



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

*Published under the
authority of
The Honourable D. James Walding
Speaker*



MG-8048

VOL. XXXI No. 168 - 2:00 p.m., WEDNESDAY, 25 JANUARY, 1984.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 25 January, 1984.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Bill No. 115 - closure motion

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Mr. Speaker.

My question is for the First Minister. Is it the government's intention to have Bill 115, when it is before the committee, have the committee sit regular hours as per the agreement that was arrived at between our two sides last August; or is it the government's intention to push the matter through in committee, under duress, sitting long hours until the wee hours of the morning and forcing the issue to be discussed under great pressure?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I believe there is already some discussion with respect to that by our House Leader with your House Leader this morning, as to the . . .

MR. G. FILMON: Don't you know? What's your intention?

MR. SPEAKER: Order please.

The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

In direct reply to the question asked by the Honourable Opposition Leader, Mr. Speaker, the agreement reached last summer with respect to the hearings, during recess of the Standing Committee on Privileges and Elections, was with respect to the hearings of that committee which were scheduled for the month of September, and that agreement was with respect to locations, times of hearings and rules for the hearings.

Mr. Speaker, there was not in that agreement nor to my knowledge has there been an agreement in the past at any time with regard to the proceedings to be followed by a Standing Committee of this House holding hearings on a bill between second and third reading. The normal legislative rules apply and certainly it would never be the intention on this side, Sir, to abuse those rules, or in any way to limit the opportunity of the public to be heard. But, Mr. Speaker, the suggestion that there

should in some way be rules set up that would guarantee that the legislative process wouldn't function and that the hours of the committee would be in some way restricted, we would reject on this side.

Mr. Speaker, I should advise the Honourable Opposition Leader that in my discussion with his House Leader that I did make a proposal to him with respect to the starting date for the sittings of the committee, but more particularly with regard to allocating a period of time for debate during the balance of this week on the resolution before the House. I hope to be hearing from him later on this afternoon and discussing that further with him, so that the House can avoid entering into the application of Rule 37.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, in view of the fact that the Government House Leader gave notice of his intention to apply Rule 37, I don't think we need to try and sugarcoat the pill and suggest that he's going to give us all sorts of benefits while he does it.

Mr. Speaker, in view of the fact that the agreement that was entered into between our two sides last August called for regular rules of the House to apply, called for regular hours to apply to the sittings of the House, is the Government House Leader saying to us now that those regular rules and regular hours will not be heeded, but in fact all hours will apply and that they will be able to send the committee hearings into long night sessions, into the wee hours of the morning, under duress, on weekends and whatever to try and force through this issue before the committee?

HON. A. ANSTETT: Mr. Speaker, the short answer to the question of the Honourable Leader of the Opposition is "no." But, Mr. Speaker, to clarify that answer and make sure it is understood, I should read the last three points in the agreement that was tabled in this House, I believe, on August 12th or 13th of last summer.

They say and it says in No. 5: "Committee reports to the House after completion of hearings." Committee has done that.

No. 6 "Rules of the House apply with provision for a two-week maximum on bell-ringing."

No. 7 "Regular sitting hours after recess, except that there will be no Private Members' Hour."

Mr. Speaker, we are not unilaterally in any way asking for a deviation from those rules. We have, however. . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. A. ANSTETT: Rules of the House apply. I believe 37 is a rule of the House. Mr. Speaker, I do not intend to engage in debate with the Honourable Member for Elmwood. I would like to finish answering the question. We intend to abide by and follow the rules of the House and the agreement.

However, Mr. Speaker, members opposite have had an indication of the desire and the very firm desire and commitment of the government to deal with this matter and deal with it expeditiously and put an end to the obstruction and frustration that this Legislature has seen.

We have therefore, Sir, in an attempt to accommodate the concerns that were expressed by members opposite, made an offer and that offer, Sir, is, if we wish to avoid the application of Rule 37, which we on this side would just as soon avoid, we use it only as a last resort, we are prepared to see the resolution dealt with by Friday at the normal hour of adjournment.

Included, Sir, in that suggestion was the provision that we would agree, by leave and the leave of the opposition and other members, to extend the hours of the House, if necessary and if they desire, to allow full debate tonight, tomorrow morning, tomorrow afternoon, later on tomorrow night, if they want to go beyond 10:00 o'clock adjournment, to provide, Sir, full opportunity for those members who feel that the application of Rule 37 unfairly restricts their opportunity for debate, so they get an opportunity for that debate, but at the same time, the government's clear commitment and objective of dealing with this matter expeditiously is met. Sir, that was our offer. The Leader of the Opposition is asking questions about it. I would be happy to clarify further if he has further questions.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. order please.
The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, I would remind the Government House Leader, and I acknowledge that Rule 37 is a rule of our House, but I remind him that it has not been invoked in 54 years in this Assembly and under these circumstances, it is obviously a very unusual measure. Given the fact he has acknowledged that the agreement calls for regular hours of the sitting of the House, will that agreement also apply to the hours of sitting of the committee, so that people will not be asked to come here and stay until 2:00 in the morning or 3:00 in the morning, in order to have their views known on this bill?

HON. A. ANSTETT: Mr. Speaker, I would remind members of the House that, yes, the rules of the House apply - that's the agreement. Members on this side have no quarrel with that.

I would remind members, with respect to Rule 37 and the 54-year absence of its application, that the absence of bell ringing overnight or of four consecutive days of obstructionary bell ringing predates the 1929 application of Rule 37. In fact, it had never happened before in the history of this Legislature, and probably to the extent used last summer and last week, probably never before to that extent in any Parliament in a Provincial Legislature in this nation, Sir.

With respect to the hearings of the Standing Committee on Privileges and Elections, to which Bill 115 has been referred, regular rules of the House apply. That's what the agreement says. We have no intention of changing that. The regular rules for committee

hearings between second and third reading are the rules this House always uses and we intend to ensure that those rules are respected.

MR. G. FILMON: Mr. Speaker, I appreciate the House Leader's admonitions on the bell ringing and I remind him that the item about the bell ringing for two weeks was in there at the request of the government. So obviously they acknowledge the use of that technique.

