

## *20. French Canada and the Language Issue*

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Sociologist Marcel Rioux has associated the period that extends from the middle of the nineteenth century to the Quiet Revolution with the ideology of preservation. For French-Canadian elites preoccupied with national identity and French culture, the issue was how to articulate a discourse on the survival of French following the failure of the Rebellions of 1837-1838 and of the political project of Louis-Joseph Papineau's Patriote Party. Fernand Dumont, for his part, considers the middle of the nineteenth century to be a pivotal moment when clerico-nationalist elites worked out the *reference* to the French-Canadian nation, defined in terms of survival.<sup>1</sup>

Between 1850 and 1960, then, French-Canadian society faced the challenge of its future. However, within the framework of two successive constitutional regimes, United Canada and Confederation, it also searched, not without difficulty, for ways to assert its political position, its economy, and its culture. Throughout this period, the French language was a source of varying yet genuine concern. What would its political and constitutional status be in the future Confederation? Would it be possible to speak French outside Québec? How should the linguistic challenge of industrialization, urbanization and the limited numbers of Francophones in key economic sectors and the Federal public service be taken up? To what extent could French be present in public space, especially on signs? Was there any hope of remaining Francophone without the help of the Catholic religion? Was there a risk that the new mass media that were the

cinema, records, radio and later television would Anglicize and Americanize Québec? These were the major questions related to language that stirred French-Canadian cultural elites during this period.

### **The Search for Political Solutions, from the Union to Confederation**

It will be recalled that French Canadians lived under the regime of the Union of Upper and Lower Canada after 1840. This was the political and constitutional context in which the language question was discussed in the mid-nineteenth century. Two major events must therefore be borne in mind. First, the status of French in the Parliament of United Canada was officially re-established in 1848 following the abrogation of Article 41, which had banned its use, and the granting of responsible government by the colonial authorities in January 1849. Second, in the party system, the resignations, one after the other in 1851, of the two reformist leaders Robert Baldwin and Louis-Hippolyte La Fontaine, following attacks by the *Clear Grits*, a radical reform wing of Canada West, did not lead to much immediate disruption because a new reform tandem was formed by Francis Hinks and Augustin-Norbert Morin until the removal from office of this ministry in 1854. A long period of political instability followed which lasted until the end of the Union regime.

During this period of instability, new political alliances were formed. In 1857, George-Étienne Cartier, the new political leader of the French-Canadian Parti bleu, joined forces with the Conservatives of Canada West, led by John A. Macdonald, and formed a Liberal-Conservative government. However, ministries followed one another and the system did not work. In 1864,

there was constitutional crisis. To break the deadlock, George Brown, leader of the Upper Canada Reformers, proposed a great coalition with his political opponents George-Étienne Cartier, John A. Macdonald and Alexander Galt. During the Charlottetown and Québec Conferences, in the fall of 1864, discussions began between the delegates of Canada East (Québec), Canada West (Ontario) and the Maritime provinces with the aim of creating a new political system of a federal nature.

The debates that took place at the birth of Canadian Confederation in 1867 have been subject to numerous interpretations. Contrary to the wishes of the delegates who opposed it, the Confederation proposal was not submitted to the electorate but instead took the form of a simple law adopted by the Imperial Parliament in London. Behind these partisan struggles, there emerged two opposing political philosophies, which drew their source from eighteenth-century Europe: on the one hand, the civil republicanism that above all inspired Antoine-Aimé Dorion's Parti rouge and had dominated political debates in Lower Canada at the time of Louis-Joseph Papineau and, on the other, the economic liberalism of the Liberal-Conservative coalition in power. Whereas civil republicanism advocated democratic participation and collective values, liberalism stressed the need for a strong government in order to give support to entrepreneurs involved in economic development<sup>2</sup>.

Without a doubt, George-Étienne Cartier was the best French-Canadian representative of economic liberalism. Ambitious, authoritarian and little inclined to consult even within his own party, he distrusted republicanism and the American style of direct democracy, preferring the

monarchic principle that he judged to be more stable and less subject to demagogy.<sup>3</sup> This attitude no doubt explains why there was not a single Parti rouge representative among the members of the French-Canadian delegation at the Québec Conference while the other provinces had all appointed delegates from both political parties.

