Brief Outlining the Views of the Representative of Canadian Francophone Arts and Culture on Modernizing the Official Languages Act

Appearance before the Standing Senate Committee on Official Languages

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FCCF | Brief on modernizing the *Official Languages Act*

**Preamble**

Thank you for inviting us to appear before you today to discuss the modernization of the *Official Languages Act*. We would like first of all to stress the vital importance of the work you have undertaken. Words cannot express how much we value what you are doing here. A special thank you also to the members of this committee, for insisting on providing airtime for the perspective of the arts and culture sector that we represent.

I am pleased to speak on behalf of the Fédération culturelle canadienne-française (FCCF). In 2017, our organization celebrated 40 years of promoting arts and culture in francophone and Acadian communities.

As stated by the late Fernand Dorais, Professor of Literature in the Department of French at Laurentian University in Sudbury:

“A culture is first and foremost a history, a shared language, a societal style, the choosing of values, a desire for the future.” [Translation]

First of all, we are hoping for a real and genuine modernization of the *Official Languages Act* for the sake of the well-being and collective future of francophones across the country. We want to have the necessary resources to make a full contribution to the development of our country. As the voice of the Canadian francophonie in the arts and culture sector, the FCCF’s vision is to inspire, mobilize and transform Canada through arts and culture.

As such, and like other organizations and groups that you will be hearing from in the coming weeks, we are specialized and essential partners for the effective implementation of this Act. We have the knowledge and experience to guide the modernization of the Act with a view to strengthening its authority (vertical and horizontal), if not its legal enforceability. Beyond our participation here today, we hope that users will also be at the centre of the discussions and that the people of our communities will be invited to articulate their needs and aspirations.

The *Official Languages Act* requires updating given that the context and Canadian society have evolved in recent years. Among other trends, cultural diversity in Canada has increased and continues to increase. The same applies to our communities. The priorities associated with the reception and integration of these francophone families pose a challenge for us all, and must be fully considered in this context.
While we are interested in and challenged by all parts of the *Official Languages Act*, our comments are particularly inspired by the spirit embodied in Part VII. That, in our view, is the pure expression of the commitment required of us all to complete the task before us, and for which we have a shared responsibility.

**Positioning francophone Canadian arts and culture**

Official language minority communities are first and foremost a cultural project. As such, the *Official Languages Act* must emphasize the vital importance of the arts and culture sector in their development and growth.

Arts and culture must be recognized as a driving force for the development and vitality of francophone minority communities. Francophone identity is reinforced through a positive self-image. Having access to local radio content, to a regionally produced program with local content, to a play that is created and performed locally; these are opportunities to come into contact with who we are. The reflection of our reality reinforces our sense of belonging and nourishes our pride.

The increasing insecurity we are observing in our arts and cultural organizations undermines their ability to play their full role as the government’s key partner in implementing the spirit and the letter of the *Official Languages Act*, particularly Part VII.

Our community and artistic organizations are losing ground at an alarming rate in terms of the support they receive from the government. Weakening them undermines their ability to fulfill their mandate and reduces their influence over the communities they serve in promoting the French language and the rights of official language minority communities.

This directly affects their ability to play a supporting role in the creation, production and dissemination of arts and culture. The gradual erosion of resources is bringing us to a breaking point at which certain groups can no longer continue and some francophone communities are threatened with extinction.

The most glaring example is the gradual loss of core funding in favour of piecemeal project-based funding, which seriously undermines the stability of our organizations. Among other things, this impacts on their ability to recruit, train and retain competent staff, build capacity and professionalize the sector.

Administrative processes are becoming increasingly cumbersome and complex, at the expense of the efficient, accessible and quality delivery of the artistic and cultural production of francophone and Acadian communities.

