

Review by the Office of the Ombudsman, French Services, CBC/Radio-Canada of a complaint regarding the article by journalist Catherine Allard entitled *Un discours incendiaire sur le bilinguisme galvanise les troupes de Kris Austin*¹, posted on ICI Radio-Canada.ca on August 26, 2018. In the complainant's view, the article failed to comply with the CBC/Radio-Canada Journalistic Standards and Practices regarding accuracy and impartiality.

COMPLAINT

A web user, Mr. Don Page, complained on August 26, 2018, about an article posted that day on ICI Radio-Canada.ca entitled *Un discours incendiaire sur le bilinguisme galvanise les troupes de Kris Austin*². He wrote:

“How is it that the reporting of Catherine Allard is permitted in a country that purports to be democratic and supportive of free speech? I can't believe that my tax dollars are going toward this would-be reporter who has the nerve to call Kris Austin's speech, "inflammatory" and insinuates that the Alliance Party is anything less than a breath of fresh air. Her reporting is itself biased and inflammatory. It is an attack on a valid political party by a publicly funded broadcaster and the people of this province deserve a public apology, after which she should be sacked for failing to properly do her job.”

In a subsequent email message, Mr. Page added that the article's headline “indicate[d] quite clearly [the] reporter's personal and biased opinion,” also expressed later in the article, for example when she wrote:

“Le parti connu pour ses positions hostiles à l'égard du bilinguisme compte faire son entrée à l'Assemblée législative pour la première fois cette année.”

In his opinion, making such “prejudicial statements” in the midst of an election campaign constituted “interference in the democratic process” underway in New Brunswick.

As required by the procedure, I began by asking the heads of the News department at the Moncton Radio-Canada station to reply to the complainant.

RESPONSE FROM NEWS DEPARTMENT

On September 4, 2018, Mr. Denis Robichaud, Senior News Manager, Radio-Canada Acadie in Moncton, replied to Mr. Page, defending the accuracy of the article in question and the impartiality of the journalist who wrote it. Regarding the use of the word “*incendiaire*” in the headline (which Mr. Page interpreted as meaning “inflammatory”), he wrote:

¹ <https://ici.radio-canada.ca/nouvelle/1120129/alliance-gens-nouveau-brunswick-bilinguisme-francophones-kris-austin-lancement-elections>

² <https://ici.radio-canada.ca/nouvelle/1120129/alliance-gens-nouveau-brunswick-bilinguisme-francophones-kris-austin-lancement-elections>

“In French, this term implies that in his speech, Mr. Austin delivered virulent criticism towards Official bilingualism. To advocate for the abolition of the Francophone Health Network and the closing of the Office of the Commissioner of Official Languages, and to support the idea that Official bilingualism is a waste of taxpayers’ dollars can in fact be qualified as attacks towards a linguistic reality that characterizes New Brunswick. To write this in our story doesn’t mean that we are biased; it is an honest description of proven facts.”

Mr. Robichaud further stated that it was “also fair to say, based on the numerous positions taken by the People’s Alliance of New Brunswick, that the party is known for its hostile positions towards Official bilingualism.” That stance, in Radio-Canada’s opinion, may well be a popular one within the party ranks, but “it certainly has stirred up animosities with Francophones, on social media” such that “we do not agree that the use of the word “hostile” is prejudicial or partial.”

In conclusion, Mr. Robichaud noted that journalist Catherine Allard had “made all the necessary efforts to ensure that her story was fair and balanced,” for example by giving some of Mr. Austin’s supporters (who included Francophones) their say; they explained why they endorse his stance on bilingualism. In addition, the web article contained a link to a one-minute excerpt from Mr. Austin’s speech. Lastly, the article included an interview with a political scientist who believed Mr. Austin might win election in his riding. Based on all of these aspects, he deemed the article accurate, fair, balanced and impartial, in compliance with the CBC/Radio-Canada Journalistic Standards and Practices (JSP³).

REQUEST FOR REVIEW

Mr. Page was dissatisfied with this response, calling it “arrogant and uninformed,” and on September 9, 2018, he asked me to review the matter. He wrote:

“Obviously, neither Mr. Robichaud nor his journalist, Catherine Allard, has gone to the trouble of reading the People’s Alliance platform or bothered to interview Mr. Austin himself or they would know his and his party’s very reasonable position on bilingualism.”

Mr. Page noted that Mr. Robichaud, in his response, made mention of the New Brunswick “Office of Official Language(s)” [sic], an organization that, Mr. Page claimed, Radio-Canada has “supported over the years.” He wrote:

“That office, aside from being redundant, has been the platform for the most hate-mongering, anti-English bigotry imaginable and not a word has been printed about it. And he (Mr. Robichaud) accuses Mr. Austin of “virulent criticism toward official bilingualism”? So much for fair, impartial journalism. And the irony of having someone from Quebec lecturing anybody on the benefits of bilingualism is not lost on me either.”⁴

³ <http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/>

⁴ For the benefit of the complainant, I have verified that both Denis Robichaud and Catherine Allard are of Acadian origin, not Québécois.