### **The Status of French in the 1867 Constitution**

What role did the French language play in discussions leading up to the 1867 Constitution? It is important to recall that at the time language was closely linked to religion and that the latter had precedence in the definition of political issues and constitutional rights for minorities. This was why, during the final session of the Union in the summer of 1866, Alexander T. Galt, deputy for Sherbrooke, demanded constitutional protection for the schools of the Protestant minority in the province of Québec, as well as for the twelve electoral districts of the Eastern Townships.<sup>4</sup> Despite the opposition that it inevitably provoked, this demand was included when the 1867 Constitution was drawn up.

As for the politicians of French Canada, their concerns about the French language on the eve of Confederation focused on its official recognition in the new Federal institutions. Thus, in the Confederation draft discussed at the 1864 Québec Conference, provisions were made in Article 46 which stated that the English and French languages *could* be used simultaneously during debates in the Federal Parliament and the Legislature of Lower Canada as well as in the Federal courts and those of Lower Canada.<sup>5</sup> This proposal, which did not make French mandatory, gave rise to an animated debate among French-Canadian delegates which is

indicative of general thinking at the time. The Parti rouge demanded more explicit constitutional guarantees that would make French compulsory in the Federal Parliament. They were afraid, indeed, that the Anglophone majority might eventually follow the Constitution to the letter and challenge the use of French in the Federal Parliament. George-Étienne Cartier, on the other hand, attempted to be reassuring and optimistic as to the use of French in the Federal Parliament, invoking the notion of British fair play and pointing out that provisions for parliamentary bilingualism had also been made to protect the language of the Anglophone minority of Lower Canada because in the local parliament of Lower Canada the majority of the deputies would be French Canadians.<sup>6</sup>

This debate on the use of French was not without results because Article 46 of the 1864 Confederation project was replaced by Article 133 in the 1867 British North America Act. This provision, the only one directly addressing the language issue in Canada, established the obligatory use of French and English at the Federal level and in the province of Québec, both in Parliament and the courts. The 1867 Constitution thus made official usages that had developed under the British Regime, particularly as far as the use of French in the courts was concerned.<sup>7</sup>

Another section of the Constitution, Article 93, also contains provisions on language though these are only implicit. It stipulates that education comes under the authority of the provinces but that this does not mean they can infringe on the rights and privileges of denominational schools. <sup>8</sup> In the eyes of the Fathers of Confederation, the issue was above all to protect religious minorities. These minorities were not just Franco-Catholics but also Québec

Anglo-Protestants and Anglo-Catholics of Scottish and Irish origin in Ontario and the Maritimes. It was therefore through the issue of religion that Franco-Catholics outside Québec were protected, at least in principle. The Constitution also granted the Federal Parliament the right to annul provincial laws it judged to be unconstitutional (Articles 56 and 90).<sup>9</sup>

Those in favour of protecting denominational schools mainly came from the province of Québec but also partly from the Anglo-Catholic public opinion, while those in favour of neutral public schools were from Protestant circles, as were Charles Tupper in Nova Scotia and George Brown in Ontario (the latter was known for his anti-papal and anti-French positions). Events in the decades following Confederation were to demonstrate that the school issue was becoming a major political issue for Francophone minorities outside Québec. Despite looming threats to minorities, French-Canadian Fathers of Confederation showed an unflinching optimism about the future. Hector Langevin, in particular, declared in the House: “With Confederation, no race will be able to dominate another and if one element wanted to commit an act of injustice on another, all the others would unite to prevent it.”<sup>10</sup>

In their desire to give the province of Québec the greatest autonomy possible in the areas of culture and education, George-Étienne Cartier and Hector Langevin had refused to subscribe to the position of Mgr Connolly, the Anglo-Catholic bishop of Halifax, who demanded a restriction on provincial control of public education in order to protect both the Anglophone and Francophone Catholic minorities. In 1867, Acadians, estimated to number some 85,000, were barely beginning their movement of rebirth and their situation was still more or less unknown in

