’s judgment in *Mahé v. Alberta* in 1990 stands as a landmark decision in language rights case law. The Court established that section 23 of the *Canadian Charter of Rights and Freedoms* confirms the constitutional rights of minorities to receive instruction and manage school facilities. “A notion of equality between Canada’s official language groups is obviously present in section 23,” the Supreme Court declared.

“The Manitoba Reference and the creation of the School Division validated 100 years of effort by the community on the Schools Question. We were right to take up the fight (in the Supreme Court’s view) because education is paramount.”

— Léo Robert, former Director General of the Franco-Manitoban School Division.

The right to school governance was a major step forward for the Francophone minority and an additional guarantee for the Anglophone minority in Quebec, but it has not yet been fully implemented.

Exogamy

A by-product of ethnocultural diversification and intermingling in Canada is exogamy: the union of spouses with different mother tongues. Exogamy is a growing phenomenon that linguistic minorities must face, especially in their schools. Between 1971 and 2001, the rate of exogamy in Canada increased from 15%

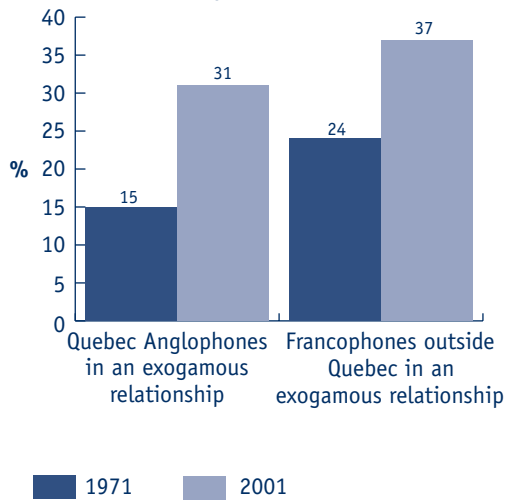
to 31% among minority Anglophones, and from 24% to 37% among minority Francophones (see Figure 15).

Exogamy affects Anglophone and Francophone minorities differently:

- In Quebec, 59% of Anglophones living in exogamous unions used their mother tongue in 2001, a slight decline compared to the 63% who did so in 1971.

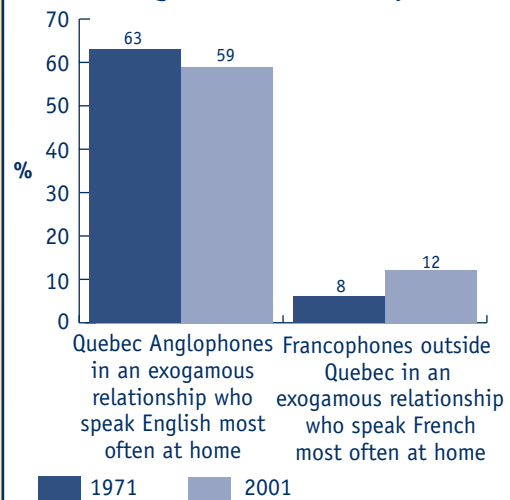


Figure 15
Exogamy in official language minority communities



Source: L. Marmen and J. P. Corbeil. *Languages in Canada*. 2001 Census, Ottawa, Canadian Heritage (New Canadian Perspectives) and Statistics Canada, 2004, p. 116

Figure 16
Use of the minority language in an exogamous relationship



Source: L. Marmen and J. P. Corbeil. *Languages in Canada*. 2001 Census, Ottawa, Canadian Heritage (New Canadian Perspectives) and Statistics Canada, 2004, p. 113

- In the rest of Canada, Francophone members of exogamous couples make little use of their mother tongue: 8% in 1971 versus 12% in 2001. This historical tendency of mixed couples to prefer the English language for their children has been a long-standing concern within the Francophone minority (see Figure 16).

A recent study by Rodrigue Landry⁸⁵ showed that exogamy within the Francophone and Acadian communities continues to be a destabilizing factor (see box); however, following the example of the Anglophone minority in Quebec (see following section), exogamy may be seen as an opportunity to expand the target school population.

In Francophone minority communities:

- the rate of exogamy is 37%;
- 50% of the target school population comes from exogamous families; and
- 25% of children in exogamous families retain French.⁸⁶

Communities and school stakeholders have already started developing strategies to exploit the potential that exogamy offers. The guide *Tu peux compter sur moi/I'm with you*, produced by Franco-Albertans and intended for Anglophone parents in exogamous families, is a good example of this.⁸⁷

⁸⁵ R. Landry, *Libérer le potentiel caché de l'exogamie. Profil démolinguistique des enfants ayant des droits francophones selon la structure familiale*. Study conducted for the Commission nationale des parents francophones, Moncton, Canadian Institute for Research on Linguistic Minorities, October 2003.

⁸⁶ R. Landry, *Libérer le potentiel caché de l'exogamie* 2003.

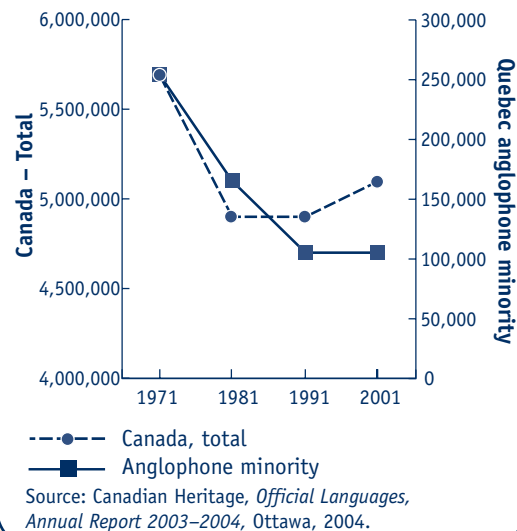
⁸⁷ The guide *I'm with you* is available on-line: www.fpfa.ab.ca/ressources/g-withyou.html .

The educational challenges facing the Anglophone minority in Quebec

In Quebec, there were nine Anglophone school boards in 2003 operating 360 English language schools that served some 105,000 students (see Figure 17). The situation is less enviable than in 1971, when there were 30 Protestant school boards, primarily for the Anglophone minority, and approximately 250,000 students.

The 1997 reform designed to secularize Quebec school boards reduced their number from 30 to nine and placed both Protestant and Catholic schools under Anglophone boards. As well, Anglophone school enrolments dropped by approximately 60% during the 1970s and 1980s. The alarm was sounded by the Chambers Report in 1992 (see box). This significant drop was the result of a declining Anglophone population caused by out-migration to other provinces, a general decline in school enrolments nationally during this same period and a more restrictive definition of the entitlement to instruction in English. Still, since 1991, Anglophone school

Figure 17
School population in Canada and the Anglophone minority in Quebec



enrolments have expanded slightly, but at a slower rate than in the country as a whole. Moreover, following the Supreme Court of

THE CHAMBERS REPORT ON ENGLISH LANGUAGE EDUCATION IN QUEBEC (1992)

Between 1970 and 1990, the adoption of the *Charter of the French Language* and various measures by the Government of Quebec had serious consequences for Quebec's English language community, especially in the area of education. Over 15 years, enrolment in the Protestant school system, composed primarily of English language schools, decreased from 250,000 to 108,000, a drop of 57%. To study the question, the government of Robert Bourassa established a task force chaired by Greta Chambers. The Chambers Report,⁸⁸ tabled in 1992, painted an alarming portrait of the situation and even raised the possibility that the English language school system would eventually disappear. The report had several positive outcomes; the English language community became more aware of the importance of becoming involved in order to gain greater control over their future, and an advisory committee reporting to the Ministry of Education was created. This committee, which has been chaired by Ms. Chambers since its creation, plays a key role in managing the English language school system.

In 2002, a report by the Missisquoi Institute revealed that 10 years after the publication of the Chambers Report, the situation had considerably improved.⁸⁹

⁸⁸ Government of Quebec, *Task Force on English-Language Education in Quebec* (Chambers Report), February 5, 1992.

⁸⁹ J. Jedwab, *The Chambers Report, Ten Years After: The State of English Language Education in Quebec, 1992-2002*, Montréal, The Missisquoi Institute, January 2002.

Canada decision in *Solski (Casimir)*, the Quebec school system had to be more responsive to the needs of Anglophone children, parents and communities, while upholding the predominance of French in Quebec. The Supreme Court indicated that although the Quebec linguistic framework remained intact, an excessively strict, inflexible, not to say mathematical application of the *Charter of the French Language* does not make it possible to reconcile these divergent interests, which are all equally important.⁹⁰

Recruiting rights-holder students

The Anglophone school system in Quebec is fairly successful at recruiting students with section 23 entitlement. According to a study by J. Jedwab, almost all young Anglophones (92%) do attend English language schools. These schools also recruit approximately 75% of French mother tongue students who are eligible to enrol based on their parents' entitlement. Exogamy thus supports Quebec's English language schools. This source compensates in part for declining enrolments by children with English as a mother tongue. The other important source is migration from other Canadian provinces and, to a lesser extent, immigration from abroad.⁹¹

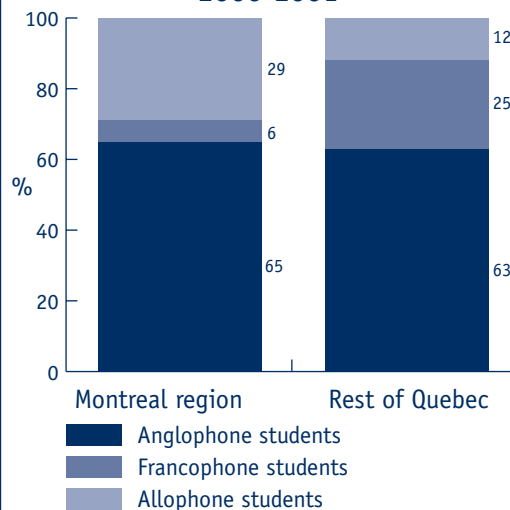
The challenge of preserving English language schools is more acute in remote rural regions. The depopulation of Quebec's rural areas is not limited to Francophone communities, and many Anglophone schools are now facing declining enrolments. Although rights-holder children of exogamous couples represent a source of enrolment for these schools, the survival of these small schools remains at risk. Expanded distance education could in some way address this situation, as witnessed by Distance

Education and Community Network, a project launched by Quebec's English language school boards and Quebec's Ministry of Education. Today, this network offers 11 on-line courses to more than 200 students in 25 schools from eight different school boards.⁹²

Adapting to diversity

The Anglophone school system in Quebec is facing the need to adjust to an increasingly diverse student body. For example, allophone students currently make up one third of

Figure 18
Mother tongue of English language school population in Quebec, 2000-2001



Source: Data from the Quebec Ministry of Education, compiled in J. Jedwab, *The Chambers Report, Ten Years After: The State of English Language Education in Quebec, 1992-2002*, Montréal, Missisquoi Institute, January 2002, p. 15.

⁹⁰ See *Solski (tutor of) v. Quebec (Attorney General)*, 2005, SCC 14 (also known as *Casimir*). Also, in the case of *Gosselin (tutor of) v. Quebec (Attorney General)*, 2005, SCC 15, the Supreme Court found that the position of the appellants—who demanded unrestricted access to Anglophone minority schools—would in practice transform these schools into immersion institutions, thus jeopardizing the attainment of the objectives under section 23 of the *Canadian Charter of Rights and Freedoms*, intended to enhance the vitality of official language minority communities.

⁹¹ Office of the Commissioner of Official Languages, *Going Forward: The Evolution of Quebec's English-Speaking Community*, 2004, pp. 29-31.

⁹² The Distance Education and Community Network Web site is www.decn.qc.ca.

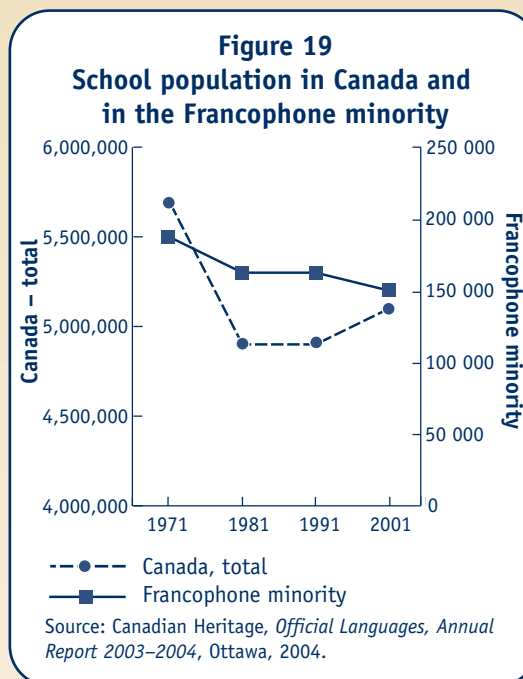
enrolments in English language schools in the Montréal area (see Figure 18). In other regions of the province, students whose mother tongue is French represent a quarter of English language school enrolments. This diversity requires schools to upgrade their students' language skills. It also places the schools at the forefront of redefining the Anglophone community's cultural identity.

The educational challenges facing the Francophone minority

The Francophone minority acquired governance of their schools very gradually (see box in Chapter 1, p. 15).⁹³ New Brunswick set the ball rolling in 1978 by fully implementing duality in its school governance. However, the New Brunswick experience demonstrates how fragile such progress can be. The government dissolved all school boards in 1997, intending to replace them with advisory structures. Facing the threat of legal action, the government backtracked and re-established homogeneous school boards in 2001. In Ontario, the first Francophone school board, founded in Toronto, dates back to 1986. Everywhere else in Canada, Francophone school boards came into existence during the 1990s. Only Nunavut has yet to grant full school governance to its Francophone minority.

Unlike in 1971, when no legislation guaranteed the Francophone minority exclusive control over its school boards, there are now 30 Francophone school boards in minority communities. In 2003, these boards managed some 675 French language schools serving approximately 146,000 students. The Francophone minority's school enrolments have, however, decreased by approximately 25% since 1971 (see Figure 19). This has mirrored the general decrease in Canadian school enrolments occurring during this period, but Francophone minority enrolments have failed to recover over the past 10 years. As

discussed below, the primary challenge facing the Francophone school system is the fact that it recruits only half of the students entitled to its services.



“The reader should be aware that in half of all cases the target school population of today has lost this constitutional right to minority language education for their own children and for succeeding generations!”

— D. Adam, Commissioner of Official Languages, in A. Martel, *Rights, Schools and Communities in Minority Contexts: 1986–2002. Toward the Development of French through Education*, Ottawa, Office of the Commissioner of Official Languages, 2001, p.1.

⁹³ For background on Francophone school boards by province, visit the Web site of the Fédération nationale des conseils scolaires francophones: www.fncsf.ca.

Target Francophone school population

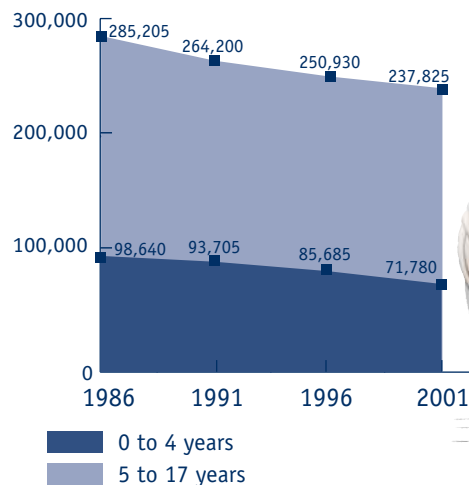
The Commissioner of Official Languages sounded the alarm on the problem of rights-holder Francophones as early as 1991.⁹⁴ Groundbreaking studies by Angéline Martel highlighting the enrolment decline in this target school population between 1986 and 1996, predicted that this downward trend would continue, and noted that only half of this population was enrolled in French schools. In an update to these studies, Rodrigue Landry observed the ongoing decline in the enrolment of children of parents who are rights-holders and even noted the troubling fact that “only one child out of two in this target

school population receives French as a mother tongue, and many of these will be unable to pass on entitlement to their children” (see Figure 20).⁹⁵

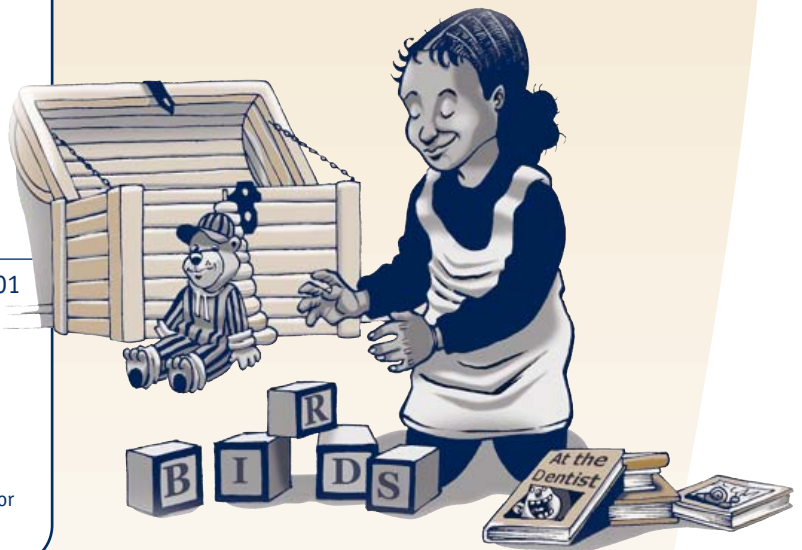
Early childhood

Education starts at age two or three and not five, as currently occurs in most of Canada’s school systems. Until very recently, most governments have neglected the early childhood education sector. Only Quebec has taken a leading role in this field through its 1997 program to create low-cost childcare centres. This program also delivers services to the Anglophone minority and Aboriginal communities. More generally in Canada, the federal Department of Social Development and the provinces and territories are pursuing their efforts to partially address the existing needs by developing a national system to educate and care for young children.

