

Making a Scene about Language Rights*

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Frank (1976) a donné une interprétation intéressante de cet aspect de l'interaction publique communément appelée "faire une scène." Ce texte suggère que la Commission Royale d'Enquête sur le Bilinguisme et le Biculturalisme a créé une situation où il était possible aux groupes linguistiques minoritaires de la société canadienne de menacer symboliquement les normes d'une conduite bienséante — en somme de faire une scène. Le rapport conclut que la rencontre entre la Commission et les dossiers qui lui ont été soumis est une renégociation de la réalité sociale où les groupes d'intérêt visent à établir une nouvelle réalité apparaissant comme consensuelle.

Groups in many societies today are demanding that certain aspects of their culture or identity which are identified as having special significance to them be given a legitimate place in school curricula. Perhaps the commonest demand among the many that are heard is the cry for language rights. Debates about language demands can themselves range from friendly conversation and discussion to symbolic acts of violence found in argument and written verbal combat, and can end in forms of civil disobedience and violence itself.

The Canadian Royal Commission on Bilingualism and Biculturalism raises interesting and important questions about a social situation which involved claims to special status, principally in school curricula, for a number of languages spoken by Canadian sub-populations. This paper examines the specific circumstances and expression of these claims to a governmentally established commission that had specific terms of reference which officially downgraded the special language interests of all but two sub-populations, Francophones and Anglophones.

These terms of reference read as follows:

to inquire into and report upon the existing state of bilingualism and biculturalism in Canada and to recommend what steps should be taken to develop the Canadian Confederation on the basis of an equal partnership between the two founding races (i.e. French and English), taking into account the contribution made by the other ethnic groups to the cultural enrichment of Canada and the measures that should be taken to safeguard that contribution. . . . (Royal Commission on Bilingualism and Biculturalism, 1967, p. xxi)

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The Commission was to acquire, interpret, and evaluate knowledge claims and statements made as to the relative status of languages and cultures in Canada, and to recommend how best to achieve parity between English and French without alienating the other language groups in the country. Linguistic hegemony was to be equally divided between French and English. What then was to be the place of the other languages in schools and in the larger society and how is one to interpret the phrase about safeguarding their contribution?

That which follows is an analysis of the briefs submitted to the Commission by those linguistic groups in Canada other than the two dominant ones. In the course of this analysis it became apparent that we were really trying to compare the degree to which the Royal Commission's definition of the reality of Canadian language rights was shared by these minority language groups, and the degree to which it was rejected. Furthermore, we became interested in just how these groups expressed their thoughts and feelings about this reality and whether or not any explicit challenges of it were made. It was in this respect that we found the concepts of symbolic violence and scene-making useful interpretative tools. We must leave it to the reader to judge this usefulness. Finally, we became interested in trying to understand how the Commission worked as a legitimate definer of reality. It is to each of these interests in turn that we will now give our attention.

MAKING A SCENE

Frank (1976) has provided an interesting interpretation of that aspect of public interaction which is commonly called making a scene. Scene-making, according to Frank, allows the symbolic rejection and transgression of "normal orderly behavior" (p. 395). His paper uses examples from such diverse sources as *The Autobiography of Malcolm X* (1965) and Jonathan Kozol's *Death at an Early Age* (1967) to illustrate "how the scene works for the social actor as an assertion of his demand for the societal recognition of a certain self, and how symbolic violence is used as the tactic of this assertion" (Frank, 1976, p. 395). Scene-making provides an opportunity for the social actor to be heard and/or seen by others as threatening to overstep the bounds of expected behavior by making it apparent how easy it would be to do so. In a reflexive sense (Meehan and Wood, 1975) it is precisely our common understanding of the norms of order which should apply in given situations that allows us to label such an event as a scene. Yet as Frank points out, the effect of a scene "is hardly mitigated by the knowledge that the labelling of the scene as a disruption is, in itself, an affirmation of the norm of order" (1976, p. 397).