Québec. As for the 75,000 French Canadians in Ontario, they made up only 2.4 per cent of the province's population and their political weight was still marginal.<sup>11</sup> In this regard, it is important to point out that the French-Canadian Founding Fathers (Cartier, Taché, Langevin, Belleau and Chapais) remained silent when the Catholic schools of Upper Canada were the target of fierce attacks from Toronto's *Globe* newspaper run by George Brown. This kind of context and frame of mind did not encourage the Fathers of Confederation to consider bilingualism and biculturalism as a fundamental element of the 1867 spirit. For their part, French Canadians in Québec tended to identify themselves above all with the boundaries of the former Lower Canada and wanted a decentralized confederation in which they would have control of a provincial government.

When the 1867 Constitution was adopted, language was not the object of any statement of principle about the bilingual or bicultural nature of Canada. According to historian Donald Creighton, the bilingualism of Federal public institutions was a concession granted to the Francophone minority in Ottawa in exchange for an identical concession to the Anglophone minority in Québec's provincial parliament. According to Creighton, no one suggested extending bilingualism to the legislatures and courts of the other provinces.<sup>12</sup> If this is the case, is it possible to speak of a pact between two nations or even of a pact on language? The notion of a political compromise between the four provinces behind Confederation appears to be more in keeping with the reality of the time. All the more so because other more important considerations were at the origin of the new regime: the need for political stability and a strong executive power, the fear of an American military invasion at the time of the American Civil War, the will to

develop a wider economic space linked by a railroad network, not to mention the appeal of a more extensive patronage system as a means of rewarding party supporters.

### **Francophone Minorities and the Schools Question**

After 1867, the language issue resurfaced in the context of a conflict over denominational schools outside Québec. Already in 1864 Nova Scotia had passed a law on public schools which abolished public funding of Catholic and Francophone schools. New Brunswick followed the same path in 1871 and the Acadians of the province were subjected to a double taxation to support their Catholic and French-language schools. This discriminatory measure even gave rise to a riot in Caraquet. Acadian leaders appealed to the courts and the Federal Parliament for this law to be repealed but they were unsuccessful.**13**

At the other end of the country, the 1870 act that established the province of Manitoba granted protection to Francophone separate schools (Article 22), and established official bilingualism in Parliament (Article 23), as was the case in Québec. However, twenty years later, in 1890, a provincial act put an end to financial support for Catholic schools and abolished the use of French in Parliament and the courts. A similar setback can be found in the case of the Northwest Territories which were annexed to Canada in 1869. The Constitution of these Territories guaranteed bilingualism in the Legislative Assembly and in the courts. An 1892 ordinance nonetheless made English the sole language of education. At the time of the creation of the provinces of Saskatchewan and Alberta, which were separated from the Northwest Territories in 1905, no constitutional guarantee was granted to Franco-Catholic minorities and the Federal

government showed little desire to protect their rights, just as it had during the schools disputes in New Brunswick and Manitoba. In this latter case, Wilfrid Laurier, the newly-elected Prime Minister of Canada in 1896, refused to repudiate the provincial law. The Laurier and Greenway Compromise did not restore separate schools but, under certain conditions, it again allowed religious instruction in public schools. Franco-Manitobans had to wait until the end of the 1970s to benefit from more equitable measures on French-language schools.