Figure 20
Development of the Francophone target school population, Canada, 1986–2001



Source: R. Landry, *Libérer le potentiel caché de l'exogamie. Profil démographique des enfants des ayants droit francophones selon la structure familiale*. Study conducted for the Commission nationale des parents francophones, Moncton, Canadian Institute for Research on Linguistic Minorities, October 2003.



⁹⁴ The Commissioner of Official Languages has published two studies by A. Martel: *Official Language Minority Education Rights in Canada: From Instruction to Management*, Ottawa, 1991, and *Rights, School and Communities in Minority Contexts: 1986–2002. Toward the Development of French Through Education*, Ottawa, 2001.

⁹⁵ R. Landry. *Libérer le potentiel caché de l'exogamie* 2003, p. 17.

The Francophone minority is concerned about the future of its young children, who have access to few resources and services. Minority Francophones believe that they receive a proportionally smaller share of the country's childcare services, which are currently available to only 8% of children outside Quebec.⁹⁶ The Commission nationale des parents francophones (CNPf), the Francophone communities' national spokesperson on the issue of early childhood education, reminds us that "there is no point in rushing; we must start off on the right foot."⁹⁷ Given the difficulties that minority communities face in educating their children and passing on their own language, such tools should already be in place. No one today questions the fact that the future of young children and the communities to which they will belong is being played out in early childhood.

In its *Action Plan for Official Languages*, the Government of Canada is proposing to provide support for access to daycares and preschools as one means of recapturing the target school population defined under section 23 of the Charter. The CNPF has echoed this federal plan by suggesting a goal of having 80% of five-year-old children of parents who are rights-holders enrolled in French language preschools by 2009. To reach this objective, it will be necessary to co-ordinate early intervention and provide universal access to childcare and family centres. Given the important role that these centres must play, it would be useful to integrate them into or physically connect them to the community's schools.

A few projects are currently in progress in Francophone communities in the West.

CANADIAN PARENTS FOR FRENCH AND THE COMMISSION NATIONALE DE PARENTS FRANCOPHONES

These two organizations have impressive track records in the field of official language teaching. Founded in 1977, the organization Canadian Parents for French (CPF) is a tireless promoter of the teaching of French as a second language. It wields considerable influence over parents, school boards and provincial governments, with the goal of ensuring that the largest possible number of young Canadians are exposed to French language and culture. The CPF is a key stakeholder in the *Action Plan for Official Languages* announced in March 2003. One of the objectives of this plan is to double the number of young Canadians aged 15 to 19 years with knowledge of their second official language by 2013. This will increase the percentage from 24% to 50%.

The Commission nationale des parents Francophones (CNPf), which celebrated its 25th anniversary in 2004, has been recognized for the key role it played in implementing school governance for Francophones outside Quebec. It has received support from provincial organizations and many volunteers, and, with school governance now a *fait accompli*, its efforts have clearly been successful, even though we still need to fight for our rights before the courts. The CNPF is now concentrating its energies on implementing a series of early childhood initiatives. Its project *Partir en français* is designed to meet the demand for childcare services tailored to the French language and culture and to provide educational tools that will help young children learn.

In 2004, the two organizations signed a memorandum of understanding recognizing both partners' commitment to the promotion of linguistic duality through the delivery of education in French.

⁹⁶ Commission nationale des parents francophones. *Position des parents francophones en situation minoritaire relative au projet de système national de garde d'enfants*, November 25, 2004. On-line: cnpf.ca/documents/POSITION_DPE2.pdf.

⁹⁷ Commission nationale des parents francophones, *Partir en français. Plan national d'appui à la petite enfance francophone*, Ottawa, June 2003. On-line: cnpf.ca/documents/Plan_-_Partir_en_francais.pdf.

- In Manitoba, two pilot projects involving early childhood and family centres are underway in schools in Saint Boniface and the village of Île-des-Chênes. Launched in 2004 by the Coalition à la petite enfance francophone, which brings together community organizations, the school board and the province, these projects are benefiting from close co-operation with eight provincial ministries.
- In Saskatchewan, the Association des parents and its partners from the Réseau santé et société en français launched the *Enfant-ainé* project in March 2005, which is designed to offer integrated support services to families and children, combined with primary health care.

An overall strategy

One of the priorities of Francophone school boards in minority contexts is to recruit the children of rights-holders. The Fédération nationale des conseils scolaires francophones (FNCSF) recently reviewed the gaps that must be filled to implement a comprehensive Francophone school system (see box). A series of needs relate to the target school population: recruiting students, promoting the French language, welcoming and guiding exogamous parents and teaching French in preschool. In addition, the Francophone system needs early childhood services, childcare and qualified staff at all levels.

School infrastructure remains deficient in a number of school boards. The school-community centre model, which has proven successful in approximately 20 locations across Canada, is one option (see box on page 73). This model may also accommodate early childhood educational services. It has the advantage of bringing schools and communities closer together—a crucial challenge when a community's vitality is at stake.

PRIORITY NEEDS OF FRANCOPHONE MINORITY SCHOOL BOARDS⁹⁸

- Promotion of French language education, and identification and recruitment of the target school population defined under section 23 of the Charter.
- Programs for welcoming, supporting and guiding exogamous parents and teaching French in preschool.
- Early childhood and childcare services.
- Language upgrading programs (improving French) at school.
- Equitable school programs, especially at the secondary level.
- Construction of new schools and repair and renovation of existing ones.
- Recruitment of regular and specialized teaching staff and administrative staff.
- Specialized services in French (for example, special education teachers, psychologists).

With education remaining under provincial or territorial jurisdiction, educational programs and resources available to the Francophone minority suffer from a lack of consistency and equity. This minority is therefore requesting not a standardization of programs, but equal coverage in terms of quality and quantity as well as a national strategy for developing and distributing educational resources tailored to the minority's specific needs.

To overcome the challenges outlined in the FNCSF's study, a strategy is currently under consideration by the Table sectorielle de l'éducation, an organization made up of the main Francophone community organizations involved in education as well as representatives of the federal, provincial and territorial governments. This process should conclude in 2005 with the completion of a co-ordinated action plan for

⁹⁸ Fédération nationale des conseils scolaires francophones, *Stratégie pour compléter le système d'éducation en français langue première au Canada*. Report by the Steering Committee on the inventory of needs in Francophone school boards in Canada, Ottawa, October 2004. On-line: www.fncsf.ca.

SCHOOL-COMMUNITY CENTRES: A WINNING FORMULA

As its name suggests, a school-community centre houses a school and community services. It provides access to specialized facilities that a school or community centre could not offer alone: a bigger gymnasium, an auditorium, a cafeteria, audiovisual equipment and meeting rooms. The goal is to maximize the resources of both components. This co-operative model is well-established in the Francophone and Acadian communities.

The first school-community centre—the Centre Sainte-Anne in Fredericton—was established more than 25 years ago. Since this model met several needs, it was replicated first in New Brunswick, then in the other Atlantic provinces, Ontario and the Prairies. Canada has approximately 20 school-community centres (there are none in British Columbia, Manitoba or the three territories.) The model has proven effective in enhancing community vitality, and several stakeholders are examining ways to make it even more effective. The addition of early childhood services is one possibility.

the full implementation of section 23.⁹⁹ The Commissioner expects that the different levels of government will, in accordance with their constitutional obligations, join the school boards and community organizations in conducting this exercise, and that they will actively participate in implementing the resulting plan.

Intergovernmental co-operation

One of the key factors in the advancement of official language teaching across Canada is intergovernmental co-operation. The provinces and territories created the CMEC in 1967 as a collaborative mechanism that has been a party to the Protocol for Agreements for Official Language Education since 1970, along with Canadian Heritage. It also administers programs designed to encourage young people to learn their second official language, through bursaries, monitors, and so on.

Over the past few years, the CMEC has been examining French as first language education through Canada-wide French language training

initiatives.¹⁰⁰ Its involvement has been essential in supporting minority language and second language instruction. Several approaches contained in the Francophone school boards' strategy involve the CMEC. In general, the CMEC should foster greater co-operation among its members. One of the challenges that remains to be met is provincial and territorial accountability for their constitutional obligations in the area of official minority language education. As the Commissioner recommended in her last two annual reports, Canadian Heritage could, in this regard, exhibit stronger leadership among its provincial and territorial counterparts, in collaboration with the CMEC.

Second language learning

One of the great successes of Canada's official languages policy over the past 35 years has been second language learning. This success is primarily measured in terms of the approaches and methods developed to teach and learn a second language (namely French), but also in

⁹⁹ A process that served to expand on the brainstorming around full implementation of section 23 of the Charter that was initiated by the Commissioner in September 2002.

¹⁰⁰ The Web site for the CMEC's official language programs is www.cmec.ca/olp.

terms of the openness toward the other culture that has been nurtured among young Canadians. Second language learning must be viewed as a lifelong process, with schools giving students a useful and necessary foundation for this purpose.

Immersion. Enthusiasm surrounds French immersion. Leading specialists in the field say the results are encouraging and that the Canadian experience is viewed with great interest internationally, where Canada is seen as a leader in this area.¹⁰¹

“What research does show is that French immersion works. Students do learn French, and the more time they spend in French, the better their skills. Students also learn English. In fact immersion might strengthen English skills, though that is not always the perception. Creativity and divergent thinking may be fostered by bilingualism. Thus decision-makers need not fear that instituting and continuing immersion programs in their district will harm students.”

— N. Halsall, *French Immersion: The Success Story Told by Research*. Paper given at French Immersion in Alberta: Building the Future, Edmonton, November 1998.

Quebec. Second language teaching of official languages is not yet compulsory in all provinces and territories (see table on page 76). Quebec requires students in the Francophone majority to take regular English classes from grade three¹⁰² through to the end of secondary school, but English immersion does not exist in the public system. For their part, English language schools appear to be playing a significant role in increasing the level of bilingualism in Quebec. Between 1991 and 2001, for example, the rate of bilingualism among Quebec Anglophones increased from 58% to 66%. The rate of bilingualism among Francophones has also increased, from 31% to 37% during the same period.¹⁰³



¹⁰¹T. Skutnabb-Kangas, “Education of Minorities,” *Handbook of Language and Ethnic Identity*, edited by J. A. Fishman, New York, Oxford University Press, 1999.

¹⁰²The Quebec government plans to begin English as a second language courses in grade one as of 2006.

¹⁰³Statistics Canada, *Profile of Languages in Canada: English, French and Many Others*. 2001 Census: “Analysis” series, Ottawa, (Catalogue: 96F0030XIF2001005), p. 33. The Society for the Promotion of the Teaching of English as a Second Language in Quebec has made a considerable contribution. On-line: speaq.qc.ca.

MY VIEW...

Interview with **Mike Long**, French professor, University of New Brunswick, master's student at the Université de Moncton

"I am a product of Canada's second language education system. Enrolled in late immersion, I learned French in New Brunswick's public schools. When I went to Belgium for a two-year stint, I had enough linguistic tools to function.

I teach first- and second-year French at the University of New Brunswick in Saint John. My students run the gamut from complete beginners to those who are very advanced. Progress depends on a person's desire and level of motivation. Students of Chinese origin are very successful: I believe this is because they already know two languages, Chinese and English. Young people are very aware of the economic advantages of bilingualism.

Over the past 15 years, the face of Saint John has been transformed. The Saint John that my parents and grandparents knew was essentially a unilingual industrial city. Our call centres have now attracted many Francophones, including Quebecers who are used to being served in French. Local Francophones tend to avoid requesting services in their own language.

French is now seen as an economic asset and not only an issue of identity and culture. We are feeling the effects of globalization here.

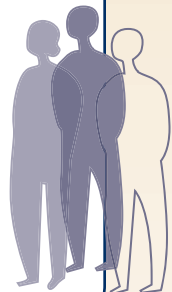
The organization Avantage Saint John Advantage works closely with businesses. It makes merchants aware of the importance of providing bilingual services and seeks to promote networking and bring people together.

Many parents are intimidated because they do not know French. They must understand that they do not need to be bilingual to promote bilingualism.

Despite our progress, much remains to be done. One of our major challenges is for bilingualism to become more than a façade—a bilingualism on paper—but real bilingualism. A health centre may have bilingual front desk staff, but the key is for its medical services to be accessible in both languages.

People are still too insecure about language. Too much emphasis is placed on technical skills, which tend to be associated with having a pleasing accent."

— Interviewed on January 27, 2005



FRENCH AS A SECOND LANGUAGE (FSL) PROGRAMS IN THE PROVINCES AND TERRITORIES, 2004

	Y.T.	B.C.	N.W.T.	Nt.	Alta.	Sask.	Man.	Ont.	Que.	N.B.	N.S.	P.E.I.	N.L.
Compulsory regular FSL	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍
Optional regular FSL	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍	👍
Immersion	👍	👍	👍	👎	👍	👍	👍	👍	👍	👍	👍	👍	👍

Source: Canadian Parents for French, *The State of French Second Language Education in Canada 2004*, Ottawa, 2004. On line: www.cpf.ca.

Elsewhere in Canada. The regular French program is compulsory in six provinces, but is an option everywhere else. In some provinces and territories, French is an option alongside other languages. The data compiled by Canadian Parents for French (CPF) indicate that French is actually taught everywhere in Canada. French immersion is offered in varying degrees nationwide, except in Nunavut.

Changes in enrolment levels. The success of second language learning is also gauged by examining increases in enrolment levels. Figures 21 and 22 on this page illustrate Canadian students' interest in their second language.

- Students' level of interest in regular second language programs varies, and enrolment in these programs has been dropping for approximately 10 years.
- On the other hand, immersion has been growing since the 1970s, with a jump after the Charter was adopted, and a slowdown since the mid 1990s.
- However, since 1984–1985, the combined immersion and regular French program participation rate has never dipped below 50%.

Challenges. The *Action Plan for Official Languages* is based to a large extent on increasing the number of bilingual young Canadians. This will require more than reliance on immersion programs alone. As detailed in the plan, it will be necessary to improve regular French programs by, for example, inserting intensive

Figure 21
Majority school population—regular second language program, Canada, 1975–2003

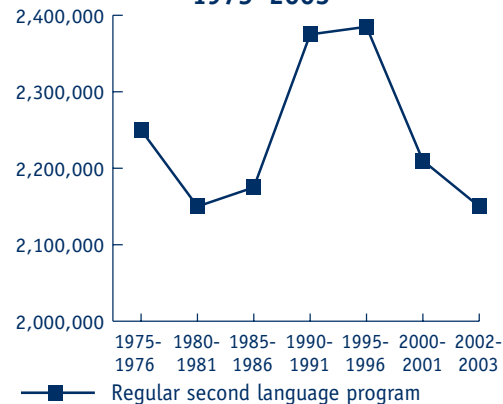
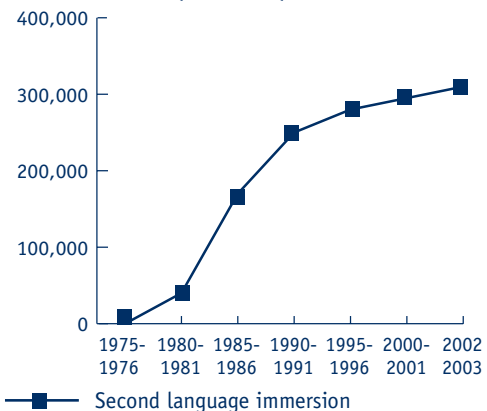


Figure 22
Majority school population in immersion, Canada, 1975–2003



Source: Canadian Heritage, *Official Languages. Annual Report 2003–2004*, Ottawa, 2004.

CANADIAN PARENTS FOR FRENCH: HOW TO REACH THE FEDERAL BILINGUALISM OBJECTIVE

Participants at the Visions and Challenges for the 21st Century Symposium held in Toronto in March 2004 discussed ways of reaching the Government of Canada's ambitious objective to increase the proportion of young Canadians aged 15 to 19 who know their second official language from 24% to 50%. In the wake of this event, CPF held a series of provincial and territorial consultations to identify strategies for promoting the social, cultural and professional benefits of bilingualism. The participants were "unanimous in their commitment to maintain the momentum [...]" and to work together on implementing a series of recommendations such as promoting the practical career benefits of bilingualism to young people, encouraging interaction between Anglophone and Francophone communities, offering a wider choice of college and university programs in French, and training more teachers qualified to teach French as a second language.

