



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

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Monday, 3 October, 1983

TIME — 7:30 p.m.

LOCATION — Winnipeg

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Mackling and Storie

Messrs. Anstett, Ashton, Brown, Graham, Harapiak, Lecuyer, Nordman, Scott; Mrs. Oleson

WITNESSES: Mrs. Friesen, Private Citizen

Mrs. B. Holst, Private Citizen

Ms. Beryl Kirk, Private Citizen

Ms. Sandra Oleson, Private Citizen

Ms. Judy Flynn, Private Citizen

Ms. Ruth Rannie, Private Citizen

Mr. André Fréchette, Association des professeurs du collège universitaire de St. Boniface

Ms. Linda Archer, Private Citizen

Ms. Juliette Blais, Private Citizen

Dr. Rey Pagtakhan, National Chairman United Council of Filipino Association in Canada; Advisor, Phillipine Association of Manitoba

MATTERS UNDER DISCUSSION:

Proposed resolution to amend Section 23 of The Manitoba Act.

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MR. CHAIRMAN: The committee will come to order. We have a quorum. Mrs. Friesen, please.

MRS. FRIESEN: Good evening, gentlemen, members of the legislative committee. It gives me great pleasure that we still have this opportunity for the common people to come before you and lay out their dreams and their fears.

I have come tonight, not in praise of Caesar, but hopefully to bury him. Much has been said in the past few months regarding rights and justice. Mr. Anstett, are you listening?

MR. CHAIRMAN: Yes.

MRS. FRIESEN: Thank you. We have given freely of our time in listening to arguments given here by people from all walks of life, from the Alliance Quebec, from Mr. Letourneau, and I wonder, would we be received as courteously in his province as they were here. I'm wondering. I have concerns. Middle Canada has really

dictated to Western Canadians since before Confederation re trade and then within a federal state the trade.

We have operated under a protectionist system while they are receiving our raw materials at less than world market prices. I have always felt this to be greatly unjust, but then westerners have been scoffed at and continue and these people in the east still continue to enjoy these privileges, never even giving consideration to changes. Yet the Federal Liberal Quebecers were here full force telling the people of Manitoba to restore rights and justice to some Manitobans. This is always a one-way street.

In 1971, Pierre Trudeau said: "You cannot legislate language into importance." If only he had heeded his own words and advice. If only he had let each language free flow among the masses without any political interference, we would have been spared these many years of harangue over language and culture.

This one individual will have to bear the responsibility in history for the horrendous divisiveness we are experiencing here in Manitoba today. He has broken down the traditional foundations of authority and substituted new ones.

Please allow me to read a paragraph out of the book "Trudeau's Canada - Truth and Consequences," by political analyst, Phillip Bohm. The Prime Minister has succeeded in separating Christianity from politics only to reintroduce his own new public religion - social radicalism. For radicals, politics functions as a new religion. Trudeau wants to achieve through politics what is in reality possible only through Christianity, the making of a new man and a new society. For Trudeau the politicized workers are the real upholders of "spiritual values." He has politicized cultural values, elevating them to a spiritual level. That has been gleaned from one of his books. Cultural values are spiritual when they reach the level of universal and human values rather than national and material.

It seems that the UNESCO's philosophy of scientific humanism is Trudeau's true public religion and it is in this light that he envisioned the Canadian Charter of Human Rights.

The consequences of this radical shift in authority will have very far-reaching effects. This social radicalism has confused and divided us, put fear into our hearts. His statement, "Federalism must be welcomed as a valuable tool from which the seed of radicalism can spread." This seems to be coming into effect here in Manitoba right now. Through the office of the Secretary of State, millions of tax dollars and certain people are being used to spread this evil seed.

In 1968, when asked why he changed his political philosophy from the time when he edited the magazine "Cité Libre" in which he was a severe critic of the Liberal Party, he replied, "There's a mistake here. Just because the Liberal Party has changed, its philosophy hasn't changed. You shouldn't assume that I have changed mine. No party, no matter how venerable and

old and structured, and bossed by machines and imbued in history, no party can really escape the control of a group of people who want to get in there and decide to control it. We did this. We pulled the ground out from under them."

Those words were spoken by the man who is still the Prime Minister of this country today. In 1981 he stated, "We've got all the aces. We've got the right of disallowance, declaratory power under peace, order and good government. We have the entrenchment of both official languages, which can never be removed. We've got French in the education system in every English province."

This, of course, fits into his grand design. Statements such as these denote not an attitude of co-operative democratic federalism, but rather dictatorial. He and his group have all the aces and the masses. We Canadians are but pawns in his scheme. One wonders, has the man not learned from history, recent history in Europe in the 1930's?

This then brings me to what I feel is happening in Manitoba now. I see a resemblance in the attitude in the Attorney-General of Manitoba. This government was not given a mandate by the people of this province to amend the Constitution of 1980, yet Mr. Penner has taken the attitude, together with the Prime Minister, that he knows what is best for Manitobans. He made a secret deal with Serge Joyal and Serge Joyal has said publicly that he worked on it, with someone from the New Brunswick Government, with 576 members of the SFM, Roger Bilodeau, Alliance Quebec and another group. But not with the people that this legislation would eventually affect. We, the people of Manitoba, are not to know what this deal is until it is law and entrenched law.

Mr. Penner, in my view, has played a dirty trick on the people of Manitoba by being so secretive, or maybe Mr. Penner also is playing games, together the Pete (sic) and Penner game, dividing the masses, French against the English and all us non-phones in the middle. Isn't that how communism works to achieve their goals?

Mr. Penner is, after all, a very relatively recent member of the New Democratic Party, and he has stated publicly on July 14th that he cares not a hoot if he is defeated in the next election. I wonder, people wonder, did he expect to be finished the job he was doing for Trudeau and company? Was he then able to go on to his rewards? Then one has to wonder what rewards await him, but time always tells.

This government has succeeded in tearing the social fabric of this province apart, and it will take a very long time to heal. As we all know, and we've been told this many times over the last few weeks, Manitoba is a province of minorities. We are not an extension of Upper and Lower Canada. We are unique. We have different origins, a different ethnic mix, a different history. We have different thought processes and different ways of reacting.

This myth of two founding peoples to me is just that, a myth. This two nations concept hurts me to the core, because it negates all the blood, sweat and tears my ancestors suffered in the opening up of this province. I share the view of million of Canadians, of Western Canadians anyway, that at least Western Canada is not founded by Francophones or Anglophones or any other kind of phones, but by all pioneers who came to settle

here. The explorers and fur traders were hardly here to settle and stay, but rather to explore and exploit the fur-bearing animals and maybe even the Native peoples. Over the years, the minorities, be they Icelandic, Ukrainian, Polish, the gamut, to name but a few, have contributed greatly to the development of Manitoba.

The Mennonites came to Manitoba only four years after its incorporation as a separate province. They were the first large group of immigrant settlers from the European continent who added to Manitoba's then small number of white residents. In 1881, they represented about 13 percent of Manitoba's total population. The Mennonites of Manitoba have played a significant role in the development of this province.

The Francophones must share this with all other pioneers, the opening up and building of this province. They seem to want to regress, but only to 1870 and no further. Maybe perhaps we would have to give this province back, but to whom? The beaver, the buffalo?

I would like to insert here just a little bit regarding another brief that was given here, with your permission, Mr. Chairman.

MR. CHAIRMAN: No objection to what's included in your brief.

MRS. FRIESEN: It's mine.

MR. CHAIRMAN: Proceed.

MRS. FRIESEN: Thank you. We heard earlier when these hearings first began, a brief from a group of concerned Mennonites and I would like to give my view regarding that era. Like all other ethnic groups in North America, the Mennonites felt the effects of outside pressures, subtle but persistent. Of much great importance than English schools, was the psychological attraction which the amenities of a prospering society exerted upon the susceptible minds of the second generation of my people. To a thoughtful observer of conditions in the Manitoba settlements, the ultimate outcome seemed quite inescapable. Sooner or later the Mennonites would be absorbed into the general stream of Canadian life which, to some extent, has happened, but it happens to all minority groups as we live together in a great country.

I am a product of just such acculturation having retained my mother tongue, Plattdeutsch, my second language, German and can, I hope, make myself understood in English. No government, no government ever threatened my culture. Had Mr. Reddig, who hails from Pennsylvania, I understand, grown up in Manitoba, he would, I am certain, carry a different slant and view in his mind, but then he did say he represented 20 concerned Mennonites of which one seems to be a Mr. Regehr working in Mr. Pawley's office.

I would like this committee to know that Mr. Reddig did not represent me, my immediate family nor my extended family. We are fourth generation Manitobans and our numbers by now are many. We do not believe any language or culture needs to be entrenched in any constitution. Time does not stand still and a culture and language have to grow and evolve as time goes on. We cannot regress. It is physically impossible and if we feel strongly enough about our mother tongue,

we'll use it and it won't die, but my culture has been retained by living it.

All these immigrants came to a country, a new world, which they were told was governed by a democratic parliamentary system, patterned after the British Common Law System, where Parliament is supreme. Here traditions and conventions would be developed. Laws changed as the province matured to meet the needs of the times. Surely now the descendants of these pioneers, surely, we should have a voice in the future of this province. Must we all bow to the demands of one minority who cry for restoration of rights, entrenched rights, rights which will be special for one minority only? No mention is made of German rights entrenched. Is this equality for all?

In 1870 the population was largely Metis with roughly 1,500 so-called whites, according to my history books. With all the changes in population and the laws made to fit that time, hardly pertain today, just like seat belt legislation may no longer pertain in 2083. This has all changed now. The new Constitution Act of 1982 has changed Canada's system from the British Common Law system to the French Civil Code system, where judges make the decisions, as opposed to the supremacy of Parliament.

I come then to this piece of information that was sent to me. This extremely poor and, in my view, bad piece of legislation fostered by Mr. Penner brings back all the racial unrest of the old world. This new world was to spell equality for all. Statements like, "We won't be led by WASPS," by Myron Spolsky from the Globe and Mail, and "The day of the rule by the pure WASP is over. What's happened is that these ethnic communities were sold a bill of goods in 1916, and got screwed just as we did."

These words were spoken to a Globe and Mail reporter, Richard Cleroux (phonetic) by none other than a community leader in our midst. He is presently the Vice President and lawyer for the SFM, Treasurer for the Festival du Voyageur, a real community leader. Who, I ask, incites racism? Statements such as these by a community leader in an organization or organizations that are, incidentally, both heavily funded by our tax dollars are just unforgivably divisive. Myron Spolsky, I heard this afternoon, is the Treasurer for Manitoba 23. It hurts when people who are leaders in the community make such racist statements, and then expect us to believe in their cause.

The Official Languages Act of 1969 was passed in Parliament, and the Liberals of that day preached to help keep Quebec in Canada. I wonder, do the Francophone Quebecers really want out of Confederation, or do they aspire to take total control of this country? Seemingly, since 1969, things were not moving quickly enough regarding implementation of the French language.

Serge Joyal stated, "The policy of increased assistance to Francophone minorities must be based mainly on a cultural policy, which is tragically lacking at this time," taken from the Commons debates of October 19, 1976. So there we are. Federal assistance has flown freely ever since. For the past five years, the Francophone population here in Manitoba have received millions of tax dollars, while other minorities are hardly recognized.

In order to rectify this to some extent and to offset the appearance of favoritism, we now have an

organization called MAPAL, Manitoba Association for the Preservation of Ancestral Languages. I understand the Secretary of State is encouraging and funding these groups in Canada. I repeat, this is to offset the appearance of favoritism to one minority, but at the same time it is a way to trap the unwary in the subsidiary enterprises which are part of the grand design. Instead of fostering unity, these ethnic groups are set up to foment Canadianism. Many of these people are not even aware of how they are being led astray by these activists. These so-called leaders are elevating themselves to the level of freedom fighters, saying heritage education is our right. How sad, how sad! The shallow thinkers looked and found an issue to exploit.

Baruch Rand, as Chairman of the MAPAL Convention held on September 24th in the University of Winnipeg, stated and he publicly stated this, "We cannot adopt the English culture. We are what we are." What government, I ask, has ever asked us to adopt the English culture? In Manitoba, we are a mixed breed, Canadian. Rand claims his roots are in mid-Europe and, since he has lived in Manitoba for a very short time, may that be so for him. But for us people who are third and fourth generation Manitobans, we cannot be anything but Canadian, no matter what new Manitobans preach.

The SFM are asking all these minority groups for support in convincing you, the legislators, to ram through Penner's proposal for entrenchment. Yes. It seems to me that the radical group of Francophones are not so much concerned with fostering their own language as they are obsessed with living up to the old dream of yesteryear. In the Manifesto of a Vanishing People, Page 29, I read, "Since the revenge of the cradle is now a thing of the past and the birth rate is approximately the same for all ethnic groups, the only way to increase the Francophone population is to rely on immigration." Reading on to Page 65 in that same book, I find, "Another threat to the cultural identity and activity of the Francophones outside of Quebec is the concept of Canada as a bilingual, but multicultural country. This federal policy which has many followers among the Provincial Governments pushes us too easily and subtly to the background, to the same level as any other ethnic minority."

Yet, today, these self-same Francophones are asking the support of all other ethnic groups. I really wonder how many of the other ethnics are aware that they are being used. Will we never learn from history? Are we really presently interested only in heritage?

History tells us that at a Liberal Party Convention in Manitoba on March 26, 1914, the Liberals of the day demanded national schools, obligatory teaching of English in all public schools and compulsory school attendance. Maybe experience and history had taught them that the Laurier-Greenway compromise of 1897 did not really work that well after Manitoba had a great influx of people from various European countries. The Department of Education of that day struggled very hard to follow the laws, but the situation eventually ended up in linguistic chaos in the schools of Manitoba, hence the act of government in 1916.

In an editorial of May 18, 1920, the Winnipeg Free Press with great clarity, brought to the fore the reasoning behind that step. The writer, perhaps John Defoe himself, declared, "State schools were the

symbols of a new freedom. If every ethnic group had retained school autonomy, all tongues and dialects of Europe would be perpetuated here." One has to ask oneself, would we have the Manitoba we have today had such action not been taken in 1916? How, I ask you, would we all be communicating here today if in 1916 some order had not been created regarding education in this province? I, for one, cannot thank those far-sighted politicians of that era enough for doing what they did; I never lost any opportunities because I attended a public school, rather than a private school; my mother tongue is not lost, and there was provision in The Manitoba School Act for public schools to teach a second language, and also for religious instruction. So the second language was not lost, all Manitobans had these rights given in The Manitoba School Act of that day, and I am living proof of that, that's how I learned my second language, German.

