



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Official Languages

LANG • NUMBER 046 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, February 14, 2017

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Chair

The Honourable Denis Paradis

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• (1110)

[*Translation*]

The Chair (Hon. Denis Paradis (Brome—Missisquoi, Lib.)): Hello everyone.

Before starting the meeting, I want to officially wish a happy birthday to our colleague, John Nater.

Today we're studying the issues related to the enumeration of rights-holders under section 23 of the Canadian Charter of Rights and Freedoms.

We're pleased to be meeting this morning with Jean-Pierre Corbeil, the assistant director of the social and aboriginal statistic division at Statistics Canada. Welcome, Mr. Corbeil.

We'll listen to your presentation. You'll have ten minutes to speak. Afterward, as usual, the committee members can ask questions and provide comments.

The floor is yours.

Mr. Jean-Pierre Corbeil (Assistant Director, Social and Aboriginal Statistic Division, Statistics Canada): Thank you, Mr. Chair.

I want to thank the committee members for inviting me, as a representative of Statistics Canada, to appear before them to contribute to their study on the issues related to the enumeration of rights-holders under section 23 of the Canadian Charter of Rights and Freedoms.

I'll cover three main topics.

I'll begin by discussing some considerations and challenges related to the addition of questions to the 2021 census concerning the enumeration of children of rights-holders.

I'll then provide background information regarding the enumeration of rights-holder parents under section 23 of the charter using official statistics.

Finally, I'll provide some information on the 2021 census content consultation process.

Let me say that Statistics Canada recognizes the importance of official languages and the statistical tools it provides to data users in the government and the communities in general. For many years, the government has been committed to ensuring that the Canadian public has access to an extensive amount of statistical data on language.

Canada is the only country to ask seven questions on language in its census of population. This shows that the Government of Canada recognizes the importance of this topic and is committed to taking this key dimension of Canadian society into account in the framework for its policies and programs.

Statistics Canada recognizes that the collection of data on rights-holders and their children constitutes a very important need for official language minority communities. As such, the committee members' comments and suggestions are very important to us.

Given the number of questions in the census and the number of requests to add new questions, Statistics Canada must find a balance between needs on the one hand, and, on the other hand, costs, the response burden, data quality, and so on. In other words, adding questions to the census requires a whole set of considerations, and those related to data quality can't be sacrificed.

In general, consultations led by Statistics Canada reveal that information needs are much larger than what the census can accommodate. The federal agency is always looking for ways to take those needs into account and to measure them.

Therefore, the enumeration of rights-holders and of their children requires a careful and precise assessment of the available means and tools by which the best data can be collected on this subject. Statistics Canada must assess the advantages and disadvantages of the various data collection processes.

[*English*]

The Census of Population includes a question on the first language learned in childhood and still understood—that is, the mother tongue—by the parent. This addresses paragraph 23(1)(a) of the charter.

It does not, however, contain a question on the language of instruction received by the parent in primary school—paragraph 23 (1)(b) of the charter—nor does it contain questions on language of instruction in elementary or secondary school of the child of a Canadian citizen—subsection 23(2) of the charter.

Statistics Canada conducted testing in the national census tests of both 1993 and 1998 to assess the collection of data related to language of instruction within the census. The assessments showed that respondents had significant difficulties distinguishing between immersion programs, second-language programs, and official-language minority school programs. Therefore, past experience has demonstrated that in order to accurately capture the information on language of instruction, a more comprehensive set of questions is needed.

While the census collects information on mother tongue and citizenship, the only Statistics Canada data source that can directly estimate the number of rights holders is the 2006 survey on the vitality of official language minorities.

Statistics Canada conducted the post-census survey on the vitality of official language minorities in partnership with 10 federal departments and agencies. Among other themes, the survey included more than five different modules to measure various dimensions of education, including the complex enumeration of the population covered under section 23 of the charter. It also provides information on the main reasons behind parents' choices for the language of instruction of their children.

• (1115)

In addition to the question on mother tongue, 11 questions were required in the post-census survey to address paragraphs 23(1)(a) and (b) and subsection 23(2) of the charter. This survey has been proposed as a solution for the enumeration of rights holders on the basis of previous experiments and tests results regarding language of schooling.

According to the post-census survey, 52% of children in Canada outside Quebec with at least one rights holder parent attended French school. Of the children enrolled in elementary school, 56% went to French school, compared to 47% of secondary school students. Lastly, 15% of children of rights holder parents were enrolled in a French immersion program.

[Translation]

The census of population enumerates rights-holders only as defined by paragraph 23(1)(a). The question is how this one piece of information is relevant to the intended goal.

According to the 2006 census, following which the post-census survey of 2006 was conducted, 185,675 children aged 5 to 17 in Canada outside Quebec had at least one French-mother-tongue parent. They represented 89% of the 209,220 children of rights-holders in the same age group who attended an elementary or secondary school, as determined by the vitality survey.

These results are consistent with the analyses produced using only this post-census data. When we consider all children of rights-holders in Canada outside Quebec in this survey, 96% had at least one parent whose mother tongue is French. This means that, although the census provides for the enumeration of rights-holder parents only under paragraph 23(1)(a), these comparative analyses nevertheless confirm that a strong majority of rights-holders outside Quebec are represented.

As regards the estimation of rights-holders in Quebec, census data on mother tongue isn't useful, since paragraph 23(1)(a) of the charter isn't in force in Quebec as a result of section 59 of the Constitution Act, 1982.

The census of population is based on a well-established seven-year process, which begins with census planning and ends with the official data release. Four years prior to census day, consultations with data users and partners begin across Canada to gather feedback and recommendations on the information collected in the census.

In fall 2017, Statistics Canada will start the 2021 census content formal public consultation process. This process will include a publicly available Internet questionnaire and discussions during meetings with provincial and territorial representatives, the various levels of government, community organizations and academics across Canada.

Any changes proposed to the content of the census of population will undergo a rigorous assessment, including qualitative and quantitative tests, based on Statistics Canada's high quality standards. For the 2021 census, tests will be conducted in 2018 and 2019. The testing will include focus groups with specific population groups that may be impacted by the proposed changes. These focus groups will be conducted in several languages and in various regions across the country.

Lastly, qualitative tests will be followed by large-scale pilot tests with different content options and methods administered to a large sample of Canadians in several regions of the country. The consultation process led by Statistics Canada for the 2021 census will also draw on all government partners, which are important contributors to each census of population cycle.

In addition, within the context of those consultations, Statistics Canada will take positive measures to reach out to official language minority community representatives to discuss the enumeration of rights-holders. However, the decision to add questions on languages to the census is not made only by Statistics Canada. The decision is ultimately made by the government.

• (1120)

Therefore, Statistics Canada will prepare content recommendations for the 2021 census based on feedback from the consultations and test results. The content recommendations for the 2021 census will then be presented to the government for consideration. Pursuant to the Statistics Act, the Governor in Council shall, by order, prescribe the questions to be asked in the 2021 census.

As regards the time frame, the activities leading to the 2021 census include the consultation process, the development of questions, the tests, and, lastly, the census content recommendation to the government. All these activities will take place over the coming years, in other words, between now and the end of 2019.

Thank you. I'll gladly answer your questions on this topic.

The Chair: Thank you, Mr. Corbeil.

We'll proceed directly to the questions and comments.

Mrs. Boucher, you have the floor.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Thank you, Mr. Chair.

Thank you, Mr. Corbeil, for being here today. I want to welcome you to the committee's new space. It's very nice.

Several questions come to mind.

When we talk about rights-holders, does everyone understand what that means? I've noticed that some people with whom I speak about the subject have no idea. Is the term properly explained to the average person?

As members, we know this expression. However, many people today still don't understand the term "rights-holder".

Mr. Jean-Pierre Corbeil: You're absolutely right. Obviously, we don't ask specific questions such as "are you a rights-holder?"

I think the distinction between the parents and their children is the main source of confusion. The children aren't the rights-holders. Their parents are the rights-holders. Their parents have the right to enrol them in an official language minority school under section 23 of the charter. As you probably know, this section contains three subsections.

We're trying to inform people as much as possible about the subject. That said, when we conducted the survey on the vitality of official language minorities, we didn't need to explain the concept of rights-holders to people, since the questions were clear enough. In addition, even though the subject of education is complicated, it didn't cause a problem as such. However, I agree with you that there's a great deal of confusion.

Mrs. Sylvie Boucher: Yes, there's confusion. Even today, when we speak with certain rights-holders, it's not clear to them.

Also, can you explain how you enumerate francophone rights-holders?

I'm a francophone from Quebec. Let's say I need to respond to a questionnaire that isn't available in French, but I decide to fill it out in English anyway. Would I then be considered an anglophone?