Source: Canadian Parents for French, *The State of French Second Language Education in Canada*, 2004.

learning periods, enriching course content, emphasizing conversation skills and, especially, devising ways of evaluating the extent to which students are actually developing their second language skills. CPF is already considering these challenges in order to support attainment of the plan's objectives (see box). In the same vein, Canadian Heritage commissioned a study by a group of experts led by Sally Rehorick.¹⁰⁴ Based on research and practice in learning the official languages, this report offers several strategies and promising solutions that should be implemented by all governments, in close collaboration with stakeholders in education.

The objective in the Government of Canada's Action Plan's of increasing the proportion of secondary school graduates with functional knowledge of both official languages to 50% by 2013 is laudable. However, significant investments and collective action will be required to achieve this. Furthermore, this represents only a preliminary step that will compensate for the decreases in investment in the Official Languages in Education Program (OLEP) experienced in the 1990s. Two years have passed since the adoption of the federal Action Plan, but its implementation has yet to take off. Canadian Heritage and the provinces and territories agreed, in early spring 2005, on certain conditions of the next Protocol Agreement on education for 2005-2009. The

delay in signing the agreements causes concern, however. The funds allocated to this program under the Action Plan were not put into use as quickly as they should have been, which puts in doubt reaching the Action Plan's objectives.

Post-secondary education

Post-secondary education poses major challenges to official language communities, given their modest size in each province or territory and especially because of their dispersion. Not all provincial and territorial authorities have granted special status to official language minority institutions, and many have hesitated to support occupational training. Because of this, federal funding has been key to establishing colleges and supporting the development of universities. Canadian Heritage has negotiated special funding agreements with most post-secondary educational institutions.

Colleges

Francophone minority. French language colleges have a shorter history than their university counterparts. The first colleges in New Brunswick date from the 1960s, but those in Ontario and Nova Scotia were created about 15 years ago.

¹⁰⁴ Canadian Heritage. *Plan 2013. Strategies for a National Approach in Second Language Education*. Ottawa, April 30, 2004.

In Prince Edward Island, Alberta, British Columbia and Saskatchewan, professional training services in French were only developed a few years ago. Colleges have been universally welcomed as essential tools for community development. In Ontario, for example, the Cité collégiale and the Collège Boréal have met urgent needs and played an important role in enhancing human resources and communities' general vitality.

The Réseau des cégeps et des collèges francophones du Canada, created in 1995, is a valuable initiative, given that Francophones in Quebec and the other provinces and territories rarely work together.¹⁰⁵ This network currently includes 50 Francophone CEGEPs, colleges and post-secondary educational associations from across Canada. The network promotes the resources available among the member institutions, and co-ordinates exchanges and partnerships designed to deliver training both in Canada and as part of international development projects.

Given the extensive need to develop human resources in the Canadian Francophonie, this network is destined to play a larger role in increasing the accessibility of vocational training, especially for remote communities. It should be noted that most provinces and territories still have little or no access to vocational training services in French.

Anglophone minority in Quebec. In Quebec, the Anglophone minority has five English-language CEGEPs and a few private colleges. The Anglophone CEGEP system was established at the same time as the Francophone system. The challenge facing the Anglophone minority is a downward trend in enrolment in the Anglophone CEGEPs, a trend that is also evident in Quebec's Francophone enrolment. When the *Action Plan for Official Languages* was being developed, the Quebec Community Groups Network recommended that the Government of Canada provide better

support for vocational and technical training initiatives located outside conventional institutions, so as to provide remote regions with improved coverage.¹⁰⁶

Challenges. Like their university counterparts, official language minority colleges have received considerable financial support from Canadian Heritage under the Official Languages in Education Program. New Brunswick and Ontario now have strong college networks, but similar networks must be extended to the provinces that have not benefited to the same extent. Distance training and collaborative initiatives with other types of educational institutions (schools and universities) could support this development. The Far Ouest project, begun in January 2003, is a good example. This project helps to make French college programs available to Canadians in western Canada. The Réseau des cégeps et des collèges francophones du Canada and its members seek to ensure that, for example, the work of Educacentre in British Columbia can benefit from the Cité collégiale's success and expertise.

Universities

In Quebec. Some of Canada's most prestigious English language university institutions are located in Quebec. McGill University, founded in 1821, enjoys an enviable reputation around the world. Concordia University, a younger institution, is dedicated to advancing Canadian bilingualism and multiculturalism. Bishop's University, a smaller institution, is devoted to the liberal arts and is home to a varied Canadian and international student body.

The Anglophone minority in Quebec has access to three universities. In addition to Anglophones from Quebec and elsewhere, these institutions also attract Francophones and allophones. The latter group represents an ever-increasing proportion

¹⁰⁵The Web site for the Réseau des cégeps et des collèges francophones du Canada is www.rccfc.ca.

¹⁰⁶Quebec Community Groups Network, *Suggesting Change. The Situation of the English-Speaking Minority of Quebec and Proposals for Change*. Report to Minister Stéphane Dion, President of the Privy Council and Minister for Intergovernmental Affairs, June 12, 2002. On-line: www.westquebecers.com/docs/nov26-2002_press.shtml.

of these universities' enrolments, while the Francophone proportion appears to be stabilizing. The proportion of Anglophones decreased from 60% to 55% between 1991 and 2000.¹⁰⁷ Given the international reputations of these universities and their deep roots in Quebec, they build bridges between Canada's two official language communities and between Canada and the rest of the world.

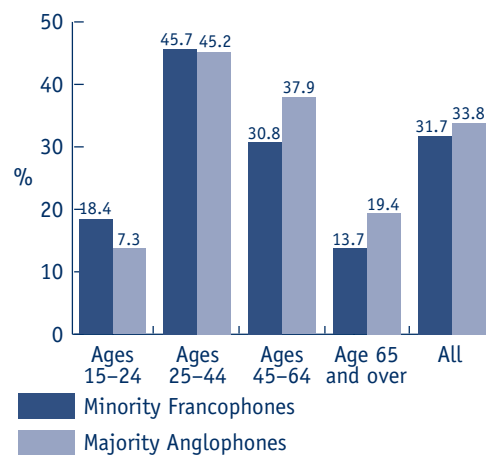
In the Francophone minority. The university sector is one component of the French language educational system that has undergone enormous changes over the past 35 years. The classical colleges that religious communities established during the 20th century were the foundation on which the Francophone university system was built. Secularized in the 1950s and 1960s, reorganized or renamed, these institutions are now the Francophone and bilingual universities operating in Nova Scotia, New Brunswick, Ontario, Manitoba and Alberta. Since 1990, the Regroupement des universités de la francophonie hors Québec (which became the Association des universités de la francophonie canadienne¹⁰⁸ in 2004) has been made up of 13 universities working together to improve accessibility to post-secondary studies in French, to increase their research capacity, and to promote existing programs nationally and internationally.

The growing number of institutions is not the only indicator of progress; a greater variety of programs is available in diverse disciplines and at various levels (bachelor's, master's and doctoral levels). Furthermore, a growing share of these programs is delivered through distance education in order to increase accessibility to education in provinces or regions that do not have university campuses.

Progress has clearly been made.

- **1961.** The B and B Commission reported that, in 1961, Canadians of British ethnic origin (male non-agricultural labour force) were twice as likely to have a university education (12%) as those of French ethnic origin (6%).¹⁰⁹
- **1971–1996.** The proportion of young Francophones outside Quebec between 15 and 34 years of age completing post-secondary studies or obtaining a university diploma more than doubled from 1971 to 1996, from 21% to 53%.¹¹⁰
- **2001.** The two youngest generations of minority Francophones have surpassed their counterparts in the Anglophone majority in terms of post-secondary education (see Figure 23).

Figure 23
Population (over 15) with post-secondary diploma, certificate or baccalaureate, Canada except Quebec, 2001



Source: Canadian Heritage, *Official Languages. Annual Report 2003–2004*, Volume 1, Ottawa, p. 26.

¹⁰⁷Office of the Commissioner of Official Languages, *Going Forward: The Evolution of Quebec's English-Speaking Community* [...] 2004, p. 40; J. Jedwab, *Diversity of the University: the Changing Composition of Quebec's Institutions of Higher Education, 1999–2003*, Montréal, Association for Canadian Studies, 2004. On-line: www.acs-aec.ca/Polls/14-10-2004.pdf.

¹⁰⁸The Web site for the Association des universités de la francophonie canadienne is www.aufc.ca.

¹⁰⁹Canada, *Report of the Royal Commission on Bilingualism and Biculturalism. Book III: The Work World* [...], 1969, p. 26.

¹¹⁰M. O'Keefe, *Francophone Minorities: Assimilation and Community Vitality*, Ottawa, Canadian Heritage (New Canadian Perspectives), 2001 (2nd edition).

However, the fact that Francophones over 45 years of age have a lower level of post-secondary training than their Anglophone counterparts reflects the inequality that existed until a few decades ago.

Research. Valuable bridges have been built in the field of university research. Canadian studies centres and programs across the country and around the world play a role in improving understanding of the nature of Canadian duality and related issues. There are several research institutions studying the issue of official languages across Canada. These include the Canadian Opinion Research Archive at Queen's University, the Modern Language Centre at the University of Toronto, the Groupe de recherche en études francophones at Glendon College (York University), the Institut canadien de recherche sur les minorités linguistiques at the Université de Moncton, the Centre acadien (Université Sainte-Anne), the Centre international de recherche en aménagement linguistique (Université Laval), the Interdisciplinary Research Centre on Citizenship and Minorities (University of Ottawa), the Institut franco-ontarien (Laurentian University), the Centre d'études franco-canadiennes de l'Ouest (Collège universitaire de Saint-Boniface), the Institut français at the

University of Regina, the Ontario Institute for Studies in Education, the McGill Institute for the Study of Canada, the Eastern Townships Research Centre (Bishop's University), the Centre for Research and Information on Canada and many others. Canadian Heritage and the Social Science and Humanities Research Council have recently established a new research and dissemination program related to official languages. This program is currently scheduled to last only three years.

Challenges. Advances in post-secondary education over the past 35 years have directly contributed to enhancing human capital in official language minority communities. This, in turn, has enabled these communities to increase their economic, political and social resources and thereby develop their communities more effectively. The fact that Canadian Heritage has provided considerable funding support to post-secondary education through its Official Languages in Education Program must be emphasized. Since 1988, for example, this department estimates that its special support for the development of post-secondary education has exceeded \$175 million. This estimate excludes the provincial share, which generally doubles the amount.¹¹¹

THE FONDATION ALMA & BAXTER RICARD: PHILANTHROPY IN THE SERVICE OF GRADUATE EDUCATION

The largest foundation in the Canadian Francophonie outside Quebec was created by Mrs. Alma Ricard of Sudbury. As the wife of Baxter Ricard, who made a fortune in the communications industry, she bequeathed \$35 million to create a foundation devoted to supporting graduate studies. Mrs. Ricard died in June 2003 at 97 years of age. The Fondation Alma & Baxter Ricard offers Francophones living in minority language situations "the opportunity to obtain a higher level of education, in the best institutions in the world, without becoming indebted." Since 2000, the Ottawa-based foundation has granted scholarships to approximately 100 students. The scholarships can reach \$50,000 per year over three years. Recipients pursue studies for a second bachelor's degree, a master's degree or a doctorate in any university discipline. The scholarship recipients attend some of the most prestigious universities in the world. The Fondation Ricard encourages scholarship recipients to return to Francophone and Acadian communities after completing their studies so that these communities may benefit from their training.

¹¹¹Data obtained from the Department of Canadian Heritage (February 23, 2005).

Communities, especially Francophone and Acadian ones, continue to have significant post-secondary needs. French school boards outside Quebec express the belief that the problems that exist in retaining students once they move to secondary school have to deal with the fact that there are few opportunities to continue their studies in French at the postsecondary level.¹¹² This lack of options would make them turn towards secondary and postsecondary education in English.

Finally, we note that it is necessary to pursue research, in the spirit of the B and B Commission, on official language issues.

Distance learning

In an age of “clicks and mortar,” educators may deliver training, and students may learn, anywhere in Canada. The revolution in communications technologies that has occurred is a major asset for remote official language communities. In Quebec, several Anglophone school boards are participating in the Distance Education and Community Network and thus sharing distance education resources. On the Francophone side, several educational organizations (colleges, universities, school boards, ministries, television channels) have joined forces in the Réseau d’enseignement francophone à distance du Canada (REFAD), which is helping to develop skills and resources in this sector.¹¹³

If increasing the accessibility to education and training for the entire Canadian population is a priority, investments in distance learning will definitely be required and resources in this area will have to be shared. For its part, the Government of Canada will have to ensure that official language minorities benefit equitably from these new resources.



Did you know that ...

Distance learning. The “new” Université Sainte-Anne in Nova Scotia, which emerged from this university’s amalgamation with the Collège de l’Acadie in 2003, relies heavily on distance learning. It has six campuses in Nova Scotia and one in Prince Edward Island.

Language training

We close with a discussion of another major aspect of the development of Canadian duality—the delivery of language training to employees in the federal Public Service. Since its launch in 1964, language training has experienced its ups and downs, but it is unquestionably relevant to meeting the objectives of the *Official Languages Act*.

The first federal language school in 1964 had 117 federal public servants enrolled: 67 in French and 50 in English.¹¹⁴ The program quickly expanded as Canadian language policy took shape. When the *Official Languages Act* was passed in 1969, 6,000 learners were enrolled in the language training program (5,000 in French, 1,000 in English). When the new act was passed in 1988, nearly 19,000 learners (16,000 in French, 3,000 in English) were enrolled.

During the 1990s, the combined effect of budget cuts and a smaller public service caused the language training program to shrink. It is estimated that some 5,000 public servants are currently taking language courses in the National Capital Region alone. French is taught in the vast majority of these courses, with about 150 students learning English. These data include the training provided by the private sector, which has been handling a portion of language training needs since the government allowed access to this market at the end of the 1980s.

¹¹²Bourgeois, Daniel. *Vers la pleine gestion scolaire francophone en milieu minoritaire*. Report based on a study by the Fédération nationale des conseils scolaires francophones. Moncton, Institut canadien de recherche sur les minorités linguistiques, October 2004.

¹¹³The Web site for the Réseau d’enseignement francophone à distance du Canada is: www.refad.ca.

¹¹⁴Public Service Commission of Canada, *25 Years of Innovation in Language Training*, Ottawa, 1990.

Challenges. The results of language training have, nonetheless, proven unsatisfactory, since learners make little use of their second language at work. The Commissioner has recommended that the Centre for Language Training of the Canada School of the Public Service review its approach in order to more closely align language learning with workplace needs.¹¹⁵ To accomplish this, it would be useful to combine theoretical training with work placements in contexts where the language being learned is used. Moreover, each department must integrate language training needs into its training and retraining plans. It should be mentioned that the school, in conjunction with the Public Service Human Resources Management Agency of Canada and the Public Service Commission, has currently launched such a review.

Conclusion

Education is one of the sectors that have made solid progress toward linguistic duality over the past 35 years, as shown in the achievements listed at the beginning of this chapter. Still, official language minorities did have enormous expectations for change, and many issues remain unresolved. The main ones include:

- **Francophone rights-holders.** At present, the Francophone minority recruits only about one half of the target school population defined under section 23. Prompt action is therefore required to support initiatives to identify, recruit and retain this target school population, to avoid seeing education rights gradually extinguished.
- **Early childhood.** Early childhood services receive across-the-board support in Quebec. Elsewhere, federal, provincial and territorial governments are still in the process of negotiating a strategy on childcare services. This will address only some of the needs that must be met to give young children a

fair start in life. The issue of early childhood and family services is especially crucial to the Francophone minority, and any intergovernmental strategy in this field must take this fact into account.

- **Comprehensive Francophone school system.** Francophone minority communities and their school boards have revived the idea, originally envisioned by the B and B Commission, of a comprehensive school system serving their minority. It is important for the provinces and territories, under the leadership of the Council of the Ministers of Education, Canada (CMEC) and the Government of Canada, to co-operate actively on the strategy currently under development to meet this need. Concerted action by communities and government is essential to achieve the mission set out in section 23.
- **English language schools open to diversity.** Although Quebec's English language schools have experienced significant enrolment decreases, their numbers now appear to be stabilizing. Their student body is culturally diverse, especially in the Montréal area. Schools must obtain the support needed in order to accommodate this diversity, which at the same time is redefining the Anglophone minority's collective identity.
- **Post-secondary education.** An overview of the past 35 years demonstrates the enormous strides taken in establishing college and university systems in both languages. However, more remains to be done to broaden access to education and technical and professional training by official language minorities. In several provinces and territories, existing institutions continue to receive insufficient funding; elsewhere, there are too few institutions, and even remote access remains inadequate. More generally, research capabilities related to official language issues must be expanded.

¹¹⁵Letter from the Commissioner to Lucienne Robillard, Treasury Board President, on the modernization of human resources management and official languages, September 12, 2001.

