

## CONFERENCE ON JOB EQUITY AND EMPLOYABILITY

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When Alexis de Tocqueville visited Lower Canada in 1832, he noted in his travel diary the obvious and flagrant inequality between the French- and English-speaking people in Lower Canada. The long history of inequality would be confirmed by the Royal Commission on Bilingualism and Biculturalism during the 1960s. For instance, francophones were under-represented in the federal civil service, and the higher up you went in the hierarchy, the greater the under-representation. Salaries of English-speaking Quebecers were half again as much as French-speaking Quebecers. This proven inequality was then vastly exaggerated in public opinion: Lysiane Gagnon's article, "*Porteurs d'eau? Oui...*" gave a catastrophic impression of the piteous state of the francophones, and suggested it was even getting worse rather than better. In reality, even though francophone Quebecers were earning less than English-speakers, they still were earning considerably more than the average annual income in any of the four Atlantic provinces: so were their inhabitants *porteurs d'eau* des *porteurs d'eau*? Moreover, the income gap was rapidly closing, as the census of 1971 and 1981 was to demonstrate.

In addition to the renewed concentration on inequality, there came to be a generalized conviction during the later 1950s, the 1960s and 1970s that the French language was in a constantly deteriorating state because people supposedly left their language at home when they went to work, where they worked in English. Moreover, the language of publicity and of journalism usually came in the form of translation (from wire services). So the conviction grew that Quebec French was ceasing to be a living language, people were learning to speak "translation," and French in Quebec was becoming a language of folklore, like French in Louisiana. This cataclysmic view was expressed in a 1965 white paper prepared under Pierre Laporte but never adopted, it was contained in many speeches e.g. by Jérôme Choquette et al., by the play *Medium saignant*, by Françoise Loranger, by a submission to the Gendron Commission by the association of teachers of French, titled *Le livre noir...*, by the Montreal Catholic School Commission and many others. It had become conventional wisdom that French was doomed unless vast measures were undertaken to bring it back to the centre of life in Quebec.

The Gendron Commission's research showed both the overwhelming conviction that a majority of francophones worked in English (76 or 78% believed this), and the totally opposite reality. But the reality was distorted again distorted in favor of my in Camille Laurin's 1977 white paper on the French language.

Note the Supreme Court of Canada's Ford decision of 1988 recognized that the sign law banning other languages than French violated charter-protected freedoms, but found the precarious state of French justified it. Its evidence came mostly from data describing reality before the Quiet Revolution (e.g. the 1961 census, the Parent Commission), but the lawyers for both sides conceded uncritically that the data showed French in a precarious state. So we live still under the assumptions of Ford, that French is threatened, that that the Supreme Court has justified almost any restrictions on English.

The Quiet Revolution fostered a mentality which made it acceptable, and even virtuous, to restrict English and discriminate in favour of French-speaking Quebecers. From *Maîtres chez nous* to Bill 22 of 1974 to Bill 101 of 1977, the objective was to use the powers of the Quebec government to foster the advancement, individual and collective, of French-speaking Quebecers.

The perception in the early 1960s was that French-speakers were poorer and had fewer job opportunities opened to them because of the domination of the economy by English capital. Whether it was in Montreal or in one-company towns such as Arvida, Noranda, Val d'Or or Murdochville, the economic power structure was manned by English-speaking people and the common language of employment at the higher levels was English.

The Quiet Revolution brought a new mentality in a break with the past: that the economic weakness of French-speaking Quebecers could only be remedied and compensated for by using the Quebec government as an instrument for promoting French and francophones.

Premier Jean Lesage expressed the new activist conception of the state in a speech to the Canadian Chamber of Commerce in 1963. "The Québécois have only one single powerful institution, their government. And now they want to use that instrument to build the new era to which they could not otherwise aspire."

René Lévesque expressed the conception of the state as champion of the francophones with this formula: "The state is one of us, it is even the one of us with the biggest muscles."