My question, Mr. Speaker, is: will he assure this House and the people of Manitoba that the committee that sits to hear the presentations on Bill 115 will not sit on this weekend, on Saturday or Sunday, under the circumstances that this government wants to ram it through?

MR. SPEAKER: Order please. The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

Clearly Saturdays are the days of the week, usually, when many members of the public would have an opportunity to make presentations to a standing committee. Mr. Speaker, it has always been the desire of this government and the Legislature, and I would go so far as to say that, with the exception of a few rare occasions, I believe it has always been the desire of members opposite when they were in government, to provide a full and reasonable opportunity for members of the public to be heard on legislation between second and third readings on bills. Nothing has changed. We are in accord with the practice of members opposite. On that score, we will accord with the practice we have followed since we have formed government.

MR. G. FILMON: Mr. Speaker, in view of the fact that it was the specific intent of that agreement not to be sitting in the hours that were normally sat during Speed-up, that it was to restrict it to regular hours, and that was one of the commitments and one of the desires of the government as well as our side, and in view of the fact that Saturday sittings are only held during Speed-up during normal circumstances, will he assure us that we will not have Saturday hearings? We are delighted to hear the public, we want the public to have an opportunity, and there are opportunities within regular hours, and I want the Government House Leader to assure us that he will stick with that agreement and with the regular sitting hours?

HON. A. ANSTETT: Thank you, Mr. Speaker.

I don't know what I have to do to convince the Leader of the Opposition - it may not be possible - that regular rules of the House apply, means, as provided for in our rule book, that certain House sitting times are laid down. Sir, there are no sitting times laid down for committees. There is a conventional practice. We most often meet in committees Tuesdays and Thursday mornings at 10:00 a.m., when the House is in Session; but, when we're considering bills, we have often suspended a sitting of the House in an evening and held a committee hearing, whether we were in Speed-up or not. We have rarely, not often, but rarely sat on Saturdays when we have not been in Speed-up. It has

been done. It hasn't been a regular practice, but it has been done. Mr. Speaker, when we are in Speed-up, we very often sit on Saturdays in committee.

Mr. Speaker, I am astounded that members are going to use the question period that they want to question this government about its performance in the creation of jobs in this province and the economy of this province to ask questions about whether or not they're going to have Saturday off. Mr. Speaker, I'm appalled that their major concern for the first 15 minutes of today's sitting is whether or not they're going to have Saturday off.

MR. F. JOHNSTON: Our major concern is you can't be trusted. You can't be trusted, that's our concern.

MR. SPEAKER: Order please, order please. Order please.

The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, our major concern is to get the Government House Leader on the record publicly so we can know where he stands on these things. In view of the fact that he is going to go outside of the regular practices of the House for the sitting of the committee on Saturday, is he also intending, Mr. Speaker, to limit the length of presentations before that committee?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. Order please. I would ask the Honourable Member for Pembina to allow the Minister to make his answer.

The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

As I pointed out to the Leader of the Opposition in my earlier answer, the assumption that the customary proceedings of this House do not include sitting on Saturdays is an incorrect assumption, so to answer his question and suggest we won't sit on Saturday because that would be breaking the regular rules of the House would be an improper answer. It would not be breaking the regular rules. If a sitting on Saturday is required, certainly we would consider sitting then. With regard to the setting of limits or how long the committee would sit at any one sitting, that's for the committee to decide. Committees always make those decisions.

The only time that I can remember where those decisions were made outside of the committee was last summer, in that agreement which was an unprecedented thing, something that was necessary to resolve an impasse in the House, and its application to the Committee of Privileges and Elections ended when those committee hearings ended.

MR. G. FILMON: Mr. Speaker, I appreciate the Government House Leader's response on that, and given the fact that the government has the majority on that committee, I will put on the record that we do not intend to limit any presentations before that committee. Will he be able to give us the same assurance, as the Government House Leader?

HON. A. ANSTETT: I'm sorry, Mr. Speaker. I wasn't sure whether you had recognized me or my colleague.

No, Mr. Speaker, I am not prepared until we know exactly what's happening in the committee and how long it will take and how many people there are on the list, whether or not there may be any requirement for limiting presentations.

I can advise the House that I have been advised by the Clerk that as of, I believe, about noon today, there were some 13 individuals who had indicated they wished to make presentations, either on behalf of themselves or on behalf of organizations they represent. Mr. Speaker, I can't speculate as to how many there will be by the time we have the first meeting of the committee. The list may have 15 names on it, in which case I would expect that probably at one sitting of the committee or possibly two they could all be heard.

It may have as many on it - I don't think so, and I don't think members opposite expect it - but it may have as many on it as appeared before the standing committee in the month of September. Mr. Speaker, certainly having held those hearings for the whole month of September, it would not be the committee's intention, I would hope, to redo the whole process of last September.

I had indicated earlier in response to questions from the Honourable Member for Elmwood, Sir, that the purpose of the hearings between second and third reading is to address the principle of the bill and clause-by-clause of the bill, not to rehash the whole proposal. If members opposite are suggesting that, Sir, I remind them that governments and oppositions always bring in amendments during clause-by-clause consideration of bills before the Legislature. They do not, Sir, after bringing in those amendments, go back and go through second reading debate on the bill again and hold public hearings on the amendments again. Mr. Speaker, that would be breaking with our regular rules and customary modes of proceeding in this House. Mr. Speaker, we have respect for those rules. We do not intend to break them.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, to the Honourable Government House Leader and for the record, I want to understand and have clarified for me what it is that he is offering the opposition with respect to the ongoing debate on the resolution. Is the offer that he's making us to break the rules that were honourably entered into last August with respect to regular sitting of the House - is the offer that he's making us now to break those rules and sit extended hours or the invoking of Rule 37, the closure motion? Is that the choice that the opposition has? To break the rules that we'd entered into with respect to this Session or closure? Is that the offer that is being made?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, with respect to the question the member has about breaking rules or breaking agreements, is to point out that on Monday the 12th of December, 1977, a time when this House sat and was just finishing a very short Session, the Standing Committee on Law Amendments, chaired by

the Honourable Member for Roblin-Russell now, then the Member for Roblin, reported that this mini-Session was not conducted in Speed-up, reported that your committee met on Friday, December 9, 1977; Saturday, December 10, 1977; and Monday, December 12, 1977.

