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LANGUAGE LAWS, LINGUISTIC SITUATION AND POSITION OF FRENCH-SPEAKING POPULATION IN CANADIAN PROVINCE OF ONTARIO

1 Introduction

In our paper, we will deal with the language laws, the linguistic situation and the position of the French-speaking population in the Canadian province of Ontario. The situation of French-speaking communities in ten Canadian provinces and three federal territories is currently very disparate. The biggest difference is naturally between the French-speaking inhabitants of Quebec and the French-speaking populations of the other provinces. The intention of the majority of the French-speaking community in Quebec is to promote the rights of the language majority at the expense of the language minority. On the contrary, the aim of the minority French-speaking population in the other provinces is to obtain rights for the language minority. They are usually successful only if this is compensated for by an enhancement of rights concerning the English-speaking minority living in Quebec, which is not in the interest of the French-speaking inhabitants of Quebec. A number of Quebec separatists seeking independence for Quebec even call for the cancellation of the Official Languages Act assuring the other Canadian provinces that following separation, English will become the only official language in the rest of Canada.

The following table shows the number of persons by province whose mother tongue or one of whose mother tongues was French at the time of the 1996 census.

The French-speaking population is especially concentrated in Quebec, with 85.2 per cent of Canadian citizens whose mother tongue is French, followed by Ontario and New Brunswick, with 7.7 and 3.6 per cent respectively out of a total of 6,789,680 Canadian citizens whose mother tongue is French. Less than one per cent of French-speaking inhabitants live in other provinces and federal territories.

Province/Territory	French-speaking population	
	Number	Percentage
Newfoundland and Labrador	2,595	0%
Prince Edward Island	5,880	0.1%
Nova Scotia	37,600	0.6%

Province/Territory	French-speaking population	
	Number	Percentage
New Brunswick	245,095	3.6%
Quebec	5 784,635	85.2%
Ontario	520,855	7.7%
Manitoba	50,575	0.7%
Saskatchewan	20,740	0.3%
Alberta	58,300	0.8%
British Columbia	60,675	0.9%
Yukon	1,235	0%
North-West Territories	1,495	0%
Canada	6 789,680	100%

2 Ontario

Ontario is economically the most important, the most populated and the second largest Canadian province.¹ The capital is Toronto, the most important financial, commercial and cultural center of Canada.² Ottawa, the national capital, is also in Ontario³, near the Quebec town of Hull.⁴ In the 1996 census, 520,860 inhabitants of Ontario, i.e. 4.7 per cent of the province's inhabitants out of a total of 10.6 million, mentioned French as their mother tongue. The number of French-speaking inhabitants of the province grew considerably in the 1950s and 1960s when a lot of French-speaking Canadians came to Ontario from Quebec. Since the beginning of 1970s, the number of French-speaking inhabitants of Ontario has not changed and their share has been dropping due to heavy immigration to this province.⁵ The French-speaking inhabitants of Ontario (*les Franco-Ontariens*) represent the most numerous Canadian French-speaking group living outside Quebec. Even if the persons whose mother tongue is French are only 4.7 per cent of the provincial population, they represent 7.7 per cent of all French-speaking Canadians and 51.8 per cent of French-speaking Canadians living outside Quebec. Only 2.9 per cent of Ontarians speak French at home and 37 per cent of inhabitants switch to English in the course of their life.⁶ Two thirds of French-speaking Ontarians were born in the province, 29 per cent out of them came to Ontario from another province and French-speaking immigrants represent only five per cent.⁷ Most French-speaking persons live in the eastern part of the province, along the border with Quebec. Ottawa is the center of this region concentrating almost 40 per cent out of all the French-speaking Ontarians. We encounter a number of place names of French origin (e.g. Bourget, Sainte-Rose-de-Prescott, L'Original, Saint-Isidore, Plantagenet etc.) and the French-speaking population represents more than two thirds of inhabitants of certain towns and villages.⁸ French is the mother tongue of 70 per cent of the inhabitants of Prescott-Russell county and only five per cent of the French-speaking inhabitants of the county switch to English in the course of their life. The suburb Vanier, in