An important part of the Quiet Revolution consisted of building up the muscles of the state, by the formation of a much larger and more activist public service, by the creation of crown corporations to operate in the forestry industry, mining, steel, asbestos and, of course, most important, hydro-electricity. La Société générale de financement was created as an investment arm. The state created the single largest pool of capital in the country by channeling the pension funds of the province and various industries into the Caisse de dépôt et placement.

No one has recently studied the operation of Quebec Inc. But an earlier study by political scientist Pierre Fournier, published in 1978, demonstrated just how effectively the crown corporations were used as instruments of the ethnic state.

Each of the 17 agencies he studied deliberately made a contribution to careers specifically for French-speaking Quebecers. For instance, he wrote this about the Société générale de financement:

"The great majority of the SGF's affiliates are French-Canadian companies, and they are the ones that have most benefited from the technical and financial help of the SGF. Only 2 or 3 percent of the thousand or so cadres at the SGF and its affiliates are not francophones. Moreover, all new appointments among the directors are French Canadians whom the SGF went after, mostly from the private sector."

When Hydro-Québec took over Shawinigan Water and Power Co. in 1963, only 12 percent of the engineers were francophones, Fournier reported. That soon changed. "More than 90 percent of the management personnel and of the employees are francophones and the language of work is French."

The Caisse de dépôt, according to Fournier, used its great economic leverage to promote francophones. "For the past few years, the Caisse has favoured the appointment of francophones to the boards of large companies. In general, it is especially concerns of a nationalist order that seem to guide the Caisse with respect to being represented on boards of directors." The Caisse, he added, also "contributed somewhat to francizing St. James Street by applying a policy of favouring in the first place local francophone financial houses, then other Montreal firms, and only then Toronto firms, "especially if they have a research branch in Montreal."

What Fournier described in great detail was one dimension in the construction of "Québec Inc.", which began in 1962 with the Quebec elections on nationalizing the hydroelectric power companies. It meant using public money to favour companies that were or could be controlled by francophones. Long after Fournier's study appeared, Pierre Arbour was to document in his own book how the Caisse continued to favour French-speaking capitalists and managers in Quebec over English-speaking Canadians, whether in Quebec or outside the province. Arbour had been a senior official at the Caisse. A striking instance he documents was the Caisse's use of its power to block the sale of Steinberg's to a consortium led by some of its senior employees or to another consortium based in Toronto. It chose, instead, to foster the sale of Steinberg's to Michel Gaucher, a ship owner with no experience in groceries, who soon drove that great company into insolvency at great cost to all Quebecers.

Currently, we have seen the Caisse intervene to block the sale of Vidéotron to Rogers Cable, and to insist that it be sold, instead, to Québécoir.

So developed the *modèle québécois* which was essentially a marrying of the faith in centralized government planning for the economy that was characteristic of France, with a vast affirmative action plan for francophones. This affirmative action had two thrusts. The first was the deliberate discrimination in favour of francophones in the areas of investment, hiring and promotion, which Fournier described in the 17 crown agencies that he

studied. The second thrust came in the form of language of work legislation with the object of making French the normal language of work in the government administration, in commerce and industry and in education. With the Charter of the French Language, the Quebec government undertook a scale of social engineering and of government control over the entire employment structure of the province that has never been seen before anywhere in North America. And this apparatus of control and prohibition almost certainly is incompatible with Quebec's and Canada's Charter of Rights and Freedoms.

The result of such policies is obvious in the employment figures in the Quebec public service given last year by the Commission des droits de la personne et des droits de la jeunesse, *Les programmes d'accès à l'égalité au Québec: Bilan et perspectives. Décembre 1998*. See table p. 46: Emplois réguliers dans la fonction publique québécoise, 1996:

**ANGLOPHONES: 411 SUR 53,806 = 0.76 POUR CENT.**

**"Pourtant, quand on examine les pourcentages de candidatures jugées aptes parmi les dossiers présentés, principalement chez les "communautés culturelles" et les anglophones, on constate que les candidatures retenues ne constituent qu'une infime proportion des dossiers soumis (entre 4,2 et 4,9% pour les "communautés culturelles" de 1994 à 1996, et entre 2.8 et 4,9% pour les anglophones au même moment). Que se passe-t-il à cette étape: problème d'information de recrutement de candidatures, d'accréditation de diplômes, biais de sélection? Une chose est claire: l'intérêt pour les postes est nettement plus grand que l'embauche, mais on ne connaît pas les causes de la disproportion entre les deux. Ces questions mériteraient examen."**

The commission's recommendation for a study as to why so few English-speaking Quebecers are employed in the Quebec public service was not adopted by the government.