Ontario, for its part, issued Regulation 17 in 1912, which prohibited instruction in French beyond the first two years of elementary school in the province. Despite the mobilization of French-Canadian elites that resulted, Article 93 of the Canadian Constitution proved to be ineffective in protecting the rights of Francophone minorities, as it was too vulnerable to political pressure from the Anglophone majority. Furthermore, its interpretation in 1916 by the Judicial Committee of the Privy Council in London was restrictive: “[...] language rights had no constitutional protection except for the use of French before the courts and in the federal and Quebec parliaments.”<sup>14</sup>

All these struggles over schooling waged by Canada’s Francophone minorities had a number of consequences. For one thing, despite the Anglicization of a growing proportion of their population and the hostility of the Irish-Catholic clergy, these minorities, supported by the French-Canadian clergy, organized the fight for survival and established various associations to defend their language and education rights. Rome, which was often called upon to arbitrate these

conflicts, generally sided with the Irish bishops because its strategy for spreading Catholicism in North America outside Québec was to do it through the use of English.**15**

Another consequence of these conflicts over schooling was a rethinking of the parameters of French-Canadian identity, which until then had more or less corresponded to the boundaries of the province of Québec. Now, at the end of the nineteenth and the beginning of the twentieth century, the increasing number of clashes over schools in other provinces, along with the migration of French-Canadians to the United States, Ontario and western Canada, led French-Canadian elites to a new awareness of the importance of Francophone minorities outside Québec and some nationalists even saw this as a strategy for colonizing territory from the North. A feeling of cultural and linguistic solidarity therefore developed which extended beyond the boundaries of Québec and spread over the whole of French Canada and, at least until the Second World War, the latter quite naturally even included all Franco-Americans.

However, the assertion of a French-Canadian identity throughout Canada came up against some circles in English Canada which were little inclined to encourage the use of French beyond the boundaries of Québec. It was out of the realization of the need to reconcile these diverging visions of Canada, that the theory of two founding nations emerged *a posteriori* to define the “spirit of 1867.” Henri Bourassa, who made himself its promoter, tried to justify its validity to English Canada. His pan-Canadian nationalism was based on the idea of a cultural duality that was not territorial and included the educational, linguistic and religious protection of Francophone minorities against the tyranny of majority rule. **16** In the wake of these political

debates, the idea of a cultural and institutional solidarity spread among nationalist elites of the time which considered the province of Québec to be its bastion, with the French-Canadian, Acadian and Franco-American minorities as its outposts. The survival of the French fact in North America implied reciprocal support among all its constituents, without which Québec itself would be under threat. This organic vision of French Catholic Canada would endure until the Quiet Revolution. The Estates General of French Canada held in Montréal in 1967 sealed the ideological break-up between the supporters of Québec neo-nationalism and those of traditional French-Canadian nationalism.

### **The Struggle for the Use and Proper Use of French**

While the fight for French-language schools outside Québec was a fundamental element in the building of a French-Canadian cultural identity and in the evolution of relations between Anglophones and Francophones in Canada, another aspect seems just as essential for an understanding of the evolution of the language issue between 1867 and 1960: the struggle for the use of French, both in the Federal government and within the boundaries of Québec.

Towards the end of the nineteenth century, it became increasingly clear that the survival of French was under threat, not only because of the rebuffs and setbacks which it suffered for political reasons in the Anglophone provinces, but also because of the economic transformations caused by industrialization and urbanization. As whole families of French Canadians were deserting rural areas and swelling the ranks of factory workers in Montréal or the cities of New England, they had to confront an Anglophone economic environment. This situation could only

accelerate the deterioration of written and spoken French, both in the workplace and everyday life. The Anglicization of vocabulary and syntax that was observable above all in Québec cities was also fuelled by the comings and goings of families between rural Québec and the industrial cities of New England.

The deterioration in the proper use of French in working-class milieus was now added to that among French-Canadian political elites holding positions of power and who, since the Conquest, had clearly shown Anglophile sentiments, while not evincing any concern for the quality of written and spoken French. The language of politics and law, as well as that of newspapers, was replete with Anglicisms. This had been pointed out in no uncertain terms by a visiting French deputy in 1864: “Almost all the families of the Québec aristocracy have built alliances with the English and more often speak the official language than their mother tongue. The government is full of them.”<sup>17</sup> Until the end of the nineteenth century, only a few enlightened intellectuals, such as Arthur Buies, Oscar Dunn and Jules-Paul Tardivel, were scandalized by the deterioration of the French language in Canada.

