BEYOND THE NUMBERS GAME: OFFICIAL LANGUAGES AND THE CENSUS, PAST AND PRESENT

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The year 2018 marked the 100th anniversary of Statistics Canada. The year 2019 marks another key anniversary: the 50th anniversary of the *Official Languages Act*. The significance of these two anniversaries and the subject areas to which they relate — language and demography — are intimately linked. Indeed, our linguistic regime and Canadians' conversations around official languages have long been shaped and driven by the numbers, or more precisely, by the shifting demographics.

A quick look back at the past serves to illustrate the point. It also provides a few cautionary lessons for today's scholars and decision-makers as they con-

sider how the evolving demo-linguistic situation should inform current and future language policy. The significance of these lessons becomes all the more apparent when we consider the recent rise of populist majoritarian discourse, both in Canada and around the world, and its implications for linguistic minorities everywhere.

TYING THE RIGHTS OF MINORITIES TO THE SIZE OF MAJORITIES – A "CATCH-22"

The rights of Canada's official language minority communities (English-speaking in Quebec and French-speaking elsewhere) have long been tied to their size relative to the majority. It was no coincidence, for example, that at the time of Confederation, the two provinces with bilingual legislatures and judiciaries, Quebec and Manitoba, were home to the most influential and, in proportionate terms, the largest official language minorities; in Quebec in 1867, the English minority represented around 20% of the population, and in Manitoba in 1870, French and English each represented about half of the population. A century later, following decades of growth of its Francophone minority, New Brunswick would also recognize the equality of English and French at the provincial level.[1]

While the relative growth of a minority can make it more politically possible to attain rights, the opposite can also occur. Looking back through history, we can see how the relative decline of minorities has on occasion contributed to a context in which it became politically possible to *remove* recognition of the minority language. Coupled with a rise in populist majoritarian discourse, the removal of minority rights became not only politically possible, but also politically desirable from the perspective of those seeking to govern. This is what occurred in 1890, when Manitoba adopted its *Official Language Act* (English), and in 1974, when Quebec adopted its own *Official Language Act* (French). Note the use of "language," singular.

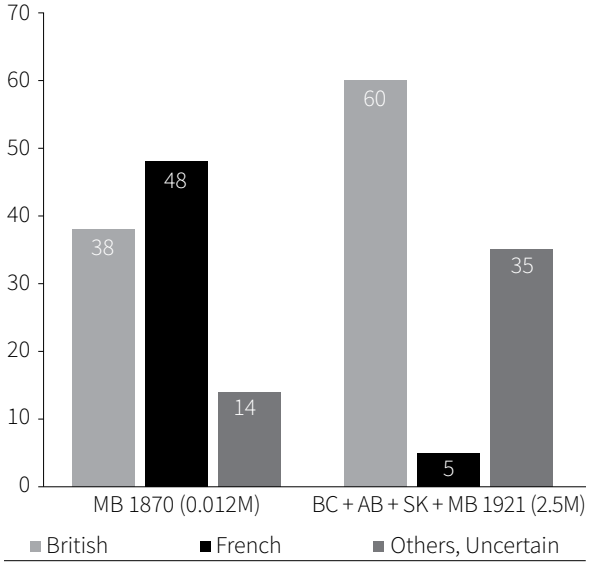
Figure 1 captures the dramatic proportional decline of Western Canada's ethnic "French" population, from 1870 to 1921. It bears pointing out, however, that this constituted a *relative* decline, and not an absolute decline. Even though the minority had grown in absolute numbers, it still was deprived of its rights, in part because the majority had grown at a faster rate.

While politicizing the "decline" of a minority can lead to the denial of rights and recognition, politicizing the growth of an official language minority community can also lead to a more charged and contentious discourse around language rights, wherein the majority asserts a threat of being overtaken by the minority in its midst. This is what happened in

1 Around 16% of N.B.'s population was Acadian according to the 1871 census. By 1971, it was around 34%. See Joel Belliveau, "L'évolution de la situation démo-linguistique des Acadiens du Nouveau-Brunswick: La situation actuelle replacée dans le temps long," presentation delivered to the colloquium *Les enjeux de la migration en contexte acadien et francophone* organized by the Canadian Institute for Research on Linguistic Minorities (Moncton, N.B., August 2010) (https://icrml.ca/fr/site_content/item/38-enjeux-migration-contexte-acadien-et-francophone).

The figures referred to here are in relation to ethnicity (French and British, the latter comprising English, Scottish, Welsh and, more contentiously, Irish — in the case of Manitoba, the 'French' and 'English' populations in the data include French- and English-speaking Métis). This data is used to approximate the French- and English-speaking populations, since data on language is generally not available for the 19th century.

