

CHAPTER III

3. Will Language Divide Canada?

1 The Language Issue

The defence of French is one of the main arguments for Quebecers and their nationalist movement. They argue that English is the main threat to their survival as a different culture within North America, considering that French is spoken only by a small part of the population compared to English, which is spoken by most of the people in Canada. So based in this assumption, Quebecers are trying to make sure that their language, and culture, will continue to exist not only in Quebec but also in the rest of the country, specially considering that the influence of the United States is very strong and is slowly contributing to the decrease to the use of French.

1.1.1 Why are they fighting?

To understand the language conflict between Francophones and Anglophones is a key factor to understand Quebec's Separatist Movement. The struggle between Canada's two largest linguistic groups began more than two hundred years ago when French-speakers began to feel that the American and British were oppressing and isolating them, taking the best positions in the economical and political sector.

According to the Canadian Charter of Rights and Freedoms, there are two official language minorities in Canada: outside Quebec, French is the official minority and English is the majority language. Within Quebec, English is the official minority language and French is the majority language. It was after the Francophones realized that

they were losing their position within their province that they began to worry about the survival of their French culture.

Their situation worsened after the Province's industrialization period (1891-1946), when capital was required for the modernization of Quebec. The financial resources came from foreign companies, mainly run by English speakers. The ownership of Canadian industry by Francophones is restricted to Quebec; even within the province, it is distributed unevenly: Francophones are owners of the agriculture but have almost no participation in the service and trade sectors. In fields where a lot of investment and technology is required it is Anglophones and English companies who dominate.¹

Léon Dion has described the situation as one in which “the Anglophones dominated the economy while Francophones dominated politics. Now the latter are no longer content with that state of affairs, having finally realized that the economy is the determining force behind policy.”²

1.1.2 Legal Background

Quebec's different governments have taken several policies to protect French language in Quebec because it is a minority language in North America and in Canada and cannot develop and survive without the State's support: “if recent migration trends continue, and if immigrants continue to opt predominantly for the English language, the French-

¹ John R. Mallea (ed.), *Quebec's Language Policies: Background and Response* (Quebec: Laval University, 1977), p. 40-43.

² Léon Dion, *French as an Adopted Language in Quebec*, quoted in John R. Mallea (ed.), *Quebec's Language Policies: Background and Response* (Quebec: Laval University, 1977), p. 25.

speaking community of Québec is bound to see its majority seriously reduced, particularly in Montreal.”³

Although Francophones are the majority in Quebec, English remains to be the continent's dominant language, used in commerce and culture, business and communications. “(...) but Canadian studies leave no doubt about what has happened to them when they have settled too far from “home”: they or their children have gradually adopted English as their mother tongue.”⁴ The French unstable position has been caused by the Conquest of 1760, which ended the French colonization in North America, the assimilation of Francophones outside Quebec and the French society’s lower birthrate against the immigration of other linguistic groups.

Before agreeing to join the Confederation, French Canadians wanted the right to educate their children in French, so the Constitution Act of 1867 stated that federal and Quebec institutions should be bilingual. This state of equality began to change during the late 1800’s and early 1900’s when some provinces passed restrictive laws, such as the Manitoba Schools Act of 1890, making it difficult for French speakers to attend French schools; in fact in 1912 French schools were prohibited in Ontario.

The first laws concerned with the protection of the use of French in Quebec were made in the early Twentieth Century. The Lavergne Law was passed in 1910 and its first measure to protect the French language was to require all the transports’ (busses, trams, and trains) tickets in the Province to be printed in both French and English. In 1937 Premier Duplessis passed a law requiring the French text of Quebec laws to predominate over the English text, arguing that this way the original meaning and purpose of the law

³ Jacques Henripin, *Quebec and the Demographic Dilemma of French Canadian Society*, quoted in *Ibid.*, p. 9.

⁴ *Ibid.*, p.41.

would be better respected; Anglophones felt insulted by the law and it was invalidated the following year.⁵

To mitigate the anger of the French population, Prime Minister Lester Pearson created the Royal Commission on Bilingualism and Biculturalism (RCBB) in 1963 which intended to create a new equal partnership. Equal partnership refers with providing equal opportunities for both Francophones and Anglophones to ensure and protect their participation in the institutions that affect their every day lives.⁶ The Commission's goal was to examine bilingualism and biculturalism in the country and to recommend ways of protecting the recognition of these principles.

The ten Commissioners, representing Canada's linguistic and cultural composition, were committed to follow the principle of equal partnership and to report on the cultural contribution of other ethnic groups and the means of preserving their culture. In addition to a preliminary report in 1965, a final report was published in six books: The Official Languages in 1967, Education in 1968, The Work World, dealing with Socio-Economic issues, the Federal Administration and the Private Sector, The Cultural Contribution of the Other Ethnic Groups in 1969 and The Federal Capital in 1970.⁷

In 1963 another commission was created to examine Quebec's dissatisfaction. The Royal Commission of Inquiry into Bilingualism and Biculturalism was suggested by the editor in chief of the newspaper *Le Devoir*, André Laurendeau during Prime Minister Lester B. Pearson's administration. It intended to "demonstrate in several volumes which

⁵ Martin O' Malley and John Bowman, *Language in Quebec*, Canadian Broadcasting Corporation, <http://cbc.ca/news/indepth/language/>

⁶ Government of Quebec, *Plan of Action for Educational Integration and Intercultural Integration 1998-2002*, http://www.meq.gouv.qc.ca/REFORME/int_scol/Plan_a.pdf (accessed January 15, 2004).