English-speaking youth have not been the beneficiaries of Quebec government employment programs until a major program to hire minority youths in the Quebec Civil Service was announced with fanfare for the summer of 1999. But even then, of the 4218 students hired, 217 only were English-speaking, a mere 5 percent. And the Quebec government trumpeted this as a great achievement. It did not even begin to address seriously the great inequity of the public service.

In fact, it is felt too often that our community remains invisible to government agencies like Emploi-Québec. The student associations at English CEGEPs and universities in the Montreal have told us these agencies are almost never on campus despite numerous invitations for Career Day activities. Many agencies appear to hold a preconceived notion that English speakers are all rich and don't need help in obtaining jobs.

**In municipalities** there is a similar under-representation. The experience of *Hampstead*: when an examination was made of why this was so, it was found that the Human Resources Director placed ads for employment only in French newspapers. The disparity has since been rectified.

In the Quebec region of the *federal* public service, the under-representation of English speakers is not as outrageous as in the Quebec public service, though it is still egregious. English-speakers occupy well under half the number of jobs that would correspond to their share of the population. And, despite years of hand-wringing by the Commissioner of Official Languages, no progress has been made -- on the contrary.

Last year, in his last annual report before leaving office, Commissioner Victor Goldbloom reported on the year 1998: 96.5 percent of new recruits in Quebec were francophones. That leaves 3.5 percent for the nearly 20 percent of Quebecers whose first official language is not French.

When the Royal Commission on Bilingualism and Biculturalism did its research on the federal public service in the 1960s, it found that French-speaking Canadians were appreciably fewer in numbers working for the Government of Canada than their proportion in the population. Moreover, the higher you went up in the ranks of the civil service, the lower the proportion of francophones.

But Goldbloom's report last year showed that French-speaking Canadians are now appreciably more numerous in the Canadian public service than their proportion in the population. And the trend shows little sign of abating.

In 1998, francophones accounted for 29.2 per cent of the federal public service. That compares with their proportion of 24.6 per cent in Canada as a whole. That means that francophones are numerically over-represented in the public service by 18.7 per cent.

In the top salaried category of Executives, francophones were less strongly represented - they were 25.6 per cent. But that is still 4 per cent above their proportion of the population.

In 1998 as well, 31,876 new employees were hired for the federal public service. Of this number, 31.4 per cent were francophones - a proportional over-representation of 27.6 per cent. That suggests that the proportion of French-speakers is likely to go up further, rather than down. This is particularly so because English-speaking civil servants are, on average, older than the French-speaking. So, as they retire, the proportion of English-speaking bureaucrats is apt to drop.

They were not, of course, distributed evenly through all the government departments. They tended to be concentrated in departments that dealt with culture and language.

For instance, francophones accounted for 55.5 per cent of the employees of the Canada Council, 60.3 per cent of the National Film Board, 61.5 per cent of the Canadian Museum of Civilization, 63.3 per cent of Telefilm Canada.

At the Office of the Commissioner of Official Languages, francophones made up 69.7 per cent of the employees, up by one percentage point over the previous year.

What I found frankly unacceptable was the language mix of federal offices located in Quebec. In this province, excluding the National Capital Region which includes parts of both Ontario and Quebec, English-speaking Quebecers account for 13.0 per cent of the population, but only 6.9 per cent of the federal public service.

Moreover, we are told that last year, in Quebec, 96.5 per cent of new recruits were francophones. That is a shocking figure. And the shock continues when you look at some of the agencies there.