In second language teaching, the experimental French immersion initiatives conducted in Saint-Lambert, Quebec, in the 1960s represented giant steps forward. Today, more than two million Canadian students are learning their second language at school. However, second language education issues remain to be addressed. These include:

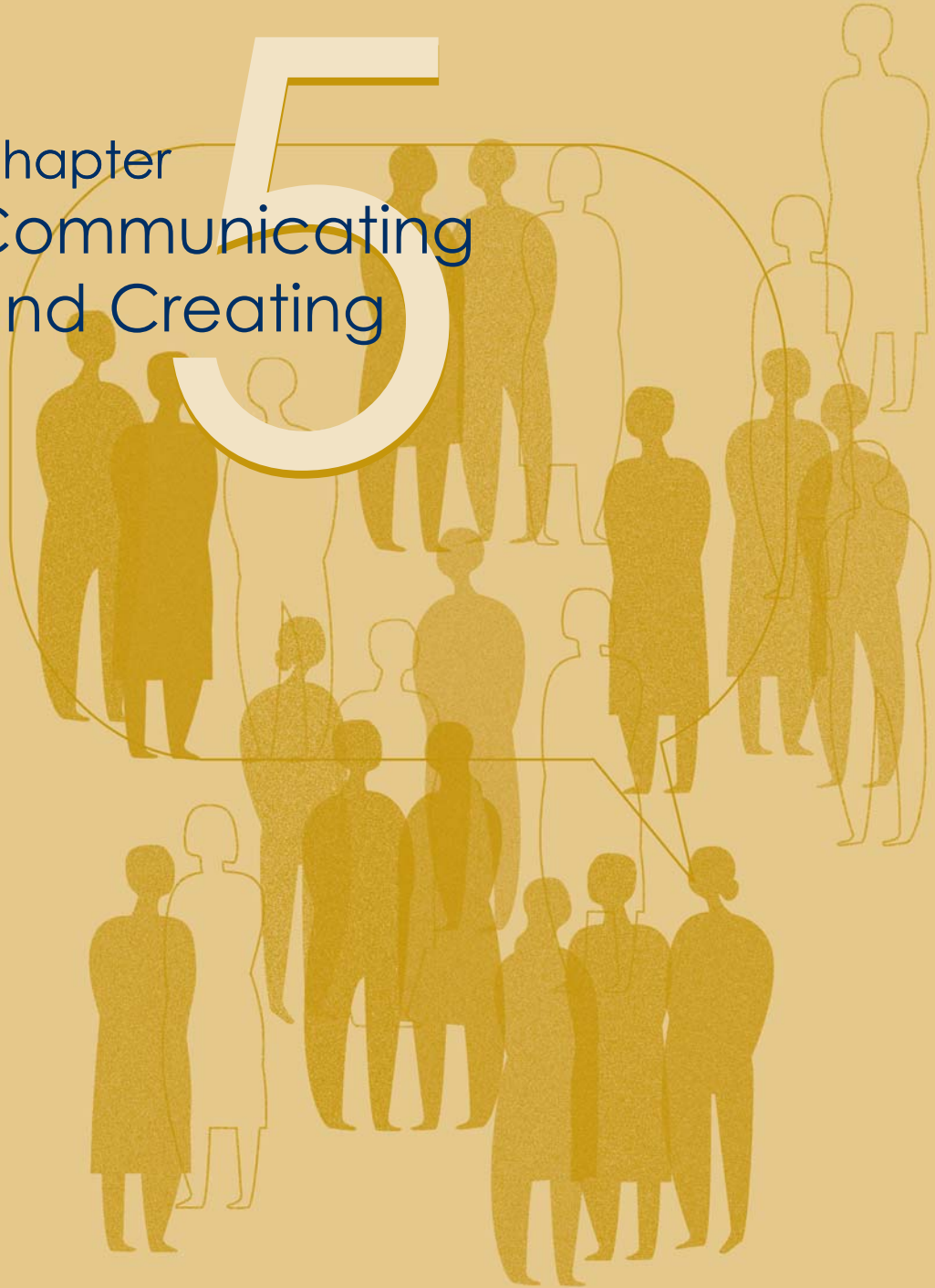
- **Official languages teaching.** Despite its popularity and effectiveness in second language teaching, immersion cannot meet all needs. Core French and English teaching methods and motivational factors must also be improved. In particular, a better job must be done explaining and promoting the benefits of bilingualism to young people as well as their parents.
- **Language training.** Language training in the federal administration has a long track record, but ongoing support must be provided for its renewal. It must meet the growing need for bilingual skills and be more effectively integrated into the workplace and public servants' career development.

In closing, we must keep in mind that, although the introduction of the 2003 *Action Plan for Official Languages* represented a high point in the development of linguistic duality, this plan is still in its early stages. Where its objectives are laudable, the plan is not yet off the ground, particularly with respect to education and teaching. The promised progress has yet to materialize. The Government of Canada must be urged to effectively support the provincial and territorial governments in their educational mission so that the plan's objectives can be achieved. Although education is an area of provincial jurisdiction, the Government of Canada must fully assume its role as catalyst and leader, taking into account its constitutional obligation to protect minorities.



Chapter Communicating and Creating

5





Chapter

5

“The individual must therefore be able to find, at all levels of human activity, a setting which will permit him to develop, to express himself, and to create in accordance with his own culture. He should not be obliged, should he wish to progress beyond a certain stage, to become so much a part of an alien setting that he is absorbed, and thereby eventually ceases to contribute to the cultural advancement of his own group.”

— B and B Commission. *General Introduction and Book I: The Official Languages*, Ottawa, 1967, p. xii.

Like other modern societies, Canadian society is a hotbed of communication and creation. The importance of communications and cultural creation cannot be ignored when seeking to instil a common sense of belonging in a country with diverse allegiances. Cultural diversity and linguistic duality are factors that make national cohesion more complex and difficult to achieve. To what extent has linguistic duality been given its rightful place in Canada’s communications and cultural development policies and institutions over the past 35 years? The principal achievements in this area are:

Communications

Institutional communications have always played an important role in nation building. In today’s world, they appear in a broad range of media that the government attempts to regulate and sometimes support. The Government of Canada’s record in meeting its linguistic responsibilities is discussed below.



PRINCIPAL ACHIEVEMENTS

- An authority and a set of regulations to govern broadcasting in both official languages and take into account the specific needs of both official language communities.
- National public radio and television networks that produce and broadcast material in both official languages.
- Community radio and newspaper networks providing local service to minority communities.
- A network of national public institutions supporting artistic and cultural creation in both official languages, in particular the Canadian Broadcasting Corporation, the National Film Board and the Canada Council for the Arts.
- A prolific artistic community in both English and French, present in all parts of Canada, that showcases its work on the international stage.
- Cultural industries (books, film, music, theatre, television) producing in both official languages.

BROADCASTING REGULATIONS IN A NUTSHELL

- 1936 *Canadian Broadcasting Act* (CBC)
- 1959 Regulation governing the Canadian content of Canadian television programming
- 1968 *Canadian Radio-television and Telecommunications Commission Act* (CRTC)
- 1968 The *Broadcasting Act* stipulates the criteria governing accessibility of public services to all Canadians in their official language
- 1970 CRTC regulation on Canadian musical content on AM radio
- 1973 Regulation of minimum French vocal music content on Francophone radio stations
- 1975 CRTC regulation of Canadian content on FM radio
- 1991 The *Broadcasting Act* takes into account the realities in official language minority communities
- 2001 Rather than defining Francophone markets based on the mother tongue criterion, the CRTC uses the broader criterion of French speakers
- 2003 The CRTC becomes an institution designated under Part VII of the *Official Languages Act* to meet specific reporting requirements

Regulations that reflect the Canadian reality

Several acts regulating communications were adopted during the 20th century.¹¹⁶ The Canadian Broadcasting Corporation (CBC) and the Canadian Radio-television and Telecommunications Commission (CRTC) played central roles in developing and implementing this regulatory framework. The *Broadcasting Act* of 1991, which governs both the CRTC and CBC, is very specific with respect to official languages:

¹¹⁶Canada, Standing Committee on Canadian Heritage, *Our Cultural Sovereignty. The Second Century of Canadian Broadcasting*, Ottawa, House of Commons, June 2003.

- Its objective: “To safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada,” which requires it to support programming in both official languages.
- A new provision: The Act requires that the policy meet the needs and aspirations of both official language communities and take into account the broadcasting conditions specific to these communities.

Since 2001, the CRTC has no longer limited its definition of Francophone markets to individuals with French as a mother tongue, but also includes French speakers (that is, people who state they understand French), which measures markets more accurately. Finally, since 2003, the CRTC has been designated under section 41 of the *Official Languages Act* to meet specific reporting requirements.

CITIZENS AS AGENTS OF CHANGE

Canadian radio content. In the early 1970s, some complaints about the overwhelming proportion of English songs on French stations in Hull led the Commissioner to invite the CRTC to get involved. The CRTC subsequently issued a directive on minimum French (or English) content. This directive still exists and has greatly contributed to encouraging the production and broadcasting of songs in French.

Challenges. The CRTC still faces challenges related to official languages. These include expanding the broadcasting market categories that it regulates to include bilingual markets as well as Anglophone and Francophone ones. More broadly, it must develop an approach tailored to the new communications environment that has emerged in the digital era, so as to continue conveying fundamental social values, such as linguistic duality, to Canadians.

The Canadian Broadcasting Corporation (CBC)/ Société Radio-Canada (SRC)

The CBC has been one of Canada's core institutions since its creation in 1936. With its dual English-French face, it demonstrates that Canada operates in two languages. Francophone communities outside Quebec have gradually obtained access to the broadcaster's French language network.

- **1936.** At the outset, the CBC has one bilingual radio station in Montréal, one English station in Toronto and some 30 English stations elsewhere in the country.
- **1937.** In its second year of operation, a French station is created in Montréal and the bilingual station becomes English.¹¹⁷ Duality develops very quickly.
- **1965.** Three decades later, the B and B Commission notes that the media, especially radio and television, communicate very little common content in English and in French at the national level. Furthermore, Francophone minorities are almost entirely deprived of access to Francophone media. On the other hand, the Anglophone minority in Quebec is well served by English language

media. In short, in Quebec and the rest of Canada, the media are fostering two solitudes.¹¹⁸

- **1970s.** The CBC gradually deploys its French network nationally and, toward the end of the 1970s, it implements an accelerated development plan.
- **1985.** The French network is still not available everywhere, and in 1985, Commissioner d'Iberville Fortier recommends that the CBC diversify its distribution methods (that is, relays via other Francophone broadcasters, satellites or cable distribution) in order to reach Francophone communities outside its network.

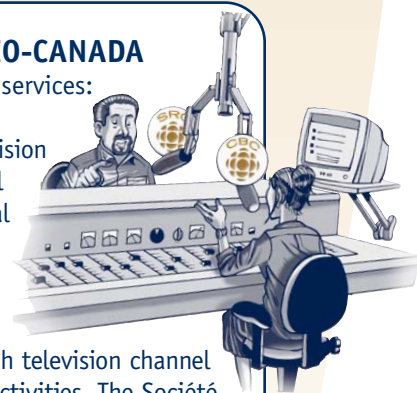
CITIZENS AS AGENTS OF CHANGE

CBC/SRC. Toward the end of the 1970s, complaints to the Commissioner of Official Languages led the Canadian Broadcasting Corporation to implement an accelerated development plan designed to make its basic services in both official languages available across Canada.

THE CANADIAN BROADCASTING CORPORATION/SOCIÉTÉ RADIO-CANADA

The country's most important cultural institution offers several programming services: four radio stations (two English and two French), French and English television, two specialty news channels (RDI and Newsworld), radio and television services broadcasting to the Far North in French, English and eight Aboriginal languages, Radio-Canada International, Musique Continue (a subscription digital audio service offering 30 channels of non-stop music) and cbc.ca and radiocanada.ca, the Corporation's English and French Web sites.

In Quebec, five radio stations make up the CBC Quebec Community Network, offering local and regional programming in English, while the English television channel CBMT broadcasts province-wide. The CBC also sponsors numerous community activities. The Société Radio-Canada (SRC) has a network of regional radio and television stations across Canada. Its RDI television channel produces more than a third of its programming regionally. It also supports the Francophone artistic community's development, trains producers and encourages local production.



¹¹⁷M. Fillion, *Radiodiffusion et société distincte. Des origines de la radio jusqu'à la Révolution tranquille au Québec*, Laval, Méridien, 1994, p. 141.

¹¹⁸Canada, *A Preliminary Report of the Royal Commission on Bilingualism and Biculturalism 1965*, pp. 71–73.

Challenges

- The CBC is regularly subject to budget cuts and must constantly defend its achievements. The Commissioner reiterated again recently, during the review of the *Broadcasting Act*, the need to ensure that the national public broadcaster receives adequate funding. In addition to broadcasting in both official languages, the Corporation must continue to inform the official language minority communities throughout the country, produce and distribute their cultural programming, cover their special events and, above all, maintain a presence through its regional stations.
- Finally, we note that since the B and B Commission submitted its analysis, the CBC's English and French services have essentially evolved in isolation, without significant co-operation between them that would better reflect Canadian duality. However, over the past five years, greater efforts have been made in this area. Foreign correspondents (for instance, Patrick Brown, Michel Cormier, Don Murray, Joyce Napier, Jean-François Bélanger, Azeb Wolde-Giorghis) have contributed to both services more frequently. As well, some programs or series have been broadcast on both services (for example, *Culture Shock, Canada: A People's History*); in several regions, both services share equipment and staff. The Corporation's President and Chief Executive Officer has reiterated his personal commitment in this regard.

The broadcasting industry

The broadcasting industry is continually expanding over a multitude of channels (airwaves, satellite, cable) and modes (analog, digital), but we must be vigilant and ensure that both official language communities benefit equally from this explosion of services.

Private networks. Today there is a full range of radio and television services in both official languages that majority populations can access fairly easily (see box). However, the Francophone minority in Canada does not enjoy an equally broad selection. The CRTC's review of this issue in 2001 demonstrated that only four cable television networks, including TVA, are available to this population nationally, along with 24 radio services.¹¹⁹

PRIVATE BROADCASTING IN CANADA, 2002

French language radio stations	199
English language radio stations	597
French language television services	109
English language television services	484

Source: Canada, Standing Committee on Canadian Heritage, *Our Cultural Sovereignty. The Second Century of Canadian Broadcasting*, 2003, pp. 269 and 283.

Educational and not-for-profit networks. Public educational networks exist in some provinces (see box), but there is no national educational television network in either English or French. Official language minorities are especially disadvantaged in this respect. It must be noted that TFO is already broadcasting outside Ontario, specifically in New Brunswick, and elsewhere via satellite television. The international French language television network, TV5, is available in Canada and broadcasts Radio-Canada and Télé-Québec programming in over 150 countries. Canada's contribution to TV5 is managed jointly by the Government of Canada, the Quebec government and its organizations (TV5 Quebec Canada). This network contributes to the promotion of French-Canadian culture around the world. The Commissioner, however, would like other provinces to play a greater role in creating Canadian programming and providing financing for

¹¹⁹Reported in: *Canada, Standing Committee on Canadian Heritage, Our Cultural Sovereignty. The Second Century of Canadian Broadcasting [...] 2003, pp. 771-773.*

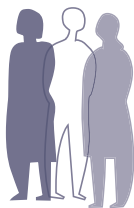
PROVINCIAL PUBLIC EDUCATIONAL BROADCASTERS

In French:

- Télé-Québec, since 1968
- TFO, Ontario, since 1987

In English:

- TVO, Ontario, since 1970
- Access, Alberta, since 1974
- Knowledge Network, British Columbia, since 1981
- Saskatchewan Communications Network, since 1991



TV5 Quebec Canada. Generally, the Commissioner would like to see educational television networks develop programming and broadcast it nationally, to encourage youth to watch Canadian programs in both official languages.¹²⁰

CPAC. Canadians have been able to watch televised parliamentary debates since 1977. The Cable Public Affairs Channel (CPAC) took over broadcasting these debates from the CBC in 1993. It records the debates and distributes

CITIZENS AS AGENTS OF CHANGE

CPAC. A complaint and lawsuit filed by a citizen from New Brunswick, Mr. Quigley, forced the House of Commons to ensure that CPAC broadcast parliamentary debates in both official languages. Subsequently, CRTC picked up this approach, and it now requires cable distributors to broadcast the English and French versions of the debates.

them in English and French versions to cable services. Since 2002, cable distributors must broadcast the debates in both official languages.

Achievements and challenges. In 35 years, broadcasting services have made remarkable advances in both official languages. However, public educational television services broadcast in English and French across the country remain to be developed.

Community media

Community media in minority contexts serve as both information media and community institutions. Thus, as F. Harvey suggests, “Beyond their traditional role, which is to inform, explain and criticize, do media in minority contexts not have to frequently defend and support?”¹²¹ This is in fact the special role they play. We distinguish between three types of community media: community cable television channels, community radio stations and community newspapers. In all three cases, official language minority communities make increasing and diversified use of these media.

