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Legislative Assembly of Manitoba

STANDING COMMITTEE
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PRIVILEGES
and
ELECTIONS

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Chairman
Mr. A. Anstett
Constituency of Springfield



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS
Wednesday, 7 September, 1983

TIME — 7:30 p.m.

LOCATION — Winnipeg, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Plohman, Storie and Uskiw
Messrs. Anstett, Brown, Eyer, Graham,
Lecuyer, Malinowski, Nordman and Sherman.

WITNESSES: Mr. Ken Reddig, Concerned
Mennonites Group

Mr. George Forest, Private Citizen
Mr. Yantay Tsai, Chinese Community

MATTERS UNDER DISCUSSION:

Proposed resolution to amend Section 23 of
The Manitoba Act.

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MR. CHAIRMAN: The time being 7:30, gentlemen, we have a quorum. I would ask Mr. Reddig to come forward to the podium and recognize Mr. Brown. Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. I believe that I understood you to say that you were a member of the Mennonite faith and that you spoke both languages the low German and the high German plus whatever languages you speak, is that correct?

MR. K. REDDIG: Yes.

MR. A. BROWN: Could you tell me - it's rather important that we determine which church group you are from? Are you from the General Conference Organization?

MR. K. REDDIG: I'm from the Mennonite Brethren Conference of Canada.

MR. A. BROWN: Mennonite Brethren Conference of Canada. Which specific church are you attending in Winnipeg?

MR. K. REDDIG: I attend the Elmwood Mennonite Brethren Church in Elmwood.

MR. A. BROWN: We are led to believe in some of the reports that we've read in newspapers and so on, that this is a fairly large group of people that you are speaking on behalf of. I read an article in the Mennonite Reporter about three weeks ago which names some of the people. There was Mr. Elton Siebert; there was a Mr. John Klassen; Mr. Peters. I don't recall your name

being in there, it could have been, I don't remember all the names. It seemed to me there were about seven names mentioned in that particular article as being members of this group. Is that the group which you are a party of and on whose behalf you're making the presentation tonight?

MR. K. REDDIG: Yes.

MR. A. BROWN: How many would you say are in that particular group that you are representing? How many people can you actually say are supporting your particular stand on this?

MR. K. REDDIG: This particular committee presently, I would guess we have approximately 20 individuals.

MR. A. BROWN: There are 20 people really that you are speaking about, so we don't exactly have to recognize you as a leader of the Mennonite community. I've been looking around, I'm a member of that particular community myself - I've been looking around for a leader but we really didn't have to recognize you as being a leader of the Mennonite community as was sort of stated in the paper.

MR. K. REDDIG: It depends upon what you mean as a leader in a Mennonite community. As such, we are not an official committee of any Mennonite organization, no. That's fairly well indicated by the fact that we are an ad hoc committee.

MR. A. BROWN: You would agree that Mennonites, as such, really don't have leaders. There's various church organizations and such, but there is really no overall leader, it's not as some sects or cults which have leaders, that the Mennonite community is far from that and, as such, we do not have leaders?

MR. K. REDDIG: I think you're very correct though, I might add, whether it makes any difference or not, I have been a minister in Mennonite Brethren Church so, in a sense, you are correct, we're all brothers.

MR. A. BROWN: That's right, and in the Mennonite community there is no doubt about it that the ministers, bishops and so on, to a certain extent, are looked upon as leaders, but we do have many different denominations within the Mennonite community, and really there is no overall leader. There may be individual churches where the Minister is kind of looked upon as being a leader especially in a spiritual way, but really any further than that we do not have leaders.

MR. K. REDDIG: Well, I would not go so far as to say we do not have leaders as such, because we do have certain positions in the church which are considered perhaps higher positions than other positions; the

Executive Secretary of the Mission Board. The General Conference Church, for example, would have an Executive Secretary who is considered a leader. There are other leadership positions but as I've indicated before, and as I think you are well aware, we work as a brotherhood which is another way of saying that we work as a community of people of like faith, and hopefully of like mind.

MR. A. BROWN: You would also agree then that this leadership really would pertain only as far as church matters are concerned, that in the everyday life, the business community and so on, really these people would have very little authority, and would only be really recognized as being church leaders?

MR. K. REDDIG: I think if one speaks theologically, in terms of our church, we consider that the church has jurisdiction over all avenues of life. However, that becomes somewhat ambiguous insofar as we are no longer the closed colony which we once had in Russia, and I might hasten to add here that almost every Mennonite in Manitoba in some way stems from Russia, be he Hutterite, Sommerfelder, Rhinelander, General Conference, Mennonite Brethren, and I could go on and list the alphabet.

Basically, what I am trying to say is that we no longer have the closed-village system which one was able to have probably in 1870, 1874, when the Mennonites first came to Manitoba, villages in southern Manitoba such as Rhineland. If you drive through it today, it was a very similar, tight village system where all of life was controlled, and really controlled by the church. That is no longer the case, however, the church still claims to have jurisdiction, in a sense, over its people insofar as we are accountable to each other as brothers within the church on matters of faith and practice.

MR. A. BROWN: There were various names that I mentioned before, one of which was Mr. John Klassen. Is this the Mr. John Klassen who is the executive researcher in the NDP caucus room?

MR. K. REDDIG: Yes, he is.

MR. A. BROWN: Did he help you with this brief in any way?

MR. K. REDDIG: Mr. John Klassen happens to be my neighbour who lives across the street from me. After this ad hoc committee had been formed and we had done considerable work on the brief, at one point it occurred to me that he might have some information that would simply be available and we just asked him, and he gave us some of the brochures which were also available to everyone else; brochures which, I think, appeared in our mailboxes - I think I even have one of them with me - which we used. That's the kind of help he was.

MR. A. BROWN: On your first page of your brief in the third paragraph, and I quote: "It is our opinion that the Mennonite community and the public generally support the efforts to have French recognized as required in The Manitoba Act of 1870. We believe that

Manitobans want to live within the requirements of this act and to do so as quickly as possible and without great debate or controversy."

I have no particular argument with that particular statement because you say, "as required by The Manitoba Act of 1870," but you make no mention of what the government is attempting to do over here, which is entrenchment. Could I have your views in that regard?

MR. K. REDDIG: With regard specifically to what?

MR. A. BROWN: Entrenchment; of giving added rights plus entrenchment, which The Manitoba Act of 1870 did not require.

MR. K. REDDIG: Basically, I guess our opinion would be that French rights have been ignored as they appear to have been stated in The Manitoba Act of 1870. We are not a legal committee. We have not dealt in terms of the legal viability, nor the legal questions involved with how entrenchment would affect Manitobans.

Our basic commitment in this committee is simply that we feel that an injustice has been done; that a community which was guaranteed language rights in 1870 has not seen those language rights fulfilled to their satisfaction, and I think all of us can say that that is the case. We have seen that, and that's fairly obvious.

What we are saying is we support an amendment which we see as trying to rectify that injustice which was done at that time. If you want to get me into a debate on entrenchment of rights, I'm simply not a lawyer, I don't think I could get involved in that, but that is basically the stance of this committee that we want to see those rights being rectified.

MR. A. BROWN: Well, Mr. Reddig, this already was done previously. This was done when the Supreme Court made its decision on the Forest case, then these rights already have been recognized and they have been established according to The Manitoba Act of 1870. What we're talking about right now is going further, and this is why this particular committee is sitting over here, it's about further advancement of French language rights plus entrenchment, and this is why we're here. That's why it's rather important that we do get your comment on this because I thought this was the reason that you would be appearing before us because you were in favour of entrenchment.

MR. K. REDDIG: Basically, what we are in favour of, and the only reason I'm not specifically mentioning some things here is because there are certain parts of the legal entanglements of this which I am simply not an expert on and cannot speak to; but the thing that we are basically saying is - and let me put it this way - that if those rights since the Forest case have been given, there still is a French community which does not feel that those rights are still, in any way, meeting the needs of that community.

We are saying that if this community still feels that an injustice has been done, and we look at it and we say yes, that is true, there is an injustice that still is being done, there is much that needs to be done, we're saying we support an amendment which we see that

many people have worked on, and it appears to us to be an amendment which is a good one, and it's heading in the direction which we think an amendment like this should be going, to meet a need, and as I've indicated, to correct an injustice.

MR. A. BROWN: Mr. Reddig is being very general in this respect. Already translation is being provided in French and English in documents pertaining to the Provincial Government; already there is a court that is available and anybody who wishes to appear before a French court may do so. We have gone a long long way in providing the requirements that were required under The Manitoba Act of 1870.

You say that more still needs to be done. I wonder, could you be more specific and be quite specific about this, what would you say needs to be done further?

MR. K. REDDIG: I believe basically what I'm referring to is as outlined in the act itself, the amended act which is given - and this in terms of such things as translation of certain statutes - well, I don't need to read the act to you, but those are basically the points in which I'm thinking that it appears that obviously you've gone a long way, but you still haven't gone far enough.

MR. A. BROWN: Mr. Reddig, I don't know if you're familiar with the area that I represent, which is the constituency of Rhineland. About 17 percent of my constituency is French-speaking Canadians, about 7 percent is other groups and the rest of it is the Mennonite community as it is referred to, or the German community.

We have developed over a period of more than a hundred years, a very good understanding between those two major communities in my area. We have been able to iron out whatever difficulties came up from time to time, and I would say that we have a community of real friendship that has developed over the years in that particular community. At the present time, if I speak to the French community and want to try to find out just exactly what their feeling on this is, nobody really wants to talk to me about it because they say that they are too embarrassed really to discuss this issue. They are embarrassed because they feel that whatever they're going to be saying is probably going to do some damage to the relationship that has been built up in that particular community between themselves and the other major group. There are some that have expressed, and these have only been a few, that yes, if they could have entrenchment that would be fine, but it is no big issue. The issue seems to be within a very small group within the French-speaking community and that is entrenchment. It does not seem to be an issue out in my area.

MR. CHAIRMAN: You have a question, Mr. Brown?

MR. A. BROWN: Yes. On the context of what I have said, it's the Mennonite community however, that has no objection in recognizing The Manitoba Act of 1870 and giving them the privilege of whatever was required under that particular act. However, they are very opposed to entrenchment, mainly for the reason that it's going to take the decision making away from the

Provincial Government and is going to place it in the hands of the courts. Now there is very very strong opposition to that in my particular community.

MR. CHAIRMAN: Question please?

MR. A. BROWN: That, Mr. Chairman, is why I am rather concerned about this brief. I wonder, can you identify with the Mennonite community in my particular area; with the Mennonite community in Mr. Banman's area because he said that the concern was the same over there; with the Mennonite community in Mr. Driedger's area because he also told me to convey his concern? Can you identify that entrenchment really is a concern?

MR. K. REDDIG: I don't know what you mean by identify with it. I can understand that there are people who feel this way simply because I have spoken with some of them. In most cases when I've spoken to them, and I must say, I think it's not only a problem of Mennonite communities but it's a problem of all communities, it's a total misunderstanding of what this amendment is attempting to do.

The common understanding, and I must say that here I'm not speaking to one particular group like the Mennonite community, but in general, is simply that everybody's going to have to speak French at all times, in all places, everywhere and it's a gross exaggeration. However, it's that kind of folk legend which often pervades communities and people have not read any of the literature that has been put out by the present government and basically, people are often very unaware of what's involved, so they fear the very worst.

MR. A. BROWN: Mr. Chairman, that is the first time I have heard that particular concern expressed. It certainly is not a concern in my area that they will have to speak French and nothing but French from now on. That seems to be a very narrow outlook that some people must have because that certainly is not a concern in my particular area.

I would like to go on now to your statement on Page 2, the second paragraph. "As part of our brief, we would like to make a strong point of the fact that the French community has listened to and supported the interests of other minorities." Can I have an explanation of that statement?

MR. K. REDDIG: One explanation might appear on the fourth paragraph of the brief on Page 2, where I indicate that the French community has also played a prominent role in the Federation of Independent Schools by supporting the establishment of aid to private and independent schools.

This occurred during Premier Lyon's Government and in the federation, when this was being proposed, it was the French schools and the French parochial schools and the leaders within those schools who gave a great deal of support to other members in the federation and two communities in particular, the Mennonites and the Jewish come to mind, communities which both received a great deal of support from the French community in obtaining aid to private education. That's just simply one example.

MR. CHAIRMAN: Mr. Graham, on a point of order.

MR. H. GRAHAM: Mr. Chairman, sometimes it's not our role to criticize a statement made by somebody, but was it not correct that it was under the Schreyer Government that a proposal was put forward for aid to private and parochial schools that was defeated at that time?

MR. CHAIRMAN: With respect, Mr. Graham, that's not a point of order, but perhaps a difference of opinion between you and the witness or you and Mr. Brown - I'm not clear on which - but certainly not a point of order. If you wish to question the witness I'll put your name on the list.

