



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE
on
PRIVILEGES
and
ELECTIONS

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



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MANITOBA LEGISLATIVE ASSEMBLY**Thirty-Second Legislature****Members, Constituencies and Political Affiliation**

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Elice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Hon. Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virten	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Wednesday, 28 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. Penner and Lyon
Messrs. Anstett, Brown, Fox, Graham,
Malinowski, Lecuyer, Nordman and Scott

WITNESSES: Ms. Margaret Harding, Private Citizen

Mr. Tom Futty, Private Citizen
Mr. Reginald Dubbin, Private Citizen
Mr. H.C. Lim, Chinese Community Council of
Manitoba
Mr. David Osborne, Canadian Parents for
French
Mr. Robert Clague, Private Citizen
Mr. E.T. Annandale, Private Citizen
Mr. Dave Harms, President of the Union of
Manitoba Municipalities

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23
of The Manitoba Act

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MR. CHAIRMAN: We have a quorum, gentlemen. My apologies to members of the public for our late start. I've had a special request, through the Clerk of the Committee, for an individual who does not have private transportation and requires transportation by bus and, therefore, would not like to be leaving the committee at 10:30 this evening because that would be extremely inconvenient, knowing city transit schedules. I am wondering if committee would be willing to move that lady to the front of the list, it's No. 32. I understand her brief is a short verbal presentation.

Is that agreed? (Agreed) Ms. Harding, please, Margaret Harding.

MS. M. HARDING: Ladies and gentlemen, I think the most important thing that should be considered for all of us in our province, for people and governments, we should do everything we can for the economy of our country, instead of wasting millions of dollars that will do nothing but tear us apart. You cannot change things after 90 years without interrupting people in every aspect of life.

We have lived in peace and made this a great country, so let it be, leave it alone. It is so very important that we have a large powerful country, who also is our best

customer, who speak the same language, like the United States. It makes for better understanding between two countries in every aspect of our lives, our involvement with them. It also costs both countries less when there is a common language. What is best for our economy is best for our country. Also, we live in peace so countries come and invest in our country. At least until now, we have everything good, so let it be, leave the good alone, let's count our luck. Let us all work to keep Canada united, instead of tearing it apart, and disrupt everything.

It can also make this country look bad in the eyes of the world, who know us as a peaceful country, which can take years to heal. Countries will not come and invest here when we are fighting among ourselves. We will only succeed in hurting our country and ourselves. It has already started to affect people inward from one to another. For goodness sake, please leave things as they are before we destroy ourselves. We will never be a great country when we don't think of ourselves as Canadians. We are a great country in every way, we are Canadians; let us be proud and lucky to live in Canada. If we solve our own problems, so let other provinces butt out, it only makes things worse; as the saying goes "too many cooks spoil the broth."

Thank you.

MR. CHAIRMAN: There may be questions from members, Ms. Harding.

MS. M. HARDING: Pardon?

MR. CHAIRMAN: There may be questions from some of the members if you will wait for a moment. Are there any questions from honourable members for Ms. Harding?

Mr. Graham.

MR. H. GRAHAM: Thank you, very much, Mr. Chairman. Through you to Ms. Harding: Ms. Harding, when you say leave things as they are, do you mean the way they are without this proposal that is being put forward at the present time?

MS. M. HARDING: Leave it as we speak, our language, our governments, everything that is now; I mean, one language is enough. I mean, let the French have what they have now; but if two languages, we would have to learn to speak two languages and the cost of everything, that is an interruption. I think one language, as it is now, is enough. We live with it, we're happy.

MR. H. GRAHAM: Ms. Harding, in 1979, the Supreme Court ruled that The Official Language Act that was passed in 1890 was invalid and we had to go back to the law that was passed in 1870; is that the one that you want left in place, the one in 1870, or the one in 1890?

MS. M. HARDING: Yes, in 1870.

MR. CHAIRMAN: 1870, did you say?

MS. M. HARDING: Yes.

MR. CHAIRMAN: Thank you.

MR. H. GRAHAM: Thank you very much, Ms. Harding.

MS. M. HARDING: Thank you.

MR. CHAIRMAN: Further questions? Mr. Lecuyer.

MR. G. LECUYER: This law of 1870 recognizes two languages as official in Manitoba. Then, do you still say, leave it as it is.

MR. CHAIRMAN: Ms. Harding.

MS. M. HARDING: No, I'm sorry. I misunderstood, it was 1890 then, the one that was changed into English; that was 1890, right? That's what I meant.

MR. G. LECUYER: Am I correct in understanding your comment as being only one official language for Manitoba?

MS. M. HARDING: As it stands now, yes.

MR. G. LECUYER: Mr. Graham asked you a moment ago, and perhaps you did not understand that clearly, the Supreme Court decision of 1979 said that the law passed in 1890 was illegal, and that we had to revert back to the act incorporated in the Constitution in 1870, which made both languages the languages of the court, of the laws of Manitoba and of the Legislature. Do you then say that we should abide by that, or that we should revert back to the English only law passed in 1890?

MS. M. HARDING: I think we should revert back, because why did we change it? If they weren't satisfied 90 years ago, why wasn't it changed then; why now? I mean, this is not good.

MR. G. LECUYER: You realize, Ms. Harding, of course, that is a decision of the Supreme Court of Canada.

MS. M. HARDING: Well, I think, if it had been so important that we should not have been English, I don't think that law would have been changed at that time.

MR. G. LECUYER: Well, you realize Ms. Harding that the province did not want it changed, the Supreme Court decision forced the change in 1979.

MS. M. HARDING: 1979. What is the great change from '79 to what it was before in 1890?

MR. G. LECUYER: Ms. Harding, as I asked you a while ago, if you understood the change; I think, if I gathered correctly, you understood what happened in 1890, and I asked you whether you wanted to revert then to what it was in 1890? Am I correct in having understood that you said, yes? Now, the change in 1979, do you not

understand, Ms. Harding, that what it does, this change, is revert the situation back to what it was in 1870?

MS. M. HARDING: No, that's no good.

MR. G. LECUYER: You don't agree with that?

MS. M. HARDING: No, I don't. I just misunderstood you. I didn't know too much about 1979, I guess.

MR. CHAIRMAN: I don't see any further questions. Ms. Harding, thank you very much for your presentation here this evening.

MS. M. HARDING: Thank you very much, Sir.

MR. CHAIRMAN: Mr. Tom Fuddy.

MR. T. FUTTY: Mr. Chairman, and honourable members; first of all, I'll have to tell you I'm against bilingualism, that is, the two language system; and I don't like the legislation the government proposes to pass, that is Section 23.

Mr. Chairman, the cost of running a two-language system is staggering. Now, of course, Trudeau will never tell us the true cost; then, of course, there are hidden cost factors. Now, I ask you, have we all gone mad? Well, I'd suggest our governments have gone mad. To put the matter in the most simple terms, if Eatons's has a sale on, it doesn't mean that you and I have to buy it. So, by the same token, you and I don't have to buy this garbage the governments are trying to sell us.

Now, a co-worker of mine, a Ukrainian man, told me he was sending his boy to school on Saturdays for instruction in the Ukrainian language. He felt this was the way to go; that is, pay your own way. At the end of the French-British war in Eastern Canada the British Monarch, at that time, gave the French people some very generous offers; one of these was the French may maintain their language. Now this does not mean the other ethnic groups in Canada have to accept the French language.

Many years later, Pierre Elliott Trudeau appeared on the scene; Trudeau saw a loophole in this generous offer the reigning Monarch gave to the French people. Trudeau used this loophole for his own political advantage. What Trudeau did was not even legal, bringing in a bilingual system; this man, Trudeau, is splitting Canada apart. Trudeau has no respect for the parliamentary system. To put it bluntly, Trudeau is a traitor.

Mr. Chairman, the Federal Government and the Manitoba Government tell us the majority of people are in favour of the two-language system. If that is the case let the Federal Government give us 15 million names of Canadians who are in favour of the two-language system; also, can the Manitoba Government give us 1 million names of Manitobans who are in favour of a two-language system?

Some of the previous speakers made some very interesting points. Maurice Prince, a man with a beautiful French accent, I believe he was standing on neutral ground, he said everything was okay. He summed up by saying everything would come to the French people, maybe next year or 10 years from now.

On the other side of the coin another previous speaker made some very bad statements, a Professor Donald Bailey. Professor Bailey said the French people had English rammed down their throats. So now I ask you, would the French people prefer to have the Russian language rammed down their throats? In North America, English is the leading language; all over the world English is accepted as the leading language. Another point that Professor Bailey made was the French people were held down in their jobs. Now, this is an outright lie. I have travelled this country from coast to coast and I have seen French people set up in supervisory positions.

Mr. Chairman, a couple of weeks ago a woman phoned into the Peter Warren program; she was annoyed at hearing so much about Francophones and Anglophones. She went on to add Saskaphones, Charliephones and all the rest of them; she was quite annoyed. Well, I can see her point. Back in my younger days things were different, we were English and French, Germans and Ukrainians, Italians and a few other ethnic groups. We had our own little sayings for every ethnic group, of course, it was all done in a good spirit. I remember a joke we had for the Italian boys, and it goes like this: Did you hear about the new Italian tires that came on the market? When they turn around they go wop, wop, wop, wop, wop.

Now, my next door neighbour is a Jewish boy. I remember one night I had he and his wife in for coffee. Somehow we got to talking about English plum pudding. Well, my Jewish neighbour said the first time he had English plum pudding was in a Chinaman's house. Now, only a Myron Cohen could come out with a statement like that.

Mr. Chairman, about 20 years ago the Federal-Liberal Government were promoting universal programs. These programs were to be thrifty, save money, etc. Now I fail to see how bringing in a two-language system program will save money.

Mr. Chairman, on the flag issue, where the American flag was burned at the American Embassy, the U.S. Government asked for an apology from the Manitoba Government and have never received that apology. I am of the opinion that the Manitoba Government must send the American Government an apology.

Mr. Chairman, I would hope these meetings will have some meaning. I would hope the Manitoba Government has been listening; however, the Manitoba Government can pass the legislation at any way it sees fit, so here is reason for doubt. Some people I've talked to think they should take some other kind of action; some people say there should be some way to fight back, yet they don't know how.

Mr. Chairman, the Federal Government and the Manitoba Government should scrap this two-language system. I would suggest now is the time for the Manitoba Government to do something for another ethnic group - the Chinese people. I would suggest the Manitoba Government should give every man, woman and child, that is, Manitoba Chinese citizens, a gift of \$10,000 tax free.

That's the end of my brief, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Fuddy. Any questions for Mr. Fuddy from members of the committee?

Mr. Lecuyer.

MR. G. LECUYER: Thank you. Mr. Fuddy, are you a law-abiding man?

MR. T. FUTTY: Yes, I am.

MR. G. LECUYER: Mr. Fuddy, how do you propose then to proceed with the one language only, in view of the Supreme Court decision of 1979?

MR. T. FUTTY: Well, of course, we never know which way the Supreme Court will go. The next issue they may handle, nobody here can answer that question, it's up for grabs.

MR. G. LECUYER: Well, this is a decision they made in 1979, that's why I asked you if you were a law-abiding man, do you think we should abide by that decision?

MR. T. FUTTY: That was on the speeding ticket, I believe, was it?

MR. G. LECUYER: This is on the Constitution. The decision which pronounced the law of 1890 illegal, and which reintroduced, by the very fact, the law of 1870.

MR. T. FUTTY: Well, I believe at that court hearing they were referring to a speeding ticket, and I would say in that sense we should obey the law, certainly.

MR. G. LECUYER: Mr. Fuddy, I have a hard time understanding what you say when it was illegal, the Federal Government did an illegal act, and used the word to bring in the bilingual system, you were referring to the 1969 Official Languages Act? Is that what you were referring to?

MR. T. FUTTY: Yes, that would be a part of it.

MR. G. LECUYER: You are aware, Mr. Fuddy, that all three parties in the House approved and supported this policy?

MR. T. FUTTY: Yes, I would go along with that.

MR. G. LECUYER: How would you then describe it as being illegal?

MR. T. FUTTY: I would say it's against the will of the people, the majority of Canadians.

MR. CHAIRMAN: Further questions by honourable members? Seeing none, Mr. Fuddy, thank you for your presentation.

MR. D. MALINOWSKI: I have a question.

MR. CHAIRMAN: Sorry, Father Malinowski.

MR. D. MALINOWSKI: Thank you, Mr. Chairman. Mr. Fuddy, I would like to ask you, do you now any country where more than one language is used?

MR. T. FUTTY: Oh, certainly, I have travelled countries where more than one language is used.

MR. D. MALINOWSKI: Would you name them?

MR. T. FUTTY: United States of America; I have travelled a Caribbean cruise where I've spoken to many people around the world.

MR. D. MALINOWSKI: How about in Europe?

MR. T. FUTTY: I haven't travelled through Europe, but I've talked to people from Europe. I have been told in some other countries they speak more than one language.

MR. D. MALINOWSKI: I believe in your presentation you said that if we would be using two languages here in Canada that we may have, sort of, a chaos. I would like to ask you, for instance, in Switzerland they are using two languages and I heard that they have the highest standard of living in Europe, would you explain it to me? They are not poorer than we are, but their standard of living is higher than ours and, even I was informed by my colleagues they were using more than two, I believe, four or five different languages, but I believe two of them are official languages, or five, or four of them are official, so would you explain it to me, your point of view that you are saying that we may have sort of a disturbances and disharmony, or something like that, if we would be using two languages in Canada?

MR. T. FUTTY: Well, our governments in Canada are wasting millions on a metric system and a two-language system that the people of Canada do not want.

MR. D. MALINOWSKI: Do you realize, or are you aware about the fact that Canada, from the beginning, was composed of two nations and, according to the Constitution, we have two languages; are you aware of it?

MR. T. FUTTY: I am quite aware of that, yes.

MR. D. MALINOWSKI: Now, talking about this proposed resolution to amend Section 23 of The Manitoba Act, you are making comparisons with Eaton's sales, something like that, and then you were using a statement which I don't like very much, and I would like to repeat - correct me if it isn't correct. You said, "We don't have to buy such garbage." Would you explain what you mean by such a statement? We are dealing with the Constitution, sir, not with garbage. Would you explain to me what you mean by this statement?

MR. T. FUTTY: What I mean by that? The Canadian people aren't accepting the two-language system, or the metric system, they're against it.

MR. D. MALINOWSKI: Yes, but, Mr. Chairman, we're dealing with the Constitution with the language, not with the metric system; one thing has nothing to do with the other, so it doesn't go together.

MR. CHAIRMAN: Order please. The delegation answering questions isn't required to answer the question in a satisfactory fashion for members. Questions can be placed, members are expected to accept the answers they get; the answers are intended to only to clarify those things which members did not understand in the brief. It is not proper to engage in debate.

Further questions for clarification? Father Malinowski.

MR. D. MALINOWSKI: No, thank you very much.

MR. CHAIRMAN: Further questions by members of Mr. Futty? Seeing none, Mr. Futty thank you very much for appearing here this evening.

Reginald Dubbin. Mr. Dubbin, please.

MR. R. DUBBIN: Mr. Chairman, members of this committee, ladies and gentlemen, my name is Reg Dubbin. I am a Canadian citizen and an English-speaking resident of Winnipeg. I am speaking against the government plan to extend French services and entrench them in the Constitution.

I do not afford myself the opportunity to speak very often on occasions such as this, and for that reason I may not speak as well as I would like to. Regardless of who I am, or how well I may speak, there are some instances when one must rise to the occasion and protect the rights of Canadians by whatever means possible. It becomes increasingly evident to me that non-French Canadians must speak out more often, more forcibly, and with more authority if we are to stave off the threat to every language right in Canada, except French. The bilingual issue that Manitoba is confronted with is too important for me to let it pass without stating my case as I see it.