⁷ Dyane Adam, *The Royal Commission on Bilingualism and Biculturalism in the Present: Results, Recommendations and Repercussions for the Future*, Office of the Commissioner of Official Languages, http://www.ocol-clo.gc.ca/archives/sp_al/2003/2003-05-26_e.htm (accessed January 15, 2004).

appeared from 1965-1969 that Canada was in a state of crisis and that French Canadians are frequently at a disadvantage linguistically, economically, and in the civil service.”⁸

Laurendeau and A. Davidson Dunton were appointed co-chairmen of the Commission. Its report showed that Francophones did not occupy the position they deserved by right according to their population in the economy nor in the decision-making positions of government, that educational opportunities for the Francophone minorities were not equal to those the Anglophone minority within Quebec enjoyed and that French-speaking Canadians could neither find employment nor be served in their language in agencies of the federal government. Again, the creation of the RCBB created discontent among both groups. For Francophones it was just a manoeuvre to hide the political reality and for many Anglophones, especially in western Canada, it was an instrument to force them to speak a language that was not theirs.⁹

The Gendron Commission was created in 1968 to report the situation of French in the province. It was mainly concerned with the quality and teaching of French, the use and rights of second languages and the coexistence of the two languages in the same country. In its 1972 Report, it concluded that English dominated French and that there were several differences between them, such as lower wages for Francophones, who occupied lower positions and often had to work in English.¹⁰ It was different from the previous Commissions because the Gendron Commission did not conclude that school was the most important factor in language survival.

⁸ Claude Bélanger, *Chronology of Quebec Nationalism 1960-1991*, Marianopolis College, <http://www2.marianopolis.edu/quebechistory...>

⁹ Ibid.

¹⁰ Marc Chevrier, *Laws and Language in Québec*, http://www.mri.gouv.qc.ca/la_bibliotheque/langue/loi-langue_an.html#1 (accessed January 27, 2004).

According to its report, it was work, not the language used in instruction, the most important variable to assure the survival and promotion of French in Quebec. Immigrants integrated more to the Anglophone community for economic causes because if French was the language used in communications and work, it would be more necessary and that would obligate people to use it more.¹¹ The Commission recommended several measures to protect the survival of French in the province:

(...) that the National Assembly declare French the official language of Québec, and English and French the national languages; that the government take steps to make French the language of internal communications in Québec in the work place and the language of communications in the government, professional corporations and parasitical institutions; that the right of the francophone consumer to be served in his language be recognized and that commercial signs be regulated in order to make the use of French mandatory.¹²

Among other policies implemented to correct the situation, educational authorities in the Anglophone provinces improved, with the government's financial assistance, the teaching of French as a second language. New Brunswick declared itself officially bilingual, Ontario extended its services in French and French language rights disallowed by laws passed in Manitoba in 1890 were restored by decision of the Supreme Court of Canada in 1979.¹³

The federal government continued its efforts to solve the conflict between the two groups and by the end of the sixties a new law was introduced. Jean Jacques Bertrand was the Premier of Quebec from 1968 to 1970 representing the Union Nationale. He was elected to the National Assembly in 1948 and was known for continuing the educational

¹¹ Ibid.

¹² Ibid.

¹³ Canadian Broadcasting Corporation, *One Country, Deux Langues*, <http://archives.cbc.ca/IDC-1-7...>

reforms started by Jean Lesage. The Bertrand government adopted Quebec's first language law in November 1968, the Act to Promote the French Language in Québec, Bill 63.

On the one hand, Bill 63 obligated school boards to provide instruction in French but it also gave parents freedom to decide in what language their children would be educated, although children who took their classes in English should know French. This law also made sure that immigrants in Quebec learned French.¹⁴ But the law was not enough since English schools still attracted more immigrants than French ones as Caldwell affirms:

Besides the socio-economic pressures which require the teaching of both languages, briefs from the ethnic groups frequently refer to two or other reasons why immigrant parents are reluctant to send their children to French language schools: unsatisfactory quality of the teaching of French and a hostile attitude toward non-French-speaking children.¹⁵

Bill 63 brought conflict to the Province since it was considered as a racist, divisive law finally leading to Bertrand's defeat in the 1970 provincial elections and the return of the Liberals to power. An important victory for French speakers took place in 1969; the Canadian Parliament passed the Official Languages Act (OLA) with Pierre Elliot Trudeau as Prime Minister of the country. Within the OLA, English and French have the same status, rights, and privileges recognizing them both as the official languages in all federal institutions. The Official Languages Act gave Canadian citizens the right to choose if they want to be served in French or English by institutions of the federal government in Ottawa, the capital of the country, and in areas where large groups of

¹⁴ Office of the Commissioner of Official Languages, *Official Languages Act*, <http://www.ocol-clo.gc.ca/legislat...> (accessed February 5, 2004).

¹⁵ Gary G. Caldwell, *Assimilation and the Demographic Future of Quebec*, quoted in John R. Mallea (ed.), *Quebec's Language*, (Quebec: Laval University, 1977), p.145.

Francophones live. The Act was supported by Trudeau and all of Canada's federal parties; it was nationally passed on July 9, 1969 after the recommendation of the Royal Commission on Bilingualism and Biculturalism.¹⁶

But in Quebec, French speakers wanted more protection and privileges so on July 30 1974, and following the Gendron Commission's suggestions, like the one made in 1973 to encourage the use of French, especially in the economy, the Official Language Act or Bill 22 was passed, making French Quebec's official language and restricting enrolment in English schools during the Liberal government of Robert Bourassa.¹⁷ The Law clearly showed that Quebec's legislators were willing to take actions to defend the status of French language, as can be noted in the preamble of the law:

*(...) the French language is a national heritage which the body politic is in duty bound to preserve, and it is incumbent upon the government of the province of Québec to employ every means in its power to ensure the pre-eminence and to promote its vigour and quality.*¹⁸

The importance of Bill 22 resides in that it was the first time that French was declared as the official language of Quebec by the National Assembly becoming Quebec government's language of communication and assuring its presence in business, public signs, and contracts. It is important to note that Quebecers kept their right to choose in which language they wanted to communicate but language tests had to be taken by law to decide if a child could study in an English or French school. The French Language Board

¹⁶ Canadian Heritage, *History of Bilingualism in Canada*, http://www.canadianheritage.gc.ca/progs/lo-ol/biling/hist_e.cfm

¹⁷ Canadian Broadcasting Corporation, *History in the Making*, http://archives.cbc.ca/IDC-1-73-651-3574/politics_economy/quebec_elections/clip6

¹⁸ Chevrier, *Laws and Languages*, <http://www.mri.gouv.qc.ca...>

was created in 1977 to make sure that these and other measures related to the organization were applied in companies.¹⁹