Multiculturalism is the most divisive idea put forth. My ethnic heritage is as sacred as my personal identity, and the state has no business aiding and abetting it. We must de-hyphenate, rather than de-Canadianize ourselves. To do so can only be Canada's gain. If one's desire to retain a culture and language is strong enough, and this really emanates from a family, it survives without legislation or any entrenchment.

I would like to say just a few words about the sheet which was sent to me by the Government of Manitoba, under the signature of Roland Penner. One wonders, who was the author of this work of art? The information is certainly less than honest. Mr. Penner states that his proposal is a "Made-in-Manitoba solution." This statement conflicts with what the Premier stated in the Legislature on Tuesday, July 12, 1983. He stated that there are 7 parties involved in this proposal; Alliance Quebec and New Brunswick Government are not Manitobans are they? There will be no change in the language of work within the Civil Service. News out from Ottawa regarding the Affirmative Action Program states differently. Once a province becomes officially bilingual things will change, as announced on June 27, 1983 in Ottawa. The Affirmative Action Program will presently apply only to Federal Government and departments as they are now, but guess who will push for it to apply to private companies and all other governments and corporations? You guessed it, Serge Joyal. This information I have gleaned from the Toronto Sun and the Winnipeg Free Press.

Perhaps Mr. Penner is not aware of Bill C-398 proposed by Serge Joyal. I'm sorry Mr. Penner is not here because I have an excellent quote for him. 400 hundred-odd years ago Bishop John Boyle facetiously counselled, "Though it be a foul great lie, set upon it a good face." Even there Mr. Penner has failed. This government is telling me that this fiasco that you are promoting is unity in this province. Do you really expect the people of Manitoba to have any trust left in this government after such lies have been perpetrated on us? The people of Manitoba are just sick and tired of being treated like ignorant lemmings by these open-government politicians and bureaucrats. The members of the government sitting on this committee should think very carefully about the impact their decision will have on this province and, indeed, on all of Western Canada.

You have to ask yourself, should one in your midst be making secret deals, seemingly to me, towards his

own elevation in this power play? Please remember, Western Canada is made up of minorities; should one be given special status that all others cannot constitutionally enjoy? Where, I ask you, is equality?

Please allow me to make a few recommendations which, to me and a host of my friends and family, seem the only logical way to go for our province. The reality in 1983 is that Manitoba is peopled by minority groups; English now is the one unifying language for all of us. In giving special status to one minor minority group you are elevating that group to a position with privileges all others cannot enjoy. Maybe, at this point in the history of our country, it is time that Western Canadians begin facing reality and to decide to take their own destiny into their own hands. Maybe middle Canada has mothered us long enough; we cannot regress, but must plan for the future.

So I urge you, let the Bilodeau case rest; put forth a platform asking the people of Manitoba if, indeed, they want two entrenched languages to be used in this province at all times forever and ever; call an election on that one issue, and then let the people democratically decide, and then we must all live by that decision.

Or, I have an alternative for you. Be bold, rewrite Section 23 of The Manitoba Act to reflect the reality of today; one official language, English, with privileges for all minorities to pursue and live in their own languages and cultures in their homes, their churches, and their private clubs without government aid and abetting, not entrenched. Maybe, just maybe, then we can begin to build and to live peacefully together all our 32-odd, 40-odd minorities.

Thank you for the opportunity of hearing me out and letting me speak to you.

MR. CHAIRMAN: Thank you Mrs. Friesen. Questions for Mrs. Friesen from members of the committee? Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. Mrs. Friesen, you mention that the Mennonites had come to Manitoba four years after 1870, and that there were now fourth generation Mennonites living in Manitoba. I would expect, from what you're saying is that you would possibly be third generation yourself?

MRS. FRIESEN: I am a fourth generation, my children are fifth.

MR. A. BROWN: They're fifth. Very good. Mrs. Friesen you seem to be promoting one language very strongly in Manitoba, namely, the English language as the one common language of communication; do you feel that within your group that there still is a strong desire to maintain the heritage of the Mennonites, namely, the German language?

MRS. FRIESEN: Well, you ask me, in my group, and I have to speak only for my group because I know that in some areas it is stronger than in ours. We maintain our language at home, we speak our heritage language at home. My children speak German, they also speak French, but this is the Canadian mosaic. Our culture isn't lost, we live our culture, and that is how my children have been brought up and they will carry on, if they

so desire. But that is their decision, we shouldn't make decisions for them, they have their own lives to lead and their own decisions to make.

MR. A. BROWN: Mrs. Friesen, did you have a great concern when the rights of the 1870 agreement were installed in 1980, and that French, again, was recognized with whatever rights had been embodied in the 1870 agreement, were you really concerned about it at that particular time?

MRS. FRIESEN: I'm not sure I understand the question. In 1980?

MR. A. BROWN: That's right. 1979 the ruling came down on the Forest case, in 1980 then . . .

MRS. FRIESEN: Well, I wondered what was going to happen. If activists get busy in the province it could mushroom.

MR. A. BROWN: When did you really become concerned as to how far this was going to go, or when did you really become concerned as far as the other language, like French?

MRS. FRIESEN: In 1969.

MR. A. BROWN: 1969. What was the reason for that at that particular time, could you tell me?

MRS. FRIESEN: Well, I suppose, we had fears that what is happening now would happen. As far as I was concerned I was getting along with my neighbours and I have a lot of French-speaking neighbours; but our uniting language - they speak their language at home, we speak ours at home - but our uniting language is English.

MR. A. BROWN: You mentioned that you were concerned about two languages being entrenched in Manitoba. Mrs. Friesen, do you realize that we are talking only about one language being entrenched, that the English language, as such, has not been entrenched in Manitoba, we are only talking about one language being entrenched. Is that a concern of yours?

MRS. FRIESEN: The language that I would like to see entrenched is English.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please.

MR. A. BROWN: You said that you were concerned, and you mentioned this evil seed that was promoted by the government, could you explain that statement and give us just a little bit more background as to what you really see as the evil seed?

MRS. FRIESEN: I should have brought all my books along. When I read you this bit about the Prime Minister separating Christianity from politics only to reintroduce his new public religion, I have great apprehensions about this sort of thing happening in this country, and

we have agitators in our midst. What are they agitating for? Many people are afraid of what's happening in this country; it used to be a fairly free and open country. I am not sure that I can answer your question because I am not quite aware of what exactly is happening.

MR. A. BROWN: Those are the questions I had of Mr. Friesen. Thank you for your presentation.

MR. S. ASHTON: Thank you, Mr. Chairman. If I understand you correctly, you're basically saying that you feel we should have one language in Manitoba, only English, because that is the majority language.

MRS. FRIESEN: That's right.

MR. S. ASHTON: Now, looking at it historically then, wouldn't you have said in 1870 then, that the language of Manitoba should have been French because the majority of people spoke French? How do you relate . . .

MRS. FRIESEN: I am not sure where you find in history books that the majority spoke French. The majority were Native people, all the various Indian tribes and they didn't speak French, did they?

MR. S. ASHTON: Well the majority was Native, including Metis, which spoke French.

MRS. FRIESEN: Not all.

MR. S. ASHTON: The census did show that the majority spoke French. Don't you feel then that that reasoning would be somewhat inconsistent? If you are saying that we should speak the majority language, simply because it is the majority, shouldn't we originally have been a French province?

MRS. FRIESEN: But I am not regressing to 1870, this is 1983, things have changed, people have come here from all parts of the world . . .

MR. S. ASHTON: I realize that things have changed . . .

MR. CHAIRMAN: Order please. Mr. Ashton would you let Mrs. Friesen finish here answer please?
Mrs. Friesen.

MRS. FRIESEN: Thank you, Mr. Chairman. It may have pertained at that time. What were the languages of Europe under the Crusades? Those languages haven't stayed either, they have evolved into what is necessary at the time.

MR. S. ASHTON: So, according to that, you feel that Manitoba should be English only, and say, Quebec because the majority is French should be Frenchmen?

MRS. FRIESEN: I am in Manitoba, I will never presume to make decisions for Quebec, but I am, as I have said, a fourth generation Manitobans and I feel very strongly, this is my home.

MR. S. ASHTON: I wasn't asking you to make a decision, I am just trying to place it in how you view it in the Canadian context.

The other question I have, then, is some people have suggested that there should be French services, but that they shouldn't be entrenched; some people have suggested there should be French services, and that they should be entrenched; and someone said there should be no services. Where would you put your bottom line at, where do you feel that you stand, are you in favour of one the other of those combinations?

MRS. FRIESEN: I am not in favour of entrenchment of any language. Services in my municipality, in the municipal office, have been served as long as I have been in that area, for 26 years, they have gotten their French services. When I lived in my home town, the services there were given in German or Plattdeutsch. These services, because they were necessary, they have been provided.

MR. S. ASHTON: Do you feel, for example, that the Legislature should translate statutes into French, or should provide government service in French?

MRS. FRIESEN: I guess the law from Ottawa dictates that you have to translate, so be it, translate.

MR. S. ASHTON: So you are not against French services?

MRS. FRIESEN: The French services were given, Mr. Lyon's Government provided French services.

MR. S. ASHTON: That's all I'm asking, whether you would were against French.

MRS. FRIESEN: Thank you.

HON. J. STORIE: Just one question for clarification. In your brief you suggested that you live in harmony with your French-speaking neighbours, and that English was the unifying language . . .

MRS. FRIESEN: That's right.

HON. J. STORIE: I gather that you are concerned, in some way, that this amendment is somehow going to interfere with that. Could you explain how . . .

MRS. FRIESEN: I just feel that that amendment, if you entrench that, gives those people a right that I cannot enjoy because I am not a "phone" of any kind.

HON. J. STORIE: I think that the right, if it is entrenched, does give you the right to receive services in French if you wish to have them in French.

MRS. FRIESEN: But I don't need them in French, I would need them in Plattdeutsch or German.

HON. J. STORIE: Then that contradicts what you said earlier, that that gives them rights that you wouldn't have.

MR. CHAIRMAN: Order please. It is not up to you to debate. Do you have a question?

HON. J. STORIE: Is that what you said?

MRS. FRIESEN: I'm sorry, I didn't catch what you were trying to tell me.

HON. J. STORIE: I may be misinterpreting what you are saying, and I was simply trying to clarify whether you had actually, in fact, suggested that another group would be receiving a service which you couldn't receive. Was that what you had said, that this entrenchment would mean that another group could receive a service that you couldn't receive?

MRS. FRIESEN: A constitutional service, constitutionally entrenched. There's a big difference between "service" and "constitutionally entrenched services."

HON. J. STORIE: So, you're saying that you would not be able to receive that service?

MRS. FRIESEN: Well, I couldn't use it because German would not be entrenched constitutionally, and that would be my language of communication, other than English.

HON. J. STORIE: That's fine, Mr. Chairman.

MR. CHAIRMAN: Further questions for Mrs. Friesen from members of the committee?

Seeing none, Mrs. Friesen thank you very much for your presentation this evening.

Mrs. B. Holst.

MRS. B. HOLST: Mr. Chairman, members of the Legislative Committee, first I wish to express my admiration for the many good people who have studied in depth the proposed amendment to Article 23 of The Manitoba Act and who have made their concerns public. These people represent a wide range on the political spectrum and so their combined voices have moved this issue across party lines; out of the political arena, to be examined honestly for the total effect upon all the people of this province.

In particular, I commend the many reeves and mayors of the rural municipalities, whose concerns have been expressed concisely and with clarity. I note the names of these reeves and mayors, and they reflect an ethnic, grass-roots mix of this province. They reflect a regional, cultural structure, a splendid mosaic of ethnic peoples, not cemented together by a British culture, but bonded together only by a common tool of communication, the English language, an English language now embellished by distinctive Canadian nuances.

I must state, categorically, that the wording of the proposed amendment to Article 23 of The Manitoba Act is most obviously of an ambiguous meaning in several areas. Indeed, if one gave even a mutton recipe to one's neighbour using measures and methods in similar loose fashion, one's neighbour would end up with a disaster.

Specifically, the areas of concern in this proposed amendment, to me, are:

23.1 which has an umbrella effect over the entire amendment and could be interpreted by the courts in such a manner as to invalidate the stated intention of limited bilingualism.

23.8 which states, anyone whose rights under Section 23.7 have been infringed, etc., constitutes an infringement, remembering that a judge must, or should, base his decision on the rule of the law, not on common sense or on what is necessary or unnecessary, according to his personal feelings.

23.7(b), the term "significant demand". I believe the B and B Commission suggested 15 percent as a figure for a regional bilingualism significant demand, but that was never adhered to. This term has yet to be defined in The Official Languages Act.

Indeed, there are many proposed amendments to The Official Languages Act that would give The Official Languages Act tremendous powers, unbelievable powers, and the date for enacting these amendments is suggested as December 31, 1983, which coincidentally, happens to be the suggested deadline for this provincial amendment.

Also, in relation to this term "significant demand", would the method used to produce this significant demand be open to scrutiny by the judge? Addressing legitimate needs is one thing; responding to organized demand is another.

I'm afraid I find this proposed amendment a can of worms creating chaos if entrenched. And the clause 23.1 could create unlimited bilingualism, entrenched or unentrenched. So anyone who wants to short-cut the negotiations between Mr. Bilodeau and the Supreme Court by advocating this disaster is leading Manitobans, not just down the garden path, but into the bramble patch. A short cut is usually the quickest way to some place you weren't going.

The Georges Forest case resurrected the 1870 Manitoba Act. It is now in place. These minority rights have been restored. As well, services in French, which existed to some degree since 1890, have been voluntarily available where needed. There was no quarrel with this, it was accepted by the people, the majority of people of this province. We are now informed the Provincial Government is considering a strange settlement. They say, accept the proposed amendment to the Constitution, and you only have to translate 400 rather than 4,000 laws into French. Some settlement! And the people of Manitoba are told that should Mr. Bilodeau go to the Supreme Court, why the Supreme Court might quite possibly rule all the laws of Manitoba invalid. I would rather gamble on the 1 percent chance the Supreme Court ruling would invalidate laws than impose this amendment on the people of Manitoba.