which the French-speaking inhabitants represent half of the population, belongs to the Ottawa agglomeration, in which the French-speaking inhabitants represent 15 per cent.⁹ To the north, the French-speaking population considerably decreases. The second largest number of French-speaking Ontarians, approximately one fourth, lives in the north. In contrast to the eastern part of the province, the French-speaking population (and generally all the population) is very dispersed. Let's mention the community of miners in Sudbury, the community of lumber-jacks in Timmins, Hearst, the community of workers in the paper industry in Iroquois Falls and Kapuskasing, and the community of agrarians from the North Bay region. The inhabitants of villages lying along Highway 11, leading from New-Liskeard to Hearst and Longlake, work especially in the lumber industry. We may find here a lot of French-speaking inhabitants, since French-speaking Canadians were traditionally lumber-jacks. On this road, there are several towns and villages with more than 30 per cent (Timiskaming) and even 80-90 per cent of the French-speaking population (between Smooth Rock Falls and Hearst). French is equally the mother tongue of one fourth of the Sudbury population. However, many French-speaking persons are leaving the north with its high unemployment rate and aging population, moving to find a job in the east and especially in the center of Ontario. Some 80,000 inhabitants whose mother tongue is French live between Oshawa and Hamilton. Rapid development of this part of Ontario, industry's demand for labor force, the necessity of finding bilingual civil servants for the federal administration and managing staff for companies have recently attracted many French-speaking inhabitants. Six per cent of French-speaking Ontarians live in the south of the province, especially in the surroundings of Windsor. In Windsor proper, the French-speaking population represents 4.5 per cent of the inhabitants. Very few French-speaking inhabitants (two per cent out of all the inhabitants of Ontario whose mother tongue is French) live in the western part of the province. Most of them live in Thunder Bay where they represent 2.5 per cent of the town population. Only in Geraldton and Longlake, timber production centers located on Highway 11, they represent 30 and 45 per cent of inhabitants. In the cosmopolitan Toronto, the French-speaking community represents only 1.7 per cent of the provincial capital's inhabitants.

Article 133 of the Constitutional Act from 1867 was not valid in Ontario since its entry into Canadian Confederation.¹⁰ The province promulgated neither French nor English to be the official language of Ontario. Therefore, English was not the official language of the province *de iure*, but only *de facto*.

For more than one hundred years, English was the only recognized language in the province. As early as in 1885, Ontario passed an act according to which English had to be taught in all schools in the province, including schools with French as a teaching language. Under the pressure of Irish Catholics and English-speaking Protestants, the frequently quoted *Regulation no. 17 (Règlement 17)*, adopted in 1912, cancelled all the schools with French as a teaching language¹¹ and one year later, Ontario stopped supporting bilingual Catholic schools. As in other English-speaking provinces, the French-speaking population

even turned to the Vatican for help. *Regulation no. 17* was cancelled in 1927, but up to 1969, there was no French secondary school obtaining support from the province of Ontario. Certain rights were conferred to French-speaking inhabitants of the province only after the World War II and especially after 1969.

In 1970, the *Chamber Regulations (Règlements de la Chambre)* were altered and this change enabled the French-speaking deputies in the provincial legislative assembly to use French. As in New Brunswick, the provincial deputies may speak French directly, i.e. without any need to ask for permission addressed to the head of the assembly, since interpreters for simultaneous translation from French into English are present for the whole time of the debates. Since 1991, all Acts of the province of Ontario are translated from English into French and submitted for approval to the legislative assembly in both languages.

Up to 1976, the French-speaking inhabitants were able to use French in the courts and to request an interpreter paid by the province in the case of criminal procedures and by the applicant in the case of civil procedures. In exceptional cases and with the approval of all concerned parties (prosecutor attorney, defendant, solicitors, judge), the entire procedure could be in French.¹² Since 1976, the whole criminal procedure can be held in French at the Court of Sudbury, and later in eight bilingual regions of the province. On the basis of the *Judiciary Court Act* adopted in 1984 and amended six years later, French has become the second official language in court hearings in the province of Ontario. Up to 1990, the right to use French in Ontario courts was limited to oral negotiation and the records were made in English. Citizens from throughout the province may use French at the Ontario Superior Court of Justice.¹³ Nowadays, all the courts in Ontario, except for administrative courts requiring English, are bilingual. The French-speaking citizens of Ontario often do not use this possibility and prefer the court hearing in English, even if they do not master the English perfectly. We may say that in general, the French-speaking inhabitants of Ontario have more rights in this domain than the English-speaking inhabitants of Quebec.