But even with the good intentions it was done, Bill 22 created more struggle and discontent among Quebec's society, specifically within the Anglophones and Allophones. So after the Parti Quebecois came to power in 1976, Bill 22 was revised. The next year, Camille Laurin presented his *White Paper* in the National Assembly to declare that language would be the priority in its legislative program and that his language legislation would be official in a Charter to protect the survival of French in Canada. The White Paper concluded that, according to the demographic trends of the time, Francophones would be less numerous both in Quebec and in Canada in the next couple years. There were several reasons for this, such as the propensity of Allophones to integrate into the Anglophone community. French still occupied a lower position in jobs and incomes than English.²⁰

The government wanted a future where:

The Quebec we wish to build will be essentially French. The fact that the majority of the population is French will be clearly visible – at work, in communications and in the countryside. It will also be a country in which the traditional balance of power will be altered, especially in regard to the economy; the use of French...will accompany, symbolize and support re-conquest by the French-speaking majority in Quebec of all that control over the economy which it ought to have. To sum up, the Quebec whose features are sketched in the Charter is a French-language society.²¹

The government also recognized that the contribution of other languages to Quebec's culture was also very important since they help to make the province what it is,

¹⁹ Mallea (ed.), *Quebec's Language*, (Quebec: Laval University, 1977), p. 11-15.

²⁰ Michael Suddard, *Bill 101: The Fight for Language Rights*,
<http://michaelsuddard.tripod.com/bill101.html>

²¹ Ibid.

but also recognized the importance that these minorities learn the national language so that they can integrate to its society. This protection of French was not intended to keep Quebecers from learning another language. The government considered that the issue was a matter of social justice and not only of politics or economics. "What Quebec's French-speaking majority must do is reassume the power which is it's by right, not in order to dominate, but to regain the status and latitude proper to its size and importance."²² But even after all these measures taken by Bourassa; Francophones were still upset by his inability to defend their rights, considering that Bill 22 would not make any difference in their situation and that it was not strong enough to defend them against the Anglophones' abuses.²³

1.1.3 Bills after the Quiet Revolution

Three years later, in 1977 Rene Levesque became Premier of the Province representing the Parti Quebecois and introduced Bill 101, the Charter of the French Language. The Charter became a fundamental law in Quebec, and the main tool to defend the linguistic rights of Quebecers by making French the only official language in the province. According to the Charter the freedom to communicate in French in Quebec with public agencies and business firms, professional corporations and labour unions became a fundamental right and all Quebec workers are free to carry out their activities in French.²⁴ It was proposed by the Minister of Cultural Development Camille Laurin who was a nationalist politician considered as The Father of Quebec's Charter of the French

²² Ibid.

²³ Ibid.

²⁴ Canadian Legal Information Institute, *Charter of the French Language*, <http://www.canlii.org/qc/sta/csqc/...>

Language who viewed Anglophones as unilingual, hostile towards French speakers minority,²⁵ and legalized by the National Assembly of Quebec on August 26 1977.

According to Gary G. Caldwell, “The failure of the B.N.A. Act to protect English and French as languages of instruction in Canada has resulted in a great disparity in the use of these languages”²⁶ But with The Charter of the French Language French is the obligatory language of instruction in kindergarten, elementary and secondary public and private schools. Marc V. Levine states that:

Finally, the most radical impact of Bill 101 on Montréal's French-language schools has been to introduce a function that urban schools throughout the United States and English Canada have performed since the mid-nineteenth century: integrating newcomers into the language and culture of the city's majority. As we have seen, through the mid-1970s, almost all of Montréal's ethnic minorities enrolled in English-language schools and the Island's French-language schools were composed almost exclusively of French Québécois. However, by 1987, as a result of Bill 101's impact on Allophone enrolments, the clientele in French-language schools was over 25 percent non-francophone and over 35 percent were not of French-Québécois ethnic origin.²⁷

An exception to this was made so that those children whose parents had received education in English could also attend English classes. Its main objective was to promote and defend the use of French as the main public language in the Province as well as expanding the role of the Quebec's Office of the French Language, established in 1977.

The Office would be in charge of defending the Charter of the French Language, applying linguistic policies and supporting French so that it could become the common language of work, communications and business in all governmental institutions

²⁵ The Center for Research and Information on Canada, “Misunderstood But Holding On Their Own,” Vol. 3, no. 3, January 25, 2001, http://www.cric.ca/en_html/opinion/opv... (accessed February 11, 2004).

²⁶ Caldwell, *Assimilation*, quoted in John R. Mallea (ed.), *Quebec's Language*, (Quebec: Laval University, 1977), p. 145.

²⁷ Marc V. Levine quoted in Chevrier, *Laws and*, http://www.mri.gouv.qc.ca/la_bibli...

(including hospitals, school boards and other social services) and companies with more than fifty employees.²⁸ Francization is the government's attempt to integrate non-speaking minorities (Allophones) into the French speaking society to protect the survival of French and to stop the expansion of English. To achieve this, the Quebec government limits the access to English schools for children whose parents attended English schools in Quebec or in Canada and encourages them to take French courses. The government argued that the purpose of this measure would be not to diminish the services for the Anglophones but to make sure that the French speaking society would enjoy the same rights as them. In fact, the government created the Act Respecting Health Services and Social Services to ratify the Anglophone's right to receive social services in their language. Also, on December 18, 1986 the National Assembly passed Bill 142 to guarantee that social services like health care would be provided in English.²⁹

Within Bill 101, French would be the only legal language used for commercial signs in the province and English would only be used in some exceptions. This measure angered Anglophones; for example, Morton Brownstein, an owner of a shoe store in Montreal who was against using French in his business took his case to the Supreme Court of Canada. In 1988 the court ruled that French could not be prohibited and that using French as the official language on commercial signs was a reasonable limit on freedom of expression.³⁰ The Bill also angered English speakers because it imposed French language tests to be admitted in professional jobs, required most businesses with

²⁸ Government of Quebec, *Office Québécois de la Langue Française*, [http://www.olf.gouv...](http://www.olf.gouv.qc.ca/)

