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—
Chair

Mr. Steven Blaney

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• (0910)

[Translation]

The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)): Good morning to you all. Welcome to this meeting of the Standing Committee on Official Languages, our sixth meeting since the start of the session.

It appears that our witnesses this morning are caught in traffic. They had, however, clearly expressed their interest in participating. We have heard from them a number of times this week. I suggest we reverse the order of the items on the agenda so that we can begin by discussing the committee's future business. If the witnesses do show up, we will then amend our proceedings.

If you agree, we will begin with our future business. The clerk will hand out the minutes of yesterday's meeting. Our agenda this morning will refer to the minutes of the steering committee, which held its second meeting yesterday.

As you can see, next week, on Tuesday...

Mr. Luc Harvey (Louis-Hébert, CPC): Are we in camera?

The Chair: At the moment, we are not in camera.

Mr. Luc Harvey: But don't we usually discuss future business in camera?

The Chair: I would like to welcome our witness, Mr. Smith.

We will continue discussing our future business.

Has your colleague arrived yet?

Mr. Richard Smith (Vice-President, Greater Quebec Movement): There was an incident on Highway 417.

[English]

The Chair: We have some work to do, so you can take the time to have a coffee and to relax.

Mr. Richard Smith: Okay, thank you.

The Chair: We'll be with you shortly.

[Translation]

To answer my colleague's question, I am suggesting we discuss future business. Unless it is not the will of the committee, it is...

Mr. Luc Harvey: The question is whether discussions about future business are usually held in camera.

The Chair: No.

Mr. Luc Harvey: Very well. That is the question I was asking.

The Chair: So, if we look at the calendar, today we will be hearing from witnesses on the Court Challenges Program, and discussing future business. Next Tuesday, as I indicated previously, our analyst, Jean-Rodrigue Paré, will provide us with the draft report on the Court Challenges Program. That will be on Tuesday, December 4.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Monday, December 3.

Mr. Jean-Rodrigue Paré (Committee Researcher): The committee will review it on the 4th, but it will be distributed on the 3rd.

Hon. Mauril Bélanger: Thank you. You will have the evening to read it, Mr. Paré.

The Chair: Indeed, at that meeting, we will have to make as much progress as possible in order to, if it is the will of the committee, table the report before the House rises for the holidays. Next Thursday, we will first hear from the officials of the military base in Borden with regard to the francophone situation there, and then Minister Josée Verner will talk about the Court Challenges Program and state of affairs at her department. Then, on the 11th, the analyst should have gathered the comments made on the 4th, which will allow us, if it is the will of the committee, to adopt the report. On Thursday, the 13th, we could begin a more in-depth study of the Action Plan for Official Languages.

I would like to inform you that the steering committee has recommended that we take special measures to ensure that the report on the Court Challenges Program can be tabled before we adjourn for the holidays.

We can take two measures. The first would be to hold a special meeting on December 12, in order to adopt the report, if the work wasn't completed on the 11. I will begin by explaining the second option, and the clerk can then clarify it.

Once the House has adjourned, a committee must inform the House that it wishes to table a report and that the House deem it as such, even though it has adjourned. The committee, therefore, would first have to inform the House that it wishes to table its report. Once that is done, the report is sent and deemed adopted.

Mr. Clerk, would you like to add anything to that? You can say it in English.

•(0915)

[English]

The Clerk of the Committee (Mr. Graeme Truelove): I just took the liberty of drafting what could be used as a motion, if that's the route the committee wishes to take—that is, to present a report to the House asking that upon adoption of the court challenges report, it be deemed presented to the House, if the House has already adjourned.

I can read it, if that's what you'd like.

[Translation]

The Chair: We need someone to move the motion.

Mr. Réal Ménard (Hochelaga, BQ): I would like some clarification. I have not been following the committee's work, but I just want to be sure that as chair, you will be reporting whatever the committee passes. Unless we hear differently, the House is planning to sit until the 14th. You have to give 48 hours' notice to table the report.

Why do you think you will not be able to get this done on time?

The Chair: The steering committee wants to ensure that the report can be tabled before the Christmas break.

Mr. Réal Ménard: I see. The House is supposed to sit until the 14. What are you expecting? You seem to be speaking as though there were some special procedure. Perhaps I have failed to understand something.

Mr. Luc Harvey: The problem is that the report has not yet been drafted.

Mr. Réal Ménard: Yes, but you will be getting it.

Mr. Luc Harvey (Louis-Hébert, CPC): We are having witnesses until December 12. That means that the report cannot be drafted by the 14. It will be ready over the Christmas break, perhaps in January.

Mr. Réal Ménard: I see.

The Chair: We expect that the report would be passed on the 11th, but we may make some changes or add some recommendations. In addition, it has to be translated. If I do not have the report, I cannot give notice that I will be tabling it.

I will ask the clerk to read the draft motion. Then I will take comments on the motion and the procedure.

[English]

The Clerk: As I said, if the committee wanted to follow this route, a motion could read: That the Committee recommends that its Report on the Court Challenges Program be deemed presented to the House upon its adoption by the Committee, if the House has already adjourned, and that the adoption of this motion be reported to the House.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): I so move.

The Chair: Mr. Godin is moving the motion.

We will now move to the next round.

You have the floor, Mr. Bélanger.

Hon. Mauril Bélanger: Thank you, Mr. Chairman.

I would like to make two points. Does that mean that if the report is not adopted before the House adjourns the committee will continue its work to adopt it before the end of December? That is implicit in the motion, and I have no objection whatsoever, in fact I support that. However, I do want to make sure that committee members realize that the motion implies that we are prepared to continue our work even if the House has adjourned.

Furthermore, I may be mistaken, but I didn't think it was necessary to give 48 hours notice to table a committee report. If the report is adopted on Wednesday evening and if the work has been done properly, there is nothing to prevent it from being tabled on Thursday morning, as far as I know.

•(0920)

Mr. Jean-Rodrigue Paré: I can check into that, but I believe that is the case.

Hon. Mauril Bélanger: The issue of 48 hours' notice has just been included, and I think it is not required. I would like clarification on that.

Mr. Réal Ménard: I think you are right. I do not think it is necessary...

The Chair: While I cannot guarantee this, it does appear that 48 hours' notice is not required.

I would like to remind you of something, Mr. Bélanger. The motion is a sort of additional guarantee that the committee would like to have to ensure that the report is tabled before the Christmas break.

The next speakers are Mr. Godin and Mr. Lemieux.

Mr. Yvon Godin: I understand what Mr. Bélanger is saying, but I do not want to get into a situation where we would be sitting endlessly. We set a deadline. That is why we are prepared to meet on Wednesday evening if necessary. The report must be finished and presented. We are doing that just in case the House adjourns early. The House could decide to end on Wednesday evening. You know what happens during the Christmas period: the four parties get together and decide not to come back the next day and the House is adjourned. This is just for protection in case that is what happens.

Hon. Mauril Bélanger: That means we would sit...

Mr. Yvon Godin: We would sit on Wednesday evening and...

Hon. Mauril Bélanger: ... we would complete the report.

Mr. Yvon Godin: ... we would finish the report. I do not want to be here on December 15 and December 20.

Hon. Mauril Bélanger: I just wanted this to be clear and that people not be under the impression that we have finished if the House adjourns. I wanted that to be clear.

Mr. Yvon Godin: That will be done during our normal week.

The Chair: It is Mr. Lemieux's turn.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): There seems to be a great deal of fear on the other side of the table. If we are not sitting, we will come back at the end of January. What is the rush? We want to do a good job; I do not understand what they are afraid of. Why do they want to ensure that the report is tabled before Christmas? We have a schedule and we have another plan. What are the members opposite so afraid of?