Since I'm from Quebec, I'm still francophone. However, I responded to the questionnaire in another language. How do you determine the number of francophone rights-holders? What are your criteria?

Mr. Jean-Pierre Corbeil: We must distinguish between identification with a community and the fact that a person is designated francophone or non-francophone. In principle, section 23 doesn't make this distinction and doesn't mention the term "francophone" or "anglophone".

That said, paragraph 23(1)(a) concerns the first language learned in childhood and still understood at the time of the census, namely, the mother tongue. As I mentioned before, this is probably the most important criterion outside Quebec when it comes to determining the number.

Paragraph 23(1)(b) concerns the parent's language of primary school instruction. This information isn't available in the census. However, the question was asked as part of the survey on the vitality of official language minorities.

According to the third criteria, if a child of the family is attending or has attended a minority language school, the child's parents can

send their other children to a minority language school, even if French isn't their mother tongue and they didn't receive primary school instruction in French.

As I said earlier, it's not really important to distinguish between who is and who isn't a francophone when implementing the provisions of section 23.

• (1125)

Mrs. Sylvie Boucher: So we can't put an exact figure on the francophone population. It's still unclear. For example, if I speak French and French is my mother tongue, but I decide to attend the English school, this doesn't make me an anglophone.

Mr. Jean-Pierre Corbeil: The difficult thing to understand is that we're not talking about francophones and anglophones here. In the census, five or six possible definitions of francophone or anglophone may be used, but this distinction isn't made. Each person is free to use one definition or another.

At this time, the only data in the census available to help us determine the number of francophone rights-holders outside Quebec is the parent's mother tongue. We don't have the other criteria.

In the survey on the vitality of official language minorities, we asked 11 questions that helped us determine the number of rights-holders parents and children of these parents.

Mrs. Sylvie Boucher: In this case, couldn't the 11 questions in the vitality survey, which helped you collect data and better understand the francophonie landscape outside Quebec and the situation of anglophones in Quebec, be included in the census? This would provide a better picture of the francophone or francophile reality.

Mr. Jean-Pierre Corbeil: You're asking a very important question. As I said earlier, we must first determine whether the census is the best tool to answer these questions.

You know that the census currently has over 50 questions. We receive all kinds of requests to add questions from across the country. For example, aboriginal groups want questions on aboriginal people. Others want questions on gender identity or same-sex couples. There's a huge number of requests. The question has been asked, and Statistics Canada will need to determine whether, of all the tools available, the census is the most appropriate tool.

It should also be known that the addition of this many questions to the census usually creates a response burden for the entire Canadian population. We must determine whether this should be done through the census, through a post-census survey or by using the provinces' administrative files. In other words, we would encourage the provinces to ask a certain question, which would enable us to collect the information from each provincial authority.

The goal is clear. We want a better idea of the number of rights-holders. At this point, we still need to determine the best way to achieve this goal.

The Chair: Thank you very much.

I now yield the floor to Mr. Lefebvre.

Mr. Paul Lefebvre (Sudbury, Lib.): Thank you, Mr. Chair.

Thank you for being with us, Mr. Corbeil.

My comments are in the same vein as Mrs. Boucher's. However, before I begin, I would like to go back to the reason why we are examining this. The next census will take place in 2021, and it is clear that we have to start looking at the data now.

In several francophone communities from one end of the country to the other, people have a lot of trouble obtaining services in French, and perhaps even education in French.

This data is crucial for the sustainability of our communities, period. Moreover, a lot of people want services in their language, but the absence of accurate data stops us from progressing. We have seen this in several Supreme Court rulings. Unfortunately, the Supreme Court and even the school boards in other provinces use that excuse. They claim that in the absence of data they can do nothing, and that is the end of it. The survival of our francophone communities outside Quebec is threatened.

This explains the importance of the next census, or, as you said, of some other tool comparable to the post-census survey on the vitality of communities that you conducted in 2006.

I would like to go back to something you said in your statement. Would it be possible to get your speaking notes? I don't have any. Could you give us some?

• (1130)

Mr. Jean-Pierre Corbeil: No problem.

The Chair: You will have the notes.

Mr. Paul Lefebvre: Excellent. Thank you.

You said that it was not up to Statistics Canada to make decisions, but that it was incumbent upon the government. Who exactly within the government makes those decisions? Which department makes the final decisions in this regard?

Mr. Jean-Pierre Corbeil: I would like to make a small correction.

Mr. Paul Lefebvre: Go ahead.

Mr. Jean-Pierre Corbeil: I did not say that it was not up to Statistics Canada to make decisions on these issues. In fact, Statistics Canada conducts tests, takes recommendations into account, and assesses the possible options very carefully. That is why I mentioned the census tests; the 1993 and 1998 census included a question on language of education. The 1993 census included such a question, and there were two questions in 1998.

An analysis was done, and following the assessment, recommendations were made as to what was possible or not.

Mr. Paul Lefebvre: And who is the recommendation made to?

Mr. Jean-Pierre Corbeil: Ultimately, the recommendation is submitted to the government, and cabinet decides...

Mr. Paul Lefebvre: Fine.

Mr. Jean-Pierre Corbeil: ... and approves the content of the census.

Mr. Paul Lefebvre: Thank you, I just learned something.

As Mrs. Boucher mentioned, at this time the census contains seven questions and there were 11 in the survey. So there were four additional questions. You said that the census contained 50 and that

we could add some, because it would be primordial that we obtain that data.

Last week, witnesses appeared here and I put the same question to them. You're not a lawyer and I will not put legal questions to you. But I was wondering if the census is not in breach of the rights granted by section 23 of the charter. You said yourself that the census only collects some data with regard to paragraph 23(1)(a), and not for the rest. In light of what the Supreme Court said on several occasions, and given the lack of data, we have a serious problem, in my opinion. We are not respecting our obligations toward francophones outside Quebec under the charter.

Mr. Jean-Pierre Corbeil: Thank you for your question. My answer has two parts.

You talked about adding four questions. That is not the case, because the seven questions in the current census cover other dimensions. There is a possibility of adding 10 other questions because the 11th is the one that is already included in the census; it concerns citizenship. In fact, in the census the issues of mother tongue and citizenship are raised, but 10 other questions are needed if we are to take into account the other two paragraphs of section 23.

In addition, although the census is certainly one of the most important sources of data for Statistics Canada, there are also many others. I will give you an example.

Education falls under provincial jurisdiction. Statistics Canada has a Centre for Education Statistics that conducts many surveys. There is a key survey known as the Elementary-Secondary Education Survey. In fact, that survey collects statistical data in all of the provinces and collates that information. It is thanks to that survey that we know every year, and not every five years, how many young people are registered in immersion programs and how many attend minority schools. It is thanks to that survey that is conducted annually by every province.

And so, to answer your question, I wonder if we could not call on every province and territory and ask them to add a question on the language of education of the parent at the primary level. Statistics Canada has to have that question and assess it. That way, we could obtain annual data on the topic, rather than having the information every five years. That does add a burden, however, as to the number of answers people have to provide in the census.

Moreover, the matter of income was raised. It is no longer included in the census because that information is now obtained from Canadians' tax returns. It is also a way of adapting to the new and evolving tools that are now available, and that is why I mention that possibility.

• (1135)

Mr. Paul Lefebvre: That is important.

We have data that allow us to determine how many children attend elementary and secondary schools. What's missing at this time, as you said quite rightly, are data on parents who went to French-language primary schools. We cannot obtain that statistic. Nor do we have statistics on the number of parents who would like their children to attend French schools. We can't measure the need. Of course we want to provide that service, but we can't measure the demand. It would be very interesting to measure the demand for teaching in both languages in Canada.

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

Mr. Choquette now has the floor.

Mr. François Choquette (Drummond, NDP): Thank you, Mr. Chair.

Mr. Corbeil, thank you for being here.

The issue of rights holders is extremely important for the committee and for the vitality of minority official language communities. There have been a lot of issues around that recently, for instance trials in British Columbia concerning access to quality schools.

Recently, there was an opinion piece signed by Mark C. Power and other experts entitled: *Je suis compté, donc je suis!* [I've been counted, therefore I am!]. In their opinion, many rights holders are not being counted. In fact, only half of them are reputed to be counted.

In your opinion, the census counts a lot of people, as compared to the 2006 Survey on the Vitality of Official Language Minorities.

Let's begin with that aspect. How did you come to believe that so many rights holders were not counted?

Mr. Jean-Pierre Corbeil: What we said is that the 2006 survey was accurately measuring the number of rights holders in official language minorities. The survey counted all the parents outside Quebec whose mother tongue was French. French was either the only language or one among others. In addition, it counted all the people who, not having French or English as a mother tongue, stated that French was their primary official language spoken.