Mr. Reddig.

MR. K. REDDIG: Mr. Chairman, I do believe, if I'm correct, in fact I was a teacher at Mennonite Brethren Collegiate Institute at the time when we first received aid to our particular school and that was during the administration of Premier Lyon. I cannot quote you the exact year.

HON. S. LYON: On the point of order, if indeed there is one, perhaps only by virtue of age I can clear up any problem that arose. Under Premier Roblin, who sits looking at us benignly tonight, the program of shared services was started, which enabled for the first time in many decades independent schools to receive shared services under the public schools system; then under the Schreyer Government per capita grants started to be paid illegally; then under the Lyon Government, that illegality was corrected and for all time one hopes that problem has been put behind us. I think that if praise or credit is to be given then I must in fairness say that the three Premiers of Manitoba are entitled to share it, not just one.

MR. CHAIRMAN: Thank you for your clarification, Mr. Lyon. Mr. Graham, do you still want to be on the list?

MR. H. GRAHAM: No, I'll pass.

MR. CHAIRMAN: Mr. Brown would you continue?

MR. A. BROWN: Yes, Mr. Chairman. I agree that the French community at that particular time supported this as did all other minority groups as well as did the English community or else we never would have been able to receive this. So all groups supported this; it was not only one particular group that you can point your finger at, it was all groups working together which were able to give us more aid towards private schools. So I don't think that we can really point at any particular group as being the hero in that particular process. Everybody was involved and I would say to the betterment certainly of all the minority groups who now can have Ukrainian immersion classes and whatever. I think we must recognize the fact that everybody worked together on that particular issue.

Further down, on Page 2, the last sentence and I quote, "The presence of a large French community in Canada has helped the Mennonite community in having its initial military service exemption agreement with the government recognized. It is our hope that further positive intergroup relations can be developed." Can

you explain that statement - in handling its initial military service exemption agreement with the government recognized?

MR. K. REDDIG: If I may digress for just a moment in terms of a historical review. When the Mennonites came in 1873 to Manitoba, they did have an agreement which they considered to be an agreement; it was a letter from Mr. John Lowe who was of the agricultural department at the time, which simply gave some reassurances to the Mennonites of things which they held to be very important, among them that they were able to have their own educational system. They'd enjoyed this in Russia, or I should say in the Ukraine which is a more correct term, where they were residing. They also asked for military exemption, among other things, at this time. Mr. Lowe said this was okay.

It was not really tested until the First World War and during the First World War there were numerous factors which were beginning to play in and I will not go through the entire history here of all that occurred. But in brief let me state that what happened at that time was that the Mennonites, who were conscientious objectors and were refusing military service, were helped a great deal because of the resistance of the French community and you'll remember the books that have been written on that major resistance that occurred in Quebec. Because of that resistance, it also helped and there's no way if you look at it historically, you have to admit that the two dovetail together. In fact the one was much larger than the other. That is, the French community stirred up a great deal of recognition publicly and it also helped the Mennonites in terms of their military service exemption. That has been fairly ably documented by a man by name of Dr. Adolphe Enns in his recent doctoral dissertation and I can quote you a chapter and verse on that.

MR. A. BROWN: Was this not part of the Charter that was granted by Queen Victoria to the Mennonites that they would not have to participate in military activity if they moved and helped colonize Canada?

MR. K. REDDIG: That did not appear to be the case at the time, at least for the Mennonites. There was a great deal of resentment, as we've already spoken of earlier, against the German-speaking population and, in fact, I can again quote you or show you various historical references to what occurred at the time, inflammatory articles in - I think it was called the Manitoba Free Press at that time instead of the Winnipeg Free Press. This incited a great deal of resentment against German-speaking people, in fact, so much so that the Mennonites who refused to participate in any military activities were then asked to and expected to buy victory bonds which were war bonds and a whole variety of things and it began to look to the Mennonite community as if the agreement with Canada was beginning to crumble. At that point, it depends upon who you talk to, which historians, some say that it was.

But then, of course, with the French resistance - I don't know if that's quite the correct term there - but the resistance that was occurring in Quebec, conscientious objector status was being indicated. Now that's not the only one. There were several other events

which were occurring at the time that also helped and I don't think you perhaps want me to digress into that bit of history as well.

MR. A. BROWN: Yes, Mr. Chairman, I would because it is my understanding that in the First World War that it was Bishop Avert (phonetic) and Bishop Doerksen, one from the Sommerfelder Church, the other one from the Old Colony Church that went down and negotiated with the Federal Government at that particular time. Then it was determined that the Canadian Government was going to recognize the conscientious objectors of the Mennonite faith. It was really these two men who were able to work out this agreement along with other agreements which were part of it.

I don't know - are you familiar with this? Is that not correct?

MR. K. REDDIG: Certainly, there were men involved in it, Avert (phonetic) and - I've forgotten the other man's name - but they were all part of it. We're not saying that the French community is the only one that helped them. We're just saying that they did help the Mennonites in terms of their military service exemption in World War I, and that was part and parcel of it.

MR. A. BROWN: If I remember correctly then, during World War II - I should have read correctly. I wasn't old enough to remember at that particular time, but during the Second World War there was a Bishop Toews and another bishop that went down to negotiate again in the Second World War on behalf of the conscientious objectors.

MR. K. REDDIG: David Toews, and I think probably Bibi Janz (phonetic).

MR. A. BROWN: Is it not correct that at that particular time - and this is really the only indication that I have been able to find - that there were also some conscientious objectors in the Province of Quebec who wanted to have the same freedoms as what was granted to the Mennonite community?

MR. K. REDDIG: Yes, I believe that is correct.

MR. A. BROWN: And that is really where the communication between the Mennonite community and the French or Quebec community started?

MR. K. REDDIG: I believe that's correct.

MR. A. BROWN: Mr. Reddig, you have stirred up quite a controversy in the Mennonite community by your presentation and your group's presentation. I've received a number of phone calls, some from the church that you're attending, wanting me to tell you that no way are you speaking on their behalf, and I think again, the concern is entrenchment.

If you are advocating entrenchment, then you can really speak only for the 20 people that you are representing here tonight. I would have hoped that we could all agree as a Mennonite community, that we would take a unified stand on this, showing our concern about taking the rights away from the Provincial

Government to determine as to how far we should go in this particular area.

Have you really discussed entrenchment within the group that you are representing today, because you have not made mention of it in your brief?

MR. K. REDDIG: We have not discussed entrenchment as such, or spent a great deal of time. We have mentioned it, certainly, but we have not stated that as such. On the other hand, I must say as to your introduction to this question, I have not received any calls from anyone from my particular congregation, nor have I heard anything about that. You say I speak only for 20; I would say that I speak for a much larger group of Mennonites, and the question really is how large that group is; and I would say the same in terms of anyone else speaking, taking the opposing view that probably at this point certainly, it's a divided issue, but we are not certain as to where the majority or minority lies.

MR. CHAIRMAN: Thank you, Mr. Brown.
Mr. Sherman.

MR. L. SHERMAN: Thank you, Mr. Chairman. Through you to Mr. Reddig, I just have a couple of questions and one of them may already have been answered, Mr. Chairman. I apologize for unavoidably missing some of the exchange between Mr. Reddig and Mr. Brown. If this question has been asked and answered, you can advise me, Mr. Chairman, and I will read the answer in the transcript.

On the top of Page 2 of your brief, Mr. Reddig, you asked for greater clarity on the meaning of three phrases originally and, in some cases, currently contained in the proposal of the Provincial Government - "French as an official language," "where numbers warrant" and "central offices." Presumably, you're satisfied on the latter two - "where numbers warrant" being the significant demand clause and that's covered in the proposed amendments, at least obliquely, introduced to the committee by the Attorney-General yesterday. "Central offices," of course, has now been covered and satisfied in one of the other amendments introduced by the Attorney-General, but - (Interjection) - my leader points out that perhaps not satisfied, but your concern with it may have been satisfied.

If that point was covered between you and Mr. Brown, I apologize. If it hasn't been, I would like to ask you what your concern is with respect to that point and what is the greater clarity that you are seeking?

As a supplementary question to that, Mr. Chairman, I want to ask Mr. Reddig, what is the clarity that he and his group seek with respect to the phrase, "French as an official language"? In what way is that unclear to the Concerned Mennonites Group?

MR. K. REDDIG: I think basically this can be answered, both questions, if you read the last part of the sentence before this: "Recognize that the Mennonite community, as such, has a wide range of opinion as to the merits and long-range implications of these two sections."

We are asking for greater clarity more for the general Mennonite community in terms of that these are some of the questions that keep coming up and we keep

hearing about; that these are some of the concerns that they have, they're not sure. As I indicated when I presented my brief, as you've indicated, the latter two, basically that clarification was given by Mr. Roland Penner, I believe it was yesterday, in the amendments he tabled.

MR. L. SHERMAN: That was my feeling, Mr. Chairman, that the latter two of those three phrases had been addressed - whether satisfactorily or unsatisfactorily is perhaps open to question - but had been addressed by the amendments and the supporting arguments for those amendments introduced by Mr. Penner yesterday. But can we get back then to the first of those three phrases or clauses - phrases.

"French as an official language" - in what way is a term of that kind and indeed in what way is the proposed legislation, which I have in front of me somewhere here, Mr. Chairman, 23.1, "English and French are the official languages of Manitoba." In what way is that unclear to the Concerned Mennonites Group?

MR. K. REDDIG: I think in a previous question from Mr. Brown, I gave a response which perhaps was not felt to be one that he had heard. That is simply that a lot of people wonder what "French as an official language" means, and the absurd things which I have heard are simply that we are going to have to speak French every place. When we go to any government office, we are going to have to speak French and that - while I think it's very clear in the amendment - is how some people have interpreted the act. This is some of the - if I may use the term - urban and the rural legend that keeps floating around that this is one of the implications of the act, and I'm saying simply that I think some clarification needs to be made here. I think it's been done by the government, probably very ably, but it's still a concern.

MR. L. SHERMAN: Okay, Mr. Chairman, I understand Mr. Reddig's point more clearly now and I appreciate that. I would then ask him my second question, Mr. Chairman, which bears on an answer that was provided the committee this morning by the spokesman for the Manitoba Association for Bilingual Education, Mr. Danny Waldman - and I hope I'm not misquoting him here and we don't have the transcript of course in front of us - but who, it was my impression, gave me an answer with respect to the ambitions and aspirations of the Manitoba Association for Bilingual Education, which indicated quite clearly that their long-range hopes are for similar acknowledgement, similar official recognition and similar entrenchment of heritage language rights in Manitoba for the other heritage languages, or many of the other heritage languages, to those being pursued for the Franco-Manitoban community in this government proposal.

Now as I say, I hope I'm not misquoting Mr. Waldman, but certainly it was my clear impression that he answered "yes" to that question when I first put it to him and then when I elaborated on it, he said that his association would be happy to start with French; but he didn't deny that the long-range ambition was for the broader acceptability and a broader application; although I would ask Mr. Reddig, if I might, Mr.

Chairman, whether the Concerned Mennonites Group would support that ambition.

I'm not passing judgment on that ambition. As a matter of fact, I said at the time that it opened up a rather spectacular vision of the Manitoba community of the future, but I would like to know whether the Concerned Mennonites Group have the same long-range ambition for a broad spectrum of entrenched, official languages in Manitoba.

MR. K. REDDIG: We have not discussed that at all so any opinion I would give would simply be my own. I cannot speak for the group on that question.

MR. L. SHERMAN: Well then, Mr. Reddig, could I ask you - you don't have to give it to me - but could I ask you whether you would consider giving the committee your opinion on that.

MR. K. REDDIG: My personal opinion would be, at this point, that we are a bilingual country. We have in The Manitoba Act, the French and English, and I'm prepared at this point to simply leave it as such, though I have not heard the concerns expressed which you are speaking of, nor have I heard those expressed in any kind of detailed way. Until that point, this would be my understanding. If someone gave me a very reasoned approach to otherwise, I'm always open-minded enough to be able to change my mind. At this point, I would not think so.

MR. L. SHERMAN: Mr. Chairman, I guess what I'm trying to get at here is whether groups that are supporting the government proposal such as the Concerned Mennonites Group, are supporting it because they have a concept of the duality of the Canadian society and the Manitoba society and the sanctioned legitimate recognition of two founding nations and two official languages, or because they aspire to a different kind of social, linguistic, cultural makeup and complexity in Canada, that would embrace official recognition of a whole range of languages.

MR. K. REDDIG: You're asking a very large question and I don't want to give you a very lengthy answer. I would say, yes, we accept the duality historically, of two groups having brought this nation into being, being French and English.