Take the Old Port of Montreal Corporation: 97.6 per cent of its 164 employees are French-speaking. Is there no one to be found whose mother tongue is English, Italian or whatever, among the hundreds of thousands in the Montreal area? Montreal Airports has 96.4 per cent of francophones among its 566 employees. The Port of Quebec Corporation has 96.5 per cent French employees, the Laurentian Pilotage Authority 98.0 per cent French. The Federal Office of Regional Development, responsible for economic development in Quebec, is 96.6 per cent francophone. There can be no excuse for such language segregation.

My favourite example of an outrageous agency is the National Battlefields Commission. It had in 1997 70 French-speaking employees, and one single, solitary English speaker.

Why this lopsided over-representation of francophones? No one can say for sure, because it has never been adequately studied.

A report was published in December, more than two years after it had been completed in October 1997, entitled *Anglophone Participation in the Federal Public Service in Quebec*. That report gave one indication of why so few English speakers get hired: very often, the members of the panel interviewing candidates are unilingual francophones. The group hired to carry out the enquiry did a case study on hiring in the Greater Montreal region. They found that "Not one of the selection boards included one or more anglophones representatives" (p. 59). In their case study, there were 22 selection board members interviewing candidates for employment, and all were francophones. Moreover, four of the 22 were unilingual francophones. There were 11 selection boards of two members each doing the interviewing; so four of the boards had a bilingual francophone and a unilingual francophone to do the job interviews. One would have thought that, given they were under study, the

departments concerned would have made at least a pretence of using some anglophones to interview anglophones. But apparently even token anglophones are not brought out for the hiring process.

But the report failed to look at the most important factor of all. It examined how civil servants were hired at the moment of their recruitment. It did not look at what awaited them if they did get hired to work in Quebec. And yet the linguistic standard of most jobs - either French only required, or French and English, but not French *or* English, nor English only - and the language of work did seem important factors: "The vast majority (of anglophone federal employees) believe that language and linguistic requirements of positions are the two most important factors limiting the applications of Anglophones." (p. 53) It's a pity that this was not made a central focus of the study.

An important causal factor for English under-representation seems to be that, in most instances, the federal public service operates in French in Quebec, even in designated regions like Montreal and parts of the Eastern Townships and the Gaspé, where federal law requires the public service to operate bilingually.

The Official Languages Act requires (Section 36(2)) the federal government in designated regions "*to establish and maintain work environments that are conducive to the effective use of both official languages and accommodate the use of either official language by its officers and employees.*"

But the Report of a thematic study carried out for the Commissioner of Official Languages, titled *Language of Work in Federal Departments in Quebec* (November, 1991) showed that the language of work requirements of the Official Languages Act are not being enforced, in the first place because they are not known: according to the Report, "An overwhelming majority of employees told us they were not aware of the Act's requirements." (p. 3).

Because of ignorance of their rights or otherwise, the right of employees to work in English in the designated regions clearly was not enforced. The study noted: "English is virtually not used in the workplace and federal institutions in Quebec now have the lowest Anglophone participation rate ever. The high degree of bilingualism among Anglophone employees only serves to reinforce the near exclusive use of French in the work environment." (p. 2)

Another observation: "Documents for more limited circulation are usually prepared and distributed in French only or, on occasion, in both official languages. Unfortunately, the English version is sometimes unavailable." (p. 2)

And this: "The absence of English in oral communications is thought to be mainly attributable to the low participation rate of Anglophone employees in these offices and to the fact that these employees have a good command of French." (p. 14)

And this: "Participants stated that meetings attended only by regional (i.e. in Quebec region) employees are held in French only." (p.15)

Here was the Conclusion of the study:

"In sum, the study showed that the Official Languages Act has, over the past 20 years, closed the gap between the use of English and French in the workplace of the federal Public Service in Quebec to the extent that French has become the preferred and almost exclusive language of communication in its offices in Quebec." (p. 20)

One cannot but be astonished at the way this situation is stated: as something desirable, "closing a gap," rather than as a violation of the Official Languages Act that urgently needs to be corrected.