That was our population base. We asked that population a host of questions under five modules. We estimated the number of rights holder parents, as I mentioned earlier.

I don't want to call into question those feelings or statements, but when people say that Statistics Canada only counts a small part or only 50% of rights holders, I would like to know how they measure or come up with that percentage. I have seen all sorts of percentages and I still see some regularly. There should just be a connection with reality to see how the percentage was obtained.

That's all I have to say about that.

Mr. François Choquette: In 2006, the Survey on the Vitality of Official-Language Minorities was conducted, which you have compared with the census. Based on the survey, which was restricted, after all—it was not Canada-wide—but it targeted some—

Mr. Jean-Pierre Corbeil: It actually was a Canada-wide survey that included all the provinces. There was a sample of about

50,000 people taken from official language minorities, not from the entire Canadian population.

Mr. François Choquette: Basically, if we don't have a census asking all the required questions, we will never know the exact pool of people who might be considered rights holders.

There was the article that I just mentioned, but other people and official languages stakeholders also commented on the topic. They said that two other categories of rights holders still need to be determined. However, is there really a need to ask 10 other questions to identify the rights holders in those two other categories? Perhaps there's an easier way. You're the expert in the matter. Can you perhaps tell me why those 10 questions are required?

The second category includes the parents who did a large part of their primary schooling in a French-language school. As for the third category, it is for parents with a child attending a French-language school.

Why are so many questions needed to gather those two pieces of information?

• (1140)

Mr. Jean-Pierre Corbeil: That is a great question.

I will quickly answer by saying that what seems obvious often isn't to the people surveyed and to the respondents.

The first question was to find out whether the people did part or all of their primary schooling in French. Clearly, if section 23 is applied, we must also—although I'm not a lawyer—find out whether the people went to primary school in French for three months and whether that makes them eligible under section 23. So we must determine whether it is more than half, about half, or less than half and, whether the French-language schooling took place in Canada because, clearly, the question must be asked.

Another question was to find out in which type of program the people were enrolled. If it is a French immersion program, that does not meet the requirements of section 23. In addition, the idea was to find out whether it was a regular program of instruction in French. Another question was whether it was a French-language, bilingual or immersion school. That's the question that was asked. Another question was whether their children went to a French-language school. We asked because, sometimes, children are registered, but they don't attend a school. So a distinction needs to be made in that case. The question was whether the child was actually enrolled in a French-language school and whether the school was primary or secondary. The other question was whether the children attended an English-language school or a French-language school and whether they had brothers or sisters who had attended a primary or secondary school in Canada.

You see how many questions are needed to get the full picture. If everyone understood, we could ask the children whether their parents are rights holders. That would be simple and settled. You see the host of questions that may seem simple. However, it is not as simple as that for respondents to understand the distinction.

Mr. François Choquette: Thank you, Mr. Corbeil.

The Chair: Thank you.

We will now turn to Mr. Arseneault.

Mr. René Arseneault (Madawaska—Restigouche, Lib.): Thank you, Mr. Chair.

That was a great question. Thank you for your answers and for your wisdom, Mr. Corbeil. I understand that something very simple may become very complicated when we start thinking about it and wanting to ask questions.

I will move very quickly because I just have six minutes. The chair is very strict about keeping track of the allotted time.

In 1990, the Mahe decision showed all the people demanding that schools be built to respect the rights of official language minorities in majority settings that it was important to count the people who could have those rights. It was important to find out the exact number. I don't have the citation from the Supreme Court, but I may be able to find it. Actually, it's where the number of people warrant it.

At Statistics Canada, how does the Mahe decision affect you? Today, we are looking at a very specific situation. That's what we want to know. Statistics Canada provides a snapshot of what Canada is all about, with the specific objective of measuring the state of the population, but not necessarily to address the arguments inherent in the Mahe case. Since that judgment was rendered, do you use it to count the adults and children who might benefit from French-language schools in majority settings?

Mr. Jean-Pierre Corbeil: I mentioned earlier that, in the national census tests of 1993 and 1998, Statistics Canada conducted testing on the language of instruction. The results were not perfect and led to other questions. We have formed partnerships with the federal government departments on an ongoing basis. It was actually as a result of the census tests that discussions ensued for Statistics Canada to conduct a survey on the vitality of official-language minorities, such as the one conducted in 2006, specifically to address that need. Clearly, there were a lot more questions. There were various themes related to the languages in use in the public space. It was one of the main objectives. That's how Statistics Canada was able to answer the questions related to section 23.

• (1145)

Mr. René Arseneault: Since I have little time, I will address the issue of the legal workings.

Earlier, you said that cabinet is basically the one that decides the content or the changes to the content of the questionnaire. Is that correct?

Mr. Jean-Pierre Corbeil: Yes.

Mr. René Arseneault: When you say cabinet, are you referring to a minister in particular or to the entire cabinet?

Mr. Jean-Pierre Corbeil: It's the entire cabinet.

Mr. René Arseneault: Thank you.

Here's my next question. Do we have enough time by the next census to test all the questions that would specifically meet the requirements of section 23? In your view, do the Statistics Canada experts have time to do it?

Mr. Jean-Pierre Corbeil: As I mentioned earlier, the national census test and the consultations will start next fall and, in 2018, a national test will take place to check the various questions recommended.

Mr. René Arseneault: How much time do I still have, Mr. Chair?

You are showing me three minutes? Okay.

I understood that a first test would take place in 2018, but that doesn't mean that the results will be conclusive.

Mr. Jean-Pierre Corbeil: Of course, we'll have to wait for the results of the tests to know whether, yes or no, it's—

Mr. René Arseneault: No, what I want to know specifically is whether you believe that, in 2021, regardless of the situation, the next census form will include specific questions complying with paragraphs 23(1)(a), 23(1)(b) and 23(1)(c) of the charter.

Mr. Jean-Pierre Corbeil: I cannot comment on that, given that it will all depend on the assessments.

Mr. René Arseneault: Does your agency consider there's an urgency in complying with the provisions of the charter?

We are talking about calculating the total number of rights holders for francophone schools and about relying on the Mahe decision.

Mr. Jean-Pierre Corbeil: What I'm saying is that it will depend on the assessment, the recommendations we'll be making and the decision the government will make.

Mr. René Arseneault: It's a constitutional obligation. I'm sure your office knows that.

Mr. Jean-Pierre Corbeil: There's no problem with that, but as I already mentioned, very clearly, Statistics Canada must conduct rigorous and very thorough reviews to ensure that those questions are feasible in a census.

Mr. René Arseneault: I understand.

I have two quick questions—

Mr. Jean-Pierre Corbeil: That's the only answer I have for now.

Mr. René Arseneault: I have two quick questions for you.

I'm sorry, but I just have six minutes.

Mr. Jean-Pierre Corbeil: No problem.

Mr. René Arseneault: Has Statistics Canada consulted experts on education rights in minority communities so that the questions are designed to reflect section 23?

Mr. Jean-Pierre Corbeil: Statistics Canada regularly consults representatives from official language minorities, but not necessarily people from the legal community.

Mr. René Arseneault: Do you think it would be desirable to consult the constitutional experts who have fought for all those years to build schools in minority settings?

Mr. Jean-Pierre Corbeil: As I mentioned earlier, as soon as the consultation process is under way, anyone wanting to submit opinions to Statistics Canada—

Mr. René Arseneault: That's not the question I was asking.

Mr. Jean-Pierre Corbeil: —can do so and they will be given consideration—

Mr. René Arseneault: That's not what I was asking, Mr. Corbeil. I don't have much time.

Has Statistics Canada consulted or does it intend to consult its experts?

Mr. Jean-Pierre Corbeil: We will be consulting anyone able to provide as much useful information as possible to Statistics Canada, so that those needs are met.

Mr. René Arseneault: By the way, I suggest that you consult all the Supreme Court decisions that, under the charter, led to authorizations to build schools. Check which lawyers were there. That would be a good start.

My suggestion is for Statistics Canada, not you personally. I think that, by 2018, they could really help you establish your 10 questions so that they are consistent with the charter.

Do I still have a bit of time, Mr. Chair?

The Chair: You have one minute left.

Mr. René Arseneault: Okay.

The 2018 deadline worries me. There will be a test, but I feel that, if the result is not conclusive, time will have been lost for the next form. So we'll be losing generations of children in our francophone or anglophone schools in minority settings.

Could Statistics Canada consider it urgent that this be included in the 2021 form?