In what follows we would like to suggest that this Royal Commission created a situation somewhat analogous to the social situations which

Frank has characterized in his discussion as providing norms of orderly behavior which can be threatened in the form of making a scene. Furthermore we think that this setting illustrates an interesting extension of Frank's conceptualization insofar as it suggests that governments may purposely create social situations, complete with norms of behavior, in the form of Royal Commissions, etc., in which scenes are possible, within a limited framework. In the brief submission process confrontation between groups and the Royal Commission are limited on the one hand to written communication, and on the other to appearances at public hearings. The following discussion shows the extent to which the written briefs, sent to the Commission by minority language groups, may be said to threaten, to different degrees, the norms of reality embodied in the Commission in terms of its mandate and its procedures.

However, before moving to this substantive discussion, we must point to one major difference in our own use of Frank's theory of scene-making from his formulation of it. Frank argues that:

The scene, to be so-defined, must be judged to be *ad hoc* and spontaneous; to some extent, the participants in the scene must present themselves to those who watch as taken by surprise at their own behavior. For example, even if it is known that the participants "had it in for each other" in advance of the scene, their meeting at a particular time and place, to be labeled a scene, must be presented so as to be interpretable as unanticipated. (1976, p. 396)

Our scene-making behavior involves written briefs to a Royal Commission. To what extent do they fulfill Frank's demand that they be observable as *ad hoc* and spontaneous? The very process of brief solicitation and submission seems to preclude this possibility. We would argue that Frank's criterion need not be present for observers to judge that a scene is or has taken place. In our understanding of scene-making, in order for the observation to be made that there is, has been, or almost was a scene, there need be only the judgment that the social order, or normal orderly behavior is, or was, threatened or violated. In our opinion all such threats or violations are seen in their immediacy, whether they are, from the point of view of the actors, *ad hoc* and spontaneous, or not. From the observer's point of view all disruptions of the normal social world are immediate in their impact and existentially spontaneous.

Obviously the test of our claim lies in our experience with scene-making as competent members of our society. We therefore must ask our readers to judge the validity of our position based on their reading of the examples we present in the following discussion.

BRIEFS AS A THREAT TO THE SOCIAL ORDER

A remark in the Commission's preliminary report indicates that a threat to "normal orderly behavior" is perceived as existing in the tension between the French- and English-speaking groups in Canada: "Canada,

without being fully conscious of the fact, is passing through the greatest crisis in its history"; "a time when decisions must be taken and developments must occur leading either to its break-up, or to a new set of conditions for its future existence" (Royal Commission, 1956, pp. 13; 133). With reference to the "other ethnic groups" the Commission's terms of reference can be understood as a form of provocation, in its restatement of relative language status, and as such it demands a response. Although the Commission does not reject orderly normal behavior, it creates a situation in which such behavior may be rejected by other groups on a symbolic level within the boundaries of the existing social order.

In general the briefs respond to the Commission by making statements regarding the assertion of bilingualism and biculturalism embodied in the terms of reference, but also by making assertions about the status of their own languages. The following is an example from the brief of the Trans-Canada Alliance of German Canadians (TCA) (1964). They state that they are "in agreement with the policy of regarding English and French as the two national languages of Canada and of promoting both bilingualism and biculturalism," thus affirming the position of the Commission. Further evidence of their not wanting to create a scene can be found in their comment that: "The TCA wishes to go on record as recognizing the right of . . . minorities to cultivate their languages, to the extent that this is compatible with existing laws and regulations."

Notwithstanding this concern for law, the group is willing to take a more forceful and potentially more threatening position when it says that it is "strongly opposed to any attempts to reduce the teaching of German in high schools or universities with the excuse that there are insufficient means to carry out a more elaborate foreign language programme." However, no specific designation or threat is made of the action which would be taken should such a reduction in German teaching be forthcoming. It remains in essence a rhetorical device to show strong feeling at some indeterminate level. It does not create a scene, although it does hint at a level of symbolic violence in its expression "strongly opposed."

The brief from the Netherlands Canada Cultural Council (NCCC) (1964) comes much closer to going outside the boundaries of the tacit social order of the Commission when it begins its brief with the following statement:

We realize that the present controversy with respect to bilingualism and biculturalism is basically economic, political and religious in nature. However, we will attempt to avoid venturing into these fields lest we violate the constitutional limitations which the Netherlands Canada Cultural Council has set itself. This submission will, perforce, be superficial and incomplete; but we hope to express a few views about which we feel strongly. (p. 1)

This statement is a symbolic threat to the Commission insofar as it implies that the NCCC could speak to the real issues of the situation if it wanted

to, but is restraining itself because it is imposing its own limits even though they will result in superficiality and incompleteness. It is made quite clear that it could create a scene if it chose to do so but is backing off because of its own scruples and not necessarily because of those imposed or implied by the Commission.