Now I said, Sir, that it had occurred rarely but, Sir, I remind you, at that time there were about three times as many people who made presentations with respect to the repeal of some family law legislation, then currently are on the list for this committee. So, Mr. Speaker, I'm reminded of the young child who called "wolf" once too often.

Mr. Speaker, with regard to the question of whether or not the government's offer consists of an offer to apply Rule 37 or breach the agreement, I would say directly the opposite is the case. The opposition, last night during the debate on Bill 115, expressed concern and we heard that concern. We heard it loud and clearly, that their opportunities for debate were somehow being limited. That despite the fact that we'd had 100 speeches, despite the fact the bells had rung, that they refused to debate . . .

A MEMBER: On the bill?

HON. A. ANSTETT: On the bill.

MR. SPEAKER: Order please.

HON. A. ANSTETT: The bells rang four days on the bill - clearly on the bill. Mr. Speaker, I cannot rewrite the history that is contained in our Votes and Proceedings of last week - four consecutive days the bells rang on the bill.

Now, Mr. Speaker, I don't like that. Mr. Speaker, I don't like the fact that a government is forced. I don't like it, but we are committed to this legislation and prepared to ask for the application of Rule 37. But, Sir, I want the opposition to have the opportunity to debate the resolution, to put their principles on the record - if they have any. Sir, we've offered them the opportunity to do that during the next three days, and if they want it, Sir, to allow them the fullest of opportunity, we are offering to waive the sitting rules to give them more time.

Mr. Speaker, the honourable member asked what were the details of the offer. I sketched it out earlier in reply to his Leader, but, Sir, there's one more important point, just so that, Sir, the House can appreciate the sincerity with which that offer was made.

Sir, we said that we would agree to specifically limit the total time participation by members on this side to a small portion of the total hours that would be allocated till the normal hour of adjournment on Friday.

Now, Mr. Speaker, what more do they want, knowing that the government has declared its intention to deal with this matter under the rules? Mr. Speaker, that's our declaration, that's our intention. We want them to either debate or tell us to bring in closure. They have the choice.

MR. SPEAKER: Order please.

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, to the Government House Leader. Will the Government House Leader do me the

courtesy, and that of the other members of this House, and indicate to me when he intends to bring in the closure motion again?

HON. A. ANSTETT: Mr. Speaker, I don't particularly like entering into what normally are private discussions between the two House Leaders on the floor of the House. My answer to that question, Sir, will depend upon the response I get to the discussions the Deputy House Leader, the Honourable Minister of Health, and I initiated with the Member for Lakeside over the lunch hour today. Mr. Speaker, I suggested that we could meet and discuss it, if he was interested, after question period. Mr. Speaker, if he is not interested, then, Sir, we will have to make a decision and we'll make that decision knowing whether or not he is interested. We can't make that before, Mr. Speaker.

Now, Mr. Speaker, the other concern I have in response to that question is that members opposite seem to express the suggestion that the Rules of the House, in some way, apply to Standing Committees of the House, Sir, and I want to remind, particularly the Honourable Leader of the Opposition . . .

MR. SPEAKER: Order please.

The Honourable Member for Lakeside on a point of order.

MR. H. ENNS: Mr. Speaker, the Government House Leader, who lectured us just a little while ago about how much time was being taken up in question period, has been standing up here and giving us a wide-ranging lecture on what he feels the conduct of the House should be. I simply asked him a specific question as to when he was going to bring in closure motion. That's all I asked him, Sir, and the record will show that.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. H. ENNS: Mr. Speaker, I think I do have a point of order.

HON. L. DESJARDINS: There's no point of order, he doesn't have to answer.

MR. SPEAKER: Order please. I would remind all members again that questions and answers should be short, concise and to the point.

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, to help the House Leader and to facilitate the business of this House, surely it should be clear to him from the questions asked by my Leader that we honour and want to work under the agreement that was signed between the now Member of Turtle Mountain and the Attorney-General with respect to how we conduct and how we sit.

MR. SPEAKER: Question?

MR. H. ENNS: I am answering. I'm indicating to the Government House Leader that we are operating under those rules.

My question to him is: we are operating under those rules as entered into last August, my question to the Government House Leader is, under those circumstances, when is he bringing in the closure motion?

MR. SPEAKER: Order please.

The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I'm not clear as to whether or not the Honourable Member for Lakeside is demanding that the government bring in the application of time allocation under Rule 37 . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. A. ANSTETT: Mr. Speaker, notice does not mean that the motion will be moved. It means it will only be moved if necessary at a subsequent sitting. That's what the motion says. Now, Mr. Speaker, the short answer to the member's question is I will be moving . . .

MR. F. JOHNSTON: If we crawl, eh? You want us to crawl? We'll never crawl to you.

MR. SPEAKER: Order please.

HON. A. ANSTETT: Mr. Speaker, perhaps you could suggest to the Member for Sturgeon Creek that he not point that thing because it has a nail in it.

Mr. Speaker, the short answer to the question asked by the Member for Lakeside is that I will be moving the motion, very reluctantly, when I have an indication that members on that side no longer want to debate the matter. We've made an offer. Do you want to turn the offer down?

Mining industry

MR. SPEAKER: Order please.

The Honourable Member for Thompson.

MR. S. ASHTON: Thank you, Mr. Speaker.

I have a question in regard to the five year \$24.7 million Mineral Exploration Agreement that was signed by the province with the Federal Government. The question is for the Minister of Energy and Mines.

In view of the great interests of the program in the north, and in view of the fact it will create badly needed construction jobs in the exploration area I was wondering if the Minister could indicate to this House that there will be an early commencement of the program.

