# ENGLISH-SPEAKING QUEBEC AND THE *OFFICIAL LANGUAGES ACT*

**1969** Based on a recommendation of the Royal Commission on Bilingualism and Biculturalism, established by the government of Prime Minister Lester B. Pearson, the government of Prime Minister Pierre Trudeau legislates the *Official Languages Act*. This Act mandates bilingual access to all federal services. It creates position of Commissioner of Official Languages.

**1970** Government of Canada creates official languages in education program. This provides financial support for minority language education and second language instruction.

**1973** Federal civil servants permitted to choose English or French as their preferred language of work.

**1977** Parti Québécois government of Premier René Lévesque passes Bill 101, *Charter of the French Language*. All public advertising and signage required to be in French. Education in English restricted to children with one parent who attended English elementary school within Quebec.

**1978** Government of Canada creates Court Challenges Program. This provides financial assistance to individuals or groups wanting to clarify language rights before courts.

**1979** Following challenge of *Charter of the French Language*, Supreme Court of Canada determines in *Blaikie et al v Quebec* that Charter provisions making French sole language of Quebec legislation are unconstitutional.

**1982** *Canadian Charter of Rights and Freedoms* included in new Canadian Constitution. Charter contains many sections to guarantee and strengthen language rights. Sections 16 to 20 guarantee right to use either official language in Parliament, for certain communications with federal public service, and before federal courts. Section 23 of Charter protects right of parents in official language minority communities to have their children educated in their language and to manage their public educational institutions.

**1984** Supreme Court of Canada renders its first decision regarding minority language education, in *A.G. (Quebec) v Quebec Protestant School Boards*. It rules that parents who received instruction in English in Canada have right to send their children to English-language schools in Quebec.

**1988** Federal government strengthens *Official Languages Act*. This ensures rights guaranteed by Canadian Charter, strengthens obligations of federal government, and provides Act with preamble and statement of purposes.

**1988** In *Ford v Quebec*, Supreme Court rules sections of *Charter of the French Language* dealing with unilingual signs violate principle of freedom of expression. Quebec invokes notwithstanding clause, thus circumventing this ruling.

**1990** Supreme Court decision in *Mahe v Alberta* recognizes right of linguistic minority parents to manage and control their educational institutions.

**1991** Federal government adopts initial set of official languages regulations. These detail federal obligations regarding communications and services with public.

**1995** Quebec Community Groups Network (QCGN) founded.

**1998** Supreme Court renders decision in reference case re Secession of Quebec. Judgment states that Canadian Constitution embraces unwritten as well as written rules. This provides new legal tools to help protect linguistic minority rights.

**1999** In *R. v Beaulac*, Supreme Court recognizes that bilingualism means "equal access to services of equal quality." This means language rights are to be interpreted more purposively, rather than restrictively.

**2000** Supreme Court ruling in *Arsenault Cameron v Prince Edward Island* further expands rights governing minority language education. Case advances argument that substantive equality for minority education requires "that official language minorities be treated differently, if necessary, according to their particular circumstances and needs, in order to provide them with a standard of education equivalent to that of the official language majority."

**2001** Stéphane Dion appointed Canada's first Minister responsible for Official Languages.

**2003** Federal government launches first *Action Plan for Official Languages*. With $750-million budget, Plan designed to enhance vitality of official languages minority communities, improve bilingualism in federal public service, and strengthen linguistic duality across Canada.

**2003** In case of *Doucet-Boudreau v. Nova Scotia*, Supreme Court provides further jurisprudence assisting defence of linguistic rights. It confirms that the courts must issue effective, responsive remedies that guarantee full and meaningful protection of the rights and freedoms guaranteed under the Charter.

**2005** *Official Languages Act* strengthened with adoption of Bill S-3. Amendment clarifies scope of Part VII. It orders federal institutions to take positive measures to enhance vitality of linguistic minority communities.

**2005** In *Solsky v. Quebec*, Supreme Court clarifies eligibility criteria for students to attend English public schools in Quebec. Court concludes section 73(2) of *Charter of the French Language* is constitutional when "properly interpreted." It states that the requirement as set out in that section must involve a qualitative rather than a strict quantitative assessment of a child's educational experience.

**2008** Following 2006 abolition of its Court Challenges Program, federal government creates Language Rights Support Program.

**2008** Updating its five-year-old Action Plan, federal government launches *Roadmap for Canada's Linguistic Duality*. This allocates $1.1 billion to encourage linguistic duality among Canadians and provide support to official language minority communities in five priority areas: Health, Justice, Immigration, Economic Development and Arts and Culture.

**2009** In *Nguyen v. Quebec*, Supreme Court deems it unconstitutional to exclude time spent in an unsubsidized English-language private school from what should be considered when assessing a "major part" of a child's education for purpose of establishing eligibility for enrolment in Quebec's English public education system.

**2009** Another major victory in Supreme Court: ruling in *Desrochers v Canada* confirms that to achieve linguistic equality, federal government may be required to provide services "with distinct content."

**2013** Conservative government introduces the second *Roadmap for Canada's Official Languages* renews the $1.1 billion investment with the focus on education, immigration and communities

**2015** Supreme Court determines in *Association des parents de l'école Rose-des-Vents v British Columbia* how to establish equivalence between minority and majority language schools and the education offered.

**2018** A new federal *Action Plan for Official Languages* launched, with $500 million of additional funding. This boosts investment in Official Languages to $2.2 billion over five years.

**2019** Court Challenges Program reinstated by federal government. Its mandate is to provide financial support to Canadians who wish to clarify constitutional and quasi-constitutional official language and human rights issues.

**2019** *Official Languages Act* turns 50.

Sources: *50 ans de langue officielle*, *La Liberté* Magazine, Volume 1, Numéro 1, December 2019

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