Mr. Jean-Pierre Corbeil: My answer will always be the same. A very large number of communities and associations tell us about urgent measures. Everyone has their own urgent measures, and Statistics Canada, as the national statistical agency, must take into consideration each of those requests and assess them very carefully. Rest assured that we'll invest all the energy and attention required to consider this request.

Mr. René Arseneault: I have one last question for you.

The Chair: I'm sorry, but your time is up.

Mr. Corbeil, could you quickly tell me when the government decree that specifies the 2018 questions was issued?

Mr. Jean-Pierre Corbeil: There's no decree for the 2018 test. However, we are indeed talking about a decree for the content of the 2021 census.

As for the 2018, the national census test—

• (1150)

The Chair: Okay.

Mr. Jean-Pierre Corbeil: —which is, for all practical purposes, a test survey, includes different versions of the questions. It is really based on the recommendations, the review of the issues, and the ability and possibility of asking this or that question. In addition,

people need to fully understand those questions. Just because a question is on the test doesn't mean that ordinary people fully understand it. Statistics Canada is very well positioned to—

The Chair: Thank you.

The floor is yours, Ms. Lapointe.

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): I will let my colleague ask a question, because he is on a roll.

Mr. René Arseneault: Thank you.

Mr. Corbeil, I will be brief—you can see how things work here—and follow upon the comments made by my colleague, Mr. Lefebvre.

As I see it, questionnaire, which has to account for all rights holders in order to comply with the decision in the Mahe case and to facilitate school construction in minority environments, is a requirement under the charter.

Do you agree with that statement?

Mr. Jean-Pierre Corbeil: Absolutely.

Mr. René Arseneault: Do you agree with me when I say that the fact that we cannot currently enumerate the rights holders pursuant to section 23, is an affront to the Canadian Charter of Rights and Freedoms?

Mr. Jean-Pierre Corbeil: I don't know if it's an affront to the charter, but, if there is a problem in that respect, it must be solved. I agree with you on that.

Mr. René Arseneault: I know that you are not a lawyer and I do not want to make you say things that could annoy you.

Do you get the feeling that Statistics Canada has the sword of Damocles hanging over its head? We are aware that the rights guaranteed by the charter can be violated if the correct questions are not asked in order to count, to enumerate, all rights holders, adults as well as children, given the Mahe case.

Is Statistics Canada aware of that?

Mr. Jean-Pierre Corbeil: When Statistics Canada receives requests, our objective is to try and respond to them. We have responded to them in the past by working with 10 federal government departments and agencies. If there are other options, other ways to respond, Statistics Canada is perfectly prepared to look at them.

Mr. René Arseneault: I was actually thinking of the legal aspect.

Does Statistics Canada consult constitutional lawyers? Have you received legal opinions from constitutional experts about the matter concerning us today, the provisions of section 23?

Mr. Jean-Pierre Corbeil: I cannot answer that question with certainty, but I don't think so.

We are in constant contact with all kinds of people all over the country. I am responsible for the linguistic statistics division. I personally have not consulted lawyers on the matter.

Statistics Canada receives a huge number of requests on all kinds of topics. With a request of this nature, our objective is to find ways to respond. If the need is clear, as is the case with section 23, Statistics Canada will find a way to respond, in collaboration with our various partners.

Mr. René Arseneault: I understand.

When I was very young, my mother worked for Statistics Canada. I remember the kinds of questions that were asked in the form. First of all, there were questions about salaries. Then came questions about household appliances, and so on. But I am talking about a constitutional obligation here. My colleague is certainly going to be asking you questions about it. I strongly urge you to consult with constitutional lawyers on this precise question, so that your office can shed better light on Statistics Canada's constitutional obligation, in time for the next census in 2021.

Here is my concern. If the test in 2018 is not conclusive, the questionnaires will have to be redone and, after 2021, there will still be children in minority French or minority English schools who will not have been enumerated as rights holders.

With that said, I will make way for my colleague.

Ms. Linda Lapointe: Thank you for leaving me a little time, my dear colleague.

Thank you for joining us today, Mr. Corbeil.

Earlier, you talked about the best way to define rights holders. My colleague mentioned the matter too. I am sure you have suggestions to make about it. At one point, you even said that the best way to enumerate rights holders was to go through the provinces.

How would you go about that? You say that you act according to the requests you receive. Who are you going to respond to? Are you going to respond to the Standing Committee on Official Languages, if we asked you specifically in a report to make sure that people covered by section 23 are all enumerated as rights holders? Are you going to respond to the Commissioner of Official Languages? Who are you going to respond to, to make sure that all rights holders in Canada can have access to education in the language of their choice? Canada has two official languages.

Mr. Jean-Pierre Corbeil: Thank you for your question.

Earlier, I referred to the Elementary-Secondary Education Survey, a really important survey. Very regularly, Statistics Canada meets with each of its partners and holds discussions with them. Each year, we hold meetings with officials from all provinces and territories.

For that survey, questions are asked and data are collected directly from the provinces' administrative files.

• (1155)

Ms. Linda Lapointe: Can that be coordinated with Statistics Canada?

Mr. Jean-Pierre Corbeil: That is one option. In the past, we managed to ask questions and to get the provinces to add that question to their basic questionnaire and their administrative records. That was conclusive. That is the reason why—

Ms. Linda Lapointe: Could we use those data to make sure that the Supreme Court recognizes that they are rights holders?

Mr. Jean-Pierre Corbeil: Statistics Canada has received letters from the ministry of education in British Columbia saying that they support francophone minorities in the province in their goal of obtaining a fair and exact enumeration of rights holders. If the provinces provide such support, I assume that it should not be extremely difficult to get support from each province and territory in order to look for information pursuant to the requirements in paragraphs (1)(a) and (1)(b) of section 23 of the charter.

Ms. Linda Lapointe: Thank you.

The Chair: We now move to Mr. Généreux.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Thank you, Mr. Chair.

Thank you, Mr. Corbeil.

The questions are very interesting. In your document, you say that, in 2006, there were, in Canada outside Quebec, 185,675 children between 5 and 17 years of age with at least one French-mother-tongue parent. Knowing that Canada now has 35 million people, it seems to me that that figure is not very high. Am I mistaken about that?

Mr. Jean-Pierre Corbeil: No, that's what it is.

But we do have to specify that we are talking about francophones outside Quebec. If you project that figure onto a population of basically one million, and you include primary and secondary aged children, that's the count of those between 5 and 17. That is perfectly within the norm.

There is one other thing that you must not forget. It is that, given the birth rate, the number of children corresponds to the one you mention. I am not saying that, in 2016, the results of the census are not going to show an increase in that number, but we are in fact talking about around 200,000 children from 5 to 17. So it reflects the reality.

Mr. Bernard Généreux: What about new arrivals, people who have immigrated, who have arrived in Canada in the last 10, 15 or 20 years? Some of them spoke French at home in the countries they came from. When they answer the survey, can they say that they are rights holders even if they were not born in Canada?

Mr. Jean-Pierre Corbeil: Actually, that is an important question because immigration is clearly being relied upon to make more and more of a contribution to francophone communities outside Quebec. The main problem is that many of those immigrants do not have French as their mother tongue. So, they do not necessarily meet the conditions of paragraph 23(1)(a). As they were not necessarily educated in French in a primary school in Canada, they are not eligible under paragraph 23(1)(b). That said, I know that a lot of schools still take in those children of immigrants.

Mr. Bernard Généreux: Statistics Canada is not a polling firm, of course. But we know that you do collect a whole lot of information. Given that we would like to find out the interests of parents, and not just those who are the rights holders, could we not just not ask them if they would be interested in sending their children to a French-language school outside Quebec, if it were possible to do so? Would a simple question like that not enable you to identify whether there is any interest?

Just now, Mr. Lefebvre was saying that we are looking for the best information possible so that, in minority settings, we can make decisions about building school or community infrastructures. We are not able to do so because we do not have all the data and we do not know the real interest. Being a rights holder is one thing, but having an interest in the francophonie is another. We know that interest in French immersion schools is growing rapidly in Canada.

So there is interest from members of the anglophone community in sending their children to school in French. If there was a simple question like that, would that not give Statistics Canada and the government a way of concluding that, in other communities in the country, not just in places where people are in a minority situation, there is an interest in everything French. I think that one of the goals of our committee is not just to find out who the rights holders really are, but also who has an interest in learning Canada's other official language. That is a basic question that I would like answered.

• (1200)

Mr. Jean-Pierre Corbeil: That is an excellent question, but, as you know, it is not as simple as that. It can be a double-edged sword. Let me give you an example. Of those outside Quebec whose first spoken official language is French, about 40% of those surveyed, including for the 2006 survey, stated that they were more comfortable communicating in English than in French. If we—

Mr. Bernard Généreux: Let me interrupt you; you understand that, even if people put that as an answer in a survey, it does not mean that they may not have an interest in sending their children to French-language schools if they were asked that question.