Community television. The deployment of cable networks in the 1970s led to the birth of community television channels. The CRTC was right to require that cable companies let the voices of citizens be heard on television. In 2000, Canada had some 850 community channels.¹²² The majority of these channels broadcast in just one language, but they may schedule programs that are bilingual or in the minority language. Only Rogers Cable offers dual cable channels in English and French in Moncton and Ottawa.

¹²⁰Testimony by the Commissioner of Official Languages before the Standing Committee on Canadian Heritage on April 9, 2002. On-line: www.parl.gc.ca/committee/CommitteePublication.aspx?SourceId=15666.

¹²¹F. Harvey (ed.), *Médias francophones hors Québec et identité : analyses, essais et témoignages*, Quebec, Institut québécois de recherche sur la culture, 1992, p. 18.

¹²²Canada, Standing Committee on Canadian Heritage, *Our Cultural Sovereignty. The Second Century of Canadian Broadcasting* [...] 2003, p. 332.

Community radio. Minority communities have sometimes set up private radio stations to meet their needs, as in Saskatchewan with the establishment of Radio-Ouest française in 1941. However, most communities were not being served and, starting in the 1980s, community radio stations started filling this void. There is a true passion for the community radio movement, especially among Francophone minorities.

- **1987.** The first Francophone community radio station outside Quebec is established in 1987 in New Brunswick.
- **1991.** The Alliance des radios communautaires du Canada is created, bringing together 18 radio stations already on the air and 15 being established in nine provinces and two territories. These stations share a news service, musical programming and advertising production via a satellite link dubbed the Réseau Francophone d'Amérique.¹²³

In Quebec, community radio has not caught on with the Anglophone minority to the same extent. Two Anglophone and two bilingual stations exist, but they are not associated. The Commissioner recognizes the contribution of community radio stations, and recently recommended that the revision of the *Broadcasting Act* take into account the need to provide them with adequate financial support.¹²⁴

Community newspapers. It was often through the local or regional press that official language minority communities succeeded in maintaining a common sense of belonging over the past century. However, newspaper consolidation and

competition from other types of media have undermined community newspapers to a degree. In minority communities, these papers have responded by banding together to resist the pressure:

- **L'Association de la presse francophone**, founded in 1976, is currently composed of 26 newspapers publishing in nine provinces or territories.¹²⁵
- The **Quebec Community Newspapers Association**, founded in 1980, represents 31 Anglophone community newspapers.¹²⁶

It should be noted that in addition to the weekly community newspapers, the dailies *The Gazette*, *L'Acadie Nouvelle* and *Le Droit* are often spearheads for their communities' respective struggles.

Achievements and challenges. These community media networks attest to the willingness of the minority press to maintain their presence by joining forces. However, these media, in particular newspapers, have difficulty convincing federal institutions to advertise in their pages on the same basis as in the majority media, as the Act requires. Commissioners have on several occasions encouraged federal institutions to publish their notices in the minority press as well. Many complaints continue to be lodged in this area, and every media outlet's survival was made more uncertain by the temporary advertising moratorium imposed by the Government of Canada. The Commissioner urges the government to take the situation of community media into greater account when developing and implementing its communications policies.¹²⁷

¹²³The Web site for the Alliance des radios communautaires du Canada is www.radorfa.com.

¹²⁴Testimony by the Commissioner of Official Languages before the Standing Committee on Canadian Heritage on April 9, 2002. On-line: www.parl.gc.ca/committee/CommitteePublication.aspx?SourceId=15666.

¹²⁵The Web site for the Alliance de la presse francophone is www.apf.ca.

¹²⁶The Web site for the Quebec Community Newspapers Association is www.qcna.org.

¹²⁷Office of the Commissioner of Official Languages, *Use of the Official Language Minority Press by Federal Institutions: Follow-Up Study*, Ottawa, 2005.



Culture

Arts and culture not only feed the soul, but also shape the identity of both individuals and their communities. Creators, producers and distributors of culture must produce and distribute cultural products to keep a nation's spirit alive. In Canada, the people creating our arts and culture must be seen and heard in both official languages across the country; they must therefore receive support from governments and communities.

"... the overall point is that the image of Canada has managed an astonishing global breakthrough over the last 25 years. And that astonishing breakthrough has come through the cultural community. That is the community which has most enthusiastically embraced globalisation as something which is multi-linguistic, multicultural and complicated. It is the community which has least used proximity as an economic crutch.

It could be said that Canada today is one of the most successful countries in the world at exporting its image of itself."

— His Excellency John Ralston Saul. On-line:
www.gg.ca/media/doc.asp?lang=e&DocID=1372.

Public support

Early on, Canada acquired first-class cultural institutions that could help build the nation. The calibre and achievements of these institutions reflect the linguistic duality that has developed progressively over the years (see box on page 93). In fact, each of these institutions works with Canadian Heritage to promote arts and culture in official language minority communities.

Canadian Heritage and the cultural agencies in its portfolio support numerous organizations in the arts and culture sector through various programs. Nationally, public investment in arts and culture reached almost \$7.5 billion in 2002–2003.¹²⁸ It should also be noted that federal cultural institutions have made an important contribution to the development of French culture in Quebec.

JACQUES BENSIMON: SUPPORTING THE DISSEMINATION OF BILINGUALISM

Jacques Bensimon knows Canada intimately. A Moroccan immigrant who came to Canada as a child, he has practised almost all film trades as editor, screenwriter, director or producer of approximately 30 films. He has served as chief executive of TFO, TVOntario's Francophone network, and for some years now has been the federal Government Film Commissioner and Chair of the National Film Board.

Invited to defend his vision of linguistic duality at the Symposium titled *Vision and Challenges for the 21st Century*, held in March 2004 in Toronto, Jacques Bensimon affirmed that unilingualism will one day be considered as serious a handicap as illiteracy is today. "Unilingual people will become an endangered species," he said. Learning a second language is the first step toward openness to others, "because learning a language also involves entering a new cultural space inhabited by millions of people and thousands of creators."

To ensure that bilingualism plays an expanded role in the 21st century, he proposes the creation of a bilingual television network that would broadcast English and French versions of films and documentaries that may be unfamiliar to the other linguistic community.

¹²⁸Statistics Canada, *Government Expenditures on Culture: Data Tables*, Ottawa, January 2005.
On-line: www.statcan.ca/english/freepub/87F0001XIE/87F0001XIE2005001.htm.

PUBLIC CULTURAL INSTITUTIONS ACHIEVEMENTS

Canadian Broadcasting Corporation (CBC). Created in 1936 with a mandate that includes a cultural component.

- Radio Two is available to 75% of Anglophone Canadians
- La Chaîne culturelle (Espace musique) is available to 83% of Francophone Canadians
- Produces Canadian dramas
- Purchases and distributes independent television productions

National Film Board (NFB). Created in 1939 to regulate Canadian filmmaking but moved into producing Canadian films. Until the 1950s, the NFB was primarily an Anglophone environment. In 1957, the first Francophone commissioner was appointed, and in 1964 the NFB split its production into English and French programs.

- Holds a collection of some 10,000 Canadian titles representing Canadians to Canadians
- French production centres were opened in Moncton and Winnipeg in 1974 and Toronto in 1975
- Current French production centres include Studio Acadie, Studio Ontario and Studio Ouest
- English production centres include the Atlantic, Quebec, Ontario, West and Pacific production centres
- Has built an international reputation for Canada in documentaries and animation
- Operates a laboratory for new media creation

Telefilm Canada. Created in 1967 to provide financial support for the production of Canadian films and television in both official languages; its mandate was recently expanded to include music.

- Helped create a film and television production industry prolific in both English and French
- Supports the dissemination of Canadian works within the country and abroad
- Has developed audiences and captured market share for Canadian works

Canada Council for the Arts (CCA). Founded in 1957 to support artistic creation in both official languages.

- Has been supporting artists and arts companies for 50 years
- In 2002–2003, provided support to more than 2,000 arts organizations and over 2,300 artists
- Awards more than one hundred prizes each year, administers the Governor General’s Literary Awards and the Governor General’s Awards in Visual and Media Arts
- Houses the Canadian Commission for UNESCO
- Holds an art bank containing 18,000 works by Canadian artists
- Has played a pivotal role in establishing the new International Federation of Arts Councils and Culture Agencies (IFACCA)

National Arts Centre (NAC). Created by federal legislation in 1966 as an Ottawa-based complex for performing arts. Supports the development of performing arts elsewhere in Canada.

- Has been operating a theatre program in each official language since its creation
- Supports the development of regional theatre in both official languages, including a program for the Francophone minority in the regions

Culture.ca. Culture.ca is an initiative of the Department of Canadian Heritage under the Canadian Culture Online Strategy.

- This Web portal, under development, includes over 1.5 million fully accessible Web resources and provides direct access to over 6,000 sites

In the two official language communities, Canadian Heritage supports numerous local cultural organizations (cultural centres and committees), various festivals, regional distribution networks, music galas and advocacy organizations. It also supports a multitude of artistic enterprises (theatres, publishing houses, galleries and artists' centres, music labels, Web sites, etc.) that are a dynamic presence on the Canadian arts scene, as is the major pool of active professional artists in these communities.

Canadian Heritage works with the major national cultural institutions under the Interdepartmental Partnership with Official Language Communities (IPOLC), a cost-shared initiative.

- **Francophone minority.** In 1998, the CCA and NAC signed a multiparty agreement with Canadian Heritage and the Fédération culturelle canadienne-française on cultural development of the Canadian Francophonie. This agreement was renewed in 2002 with the addition of two other partners (the CBC and the NFB).
- **Anglophone minority.** Under IPOLC, Canadian Heritage and the CCA worked together to kick-start co-operation in the English arts community, which resulted in the creation of the English Language Arts Network (ELAN).

MY VIEW ...

Interview with **Jean Malavoy**, National Director, Canadian Conference of the Arts

"In the arts domain, Canada has in recent decades experienced a remarkable evolution. An arts infrastructure and ecology, almost nonexistent 50 years ago, have been built from the ground up. Arts organizations number in the thousands, and Canada has approximately 130,000 professional artists. The public is keenly interested in their work.

Artists are the country's best ambassadors. One has only to think of Cirque du Soleil, the Orchestre symphonique de Montréal and of our opera singers, dancers and authors who are in demand around the world. The calibre of our artists and arts companies is internationally recognized.

The French language is a major stimulant of Francophone artistic vitality. Francophones are interested in their stars and French language cultural products such as movies and theatre. The show *L'écho d'un peuple*, staged in Eastern Ontario, is an example of this. The Francophonie is somewhat marginalized within the North American context, but artists give it a face and create a sense of belonging.

Some Francophone artists have been extremely successful in English Canada. Michel Tremblay, Robert Lepage and Denys Arcand are well known and respected outside Quebec. Francophones are increasingly discovering English Canada's great authors, such as Margaret Atwood and Alice Munro.

But the language barrier remains real. We are unfamiliar with the other community's stars. Anglophones are largely unaware of Daniel Lavoie and Luc Plamondon; Francophones do not know Rick Mercer and *This Hour Has Twenty-Two Minutes*. Unfortunately, our two linguistic solitudes remain largely intact."

— Interviewed on February 17, 2005

Results. Canada has burgeoning cultural industries in both official languages:

- some 611,000 people were employed in the arts and culture sector in 2001;¹²⁹
- their contribution to the gross domestic product was around \$38.5 billion in 2001;¹³⁰ and
- exports of Canadian cultural products almost doubled between 1996 and 2002, reaching \$2.3 billion.¹³¹

Several Canadian artists have made their mark nationally or internationally in both official languages. It is interesting to note that some artists from majority communities even excel when creating in their second official language. For example:

- author Yann Martel, whose mother tongue is French, received the prestigious award in English literature, the 2002 Man Booker Prize for his book *Life of Pi*;
- Nancy Huston, whose mother tongue is English, won the Governor General's Award for *Cantique des plaines* and is renowned in France (Goncourt des lycéens and Prix du Livre Inter); and
- playwright/actor/director Robert Lepage creates in both languages.

Community support

Canada's Anglophone and Francophone communities have always been involved in artistic endeavours, creating theatre or dance troupes, musical groups, publishing houses and much more. Governments have assisted them in various ways. Minority Anglophone and Francophone communities

have been equally active, although with less public support for an extended period. This made their community structures all the more important.

Francophone minority networks. As the 1970s drew to a close, the Government of Canada encouraged the establishment of organizations representing official language minority communities. This led to the creation of the Comité culturel des francophones hors Québec in 1977, which later became the Fédération culturelle canadienne-française (FCCF) in 1990.¹³²

- For more than 25 years, this federation has brought together cultural associations from every province and territory (except Nunavut) and major arts sector (visual arts, films, theatres, music, publishing).

FRANCOPHONE THEATRE: A DYNAMIC ARTS SECTOR

There are 14 professional theatre companies operating in Francophone minority communities across the country. These theatres:

- are located in Vancouver, Edmonton, Saskatoon, Saint-Boniface, Toronto, Sudbury, Ottawa, Caraquet and Moncton;
- stage around 40 original productions every year; and
- give over 1,000 performances and reach more than 100,000 spectators.

The dean of these companies, the Cercle Molière de Saint-Boniface in Manitoba, celebrated its 75th anniversary in 2001. It is the oldest theatre company in operation in Canada.

¹²⁹V. Singh, *Economic Contribution of Culture in Canada*, Ottawa, Statistics Canada, 2004, p. 15. On-line: www.statcan.ca/cgi-bin/downpub/listpub.cgi?catno=81-595-MIE2004023.

¹³⁰V. Singh, *Economic Contribution of Culture in Canada*, Ottawa, 2004, p. 9.

¹³¹Statistics Canada, *Culture Trade and Investment Project 2002*, Ottawa, November 2003. On-line: www.statcan.ca/english/freepub/87-007-XIE/culture.htm.

¹³²The Web site for the Fédération culturelle canadienne-française is www.fccf.ca.

- FCCF interacts with governments and other sectors of Francophone communities to promote the interests of arts and culture.
- It also provides artists with training and promotional services.
- The Zof initiative, a Web portal and single window for French-Canadian cultural industries, is one good example.¹³³

In 1999, during the negotiations between Francophone cultural organizations and Canadian Heritage to reach bipartite funding agreements, the Table des organismes nationaux des arts et de la culture (TONAC) was created. Six sectoral agencies and the FCCF belong to this group.

NATIONAL ARTS AND CULTURE ORGANIZATIONS

- Association des groupes en arts visuels francophones
- Alliance nationale de l'industrie musicale
- Alliance des producteurs francophones du Canada
- Association des théâtres francophones du Canada
- Fédération culturelle canadienne-française
- Regroupement des éditeurs canadiens-français
- Réseau national des galas de la chanson

Quebec Anglophone networks. In Quebec, there was less of a pressing need to create umbrella organizations for English arts and culture stakeholders. It was only in the wake of the November 2004 Quebec Arts Summit that the English-Language Arts Network (ELAN) was founded.¹³⁴ During this summit, Anglo-Quebec artists' identification with their minority reality was the subject of vigorous debate that led to a consensus on the need to consolidate the arts sectors under ELAN. However, ELAN is not made

up of sectoral organizations, but rather of individuals working in different artistic disciplines. Collective organizations devoted to culture do however exist. These include the:

- Quebec Drama Federation, since 1989 (and, since 1972, under the Quebec Drama Festival);
- Quebec Writers' Federation, since 1998;
- Quebec Anglophone Heritage Network, since 2000.

ENGLISH LANGUAGE THEATRE IN QUEBEC: A DYNAMIC SCENE

The Quebec Drama Federation brings together talent in Quebec's English language theatre scene. The organization's membership gives an indication of the vitality of this arts sector. In addition to some 300 members (actors, authors, directors, set designers and technicians), it includes:

- a dozen established theatres (Black Theatre Workshop and Centaur Theatre Company being among the best known);
- four medium-sized companies;
- thirty-five new companies and youth theatre companies;
- thirteen organizations devoted to theatre training;
- eight community theatres; and
- five regional theatres.

Sources: *Émission Porte ouverte*, Société Radio-Canada, February 2, 2005 and on-line: www.quebecdrama.org/regional.html.

¹³³The Web site for Zof is www.zof.ca.

¹³⁴The Web site for the English-Language Arts Network is www.quebec-elan.org.

GRAND PRIX DU LIVRE DE SHERBROOKE

The City of Sherbrooke included an English category for the first time when it awarded its 2004 Grand Prix du Livre. The first winner of the English book award was Thomas Fletcher for his book *From Love Canal to Environmental Justice*, published by Broadview Press.

Results. One of the tangible results of the creation of this cultural infrastructure has been the national and occasionally international success that several artists from official language minority communities have achieved (see box). But from a broader perspective, the role of these organizations is to support unique artistic and cultural expressions that contribute to Canadian cultural diversity. Unfortunately, the arts and culture sector is sometimes overlooked when strategic development budgets are allocated, as when the *Action Plan for Official Languages* was developed. If we truly care for the vitality of official languages and related cultural diversity, we must also invest equitably in the arts and culture sector.