On the other hand, I must also hasten to add that we speak out of a conviction which is based upon biblical principles as Mennonites and those principles are such that we feel that it is the principle of our particular faith, that we would help wherever minorities are being unfairly treated; and that it is our business while here on this earth to simply be a help to people where their rights are not being legitimately realized. So I can give you that answer for the second part of your question but specifically, I want to leave it in a very general way. Maybe you have a follow-up of that. Do you understand what I'm trying to say?

MR. L. SHERMAN: Yes, I believe I do, Mr. Reddig, but I guess it comes down to a question of what your group sees as rights. Obviously, there are basic human rights of civil liberty, safety, sanctity and recognition of the

person to which we all pay respect and tribute, hopefully. If we don't, we should and we aspire to. But going beyond that, when you talk about feeling a compulsion within your church, within your denomination, within your movement for minorities and for their rights, that raises a number of troublesome questions for me because I then would have to ask you, what do you envision as the rights of minority groups who have come to this continent? My English-Irish forebears were in the minority when they came and built this country that we have built based on, hopefully, a mosaic that incorporates understanding of each other's backgrounds. What rights beyond that, do you think, that you from your background or I from my background should have in this country? Your question raises that whole question for me now.

MR. K. REDDIG: That is a rather large philosophical question, in a sense, which we could spend a great deal of time on. Basically, I think that what we are saying as concerned Mennonites in this particular brief, is that we see a specific injustice having been done which is now, we feel, at least to the best of our limited knowledge, rather ably being corrected.

I would think that if one wants to broaden the spectrum to Native rights, certainly there are many injustices which have been done in the past and continue. We could begin to specifically name what they are. I'm just simply saying that we as concerned Mennonites, sure, we have concerns in that area; we have concerns about the expropriation of land from Natives for various purposes without really any due consultation of the Native groups. We have concerns about that. That's not really the question which we want to be speaking about at this point. I just use that as an illustration in terms of some of the concerns that we would have which would be much broader.

The other thing, if we want to talk about immigrants and their concerns, again during the turn of the century when so many immigrants were being brought to Canada, North-End Winnipeg and the struggles of the various immigrant groups in North-End Winnipeg - the books, the hate literature which was being written at that time is, I think, illustrative of the problems which occurred at that time which, after much due recourse, much hard work, were resolved to a certain extent for those and most of those communities. Perhaps today I would say most of them feel that we have a lot of rights, and we feel okay about it. There are still certain minority groups which would not feel that way. I hope I'm answering your question.

MR. L. SHERMAN: Yes, Mr. Chairman, through you to Mr. Reddig. I would conclude from that, Mr. Reddig, that what you're saying is that those minority groups who still have not been served to that extent will be served, or will be better served, by proceeding with the proposed amendments to the Manitoba Constitution that are contained herein which go beyond the official recognition of the French language and French Language Services, and extend that to expanded services entrenched in our society. In other words, you're saying that those minority groups that haven't been served to the extent that you think they should or would like to see them served, will be somehow well

served by that kind of initiative in terms of entrenching French Language Services. Is that correct?

MR. K. REDDIG: I think that as we continue, as each minority which is not being properly served or properly given its rights, we have to help each other as minorities to the end where our needs are being met. I would agree with that, yes.

MR. L. SHERMAN: And it's still an open question for you whether then, having achieved that, you would then go on in your concept of Manitoba and Canada and pursue the same objective for other cultural and ethnic and linguistic groups.

MR. K. REDDIG: Are you speaking about linguistic rights specifically?

MR. L. SHERMAN: Yes.

MR. K. REDDIG: As I indicated earlier, I'm not prepared at this time to say. I simply do not know enough about those communities and the rights that they have and do not have. I do know there are some problems with some of the Native communities; I do not know to what extent. I know there are services provided; I do not know to what extent those services are provided. I'm simply not that well informed about that at this point. I don't feel that I can make any kind of judgment or statement at this point. My concern is really with the French rights at this particular time.

MR. L. SHERMAN: Well, thank you, Mr. Chairman, I want to thank Mr. Reddig. I want to assure him that I'm not necessarily challenging that vision, if it is a vision. I'd just like to know where we're headed, and what the objectives of organizations like the Concerned Mennonites Group are, for example, in the position of support that they've taken for this proposal, whether indeed it is geared to that concept of the duality and the legitimate duality and the requirement for us to recognize that duality of this society, or whether it goes much beyond that into a pluralistic concept that would be chapter 2 and chapter 3 down the road. I think it's interesting and helpful to know precisely where a spokesman like Mr. Reddig see us as being headed. That's the reason for my questions, Mr. Chairman. I thank him for his answers.

MR. CHAIRMAN: Thank you, Mr. Sherman.
Mr. Eyer.

MR. P. EYLER: Yes, Mr. Reddig, it seems to me that the Mennonites in Manitoba today are proud of their heritage. At least, they're participating in Folklorama now and I've never heard anyone try to hide the fact that they were Mennonite. Would you agree that the Mennonite groups are generally proud of their tradition and their heritage in Manitoba today?

MR. K. REDDIG: Yes.

MR. P. EYLER: A little while ago, some of the discussion in this room focused around what happened in Manitoba during World War I. I would note that in 1911, over 80

percent of the Member for Rhineland's constituency was recorded in the census as being German, and yet in the 1921 census, over 80 percent of the constituency was recorded as being Dutch. Apparently, the Mennonites weren't too proud then of their heritage, or at least they were not out there actively advertising what they were and what they stood for.

What do you think has led to the change between 1921 and 1981, say?

MR. K. REDDIG: The history of that again goes back to the Soviet Union, or what at that time was called the Ukraine and South Russia. What happened was simply that they were able to obtain, due to the war which the Russians were at that time having with the Germans, some legitimate rights, because they were of Dutch parentage rather than German parentage.

In essence, all Russian Mennonite people do, in reality, come from the Netherlands as our names will basically attest. It was a play on words in terms of what had happened was, in the 17th century, they were Dutch-speaking; in the 18th century they moved east to Prussia and became German-speaking and retained and continued a long-standing tradition of German heritage. Then in Russia, because it was to their advantage, claimed Dutch parentage again until they came here and were finally assured that it was no longer a difficulty for them to proudly say that, hey, we're German-speaking people and we claim a part of our German heritage.

I've said that in brief. I could give you chapter and dates specifically if you wanted to on that whole period of time.

MR. P. EYLER: Last night, Professor Bailey gave us the example of the Hapsburg Empire in Europe where in 1867, the German ruling class recognized the language and cultural rights of the Hungarians and they converted their empire into the Austro-Hungarian Empire with two official languages basically, the Hungarian and the German languages. He noted that at the same time that the Hungarian language was given equality of status, there was very quickly an increase in respect for the other minority languages such as Croatian or Polish or Czech, whatever the other minority languages would have been at that time in that empire. His premise is that as there is an increasing amount of respect for French; there is an increasing amount of respect for the other language and cultural groups in Manitoba. Have you noticed any, or is it your perception that this is happening in Manitoba, that is, there is increasing respect for the French; there is also an increasing respect for other groups such as the Mennonites?

MR. K. REDDIG: I think that the general tenor of our brief would be in that direction and we would say yes to that.

MR. P. EYLER: You said earlier you were a member of the Elmwood Mennonite Brethren Church. Does that mean you live in Elmwood constituency?

MR. K. REDDIG: Yes.

MR. P. EYLER: I assume then that you were one of the people who responded to the Member for Elmwood's questionnaire.

MR. K. REDDIG: No, I did not.

MR. P. EYLER: Were any of the people in this group of concerned Mennonites which you are representing, respondents to that questionnaire?

MR. K. REDDIG: To my knowledge, none of them did.

MR. P. EYLER: Why didn't you respond?

MR. K. REDDIG: That's a very difficult question for me to answer because basically I guess we did not feel good about the questionnaire, I will say that, and on that basis we abstained from responding to it.

MR. P. EYLER: On a couple of occasions in the House, the Member for Elmwood has questioned the cost of translating legislation. I would take it from that that he is not in favour of translating legislation and I wonder if you would be disturbed if something which is already entrenched without question in the Constitution, if that were removed from the Constitution, would that disturb you?

MR. K. REDDIG: Can you be a little more specific? Maybe I missed the direction.

MR. P. EYLER: Okay, the translation under Section 23 of The Manitoba Act and according to the recent Supreme Court decisions, the legislation passed in Manitoba must be in English and French. Of course we have been translating some of that legislation as we are capable. The costs have been questioned by some people including the Member for Elmwood. This is of course already in Section 23 and I imagine you would be disturbed, would you, if that were removed?

MR. K. REDDIG: Yes, I would be.

MR. P. EYLER: So if the Member for Elmwood had his way then, that unretrenching of French rights would be disturbing. Would it be disturbing if the Member for Elmwood had his way and the . . .

MR. CHAIRMAN: The Member for Elmwood on a matter of privilege.

MR. R. DOERN: I have made many comments about the translation of statutes. They have all been the same. I have said that I favour the translation of statutes and will be prepared to defend them and their cost and that is on the record. So I don't know what the Member for River East is talking about, and he obviously doesn't know what he's talking about.

MR. P. EYLER: The Member for Elmwood has also been a vocal opponent of funding for independent schools. If the Member for Elmwood had his way and funding was removed, would that bother Mr. Reddig?

MR. K. REDDIG: Yes, it would.

MR. P. EYLER: I can see then why the Concerned Mennonites Group of Elmwood are appearing here tonight then.

MR. CHAIRMAN: Thank you, Mr. Eyler.
Mr. Lyon.

HON. S. LYON: Thank you, Mr. Chairman. I believe, Mr. Reddig, you state in your brief that it has been prepared by an ad hoc committee of persons of Mennonite background - and you've identified that there were approximately 20 such persons - one of whom obviously was yourself, another of whom apparently you identified to my colleague was a Mr. Klassen who is the research director for the NDP caucus; is that right?

MR. K. REDDIG: He did not help prepare this brief as such. All I indicated was I had asked him for some information and he gave that to us. He did not help in any way in the preparation of this brief.

HON. S. LYON: The words of description, an ad hoc committee, mean I presume exactly what they say. This was a group that was gotten together for the specific purpose of making a brief, such as you have, in support of the government's proposed constitutional amendments. Is there any other purpose for which this group exists?

MR. K. REDDIG: This is the only purpose.

HON. S. LYON: Are all of the members of this committee residents, as you are, of Elmwood constituency, or are they more broadly distributed?

MR. K. REDDIG: They're from, I would say, mostly Winnipeg and near Winnipeg.

HON. S. LYON: Would it be fair to ask if you know, Mr. Reddig, the political persuasion of most of the majority of this group?

MR. K. REDDIG: I was hoping somebody would ask that question because one of the first things we did as an ad hoc committee is say that we would not say anything about our personal political persuasions. I do not know except in the instance of one man who happens to be a very close friend of mine, what his political persuasion is. So therefore, I can legitimately say I have no idea.

HON. S. LYON: When your committee of concerned persons of Mennonite background registered before this committee to be heard, was the speaker to present the report that you have given to us, or was the name that was attached to that your name, or was it some other name?

MR. K. REDDIG: It was my name together with the ad hoc committee or the committee of Concerned Mennonites. We quickly devised a name.

HON. S. LYON: I take it because you are an ad hoc committee that, unlike many other committees that have appeared before us, there is no likelihood as yet that you have been favoured with any taxpayers' subsidy for your committee, or is that in the offing?

MR. K. REDDIG: Well, if you're volunteering . . .

MR. CHAIRMAN: Order please. Mr. Lyon.

HON. S. LYON: Well, Mr. Chairman, I think that's a perfectly legitimate suggestion by Mr. Reddig. Better that private subscriptions should support these people than the taxpayer. So we can take it then, Mr. Reddig, that yours is not only an ad hoc committee, it is truly a committee of private citizens with no government subsidies, either federal or provincial. The ubiquitous Secretary of State of Canada hasn't anything to do with your committee?

MR. K. REDDIG: I guess, unfortunately, no one has given us any money. Therefore the briefs that I gave to you have cost me a total of \$2.50 for xeroxing.

HON. S. LYON: Good for you. Now you say in the course of your brief that you wish to, of course, express support for the French community in its efforts to give Manitobans the right to use French as stipulated in the agreement; and then you go on to say, "It is our opinion that the Mennonite community and the public generally support the efforts to have French recognized, as required in The Manitoba Act of 1870."

Is it your understanding that the efforts to have French recognized as required in The Manitoba Act of 1870 came about as a result of these amendments, or came about as a result of the Forest case in the Supreme Court and the subsequent action by the Manitoba Legislature in 1980?

MR. K. REDDIG: It's our opinion basically that it was a combination of these factors, all of them.

HON. S. LYON: Mr. Reddig, isn't it a fact that the only constitutional provision with respect to the use of French in Manitoba, was contained in Section 23, which was restored as a result of the judgment of the Supreme Court in 1979 and consequent upon that decision, the Legislature of Manitoba acted in 1980 to give force and effect to Section 23.