I also have a question for the clerk regarding the process.

[English]

The motion you drafted—at least Mr. Godin's motion—says that if the House is not sitting and the report is adopted, you can deem it—

The Clerk: Deem it presented in the House.

Hon. Mauril Bélanger: You can do that.

The Clerk: For this to happen, the report—because this would be presented to the House via a report—would then have to be concurred on by the House. There are two routes to do it. There's that, or a special order of the House that would usually come after consultations between the whips.

Mr. Pierre Lemieux: Again, it's an extraordinary measure; reports aren't normally tabled in this manner. So I'm wondering what the great fear is. If we finish with our report on the 11th, and the House isn't sitting, it will just be presented to the House when we come back in January. We're all expecting to come back in January, or at least I am; are you not?

[Translation]

The Chair: Mr. Godin has the floor.

Mr. Yvon Godin: It has nothing to do with fear, Mr. Chairman, but rather a desire to move things forward. When we table a report in the House of Commons, the clock starts ticking, and we would like to know when we will get a response to our report. We will be studying the estimates in March. They are prepared over Christmas. In this way, the committee's request and recommendation will be public. It will give the government an opportunity to read them. There are no games being played here. We are all adults, and we have done many studies, as you say. I have a great deal of confidence in our researcher. He will draft a good report for us. There will not be a great deal of work to do on it, and we will present it to the House of Commons. Christmas is a time of joy; everyone is happy. The minister may decide to restore the Court Challenges Program for official language minority communities in this country. Who knows; we are going to try. It has nothing to do with fear; we are expressing a Christmas wish.

• (0925)

Mr. Luc Harvey: Do you believe in Santa Claus?

The Chair: No one else has asked for the floor. If there are no other comments on the motion...

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): I hope we understood it correctly.

Mr. Yvon Godin: Mr. Chairman, I have been on many committees, and I can say that whenever we reach the end of a report, we always have to deal with the possibility that the House may adjourn. We are using this type of motion because we want to protect our reports. We do not want this brand new report to be shelved somewhere. Furthermore, this gives the government an opportunity to respond. There is nothing unusual about it. It is the usual way of proceeding.

Mr. Réal Ménard: Can you confirm for us, Mr. Chair, that the 48-hour notice period is not required when a report is tabled?

The Chair: We do not have to give 48 hours' notice when tabling a report.

Mr. Réal Ménard: Very good.

Mr. Luc Harvey: I would like to ask Jean-Rodrigue a question.

The Chair: Yes?

Mr. Luc Harvey: I was wondering whether you would be able to meet these deadlines set out in this schedule.

Mr. Jean-Rodrigue Paré: Yes, we are ready. We have worked everything out with the House Publications Service to get this done.

Mr. Luc Harvey: And do you think that if we meet on the 12, we would be able to meet the deadlines?

Mr. Jean-Rodrigue Paré: We will be distributing a draft report on December 3, next Monday. The committee may want to make some changes to it. If necessary, we will have to see how extensive these changes are. If we have to proceed quickly, it has happened in the past that I or my colleagues would hold a meeting and get the work done on time, if it is humanly possible to do so.

Mr. Luc Harvey: In this case, it is humanly possible to do it.

Mr. Jean-Rodrigue Paré: That is correct.

Mr. Luc Harvey: So we can rely on this schedule, and not spend time talking about other possibilities. We could meet our objective, particularly if we can meet on December 12.

Mr. Jean-Rodrigue Paré: Yes.

The Chair: Is the committee prepared to vote on the motion? Would you like to have it reread?

[English]

The Clerk: The motions reads: That the Committee recommends that its Report on the Court Challenges Program be deemed presented to the House upon its adoption by the Committee, if the House has already adjourned, and that the adoption of this motion be reported to the House.

[Translation]

Mr. Daniel Petit: We could at least have the motion read in French. After all, this is the Standing Committee on Official Languages.

The Chair: We do have simultaneous interpretation.

Mr. Daniel Petit: That is not taken into account. I have had that problem in the past.

The Chair: The thing is that we have begun the voting procedure, Mr. Petit. I do not know whether you are raising a point of order.

Hon. Mauril Bélanger: It is not necessary to have the motion read in English and French, because we do have simultaneous interpretation.

Mr. Daniel Petit: On a point of order. That is not true. Simultaneous interpretation has nothing to do with the official languages. The document must be tabled and read in French and in English. The interpretation has nothing to do with it: it is not even an official consideration.

The Chair: Just a moment. This is Mr. Godin's motion, and I believe it is in order. Normally, motions can be presented in both languages.

Mr. Raymond Gravel (Repentigny, BQ): Read it in French.

The Chair: Mr. Godin moves:

That the Committee recommends that its Report on the Court Challenges Program be deemed presented to the House upon its adoption by the Committee, if the House already adjourned, and that the adoption of this motion be presented to the House.

(Motion agreed to)

The Chair: Thank you very much.

Mr. Yvon Godin: For the record, Mr. Chairman, I would just like to point out that in the case of a motion of this type, translation is not normally required. Last week, Mr. Lemieux moved a motion, and we worked on it. I think that in this case, we are making things more difficult than need be. However, we do require that documents be in both languages.

● (0930)

The Chair: Thank you, Mr. Godin. We have noted your point.

Are there any comments about our plans?

Mr. Petit.

Mr. Daniel Petit: Can we discuss the list of witnesses, or is it final?

The Chair: That is something I had forgotten to clarify, Mr. Petit. If the committee concurs in the list of proposed subjects, committee members have until next Thursday to submit their list of witnesses.

Mr. Daniel Petit: Thank you.

Hon. Mauril Bélanger: To discuss the action plan?

The Chair: That is correct.

Mr. Yvon Godin: Did you say next Thursday, Mr. Chairman?

The Chair: Yes, Thursday, December 6.

Mr. Daniel Petit: That also applies to the issue of francophones at camp Borden. We have suggested witnesses for the study on the Action Plan for Official Languages. Does that relate to the issue of francophones in Borden, or some other issue?

The Chair: We should perhaps remind you, Mr. Petit, that what the steering committee suggested to committee members is that the witness list be submitted regarding the second phase of the study of the Action Plan for Official Languages.

So I am waiting for the lists of witnesses for the first meeting of our study of phase two of the Action Plan for Official Languages on December 13. Since the government will be presenting its phase two of the Action Plan for Official Languages in the spring, the committee feels it should be starting its study.

Mr. Bélanger.

Hon. Mauril Bélanger: I move that the steering committee report be adopted, Mr. Chairman.

The Chair: Agreed.

Mr. Godin.

Mr. Yvon Godin: Mr. Chairman, you said that we had until December 16 to table our witness lists. However, the date I see on this sheet is today.

The Chair: It is true that that is what it says on the sheet. Witness lists for the study on the Action Plan for Official Languages must be submitted today, for December 6.

Mr. Yvon Godin: I see.

The Chair: We have a motion that the steering committee report be adopted. Are there any other questions or comments?

(Motion agreed to)

The Chair: The report is adopted. Thank you.

That completes our review of future business. If you wish, we can now take a short break to give the witnesses time to come forward, and then we will hear the rest of the testimony on the Court Challenges Program.

● (0940)

The Chair: I will invite our witness to come to the table.

I am told that Mr. D'Andrea is on his way, Mr. Smith. If you need someone to help out when the witness arrives...

[*English*]

If you need some help to facilitate the entrance of the second witness, just give us a sign and we'll send someone to reach him at the main door.

Mr. Richard Smith: Okay. He's still at one of the exits. The traffic is very bad on Highway 417.

The Chair: It will be hard for him to be with us this morning, unfortunately, but we're glad you're with us.

Members, we welcome this morning Mr. Richard Smith of the Greater Quebec Movement.