A FEW MINORITY ARTISTS WHO HAVE DISTINGUISHED THEMSELVES

Francophone communities: Jean-Marc Dalpé (theatre), Herménégilde Chiasson (poetry) and Michel Ouellet (playwriting).

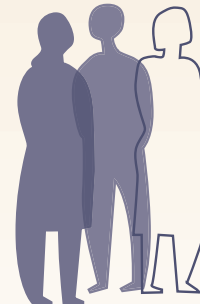
Quebec English language community: Melvin Charney (visual arts), Karen Young (music) and Kate and Anna McGarrigle (music).

On the international scene: Mavis Gallant (literature), Leonard Cohen (poetry and music), Oscar Peterson (jazz), Antonine Maillet (literature), Daniel Lavoie (music), Rose-Marie Landry (opera) and Mordecai Richler (literature).

Conclusion

Communications and culture are two sectors at the heart of linguistic duality, which they foster and reflect. As we have seen, Canadian society has, over the past century, gradually acquired infrastructure to support these sectors. Some important issues must still be addressed to ensure that linguistic duality is fully reflected in communications and flourishes in cultural production. The primary issues include:

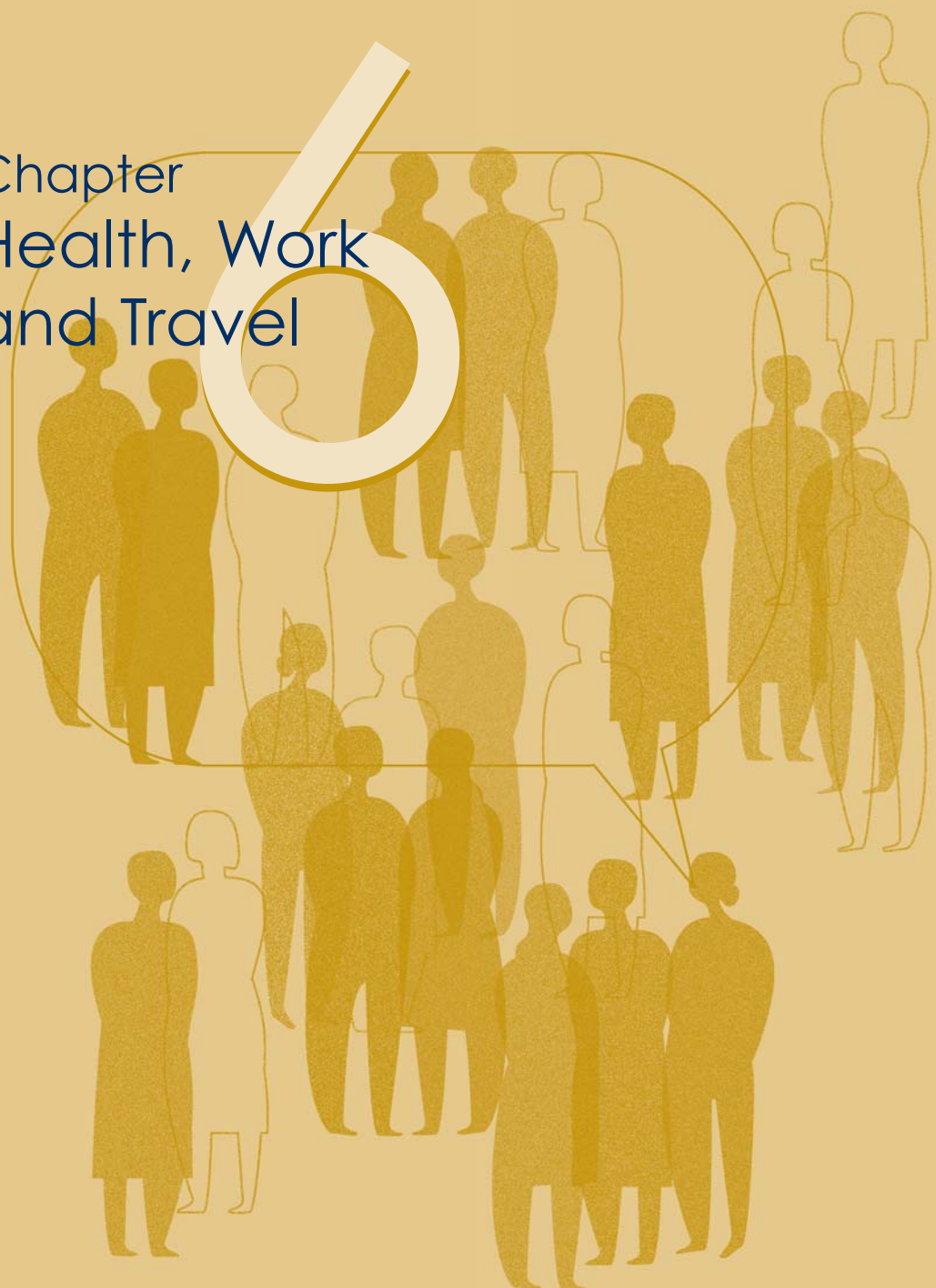
- **Linguistic duality in the digital age.** It is obvious that the Internet has become one of the tools for socialization that plays a major role in redefining cultural identities. A review of communications regulations is necessary to ensure that Canada's fundamental values, especially linguistic duality, may continue to guide our society's development in the Internet age. The government must also use its policies to support equitable participation by communities.
- **Broadcasting that reflects linguistic duality.** The CRTC divides the broadcasting market into English-speaking and French-speaking audiences. To better reflect the Canadian reality, the CRTC should add "bilingual" markets, where a minimum of programming would be required in both official languages. Canada also lacks nationwide public educational television services delivered in both official languages.

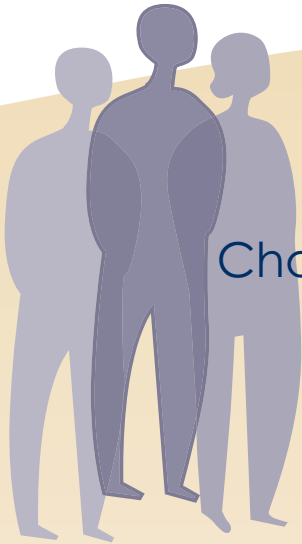


- **Fragility of the media and cultural industries of minorities.** Cultural and artistic activities contribute greatly to the Canadian economy, and are undoubtedly the sector in which linguistic duality is the most highly developed. This sector has received strong government support in the past; such support must be stable given the sector's economic vulnerability. This applies to minority communities to an even greater extent, since their audiences are smaller than those of the majority. Governmental support is therefore still required and should be included in the *Action Plan for Official Languages*, from which it was almost removed. The government must also give greater consideration to community media when drafting communication policies and in implementing them.
- **Intercultural communication.** In many ways, exchanges between Canada's linguistic, Aboriginal, and ethnocultural communities are still developing. Cultural and artistic activities are a privileged means of creating a common sense of belonging and of promoting this communication. To foster diversity and cross-fertilization, continued support must be provided, not only for production and creation in each individual community, but also for interactions between different arts and culture environments.



Chapter Health, Work and Travel





Chapter

6

“Not only must individual Anglophones and Francophones feel that there are no linguistic or cultural barriers to their progress in commerce and industry; they must also feel that as a linguistic and cultural group they share in the direction of economic life, in making those decisions which so largely determine everyone’s future living conditions.”

— B and B Commission. *General Introduction and Book I: The Official Languages*, Ottawa, 1967, p. xxxv.

One sign that linguistic duality is increasingly accepted and enhances linguistic minorities’ vitality is the emergence of new issues related to official languages in recent years. It is no longer enough to be educated and served in English and French nationwide; we must also be able to live healthy lives and to work, produce, innovate and travel in both official languages throughout Canada. Transportation has already been on the table for some time, while health

and the economy are more recent additions. In all these fields, notable progress has been made over the past 35 years.

Health

Health is a constitutional responsibility of the provinces and territories, although the Government of Canada plays an important role

PRINCIPAL ACHIEVEMENTS

- The Government of Canada now views health from an official languages perspective, and minorities’ specific needs are factored into joint governance mechanisms.
- The provinces of New Brunswick, Quebec, Ontario and Manitoba recognize the right to obtain health services in both official languages.
- Community health networks have been established in official language minority communities.
- Training in the health field is recognized as a key priority, as evidenced by the *Action Plan for Official Languages* and the September 2004 federal-provincial-territorial agreement on health.
- The Games of La Francophonie, along with regional games, have turned amateur sports into a priority while allowing the inclusion of young Francophiles from across the country.
- True awareness of the essential role the economy also plays in the development and vitality of minority communities.
- Joint governance mechanisms and community networks have been implemented in the economic development and employability sector for official language minorities.
- Canadian expertise in language technology is growing and is recognized internationally.
- It is established that air traffic controllers and pilots can use either official language without posing any risk to air traffic safety.
- Travellers are better able to receive service in both official languages on VIA Rail.

primarily through its spending power and responsibilities toward some categories of citizens. During the B and B Commission's work in the 1960s, health was not at the heart of the Commission's concerns, and the Government of Canada has only recently focussed its attention on the issue of delivering health services to official language minority groups. The crisis around the attempted closure and later downsizing of Montfort Hospital in Ottawa, which was resolved in 2002, brought the issue of health and linguistic duality to the forefront.

Provinces and territories. In the provinces and territories, however, health has long been a language issue. In Francophone settings, religious communities traditionally delivered health services. When provincial governments took over to create public health systems, the changing framework often triggered a loss of control over management of these facilities and an erosion of services in French. The Anglophone minority in Quebec experienced a similar situation during the recent health system restructuring.

However, the right of minorities to receive services in their language has been enshrined in legislation in five provinces: New Brunswick, Quebec, Ontario, Manitoba and Nova Scotia. This legislation allows the creation of bilingual facilities or health districts, or guarantees the provision of services in the language of the minority where demand warrants. Prince Edward Island also currently appears to be moving in the same direction.

MONTFORT HOSPITAL: THE COURTS TO THE RESCUE



Between 1997 and 2001, the fight to prevent the closure of Montfort Hospital in Ottawa took on national dimensions. The battle pitted two camps against each other: the Ontario Health Services Restructuring Commission and Ontario's Francophone community. The first party defended the need to streamline a massive and expensive health care system. The second found it unacceptable to close (or downsize) the only Francophone teaching hospital in Ontario, which served some 200,000 people. SOS Montfort was created under the charismatic leadership of Gisèle Lalonde. It succeeded in mobilizing the community, Francophones and Francophiles across the country. A huge rally with 10,000 people in attendance was held at the Ottawa Civic Centre.

The case found its way into the courts. In 1999, a first ruling by the Superior Court of Justice supported the protesters. The Harris government appealed. Many stakeholders, including the Commissioner of Official Languages, supported the applicants from Montfort Hospital. In 2001, the three judges on the Court of Appeal unanimously upheld the Superior Court's ruling. The judges affirmed that if the directives closing the hospital were implemented, "[...] they would greatly impair Montfort's role as an important linguistic, cultural and educational institution, vital to the minority Francophone population of Ontario. This would be contrary to the fundamental constitutional principle of respect for and protection of minorities."¹³⁵

¹³⁵Lalonde v. Ontario (Health Services Restructuring Commission) (2001) 56 O.R. (3d) 577, par. 181.

FRANCOPHONE COMMUNITY HEALTH CENTRES IN ONTARIO

Franco-Ontarian users control their own health services in 14 locations served by community health centres. The concept of the community health centre (involving a medical clinic and disease prevention and health promotion programs) took root in Ontario in 1989. In Ontario's network of 65 centres, those in the Ottawa region are bilingual and five others located in Toronto, Hamilton, Sudbury, New Liskeard and Cornwall are French language centres. All have satellites serving the small surrounding communities. In Ontario, community health centres constitute a giant step forward in the delivery of French-language services in the health field, and contribute to building healthy communities.

speaking minority communities. These committees are made up of community representatives, professionals, health educators and managers, and federal and provincial public servants who advise the Minister of Health on priorities in their communities.

The Francophone committee submitted its needs analysis and recommendations in 2001.¹³⁶ In this report, the committee noted that half of Francophones living in minority communities have little or no access to health services in French, and that the lack of services in their language adversely affects their health.

“Language barriers have been demonstrated to have adverse effects on access to health care, quality of care, rights of patients, patient and provider satisfaction, and more importantly, on patient health outcomes.”

— S. Bowen, *Language Barriers in Access to Health Care*, Ottawa, Health Canada, 2001, p. x.

Health Canada: listening closely

In 2000, Health Canada created two consultative committees for the English-speaking and French-

The Anglophone committee's report, submitted in 2002, noted that Anglophones in metropolitan areas are well served in English, but that residents



¹³⁶Consultative Committee for French-Speaking Minority Communities, *Report to the Federal Minister of Health*, Ottawa, September 2001. On-line: forumsante.ca/documents/report-CCCFSM_F.pdf.

of rural areas have more difficulty obtaining health care in English, even if Quebec's *Act Respecting Health Services and Social Services* guarantees their right to receive such services.¹³⁷ Budget cuts in the health field have reduced and continue to threaten services in English.

Community governance of health

One of the first results of these consultative committees' work was the establishment of regional health networks. Quebec's Community Health and Social Services Network was created in 2000 with funding from Canadian Heritage. Thanks to this network, some 60 health institutions, facilities and community agencies can share their knowledge and join forces to defend the Anglophone community's interests. Quebec's Anglophone community has received \$27 million over four years from the Government of Canada to provide professionals with English language training, allow Anglophone communities to organize networks, and improve primary care services delivered in English. For its part, the Government of Quebec is planning to spend \$800 million to build a hospital in Montréal offering comprehensive services in English.

The Francophone minority created the Société Santé en Français in 2002 to bring together health professionals, community agencies, and health and educational institutions. The agency's mandate is to establish networks of health professionals in the provinces able to deliver services in French. To date, the agency has created 17 regional networks, and numerous projects submitted by communities are awaiting the green light or are now underway.

The training component got off the ground in 2003 with the creation of the Consortium national de formation en santé,¹³⁸ a network of 10 Francophone post-secondary educational

institutions. Supported by \$63 million in funding announced in the *Action Plan for Official Languages*, these institutions have expanded their recruitment efforts, increased their training capabilities, co-ordinated their program development efforts, and strengthened existing links between health facilities. The Consortium's objective is to train 2,500 new health professionals able to offer services in French by 2008.

"We have no illusions about the fact that training and research require a long-term outlook and commitment as well as determination and, of course, hard work in the short term."

— Gilles Patry, Rector of the University of Ottawa and Yvon Fontaine, President of the Université de Moncton (Co-Chairs of the Consortium national de formation en santé), June 2004.

Challenges. In 2003, the Standing Committee on Official Languages and the Commissioner asked the Government of Canada to negotiate bilateral agreements with the provinces and territories for the delivery of health services to linguistic minorities. Although it did not address these requests directly, the September 2004 Federal-Provincial-Territorial Health Accord nevertheless set out the Government of Canada's commitment to deliver health care to official language minorities.

- More must be done to recognize minorities' unequivocal right to receive health care in their language. There are several vehicles (the *Official Languages Act*, the *Canada Health Act*, and federal-provincial-territorial agreements) that could facilitate this access.
- The Government of Canada has identified the provision of health services to linguistic minorities as an issue, since a significant proportion of the budget allocated to the

¹³⁷Consultative Committee for English-Speaking Minority Communities, *Report to the Federal Minister of Health*, Ottawa, July 2002. On-line: www.chssn.org/sante_canada/CCESMC%20report%20LR.pdf.

¹³⁸The Web site for the Consortium national de formation en santé is www.cnfs.ca.

2003 *Action Plan for Official Languages* is earmarked for this purpose—\$119 million of the \$750 million allocation. However, the battle is far from won, since this is one-time funding with no guarantee of renewal after the five-year plan is completed.

- As well, the progress made in the provinces is still in jeopardy. This is the case in Ontario and New Brunswick, where network reconfiguration and changes to facilities' mandates could trigger extensive service reductions for Francophones in these regions. In Quebec, Anglophones were also concerned about the fate of some of their institutions, although the situation was finally resolved to the Anglophone community's satisfaction.

Sport

Sport is an aspect of healthy living as well as an important societal activity by virtue of the fact that it fosters solidarity and enriches Canada's social fabric. Sports practised in both official languages and equal access for Anglophone and Francophone athletes are natural outgrowths of Canadian linguistic duality. Through Sport Canada, the Government of Canada funds high-performance sports and must fulfill the obligation set out in the Act according to which funded organizations must provide their members and the general public with bilingual services of equal quality.

Federal support. Language concerns in sports arose in the wake of the B and B Commission, and the government started to provide additional funding for national sports associations to deliver services in both languages.

- **1982.** An audit by the Commissioner of Official Languages finds that this obligation is not being fully met by the tax-supported agencies or Sport Canada.
- **1986.** The Commissioner finally notes progress, but in 1990, an investigation of Sport Canada once again identifies gaps in the services offered and Francophones' participation.
- **1999.** A review of federal programs reveals an even worse situation, and the Commissioner decides to conduct another special study on the subject.¹³⁹ National sports centres in Calgary and Winnipeg operate in English while the one in Montréal operates in both official languages. Francophone athletes are often assigned to unilingual English trainers, and the services provided by the national associations are often in English only.