Following that action, any restoration of constitutional rights was complete, that is followed with the administrative action following upon it, and that what we are faced with today in the amendments proposed by the New Democratic Party Government is a completely new chapter wherein French Language Services and other matters never contemplated in Section 23, are being sought to be approved as new constitutional amendments to the Constitution of our province.

MR. K. REDDIG: It is my understanding that this amendment simply amplifies and spells out in more specific detail what was earlier agreed upon in 1980.

HON. S. LYON: Mr. Chairman, to Mr. Reddig, I don't wish to take Mr. Reddig's time. Were you here this afternoon when I read into the record Section 23?

MR. K. REDDIG: Yes, I was.

HON. S. LYON: And you're familiar that Section 23 permits the use of French or English in the courts, in the Legislative Assembly and that the statutes of Manitoba "shall be printed in both languages."

That's all that Section 23 says. When Section 23 was restored in 1980, did you at that time, make on behalf of any ad hoc committee or on behalf of yourself, make known to the Government of the Day that you supported the action that was being taken at that time, or not?

MR. K. REDDIG: No, we did not.

HON. S. LYON: Did you support that action?

MR. K. REDDIG: Of course.

HON. S. LYON: You did. The action that the government is taking today, however, you regard as something that is a further restoration of constitutional rights? I don't want to put words in your mouth but that's the implication I'm drawing from what you say, and if it is, that of course would be a wrong implication.

MR. K. REDDIG: I would say that basically the way I interpret the act is that it spells out in greater detail precisely what those rights are.

HON. S. LYON: In 1980 and then subsequently in 1981, the Government of the Day announced as a matter of policy, that certain French Language Services and a French Language Secretariat were being established in Manitoba, not however as an amendment to the Constitution but as a matter reasonably, practically and effectively of government policy. Did you feel moved at that time to come forward to the Government of Manitoba and tell them that you thought that was the right action to take?

MR. K. REDDIG: We did not do that at that time, no.

HON. S. LYON: Did you agree with that action?

MR. K. REDDIG: Yes.

HON. S. LYON: Have you had an opportunity, Mr. Reddig, to look at the amendment that has been proposed by the Attorney-General which would restrict the meaning of the effect of Section 23.1 as contained in the original amendments proposed by the NDP? Excuse me, 23.1, which says, "English and French are the official languages of Manitoba," and then the subsequent amendment that was tabled yesterday by Mr. Penner restricting that general statement? Have you had an opportunity to look at that?

MR. K. REDDIG: I have just briefly glanced at it but I haven't really had much time to . . . In fact, I don't even have it with me here. Yes, I do have it here.

HON. S. LYON: The amendment in particular that I would draw your attention to, you have it I believe in front of you now, Mr. Reddig, adds a new Section 23.9, "Nothing in Section 23 and Section 23.7 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed, either before or after the coming into force of this amendment, with respect to any language that is not English or French."

While that wording, as has been mentioned to the committee, is similar if not exactly the same as the

wording contained in The Canada Constitution Act, do you not find it instructive that the government has had to introduce that amendment into the proposals that it is bringing forward in order to ensure that damage be not done to third language rights that already exist in Manitoba without the benefit of any constitutional entrenchment? Does that not mean something to you?

MR. K. REDDIG: It means to me that basically I think the government in power is certainly looking ahead and trying to, as it were, serve a broad constituency of ethnic peoples in Manitoba.

HON. S. LYON: Does it not also mean that if the government had been permitted by a weak opposition, which thank God we don't have in Manitoba, to push these amendments through in their first condition, that this amendment which they now, in second or third thought, feel is necessary, would not have been included and there could possibly have been damage done to third language groups and ethnic groups in Manitoba which otherwise may be - may be I suggest - protected by this amendment?

MR. K. REDDIG: We're dealing here with something which is truly speculative and I'm not sure that I can speculate on such matters. I'm not a parliamentarian. I simply feel that I'm not a person who can adequately answer that.

HON. S. LYON: But, Mr. Reddig, in your brief on Page 2 you said: "In giving our support to the agreement we would ask for greater clarity on the meaning of 'French as an official language, 23.1.'"

MR. K. REDDIG: As I indicated, we were there. Some individuals within the Mennonite community simply did not have a proper understanding of what French as an official language meant and therefore, they were understanding it that they would have to go to the courts and speak French. We are asking for clarity on that point for the general populace in order that they would understand that this is not what it means.

HON. S. LYON: Will you be taking back, or have you had the opportunity to take back to your group of 20 people, the amendment that I read to you a few moments ago, the new 23.9 which purports to give protection to other ethnic and minority groups in Manitoba against the overall umbrella effect of 23.1, which was an unrestricted effect before this amendment saw the light of day? Will you be discussing that with your group?

MR. K. REDDIG: Certainly, we'll be looking at everything that we think is relevant in terms of any future action, if it would be necessary, on the part of this Concerned Mennonites Group.

HON. S. LYON: Have you had the opportunity as yet, yourself, to form a view with respect to this proposed amendment 23.9, as to whether or not you would prefer to see it included in the constitutional amendments or not; or are you prepared to take your chances on 23.1, even though you say it needs further clarification?

MR. K. REDDIG: The clarification, I think, is again being misinterpreted as to what I meant there. But in terms of 23.9 at this point, I would still like to look at it in terms of vis-a-vis, No. 1; so would decline making a comment at this point. I cannot speak for the group anyway, we have not looked at it.

HON. S. LYON: Does the fact that the Manitoba Association of Rights and Liberties asked for this specific amendment, does that have some persuasive effect upon you?

MR. K. REDDIG: I don't know if any particular group would or would not. We would simply look at the act or the new section, on its own merits.

HON. S. LYON: You go on in the subsequent paragraph, Mr. Reddig, to talk about - very briefly I must say - recent legislation allowing children to participate in bilingual programs for the language of instruction, maybe in a language other than English or French, for 50 percent of the school day, and you give some credit to the French community for the support given by this language option which, as you have already acknowledged, was brought into being by the previous government, in 1978 I believe it was. Did you feel at that time, or do you feel now that it's necessary to entrench the program that was introduced by the previous government at that time, with respect to all heritage languages in Manitoba, whether they be German or Icelandic or Ukrainian or Polish, or any of the other languages that are representative of the major groups that make up the Manitoba mosaic? Do you feel the need to entrench in the Manitoba Constitution that educational provision which you and your group favour?

MR. K. REDDIG: I don't know if I would use the word "entrench," you know, shared services, within the Constitution. Is that specifically what you are asking?

HON. S. LYON: That's not shared services. We're talking about the Heritage Language Program. I believe that's what you were talking about in para. 3 of Page 2 - "Bilingual programs for the language of instruction may be in a language other than English or French." Now it's possible you might have a Heritage Program in an independent school, but I am talking about the programs that can be operated within the public school system, or within the independent school system.

MR. K. REDDIG: I'm sorry, I was thinking of shared services there.

HON. S. LYON: Good thing to think about.

MR. K. REDDIG: Basically, I think this is something which I would like to see that would be around for a long period of time because I know, as I've indicated earlier, my children are involved in such a program and I see a great benefit to Canada when our children are going through bilingual programs, therefore, I would support that, yes.

HON. S. LYON: Is it not a fact, Mr. Reddig, that that program - that desirable program that was brought in

in 1978, which you and your group favour and which is reaching out through Manitoba to the various ethnic communities permitting this kind of instruction to take place again - was brought about as a matter of government policy, not as a constitutional amendment?

MR. K. REDDIG: Again, I would plead a certain amount of ignorance on that point. If you say it's government policy . . .

HON. S. LYON: An amendment to a statute it was. I was there at the time, I can remember what happened.

MR. K. REDDIG: Certainly.

HON. S. LYON: And similarly, when the previous Government of Manitoba and the present Government of Manitoba indicated that they were embarking upon accelerated French Language Services for the people of this province; that too was brought about, was it not, as a matter of government policy and not as a matter of entrenchment in the Constitution; and the effect, the enjoyment of those rights that were conferred by government policy was just as real as though they had been entrenched in any Constitution; isn't that the case?

MR. K. REDDIG: That's very possible but again, I do not know the history of that sufficiently to give comment.

HON. S. LYON: I believe you were here this afternoon, or you have indicted you were, Mr. Reddig, when I was indicating to the MARL people the different steps that had been taken as a matter of government policy to enhance French Language Services in Manitoba and they indicated, as you have, their approval of all of those programs. The point I'm really making is this, that your children, in an independent school, who are today receiving a per capita grant as a result of an amendment made by the Legislature of Manitoba in '78 or '79; the enjoyment that they are getting; the right that you enjoy today to send your children to an independent school, is just as real, just as tangible as if that right had been conferred by an entrenched amendment to the Constitution; is it not?

MR. K. REDDIG: The only problem is that it could be revoked.

HON. S. LYON: Well, yes, and the building could fall in on us tonight, and the lights could go out, and many other things could happen, but with God's grace we expect that they won't, isn't that true?

MR. K. REDDIG: Sometimes you try to ensure as much as possible, that it will not happen.

HON. S. LYON: Well, sometimes in trying to ensure for Utopia we create hell too, don't we?

MR. K. REDDIG: Well, I'm not so certain of that.

HON. S. LYON: Conservatives always realize, Mr. Chairman, that we are not perfect and we have to realize the parameters that exist for humankind; one is Heaven

and the other is Hell. It is a pity that all people can't see that. The fact remains, though, that you have two children, you say, in an independent school?

MR. K. REDDIG: I was speaking specifically of an immersion program.

HON. S. LYON: Immersion program in the public school system, or in an independent school?

MR. K. REDDIG: Public school system.

HON. S. LYON: And you also enjoy, or at least you are aware of, if not a beneficiary of directly, the independent school program, and members of your family, as indeed tens of thousands of other children, or at least ten thousand other children in Manitoba daily trek off to independent schools that are today supported by taxpayers because the Legislature of Manitoba passed a simple act which said that they would be supported by taxpayers. Do you really feel that the Legislature of Manitoba is going to abrogate support for independent schools unless, of course, these people stay in office too long? Do you really feel that there is any danger of that?

MR. K. REDDIG: I feel that it's always possible.

HON. S. LYON: Well, yes, everything is possible. Do you feel that there is really any danger of the forward looking steps that were taken in 1978 with respect to heritage language instruction, which you have mentioned in para 3 of Page 2 of your brief, that heritage language instruction 50 percent of the school day, do you feel that there is any danger, even with an incompetent government, of that being abrogated? Do you really feel that that's in danger? Isn't that a forward looking progressive policy that is carried on in Alberta and in Manitoba, perhaps now even in other provinces that have caught up to that kind of progressive policy? Do you really feel in any danger of that disappearing?

MR. K. REDDIG: I would say, in terms of knowing a little bit about the history of the struggles for aid to private schools, etc., I would say that certainly it is very possible that another government might be formed and come in, and due to "expediency and practicality" would want to say, well, here's a place where we can cut some government spending; and I would say, yes, that that's possible, and I think the history of legislation, and I do not know that much about it but I do read history because, basically, I am working in that field, I do think that such things are possible, yes.

HON. S. LYON: Well, are you advancing then, Mr. Reddig, a thesis that I find interesting, if not very practical, that all laws that you would deem to be important in Manitoba should be entrenched because there is some way-out danger that possibly a Legislature will lose track of its senses and repeal the law? Is that what you are saying?

MR. K. REDDIG: I think when those laws affect the rights of minority groups, I think there comes a time and, again, here we could get into a long debate as

to when that happens and, again, you're a lawyer, I am not a lawyer; but I think there can come a point and a time simply where the rights of minorities are simply ignored because of the ruling majority. It is those rights which I think need to be entrenched.

HON. S. LYON: Are you saying then, Mr. Reddig, that there is a whole spate of laws which affect so-called minority rights? I would presume the human rights legislation might be foremost among that group of laws that you honestly feel should be entrenched in the Constitution of Manitoba. Don't you find that a bit bizarre?

MR. K. REDDIG: I don't find anything bizarre in having individuals, human beings of whatever race and nationality being able to speak a language that they have grown up with; being able to enjoy education in that particular language; being able to exercise their conscience in terms of things such as military exemption; being able to enjoy the privileges that the majority of the population is enjoying. I simply see that as an obligation of citizens to work towards that end if they are good citizens, for all people within the country of those boundaries.

HON. S. LYON: But, in fact, Mr. Reddig, the two matters that you mention, the support for independent schools, and Heritage Language Programs permitting 50 percent of the instruction to be given in a third language other than English or French, were both brought about as a matter of government policy; both, I deem you would say, are progressive, both are worthy of continuation, and yet you say now that both should be entrenched in the Constitution? Did you come forward and tell the Government of the Day that they should entrench aid to private schools when they passed the enabling legislation in 1978 or '79, whenever it was? Did you come forward and tell us to do that then?