Mr. Jean-Pierre Corbeil: Yes, absolutely.

Mr. Bernard Généreux: My sister-in-law does not speak a word of French. She was born in Quebec but she has been living in Toronto since she was 15. Her two children have been in French immersion since elementary school. She wanted her children to learn French, something she did not do herself. But she was not a rights holder.

Mr. Jean-Pierre Corbeil: There is an important distinction to be made between French immersion programs and minority schools.

Previously, we were asked why we did not ask people if they were francophone. I can guarantee that, sometimes, you would not really want the answer. Honestly, you can get certain information from the way in which those questions are interpreted. For example, according to the results of the survey on minorities, 50% of the respondents went to a minority school, whereas 15% went to an immersion school. It is also true that, among those whose children went to English school, 40% would like to have sent their children to an immersion program or to a minority school. You can see that there is a complexity in the way the question is asked.

Mr. Bernard Généreux: But what are we afraid of, Mr. Corbeil? Are we afraid of the truth? What you are telling me is that we do not ask questions because we don't want to know the answers.

Mr. Jean-Pierre Corbeil: I am not saying that we do not ask questions. I am saying that questions that appear simple can turn out to be a whole lot more complicated.

Mr. Bernard Généreux: You were saying that it is a double-edged sword. So one edge is positive and the other may potentially be negative. What is the other edge you are talking about? What are

we afraid of? Personally, if I asked people a simple question about whether they would like to send their children to a French minority school, and 250,000 people said that they would like that and it would be really good, I would try to provide them with those services.

Are we afraid that we might get answers that are going to force governments to provide services to people who otherwise would not be asking for them?

Mr. Jean-Pierre Corbeil: No, but I can answer another way, by giving you an example from health care. It's an area we have been doing a lot of work on. People say that, in 2006, we had a picture of the demand, but we do not have a picture of the real demand. In terms of asking people if they want services in their own language, we actually did gather that information, but it is not so simple. In some provinces, there's a small fraction of the population who indeed want to have health care services in French. But given the few services available, they answered that all they want is the services. That's it. Period.

So my answer is that the questions are not that simple. We really would like to ask very simple questions in the census. However, we have to understand that people could easily interpret that question in different ways. Is the question meant to find out whether they want to send their children to an immersion program, to a minority school, or whether they are interested in them learning a second language? You see that there is a whole range of possible concepts and ideas.

Mr. Bernard Généreux: I am going to turn myself into Darrell Samson.

You are responsible for languages, are you not?

Mr. Jean-Pierre Corbeil: Absolutely.

Mr. Bernard Généreux: We have health, we have the economy, we have all kinds of other things. Earlier, Mr. Arseneault wanted to know what the priority was, or who decides the priorities. Basically, the government determines the order of priority for the questions. When you submit the final version of the form, you have already chosen the questions. The government then says whether it agrees and, if it does, it rubber-stamps it all and you can proceed.

But does a priority committee have to be established?

Mr. Jean-Pierre Corbeil: After the census tests, of course, Statistics Canada's senior management evaluates all the results and recommendations very carefully. Then there are discussions with the various government departments.

• (1205)

Mr. Bernard Généreux: Thank you, Mr. Chair.

The Chair: Thank you, Mr. Généreux.

Mr. Corbeil, before we finish, I have two points I would like to clarify.

You mentioned surveys. Does a survey have the same value as the census?

Mr. Jean-Pierre Corbeil: That depends on the survey we are dealing with.

In the case of the survey on the vitality of official-language minorities, since it used a sample, it was possible to make estimates over quite a wide geographical area, but perhaps not on such a specific geographical scale as the census provided; that allowed us to find out what the situation was in the municipalities and in the school boards.

By contrast, the elementary-secondary education survey is a complete tally of all children in all provinces and territories, down to the level of each school board. It counted all children and teenagers registered in a school.

There is a major difference between a survey conducted using samples and a survey that collects extensive administrative data from each province and territory.

The Chair: What kind of survey was it?

Mr. Jean-Pierre Corbeil: Are you talking about the one in 2006?

The Chair: In 2006?

Mr. Jean-Pierre Corbeil: In 2006, it was a survey—

The Chair: No, it was in 2016.

We're talking about 2016 and 2021.

Mr. Jean-Pierre Corbeil: A complete census of the population was conducted in 2016, and will be done again in 2021. The 2006 survey was a post-census survey, meaning that a sample of official languages minorities was drawn from the 2006 census.

Still, it was a sample, and the questionnaire was very long. It took 45 minutes to complete. It really had to be done with just a sample and not the entire population.

However, the Elementary-Secondary Education Survey collects administrative data annually and is based on a complete census of all youth enrolled in schools in Canada.

The Chair: That's excellent.

Thank you very much, Mr. Corbeil, for your appearance and your remarks this morning. They have been extremely helpful for the committee.

We're going to suspend the meeting for five minutes before we hear from the next witness.

• (1205) _____ (Pause) _____

• (1215)

The Chair: We are resuming the meeting.

Welcome, Mr. Landry.

Rodrigue Landry is a professor emeritus and associate fellow with the Canadian Institute for Research on Linguistic Minorities.

We are pleased that you were able to appear before the committee, despite the weather outside. You have about 10 minutes for your

presentation. We will then move on to a period of questions and comments from committee members.

Go ahead, Mr. Landry.

Mr. Rodrigue Landry (Professor Emeritus and Associate Fellow, Canadian Institute for Research on Linguistic Minorities, As an Individual): Thank you for the invitation, Mr. Chair.

I informed the clerk yesterday that my presentation might exceed 10 minutes, if that's not too much trouble. Still, I'll try to be as brief as possible.

My presentation will be in French and will cover seven points. However, I can answer questions in both official languages.

The first point is that language is only as strong as the society that supports it. I say that to show that the government can really do something to support minorities. I have been studying francophone minorities for over 40 years now, and I have been the director of the Canadian Institute for Research on Linguistic Minorities. I am currently retired. The subject that your committee is studying is very important. I will be pleased to share with you some aspects related to these issues.

Let's go back to the first point, namely, the fact that language is only as strong as the society that supports it. I'm talking here about players. There are three main categories of players who can really act on the language. The first is members of the linguistic community themselves. In this case, the demographic does a lot. The number, the proportion, the territorial concentration, the family structure—whether it is endogamous or exogamous—migration and immigration are determining factors. Generally, the lower the concentration, the stronger the exogamy. Exogamy is what we call mixed marriage.

If you look at the sociological literature in this regard, you'll find that the normal tendency is to consider exogamy as one of the best sociological indicators of the full integration of ethnic groups into the dominant society. What I want to try to show you is that Canadian francophonie is an exception to this rule, or that it is at least very resistant to this strong trend. I will come back to this later. The role of this first category of players—the members of the linguistic community—is to pass the mother tongue on to the next generation, which I call “primary language socialization”.

The second category of players concerns the institutions that the linguistic minority may have. This is called “institutional completeness”, a term proposed to us by Raymond Breton, an Ontario researcher. The role of the institutions is to enable the presence of the use of language in the public sphere. If there were no institutions, we would only speak a language to play cards on Saturday nights with friends. In this case, the main player is civil society, which includes those who run the institutions and all the organizations that work on promoting language, culture, governance and so on. Often, civil society exercises leadership over community members.

However, research shows that there are two major distinct categories of institutions. The first allows an extension of primary socialization, meaning that it gives real socialization to the language. I'm talking about schools, the media and the language of work. I am less sure about the language of work because I haven't studied it as much. However, these are aspects that have an impact on people's identity.

The second category of institutions increases the status of the language. This is what I call secondary socialization. The effect is on the perception of the minority group's status and vitality. These include public services in the minority language, commercial and public signage, and all the services that a government may provide. Socialization isn't continuous. These are supplementary services that give a very powerful message about the group's vitality.

One point I want to emphasize is that school is the foundation of institutional completeness and civil society. In this sense, it is the most important institution. It is also very important with respect to identity transmission. Research shows that it is as important as family and social networks.

The third and final category of players is the government and, of course, the citizens who can support the government in its policies. The government's role is to offer legitimacy to linguistic groups. A government can therefore officially recognize language, institute individual and collective language rights, implement language policies—sometimes referred to as recognition policies—and offer services in the minority language. These are all things the government can do. Active offer is very important for the minority group because of their psychology, what some researchers have called status insecurity.

• (1220)

The perception that their language is recognized and legitimized by the state is fundamental to minority communities. It's a bit like a right to exist. The interaction between these three categories of players shapes the image that the group has of itself and influences its projects as a group. In sociology, we call this “collective identity”. When one component weakens, it weakens the others.