²⁹ Office of the French Language, *Health and Social Services in the English Sector*, [http://www.aq.qc.ca....](http://www.aq.qc.ca/)

³⁰ O' Malley and Bowman, *Language in*, <http://www.cbc.ca/news/indepth/language/> (accessed February 10, 2004).

more than fifty employees to operate mainly in French and collective agreements would have to be drafted in French.³¹

Originally it restricted the use of English in the National Assembly and the Courts; the measure was rejected by the Supreme Court of Canada in 1979. For these reasons the two groups confronted each other in public demonstrations after the introduction of Bill 101. The Bill was severely criticized by most Canadians and especially by English speakers who believe that it was a “deliberate death sentence for the English community.”³² Francophones argued that it also discriminated them since now they would have less freedom to choose what school their children could attend.³³

Those who defended the law thought that it was the only way to protect the survival of their French culture in the country. The most debated sections of Bill 101 were the restrictions of access to English schools and the prohibition to the use of English on commercial signs. After the Canadian Charter of Rights and Freedoms was signed in 1982, the Supreme Court of Canada ruled that the Bill had to be congruent with section 23.1.b. of the Charter, allowing Canadians who had received an English education to educate their children in the same language. Also the rule about commercial signs having to be in French was no longer legal since it was considered as a violation of freedom of expression.³⁴

Almost a decade later, on September 15, 1988 the Official Languages Act was revised and amended giving birth to the New Official Languages Act with three main objectives:

³¹ Garth Stevenson, *Bill 101*, http://www.law.ualberta.ca/ccskeywords/bill_101.html

³² Equality Party, *Equality of the Only Fully Canadian Party in Quebec*, <http://www.equalit...>

³³ Ibid.

³⁴ Suddard, *Bill 101*, <http://michaelsuddard...>

- 1) To guarantee respect for English and French as the two official languages of Canada with equal status, rights and privileges in federal institutions.
- 2) To support the development of English and French-language communities and to encourage the use of both languages.
- 3) To define the language responsibilities of the federal institutions. The Act would overrule all other federal legislation but the Canadian Human Rights Act.³⁵

The Act focuses on the obligation of federal institutions to make public services available in both official languages, respecting the equal status of English and French speaking Canadians, making sure that the public can communicate and receive services in either official language. The new Act recognizes English and French as the languages of work in federal institutions so that employees have the right to use either of them and it makes sure that information and technology systems acquired after 1991 can be used in English or French.

Also, the federal government committed itself to ensure that both Anglo and Francophones, no matter their ethnicity or mother tongue, have the same opportunities to be employed in federal institutions, selecting them based only on merit.³⁶ In 1988 the Supreme Court of Canada declared that Bill 101 was unconstitutional. Premier Bourassa, using the notwithstanding clause, introduced Bill 178. Under this law, French would be the only legal language used for exterior signs but English could still be used inside commercial establishments, as long as the sign was also in French and predominant in size over English.

³⁵ Office of the Commissioner of Official Languages, *Official*, <http://www.ocol-clo...>

³⁶ National Library of Canada, *The New Official Languages Act-Highlights and Some Questions and Answers for Public Service Employees*, http://collection.nlc-bnc.ca/100/201/301/tbs-sct/tb_manual

A change in the legislative life of Quebec occurred in the 1989 provincial elections, when four members of the English Rights Equality Party were elected to the National Assembly receiving a total of only 160,000 votes.³⁷ In Canada, there are 125 seats in the National Assembly of Quebec. Members elected to the National Assembly of Quebec are called Members of the National Assembly or MNAs and they are elected under the single-member constituency plurality system. The election must be held in Quebec at least every five years.³⁸

The Equality Party's electoral platform pledged for an equal bilingual Quebec, freedom of choice in schools and no language policies, among other popular measures such as less bureaucracy but more health care. But in the next provincial election of 2003, the Equality Party lost all of its seats, what resulted in the resignation of its leader Keith Henderson; the defeat was qualified as "a sad day for civil rights, and for the English-speaking communities in Quebec."³⁹

Also as a response to the Supreme Court's rule, the Clarity Act⁴⁰ was introduced in June 29, 2000. It outlined the need of a clear majority, accepted by the House of Commons, supporting secession in order to negotiate it and that an amendment to the Constitution would be required to pass it. Since these conditions had not occurred after the Referendums, the Senate and House of Commons decided that no negotiation for independence could take place unless accepted by its population in a new Referendum where they would clearly be asked if they want to separate or not. If the result would be

³⁷ O' Malley and Bowman, *Language*, <http://www.cbc.ca...>

³⁸ Susan Munroe, *Members of the National Assembly of Quebec*, <http://canadaonline.about.com/libr...>

³⁹ Equality Party, *A Sad Day for Civil Rights as EP Leader Keith Henderson Steps Down*, <http://www.equality.qc.ca/> (February 8, 2004).

⁴⁰ For an official version of the Clarity Act, see Appendix 3 *The Clarity Act* at <http://lois.justice.gc.ca/en/c-31.8/34467.html>

in favour of secession, the House of Commons should take into account the size of the majority and the number of eligible voters.⁴¹

Things began to change in the 1990's. A survey done in 1991 by the Globe & Mail showed that Canadians are starting to get tired of the language issue. The survey showed that 60% of English-speaking and 75% of French-speaking Canadians prefer two official languages, rather than regional arrangements.⁴² On March 31, 1993 the United Nations Human Rights Committee, according to a study done after several English-speaking businessmen had complained about the discrimination they were suffering from the provincial government, concluded that Bill 178 violated the International Covenant on Civil and Political Rights. The International Covenant on Civil and Political Rights was concluded in 1966. It was ratified in 1976 and after being adopted by 35 countries, including Canada, the Covenant became an international law.

Among other rights such as right to self-determination, equality before the law and the right to life, it states that everyone has the right to freedom of expression, which is what Anglophones were demanding to the government since they felt that Bill 178 restricted their right to express themselves in their own language.⁴³ The UN Committee recognized that a State may choose one or several official languages, especially to protect a minority, like Francophones in Canada. However, the United Nations Committee considered that neither Bill 101 nor 178 were discriminating based on language or violating freedom of expression since they did not attack the rights of minorities considering that Anglophones are the biggest majority in the country.

