

The Honourable René Cormier, Senator
Chair
Senate Standing Committee on Official Languages
The Senate
Ottawa, Ontario
K1A 0A4

November 6, 2018

Dear Senator Cormier,

During last night's meeting of the Senate Standing Committee on Official Languages (OLLO), questions were asked of the Honourable Marlene Jennings, P.C., and Me. Bruce McNiven, Co-Chairs of the QCGN's Access to Justice Committee, that explored asymmetry in the legislative framework supporting Canada's official languages. We would like to take this opportunity to address this notion, which we have, and will continue to oppose as antithetical to the tradition and fact of Canadian's Constitutional language rights.

Committee members are aware that the Constitution recognizes English and French as the official languages of Canada, and the equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. This equality extends to Canada's English and French linguistic minority communities through s.2(a) of the Official Languages Act. The principle of equality is expanded upon in ss 85-86 of the General Introduction to the Royal Commission on Bilingualism and Biculturalism, in the report's consideration of 'respect for the idea of minority'.

"The principle of equality implies respect for the idea of minority status, both in the country as a whole and in each of its regions. Within the provinces...both Anglophones and Francophones live in some cases as a majority, in some cases as a minority. Since the English-speaking population is larger across the country, its members are less often in the minority; but they are the minority in some areas, especially in the province of Quebec. The Francophones are usually in the minority outside Quebec. In either case, however, the principle of equality requires that the minority receive generous treatment.

Recognizing the rights of a linguistic minority does not reduce those of the majority: with a little good will, the rights of both can be exercised without serious conflict...In other words, a majority does not abdicate when it resolves to take a minority into consideration; it remains the majority, with the advantages its situation implies, while at the same time demonstrating humanity."

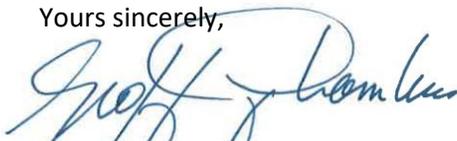
In recent weeks, a popular Quebec essayist suggested that French is confined to Quebec; a ludicrous idea that the Committee moved to dispel at last night's meeting. The notion that Canada's English linguistic minorities – which for the moment exist entirely within Quebec - are simply an extension the pan-Canadian English majority is equally absurd.

There are unquestionably some differences in the challenges faced by Canada's English and French linguistic minorities, evidence for a cogent argument supporting meaningful consultation and flexibility in the application of the law. And there are common challenges each face, as the Committee often hears. That there are minority groups of English and French Canadians facing similar challenges living in their language in Canada is at once unfortunate, and an opportunity to engage all Canadians in the official languages' discussion. Official languages is not the sole domain of French or English Canadians; it is common ground.

In its brief, the QCGN stressed the importance of ensuring the Official Languages Act's central guiding principle must be the equality of status of English and French. As your second witness last night warned, changing this approach would fundamentally change the purpose of the Act, to the detriment of both official languages.

We trust that the Committee will carefully consider the implications of recommending that one official language be favoured or singled out for special attention in the Act.

Yours sincerely,



Geoffrey Chambers
President