I feel to impose this amendment would be unconstitutional to the majority. Yes, minority rights should be protected. I feel this protection is already in place. To go further would impose upon majority rights. Freedom must not be allowed to be used to destroy the freedoms of others.

That is why we now must consider a plebiscite. A plebiscite is merely an opportunity for the public to express their view by secret ballot, and it is probably the only time in Canada on this subject. It is not binding; it is only an expression to the Government of the Day. It is not an expression against minority rights, because the 1870 Manitoba Act is already in place in this

province and as well the services are in place and have been given.

The wording of the plebiscite, as stated, is exactly what the Provincial Government itself is supposed to be contemplating. But it is because the public feel the Provincial Government have made a deal with the Federal Government and are not contemplating, or even considering this direct and proper legal route to the Supreme Court that they, the people, demand a voice.

This plebiscite is not divisive; this province is not divided French-speaking against English-speaking; it is against Federal Government intervention. Canadians know it is the Bobsey Twins of bigoted bilingualism, Trudeau and Levesque, who have created and unfolded an insane artificial cultural universe upon us.

A group called Manitoba 23 put out an information package which I read in order to understand their viewpoint. I do not have time to go into their entire package except to say, I question their historical facts as stated. For example, I quote: "The Quebec Act adopted by the British Parliament in 1774 also widely viewed as Canada's first Constitution, officially recognized French-language rights for the colony of Canada." I must remind you that the Quebec Act restored French law, invested priests with authority to levy dues, provided that the province be ruled by a Governor and council. The restoration of this French law applied only to 82 parishes in existence in Quebec and not to the province as a whole, and there was no mention of any language rights in this act.

In all the major documents of Canadian history, the Treaty of Paris, 1763, the Royal Proclamation following it, The Quebec Act, 1774, The Constitution Act, 1791, The Act of Union, 1840, The BNA Act, 1867, only the latter, The BNA Act, makes reference to French language rights. Specifically Section 133 of The BNA Act stated a limited use, a limited use, of the French language in the House of Parliament, the Legislature of the Province of Quebec and the federal courts. I mention this only to point out the legal intent of the Constitution of Canada, because it would appear that The Official Languages Act of 1969 changed this Constitution by an unconstitutional method.

I would like to quote from John Diefenbaker's book, "Those Things We Treasure." He states, I voted against the languages bill and was one of 17 MP's to do so. I voted contrary to my party's view because I believed that what was being done was to amend the Constitution by statute. I asked the government to submit the questions to the Supreme Court of Canada, as to whether or not what was being done was constitutional, and whether the provincial statutory amendment was or was not a constitutional amendment. The government refused, contending that it had no doubt the proposed legislation was legal, and that what was being done was not a constitutional amendment. It was stated by the Minister of Justice that any Canadian could challenge its constitutionality. I contended that such a view was an untenable one. The Honourable Joseph Thorsson, former Minister in the McKenzie-King government and subsequent President of the Exchequer Court of Canada, launched proceedings contending that what had been done was unlawful. The Federal Government, apparently fearing the result, successfully contended otherwise.

It is true the majority of MP's voted for it, The Official Languages Act, and the 17 or so who voted against

it were booed. They were booed in the House of Commons. But the people of Canada showed they, too, rejected institutional bilingualism by registering 63 against in a Gallup Poll done in 1976. Perhaps they were aware that the 1965 statistics before The Official Languages Act, 1965, published by the B and B Commission stated that representation of Anglophones and Francophones in all categories of the public service at that time was 78.5 percent and 21.5 percent respectively, a fairly accurate representation, without an imposed Official Languages Act.

It would now appear that the people were correct, because no one wants to be identified with the federal bilingualism program. Mr. Penner states in headlines, his proposals are quite different from federal bilingualism, and Mr. Pawley is quoted in the Winnipeg Sun, July 8, 1983, as saying, the federal bilingualism program has been such a flop that Canadians are gunshy about the word "bilingualism". You bet! But it would also appear that the majority of federal MP's are gunshy about criticizing federal bilingualism, and indeed, both the Liberal and NDP MP's responded with ridicule to Bill C-666, an act to amend The Official Languages Act and restore the merit principle to civil service when it was introduced by Dan McKenzie.

I do not wish to harass Mr. Desjardins - and he's not here to harass - but I want to gently chastise him for comments he made as recorded in the Hansard July 28, 1983, in response, or in addressing this question. Mr. Desjardins stated - he is considering prejudice - and he says, "How hard it is not even just for Francophones, but for the people that want to learn French in those total Immersion Schools. Look at how hard it is to build these schools." I would like to state that as far as I can see in researching the Immersion Program within Canada, there has never been an educational program that has been so politically supported, so federally funded, than any in the history of this country.

I would like to quote a few items from our own Winnipeg School Division No. 1, which gave the following criteria regarding French Immersion. Consultation should be arranged between board and staff and parents now involved in French Immersion Programs to determine desirable and acceptable accommodation. A division plan must have the approval and support of the French Immersion staff and clients before proceeding with the development of the site or sites. The next step is that the school facilities planning council should then be organized for the schools that are chosen as potential immersion centres to deal with the possible redistribution of existing pupil populations and other considerations.

I would also like to state that in some cases where people have embraced a dual-track system, it has not been an anti-immersion or anti-French bias that has made them reconsider. These are comments by a parent who had a first-hand experience in such a dual-track school. He said, "I hope that all of you will look carefully at the situation at our school and urgently reevaluate the school policy of strongly-enforced linguistic segregation. There is more to life than becoming proficient in one or two languages. If the school cannot encourage cultural harmony, then all the language skills in the world will have been wasted." He also goes on to state, "It is a pity that in our zeal for fostering

bilingualism, we have lost our sense of balance, undermined excellent existing English programs, and have done a marvelous job in sewing the seeds of mistrust and dissension."

I just have to point this out because I do believe that it is only accurate to state that the funding and promotion of this program have been really quite excessive. — (Interjection) — I've just got a little bit more. I'm terribly sorry.

MR. CHAIRMAN: Carry on, no problem.

MRS. B. HOLST: When the Supreme Court resurrected the 1870 Manitoba Act, it left many skeletons dangling in the cupboard. Gentlemen, these skeletons are the historical facts to be found in the archive's Hansard, the reasons the parliamentarians of that day changed the Constitution. In 1890, the Legislature of the Day amended the 1870 act using the only legal tools available to them. I am not saying I agreed with what they did but it becomes apparent they did indeed have reasons, that were not based on bigotry but based on the social reality of the day, the needs of the people. The reality of the creation of Manitoba is not the reality of the creation of Upper and Lower Canada. The grounds for the original 1870 Manitoba Act are not as firm as they could be; therefore, all the historical facts of the 1800s should be carefully examined if any extension of rights is even contemplated in 1983.

Thank you.

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

Ivan Merritt, Ivan Merritt, please; Luba A. Kwasney, Ms. Kwasney, please; Dr. Joe Slogan, Dr. Slogan, please; Beryl Kirk — (Interjection) — no, she's back, she's right behind you.

MS. B. KIRK: Mr. Chairperson, I would like to add my comments to the general debate, not that I feel I have anything original to add but to emphasize a position which I seem to feel is under-represented here. I support the proposed resolution and would urge the reinstatement of the French language to its rightful place in Manitoba, for both the sake of the Franco-Manitobans and for Canada as a whole.

I'm a Canadian citizen of Norwegian and Scottish ancestry. When my ancestors came to Canada, they came to a country which had been founded by two races, the French and the English. The fact was emphasized in the basic fibre of Confederation, but also more specifically in The Manitoba Act, which said at that time that either French or English may be used in the Legislature, the courts, and that the records, journals and statutes would be in both English and French. My family learned one of the official languages, but continued to celebrate on holidays and other occasions the culture of their homeland; hence, the roots of the Canada of which I am a citizen, a bilingual country but also a multicultural country. But the fact that my ancestors chose to learn English only or perhaps because they had only the opportunity to learn English is the root of the problem we have today. After a period

of time, the balance of Manitoba between the English and the French was disturbed, and the English majority used their power to pass The Official Language Act, which struck down French as an official language in Manitoba, a gross exercise of majority power.

What I support here today is the original agreement made by the Government of Manitoba and the Franco-Manitoban Society and the Government of Canada to redress this wrong, and I hope that you will not back down in the face of near-sighted and misguided public opinion, led as it is by some near-sighted, misguided and small-minded political leaders.

I'd like to address some of those criticisms. First, the issue of the constitutional entrenchment: It seems to me that the entrenchment in the Constitution will prevent, if anything can, a repeat of the problem in the next century when some other set of small-minded persons decide to restrict the language rights. I, for one, would rather trust my rights and freedoms to the judiciary than to a Legislature which is the subject of political pressures and the need for re-election.

I heard a point of view this morning, which seemed to imply that the negotiated settlement to the problem is not the way to go, rather wait until the court order to redress. That is a legalistic, philosophical argument, and not a linguistic one. I happen to believe that a negotiated settlement is the best way to go and I would like to present an analogy to the labour relations field which is often described as a microcosm of society as a whole, and it's a field in which I work as a third party neutral.

The court challenge represents a formal grievance concerning the striking down of French by the majority. A grievance can go through to resolution in two steps, either to arbitration, a legally binding decision, or it can be solved by a solution worked out between the parties. In this instance, the parties wisely chose not to go to arbitration, i.e., the Supreme Court, but to negotiate the grievance in order to arrive at a solution that was in the best interest of all the parties. In labour relations, as in the society as a whole, a settlement to the problem arrived at through negotiations and compromise is often the better one than one which is decided only on a legalistic level. For these reasons, I support the agreement you arrived at. It shows courage and wisdom to work out an agreement than to simply leave it to the Supreme Court to dictate.

The plebiscite on this issue causes me also great concern. It is a case where a majority is voting on a minority right as to whether or not those minority rights should be protected. — (Interjection) —

MR. CHAIRMAN: Committee is recessed for as long as necessary.

(SHORT RECESS)

MR. DEPUTY CHAIRMAN, S. Ashton: Committee will reconvene. Ms. Kirk.

MS. B. KIRK: The plebiscite on the issue causes me great concern. It is a case where a majority is voting on minority rights as to whether or not those minority rights should be protected. To me this is wrong, it shows a lack of moral leadership on behalf of our civic

politicians; again, an analogy to labour relations is appropriate. It is considered a denial of the duty of fair representation for a majority to bargain away minority rights in a collective agreement or to fail to address minority rights or concerns while bargaining. The plebiscite can be viewed as a vote by the majority as to whether French language rights in Manitoba should be enshrined in the Constitution, something which civic politicians have no business letting the majority vote on and for which they could be charged with a failure to represent their minority.

I have great problems, quite frankly, understanding why people are opposed to granting access by the French services in their language. The debate seems to centre around four separate arguments: one, the enhancement of French rights somehow diminishes others' rights; a new elite will be created; it is too costly; or it's strictly a plain matter that there is no need for French here. As for Quebec, the rest of Canada is English.

To those who say enhancement of French rights destroy or diminishes their rights, I would ask them why they feel rights are part of a fixed pie. A right to one group does not diminish a right to others. To me, access to French enhances my rights, not restricts or constricts them; it would also appear to be a view supported by other ethnic leaders in this province. It would appear to be a view supported by ethnic leadership in this province.

To those who say a new elite will be created, I'd say join it if you like, it is an elite with unboundable barriers, those people can learn a language with varying degrees of difficulty. Our society is full of elites, sports elites, academic elites, political elites, computer science elites. If you want to participate in the field learn the skills that permit access to the field. Elites only concern me when the barriers are difficult to mount, blood ties, social ties or money, but a bilingual elite is there for anyone to join and must join if they want to participate in any national forum. Why, even Mr. Crosbie decided that he wanted to join that elite.

The cost aspect cannot be denied, there is a cost to translate and to provide for services, but it is also costly to provide other services of a cultural enrichment - libraries, museums, galleries - all supported by public funds for an enhanced society. On the plus side the language skills will not be to a disadvantage in the international field, whether it be business or politics.

The final reason I have heard, by people who oppose this resolution, is the basic French for Quebec, English for the rest of Canada, the identical point of view put apart by the Parti Quebecois, strange bedfellows, indeed. I can only reply that my vision of Canada differs, I see it as a bilingual, but multicultural country where the interface between French and English language and the multiculturalism creates an ambience, a sense of Canadian uniqueness that differentiates us from the behemoth to the south. My ancestors were part of the problem, but I am confident that my children won't be. My son is enrolled in a French Immersion kindergarten, and I hope that he will be able to participate in an enhanced Canadian society where he, and others, will have access to government service in English and French if they so desire.

Thank you.

MR. CHAIRMAN, A. Anstett: Thank you, Ms. Kirk. Questions for Ms. Kirk from members of the committee? Seeing none, thank you very much for your presentation.

Sandra Oleson.

MS. S. OLESON: Mr. Chairman, and members of the committee. I am here today as an individual and as a resident of Manitoba who is opposed to the proposed bilingualism agreement of this government. I believe it will be costly and promote disunity.

I cite the federal bilingualism program as proof of my concern. In the government's own brochures it is stated that the Manitoba plan is not like federal bilingualism and that it is not making Manitoba bilingual. I interpret the existing Manitoba Act as a limited form of bilingualism, in that it provides for French in the Legislature, the statutes and the courts. The Pawley proposal would extend services and leave interpretation of those services with the courts, rather than with the Legislature of Manitoba. Amendment and entrenchment at this time, while it may seem desirable to some, is not necessary, rights are not being taken away or denied.

With the amendment the following items could become major problems, and I'll list them.

1. The threat by Serge Joyal, Secretary of State, that Canada will become a French state moves one step closer to reality.