MR. K. REDDIG: No, we did not.

HON. S. LYON: Did you come forward and tell us, when we started the Heritage Language Program in 1978 or '79, by a simple act of the Legislature, you must entrench that immediately because somebody may take that away from us? Did you come and tell us that then?

MR. K. REDDIG: No, we did not.

HON. S. LYON: Why are you coming now and telling us that this has to be entrenched, the French language instruction has to be entrenched in Manitoba . . . ?

MR. CHAIRMAN: Order please. Mr. Lecuyer on a point of order.

MR. G. LECUYER: On a point of order. It seems to me, Mr. Chairman, that the Leader of the Opposition is really questioning the presence of the presenter here tonight, and I think that everyone is free to come and make presentations here. Secondly, what he doesn't say is that there was no public forum where they could make such presentation on the occasions as he cites.

MR. CHAIRMAN: Mr. Lyon to the same point of order.

HON. S. LYON: Mr. Chairman, I can only observe, as I am sure you are well aware, that tyro members of the House are unfamiliar with the procedures of the House. Any public bill of the Legislature comes to a Committee of the House, any person is free to make representations, and I am merely questioning why Mr. Reddig feels motivated now to come and advocate entrenchment of French Language Services when, by his own admission, a heritage language instruction, aid to independent schools are equally important; yet he didn't advocate their entrenchment at the time they were brought in by a simple statute. I am wondering why. What is the motivation?

MR. G. LECUYER: A while ago, the Leader of the Opposition was asking the same questions in regard to services that were introduced, and he specifically mentioned two of them, the establishment of the Secretariat and so forth, and these were not bills and they were not brought in by bills, so no one could come to public hearings in those situations.

HON. S. LYON: Mr. Chairman, if the Member for Radisson wishes to go into the hall and talk to himself, perhaps the rest of us can get on with the business of the committee. We're not really interested in his juvenile interjections. Zealotry has no place around a table like this.

MR. CHAIRMAN: It certainly would not be proper to challenge the right of an individual to appear at a committee hearing, but certainly I did not read that intent into Mr. Lyon's question. If I had, I would have called him to order.

A MEMBER: Of course you would.

MR. H. ENNS: And you would have been right.

HON. S. LYON: And we would have supported you.

MR. CHAIRMAN: Mr. Lyon, please proceed.

MR. G. LECUYER: The fascist . . .

HON. S. LYON: The question I am getting at - I just put on the record that the Member for Radisson just said across the table, "the fascist." That is an indication, Mr. Chairman, if I may say so, of the kind of thoughtless comment that has led to an awful lot of the disruption that has occurred in the House and in committees, because we have fanatics as . . .

MR. CHAIRMAN: Order please, order please.

HON. S. LYON: . . . temporarily elected to this House who don't know how to comport themselves. Let the record show what he said.

MR. CHAIRMAN: Order please. I would say to Mr. Lyon and to Mr. Lecuyer that we have come some distance in avoiding the kind of language for which the House has developed a reputation the last couple days. I would

like to continue that. I would ask all members to consider their language in this committee, to continue to ask questions for clarification, to continue to treat witnesses and their fellow colleagues on this committee with respect; and I would ask Mr. Lyon to please proceed.

HON. S. LYON: Thank you, Mr. Chairman. I am sure that the Member for Radisson will take your admonition to heart.

Mr. Chairman, to get back to business and away from zealotry, my question basically though is to Mr. Reddig to try to understand his motivation for appearing and advocating entrenchment of French Language Services, when other matters equally important in terms of other ethnic groups in Manitoba including his own group, such as aid to separate schools, such as the Heritage Language Program, he has not seen fit to advocate entrenchment of until tonight when I asked him the question.

Are we going to entrench everything in Manitoba in order to meet your benchmarks, or what is the logic of your position?

MR. CHAIRMAN: Mr. Reddig, please proceed.

MR. K. REDDIG: I take it the question was addressed to me. I can simply say that at the time, I think it was 1978, in fact I was a recipient of that because I was a teacher at the time in a private school; and the other occurrence, I simply was not at that point in any position to - I simply did not take that much cognizance of this particular act to think it through any further at that point. Only when I began to realize the broader ramifications of this as appeared in this particular brief and also as appeared in the press, which of course made me very aware of the broader ramifications of these particular amendments, did I then become a concerned citizen and very concerned about what was occurring. So, therefore, at that time I was very happy for it, but presently I have become very concerned about it.

HON. S. LYON: I take it because you didn't mention it in your brief to the committee, that you are unaware that the primary motivation for the government's entering into this agreement with the Franco-Manitoban Society and with the Government of Canada, their major motivation as stated by them, of course, was the fact that they were attempting to avoid the possible implications of the Supreme Court hearing the Bilodeau case?

MR. K. REDDIG: I am aware of that, yes. I was aware that that was in the press, at least.

HON. S. LYON: You have enough knowledge of that case, Mr. Reddig, to indicate whether or not you agree with the position that the Attorney-General and the NDP have taken on this matter, that is, of the Bilodeau case and their abject fear of it?

MR. K. REDDIG: Again, I am not a lawyer; I do not know enough about legal opinion precedents to know exactly where that could have gone, or where that could

go. So therefore, I am certainly not a person who could make any kind of judgment on that. I am simply aware, according to what I have heard even today, that that is a possibility and I would leave it at that.

HON. S. LYON: You are aware also, I presume, from what you've heard today or from other information that even if these amendments in their original form were to have passed or even in the amended form were to be passed by the Legislature of Manitoba and by the Parliament of Canada, that would in no way guarantee that this whole process would not be subject to the same kind of attack by Mr. Bilodeau or some other plaintiff, based on the same highly problematic proposition that all laws are invalid because indeed this Legislature, according to Mr. Bilodeau's proposition, is invalid because the law establishing this Legislature was not translated into French at the time it was passed. You realize that even if these amendments are passed, that kind of - I use the word with respect to future cases - frivolous legal attack could still be made, notwithstanding the pain and suffering that this government is putting the people of Manitoba through to make amendments to the Constitution.

MR. K. REDDIG: I would imagine that all kinds of legal cases could be entered against a government, any sitting government. Therefore, I am just in no position to really answer that question any further than that.

HON. S. LYON: So you are happily unable to take - you are not taking any comfort from the assurances that were given in some of the government propaganda that this would end all of the cases, realizing as you now do, that their own legal advisor has told them that the whole process is still subject to attack in a manner such as Mr. Bilodeau has attacked it in the case that is adjourned sine die before the Supreme Court.

MR. K. REDDIG: Well, it still appears to me that the direction they are going is still a direction which we, as a committee, would feel very good about and would certainly go as far as at least seems possible at this point to ensure that the rights of the French minority are protected in Manitoba.

HON. S. LYON: Are you talking about the rights contained in the Constitution under Section 23, or the extension of those rights as proposed . . .

MR. K. REDDIG: I am speaking about the amendment.

HON. S. LYON: The amendment, the extension of those rights, the new rights that are being proposed in the amendments before us.

Thank you, Mr. Reddig.

MR. CHAIRMAN: Further questions by members of the committee?

Mr. Enns.

MR. H. ENNS: Mr. Reddig, speaking as a concerned Mennonite, you have identified your group as being some 20 ad hoc people that have come together to make these presentations to us. You've also - and I

thank you for that - commented upon the Mennonite community to some extent to some of the questioning. Would you be in a position to tell this committee what the population of Mennonite people is in the Province of Manitoba at this time, hazard a guess?

MR. K. REDDIG: I would say approximately somewhere around 60,000. Now again, that depends, I'm speaking of Mennonite origin and some of them may not consider themselves Mennonite anymore, it's difficult.

MR. H. ENNS: Mr. Reddig, to try to arrive at some position that was raised by my colleague earlier, you are here speaking, for sure, for 20 people of Mennonite background, out of the 60,000 people of Mennonite background in the province. I do not take issue with you as to how many more people you speak for of Mennonite background, but I think it's probably helpful that the record do show that the group you have organized speaks about concerned Mennonites vis-a-vis this resolution is put in that perspective, would that be fair?

MR. K. REDDIG: I think that you're well aware of the fact, and perhaps maybe you were not here earlier this afternoon when I indicated that, at this juncture, for us to have gotten a larger hearing of Mennonites on this question was simply impossible due to the rapidity in which these hearings progressed. So, therefore, we as a committee of concerned Mennonites did get together; there are many many more people who feel the way we do, we know that, we've talked to many of them, but there were approximately 20 who got together and said, look let's prepare a brief and submit it.

MR. H. ENNS: Mr. Reddig, I've been listening to you earlier in the responses to Mr. Lyon, but I would appreciate if you could just tell me how entrenchment of the services and linguistic rights that is the present proposal before us, is in any way going to strengthen the position of continued support and aid to private and independent, and Mennonite schools.

MR. K. REDDIG: I believe that once the minority views and minority positions are recognized and, in this case, an official minority - perhaps I'm not using the correct word there - insofar as in The Manitoba Act of 1870, that is indicated that Manitoba is bilingual, anytime minority views are entrenched that does have spin-off effects for other minorities. I think we have seen that, and the basis of our brief indicates how we, as Mennonites, from an historical perspective have been helped by the French minority in Manitoba, in terms of some of our legitimate concerns which we've had as a Mennonite people, and that they have been affected and actually helped and actually have come to fruition due to the French minority.

MR. H. ENNS: Well, Mr. Chairman, through you to Mr. Reddig, I'm not going to repeat the ground that Mr. Lyon has already covered, but earlier on in an answer, when pressed on a similar point to my colleague, the Member for Fort Garry, you did acknowledge, accept the duality of the nation and stopped short of the need

for entrenchment of all minority rights in the province latterly. That seems to be a developing scene here now where we will be faced, as legislators, it doesn't matter which party we are, of busily chasing down to Ottawa and entrenching and carving things in stone, which I might say would make our job as legislators somewhat redundant in the future if we can't respond to legitimate public need, to legitimate public demand for services as, in fact, we have demanded; as, in fact, we have responded as this government responds to legitimate government services. That's what Parliament, that's what legislators are surely for.

MR. K. REDDIG: Was there a question?

MR. CHAIRMAN: I was waiting for it. Did you have a further question, Mr. Enns?

MR. H. ENNS: The question relates back to how entrenchment of the present resolution will in any way aid continued support for Mennonite and other private and independent schools? I'm asking that question, how will that aid it?

MR. K. REDDIG: I guess I do not want to be redundant here, but simply I think again it's been a matter of the history of this whole thing unfolding, that when one minority's rights are protected other minority rights also are affected and, therefore, protected as well.

MR. H. ENNS: Mr. Reddig, in the course of your answers - it's not contained in your brief - you correctly describe the linguistic practices within the Mennonite community as being distinctive, two distinctive languages that are used, the low German and the high German, mie woud dot intbesant sene wone red sei eue dedi tus, weida Plat detsh, oder haben Sie die hoch deutsche Sprache geubt im Hause.

MR. K. REDDIG: Na ich kann auch Plattdeutsch rede und ich kann auch hoch deutsch rede.

MR. H. ENNS: En dot weha aule meglich ohne "entrenching" in Ottawa. Well, Mr. Chairman, I'm not making light, the fact of the matter is, and I think it is the important part and, Mr. Chairman, that is the point that I take some objection to that is being orchestrated as though the Mennonite community now needs this resolution for some protection of supposed threatening to their culture.

We have enjoyed our culture in this country.

MR. CHAIRMAN: Question?

MR. H. ENNS: I'm posing a question. Is it not a fact, Mr. Reddig, since 1874 and '78, when the Mennonite people first arrived in this province, that we had no difficulty in practising our language, our culture; we could pray to our God in the language that we were comfortable with; we taught it and passed it on to our children. We ran schools, and very thankfully, in 1978, those schools now receive some taxpayers' support. All that was possible, in fact, all that grew and developed, evolved at a pace I must say that the public was prepared to accept.

Mr. Chairman, the question of aid to private and parochial schools is tackled from quite a different question. My friends opposite have philosophical problems about it, not for linguistic reasons, for other reasons. They don't think taxpayers' money should go to private or independent schools, and they have the rights to that position.

My question to Mr. Reddig is that all this evolved, Mr. Reddig, without unnecessarily disturbing the fabric of our society and without what's beginning to loom on the horizon, having to chase down to Ottawa to entrench all these matters. Is that not a fair question in observation, Mr. Reddig, now that I've determined that you've maintained your cultural practice and heritage language?