MR. SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Mr. Speaker, when I was up in Thompson, on Monday, speaking to a conference where there were representatives of the workers, representatives of mining companies, and representatives of the communities from the north there was very great interest in the agreement, the Mineral

Development Agreement, that the Member for Thompson refers to. I can inform him, and them, that it would be the intention to have that agreement come into force on April 1st, 1984.

MR. S. ASHTON: I thank the Minister for that assurance.

As a supplementary I would ask the Minister whether any portion of the agreement will deal with matters other than exploration, specifically mining-related second industries in Northern mining communities?

HON. W. PARASIUK: Mr. Speaker, of the \$24 million, some \$7.43 million will be spent on research and technology which will be in part related to secondary industry, but also in part related to doing two things - improving productivity, and also improving the safety conditions. In fact, one of the topics is mine safety and productivity. That reflects the approach of this government, Mr. Speaker, to have a balance between productivity and safety. We want both to take place, Mr. Speaker, and this is a good emphasis. There will also be expenditure on processing technology, milling research, tailings research, and industrial minerals. The hope is that from this will develop not only a better mining industry but also some further processing from the mine.

Bankruptcies - farmers

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, I have a question for the Member for Selkirk.

Could the member, in view of the fact that the numbers of bankruptcies in Manitoba and the farm community have increased from 30 to 65 in the last year, and comments are coming from the farm community that few people who have gone through the Debt Review Panel have had such insignificant help that it's been of no value, will the First Minister, the Member for Selkirk, recommend to his Minister of Agriculture that they abandon the Debt Review Panel to save the taxpayers some money, Mr. Speaker?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, first I think the honourable member should indeed, in asking the question reflect upon the total, and the correct position that in some cases, of course, as the Minister of Agriculture had indicated at the time of the announcement, and subsequent to same that the Review Panel would not be of assistance. In other instances it has been of an assistance in restructuring assisting farmers that are faced with financial plight situations. So, Mr. Speaker, it has helped in some instances, and as long as it is providing assistance insofar as substantial numbers of farmers are concerned then certainly, Mr. Speaker, it would be irresponsible to dissolve such a panel.

MR. J. DOWNEY: Well, Mr. Speaker, to the same member. In view of the fact that the same farmers are indicating that the situation is a far cry from his

government's pre-election promise in 1981 that no Manitoban would lose his farm as a result of high interest rate, Mr. Speaker, in view of that, and the statements that are coming from the farm community, will he instruct his Minister of Agriculture to review and change his policies so as those people won't go broke or that they don't have to lose their homes or farms as is being indicated by members themselves from the farm community?

HON. H. PAWLEY: Mr. Speaker, first the honourable member should be aware, he indeed is not aware that hundreds of farmers, in fact, I think the total is in the neighbourhood of 1,000 farmers have received assistance from the Interest Rate Relief Program. Farmers in the Province of Manitoba as a direct consequence of the actions of this government following upon no program under the former Minister of Agriculture, the Member for Arthur, Mr. Speaker. So that should be clearly on the record.

Secondly, Mr. Speaker, insofar as the Debt Review Panel. The Debt Review Panel has helped in a number of cases assisting farmers and restructuring their debt load. In other cases unfortunately, as indeed the Minister of Agriculture would be able to certainly attest to, it has not been of assistance. What we indicated, Mr. Speaker, is that though the circumstances are difficult for farmers, individual farmers, we would be in a position to attempt to assist to the extent that is possible. We've done that by way of the Interest Rate Relief Program, we've done that in a way, a significant way with respect to the Debt Review Panel.

Mr. Speaker, the Honourable Member for Arthur appears to be totally unrealistic if he thinks that the Debt Review Panel would be able to resolve each and every single case that would come before that Review Panel.

MR. J. DOWNEY: Mr. Speaker, in view of the fact that the First Minister is not able to demonstrate in his words that his programs are working will he provide for this Assembly the names of those people who have received help from the Debt Review Panel?

HON. H. PAWLEY: Mr. Speaker, I would have to ask the Minister of Agriculture.

I would think that indeed it would be, maybe we need some kind of privacy provision that the honourable member appears to want names, addresses, financial circumstances of honest hard working farmers in the Province of Manitoba that are having a difficult time making a go of it.

If the honourable member would like to have that before this Chamber for a full scale debate so that the farmers full circumstances could be exposed to complete the public scrutiny - surely, Mr. Speaker, there's such a thing as privacy, or have we indeed reached the point of 1984, and George Orwell.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: In response to the question raised by the Honourable Member for Arthur about the Debt Review Panels I wish to advise the honourable member

that the Debt Review Panels are just part and parcel of the programming established by this government to assist Manitoba farmers.

In case the honourable member does not know that this government, and I will bring it to his attention, this government has assisted both the hog and the beef industry in this province to the tune of in excess of \$20 million, Mr. Speaker, in the time that we have been in office.

Mr. Speaker, there is no doubt that the financial situation that farmers are faced with today will go away overnight. The problem didn't start when we came into office, Mr. Speaker, we inherited a farm economy that was in drastic state, a state left by a legacy of doing nothing Conservatives in this province, Mr. Speaker, left by Conservatives. We will not be able to solve the situation overnight. The Debt Review Panels are only part and parcel of dealing with the question and I want to tell the honourable member that we have assisted many farmers before they have gotten to the review panels with counselling, with assistance, with negotiations with the financial institutions to try and resolve some of the financial difficulties that they have had.

Midtown Bridge closure

MR. SPEAKER: The Honourable Member for River Heights.

MR. W. STEEN: Yes, Mr. Speaker, I would like to direct a question to the Minister responsible for the Civil Service Commission and ask that Minister, in light of the proposed closing of the Midtown Bridge on February 6th, has he or she - because I'm not sure who the Minister is now - given any thought or had their department given any thought to having employees working for the Provincial Government in the downtown area who perhaps might use that bridge going to and from work and have those people work flexible hours so as to try and ease the traffic burden that the Osborne and the Main Street Bridges might have?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: No, I haven't given any consideration to that, but certainly it's something that possibly we should take under advisement and we will do so.