At the turn of the twentieth century, however, awareness of the language problem ceased to be the concern of a few isolated individuals and spread to clerico-nationalist elites. Initiatives taken in favour of French did not come from the Québec or the Federal government. They were the work of associations and movements in civil society. The first initiative on the language issue dates back to 1902, when the Société du parler français au Canada was set up under the auspices of the Université Laval in Québec City. In 1912 this society undertook the organization of the

first conference on the French language in Québec City. The conference brought together the most prominent members of the clergy, intellectuals and politicians of the time from Québec and French Canada. A rally held as part of conference activities at the Des Braves monument in Québec City even succeeded in drawing a crowd of 25,000 people. The same period saw the creation of the Ligue des droits du français founded in Montréal by Father Joseph-Papin Archambault and a group of friends “whose avowed goal was to spread the use of French and even impose it in business, public service and place names.”<sup>18</sup> In the wake of this movement, Lionel Groulx launched the crusading journal *L’Action française* in 1917. Campaigns in favour of Francizing Québec, especially on public signs, then began. Furthermore, these campaigns in favour of the French language have to be put alongside improvements in the Québec school network and the quality of instruction undertaken from the beginning of the century. In this, we should not overlook the cultural contribution of religious communities which, as a result of the French government’s anticlerical laws, had immigrated to Québec between 1880 and 1914.

### **The Struggles for Bilingualism in the Federal Government**

The campaigns led by French-Canadian pressure groups, such as the Ordre de Jacques Cartier founded in 1926, also aimed at ensuring more bilingualism at the Federal level by increasing the Francophone presence in the public service and improving services in French. During the 1930s, Minister Ernest Lapointe, considered at the time as Liberal Prime Minister Mackenzie King’s right-hand man, was the only person who fought to increase the proportion of Francophones in the Federal public service and to provide the population with bilingual services. However, for a

variety of reasons, his initiative met with insurmountable difficulties. Firstly, his efforts came up against the technocratic ideology which had emerged at the beginning of the century following the creation of the Public Service Commission in 1908. This Commission sought to impose a conception of public service centred on the recruitment of civil servants through competition based on merit and effectiveness. Thus, any measure promoting recruitment based on language or ethnic origin was considered in the higher echelons of the Federal public service to be a return to the patronage system inherited from the nineteenth century, which, indeed, still survived in parallel with the new regime. Other less reputable motives, that can be classified as prejudices, also contributed to this resistance to the French fact in the essentially Anglophone public service. Lapointe's initiatives finally ran up against the indifference of the powerful Minister C. D. Howe and that of Mackenzie King himself. In the course of his career in politics, Lapointe only succeeded in passing one law relating to language, the Lacroix Act (1938). According to Member of Parliament Wilfrid Lacroix, its proposer, this law was aimed at ensuring that an employee, who did not speak French and who was already in the public service in a province, could not be transferred to the province of Québec.<sup>19</sup> Though extremely timorous, this measure was nonetheless the first Federal language law of any significance since the 1888 law that granted a \$50 bonus to civil servants capable of expressing themselves in a second language.

Other initiatives in favour of French at the Federal level subsequently disappeared amidst the general indifference. In 1946, a memorandum from the Montréal Chamber of Commerce to the Gordon Commission on classification in the public service unsuccessfully called for a greater Francophone presence in the Federal apparatus. The following year, a group of five Francophone

deputies took the initiative of creating a committee to denounce the fact that Francophones constituted only 10 per cent of the Federal public service workforce and that they held *none* of the 20 positions of deputy minister. To lower tensions, King gave Solicitor General Joseph Jean the responsibility of acting as liaison officer between the Cabinet and the Committee of Five, also known as Little Chicago. After two years of inquiries and reports, the Committee's recommendations were lost in the labyrinth of the public service. It was not until the creation in 1962 of a committee on bilingualism by the Glassco Commission that the link between the principle of administrative merit and that of bilingual representation was discussed in a systematic manner.