MR. K. REDDIG: I was pleased to see that you have, too. I would say that again the rights of us, as Mennonites, to speak low German, to actually develop a low German as you very well know is a language which is a spoken language; it has only recently become a written language due to Mennonites in Manitoba who have taken the forefront of this and is now being recognized around the world as a written language to some extent. The reason that this has happened, has been encouraged, I still maintain is due to the fact that we are in a setting in Manitoba which is a very unique setting where we have had the privilege as Mennonites of, as it were, piggybacking upon another minority group which has asked for and repeatedly requested language rights. We can trace that back to 1874, when the Mennonites first came and we can follow that through as we've attempted to do very briefly within the brief, just to give some hints to that. So therefore, I am saying that certainly and for those very reasons, I would want to see that this is continued that we can continue to develop a language of which we are very proud, a language which is very expressive, very unique and unique to us as Mennonites.

MR. CHAIRMAN: Further questions, Mr. Lyon.

HON. S. LYON: There is just one further question on that point which arises from what Mr. Reddig has just said. If you and your family were living in the United States, Mr. Reddig, which has a Bill of Rights and so on, would you have the same linguistic privileges with respect to education of your children as you enjoy today in Manitoba without any entrenchment in a Charter?

MR. K. REDDIG: I believe we would not have the rights of German immersion and some of the other immersion programs. In fact, if I understand correctly, that is a major problem right now in places like Florida and California where a large Hispanic community is coming to the fore and the U.S. is presently being faced with some of these problems as well.

HON. S. LYON: Mr. Chairman, earlier I had asked Mr. Reddig about Mr. Klassen, who's connected with the NDP caucus research group. I would ask him if the name "Mr. Klassen" was registered with respect to the Concerned Mennonites Group. He had said, and I certainly accept his statement, that to his knowledge he did not know that it was. I merely point out for the

record that on my copy which I have checked, of the original copy which I have checked with the Deputy Clerk of the House, Mr. Klassen's name is handwritten in apparently in the handwriting that the Deputy Clerk recognizes as a member of the staff of his office as a contact for the Concerned Mennonites Group. I'm not questioning Mr. Reddig's credibility on this point, I merely indicate what my records show me. I indicate that to Mr. Reddig.

MR. K. REDDIG: I'm not certain what he's referring to, unless it was an article I think which appeared some place which I have not seen, which did name him in this group, which was simply not the case that he was not a member of the committee.

HON. S. LYON: I accept Mr. Reddig's statement. I merely indicate that on the sheets that all of us received - I presume all of us received - his name did appear as a contact for this group.

MR. CHAIRMAN: Any further questions by members of the committee? Seeing none, Mr. Reddig, thank you very much for representing your group here today.

The next name on our list is Mr. George Forest. Mr. Forest.

Mr. Forest, before your proceed, I have one other minor administrative matter. Mr. Penner was unable to be here this evening and he has for that purpose resigned from the committee. I'll entertain a motion to replace him with Mr. Eyley, who is on the substitution rota. Mr. Lecuyer.

MR. G. LECUYER: I would like to make that motion.

MR. CHAIRMAN: Thank you. Is that agreed? Agreed and so ordered.

Please proceed, Mr. Forest.

MR. G. FOREST: Mr. Chairman, I have here in my pocket a gadget which I would like to put on the wall. It is a hearing aid because if I were to speak in French only the walls could understand me, possibly. I believe, Mr. Chairman, that it is a gross injustice that is now being perpetrated in this committee by not having simultaneous translation. This subject, possibly the most important that this House has discussed in the past century, pertaining to the officiality of the two languages of Manitoba and somehow, because of the psychological effect of living for 93 years with English as the official language, we have not yet deemed it courtesy enough to prepare the sittings of this meeting with the services of simultaneous translation.

It was noon yesterday, Mr. Chairman, when I approached you and indicated my dismay. You asked me whether or not I had an English text of my brief to which I replied no, I have neither the time nor the money to get a translator to have it translated. That alone, Mr. Chairman, could have provided you with the 24 hours notice to have translators as of noon today, but I have not got as yet the status of a member of the Legislature. I am possibly not prominent enough to be able to be granted that courtesy. I possibly am just another individual who may have an opportunity to come here this evening, to say what I have to say

and then - bon soir, la compagnie, we'll see you next time.

Mr. Chairman, I will not dwell any longer than that because I'm sure that it cannot be resolved at this moment.

MR. CHAIRMAN: Mr. Lyon on a point of order.

HON. S. LYON: Point of order, Mr. Chairman. I am wondering if the very legitimate point that is being made by Mr. Forest could not be accommodated by the committee, given the fact that we do have translation facilities available for us in the main Chamber of the House. If we could without prejudicing Mr. Forest's position on the roll of speakers, make provision for him to be heard, say, tomorrow at a fixed time so that he would be allowed as I think he is entitled, to make his presentation to this committee if facilities are available to the committee, in the French language. I would be prepared to move that if it is physically possible, if the Deputy Clerk advises that it's physically possible. I know this point was raised at the earlier Session when the procedure was being discussed and I'm really seeking information.

I, for one, and I'm sure others around the committee table would be happy to see Mr. Forest accommodated as I would like to see him accommodated.

MR. CHAIRMAN: Any further contributions to the point of order? I can advise the committee that at the organizational meeting on the 18th of August, it was agreed that simultaneous translation would be provided if there was significant demand for same.

As of yesterday, there had been one request for simultaneous translation received by the Clerk of the Committee. The committee had not decided at what level it would consider there to be significant demand and I am at the will and pleasure of the committee in determining either when or at what level they wish to provide for simultaneous translation. That was an unanimously agreed position of all members of the committee at our organizational meeting. I certainly am prepared, although there has at this point been just one request, to hear from members in that regard.

Mr. Graham.

MR. H. GRAHAM: Thank you, Mr. Chairman. As a member of the committee and one of those that were in the negotiating process it was, at that time, a concern whether or not simultaneous translation should be provided. It was left, as I recall it, with the Chairman to make members of the committee aware of whether or not significant demand was there. This is the first time I have heard any advice from the Chair as to how many have requested it.

If the Chairman was aware of this yesterday, why did he not advise the committee of it at that time?

MR. CHAIRMAN: In the committee transcript - for Mr. Graham's benefit although it may not be appropriate to ask questions of the Chair, I think in view of the circumstances, I'm certainly prepared to accommodate - Mr. Graham will recall that, for example, the committee's discussion suggested, and it was agreed, that we would not be providing simultaneous translation

if there were only one or two requests. So, as your Chairman, I did not feel it was appropriate to advise the committee when I had received only one or two. Since I had not received that many up till last week when I last spoke to representatives of the respective caucuses, I advised them that as of the end of last week, which was the critical time in terms of making arrangements for the hearings starting Tuesday, that no such requests had been received. As of yesterday, having received only one, I was following the committee's direction as recorded in the transcript of that meeting.

To the same point of order, Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, I don't know whether you constitute the point of order raised by my leader as representing a significant demand or not but I would say that many of us on this committee, certainly those of us on this side of the table, would suggest that it represents a significant demand.

Further to that, Mr. Chairman, I don't know whether Monsieur Forest has made an approach to you, to the committee and to you in your capacity as Chairman of the committee, for simultaneous translation facilities that would enable him to make his presentation in the French language in a way that you would interpret as constituting a proper request or a significant demand. I suggest to you that considering the niche in Manitoba history and Canadian history that Monsieur Forest has deservedly earned for himself, that if he will now ask for it I would be prepared to suggest that, coming from him even if there is no further voice added to the request, it would constitute a very significant demand.

MR. CHAIRMAN: Mr. Sherman, with respect, I considered Mr. Forest's request yesterday - which was verbal - as a request and considered it in the context of the direction I had received from the committee. No further request is required.

Mr. Lecuyer.

MR. G. LECUYER: Mr. Chairman, is it possible to accommodate Monsieur Forest on the basis suggested by the Leader of the Opposition?

MR. CHAIRMAN: I believe it is possible. The Clerk of Committees had advised the committee on August 18th that approximately 24 hours notice would be required to arrange for the simultaneous translation booth to be installed and all the additional wiring and extra paraphernalia to be set up in the committee room.

Mr. Storie.

MR. J. STORIE: Perhaps if Mr. Forest is of the opinion that he would like to wait for that length of period while that was set up, we could certainly grant him, as Mr. Lyon suggested, that courtesy.

I suppose at this point Mr. Lyon is extending a courtesy and it has been seconded by the Member for Fort Garry. Clearly, it would disrupt what the committee is doing at this point and if Mr. Forest is prepared to continue in English, although his brief is in French, I think that it would be perhaps in the best interests of the committee work to proceed at that point.

If however, he wishes to wait for that period of time, certainly the committee could accommodate him, as the Chairman has indicated.

HON. S. LYON: I'd just like to clarify one point on the point of order, Mr. Chairman, certainly not to reflect upon you or the request that was made to you because I think, very properly, you're acting as a servant of the committee as you are and you are reacting to what you understood to be the arrangement at the time.

I agree completely however with my colleague, the Member for Fort Garry and the Member for Flin Flon and others who have spoken - and I digress to say this alone - that the ability in Manitoba under Section 23, to use either "the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective records and Journals of those Houses, and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under The British North America Act, 1867, or in or from all or any of the courts of the province, the acts of the Legislature shall be printed and published in both those languages."

That section, Mr. Chairman, as I think we are all aware, is now the law of Manitoba. Mr. Forest appears before us and while it's true he is not participating in the debates of the Houses of the Legislature, he is appearing before a committee of the Legislature and our own rules of procedure indicate - and two previous speakers are here to correct me if I'm wrong - our own rules of procedure indicate that the Rules of the House apply to a committee of the House.

Now I don't think it's a quantum leap at all for us. In fact, I think it's the proper thing for us, in these circumstances, the request having now been formally made by Mr. Forest - and not just because he is, as my colleague has said, a significant Manitoban. The room is full of significant Manitobans, but Mr. Forest has a particular significance in the history of this province. I think his request is legitimate. I think his request should be acceded to without any further debate. I think, if the technology is such that it requires 24 hours or some lesser period, that we should ask Mr. Forest, if possible, to appear tomorrow night at the 7:30 sitting - I'll let the Chairman sort that out with his staff - at the 7:30 sitting tomorrow night, and that we will then proceed to hear him so that he can make his brief, as I know he is entitled to under the Constitution of our province, in the French language.

I would so move, if that meets with the . . .

MR. CHAIRMAN: Mr. Lyon, you are not a member of the committee, so I can't entertain a motion from you, but there is further discussion on the point of order and I do appreciate receiving this direction from committee members because it is different from the direction that I received on August 18th.

Mr. Doern.

MR. R. DOERN: Mr. Chairman, I wanted to know whether any request was made by any member of this committee to provide such language services before. The reason I ask that question is that Mr. Lecuyer made a public statement to La Liberté, and I'd like to quote his remarks. He said, "Since this is the first time Francophones may speak publicly in French to their government, if they speak in English they will miss the boat, and one would be playing into the hands of those

who say that the Francophones have no need of services in French since they speak in English."

Since Mr. Lecuyer has been encouraging everyone to come to the committee and speak in French, I wonder whether he or anyone from the government caucus requested that such simultaneous translation services be provided. I might also point out that there is quite a problem here, namely, if you provide them for members of the committee, what happens to members of the public who will still sit there and have a problem?

MR. L. SHERMAN: Mr. Chairman, if I may, through you, respond to Mr. Doern.

To the best of my recollection, when the committee consisting of the four more or less original members of the committee from the opposition caucus and the six or seven original members from the government caucus, met to establish the format for these public hearings, that question was raised by my colleague, the Honourable Member for Rhineland, Mr. Brown, who introduced the question at that time in our introductory or our preliminary meetings of the committee as we were working out the format, the itinerary under your direction and the parameters for presentations - the length that we would be permitted, the amount of questioning that would be permitted, etc., etc.

I think that for the record it should be noted, in response to Mr. Doern's question through you, Sir, that Mr. Brown did raise that question. It was left with the government, which enjoys obviously and naturally the majority on the committee, to address and to resolve, and I think that you have adequately explained in your remarks a few moments ago the resolution that was arrived at. The resolution that was arrived at stipulated that where there was significant demand, it would and could be provided.

My colleague, the Member for Charleswood, Mr. Lyon, my leader, has proposed and any one of us on this side of the table would be prepared to make it a formal motion, that significant demand in this case now exists and that Mr. Forest should be so accommodated.

MR. CHAIRMAN: Mr. Plohman.

HON. J. PLOHMAN: Yes, Mr. Chairman, I believe that the term "in significant demand" does not apply here at all. I think that the committee erred in leaving this interpretation to interpretation of "significant demand." I think that Mr. Lyon is correct when he says that the Rules and practice of the House apply. As has been established in the House, the practice has been that with reasonable notice, simultaneous translation is provided. Therefore, I don't think significant demand has anything to do with it, and I don't believe - and I was not a part of the committee that made that decision - that that was an error in the committee to make that decision, and that indeed the rules should apply and the practice should apply as it does in the House. That is, that with reasonable notice simultaneous translation is supplied. Therefore, I would concur if that is indeed Mr. Forest's request.