⁴¹ Department of Justice Canada, *Clarity Act*, <http://lois.justice.gc.ca/en/c-31.8/34467.html>

⁴² Canadian Broadcasting Corporation, *One Country*, <http://archives.cbc.ca/IDC-1-7...>

⁴³ Human Rights Web, *A Summary of United Nations Agreements on Human Rights*, United Nations Documents, <http://www.hrweb.org/legal/undocs.html#CPR>

According to data from the 2001 Census presented by Canada Statistics 19,774,805 Canadians speak English as their mother tongue and only 6,447,585 Canadians use French as their mother tongue. Mother tongue is defined as the first language learned at home in childhood and still understood by the individual at the time of the census.⁴⁴ To try to improve the situation of Francophones in Quebec, Robert Bourassa introduced Bill 86 allowing English or any other language to be used on outdoor signs only if the French letters were at least twice as large. In 1999 a Quebec Court decided that no bill could restrict the use of any language on commercial signs unless the fragility of French in the province could be proved. This fragile situation was supported by the Quebec Superior Court in April 2000 arguing that because of Quebec's geographical situation it has the right to defend French on an English-speaking continent.⁴⁵

1.1.4 Latest Developments to Achieve Consensus

In recent times, there has been some progress in achieving a more equal situation for both groups. Although the situation is not equal yet, Anglophones are still 72%, and Francophones only represent a 27 per cent of employees working for institutions subject to the Official Languages Act.⁴⁶ In 2002, the number of French speakers in the public service rose and a recent study done by the Office of the Commissioner of Official

⁴⁴ Statistics Canada, *Language Spoken at Home on a Regular Basis*, <http://www12.statcan.ca/english/census01/products...> (February 2, 2004).

⁴⁵ O' Malley and Bowman, *Language*, <http://www.cbc.ca...>

⁴⁶ Officer of the Commissioner of Official Languages, *A Public Service that Reflects Canada's Linguistic Duality*, http://www.ocol-clo.gc.ca/archives/ar_ra/2001_02/2001_02-...

Languages shows that linguistic representation at the higher levels of the federal institutions is now equal.⁴⁷

Actually, the federal government has a new policy to support bilingualism. The Action Plan for Official Languages was announced in March 12, 2003 to renovate the government's committeemen to defend both French and English languages official and equal status. In the next five years, the federal government has declared that it will designate more than \$750 million to three main areas: education, community and the federal public service. In the education field its objective is to increase the number of students enrolled in French schools outside Quebec and of Canadians who know both official languages to half of the young Canadian citizens as well as the number of language teachers, raise the quality of language instruction and make it more accessible by providing more exchange programs and scholarships. The federal government will designate \$269.3 million in the next five years for community programs that support official languages.⁴⁸

Through these programs, communities will be encouraged to use the official languages in school and in daily life. The money will be distributed in different departments such as health, justice, immigrant integration and children development. Finally, the federal public service is intending to provide a better service and to use both official languages more in its offices. To achieve this, more bilingual employees are being hired receiving better training that includes language courses. In fact, the federal government recently established speaking both languages as prerequisites to obtain high

⁴⁷ Ibid.

⁴⁸ Susan Munroe, *A Boost for Bilingualism in Canada*, <http://canadaonline.about.com/cs/bilingualism...> (accessed February 7, 2004).

positions in the federal public service, giving its employees until April 2003 to become bilingual, if not they face cuts in their salaries and repositioning.⁴⁹

But it seems that the government's efforts and these positive results have not been enough; statistical numbers still show pessimistic data; the number of Francophones has been going down in the last years. In 2001, there were 5.8 million Francophones in Quebec, an 81 per cent of the population in the province. The total of Francophones increased by about 60,600 Quebecers from 1996 to 2001 but this raise was only half of the one reported in the census of 1996. This situation was the result of transfers to other provinces and a lower birthrate.⁵⁰

Stephen Harper described Trudeau's policy of official bilingualism as "the god that failed (...) I don't think this changes anything."⁵¹ In the 2001 Census more Canadians considered themselves as bilingual, but the numbers only rose from 17.0 to 17.7 per cent. The number of Francophones fell from 23.5 per cent in 1996 to 22.9 per cent in 2001, being French used at home by only 22 per cent.⁵² Federal Official Languages Commissioner Dyane Adams tried to justify results by declaring that: "(They) may not be using French as the most often spoken language in the home, but they are still using French regularly."⁵³ Still, the amount of bilingual Francophones is higher than those Anglophones who can speak both official languages and this data is even lower in young Canadians who live outside Quebec. This is the result of a cut in the budget destined to

⁴⁹ Ibid.

⁵⁰ *The Guardian*, "Bilingualism Thrives in Quebec Despite Strict Language Laws: More Quebecers of All Linguistic Backgrounds Becoming Bilingual," December 11, 2002, pg. A9, <http://www.asu.edu/educ/...> (accessed February 8, 2004).

⁵¹ Stephen Harper quoted in Bruce Cheadle "Bilingualism Up in Canada: But Number of Francophones Down, According to Census 2001," *The Canadian Press*, pg. A7, December 11, 2002, <http://www.asu.edu/educ/eps/LPRU/newsarchives...> (accessed February 7, 2004).

⁵² Ibid.

⁵³ Dyane Adams quoted in Ibid.

programs that encourage children to learn French to almost half, from 84.7 million in 1991 to only \$41.3 million in 2000. Also according to Adams “only six provinces and territories require children to learn a second language in school.”⁵⁴

What these results demonstrate is that it is very doubtful that French Canadians will one day enjoy the same status and privileges as their Anglophone neighbours. "It's a dream, this vast bilingual country and this dream is not a reality (...) It's not true that French and English coexist as equals throughout Canada"⁵⁵ is Diane Lemieux's, Quebec's current Minister for the French language opinion.