Bilingualism - funding

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I'd like to direct a question to the Attorney-General and ask him, in view of the fact that the Franco-Manitoban Society has now admitted that it made a request to Ottawa for funds to fight the plebiscite, was a similar request for funds made to the Provincial Government?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: No.

Bilingualism - Address for Papers

MR. R. DOERN: Mr. Speaker, I'd like to ask the House Leader, in view of the relevance to the debate on the resolution and the bill, and since the House Leader intends to invoke closure any day now on the constitutional amendment, which is an unprecedented and dictatorial move, can the Minister indicate when the Address for Papers, which he accepted a couple of days ago, will be answered?

MR. SPEAKER: Order please. The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

The Address for Papers will be answered in due course. Usually that takes some time, the third party clearances. I really wouldn't expect that it would be answered prior to the end of this Session. Mr. Speaker, I don't recall Addresses for Papers being answered in less than a month or so during Sessions and sometimes not till the next Sessions or several subsequent Sessions. Certainly, if the record of members opposite when in government is any precedent, I would think the member would certainly not expect it until sometime later on this year.

MR. R. DOERN: Mr. Speaker, I wouldn't expect a rapid answer because of the possible embarrassment of the information contained therein.

Bilingualism - funding

MR. R. DOERN: Mr. Speaker, I would like to ask the Minister whether the Minister or the government will encourage their allies in the Franco-Manitoban Society to allow the people of Manitoba to see the correspondence that they had with the Federal Government concerning grants of a minimum of \$735,000.00? Mr. Speaker, my question is whether the government will encourage their allies to make those documents public because we won't get the information now on the provincial scene, I'm asking him whether he will encourage them to release the federal information which they have specifically censored and made unavailable to the public?

MR. SPEAKER: Order please, order please. I believe that organization is not within the administrative competence of the government, therefore, the question would be out of order.

Abortions - Dr. Morgentaler

MR. SPEAKER: The Honourable Member for Kirkfield Park.

MRS. G. HAMMOND: Mr. Speaker, I have a question for the Attorney-General. Is the Attorney-General able to take any action to prevent the disclosures of names of the women who are alleged to have had abortions in the Morgentaler case?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I'm sorry, I don't understand that question. I wonder if the honourable member could repeat it.

MRS. G. HAMMOND: I was asking the Attorney-General if he is able to take any action to prevent the disclosures of the names of the women who are alleged to have had abortions in the Morgentaler case?

HON. R. PENNER: Mr. Speaker, while there is provision within the Criminal Code of Canada for the evidence taken at a preliminary to not be published during the course of that preliminary, there is no other provision within the criminal law and procedure, which is solely within the prerogative of the Federal Government, to prevent the publication of evidence when that evidence is adduced in court. Indeed since the Charter came into force a little more than almost two years now, the opening of court proceedings, even in the case of juveniles, to the media has taken place to a considerable extent. Certainly criminal trials have never been closed except under exceptional circumstances and I doubt whether they could be closed at this time. It would certainly be up to the discretion of the press, which in this instance I trust, to avoid embarrassment to those called by the Crown as witnesses. I don't think any special injunction is needed from me in that respect.

MR. SPEAKER: Order please. The time for Oral Questions has expired.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, would you please call the resolution moved by the Honourable Attorney-General and currently standing in the name of the Member for Riel?

ADJOURNED DEBATE ON RESOLUTION CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

MR. SPEAKER: On the proposed amendment of the Honourable Attorney-General and the amendment thereto proposed by the Honourable Government Leader, the sub-amendment thereto proposed by the Honourable Member for Fort Garry. The Honourable Member for Riel has 40 minutes.

MRS. D. DODICK: Mr. Speaker, I adjourn the debate in the name of the Attorney-General.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. — (Interjection) — I don't think I'll need it particularly.

I propose to address specifically the amendment moved by the Member for Fort Garry who did so on Monday last. You will recall, Sir, the substance of that amendment was to remove from the government's proposal, as moved by the form of an amendment by

the Government House Leader, to remove from that proposal Section 23.1 and I therefore find it necessary to address the meaning and significance of Section 23.1, why it's there, how it comes to be there, the function that it plays, and its role as an integral part of a package.

You will recall, Sir, that the way was paved for that amendment by remarks made earlier, indeed repeated last night by the Member for Turtle Mountain who raised the question of, well, yes, we can certainly see the need for validation because there is the possibility of legal chaos. He recognized and he did so fairly, that I had never put it on any higher plane than that possibility, but I had pointed out on many occasions that we were dealing with, in fact, the legal infrastructure of the province. Therefore, even if the odds were small, you don't take that kind of gamble. He had the good sense and the principled approach to face up to that question and say, yes indeed, this is a question that ought to be resolved if it can. I am paraphrasing. If I misrepresent what he says, I'll be glad to indicate that on the record if he brings that to my attention. He said, but why don't we just do that?

Of course, later on the Opposition House Leader at the beginning of the debates following the recommencement of the Session made a point in his remarks, both in this House and in an address on CBC Radio on January 16th, that the elimination of the need to translate some 4,000 dormant statutes - of course, he's wrong in that, not all of them are by any means dormant. A great number of them indeed have vital significance to a number of institutions, towns, municipalities and hospitals, so it's not a question of dormant statutes - but nevertheless, he pointed out that there is a great saving and benefit to Manitobans, because it saves the enormous cost and effort of translating over 4,000 statutes.

So you had from the Member for Turtle Mountain a recognition of the need, if at all possible, to validate the statutes, and a recognition by the Leader of the Opposition that it would be a senseless waste to translate these several thousand statutes, most of which although vital to the legal existence of a number of municipal and private corporations for example, nevertheless are not in frequent use in court. Therefore, their need to be available in both official languages was not a pressing need, indeed often not a need at all. So we have the recognition of the significance of what was being done in that respect, and I respect them for having pointed that out.