I have travelled through Quebec many times in years past and I have enjoyed every trip I've ever made. My visitations there, however, were made prior to the time when the Parti Québécois took over the French Government and decided that doctors, for instance, could be charged with letting patients die in English; it was before Mr. Trudeau enacted his "do it in French" legislation. I have not, therefore, had to deal with the stringent measures of Quebec. I am fortunate that I don't have to be concerned about losing a job, as in the case of federal bilingualism for civil servants, or not being able to get one for the same reason.

I am fortunate to live in a province as tolerant of all languages as is Manitoba. In the 26 years that I have lived in Winnipeg, I have not been aware of any great discriminations against any ethnic group, and there are many ethnic groups in this city and in Manitoba. There has been what I would call skirmishes with one ethnic group or another; nothing serious, nothing prolonged. To me this province reflects the freedoms of this country, where ethnic groups are welcome to settle and encouraged to develop their culture and their way of life. Community clubs are welcomed; ethnic stores with ethnic signs flourish. Many languages are spoken; many languages are taught; it is the way of life of most of Canada. Manitoba, and those living here, have a great deal of freedom to protect; not French freedom; not English freedom; but Manitoba's multilingual freedom.

The biggest ethnic problem Manitoba and Canada faces today comes from the country's second largest

ethnic group. These people seemingly do not respect the freedoms which they have continually used to their advantage. It is not a freedom they extend to others where they have the political power to withhold it, as in Quebec. Neither do they believe in developing their own culture, or their language, as other groups do. They believe, seemingly, that they are the chosen ones and they have preference over other groups and, to that end, they legislate and discriminate against every other ethnic group in Canada. At times the legislation they pass works as much hardship against their own ethnic group as it does against others.

I am, of course, talking about the hard-nosed politically motivated French in Canada; that doesn't necessarily mean all French. They continually demand more and more concessions in Canada, and presently have just received some recently in Manitoba, and are presently looking for more. While in Quebec . . .

MR. R. NORDMAN: Mr. Chairman, we have half-a-dozen conversations going on here.

MR. CHAIRMAN: Please proceed, Mr. Dubbin.

MR. R. DUBBIN: Thank you. While in Quebec, they do a complete reversal. They deny all the ethnic groups the freedom with which Canada is normally associated. It is the French way of dealing their peculiar brand of "Made-in-Quebec" fairness. In Quebec ethnic groups are faced with some of the most discriminating laws in the civilized world. Language, business, education and entertainment all come under the heel of the Language Commissioner. It is a complete system of bigotry and legislated discrimination. It is a strange situation that finds a country, such as Canada, boasting about its freedoms, when something like 30 percent of the population limits or legislates what the other 70 percent can do; or more correctly, in Quebec can not do.

Geographically, we are not located in an area where French language is important. Certainly it is not required, or even of any use in dealing with North Americans, in general, or many European countries. The language of the world is predominantly English, so Canada affords itself nothing by legislating French, or by writing off all the ethnic groups as they do in Quebec. The business world of trade, commerce, multinational assemblies, etc., all show a predominance of English. In Canada the continual expansion of French language simply takes us in the wrong direction. Our greatest concern, of course, should be what happens within our borders.

Let's examine Quebec a little closer. It has always been predominantly French with a balance of some 15 percent comprised of other groups, including English. In the past few years Quebec has passed laws that effectively make it a French-only province in language, education, business, and even entertainment. This legislation denies education in any language but French for most of its people. Their likes or their rights as Canadians matter not at all. No business can erect signs in any other language but French; a clear denial of basic rights to even the French businessman in Quebec who obviously counted on other than French signs to enhance his business activity.

A recent news item advises that bilingual traffic signs are being removed from Quebec streets. A change that will, no doubt, affect tourist trade. What we have is a French society in Quebec so engrossed in protecting itself that it drives out all else. Good and valuable people leave the province, both French and English speaking. Businesses fold their factories and move to the province next door. Many residents of Quebec, both English and French, are fed up with legislation that brands Quebec as a weird and not so wonderful place to live.

Quebec legislation is so discriminating that it accomplishes from within its borders the very thing it strives to guard against from without. The cure to keep Quebec entirely French is turning out to be worse than the so-called ailment of enjoying a multilingual society, as does the rest of Canada.

The mentality that once bombed mail boxes has apparently moved into the government offices in Quebec City. I have to be concerned about that because I am Canadian and so is Quebec.

I understand there were members from the Alliance Quebec at these hearings presenting their views. Their hope is that Manitoba will give extended French services because it may help them with their minority group rights in Quebec. That, in itself, has to be a sad reflection on the state of affairs in Quebec. It is a province against everything not French. Minority groups plead for language concessions in Manitoba in the hope that life will be made more tolerable for them in Quebec. It is a situation that is not unlike that of hostage taking, or even kidnapping, where the victims plead for consideration from others to satisfy the greeds or the whims of the offenders. That, apparently, is the way of the French language promoters in Canada.

Manitoba is also greatly affected by the Federal Government in Ottawa, as are all Canadians. Here, again, we run into all kinds of pro-French legislation to shore up, if you will, the 30 percent French population in Canada who seemingly can't make it alone. There's funding for Franco banks; hundreds of millions of dollars spent for signs saying we're bilingual; bilingual printing on everything that the Federal Government puts out, duplicating and publicity. Their legislation affects everybody and everything. Everything made or imported must carry labels and instructions in French as well as English.

Pro-French legislation warns us that we can't apply for Federal Government grants unless our companies are bilingual. Companies don't get federal contracts unless they have bilingual employees. It is a tiresome, tedious, diatribe of what we must be, in French; what we must do, in French; in order to live, not in France, but in Canada.

Ours is a country where a predominately French Government in Ottawa has wrought havoc with the rights of the majority and promotes instead the language and culture of a minority; declaring Canada to have two founding nations when by today's figures comparatively few French ventured past the Quebec-Ontario border; a government that declares Canada bilingual and does nothing to correct the horrendous situation in Quebec which at the time of writing was still a part of Canada; passing legislation that itself is so pro-French and standing idly by while pro-French commissioners initiate or tolerate the misuse of legislation that is supposed to be fair; in general, turning

the promise of a just society made by Trudeau some years ago into a just French society of today or tomorrow.

More recently Trudeau has offered to help Manitoba entrench French language rights in our Constitution. He seems so pitifully helpless to take issue with language atrocities in Quebec, but so anxious to extend the same unsavory conditions to Manitoba. It was to be expected that Trudeau would try to get his infamous finger into the Manitoba pie. Mr. Pawley has to be commended for his "hands off" advice to Mr. Trudeau.

Throughout the years of Confederation, Manitoba has shared in the growth and the glory of being a part of Canada. It has not always been labelled the most important province in Canada; I think, that is the part it is now about to play in Canadian history. The issue will be bilingualism.

The question posed now and for all Manitoba is simply this, do we go on to support freedom in Canada as usual, or do we embark on a road that will see us become as bilingual, as bigoted, as discriminatory as Quebec? Do we become a province that will eventually make life so miserable for our own ethnic groups that they too will flee further west in the future, pleading with other provinces to make concessions to French demands, in the hope they may live in peace in Manitoba? For Manitobans the answer should be pretty clear; if you must live with French at its bigoted worst, go to Quebec; don't convert Manitoba. For those who decide to make the trip may I suggest that you stop in, get a first-hand view of the three-ring circus that is run by Mr. Trudeau. See a mind-boggling array of people in charge of French affairs, for which "being French" alone seems to qualify them. A Secretary of State who refers to Manitoba as a "French State," not a bilingual state, in his terms a "French State." That is what he thinks; that is what he will try for. A Federal Government whose outstanding success to date is a majority government that has enabled them to promote French in all its forms, and at the expense of all other ethnic groups in Canada.

No one will deny that Manitoba entered into the Confederation of other provinces with a bilingual status. History, however, and a count of ethnic groups in Manitoba tells us that the arrangements were not consummated by the expected influx of French people from Quebec. The French in Quebec stayed in Quebec, raised their large families, supported their large churches. They apparently were happy there, and they let Manitoba be populated, for the most part, by other ethnic groups who were, or became, English speaking. Subsequently, the laws were changed to conform to the new population; not legally correct, perhaps, but warranted under the circumstances. Under the new arrangements Manitoba's population grew, as indeed, did the rest of Western Canada. Homesites were built, fields were cultivated, rivers were harnessed, cities sprang up. There was plenty of blood, plenty of sweat, and plenty of tears in building the west, and not too much of it was French in Western Canada. Only a small percentage of French have lived in Western Canada for a significant period of time.

It is, therefore, a great injustice that the Supreme Court of Canada has inflicted on this province by reinstating a bilingual law of some 100 years ago. There could be many reasons for the decision, the least of which, in my opinion, is fairness.

I don't take my present stand because I am discriminatory, or hateful, or bigoted. I speak, on this occasion, because I object to the hard-nosed professional Frenchman who would inflict his language, his culture, and his laws on the rest of Canada and on all other ethnic groups. Manitoba may have to have a bilingual government service, as per the Supreme Court of Canada's ruling, but it should offer no further extension of any service. To do so is to appease the Quebec radicals, to encourage the professional Frenchmen who prowl Western Canada taking issue with telephone answering practices in all national companies, like Air Canada, and the Mint; checking on unilingual signs, like CNR, and all the while continuing to insist on a French version of "Deutschland Ebber Allis" in Quebec, and possibly in all of Canada.

We have seen the expansion of French in Canada, not by honest effort, but by legislation. Many of the methods used are devious, at best. Let's stop the spread of the malais that is Quebec here and now. If the French in Canada want concessions in Manitoba, let's see what freedoms the French are prepared to reinstate in Quebec. I, for one, am not willing to share my hard-won first place language rights with a fourth place contender, particularly not when the contender is French and abusive to other groups in Quebec. Particularly not when there are two other linguistic groups, I say, more deserving, I'll change that to just as deserving in Manitoba.

At this point the threat of Quebec separation is not of prime importance. Apparently it is the provincial intention and the intention of the Federal Government to subscribe to the bigot system in both provincial and federal affairs. It is not good enough for the rest of Canada and it will have repercussions. The Canadian way is to see that a different government brings about a more acceptable state of affairs. It is not something one can count on, not from Quebec in any case. They have been, still are, the "special status" province of Canada. They consistently take more than they give. Quebec, in many respects, is the spoiled brat of Canada. It kicks the hell out of all other ethnic groups in Quebec and then comes hat in hand, and 70 years late, to Manitoba demanding, threatening, using every trick in the book to establish further inroads to language privileges at the expense of all other ethnic groups. Some ethnic group in Manitoba are said to be siding with the French for extended French services. It's hard to believe. The offer of assistance, by French, or other ethnic groups, once French is established, is almost tragic. I simply base that comment on how they treat other ethnic groups in Quebec.

If ethnic groups want the true story, I say again, look to Quebec and see the considerations they get once French is established provincially. We may not be dealing with Quebec, but we are dealing with French people and there is an influence from that province. The story will be the same if Manitoba ethnic groups let it develop.

There is plenty of room in this vast Canada of ours for all multinational groups. The French in Manitoba and the non-French in Quebec. But, if the professional, hard-nosed, promoters of French continue to press for considerations beyond all reason, I see a different kind of Canada unfolding. If the French in Manitoba were legislated against to the same extent as non-French

in Quebec, the hue and cry would be heard around the world. The French simply are not prepared to be treated in the same rough-shod manner they lay on others. To our credit in Manitoba, we have not been prepared to mistreat any ethnic groups in the same shameful manner.

This province should toughen its stand against bilingualism. It should not offer to extend services to the resident French. The French people in Manitoba have been treated the way they deserve to be treated, like any other human being of equal status. That's a lot more than non-French get in Quebec. If this means that Bilodeau is to continue his case against the province, so be it.

I don't think Supreme Court action on the Bilodeau case would have been called off if its promoters had felt that they had a chance of winning. It is more likely they felt they had a better chance of getting more concessions by using the case as a threat and letting it go to a decision. A threat, an offered compromise, court action, I see, as all part of an action to see French elevated from fourth place to first place in the language issue. I don't think French in Manitoba are really concerned about the government getting a decision "the province can't live with," as stated.

I think they are more likely concerned that the Supreme Court will find in favour of Manitoba; they will then have to settle for what they're entitled for. It is my opinion they are accustomed to more.

If the same amount of federal money was spent on all other ethnic groups, in proportion to their size, as is spent on the promotion of French, this country would be bankrupt very soon. We are spending hundreds of millions of dollars annually to develop or promoting a language and culture that has no market value. The money would be far better spent on technological and industrial improvements, where all Canadians, not only French Canadians, could benefit from it.

Let me say it once more: French language and French culture is an important part of Canada's multilingual society, but French is not the most important part of Canada's multilingual society. The French language and French culture simply isn't worth the outrageous price other Canadians have to pay for it. I ask you to think about that fact.

In closing, Mr. Chairman, let me add this: If the government entrenches any French rights in the Constitution, all Western Canada and future western provincial governments will have good cause to regret it. A demand will be immediately created for French services that aren't really required; that is as I see it.

The entrenched legislation will suffer the same misuse as does other pro-French legislation. Future years will see a gradual erosion of all rights except French. Slowly, but surely, we will become "Quebec West," formerly Manitoba.

The present Manitoba Government is responsible - and I might direct these comments particularly to Mr. Penner - to 100 percent of Manitoba's people. It is folly to favour the 5 or 6 percent French population simply because they are French. If the Constitution, as it is, satisfies 94 percent of the people in Manitoba, then it should be good enough for everyone.

One special province in Canada is one province too many.

Respectfully presented, Mr. Chairman, that concludes my presentation.

MR. CHAIRMAN: Thank you, Mr. Dubbin. Questions for Mr. Dubbin from members of the committee? Seeing none, Mr. Dubbin, thank you very much for your presentation.

H.C. Lim, Chinese Community Council of Manitoba. Mr. Lim, please.

MR. H. LIM: Mr. Chairman, Honourable Members of the Legislative Assembly, my name is H.C. Lim, and I'm here representing the Chinese Community Council of Manitoba in support of the proposed constitutional amendment, extending French Language Services in Manitoba.

Many speakers preceding me have spoken of the principles of justice and minorities' rights in support of the proposed amendment. Their stand is sensible, rational and a correct one. However, the Chinese Community Council of Manitoba views the issue beyond the principles of justice and minorities' rights because it concerns the national identity or characteristics of Canada.

A lot of people have wondered as to how we Canadians are different from the Americans. What are the distinct characteristics of Canada? How have we managed to maintain our distinct identity for the last 100 years or so? Among the most distinct characteristics of Canada, especially in relation to the United States, are the monarchy, the parliamentary system of government, and what has been generally known since the '60s as the French fact. These characteristics have until now served as the principal bulwark against cultural assimilation by the United States, preventing Canada from becoming her 51st cultural state.

In view of the increasingly closer economic ties and expanding level of travels and communications between the two countries and a growing penetration of American mass media, for instance, radio, television, newspapers, magazines, books, etc., it is imperative that the French fact be strengthened. The belated discovery of the value of multiculturalism and adoption of the policy of multiculturalism in 1971 has without question significantly strengthened our distinct cultural identity. However, multiculturalism can now replace the French fact and bilingualism as a principal bulwark against American cultural assimilation.

First, historically, it is only after the Canadian people have to come terms with the French fact and adopted the policy of bilingualism in 1969 that we finally accepted multiculturalism. Also, 26 years after it had abolished French as an official language of Manitoba, the Government of Manitoba, in 1916, banned the teaching of all non-English languages in our schools. In other words, the destiny of French as an official language of Manitoba and the preservation and promotion of ancestral languages are closely linked. The strengthening of the French fact will in turn allow for the strengthening of other ethnic languages and cultures. Conversely, the weakening of the French fact will only mean ignoring history, but also imply a certain protection of a major heritage of Canada, thereby undermining the very rationale for multiculturalism.

Secondly, replacing the French fact with all the ethnic languages and cultures will, for all practical purposes, mean the ascendancy of English as the single

overwhelmingly important language of this country. As a result, it will be only a matter of time before Canada accepts the American motto of "melting pot," and we will all speak not Canadian - whatever that means - but American; and known not as Canadians, with a hyphen, as some opponents to multiculturalism have wished, but Canadian-Americans.