Mr. Page asserted that Ms. Allard's article was "an obvious expression of her own misguided opinion," since neither she nor Mr. Robichaud, in his opinion, "[has] a clue about the People's Alliance Party." Rather, it was the article itself and Mr. Robichaud's opinion of it that constituted a "hostile stance" and were "inflammatory and prejudicial." He concluded by stating that the article was "a blatant and reprehensible attempt to influence electorate opinion" in New Brunswick.

REVIEW⁵

The rules in question

Examination of this complaint refers to two principles⁶ of the CBC/Radio-Canada JSP,⁷ namely accuracy and impartiality:

Accuracy

"We seek out the truth in all matters of public interest. We invest our time and our skills to learn, understand and clearly explain the facts to our audience. The production techniques we use serve to present the content in a clear and accessible manner."

Impartiality

"We provide professional judgment based on facts and expertise. We do not promote any particular point of view on matters of public debate."

Examination of the complaint

I begin by noting that, while Mr. Page's complaint refers to the "article" by journalist Catherine Allard, his criticisms pertain not to the body of the article, but solely to the headline and what is known as the "lede": the short text in bold type just above the journalist's byline, which serves as an introduction. Often, the headline and lede are written, or edited, by the desk editor, without the journalist being informed. This was not true in the case which concerns us: Ms. Allard has clarified that she wrote the headline and lede and assumes full responsibility for them (although that responsibility is in fact collective, because all news copy must be approved by the Radio-Canada editorial department before publication).

As such, the complainant has not asked me to examine the entire article to determine whether it is balanced, fair and impartial; whether it put things in perspective by presenting a variety of points of view.

⁵ <http://www.ombudsman.cbc.radio-canada.ca/en/about/mandate/>

⁶ <http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/>

⁷ <http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/>

Rather, Mr. Page has asked me to focus on two expressions found in the article's lede, the accuracy of which he questions: "incendiary speech" ("*discours incendiaire*") and "party known for its hostile stance on bilingualism" ("*parti connu pour ses positions hostiles à l'égard du bilinguisme*"). He further asserts that this language is proof that the journalist sought to influence voters by expressing her personal opinion, which would be in violation of her duty of impartiality.

In other words, I am asked to establish whether it is accurate to claim that the speech given by Kris Austin on August 25, 2018, was "incendiary," and whether the People's Alliance of New Brunswick party is "known for its hostile stance on bilingualism." In Mr. Page's opinion, these descriptions do not correspond to the party's electoral platform or to statements by its leader.

Before I begin my review of this matter, I must frame the limitations of any exercise that consists in measuring the accuracy of qualifying adjectives, which, by definition, are judgmental. If I may list some examples: What one person deems a normal walking pace will be described by another as quick. What is the difference between a big ball and a small one? Which adjective is true, and which is false? Where is the dividing line between the two? As we can see, there is always a degree of subjectivity in the use of an adjective, a question of perspective, such that trying to establish the accuracy of a qualifying adjective is often illusory. Added to these preconditions is that of language: does the French "*incendiaire*" have exactly the same meaning as "inflammatory"? Does the adjective "hostile", though spelled the same in both languages, convey the same negativity in French as in English?

Consequently, it seems to me that the question here pertains not so much to the accuracy of the qualifying adjectives involved as it does to the reasonableness of using them: can an informed person reasonably conclude that Kris Austin's speech was "incendiary" and that his party is "known for its hostile stance on bilingualism"?

The title: *Un discours incendiaire sur le bilinguisme galvanise les troupes de Kris Austin*⁸

I have listened to the recording of the speech given by the leader of the People's Alliance of New Brunswick to which Ms. Allard's article refers. The statements she reported are accurate, and the supporters' enthusiasm she described is real: Mr. Austin's statements about public funds being wasted on application of official bilingualism were those that garnered the most applause. They also took up considerable space in his overall speech. Choosing those points for the article headline was therefore appropriate; stating that Mr. Austin's speech on bilingualism energized his followers ("*galvanise les troupes*") was also accurate. The question of the qualifying adjective "*incendiaire*"/"incendiary" remains.

The word is of course a figure of speech, a metaphor to describe a vehement critique likely to "fire up" people – hence the connection to the idea of flames. French dictionaries associate it with vehement, passionate or controversial statements.

⁸ <https://ici.radio-canada.ca/nouvelle/1120129/alliance-gens-nouveau-brunswick-bilinguisme-francophones-kris-austin-lancement-elections>

These qualifiers seem to me to be applicable to Mr. Austin's words; he said "[t]he first thing we're doing [...] is we're getting rid of the language commissioner's office," because he sees it as an organization that "goes into a witch hunt and makes people lose their jobs." After the enthusiastic reaction to those words, an energized Austin continued:

"I'm fired up now. I don't care. People say it is not politically correct. I'm tired of politically correct. I'm gonna tell you the truth."