Currently, Quebec enjoys a period of positive and stable economic conditions. According to the Jobboom Index, which is a monthly estimation of job-market strength for Quebec and for Ontario compared over a ten-year period based on Statistics Canada's reports, since the beginning of 2002 the province has had an “interrupted job-market growth.”⁵⁶ Even though the Province had a slight slowdown in job creation during June, its actual situation is the best one of the past ten years. The Index has also predicted these favourable conditions will remain for a long time. In fact, “Quebec has added 113,000 new jobs to its economy since the beginning of the year (...) This demonstrates the ability of Quebec's job market to match the growth of its working-age population.”⁵⁷

Apparently French Canadians will not be able to achieve their goals of equality or sovereignty. New generations are starting to realize that learning and speaking both languages is very important nowadays. Abdul Rahman, a junior college student who arrived to Canada twelve years ago was speaking only Arabic believes that: "When you're

⁵⁴ Ibid.

⁵⁵ Diane Lemieux quoted in Ibid.

⁵⁶ Jobboom Index, *Quebec Sees First Drop in Six Months*, <http://www.jobboom.com/indice...> (February 8, 2004).

⁵⁷ Ibid.

in a place where the first language is French you should learn French as a base and then go on and learn other languages."⁵⁸ The province seems to be living a "relative peace in Quebec's current language climate"⁵⁹ showing that the possibility of a separation from Canada is weaker every day.

1.2 The Channel Islands Example

Even as hard as a pacific coexistence between members of a different culture may seem, there are some examples that prove the opposite. One of these is the Channel Islands, a region of the world that even if it has more than one culture and language within its frontiers, the Islands have been able to overcome the problems that this heterogeneity may cause in other regions.

1.2.1 What Are the Channel Islands?

The Channel Islands, formerly known as the Norman Isles, are a group of small islands located between the North West coast of Normandy in the English Channel.⁶⁰ The group is formed by Jersey, Alderne, Guernsey, the main islands, and some other smaller islands like Shark, Herm, Ethos and Litho. Politically; they are divided into the Bailiwick of Jersey and the Bailiwick of Guernsey. In total, the islands occupy an area of about 75 square miles where about 157,000 people live. They are not, and have never been, British crown colonies, but internally self-governing dependencies of the British Crown;

⁵⁸ Abdul Rahman quoted in Cheadle, *Bilingualism Up*, <http://www.asu.edu/educ/eps/LPRU/newsarchives...>

⁵⁹ Ibid.

⁶⁰ Rev. Philip Falle, *An Account of the Island of Jersey* in H.W. *Le Messurier, The Early Relations Between Newfoundland and the Channel Island*, <http://ngb.chebucto.org/Articles/hist-004.shtml>

officially, they are part of the Duchy of Normandy. Queen Elizabeth II is the Chief of State and the Chief Executive Officer is the Lieutenant-Governor, currently Sir John Foley, is representing the Queen.⁶¹

The Channel Islands have their own legal system, though the United Kingdom government still has the power to intervene in the interests of good government. The Acts passed by the British Parliament are applied in the Channel Islands only after local consultation. The government of the United Kingdom is responsible for the defence and foreign relations of Guernsey and Jersey but in everything else, including taxes, they are independent. However, they all use the pound sterling as currency though they issue their own notes and coins.⁶² The Islands' economy is based on financial services, agriculture (potatoes, tomatoes, grapes, and other fruits and vegetables which are sold mainly to the English markets), cattle raising, each of the largest islands having its own race of cattle, and tourism.⁶³

1.2.2 Two Different Roots

Most of the people of the Channel Islands are descendants of the Normans, although Alderney's population is mainly British, being this influence also enormous in Jersey, where large groups of English speaking soldiers and workers arrived to the island during the 1820's and caused the main language of Jersey to change from French to English.

⁶¹ Wikipedia, *The Channel Islands*, http://en.wikipedia.org/wiki/Channel_Islands

⁶² Roy Stilling, *United Kingdom: Dependencies of the Crown*, <http://flagspot.net/flags/gb-dep.html>,

⁶³ Wikipedia, *The Channel*, http://en.wikipedia.org/wiki/Channel_Islands

The Channel Islands' history is full with attempts of invasion and wars, being the only British territory occupied by the Germans during World War II, from 1940 to 1945.⁶⁴

Before the British invasion, The Channel Islands were occupied by the Romans, in 43 A. D. In that time, the biggest of the islands, Jersey, was named Caesarea, and many historical places, like "Le Fort de Cesar" conserve their Roman names. The Channel Islands remained politically related to Brittany until 933, when they were annexed to Normandy. They became attached to the English crown after William of Normandy, or William the Conqueror, became King of England in 1066 after defeating King Harold and the Duchy of Normandy and England became one. For the next two hundred and seventy years the Islands stayed under Norman rule until 1204 when King John lost Normandy to King Phillip.⁶⁵

The Channel Islands chose to remain loyal to the English crown; King John of England governed them as a separate entity. From 1337 to 1453 during the Hundred Years War between England and France, and because of its strategic position, the Islands were exposed to constant attacks. When at the end of the Hundred Years War England lost Normandy, the Channel Islands were England's last possession of its medieval empire in France.⁶⁶ Only after two years of peace, the Wars of the Roses took place and the Islands were once again occupied by France for seven years, until England reclaimed the islands in 1468. During the 1800's many French arrived to the Islands escaping from the Revolution and influencing the society's way of life.⁶⁷

⁶⁴ Charles Wheeler, *The Channel Islands: Occupation and Liberation*, History Today, http://www.findarticles.com/cf_dls/m1373/n5_v46/18275733/p1/article.jhtml

⁶⁵ Stilling, *United Kingdom*, <http://flagspot.net/flags/gb-dep.html>

⁶⁶ Lynn H. Nelson, *The Hundred Years' War (1336-1565)*, The University of Kansas, <http://www.ukans.edu/kansas/medieval...>

⁶⁷ British Broadcasting Corporation, *Jersey About Jersey*, <http://www.bbc.co.uk/jersey/...>