In short, we need to strengthen the French fact, while at the same time promoting multiculturalism to avoid our country sliding into accepting the American motto. Some ethnic minorities' people are concerned that the extension of French Language Services may be at the expense of other ethnic minorities. They fear that the rights of other minorities will be restricted and less public funds will be made available to them, if the rights of the French-speaking Manitobans are extended.

These are understandable concerns; however, the fundamental issue here is not whether by extending the French Language Services public funding for other ethnic minorities will be adversely affected. The question is how truly and seriously the government is committed to the policy of multiculturalism. If it is truly and seriously committed to preserving and developing the multicultural heritage of Canada, it must and will increase its fundings for French and other ethnic language and cultural programs.

On the other hand, if its position on multiculturalism is primarily politically motivated, public fundings to other ethnic communities will not likely be increased, even if the level of fundings to the French-speaking communities is cut.

During the past few months, a lot of people have questioned the cost for the extension of limited French Language Services under the proposed amendments. Some people even wonder if the extension is at all needed, because, after all, practically all French-speaking Manitobans speak English, and good English.

All those who are, or have been involved, in the promotion of multiculturalism realize that it is a very costly business, but they'd never believe that it is right to measure the value of a culture primarily in terms of money. The same should apply to the promotion of French as the second official language of Manitoba and Canada nationally.

We would also like to say that we want to preserve and promote our language and culture, not because we do not speak or understand English, but because we are proud of our heritage. We should endeavour to build a nation of proud people, not people who are ashamed of their own heritage.

In conclusion, the issue before us is not simply a French issue or a minorities' issue; it is a national issue, an issue concerning all Manitobans and Canadians, because it involves the survival of Canada as a nation with a distinct identity. Thank you.

MR. CHAIRMAN: Thank you, Mr. Lim. Questions for Mr. Lim from members of the committee?

Mr. Lyon.

HON. S. LYON: Mr. Lim, I was interested in your statement about Canada having to become bilingual if it were to escape becoming the 52nd or the 51st state of the United States.

In view of the fact, Mr. Lim, that Canada was not officially bilingual until 1969, how do you suppose we

made out for the first 102 years, avoiding becoming the 51st state?

MR. H. LIM: Although Canada was not officially a bilingual state, but as I mentioned in the very beginning, the French fact has been in existence from the very beginning. We have only officially, more or less officially, adopted what has been in existence for many years and, like this present amendment, does more or less define more clearly as what that special status should be and the kind of situation that the majority of the people demand.

HON. S. LYON: I'm interested in your view of the French fact, which we all acknowledge in our country, but with respect to bilingualism, you agree that there was no official bilingualism in Canada until Mr. Trudeau's act of 1968-69, The Official Languages Act. Right?

HON. R. PENNER: Not true.

MR. G. LECUYER: Not true.

MR. CHAIRMAN: Mr. Lim, could you repeat . . .

MR. H. LIM: By the same . . .

HON. R. PENNER: Not true, totally wrong.

HON. S. LYON: Totally true.

HON. R. PENNER: Section 133 of The BNA Act.

HON. S. LYON: Read it.

MR. CHAIRMAN: Order please, order please.

MR. H. LIM: As I was saying, the 1969 Official Languages Act, as I have just stated, more or less incorporated what had been in existence, and to some extent maybe you can say in terms of it, expanding, just like the present language rights under Article 133. It already stipulated both French and English as the languages for the Legislature, and for Parliament, and for courts. Now basically, it has that kind of official status, but that situation, as far as I can understand, I think we have to view this in terms of the nature of government at a particular period of time. In that sense, the 1969, I think, Official Languages Act more or less updated the question of official languages of both English and French.

HON. S. LYON: In view of the interesting interjection by the Attorney-General, who seems to have memory lapses on these matters, perhaps, Mr. Chairman, we could have somebody read 133, which says, according to my recollection of it, and I stand subject to being corrected by the text, that French and English may be used in the Legislature of Quebec, may be used in the Parliament of Canada, may be used in the Courts of Quebec, and in the Federal Courts of Canada, and that the statutes of Parliament and of the Legislature of Quebec shall be published in both languages.

Now, are you saying, Mr. Lim, that that made Canada officially bilingual?

MR. H. LIM: I'm prepared to accept that as making Canada officially bilingual.

HON. S. LYON: If that's the case, then why did Mr. Trudeau pass the act in 1969?

MR. H. LIM: Personally, my understanding is that actually they are - well, you know, it depends on one's interpretation, I think.

HON. S. LYON: I think so.

MR. H. LIM: In the sense that you have just raised a question, the very fact that you have raised a question, it means there is some uncertainty in the minds of some people, so they avoid that kind of uncertainty. So maybe there is a need for a new official act to try to clarify that kind of misunderstanding.

HON. S. LYON: Mr. Lim, let me assure you, there was no misunderstanding in the mind of Mr. Trudeau or in my mind that Canada was not a functionally bilingual nation until he passed the law, which was supported by the all of the parties in Parliament in 1969, but let's not get revisionist history into this, because of terminology that other people . . .

MR. CHAIRMAN: Question please.

HON. S. LYON: I'm getting to the question, Mr. Chairman, you will know it when I get to it.

MR. CHAIRMAN: Order please.

HON. S. LYON: Mr. Chairman . . .

MR. CHAIRMAN: Order please. Mr. Lyon, I asked you to ask a question because those are the rules established by this committee, and when you suggest in some way that you will take your leave to do so and not respect the Chair, I suggest to you that that's not proper behaviour for members on the committee. The Chair has to follow the guidelines of the committee, and I have to ensure that members follow them. Questions are for clarification and should be short, without extensive preambles. Those are the rules that have been established. Would you please proceed?

HON. S. LYON: I'm well aware of the rules, Mr. Chairman, and I will follow the rules. If you are unable to keep up with the line of thought that is being pursued in the question, that's your problem. But I will ask questions that are relevant and in accordance with the rules.

MR. CHAIRMAN: And I will ensure that you do. Please proceed.

HON. S. LYON: Well, I will ensure that the questions I ask are proper; I need no guidance from you.

MR. CHAIRMAN: I will determine whether or not you need guidance.

HON. S. LYON: Well, if you're backed up by your socialist majority, I guess you will. That's the only way you will pass any judgment.

MR. CHAIRMAN: Mr. Lyon, are you prepared to ask your questions or would you like me to recognize another member?

Mr. Lyon.

MR. G. LECUYER: Who's harassing who?

HON. S. LYON: I'm prepared to continue my questioning without harassment by the Chair.

So, Mr. Lim, in 1969, when The Official Languages Act was passed, you are prepared to accept the fact that Canada then became officially bilingual. Right?

MR. H. LIM: As I said, at the beginning, to some extent this is subject to interpretation as to what is meant by an "officially bilingual state" at that point in time.

HON. S. LYON: Isn't it, Mr. Lim, very simple that if we were, as you try to imply or seem to imply, if we were officially bilingual before 1968, there would have been no need for the act. Right?

MR. H. LIM: What I'm trying to say is that the existence of this French fact has served as a kind of bulwark against assimilation, against cultural assimilation by the United States. And, as I also mentioned, like there are already provisions in The BNA Act that allows the French language to be used on a kind of official position. As you mentioned, it was used in the Legislature or Parliament and in the courts, so it has that kind of official status already. But I think what I personally somehow feel that you must have misunderstood my position. What I'm stating here is that there was this French fact and involved a number of things, involving French culture as an institution, involving the fact that the French language can be used or could be used in the Legislature, in courts, that kind of situation.

In '69, without being very semantic or technical simply incorporate to clarify or to avoid certain kinds of confusions, certain kinds of controversy, that may arise from simply relying on some, perhaps, wording that was perhaps considered quite accurate in 1867, but may not be considered too accurate or too clear in 1969. I think the 1969 Official Languages Act is also a result of, as you know, the Bilingual Bicultural Commission. Whether you want to consider that it has only officially become bilingual in 1969, I think it is, to my mind, rather immaterial.

HON. S. LYON: Are you aware of the fact, Mr. Lim, that there was no quota system for the hiring of bilingual people in the Civil Service of Canada prior to '69? Wouldn't you say that was quite a new addition to the Civil Service and to the merit principle?

MR. H. LIM: That's maybe the reason why there was a need for The Official Languages Act.

HON. S. LYON: You are entitled to your view, but wasn't that new in '69 as a result of The Official Languages Act?

MR. H. LIM: I do not know about the details.

HON. S. LYON: Mr. Lim, if you don't know the details, then you're propounding a statement then that you say you can't defend.

HON. R. PENNER: I object to that, he's putting words in the mouth of the witness. It's not a conclusion which follows . . . This is again a case where you ruled before, Mr. Chairperson, of providing extraneous material, extraneous to the brief of the witness, and then asking for a directed comment.

HON. S. LYON: That's exactly what he said, Mr. Chairman.

HON. R. PENNER: It's not.

MR. G. LECUYER: That's not what he said.

MR. CHAIRMAN: The point is well taken, please proceed with questions for clarification, Mr. Lyon.

HON. S. LYON: You make the point that concurrent with the passage of The Official Languages Act in 1968-69 that multiculturalism was acknowledged, and you seemed to tie the two in together to say that, as a result of The Official Languages Act, that gave a stimulus to multiculturalism. Are you aware of the official view of the Federation of Francophones outside of Quebec about multiculturalism?

MR. H. LIM: Which particular point are you referring to?

HON. S. LYON: Are you aware of the publication called "Manifesto of a Vanishing People," the errors of Lord Durham, wherein on Page 65, "Multiculturalism is described as . . .

MR. CHAIRMAN: Order please.

HON. S. LYON: . . . a threat to French culture?

HON. R. PENNER: Objection. A point of order.

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

HON. R. PENNER: Twice today you have ruled and you have ruled once with respect to me, once with respect to someone else, that reading extraneous material to a witness for comment not arising from or referred to in the brief is not in order. I accepted your ruling; the other person, I believe it was Mr. Scott, accepted your ruling; someone else on the opposition side accepted your ruling. That has been your ruling consistently followed throughout these committee hearings.

MR. CHAIRMAN: Further comments to the point of order?

HON. S. LYON: No, Mr. Chairman, I just want to carry on.

MR. G. LECUYER: Well, I want to make the same point. The reference just made by the Leader of the Opposition is extraneous to the brief presented, and I think it's wholly out of order.

MR. CHAIRMAN: Clearly the guidelines established by the committee are that there shall not be debate,

questions of justification with regard to positions, but rather questions of clarification of the contents of the brief. Clearly any other questions are out of order and shall continue to be ruled as such.

Mr. Lyon, please proceed.

HON. S. LYON: Mr. Lim, did you not attempt to leave the impression with the committee that as a result of the 1969 legislation, The Official Languages Act, that multiculturalism in Canada was strengthened?

MR. H. LIM: Yes.

HON. S. LYON: Would you be surprised to learn that Francophone organizations working outside of Quebec regard multiculturalism as a threat to the Francophone community?

MR. H. LIM: No.

MR. CHAIRMAN: Order please. The question is out of order and does not seek clarification of the material contained in the brief.

HON. S. LYON: Mr. Chairman, with respect, it most certainly does. Because here is a witness who is saying because Canada is acknowledging more and more of the French fact, that in turn is helping multiculturalism; whereas the Federation of Francophones outside of Quebec identify multiculturalism as a threat to the Francophone.

MR. H. LIM: I can answer that question.

MR. CHAIRMAN: If the honourable member has a difference of opinion with the delegation . . .

HON. S. LYON: It's no difference of opinion, I'd like his comment.

MR. CHAIRMAN: The comments of the witness are contained in his brief. Questions are for clarification. It's not the purpose of questions to engage in debate with witnesses about the brief they presented. Debates are reserved for the Legislature.

HON. S. LYON: Were you aware, Mr. Lim, of that statement by the Francophones?

MR. CHAIRMAN: The question is out of order. Do you have any further questions, Mr. Lyon?

HON. S. LYON: Were you aware, Mr. Lim, that is the official view of the Francophones outside of Quebec?

MR. CHAIRMAN: The question is out of order, Mr. Lyon. I would ask you to pursue another line of questioning.

HON. S. LYON: You wouldn't know if the question was in order or out of order, you don't even understand the topic.

MR. CHAIRMAN: Are there any further questions from honourable members for Mr. Lim?

HON. S. LYON: I have one more, Mr. Chairman, for Mr. Lim, if I can avoid being interfered with.

MR. CHAIRMAN: If you follow the rules, you will so avoid.

HON. S. LYON: Mr. Lim, how do you see, as you said in your brief, that multiculturalism which has proceeded in Manitoba and in Canada without the benefit of any constitutional amendment of this nature, how is it going to be enhanced by entrenching French rights in Manitoba? I would be interested to know how you come to that conclusion?

MR. H. LIM: Would you repeat the question again?

HON. S. LYON: How is multiculturalism going to be helped by entrenching French Language Services in Manitoba, when all of the advances that have been made heretofore with respect to multiculturalism have not depended on constitutional amendments at all, but rather on Parliament, on the Legislature of Manitoba and so on, and great strides have been made?

MR. H. LIM: I think there are two parts to this question. One is the entrenchment of minority rights. The other part is simply that, once you entrench the French rights, first of all you protect the rights of a minority. By protecting the rights of a minority, you basically also lay down a foundation that respects the rights of other minorities. So they have this kind of interrelationship.

I don't see there is any kind of contradiction between expanding the rights of the French minorities, and the promotion of multiculturalism.

HON. S. LYON: Are you aware, Mr. Lim, of the amendment that has been proposed by the NDP to the entrenched section that they first produced which says that nothing in their amendments ". . . will abrogate or derogate from existing heritage language programs in Manitoba"? Are you aware of that amendment?

MR. H. LIM: Yes.

HON. S. LYON: Why do you suppose that amendment was put in?

MR. H. LIM: If you want my personal opinion, I can express my personal opinion, but I think this question should be directed to the government.

HON. S. LYON: Might I suggest to you that it was put in by the government, because they could begin to see . . .

HON. R. PENNER: On a point of order.

MR. CHAIRMAN: Order. It is not up to the members of the committee to supply answers to questions they ask of witnesses. It's up to us to ask questions of clarification, not to supply answers.

Do you have another question, Mr. Lyon?

HON. S. LYON: Do you suppose that was not put in, Mr. Lim, in order to protect . . .

MR. G. LECUYER: Point of order, Mr. Chairman.

HON. S. LYON: . . . against the kind of steps that they can take.

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

HON. S. LYON: Why else would it be there?

MR. G. LECUYER: Mr. Chairman, the member is disregarding your advice, or the ruling of the Chair.

MR. CHAIRMAN: Are there any further questions from honourable members?

HON. S. LYON: Do you support, Mr. Lim, the amendments that have been moved by or suggested by the Attorney-General as of September the 6th, the so-called limiting amendments to the entrenched position that they first put forward? Do you support all of those?

MR. H. LIM: I support the original amendment.

HON. S. LYON: Not the sub-amendments that have been put in, . . . have been proposed.

MR. H. LIM: I have some reservations on the sub-amendments.

HON. S. LYON: Would you support, Mr. Lim, specifically the sub-amendment which says that nothing in the main amendment derogates or abrogates from any heritage language program or multicultural program, or words to that effect, in existence in Manitoba?

MR. H. LIM: Yes.

HON. S. LYON: You would support that?

MR. H. LIM: Yes.

HON. S. LYON: You would support it, I take it, because you see that as preserving what you already have against the unknown. Is that right?

MR. H. LIM: As I stated, the extension of the French rights in this particular case, the French services, and the preservation and promotion of other ethnic minorities go hand in hand. So I don't really see any particular contradiction between entrenching the expanded French Language Services and the provision which would ensure that other minorities will continue to receive the kind of attention and support from the public or, in this case, from the government.