Frank makes two observations about scenes which are pertinent to the above example: first, that "scene-participants want to keep their behavior on the level of the scene, preventing it from becoming a larger disruption"; and second, that scene-making exemplifies the tension "between the scenemakers' desire to make a statement and their desire to avoid sanctions for being disruptive" (Frank, 1976, p. 397). The importance of these statements seems to us to be this: that by simply alluding to the so-called "basic" aspects of the bilingualism and biculturalism controversy the NCCC is first making a statement and then withdrawing it by refusing to go further. This statement is a symbolic threat because it refers to the fundamental ideological structure of the society, i.e. its economic, political and religious systems. Such an opening up of the terms of reference of the Commission would be more than symbolically disruptive and could lead to questioning of not only the legitimacy of the Commission but of the power structure underlying it.

Having made this initial statement the NCCC moves back within the Commission's terms of reference making various points about the rights of the "other ethnic groups" such as the following:

We feel . . . that it is very important to safeguard the possibility of optional instruction of any other language, provided an explicit desire for such instruction has been expressed by an adequate number of individuals, warranting cost and effort involved in the establishment of such optional courses. (p. 2)

and:

We also believe that the real and important contributions to the establishment and development of the overall pattern to Canada made by the so called minority groups must not be overlooked. This "third group" of Canadians, comprising those with a mother tongue other than English or French, must retain the freedom to promote their own cultural heritage. In so far as these cultural contributions can be considered to enrich the Canadian culture as a whole, they should receive the same official recognition as comparable expressions of the English and French cultures. (p. 5)

Such vague and nebulous statements implicitly support the right of the Commission to interpret the reality of minority demands. They do not suggest any immediate threat of confrontation on issues of legitimacy or power as vested in the existing social structure. They affirm the Commission's dominance in reality maintenance.

Briefs submitted to the Commission from groups with interests in Japanese, Greek, the Scandinavian languages, Czechoslovakia, Polish, and Italian are all generally cautious, even-handed and largely supportive of

the Commission's role. Many make comments on the need to preserve minority group culture and language largely through courses in schools, as in the following example from the Polish Canadian Congress (n.d.):

1. That the Polish schools teaching Polish history, geography and language, organized internally, should receive from the appropriate authorities assistance in the form of adequate school-rooms, salaries for their teachers and financial aid for related expenses.
2. That in high schools — if a sufficient number of interested pupils can be found — instruction in the Polish language should be provided in addition to the regular curriculum.
3. That if a sufficient number of pupils exist in any community, the appropriate government authorities should finance a Polish high school and/or junior college in that community.
4. That Polish studies should form an accepted subject on the curriculum of Canadian universities. (p. 16)

Little argument is normally given in support of this kind of knowledge claim. This can be accounted for in at least two ways: it can indicate the belief that no evidence is needed since the need to preserve all minority cultures and languages is self-evident and can be taken for granted; or it can indicate a reluctance to enter into substantive debate on the issues involved for fear that this would inevitably lead to a "scene" in which the minority groups, being less powerful than the Commission and the groups they represent, would lose more than they would gain. This second alternative seems the more likely, and the large number of ameliorating statements in these briefs appears to confirm the fact since they make a great show of professions of allegiance to and faith in the symbols of power and authority which the Commission represents. The following are some examples:

The Canadian Polish Congress, having in regard the good of the country, recognizes that the two largest ethnic groups should have the right to introduce the full equality of French and English as the official languages of the country. (n.d., p. 17)

... the teaching of English and French languages to the minority groups [should] be extended, and ... French culture be made more readily available through French speaking schools. (Hellenic Canadian Society of University Graduates, n.d., p. 3)

The aim of the society is to preserve the best in our old Scandinavian culture and introduce it into our multicultural country, and to assist immigrants from Scandinavia to become good Canadians. (Scandinavian Centre Co-operative Association, n.d., p. 1)