Mr. Smith, you are part of the court challenges program study. You are more than welcome to be here this morning. I think you've expressed the will, so I will invite you to present your position and your point of view on these matters.

Mr. Richard Smith: I'm going to make my presentation in English because my level of French is at about an intermediate level. Mr. D'Andrea's French much stronger than mine, but I know there's translation and the documentation has been translated. So I'm just going to take the 10 minutes to make the statement.

I want to talk about three things in the ten minutes. The first is who is the Greater Quebec Movement. Some people know, although some people are unaware of who we are. We're an anglophone group in Quebec, and I'll explain that. The second thing is what kind of litigation we think we would be engaged in and how that would relate to the court challenges program if it was to be reinstated. And third is what the program itself means to us and our recommendation regarding it.

First, the Greater Quebec Movement is a non-government-funded and non-partisan anglophone think tank founded in 1995. It's a non-profit corporation. We've been noticed in the Canadian—mostly Quebec—and international media for our unusual position of advocating integrated French and English public schools, or what we call “the Quebec school”, which we feel doesn't exist at this point. I sent Mr. Truelove an article that Mr. D'Andrea and I wrote in the *Gazette* on this issue, called “Anglos Need an Education”. I think it has been put into French for those of you who would prefer it in French.

One of our principal preoccupations is our concern that separate language-based schools segregate Quebec children into two groups that may, by virtue of that segregation, grow up to feel that they are in competing solitudes and as adults subsequently grow suspicious and resentful of the other language community. We feel that one could draw many parallels between Quebec and Northern Ireland, where institutions, especially schools, have likewise acted as agents of segregation along religious lines, with disastrous results for social cohesion of that society.

In advocating the Quebec school, it is not our objective to remove the provisions of section 23 of the Canadian Charter of Rights and Freedoms, which protects the anglophone community's right to control its own school system, but we would welcome either the creation of English-French public language schools in their own right or jointly managed schools between English- and French-language-based school boards, as they currently exist in Quebec.

Since we first promoted this idea in Quebec, we've had several legal opinions as to the constitutionality of our Quebec school proposal, which has raised some concerns. One constitutional authority, whose name I won't use because he has a high-ranking position in government, told us that section 23 of the Canadian Charter of Rights and Freedoms may be cited not only as guaranteeing the right to receive an education in English in Quebec but also as a sort of de facto right of anglophone self-segregation. Following this reading, which he and others have told us about, we are concerned that opponents to us—and there are several people in the English community in Quebec, unfortunately, who see us as basically traitors for advocating integrated schools—feel they might be able to lodge a constitutional challenge, claiming that by creating a Quebec school integrated with francophones and anglophones with a common bilingual or dual-language curriculum, we would be trying to challenge their right to self-segregation.

At the moment, the two opposition parties in Quebec's National Assembly are committed to bringing forward a separate written constitution for the province of Quebec. As such, it is more than likely that any public discussion about a Quebec constitution will inevitably deal with what that constitution should include. At present, suggestions by the Parti Québécois have been that it could include parts of the Charter of the French Language in Quebec. It could deal with Quebec's Charter of Human Rights and Freedoms and whatnot.

● (0945)

The Greater Quebec Movement has consistently supported, for the last 20 years, the development of a new linguistic social contract between anglophones and francophones within a Quebec constitution.

We've had many publications on this in Quebec City's *Le Soleil*, in local papers in Montreal, *The Suburban*, and this summer I had a large article in *Le Devoir*, translated by Mr. Turp of the Parti Québécois. I have sent the text to Mr. Truelove, with these op-eds, and they are available.

We are very happy with the support our proposal for integrated schools has generated among younger anglophones and francophones across Quebec's political spectrum. We are hoping that we will be able to garner enough support so that if a Quebec constitution

is drafted in the next few years, we could put in it the legal infrastructure for the development of a common Quebec integrated school.

Now, how would this relate to the Canadian court challenges program? Well, we feel that if the program were restored, you could have two diametrically opposed requests for support. There would be our group, which would say that a Quebec school is consistent with the spirit of section 23, and there would be those who feel it is inconsistent with the right of self-segregation of Quebec anglophones into their own schools and into their own school system.

Which challenge would the program support? These are some of the problems we face, with a lot of questions dealing with the support of anglophone advocacy organizations and the court challenges program as a specific example.

While well-intentioned, the Canadian court challenges program has become controversial, and as such, opposition to the program has grown throughout the rest of the country. The Greater Quebec Movement, although non-partisan, sees as legitimate the claims by other non-governmental organizations that the CCP was often hijacked by advocates of specific points of view or ideologies to the exclusion of other viewpoints within the same disadvantaged and/or minority groups.

Now, in general, our organization, which includes people from left to right philosophically, has opposed funding of general minority activism by the Canadian government and the legal activism of the CCP.

In fact, we wrote an editorial in 1999 in the Montreal *Gazette* talking about how, while well-intentioned, the support of anglophone groups in Quebec actually wound up doing a disservice to our community, as opposed to helping our community, because the money itself became something that all the factions in English Quebec fought over. If anything, then, it rewarded exclusive behaviour, not inclusive behaviour. Again, Mr. Truelove has been provided with this text.

The article might appear quite prophetic. If you follow what happened to Alliance Québec—Mr. D'Andrea and I and others were involved in that organization—the money hurt us. It did not help the English community. It did not help the advance of public policy in that community. It just created elitism, exclusivism, and stagnation in that organization.

That said, we appreciate there are people in our community and across the country who support continued funding of advocacy groups and the court challenges program specifically. In this article we put forward the proposal that a matching program be done by the Canadian government, so that each of the groups making a claim for support could have money matched, based on how much money they raised privately within their community. That way it would offer a fair means by which everyone would be on an even playing field, because it has been our concern that government support of these programs has created an unlevel playing field among different points of view in those communities.

• (0950)

Moreover, we can't imagine how minority organizations will be able to plan effective litigation when they won't know if the funds they need will be coming or not, because if one government is in power, the money could be cut off. If another government is in power, it could be restored.

The compromise we are proposing would be twofold. There's the matching program, which I just mentioned, where the groups would have to raise some money, and then the government could match that money, although they would still have to live within the guidelines of Heritage Canada, in which they'd have to do the necessary paperwork and have to be a non-profit organization. Also, we would advocate the establishment of a Heritage Canada ombudsman so that litigants who feel they are encountering unfair bias by CCP administrative staff would have some recourse.

In conclusion, we understand and appreciate the concerns of those who feel that the CCP was effectively run in a biased fashion that served to reward advocates of only one viewpoint within specific disadvantaged groups. But without checks on these programs, the Greater Quebec Movement cannot support the continuation of government funding, so in effect supports the discontinuation of government funding—if it is not reformed. If it could be reformed along the lines we have said, then we would be willing to support its restoration.

Thank you.

• (0955)

The Chair: Thank you, Mr. Smith, for this presentation.

I would like to point out at this moment that the two articles you submitted to the clerk were both translated and distributed, as these are the rules of our committee.

We'll start now with the first round, and we'll go with Mr. Bélanger.

Sorry, Madame Folco has indicated....

[*Translation*]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): It is Mr. Bélanger's turn.

The Chair: Fine.

Mr. Bélanger.

Hon. Mauril Bélanger: I do not know where to start. I will start by trying to understand more about your organization.

[*English*]

How many members does the Greater Quebec Movement have?

Mr. Richard Smith: There are 300.

Hon. Mauril Bélanger: Are they paying members?

Mr. Richard Smith: Yes.

Hon. Mauril Bélanger: Do you have a membership list?

Mr. Richard Smith: Yes. I'd also mention that we are a movement, we are a think tank, so our people are involved in other organizations as well.