This can be the beginning of a vicious circle that leads to linguistic assimilation. The literature often talks about language revitalization. A combination of positive actions that engage all three categories of players—often under the leadership of civil society and even the government—can create a virtuous circle and growth of vitality.

The second aspect that I will now address touches on the Canadian francophonie outside Quebec. Very quickly, I would say that there are strong trends, including a decreasing proportion of the francophone population and a declining rate of French linguistic attraction. Some researchers speak of a gravitational effect of English on all other languages in the world.

In Canada, francophones live close to the epicentre of this gravitational force. The rate of linguistic attraction—what Statistics Canada calls the “linguistic continuity rate”—is positive if more people speak a language more often at home than there are people with that language as their mother tongue. Among francophones outside Quebec, the rate is negative, meaning less than one. The ratio was 0.61 in 2011, which means that barely 60% of all those who can speak French, compared to those who have it as their mother tongue, do so. However, among anglophones in Quebec—and this is a fine example of the attraction of English—because of the strong attraction of English in North America and not necessarily in Quebec, and despite the strength of French in Quebec, the rate is positive and relatively high. It is 1.29. So in Quebec, 30% more people use English more often at home than there are English speakers with English as their mother tongue.

In addition, there is a third trend that is a weak contribution of francophone immigration and a clear preference of allophones outside Quebec for English. Outside Quebec, the language shifts of allophones are 98% to English.

Another trend is the growing rate of exogamy. At the last census in 2011—because the results for 2016 are not yet available—67% of the children of parents entitled to education in French under paragraph 23(1)(a)—this is the only data we have—came from exogamous parents.

In addition, there is low transmission of the mother tongue associated with exogamy. If both parents are francophone, the French mother tongue transmitted is 91%. If the francophone parent lives in an exogamous situation, it drops to 29%. I do want to make an important point in that regard. Despite this disappointing result that I've just mentioned—as I said earlier, francophones are an exception to the rule—we see that the transmission of French as a mother tongue with francophone exogamous parents has been growing since 1971. The situation has already been considerably worse. For example, between 1991 and 2011, French mother-to-child transmission in an exogamous situation increased from 23% to 39%, a 69% increase in 20 years. For French-speaking fathers, it rose from 10% to 19%, an increase of 90%.

French-language schools could therefore contribute a great deal to this growth, especially if recruitment was increased—and I will come back to the subject soon—and offered services from early childhood.

I will now move on to other trends.

We are seeing a low attendance rate for French-language schools. According to the post-census survey, which Mr. Corbeil mentioned earlier, 88% of children with endogamous parents attended French-language schools, and that drops to 34% for children with exogamous parents. This gives an attendance rate close to 50%, but it is not known if that includes the total population of eligible children. It is therefore difficult to ensure that the rate is really 50%. However, according to the statistics presented, it is 55% at the primary level, 44% at the secondary level and decreases to 40% at the post-secondary level.

• (1225)

One of our studies showed that 64% of Grade 12 students enrolled in French-language schools planned to pursue post-secondary education in French. It is important to keep in mind that among the 50% of students who attend English-language school, 31% are enrolled in a French immersion program—we have to wonder if they know the difference—and that 41% of the parents of these children would have preferred the French-language school. This means that we are still far from meeting the needs. In addition, the population is aging and there is an exodus from rural areas and strong urbanization. I will stop there on major trends. It was simply to give a quick picture of the situation.

Here is the third aspect. The main challenge facing francophone communities outside Quebec is the early childhood sector and the recruitment of its school population. This was very well understood by Stéphane Dion—whom you know well—in the first Action Plan for Official Languages, in 2003. In my opinion, as a researcher and someone who works in the francophonie, it is the best Action Plan for Official Languages that has been produced. This plan aimed to recruit 80% of children of rights holders.

The current government's objective is not clear. Besides, we don't even know if it has an objective. However, the objective in the first Action Plan for Official Languages in 2003 was to recruit 80%. So we were ready to work on that. The importance of the early childhood challenge is also reflected in the 2016 report of the Commissioner of Official Languages, entitled "Early Childhood: A Vitality of Francophone Minority Communities". It even recommends the practice of raising awareness among rights holders.

Exogamy remains a challenge for the transmission of the French language, but demographically—and people don't always think of it—it also has a hidden potential. Theoretically, the number of children of rights holders doubles with exogamy. Just compare 100% exogamy to 100% endogamy. If the two groups have the same number of children, there will be twice as many children of rights holders. There is a positive aspect to that in terms of demographics, but as far as the recognition of the French language is concerned, it is also a challenge.

A large percentage of francophone parents are anglicized before forming an English-speaking couple, as Jean-Pierre Corbeil's research has shown. However, it is not known to what extent these "rights holder" parents may wish to re-establish contact with the French-speaking community by enrolling their children in French-language schools, especially if they are aware of their rights. A study I conducted on Prince Edward Island revealed that, for up to two-thirds of parents who could have attended French school, it was because their grandparents were Francophone. So, when they knew that it was a right that was passed down from generation to generation, several of them chose the French school.

There is also a need for awareness among rights holders. I call it "social marketing". No school curriculum in Canada produces better bilingualism in children than French-language schools. I'll say it again. No school curriculum ...

The Chair: Mr. Landry, I must interrupt you.

The interpreters would ask that you slow down a bit.

Mr. Rodrigue Landry: I'll lose some of my time.

The Chair: We'll give you more.

Mr. Rodrigue Landry: Okay. Thank you.

No school programs in Canada produce better bilingualism among children than French-language schools. However, that seems to be a well-kept secret. In the 1990s and early 2000s, our research showed that, according to many parent rights-holders—up to 64% in Nova Scotia—the ideal program for fostering their child's bilingualism would be split 50-50 between French and English. Mathematically speaking, that is a balanced equation. People thought it should lead to a higher level of bilingualism, but we call that social naivety. People are forgetting that a society is taking care of the English. In

reality, the best program would be provided solely in French, with the exception of English courses. In Nova Scotia, for instance, it is well known that children attending French school speak English better than anglophones.

Another point I think it is important to highlight is the fact that exogamy is not the causal factor of children's linguistic development. The key factor is the language dynamic chosen by the parents. When the parents are well informed, they can do it.

Only two very simple principles must be applied to achieve what we call additive bilingualism, a concept that originated in the 1970s and is still in use. There are two types of bilingualism: additive bilingualism and subtractive bilingualism. When the second language is learned without the first language being lost, we are talking about additive bilingualism, and subtractive bilingualism occurs when the first language is lost. So the idea here is to strive for additive bilingualism.

The following two principles are simple, but they are of course a bit more difficult to apply. That said, applying them is feasible, and many parents do it. In the first case, each parent speaks to the child in their own language. In the second case, it is a matter of increasing as much as possible the use of the minority language in the family. For example, we may be talking about lecturing your children in French, sending them to a francophone kindergarten and then to a minority school. Some of our research focuses on the cases where the parents respect what is referred to as Frenchness in the home and at school, meaning the optimal use of French and English in the family and at school.

When a parent in an exogamous family often speaks to their child in French and the child attends a French-language school, his or her French-language proficiency and francophone identity are equivalent to those of children whose both parents are francophone. In addition, they maintain a strong anglophone identity, as is appropriate, since they have an anglophone parent and English-language proficiency similar to that of anglophones. As I said earlier regarding Nova Scotia, they sometimes do better in English than anglophones. That is surprising, but there are theories to explain this phenomenon.

My fourth point is that the current census does not make a full enumeration of rights-holders and their children possible. It underestimates the number of parents whose mother tongue is French. This has to do with the fact that multiple answers are treated as more of a problem than as a Canadian reality.

I have read Statistics Canada's methodology documents. However, I found that they were more interested in solving the puzzle of determining whether individuals can indeed have two mother tongues. In the latest census, for instance, you can see that the question on the mother tongue comes after the question on knowledge of official languages. Next is the question on language use at home. Multiple answers have a deterrent effect. Answering the questions yourselves could help you see that. Answer options are in the singular. They include French and English, but "other language" is in the singular.

Moreover, the two other questions can have multiple answers, but that's not the case for the mother tongue. I could talk about this for a long time, but the fact remains that, according to the statistics, there are more multiple answers if the question is isolated than if it follows those two questions. I believe that the instructions are flawed. Here is what Statistics Canada says regarding this question:

For a person who learned two languages at the same time in early childhood, report the language this person spoke most often at home before starting school.

Anyone who has studied exogamy knows that the language of the majority dominates.

