



# Brief

THE OFFICIAL LANGUAGES REFORM PROJECT  
TOWNSHIPERS' ASSOCIATION



## Summary

The February 19<sup>th</sup>, 2021 position paper<sup>1</sup> put forth by the Canadian Federal Government addressed important issues raised by organizations representative of Canada's English-speaking minority language community, including several of those championed by Townshippers' Association in consultations on the modernization of the Official Language Act<sup>2</sup> (OLA) in 2017<sup>3</sup>, 2018<sup>4</sup>, and 2019<sup>5</sup>. While the Association supports changes designed to improve accountability in its implementation, increase the transparency of federal transfer payments to provinces, and provide increased support for Official Language Minority Communities (OLMC) institutions, it reminds the Canadian Government of its legal responsibility to protect, support and defend the rights of both of its OLMCs, wherever they may be located, and cautions against strengthening the OLA in ways that promote asymmetry between Canada's Official Languages.

Townshippers' Association has major concerns about:

- The dangers inherent with the use of legislative language that positions Canada's two OLMCs unequally, with increased promotion and protection of French resulting in a narrow interpretation of ESCQ rights.
  - Substantive equality must not be used to undermine linguistic duality in Canada.
- The use of legislative language to create a framework for the territorialization of language rights in Canada under the guise of recognizing provincial and territorial "linguistic dynamic" resulting in a narrow interpretation of ESCQ rights and a diminished status.
  - OLMCS depend on the OLA because their rights as minorities are inconsistently supported by Canada's provinces and territories.
- Proposals made regarding the language of work and service in federally regulated private enterprises that are geographically limited and restricted to the French language.
  - Establishing language rights for one official language group and not the other counteracts its very nature and purpose.
- The lack of appreciation for the specific and real challenges faced by English-speaking Quebecers, particularly as they apply to sections IV, VI, and VII of the Act.

As the only piece of language rights legislation safeguarding the interests of Quebec's English-speaking communities the importance of the OLA cannot be understated, nor can its influence on vitality for those communities be underestimated. The Act ensures and frames funding for our institutions and community development networks; rights for English-speakers regarding access to federal services in English, their representation in the federal public service and their right to do those jobs in English. A departure from the concept of linguistic duality as a pillar of Canadian democracy and our Canadian identity could present disastrous consequences for rural areas like those in the Eastern Townships where access to services and opportunities for English-speakers will inevitably be diminished by the interpretation of changes to the language rights of English-speaking Quebecers.

---

<sup>1</sup> *English and French: Towards the Substantive Equality of Official Languages in Canada*. Government of Canada, February 19<sup>th</sup>, 2021.

<sup>2</sup> Official Languages Act (R.S.C., 1985, c. 31 (4th Supp.))

<sup>3</sup> Presentation: *Review of the Status of Official Languages in Minority Settings*, Standing Senate Committee on Official Languages. Townshippers' Association, October 24<sup>th</sup>, 2017.

<sup>4</sup> Presentation: *Modernization of the Official Languages Act*, Standing Senate Committee on Official Languages. Townshippers' Association, June 4<sup>th</sup>, 2018.

<sup>5</sup> Opening Remarks: *Modernization of the Official Languages Act*, House of Commons Standing Committee on Official Languages. Townshippers' Association, February 26, 2019



## Discussion

As Albert Camus, the noted French writer once said, “La démocratie, ce n’est pas la dictature de la majorité, c’est le respect des minorités.” Within a democratic structure, it is commonly assumed that the majority is responsible for the legal and economic well-being of the minority groups. The population figures detailed in the most recent Census of Canada clearly demonstrate that the French-speaking population is without question the dominant majority group in Quebec. The steady increase in bilingualism on the part of Quebec’s English-speaking communities is proof that existing legislation has succeeded in its goal of establishing the dominance of the French language and culture in Quebec and its place as the language of life in this province; what has not been demonstrated is the real and serious need for these regulations to be extended at all.

As other data specific to Canada’s Official Language Minority Communities (OLMCs) indicates, the ESC in our region already struggles with levels of poverty that exceed those reported for their French-speaking counterparts. More specifically, our population underperforms or lacks opportunities in every sector that the Canadian federal government has delegated to provincial jurisdiction: employment, education, health, and immigration. Emerging trends from preliminary COVID-19 impact studies show the exacerbation of language factors on the health and well-being of English-speaking Quebecers, including A September 2020 survey<sup>6</sup> of 6,261 adults in seven of Quebec’s health regions (Mauricie-et-Centre-du-Québec, Estrie, Montréal, Laval, Lanaudière, Laurentides, and Montérégie ) and a November 2020 survey of an additional 8,518 adults in all of Quebec’s health regions conducted by Léger revealed that while one in five adults reported having symptoms consistent with generalized anxiety disorder or major depression in the two weeks prior to the survey, there were population groups that are more affected by these psychosocial impacts than others: young adults (especially those between the ages of 18 and 24), Anglophones, and health care workers. Anglophones were shown to have higher rates of anxiety, depressive symptoms, or suicidal ideation related to COVID-19 than Francophones because they (along with the young adult population) suffer greater direct impacts from the pandemic, a higher degree of stigmatization, more mistrust in authorities, the use of different sources to get information about COVID-19, and more false beliefs than the other population groups who participated in the survey. The study also highlighted that individuals who already experience stigma double their risk of experiencing anxiety or depression and that Anglophones are included in the population groups experiencing stigma, which currently affects close to one in ten adults in Quebec. How will the federal government reconcile the effect that increasing provincial jurisdiction over language in Quebec will have on the worsening of these language factors that are so impactful to the mental health and well-being of the ESCQ as the pandemic continues?