Hon. Mauril Bélanger: Is that a publicly available list?

Mr. Richard Smith: Yes, sure.

Hon. Mauril Bélanger: Okay. I'm not asking for the list, I just want to know. I've never heard of this movement, so I'm just trying to ascertain who you are, because I must admit that my first reaction to your suggestions is that you might have misunderstood completely the nature of the court challenges program.

You're suggesting that it's essentially under government control, that only if someone matches funds would the government then...as opposed to having an arm's-length mechanism, which existed, which evaluated through a broad network of professors, intellectuals, and community representatives the cases they wished to pursue, and then provided funds, very limited funds, on top of that, because never were the funds provided covering....

I didn't hear you mention any limits to the matching. So I'm concluding that you're gunning, or were gunning, against the court challenges program because you didn't get any funding.

So my first question is this: has your association ever requested funding from the court challenges program in the past?

Mr. Richard Smith: No.

Hon. Mauril Bélanger: So how do you know you wouldn't have had any then? Why did you conclude, which seems to be the basis of your recommendation, that the Greater Quebec Movement would be excluded, which is the accusation you've pretty well laid out this morning? What makes you reach that conclusion if you haven't asked and were therefore never refused?

Mr. Richard Smith: We've been in contact with other groups as well who've put in claims—REAL Women, for example; we've read their brief and have been in contact with them and other groups across the country. And we've noticed generally, with our interaction with Heritage Canada, that we feel Heritage Canada, while well intentioned, has wound up funding only specific points of view in the English community—

Hon. Mauril Bélanger: No, no, time out here. Do you understand —

[*Translation*]

The Chair: Perhaps you should allow the witness to answer.

Hon. Mauril Bélanger: Yes, but he just said something that is not true.

[English]

Heritage Canada did not decide any funding of any cases. Do we agree on that?

Mr. Richard Smith: Well, it's an arm's-length organization, sure.

Hon. Mauril Bélanger: All right. So why do you say that because of what...? I'm defending the department here, and it should be the other way around.

Why would you then insinuate that Heritage Canada would not fund when they're not even in the decision-making process to fund cases? Why would you say that?

Mr. Richard Smith: Our concern has been that we view as valid the other groups' complaints that court challenges...and you're right, we haven't put in a claim. Obviously, we could see large litigation coming in the near future. Again, if the National Assembly proceeds with the Quebec constitution, which we support, then there could be a lot of litigation related to that.

We feel that, based on what we've seen of the program as it relates to other groups, there has been unfair bias against certain positions within that group and often, we feel, the support of only certain points of view within that minority community. We are the beginning of an alternative point of view within the anglophone community. Up until now there has been primarily two factions; we're a third.

We have put forward privately the suggestion that if a matching program could come into place, perhaps those parties and people who want some kind of restoration might be able to reassure people on the government side that the program could be run better. We're here, in part, in the spirit of compromise, because our idea, as it applies to regular funding, could also be applied to the court challenges program. Otherwise, the concerns about the program are so vast that the government will feel justified in cutting off the support. So it's a compromise.

• (1000)

Hon. Mauril Bélanger: The government has already decided to cut it off. Their justification—and they said it quite publicly—was that it was a waste. In reality, some of us might believe, and just as a supposition, that the reason might have been other than a waste. But that's for another—

Mr. Richard Smith: Our general—

Hon. Mauril Bélanger: No, it's my turn now.

Mr. Richard Smith: Sorry.

Hon. Mauril Bélanger: Essentially, what I'm hearing you say is that we haven't applied so we've never been turned down, but we think, based on what we heard from others, that we would be turned down if we did apply. Therefore, we are against the program, but we would be supportive of the program if it were set up according to our recommendations.

Am I misreading what you're saying?

Mr. Richard Smith: Yes. Our bedrock mantra, if you would, is that government shouldn't fund advocacy and shouldn't fund advocacy legislation. One of the reasons is because we don't believe in it. Right now in Quebec, Alliance Quebec is essentially defunct. If the federal government decides not to fund a follow-up organization, we will be happy with that.

We're saying that we wanted to put in an opinion. If it were reformed, then we in turn could support the reform, because we realize we share the country with people who don't have a similar perspective.

Hon. Mauril Bélanger: So all of the countries and the United Nations who have complimented Canada for the nature of the court challenges program in applying the Charter of Rights and Freedoms, in soliciting over the course of years and establishing a jurisprudence to support the Charter of Rights and Freedoms of this country, you think are wrong. They're all wrong, those who have applauded the country for setting up such a program. The way it was administered, you basically are against that, because we should not be funding advocacy.

Is that correct?

Mr. Richard Smith: Yes.

Hon. Mauril Bélanger: Thank you.

No further questions, Mr. Chairman.

The Chair: Thank you.

We will now proceed with—

Mr. Richard Smith: Could I add something?

I only want to say that I think internationally it is also a legitimate point of view that the government shouldn't fund these types of things, that people should be able to raise their own money. It's only recently that the problems with the program have been made public.

The Chair: Thank you, Mr. Smith, and Mr. Bélanger.

You'll have plenty of time, since you are our only witness.

Mr. Richard Smith: Fair enough.

The Chair: I'll now proceed with Monsieur Gravel of the Bloc Québécois.

[Translation]

Mr. Raymond Gravel: Thank you, Mr. Chairman.

I'm new to this committee. Mr. Petit says he is new when he has been on the committee for a year. But I am really a very recent member. I have just started here.

I read carefully your presentation entitled "Anglos need a French education". Earlier, you spoke about the creation of integrated schools. Since I'm not aware of that, I was wondering whether these integrated schools existed elsewhere in Canada—that is schools where both English and French are present. Are there any such schools?

[English]

Mr. Richard Smith: With the exception of private schools... In other provinces, francophones are entitled to their own school system, but our opinion is that the English situation in Quebec is unique in Canada, because francophones outside the province who have separate schools often live in an overwhelmingly anglophone environment. That helps them to learn English.

I grew up in Montreal, and I don't speak enough French to get a lot of jobs in Quebec. Most of the people I grew up with have left the province because they were somewhat bilingual but not competitively bilingual to be able to work in Montreal.

So this is a unique situation where even though we're a minority language in Quebec, there's often not enough French in our daily lives to make us competitively bilingual.

So yes, francophones can have separate schools. We're not advocating integrated schools for francophones outside Quebec, because their reality is very different from ours. Ours is a unique situation, specific to Quebec.

That's why we're the only official language group advocating some kind of integration of anglophone students with francophone students.

• (1005)

[*Translation*]

Mr. Raymond Gravel: Do you not think that the reason there are French and English school boards in Quebec is precisely to protect the anglophone minority? If there was only one school board for both francophones and anglophones, would there not be a danger of assimilation? Is this system not a way of protecting the minority anglophone community in Quebec?

Anglophones in Quebec are very well protected by the province, by the francophone majority, at least they are in my view.

Do you not think it is better this way?

[*English*]

Mr. Richard Smith: My experience is that one of the leading causes of the anglophone diaspora in Quebec are anglophone schools, even the ones that have good immersion programs, because often the message in that institution is that we are a minority and we are under attack. What kind of francophones are you going to meet in an English-speaking school when francophones are not allowed to go to that school by virtue of Bill 101, or the charter of the French language?

You're creating social segregation that could have consequences down the road. I would argue that the anglophone movement in Montreal that talks about partition of Quebec in the event of Quebec's independence is itself an extension of that mindset that finds its seeds in separate English schools.

[*Translation*]

Mr. Raymond Gravel: At the moment, anglophones cannot attend French schools in Quebec? Is that what you are saying?

[*English*]

Mr. Richard Smith: No, a lot of.... There are 5,000 anglophones in Quebec—legal anglophone children, or status anglophones. They're allowed to go to English schools, but they choose to go to French schools. That trend is growing.

