
The 100th Anniversary of the “La Vergne Law”

Jacques Carl Morin

The year 2010 marks the 100th anniversary of the adoption of the first language legislation in Quebec’s parliament. The process began in the House of Commons before moving to the Quebec legislature. In both cases the driving force behind the bill was Armand La Vergne.

The old *British North America Act* (now the *Constitution Act, 1867*) states that either the English or the French language may be used by any person in the debates and business of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec and in any pleading or process before the courts of Canada and Quebec.

However, the Act did very little to ensure the preservation and vitality of the French language in Canada and, more specifically, in Québec. Armand La Vergne, one of the founders of the Canadian Nationalist League in 1903, was well aware of this void.

The League’s main objective was to defend Canada’s political, commercial and military independence from British imperialism, but its platform also included two points that address language rights both directly and indirectly: first, the respect of Canada’s linguistic duality and the right of minorities to have separate schools and, second, Québec’s complete freedom to regulate its immigration from an exclusively francophone perspective.¹

At the age of 24, La Vergne, who had been admitted to the Quebec Bar the previous year, campaigned under the Liberal banner for the Montmagny seat in the 1904 federal election. He did so with the support of Prime Minister Wilfrid Laurier and Henri Bourassa, the Liberal MP for Labelle. La Vergne won the Montmagny seat, becoming the first member of the Nationalist League to be an MP.

On February 25, 1907, La Vergne tabled not a bill, as many people have incorrectly stated,² but a motion:

That it is in the interest and for the well-being of the Dominion, and in accord with the spirit of the Confederation agreement of 1867, that the French language, which in virtue of the Constitution is official, be placed on a footing of equality with the English language in all public matters—for instance, in the coinage of moneys and in the administration of postal affairs.³

The House did not pursue the motion. Laurier stated that it was “going a little too far” to say that “the French language should be used upon every occasion.”⁴ He also said that “it is not necessary to use French where everyone understands English.”⁵

La Vergne then accused the government of inadequately defending the French language in the new provinces of Alberta and Saskatchewan (both created in 1905) and of crushing their French-language minority communities with its open immigration policy. Shortly thereafter, on March 6, 1908, La Vergne was expelled from the Liberal Party.

Two months later, Lomer Gouin, Premier of Québec, visited the Lieutenant-Governor to request the dissolution of the Québec parliament and called for an election on June 8, 1908. Although he was still the MP for Montmagny at the time, La Vergne attended many political rallies with Henri Bourassa.

La Vergne’s swan song in the House of Commons was on May 21, 1908, when he submitted a petition from the Catholic Association of French-Canadian youth with 433,845 signatures from both English- and French-speaking Canadians.⁶ It reads as follows:

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Considering that the French and English languages are on the same footing, especially in the province of Québec.

Considering that, in fact, the public utilities, the companies and their employees do neglect to use the French language to the great annoyance and detriment of the majority of the citizens in many cases.

Considering that the expostulations and the complaints often expressed by the newspapers about this said condition of things have been ineffective.

Considering, in fine, that to remedy the evil an appeal to the courtesy of the companies will not suffice, but that a law must be added to it by which they will be bound.

The undersigned do ask that:

In the province of Québec, the railway companies, the street railway, telegraph and telephone companies and the public utilities be bound to use the French and English languages in all their relations with the public.⁷

In Question Period that same day, La Vergne asked the minister responsible for postal service whether the commemorative stamps issued for the 300th anniversary of the founding of Quebec City would be bilingual. As was often the case during Question Period, the answer was unsatisfactory. La Vergne knew from then on that his place was no longer in Ottawa.

On May 24, La Vergne was unanimously chosen as the nationalist candidate for the Montmagny riding. Henri Bourassa was a nationalist candidate in two ridings, including the Premier's riding in Montreal. On voting day, both La Vergne and Bourassa were elected.