Given our provincial government’s resolute dismissal of the ESCQ’s status within Canada as an OLMC, stating in the media in November 2019 and again as recently as February 5<sup>th</sup>, 2021 that French is the only *real* minority language in Canada, it must be anticipated that any abdication of federal responsibility to the ESCQ along with the extension of measures that will further diminish access to services for the ESCQ will result in our population requiring even greater levels of support from sources of federal public funding that will no longer be invested in our communities; opening

---

<sup>6</sup> UNIVERSITE DE SHERBROOKE. 2020. Study by the Université de Sherbrooke on the psychosocial impacts of the pandemic. Available: <https://www.newswire.ca/news-releases/study-by-the-universite-de-sherbrooke-on-the-psychosocial-impacts-of-the-pandemic-886218205.html>



an avenue for the extension of what many of our community members already experience as oppressive language measures will most certainly contribute to greater outward migration as young people from the ESC seek vital communities, leaving behind an even more fragile OLMC.

## Recommendations

A. In response to the 2021 Government of Canada position paper, *English and French: Towards the Substantive Equality of Official Languages in Canada*

- We feel particularly strongly that the Official Languages Act must highlight the principle of the equality of status of English and French. There can be no separate status or approach for each language.
  - Further, the Act must categorically guarantee this equality of status in all institutions subject to the Act across Canada.

These are more than just words to us. It must be demonstrated by national official languages leaders like yourselves, who must make a concerted effort to understand and address the concerns of Canada's English and French minority language communities.

- Communities like our must also see demonstrable signs that a modernized act is applied in a way that adapts to the specific context and needs of different communities.
  - The concept of substantive equality applied to the Act's *implementation* and not its constitutional framework.
  - Flexibility and customization come through consultation, which must be thorough, inclusive, and properly resourced at all levels.

B. Put forward in previous consultations pertaining to the modernization of Canada's OLA

- When measuring community vitality, a modern Official Languages Act should offer incentives to employers in Quebec who recognize the benefits of having a multilingual workplace, with French first of course, and create opportunities that include and value Quebec's English-speakers.
- Further to the issue of employment, federal institutions should lead by example and employ adequate numbers of minority language Canadians. Minority language Canadians are largely absent from the federal workforce in the regions; English-speakers are chronically underrepresented in federal positions outside of the National Capital region.
- Extending language rights under the act to federally regulated workers in businesses across Canada, in a manner that avoids creating asymmetry between French and English. Providing a right to work and a right to service in the minority language from federally regulated businesses and institutions benefits both official language minority communities Canada-wide.
- The Act must address the Internet and minority language populations more closely if it wants a truly modern language act. While technology may very well displace geography in many ways it has also proven to further marginalize the already marginalized



---

## *Brief - Official Languages Reform Project Study*

### *Standing Senate Committee on Official Languages*

*May 2021*

---

- Part V of the Act could provide federal civil servants with the right to use either official language in their place of work, remote or in-office, as well as the right to learn their second language. As the standard for operations becomes increasingly digital and citizen interactions with the federal public service are driven to websites we must not, we cannot, dismiss rural communities where the technologies required to conduct affairs online are inadequate nor can we deny aging populations whose first reflex is not to do business digitally.
- Part III of the Act already provides several obligations for federal courts and tribunals; the current obligations regarding the administration of justice should remain and should be enhanced to include the provision that judges of Canada's Supreme Court be fluently bilingual, i.e. able to understand their second official language without using an interpreter.
- When examining access to justice for English-speakers in a region like Quebec's Eastern Townships, Part III of the Act could be further supported by a provision under Part VII that encourages and assists provincial governments in guaranteeing that access to justice in one's official language includes more than bilingual judges – support staff with adequate language skills for those bilingual judges is essential.
- A modern Act must clearly define what it means by "positive measure"; "enhancing vitality" and "assisting in the development of" regarding official language minority communities.
- A modern Act should make space for official language minority communities to identify and develop federal investment priorities and support a direct contribution model that enhances OLMC networks and develops their capacity.
- There must be transparency around federal investments from provincial and territorial government recipients and there must be a more focused role for the Commissioner of Official Languages along with an established mechanism with the power to sanction transgressions against the Act.
- The English-speaking community in Quebec needs to be properly equipped by the Act to participate in national, regional, and municipal level discussions; this means adequate resources for consultations, a formal mechanism for consultations at the national level and inclusion that is recognisant of the number of English-speakers in Quebec.

### Conclusion

Townshippers' Association firmly believes that Canadians must recognize the concerns of French-speaking minority language communities across the country as legitimate, and the French language as one that needs to be safeguarded, promoted, and allowed to flourish; the great difficulty lies in assuring that the mechanisms put in place by the federal government do not weaken English-speaking minority language community rights to accomplish this. There is now a language crisis on the horizon that will have a major impact on the vitality, well-being, perhaps even the survival, of our English-speaking communities in rural Quebec and immediate action is required on the part of Canada's government to ensure the protection of members of this OLMC, one of the founding populations of Quebec, under the Canadian Constitution. The equality of English and French in Canada must be evident in a modern Official Languages Act; it must not be written in a way that differentiates the approach for either language.

There can be no separate status for Canada's English and French minority language speakers.