HON. S. LYON: You don't see any contradiction, Mr. Lim. Is that right?

MR. H. LIM: No, I don't see any contradiction.

HON. S. LYON: Yet, you are saying that you would support the amendment which states that categorically?

MR. H. LIM: No, I don't see any contradiction. I think they are complementary.

HON. S. LYON: The amendment that Mr. Penner proposed on the 6th, you think is complementary?

MR. H. LIM: No, I am referring to that particular section. You talked in terms of preserving the other minorities' rights.

HON. S. LYON: Then we come back to the point, don't we, if there had been no entrenchment in the first place, it wouldn't have been necessary to put that section in to protect you, would it?

MR. H. LIM: No, I don't think that is really the case. I think this is just an opportunity even for the minorities to have their rights also entrenched.

MR. CHAIRMAN: Further questions, Mr. Lyon?

HON. S. LYON: The Chinese Community Council of Manitoba, presumably, approve of the brief that you have presented to us tonight, Mr. Lim?

MR. H. LIM: Yes.

HON. S. LYON: The brief was presented to them at a meeting, was it, Mr. Lim?

MR. H. LIM: No.

HON. S. LYON: Pardon?

MR. H. LIM: No.

HON. S. LYON: Well, how then do you know that this brief carries the support of the Chinese community?

MR. H. LIM: It's not the whole Chinese community, just the Chinese Community Council of Manitoba.

HON. S. LYON: I see, and what is the membership of the Community Council of Manitoba?

MR. H. LIM: It is made up of four organizations and a few individuals.

HON. S. LYON: Totalling how many?

MR. H. LIM: In terms of individuals or organizations?

HON. S. LYON: Individuals and organizations.

MR. H. LIM: Basically, it was intended to be an umbrella organization, so the membership is basically on organization. It has four principle organizations under its umbrella, and roughly about nine or 10 individual members.

HON. S. LYON: Individuals?

MR. H. LIM: Yes.

HON. S. LYON: How many actual individual members of the Council approved the brief that you gave us tonight?

MR. H. LIM: This was approved by the board.

HON. S. LYON: And the board consists of how many members?

MR. H. LIM: About 11 persons.

HON. S. LYON: 11 people.
Thank you.

MR. CHAIRMAN: Further questions by members? Seeing none, Mr. Lim, thank you very much for your presentation this evening.

Michael Kiedyk. Neil MacDonald. George Rykman. Don McIvor. Ferdinand Guiboche. David Osborne. David Osborne is a replacement for Janice Biebrich, Canadian Parents for French. David Osborne.

HON. S. LYON: That's number what?

MR. CHAIRMAN: 31.

HON. S. LYON: My list shows Lynn Necey.

MR. CHAIRMAN: Yes, the previously registered individual representing Canadian Parents for French was unable to be present I understand, and Mr. Osborne is here this evening in their place, on behalf of the same organization. Please proceed.

MR. D. OSBORNE: Mr. Chairman, honourable members. CPF Manitoba Chapter, is in support of the French Language Services proposal agreed upon by the Manitoba Government and the Société Franco-Manitobaine in May of 1983. It is that agreement that we refer to throughout the following brief.

We will support any future proposal that meets the approval of the SFM. Canadian Parents for French, Manitoba Chapter, represents 374 Manitoba parents and educators. CPF members come from many different cultural backgrounds. We wish to affirm our support of the French Language Services proposal in the interest of promoting an atmosphere where the French language and culture may flourish in Manitoba.

If the injustice done in 1890 is allowed to stand, all other cultures will feel threatened by the eventuality of such occurrence. For instance, in 1916 when French language schools were closed, Ukrainian language schools were also closed. This is not to infer that other cultural groups aspire to have their heritage language become official languages. Canadian Parents of French are grateful to the French-Manitoban community for the rich experiences our children have had the opportunity to participate in.

The French community has welcomed our participation and shared their cultural heritage with us. This proposal would affirm Section 73.9 of The Public Schools Act which provides for French as a language of instruction. This would entrench the right of Manitoba children to be educated in French. The French Language Services proposal not only would provide opportunity for French immersion and basic French graduates to use the French language skills they have acquired, but we Manitobans would also set an admirable example in that by assuring French Language Services for the

French-speaking population of Manitoba, we may encourage the same consideration be given to the English-speaking population of Quebec. The proposal does not impose the French language on anyone. It simply provides services for those French-speaking and/or bilingual Manitobans who wish to use them.

Manitobans are known for their acceptance of and pride in the cultural diversity of our province. In keeping with this, if we cannot show enthusiasm for the French Language Services proposal, we should at least display some tolerance, so that all cultures may feel secure that their heritage will be allowed to thrive in Manitoba. Respectfully submitted.

MR. CHAIRMAN: Thank you, Mr. Osborne. Mr. Doern.

MR. R. DOERN: Mr. Osborne, you are still concerned about the injustices of 1890. Are you not aware of the fact that the rights that were presumably lost in 1890 have now been reinstated?

MR. D. OSBORNE: I am sir. I was not present at the drafting of the brief, so I cannot explain the reason for the inclusion of that particular phrase.

MR. R. DOERN: So then rather than talk about injustices that still remain outstanding or a need to correct some injustices, you would accept the general statement that those particular injustices have, in fact, been reinstated or corrected?

MR. D. OSBORNE: I think the 1979 correction is a good first step.

MR. R. DOERN: I'm not quite clear on the - perhaps this was clear in your brief, but it wasn't exactly clear to me - are you interested in the teaching of French in the schools or particularly as it relates to immersion programs?

MR. D. OSBORNE: I'm interested in the French immersion program.

MR. R. DOERN: Are you not interested or less interested or uninterested in French as it is normally taught in the school system, so many periods per week?

MR. D. OSBORNE: Yes. Canadian Parents for French is on record in all of our publications as being in support of all French language education, be it for the français speaking people, for the Anglophones and others who wish to learn French through French immersion, or for those children who attend English language schools and receive minor French courses as you've suggested.

MR. R. DOERN: So you would regard someone who studied French in the regular curriculum as studying minor French?

MR. D. OSBORNE: The wording may be unfortunate, but I think I understand your drift. I feel somewhat at a loss myself, having gone through a high school education that had, as you say, one or two periods a week of French and I feel at a loss in being unable to communicate fully with Francophones.

MR. R. DOERN: So is it your goal then to convert or encourage people to go into the full immersion program and not concern themselves with regular French programs?

MR. D. OSBORNE: You could say that we encouraged them, yes. We wish to ensure that the opportunity is there.

MR. R. DOERN: Did I understand you to suggest that the government should create jobs that are bilingual in nature, so that you would, as a result, have a practical application for the students that you're churning out.

MR. D. OSBORNE: No, sir, you did not hear me say the government should create jobs. There are a number of positions within both the provincial and federal Civil Service which have been designated as needing bilingual persons, so it is true that those positions are available to graduates of French immersion programs, once they have become bilingual. In the other respect, by promoting the French Language Services in Manitoba, we shall continue to have a French fact within this province and that merely adds to the cultural diversity of this province, giving therefore graduates of immersion programs, people in another language group with whom they can interact.

MR. R. DOERN: Again on that statement, I'm not quite certain of your exact words, but as I said, my impression was that you felt that one of the reasons you support the government legislation, is in the hope that there would be more bilingual positions created in the government and that this would interact with your organization, and then perhaps you could use that as an argument for the necessity or the desirability or the value of studying French immersion.

MR. D. OSBORNE: One moment, sir, while I scan. I'm trying to see where Mr. Doern got that impression. Ah, I see. You're referring to, "The French Language Services proposal not only would provide opportunities for French immersion and basic French graduates who use the French language skills they have acquired." You're picking up on that phrase, are you? Nothing is implied there that's saying that the only way that is done is by providing government jobs.

MR. R. DOERN: Do you regard the study of French as good in itself, or a desirable end in itself?

MR. D. OSBORNE: Let me answer it by saying that - particularly I'm referring mainly to the French Immersion program, that's what I'm most familiar with - we are not necessarily there to study the French language. Our children are there to learn all the subjects of a normal school curriculum, but be educated using the French language and in this way hopefully the children will become bilingual.

MR. R. DOERN: You're familiar with the expression, "art for art's sake." So are you saying or are you not saying that people should study French for the sake of studying French, or are you saying that they should study French in the hope of employment opportunities?

MR. D. OSBORNE: If I had to choose between those two, I would take the former. I think everybody would be better if they knew more than one language.

MR. R. DOERN: Are you also interested in encouraging the government to create more bilingual opportunities in the Civil Service?

MR. D. OSBORNE: I can't say that I have an answer on that one.

MR. R. DOERN: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions for Mr. Osborne?
Mr. Lyon.

HON. S. LYON: Mr. Osborne, I was interested to hear you make the statement that it was important for the advancement of French language teaching and the culture that the atmosphere in which changes are introduced be - I'm not trying to put words in your mouth, but I believe the intent was - a convivial atmosphere. Was that - I don't have your brief.

MR. D. OSBORNE: I think I can agree with the tone of your remark.

HON. S. LYON: In view of the fact, Mr. Osborne, that the method by which the government is presenting these entrenched changes is anything but conducive to that kind of an atmosphere, do you have any opinion as to whether or not the government might be well advised to withdraw its provisions and go back to Square One in order that the atmosphere might improve?

MR. D. OSBORNE: My opinion is that, no, the government should not withdraw. The government should carry on the way they are. That is the job of our elected politicians, to pass the laws of the province. This should not be left to the Supreme Court to decide.

HON. S. LYON: The steps that have been taken through several administrations, primarily Mr. Roblin, Mr. Schreyer, Mr. Weir, our administration and now into the Pawley administration, which have markedly enhanced French educational opportunities in Manitoba, none of those steps have been made, have they, by way of entrenchment in the Constitution?

MR. D. OSBORNE: No, Sir.

HON. S. LYON: All of those steps, Mr. Osborne, are in full force and effect today and the atmosphere surrounding them, at least up until May of this year, while not always pacific, was at least less volatile than the atmosphere we now find in Manitoba. Is that not true?

MR. D. OSBORNE: I cannot fully agree with that, not having been present during all debates and discussions on the changes you refer to.

HON. S. LYON: You're not aware any more I suppose, Mr. Osborne, than I am that public hearings of this nature were necessitated because of actions taken by

Premier Roblin, Premier Weir, Premier Schreyer, myself or the early stages of the Pawley administration wherein markedly good steps were taken to advance the cause of French education. Was there any division in the province about that?

MR. D. OSBORNE: I agree that I don't recall anything as divisive during those periods as the division has shown up due to the opposition members during this particular discussion.

HON. S. LYON: Do you recall, Mr. Osborne, because of your interest in the extension of French Language Services that when our government announced the first major program following the Forest case, as a matter of government policy for the extension of French Language Services, was there any tearing of the social fabric in Manitoba that you're aware of, any uprising of the people, any committee hearings of this sort? Did it not proceed in a pacific way in the atmosphere, to use your word? Was the atmosphere not conducive to that going ahead?

MR. D. OSBORNE: Yes, I agree with the member on the other side, Sir, that the opposition was in support of the changes coming in at that time.

HON. S. LYON: But in March then of 1982, when the Pawley Government was in office, Mr. Osborne, and the Premier himself made a speech to the Societe Franco-Manitobaine in which he adumbrated the support of his government for a French Language Services Program which we had started and the extension of those services, do you recall the Opposition of the Day - I was the opposition Leader, Leader of the Conservative Party - objecting to that at all? Do you?

MR. D. OSBORNE: I'm sorry, I cannot recall.

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

HON. B. URUSKI: Mr. Chairman, I appreciate the dissertation of the legislative debates by Mr. Lyon, but I feel again that - I mean, he likes to have his debates. If he would keep his questioning to clarification of the brief, then I think it would be fine, but he certainly continues his straying.

MR. CHAIRMAN: The line of questioning is tending to engage the witness in debate, rather than clarification of the brief, Mr. Lyon.

HON. S. LYON: With respect, Mr. Chairman, it was the witness who used the term "a proper atmosphere," and I agree with him. We're merely trying to establish together without too much interference, I trust, that a better atmosphere might obtain if the government had shown a bit more wisdom than it has in this matter.

So the whole panoply of changes that have occurred, and I would think most of them would be regarded by you as progressive changes, since the time of Premier Roblin with respect to French education rights in Manitoba and other changes that have taken place

with respect to the extension of French Language Services, all as either statutory or matters of government policy, you would have to agree did not cause any rift in the social fabric of Manitoba at all, did they?

MR. D. OSBORNE: No, Sir.

HON. S. LYON: That methodology, Mr. Osborne, I think you would agree, is being followed in most of the other provinces, perhaps with the exception of New Brunswick which is the only other province to my knowledge which has a statutory obligation with respect to French services or French education. Is that right?

MR. D. OSBORNE: That's my understanding.

HON. S. LYON: There has been, you would have to agree then, some destruction of that atmosphere that you have talked about since May of this year, because . . .

MR. G. LECUYER: Caused by you.

HON. S. LYON: Well, Mr. Chairman, the Member for Radisson keeps interjecting with his rather puerile quips. "Caused by you," says he. I merely want the record to show that kind of puerile comment is coming from across the way. I disregard anything and everything that member says, but I want to record to show the level of the mentality that we are facing from the Member for Radisson.

MR. CHAIRMAN: Order please, order please. I didn't hear the remark which is alleged to have been uttered, but I would suggest to members on both sides that when one member has the floor, respect for that member's right to hold the floor and question should be given. Please proceed.

HON. S. LYON: So since May of this year there has been - I think you would have to agree - a deterioration in that atmosphere that you spoke about, which is conducive to the expansion of French Language Services or French education in Manitoba?

MR. D. OSBORNE: The deterioration, as you mentioned, actually boggles the mind when one considers the about-face the Conservative Government appears to have taken since the NDP Government came in. You're right. Your government and earlier governments were promoting and increasing the availability of French services, and I'll give you all that, but the very fact you can, at the legislative level, change the law and thereby turn it back the other way is what we say not a firm enough guarantee. That is why entrenchment is needed. Now, all of sudden - and I say that this to me is a perfectly logical sequence of events - that it's the NDP that wants to continue, you now, Sir, are in opposition, whereas you were all in favour for it. This boggles the mind.

HON. S. LYON: In opposition to what? To the services or to entrenchment?

MR. D. OSBORNE: Oh, I understand. You're in opposition to entrenchment, but as I just said,

entrenchment is a natural consequence. It just falls to be the next natural way to proceed.

HON. S. LYON: This might be - I'll flag this one for you, Mr. Chairman, so you won't have to go into fits about it. This might be a bit beyond - did you read in today's paper, where Mr. Justice Katinak (phonetic) of the federal court said that the entrenched Charter of Rights overturns 300 years of the parliamentary system in Canada? Did you read that?

MR. CHAIRMAN: Order please. I appreciate your warning, Mr. Lyon. Clearly that's beyond the realm of clarification of the contents of the brief.

HON. S. LYON: I thank the witness. I thank Mr. Osborne for what I am sure is a clear understanding on his part of the issue which is involved, namely, that of entrenchment, which has really excited and poisoned the atmosphere in Manitoba. I thank him for that.

MR. CHAIRMAN: Further questions for Mr. Osborne from members of the committee?

Mr. Doern.

MR. R. DOERN: Just a couple of points, Mr. Chairman. Did I understand you to say, Mr. Osborne, in your brief, that whatever the SFM wants or approves of, your organization will back?

MR. D. OSBORNE: The wording does say that we will support any future proposal that meets the approval of the SFM. We, of course, are referring to agreements between the province, the Federal Government and the SFM regarding the provision of French Language Services.

MR. R. DOERN: Doesn't that sound a bit like the old saying of Charlie Wilson, what's good for General Motors is good for the USA?

MR. D. OSBORNE: I'm sorry the quote goes by me. I don't quite understand your point.

MR. R. DOERN: Well, you're saying that anything they want and anything that they think is good is good for your organization. Is that what you believe?