MR. CHAIRMAN: Mr. Uskiw.

HON. S. USKIW: Mr. Chairman, I would want to agree with the Leader of the Opposition and with others who

have suggested that if there is a desire on the part of Mr. Forest to speak in the French language to this committee, that we should be prepared to accommodate that. If he is willing to postpone his presentation for the time that is required, I don't believe there should be any hangup about that, given that there is a request made in a very substantive way in which it is being made.

MR. CHAIRMAN: I would take it as your Chairman, gentlemen, then, that it is the consensus of the membership of the committee, as it's composed today, to reconsider the decision made on August 19th and consider a single request as significant demand. Is that — (Interjection) — Well, consider a single request as a requirement for simultaneous translation.

Mr. Lyon.

HON. S. LYON: Just two quick observations that I hope might be helpful - three, actually.

No. 1, on the technical point, I am certainly in the hands of your staff, Mr. Chairman, on this matter, but it would seem to me that it might be technically possible and more efficient if the committee, for the purposes of simultaneous translation, were to move physically into the Chamber where those facilities already exist. If that is possible, that is something that the staff can advise us upon. That's No. 1.

No. 2, we could move back and forth. We might be establishing now a precedent that I think is a good and a healthy precedent that we could move back and forth because those technical facilities do exist, as I understand it, in the Chamber. We could move back and forth for any witness who wishes to make a submission to the committee in the French language.

No. 3, I earnestly implore Mr. Forest, now that he has raised the point, and realizing that his own comfort and convenience may suffer from this, I earnestly implore him, however, having raised a very legitimate point, that he accede now to the request of the committee that these facilities be offered to him and that he postpone giving his brief tonight, and that the committee consider adjourning at the present time because this next brief to follow, of course, is Mr. Robert from the Franco-Manitoban Society and he may well wish to avail himself of the translation facilities; that the committee take an adjournment about 30 minutes before our regular adjournment time and see what we can work out with the benefit of the staff.

Those are only suggestions and I hope they will be helpful, and I hope persuasive to Mr. Forest.

MR. CHAIRMAN: I have been advised that approximately a minimum time of four hours is required to set up the equipment in this room. In view of the fact that the committee room will be in use tomorrow for committee hearings at 10:00, 2:00, and again at 7:30 in the evening, it may be possible to have the equipment set up prior to the 10:00 a.m. Friday meeting, if that meets with the committee's agreement, so that we could proceed to hear Mr. Forest at that time and maintain the equipment for such other witnesses. — (Interjection) — Today is Wednesday. Well, I don't know that we could arrange to have the equipment set up starting at 6:00 a.m. tomorrow. It is already late this

evening, so I think the arrangements would have to be made tomorrow to be set up Thursday overnight for Friday morning.

MR. R. DOERN: Mr. Chairman, there is Room 255 and there is Room 254, and perhaps while we meet here the setup could be made in the old committee room. We could have both rooms reserved and Mr. Forest could then commence tomorrow afternoon, and someone else, or several other speakers, could be heard tomorrow morning, and we could use that setup. It is a bit peculiar for a small committee to go into the Chamber. It is convenient, but it certainly has a totally different aura and sense to shifting everybody into the Legislative Chamber with a small committee and with the public sprinkled around the galleries; why don't we use the other room as the so-called French translation room, and then we can shift between the two committee rooms upon demand?

MR. CHAIRMAN: I'm advised by staff that we do not even, at this point, know that the equipment is not in other use, and that there is only one local supplier, and that they will have to verify that the equipment is available, and they can't do that until tomorrow morning.

I am at your will and pleasure.
Mr. Lecuyer, then Mr. Lyon.

MR. G. LECUYER: Mr. Chairman, can we expedite this matter by asking your staff to see if this can be done for tomorrow afternoon in the other committee room, and that all steps be taken to make it possible for tomorrow afternoon, failing that for tomorrow evening?

HON. S. LYON: That was to be my suggestion, as well, Mr. Chairman, that we accept your advice, allow the staff to have a look at this so that they can make arrangements as quickly as possible, and as reasonably and efficiently as possible, whether in the other committee room or the Chamber or whatever; and that we then undertake to have the Clerk's Office contact Mr. Forest first thing in the morning, or as soon as we have good information on it, and advise him of a fixed time to appear so that he and Mr. Robert will not lose their place in this long list of submissions that are to be made to the committee. In the meantime, we could give consideration tonight, as a committee, to advising others who might come on tomorrow morning, to be heard before Mr. Forest and presumably Mr. Robert from the Franco-Manitobain Society, so that the committee will be able to carry on with its functions as well.

We've spent time on this point, but I think the point is extremely well made by Mr. Forest, and it's incumbent upon this committee, acting as we are as a Committee of the Legislature, to indicate, not only to Mr. Forest, and not only to French speaking Manitobans, but to indicate to Canadians that when we said in 1979, the government as a Legislature, and then in 1980, that Section 23 was re-instated in Manitoba, that we meant it. This is one tangible way of demonstrating that we meant what we said.

MR. CHAIRMAN: Mr. Storie.

HON. J. STORIE: A suggestion has been made that we adjourn early and, given that the inexact position

that we're in with respect to getting equipment, I would suggest that we move on as a committee and continue to do so tomorrow morning at 10 in the event that equipment cannot be ready, so that we may proceed in an orderly way with the work of the committee. I would suggest that you call the next presenter that is prepared to proceed at this time.

MR. L. SHERMAN: Well, Mr. Chairman, my question may be unnecessary, but I was just going to suggest, Sir, that there's one question that perhaps should be asked. Through all this, Mr. Forest, has not been consulted, and Mr. Forest may now be entirely satisfied that there is so much goodwill in this room that he's prepared to make his presentation in English. I would simply offer him the opportunity to comment.

MR. CHAIRMAN: Mr. Sherman, it's not appropriate to have a contribution from a non-member of the committee to a discussion on a point of order. I indicated earlier, I took Mr. Forest's request yesterday as an official request, and I've had no indication that's been changed.

MR. H. ENNS: Sorry, George, you can't speak in either language.

HON. J. PLOHMAN: Mr. Chairman, we should get on and ask the witness whether he wishes to proceed. If he does not, we'll move on to the next person who does. I think we should continue till the normal adjournment time.

HON. S. USKIW: Well, Mr. Chairman, I think what we should do is clarify whether or not, if we continue with other witnesses, whether we're prepared to interrupt other speakers when we reach the time when we are ready with our translation service, so that Mr. Forest and others that have been ahead of the speaker that will now be coming forward can take their place.

MR. CHAIRMAN: May I summarize the consensus of the committee that we will direct staff on an urgent basis to provide simultaneous translation facilities for this committee and witnesses as soon as possible? I would ask you then, Mr. Forest, to await the call of the Clerk of Committees at such time as that facility is available to present your brief. Thank you very much for appearing this evening.

Gentlemen, do you wish then to proceed to the next brief, or did you wish to entertain a motion to adjourn? Proceed?

Mr. Leo Robert. I don't know if Mr. Robert also wishes to await the availability of simultaneous translation. In view of his absence, I will go to the next name on the list.

Louise Dupont. Ms. Dupont. Dr. Yantay Tsai. Dr. Tsai.
Are members ready to proceed? Please proceed.

DR. Y. TSAI: Mr. Chairman, honourable members of the committee, my name is Yantay Tsai and I'm privileged to be here to speak on behalf of the Manitoba Chinese Community regarding the resolution on the French language studies and services.

Mr. Chairman, you have to bear with me because I have a little bit of laryngitis and my voice isn't as it

used to be. Anyway, I have been authorized by my committee to read a statement which was issued on July 23rd of this year. That statement was a consensus, a position from 18 organizations which met at the latter part of July, following the July 14th public informational meeting at the International Inn in regard to this proposed amendment.

Mr. Chairman, Sir, with your indulgence I would like to read the statement, and the statement reads as follows: We, as concerned Manitobans, and as concerned members of one of the minority Canadian communities, wish to express our support for the proposed amendment to Section 23 of The Manitoba Act, 1870.

As we understand it, the proposed amendment re-establishes the equal status for French and English as official languages in Manitoba, and defines responsibility of the government in providing French Language Services to the Francophone community where it is warranted. We believe these initiatives are consistent with the historical and cultural realities of our society.

Bilingualism and multiculturalism, two of the cornerstones of our nation, have been enshrined in the Canadian Constitution. The proposed amendment merely reaffirms such a reality within the provincial jurisdiction. In fact, it simply restores the linguistic rights of Franco-Manitobans as originally provided in The Manitoba Act of 1870.

We believe that to deprive the Francophone community of its legitimate rights on the basis of it being a minority constitutes a serious threat to all minority citizen groups. If such an argument prevails, it will open the door to further denial and deprivation of rights of any other Manitoba minority community.

We, therefore, fully endorse the intent and the principles behind the proposed amendment and support its expedient passage in our Legislature.

This is signed by myself, in my capacity as the Chairman of the Ad Hoc Committee of the Chinese community.

Mr. Chairman, this statement was also signed by 18 other community leaders of the Chinese community in Manitoba in their capacity as the presidents, are all executive members of their respective organizations, and you have a list of those organizations in front of you.

Mr. Chairman, Sir, I would like to point out that many of these organizations represents large members of our community. I could name a few. This includes the Chinese Canadian National Council, the Chinese Community Council of Manitoba, the recently established Indo-China Chinese Association of Manitoba. There are several important cultural, linguistic organizations, including the Manitoba Academy of Chinese Studies, the Institute of Chinese Language Arts and Culture, and several others.

Furthermore, it includes also the Cultural Centre Board, recently established in regard to the Core Area Initiative, including the China Town Redevelopment Corporation. Mr. Chairman, sir, there are approximately 20 organizations actively involved with the Chinese community.

There are one or two organizations who are now defunct and, therefore, did not sign this statement. I would venture to say that this statement represents a majority of the organizational views within our community.

Furthermore, I'd like to add that this statement has been published in the local Chinese community newspaper, the Manitoba Chinese Post, in its August 1st issue of this year, so the positions are entirely well-known to the community.

Sir, I don't know whether you have time to allow me to say a few more words to explain the Chinese community, how we view this whole issue and what we see are important elements in the proposed amendment. Sir, we look at this issue from a variety of perspectives. We look at it as Canadian citizens, as well as Manitobans. We look at it from the standpoint of being an ethnic community in our multicultural linguistic society and, finally, we look at it from a standpoint of the minority groups. Therefore, we see quite clearly three important elements in this particular proposal; namely, (1) the restoration of justice; (2) the provision of services; and (3) is the protection of minority rights.

Those we see are clearly the three important issues embodied in this particular proposal to amend our Manitoba Act. I have heard earlier that many of the ethno-cultural communities have been relatively recent, but the Chinese have been here in Manitoba for over 125 years. We recently have just celebrated our 125 years continuous community right in this building, in June of this year, and at that festivity we looked back at our history in Canada.

We must say that, despite the sacrifice and hardship and contributions that some of the earlier Chinese Canadians have contributed we have had our share of humiliation, indignity and discrimination. We have had our share of restrictive regulations which were imposed on us by majority elected politicians, such as some of them dignified, very honourable Members of the Federal Government as were in the Provincial Legislature of British Columbia.

I think, sir, you can only understand the feelings or you can feel the importance of entrenching the protection of minority rights only if you had to pay 400 bucks a year as head tax simply because you carry a minority face above your shoulder. To me, sir, I think that is an illustration that minority rights cannot be placed simply as a courtesy or as a generosity, or even charity at the hands of the majority. From that perspective, sir, we see this whole issue is really an issue of justice, an issue of protection of minority rights and, therefore, we endorse the government's proposal to amend this Constitution in those lights. We do not look at it as to what it would benefit us directly, but we feel that if it benefits one minority group it's going to create a much better atmosphere, a much better tolerance in terms of attitude toward other minorities, and those minorities are not simply just ethno-cultural minority. When we say minority, we mean any group of minority, be it linguistic, cultural or otherwise.

Furthermore, sir, we look at this issue from a broader Canadian perspective. We recognize the historical and the cultural realities of our country. We believe that just like the Monarchy, the parliamentary system, we believe that the multiculturalism and bilingualism are two important cornerstones of this country. Those are the things that make Canada the most unique and distinctive country in North America, and we are very proud of this bilingual, multiculturalistic heritage that we all enjoy at this point.

Therefore, from that kind of viewpoint, the Chinese community looks at this proposal with a great deal of respect. We feel that it is important for the honourable members of this committee to see this type of perspective, and perhaps as we urge very respectfully that they will be expeditious passers of this legislation. I thank you, sir.