Now the question then arises: what is the significance of 23.1, or the original version, why is it there? First of all, as to its significance - and I think that this is a matter of vital importance to place on the record again. The actual wording of 23.1 is: "As English and French are the official languages of Manitoba, the freedom to use either official language enjoyed under the law of Manitoba in force at the time this section comes into force shall not be extinguished or restricted by or pursuant to any Act of the Legislature of Manitoba."

Mr. Speaker, I respectfully submit to you and to the members of this House and indeed to the public that is clear on its face. There is, in effect, a preamble and a very short clause. It is clearly a preamble, because you have a change from the former declaratory statement, "English and French are the official

languages," to "As English and French are the official languages . . . "and I'll comment on that in a few moments.

Then you have the operative words, ". . . and courts, in dealing with statutes and statutory provisions, legislative language whether in a constitutional form or in a legislative form," look primarily at the operative part. What is significant there is the operative part. Equally, of course, the preamble has significance and I'll deal with it, but most significant is the operative part, ". . . the freedom to use either official language enjoyed . . . "etc., may not be extinguished.

Now courts in interpreting, Mr. Speaker, constitutional instruments do so differently than when they interpret a bill or an act of the Legislature. There is a fundamental rule of legislative interpretation that courts except under unusual circumstances may not go behind the wording of a particular provision and look at the legislative history and the legislative debate, the social history, the social and economic context of the time when it was passed, but with a constitutional provision, it is quite the other way. They can, in fact, take a look at the whole context.

They would note immediately that there is a change from, "English and French are the official languages . . . "to, "As English and French are the official languages . . . "They would say, well why was that put in? Clearly no one enacts even to a single word, even to punctuation without having something in mind. That is the way courts interpret statutes. They would say, well it was intended to act as a link, given its placing and its words, to Section 23. So it means that, to the extent that English and French are official languages as in 23 - and the Member for Charleswood, the former Leader of the Opposition has admitted on the record that English and French are the official languages as in Section 23. He virtually used our own language when he corrected himself.

Incidentally, will he let us listen to the tape? Will he let us listen to any missing little buzz on the tape? I challenge the Member for Charleswood to let us listen to the tape, and it can only be done with his permission. I acknowledge that, but nevertheless even with his little ellipse or gloss or correction - there might be a correction.

A MEMBER: They told us yesterday they'd already listened to it.

HON. R. PENNER: No one on this side has. No one on this side has. Not to my knowledge and not to the knowledge of the House Leader or the Premier, no one has.

Mr. Speaker, the former Leader of the Opposition, the Member for Charleswood, acknowledged that English and French are the official languages as in Section 23. They did so in Bill 2, but I'll just confine myself because it's more relevant to that statement by the intellectual mentor if not the actual Leader of the Conservative opposition, the Member for Charleswood. So that same recognition is given in our bill.

So here we are. They're talking about moving closer and closer. We are now even a little closer. Here the government and the Member for Charleswood at least are exactly at the same point with respect to, "As

English and French are the official languages of Manitoba." Okay.

So what have we got left? What we have left, Mr. Speaker, is the operative words that for that reason - that's what it means - "... the freedom to use either official language . . ." etc. The courts would say if it ever got to court - and I doubt that very much, but one has to assume that possibility - why does it use "freedom" and not "rights and freedom" as in public session? For example, many persons and organizations advocated and pressed, including the Société francomanitobaine, they were asking for "rights and freedoms," and here the government only legislated the word, "freedom." Why? Because there is a difference in the concept of "rights and freedoms."

"Rights," Sir, and there is an equivalent word, "duties," are legally enforceable, matters spelled out either at common law or in a statute or in a Constitution that you can point to as an enforceable right.

But, Sir, aside from right in our system of law, we have one of the best systems of law in the world and its common law heritage from England; that is, that generally, unless something is prohibited, you have the freedom to do it. But there is an unfortunate history in this and other nations, in this nation less than in others, thank goodness, but nevertheless we have that history of legislative and constitutional action to restrict freedom. The Francophone population of this province, or a considerable part of it in any event, say, with justice, there is unfortunately a history of the restriction of the freedom to use one or another of the official languages.

Indeed, there is a history of restrictions of the freedom to use other languages, and they were able to point to Bill 101 in the Province of Quebec and say this is not ancient history, this is not some bad old times when legislative werewolves howled in the night, when there were bad old guys and all the rest of it, this is 1977, in Canada, a Legislature passed a bill which said French only. Then, you know what they said? The Government of Manitoba, the Tory Government of Manitoba, sent its counsel down to the Supreme Court to defend Bill 101.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. R. PENNER: In Blaikie, 1979 — (Interjection) — they can't, I've got the case here. In Blaikie, the past President of the Conservative Party ironically challenging on behalf of the English-speaking people of Quebec this draconian legislation, challenging it on constitutional grounds, had to face not only the counsel for the P.Q. Government and Monsieur Levesque, but had to face counsel from the Tory Government of Manitoba. And that, Sir, that's the truth, I've got the case here, it's a matter that cannot be denied. I said in the House when I mentioned this before that the reason they did it was because at the same time they were arguing Forest and they had to be consistent. They were arguing for the 1890 imposition of one official language, English, and in order to do it they were defending legislation in the Province of Quebec that defended one official language - French. So there was a consistency, but a consistency with respect to what?

- the suppression of linguistic rights. So, say the representatives of a considerable number of the French-speaking people of Manitoba, there is something real that we are concerned about and at the bottom all we're asking for is wording in a constitutional provision which we recognize is not carved in stone, because Constitutions can be changed, but they cannot be changed in the panic of the moment by a panic-stricken Legislature, by a Legislature or a government, at least, dominated by fear as the members opposite are dominated by fear when it comes to linguistic rights. — (Interjection) — Listen to what I'm saying because it's a matter of record and of historic truth. They had a concern.

You may say, well, they ought to know that we're really all good guys, but they have a recent history where the good guys were pushed by the bad guys and became bad guys. That happens in politics when you don't have principles but the sole desire of the political movement is to gain and hold office at any count regardless of principles, all the more reason to be afraid.

