

*Civil Service Act*

in 1763 which had to serve as the new colony's constitution, no reference was made to the use of the two languages, French and English, by the new government of Quebec which was created by the crown. Three other similar governments were created under the same proclamation for these other new British possessions covering a vast territory in all of North America which France had ceded to Great Britain. This was, of course, as indicated in the proclamation itself, a temporary arrangement to be applied only until a local system of government could be properly organized and functioning in each of these new British possessions.

Under the Quebec Act, religious privileges and others were officially recognized but no direct reference was made yet to the use of the French language in the administration of the country. Of course, it is not necessary for me to say that obviously ever since 1759 the French language continued to be used in practice and also both in the legislative council and the assembly. But later in 1791, at a time when there was still a large majority of Canadians of French origin, Canada obtained from the new mother country her first real constitution, which was in fact the original authority to organize a responsible government.

The principle of bilingualism is to be found in the terms of that first constitution under which both the people and those whom they chose to elect as their representatives in the legislative council and assembly were given the privilege of taking the oath in the English or French languages as the case required. In 1840, when it was considered advisable to unite into one the two provinces of upper and lower Canada, this privilege of bilingualism was denied. It was then enacted that the English language alone was to be used. This is not the occasion to comment on the wisdom of the change made at that time but it will be recalled that Louis Hippolyte Lafontaine, in a declaration full of dignity and pride, at that time expressed his disagreement with the new provision of the union act.

Our country, which had already known and lived through difficult times, was again put to the test and again tolerance and understanding were to prevail over hatred and prejudice. If such a process may appear at times to be much slower, it does achieve much more efficient and durable results.

Finally, in 1867, when confederation was established as the system of government which was to endure and become the charter of our rights, the principle of bilingualism was again reaffirmed by the four provinces which decided to unite themselves into that dominion to be known as Canada.

[Mr. Pinard.]

As the hon. member indicated, section 133 defines in very clear terms the nature of such bilingualism by proclaiming the French and English languages as the official languages of the parliament of Canada.

Although the section is quite clear, the provision could lend itself to different interpretations which would have the effect of either restricting or extending its terms. But again I say that, in Canada, bilingualism is a matter where legislation alone is not sufficient to determine what the legislature at that time had in mind and what in the country is the position of bilingualism.

Many other factors have to be analysed if one wishes clearly to ascertain whether Canada can rightly claim to be a bilingual country. This again is a matter of degree, as is bilingualism itself. There is bilingualism in theory, of course, as there is bilingualism in practice. If by bilingualism we mean that everyone in Canada must speak both languages, then, of course, Canada, no more than Belgium or Switzerland, is a bilingual or a multi-language country. But if the two languages may be spoken in every province, although the practice may not have been considered necessary in all the legislatures, if the two languages are generally used by a great number of people in all spheres of activity, if it is the overwhelming wish of all Canadians to consider the other language as their second language, these facts must of course be taken as convincing evidence of bilingualism as it exists today in Canada.

I could add a number of other instances which would substantiate such a contention. Let me read, for instance, a few remarks made by the Prime Minister in 1943 when he was then the Minister of Justice and was dealing in the house with a proposed amendment to our constitution:

Section 133 of the constitutional act deals with the matter of languages. It provides for bilingualism in this house, in this parliament, in its journals, in its records and acts, and in the pleadings and processes of the courts of Canada established under the act, to the same extent and just as fully as it provides for bilingualism in the proceedings of the Quebec legislature and the Quebec courts.

I am satisfied that the day will come when, if not all those who sit in this house, at least its leaders and those who grace the treasury benches and those who sit immediately opposite, will find it to their advantage to be bilingual. I do not suggest that we from the province of Quebec are going to try to impose our language upon anybody, but I do suggest that the time will come when those whom I have indicated will find it to their advantage to learn and to understand and to use the French language as we from Quebec have found it to our advantage to learn and to understand and to use the language in which I am speaking at this moment.