MR. CHAIRMAN: Thank you, Dr. Tsai.

Questions for Dr. Tsai by members of the committee.
Mr. Johnston.

MR. F. JOHNSTON: Dr. Tsai, I appreciate you coming here and I certainly can see the amount of work that has been done by the Chinese community in discussion with all organizations of the Chinese community, but in your brief it says, "as we understand it" in the second paragraph. It is the proposed amendment to re-establish the equal status of French and English as official languages in Manitoba.

Now, your words as we understand it makes me lead to the question that the establishment of the status of French and English in Manitoba was done by the gentleman that was just before you, Mr. Forest, took a case to the Supreme Court of Canada and won, and established the rights of 1870 without any question. So as you say, "as we understand it" I would ask you whether you understand the fact that that case that was won by Mr. Forest established the rights that the French community had in 1870? Do you realize that's the case yet?

DR. Y. TSAI: Mr. Chairman, I had realized that, sir - I'm sorry I don't know your name - Mr. Johnston. Yes, I think that fact is clearly understood by us. We realize that the original 1870 Manitoba Act did give the Francophone community that kind of equal status with the English in terms of the judicial systems, the courts of the province, as well as the statutes, etc., in that the 1890 Manitoba Official Language Act abrogated those stages, and then was subsequently re-established.

Yes sir, we understood that quite clearly, and this is why we feel that we see that is the first point that this proposed amendment put it without any doubt at all, that this is or has been re-established.

MR. F. JOHNSTON: Well, Doctor, you also mention that the proposed amendment really re-affirms such a reality within the provincial jurisdiction. In fact, it simply restores the linguistic rights of the Franco-Manitobans as originally provided in The Manitoba Act of 1870. The resolution that is before us, the original resolution that was put before us and the resolution as amended does not simply restore, it goes much further than the 1870 Constitution. Are you aware that it goes much further?

It does not, in fact, simply restore or as you say, in fact, it simply restores the linguistic rights of the Franco-Manitobans as originally provided in The Manitoba Act. That has been done as we just discussed. That was done by the Supreme Court and this resolution and the resolution as amended goes much further. It does not simply restore. Do you agree with that?

DR. Y. TSAI: I agree with that, sir. We realize that fact, and this is the reason why I mentioned in my earlier

statement that we see it on three separate issues, and what, sir, you are referring to is the first we feel the important point is restoration of justice; secondly, we see the second issue being one of providing service, and which, of course, as you are obviously referring to is the extension of the rights . . . and the originally provided in that Manitoba Act of 1870. We're fully aware of that, and we regard that portion, the extension of the service of rights as being something quite responsible, and perhaps quite reasonable in the light of the fact of the 1979 Supreme Court decision.

If there were not such a provision in this amendment, we believe, then the Francophone community would be entitled to get all our laws and statutes translated immediately. This kind of service provision that was outlined in this amendment merely reflects the kind of, shall we say, a realistic and reasonable responsible negotiated agreement between the government on one hand, and the Franco-Manitobans on the other. I can see that this has been a struggle on both parts. The Francophone community is making it possible to allow the governments to fit in time to carry out this translation in a limited way. On the other hand, the government provides the necessary service which, in fact, is the only service that could make it meaningful to make the French language official.

MR. F. JOHNSTON: My question to you, Doctor, is that your statement, in fact, it simply restores the linguistic rights of the Franco-Manitobans as originally provided in The Manitoba Act of 1980, and with no disrespect, sir, not . . .

DR. Y. TSAI: Mr. Chairman, Sir, that statement there is simply referring to the first portion where these rights were restored.

MR. F. JOHNSTON: Well up above you say, Doctor, with respect you say as we understand it and your understanding according to your brief, with all your studies is not accurate. If you are saying to me that you agree with the resolution to go further than the 1870 amendment or the 1870 Constitution says; I would ask you if you were saying to me that you believe it should go further? But as you stated here, it's not accurate.

DR. Y. TSAI: I think it's accurate in the sense that that section refers to perhaps the 27(1) and for the 27(2) and subsequent sections where it deals with the other limitations and so on; I must say to you, Mr. Chairman, that I am here representing the views of the community and looking at this from maybe a layman's view. I must say that I am not prepared to hear quarrel or quibble with any of the legalistic technicalities. I will leave that entirely to the honourable members in the committee to sort out in terms of whether that really is a constitution legally appropriate or not.

I will simply say that we endorse the second last paragraph or the last paragraph as I've stated, really we endorse the intent in the principle. We'll leave those all those actual wordings and the technicality to the experts like yourself.

MR. F. JOHNSTON: Mr. Chairman, I would like to inform the gentlemen that I am not an expert. I am just an

ordinary guy who got elected to the Legislature. I am not quarreling with the fact, and please don't get me wrong, if the Chinese community believes that the resolution as presented by the government and the amendments presented by the governments are what they think should be done, you have every right to believe that and every right to make your presentation.

I only bring forward the fact that your statement is not - I believe - not correct in the way it's presented. I have no quarrel with what you believe should be done, but when you say in fact it simply restores the linguistic rights of the Franco-Manitobans as originally provided in The Manitoba Act of 1870, this resolution that the government has presented doesn't do that. It goes beyond that because as I mentioned earlier, Mr. Forest established that very clearly that those rights were backed and are established and as we saw in the small discussion that was here tonight about translations, it is not a courtesy as one of the members mentioned, it is the law of Manitoba. He has every right to it. So I just say to you, Sir, that I'm not quarreling with your decision, you have every right to it. I just question your statements in your brief.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions. Mr. Storie.

HON. J. STORIE: Mr. Chairman, Dr. Tsai, in some of your background comments you talked about the experiences of the Chinese community over their tenure, if you will, in Canada. I wonder if those experiences are what led you to believe that the enshrinement, the entrenchment of rights is the preferable way to go?

DR. Y. TSAI: Yes, sir, that's what we believe.

HON. J. STORIE: What dangers do you see for your own particular minority if the amendments we're discussing today are not entrenched? Do you see that as somehow a danger?

DR. Y. TSAI: Yes, as the minority group, sir, that have had a lot of - shall we say - discriminatory legislation of statutes passed previously restricting the Chinese Canadians from going to certain areas of say public service for example. In fact, despite the fact they have built the railroad, they have strung the western union wire from New Westminster B.C. to Quesnel B.C.; that was in 1866 and it was only eight years after the Confederation in 1867 that the Chinese Canadians' right to vote was taken away. This franchise by the British Columbia Parliament. Here's a perfect example that majority-elected politicians could be subjected themselves to a lot of temporary pressures, be it economic, social whatever, pressures at a time and then may make this kind of legislation that could become very discriminatory and yet that could be of no concern to the majority at large. Therefore, we feel very strongly that in terms of minority rights, we cannot really leave it at the hands on the majority. So we look at the issue of referendum as really very ridiculous kind of proposition.

HON. J. STORIE: Dr. Tsai, you would say that actions such as the previous governments enacting legislation

regarding the operation of Section 23 - I don't know what the specific number of the bill is or - respecting the operation of Section 23 of The Manitoba Act in regard to Statutes. It was passed in 1980 and what it did in effect was make operative those parts of Section 23 pertaining to the printing of legislation. It is an act of the Legislature of Manitoba. It is subject, I suppose to the whims, if governments have whims, like other acts and could clearly be disenacted I suppose at anytime. The fundamental issue is whether you want to have that one step removed from simple legislation.

HON. S. LYON: On a point of order, Mr. Chairman. Just so that Dr. Tsai and the Member for Flin Flon will not be misled, I think he has an altogether wrong view of Section 23.

MR. CHAIRMAN: Order please. The fact that a member has a wrong view in the interpretation of another member is a subject of debate, not a subject of a point of order. A point of order relates to procedure.

HON. S. LYON: It is in this case, with respect, because Section 23 is part of the Constitution of Manitoba, Section 23 was passed by the Parliament of Canada. It is now contained in The Canada Constitution Act. It cannot be changed by the Legislature of Manitoba. That I tell you as a certainty.

MR. CHAIRMAN: I fail to see a point of order. Mr. Storie, please proceed.

HON. J. STORIE: Mr. Chairman, I will accept the explanation of the Member for Charleswood. There are other examples that I could use. The point that I made I think is legitimate and that is that where we enact legislation, where a Legislature enacts legislation, it can be changed at the whim of a government and that by enshrining it, entrenching it, that it is one step removed from that potential.

DR. Y. TSAI: Mr. Chairman, that's the way we feel.

MR. CHAIRMAN: Mr. Plohman. Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, thank you, through you to Dr. Tsai. Dr. Tsai, first of all I certainly want to thank you for your appearance here and for your brief and also for what I think amounted to a very eloquent discourse on justice, on minority rights and on the hardships that various minority groups have to bear mostly and physically, from time to time and from place to place, in a variety of different ways.

However, I would hope in saying that, and acknowledging that, and proceeding from that point, that we can both agree and we can all agree that it is very important, in the examination of this subject, that we do not inadvertently, or otherwise, misrepresent the positions that are being taken here.

My colleague, the Member for Sturgeon Creek, Mr. Johnston, has pointed out that your brief to some extent proceeds from a false assumption that this proposed amendment re-establishes equal status when, in fact, that was re-established by the re-affirmation of Section 23 in 1979. I would ask you if you could advise me,

Sir, and advise the committee, what legitimate rights you feel, or your association feel, are being taken away from the Francophone community? You have said in your brief you believe that to deprive the Francophone community of its legitimate rights on the basis of its being a minority, constitutes a serious threat to all minority citizen groups. That would be a position, I think, that all of us would subscribe to.

I think if we were depriving the Francophone community of its legitimate rights we would all be rightfully and justifiably alarmed. I don't understand where the Francophone community is being deprived of any of its legitimate rights, particularly since the Supreme Court decision in the Forest case and the initiatives undertaken by the government of which I was a member, in reaffirming the rights of the Francophone community in Manitoba in a linguistic sense. So, could you tell me what your association means by that statement? What rights do you feel the Francophone community is being deprived of?

DR. Y. TSAI: Mr. Chairman, I am glad to hear the Honourable Mr. Sherman agree with the sentiments we expressed in regard to the protection of minority rights, in that they cannot be taken away arbitrarily because if you do so obviously you already indicated you agree with me, it would be alarming to, not only the minority and perhaps to all the rightfully justice-minded people like yourself. Insofar as the Francophones' rights, I could only say that if the rights to enjoy the official status in 1870 could be easily abrogated as soon as the Francophone community became a minority 20 years later, is a fact that would alarm us a lot because the very fact that they were able to enjoy 50/50 majority, within 20 years it comes to a 30 percent minority, and now they have come down to 6 percent minority and as far as the Chinese is concerned it is probably less than 1 percent minority. It is not easy, in fact, very alarming.

It was specific rights that have been taken away, I could only say if it's their right to have all the laws written in French, that may be regarded as a right. If that kind of a right has not been provided, even after say the 1978-79 . . . decision, plus the fact that the previous government had restored Section 23, still many of the important laws are not translated, then that to me would be an example that some of those rights are being infringed upon.

The very example, tonight Mr. Forest did not have an opportunity to speak in French, perhaps in a way

confirmed the fact that many of those services are not easily made available, although may not deliberately as a way to deprive their rights, but simply just those rights are not honoured or respected. One thing can lead to another and it's very easy then, not intentionally but through oversight, that this becomes perpetrated as a habit.

MR. L. SHERMAN: Well, Dr. Tsai, are you saying that Section 23, as it existed in history, and as it has been reaffirmed and reacknowledged, does not go far enough in recognizing and enshrining the rights of the Francophone community and, indeed, the anglophone community in Manitoba; that what we need is more than what is in Section 23?

DR. Y. TSAI: Mr. Chairman, I will leave the interpretation of those constitutional laws to some of the legal experts. I don't think I am prepared to make an interpretation to that effect. I could only tell you what we understand insofar as the French language rights is concerned. Even though the experts may interpret quite differently, but the very fact that the Francophone community are not happy at this moment and there's got to be a reason, some very valid reasons, otherwise I could not really see why all this thing has come about today.

MR. L. SHERMAN: Mr. Chairman, we're very close to the 10:30 p.m. adjournment hour, I recognize that, but I don't want to put Dr. Tsai to the inconvenience of coming back tomorrow morning unless he can do so.

MR. CHAIRMAN: There are others members on the list to ask questions, Mr. Sherman, so I will allow you to continue your questioning tomorrow morning at 10:00 a.m. Dr. Tsai, can you return at that hour.

DR. Y. TSAI: Certainly, I will be delighted to.

MR. CHAIRMAN: The hour being 10:30 p.m., committee is adjourned and stands adjourned till 10:00 a.m. tomorrow morning.