MR. D. OSBORNE: Insofar as the French language, yes.

MR. R. DOERN: And so you regard the Franco-Manitoban Society as a spokesman for all of those who wish to study and learn French?

MR. D. OSBORNE: No, sir. I consider myself, for one, to be the spokesman for the Parents of Children in French Immersion in Manitoba. I am a past director, having been director a few years past, and I currently represent the organization here tonight. I do not say that the SFM represents all people interested in French language education in this province.

MR. R. DOERN: So your position is distinguishable, as opposed to not distinguishable from theirs?

MR. D. OSBORNE: Our positions agree at this time.

MR. R. DOERN: But on this particular constitutional amendment, whatever they accept, you will automatically accept and support?

MR. D. OSBORNE: That's what our wording is.

MR. R. DOERN: Well, then I don't see how it's distinguishable. Thank you, Mr. Chairman.

HON. S. LYON: Just on that point, Mr. Osborne, I'm intrigued, but I want to hear it from you. You've confirmed to Mr. Doern that anything the SFM says about this agreement, your group is satisfied to go along with. I take it that blanket approval of the SFM does not apply retroactively to stands that group has taken on public matters, such as supporting the Separatist vote in Quebec in 1980? Surely your group didn't approve of that stand of the SFM?

MR. D. OSBORNE: You're right. This is not a retroactive approval of all acts of that group.

HON. S. LYON: The group that you represent, the Canadian Parents for French, is that supported directly or indirectly by taxpayers at the federal or provincial level?

MR. D. OSBORNE: Yes, sir.

HON. S. LYON: By whom?

MR. D. OSBORNE: The Secretary of State.

HON. S. LYON: For Canada?

MR. D. OSBORNE: Yes.

HON. S. LYON: And to what extent?

MR. D. OSBORNE: I believe on the order of \$10,000 for the Manitoba organization.

HON. S. LYON: And that grant has been in existence for how long, Mr. Osborne?

MR. D. OSBORNE: Two years, perhaps.

HON. S. LYON: Is there any matching support from the Province of Manitoba, directly or indirectly?

MR. D. OSBORNE: There is some support. I don't know that I would call it matching. No, it's certainly not on a dollar for dollar.

HON. S. LYON: \$2,000, \$3,000, something like that, perhaps?

MR. D. OSBORNE: There have been some one-time grants, yes sir.

HON. S. LYON: Thank you.

MR. CHAIRMAN: Further questions for Mr. Osborne? Seeing none, Mr. Osborne, thank you very much for

being here this evening and representing your organization.

Mr. Nordman.

MR. R. NORDMAN: Mr. Chairman, I'd like to bring to your attention the fact that we have a gentleman here who works days. He would have to take a day off completely. He was on the list for No. 20 and if everyone had have been here today, he probably would have been able to make his presentation this evening. Now, if he were to come back tomorrow, he would have to take the day off in order to make his brief. I'm just wondering if we could possibly make an exception. We have made exceptions prior to this for people that were out of town and maybe we should be a little cognizant of our own people within our own city, who have jobs that they can't pass up.

HON. R. PENNER: I'm opposing that. When we made the exception earlier today, it was said categorically, and everybody agreed that it was an exception and it was based on a mistake of fact that person made as to the time of the morning adjournment and that it was to be based solely on that, that it created no other precedent, that the firm rule other than for people coming from out of the province, in some cases out of town, that this committee has followed - and I can't speak for other committees - would be followed and I expect it - I shouldn't put it that way - I ask that it be followed. I would point out having - not unsympathetic at all - the position of this person or any other person who works days, that this committee does meet in the evenings. We will be meeting tomorrow evening. We will be meeting Friday evening. I expect if we go into next week, we will be meeting evenings there. That is more than sufficient time to accommodate persons like that who cannot come during the day.

MR. R. DOERN: Mr. Chairman, I don't see a conflict between what Mr. Nordman said or what the Attorney-General said. I think the resolution is simple. If this gentlemen could be given a time some evening, if not tomorrow, next week, the problem being he could take several days off, in the expectation that he would be heard, lose his pay all that time, and then come up some evening, having lost one or more days' wages. Would it not be possible to reschedule him Thursday or Friday night this week or any night next week, so that he wouldn't have to suffer that loss?

MR. R. NORDMAN: That was my thought. If we could possibly slot him in for any particular evening, whether it be tomorrow night or the next night or next week or whenever we're meeting again, I think we could stretch a point and accommodate some of these people.

There is also the possibility - we've got another hour to go - that he just might be accommodated tonight if we don't take too long with some of the people that are possibly here. We've got so many ahead of him now. I really can't see that we could accommodate him tonight, but if we could slot him in for a specific time tomorrow or the next day I hope we would consider that.

HON. R. PENNER: That would create an even more unfortunate precedent, that is, of giving people appointments. I think that everybody . . .

MR. R. NORDMAN: There are four coming in tomorrow, eh? On Friday morning, Mr. Penner, there are two coming in that we are accommodating.

MR. CHAIRMAN: Order please.

HON. R. PENNER: Yes, they're from out of town.

MR. R. NORDMAN: So they're from out of town.

HON. R. PENNER: And they fit that precedent. I think that this particular person and the other person was invited and, in fact, was told to check with the Clerk of the committee. The Clerk of the Committee's Office attempts to give a reasonable explanation. Sometimes they can't of course control what happens in committee. Some witnesses take a lot longer than one can reasonably anticipate. We just can't control that situation.

Once you start giving appointments, then everybody is entitled to an appointment. That just will disrupt the work of the committee beyond belief.

MR. CHAIRMAN: Since I never heard a motion, but I do appreciate the concerns of the members, I would point out to members that any person who is absent will be called again in rotation. If they are called during daytime hours when they are not here, their name is not dropped from the list. We keep going through the list until the list is exhausted. At some point, the list will be very short. In one evening, at some point in the future, the list will be exhausted.

MR. R. NORDMAN: Mr. Chairman, I would be prepared to make a motion, that Mr. Emberley be heard some time tomorrow night.

MR. CHAIRMAN: Emberley? I hadn't heard the name.

MR. R. NORDMAN: No. 20 on the list, any time after 7:30.

MR. CHAIRMAN: It's moved by Mr. Nordman that a time slot tomorrow evening be provided for witness No. 20, Mr. Kenneth Emberley. Any discussion?
Mr. Penner.

HON. R. PENNER: I must say with regret that, having in mind the functioning of this committee, I will have to oppose that motion. I don't want it to be taken as a personal reflection on Mr. Emberley, who I don't know.

MR. CHAIRMAN: Further discussion.
Mr. Lyon.

HON. S. LYON: Surely, Mr. Chairman, we haven't yet entrenched courtesy or accommodation. I think, in my experience with these committees, going back some period of time, we have always been able to accommodate, even if we had to break some precedent we'd set earlier in the afternoon. We were aware of the fact that citizens of our province are here on their own time, usually at their own expense, to give information to the committee, and we tried to accommodate them. I can appreciate what the Attorney-General is trying

to say, but I can assure him from long experience - after he's been in the House for the next two years before he departs - he will find that the committee can survive accommodating, showing a little courtesy for some of the witnesses.

HON. B. URUSKI: Mr. Chairman, on that same point, I find the comments from the Leader of the Opposition a bit amusing. When he chaired - while he was Attorney-General - committees of this House, wherein history shows that neither amendments nor representations - amendments were not allowed to numerous bills when he chaired committees, and bills were put forward . . .

HON. S. LYON: Were you here?

HON. B. URUSKI: Mr. Chairman, stories were recalled by my colleague, the Minister of Transportation, about how the Leader of the Opposition chaired committees and how he allowed debate to continue when he was in the Chair. I find it . . .

HON. S. LYON: And we accommodated witnesses, Mr. Chairman.

MR. R. NORDMAN: Mr. Chairman, could we get to the point with this? You know, it's just wasting a lot of time.

MR. CHAIRMAN: Are you moving the question, Mr. Nordman? I don't have any other speakers on the list, so it may not be necessary.

I have a motion. I'll put the question. All those in favour, please say aye. All those opposed, please say nay. In my opinion, the nays have it.

HON. S. LYON: Socialist courtesy again.

MR. K. EMBERLEY: Thank you, Mr. Chairman. I guess working people aren't welcome.

HON. S. LYON: Yes, with a Labour Government that's . . .

HON. R. PENNER: We've got 102 working people.

HON. S. LYON: They didn't even want the committee hearings, Mr. Emberley, so don't worry about that.

MR. CHAIRMAN: For the benefit of members in the gallery, I would point out that the list will be called in rotation, and will be called over and over again until all the persons who wished to appear have had an opportunity to appear. That's the standard practice. In accordance with that vote, I will continue that practice.

The next name on the list, No. 33, Mr. Robert Clague.

MR. R. CLAGUE: (Parts of speech inaudible)

Mr. Chairman, members of the committee, briefly before I start just, so you know who I am and why I'm here, I have a background in education . . . and historical research . . . In Manitoba politics, I'm a provincialist; in federal politics, I'm a nationalist.

Why I am presenting this? Well, a number of years ago, I spent a good two years digging up the events that were responsible for the emergence of this issue,

which came about as a . . . issue along with the Manitoba schools. My adventure, I think, will be slightly different from what you've heard previously because what I intend to do is limit myself, by and large, to three, what I consider to be, constructive proposals that might help in some measure to defuse the fury that's been induced by this issue; and secondly, it may help put in better perspective certain of the remaining educational programs that have emerged from this French cultural business in schools.

In emergence . . . the Manitoba School Division at the emergence of the French language issue in Manitoba, it was found that . . . upon the French-speaking Roman Catholics of the province. Incidentally, I might point out to you that I am Protestant. I am not French. The government's ruling policy brought back . . . controls. It . . . to the development on this minority was a diversionary strategy intended to get them off the hook. Two chief facets were the abolition of separate schools and the abolition of the use of the French language. A minority, weak in numbers, opted to fight for the retention of the separate schools. It didn't have the money to pay for both. They retained the best legal counsel available, Mr. J.S. Huot.

Opposition in the political arena had two results. Eventually, it reduced the opposition party to a shambles. Federally, it did the same thing to the government then in office at Ottawa sometime later. When a settlement was finally arrived at in 1896, the minority felt that it had been betrayed by a French-speaking Roman Catholic Prime Minister. This, I might point out, was told to me by the then editor of the Northwest Review, the late Mr. Frank Russell, who had gone down with the delegation of French Catholics from the city, Roman Catholics from the city, to meet Laurier at the Canadian Pacific Railway Station and had been told off by him very briefly, in so many words, "No dice, we don't give any concessions on this."

Although such naked opportunism paid off well for the provincial Government of the Day, it left behind a smoldering heritage of well-justified grievance and simmering discontent. Despite some subsequent modifications, the minorities' resentment and sense of betrayal was to surface upon more than one occasion in an hour of political crisis. In more recent years, limited financial concessions have been made by Manitoba Governments with motives that were not entirely altruistic. Similarly, the backlash resulting from such modifications was not always engendered by devotion to the public school system.

Briefly stated, the record of the last nine decades has been that of a minority, successfully wronged, betrayed, and flirted with by various political parties and governments as it served their immediate advantage. Still worse, such political actions served to revive ancient prejudices that, left to themselves, would have perished with the passage of time.

Now the Forest case has brought about the prospect of a more equitable solution for the other of these two issues, the abolition of the official use of the French language by the Provincial Legislature in 1890. But how is this to be implemented? Is it to be done in such a way as to confer upon the next three generations a legacy of discontent, of bickering, of petty political opportunism, and of interminable litigation? Or is there a better way, one in which the rights of the French-

speaking minority can be fully protected throughout the province in such a manner that the majority of non-French speaking population will neither feel imposed upon or threatened by its implementation?

A very laudable solution that has been proposed is the bilingual education of all school children from the first grade onwards. An acquaintance of mine, Mr. Georges Forest, as you know, is the person who proposed this. Theoretically, this is the ideal situation. At the moment, it seems less than practical.

A loud voice of criticism directed at us by members of various university faculties suggests that our educational system has failed to teach large numbers of public school students the necessary basics and the use of English. Until this situation has been rectified, we may well be producing a large number of bilingual illiterates. Moreover, anyone who has had the privilege of giving instruction in the mastery of another language knows only too well the truth of the old adage, "Many are called, but few are chosen." All too often French is like some branches of Mathematics, something which many wish to take, but few wish to learn. For those with the capability of benefiting from a bilingual education, such courses of study are desirable.

At this point I'm going to interject something here, because I was advised this afternoon that I was coming along much sooner than I had anticipated, so the next block that follows is an insert relating to this, growing out of it and it comes out of place. I will follow with the two main proposals after this interjection.

There appears to be no reason, however, for restricting such bilingual education, and I'm talking about total bilingualism. I'm talking about total immersion, of our children being taught two languages right from the very start of entering school.

How then shall these bilingual courses be selected? Does the current Heritage Program offer an adequate solution? Yes, but only in part. Its inadequacy lies in the fact that it is an attempt to placate ethnic minorities who feel they have a second class status vis-a-vis the French-speaking group. All languages are equally dear to those who speak them; not all languages are equally valuable to those who learn them.

The importance of the language to the pupil who learns and to the province where that pupil will reside does not depend upon the size of the minority in the province, who have this as their mother tongue. Beyond the horizon looms the world of the 21st Century, in which these pupils of today must take their part tomorrow, and what languages will pay significant roles in that world? Precisely, those are the great cultural blocks - I use the term "culture" for want of a better term here - Latin America, Russia, the Arabian countries, India, Japan and China. These are the areas that will play major roles in the world of tomorrow.

The Heritage Program, as presently conceived and implemented, may operate to the political advantage of its sponsors. It may also, of course, please the pride of parents, but pride, as a Spanish philosopher once said, is an area of magnification. In large measure, however, it is selling short many of our most gifted children by squandering their talent. So much for bilingualism in education.

Let us now return to the two main proposals with which this brief is concerned:

1. Regarding the French-speaking minority. Unlike the earlier suggestions for an expansionist approach,

whether that be expansion in terms of number or whether it be expansion in terms of the educational system by inducting all children in a second language from Grade 1, in the matter of the French-speaking minority, a practical approach of universal accessibility and of restricted dimensions is proposed here.

The restoration of linguistic rights accorded to the French-speaking population by The Manitoba Act may be accepted as a belated act of justice and needs no further comment here. Only in the matter of the possible provision of a total bilingual version of the provincial Hansard - I don't know whether this is in the books or not - might there be room for question.

In view of the fact that when the province was created, and for approximately 70 years thereafter, there was no provincial Hansard. I might point out, however, in proposing it here, it's not in my script, that I do recall having read in the early newspapers what was a pretty good version of a Hansard, because some of the early papers like the "Standard" reported almost verbatim what had taken place in the debates. If my memory serves me correctly, and it's some 40 years almost since I read this, I think some of them were even recorded in the English papers in French.

At the same time, there is no just reason to question the provision of French linguistic services in parts of the province in which people of that town provide a sizable block of the population. I don't think there's any dispute among any reasonable person about these two points. It is beyond these areas - now we're going into the grey area, the area of dispute - in places where such populations are small, transitory, fluctuating, or perhaps more pertinent, newly-arrived, that the problem develops.

A number of years ago the presenter of this brief served in a branch of the federal Department of Labour. The staff numbered about 200. Perhaps half-a-dozen at the most were able to deal with persons whose only language was French.

Just to break the account here for one second, I might mention and I think the committee should be interested in this, something had occurred to me at that time. At that time I was interviewing people who went across to the States and we had to issue permits to them. Into the office one day, there came three members of the clergy, a Mother Superior and two of her nuns. She opened up the conversation by saying, "Before I take this interview I demand that there be someone here who speaks to me in French." Of course, when you've got a lady speak to you that way, and when she's wearing the cloth, you walk very quietly and you act very tactfully. She was a lady . . .

MR. D. MALINOWSKI: She was a nun.