2. It is very likely that the demand for French services will far exceed the intent of the legislation. Mr. Joyal has stated that Francophones should be entitled to French services at the municipal level. If this amendment is entrenched, does this not become a right and go far beyond the intent of the legislation? Recent comments made by the President of the Franco-Manitoban Society to the media that services of the fire department, police department of north St. Boniface were inadequate for French-speaking is precisely what I'm talking about. Do these services not come under municipal, or civic jurisdiction? Does this mean that individuals with the capability to speak French must be assigned to St. Boniface, or that these civic departments must hire only those with French of bilingual capacity? Pardon me, I want to restate that. These civic department must hire only those with French bilingual capacity.

3. There will be a backlash and difficult times for Manitobans. Nothing in this province's recent history has been as divisive as the government's attempt to negotiate an agreement with the Franco-Manitoban Society. A group of Franco-Manitobans, a group largely funded by the Federal Government, which purports to represent all of the province's French-speaking. There has been lots of talk about bigotry, anti-French feeling and denial of rights. Denial of rights may be appropriate when we speak about the courts and the Legislature as stated in the Manitoba Act of 1870, and repealed in 1890, but I find it hard to believe that there has been a denial of rights in everyday affairs of this province. French-speaking appear to hold positions of importance in the province relative to their percentage of population, as do most of the established ethnic minorities.

Has it mattered in this province, really mattered, what a person's ethnic origin is? People have not tended to care about ethnic origin as a factor in day-to-day life until the Federal Government legislated differences based on ethnic origin. Manitobans did not consider ethnic origin as critical to being a Manitoban until this

government's proposal. It is only through government intervention and government funding to ethnic pressure groups that the issue of ethnic minority rights has really surfaced. Canada is one of the few countries in the world that has Minister of Multiculturalism to promote differences of ethnic origin. Most countries encourage patriotism, unity and the common good of all citizens, as opposed to the rights of different groups of citizens.

I, and many others, fear that one day Canadians will find it impossible to appease the clamoring of all the many and varied groups for rights. I believe that a lot of good will and harmony has been destroyed because this government has been hasty and ill-advised in coming to an agreement in secret with one small group of people, federally-funded, who will not release their membership list to the public. This government has tried to ram legislation through in mid-summer and it had to be pressured into providing public meetings to explain the proposal which would affect all Manitobans.

I am thankful that the government saw fit to hold these hearings, but I am very upset that the Leader of the Opposition has had to bear the abuse of the government and the media for fighting for the right of Manitobans to be heard.

I also would like to comment on the proliferation of organized groups that receive public funding, provincial and federal, who have appeared at these hearings to support the government position. I do not believe that they represent the people of Manitoba. They only speak for their group.

This government has to arrive at a consensus of all Manitobans, if legislation is to be good. Pierre Trudeau said you cannot legislate language into existence and in his perversity, he is attempting to do that very thing for political gain, and I hope that this government has considered that statement.

My husband and I are the product of different ethnic minorities that homesteaded Manitoba and Saskatchewan at the turn of the century. I do know that when our families emigrated to Canada, there was no choice as to which language they would educate their children in. Most of the different ethnic groups attempted to learn English as quickly as they could so that they could communicate with each other. Manitoba today is a kaleidoscope of ethnic names in business, government, industry, education, etc. I guess what I'm trying to say is that the product of all these minority groups should not be held responsible for the amendment to The Manitoba Act in 1890.

My neighbour who emigrated here in 1952 was told by immigration officials that the family would have to learn English. Five years later, when applying for citizenship, that again was another concern. This neighbour is now understandably upset.

I'm trying to tell you that to entrench language rights for the French-speaking minority, which have not existed for 90 years, will indeed affect all Manitobans. It will affect all other minorities and the government must admit this to Manitobans. Older ethnic groups have overcome the language difficulties that a new Canadian has and their children, having the benefit of public school education, have it much easier now. I can see no benefit to the new Canadian who must cope with

employment and adjusting to life in a strange country. I cannot see how entrenchment of these rights for the French-speaking population will help the new Canadian.

I wish I could endorse the government proposal, but I can't help but wonder if the injustices suffered by the 5,000 to 10,000 French in 1890 to 1920 will be rather pale, compared to what one million Manitobans will experience with the entrenchment of language rights.

The government appears to be at the stage now where it's trying to convince minorities that they will be protected. Since this issue has come to light, the ethnic minorities of the province - the majority politically unorganized and represented by no group - have been very unsettled and they are the majority. All the ethnic minorities of this province are the majority. They are unorganized and I would say represented by no group.

I believe that when you grant special privileges to one small group, set them apart from the larger whole, that the rights of the individual are eroded. This explains the lack of consensus for this government's proposal.

I would also like to touch upon the Bilodeau case in the courts. It's my opinion that because a government is attempting to translate current statutes, as well of backlog of 90 years of statutes, that the government is limited by time, manpower and finances. This does not constitute a denial of rights and all the judges of this land know, as representatives of law and order, that one cannot order the impossible or the unreasonable. Do you think that the judges of Manitoba in 1870 had ever heard of the term "entrenchment?" Can we step into the shoes of the legislators of 1890? It seems to me that the law and the circumstances of that period between 1870 and 1890 were somewhat fuzzy.

Here's a summation of my concerns:

1. The Franco-Manitoban Society seeks legislation to promote French and to make up for the void that has existed in the Legislature and the courts since 1890. That has been restored. The government is attempting to restore that. That is their mandate; the courts have ordered it. I do not believe that this group has the support or the respect of Manitobans.

2. The Manitoba Government needs a broad mandate from the people in order to follow through with this proposal. If it isn't there the resolution should be dropped and the matter settled by allowing the Bilodeau case to proceed to the Supreme Court. I have seen no sign of a general consensus at this point.

3. All federal parties should stay out of what is a Manitoba-provincial issue. My respect for Premier Pawley has increased somewhat since his deliberations with Pierre Trudeau. I do believe that Premier Pawley should convey the same message to Mr. Broadbent and Mr. Mulroney.

4. The media should be ashamed of itself and I cite the Toronto Globe and Mail and columnist Richard Cleroux for obnoxious journalism. Frances Russell of the Winnipeg Free Press and that paper's editorial policy are very irresponsible, and I have included two articles from both of those papers. Mr. Cleroux, speaking about the rally in Ste. Anne and the people who attended that rally, described the situation as thus: "They've had it with the racial insults, the slurs, the arson, the vandalism and the anti-French graffiti on their homes and buildings." The Toronto Globe and Mail, national newspaper. And Frances Russell: "French Rights issue turning into a pogrom."

Press and media groups are responsible for being ill-informed, biased and insensitive to the people in Manitoba and we'll never forget this unfair treatment. As deeply concerned Canadians, Manitobans deserve better than you and I'm referring to the press and the media.

Lastly I want to say that my Canada is a wonderful country and I regret that I, only one out of thousands who feel similarly, is here before you today to tell you that I don't want language to divide this province and it doesn't have to, if our legislators represent all people.

Thank you for this opportunity today. I hope that whatever the decision of this government that the people of Manitoba and their wishes will be fulfilled.

MR. CHAIRMAN: Thank you, Ms. Oleson. Questions for Ms. Oleson from members of the committee?

Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Through you to Mrs. Oleson, Mrs. Oleson, you expressed a concern about the way that this whole program has been reported by the press and you singled out a Toronto Globe and Mail and I believe the article by Ms. Russell in the Winnipeg Press. I noticed you have said nothing about the radio or the TV, is that deliberate omission on your part or was it just that you . . . ?

MS. S. OLESON: I really only wanted to pick out a few examples that were really blatant. I think in some of the cases there has been a lack of coverage of the issue. The media tends to pick coverage only of the pro-government view.

MR. H. GRAHAM: Ms. Oleson, you also seem to be very strong that unless there was - I believe you used the word "firm", I don't think you used the word "consensus," - a firm understanding of the direction we're going, you felt the government should drop the whole issue. Is that correct?

MS. S. OLESON: I don't think I used the terminology "understanding." I think I meant in that particular statement, general agreement, consensus of all Manitobans.

MR. H. GRAHAM: To arrive at that general agreement of all Manitobans, how would you go about that?

MS. S. OLESON: Well, I do think that the government has attempted to do that very thing in the last month by bringing out an amendment to the amendment or a proposed amendment, which I won't go into, but . . .

MR. CHAIRMAN: Mr. Graham.

MS. S. OLESON: I'm not quite finished. But it appears that the suggested amendment, or whatever you would

call it, does not meet the approval of the Franco-Manitoban Society, who is one of the parties to the agreement. It still has not got a consensus from the totality of the province, the rural municipalities.

MR. H. GRAHAM: Mr. Chairman, the previous person we had before the committee stated that it was her belief the government should proceed with the original agreement only. I think she made it quite clear that was the position that she favoured. You, on the other hand, seem to think that perhaps with some of the amendments it might be, shall I use the word "more palatable." Could you give us your opinions of the original proposal and how the various amendments affect it? In which way would it make it more palatable?

MS. S. OLESON: I would say that I am opposed to the entrenchment of the resolution, the original resolution. I don't know how I can comment on the suggested amendments because we really don't know whether they're going to be incorporated or not.

MR. H. GRAHAM: Those are my questions, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Graham.
Mr. Storie.

HON. J. STORIE: Ms. Oleson, I think you presented us with certainly some things to consider, and I would like to thank you for a thoughtful presentation.

I have two questions: one, you expressed concern with respect to the amendments and how those amendments might be interpreted by the courts and expressed some concern about some of the vagaries, as it were, that would have to be, or would probably be, left up to the courts to interpret. Yet, later on in your presentation you suggested that we should let this go to the Supreme Court. I'm wondering if those positions aren't contradictory.

MS. S. OLESON: Well, I don't feel they are. If you could just give me a minute to think about that. My concern is that the provincial amendment is a very open-ended proposal, and I think that has been the concern that has been expressed by most of the opponents. How do we define what "significant demand" is? I think most of the people, who have been concerned, feel that this would be an ongoing thing; every few years we would have to go and define significant numbers, more rights, that type of thing.

I think if it goes to the Supreme Court, that's a totally different situation. We are allowing the case to follow a course that it should follow. It's a natural course. We are not short circuiting it. We're giving Manitobans the opportunity to see the interpretation of the Supreme Court of our Constitution.

HON. J. STORIE: Mr. Chairman, am I to take it from that then, it would be your view that, if the Supreme Court ruled on the Bilodeau case, that would be the end of it? Or would there be additional challenge given that the Bilodeau case revolves around the particular issue or whether the laws in Manitoba, since 1890, are indeed valid, so there would be some other aspects

of the Manitoba Act? Is it not conceivable that even if this case went before the court, I mean it proceeded through the courts, would there not be additional challenges because of the ambiguities of The Manitoba Act itself?

MS. S. OLESON: I perceive that if we do not allow this case to go to the Supreme Court that is exactly what is going to happen, that there will be additional challenges to the amendment and it will go on for years and years and years.

HON. J. STORIE: So you are suggesting that our attempts in some respects to provide limited practical official bilingualism haven't been as successful by the amendments as you see them?

MS. S. OLESON: Are you speaking about the second set of amendments?

HON. J. STORIE: Yes.

MRS. S. OLESON: I really wanted to avoid discussing that, because I think they were thrown out for discussion purposes. My concern was with the original resolution and entrenchment of that resolution.

HON. J. STORIE: One final question, somewhere in your remarks you mentioned that you felt that the injustice - and I think you used the term "injustice" - of the last 93 years would pale into insignificance compared to the injustice that would be perpetrated on the Manitobans of today. I'm wondering what injustice there is in providing rights that, in principle, you have acknowledged should be provided.

MS. S. OLESON: If I can go back to the rights, I think the rights have been restored. The 1870 rights have been restored. The government may be a little slow in the translation process, but those rights have been restored. I think we have to accept that in good faith. I am not opposed - I'm a little slow here today - I'm not opposed to services to the French-speaking population, not opposed to services at all. I am opposed basically to the entrenchment of the services, and leaving this sort of open-ended type of thing open or up to the courts, rather than to the Legislature of the province.

HON. J. STORIE: Perhaps there's just a difference of definition, because you have acknowledged and it's recognized that The Manitoba Act is part of the Canadian Constitution, so there are entrenched rights.

MS. S. OLESON: In the Legislature, the courts only.

HON. J. STORIE: I suppose that's a matter of interpretation.

MS. S. OLESON: It's a limited form of bilingualism.

HON. J. STORIE: Mr. Chairman, I would like to get back to the question of what injustice there is to the rest of Manitoba by providing rights that you yourself have acknowledged should be provided, by providing

those by way of the Constitution by way of amendment. What injustice is that to other people, providing people with their right?

MS. S. OLESON: Okay, I think the one problem that could arise is bilingualism in terms of every office, every area has to have a totally bilingual set of services whether there is a demand there or not. We can all organize a demand, but whether there is a genuine demand is another thing. The constant uproar of this demand for these services and going to the courts for interpretation, I see as very divisive, the pitting of your elected people against each other.

HON. J. STORIE: I'm still uncertain as to how that constitutes an injustice to other people. It affects no other people, other than those French-speaking people who want to obtain that service. How is that an injustice to the other people of the province who are, for whatever reasons, not provided those guarantees in The Manitoba Act?

MS. S. OLESON: I do believe though that if you are offering bilingual services throughout the whole province where there are significant numbers, that you have personnel to staff in your Civil Service, in your courts. In every facet that government controls, you have to have bilingual capacity which dictates that there be a demand for bilingual personnel.

HON. J. STORIE: Just through the process of this committee, if we could provide the kind of limited service that is based on need, would that be an acceptable thing to entrench in the Constitution, if we could find that magical solution?

MS. S. OLESON: Can I ask you to restate that again, please? I'm not just too sure of what you are asking me.

HON. J. STORIE: Mr. Chairman, the concern is that, as you've expressed it, is that you see that over time and through pressure on politicians that the need, because of its indistinctness, could create the necessity for bilingual services all over the province, when clearly that wasn't the intention, I don't believe, initially. It was to provide services where there was a demand. "Significant demand" is the term that was used.

I am asking whether, if there was some magical formula to ensure that wouldn't happen, would you support the idea of providing those services, entrenching those services as has been suggested?

MS. S. OLESON: I don't think I could support the entrenchment of services as a right.

HON. J. STORIE: That's all, Mr. Chairman. Thank you very much.