Also they had a history in 1982 in December - for the Member for St. Norbert, I believe it was December, not January - when the SFM came to speak to the Tory opposition on the proposal and in effect were cold-shouldered. Now, it was in that context that they were concerned about this particular question.

MR. G. MERCIER: Put it on the record what happened in the Blaikie case.

HON. R. PENNER: What happened in the Blaikie case is despite the representations of the Government of Manitoba at the time and of Levesque, the Supreme Court - because there was a constitutional protection of the use of the languages throughout those provisions - those provisions, Sir, but only those provisions which were clearly spelled out in Section 133 of The Constitution Act, 1867, which are the identical words in Section 23 of The Manitoba Act but left intact the other parts of Bill 101 which prevent the use by English-speaking people or Greek-speaking people of business signs in their own language, that still remains because there is insufficient constitutional protection. I'm glad the Member for St. Norbert asked me the question. That's exactly what Blaikie points out, so that is why it is there.

Now, how does this come about? It comes about because of course we know the history, I'll not go over the whole thing again. But I'll talk a little bit about contemporaneous history and that is that when this matter was first being discussed - let me, Sir, put it on the record again that the discussions with respect to how to resolve the problem created by the decisions of the Supreme Court in Forest and Bilodeau - on how to deal with that problem, and let me say again for the record it was my strong recommendation to all concerned that we seek to effect a political solution to a long-standing complex historical and constitutional crisis, that we ought not to risk a court-imposed solution which might not be a solution at all, but indeed might create many more problems than were posed for solution because the issue before the Supreme Court was very narrow. So that I advocated, the government

backed me on this all the way - indeed I hear the Member for Turtle Mountain and perhaps others saying, yes, that kind of solution is a better one if you can attain it - and it was along this course that we moved.

I want to say this for the record. I have the drafts that I'll be glad to table with the Order for Returns even though it wasn't asked. I have the records, the draft that was first proposed was to the members of the SFM for discussion. It was one which dealt, Mr. Ransom, with validation only. That was the draft I presented. I wasn't born yesterday, in terms of looking at a possible solution; I was the Attorney-General for the Province of Manitoba. You start with what you consider to be, in the first instance, the easiest thing to deal with, the most direct solution. But of course it was a simplistic approach, albeit, to the narrow advantage of the Government of the Day - we wouldn't be here now had it been accepted - but it was said to me, in the course of discussions, you can get at least that from the Supreme Court. Here you're asking to reduce the number of statutes to be translated from 4,000 to 400. You want that. You want validation. Well we, as a society, don't want to create legal chaos. We don't want to put you to that expense. We would like to be able to do that but that's not the whole problem. There is this other problem. Let's resolve the whole thing, not just one part of it, and so discussions continued, month after month, and as the former Leader of the Opposition pointed out, those discussions were in the open. They were reported in the press, not merely communicated to the opposition, but reported in the press.

So the discussions took place and let me again put it on the record, at no time, Sir, at the table - there was always the table in the Office of the Attorney-General - was there ever a representative of the Federal Government. But the Federal Government had a position, and I know what that position was because it was being publicly declared, it was this, because the Federal Government was a party to the Bilodeau case, had argued the Bilodeau case before the Manitoba Court of Appeal, had taken a position that indeed the statutes of Manitoba were constitutionally invalid. They took a position somewhat different, not completely different, but somewhat different from that advanced by the Government of Manitoba at the time, but another argument on the table before the Manitoba Court of Appeal dealing with the doctrine of necessity, but the Government of Canada had a position, which is a matter of record with respect to the Bilodeau case, but on this they had a political position. Do you want to hear what it was? It was if it's made in Manitoba, if it comes up with the substantial agreement of the Government of Manitoba and the constituencies which it affects, then, even though we don't like it, we would recognize our obligation to pass it. That's what they said. They said that very very clearly and that's all they said.

Yes, the Secretary of State who is used like a spectre or haunting this Legislature, particularly by the Member for Elmwood, came here on the 16th of March of 1983, and in speaking to the Society Franco-Manitoban, said and urged upon them that they should seek to have the same kind of obligation with respect to municipalities, and that they should seek to attain language similar to that used in The Constitution Act 1982, as it applied to Canada and New Brunswick and

made that as a public speech on the 16th of March - and you know what I did? I got on the blower to the Minister of Justice and I said what the hell is going on? I said, we're talking made in Manitoba. I don't need members of the Federal Cabinet coming here and making speeches. I'll produce the phone records. I got on the blower within minutes and he apologized. He said he recognized that it had to be made in Manitoba. I said to the Society Franco-Manitoban, I said to the Minister of Justice on that occasion, Section 23 of The Manitoba Act is one of the cornerstones of the provincial Constitution. That's all we're going to deal with. We're not going into the Charter - not because I can't defend the Charter, I can - but we're dealing with a Manitoba problem and we're going to deal with it in a Manitoba way.

So, by the 16th of December, 1982, we had something that wasn't satisfactory in a complete sense to ourselves or to the Society Franco-Manitoban, but it looked to be a workable model and at that stage, because it was only then - after a considerable amount of discussion that I had a mandate from the government, from Cabinet - that I sent the document to the Member for St. Norbert and the Leader of the Opposition and we've talked about that and I don't have to canvass it again. The rest of the history is known.

So what is it that I am saying and putting on the record, Mr. Speaker? What we have here is a package for a political solution for a difficult problem - not the best in the world. I think - history may prove me right or wrong, I don't care - I do things out of a sense of what I believe is right at the time and I've been wrong and admitted it. At least I have the courage to change when I think I've been wrong. The accord that was made the 16th, I thought was pretty good, but the people of Manitoba, rightly or wrongly, didn't. They had some concerns because, indeed, there was that sordid history of the misuse of federal bilingualism in terms of the operation of The Official Language Act, particularly with respect - and people forget this - to something that forms no part of our proposal - a policy with respect to language of the workplace. That is something I think was misconceived, and in any event has gone wrong, and creates these irritations and problems which people legitimately are concerned about.