FIGURE 1[2]: PERCENTAGE OF POPULATION OF WESTERN PROVINCES BY ETHNICITY, 1870, 1921



Ontario when, in 1911, the census confirmed the continuing growth of the province's ethnic "French" population and, as we can see in Figure 2, the relative growth of the French population across central and eastern Canada. "The battle waged for a century will have been lost!" warned Toronto Mayor Horatio Hocken. "The barrier that Ontario has for so long opposed to the oncoming tide of French settlement will have been swept away. All that would mean to the destiny of Canada cannot be readily imagined. It would almost inevitably mean French domination and papal supremacy."[3] One year after the census, in 1912, the provincial government imposed Regulation 17, effectively removing the French-language education rights of the Franco-Ontarian minority.

More recently, in August 2017, the release of erroneous 2016 census data on language served to exaggerate the growth of the English-speaking minority in Quebec, leading to gloomy predictions about the future of French in the province. (Fortunately, the hard work of Statistics Canada's staff, and their openness in consulting with the Office of the Commissioner of Official Languages and with other key stakeholders in the days following the initial release, helped to bring about an effective correction.)

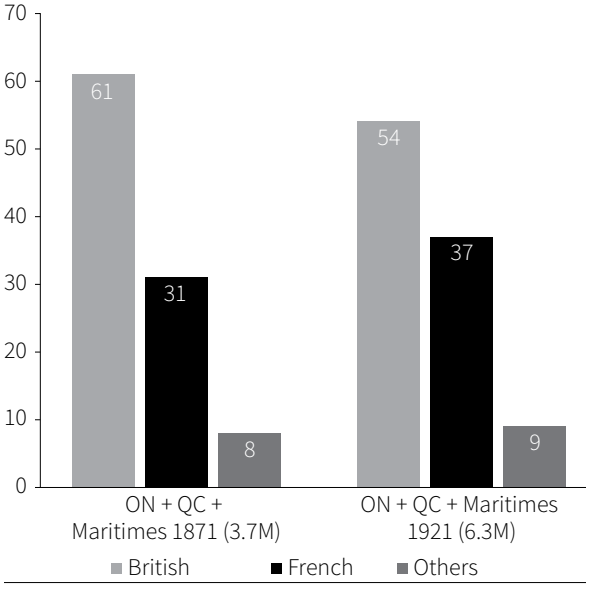
If the 2016 census mix-up taught us anything, it is that we must be cautious when making assumptions about how Canada's linguistic landscape will evolve into the future, and we must ensure that our linguistic regime of tomorrow is not bound by the assumptions of today.

This last point is particularly salient as we reflect on the 50th anniversary of Canada's *Official Languages Act*, and as we look forward to the next 50

2 Note that Manitoba, the Northwest Territories and British Columbia were not included in the Canadian census of 1871, but a separate census was conducted in Manitoba in 1870. The methodology of that Manitoba census was distinct – the percentages used here for 1870 are thus approximations (we have included the Métis populations of "British" and of "French" origins). The figures for the 1870 Manitoba "Archibald" census are discussed online at Norma Jean Hall, "Provisional Government of Assiniboia" (https://hallnjean2.wordpress.com/the-red-river-resistence/red-river-censuses/). For the figures from 1921, see Canada, *Sixth Census of Canada, 1921*, Vol. I: Population: Number, Sex, and Distribution — Racial Origins — Religion (Ottawa: F.A. Acland, Printer to the King, 1924).

3 In Robert J. Talbot, "Moving Beyond Two Solitudes: Constructing a Dynamic and Unifying Francophone/Anglophone Relationship, 1916-1940," Doctoral dissertation in History (University of Ottawa, 2014), p.68.

FIGURE 2[4]: PERCENTAGE OF POPULATION OF EASTERN PROVINCES BY ETHNICITY, 1870, 1921



years. Among other things, the 1969 Act allowed for the creation of "bilingual districts" across the country, whenever the local minority grew to 10% of the population. As it turns out, these districts were never created. Why? In part, because their creation was predicated on two assumptions — one accurate, the other less so. First, it was based on the hope that the advancement of language rights would help to maintain the vitality of official language minority communities. This, we would argue, has turned out to be the case, although serious challenges and legislative deficiencies remain. Second, it was based on a rather optimistic assumption that the natural increase of the French-speaking population would help it to keep up with the English-speaking population, which benefited significantly from immigration. One researcher for the Royal Commission on Bilingualism and Biculturalism (1963-1969) even speculated that, in New Brunswick, for example, "la minorité sera peut-être un jour la majorité"![5] Meanwhile, statisticians in the 1960s estimated that, by 2020, Canada's Francophone majority province, Quebec, would be home to some seventeen million souls.[6] Something tells us that we're not going to get there by the next census!