MR. CHAIRMAN: I'm glad you finished, Mr. Storie. I was having some reservations about your line of questioning.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, just one more question of Ms. Oleson. Some of it stems from the

answers given to Mr. Storie. Ms. Oleson, you've made it quite clear that you are not opposed to the entrenchment of rights in a Constitution, it's the services that you are opposed in entrenchment in the Constitution. Is that right?

MS. S. OLESON: I would say that the present situation that we have right now in that The Manitoba Act of 1870 has been vindicated, the rights have been restored — (Interjection) — That's right. That's how I feel, leave it there right now. All of the services that are in the proposed amendment can be offered by this government without entrenching them as a right.

MR. H. GRAHAM: A final question, Mr. Chairman. We have been told when this was proposed in the Legislature that one of the reasons for bringing forward this proposal was to avoid a case in the Supreme Court. Would you believe that is sufficient grounds to amend a Constitution; namely, Section 23 of The Manitoba Act which to my knowledge has served this province well for 113 years?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please.
Ms. Oleson.

A MEMBER: You're right, give or take a few years.

MR. CHAIRMAN: Order please. For those members who don't want to hear Ms. Oleson's answer, you might well carry on their conversation out in the hall.

MS. S. OLESON: I would not be standing here today if I believed that was the proper course to go. That's precisely why I am here today is that I am opposed to this short-circuiting of what I consider should be a natural process; that this court challenge should have been allowed to proceed its natural course. Let the Supreme Court rule on it, and then if this government has to and wants to go through with some type of formal amendment with a lot of discussion and a lot of consideration with all the people of Manitoba, then I would be, I think most in favour of it.

MR. H. GRAHAM: Thank you.

MR. CHAIRMAN: Mr. Scott.

MR. D. SCOTT: Thank you. Ms. Oleson, you said both in your brief and in response to Mr. Graham a minute ago, that you felt that the rights of the Franco-Manitobans have been restored with the 1980 case and the ruling of the Supreme Court. Are you then implying, and I think you implied earlier in your brief, that this only referred to the Legislature and the courts?

MS. S. OLESON: The Manitoba Act of 1870 said that French and English may be used in the courts and the Legislature and the statutes of the province. That is what the law says.

MR. D. SCOTT: The law states that the acts of the Legislature must be translated into both languages.

You are now saying that because they have not been translated, the court cannot rule that the laws are invalid?

MS. S. OLESON: I'm not sure I understand what you're saying.

MR. CHAIRMAN: Order, order please. Mr. Scott if you ask questions for clarification, you'll avoid having a misunderstanding as to your question, rather than supplying an answer with the question.

MR. D. SCOTT: Are you saying that the Federal Court, in its ruling, will ignore the Constitution and say that the laws are in English, or laws are valid because they're English only? The Constitution requires language to be valid to be printed in both English and in French. You responded, I believe in your brief, you stated that you did not think the courts would rule the laws invalid. Do you expect the courts to ignore the Constitution of Manitoba, which is part of the Constitution of Canada?

MS. S. OLESON: Certainly not.

MR. D. SCOTT: Certainly not, so then you would . . .

MS. S. OLESON: I mean they have to rule on what The Manitoba Act says, do they not? I mean there's a court challenge.

MR. D. SCOTT: Yes, and they already have given indication to the ruling.

Is it your interpretation then, in the Blaikie case, is strictly the Legislature and the courts is all that Section 23 refers to? That's what you're saying?

MS. S. OLESON: That's right, and the statutes.

MR. D. SCOTT: Are you aware that in the Blaikie case that the Supreme Court of Canada ruled that Section 23 and in their reference in Quebec, Section 133 of The BNA Act contains the principle . . .

MR. CHAIRMAN: Order please. Order please. Questions of references to the Blaikie case have been ruled out of order in the past when they were not directly referred to in the brief. You can't very well deviate from that now. Further questions Mr. Scott?

MR. D. SCOTT: Well, I think it's fairly important to get the basis . . .

MR. CHAIRMAN: Well, I'm not about to change my ruling. I've been going with it for a month.

MS. S. OLESON: If I may add something, I would really not want to comment on the Blaikie case.

MR. D. SCOTT: Ms. Oleson, have you done any legal research yourself into the history behind the cases that are in relation to this current action?

MS. S. OLESON: I've done some reading. I'm not a lawyer.

MR. CHAIRMAN: It may be an asset.

MS. S. OLESON: May someday I will be, but at this point, no.

MR. D. SCOTT: Thank you.

MR. CHAIRMAN: Mr. Lecuyer.

MR. G. LECUYER: Just one short question, Mr. Chairman. Awhile ago Mr. Graham referred to Article 23 of The Manitoba Act that served us so well for these 113 years. Do you agree with that statement?

MS. S. OLESON: Would you state that again please?

MR. G. LECUYER: In asking his question, Mr. Graham awhile ago referred to Section 23 of The Manitoba Act having served us so well for 113 years. In answering that question of his, you did not say whether you agreed with that statement or not. I wonder if you would now.

MS. S. OLESON: Did he ask me whether I agreed with it?

MR. G. LECUYER: Well, it was part of his question, he didn't ask you whether you agreed with it or not, but I'm asking you that. I'm simply asking you if you agree with that statement?

MS. S. OLESON: I really don't know if it has any bearing upon my brief, I really don't know. I mean that was his own comment on the situation. Do you agree with it?

MR. CHAIRMAN: It's not an answer to ask members questions. Mr. Lecuyer, do you have further questions for clarification of the brief?

MR. G. LECUYER: Mr. Chairman, I was not going to. Ms. Oleson awhile ago referred to rights having been restored under The Manitoba Act and therefore I think that my question is related to your statement. I would gather then that you don't agree that it served us well throughout those 113 years, since you've agreed that the rights were restored.

MS. S. OLESON: I would say in the day-to-day living of people in this province that The Manitoba Act has been satisfactory. I agree that it was an injustice at the time and I'm all for services for the French-speaking people in this province. I'm just opposed to the entrenchment, because I see it as divisive and as expensive.

MR. G. LECUYER: Mr. Chairman, I think Ms. Oleson, whether she realizes or not, has answered my question. Thank you.

MR. CHAIRMAN: Further questions for Ms. Oleson for members of the committee? Seeing none, thank you very much for your presentation this evening.

Before I call the next delegation to the committee, Mr. Scott's been here all evening but I forgot to advise that the Clerk has received the resignation of Mr. Penner and I understand Mr. Scott is the replacement. Could

I have a motion to that effect? — (Interjection) — Is that agreed? Nobody wants a recorded vote? Agreed and so ordered.

I wish to advise members that No. 37 has asked to be removed from the list. No. 38, Roy Brunka; No. 40, Heather Stone; Henry Huber; Jack Froese; Peter Thiessen; Ruth Pear; Al Wexler; Judy Flynn.

Proceed please, Ms. Flynn.

MS. J. FLYNN: Mr. Chairman, members of the Standing Committee, I'm very grateful to have been given this opportunity to speak, because I found myself in recent weeks becoming increasingly distressed by the picture of Manitoba that's emerged in the Press reports of these hearings. We seem to have become intent on showing the rest of the country that in Manitoba, at least, Lord Durham's description of Canada as two nations warring in the bosom of the single state has not yet been outgrown. On the one hand, we hear reports of Anglophones, who are opposed to the government's policy on French language rights, exhorting us all to speak Canadian, by which, of course they mean English; then on the other, we hear Francophones arguing passionately for their historic rights.

I think it's very important for the government to realize that there are many non-Francophones in the community who support entrenchment. I am one, and I know that I speak for others.

There are a number of important issues involved in this question. One obvious one is the whole matter of minority rights. We have been told that these can safely be left to the protection of our elected representatives. I should think that the experience of Japanese-Canadians on the west coast in World War II would have taught us how fragile that protection can be.

Minority rights are far too important to be left to the whim of legislative fiat or referendums for that matter. All of us ought to be concerned about their protection, whether we belong to minorities or not. The tyranny of the majority diminishes all of us, perhaps most of all when we're part of a majority; but the French, of course, are not just another minority. They are one of the three founding cultures of this nation and specifically of this province. Their ancestors entered Confederation with certain solemn assurances concerning French language and education. Both justice and honour demand that these promises be kept.

The amendment of 1890, which denied French rights has long been a shameful blot on the pages of Manitoba's history and I, for one, rejoice that we have been given an opportunity to erase it.

Finally, Mr. Chairman, I should like to address myself to the often repeated argument that agreements made in the past no longer matter because Francophones now constitute only 6 percent of the population of Manitoba. That argument is both irrelevant and immoral. It implies that once a minority through deliberate government policy has been reduced below a certain numerical level, its rights no longer exists. If that ever becomes the guiding principle for legislation in this province, God help us all.

Thank you.

MR. DEPUTY CHAIRMAN, D. Scott: Thank you, Ms. Flynn. Are there any questions for Ms. Flynn from members of the committee?

Mr. Enns.

MR. H. ENNS: Were you pleased in 1980 with the unanimous action taken by all members of the Legislature here in Manitoba following the Forest case, which was ruled on by the Supreme Court and the subsequent unanimous non-partisan action of the Legislature at that time?

MS. J. FLYNN: I think it was a beginning.

MR. H. ENNS: You mentioned you are glad to have the opportunity to participate.

MR. DEPUTY CHAIRMAN: Excuse me, Mr. Enns, could you please pull the mike a little closer to you?

MR. H. ENNS: You mentioned that you are glad to have the opportunity to participate in erasing what we now know to be the illegal amendment of 1890.

MS. J. FLYNN: Yes.

MR. H. ENNS: How is it that what we are doing today is helping to further erase or be part of that?

MS. J. FLYNN: I think if I understand correctly, that the previous legislation really places those rights as something like a courtesy from the government, that I think they have to be entrenched in the Constitution.

MR. H. ENNS: Mr. Chairman, I appreciate that I can't, you know, it's not my role to debate with the party presenting a brief, but I want to put on the record that, it wasn't a matter of courtesy, it was a matter of direction by the law in this country; namely the Supreme Court, that declared the 1890 Act illegal and the subsequent bill that was passed in this Legislature supported by all members of the Legislature, in a truly non-partisan way, acknowledged that and proceeded to carry out the direction of the court. I'm having trouble - perhaps let me ask this question.

MR. DEPUTY CHAIRMAN: No, no. Mr. Enns, if you have a question, let Ms. Flynn respond please.

MR. H. ENNS: You are supportive of increasing the linguistic rights of the French community from what they originally were. Is that your basic position?

MS. J. FLYNN: I'm supportive of a policy which entrenches language rights in the Constitution.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Section 23, as restored by the Supreme Court in 1979 doesn't do that in your opinion?

MS. J. FLYNN: I don't want to get into an argument that debates them the minutia of the agreement because I am not a constitutional lawyer, and I would be presuming far beyond my competence where I to begin to discuss it. I want to go on record that I support the policy that entrenches both language and services for the Francophone minority in this province, and I have

stated that this is what I believe the hearings wanted to find out, so I have told you.

MR. H. ENNS: On another subject, the question that you spoke of in your presentation has arisen several times in front of this committee, and that is the rather tragic aberration of rights that the Japanese-Canadian community suffered during the Second World War. In the last few years, particularly the time of the constitutional discussions in Canada, we often look in this sense to the Americans who have, of course, a constitution entrenched with fundamental rights, basic rights, human rights entrenched. Having those rights entrenched in the American Constitution didn't safeguard the same thing from happening to Americans of Japanese origin during that same period of time, did it?

MS. J. FLYNN: I don't think that's an argument against it.

MR. H. ENNS: No, it's simply saying that under unfortunate circumstances . . .

MR. CHAIRMAN: Order please. Mr. Enns, you are entering into a debate with the delegate. Do you have a question for clarification?

MR. H. ENNS: Mr. Chairman, I simply ask - the presenter is placing a great deal of faith in the entrenchment. I was merely asking her whether or not and citing a case, a black case, in Canadian history of Canadians of Japanese origin that had their rights rather brutally trampled on, I'm simply asking her whether or not those rights that Americans of Japanese origin had in an entrenched constitution did not also fail to safeguard a nation when aroused in that manner in wartime.

MS. J. FLYNN: Mr. Chairman, all human arrangements are fallible and the fact that one fails in one country is no argument against the position.

MR. D. SCOTT: Mr. Chairman, through you to Ms. Flynn, regarding the point that Mr. Enns brought up, at least in the United States a citizen would have had the possibility - a Japanese citizen - of raising the issue to the Supreme Court and I'm asking Ms. Flynn if she's aware of any Japanese-Americans raising the issue to the Supreme Court in the United States where they had an option, whereas in Canada there was no option?

MS. J. FLYNN: I don't know, I can't answer that.

MR. CHAIRMAN: Thank you. Further questions for Ms. Flynn from members of the committee?

Seeing none, thank you very much for your presentation.

MS. J. FLYNN: Thank you.

MR. CHAIRMAN: Derwyn Davies; Ruth Rannie, Rainie. Is it Rannie or Rainie?

MS. R. RANNIE: Rannie, Mr. Chairman.

MR. CHAIRMAN: Rannie, thank you.

MS. R. RANNIE: Would you like a copy of my brief for your record?

MR. CHAIRMAN: Yes, please.

MS. R. RANNIE: I am presenting this brief as a private citizen to support the original agreement between the Société franco-manitobaine and the Provincial and Federal Governments. My reasons are both personal and historical.

Firstly, I should like to point out that I have made Manitoba my home for the past nine years. I was born and raised in Montreal, Quebec, and lived there for 16 years. I then lived in the eastern townships of Quebec where I attended university. By the age of 26, when I moved to Winnipeg, I had travelled from Newfoundland to Vancouver Island and had lived in all of the regions of this country except the Arctic. I am a Canadian nationalist and would like to think that I could move anywhere in Canada and feel at home there. But I chose Manitoba.