CITIZENS AS AGENTS OF CHANGE

Sport. As a result of complaints about the Canada Games in Saint John, New Brunswick in 1985 and of collaborative work undertaken by the Commissioner that year, it is now recognized that the Canada Games, largely funded by the Government of Canada, must take place in both official languages. This change has had a ripple effect on other international games such as the Commonwealth Games and the Pan-American Games. A report by the Commissioner on international events held in the 1990s, along with the steps the Commissioner took during the Olympic Games in Calgary, have also helped support duality in high-performance sport.

¹³⁹Office of the Commissioner of Official Languages, *Official Languages in the Canadian Sports System*, 2 volumes, Ottawa, 2000; and *Follow-Up: Official Languages in the Canadian Sports System*, Ottawa, 2003.

Challenges. Since 2002, the national sports policy has clearly laid out the government's expectations for bilingualism, as did the 2003 *Physical Activity and Sport Act*. Although Sport Canada has had considerable influence in this regard since the 1980s, the Canadian sports system still faces special issues related to Francophone athletes.

- Several national sports organizations and their trainers do not have the required capacity to communicate in French. Sport Canada has ordered a study to determine whether systemic barriers exist that prevent Francophones from participating fully in high-performance sport.
- Sport Canada must nevertheless show stronger leadership for official languages, given the important role that sport plays in Canadian society by bringing the two linguistic groups together and increasing their mutual understanding.
- The 2010 Winter Olympic Games in Vancouver will offer Canada an ideal opportunity to showcase both its linguistic duality and the excellence of its athletes.

In the meantime, amateur sport has become the focus of major initiatives within the Francophone minority. In addition to being

sporting events, the Jeux de l'Acadie, the Jeux de l'Ouest and the Jeux franco-ontariens also have an artistic component and help train leaders. The Jeux de la Francophonie canadienne, which serve as an umbrella for these regional games, accept more than a hundred young people from each province and territory, including Quebec as well as Francophiles.

The economy

Linguistic duality is an integral part of the Canadian economy and not a superimposed element. We will now illustrate how the use of two or even several languages can benefit Canada economically.

Economic profile of official language communities

The B and B Commission observed that Canada's Anglophone and Francophone components did not enjoy equivalent socio-economic status. The average income of Canadians of French ethnic origin, in Quebec and the rest of Canada, was below that of Canadians of British ethnic origin, and educational levels reflected the same pattern (see table).

INCOME BY ETHNIC ORIGIN, CANADA AND QUEBEC, 1961

Indicator	Canada		Quebec	
	British origin	French origin	British origin	French origin
Average income	\$4,852	\$3,872	\$5,918	\$3,880
Gap		-20%		-34%

Source : B and B Commission, *The Work World*, Book III, 1969.

INCOME BY FIRST LANGUAGE SPOKEN, CANADA AND QUEBEC, 2001

Indicator	Canada		Quebec	
	Anglophone	Francophone	Anglophone	Francophone
Average income	\$30,930	\$27,286	\$30,227	\$26,923
Gap		-11%		-11%

Source: Statistics Canada. *2001 Census* (97F0007XCB01043).

The recent data drawn from the 2001 Census show that the gaps between Anglophones and Francophones in Canada and Quebec continue to exist, but have narrowed significantly.

Community governance in economic development

Despite the general progress nationwide, the economy only became a genuine issue for linguistic minorities as a result of Part VII of the *Official Languages Act*. Prior to that, minorities relied primarily on their own resources by setting up co-operatives, etc. Part VII specified that the Government of Canada and the institutions subject to the Act must enhance the vitality and development of linguistic minority communities. Such communities can therefore expect federal institutions to grant them specific support tailored to their economic development needs, on the same basis as that provided to majorities.

Joint Francophone committee. Official language minorities now have an exemplary national joint governance structure for economic development. This was initially established within the Francophone minority in the mid-1990s:

- **1993.** The Francophone minority, under the leadership of the Fédération des communautés francophones et acadiennes du Canada and the Conseil canadien de coopération, works to develop a national economic development strategy.
- **1996.** Human Resources Development Canada supports the establishment of the National Committee for Canadian Francophonie Human Resources Development, a joint committee made up of representatives from the Government of Canada and the community.
- **1997.** Partnerships with federal institutions, of which there are now 11, begin to expand.
- **1998.** The first co-ordinating groups on economic development and employability (RDEE) are set up across Canada. RDEE

facilitate strategic planning at the regional level and strengthen capacities in four sectors: rural development, the knowledge economy, the integration of youth, and tourism.

Joint Anglophone committee in Quebec. The Anglophone community in Quebec and the Government of Canada used the same model in 1998 to create the National Human Resources Development Committee for the English Language Minority. This bipartite committee supports a network of 11 regional committees on employability and community economic development. The network strives to improve communication and enhance cultural identity and community skills, the integration of young people, job creation and economic diversification.

Achievements.

- The creation of these joint committees initiated a new form of co-operation between the government and communities that augurs well for future progress on Part VII of the Act.
- The regional networks and committees perform valuable work by improving co-operation among, and strengthening the capacities of, community stakeholders.
- These networks and committees have launched numerous economic development projects and have in some sense laid the groundwork for greater involvement by Industry Canada (announced in the *Action Plan for Official Languages*), especially with respect to distance training, the development of the information highway for minority communities, etc.

Challenges.

- In March 2005, Human Resources and Skills Development Canada announced new investments and a new governance structure for the economic development of minority communities. We hope that these changes will bring new life to the economy of these communities.

The economics of language

One of the recurring criticisms levelled at bilingualism since the 1960s has been its cost to taxpayers. In recent years, experts have therefore been asked to study the economic character of language.¹⁴⁰ Language may in fact be considered a form of human capital and therefore a collective good in which investments may be made. As a collective good, language is accessible to everyone. Also, language has the unusual property of not being depleted by “consumption.” On the contrary, the more a language is “consumed,” or used, the greater its value. This is why an individual’s level of motivation to learn a second language is related to the perceived benefit of being able to use it with a large number of speakers.



Did you know that ...

Labelling and packaging. According to a 1997 study, linguistic requirements related to labelling and packaging cost manufacturers only \$0.002 per dollar of sales.¹⁴¹

The value of language. For language policy, this means that learning a second language goes hand in hand with the vitality of the first language.

- If the Francophone community is not present and strong in Canada, in control of its language and its development, the value of learning French as a second language will be lower.
- Therefore, investments must be made not only in second-language learning and language training in the Public Service, but also to support training and means of creation and expression in the French language.
- However, if learners do not use the second language, investments in this collective good are less productive. This should encourage federal institutions to take steps to make the minority language commonplace in the work environment, to guarantee a return on investment in language training.

More broadly, research¹⁴² also demonstrates that second language acquisition is beneficial in several areas.

- **Physiologically:** Knowing several languages appears to be linked to longer-term maintenance of active cognitive capacities.
- **Psychologically:** Individuals who master more than one language increase their self-confidence and self-esteem and are more at ease with others.
- **Cognitively:** Knowing a second language can open new doors to understanding and provide access to heretofore unknown cultural and intellectual realms.
- **Politically:** Having an additional communication option in turn increases the potential to share, i.e., to found a community.¹⁴³ The use of two languages in Canada thus strengthens national democratic life.

¹⁴⁰A. Breton (ed.), *Economic Approaches to Language and Bilingualism*, Ottawa, Canadian Heritage, (New Canadian Perspectives), 1998; A. Breton (ed.), *Exploring the Economics of Language*, Ottawa, Canadian Heritage, (New Canadian Perspectives), 1999.

¹⁴¹Office of the Commissioner of Official Languages, *Cost Impact of Two-Language Packaging and Labelling on Small- and Medium-Sized Businesses in Canada*, Special Study, Ottawa, February 1997.

¹⁴²J. F. Hamers and M. H. A. Blanc, *Bilinguality and Bilingualism*, 2nd, Cambridge University Press, United Kingdom, 2000; C. Baker, *Foundations of Bilingual Education and Bilingualism*, 3rd Edition, Multilingual Matters Ltd., Clevedon, England, 2001; E. Bialystok, F. I. M. Craik, R. Klein, M. Viswanathan, “Bilingualism, Aging, and Cognitive Control: Evidence From the Simon Task,” *Psychology and Aging*, 2004, Vol. 19, No. 2, pp. 290–303.

¹⁴³D. Wolton, *Penser la communication*, Paris, Flammarion, 1997, p. 36.

- **Economically:** As noted in the box below, being bilingual increases the potential for earning a higher income.

“Unlike many other kinds of competence, the benefits of knowing a language to an individual increase with the number of people who speak it.”

— S. Dalmazzone, “The Economics of Language: A Method Externalities Approach,” in A. Breton (ed.), *Exploring the Economics of Language*, Ottawa, Canadian Heritage, 1999, p. 63.

The language industry. Another response to concerns about the cost of bilingualism is the trade that it generates. One of the economic spinoffs of Canadian linguistic duality is, in fact, the development of a world-renowned language industry.

- Canada is a world leader in human translation and language training.
- It is also one of the world’s largest producers of language technology and services. Thanks to the Internet and the globalization of trade, the world market for language technology and services is growing at an estimated annual rate of 20%, and should surpass US \$25 billion by 2007.
- In Canada, the language industry generates more than \$900 million in goods and services annually. The Canadian industry is made up of over 1,300 companies, and their activity generates work for more than 28,000 people.¹⁴⁴

In 2003, the federal *Action Plan for Official Languages* supported the creation of the Language Industry Association,¹⁴⁵ which aims to

market Canadian industry internationally and to promote research and development. Under the Action Plan, funding was also announced for a new Language Technologies Research Centre located at the Université du Québec en Outaouais. This centre will house 150 researchers and experts and strive to position itself as a world leader in terminology standards, quality control and language database creation.

Challenges. The Government of Canada and industry leaders understand the economic opportunity that linguistic duality offers Canada through the development of expertise in language-related technology and services. The task now is to put this expertise to work around the world.

BUSINESS PEOPLE BELIEVE IN THE BENEFITS OF BEING BILINGUAL

A survey of heads of businesses and chambers of commerce in Canada conducted by COMPAS/*National Post* in December 2003 indicated that bilingualism benefits individuals. Half of respondents thought that bilingual individuals find work more easily, are more sensitive to other cultures, and have a better chance of obtaining well-paid employment. Business people prefer to recruit people who are bilingual in English and French rather than in English and another language.

Source: COMPAS Inc. *Bilingualism*. CIBC/Chamber Weekly CEO/Business Leader Poll by COMPAS and the *Financial Post* for publication December 1, 2003.

¹⁴⁴Industry Canada, *The Language Industry* (brochure), Ottawa, May 2004.

¹⁴⁵The Web site for the Language Industry Association is www.ailia.ca.

Transportation

Transportation, especially rail transportation, was a key factor in Canadian Confederation. Expanding transportation corridors went hand in hand with nation building. In recent years, cutbacks in public infrastructure and rail and air transportation have adversely affected the cohesion of the regions and undermined linguistic duality. The *Official Languages Act* nevertheless continues to govern the Canadian travellers' right to receive services in their own language, where demand warrants, and to promote minority community development. In fact, more than a quarter of the complaints lodged with the Commissioner concern the transportation sector. To illustrate the major issues in this sector over the past 35 years, we have selected three sensitive files: bilingualism in air traffic control, at Air Canada and at VIA Rail.

There is French in the air

One of the most serious crises on the road to bilingualism in federal institutions involved air traffic control in the 1970s. Due to expansion of the air transportation industry at that time and the influx of Francophones into the industry, the idea grew that air traffic communication could take place in French, although it was then restricted to English. An attempt to facilitate the use of both languages in 1975 degenerated into a national strike and court case.¹⁴⁶ A coalition dubbed "les Gens de l'air" stepped forward and gradually rallied public opinion. A commission of inquiry was finally tasked with studying the file, and it determined that air traffic controllers could use French without any risk to air safety. The government implemented the recommendations in 1980.

This conflict illustrates that acceptance of a new but realistic situation may require a

CITIZENS AS AGENTS OF CHANGE

Air traffic control. As a result of several complaints in the 1980s and 1990s on the training of air traffic controllers and the use of French in the control tower, French was integrated into the air traffic controllers' training programs and made its way into the control tower.

demanding cultural shift. The long-term lesson is that two languages are no more dangerous than one when the parties act in good faith, attempt to communicate, and continue to respect the standards of their profession.

Inertia at Air Canada

Air Canada's history is that of a Crown corporation that has been transformed into a private sector enterprise.

- **1937.** Air Canada is born as an air carrier operating under a government monopoly. It is a public asset in which Canada invests, and people have high expectations of the company. As of 1969, it is subject to the *Official Languages Act*.
- **1988.** In the wake of deregulation, Air Canada becomes a private sector company in competition with private carriers. The government orders it to continue complying with the *Official Languages Act*.
- **2004.** Air Canada restructures its operations, some of which are conducted by separate companies within a new corporate structure.
- Year after year for over 30 years, successive Commissioners of Official Languages report the company's failure to meet its obligations and its lack of co-operation in processing complaints.¹⁴⁷

¹⁴⁶ *Association des gens de l'air du Québec v. Lang*, [1978] 2 F.C. 371(C.A.).

¹⁴⁷ See the overview prepared by the Standing Joint Committee on Official Languages: Canada, *Air Canada: Good Intentions Are Not Enough!* Report by the Standing Joint Committee on Official Languages, Ottawa, February 2002.

Challenges. Air Canada is a private company, but it was built with public funds, and citizens continue to have high expectations of it. These same factors make it a symbol of Canada. Air Canada must therefore be a reflection of its clientele, especially in linguistic duality, which is an important feature of Canadian identity. In 2002, Air Canada's management reacted to criticism by submitting an action plan on official languages. Unfortunately, this plan projected the expected results over a 10-year period and was conditional upon receiving federal funding for language training.

The company was subsequently under the *Companies' Creditors Arrangement Act* for close to a year, and was then acquired by private investors. Bilingualism at Air Canada therefore remains a work in progress. The government must legislate to ensure that the linguistic rights of the travelling public and Air Canada's employees are respected. In particular, the government must modify the *Air Canada Public Participation Act* to adapt the official languages plan to the new corporate structure so that Air Canada and its former divisions (such as Ground-handling Services and Technical Services) can continue to be subject to the *Official Languages Act*. We expect Air Canada not only to meet its obligations under the new legislation but also to show greater leadership in implementing them.

VIA Rail

VIA Rail is a Crown corporation that has been transporting travellers since its creation in 1978, when it took over from Canadian National. The corporation is thus subject to the *Official Languages Act*. Like Air Canada, VIA Rail has been the subject of numerous complaints over the years, especially at the end of the 1980s and in the Montréal-Ottawa-Toronto corridor. Faced with VIA Rail's lack of action in implementing better services in French, the Commissioner of the day decided to take legal action against it.

At the start of her mandate, the current Commissioner observed that the corporation was finally taking action to correct the situation by creating bilingual positions and adopting a package of measures designed to deliver better services in both official languages. The Commissioner therefore abandoned the legal action and has subsequently received few complaints on this matter. It must be recognized that, over the long term, VIA Rail has clearly expanded the services it provides to its clients in both official languages.

ENVIRONMENT CANADA WEATHER REPORTS AVAILABLE IN BOTH LANGUAGES RIGHT ACROSS CANADA 24 HOURS A DAY, 7 DAYS A WEEK

Our climate, our means of travel and our activities make us take a daily interest in weather conditions across our country. Over the years, we have received complaints that have ultimately contributed to the gradual improvement of Environment Canada's weather broadcasting program in both official languages. Weather reports pre-recorded on dedicated phone lines, transmitted on VHF radio and posted on the agency's Web site are now available in English and French to all Canadians 24 hours a day, seven days a week. The agency can be proud of the progress it has made in this area.

Transportation issues

The transportation field has undergone profound changes over the past decade, such as:

- the privatization of Canadian National;
- Air Canada's takeover of Canadian Airlines International;
- the emergence of new regional air carriers such as WestJet and Canjet that have substantially modified the business environment by breaking Air Canada's monopoly;

- the transfer and privatization of airports;
- the decreasing number of ferries in the Maritimes and on the West Coast; and
- radical changes in recent years in our basic notions of security.