But some of the parents who have thought of that option have decided against it, and have expressed concern that their children's English ability could be damaged if they went to a program that was exclusively French, where the purpose of the program was to provide mother-tongue French education exclusively. By having an

integrated program, they feel they might be assured their kids could also have competency in English, but would be in a milieu of going to school with actual francophones, whom they would befriend, and would have a better chance of speaking French with native-speaking francophones than speaking French with other English kids, which often results in strange accents and vocabularies.

So they're open to—Some people are afraid, but many are doing it, yes.

[*Translation*]

Mr. Raymond Gravel: I'm having trouble understanding what the school would be like. What would it look like and which language would have priority? I'm having a great deal of difficulty imagining this.

Francophones take English immersion in French schools in Quebec. There are such programs.

Some Hon. Members: No.

Mr. Raymond Gravel: Yes, there are some programs of this type. One of my friends is teaching English in Saint-Lin. There is an immersion program for children in grade 6, and it is in English only.

Ms. Raymonde Folco: That is just for grade 6.

Mr. Raymond Gravel: Yes, I know, but this program does exist.

So there are immersion programs. Why would they not exist for anglophones? There must be immersion courses in French for anglophones, whether in grade 5 or grade 6. Why not promote that idea instead?

I don't understand what this integrated school would be like. I cannot imagine it.

Quebec francophones are in the minority in Canada. French must be protected, and we have Bill 101 to do that. It is important that our language be protected. In addition, the anglophone community is very well protected in Quebec—at least it is in my opinion. It is certainly better protected than the official language minority communities elsewhere.

I'm having trouble understanding what an integrated school would be like and which language would have priority there. I don't know how this would work.

[*English*]

Mr. Richard Smith: We have written in our article in the *Gazette*—which has been translated into French—that it would be mostly in French, but with strong second language schooling in English. Our idea is that by segregating these people, you are asking for future problems down the road. Even now, we still see it with younger anglophones; there is still the suspicion of francophones, even though they are more bilingual than the previous generation. Often these separate institutions give rise to feelings of opposition to an integrated Montreal. They want separate suburbs, and eventually, in the event of independence, they would want a line creating a new province in Canada out of the old province of Quebec.

I mean, I don't support the partition of Quebec—don't get me wrong—but I am saying that I think it's a social consequence of this unnecessary segregation.

•(1010)

[*Translation*]

The Chair: Thank you very much.

Thank you, Mr. Gravel.

We will now continue with Mr. Godin.

Mr. Yvon Godin: Thank you, Mr. Chairman.

I am really a bit disappointed with your position. Let me tell you why.

As far as schools are concerned, two months ago, Justin Trudeau tried the same thing in Saint John, New Brunswick, and he nearly got a spanking. It simply does not work. It did not work in New Brunswick. That is why we have also, amongst other things, used the Court Challenges Program. The program was used in Prince Edward Island in the fight for French schools.

It is just normal, and I do not want to offend anyone, but if there are 10 people in a room with no interpretation services, and of that number there are 9 francophones and 1 anglophone, everyone will speak English.

This is what happened in the past: it works in the classroom, but not in the schoolyard, because English dominates and French always loses out. That will not change in the future.

That is why we fought so hard in our province. It is unthinkable that there would be classes with both anglophones and francophones in New Brunswick. That is why we have immersion schools. Parents who want their children to learn both languages send them to immersion schools. That is where they learn their second language.

It just does not work. I believe you are promoting something which will not work and which will not be accepted. That has already been proven. It is not as if it has not been tried before.

If that was attempted in Quebec, it would mean that in Alberta, with its francophone minority, English and French schools would be created and anglophones would be forced to go to French schools. Just imagine! It is the same thing. Given the fact that there are now many francophones from New Brunswick in "*Fort Make Money*", it would mean that French schools would have to be shared with anglophones. I do not know if anglophones would be very happy with that.

But let's talk about the Court Challenges Program. Let me explain to you the reason for such a program's existence: when minorities believe that their charter rights have been violated, they can take their case to the Supreme Court with the help of the program. So it is not just communities which can do this.

In my riding, Ms. Paulin was stopped by the RCMP close to Saint John in New Brunswick, in Fredericton. The RCMP officer who had stopped her did not speak French. Ms. Paulin took her case to the Supreme Court. Ultimately, with the help of money from the Court Challenges Program, the case was settled out of court, and from now on, these services must be offered in both of New Brunswick's official languages.

The reason there are French schools on Prince Edward Island is because of the Court Challenges Program.

Sometimes, it all starts with one person, and not always with organizations which have over 300 members. Ordinary citizens who believe their rights have been violated, can take advantage of this program. So, ultimately, everyone can benefit from it. It is not up to the government to say that it is always a third party. That is not what the Court Challenges Program is all about; it is there to see that justice is done.

I have often gone to Montreal to speak with people and even with anglophones. Anglophone Quebec has its own schools and perhaps even the best university in Canada, McGill.

Mr. Réal Ménard (Hochelaga, BQ): One of the best!

Mr. Yvon Godin: You, anglophones of Montreal, have no reason to complain. So how can anything be taken away from you with the Court Challenges Program? Please tell us how.

[*English*]

Mr. Richard Smith: As I mentioned, from what we've seen of the court challenges program, often it supports one point of view. Already, now, you see the beginning of different points of view on integrated schools. Obviously we have some support across the political spectrum in Quebec. Some people have mentioned the position you've mentioned, that they feel it might not work. At the minimum, a lot of people felt at some level it should be tried, because Quebec is a unique environment in Canada, where anglophones do recognize French is a public language and a language of business, stronger and more important than in many of the other provinces.

But you can see here how there's going to be divergent points of view and divergent claims to the process. We're saying we don't have confidence in the process based on what we've seen. If all of a sudden someone said, "Yours is not a real challenge because nobody wants integrated schools", then we would have to raise our own money privately, entirely, and then, of course, those people who support an opposing point of view would get a free ride with the court challenges program.

So we're saying that in instances where you get diametrically opposed cases, there be some kind of mechanism through which the public feels each side was fairly treated.

•(1015)

Mr. Yvon Godin: But when P.E.I. went to court challenges to have their school, it was not because they wanted to learn two languages, it was to be able to learn their own language. They were taking that away. They had to go to the English school. They had nothing for them.

Finally the court decided, yes, you have the right according to the charter, you have the right according to the Constitution, to learn your own language.

Mr. Richard Smith: Even in our group, there's nobody who's saying that the right to have a separate English school system should be overturned. Nobody's saying that. We're just saying that we would like to have the....

For example, an integrated school was never even conceived of when the Constitution was drafted in 1982. It was not in any of the deliberations. So the original drafters couldn't have conceived of it. And when Mr. Lévesque and the Parti Québécois first enacted Bill 101, they too thought that separate schools would continue.

Now you have people from our age group who were badly educated in the seventies in English schools. They were not educated to compete in the English market. That's why there are very few anglophones in my age group in Montreal. They've all left. My whole high school reunion was in Toronto, and this was a Montreal-based school. I graduated in the early 1980s.

Mr. Yvon Godin: That's because there were more jobs in Toronto. All of our people leave to go to Alberta. You have 7,000 people left north of New Brunswick.

Mr. Richard Smith: No, no, this was very clear. We were not adequately educated in English schools in Quebec to compete in our market. We don't want that problem to happen to subsequent generations.

We're saying, why can't you take kids from English and French schools and maybe put them in a common environment? What is so wrong with that? Now, maybe it's impractical. Maybe the English kids will result in a English milieu, but it's a course we have to take.