Our Association, fully aware of the primordial role of the findings and recommendations suggested by your Board of Inquiry, submits to it the present brief with view to inform it on the growing contribution of Canadians of our ethnic origin and to assist it as best it can, by its own recommendations. (Canadian Italian Business and Professional Men's Association, 1965, p. 1)

We wish to emphasize, however, the conviction of Hungarians that the preservation of Canadian national unity is of the utmost importance, particularly in the light of our own past historical experience. (Canadian Hungarian Federation, n.d., p. 1)

These all, to a greater or lesser extent, make the position of these ethnic groups clear with regard to the question of ultimate legitimacy of the Commission and what it symbolizes. We did find, however, examples from another group which challenged the basic premises of the Commission as expressed in its title and terms of reference.

This challenge was found in briefs from Ukrainian groups. This interest group went further than any other in explicitly questioning the definition of reality espoused by the Commission. The Canadian League for Ukraine's Liberation writes:

There is no real basis for an assumption that in Canada the overall tendency is toward a British-French biculturalism. . . . The Central Committee strongly feels that the whole concept of Canadian political unity must be based upon the unqualified recognition and full acceptance of all cultural and ethnical elements in Canada as equal factors in Canadian political, social and cultural life. (1964, p. 4)

and,

The Central Committee is deeply convinced that any policy which will aim at elimination of cultural values of various Canadian ethnic groups, or suppression of use of the mother tongue as a second language in order to achieve Anglo-French bilingualism and biculturalism must be considered as basically wrong and against the interests of the Canadians and Canada. It is the opinion of the Committee that in this respect the terms of reference of the Royal Commission on Bilingualism and Biculturalism with emphasis on the "equal partnership between two founding races" and at the same time with quite obvious tendency to regard one third of Canadian population as a subject for assimilation only, are too narrowly formulated and in discord with the realities of Canada. (1964, p. 6)

The Ukrainian National Federation of Canada protests the Commission in similar terms:

The terms of reference of the Royal Commission seem to make a most unfortunate distinction between "the two founding races and the other ethnic groups who have contributed to the cultural enrichment of Canada." This distinction seems to establish a deplorable hierarchy of first and second class citizens. The Ukrainian National Federation protests with the very greatest possible vigour against this kind of discriminatory, anti-democratic and anti-Christian thinking and manner of expression, which is in complete contradiction not only with the Universal Declaration of Human Rights but also with the Canadian Bill of Rights. In a democratic state historical seniority confers absolutely no rights. (1964, p. 9)

The above statements are straightforward enough. They present a position opposite to that of the Commission and as such challenge one aspect of the Commission's definition of reality. On the other hand they are chal-

lenges embodied in briefs submitted to the Commission and thus implicitly affirm certain important aspects of the Commission's legitimacy because they are playing by the Commission's rules. This is consistent with Frank's observation (1976, p. 398) that "scenes involve a considerable amount of cooperation among disputants." Playing by the rules allows confrontation to take place at the symbolic level without necessarily escalating to physical violence over apparently differing perceptions of reality. Rules provide bases of meaning and frames of reference so that differing perceptions of reality can be compared and judged by participants and observers. Our illustration above shows how rules or boundaries may be arranged concentrically so that some may be rejected by the participants at the centre while others can still apply.

Our study involves an analysis of *written* briefs to the Commission and of the Commission's *written* report. As such our examples of confrontation and scene-making may not have the same force or immediacy that they do in Frank's work in which he analyzes reports of face-to-face confrontation. Nevertheless our use of his concept of scene-making is not strictly analogous to his use of it. We find in the briefs the entire range of scene-making behavior based on a group's anticipation of the Commission's responses, and the Commission's response in its *Final Report* is similar in that it already knows all the moves and arguments of the briefs. Because of this difference, the scene does not appear to be complete. And in some ways it is not. The final definition of reality is put forward by the Commission, but it must remain tentative insofar as any of the groups may want to make a scene over the reality as the Commission sees it. However, within the boundaries of the Commission this option is no longer there. The opportunity for scene-making must move to a new arena, e.g. the public hearings, parliament, the media, etc.