There can be no greater disincentive for joining the public service than knowing that one will have to work in French rather than in one's own language. Alliance Quebec has asked the Commissioner of Official Languages to investigate the language practices in several federal ministries and agencies, such as Canada Post Corporation.

Until a serious study is carried out on the language of work imposed on the federal employees, and compares the reality with the requirements of the Official Languages Act, there will have been no serious attempt to understand the problem. A second problem is that, even in Montreal where francophones are only 55 percent, almost all the jobs require knowledge of French, almost none requires knowledge of English.

In the private sector, no systematic information is available. But, there too, there seems to be a bias favouring French-speaking employees. Many companies, even with head offices in Toronto, advertise only in French-language newspapers. It also seems that French nationalism deters some companies from hiring people with English mother tongue or non-French names - just to be on the safe side.

But the more serious problem is the requirement of the Charter of the French Language that the language of work be French in companies with more than 50 employees. Currently, the Quebec government is also carrying on a campaign to pressure firms with fewer than 50 employees nevertheless to impose French as the language of work. The prospect of having to work in French is a major deterrent to taking employment in the private sector as it is in the public sector. And so, many young people beginning a career choose to leave Quebec to find employment elsewhere.

The blanket imposition of French as language of work almost certainly violates the provincial and Canadian charters of rights. If it could once have been justified, in accordance with the Ford decision of 1988, such a justification is no longer evident. That is why Alliance Quebec proposes to challenge the language of work legislation in court to demonstrate its unconstitutionality and to remove this obstacle to employment of English-speaking Quebecers and this incentive to leave Quebec.

It should be obvious that what, perhaps, was justifiable in the 1960s - blatant discrimination in the use of public money to promote French-speaking Quebecers at the expense of English-speaking Quebecers - is no longer justifiable today. The power positions have been taken up by francophones. The language-of-work constraints in the Charter of the French Language have made French the usual language of work for the immense majority of French-speaking Quebecers. The situation of economic inferiority of French-speaking Quebecers has been fully remedied. It is time to reconsider *le modèle québécois* and the systematic discrimination that has helped drive young English-speaking Quebecers out of the province in despair of being treated fairly in the society where they were born.

But the ancient prejudices are so entrenched that only a very large-scale attack on them could begin to turn around public perceptions. It is amazing how even open-minded influential politicians and journalists see with equanimity the figures that show a vast exclusion of non-French employees in all the public sectors.

An example of the pervasive attitude of exclusion is given by the "*Colloque: La Révolution tranquille après 40 ans*," taking place this week-end. There are 47 people on the list of speakers: the premier, Stéphane Dion, Jacques Parizeau, Lucien Bouchard (scheduled, but no show), Jean Charest, Claude Ryan. Leading journalists and TV personalities (Christiane Charest), economists, sociologists, political scientists, leading economic figures such as Claude Blanchet (Société générale de financement) and Alban D'Amours (Fédération des Caisses Desjardins), former union leaders like Fernand Daoust. It is le tout Québec. But only Nancy Neamtan to represent English-Quebec - and she from the social sector. And Kenneth McRoberts of York University, Toronto, who is a friend of Quebec nationalism and special status and a fierce opponent of the legacy of Pierre Trudeau, whom English-speaking Quebecers revere.

So there are three approaches to improve the employment picture for English-speaking Quebecers. One is to work directly with governments and firms to press upon them a strategy for employing language minorities. A second is to take the impediments to court. A third is to try to change the mentality left by 150 years of inequality and by the Ford decision.

The best hope of a change of attitude: a royal commission on the official language minority communities. To remedy the misapprehension of the Royal Commission on Bilingualism and Biculturalism. Its studies left the impression of a precarious French language and poor francophones. The stereotypes of the rich anglo and the

poor franco, of dominant anglos and colonized francos, cannot be demolished by our meagre means. Until they are, there will be shameless and remorseless discrimination against English-speaking Quebecers.