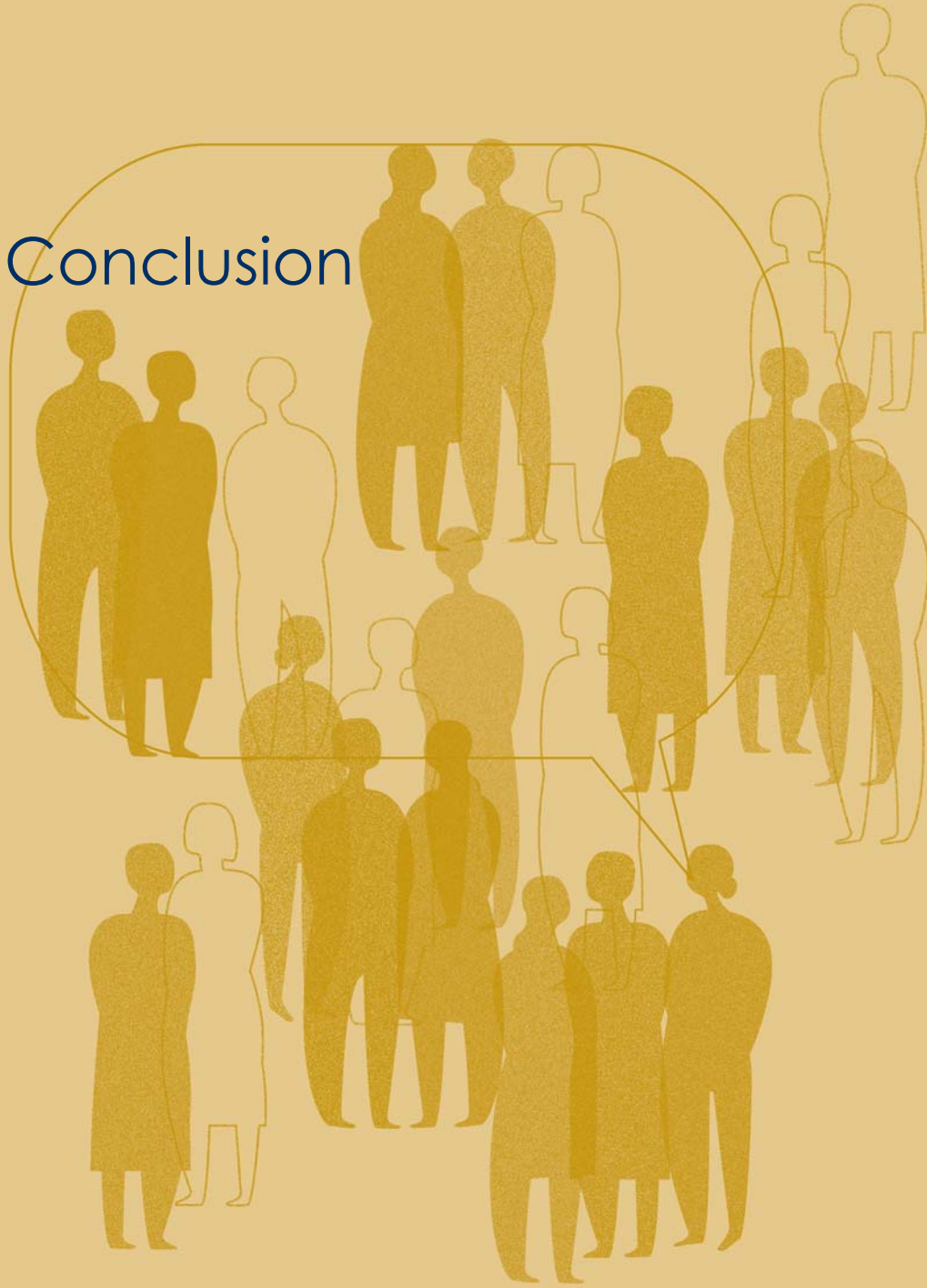
Transport Canada has for some time been looking to develop a new comprehensive transportation policy. From a policy development perspective, however, respecting official languages must not only be seen as an obligation under the Act. The overall issue is to ensure that the safety of all Canadians is never compromised through a lack of language capacities. This also means respecting all citizens who expect to receive services in both official languages.

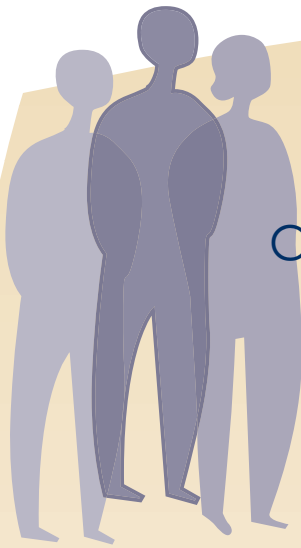
Conclusion

Today, Canadians are more able to live healthy lives, to work, and to travel across the country in their own language than they were 35 years ago. The progress we have detailed in this report is undeniable, but despite these achievements, several issues continue to block the path to comprehensive linguistic duality. The main issues are:

- **The right to receive health services in one's own language.** Several provinces have recognized official language minorities' right to receive health services in their own language, but this right, far from being a panacea, has not been more broadly guaranteed across Canada. This issue is worthy of consideration by the Government of Canada, which has particular responsibilities towards communities. It must take an incentive approach towards the provinces and territories in order to determine how to better meet the obligations under Part VII, whether through legislative measures, federal-provincial-territorial agreements, the provision of funding to support community health networks, or some other means.
- **Sport reflecting duality.** Even if progress has been made under the aegis of Sport Canada, Anglophone and Francophone athletes still need to be fully and equitably integrated within national sports associations and the national sport centres. This will be an essential step in preparation for the 2010 Olympic Games in Vancouver, where Canada will want to demonstrate how its athletes excel within an environment that is respectful of both official languages.
- **Sustainable joint governance.** It is in the economic development field that the joint governance model has given full meaning to Part VII of the Act. Given the current threats to economic infrastructure, it is important for federal institutions to guarantee that this infrastructure receives more stable funding.
- **Sharing Canadian know-how around the world.** Canada's experience in bilingualism is well established, but it must be more fully promoted in world markets. Language technology initiatives announced in the federal Action Plan are a step in the right direction. However, the agencies involved must promote Canada's expertise on linguistic duality (governance, bilingual education, bijuralism, participation in international French and English cultural events, multiculturalism) in their export efforts and in their endeavours to promote Canada.
- **Transportation policy.** In light of the significant changes that the transportation sector has undergone in recent years, it is becoming urgent to place the safety needs of the travelling public and the linguistic obligations around service delivery at the heart of regulations. The Government of Canada will have to re-examine its transportation policy in light of the *Official Languages Act*.

Conclusion





Conclusion

The *Official Languages Act* is 35 years old. When the Parliament of Canada passed the Act in 1969, it was acting upon the findings of the B and B Commission, which had documented the pitiful state into which linguistic duality had fallen. The Act reaffirmed duality as a fundamental principle of Canada. The linguistic framework established at that time committed Canada to a major social transformation that could not be accomplished overnight. Today, we can measure all the progress made for official languages against the B and B Commission's analysis. It shows us an uninterrupted series of changes, both large and small, that have enriched the Canadian personality.

The new Canadian personality

Linguistic duality was established on sound legal foundations: Canada's first *Official Languages Act* in 1969, followed by the *Canadian Charter of Rights and Freedoms* in 1982 and the second Act in 1988. The courts, especially the Supreme Court of Canada, subsequently clarified these laws and forced governments to take the responsibilities they established, especially for education. In turn, most provinces and territories adopted linguistic frameworks that took both official languages into account. Several other pieces of federal legislation related to broadcasting, product labelling, the *Criminal Code*, and

immigration, among others, consolidated citizens' language rights.

On these foundations, communities and governments progressively developed governance models to promote, and ensure full expression of, these rights. The Government of Canada developed a number of programs and tasked several of its institutions with implementing them (Canadian Heritage, Treasury Board Secretariat, the Department of Justice, the Public Service Commission, the Privy Council Office, etc.). The provinces established collaborative structures in education and Francophone affairs. Minority communities created advocacy groups in each province and territory and organized their efforts in various sectors (arts and culture, education, employment, the professions, the media, etc.). School boards drawn from the communities themselves now govern minority schools. More recently, joint governance models have brought together stakeholders from communities and different levels of government.

Duality blossomed in the government's highest institutions, in civil society, in the private sector, and among citizens. The two official language communities now have education rates that reflect greater equality. French became stronger in Quebec and generally held its own elsewhere in Canada; English remained overall stable in Quebec. Canadians in all regions are more bilingual. Federal services are increasingly available in both official languages. Anglophones and Francophones are more equitably represented within the federal administration, where they can work more frequently in their own language. The nation's major cultural institutions (the CBC, the Canada Council for the Arts, the NFB, etc.) exemplify duality and actively support it. At mealtimes, Canadians across the country generally see labels on consumer products written in both official languages.

Canadians in both major linguistic communities are earning their living more equitably than 35 years ago, since income gaps have narrowed

considerably. Awareness of the importance of delivering health care in a citizen's own language is a recent development, but is now well entrenched. National sports are played to a greater extent in both languages and they involve athletes from both communities.

If linguistic duality were a person, today it would be an adult who communicates with others, participates in the democratic process, and cherishes tolerance and diversity; who travels, having acquired experience that is, in many respects, recognized and sought out around the world; who embodies one of Canada's strongest values and works with determination in a changing world. This person still faces many challenges in preserving past achievements and obtaining justice on as yet unexplored fronts.

Issues for the future

As it matures, Canadian linguistic duality will need to rise to several challenges. Despite the progress accomplished to date, the promises contained in the Constitution and the *Official Languages Act* have not yet been completely fulfilled. Several issues in the field of linguistic duality will therefore require careful monitoring in years to come.

Government leadership. The major accomplishments dating from 1963, 1969, 1982, 1988 and 2003 came to fruition through strong political leadership at the federal level. Conversely, achievements are eroded when the Government of Canada fails to remain committed and vigilant in promoting duality, especially in supporting linguistic minorities. In addressing the issues we have identified here, Government of Canada accountability and co-operation between all levels of government and civil society will remain the key determinants of success.

Diversity and duality. Canada was built through the efforts of a population with diverse histories, ethnic origins, cultures and languages. The

country is firmly committed to recognizing and promoting this diversity nationally as well as internationally. Much is at stake in this process, given the impact of globalization. Despite the complex governance that results from this openness, it is important for Canadian policies in areas such as immigration, multiculturalism, cultural and artistic development, and trade and international affairs to more fully reflect the linguistic duality inscribed in the foundations of Canadian society.

Comprehensive education. The curtailing of French language education in minority communities stands as a dark chapter in Canadian history. Despite the turnaround over the past 15 years, much remains to be done to ensure that the Francophone minority has access to a comprehensive education system. In general, minority schools must be given the means to recruit and keep the target school population defined under section 23 of the *Canadian Charter of Rights and Freedoms*. By failing to enrol in minority schools, the members of this target school population will lose the ability to pass along their education rights.

Learning of official languages. Progress has been made in terms of individual bilingualism, but Canadian society is not yet fully equipped to tap the potential of Canadian bilingualism and world multilingualism. Canada has developed expertise in second language learning, especially through immersion programs and bilingual school environments. This expertise should have a much greater presence in provincial and territorial educational institutions. More resources should be devoted to second languages and partnerships created between the government and communities to achieve better outcomes in the future, particularly in education, but also on a lifelong basis.

Bilingual government. The federal administration has made considerable efforts to serve the Canadian public in both official languages, to ensure equitable participation by Anglophones and

Francophones in its workforce, and to allow them to work in their own language. The results over 35 years show that the government can make progress on this front, but we have also noted stagnation on several levels over the past 10 years or so. In addition, government transformations will generate new ways of serving the public in which the government must respect official language provisions.

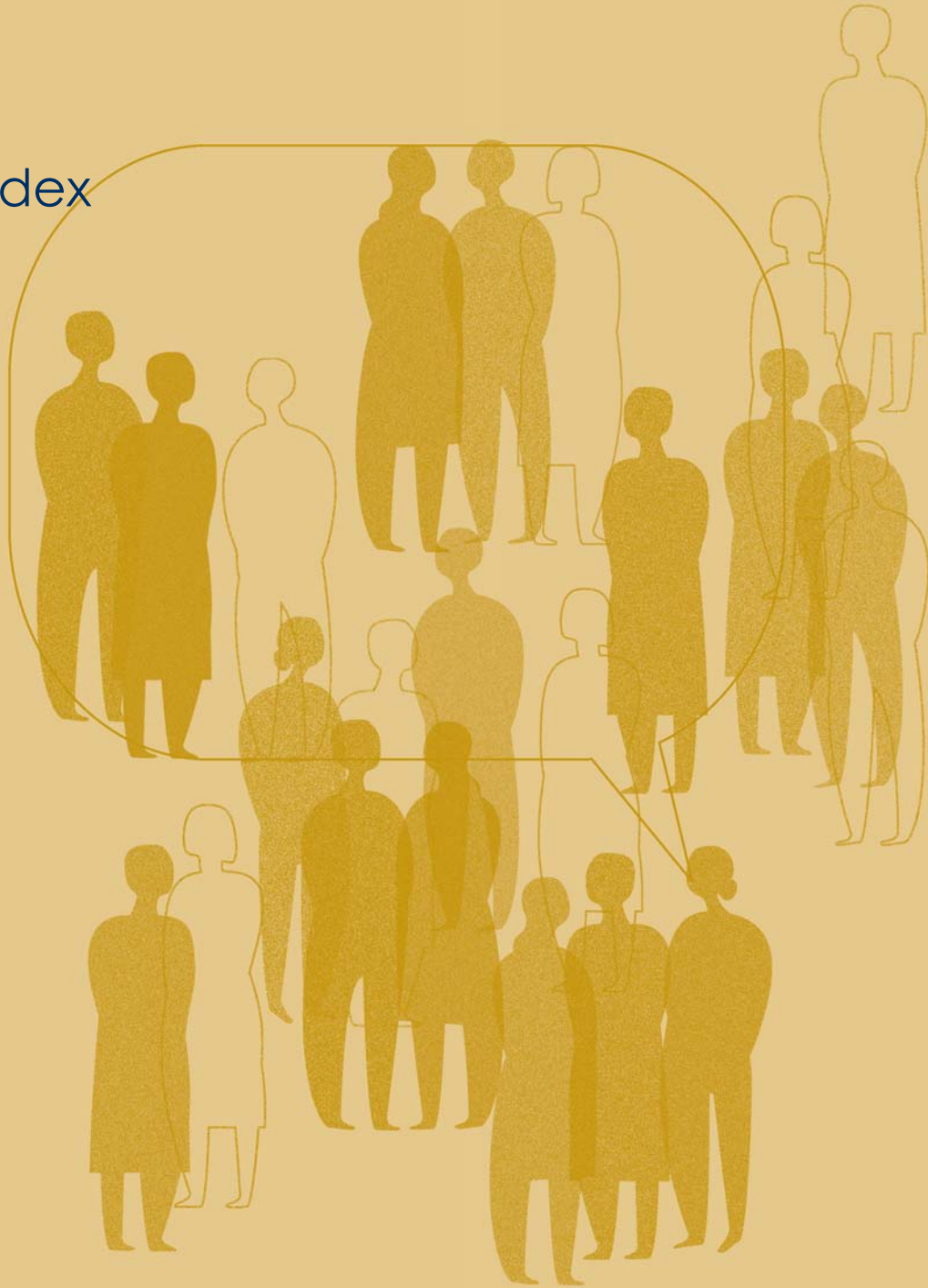
Joint governance. Part VII of the *Official Languages Act* identifies the responsibilities of federal institutions for the vitality and development of official language minorities. One of the positive outcomes of these provisions has been the implementation of joint governance mechanisms that bring together representatives from government institutions and communities. This is a very valuable innovation that should be extended to many other fields of activity.

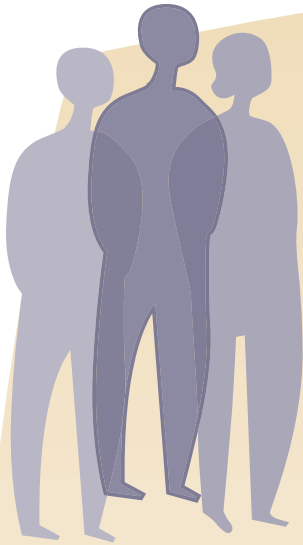
Review of the federal linguistic framework. It will be possible to meet the challenges we have identified only if the government undertakes a serious examination of the state of its linguistic framework. The government must review its focus on the Act. It should no longer be seen as a collection of parts—communication with the public, language of work, promotion, etc.—but as a coherent and logical whole with a single goal. This will not only assure the equality of status of English and French in federal institutions, but also support the development of minority communities and lead to equality of status of the two official languages in Canadian society. Such an approach follows the jurisprudence of the Supreme Court of Canada, which states that language rights should be interpreted broadly and in the spirit of the law.

In the short term, some changes are imperative. The scope of section 41 of the Act must be clarified through legislation. The government must also adopt a regulatory framework specifying the means federal institutions shall use to fulfill their obligations with respect to the development of communities and the promotion of linguistic duality. As well, since the government must now modify the regulations governing the RCMP's linguistic obligations, as a result of a recent decision, we strongly encourage the Government of Canada to show leadership and review the entire *Official Languages (Communications with and Services to the Public) Regulation*.

More than ever, linguistic duality is an integral part of the Canadian social fabric. It is rooted in a history from which many lessons can be learned. The future of linguistic duality will depend on the commitment of citizens and the leadership of governments.

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