

## social media

By Marian Scott, THE GAZETTE February 27, 2014

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## Shayne Gallery owner Lauren Shayne reacts to Office québécois de la langue française telling a Chelsea, Qc. shop-owner to translate her Facebook page. (John Mahoney / THE GAZETTE)

Quebec business owners who post on Facebook in English were shocked to learn the Office québécois de la langue française has threatened the owner of an Ottawa-area boutique with legal action over her mostly English Facebook page.

Eva Cooper, the owner of Delilah in the Parc in Chelsea, could face sanctions for her chatty Facebook page, where she announces sales and sends holiday wishes to customers.

“We love our customers — You make us happy! On vous adore xxxx,” she posted in a Valentine’s message Feb. 10.

But little snippets of French are not enough for a Facebook page promoting a business, said OQLF spokesperson Jean-Pierre Le Blanc.

“It’s a commercial page and not just a page for conversation. Since it’s for commercial use, the law says that in Quebec, if you are selling products or if you are offering services, you must do it in French,” Le Blanc said.

A Facebook page promoting a business must include a French version of all written content, he said.

That came as a shock to other merchants who regard social media as a part of the global village that lies beyond the purview of Quebec’s language police.

Lauren Shayne, owner of the Shayne Gallery in Town of Mount Royal, said she uses Facebook to carve out an international profile for her fine-art business.

“The fact that they want you to post in French is absurd,” she said.

“When I post on Facebook, it’s not so that my neighbour here can get my post. It’s so I can open myself up to the world.” Shayne said.

Many Europeans visit her Facebook page and post comments in different languages, she added.

“If they want you to post in a bilingual manner, then it has to be multilingual. Where do you stop? That’s why there’s a translate button,” she said.

Le Blanc said this isn’t the first time the OQLF has cracked down on a Facebook page for violating Bill 101. There have been no more than half a dozen such cases in the past two years, he said.

The Office doesn’t search social media for violations, but it does follow up when someone lays a complaint, he said.

If convicted, Cooper could face a fine ranging from \$1,500 to \$20,000; however only two per cent of language complaints end up in court, Le Blanc said.

But Cooper, who got a letter from the OQLF Feb. 18 asking her to respond by March 10, said she plans to defy the warning.

“I think it’s stepping over the boundaries of what we consider freedom of speech,” she said.

Cooper, who also owns a fashion boutique in Ottawa, said she and her staff are fluently bilingual and that her business respects the other provisions of the language law. Her clientele in Chelsea is evenly split between French- and English-speakers, and about 40 per cent of her Ottawa customers speak French, she said.

Asking her to post everything on her Facebook page in French is going too far, she said.

“Facebook is free and when people like your page, they’re doing it of their own accord,” she said.

Likes for Cooper’s Facebook page at [www.facebook.com/DelilahInTheParc](http://www.facebook.com/DelilahInTheParc) soared to about 3,000 from only 600 Thursday as well-wishers urged her to fight the Office’s warning.

Constitutional lawyer Julius Grey said the OQLF should not intervene in what business owners post on social media.

“I think on social media you can post whatever you want and I just do not see how you could justify that,” he said.

Grey disagreed with Le Blanc’s statement that Article 52 of Bill 101 requiring catalogues, brochures and other promotional literature to be in French also applies to social-media sites.

“Obviously at the time when Bill 101 was drafted in the 1970s, Facebook didn’t exist and I don’t think it should be extended to include something like Facebook now,” he said.

The international nature of social media make them difficult to regulate, Grey said.

“You want to talk to people from everywhere and I think it would take quite a specific and carefully crafted law to include these types of things, even if it could be included,” he said.

Fenwick McKelvey, an associate professor of communication studies at Concordia University, said whether the language law applies to social media is “a total grey area.”

“This kind of begins a discussion about how does Bill 101 apply in the age of the Internet,” McKelvey said.

Governments have not yet come to grips with issues like how to apply libel laws to Twitter, he said.

While it’s important to have a discussion about the role of government in regulating the Internet, pressing charges against individuals or businesses is not the best way to conduct that debate, McKelvey said.

“What worries me is that the mechanism of this coming about is one that she was given an order and she might have to go through court,” he said.

“It seems a particularly aggressive way of introducing a problem.”

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