● (1230)

However, the child can still talk to one parent in French and to the other parent in English. I could give you examples of several children in my family who do that. Often, in the home, English dominates, but people opt for French school and manage very well. Rights-holders are being lost simply because speaking the second language equally often is a very restrictive criterion, as worded in the census:

Report more than one language if all languages are spoken equally often.

That's another very restrictive instruction. As a researcher who has examined this question, I find that it makes no sense on a socio-linguistic level. I had never really noticed it before, but I find it restrictive.

The census goes in a similar direction by stating the following:

For a child who has not yet learned to speak, report the language spoken most often to this child at home.

Once again, if the mother is anglophone and she is the parent staying at home, it is clear that the child will learn English, but that does not mean they will not learn the other language.

I will not go over the three other points, since you have discussed them already.

The current census does not enumerate anglophone and allophone parents who received a significant part of their primary level education in the language of the minority. It also does not enumerate anglophone and allophone parents with at least one child whose education has been provided in the language of the minority. Those are the two other criteria set out in section 23. You know as well as I do that the two criteria in section 23 that are not measured by the Statistics Canada census are the only ones that apply in Quebec.

I will now move on to my fifth point.

A post-censal survey on official language minorities is very useful—and I don't want to take anything away from its usefulness—but it cannot replace the census in enumerating rights-holders and their children.

As Mr. Corbeil himself said, it is a survey. It was completed by 20% of individuals who had filled out the long-form census. That 20% is rarely a good representation of language minorities when the figures are low. To use a scientific term, I would say that the sample was not stratified for official languages. There are already all kinds of problems.

I chaired Statistics Canada's advisory committee for the 2006 post-censal survey. In that survey, only the provinces of Quebec,

Ontario and New Brunswick had samples for the regions. They are indeed very large regions, as Mr. Corbeil himself said. For the other provinces, the results were only reliable at the provincial level, and the three territories were treated as a single unit. We could not even tell what the situation was for each individual territory.

What Mr. Corbeil has not said is that anglophones outside of Quebec and Quebec francophones, who are rights-holders under paragraph 23(1)(b) or subsection 23(2) of the charter, as well as francophones who were not among the 20% used for the sample, cannot be enumerated by the post-censal survey because they were not surveyed. Therefore, only persons with French as their first official language and allophones were part of that survey.

Given that fact, such a survey cannot enumerate rights-holders and does not make it possible to reliably estimate their numbers in a small region such as an RDC—a regional development corporation—or a school zone.

I will now move on to the sixth point.

The enumeration of rights-holders is very important owing to the critical role schools play in the vitality of linguistic minorities. It would help school boards and governments plan better with respect to many aspects of education in the minority's schools.

I will list some of those aspects: identification of potential clients; awareness-raising and recruitment campaigns; calculation of the enrolment rate in minority schools; number and percentage of the school population in English-language programs and French immersion programs; planning of real property requirements in terms of establishments, physical facilities and renovations; planning of human resources requirements, such as the number of teachers for educational training; interventions related to minorities' rights to obtain new schools. This last point is important and has been tackled in many trials related to language rights.

● (1235)

As for the last aspect, I will focus on the importance of funding research on rights-holders owing to recent situations I have experienced. I would like to point out that no one has analyzed census data related to francophones outside Quebec since the 2006 census. At the time, I was the executive director of the Canadian Institute for Research on Linguistic Minorities, CIRLM, and we analyzed the 2001 and 2006 censuses at the request of the Commission nationale des parents francophones, which had obtained financial support from Canadian Heritage.

CIRLM recently proposed, in partnership with the Commission nationale des parents francophones and the Fédération nationale des conseils scolaires francophones, to analyze the results of the 2011 and 2016 censuses—with the latter soon to be published—but Canadian Heritage refused to fund such a project. The department says that its policy is not to fund research. I think that sort of a policy is problematic because if Canadian Heritage cannot fund these kinds of analyses, who will do it?

I will stop here.

● (1240)

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

That was a bit longer than we expected. We have to end the meeting at 1 p.m. So I will limit the speaking times to four minutes, and we will have four speakers.

We will begin immediately with Mr. Nater and Mr. Généreux, who will share the four minutes.

[English]

Mr. John Nater (Perth—Wellington, CPC): I'll be very quick. I just have one question.

You talked a little earlier about the role of the state in legitimizing the active offer in either language. I want to get your sense very quickly on the English minority in Quebec, how it is affected by certain language laws and stuff in Quebec, and how the state might play a better role in Quebec, specifically in terms of the English minority.

Mr. Rodrigue Landry: Our institute published a book on the vitality of the English language in Quebec, and I did the same survey on anglophones in anglophone schools in Quebec that we did in the francophone schools. It's quite revealing. We published a paper recently showing that the sociolinguistic dynamic is exactly the same among anglophones in Quebec as francophones outside Quebec, except that the proportion of their population and so on has an effect on their *véhicule engagé* and life experiences in the language. The relationships with identity, subjective vitality, and so on are exactly the same.

That said, it's a minority that has an edge because of the strength of the English language not only in Quebec but across the world. Everybody wants to speak English.

I visited my son in Japan who was teaching English to two-year olds.

[Translation]

The Chair: Mr. Généreux, go ahead.

Mr. Bernard Généreux: Thank you, Mr. Chair.

Mr. Landry, your presentation has made me realize that I have a positive exogamous family. My wife is an anglophone. I live in La Pocatière, which is probably in one of Canada's most francophone ridings. My children are bilingual and my grandchildren will be, as well, since we speak English at home. We used to speak English a lot at home. We now do it a bit less. We wanted to make sure that our children would be bilingual, despite the fact that we were living in a very francophone environment. So my conclusion is that I am a positive exogamous person. Is that right?

Mr. Rodrigue Landry: I did not use the expression "positive exogamous person". We would have to know what that means.

Mr. Bernard Généreux: In fact, I have a solution. We will ensure that everyone in Canada marries or establishes a relationship with someone who speaks the other official language.

Mr. Rodrigue Landry: No. That's not at all what I am trying to say. I said that this is a major challenge, since the tendency is to prefer the language of the majority. If emphasis is placed on the minority language, which is somewhat of an exception, bilingualism becomes additive and excellent. Unfortunately, not all exogamous individuals do that. Only 29% of them do it. However, the number is growing, and that goes against all known sociological rules. For

instance, educating rights-holders in Canada about the effects of the minority school's bilingualism would be an excellent way to inflate that figure.

Canada would be an example for the rest of the world and would prove that exogamy does not put an end to the transmission of two languages. Someone from Statistics Canada told me that a fair outcome in exogamous situations would be 50% of people choosing French and 50% of them choosing English. What would be fair for the country's human capital would be for 100% of those children to speak both mother tongues. That's very doable. Children can very easily learn two languages at a young age. I have some examples of that, as do you, no doubt.

● (1245)

Mr. Bernard Généreux: I also have some good examples to illustrate that.

The Chair: Thank you.

I will now give the floor to Dan Vandal.

Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.): Thank you, Mr. Chair.

Mr. Landry, thank you for this very thought-provoking presentation.

You said that the best way to learn French is in a French-language school run by francophones and for francophones.

Mr. Rodrigue Landry: Yes, and also to learn English well.

Mr. Dan Vandal: You also said that the 50-50 split—a bilingual education program 50% in French and 50% in English—is probably not a good idea.

Mr. Rodrigue Landry: I have even shown that through research.

Mr. Dan Vandal: Can you comment on French immersion? Can you comment on that aspect?

Mr. Rodrigue Landry: Yes.

In my research in the 1990s, I also examined the situation of children in immersion schools. I even studied a group that was in an immersion program in Alberta. They were anglophones in total immersion. They had the equivalent of a French-language school. From kindergarten to grade 12, they were educated 80% of the time in French. To my knowledge, that experiment has not been replicated. The group could not speak French as well as francophones outside Quebec, but it was a program for anglophones.

We must not forget that the minority's school provides education for students with French as a first language with a very solid learning of the second language. Moreover, immersion is a second language program. The Alberta anglophone group, in particular, had an excellent level of bilingualism. Of the groups of children in immersion I have tested, that one had the highest level of bilingualism.

Immersion yields very good results. As Mr. Corbeil mentioned, about 15% of rights-holders enrol their children in immersion programs. We don't know whether that is because French-language schools are inexistent or because francophone parents believe that immersion provides better results than a French-language school. They talked about the 50-50 split and so forth. All that should be analyzed. That said, immersion does not produce the same level of bilingualism as a French-language school. I challenge anyone to prove me wrong. French-language school graduates are the most bilingual people in the country.

Mr. Dan Vandal: I would like to put another question to you.

Some witnesses and members say that the census question on rights-holders underestimates their numbers in Canada. Do you have any comments on that?