The community media network, a vital tool for communicating local content, is struggling. The search for larger audiences, combined with commercial interests, takes precedence over their essential contribution. Radio-Canada, our only national French-language broadcaster, is increasingly losing its capacity to serve our regions and to provide them with opportunities to participate in developing their own content. Our cultural centres do not have access to stable and recurring funding, which jeopardizes their ability to optimize their offer, build customer loyalty, ensure infrastructure maintenance and secure their long-term profitability.
These are just a few examples of the sad state of affairs for us.

The community sector, as the government’s primary partner, does not receive an adequate share of the resources earmarked directly or indirectly for implementation of the Official Languages Act. Moreover, the resources for official languages that are allocated to the provinces and territories are clearly not being appropriately reinvested by the latter to support the development of francophone and Acadian communities. We have little or no leverage to counter this reality, not to mention the fact that we are at the mercy of changing political winds in each province. This is contrary to the spirit of the Act and deserves close examination.

**Do a better job of delivering on the promise of promoting francophone and Acadian communities**

When the Official Languages Act was last reviewed in 1988, the priority of promoting official language communities was added. Nothing has come of that, however. We deplore the absence of a comprehensive strategy, which should have been developed jointly with the community sector as a key strategic partner, with users at the heart of all considerations and resulting strategies. We believe that a promotion, awareness and public education campaign would have a positive impact on our entire ecosystem. Our artists, our creators and our cultural workers would have much to tell, and our products would receive heightened visibility. Canadian public opinion regarding official languages is more positive than ever before. Our citizens see linguistic duality as a fundamental value and an asset that sets us apart in the eyes of the world. A shared-leadership promotion campaign would be a brilliant and proactive solution committing us all to action.

**Solidarity with the Canadian francophonie in all its diversity**

The FCCF supports the position of the Canadian francophonie. We need solid leadership and a demonstration of consistent political support. We have to take the Official Languages Act down from the shelf and dust it off, and then sit down together as the partners we are and move ahead with courage and honesty.

It is high time to modernize the Act. In fact, action is critical. The Act must be given teeth, not to mention claws. And why not seek to reinstate a positive and constructive point of view, collectively committing ourselves to achieving the objectives of the Act for the good of the entire country? We are inspired by unity and a strong national identity, and the Official Languages Act is an essential element for achieving this vision. What incentives and solutions will enable us to take this responsibility to the next level, where we all commit to a shared collective vision?

Supporting and fostering development requires clear strategies and goals, moving forward with concrete measures, applying logic other than that of strictly numbers and commercial feasibility, and determining indicators against which to demonstrate and measure change.

**Strengthen the enforcement and accountability framework of the Official Languages Act**

We must improve the system for delivering on official language policy under the shared responsibility of the
government and the institutions subject to the Act. Policy guidance must be centralized at the highest level of government. The agencies and institutions subject to the Act must commit to their responsibility to act, to be accountable and to be transparent.

The mechanics of action plans and annual reports have not produced the desired results. Within the public service, there are complaints about the heavy administrative burden created. Our organizations observe a general climate of disempowerment and the perception of official languages as an administrative chore. Plans and reports look like nothing more than a rehash of old material, or the product of the least possible effort. There is no directive calling on us to do better, to rise above what is already being done, to adopt a proactive attitude, to innovate to find new solutions. Participating in a community event or making documents available in both languages is not enough in terms of our responsibility under the Official Languages Act. We must ask ourselves how it is that we are so far from the directive to propose and adopt positive measures with regard to francophone and Acadian communities.

The accountability framework of the Act needs to be strengthened. This will require the capacity to impose disciplinary measures, but even more important, to propose and apply incentives. How can we criticize government performance without further reducing or even extinguishing the desire to do better? This is a major challenge in the quest for a positive attitude change.

The powers of the Commissioner of Official Languages must be enhanced, and his independence and impartiality protected. In addition to increased powers to enforce the Official Languages Act, he should be able to impose disciplinary measures and take concrete and positive action to ensure compliance with the Act.