In 1968, Ontario altered the *School Administration Act* and enabled the creation of elementary and secondary schools, or classes, with French as a teaching language. Teaching in French spread, especially after the admission of the *Charter of Rights and Freedoms*. The province does not apply the clause concerning the minimum number of pupils and any pupil has the right to be taught in the mother tongue of one of his or her parents. However, according to the results of a survey carried out in 1991 by the demographer Michel Paillé, only 57.1 per cent of pupils (77,412 out of 135,612) entitled to French classes attended schools with French as a teaching language in the school year 1986/1987. The number of French-speaking pupils attending French schools was—except for bilingual New Brunswick—the highest of all provinces with an English-speaking majority. In the school-year 1998/1999, 92,209 pupils attended schools with French as a teaching language, 155,178 pupils and students attended schools with selected subjects taught in French (7.1 per cent out of all the registered pupils and students) and 55.9 per cent of all Ontario children studied French as a second lan-

guage. Only a few children in Ontario, and other English-speaking provinces, learning French achieve a level permitting trouble-free communication in this language. Language assimilation takes place in Ontario, as well as in other English-speaking provinces. According to research carried out by the *Association canadienne-française de l'Ontario* in 1998, only 23 per cent of Ontario children attending a school with French as a teaching language speak French at home. Similar results have been obtained by the Ontario Ministry of Schools.¹⁴ Students may continue their studies at one of four French-speaking colleges (*Collège de technologie agricole et alimentaire d'Alfred*, *Cité collégiale d'Ottawa*¹⁵, *Collège Boréal*¹⁶, *Collège des Grands Lacs*¹⁷). French study programs are also provided by the *University of Ottawa*, the largest bilingual university in North America, founded in 1848. In 1965, the school was divided into two parts (*Saint Paul University* and the *University of Ottawa*). The *University of Ottawa*, bilingual for the whole period of its existence, remained, up to 1960s, the only Canadian school outside Quebec authorized to issue diplomas in French study programs.¹⁸ French-speaking students may equally study in their mother tongue at bilingual *Glendon College (Collège universitaire Glendon)*, part of *York University (Université York)* in Toronto. This college, with approximately 2000 students, is the only educational establishment of university type in the south of Ontario offering study programs in English and in French. French study programs are also offered in Sudbury, where Jesuits founded a college in 1913, the first, and for a long time, the only college in the north of Ontario. In 1957, it became the *University of Sudbury (Université de Sudbury)*. In 1960, the bilingual *Laurentian University (Université Laurentienne)* was created and the original *University of Sudbury* has become part of it. *Laurentian University* equally includes the French-speaking *Collège universitaire de Hearst*, founded in 1953, with training centers in Hearst, Kapuskasing and Timmins. Approximately 15,000 French-speaking students attend universities in Ontario and representatives of the French-speaking community are calling for the foundation of a French-speaking university.

Many periodicals are published in Ontario (the daily *Le Droit* published in Ottawa was founded in 1913 as a reaction to *Regulation no. 17* forbidding the use of French in Ontario schools, the weekly *L'Express* published in Toronto for more than 20 years, the weekly *Le Nord* published in Hearst since 1976, the weekly *Le Métropolitain* published in Toronto since 1993, the weekly *Le Journal de Cornwall*, the weekly *Le Carillon* published in Hawkesbury, the weekly *Le Rempart* published in Windsor, the weekly *Le Voyageur* published in Sudbury since 1958, the weekly *Les Nouvelles de Timmins*, the weekly *Le Régional* published in Brampton, the weekly *Le Goût de vivre* published in Penetanguishene since 1972, the weekly *Le reflet* published in Embrun, the bimonthly for agriculturists *Agricom* published since 1983 by the Union of French-Speaking Ontario Agriculturists or the bi-monthly *L'Horizon* designed for the French-speaking inhabitants of Kapuskasing and its surroundings). There are several radio stations (studios of *Radio-Canada* in Toronto, Sudbury, Windsor and Ottawa, *Radio communautaire Cornwall-Alexandria* broadcasting since 1993 for French-speaking inhabitants of the counties of Stormont, Dundas and Glengarry,

Radio communautaire KapNord broadcasting since 1993 for 11,000 French-speaking persons in the surroundings of Kapuskasing, *Radio communautaire Prescott-Russell* with its seat in Saint-Eugène, *Radio Huronie* broadcasting since 1989 from Penetanguishene, *Radio de l'Épinette Noire* broadcasting since 1988 from Hearst). For more than 15 years, French-speaking Ontarians have been able to watch the French-speaking Ontario TV station (*Télévision francophone de l'Ontario*).