LEGITIMATION AND GLOSSING OF A REALITY

As we have argued in another paper (Heyman, 1976), legitimation can be understood as a process whereby knowledge which is problematic is justified through its incorporation into knowledge which is unproblematic or taken for granted. Mueller (1973, p. 130) has suggested that because societal needs are satisfied unequally, systems of domination and their link with class or group interests served by these systems are legitimated by ideologies. The Commission's terms of reference already re-establish the reality of a bilingual and bicultural Canada. In this instance the process of brief solicitation contributes to the legitimacy of the Commission and to its claims to knowledge as being within the boundaries of a legitimating ideology, namely participatory democracy. By soliciting and considering briefs from the "other ethnic groups" the Commission can claim to have employed a democratic practice consistent with Canadian ideology and use this claim to legitimate the claim of the Commission to

know the situation that pertains, and how groups perceive it. It claims the right to interpret these perceptions and decide how they constitute the reality of the situation.

Consideration of briefs from these groups is an important part of this legitimization of the Commission's claim to knowledge and interpretation since the briefs are to become part of the Commission's construction of a reality in which knowledge is created through the process of being collected. *Brief* solicitation allows the democratic ritual of participation and fair-mindedness to take place. It allows the Commission to make the following type of legitimating statement:

Four hundred and four briefs were submitted to the Commission, either by individuals who were expressing their personal point of view, or by various groups, many of which had previously carried out studies and surveys among their members. In most cases the briefs were carefully prepared documents and proved very helpful to the Commission. (Royal Commission, 1967, p. xv)

While we are given factual information as to the number of briefs submitted, we are *not* told *the way* in which the information and positions contained in them were evaluated or used in formulating the Commission's final report and recommendations. We never learn *how* the information contained in the briefs was "helpful"!

Other descriptions of Commission procedure and rationale can be understood as attempts to integrate its work with a body of other, already accepted, legitimate norms and values. For example, one volume of the final report mentions that private hearings and meetings with those "whose positions prevented them from making public statements" produced information that "supplemented that received in the hearings" (Royal Commission, 1967, p. xvi).

There are three important implications here: first, that it is legitimate for some people to make anonymous statements because for their identity to be publicly known and associated with their statements would in some way compromise them; second, that it is sufficient that the Commissioners know and hear these people, since the Commissioners can be *trusted* to give due weight and consideration to the comments made; and third, that this information is merely a supplement to that produced publicly, implying that the knowledge from public hearings is in both a procedural and an ideological sense more legitimate than privately generated knowledge.

A second example concerns the epistemological status of the knowledge collected by the Commission and its relationship to a dominant Canadian ideology as regards valid knowledge. Volume I of the *Final Report* points out that "From the outset we recognized the need to undertake a great deal of research because practically none of the questions raised by the Commission's terms of reference had been systematically investigated before" (Royal Commission, 1967, p. xvi). It goes on to argue in the same way that:

Better knowledge does not in itself create unanimity, for even experts often draw different conclusions from the same data. But it was necessary that a great deal of new information be obtained and analyzed, so that the discussion could be freed of the confusion which has all too frequently bedevilled it. Our conclusions would have to be based on sound knowledge of the facts. (Royal Commission, 1967, p. xvi)

The substance of this claim to research, collection of facts, and analysis is a clear appeal to the legitimacy of science as a way of knowing, as an epistemological category which enjoys more prestige and status in our society than any other (Heyman, 1976). The Commission's claims to knowledge are legitimated through reference to a quasi-scientific methodology. We say *quasi* because their data collection methods were in no way scientifically rigorous, and their varying methods of data analysis were never revealed.

In summary we would argue that the methods of the Royal Commission on Bilingualism and Biculturalism can now be interpreted as *glossing procedures* rather than as clear explications of problem solving and decision-making techniques. They can be said, more accurately, to have as their principal *raison d'être* the legitimation of decisions and recommendations which have been or will be made by processes, which may or may not be connected with the procedures and rationale publicly declared by the Commissions.

