

États Généraux of the Fransaskois Community - Letter from the Editor (1)

May 8, 2018

As the editor of fransaskois.info for nearly 10 years, I have a privileged position as an observer on the Fransaskois community. With one exception, in 2012, I respected a duty to show reserve. As a Fransaskois with the community at heart, the events of the last few months have challenged me and compelled me to react.

A few days ago, on Radio-Canada, Michel Vézina put forward the idea of holding "États Généraux" (Estates General). The idea was immediately rejected by the president of the Assemblée communautaire fransaskoise (ACF) so as not to create tensions within the community.

The reality is that the community is already experiencing untenable tensions and is deeply divided.

2017 Elections

To begin, we must recall the abnormal and wrenching elections to the ACF that we have just seen; where presidents were elected and dismissed; where one of the members of the "independent commission" resigned, because he had signed the candidacy of a candidate for the presidency; where the Chief Electoral Official made mea culpa; where a commission took nearly two months, instead of the seven days prescribed, to render a decision for which it had, in fact, no authority!

Thus, 66 votes of Franco-Africans, whose choices were known since their ballot had been stripped and accepted, were arbitrarily rejected a posteriori by a commission appointed by the ACF.

Six months after these elections, we still do not have a conclusion. The results have been brought before the Queen's Bench, which has disavowed the "independent commission" ([decisions here, PDF](#)) and will soon make a decision on the merits.

At the first meeting following the election in January, the community member for North Battleford (the only Métis, partisan of Denis Simard) was expelled from the Assemblée des Députés Communautaires (ADC). The resignation of the community member from Saskatoon (the only Franco-African, a supporter of Denis Simard) followed. A purge can give a cohesive polish, but it does not build a "stronger and more united community"

Disinterest and Disenchantment

Yet, as ugly as these internal rifts, the real division in the Fransaskois community is elsewhere. Saskatchewan has some 50,000 French speakers. The ACF declares itself spokesperson for these 50,000 people.

In the October election, fewer than 1,000 votes were counted. Only 2% of the people that the ACF claims to represent. Proportionally, it is as if only Nipawin and Swift Current decided on the Saskatchewan government.

This small number of voters, if only for lack of interest, should already be a major concern. Unfortunately, to this indifference is added a disenchantment that leads francophones in Saskatchewan turn their backs on the community, or even refuse to approach it with the proverbial twenty-foot pole.

As it stands, one can not pretend to want to avoid creating tensions or dividing the community. Due to a lack of a critical eye, it is the status quo that is protected. For the bettering of the community, you have to look at the real problems and answer questions without complacency.

Questions

In its ruling of April 12th, the Queen's Bench rejected the claims of "quasi-judicial" authority claimed by the ACF. The indirect consequence is important. In the sense of the 1995 Not-for-Profit Corporations Act, the ACF has been brought to a constitutional status as an association like any other.

- What is the value and usefulness of defining the ACF today as a Fransaskois government?

In recent years, governments have enacted laws to facilitate access to government information to ensure greater transparency of activities and the use of public funds. Other than succinct financial statements, the ACF does not publish how the funds in its charge are spent.

- Should the ACF not be more transparent?

Over the last twenty years, the ACF has led many projects where hundreds of thousands of dollars have been spent, without reporting on the completion and real utility of these projects for the community.

- Is not it time to take a look at past projects and evaluate successes and failures?

"États Généraux" (Estates General)

Twenty years ago, the Fransaskois community acquired a new structure. Today, there are questions and ideas on the table that need to be discussed and answered.

Should the Fransaskois community hold Estates General or privilege another formula? Certainly, important questions arise and they deserve better than fleeing answers.

Questions on Fransaskois Governance - Letter from the Editor (2)

May 9, 2018

On May 8th, on Radio-Canada, the president of the Assemblée communautaire fransaskoise (ACF) stated that the organization is a model of excellence. He renewed his opposition to the "États Généraux" (Estates General), preferring potential discussions during Rendez-Vous Fransaskois in November. This is an astonishing statement given the recent events that have undermined the very foundations of the ACF.

A Unique Creature

It is important to do a retrospective. In 1999, when the ACF replaced ACFC, it was not only that the name changed. It's a new legal entity and a new structure that was put in place.

This has made the ACF a unique model throughout the Canadian Francophonie, a creature a little strange that can be admired by some, but has not been reused by anyone. It is a model that should allow the ACF to be not only a spokesperson, but also a form of government, elected by universal suffrage elections, although in practice, community members such as the presidency are often elected by acclamation.

The ACF was to be a community-based government to which all other Francophone associations in Saskatchewan would be subordinates. In reality, this centralized governance has never been accepted by the associations, apart from the signing of some agreements with good intentions.

Disallowed Election Regulations

The ACF has rules to enable it to put in place this governance, rules which derogate the 1995 law on non-profit corporations from which it came.