MR. R. CLAGUE: I hope you don't let the nuns hear that, Father.

So I decided, following the admonition of the Scripture, the best thing to do was to give a soft answer and turn away wrath. So I said, "Ah, mais où est ma mère?" And she broke out in a smile like a roast potato, and if I'd taken a club, I couldn't have clubbed into speaking French from then on.

I tell this story, not to hold up the committee and not to amuse them, but simply to point out that the

factor of pride that I had mentioned before is an inescapable factor in this and that many people who are quite bilingual in French - and there are more people fully bilingual in French than are bilingual in English, I can tell you that - now will be demanding French when they don't need it. This is one of the problems I think that this business has brought to the floor.

Now getting back to this. The staff numbered about 200. Perhaps half a dozen at most were able to deal with the person whose only language was French. The number of such members of the public coming into the office is exceedingly low, due in part to the fact that there was a smaller office in St. Boniface that was fully bilingual. The Winnipeg office, meanwhile, managed to scrape by once its problems arose. Such a makeshift policy was obviously less than satisfactory. For this reason it is proposed that a simple pool of translators be established. Now remember I'm talking about the grey area outside of the French communities. These would have, in each case, expertise in more than one line. In addition, there will be a stand-by staff available, as in the case of school substitutes. Such translators would be available on a toll-free line. In this way members of the French community residing outside of designated French-speaking areas would not be relegated to the rank of second-class members of the minority. In this way too, municipalities and school boards would not be saddled with intolerable costs, but conversely would, in a number of instances, be able to draw upon this reserve, should occasion so arise. Moreover this would serve to allay the fears of the Civil Service concerning the prospects of creeping bilingualism.

In certain instances, such translators might also serve the communities of French minorities in which the volume of business in certain government departments is low. I'm suggesting a procedure in this connection and that is this - if you go into StatsCan to draw information, before you leave they'll hand you a little slip, a form to fill out, what information did you draw, what department, for what use and so on. I'd like to suggest that the government departments, as policy, do precisely the same thing and keep records of the number of requests for the use of French in each department and office throughout the province. I think it could be done fairly simply and you'd have some sort of tab on the requirement. Then you can tap in on your phone-in line and your toll-free phone-in line where it's needed and nobody is discriminated against and everybody's got an equal opportunity.

At the same time, the availability of a pool of skilled translators, each with expertise in two or three fields, would optimize the quality of service while creating a quality of standards throughout the province. At the same time, such a combination of highly qualified personnel, together with the advantages of parent technology, would prevent an undue escalation of costs, which has been one of the big bugaboos that has come out of this business. It should also dispel the nightmare of those Francophobes, who envisage somewhere down the road, the prospect of a province of 4,500 Francophones and 4,000 bilingual positions in the Provincial Civil Service. The foregoing structure of services will be on a continuing basis, modified in detail of operation as time and circumstance would require.

The second proposal regarding the ethnic minorities. A similar type of pool is suggested in the case of ethnic

minorities. Now here, of course, it would be the pool, pure and simple. It would not be the services that are covered in the other form. It would be the pool, pure and simple, to refer to.

Its clientele, however, would be different. The purpose in this case would be to serve first-generation immigrants, newcomers who lack knowledge of or fluency in the English language. Its size would fluctuate, according to the volume of immigration for the given group or the given time. Provision of such services would be upon an ad hoc basis. Groups represented would vary according to the pattern of immigration.

Implicit in this latter proposal is the fact that very small groups could not anticipate the level of services provided to the larger ones. That is no more than exists today. Generally speaking, the ethnic groups would receive the same level of services as the French-speaking groups. Provision of such services of translation would, however, in the case of the ethnic groups be based upon temporary need; whereas in the case of the Francophones, it will be based upon need and guaranteed as a permanent constitutional right.

Through the mechanisms proposed above, both the French-speaking and ethnic minorities would receive a quality of treatment while, at the same time, residents of outlying districts would not be denied equal quality of service. Not less important, the temptation of political parties to play the numbers game with respect to language services in politically marginal constituencies would be greatly reduced, if not totally eliminated.

Finally, the willingness and ability of the two political parties to co-operate in the formulation of an equitable solution that will insulate the issue from a posterity of bickering and dispute - or the province, I should say, from this decision - and confer upon the province a posterity of bickering and dispute will be a measure of their vision and statesmanship not only to us at the present, but for future generations.

I thank you.

MR. CHAIRMAN: Thank you, Mr. Clague. Questions for Mr. Clague from members of the committee?

Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Mr. Clague, you mentioned a grey area where there is maybe some limited requirement for service. I believe you suggested there be a central pool of translators. Is that correct?

MR. R. CLAGUE: Correct.

MR. H. GRAHAM: If that demand or that request was from an area 100, 200 miles away, would it not pose a great deal of problem getting a translator there in time to serve the person who . . .

MR. R. CLAGUE: Pardon me. Mr. Graham, I read you the second note that followed that, if I can spot it here. "In addition, there be a standby staff available as in the case of school substitutes. Such translators would be available on a toll-free line." You do not move the translators. You plug them in.

This is where the French policies of the Federal Government went wrong. We're plugging in bilingual

people in places where we don't need them. We are not living in the 20th Century, we're living in the 19th Century. We have the technological methods today of handling this without having to fill every job with a Francophone or a bilingual person.

MR. H. GRAHAM: Mr. Chairman, would you, as a Francophone person who requests service in the French language, be satisfied with talking on a toll free line, and that person then translating to the person who is across the desk from you? Would you feel satisfied with that kind of service?

MR. R. CLAGUE: I would feel more satisfied than I would with the present service they've been getting.

Secondly, I would not expect that in a community where you have possibly one person speaking French that you are going to retain five experts in the French language in different government departments, or 10 or 15 experts in the French language, because there is a point here that is largely overlooked in connection with this whole business, and that is that you can train a person to speak French, but that does not give them fluency in a particular aspect of the French where it's technical.

I have spoken, for example, in the past to a member of the Provincial Government who used to work in this very room here, and brought this question up with her. Her language, and she is really quite bilingual, is limited in some respects, because in some respects she uses only English; in others, French.

Now I think that Mr. Penner will be quite well aware of this, the problem that we had, for example, in bringing in people who are able to translate the statutes. You can't say, any old Francophone can translate these, you have got to have a person with expertise in that field.

This is why I am suggesting, it's no use having somebody who's got so-so qualifications to answer a question in a local office, when you can have somebody who is highly competent to do it at a distance. I see no reason why they should take umbrage at this, anymore than they should at picking up their long distance telephone and phoning in for some other business.

MR. H. GRAHAM: Mr. Chairman, it's not my intent to argue with the witness at all. I am concerned about the service that is provided to the people in this province. I believe the people in this province expect service. Some of them expect it in French, and some of them expect it in English.

But the proposal that you put forward, how many people would you envisage as being required to be fluently bilingual in the Provincial Civil Service?

MR. R. CLAGUE: I could scarcely answer that. I would not know because, when you are talking about the Provincial Civil Service, you are talking about two things. First of all, we spoke - at the outset, we said that the provision would be granted as in accordance with The Manitoba Act. Now in addition to The Manitoba Act, we have here an agreement. I did not allude to this. I am not attempting to get into the details of the agreement that's proposed here.

In this agreement, it is suggested that certain - I have the draft from the Société Franco-Manitobaine. "Any member of the public in Manitoba has the right to communicate," Section 23.7 of your draft. And then it lists these, head or central office and so on. These people would have at least one person in their office, I would assume, competent to handle the language.

Now if the volume of business were not sufficiently high, that is the case where you would have a pool of experts to call upon.

MR. H. GRAHAM: Mr. Chairman, I think I had better pass on any further questions.

MR. CHAIRMAN: Further questions for Mr. Clague? Seeing none, Mr. Clague, thank you very much for your presentation here this evening.

MR. R. CLAGUE: Thank you.

MR. CHAIRMAN: Eric Annandale. Mr. Annandale, please.

MR. E. ANNANDALE: Mr. Chairman, I have copies of my brief, which I did not give to the secretary.

MR. CHAIRMAN: They will be distributed in a moment.

MR. E. ANNANDALE: Mr. Chairman, members of the committee . . .

MR. CHAIRMAN: Could you wait one moment, until members have the copies? Then they'll be able to follow along.

Please proceed.

MR. E. ANNANDALE: Mr. Chairman, members of the committee, I wish, as an Anglophone resident of this province, to express to you my support for the amendments to Article 23 as originally proposed. I support them because they, in my opinion, correct a wrong; because they are moderate and reasonable in their scope; and because they will confirm our commitment to a truly just and pluralistic society in this province and, indeed, in this country.

I know, of course, that there is opposition to the proposed amendments. It seems to me that this opposition stems from three or four major areas or sources of concern. One of them, and it is the most unhappy aspect of the whole debate, is the expression of mere prejudice. In saying that, I am not trying to depict every opponent of the amendments as a wild-eyed, frothing-at-the-mouth, anti-French bigot. But you know as well as I do that element does exist and is making itself heard. It is not amenable to rational, reasoned argument. It feeds on ignorance and vague fears which it encourages.

It uses the rhetoric of hatred or contempt, and we see letters to the editor referring to "traitors" and "henchmen." We find others stating that we as English Canadians "have nothing in common" with French-Canadians, our fellow Manitobans. I once read a letter to the editor in which the writer railed against bilingualism, and then ended with the triumphant assertion that, "Jesus Christ did not speak French and

managed quite nicely without it." I say this as an aside. I infer that it would have been a revelation to the writer of that particular letter that Jesus Christ did not speak English, and managed nicely without it too.

So that sort of attitude does exist here, and we must not pretend that it does not. Yet, because it is largely irrational and emotional, it seems to me that reasonable people must both deplore it and dismiss it as an element in the discussion of the proposed amendments to Article 23. I, for one, refuse to believe that any member of the Legislature, whatever his stand on the amendments, would associate himself with such attitudes, either publicly or privately.

A second form of opposition to the amendments comes from those who believe that Article 23 should be left unamended, and that the nature and extent of its application should be left to the Supreme Court of Canada to decide. That is obviously a tenable position, but I would argue against it for both historical and practical reasons.

Historically, an injustice was committed with the adoption of The Official Language Act of 1890. This injustice was committed by the Legislature of Manitoba and, in my opinion, the Legislature of Manitoba is therefore the only proper body to right this wrong. The Legislature seriously compromised its right to the trust of the Francophone minority in 1890 and again in 1916, at which time not only the Francophones but also various more recently arrived ethnic groups found themselves being deprived of schooling in their own language.

To argue that any extension of French services beyond those presently contained in The Manitoba Act should be a matter of courtesy or even a matter of ordinary statute is to ignore the historic reality of this province. Every one of us must surely ask himself the following question: what in the history of minority rights in this province would encourage me to put my trust in the courtesy and the generosity of the majority, if I were a Francophone?

It seems to me that the Legislature, in passing the proposed amendments and, thus, even extending somewhat the rights it earlier tried to destroy, is not only righting a wrong, but is in a sense redeeming itself and the people it represents. By placing these rights in the Constitution, which is not, of course, beyond all possibility of future change, it will be sending a signal to all the people of Manitoba that the sort of society we wish to build is pluralistic in deed as well as in pious speech. I would say in parentheses that it is obvious from what I am saying that I am in favour of a pluralistic society, rich in diversity, but then I do like Folklorama.

I have mentioned two sources of objection to the proposed amendments. There is a third which stems from the fact that the proposals represent an extension of entrenched rights compared to the present provisions of Article 23. Opponents of this aspect prefer that the provisions of the article be left as written in 1870, but this is likely to mean the expensive translation of thousands of old laws. The proposed amendments exempt the province, as I understand it, from about 90 percent of this requirement.

At the same time, the present article - the article as it now exists in the law of 1870 - seems to limit the use of French to the Legislature and the courts in an era in which the average citizen's main contacts with

the government are with the bureaucracy in one form or another. Most people, after all, will never be members of the Legislature. They very likely won't even have the ambition, if I may say so. Most will attempt to avoid contact with the courts, if at all possible. Surely the effort and expense of translating old laws would be better directed to making French minority rights real and meaningful to the citizens who can benefit from them.

Finally, there is another argument that revolves essentially around numbers. On the one hand, there are those who advocate referenda so that the majority can make its voice heard. But the referendum is not part of our democratic system. Even if one accepts its occasional use, it is surely then to discover where a majority and a minority of opinion lie. You can persuade me by your arguments to be for or against nuclear disarmament. You cannot persuade me by your arguments to be black or white, French-Canadian or English-Canadian.

And so to use it to decide on the rights of an ethnic of linguistic minority is an appalling misuse of the instrument. It embodies the entirely unacceptable and profoundly undemocratic principle that the rights of a minority are dependent on the will of the majority.

The other aspect of the numbers argument is that the Francophone population of the province represents only about 5 percent of the population. Even on a percentage basis, this sort of figure can be compared to that of minorities in other enlightened countries of the world.

In Inland, for example, there are two official languages, Finnish and Swedish, even though Swedish is the mother tongue of only about 6.5 percent of the population. Switzerland is often quoted as an example in connection with bilingualism or trilingualism with reference to German, French and Italian. What is less often remembered is that in 1938, the Swiss accorded national language status to a fourth language, Romansch, spoken by only 44,000 people, or less than 1 percent of the population. This was done to help the people who speak that language resist the forces of assimilation. The goal and the action seem to me to be entirely praiseworthy and worthy of an enlightened country.

In my opinion, however, the use of percentages disguises the human reality of the situation in this province. The act of 1870 included the use of French, because there were around 5,000 French speakers in the province at that time. Remember that the provisions on language in schools arose out of negotiations with them. Now there are between 30,000 and 50,000, depending on definition. We should not be dealing with percentages. You are asked to legislate on the rights of thousands of your fellow Manitobans, each one of whom is personally and profoundly affected by your decision. Statistics are all too easily used to hide that human dimension.

I would sum up then by saying that, although I recognize that by no means all reservations about the proposed amendments stem from bigotry or prejudice, I do believe that the arguments in favour of passage of the amendments are much stronger and much more firmly grounded in justice and equity than the arguments against passage. The Legislature finds itself before a truly historic choice. Adoption of the amendments as

originally proposed would be an entirely positive and enlightened step, which would go far to erase the unhappy effects and perhaps even in time the memory of a past injustice. I urge you, therefore, to take that historic step forward.

MR. CHAIRMAN: Thank you, Mr. Annandale. Questions for Mr. Annandale from members of the committee? Seeing none, thank you very much for your presentation here this evening.

MR. E. ANNANDALE: Thank you.

MR. CHAIRMAN: Mr. Dave Harms, President, Union of Manitoba Municipalities. Mr. Harms, please. Please proceed.

MR. D. HARMS: Thank you, Mr. Chairman. Mr. Chairman and members of the committee, I am presenting a brief on behalf of the Union of Manitoba Municipalities. For all those that are not too familiar with the Union of Manitoba Municipalities and its operation and representation, I would like to briefly describe this organization to you.

We have a paid-up membership of 160 municipalities. This represents 105 rural municipalities, 12 local government districts and 43 villages, towns and cities. This gives us a very broad and thorough representation that includes all the Province of Manitoba except the City of Winnipeg.

It is a representation that includes almost all ethnic and political backgrounds in Manitoba. The Executive of the Union of Manitoba Municipalities is made up of persons of at least seven or eight different ethnic origins, and also contains a representation of all political parties, Conservatives, NDP and Liberals, and a few that don't belong to or identify with any particular party.

As an organization, we hold seven mayors and reeves' meetings in March, seven district meetings in the month of June, and an annual convention in November of each year.

When the question of bilingual status for Manitoba came up last spring, the table officers were somewhat concerned about the possible effects this might have on the municipalities, as well as all the citizens of this province. I think it is fair to say that the municipalities are closer to the people of this province than any other level of government. We wrote a letter to all our members and asked them to discuss and express their opinion on the issue for or against the proposed amendments to Section 23 of The Manitoba Act, as proposed by the Provincial Government and the other parties to this particular agreement.