I now consider myself a "Manitoban," but being born and raised in the Province of Quebec has given me a perspective on minority rights which most Canadian Anglophones could not have experienced outside of Quebec. To be part of a minority group gives one certain psychological attitudes which are different from those of the majority. Growing up in Quebec, I enjoyed the privileges of the English language in education, in culture, in commerce and in dealing with the government. When my parents had to go to court for a traffic accident, they appreciated the privilege of testifying in their mother tongue. Nevertheless, being part of the minority, we felt insecure. We could not approach the majority of provincial government members in our own language. There was a sense of isolation and we looked to the Federal Government to protect our interests. I expect many Francophones outside of Quebec feel more insecure than we did because in Manitoba their rights were removed and they must have felt powerless against the majority of Anglophones. In Ontario, their rights have yet to be confirmed.

Although my family lived in an English culture, there were many ways in which the French Canadian majority influenced my thinking and understanding of what it means to be a Canadian. The most important fact was that my parents stressed the importance of being able to speak French so that, by the time we were adults, most of my family was bilingual.

Secondly, I grew up with a sense of Canadian identity in which Francophone and Anglophone were inextricably bound. Montreal has a long history dating to the 16th Century. Driving past Lake St. Louis and Lake of Two Mountains, where the Ottawa River empties into the St. Lawrence River, I couldn't help but imagine the brigades of voyageurs setting off for the fur trade and the Northwest. The long lots along the river, the seigneuries, the stone houses, the village churches with tall, shiny steeples, flaming red maples in the autumn and sugaring-off in the spring - these scenes from my childhood are part of my cultural inheritance - my geography and my history.

As a resident of Manitoba, I have always valued the presence of the Franco-Manitoban community here. I have attended French theatre and concerts, subscribe to La Liberté and send my children to French Immersions schools. In fact, the French Immersion programs in Manitoba are among the best in Canada and there is no doubt in my mind that its success is due to the talents and perseverance of Franco-Manitobans who have kept the French education alive under most trying circumstances. I have talked to people who remember having to hide their French books when the inspector paid a visit or who were to "Speak White." I have personally heard derogatory remarks made against Francophones, the French language and French education and also many personal remarks made against our Prime Minister - simply because he is French-speaking. Such remarks offend me, not only because they are directed against a minority group, a group which is supposed to be "equal partners in Confederation," but also because it offends all notions of tolerance and understanding which I thought Canada represented. I have always been proud of the fact that this nation was not a melting pot and that minority groups were encouraged to maintain their identities. For the Franco-Manitoban, this has not been easy, not only because of the fact that Anglophone immigration has overwhelmed them and upset the balance of power that existed in 1870, but also because the rights that were guaranteed in The Manitoba Act were, in fact, taken away. It is for this reason that I support the Provincial Government's stand to entrench these rights. They should be beyond the grasp of blinkered politicians who do not honour their historical commitments and callous councillors who are not above inflaming bigotry and division as an expedient method of re-election.

I would like to remind the committee that despite all the talk of a Made-in-Manitoba solution this is a national issue and the outcome is having and will have national repercussions. Last summer, while visiting in Montreal, I proudly described to a friend how my daughter could speak French fluently at the age of eight and how pleased I was with the Manitoba school system that had helped her accomplish this. Her response was: "All we hear about Manitoba in Quebec is how they hate the French." I really resent the fact that this dialogue needs to take place at all - the fact that it is reflecting poorly on Manitobans. The rights of Franco-Manitobans should not be questioned. The hysterical newspaper advertisements published by Mr. Doern and the extended filibustering of Mr. Lyon and his party are embarrassing to me and, on behalf of other Anglophones who are similarly offended, I wish to apologize to the Franco-Manitoban community for this unjustified behaviour.

Aside from personal reasons, my other reason for appearing here is to discuss the early history of this province. At the present time, I am researching the biography of my great-great uncle, Robert Atkinson Davis. His portrait hangs in the other committee room because he was Premier of Manitoba from 1874 to '78. I wish you could see his picture and those of the other early Premiers and reflect on their legacy to us.

The 1870s were an important time in the constitutional life of the young province and little is known about it. From my research, it would appear that Robert Davis played an important role in relaxing much of the tension

that existed among the disparate groups that lived in the Red River Settlement. He was born and raised on a farm in the eastern townships of Quebec, but moved to the Red River in the spring of 1870 as a young man when Louis Riel was holding Fort Garry. Unlike the first trickle of Canadians arriving from Ontario, he could speak French. He understood and was sympathetic to the cause of the Metis and was able to buy a business and settle into the community. Although opposed to the monopolies of the Hudson's Bay Company, he did not participate in the hysterical anti-French and anti-Catholic agitations of the Canadian Party. He bought a hotel, which was later called the Davis House, and within four years, at the age of 33, this relative newcomer was elected to the Legislature and within six months became Premier. Out of the 14 members elected to his government, 10 were French-speaking. This caused such an uproar from the "Canadian" Party who were basically anti-French that he soon formed a coalition government and invited the Leader of the Opposition, the "English" Party, John Norquay, to join his Cabinet.

As a bilingual Anglophone leader, Davis was in a unique position to unify the different factions. He was thus able to maintain a stable government for four years while he reorganized the finances of the province which were dreadfully overextended. When he retired from his post in 1878, Le Metis, the French paper, said of him: "Mr. Davis is endowed with an upright nature of rare frankness, strictly honourable and of great firmness. He is equitably just and without prejudice. The country owes to Mr. Davis an immense obligation, and to him and his friends the re-establishment of its financial credit. His retirement can only be regarded as a public calamity."

The kind of co-operation which existed at that time is an indication that Manitoba was not a unilingual province at Confederation.

From 1870 to '78, great efforts were made both by the first Lieutenant-Governors, Archibald and Morris, and the first Premiers, Girard and Davis, to ensure that both French and English were represented in the government institutions. At the opening of Parliament on March 15, 1871, for instance, the Hon. Joseph Royal, the first Speaker, read the Speech from the Throne in French and English. The first Legislature was described as follows: "A strange gathering of loyalists, Rielites, French half-breeds, English half-breeds, Hudson's Bay Company officers, Selkirk settlers and Canadians. Half of them were not adept in the drawing room, but they were the first representatives of responsible government in Rupertsland."

There was considerable political division in the settlement between the French Party, mainly Metis, the English party, the old settlers who had worked for the Hudson's Bay Company, many of whom were English half-breeds, and the Canadian Party. In fact, it was the Conservative Government in Ottawa led by MacDonald and Cartier who understood the division and need for accommodation and who incorporated the demands of the French speakers into The Manitoba Act. It was Sir George E. Cartier, a Conservative, who conducted the final negotiations and it was he who sent a number of men from Quebec such as Henry Clark and Marc Amable Girard, both bilingual, to assist the new Lieutenant-Governor, Archibald, in establishing the new government of the province. Unfortunately, Archibald

encountered so much enmity and bigotry from the Canadian Party because of his leniency in dealing with Riel and the Fenian troubles that he had to resign two years later. His enemies had organized public meetings against him and lit bonfires to celebrate his resignation. However, 1,300 settlers signed a petition of appreciation for his good qualities and work "to unite and improve all classes of people." The committee may think that Manitoba is suffering division over this issue now, but it was nothing like the violent agitations of the 1870s.

In any case, despite these tensions, moderate leaders like Robert Davis made headway in accommodating the two language groups. Government printing was done in both languages. Both Roman Catholic and Protestant School Boards were established. It was only under Premier Norquay that the Cabinet became entirely English in 1878 and even he later invited two French members to join his Cabinet in 1879. As immigration increased, the principle of French rights was gradually whittled away and misunderstood. Nevertheless, it is important for the committee to remember that Francophones, particularly the Metis, played the major role in negotiating The Manitoba Act of 1870. As the famous Manitoba historian, W.L. Morton, has pointed out: "Riel, in short, forced the new Dominion to consider the full implications of the work of Confederation; and he demonstrated that Canada was not to be governed, as the Northwest was not to be annexed, without the co-operation of French and English Canadians. Above all, the Red River Resistance revealed, in its full course and in full perspective, to what extraordinary lengths French and English Canadians would go, in spite of much mutual irritation and many mutual wrongs, to preserve a common allegiance and to share a common country."

Despite the fact that later immigration upset the balance of power between French and English, I believe that the original commitments to recognize both languages must be honoured. It is a matter of simple justice and historical imperative.

Thank you.

MR. CHAIRMAN: Thank you, Ms. Rannie, questions by members of the committee?

Mr. Scott.

MR. D. SCOTT: If there are no questions, then I'd at least like to thank Ms. Rannie for a very well-researched brief and one that has brought a perspective that we haven't seen before this committee before, anywhere near that detailed, so that we and members of the audience and future Manitobans, as well, can read in our Hansard and see some of the early beginnings of Manitoba. I, myself, have gone back and read through the early "Globes" of 1870 and the reaction in the Eastern press plus the debates of the House of Commons at the time. It's quite a lesson; I wish more people would do it. I want to thank you very kindly for your brief.

MS. R. RANNIE: Thank you.

MR. CHAIRMAN: Ms. Rannie, on behalf of the committee, thank you very much.

MS. R. RANNIE: Thank you.

MR. CHAIRMAN: Charlie Washington; Jesse Vorst, Mr. Vorst; Ken Morley; Taib Soufi; André Frechette, Vic Savino — (Interjection) — sorry.

André Frechette. If members will take a short recess, to adjust their headsets; any members of the public who would like to follow the translation can pick up a headset from the technician behind the booth. It will be ready in a couple of minutes.

(SHORT RECESS)

MR. A. FRECHETTE: Thank you Mr. Chairman. I'd like first to tell the committee that I represent about 50 teachers from Saint-Boniface College.

Mr. Chairman, membres du comité.

L'Association des professeurs du Collège universitaire de Saint-Boniface m'a chargé de venir, ce soir, exprimer sa détermination à lutter pour que l'entente conclue en mai dernier entre la SFM, le gouvernement manitobain et le gouvernement du Canada soit intégralement respectée.

L'Association des professeurs du Collège universitaire de Saint-Boniface considère que les amendements proposés à l'article 23 de l'Acte du Manitoba, même à l'état de projets, ne sont ni plus ni moins qu'une dénonciation de l'entente. Une manoeuvre politique où les droits inaliénables des Francophones sont mis en jeu en prévision des futures élections.

Notre appui à la Société franco-manitobaine est aussi une mise en garde contre toute tentative de la part de n'importe quel gouvernement de vouloir répéter les injustices du passé.

Le temps où les Franco-Manitobains étaient seuls à lutter pour préserver leur langue et leur identité est heureusement et définitivement révolu.

La question de nos droits linguistiques ne doit plus faire les frais de la petite politique à courte vue ni des caprices des gouvernements qui se succèdent.

Aujourd'hui, après 93 ans de brimades de toutes les sortes et de chantage politique, nous avons enfin obtenu le droit de nous épanouir au grand jour, dans notre langue, sans avoir à nous réfugier dans la clandestinité.

Nous entendons préserver ce droit!

Nous sommes déterminés à ce que le français retrouve la place qui lui revient depuis le jour où, en parité avec l'anglais, notre langue donna naissance, par la voix de nos aïeux à la province du Manitoba.

En 1870, nos ancêtres ont érigé des institutions démocratiques sur une base bilingue, ils savaient, eux, ce qu'était le "British fair play", vingt ans plus tard la trahison et l'arbitraire détruisaient les aspirations légitimes de notre peuple.

L'assimilation et l'acculturation ont été telles qu'on peut parler avec raison de génocide culturel et linguistique puisque 60 000 des nôtres, hélas! ont été perdus.

L'entente sur l'article 23 de l'Acte du Manitoba est un progrès pour tous les citoyens de notre pays, et de notre province en particulier.

Chaque minorité linguistique se trouve ainsi assurée de vivre selon ses possibilités et ses aspirations sur le sol manitobain.

La majorité anglophone elle-même devrait pouvoir se féliciter d'une entente qui ne la menace en rien et qui au contraire devrait lui en profiter, si elle s'en prévaut.

N'y a-t-il pas en effet un grand profit pour tout jeune à connaître une langue aussi universelle que le français?

Les écoles d'immersion font la preuve que beaucoup de nos compatriotes anglophones ont compris que l'unité nationale et l'avenir de notre jeunesse dépendaient d'une éducation où la communication à l'échelle de la planète est devenue un impératif.

Cette communication exige de plus en plus la connaissance de plusieurs langues. Comment alors ne pas encourager l'expansion de la langue française qui est l'une des plus parlées dans le monde.

Comment comprendre cet antagonisme vis-à-vis du français alors que dans les pays les plus démunis, les enfants parlent couramment deux à trois langues. (N'est-il pas vrai que la reine est bilingue?)

La pluralité des cultures qui coexistent dans notre province devrait nous inciter à en tirer profit plutôt qu'à persister à vivre en vase clos.

Peut-on espérer que l'aube d'un jour nouveau est en train de poindre à l'horizon du ciel de chez nous!

La communauté universitaire du Collège de Saint-Boniface, en réitérant son appui à l'entente et en rejetant les amendements proposés, entend poursuivre son oeuvre d'éducation.

Les autorités gouvernementales, dont la charge est d'éduquer le public en général sur une question aussi vitale pour le destin de notre communauté, peuvent, si elles sont de bonne foi, compter sur notre entière collaboration.

Merci, M. le président.

MR. CHAIRMAN: Thank you Mr. Fréchette. Questions for Mr. Fréchette from members of the Committee. Mr. Lecuyer.

MR. G. LECUYER: Merci, M. le président. Dans le deuxième alinéa sur la page 2, M. Fréchette, vous faites référence à 60 000 des nôtres qui ont été perdus. Est-ce que vous pouvez nous donner un peu plus d'explication à cet effet.

MR. A. FRECHETTE: Il est évident M. Lecuyer que si on retourne en arrière dans l'histoire depuis 1890, le fait tout simplement que les lois ont interdit l'enseignement en français dans nos écoles ont permis une assimilation, une aculturation qui a emmené plusieurs des nôtres à perdre leur langue et à vivre uniquement en anglais.

MR. G. LECUYER: Certains, M. Fréchette, sont venus ici; ils nous ont parlé des bienfaits que cette résolution amendement l'article 23 de l'Acte du Manitoba, pouvait apporter à d'autres minorités culturelles et d'autres nous ont fait part de leurs craintes ou d'un point de vue tout à fait opposé. Pouvez-vous élaborer un peu davantage sur les avantages que vous voyez cette résolution a apporté aux autres groupes culturels de la province du Manitoba.