Then, after criticizing the fact that a unilingual Anglophone employee working at the reception desk of a government building in the provincial capital was relocated following a complaint from the Office of the Commissioner of Official Languages, he returned to "fire" imagery:

"We're not fanning any flames. What we're doing is bringing people together, we're stopping the fanning of the flames that the government is doing with their policies over the last couple of decades."

For anyone who has followed politics in New Brunswick in recent decades and is aware of the history of the Acadians, there is no doubt that the language issue is an extremely touchy, controversial subject, which can cause passionate emotions to flare up. In his speech, Mr. Austin says he is aware of this but "doesn't care," and that if he is accused of fanning flames of discord, he is not the first to have done so. Whether he is right or wrong – that is, whether his allegations about the impacts of institutional bilingualism are founded or not – it appears reasonable to me to describe his speech as "*incendiaire*" given the abundant references to "fire" and "flames" by Mr. Austin himself, on a topic that he acknowledges is a "hot" one and which garnered an enthusiastic reaction from his supporters. At the very least, using that qualifier was not unreasonable, because it seems to correspond to the standard definition of the word *incendiaire*: a vehement critique likely to fire people up.

"The party known for its hostile stance on bilingualism"

I have not closely followed the history of the People's Alliance of New Brunswick party since its founding in 2010. It is, however, common knowledge that the issue of respect for the rights of the Acadian community has caused a stir both within and outside the party. Its leader, Kris Austin, has been criticized for taking part in a number of activities of the Anglophone Rights Association of New Brunswick, which purports to be a counter-offensive to the *Société de l'Acadie du Nouveau-Brunswick*.

In his request for a review of his complaint, Mr. Page wrote that the People's Alliance party platform shows that it takes a "very reasonable" position on bilingualism. I viewed the platform on the party's website, only available in English.⁹ I note, on page 3, that the "first responsibility" of a government led by Kris Austin would be "proper management of the public purse," and that the first measure proposed to achieve that (again on page 3) is "[a]n increase in the Auditor-General's budget," to be "funded by the removal of the Language Commissioner's Office," i.e., the Office of the Commissioner of Official Languages for New Brunswick.

⁹ <https://www.peoplesalliance.ca/platform>

The section dealing with the party's policies on language (on page 8 of the platform document) proposes further cuts to services to the Acadian community, for example eliminating "duality in government services," such as school buses for French-speaking students and the regional health authorities overseeing healthcare provision in the French language.

Besides examining the official party program, I watched the leaders' debate broadcast on CBC Television on September 12, 2018, to get a sense of party leader Kris Austin's messaging to New Brunswick voters during the campaign. The first question asked of the leaders of the five main parties was: "With the longstanding decline in rural New Brunswick and the family farm, can you outline your party's plan to reinvest in and reinvigorate rural New Brunswick?" Mr. Austin's reply can be summed up as follows: rural New Brunswickers face excessively long wait times for ambulance service, and his party would "make sure that gaps in ambulance coverage would be lowered" by "reducing unnecessary language requirements on paramedics, which creates these gaps in the first place."

Therefore, both in his party's official program and in his main appeal to New Brunswick voters, Mr. Austin's primary solution to various problems, be they the provincial deficit or the decline in rural areas, involves curtailing institutions or standards designed to uphold the rights of or defend services provided to Francophones – and this, in the country's only officially bilingual province per the Constitution of Canada. This is a position that, in a democratic society, Mr. Austin has every right to defend, just as media outlets have every right to report on it without being accused of bias.

Was the claim in the lede that Mr. Austin's party is "known for its hostile stance on bilingualism" an exaggeration? The *Larousse* French dictionary defines the qualifying adjective *hostile* as "*qui désapprouve quelque chose ou quelqu'un, qui le combat par la parole, par les écrits ou par des actes*" ("that is disapproving of something or someone, that fights it or them in words, writing or action" [freely translated]). Given the People's Alliance of New Brunswick party platform and its leader's remarks, that description in French does not strike me as unreasonable, though it would doubtless have been more thorough to write that the positions are "*hostile*" (in the French sense of the term) to *institutional* bilingualism. To me, however, that meaning seems to be implicit, since no one can be opposed per se to an individual's being bilingual. The word bilingualism must here be understood in the context of reference to the collective rights of *Acadiens* and thus to the services and institutions that they have gained following long struggles.

Further considerations

In conclusion, I wish to emphasize that the article by journalist Catherine Allard presents diverse points of view on Kris Austin's speech. She described its content accurately, and respectfully gave several of Austin's supporters – including two who are of Acadian origin – their say. She also quoted a political scientist who analyzed the party's rise to popularity and forecast a possible win for Austin in his riding. The story is therefore compliant with the Journalistic Standards and Practices regarding fairness, balance and impartiality.

CONCLUSION

The article by journalist Catherine Allard entitled *Un discours incendiaire sur le bilinguisme galvanise les troupes de Kris Austin*, posted on ICI Radio-Canada.ca on August 26, 2018, is compliant with the CBC/Radio-Canada Journalistic Standards and Practices regarding accuracy and impartiality.

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CBC/Radio-Canada
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