

For immediate release

QCGN deeply disappointed Canada's Official Language Act will contain references to Quebec's Charter of the French Language

Montreal – June 15, 2023 – The Quebec Community Groups Network is profoundly disappointed that Bill C-13, the overhaul of the Official Languages Act, is now headed for Royal Assent while still containing references to Quebec's Charter of the French Language.

Meanwhile the QCGN applauds Quebec Senators Tony Loffreda and Judith Seidman who stood firm against references to Quebec's Charter of the French language in the Bill and both voted against C13 at third reading. Sen. Loffreda moved a motion that would have removed these references from C-13 in the Official Languages Act, noting that English-speaking Quebecers fear this inclusion would jeopardize their rights. Sen. Seidman provided spirited support for the amendment, which was sadly defeated.

These references to the Charter of the French Language, particularly in the "purpose clause" of the federal bill, contribute to the new asymmetrical approach Ottawa has taken with respect to what it calls the "substantive" equality of Canada's two official languages in law, a departure from 50 years of federal language policy.

"Bill C-13 contains a serious flaw: its three references to Quebec's Charter of the French Language which, thanks to its amendment last year by the provincial Bill 96, is now entirely subject to the notwithstanding clause," said QCGN President Eva Ludvig. "This allows the provincial government to restrict rights guaranteed by the Canadian constitution, now with the acquiescence and tacit support of the federal government in the law of the land.

"We will continue to articulate the ways both pieces of legislation harm Quebec's English-speaking community. We will be watchful. It is also important to reiterate that this is more a constitutional concern than a linguistic one, and that minority-language communities across the country should be concerned by the precedent being set."

Canada's Official Languages Act and the Charter of the French Language are now inextricably linked, creating a framework where one minority-language group is treated differently than another.

"Not since 1977 and the introduction of Bill 101 have English-speaking Quebecers been required to so vigorously defend our contributions to Quebec society, the institutions we have built and indeed our very place in our own province," Ludvig said. "Even to federal politicians."

Ludvig reiterated that Quebec’s English-speaking community is solidly in support of measures to preserve and promote French across the country, including in Quebec, so long as those measures do not unjustly restrict or deny minority-language rights and access to services. “Denying services to English-speaking Quebecers or restricting them in complicated ways as is the case with Bill 96, does not, in our view, do anything to help protect and promote French. And we raise issues with Bill 96 here because it is now part and parcel of a federal law.”

The Senate Standing Committee on Official Languages noted several of the QCGN’s arguments in its Report to the Senate, excerpts of which are attached to this release.

Quebec’s English-speaking community has been left wary and disappointed by the intense and lengthy process over C-13, Ludvig said.

“We expected so much more from many of our political leaders and decision-makers, who chose political expediency over nation-building. We expected greater understanding from many in the francophone media. And we expected more support from our fellow citizens in the rest of Canada.

“As I said, we will be watchful,” Ludvig said. And we urge the Commissioner of Official Languages, Raymond Th  berge, to pay close attention to and report on the effects of Bill C-13 on the English-speaking community of Quebec – especially where the federal government has agreements with the provincial government for it to funnel federal funding to programs and initiatives that support the vitality of Quebec’s English-speaking community.

The Quebec Community Groups Network (www.qcgn.ca) is a not-for-profit organization bringing together English-language community organizations and individuals across Quebec. Its mission is to identify, explore, and address strategic issues affecting the development and vitality of English-speaking Quebec and to encourage dialogue and collaboration.

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Appendix

Excerpts from the Third Report of the Senate Standing Committee on Official Languages, presented Tuesday, June 13, 2023 <https://sencanada.ca/en/committees/OLLO/Report/118082/44-1>

[We have emphasized portions of these excerpts]

“... However, your committee notes that several witnesses, including the Commissioner of Official Languages, stressed the importance of having the federal government devise an effective and comprehensive mechanism for overseeing the OLA’s implementation. This mechanism should assess compliance by entities subject to the OLA with its various provisions and include appropriate indicators, particularly the demographic weight of francophone minorities and the enumeration of the children of rights-holders.

Representatives of Quebec’s English-Speaking Communities

“Representatives of Quebec’s English-Speaking Communities told your committee that they support measures to promote both official languages, and they endorse the need for extra support for minority francophone communities. They applaud parts of Bill C-13, such as the increased powers for the Commissioner of Official Languages, mentions of the Court Challenges Program or improvements to Part VII. They also understand and support the continuing need for all levels of government to support and promote the French language.

“But they have serious concerns; namely, they strongly object to the inclusion in Bill C-13 of references to Quebec’s Charter of the French Language, particularly the insertion of such a reference into the purpose clause of the OLA. The Minister of Official Languages told your committee that mention of Quebec’s Charter of the French Language was a purely factual statement.

“The Minister of Official Languages, the President of the Treasury Board and the Commissioner of Official Languages pledged to monitor the effects of Bill C-13 closely. Your committee believes that it will be essential for them to pay particular attention to developments affecting Quebec’s English-speaking communities and to report regularly on the effects of Bill C-13 throughout Canada, without waiting for the review that will take place 10 years from now....”