

rest easy" in the sure knowledge their linguistic and cultural survival is now guaranteed. "However," he continued, "if we remember where we started from, we see that progress has been quite remarkable." The range of services offered in French by the federal administration has grown considerably. Many federal institutions have achieved an acceptable level of linguistic performance. And opportunities to work in French within the federal administration have increased, the most substantial improvements taking place in institutions located in Quebec where they generally use French in the workplace and — as they could not before — deal most of the time in French with government head offices in Ottawa. There is also much more equitable representation in the federal public service.

The 1982 Constitution Act

Though still too early to assess the impact of the recent changes in the Constitution Act, Mr. Yalden made some salient points.

"The constitutional provisions of our Canadian Charter of Rights and Freedoms confer 'equality of status and equal rights and privileges' as to the use of French and English in institutions of the Parliament and Government of Canada. The Charter specifies that this equality of status for the two languages and the rights flowing from equality apply to the legislatures, statutes and courts. Moreover, it guarantees all Canadians the right to be served in the official language of their choice at any office or headquarters of the federal government where there is significant demand and where the nature of the office makes service in both languages reasonable.

"In terms of education, the Charter affirms the right of members of the Francophone or Anglophone minority of a province to choose the language in which their children are taught. This right applies wherever numbers warrant, and includes the right to minority language educational facilities provided out of public funds. Lastly, our new Constitution provides that anyone whose rights or freedoms, as guaranteed by the Charter, have been infringed on or denied may seek remedy in the courts."

While the declaration of equal rights for official languages and its implications for legislature, courts and government services pose few ambiguities, the Charter is far less clear in its provisions relating to language rights in the educational field. However, the process of defining these



The Public Service Language Centre of Canada, in Ottawa, where federal employees improve their knowledge of their second official language.

provisions has begun, a first step being a decision of the Quebec Superior Court on the constitutionality of Quebec legislation governing access to English-language schools.

Constitutional protection major step

"There is absolutely no doubt that constitutional protection for language rights itself represents major progress," said Mr. Yalden. The statement on rights and obligations regarding the use of both official languages in the judicial sphere represents little change since provisions existed in the past. But the Charter provides a constitutional confirmation of the status of languages in this sector which is extremely important in symbolic terms.

The new constitutional right to government services in the language of one's choice not only adds weight to the Official Languages Act but also offers recourse to the courts, a right which previously did not exist.

But the most significant change, Mr. Yalden emphasized, is that relating to language rights in education.

"If we agree with the statement of a University of Ottawa law professor that education has thus far been the major divisive factor between Anglophones and Francophones, we may also share with him the view that the courts now have an opportunity, as never before, to eliminate once and for all the long-standing mistrust in educational matters...."

In conclusion, Mr. Yalden stated that whatever final judgment history makes of

our efforts, "I am convinced that few countries have dared to conceive and pursue as broad-ranging and courageous a transformation of their language regime. For a country like ours, solidly rooted in the American continent, this transformation is nothing less than a second and no less significant quiet revolution.

"The Royal Commission on Bilingualism and Biculturalism, which I mentioned earlier, issued the almost prophetic statement that Canada was 'passing through the greatest crisis in its history'. Although we would be mistaken in thinking that this crisis is now a thing of the past, we should bear in mind that, in linguistic terms, Canada in its federal administration is no longer the unilingual Anglophone country it once was.

"Generally speaking," he continued, "the French-speaking citizen of Canada can obtain, and require that the federal government provide, services in the language of his choice. The Francophone public servant may now, subject to certain conditions, choose to work in his mother tongue. And Canada's Francophones are gradually gaining their proper place in the federal public service. As for the future, in my view much will depend both on the political will of our leaders and on the attitudes of our two principal language communities. I, for my part, believe that we can count on the determination of the latter and the high principles of the former to guarantee a common destiny for the Francophones and Anglophones of Canada, once and for all."