In the opening days of the 12th Quebec Legislature, La Vergne introduced Bill 160, *An act to amend the Civil Code respecting contracts made with public utility companies*.⁸

The bill required that both English and French appear in transport titles and other documents supplied by public utilities companies. La Vergne said the following:

In many regions of Québec, especially in Eastern Québec, many residents do not speak any English at all. When they send parcels, freight or telegrams, they are obliged to sign a contract they do not understand. If the goods are lost in transit and the customer tries to recover damages, the company can argue that the customer signed the contract, even though he didn't know what it said.⁹

The historian Rumilly remarked that "the bill seemed like brinkmanship to the administrators of large companies holding monopolies. They were not used to considering the human element of their customers."¹⁰

The bill was passed by the Legislative Assembly, but it was amended by the Legislative Council. The members of the Upper House eliminated the obligation for companies to have both languages on the same document, requiring them only to have one text in English and another in French.¹¹ La Vergne protested, saying that the Lower House had sent a strapping young boy to the Council, and the Council had sent back a eunuch.¹² On May 29, 1909, on the last day of the session, La Vergne moved, seconded by Bourassa, that the Legislative Assembly send a message to the Legislative Council telling its members that the Lower House could not accept the amendments to the bill because they affected the principle of the bill and the budget.¹³ Rumilly wrote "the rail and sea transportation companies could not hide their satisfaction."¹⁴

On January 10, 1910, Henri Bourassa started *Le Devoir*, a French-language newspaper. He wanted more respect for the fundamental rights of French Canadians, who had co-founded the country. He also called for the right of all francophones in Canada to speak the language of their forefathers.

At the beginning of the following legislative session, La Vergne took up the charge again, and not without cause. He had taken a boat trip from Montreal to Quebec City, and realized that everything on board was in English: his ticket, the menu, the service from the staff, everything. On March 17, 1910, he introduced the same bill that had been undermined by the Legislative Council the previous spring.

Said La Vergne, "Public opinion was so strong then that even the irresponsible idiots on the Legislative Council had to swallow it whole and enact it."¹⁵

The Legislative Council did make one amendment, however: it changed the coming into force date from June 4, 1910—when it was given royal assent—to January 1, 1911.¹⁶

The administrators of the Canadian Pacific Railway Company; the Grand Trunk Railway; Montreal Light, Heat and Power; and Bell Telephone briefly considered contesting the constitutionality of the new Act, which they saw as impertinent. However, following steps by Senator Raoul Dandurand, they ended up complying.¹⁷

While its scope was very limited, the La Vergne Law was Quebec's first foray into language rights.

Notes

1. For the Nationalist League's full platform in French, see: Marcel-Aimé Gagnon, *Olivar Asselin, toujours vivant*, Montréal, Les Presses de l'Université du Québec, 1974, p. 81-85, specifically, Point II, 1, p. 84.
2. Robert Rumilly, *Histoire de la province de Québec*, Montréal, Éditions Bernard Valiquette, Vol. 14, p. 43; Réal Bélanger, Richard Jones, Marc Vallières, *Les grands débats parlementaires 1792-1992*, Sainte-Foy, Les Presses de l'Université Laval, 1994, p. 432.
3. *Debates of the House of Commons*, February 25, 1907, p. 3641.
4. *Ibid.*, p. 3655.
5. *Ibid.*, p. 3656.
6. *Ibid.*, May 21, 1908, p. 8887. In *Trente ans de Vie nationale*, Montréal, Les Éditions du Zodiaque, 1934, p. 125, Armand La Vergne writes that his petition was the largest to have ever been submitted before Parliament, with 1,700,000 signatures.
7. *Debates of the House of Commons*, May 21, 1908, p. 8886.
8. *Débats de l'Assemblée législative*, March 4, 1909, p. 38.
9. *Ibid.*
10. Robert Rumilly, *op. cit.*, Vol. 14, p. 43.
11. *Débats de l'Assemblée législative*, May 29, 1909, p. 1155.
12. *Ibid.*
13. *Ibid.*
14. Robert Rumilly, *op. cit.*, Vol. 14, p. 45.
15. Armand La Vergne, *op. cit.*, p. 151.
16. The bill was adopted on division at the Legislative Council. In *Le conseil législatif de Québec, 1867-1967*, Montréal, Les Éditions Bellarmin, 1967, p. 281, note 1, Edmond Orban writes that the provincial archives indicate the bill was adopted in a select committee in camera on January 1, 1910, by a 13-8 vote and that it was Garneau, Pérodeau, Lanctôt and the five anglophone Councillors who opposed it. We were unable to locate the source of this document.
17. Robert Rumilly, *op. cit.*, Vol. 15, p. 51.