On April 12th, there grey clouds in the Fransaskois blue skies. In a first test before the courts, the ACF's statutes were undermined since the "independent commission" created by these same statutes was disallowed by the Queen's Bench. The judge will render his decision on the result of the election under section 135 of the Act, regardless of the hearings and the decision rendered by the "independent commission" of the ACF.

This decision has serious indirect consequences for the ACF, since it undermines the bases on which the organization supports its claims of community governance. In the eyes of the law, the ACF is a non-profit organization like any other.

- [Position of the ACF](#) (in French)
- [Court Decision](#)
- [Not-for-Profit Corporations Act, 1995](#)

Virtual Membership

Universal suffrage elections were made possible by the invention of a category of membership that does not exist in the 1995 Non-Profit Corporations Act, a kind of virtual member named "individual member".

These members, defined in the general statutes of the ACF, are not real members within the meaning of the law.

Indeed, contrary to the provisions of Article 2 (1), the "individual members" of the ACF can not:

- Elect or impeach the directors,
- Review the financial statements,
- Appoint the auditor

Similarly, in the current structure, how can the "individual members" of the ACF avail themselves of clause 96 (1)?

- Subject to subsection (2) and paragraph 94 (g), members may, at a special meeting, dismiss the directors by ordinary resolution.

In reality, the ACF has only 16 members, the community deputies and the presidency. It is they, among themselves, who elect an executive council.

Representation

This structure and what it allows cause a democratic deficit. When the community needs to speak out, the voice of the ACF, its spokesperson, is not enough. This creates a situation where two entities claim to be representative of the Fransaskois associations:

- Assemblée des députés communautaires (ADC) and
- The Table des élus which brings together the presidencies of associations.

As a recent example, in the area of community spaces in schools, the Table des élus, not the ADC, adopted a proposal that must be sent to all members of the Saskatchewan Legislative Assembly.

“Tout va très bien, Madame la marquise”

(French song, meaning “all is well went in fact everything is on fire)

In saying that all is well, the president of the ACF skips the first question asked yesterday:

- What is the value and usefulness of defining the ACF today as a Fransaskois government?

Of course, you can not call the Estates General for next weekend, but postponing the beginning of discussions to the Rendez-vous Fransaskois in the fall, too little too late. It weakens not only the ACF, but the entire Fransaskois community.

I also note with disappointment that no consideration was given to the other two questions asked on May 8th:

- Should the ACF not be more transparent?
- Is not it time to take a look at past projects and evaluate successes and failures?

Questions on the ACF Transparency - Letter from the Editor (3)

May 10, 2018

Transparency is a delicate matter, because as soon as it is raised, to model Beaumarchais, one answer that "to accept to be transparent, would grant that I can be wrong". This is not the question.

Transparency is an essential virtue in a democratic society. It is of crucial importance as it enables citizens to understand and comment on the functioning of the institutions and the procedures that take place there.

Remuneration and Expense Allowance

I am the editor of fransaskois.info, but I am also an employee of the Government of Saskatchewan. Through a simple internet search, it is possible to find my salary for the last years. This is true for me, my colleagues and contractors. I have no pleasure in seeing personal information like this online, but I understand the reasoning and accept it. I am paid by public money, the public is entitled to know where their money is going.

For Saskatchewan elected officials, the rule is even stricter because their spending allocations are public and detailed summaries are available online. For example, on June 22 and 23, 2017, the Honorable Bronwyn Eyre participated in the Conference on Canadian Francophonie in Ottawa. She then claimed \$ 76 for her meals. The numbers are [here](#).

Should the Assemblée communautaire fransaskoise not show the same transparency as the one demanded by the government in Saskatchewan? Should the remuneration and allowances of ACF elected representatives not be made public?

During the last ACF election campaign, Denis Tassiaco, François Afane and Denis Simard, among other Fransaskois, called for greater transparency of the ACF. As community members, Christine Freethy and Patrice N'Gouandi have asked that the spending allowances of elected Fransaskois officials be disclosed. This was rejected by the ACF Executive Council.

Justice

The issue of transparency is not limited to financial matters.

Behind closed doors, the Community Member for Battleford was removed from office and fired from the ADC on February 4, 2018. The Kafkaesque procedure was done in her absence, thus forbidding her to defend herself. The ACF stated that [she could not be a community member because she filed a legal action against the ACF](#). Christine Freethy claims that she has not filed any legal action against the ACF. A search at the Queen's Bench in Regina does not show any proceedings brought by her against the ACF.

On the other hand, without the community being aware, there is a procedure for defamation and wrongful dismissal brought against the ACF and Dominique Sarny, the director general who has recently resigned. The proceeding was filed on August 25, 2017 at the Queen's Bench in Regina. On February 23, 2018, the

obligation to use mediation was met without an agreement being found. The lawsuit is running its course. (Q.B.G. No. 2162 of 2017)

"États Généraux" (Estates General)

How can the Fransaskois judge the good administration of the ACF if we do not disclose how the funds are used, if we hide behind closed doors to expel a member of the community and if we know the existence of a legal proceeding against the body?