1.2.2.1 Two Official Languages in One Country

Due to this history of French and British background, both French and English are the official languages in the Channel Islands, though more people speak English than French. French is used in the popular assemblies, law courts, and churches, English is taught in schools, and the every day life language of the Channel Islanders is the Norman-French *patois* or dialect; plus each of the four largest of the Channel Islands has its own particular dialect, all of them descending from Latin and the ancient Norman tongue, for example the Jersey Norman French or the Alderney Norman French.⁶⁸

The Channel Islands stayed with England because according to a Guernsey's official agency: "the Norman landowners (...) sided with whoever brought them the most benefits"⁶⁹ and this side was the British one. Having England on their side would provide support, both economic, political, to them considering their small size and population, as well as giving England a strategic possession. This support is one of the reasons for their positive economic situation. "Cultural survival depends on economic progress (...)"⁷⁰

1.3 Quebec Today

Essentially, Francophone does not want to have to learn and speak English in order to enjoy a better quality of life. What they really want is the freedom to live their culture and speak their language in their own country. This includes the right to "(...) development within French-language cultural institutions, the right to live and earn a

⁶⁸ UK and Ireland Genealogy, *The Channel Islands*, <http://user.itl.net/~glen/genukici.html>

⁶⁹ States of Guernsey Tourist Board 2001-2004, *The Birth of Guernsey Constitution*, <http://www.1204.gg/independence.aspx>

⁷⁰ H.H. Herstein et. al., *Challenge and Survival*, (Scarborough: Prentice Hall, 1970), p. 430.

living in French (...) ⁷¹ After all, Canada's Constitution pledges for the creation of a "new nation" not an agreement between French Canada and English Canada. Francophones must feel that Canada belongs to them as much as it belongs to English speakers. ⁷²

Quebecers spent almost two centuries being treated as second class citizens by the English-speaking majority. Wealth and power were for Anglophones and Protestants, while the Francophones were subordinated by them and the Catholic Church. They needed to be assimilated so that the English interests could be preserved. But after the Quiet Revolution, it appeared that things would change for Quebec. Education levels improved, industrialization came but the French society, through nationalism, continued to defend its culture. ⁷³

Today, after so many struggles, it seems that Quebecers have understood that the best they can do, given their position of being a minority in Canada, is to accept the use of English and that federalism, not separatism, is what will bring them the most benefits. According to Jean Chrétien: "Canada can face the future with confidence now that the national unity issue is resolved." ⁷⁴

1.3.1 Vive le Quebec Canadien?

Most Canadians supported the election of Jean Charest, from the Liberal Party, as Premier of Quebec in the 2003 elections; finally the Parti Quebecois, with Lucien Bouchard as leader of the Party and former Premier of Quebec, with its proposals to call

⁷¹ Edward M. Corbett, *French-Canadian Aspirations*, quoted in H.H. Herstein, *Challenge and*, (Scarborough: Prentice Hall) 1970), p. 431.

⁷² Eugene Forsey, *A Rebuttal of French-Canadian Claims*, quoted in Ibid. p. 434.

⁷³ *Pittsburgh Post-Gazette*, "Christopher M. Jones Offers an Update for Conan O'Brian and Friends," Sunday March 7, 2004, <http://www.post-gazette.com/pg/04067/281772.stm>

⁷⁴ Canadian Broadcasting Corporation, *PM Says National Unity is "Mission Accomplished,"* http://www.cbc.ca/stories/2003/05/14/chretien_fundraiser030514

for a third Referendum to separate from Canada, is the opposition party again. Charest is the former leader of the national Liberal Party so it seems that the threat to divide the country is gone, at least for the next four years.⁷⁵ “The new premier is probably more pro-Canada than any Quebec leader in recent memory.”⁷⁶

Part of his victory was the fact that he focused on the concerns that Quebecers have these days like health care or taxes, instead of old issues such as French language or asking for more power from the federal government.⁷⁷ On the other hand, Bouchard applied many policies that were unpopular among the population, such as cutting education and health services.⁷⁸ Its not that they don't care about secession anymore and maybe that's why they chose Charest, to avoid it from happening.⁷⁹ During his campaign, he stated that: "Today's consensus on language issues was hard-won, and a Liberal government would do nothing to upset the status quo. There's absolutely no question of coming back on that topic."⁸⁰ His campaign slogan was “To work for Quebec's betterment within this wonderful country – Canada.”⁸¹

“Mr. Charest won't be threatening Canada; he'll be trying to save it.”⁸² Quebec's politics used to be centered on a battle between federalists and separatists, with both sides attacking each other's policies and Quebec always asking for more Constitutional rights.

⁷⁵ André Pratte, “Can We Talk Canada?” *The Globe and Mail*, April 16, 2003, <http://www.globeandmail.ca/servlet...>

⁷⁶ Anne McIlroy, *Vive le Québec Canadien*, Guardian Unlimited Network, April 21, 2003, <http://www.guardian.co.uk/elsewhere/journalist/story...> (accessed March 13, 2004).

⁷⁷ John Cairns, *Problem-Solving Politicians Rule Canada*, <http://www.politixgroup.com/comm149.htm>

⁷⁸ Anthony de Palma, *Vote in Quebec May Be Last Fling With Secession*, <http://ccat.sas.upenn.edu/~haroldfs/540/canada...> (accessed March 13, 2004).

⁷⁹ William Johnson, *Statement on the Election Campaign*, November 9, 1998, <http://www.aq.qc.ca/English/pr2.htm> (accessed March 13, 2004).

⁸⁰ Sean Gordon quoted in *Ibid*.

⁸¹ D. B. S. Jeyaraj, “Separatism Suffers Setback in Quebec,” *The Sunday Leader*, May 4, 2003, Vol. 9. no. 42, <http://www.thesundayleader.lk/20030504/issues-more.htm>

⁸² Pratte, “Can we Talk,” *The Globe and Mail*. April 16, 2003. <http://www.globeandmail.ca/servlet/ArticleNews/TPStory/LAC/2003041...> (accessed March 12, 2004).