### **The Québec Government and the French Language**

In the meantime, initiatives in favour of defending French continued in Québec. A second conference on the French language was held in Québec City in 1937 and a third in 1952.<sup>20</sup> Following up on these, the Conseil de la vie française en Amérique held a fourth conference in Québec City in June 1957, said to be one for “Re-Francization”<sup>21</sup>. All these initiatives emanated from civil society because until 1960 the Québec government remained discreet on language policy issues. The most significant gesture dates back to 1910, the year Armand Lavergne succeeded in getting passed a bill that required public service companies (rail and sea transport, telegraph, telephone and electricity) to respect bilingualism with their users and subscribers. Lavergne had first attempted to table a similar bill in the Federal Parliament in March 1908 but Prime Minister Wilfrid Laurier, though agreeing in principle, refused to discuss it in public session, arguing that it was necessary first to know whether the railroad companies concerned

might oppose it. Even at the provincial level, the Lavergne Bill gave rise to resistance from the companies and from the Legislative Council and had to be presented twice before finally being adopted under pressure from public opinion and nationalist circles.<sup>22</sup> Although of limited scope, the Lavergne Act was the Québec government's first affirmative action in matters of language.

This pioneer law, though, remains an isolated one. Before the Quiet Revolution French-Canadian politicians were no doubt too dependant on the economic power of the Anglophone bourgeoisie – including when it came to financing parties – to dare to venture further on the subject of language policy. As the Catholic Church occupied the field of education and a good part of that of culture, including the promotion of the French language, they no doubt preferred to entrust secular and clerical elites with the task of promoting the French language, whilst giving them official support through statements and a few modest grants, in particular on the occasion of the conferences on the French language. In a speech delivered at the 1957 conference, Maurice Duplessis reaffirmed his traditional position on the French language as being “an indispensable expression of culture”; he reiterated the argument that the province of Québec was the fulcrum and guardian of this culture without, however, going beyond commonplaces about “respect for the sacred heritage” and the defence of the exclusive rights of the provinces in the sphere of education.<sup>23</sup>

During this time, new, more numerous and better-educated elites began discussing possibilities of social change which would take form from the 1960s onwards. In this, the Royal Commission of Inquiry on Constitutional Problems that Duplessis set up in 1953 proved to be a

vast laboratory for new ideas. On the language question, the Tremblay Commission made its own the recommendation contained in the memorandum of the Académie canadienne-française and in that of the Société du parler français au Canada that an office for the French language be established. This body would be composed exclusively of linguists recruited among members of the Académie and the Société du parler français, from universities, ministries and elsewhere. Its purpose would be the preservation, spread and purification of French in Canada and it would be financed out of public funds. This office, indeed, would be created in 1961 but would be under the direct authority of the Quebec government and not of the Académie canadienne-française as its founder Victor Barbeau had hoped. **24**

Though the struggles of the first half of the twentieth century in favour of French were undertaken by patriotic and nationalist movements, it would be wrong, nevertheless, to overlook the decisive role the mass media played in the language issue. Radio established itself in Québec from 1922, followed thirty years later by television. These two media, and especially the Société Radio-Canada and some private radio stations, such as CKAC in Montréal, greatly contributed to establishing linguistic standards which were linked to “proper French.” Columns on language also appeared in the printed press. **25**

Thus, the long period spanning from the middle of the nineteenth century to 1960 witnessed breakthroughs, setbacks and stagnation on the question of the defence and promotion of French in both Québec and Canada. At the beginning, issues mainly centred on the recognition of French in parliamentary institutions and the courts. Next, the issue of the French language

where Francophones were in a minority was the object of bitter arguments punctuated by resounding failures. Gradually, the language issue spilled over onto the subject of public signs and public services whilst, at the same time, French-Canadian elites were becoming aware of the need to promote the proper use of the language. The legacy that was left – admittedly modest but tangible -, was above all the achievement of movements and associations but also of some mass media. However, despite their beneficial effects, a new order began to take shape during the 1960s when the language policy of the Québec government and that of the Federal government tended to relegate civil society and individual responsibility in safeguarding the French language to a position of secondary importance.