As a result of that and the discussions and decisions reached at our June district meetings, we now have recorded a large majority opposed to the amendments, or asking for a provincial referendum to be held before the amendments are passed.

I would also like to say to you that at six of our June district meetings, a resolution was passed by the assembled delegates opposing the entrenchment of extended language rights in the Constitution of Manitoba. The Executive members of the Union of Manitoba Municipalities are also opposed to the proposed resolution.

As I indicated to you, the Union of Manitoba Municipalities does represent almost all areas of this province, a cross-section of all ethnic groups and political backgrounds. On behalf of our members and the citizens they represent, I would like to present to you now 123 resolutions from 123 different municipalities, and also six resolutions from our June district meetings, opposing the contemplated changes or additions to our Constitution.

I would like to point out to you that we have not had a single resolution supporting the government's proposed amendments, and all the phone calls and letters that I have received have supported the position that the Union of Manitoba Municipalities took on this issue.

First of all, we feel that we do not need a dual language system in Manitoba, because we can all understand each other perfectly well in one language. I would suggest to you that that language is not English, but distinctively Canadian, or Manitoban.

It is rather odd that after having achieved the position of understanding in one language over the past 100 years in our province that we would now introduce a program of a second language as official, a language that 95 percent of our citizens do not speak or understand.

If under the existing Section 23 of our Constitution we are required to use French in the Legislature, and in the acts and regulations, and in the courts and boards with judicial powers, then we must accept that obligation, but the use of French should not be extended to other areas. We oppose language services being entrenched in the Constitution as a requirement in government offices, administrative boards, Crown corporations and government agencies because of the difficulty in making any future changes, if desired, and because we feel that the Legislature should be the body to determine the need and demand for a second language, and the extension of its service area.

We feel that a dual language system is too costly, particularly when it is not necessary. It could quite conceivably cost the taxpayers of this province millions of dollars a year from now on, a million dollars a year from now on. It is not practical at this point in the history of our province.

It would be much more practical to leave Section 23 of The Manitoba Act intact and pay on a one-time basis for whatever translations are required, and to continue French Language Services as the Legislature decides they are needed or not needed in the future. Another very important reason why we oppose a bilingual language system in Manitoba is that it divides our communities and creates hurt feelings, making it much more difficult for communities to work together for the common good of all their citizens.

In the Union of Manitoba Municipalities we have been successful in working with citizens of all ethnic origins in getting the business of government done. Now the proposals to extend French Language Services threaten to break down the entire fabric of community spirit which we have helped to create in the municipalities of our province.

Mr. Chairman, this concludes the presentation on behalf of the Union of Manitoba Municipalities. With your indulgence and permission, I would like to make a few observations and personal remarks concerning the hearings and the subject at hand.

Listening to the remarks that have been made during the course of the hearings, it almost seems that you have to speak English and/or French before you can be considered a first-class citizen of this province. So even though I speak three languages, I am still considered a second-class citizen. Those of us who do not master the two so-called official languages are referred to as, and I quote from one presentation here, "those poor people out there." I would like to indicate to you that it has never been a hindrance or a drawback to me that I do not speak both of those languages, because I have been able to take advantage of the opportunities and privileges that are available in Manitoba to make a living and enjoy life.

I would like to see that these conditions remained intact for the future, regardless of what language anyone speaks. These same conditions of opportunity should also continue to be available to any new immigrants that speak neither English nor French.

I consider language a vehicle of communication. Just because I speak English in Canada does not say that I am English, and speaking German does not identify me of German origin, because I am neither one nor the other.

We have now, over the last 100 years, acquired a vehicle of communication in Manitoba that is distinctively Canadian, because of the contribution of the French language and many other prevalent languages in Manitoba. Since we now have this practical vehicle that all of us are able to communicate in, it does not make sense that we should legislate or entrench another vehicle that 95 percent of our citizens cannot use or understand at this point in time.

I am sure we all realize that depreciation and cost of upkeep on a second vehicle is almost as great as on the first vehicle, regardless of the amount of use. We are also well aware of the fact that financial difficulties in government are presently insurmountable, even without the added financial burden of a second language.

If French were spoken and understood by the people of Manitoba today, as English is, I would oppose the introduction of English as a second official language on the same grounds. It is immaterial what the vehicle of understanding is, as long as all of us are able to use it, so that together we can improve and progress in our way of life.

Another point I would like to make is that it is impossible for any ethnic group to come to Manitoba and live in isolation, unaffected by the others living around them. With present-day communication and transportation facilities that we are in daily contact with, our way of life that existed at our point of origin will definitely be affected. The well-known statement, "No man is an island unto himself" applies to any person or group of people coming to or living in the Province of Manitoba.

It seems to me that the word "rights" has been used more often during these days than any other word that I can think of, except maybe "legal." We all claim to have certain rights, legal rights, ethnic rights, personal rights, language rights, living rights, working rights and so on. It almost seems that when a baby is born or a new immigrant lands in Canada, they are handed a scroll which lists all the rights that they now have and they are told to make sure that they get all these rights,

and if they do not, they should demand them or even fight for them. Nowhere do we hear of responsibilities, obligations, or privileges.

When my father brought his family to Canada exactly 60 years ago, he came here because of the promise of freedom, opportunity and safety for himself and his family. He had nothing but his health and a will to work and also a large debt to the CPR for the transportation from Russia. He spoke three languages, but still could not communicate with the Government of the Day. He did not ask for any rights, just for opportunity.

During the ensuing years to follow, he raised a family of 11 children. He had the privilege of owning property wherever he chose. We lived right next to the most powerful nation on earth, and even if we strayed across the border, we were never shot at or taken prisoner. We could travel right across our nation without being stopped or searched or asked for identification. We can travel all through our neighbouring country without being stopped or molested or treated unfairly, as long as we obey simple traffic laws.

Until the day my father died, he was forever grateful to the new country, Canada, that had accepted him as a citizen, and where he had the privilege of raising his family, also the opportunity to make a living at whatever profession he chose and where he had the freedom to live wherever he wanted to. He never feared for the safety of his family and he was never persecuted because of his ethnic background, his way of life, religion, or language as he had been persecuted in his previous homeland.

Today I am enjoying the same privileges and these opportunities without the necessity of mastering two official languages. I would like to preserve these same freedoms and pass the same onto my children and grandchildren, as well as all future generations of any and all ethnic groups in Manitoba.

It is to this end that I say we would be endangering the opportunities and privileges of our future generations by adopting selfish and unnecessary language rights in Manitoba.

I thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Harms. Questions for Mr. Harms by members of the committee?
Mr. Penner.

HON. R. PENNER: You referred in your brief, Mr. Harms, to resolutions from - how many municipalities was it?

MR. D. HARMS: 123.

HON. R. PENNER: 123. What's the population of those municipalities?

MR. D. HARMS: The average, I would say, approximately from 2,000 to 3,000.

HON. R. PENNER: What is the cumulative population?

MR. D. HARMS: If you were talking about the municipalities that we represent, I would say about 400,000.

HON. R. PENNER: No, I didn't ask you that question. I asked you the question of the population of the

municipalities sending in resolutions opposing the proposal to amend Section 23.

MR. D. HARMS: I didn't count them. I think you can add them up just as quickly as I can.

HON. R. PENNER: Would I be right in suggesting, on the basis of figures that you're giving, that you are talking about 50,000?

MR. D. HARMS: I would say there are more than that, because the City of Brandon is also our member, and they are also included.

HON. R. PENNER: There is no resolution from Brandon.

MR. D. HARMS: There is no resolution from Brandon. If there is no resolution from Brandon, they have also given us the authority to speak on their behalf.

HON. R. PENNER: You mentioned that you are tabling 123 resolutions, all of which are opposed. So can we just deal with that? How many people do those municipalities represent?

MR. D. HARMS: I did not check the census figures of those municipalities, and I haven't got that information here. If you want that, I'm sure it could be got.

HON. R. PENNER: You're not in a position then to dispute my figure that it represents approximately 40,000, 50,000 population out of a population of a million in this province?

MR. D. HARMS: I wouldn't dispute it, but I wouldn't say that it's right either.

HON. R. PENNER: All right.

MR. H. GRAHAM: I might, though.

HON. R. PENNER: Well you become a witness. We'll see what we can do.

MR. CHAIRMAN: Order please.

MR. D. HARMS: Mr. Chairman, I'm not a witness. I am just telling you what the people of Manitoba are saying.

HON. R. PENNER: I was speaking to Mr. Graham. No, you're telling me what 123 resolutions state. I don't think that you or anybody else is in a position to speak for all of the people of Manitoba.

MR. CHAIRMAN: Order please, Mr. Penner. If you have questions for clarification, that's appropriate. I don't think you have the right to suggest to a witness whether or not he has the right to speak. He is speaking here as President of the Union of Manitoba Municipalities, and that's his position.

HON. R. PENNER: And that was my point.

Mr. Harms, in the resolutions that you are tabling with us, I've had a look, I believe, at most of them. I

have noted some 34 to 40 that make a specific point and express a concern that municipal services and school board services might have to be in both official languages. I note that you make no mention of that in your brief. Why is that?

MR. D. HARMS: To cover all the areas of that would be a very lengthy brief. I don't feel that I would have to cover each and every resolution that has been sent in, because I know that you have received all those resolutions once already. This was a package for the committee.

HON. R. PENNER: Am I misunderstanding, Mr Harms, that you and many of the letters that you've written and briefs that have been submitted, some 40, that is a principal concern?

MR. D. HARMS: It definitely is a principal concern that the municipalities and school boards would be involved.

HON. R. PENNER: Then I come back to my question. If that is a principal concern, why is no mention of it made in your brief?

MR. D. HARMS: Well it's in the resolutions.

HON. R. PENNER: You are aware of the statement made by the Premier on August 16th with respect to the exclusion of municipalities and school boards?

MR. D. HARMS: I am well aware of it, Mr. Chairman, but I'm also aware that there was a release that was in the press that those were not adopted as yet, that they were up for discussion, and it would be a matter of what the committee decided. So we cannot say that is already an amendment.

HON. R. PENNER: No, it's a proposal, a definite proposal made by the Premier and tabled by myself on this committee. You have seen this proposal.

MR. D. HARMS: Yes, I was there.

HON. R. PENNER: You've seen those, but you choose not to make any reference to that in your brief.

MR. D. HARMS: That's possible, yes.

HON. R. PENNER: In fact, it's right, Mr. Harms, isn't it that on August 19th, I wrote to you asking for your comment on how to improve the wording on excluding municipalities and school boards?

MR. D. HARMS: I received a letter from you.

HON. R. PENNER: I beg your pardon?

MR. D. HARMS: I received a letter, yes. I didn't bring that in for discussion.

HON. R. PENNER: You didn't reply to my letter. Why not?

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

MR. D. HARMS: Do I have to answer that question?

MR. CHAIRMAN: No, you don't have to answer any question, Mr. Harms.

Mr. Penner, further questions?

HON. R. PENNER: Well are you saying that you don't want to answer that question?

MR. D. HARMS: I am saying that I would reply to you and I would like to reply to you in person. It might be a little different than what it would be if I had to say it right here in public.

HON. R. PENNER: You would have two different replies to the same question?

MR. D. HARMS: No.

MR. CHAIRMAN: Mr. Harms, you should feel free to speak to the committee, so that all members would have the benefit of your reply. I think that's the purpose of public hearings, so that the comments of the public can be heard by all members, both political parties represented. I think it's an affront to the committee, to be quite honest as the Chairman, to suggest that you have information that you will not provide to the committee, that you will only provide to Mr. Penner.

MR. D. HARMS: I didn't say that. I said that I would reply to his letter. That has nothing to do with the hearings.

MR. CHAIRMAN: I'm sorry. I didn't realize you were referring only to the letter. I thought you were referring to his question.

MR. D. HARMS: No, it has nothing to do with my brief either, the letter that I wrote to Mr. Pawley. I didn't write a letter to Mr. Penner in the first place.

MR. CHAIRMAN: Thank you.

Mr. Penner, further questions?

HON. R. PENNER: Going back to the point, I don't want to, Mr. Harms, try to put you in a tough position. I just want to go back to the point that you agreed with me that a principal concern of the municipalities you represent was the question of whether or not municipalities would be covered. I asked you a question relating to the absence of . . .

MR. H. GRAHAM: Point of order, Mr. Chairman.

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

MR. H. GRAHAM: I believe Mr. Penner is bringing extraneous material into the debate, something that was not in the brief. It doesn't pertain to the brief at all. I believe Mr. Penner is trying to bring some other material in here that is not included in the brief. You, Mr. Chairman, I believe, have been very fair in the past in ruling on matters such as that.

MR. CHAIRMAN: Mr. Penner, to the same point of order.

HON. R. PENNER: Mr. Harms has tabled as part of his brief 123 resolutions. You need only refer to the resolutions from the Municipalities of Daly, Carberry, Strathcona, Argyle, Elton, Louise, Gimli . . .

MR. CHAIRMAN: Order, order please. As further contribution to the point of order, I do have the resolutions in front of me and I am referring to them.

HON. R. PENNER: . . . to note that they raised this concern about municipal coverage. Therefore, it is something that is in the brief.

MR. CHAIRMAN: Mr. Graham, I think you raise a valid point of order insofar as it relates strictly to the text in the brief, but clearly the resolutions tabled, as Mr. Penner has pointed out, do relate in many cases, very specifically to the question being addressed now, and that is the question of the exclusion or non-exclusion of municipalities and school boards. I think clearly it would be in the interests of the committee process that the position of the Union of Manitoba Municipalities on that question be clarified. I think that is part of the presentation. If members wish to have it clarified, I think that would be in order.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, obviously, Mr. Penner has some information in front of him that I, as a member of this committee, do not have, and he's referring to briefs and that. Perhaps we could have copies of the resolutions for all members of committee, so we can understand what it is that Mr. Penner is getting at.

MR. D. HARMS: I'm perfectly willing to answer those questions.

MR. CHAIRMAN: Once we deal with the point of order, I'll certainly recognize you, Mr. Harms. I would point out, Mr. Graham, that Mr. Harms, in reply to an earlier question, I believe, referred to copies of resolutions which were sent to Mr. Penner. So he had already received all of the resolutions which have been tabled with the committee. If you're suggesting that we have the Clerk copy what looks like several hundred pages for all members, if that's a committee request, I'd be prepared to do it, but I'd prefer in the interim to provide you with the Clerk's copy if you wish to examine it.

MR. H. GRAHAM: Thank you very much.

MR. CHAIRMAN: Further contributions to point of order? Otherwise I am prepared to allow the line of questioning since I believe it pursues a matter which some members wish to clarify that relates to the brief. No further points of order?

Mr. Harms, would you be prepared to answer the question, or would you like the question rephrased?

Mr. Penner.

HON. R. PENNER: Yes, in fact, I hadn't gotten to the question, so I'll now get to the question I had. Mr.

Harms, simply by way of preamble, pointed out the concern of a very large number of municipalities about whether or not they would be affected by the proposed amendment in terms of their functioning as municipal councils. My question to you is, can you tell us why your organization has not submitted to this committee a proposal of how that might be better done, if you think that the wording proposed is not satisfactory?

MR. D. HARMS: I think we would be quite pleased if you could assure us of the fact that you're not going to make Manitoba a bilingual province. When you say that municipalities and school boards are not going to be involved by that one insertion that you are making under one of the sections, you're only trying to maybe alleviate our fears to some extent. But we looked into those amendments a lot further than that, and there's a lot of room in those amendments to include school boards and municipalities to a great extent. You already know of the fact that this will happen; you know that yourself that this will happen; because of the fact that you cannot segregate the municipalities from the Provincial Government. We will be involved. There's no way that we won't be involved. Because of certain traffic tickets and certain municipalities, because of another section of that act - even the Act of the Union of Manitoba Municipalities might be invalid in 1993, I think it is or something like that.