Moreover, the problem with the 10% minority benchmark was that the minority's vitality was, once again, being tied to the size of the majority. Even if the minority was a vibrant or a growing community, if it wasn't growing as fast as the majority it risked losing its rights. Recent events in Ontario, where the French-speaking minority is growing but at a slower pace than the majority, provide a case in point. In their rationale for removing the independent Office of the French Language Services Commissioner and for cancelling funding for a French-language university,

4 See Canada, *Census of Canada, 1871*, Vol. I (Ottawa, I.B. Taylor, 1873); Canada, *Sixth Census of Canada, 1921*. Vol. I: Population: Number, Sex, and Distribution - Racial Origins - Religion.

5 Archives Radio-Canada, "Bilinguisme, la position du Nouveau-Brunswick," interview with Premier Louis Robichaud, 25 June 1963 (http://archives.radio-canada.ca/sante/langue_culture/clips/2397/).

6 See House of Commons, Second Session – Twenty-Sixth Parliament, 1964, Special Joint Committee of the Senate and of the House of Commons on old age pensions, Minutes of Proceedings and Evidence, 11 December 1964 (Ottawa: Duhamel, 1964).

Ontario officials sought to minimize the relative size of the Francophone minority, and pointed out that Ontario is home to multiple linguistic minorities.[7] This, of course, implies that different minority groups are to be weighed one against the other — not for the purposes of *granting* rights and recognition to one group or another, but rather to *remove* rights and recognition that had previously been secured. In such a race to the bottom, the only group left benefiting from language rights and recognition will inevitably be the majority itself.

TOWARDS A NEW APPROACH: A NEW OFFICIAL LANGUAGES ACT, RENEWED RESEARCH, AND THE 2021 CENSUS

So, what can we learn from these lessons, past and present? Fifty years of experience tells us that we need a modernized *Official Languages Act* and new regulations that are more robust and not simply tied to cold percentage points, left vulnerable to the constant ebb and flow of population increases and decreases. In order to make this feasible, we must ensure that decision-makers have a more nuanced understanding of community vitality, of community conditions and of communities' needs — all of which researchers can measure through advanced data analyses that link language with the multiplicity of factors that affect and that speak to community vitality, including: youth, gender, mobility, immigrant status, institutional support, employment, income, occupation and education, among others.

The full implementation of the current and future *Official Languages Act* and of the language rights guaranteed under the *Charter of Rights and Freedoms* requires access to complete, accurate and rigorously analyzed data. To that effect, the federal government needs to provide stronger guarantees for research funding and engage in a new post-censal survey on the vitality of official language minority communities. We also need new questions in the census on minority language education, in time for 2021, and not after. Official language minority schools are a critical vehicle for the transmission of language, culture and identity. It is therefore crucial for minority education rights holders to be fully counted in every corner of the country in order to guarantee that parents and guardians can have access to education for their children in the language, as is their right under the Charter.

This would not be the first time that we have added questions to the census out of recognition of the complexity of Canadians' linguistic realities:

- In 1901, questions were added on knowledge of language and on mother tongue, out of recognition that language and ethnicity are not one and the same;

- In 1971, questions on the language(s) spoken in the home were added, out of recognition that the mother tongue is not necessarily the language of use; and

- In 2001, questions on language of work were

7 As a point of fact, as of 2016 in Ontario, French remained by far the most common language after English – in terms of knowledge of language, mother tongue, home language, and language of work. See Statistics Canada, "Focus on Geography Series, 2016 Census" (www12.statcan.gc.ca/census-recensement/2016/as-sa/fogs-spg/Index-eng.cfm).

> added, out of recognition that the importance of a language is not limited to the home.[8]

In 2021, will we add questions related to the language of education, out of recognition that schools are essential to the continued vitality of communities and to linguistic duality in Canada in general? Will Statistics Canada continue to provide innovative and proactive leadership in the world of research to help give voice to our linguistic duality, in all its diversity and fullness?

Let's hope so. For the strength and health of our official languages, from coast to coast to coast, is best understood in terms of the social, economic, cultural, linguistic and institutional vitality of the minorities that speak them, and not only in terms of their size relative to the majorities alongside whom they live.

8 Statistics Canada, "Census questionnaire content and derived variables since Confederation" (2009) (www12.statcan.gc.ca/census-recensement/2006/ref/dict/app-ann001-eng.cfm#02).