The approach to consultations should also be reviewed in light of the results since the Act was last reviewed. Ultimately, the outcome of discussions is not reflected, which creates the perception that active and rigorous participation will have little or no impact. There should therefore be an in-depth review of the consultation method to ensure that the investment required to participate has the desired effect. We do not consult just so someone can check a box and say it was done, or so expectations can be managed and the bar lowered. The individuals and organizations that mobilize each time deserve the respect of being invited to a real consultation. The intention must be open dialogue and the search for solutions.

**We must strengthen the authority of Canadian Heritage as the lead department for implementing the Act**

The horizontal capacity of the Department of Canadian Heritage has been sorely tested by the implementation of interdepartmental approaches. The promise of broadening the government’s contribution to the development of francophone and Acadian communities through the efforts of the departments and agencies subject to the Act has not been fulfilled. Bureaucracy and administrative complexity have increased for our organizations, with too few results. A department cannot be called on to be both judge and party without its effectiveness being hindered.

The greatest potential has proven to lie with the establishment of collaborative mechanisms. Our sector is benefiting from the establishment of the Collaboration Agreement for the Development of Arts and Culture in the Francophone Minority Communities of Canada. This is an important step in the right direction, which has facilitated dialogue and supported certain collaborative efforts, but has not yet led to an increased number of initiatives or support contributions.
Canadian Heritage has also come up short in terms of increasing the envelope for official languages support programs. It lacks political weight because it is not backed by a strong political message from on high.

Our members across the country have shared with us their concern over a perception in recent years that the department’s commitment to our communities is steadily declining. We are seeking to better understand the origin and basis of this perception in order to focus on solutions that will lead to renewed confidence and a strengthening of the department’s overall support.

**We must also improve knowledge about and sensitivity toward minority official language communities**

In their work, our groups and organizations are confronted with systemic barriers that betray a deep misunderstanding of the realities and specific needs of francophone and Acadian communities.

There should be a reiteration of the responsibility of departments and agencies to demonstrate sensitivity and a proactive and collaborative attitude to resolving these systemic issues. Ongoing dialogue, an open attitude and a climate of trust and collaboration are required.

**We are calling for the expression of strong and clear political leadership on the importance of linguistic duality. That would make all the difference.**

We must promote linguistic duality as an intrinsic part of Canada’s unique character, and provide the leadership this vision deserves. The *Official Languages Act* is nothing less than the legal and moral foundation of this vision. We have a long way to go to realize the goodwill spelled out in Part VII of the Act. The status quo is unacceptable, and any administrative finding will be simplistic and unbearable.

How can we move from a legislative statement that reflects our core Canadian values to effective implementation that has a real and verifiable impact on the development and vitality of francophone and Acadian communities? The original intent of the *Official Languages Act* was to make a difference, but the actual state of our communities tells a different story.

In our view, any revision or overhaul of the Act must take into account the contribution of the arts and culture sector to achieving its objectives. At the same time, the mandates of the key players and institutions that play an important role in the vitality of our communities on a daily basis should also be closely examined. A successful outcome would be strong communities that conduct all aspects of their daily lives in French.
Imagine...

At this time, we invite you to support us in achieving our vision of inspiring, mobilizing and transforming. Imagine for a moment, the bright future of linguistic duality in Canada:

**Imagine** in 20 years, looking back at this review of the *Official Languages Act* and proudly celebrating the quality of the work that has been accomplished. We would appear before you to express our great joy at the fact that assimilation has been slowed down; that our numbers are stable or increasing; that francophone citizens in minority communities have equal opportunities to access government-wide programs and services; that the arts and culture sector is a key partner, contributing fully to the vitality of its community and the growth of Canadian society. That is the goal we have in common. That is what we would be proud to see.

**Imagine that** the public service fully assumes its horizontal responsibility in terms of official languages. That it automatically looks through the lens that informs the realities and needs of francophone and Acadian communities, and that this leads to flexibility in its programs and services to avoid systemic bottlenecks. This would result in proactivity and far fewer obstacles. Dialogue would be more open and would be geared toward solutions. Arts and cultural organizations wouldn’t have to work at cross-purposes to make the government listen to reason. This cultural shift would allow our sector to focus its energy where it belongs: on the development and vitality of our communities, the important work that challenges us all. That is exactly what the spirit of the *Official Languages Act* implies with regard to our role and our capabilities.