MR. A. FRECHETTE: Je pense bien qu'il est évident que si la deuxième langue officielle du Canada n'est pas respectée au Manitoba, dans une des provinces du Canada, comment est-ce que les autres groupes ethniques qui aimeraient aussi vivre leur culture, je suppose, si ce groupe de francophones hors Québec

ne peuvent pas vivre dans leur langue, comment peut-on s'attendre à ce qu'un groupe minoritaire d'une autre communauté ethnique pourrait, elle, vivre aussi dans leur langue et proliférer dans leur culture. C'est dans ce sens-là, M. Lecuyer, que je parle de l'aculturation.

MR. CHAIRMAN: Mr. Lecuyer.

MR. G. LECUYER: Merci M. le président.

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

MR. H. ENNS: Mr. Chairman, through you to the presenter of this brief. My understanding of the brief is that your association supports the original agreement, sometimes referred to as the May Agreement, that was arrived at with the Franco-Manitoban Society and the government, and rejects the proposed amendments that have been tabled with this committee; is that correct?

MR. A. FRECHETTE: That is correct.

MR. H. ENNS: Should the government, and we will be reassembling as a Legislature, should the government persist in bringing this resolution with those proposed amendments, before us, what advice do you have for the committee; how should we vote on that proposal?

MR. A. FRECHETTE: With the amendments?

MR. H. ENNS: With the amendments intact as proposed some months ago now by Mr. Penner?

MR. A. FRECHETTE: I think I would reject it and come back to the May agreement.

MR. H. ENNS: For me it's an important question. As I understand your brief, you would not be advising us, as committee members, to accept the amendments currently before us?

MR. A. FRECHETTE: No. Because I feel that the amendments that were proposed the 6th of September are a dilution of what was proposed in the May agreement between the Federal Government, the Société franco-manitobaine and with the Provincial Government.

MR. H. ENNS: And your advice to the committee would be to reject them?

MR. A. FRECHETTE: The amendments, yes.

MR. H. ENNS: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, the Chair would ask leave to ask questions? Leave? (Agreed)

Mr. Fréchette, you asked the committee to respect the May 17th agreement. Are you committed to every word of that agreement, or are you committed to the principles of that agreement?

MR. A. FRECHETTE: Well, I would certainly agree with the principles of the agreements. Now, if there are any changes it would have to be acceptable to the Société franco-manitobaine.

MR. CHAIRMAN: If there were amendments that were acceptable to the Société franco-manitobaine would they then, by definition, be acceptable to you, or would you want to review those?

MR. A. FRECHETTE: I would like to review them, certainly. But, if they would be acceptable to the Société franco-manitobaine I'm sure that they have jurists, they have experts to study the law; I am not a constitution man. I'm sure that they would study the amendments that would be proposed and, consequently, probably the Franco-Manitobans would be behind it.

MR. CHAIRMAN: So your message to the committee, if I can be sure I understand you, with regard to the May 17th agreement, is that you would accept amendments to the May 17th agreement that did not violate the principles of that agreement, even if it did change some of the language. Is that . . .

MR. A. FRECHETTE: As long as they are agreeable with the Société franco-manitobain.

MR. CHAIRMAN: Thank you very much. Further questions for Mr. Frechette from members of the committee? Seeing none, thank you very much for your presentation, Sir.

Mr. Vic Savino, Mr. Savino; Linda Archer. It's a long time to wait when you're No. 2 on the list.

MS. L. ARCHER: I've been here a lot of times and left a lot of times. Good evening. I wish to thank the committee for allowing me the opportunity to appear and speak before you. I am here today to express my opposition to the proposed amendment which, if passed, will extend and entrench French language rights in the Constitution. I am here as an individual citizen, not as a member of any ethnic, cultural or special language group. I represent no political party, nor do I receive any government funding, an oddity in itself, maybe, but I don't.

I am first and foremost a Canadian residing in the Province of Manitoba. I am proud of my province and of all people in this province. We and our ancestors have lived together and worked together, people of many ethnic backgrounds, such as, French, Ukrainian, German, Polish, Italians, Chinese, Metis and the list could go on and on. Each cultural group contributed greatly to the development of this province, each person also as an individual.

The one common tool shared by many was the use of the English language. This language was merely a tool for communication, a means by which people could communicate with their neighbours. I believe Manitoba is a multilingual province, French being one of the languages used and accepted.

I agree with the provision of French Language Services as set out in The Manitoba Act of 1870. I am sorry these rights were not upheld by governments of the day who came long before my time, and I am

supportive of the return of these rights as ruled by the Supreme Court in 1980. What I am not supportive of is the extension of these rights which have gone far beyond those set out in 1870. If the language rights of one group are constitutionally guaranteed, what are we, in effect, saying to the other ethnic groups?

Much has been said and written about Manitoba since this government's intentions and plans became public knowledge. This issue could cause serious divisiveness and, if it does, I believe much of the blame should be placed on the shoulders of the media in this country and in this city. We, as citizens of Manitoba and of Canada, still believe we have the right to be heard on such vital and serious issues as changing our Constitution. If we do not, then maybe we are bigots, as we are always reported to be in the paper, and maybe we should be silent and let government make all our decisions.

I believe this government is attempting to pass legislation without a mandate from the people. I would, therefore, like to suggest to this government they allow the Bilodeau case to proceed to the Supreme Court of Canada.

I thank you.

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

MS. L. ARCHER: Thank you.

MR. CHAIRMAN: Reverend W.J. Hutton, Reverend Hutton; Dr. Vedanand, Dr. Vedanand.
Juliette Blais.

MS. J. BLAIS: Members of the legislative committee on the proposed amendment to Article 23 of The Manitoba Act. Mr. Chairman, and members of the legislative committee, my name is Juliette Blais, I am a private citizen, and I'm not funded by any government, any organization, or any citizen of this country or any other country.

I am a Canadian citizen of French ancestry. The Franco-Manitoban Society does not represent me, nor does it represent the majority of Manitobans of French ancestry. The Franco-Manitoban Society is a federally-funded organization, and would collapse immediately upon the withdrawal of federal funds.

Federal intervention has taken place in this province and, at this point, I would like to read from Max Yalden's report as Commissioner of Official Languages. "One need not look far to find cases illustrating the legitimacy of this concern in both Ile des Chênes, Manitoba and Penetanguishene, Ontario. French-speaking communities have finally been promised a French language high school, but in neither case was this granted without a long drawn-out battle or without intervention from the highest level." That's end of quote, and let's keep this in mind, because I don't know who the highest level is. I think I know.

Resident taxpayers of Ile des Chênes took up a petition opposing building of this French high school, and 485 people signed in opposition out of 600 possible voters. Mr. Roger Dubois, now Vice-President of the

Franco-Manitoban Society, but in 1980 President of the federally-funded Comité des Parents, took a petition in favour of the school signed by 27 people and not all of them, I might add, residents of Ile des Chênes ward.

I have brought this point to your attention as proof the French-speaking people in Manitoba are quite aware who will pay for the extended services the Federal Government would like us to embrace. To further prove my point about cost, I will now read a paragraph from Serge Joyal's speech delivered in Nova Scotia on November 13, 1982.

"It seemed normal to me and it is even more normal, I think, for the Federal Government which provides the provinces with \$2.5 billion every year to fund secondary, post-secondary and university education to know where the money is going. You know, I looked at the figures here in Nova Scotia. Each year, we transfer considerable sums of money, always over \$1 million for second language teaching. Well I can tell you, some years ago, millions disappeared. We don't know where the money went, and in 1977, '78, '74 and '75, you'll never find out from the accounts where the money went, but it was to have gone to French-speaking population." These are the words of a Minister of an immoral and corrupt government.

I object very strongly to Manitoba Government making a deal with a corrupt Federal Government, and the federally-funded Franco-Manitoban society to amend the Constitution without consulting the people of Manitoba. When the government was elected, it was elected to govern. If this government wants to amend the Constitution, it must go to the people. It is our Constitution.

The people of Manitoba are told by the Federal Government through the Franco-Manitoban Society that an injustice was created against the French for 90 years. I ask you: what injustice was created?

Ninety years ago public funding of private schools was stopped. Public schools turned no one away. I had never heard the English language until I was eight years old and started school. I was educated in the 1940s and French or Latin was required as a second language to get into the University of Manitoba. I learned French. My husband went to school in the 30s and he also learned French in a public school system.

When the federally-funded people say Manitobans had to hide their French books, they are spreading lies; and furthermore, private French schools were not outlawed. Provincial funds were no longer available to private schools, period.

My husband's ancestors came to this country in 1863, and we still speak French, but the Federal Government would like us to believe the English-speaking people have taken away my rights.

I am here to tell you no one has taken away my rights. I am here to tell you, let the Bilodeau case go to the Supreme Court. I repeat, the government has no mandate to alter our Constitution.

Thank you.

MR. CHAIRMAN: Thank you, Ms. Blais. Questions for members of the committee?
Mr. Lecuyer.

MR. G. LECUYER: Do you have children Ms. Blais?

MS. J. BLAIS: Yes, I do.

MR. G. LECUYER: Can I ask you where your children go to school?

MS. J. BLAIS: My child went through the St. Vital School Division, as I did.

MR. G. LECUYER: Lavallee School?

MS. J. BLAIS: No, Varennes and Dakota Collegiate. I went to Glenlawn Collegiate.

MR. G. LECUYER: Thank you, Mr. Chairman.

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

MR. H. ENNS: Mr. Chairman, a committee such as this is always interested in the persons appearing before us and who they speak for. In your case, you're speaking as a private citizen.

MS. J. BLAIS: You're right.

MR. H. ENNS: But you have made it your business to be aware of the Franco-Manitoban Society from which we've heard a great deal at this committee. I think the Franco-Manitoban Society as the formally structured society, it's to be accepted that they speak for, or presume to speak for, the French-speaking community in Manitoba. From your own information to what extent is that the case in terms of numbers or in terms of the general population of the French-speaking people in Manitoba?

MS. J. BLAIS: I will just answer that through my own community, the people who live in Ile des Chenes. I was one of the ladies who took up the petition, it took us four days to get 485 names. We used the voters list so that the people were residents and taxpayers in that ward, and as you know, Ile des Chenes is a very French community. Don't take my word for it, Max Yalden does say that. Should I repeat? It's a French community, Max Yalden does say that.

When Mr. Dubois can go in there and get 27 names, and furthermore, most of those people as I said earlier - no, I shouldn't say most, some of those people were not even residents of the Ile des Chenes ward. Then how much support does the Franco-Manitoban Society have in my little community of Ile des Chenes.

MR. H. ENNS: I think you've demonstrated that in the community of Ile des Chenes. Would you care to give us an educated guess as to either in percentage terms of the overall French community in Manitoba?

MS. J. BLAIS: I'm told that the French population of Manitoba is 31,000, and at their meeting this spring when they were negotiating with the Provincial Government and the Federal Government, I think their meeting in St. Boniface, they had 574 voted.

MR. H. ENNS: Thank you, Mr. Chairman.

MR. CHAIRMAN: Further questions? Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. Ms. Blais, you said that the SFM was federally funded and that they would fall apart immediately if funding ceased. Obviously you feel that the SFM does not have as strong a support among the French community as what we have been led to believe. Why is it, Ms. Blais, that more people like you have not come forward to make a presentation before this committee?

MS. J. BLAIS: I will tell you why I think they haven't come forward. When I took the stand on the Ile des Chenes School - and just keep in mind that I am just a farm housewife, I hold no elected office - I feel that I am just a farm housewife, yet when I took this stand on the Ile des Chenes School, the La Liberté devoted the front page to me, half of the second page and on the third page, they did a cartoon of me. My school trustee was depicted as an ass with his picture in the rear end of the ass and I was seated upon the donkey, naked. Excuse me and I will get that cartoon for you.

This is the front page devoted to me; here is the half of the second page; and there is the cartoon. Pass it around.

MR. CHAIRMAN: Further questions for Ms. Blais from members of the committee?
Mr. Brown.

MR. A. BROWN: Mr. Chairman, I wonder if Ms. Blais can give us some other incidents where things of this nature have happened. This is something, I believe, that most of us were not aware of and I wonder if she could cite some other examples of why people do not come before this committee and speak out the way that she does.

MS. J. BLAIS: How would you like to be depicted naked on a horse? How do you think I felt when that came out?

MR. CHAIRMAN: Mr. Brown, further questions?

MR. A. BROWN: No further questions.

MR. CHAIRMAN: Any further questions by member of the committee.
Mr. Kovnats.

MR. A. KOVNATS: Ms. Blais, I would suggest that you are with some very very good company in La Liberté, inasmuch as I have been following some of the articles in La Liberté and they have caused me some great concern, and I have spoken in the Legislature about the concern that La Liberté has caused a lot of people in the Province of Manitoba. Would you confirm that La Liberté is the voice of the majority of the French-speaking people of the Province of Manitoba?

MR. G. LECUYER: It is.

MR. A. KOVNATS: Thank you Ms. Blais, or was that Mr. Lecuyer, I wasn't sure, Mr. Chairman? I'm getting answers from all over the place and I think that Ms.

Blais should have the courtesy of being allowed to speak. Would you confirm, Ms. Blais that La Liberté is the spokesman, spokeswoman of the French people of the Province of Manitoba?

MS. J. BLAIS: Well it says right on the front page of the La Liberté that it's circulation is 12,000, so I don't know. If that paper speaks on behalf of the French people of Manitoba, I would think that they would all get it because it comes to me free of charge, you don't pay for La Liberté. While I'm on the subject, I find it very amusing that Mr. Lecuyer thought it's hilarious that I should be depicted in such a manner.

MR. A. KOVNATS: Ms. Blais, I have spoken on how this amendment to the resolution can cause divisiveness in the Province of Manitoba, would you say that La Liberté is contributing to the divisiveness that we all know is happening in the province concerning the amendments to the resolution that is before us?

MS. J. BLAIS: I don't know, I don't know if it's the La Liberté that's causing the divisiveness. To tell you the truth, as a Canadian of French ancestry I get along very very well in my community. I have never had problems with other nationalities and I think that the people of Manitoba are united; I think that the people of Manitoba realize that it is the politicians that have caused our problems.