But now, with a strong federalist leading its decisions, this could be a chance for Quebec to end with the separatist's aspirations and for the first time in the history of the country, the division that has separated the two groups since Canada's formation. According to many authors, including André Pratte: "Québécois are tired of the constitutional debate, and want their provincial government to concentrate on more immediate problems."⁸³ This does not mean that Quebecers have lost their identity or that they will stop defending their culture. "They still see themselves as a distinct society (...)"⁸⁴

What Quebec's new Premier has to do is to find a way to integrate Quebec's aspirations to those of the rest of Canada, specially the economic issue, which is the first priority for most Quebecers today. Quebec is not the only province where people are now more worried about the economic situation than about political issues. As a result, it's been the finance ministers who have been elected to the most important positions in the government. Paul Martin, current Prime Minister, was the finance minister who led Liberals' efforts to eliminate the deficit and in Ontario, Ernie Eves was elected Premier after his successful results as finance minister during Premier Mike Harris' administration during which he cut taxes and eliminated the deficit.

At last, it seems that Quebec's Premier is trying to create new and more dynamic relations between Quebec and the rest of the provinces, a "domestic diplomacy," so that they work together to build alliances, what will eventually force the federal government to satisfy their demands.⁸⁵ Another one of his proposals was the creation of a Council of the Federation, formed by the Premiers of the thirteen provinces and territories, where

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ John Parisella, *Jean Charest and the Dawn of a New Era in Federal-Provincial Relations*, <http://www.irpp.org/po/archive/jun03/parisella.pdf>

provincial and federal governments are now working together for economic and social issues. This new institution "might be the key element for achieving totally new federative dynamics in Canada, based on consultation, and joint management and decision-making."⁸⁶

The Council's objective is to make federalism more efficient and flexible with the needs of the provinces by enhancing cooperation and closer ties among the provinces. It was officially formed in Charlottetown in December 2003. It will meet at least twice a year; the first meeting took place in British Columbia at the end of February 2004. The premiers will rotate chairmanship of the Council for one-year terms and its Secretariat will be based in Ottawa. The first issues that will be treated in the Council will be health care reform and economic issues, such as inter-provincial trade and mobility of the working force.⁸⁷ The Council of the Federation is the clearest example that Quebec is now trying to work together with the federal government so that Quebecers enjoy the same benefits as the rest of the Canadians.

But the federal government should not believe that separatism is completely dead. Even now, 40 per cent of the Quebecers still say they would vote yes if asked again to vote on sovereignty, but less than half of them considers them as sovereignties;⁸⁸ "even in the absence of any major linguistic confrontations in recent years, there is no English-French consensus on language."⁸⁹ This divergence is especially strong in education issues, where eighty two per cent of Anglophones are in favour of freedom of choice and

⁸⁶ Ibid.

⁸⁷ Susan Munroe, *Council of the Federation*, <http://canadaonline.about.com/cs/premiers/a/federationcncl.htm>

⁸⁸ Pratté, "Can We Talk," *The Globe and Mail*, April 16, 2003. <http://www.globeandmail.ca/servlet/ArticleNews/TPStory/LAC/2...> (accessed March 12, 2004).

⁸⁹ Johnson, *Statement on the*, <http://www.aq.qc.ca/English/pr2.htm>

unlimited access to English schools and eighty percent believe that any language has the right to be equally visible, contrary to the actual law ruling signs in the province (Bill 86).⁹⁰

The main difference between Quebecers and the rest of the Canadians is that they still see Canada as two different nations while the rest considers it as one single multicultural country.⁹¹ So it is now, while Quebec has a strong leader who supports the unity of the country, that both federal and provincial governments must start a real dialogue to find solutions to put an end to this conflict that has divided Canadians for centuries.

**Table No. 3.1
Profile - Quebec**

Selected Characteristics	Quebec †	Canada †
Demographic Characteristics		
Total population, 2001 Census (100% data) ⁽¹⁾	7,237,480	30,007,090
Male, total	3,532,845	14,706,850
Female, total	3,704,635	15,300,245
Total population by visible minority groups (20% sample data) ⁽³⁾	7,125,580	29,639,030

⁹⁰ Ibid.

⁹¹ Ibid.

Total population by mother tongue (20% sample data) ⁽⁷⁾	7,125,580	29,639,030
English	557,040	17,352,320
French	5,761,765	6,703,325
Non-official languages	709,420	5,202,245
Multiple responses	97,350	381,145
Total population by knowledge of official languages - 20% Sample Data ⁽⁸⁾	7,125,580	29,639,035
English only	327,045	20,014,645
French only	3,831,350	3,946,525
English and French	2,907,700	5,231,575
Neither English nor French	59,485	446,290
Total population by home language - 20% Sample Data ⁽⁹⁾	7,125,580	29,639,035
English	480,040	18,267,830
French	5,484,285	5,861,130
Non-official languages	245,090	1,693,120
English and French	477,960	1,015,915
English and non-official language	164,515	2,463,800
French and non-official language	205,775	221,755
English, French and non-official language	67,920	115,485
Total Aboriginal identity population	79,400	976,310
Language Used at Work		
Total population 15 years and over who worked since 2000 (20% sample data) ⁽¹⁹⁾	3,938,510	16,961,080
English	193,315	11,918,110
French	2,343,755	2,433,570
Non-official language	13,805	130,205
English and French	1,294,570	1,830,785
English and non-official language	24,730	556,835
French and non-official language	24,350	25,535
English, French and non-official language	43,990	66,045
Religion	Quebec †	Canada †

Total by selected religions (20% sample data) ⁽²³⁾	7,125,580	29,639,030
Catholic ⁽²⁴⁾	5,939,715	12,936,910
Protestant	335,590	8,654,850
Christian Orthodox	100,375	479,620
Christian n.i.e. ⁽²⁵⁾	56,755	780,450
Muslim	108,620	579,640
Jewish	89,920	329,995
Buddhist	41,375	300,345
Hindu	24,530	297,200
Sikh	8,225	278,410
Eastern religions ⁽²⁶⁾	3,430	37,545
Other religions ⁽²⁷⁾	3,865	63,975
No religious affiliation ⁽²⁸⁾	413,185	4,900,095

Available at Statistics Canada <http://www.statcan.ca/start.html>