Our movement's point is that to think that the status quo is not without cost is foolish. We see it in the English community, this desire for continued segregation, not only in schools but in other facets of their life. Why do you think there is so much animosity towards the one island, one city concept in English-speaking neighbourhoods? It's because we live a segregated existence. So we want that reflected in other structures.

As I said, if Quebec tried for independence, I am sure there would be a movement by that same point of view towards partition, even though we don't support partition.

[Translation]

The Chair: Thank you, Mr. Smith. I apologize for cutting you off mid-sentence.

The floor now goes to the government side, Mr. Pierre Lemieux.

Mr. Pierre Lemieux: Thank you very much.

[English]

Really, I just want to make a couple of comments, Mr. Chair.

I think the committee can recognize that there are concerns with some aspects of the court challenges program. One of the concerns, for example, I think, is that it has a fairly wide mandate, meaning that it covers lots of different issues. As we know, the two main thrusts are equality rights and language rights.

There have been some significant cases won that have been beneficial, for example, to official language communities, and Monsieur Godin has mentioned some. One of the difficulties we have, though, is that if we speak against the court challenges program or say that we have concerns against the court challenges program, the opposition will often attack with, "Well, then, you're against the language rights that Monsieur Godin was talking about." But I would say no, that is not necessarily so.

Within all the cases that the court challenges program has assisted, there have been some that have been very positive, very good, but there have been others that have been much more questionable. The opposition often says that the court challenges program gives access to Canadians, all Canadians, to the court system. But that's not entirely true. It's a third party organization that determines which causes will be funded, which causes will advance, and which ones won't. It's a selective process, and there's some subjectivity in that.

Even in the testimonies we've heard from other witnesses, there is controversy in that, in that there are Canadians who are concerned that only...and I don't speak here about language rights, I speak here actually more in the—

• (1020)

Mr. Yvon Godin: On a point of order, are we writing our report, or is he going to raise some questions to the witness?

[Translation]

The Chair: Pardon me, that is not a point of order, that is a...

Mr. Yvon Godin: It's fine.

[English]

Mr. Pierre Lemieux: Mr. Chair, I don't interrupt Mr. Godin when he has his seven minutes and ask him to stay on topic. I don't ask him to immediately ask a question of the witness. He's allowed to expound upon his thoughts, and that's what I'm doing now. It's my seven minutes.

Thank you for the input, though.

We heard some of the concerns today from Mr. Smith, but we have had other witnesses express the same concerns in that the court challenges program offers selectivity to certain causes, and certain causes advance and other causes do not advance.

That's what I mean. I don't think it's fair to say that if you have a concern with the court challenges program, you are therefore against all of the positive gains—and we can list some in the official languages communities—and against all of that. No, I don't think anybody has said that. What we're saying is that there is concern with the court challenges program in how the program particularly is administered. So I wanted to clarify that.

I think there were two key concerns we heard from witnesses. One of them is on the selectivity. In other words, this third party organization has this ability to select certain causes and not others. The other concern is that there's not enough transparency. The third party committee does not have to offer reasoning as to which cases it selected and which it didn't select, and it does not have to give an account of which cases it rejected. So it's somewhat shrouded in secrecy. There's not a lot of transparency associated with the court challenges program.

These came to mind because Mr. Smith had mentioned some of his concerns. Actually, I think we've heard some of the same concerns coming from other groups that have been here in front of the committee. And I just know that in my work as MP, I've heard these other concerns expressed about the court challenges program.

So I thank Mr. Smith for his comments. I don't have a particular question. I'll end there.

I don't know if one of my colleagues wants to pick up or wait for the second round.

At any rate, I'm done. Thank you.

The Chair: You still have around three minutes.

Mr. Chong.

Hon. Michael Chong (Wellington—Halton Hills, CPC): Thank you, Mr. Chair.

Some of the issues you brought up were interesting, especially with respect to an integrated schooling system. I think that's an interesting idea. In general, though, I just want to make a comment. My view is that, at a broad level, communities that are isolationist and inward-looking tend not to be healthy communities, confident communities. We live in a world that is increasingly integrated and influenced as it has never been, whether it be through trade, through immigration, or through rapidly changing society.

One thing that I think you have correctly identified is that being engaged and outward-looking and trying to encounter the other is a good way to approach things. So I think your comments about the isolationism that some of the minority language communities feel in Quebec is quite accurate.

I think, though, with some of the suggestions you've made, with respect to some of the columns you've written in the *Gazette* and in *Le Devoir*, you have to be careful about not also falling into that isolationism yourself as a community. Because it's easy, whether it's talk of a provincial constitution for Quebec or discussion of an identity particular to Quebec, to fall into that trap of being once again inward-looking and isolationist. If you engage other groups and communities, the majority francophone community, I think that's the way to go.

It's interesting that you bring this topic up now, because at our last committee meeting we had the official languages commissioner here. One study they're undertaking is a study of diversity and bilingualism, because in cities like Toronto, as in Montreal, there's increasing diversity, and the big question is this: how do you accommodate that increasing diversity, while at the same time protecting the fact and the reality of official bilingualism and the duality of the two languages in this country?

So perhaps it would be good for you to engage the official languages commissioner on this issue as well. He might actually have some pertinent comments for you.

I'll just close by saying that I know he has studied the issue of minority language communities in Edmonton and is quite enthusiastic about how the minority francophone community in Edmonton is being educated. He thinks it's one of the leading school boards in the country with respect to how they protect French language minority rights in an English language majority situation.

So I would encourage you to contact him to talk to him about that.

• (1025)

[*Translation*]

The Chair: Thank you very much, Mr. Chong.

We will now begin our second round of questions.

Mr. Scarpaleggia.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Ms. Folco wanted to...

Go ahead.

The Chair: Good morning, Ms. Folco.

Ms. Raymonde Folco: Thank you, Mr. Scarpaleggia.

[*English*]

Good morning, Mr. Smith. It's good to see you again. I'm afraid that what I'm going to say will be a continuation of some of the conversations we've had in the past.

First of all, I would like to address some of the comments my colleagues across the floor have made this morning.

To begin with, Mr. Lemieux just mentioned that people in general, and the government specifically, speak against the court challenges program. As I am aware, and I think everyone around this table is aware, the government hasn't spoken about the court challenges program. It didn't just show concern about the court challenges program, it got rid of it. Let's use words for what they mean: it got rid of it.

I think we can have concerns about it and can make it better—there are always ways to make it better—but the government got rid of it, and I think we have to recognize that.

As to the fact that the people who administered the program were not making it available to all Canadians, because they had to sift through to find those Canadians they accepted, one could say the same thing about Canadians who go to an appeal, because they're not sure their appeal is even going to be received. If you go to the Supreme Court, you're not sure the Supreme Court will accept hearing you. But that doesn't mean that the appeal or the Supreme Court is not available to all Canadians. I think we have to take that into consideration.

Mr. Chong mentioned it is not a healthy state for communities to be inward-looking through their schools. That may be so, but in my experience and the experience of everybody particularly on this side of the table, those who are not protected disappear altogether. It's not a matter of being sick; it's a matter of totally disappearing and not existing any more. So you have a choice: are you going to be sick on your terms, or are you going to disappear as a community altogether? I think many people have made that choice.

I've addressed those two comments, but I would like to address the comments you've made, Mr. Smith.

I'm a former linguist and have worked a lot on bilingualism. I worked a lot on teaching a second language in school, whether it's French as a second language or English as a second language. I actually set up what we call the Six Plus program, to teach English in grade 6 as a second language to French students. What we observed was a repetition of the old pattern, that English, despite everything that has been done in Quebec, is still the dominant language. The proof of that is simply that when kids get together, because of social and cultural constraints, through rock music or whatever, English is still the language kids like to speak to each other, whether they are French-speaking from birth or have learned French because their first language was an immigrant language, if I can call it that.