Mr. Rodrigue Landry: The first question underestimates the number of multiple answers—the fact that people can speak two languages. That's fairly clear.

I don't think I have talked about that in my presentation. I probably skipped it. I have all the statistics on that with me. When Statistics Canada asks for multiple answers, it is talking about Canada in general. The figure is 1.9%, which seems to indicate that the problem is insignificant. Even when the question does not encourage indicating that two languages are spoken, 10.6% of francophones in exogamous situations say that they speak two languages. That number goes up to 19% in British Columbia.

Multiple answers exist, and there would be even more of them if the question encouraged people more to show, for instance, that we are not forced to use the second language equally often as the majority language in order to speak two mother tongues. Sociolinguistically speaking, there is no defence for that.

Mr. Dan Vandal: I see that you played a role in the 2006 survey. Is that correct?

Mr. Rodrigue Landry: Yes. I was the chair of the advisory committee.

Mr. Dan Vandal: According to the witness who appeared before you, it seems the survey results and the normal census results were very similar with regard to rights-holders. Is that correct?

Mr. Rodrigue Landry: He didn't say so this morning, but I've already heard him refer to about 80%. We must remember what he didn't say, which is that the survey excluded all anglophones and allophones whose first official language wasn't French. This means that all the others who became rights-holders under the other two criteria weren't taken into consideration.

Yes, we did a fairly good job of measuring the other two criteria in the post-census survey for francophones. Given their mother tongue, francophones are often already rights-holders. Therefore, the others aren't found among the francophones. They're found among the anglophones who are francophiles or among those who, through historical assimilation, became anglophones and who rediscovered French through their children. None of this is measured by the post-census survey.

The Chair: Thank you.

I'll turn the floor over to François Choquette.

Mr. François Choquette: Thank you, Mr. Chair.

Thank you, Mr. Landry, for being here and for your good explanations, in particular regarding rights-holders and the importance of French education.

I believe that, in the Dion plan era, the goal was to recruit approximately 80% of the children of rights-holders for the schools. I don't remember the exact percentage you mentioned.

● (1250)

Mr. Rodrigue Landry: The goal set in the action plan was 80%.

Mr. François Choquette: At this time, you don't know whether this same type of goal is being taken into consideration. However, I suppose you think the next action plan should focus on the recruitment of a large percentage of rights-holders.

Mr. Rodrigue Landry: I'm 100% convinced.

The action plan for official languages was replaced by the roadmap, and I've read all the roadmaps. The roadmaps don't contain goals for anything. They indicate the money that will be spent here and there.

What I found impressive in the Dion plan was the very good demographic analysis conducted. If my memory serves me correctly, at the time, 56% of the children of rights-holders were estimated to be attending the minority language school. Over the next 20 years or so, the goal was to recruit 80% of those rights-holders.

It seems that we lost the scope given to this action plan for official languages in all the other plans that followed.

Mr. François Choquette: Also, I believe you mentioned something regarding the current questions in the census. We often say that questions must be added to reflect the other two subsections of section 23 of the charter. However, I believe that even your studies show that the current questions don't provide an accurate picture of the people affected by the first subsection of section 23.

Mr. Rodrigue Landry: I was referring to the census.

Mr. François Choquette: Okay.

Mr. Rodrigue Landry: I think the census, as it stands, underestimates the number of multiple responses to questions that exist for the reasons I mentioned. The other two questions provide for multiple responses. The question concerning the mother tongue, which comes immediately afterward, does not provide for multiple responses. The message sent to respondents is that a choice must be made. The instruction then says that the language most often spoken must be indicated. This seems to discourage multiple responses. Also, the Statistics Canada data shows that there are two to three times more multiple responses. Remember that, until 2011, the short questionnaire contained a single question on the mother tongue. In this case, there were more multiple responses than when they're juxtaposed with the other two questions. This seems to be a discouraging factor.

Mr. François Choquette: So not only do questions need to be added, but the existing questions need to be changed.

Mr. Rodrigue Landry: I think the questions can be changed. I know that Statistics Canada will be opposed to this, since the organization can no longer compare the new data with the old data if a question is changed too much. However, there are ways to do this.

Keep in mind that, until 2001, there was only one question on the language spoken at home and it concerned the language spoken most often. There was a great deal of pressure to establish that even if people don't speak French the most often, it doesn't mean they're assimilated. In 2001, Statistics Canada added a new question regarding whether another language was spoken regularly. This helped enumerate about 40% more people who use a language. I think that if we did something similar for the first question, we could keep the question, but change the instruction. It would be the same question, but we could then ask about a second language learned at the same time as the other language and a second language that isn't spoken as often.

I could give other indicators based on the analysis of the census data for children aged four and under. Among exogamous families, there are about 30% more people who use French regularly with children aged four and under than people whose mother tongue is French. Among endogamous families, the number is exactly or almost the same. This indicator shows that respondents are not encouraged to provide information. If children regularly speak French at home and the number is even higher when it comes to knowledge of the language, meaning the ability to hold a conversation in the language, and if the language spoken by children aged four and under is not their mother tongue, then what is it?

There are many issues of this nature.

The Chair: Thank you, Mr. Landry.

We'll now turn toward New Brunswick with René Arseneault.

Mr. René Arseneault: Mr. Landry, I'll use a very Acadian expression and say that today we were "greyés", or "well-equipped", in terms of witnesses.

Voices: Oh, oh!

Mr. René Arseneault: I'm speaking about Mr. Corbeil and you.

•(1255)

Ms. Linda Lapointe: We also say "gréyer" at home.

Mr. René Arseneault: My questions concern two topics.

I have only four minutes and the chair is strict about time limits.

I have one burning question and it relates to Mr. Choquette's questions. Do you know what question or questions should be included in the 2021 census form?

Mr. Rodrigue Landry: I agree with Jean-Pierre Corbeil regarding the complexity of a census. However, I don't think we need the 10 questions from the post-census survey.

Mr. René Arseneault: I don't think so either.

Mr. Rodrigue Landry: I think we can ask synthesis questions. I've started giving it some thought, and I think we can find the essential information using very few questions.

Mr. René Arseneault: Given your knowledge and experience and your discussions with colleagues who also participated in this survey, could you send us proposals for questions that should be included in the census?

Mr. Rodrigue Landry: In my presentation, I forgot to say that I'm working with other people on preparing two briefs, which will

provide examples of questions. The briefs will be submitted to your committee by February 21.

Mr. René Arseneault: Can we have them?

Mr. Rodrigue Landry: The report isn't completely finished.

Mr. René Arseneault: Okay.

Mr. Rodrigue Landry: You'll receive it. The briefs are quite long and they contain examples of questions. We certainly don't want to prepare the questions in the place of Statistics Canada.

Mr. René Arseneault: I prefer to be proactive.

I wonder whether the question should begin with "When selecting the language of instruction", instead of looking for signs that this is enough and this justifies the number. The question could also be "Would you prefer to send your child to a French school or English school?" If the parents answer yes to this question, they would be asked whether they meet the three criteria. It's really two questions.

Mr. Rodrigue Landry: Like Mr. Corbeil, I have a great deal of difficulty contemplating this, but for different reasons. As I said, many rights-holders are very misinformed about the impact of attending a French-language school. In one province, up to 64% of parents believed that, if their children attended secondary school in French, they would lose their knowledge of English and they would not be able to attend university. This is false, but it's what parents believe.

If you ask parents whether they want their children to attend a francophone school, they may say they would rather their children attend an anglophone school to make sure they can study at university in English. All sorts of false beliefs can be propagated in matters of interest.

Mr. René Arseneault: Regardless, we look forward to the development of these hypothetical questions.

I read that the survey on the vitality of official language minorities, which was conducted only once, in 2006, was never repeated because it cost \$7.5 million. Earlier, you suggested that funding be provided to acquire data on rights-holders and that this could be done through Canadian Heritage.

Can you elaborate on this?

Mr. Rodrigue Landry: It's not an exorbitant cost. I'm speaking more about the analysis of the results. It's one thing to collect data. However, if no one analyzes the data and sends it to the people who work in the field, then the collection will be in vain.

I was the director of the Canadian Institute for Research on Linguistic Minorities. We conducted two surveys, in 2001 and 2006, with approximately \$25,000.

Mr. René Arseneault: It was to analyze the data, but the data must be acquired.

Mr. Rodrigue Landry: The data is acquired through the census. We analyze the results of the census. We aren't the one who collect the data.

Mr. René Arseneault: I think my time is up.

The Chair: Mr. Arseneault, your time is indeed up.

This brings today's meeting to an end.

Mr. Landry, thank you for coming and for contributing to the committee's work. I'm sure we can talk about this again later.

The meeting is adjourned.

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