**Imagine that** progressive disempowerment is transformed through a proactive attitude that gives free rein to collaboration and concerted action with measurable impacts. In this climate, we would be able to boast about how far we’ve come and the results we have obtained. Shared responsibility for shared success.

**Imagine that** the government undertakes a rigorous review of the reality of francophone and Acadian communities and that it commits from the outset to work with us on the solutions and innovative practices that should be implemented. We have seen a great deal of progress in terms of taking responsibility for our development, but without an adequate level of resources to ensure success. We have promoted the concept of FOR and BY, but now the notion of WITH is more important than ever to ensure continued progress. We are ready and able to work together for the effective realization of the spirit and the letter of the Act.
Ultimately...

Finally, we believe that success attracts success. What will inevitably flow from the expression of a strong political will are clear directives and concrete, positive and measurable actions that can have an impact on the ground.

We encourage Mr. Trudeau’s government to have the courage of the vision that his father first articulated. Part VII of the *Official Languages Act* must be accorded more importance within government by strengthening its enforceability and enhancing its invaluable contribution to the country’s overall development.

We are hoping for a major change, the expression of your energetic leadership on the issue of official languages.

The FCCF, like all organizations in the arts and culture sector, is invested in this issue. We believe in a collaborative approach to identifying and implementing new solutions adapted to our realities and needs.

Canada’s performance in terms of official languages can and should be exemplary. It should equip the government to engage in other sectors where meaningful support is required for the development and vitality of civil society, such as First Nations and multiculturalism. Succeeding in terms of linguistic duality will help us succeed in developing and strengthening citizen potential.

The co-development work initiated with First Nations to introduce legislation to protect Aboriginal languages could stand as a model for our participation. Imagine the process to modernize the *Official Languages Act* including the participation of francophone and Acadian communities in a “co-creation” exercise. Such an approach would have the effect of reinforcing the notion of shared responsibility, and ensuring excellence in the implementation of the spirit and letter of the Act. The future of official languages depends on our collective ability to innovate and work closely together for the well-being of everyone. The arts and culture sector is inspired, motivated and ready to take action.

Thank you for your invitation, and thank you especially for listening.
Signatories

Representative Organization
Fédération culturelle canadienne-française

Organismes provinciaux et territoriaux
Alliance culturelle de l’Ontario (ACO)
Association académique des artistes professionnels du Nouveau-Brunswick (AAAPNB)
Association culturelle franco-manitobaine (ACFM)
Association franco-yukonnaise (AFY)
Centre culturel franco-manitobain (CCFM)
Conseil culturel et artistique francophone de la Colombie-Britannique (CCAFCB)
Conseil culturel fransaskois (CCF)
Conseil provincial des sociétés culturelles (CPSC)
Fédération culturelle acadienne de la Nouvelle-Écosse (FéCANE)
Fédération culturelle de l’Île-du-Prince-Édouard (FCIPE)
Fédération des Francophones de Terre-Neuve et du Labrador (FFTNL)
Fédération franco-ténoise (FFT)
Regroupement artistique francophone de l’Alberta (RAFA)

National Organizations
Alliance des producteurs francophones du Canada (APFC)
Alliance nationale de l’industrie musicale (ANIM)
Association des groupes en arts visuels francophones (AGAVF)
Association des théâtres francophones du Canada (ATFC)
Front des réalisateurs indépendants du Canada (FRIC)
Regroupement des éditeurs canadiens-français (RECF)
Réseau national des galas et de la chanson (RNGC)
Coalition de réseaux de diffusion
Scènes francophones (SC): RADARTS, Réseau des grands espaces and Réseau Ontario
Alliance des radios communautaires du Canada (ARC du Canada)

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