

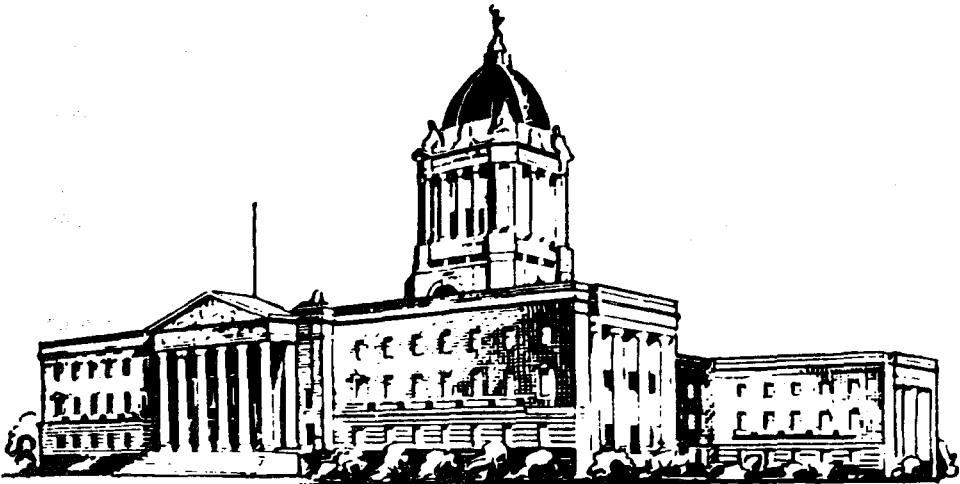


First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

37 Elizabeth II

*Published under the
authority of
The Honourable Denis C. Rocan
Speaker*



VOL. XXXVII No. 101 - 1:30 p.m., MONDAY, DECEMBER 19, 1988.



**MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fourth Legislature**

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIBERAL
ANGUS, John	St. Norbert	LIBERAL
ASHTON, Steve	Thompson	NDP
BURRELL, Parker	Swan River	PC
CARR, James	Fort Rouge	LIBERAL
CARSTAIRS, Sharon	River Heights	LIBERAL
CHARLES, Gwen	Selkirk	LIBERAL
CHEEMA, Gulzar	Kildonan	LIBERAL
CHORNOPYSKI, William	Burrows	LIBERAL
CONNERY, Edward Hon.	Portage la Prairie	PC
COWAN, Jay	Churchill	NDP
CUMMINGS, Glen, Hon.	Ste. Rose du Lac	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DOER, Gary	Concordia	NDP
DOWNEY, James Hon.	Arthur	PC
DRIEDGER, Albert, Hon.	Emerson	PC
DRIEDGER, Herold, L.	Niakwa	LIBERAL
DUCHARME, Gerald, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIBERAL
ENNS, Harry	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Laurie	Fort Garry	LIBERAL
EVANS, Leonard	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen Hon.	Virden	PC
GAUDRY, Neil	St. Boniface	LIBERAL
GILLESHAMMER, Harold	Minnedosa	PC
GRAY, Avis	Ellice	LIBERAL
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HEMPHILL, Maureen	Logan	NDP
KOZAK, Richard, J.	Transcona	LIBERAL
LAMOUREUX, Kevin, M.	Inkster	LIBERAL
MALOWAY, Jim	Elmwood	NDP
MANDRAKE, Ed	Assiniboia	LIBERAL
MANNES, Clayton, Hon.	Morris	PC
McCRAE, James Hon.	Brandon West	PC
MINENKO, Mark	Seven Oaks	LIBERAL
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
OLESON, Charlotte Hon.	Gladstone	PC
ORCHARD, Donald Hon.	Pembina	PC
PANKRATZ, Helmut	La Verendrye	PC
PATTERSON, Allan	Radisson	LIBERAL
PENNER, Jack, Hon.	Rhineland	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren	Lac du Bonnet	PC
ROCAN, Denis, Hon.	Turtle Mountain	PC
ROCH, Gilles	Springfield	LIBERAL
ROSE, Bob	St. Vital	LIBERAL
STORIE, Jerry	Flin Flon	NDP
TAYLOR, Harold	Wolseley	LIBERAL
URUSKI, Bill	Interlake	NDP
WASYLYCIA-LEIS, Judy	St. Johns	NDP
YEO, Iva	Sturgeon Creek	LIBERAL

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 19, 1988.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

Hon. James McCrae (Government House Leader): In light of certain discussions taking place amongst Party officials, I wonder if there might be a willingness or a disposition on the part of Honourable Members to recess the House for a few minutes.

Mr. Speaker: Is it the will of the House to recess? (Agreed) How much time are we looking for?

Mr. McCrae: Until the bells ring.

Mr. Speaker: Until the bells ring, the House is recessed.

(RECESS)

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

Hon. Gary Filmon (Premier): Mr. Speaker, I have a statement to make and I have copies for Members opposite.

In introducing the Meech Lake Accord into this Legislature on Friday, I quoted former Premier Howard Pawley, who said: "It symbolizes a renewed spirit of good will and reconciliation across Canada. The accord made it a fundamental obligation of all Governments to protect minority language rights."

I believe the decision made yesterday by the Government of Quebec to restrict minority language rights in that province violates the spirit of the Meech Lake Accord. In these circumstances, I have concluded that the debate on the resolution now before us and the public hearings would not serve a useful purpose and may invite a very negative anti-Quebec backlash.