Logically there can be no necessary causal relationship between fact and value; none of the recommendations of the Commission can be causally related to the data they have collected but must be the result of policies and decisions grounded in the values and ideologies of interest groups, not in the criteria of scientific methodology. In order to understand the way in which decisions are made by such Commissions, one must be privy to the interaction that takes place in "private" meetings in which decisions are made. It is in such situations that one can observe and try to interpret what is "really happening," in all of its marvellous complexity.

This Commission presents a classic example of the ideological domination of knowledge claims in which the power to define the reality of the situation and to legitimate it rests within a given power structure. This suggests that "knowledge" and "rational argument" are not free-floating but are intimately tied to the ideology and power of knowledge producers. All that counts as knowledge is to some degree tied to the interests of those who produce or use it (Douglas, 1971); thus relations between knowledge producers from different interest groups are never equal, nor is their knowledge equally legitimate.

ENDING THE SCENE

The Commission's response to the briefs of the "other ethnic groups," including the Ukrainian briefs, seems to confirm our earlier contention

that the work of the Commission is better understood as a device to legitimate political policy decisions than as a process of gathering information which is to be the "scientific" basis for policy making. The conclusions of the Commission are basically a restatement of its terms of reference: "In our mobile and changing society, with the increasing scope, sophistication, and complexity of modern educational facilities and curricula, it is not possible for Canada's public educational systems to employ languages other than English and French extensively as languages of instruction" (Royal Commission, 1970, p. 139). The justification for the teaching of languages other than English and French which was acknowledged in many of the briefs and which appears as justification in the Commission's report is sufficient numbers demanding it (Royal Commission, 1970, pp. 139ff.). This argument tells us nothing as to what would constitute demand and indeed the Commission argues that "since education lies within the jurisdiction of the provinces, the provincial educational authorities, after consultation with representatives of the appropriate cultural groups and scholars in the relevant disciplines, must decide what constitutes sufficient demand for such classes" (Royal Commission, 1970, p. 141). This reply by the Commission to groups' demands makes power the major consideration in language rights. This power principle is evident in the Commission's discussion of the rationale for its educational policy recommendations.

First, opportunities for maintaining language and culture within the educational system depend on:

population concentration, continuing immigration, and the different historical background of the various groups, both in their homeland and in Canada. . . . Second, where public support is concerned, the question of language and cultural maintenance must be seen within the broader context of the question of bilingualism and biculturalism in Canada as a whole; for example, the learning of third languages should not be carried on at the expense of public support for learning the second official language. (Royal Commission, 1970, p. 138)

None of these principles makes sense except as a function of the power to decide the differential status of knowledge and the power over social and economic resources. The Commission then is a legitimating agency of this power as it is vested in the dominant groups in Canadian society.

The Commission disengages itself from the scene it has helped to create by making recommendations in its *Final Report* with some knowledge that the briefs have already acknowledged its right to give the final interpretation of the "reality" it has been investigating. The groups have made their statements about the reality as they saw it which, as with the Ukrainian briefs, may not have been recognized as valid redefinition of the situation by the Commission. The group's social identity has been established even if its proposals have been unsuccessful. It is likely that even in the eyes of the groups the establishment of this identity was more

to the purpose of the brief submission than the thought of substantially influencing the Commission's final recommendations. We might then suggest that this Commission has served to reaffirm the social order as it exists relative to the "other ethnic groups" in Canada by re-establishing relative group social identities vis-à-vis the dominant groups, without recourse to physical force or violence.

Finally, the Commission's formation and work are evidence that that knowledge with which they are concerned is perceived as problematic; its continued legitimacy cannot be taken for granted and the Commission's job is to redefine or to re-establish its legitimacy through the process of assertion and negotiation with reference to a priori "truths" of the social order, those which Berger and Luckmann (1966) have called symbolic universes of meaning. The success of this endeavor is never certain, never guaranteed, but in the face of perceived threat, legitimation is necessary if the dominant group is to remain in power, i.e. is to retain the power of defining that which counts as knowledge and of conferring relative status on *that* knowledge, without the exercise of physical coercion or violence. The encounter between the Commission and the briefs submitted to it, culminating in a final report along with recommendations, is thus a renegotiation of an aspect of social reality in which interest groups *must* participate in order to establish a new reality which will have the appearance of social consensus, even though it is recognized that groups in the negotiation situation do not enjoy equal power.

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