So there is a strong movement in Quebec to combat this, and the only way you can it is to make sure that the French language is strong in the student from the very beginning. This was the reason behind the Quebec government's decision not to allow ESL, English as a second language, to be taught before grade 4, because they wanted French kids to have a good control over their own language, French, before they went on to a second language. I agree with this.

By extension, if you go into a school system where the French kids and the English kids are totally mixed together at all times—although I think it's always good to mix kids, or anybody, together—in this particular case, because French is not the dominant language in Quebec, what would happen is what has happened in the past. Mr. Godin was a good witness of this. They would talk French because they had to do so in the classroom, but the minute they get out in the courtyard or out in the street, it would still be English, as it has always been. This is a fact of life. If you put the kids together, socially this is what will happen.

This is the price that I think we have to pay as a society, not just in Quebec but throughout Canada. This is the price we have to pay in order to protect the second language community, which in most cases happens to be the French community, the French...or sorry, not second language, but French minority community.

The English community has lost a lot of its members because of language problems, yes, it's true. But that does not change the fact that it is still the dominant language in Quebec.

• (1030)

Thank you.

[Translation]

The Chair: Thank you, Ms. Folco.

Mr. Smith, you have roughly 30 seconds to respond.

[English]

Mr. Richard Smith: I appreciate that. But at this point, a lot of the evidence is still anecdotal. I teach English to francophones as well, and I'm shocked at how many francophones cannot progress professionally because they don't have enough English. So maybe if there was more English in their school, it isn't by definition a problem....

I meet many professionals who are stuck professionally. That's why they come to me and they pay many thousands of dollars to come to me—and arguably too late, because you should be doing this when you're in school when you're a teenager.

The Chair: Thank you, Mr. Smith.

We will now proceed with Monsieur Ménard.

[Translation]

Mr. Réal Ménard: Thank you, Mr. Chair.

I think you have to give the floor to the government side first, do you not?

The Chair: I beg your pardon, Mr. Ménard. That is a navigational mistake. It must be because of the temperature outside.

Mr. Réal Ménard: Your generosity is legendary.

The Chair: Christmas is coming.

Moving on with Mr. Chong.

[English]

Hon. Michael Chong: Thank you, Mr. Chair.

Through you, Mr. Chair, Mr. Smith proposes an integrated schooling system as a way to address some of the problems with education in Montreal and in Quebec. Perhaps there's another option now, and I'd like to ask him about that.

Perhaps instead of having that approach, the other approach would be to say to school boards across the country to adopt this policy that I've been researching, to adopt the policy of trilingualism, to say "Okay, two of the three official languages must be French and English, and the third one is the student's choice". I know in Montreal more and more students are taking up Spanish as their third choice.

So as a way to address some of the problems that you have identified, you would say that in order to graduate, every student graduating from CEGEP or from a high school would be required to know three languages, two of which must be French and English and the third would be their choice. It might be, if they're into classics, Latin or Greek. If they're into biblical studies, it could be Aramaic or Hebrew. If they're aboriginal, it could be a native tongue. If they're interested in an international commerce degree or pursuing international trade, it could be Spanish or Chinese or the like.

This could be a different way of addressing some of the problems you've identified and in a way that could be constitutionally consistent with some of the charter issues you've identified with respect to the different schooling systems along linguistic lines, but at the same time overcoming this lack of interaction between the solitudes, so to speak.

I'm interested in hearing Mr. Smith's comments on this, Mr. Chair.

Mr. Richard Smith: Sure, obviously instruction need not be restricted only to the two official languages.

I just recently came back from living in Japan for seven years. It's become a smaller world. The chances of everyone's children here living and working in another country increase every year, so if they know another language.... I certainly would have benefited from having some background in Japanese before I actually moved there.

So that would be great, sure, but when we raise these concerns about French and English...because it's a little embarrassing when, at this late date, our young people, although more bilingual, are not....

My parents could speak French hardly at all. My father was a real estate agent with Montreal Trust. He was number one in Quebec the year he died, number two in Canada. He could not order dinner in French. When he was a young man and he had French Canadian friends—in those days it was “French Canadians”—he would talk to them always in English. There was an assumption that it was the common language. That changed, and we're still not equipped to deal with it in our own place.

I had tremendous professional problems in Montreal the last time I lived there, in the late nineties. I couldn't progress. That's why I went into English-speaking language things. It's my home town. My family goes back in Quebec to the 1830s. But we are not equipped to deal with French as a business language. Irrespective of whether it should be forced or not, we're not prepared to deal with that, and today, still so many people leave.

• (1035)

Hon. Michael Chong: My question, though, or the point I'm making with you, is that you've said the solution is an integrated school board, but at the same time you acknowledge, in discussions with jurists, that this may not be constitutionally possible.

Mr. Richard Smith: Please keep in mind that we got a call a few days ago to present, so I used an article that talks about the principle of integration. I don't want to be overly focused on the vehicle for integration.

This could be done many ways. Simply, I've met with the people who've run some of the French school boards in Montreal, and we could have a school jointly managed by a francophone board and an anglophone board.

The principle isn't the structure. The principle is how can we get kids, especially the kids in Montreal, who share the same neighbourhoods and often the same school grounds, to share the same classrooms? And why can't they share the same classrooms? That's the question I put to you.

[*Translation*]

The Chair: Thank you, Mr. Smith.

Honour to whom honour is due: Mr. Ménard has the floor.

Mr. Réal Ménard: Thank you, Mr. Chair, you are most kind.

Mr. Smith, I want to join my colleagues in welcoming you to this committee.

As I listened to you speak, I wondered if your own personal history would have taken a different turn had your father purchased a home in Hochelaga-Maisonneuve, where you would have truly experienced immersion in a neighbourhood that may not be exclusively francophone, but certainly is to a large degree. I do not exclude this possibility for the future. You know that rental availability in Montreal East is good, and you're always welcome.

There are two things about your testimony I find disturbing. First, I agree with Mr. Mauril Bélanger. The Court Challenges Program enjoyed a high degree of autonomy, precisely because the board of directors was highly autonomous. Of course, this does not exclude the program from the process of accountability, as it is publicly funded; nonetheless, the program is highly autonomous. The program sought to promote the quality and rights of citizens living

in a minority situation. In addition, nothing prevents anglophone minorities in Quebec from making applications for future funding.

That being said, I understand that there is a basic principle driving you. You are saying that no public funds should be set aside for an issue such as language promotion. Your association is entitled to its opinion. Ms. Folco is right in saying that it isn't possible to give both French and English equal status in North America. Had this program not existed, communities, and in particular, French-speaking communities outside Quebec, would never have enjoyed some of the successes they have had.

There is one aspect of your personal history that I find even more troubling, which is what I am trying to understand. Like you, I am not convinced that the solution lies in placing both francophones and anglophones in common linguistic structures. I don't think this would be desirable. Notwithstanding this, in the neighbourhood of Hochelaga-Maisonneuve, in the second half of the school year, sixth-grade pupils have the option of studying in an intensive English immersion program. English, math, humanities, and other subjects are taught in English, and these young people have a very good experience. We want people to be bilingual. Mr. Chong talked about having a third language. This is possible for the most talented among us, but mastery of two languages is already quite a challenge.

One thing about your personal history is bothersome to me. I am trying to understand, and to do so with all due respect to you as a citizen. It would seem that there are several possibilities for people living in Montreal to become fully immersed. Frankly, I do not see how you could have missed out on opportunities to learn French. If one were to leave the West Island or downtown Montreal, and go for a stroll in other neighbourhoods, it would be easy to become involved in community volunteer programs, for instance. You certainly have a lot to offer, and people could certainly benefit from your services. I find it disturbing that you are telling this committee that after having lived many years in Montreal, you had little opportunity to become accustomed to French. I am sorry to hear that, although one can choose to be unilingual; there is no constitutional obligation to be bilingual.