There's no way that you can say that municipalities won't be involved, even if you put that one line in there because there is so much room for litigation. We could be drawn into that in two years time, in one year's time, as a matter of fact, right away.

HON. R. PENNER: Mr. Harms, the resolution, if adopted, doesn't come into effect until January 1, 1987, so I don't follow your concern about something happening right away. Do you, Mr. Harms, understand the difference between a constitution and an ordinary bill or law of the Legislature?

MR. D. HARMS: Yes, I do.

HON. R. PENNER: Constitutions cannot be easily changed.

MR. D. HARMS: I would not quite agree with that, that they can't be easily changed. They cannot be easily changed when we can't agree on it. If we could agree on it, we could change the Constitution.

HON. R. PENNER: That's right. When you say we, you mean . . .

MR. D. HARMS: All of us.

HON. R. PENNER: . . . the province and the federal House and Senate, if it deals with language rights. But that of course cannot be done as easily as changing a bill in the Legislature, where it only requires the Legislature.

MR. CHAIRMAN: Question, please.

MR. D. HARMS: That's true.

HON. R. PENNER: Right. Would it not then give the municipalities greater protection to have a constitutional prohibition against, or a constitutional exclusion of the municipalities being required to deliver services than if there was no such constitutional protection?

MR. D. HARMS: I would agree with that, but it still would be much more protection for the municipalities if we didn't have any of the amendments at all, and that's what we're opposed to. So if we could get no amendments, then we wouldn't have to put municipalities and school boards in there at all, because there wouldn't be any.

HON. R. PENNER: How would you resolve the Bilodeau case then?

MR. D. HARMS: We would let it resolve in itself.

HON. R. PENNER: That is, you'd let the Supreme Court decide it?

MR. D. HARMS: Correct.

HON. R. PENNER: Are you aware of the issues before the Supreme Court?

MR. D. HARMS: To some extent, yes.

HON. R. PENNER: Would you tell me what you think the issue is before the Supreme Court?

MR. D. HARMS: The main issue is that all the acts of the Legislature would be invalid.

HON. R. PENNER: No, Mr. Harms, the two acts, The Highway Traffic Act and The Summary Convictions Act.

MR. CHAIRMAN: Order please. We are straying a little away from the brief. I realize questions have been short and there haven't been lengthy preambles, and I appreciate their attempts to clarify the Union of Manitoba Municipalities' position, but I would appreciate more direction to the contents of the brief itself and not the provision of answers which differ from those of the witness.

Mr. Penner.

HON. R. PENNER: Do you know what The Summary Convictions Act is?

MR. D. HARMS: I think you told me that in Morden, and I have that long a memory.

HON. R. PENNER: Right. Without it you cannot enforce municipal by-laws, you understand that.

MR. D. HARMS: Okay, that brings up . . .

HON. R. PENNER: Would you just answer that question, then you can give me your okay?

MR. D. HARMS: I understand that, because you told me.

HON. R. PENNER: Okay. Go ahead, Mr. Harms, I didn't want to interrupt the rest of your answer.

MR. D. HARMS: But that already answers your other questions, or fortifies my other position when I say that municipalities would be involved.

HON. R. PENNER: They are presently involved in the case before the Supreme Court, are they not?

MR. D. HARMS: Yes.

HON. R. PENNER: Yes, they are already involved. So that if the Supreme Court finds The Summary Convictions Act invalid because passed in one language only, English, then you can no longer enforce your municipal by-laws.

MR. D. HARMS: I'm given to understand.

HON. R. PENNER: And you're prepared to accept that. I want that to be on the record. You're the president of this association, and I want that answer to be on the record. You're prepared to accept a result which would not allow any municipality to enforce its by-laws?

MR. H. GRAHAM: Mr. Chairman . . .

HON. R. PENNER: Let him answer the question.

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

MR. H. GRAHAM: Mr. Chairman, we're on a point of order. How can the Attorney-General interpret what a court might decide? We don't know what the court will decide and I'm sure the Attorney-General doesn't know what a court will decide.

HON. R. PENNER: The question I put to him was on the assumption that The Summary . . .

MR. H. GRAHAM: Assumption.

HON. R. PENNER: Well, right, to put that question, that The Summary Convictions Act is ruled invalid. Mr. Harms is intelligent; he said that he understands that that means that the municipalities could not then enforce their by-laws, and I'm simply asking him, it's my final question, for the record, you're prepared to accept that?

MR. D. HARMS: I am prepared to accept that providing that it would be that decision. With the thought in mind that we have other intelligent people in Manitoba, and I'm sure that we could agree on something that we could be doing if that would be the assumed outcome of that case.

HON. R. PENNER: Very good. Who do you think would do it, because somebody would do something? Who?

MR. D. HARMS: I don't think that, as the intelligent people that we have in our municipalities, they would just walk away from their responsibilities. I just can't imagine that, that we would say, when that court

decision did come in that way, well, there's nobody in charge. Somebody has to be in charge.

HON. R. PENNER: There is no law; the law is gone. What do you do?

MR. CHAIRMAN: Order, order please.

MR. D. HARMS: Sometimes we can work without laws.

HON. R. PENNER: Ah, you would work without laws. Thank you very much.

MR. CHAIRMAN: I understand and I appreciate the desire to clarify the position, but we were engaging in debate rather than questions directly for clarification, although I do appreciate the importance of clarifying the position.

Are there any further questions? Mr. Penner.

Further questions for Mr. Harms?

Mr. Lecuyer.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, perhaps there may be some series of questions that might want to be asked, and I know we are past the hour of closing. I was wondering if Mr. Harms would give any indication of whether he would prefer to complete it tonight.

MR. CHAIRMAN: First perhaps I could ask how many questions Mr. Lecuyer has and if any other members present have questions, rather than asking Mr. Harms to return tomorrow. I realize he is from out of town.

Mr. Lecuyer, do you have a number of questions?

MR. G. LECUYER: Two very short questions.

MR. CHAIRMAN: Because we are past our normal hour of adjournment. Mr. Graham has a legitimate point. Other members have questions for Mr. Harms?

Mr. Uruski.

HON. B. URUSKI: Possibly one question.

MR. D. SCOTT: Fifteen minutes.

MR. CHAIRMAN: Would we be willing to look at perhaps 10 minutes, so we can conclude?

Mr. Lecuyer passes.

Mr. Scott.

MR. D. SCOTT: Mr. Harms, through you, Mr. Chairman, have you consulted and your organization consulted any legal opinions as to interpretations of the Constitution?

MR. D. HARMS: Yes, we have.

MR. D. SCOTT: You have. Would it be possible for you to table those with us, or are they embodied in the text? You have made no reference to it, specifically.

MR. D. HARMS: I haven't got any documents that I could table here at the present time, no.

MR. D. SCOTT: Did you obtain any legal written opinions?

MR. D. HARMS: Pardon?

MR. D. SCOTT: Did you obtain any written legal opinions?

MR. D. HARMS: We had some, yes.

MR. D. SCOTT: You have. Okay. Could you tell us what reference those opinions gave as to the likelihood of a Supreme Court ruling against a provision in the Constitution presently?

MR. D. HARMS: Pardon me. Against . . .

MR. D. SCOTT: Against the provision that laws must be passed in both languages, as is provided in existing Section 23.

MR. D. HARMS: If I understand the question correctly, our legal opinion was of the opinion that a court could not decide on anything that wasn't in Section 23. In other words, it had to go on what was contained in Section 23, and they could not go any further.

MR. D. SCOTT: So your legal opinion or your own opinion of Section 23 is that it is restrictive, and it only extends to Legislatures and courts?

MR. D. HARMS: That's correct.

MR. D. SCOTT: On the bottom of Page 3, you made reference to it "dividing communities and causing hurt feelings, and threatening to break down the entire fabric of our community spirit," how can that happen in areas or in the province in general with people requesting rights for services in their language that is protected under the Constitution?

MR. D. HARMS: I did not realize that there were any of those rights in question at the present time. I realize or I was of the impression that we're talking, when we talk about the amendments, of extended language rights and not of those rights that aren't contained in Section 23.

MR. D. SCOTT: Mr. Harms, would it be fair to ask you if the feelings of the people are aroused when citizens demand rights that they feel that they have within a Constitution that have been denied for a number of years, or when the people stand up for their rights, that then there's a public backlash?

If I could use the analogy of in the Southern United States, as long as the blacks were in the back of the bus . . .

MR. CHAIRMAN: Order please, order please. This is slightly argumentative and begins a debate. It doesn't clarify any of the material that's contained in the brief.

MR. D. SCOTT: We have a comment of it threatening to break down a community. I can't quite understand how a community can be broken down, because an

individual requests to communicate with his Provincial Government in his own language.

MR. CHAIRMAN: Maybe Mr. Harms can clarify your concern in that area.

Mr. Harms.

MR. D. HARMS: I can tell you from experience, and I think you should know it yourself, that we have municipalities where the council is made up of probably three different ethnic groups. When something like this comes along, it does not just pass over just like that. If you are talking about breakdowns, that's where the breakdowns happen, because we have all been working together without any problems. But when you have this coming up as it did come up and has come up, then that breaks down in that particular council. I know of areas where it has, and it just doesn't work like it worked before. Even if the feelings are trying to be controlled as much as possible, you can't do it entirely.

MR. D. SCOTT: So given that then, would you be in favour then of us seeking an amendment to the Constitution to eliminate any reference to French in Section 23 of The Manitoba Act? Let it go back to a status quo, I guess.

MR. D. HARMS: I didn't say, eliminate French. As far as I'm concerned, we don't need to say that either English or French is our official language. We have a language, as I said to you in my brief, that we can communicate with. We have no problem. It's English, but actually there is almost as much French in the English already. If we continue much longer, we might be.

MR. D. SCOTT: Thank you, Mr. Chairman.

HON. B. URUSKI: Mr. Chairman, through you to Mr. Harms. David, part of the concern of municipalities, as I understand it, in many of the resolutions and the briefs was the enabling or encompassing of municipalities and school boards but also the costs that would be borne by services having to be provided by these amendments. Am I correct in that?

MR. D. HARMS: Definitely, yes. That's not only on a municipal level; that's costs that are involved in the province. I don't think that we can say that we are only speaking for municipalities. All our council members represent so many people and we are speaking for those people as well, because I'm sure that you know how many people you meet when you walk down the street. We meet them every day. We are speaking for the people of Manitoba as well.

HON. B. URUSKI: Mr. Chairman, in earlier comments, you indicated that you wanted to see the challenge of Bilodeau to go to the Supreme Court and let the chips fall where they may. Am I misinterpreting that suggestion?

MR. D. HARMS: No, sooner than putting through the amendments, I think we would be prepared to say that.

HON. B. URUSKI: You are aware of the extent of the proposed agreement between the province and the

Francophone-Manitoban Society where approximately 10 percent of our laws would be translated over the next 10 years as part of the constitutional agreement? Am I reflecting it fairly accurately?

MR. D. HARMS: To some extent, yes.

HON. B. URUSKI: Would you be prepared to cover any additional costs, on behalf of the municipalities, of any Supreme Court ruling, which would go beyond the present proposed agreement?

MR. D. HARMS: That would depend on a few things, I would imagine. I couldn't involve the municipalities in costs that they would have to be prepared to pay, but I have said all along I would have no objections to it if it's so much per capita, I'll give you the four bucks tonight.

HON. B. URUSKI: That is precisely part of the major concern is cost, and what you've basically said is that 10 percent is too much. Am I misinterpreting you? That 10 percent of the translation of our laws and services is too much?

MR. CHAIRMAN: Order please. Do you have a question for clarification?

HON. B. URUSKI: Well, I want to know - and I don't want to put words in Mr. Harm's mouth, and costs are a major question in his brief - would it be reasonable to assume that, and you speak on behalf of the municipalities, those municipalities who have said, look, we don't want to pay these additional costs, because they're going to be a cost on all of us. I'm saying, are you prepared to say, if when the Supreme Court rules and if the costs go beyond the proposed agreement, we're prepared to pick up those costs, because we think this is the right way to move?

MR. CHAIRMAN: Order please. I think the question engages . . .

MR. D. HARMS: I could not say that, because I cannot spend the municipalities' money on their behalf, I'm not that kind of a president.

MR. CHAIRMAN: Order please. Mr. Uruski, I'm not sure . . .

HON. B. URUSKI: I'm finished.

MR. CHAIRMAN: Okay. I would commend to your attention Paragraph 4 on Page 3 in Mr. Harms' brief, which addresses quite specifically that question. Perhaps you might want to clarify that, but I think your line of questioning is covered in that paragraph.

Any further questions by members then?

Mr. Graham.

MR. H. GRAHAM: Thank you, Mr. Chairman. Mr. Harms, you state that you tabled 123 resolutions from 123 different municipalities. Mr. Penner attempted to suggest that that covered 50,000 people in Manitoba.

Would you consider it more accurate if I suggested that figure would be 350,000?

MR. D. HARMS: I wouldn't really want to state any figure, because as I said I have never made an attempt to add up the census of those particular municipalities that were in favour of it. But if you take that in any other regard, the Union of Manitoba Municipalities has an overwhelming majority to oppose the amendments. The Union of Manitoba Municipalities, as a whole, represents somewhere around 400,000 people of this province, and we have just as much authority as any other government has to then say that we are speaking for that particular group of people. I could not accept the fact that we would only say that only those people are involved that pass the resolution. Even if there was not a single one opposed to it, so we had actually a unanimous decision.

MR. H. GRAHAM: Mr. Chairman, I have attended all of the hearings and I did hear a brief from a municipality yesterday that was in favour of the government proposal, and I did hear a brief at the Brandon meeting, I believe, from one village that was in favour of it. There might be another one, but it was a very small number. Even at that, Mr. Harms, the vast majority of your municipalities in your organization, as evidenced by 123 resolutions out of 160, even those that didn't pass resolutions, in your opinion most of those are in favour of the position that has been taken by the Union of Manitoba Municipalities. Is that correct?

MR. D. HARMS: That's one of those questions that are a little difficult to answer. Although I have spoken to quite a number of municipalities, and the reason for that was again, as I mentioned a little while ago, we have municipalities where the council are made up of the different ethnic groups, and they did not want to send in a resolution for that particular reason, because they didn't want to create any more disharmony in the council than was already present there at this time, but they didn't say that they were against it.

MR. H. GRAHAM: Thank you very much, sir.

MR. CHAIRMAN: Further questions by members?

MR. G. LECUYER: Well, just one brief comment, Mr. Chairman, arising from what . . .

MR. CHAIRMAN: Order please. It is not appropriate to make comments. If you have a question, I'll entertain your question.

MR. G. LECUYER: It's a question.

MR. CHAIRMAN: Mr. Lecuyer.

MR. G. LECUYER: Just arising out of Mr. Graham and following on with that, did I hear you say, Mr. Harms, a moment ago in answer to Mr. Graham, that it is unanimous?

MR. D. HARMS: As far as we were concerned it was unanimous, because we asked for "for" and "against" the amendments, and we did receive one single resolution in our organization that said they were against what we were proposing.

MR. G. LECUYER: In other words, would you not say, therefore, those who did not respond absented from responding?

MR. D. HARMS: I suppose you would say when they don't send a resolution in, they absented.

MR. G. LECUYER: Yes.

MR. D. HARMS: But that still doesn't say that these that we got in were unanimous, because they all said that they were opposed to the amendments. We did not receive a single one that said they were in favour of the amendments.

MR. G. LECUYER: Mr. Harms, perhaps you did not understand. I did not question whether the 123, the unanimity of the 123, but would you not then agree that of the 160, you could not say 160 towns were . . .

MR. D. HARMS: I didn't say that either.

MR. G. LECUYER: All right.

MR. CHAIRMAN: Further questions for Mr. Harms from members of the committee?

Seeing none, Mr. Harms, thank you very much for representing the Union of Manitoba Municipalities here tonight and making a presentation on their behalf.

The hour of adjournment having been passed, committee is adjourned and stands adjourned until 10:00 a.m. tomorrow.