The Estates General are a privileged moment to raise difficult questions that deserve answers. The Estates General would also be the ideal time for the ACF to demonstrate the transparency expected by the Fransaskois, a transparency that is currently sorely lacking.

Achievements and Failures of the ACF - Letter from the Editor (4)

May 11, 2018

Since its founding, the Assemblée communautaire fransaskoise (ACF) has led many projects where significant sums have been spent. Unfortunately, for the most part, there have been no public report where the real impacts on the community, the effectiveness of the sums involved, the positive and negative points from the experiments could be evaluated.

Taking time to analyze achievements is a healthy process for any organization. This helps to avoid repeating mistakes and celebrating just successes.

It's not about writing a report to write a report and hurrying to hide it in a closet. We are talking here about being accountable to the community that we have given ourselves the mission to serve. It's a question of transparency.

For instance, before restarting the Terroir Project, it would be good to evaluate through a public report the useful and concrete effects, the strengths and the weak points that its first life saw.

Projects

The projects managed by the ACF are of all kinds. Here is a non-exhaustive list, but it is worth remembering:

- Baudoux communication
- Community directory (multiple occurrences)
- Code of ethics
- Commission on Inclusion
- Francofièvre
- Fransask-moi
- Fête fransaskoise Inc.
- Livre pour 2012 l'Année des Fransaskois (Book for the Year of the Fransaskois)
- Mission abroad / Destination-Canada program: France, Belgium, Tunisia, Mauritius
- Terroir Project
- Community Radios (Mission to Burkina Faso)
- Historical Review for the 100th Anniversary of ACFC
- Métis roundtable and collaboration agreement with the Métis
- “Tête de l'emploi” and one-stop shop

It is not relevant to try to analyze all of these projects. This is the job of the ACF. It is up to the Assembly to be accountable for its achievements. However, it is worth mentioning some projects that demonstrate the importance of looking at the past.

Fransask-moi

This project, started in 2012 for the year of the Fransaskois, was originally intended to take the form of a film made by the NFB, but instead became a website. The first project was to create a Fransaskois history site, which conflicted with the sites and archival project already in place at the Société historique de la Saskatchewan (SHS). I was then president of the SHS and I had to formally oppose the project.

The project has been changed to become a portal where artists could submit their creations, songs, images, photos, writings. This time it is the artists who rejected the idea of "giving" their work. Finally, it is a kind of participative site, publishing texts, photos, videos that gave the right to virtual tokens that was built. Here is the archived site: web.archive.org/web/20170516081242/http://fransaskmoi.ca

When it was launched, the site allowed itself to take over the content of fransaskois.info, without ever asking for authorization, without giving credit and by stating: "OUR NEWS - discover all the Fransaskois news in one place!". I brought this to the attention of the President of the ACF, indicating that I would have been open to sharing the information feed of fransaskois.info, which is also offered on the Eau-vive but that the ACF's way of doing things was unacceptable. The ACF simply removed the feed without offering an apology.

In the end, the site Fransask-mas was, I weigh my words, a dismal failure. It was disconnected quietly a few months ago, after months of inactivity, without anyone noticing. The domain name fransaskmoi.ca is now a phishing site for the sale of shoes:

www.fransaskmoi.ca [CAUTION: this site has all the appearance of fraud]

Community directory

It is useless to dwell on the history and problems of the Community Directory. A simple invitation to visit the last version is enough: fm68.triple8.net/fmi/webd/#ACF-LeBottinV2

Fête fransaskoise

It is essential to mention the research work done by the Société historique de la Saskatchewan on the Fête fransaskoise. Here is the website dedicated to the history of this project and the conclusion drawn:

fete.societehisto.com/la-fete-est-finie-n301-n845-t1927.html

Costs

The costs of the projects mentioned in the list vary from ten thousand dollars to more than one million. The last version of the Community Directory would have cost about \$ 20,000 and Fransask-moi somewhere between \$ 220,000 and \$ 300,000, sources vary. Unfortunately, due to a lack of transparency on the part of the ACF, these figures must be taken with a grain of salt. For comparison, fransaskois.info was offered for purchase at the Coopérative de publication fransaskoise for \$ 20,000, including a service contract.

"États Généraux" (Estates General)

Is not it time for the ACF to take a look at past projects and evaluate successes and failures?

Normally, it would not be necessary to ask for General Estates to have an account of the achievements of an organization. But the current situation of the ACF, when coupled with the problem of governance and transparency, has outrageously exceeded the normal threshold.

Outside of the ACF, there is a Fransaskois community of people who speak and laugh in French, people who share the richness of Francophone cultures. It is this community that the ACF must also join and serve. It is the duty of the president of the ACF to answer the questions posed without any idle formula and without false evasions, for the good of the ACF and, especially, for that of the Fransaskois community.