Before 1986, it was quite difficult to use French in negotiations with public authorities in Ontario. At present, the French-speaking inhabitants of Ontario have more and more opportunities to use their mother tongue in negotiations with provincial authorities. However, only 8.5 per cent out of all Federal civil servants in Ontario are able to use English and French. Article 5 of the *French Language Services Act* permits the French-speaking inhabitants of the province to use French in negotiations with provincial authorities provided that there are enough French-speaking inhabitants in the region. The Act mentions 23 regions with at least 10 per cent or 5000 French-speaking inhabitants where the French-speaking minority may request the usage of French. The application of this regulation is very complicated since the number of civil servants mastering French in Ontario is very low. Moreover, this Act does not apply to municipalities that are not forced to offer their services in French. A number of municipal authorities (e.g. in Thunder Bay) communicate with citizens only in English. Therefore the French-speaking inhabitants of the province have requested the general application of the *French Language Services Act* throughout the province and not only in its selected parts.

At the end of 1999, the Conservative government of the province decided to merge Ottawa with ten surrounding municipalities and to change, despite the laws, the bilingual capital of Canada into an English-speaking town. After the creation of the "new Ottawa", the share of the French-speaking population in the city dropped from 25 to 15 per cent. A number of English-speaking inhabitants of Ottawa opposed the official bilingualism applied in the capital. They have even founded an association of *Canadians for Language Fairness* with the aim of preventing the new proclamation of Ottawa as a bilingual city.¹⁹ According to these inhabitants, the services provided in French are a useless waste of money, since only 1.5 per cent of the inhabitants speak exclusively French. They equally fear the discrimination of municipal clerks who do not speak French. For supporters of bilingualism in Canada (and in Ontario), the national capital should become a model for the country and provide services in both official languages.

3 Conclusion

It may be generally stated that Ontario is that province which has done the most—except for bilingual New Brunswick—for the protection of the rights of its French-speaking minority. Unlike New Brunswick, Ontario and its English-

speaking population resent the linguistic duality. The application of language rights by the French-speaking minority and the spread of bilingualism throughout the English-speaking population remain serious problems. Moreover, the example of Ottawa has shown how easily the French-speaking community may lose its rights.

Notes

- ¹ Quebec is the largest out of all Canadian provinces.
- ² All the five most important Canadian banks, including Banque de Montréal, have their seat in Toronto.
- ³ The name of the province comes probably from one of the Iroquois languages. It may be a deformation of the word *Kanadario* designing glittering or beautiful water (allusion to the Lake of Ontario), a deformation of the word *Skanadario* designing a beautiful lake or it may be a phonetic variant of the name *Onitariio* ('beautiful lake'). However, some linguists do not believe the word Ontario could have such a precise meaning in Iroquois languages and suppose that the word Ontario meant in these languages (Huron, Mohawk, Cayuga, Seneca) "a big amount of water".
- ⁴ Hull, with a number of government buildings on its territory, lies on the other side of Ottawa River.
- ⁵ In 1971, the French was a mother tongue for 6.3 per cent of the province inhabitants, in 1991, only for 5.0 per cent and in 1996, only for 4.7 per cent of Ontario population.
- ⁶ The third lowest number out of all the Canadian provinces.
- ⁷ In Ottawa, immigrants represent 8.9 per cent, in Toronto 22.5 per cent out all the French-speaking inhabitants living in these cities.
- ⁸ E.g. in Hawkesbury, renowned by the paper production, or in Rockland.
- ⁹ On the contrary, only six per cent of the French-speaking population live in some parts of Ottawa (Nepean, Kanata).
- ¹⁰ Together with Quebec, New Brunswick and Nova Scotia, Ontario is the founding member of Canadian Confederation.
- ¹¹ The French could be taught only in the first two grades of elementary school. In course of these two years, all the pupils were supposed to learn English so that they might continue in English.
- ¹² Court hearing in French took place especially in Ottawa and Hawkesbury, i.e. nearby the border with Quebec.
- ¹³ Before this, the possibility existed only in Ottawa, Toronto and in Prescott-Russel region.
- ¹⁴ According to the results of a survey, carried out by the Ministry in 1992, 44 per cent of all the young French-speaking inhabitants of the province speak more often English than French at home.
- ¹⁵ Besides Ottawa, the students attend the establishments in Hawkesbury and Cornwall.
- ¹⁶ This college is located in the north of Ontario in Elliot Lake, Hearst, Kapuskasing, New Liskeard, Sturgeon Falls, Sudbury and Timmins.
- ¹⁷ Distance education in five centres located in Windsor, Penetanguishene, Toronto, Hamilton and Welland.
- ¹⁸ In 1960s, other bilingual university institutions were founded, as *Université Laurentienne*, including *Laurentian University*, or *Collège universitaire Glendon*.
- ¹⁹ Similar situation occurred in Sudbury.

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