In terms of becoming fluent in a second language, can you acknowledge that in a major city such as Montreal, there are fair chances to do so, and one need not resort to integrating schools?

In addition, are you willing to consider that the Court Challenges Program was an autonomous and worthwhile program, from an objective standpoint, one whose reports are available? Would you also be willing to consider that an association such as yours could possibly benefit from such a program?

• (1040)

The Chair: You have approximately one minute to answer, Mr. Smith.

[*English*]

Mr. Richard Smith: Okay.

I'm not advocating throwing out the baby with the bathwater. I've come to you with a proposal. Based on what we've seen with the program in the past, yes, it has brought some favourable judgments that have benefited the English community, but we think there are problems.

Being able to raise some of its money, and it would be matched, is a way to show that there is some accountability to that community, it shows that there is some support in that community, and it creates a level playing field for different groups that might be competing on a particular issue within that community.

Very briefly, I'm not really anglophone as much as I'm Irish. I'm a citizen of Ireland. My family came here in the 1830s and were in Huntingdon, Quebec.

My great-grandmothers—because in those days we were Catholic, and that meant something—went to schools with French Catholics. My great-grandmothers were fluently bilingual.

But my grandparents came to Montreal, and my grandparents became the first unilingual anglophone generation. And then my parents subsequently went to English Catholic schools, because we had enough critical mass of English Catholics, or Irish Catholics, to have our own schools in English. That began the anglicization of us, the Irish community.

You know, Pierre-Marc Johnson is my distant cousin. There only reason there is—

[*Translation*]

Mr. Réal Ménard: Did he influence you on the topic of nationalism?

The Chair: We will now hear from the next witness.

Unfortunately, your time is up.

[*English*]

Mr. Richard Smith: My point is that we used to have some integrated Catholic institutions. Then we had enough English Catholics to have separate Catholic English institutions, and you've seen the results. I am the result.

I grew up in the town of Mount Royal. When I was a kid, it was a mostly an English-speaking neighbourhood. Now it's more mixed.

[*Translation*]

The Chair: Thank you, Mr. Smith.

Moving on with Mr. Godin.

[*English*]

Mr. Yvon Godin: This may be the answer. I carry the name Godin from my father, but my mother's name was Power. They came from an Irish family and they were Catholic. The solution they had was that one of them married a French person: they became bilingual.

But maybe it's too late for you.

When you went to Japan, did you learn Japanese?

Mr. Richard Smith: Yes, some. It's hard.

Mr. Yvon Godin: Yes. It is hard.

Mr. Richard Smith: It's much harder than French.

Mr. Yvon Godin: And you cannot learn French in Montreal?

Mr. Richard Smith: Well, I have. That's the thing. I'm a graduate of a Quebec high school. I passed the French leaving exams, and yet the only reason I can speak as much French as I can—I've lost some after being in Japan—is that I took a year at the Université de Montréal and I spent my own money and time to do it. But the time that really should have been done was when I was young, and it was improperly done.

I didn't have francophones in my world. I learned a little bit of Greek and I learned Yiddish, because those were the kids I went to school with. Francophones were on the other side of the town of Mount Royal in their own school. I didn't meet them until much later in life. My friends were my school friends, which I'm sure is the case for most people around this table. When you're a kid, your friends are from school.

Mr. Yvon Godin: But you did not lose your mother-tongue language, though. You kept your English as much as you wanted.

For us as francophones, the fight we had at that time was to keep our mother-tongue language. That's how, through the court challenge, we got....

I don't have any more questions.

● (1045)

The Chair: Thank you.

We are now ending the second round. So at this point in time—

Mr. Yvon Godin: Is the hour now through?

The Chair: Yes, and we have to leave. There is a committee coming.

There is one last question from Mr. Bélanger. If Mr. Bélanger would proceed, we could then thank our witness.

[*Translation*]

Hon. Mauril Bélanger: Certainly.

I'd like recommend a book to Mr. Smith entitled *D'un obstacle à l'autre : vers le Conseil scolaire de langue française*, written by Ms. Odile Gérin. The book talks about 40 years of steady and sustained efforts made by francophones living in Ontario to obtain its homogeneous school boards.

The Chair: Thank you.

Mr. Gravel, you have time to raise one brief point.

Mr. Raymond Gravel: We have been talking about integrated schools and integrated school boards.

In the past, in Quebec, creed-based school boards, for instance Catholic or Protestant school boards, would often discriminate against non-Catholics or non-Protestants.

Today, I believe that the way we pursue language issues is less discriminatory. In fact, we allow for everyone, anglophones and francophones alike, to preserve their respective languages.

I'm making a simple comment. I think we resolved the problem when we took religion out of the school system, because at the time, there was real discrimination against both francophones and anglophones.

Mr. Francis Scarpaleggia: May I intervene on that subject?

The Chair: First we'll allow the witness to answer.

Mr. Smith, the floor is yours.

[English]

Mr. Richard Smith: In some ways it was a step forward because we enjoyed the same right as other francophone minorities across the country, but in other ways it's a step back because there used to be more interaction as Catholics. Now it's this is the English side, that is the French side.

I would point to Northern Ireland, where, ironically, they use the same language, be it the Irish Catholic nationalists or the Protestant minority, yet look at the result. There's an old joke in Ireland that two men are in a pub, another man comes in, and the two men ask, "Are you a Catholic or are you a Protestant?" And he says, "I'm an atheist." They say, "Yeah, yeah, yeah, but are you a Catholic atheist or a Protestant atheist?"

That's Quebec. That's it. What is an anglophone, what is a francophone...?

So whatever basis you use to start to separate these kids could have a result down the road. And as I mentioned, and I'll mention once again, I don't think everything is perfect. At some point you'll see the results of these segregated institutions if you're successful in getting a "yes" vote, because the anglophone institutions help create a feeling of separateness that will lead them to push for partition of Quebec. I don't support the partition of Quebec, but I'm telling you, I live amongst those people. That's the feeling. They will support partition.

So at some point, separate schools—there will be a cost to Quebec as a whole.

[Translation]

The Chair: Thank you.

The chair made a slight procedural change.

Mr. Scarpaleggia, please be more concise.

Mr. Francis Scarpaleggia: I will only be two seconds. I want to state a fact.

I do not necessarily want to speak on the issue of the secularization of schools. However, at one time, both anglophones

and francophones from one single Catholic school board shared one single school.

I assume that this is similar to the model that Mr. Smith is endorsing. It was just a fact...

The Chair: Excellent. Thank you very much, Mr. Scarpaleggia. We can continue the conversation.

To our witness, I wish to thank you for sharing the perspective of one part of the anglophone community living in Quebec.

Mr. Petit.

Mr. Daniel Petit: The gentleman talked about two... He referred to newspaper articles. He said that they were sent to the clerk.

The Chair: There are three articles.

Mr. Daniel Petit: I do not have them.

The Chair: They were distributed.

Mr. Daniel Petit: I, for one, have only this.

The Chair: Very well. We will double check.

Three articles were distributed to all members of the committee.

Mr. Daniel Petit: I'm told that there are three articles. I'd like to have them.

The Chair: Mr. Smith, just one moment please.

[English]

Mr. Richard Smith: I have just a point of information.

[Translation]

The Chair: Yes.

[English]

Mr. Richard Smith: The articles are all typed in Microsoft Word. I sent them as I originally typed them, before publication, so they should be available to everybody in French and English.

[Translation]

The Chair: They were sent by email. Here they are.

Thank you.

The meeting is adjourned.

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