MR. A. KOVNATS: Madame Blais, I, and the Progressive Conservative Party members were depicted as Ku Klux Klans in a cartoon somewhat as repulsive as this one. And what I am really trying to establish, at this point, is if you are prepared to agree that this amendment, and the reason why I am not supporting the amendment, is that it is causing divisiveness and hate and bigotry throughout the province. Would you not support it for those reasons, the amendment to the resolution that is before us?

MR. CHAIRMAN: The question is out of order as being a very leading question. Mr. Kovnats do you have a further question?

MR. A. KOVNATS: Mr. Chairman, did I hear the ruling that the question was out of order concerning a picture that was used as a display here, and I was making remarks concerning other pictures that were similar in La Liberté; and am I to believe that I have just been ruled out of order?

MR. CHAIRMAN: I ruled the question out of order as a leading question, Mr. Kovnats. If you wish to ask a question of Ms. Blais, how she perceives that and what effect she may think it might have on the debate on this issue in Manitoba, that would be fine, but supplying the answer in the question is obviously a leading question. Maybe the Chair doesn't catch them all, but the Chair tries to. Could you rephrase the question, Mr. Kovnats?

MR. A. KOVNATS: I would thank Mr. Lecuyer for his assistance in assisting the Chair in ruling it out of order, and I thank Ms. Blais for her remarks which come from

the heart. And I know, as a francophone in the Province of Manitoba, I know that it is very difficult for you, Ms. Blais, to be here making these remarks, and I know that all your remarks come from the heart. I believe, and I am asking you, do you believe that it is to the best interests of the Province of Manitoba to support the amendments? Do you believe it to the best interests of the whole Province of Manitoba to support the amendments that are before us?

MS. J. BLAIS: Definitely not.

MR. A. KOVNATS: Thank you.

MR. CHAIRMAN: Further questions for Ms. Blais from members of the committee? Mr. Lecuyer.

MR. G. LECUYER: Ms. Blais, is the school being built in Ile des Chenes?

MS. J. BLAIS: The sod has been turned.

MR. G. LECUYER: Can I ask you, Ms. Blais, on which grounds you oppose the building of the school?

MS. J. BLAIS: I find building separate schools very divisive. We should learn French, as I did, in the public school system, together; not separate English and French. I have attended many of these meetings and I see where we might end up with a lot of other minorities asking for their own schools, and I think that we should all learn the languages together. I mean, the way it is now, let's face it, we can learn French, German, Ukrainian, what's the matter with that, why do we have to start building separate schools?

MR. G. LECUYER: Ms. Blais, would you not agree that the fact that the school is being built now, that that also indicates that the French-speaking parents in the Ile des Chenes area supported the building of this school?

MS. J. BLAIS: No, they did not, because 485 people signed a petition opposing the school.

MR. G. LECUYER: Were these 585 signatures from Ile des Chenes, the Town of Ile des Chenes?

MS. J. BLAIS: They were totally that I collected, and the other ladies who were in on this were totally from the Ile des Chenes ward. I think it's called Ward 3.

MR. G. LECUYER: Is it not also a fact, Ms. Blais, that there is a large non French-speaking population in Ile des Chenes?

MS. J. BLAIS: Ile des Chenes is a French community and there are other ethnic groups, but predominantly it is a French community, as Max Yalden refers to it.

MR. G. LECUYER: Is it not a fact, Ms. Blais, that the student population, non French-speaking student population in Ile des Chenes is greater than the French-speaking student population? It serves the area, the regional.

MR. CHAIRMAN: Order please. The member is supplying information in his question . . .

MR. G. LECUYER: No, not to . . .

MR. CHAIRMAN: The member is supplying student enrolment information. Perhaps the member could ask that question.

MR. G. LECUYER: Could you, Ms. Blais, give me the breakdown of the student population in Ile des Chenes?

MS. J. BLAIS: No, I haven't got that at my fingertips, but I'll tell you one thing. That if that school is going to be built, it's very amusing to me, because in the français class in Ile des Chenes we don't even have enough students to start a kindergarten, and yet we are putting a French high school in that community.

MR. G. LECUYER: That's fine.

MR. CHAIRMAN: Further questions for Ms. Blais from members of the committee? Mr. Scott.

MR. D. SCOTT: Ms. Blais, I have a question that may be a bit of a personal question for you and that is I'm wondering if you have children, if you've raised them in French, and if you expect them to maintain their French language if they still have it?

MS. J. BLAIS: What my child does - she's 29 years old and that's her business. As a matter of fact she got married last year to a fellow that is not French, but I married a French person. That was my desire. My parents never influenced me and I never tried to influence my daughter as who she should pick for a husband.

MR. D. SCOTT: I never asked you that. I was just asking you if your children had been brought up - whether they have I guess been assimilated or brought up in English or in French?

MS. J. BLAIS: We speak French in the home.

MR. D. SCOTT: Thank you.

MR. CHAIRMAN: Further questions for Ms. Blais? The Chair would ask leave to ask a couple of questions. (Agreed)

Ms. Blais the petition that was circulated, in which you advised the committee you collected 485 signatures, do you recall approximately what that petition read?

MS. J. BLAIS: That we are opposed to an all-French school.

MR. CHAIRMAN: Was there any question of withholding municipal or school board taxes associated with that petition?

MS. J. BLAIS: That was only about three years after that petition that came up.

MR. CHAIRMAN: Well the petition you're referring to was then in what year?

MS. J. BLAIS: 1980.

MR. CHAIRMAN: So it would have been this year, three years later would be 1983. Is that the year there was some discussion of withholding taxes?

MS. J. BLAIS: You're quite right.

MR. CHAIRMAN: How successful has that been? Have all 485 people who signed the petition so far withheld their 1983 school board and/or municipal levies?

MS. J. BLAIS: There's over 2,000 people that are going to withhold their taxes in the Seine River School Division.

MR. CHAIRMAN: You expect that over 2,000 people will be withholding their taxes this year in that school division?

MS. J. BLAIS: Yes, just over 2,000 answered to this effect.

MR. CHAIRMAN: When you say answered to that effect, I'm not clear. They sent you a letter?

MS. J. BLAIS: That's right.

MR. CHAIRMAN: Do you have any indication from the municipal offices in the Seine River School Division that people are withholding their taxes to date?

MS. J. BLAIS: They have led me to believe that they are withholding their taxes, their school tax - that portion of their taxes.

MR. CHAIRMAN: Do you have any information which would indicate to the committee that these taxes are actually being withheld to date?

MS. J. BLAIS: No, I haven't.

MR. CHAIRMAN: So you don't know whether or not that particular activity has been successful or has failed? You don't know what the numbers are?

MS. J. BLAIS: Only the municipalites in the area will know. I don't know.

MR. CHAIRMAN: Thank you very much. Any further questions for Ms. Blais? Hearing none, thank you very much for your presentation.

(APPLAUSE)

MR. CHAIRMAN: Order please. Ladies at the rear of the room know the rule. They've heard the admonition. Before the committee rises, I would point out that Dr. Rey Pagtakhan, who might well be the next person we would call, has been here virtually all day and may be the only one remaining. If the committee is willing, we might be willing to ask him how long his brief is. If it's a lengthy one, I don't know what is the committee's will and pleasure. We are past our normal hour of adjournment. Will the committee be willing to hear the

gentleman if he's the next person up? The Chair will call the names.

Bohdanka Dutka. Michael Kiedyk. George Rykman. Don McIvor. Ferdinand Guiboche. Israel Ludwig. S. Stephansson. Dr. Rey Pagtakhan.

DR. R. PAGTAKHAN: Good evening ladies and gentlemen. I certainly thank you for extending your time.

Respected Chairman and members of the committee, on behalf of the Filipino Canadian Community in Canada, as I am the National Chairman of the United Council of Filipino Associations in Canada, our community now approximates about 120,000 in size, I would like to submit to your committee the following:

A. Statements of our understanding:

1. That Manitoba entered Confederation in 1870 with the explicit understanding that English and French are the two official languages of our Legislature and the courts;

2. That all laws must be in both languages;

3. That the supreme Court of Canada has recently sustained the constitutional primacy of The Manitoba Act of 1870 versus The Manitoba Official Language Act of 1890;

4. That sometime this year our Manitoba Government, in consultation with the Government of Canada, reached an agreement with the Société Franco-Manitobaine to the effect that our Manitoba Government will entrench French in our Constitution to the extent that the proposed amendment applies to our province.

5. That I have understood the above amendments as stipulated in the "Proclamation Amending the Constitution of Canada" published in the July 4, 1983 issue of the Hansard; and subsequently as further amended and appeared in the press;

6. That following the proclamation of the amendments, it will be assured that:

(a) By 1986, constitutional protection will be given to the French Language Services in our province,

(b) Only about 10 percent of all previous Manitoba Statutes have to be translated,

(c) The Federal Government will share in the translation costs as well as in the cost of provincial programs designed to bring full fruition to this amendment,

(d) And that a saving grace of a decade will be with us to ensure that all English laws remain valid in the interim.

B. Statement of Support: the second section and the final section.

In view of the foregoing, our Filipino-Canadian community supports the proposed "Proclamation Amending the Constitution of Canada" for the following reasons:

1. It will preclude legal confusion and unnecessary cost should the Supreme Court of Canada rule in favour of the Roger Bilodeau case - a likely probability in our estimation. In this instance, I think our Manitoba Government which includes the majority the political party and the minority opposition, will be exercising an act of wisdom.

2. It will restore justice to the French language which it enjoyed prior to 1890. I would like to say that it is the French language and not the French

people who have made a distinction that the French language is for all Canadians, that we can learn.

3.It will be consistent with the founding tongues of our province.

4.It will be consistent with our province's commitment to multiculturalism.

In summary, members of this committee and Mr. Chairman, your legislative approval of the proposed amendment will be an act of wisdom and justice and tolerance - three crowning virtues any province or community should be proud of as we recall in the Greek civilization.

Indeed, I pray you will have the courage and the foresight that this amendment passes.

This amendment, when eventually passed, shall be one of, if not the, greatest historic achievements of our Manitoba Legislature, and shall remain a living testimony to our people's commitment to justice, wisdom, tolerance and multiculturalism.

I thank you, and I would like to submit this to the committee.

MR. CHAIRMAN: Thank you, Dr. Pagtakhan. Any questions by members of the committee for Dr. Pagtakhan. Hearing none, the Chair would ask leave to ask a couple of questions.

Doctor, you made reference in your brief to the restoration of French rights that you said were taken away in 1890.

DR. R. PAGTAKHAN: Yes, Mr. Chairman.

MR. CHAIRMAN: Can you confirm whether or not it's your understanding that the current resolution restores French language rights, or whether or not they were restored by the results of the Forest decision in 1979?

DR. R. PAGTAKHAN: What I meant is that the 1870 was there, and that the Supreme Court ruling has sustained the constitutional primacy of The Manitoba Act. The proposed amendment, by enshrining it now in our Canadian Constitution, will see to it that the 1890 - if I'm getting the year correctly - that The Official Language Act of 1890 would not let it happen again, if I get it correctly.

In essence, if I may just get the substance of our support, is this; that by enshrining it in our Canadian Constitution it will be very difficult for the changing political situation in our province to again see the death of this French language.

MR. CHAIRMAN: If I may just follow up with one other question then. Are you then - without asking a leading question - do you make a distinction between French language rights, as guaranteed in the 1870 Constitution to which you referred, and the provision of French language services that many of the briefs have made saying that there is a distinction, French language rights on one side and then services which go beyond the court decision of '79? Are you making a distinction between them, or are you saying they're part of one package? I am not completely clear on that.

DR. R. PAGTAKHAN: We would like that the French language rights be entrenched in the Constitution; to

the extent that services are excluded from these rights, yes, they are part of the package.

MR. CHAIRMAN: You would want them entrenched as well as part of the package?

DR. R. PAGTAKHAN: Yes, indeed.

MR. CHAIRMAN: Thank you very much. Further questions for Dr. Pagtakhan?

Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman, and I think questions arise from the question that the Chair has posed to you, Dr. Pagtakhan. Would you have the same concern and the same desire to support this if the language rights, the use of French in the Legislature and the courts, and the translation of all the records and journals of the House and the statutes shall be in both languages; if that had already been enshrined, would you have the same concern today if that was the case?

DR. R. PAGTAKHAN: If those rights are in the Constitution - and I have to agree that I am not a lawyer - and the services that exude from these rights are then provided and enshrined in the Constitution, yes.

MR. H. GRAHAM: You would have the same concern, if the language rights were already enshrined in the Constitution?

DR. R. PAGTAKHAN: No, I'm sorry. If the language rights are in the Constitution, and the services that are to exude from these rights, are enshrined in the Constitution, then I will have no more concern.

MR. H. GRAHAM: I didn't mention anything about services, but now is your sole concern then the entrenchment of language services in the Constitution? Is that your only concern?

DR. R. PAGTAKHAN: No indeed. Our concern is to make it clear that the French language rights and the services that emanate from those rights, the services, be enshrined in the Constitution. If part of it has not been, the whole of it must be so that it will then require a constitutional amendment to change that, which will be a very difficult process. We would have liked it to be left to the easy process of the changing political system in the province.

MR. H. GRAHAM: Mr. Chairman, if the proposal that was put before this committee was one merely to extend French language services in the Province of Manitoba, would you have the same desire to support it as you presently seem to have?

DR. R. PAGTAKHAN: Yes, if the services will be enshrined in the Constitution, that certainly I will support and our committee supports.

MR. H. GRAHAM: Dr. Pagtakhan, I asked you if you would have the same desire to support it as you

presently seem to have for what you have stated so far.

DR. R. PAGTAKHAN: Yes.

MR. H. GRAHAM: Okay, thank you.

MR. CHAIRMAN: Any further questions for Dr. Pagtakhan from members of the committee? Seeing none, on behalf of the committee, I would like to thank you for waiting around all day and having the patience, and also for your brief this evening.

DR. R. PAGTAKHAN: It will give me a full day tomorrow in the hospital.

Thank you.

MR. CHAIRMAN: Thank you. The next meeting of the committee is at 10:00 a.m. tomorrow. Committee accordingly stands adjourned.

(Translation will appear in Appendix at end of all committee hearings.)