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table des matières

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The Canadian Press - 9 mai 2011..... 2

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NDP set to wade into language debates, but proposed changes would be modest

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The Canadian Press

MONTREAL - A little-noticed private member's bill that died a quiet death when the federal election was called has found new life as the NDP's blueprint for the delicate task of legislating language rights in Quebec.

Party leader Jack Layton told a popular Quebec talk show last weekend that his priorities for the next parliamentary session include tabling legislation that protects French-speaking employees in federally regulated industries.

He was applauded by the studio audience as he declared, "It's a very, very important law," during an appearance on "Tout le monde en parle" that was broadcast Sunday.

Layton spoke openly during the campaign of applying elements of Bill 101 - the backbone of Quebec's controversial language charter - to federally regulated industries.

Now that the NDP finds itself as the Official Opposition, many are wondering how it plans to turn the campaign pledge into a reality.

The party has occasionally likened its plan to Bill 101 but, in reality, it's not nearly as strict because it has no French-only provisions.

Some political observers warn that its plan would actually change little in Quebec - and would serve only to

open the Pandora's Box of language disputes.

Officials within the party say its plans have already been laid out in Bill C-455, which was originally tabled in 2009. The legislation offered guarantees that French-speaking workers could communicate in French but, unlike Bill 101, never sought to forbid English from any workplace.

The bill also proposed changes to the Canadian Labour Code, as opposed to expanding Quebec's Bill 101 to the federal level or amending the Official Languages Act.

As such, NDP sources say, such legislation would only apply to private-sector workers in federally regulated industries in Quebec - and not to federal government employees working with Quebec colleagues.

In other words, French-speaking employees of banks, interprovincial transportation and telecommunication companies would have the right to work and communicate in their native tongue.

"The idea would be simply to provide in the federally regulated workforce in Quebec the same language rights that exist in the provincially regulated workforce," said the NDP's Quebec lieutenant, Thomas Mulcair, who tabled C-455 in 2009.

Though Mulcair's bill received scant attention before the election, the promise of more French-language protection became a central plank of the NDP's platform in Quebec.

With the NDP caucus now composed of a majority of Quebecers, there will be real pressure from within the party to uphold the promise.

The potential political benefits were made evident by the ovation Layton received during his French-language TV appearance. The NDP also proudly points out that its approach has been endorsed by at least one of the authors of the original Bill 101.

The party's path, however, is not without its pitfalls.

The danger for the NDP is in wasting hard-won political capital trying to pass a measure that will change little for francophone workers, while potentially stirring up linguistic sentiments all over the country.

The measure would not only face potential complaints outside Quebec; inside Quebec, sovereigntists will almost certainly call it insignificant, push for more, and use any external backlash as an argument for independence.

And the NDP would be stuck in the middle - right between a pair of unsatisfied solitudes.

"It's obviously a political play to appeal to nationalists," said Robert Asselin, associate director of the University of Ottawa's Graduate School of Public and International Affairs. Asselin was an official in the former Liberal government.

"But in terms of feasibility, it's a very irresponsible promise."

Asselin says that providing real heft to the campaign pledge would have required amending the Official Languages Act.

That means reopening painful linguistic debates, something for which there may be little appetite in Canada.

"The country has moved forward on linguistic issues," Asselin said. "It is not as confrontational as it used to be."

It is also unclear just how much the NDP's proposal would actually change. In limiting C-455 to private-sector workers, it may simply be legislating something that is already a common practice in the province.

The Canadian Bankers Association, for instance, said its members already make a point of providing services in French.

"Banks are in the customer service business and provide service to their customers in the languages that are spoken in different communities across the country," the association said in a statement to The Canadian Press.

"Most of the banks' customers and employees in Quebec speak French and it makes sense, both from a business and employee relations standpoint, for the banks to communicate with their French-speaking employees in their first or chosen language."

Linda Cardinal, a University of Ottawa professor specializing in bilingualism and language issues, called the NDP plans, "purely symbolic."

"It doesn't really offer another recourse for Quebecois workers. If it

was the expansion of Bill 101, that would be different," she said.

But, like reopening the Official Languages Act, expanding Bill 101 could not have been done without a backlash from anglophone communities, she said.

"There is an intolerance in English Canada towards anything that concerns Quebec and francophone linguistic questions."

Political observers raise the additional prospect of tension within the NDP caucus, as different visions of federalism vie for supremacy.

Mulcair dismisses such warnings as being out of touch with the party's dynamics, pointing out that the original bill had the full support of the NDP's caucus.

"In my former caucus, I was the only one from Quebec," he said. "If there was going to be a push-back it would have been then, not now."

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[Retour à la table des matières](#)