Accordingly, I have advised the Prime Minister that my caucus and I cannot proceed with the debate and discussion of the accord and, in consultation with the Leaders of both Opposition Parties, I will seek to have the resolution withdrawn from our Legislature. I am tabling a copy of that letter for all Members.

* (1400)

Mrs. Sharon Carstairs (Leader of the Opposition): I thank the First Minister (Mr. Filmon) for his statement. This is not an easy moment for any of us on this the 101st day of our Session. We watched, over the weekend, something that I had anticipated as early as April of 1987. At that time, I tried to warn, in the only way I could, as a single Member of this House, that the Meech Lake Accord did not do anything except threaten the rights of minorities in this country and in this province.

Monsieur le Président, les droits des minorités sont sacrés dans notre système démocratique. Les démocraties peuvent seulement fonctionner lorsque la majorité cède de ses privilèges et de ses droits à la minorité, qu'il s'agisse de la minorité de langue anglaise ou la minorité de langue française. L'Accord du lac Meech menace ces droits, et pour cette raison, nous avons le devoir de l'arrêter.

(Translation)

Mr. Speaker, the rights of minorities are sacred in our democratic system. Democracy can only function when the majority concedes some of its privileges and its rights to the minority, be it the English language minority or the French language minority. The Meech Lake Accord jeopardizes these rights and, for this reason, we have a duty to stop it.

Mr. Speaker, I spoke then because I felt in my heart that although I welcomed Quebec as a signatory of the 1982 Constitutional Accord, I did so with grave reservations about the future of our country, with grave reservations about the future of our Charter—a Charter that recognizes the equality of all people; a Charter which is so eloquent in its definition of what it means to protect the minorities of Canada.

I think that on this day it is very appropriate that I read from that Charter. It says, "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

It speaks so eloquently about the rights of our aboriginal peoples, about our multicultural dynamic. It speaks of the rights of women, and I always believed from the day that I read the Meech Lake Accord that these rights were threatened and jeopardized under the "distinct society" clause which seemed to be some agreement forged to give it supremacy.

The Premier said on Friday it did not do that; it did not give it supremacy. But when I heard Robert Bourassa en français yesterday, in which he said, if I had had the Meech Lake Accord, I would not have had to have used the "notwithstanding clause." He said that the "distinct society" clause would take precedence and that collective rights in this country would be more important than individual rights. I did not believe that in the spring of 1987 and I do not believe that today. The individual rights must always be paramount.

I hope that we can now go back to the table and we can renegotiate a better accord. We can afford a better accord for our aboriginal peoples, for our women, for our multicultural dynamic, for the hope of Senate reform—genuine reform, for the hope of a national spending power that will not allow a patchwork quilt of social programs from one end of this country to the other. Therefore, the Liberal caucus will agree to the Premier's motion to withdraw this accord.

* (1405)

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, it is indeed a very historic and serious day in this province and in this Chamber. It is a very, very historic day for all of us in facing the challenges we have as elected representatives in a Manitoba Legislature which is part and dear to the Canadian Constitution and our country.

I believe that Manitoba has played an historic role over the years and over the decades in bridging the aspirations of this country and the people in this country. We have played an historic role in terms of developing fair spending powers in this country for all Canadians. We have played an historic role in getting and obtaining votes for women in terms of the constitutional context that was contained earlier in our century. We have played historic roles in improving our Constitution and the Constitution for the people of Canada and indeed the people of Manitoba.

We support the withdrawal of the motion today as presented by the Premier, and we believe that we must deal with our historic responsibility in a very, very serious and dedicated way to bridge eastern and western Canada, to bridge the have and the have-not provinces in this country, to bridge the resource-based provinces with those in central Canada, the manufacturing base in this country, and to bridge the majority concerns with the minority rights.

Mr. Speaker, there is absolutely no question that the action of the Premier of Quebec yesterday broke the balance between the rights of the majority and the rights of the minority in this country, and I applaud the action of the Premier today in withdrawing this resolution before us. We know this accord is flawed and we know that there will be another First Ministers' meeting to deal, at some point in the future, with the action that has taken place in Manitoba today.

I would urge the Premier, on behalf of all citizens of Manitoba, to deal with the flaws in the accord and the challenges that he has, deal with the spending power provisions that unfortunately allow provinces to opt out of future spending programs, deal with the ambiguities that have become utterly important for us to deal with in this Chamber between the "distinct society" clause in the Charter of Rights with the action of the Premier of Quebec yesterday, and deal with the lack of aboriginal rights and an aboriginal conference in terms of the Meech Lake Accord.

Mr. Speaker, I could go on about some of the problems of this accord, but we believe that we can again be the bridge in improving the Constitution of Canada. Then again we can take the leadership position in this historic day in Manitoba to improve our Constitution on behalf of all Canadians and all Manitobans.

We will support the motion that the Premier will be making today. Thank you very much.

Mr. Filmon: Mr. Speaker, by leave, I move, seconded by the Honourable Minister of Northern Affairs (Mr. Downey), that the Constitutional Amendment Resolution standing in my name be withdrawn.

Mr. Speaker: Is there unanimous consent to withdraw the Constitutional Amendment Motion as proposed by the Honourable First Minister during the second day of debate? Agreed and so ordered.

An Honourable House Leader: Mr. Speaker, I believe there would be agreement to call it ten o'clock.

Mr. Speaker: Is it the will of the House to call it ten o'clock? (Agreed) The hour being 10 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).