We rejected the federal approach, as I pointed out to you, not only with respect to Monsieur Joyal, but with respect to that particular approach in any event, we rejected it and we developed this particular approach. But we knew, once the meetings began and the hearings, that no matter how much you said that, people still were concerned about a number of things.

What were the concerns that were expressed? Primarily about the entrenchment of services because that is something that was not only a status question, it was an economic question that related to a fear that it might be so interpreted by the courts - if it was a constitutional provision, that you would jeopardize the right of young Manitobans who could not speak French to job positions.

I was able, but only in part yesterday, Sir, may I be tangential for a moment to point out that indeed, with respect to the operation of the service requirement, the number of jobs we're talking about that would be identified throughout government departments and Crown corporations, is less than 500, less by far than

3 percent of the total work force and more than half of those are now - in fact, at least since March 16, 1982, when the Premier of this province announced our policy with respect to French Language Services - that process has been taking place. Have you heard a murmur? Has anybody been fired? Has anybody been denied promotion? Has there been a grievance? No.

But let me, Sir, while still being tangential, apologize to the Member for St. Norbert. He was right and I was wrong. I went further than I should yesterday, standing in my place, when, in reflecting on their approach to French Language Services. I said it was zilch-zero and he got up and he was right. He was right. He said that certainly in the Department of the Attorney-General some steps had been taken, steps that weren't even required - at least not apparently required by constitutional or statutory provision - that some steps were taken and I apologize. I should not have gone as far as I did. I was correct in my basic, I believe, statement that they move very slowly and secretively. They were afraid of the issue, but movement there was at least in that department. Let's give credit where credit is due.

Nevertheless, Sir, the issue remains with respect to the fear that people have. So through the long, hot summer, here and out in the hearings we heard these concerns. We knew obviously - we may not always appear particularly bright, but we're not dumb - we heard the message of the referendum that there was a grave concern. We attempted to put all of the evidence that we had together. The evidence of the hearings in a way was the best evidence in the sense that particular concerns were articulated. We weren't left to guess.

I mean, all kinds of assumptions might have been made about the votes and the referendum, but they would only be assumptions. But with respect to the submissions and the hearings, there you could hear where there was a submission and discussion. So that was good. The Minister of Finance, standing in his place, also had the courage to stand up yesterday and say that we were wrong in that three-week delay in recognizing that the public meetings would be insufficient. We ought to have public hearings. Clearly we were wrong on that.

I would like to hear them get up and say they were wrong in hanging us out here for seven weeks, insisting that it had to be intersessional or nothing, but we won't hear it from across the way. We won't hear it. All right, forget it.

In any event, there were these concerns, and the Member for Turtle Mountain was right yesterday in reading into the records some of the fears and concerns and misunderstandings that were out there, as exemplified in the Mason Poll, and I referred to the Angus Reid Poll, and we read those very very carefully. So from the time of the ending of the hearings through to January 5th, we struggled to find a solution we felt must be found. I say to you, Sir, and I say to members of the opposition that it is here.

Now it may be that you can find some fine tuning with a word here or a word there, but the essential package, validation, 400 against 4,000 statutes and a protection of the freedom to use the language, that's what 23.1 is. That's the package.

Now we're told again and again about how the people of Manitoba are being convulsed. First of all, that is

a gross exaggeration. Certainly a considerable number of Manitobans are afraid, but has anything that has been said by Her Majesty's Loyal Opposition done anything to allay those misconceptions? Not only in the House but out on the hustings, have they gone to their constituents and said, no, that's not so, this does not force any language down anyone's throat? Have they said, no, there's no requirement that the street signs are going to have to be in French? Have they said, no, there's no requirement that the business signs will have to be in French? Have they done any of that?

No, they said, there is a remote possibility that somewhere down the line some big bad wolf is going to jump out and bite you. People go, noooooo! They say, we're not bigots. I don't think any of them are. We're not zealots. Well they're certainly not zealots. Believe me, they're not zealots. Language schizophrenics, they are, but zealots or bigots, no. But that kind of an approach for narrow, political, short-term gain is not only irresponsible, but it creates this kind of convulsion about which they speak.

Mr. Speaker, we have come a long long way. I have been closely associated with the issue, perhaps more closely associated than anyone else except the Government House Leader who is doing a remarkable job in this House, who's doing a remarkable job in his ministerial responsibility for this issue. I want to say that we have come to a point where, if they could only take off those blinders or if they could only lose that tunnel vision which sees nothing but the electoral light at the end of the tunnel, we could resolve the issue. But we get these process arguments. We get the violence in the House of the Opposition House Leader, who ought to show a model of decorum and respect for the House, when he takes the desk and he slams it down, nearly breaking it — (Interjection) — mock indignation or not, there is a way for him to have discussed his concerns.

So our House Leader went with our Deputy House Leader, an experienced parliamentarian, to the Opposition House Leader and said, well look, surely there's a way to resolve this. What did we get in response? That negativism, that bitterness, that apparent resolve not to resolve. The apparent resolve not to resolve procedurally is the evident resolve not to resolve substantively - no way.

So, Sir, with respect to the proposed amendment by the Member for Fort Garry that says to us like it's so easy, like a knife going through butter, just get rid of 23.1, just leave us with this nice little validation package. Thanks loads, but it takes two to tango. Politically, it takes two to tango in the resolution of this kind of problem. It is not that we have to soothe or stroke or allay groundless fears. We have to deal with the real problem.

So the government has gone through all of these steps and come to this particular point. If, Mr. Speaker, we show determination, it's because the fundamental issue that faces all of the people of Manitoba is the economy, the question of jobs, the question of getting on with the fundamental task of keeping that recovery which we have helped to stimulate in Manitoba going against some very adverse things which are happening nationally and internationally with respect to interest rates which could dampen the recovery. We're worried about that, and we want to work on that.

They should be there, wanting to help us. The Leader of the Opposition should be out speaking to his troops, and at least becoming a Leader in the real sense. They should be developing some real legislative alternatives, but no, let's stay here another week, six months. Why? Because there's a little political light, they think, at the end of this particular tunnel. Well there isn't. The next election will be fought on the basis of the ability of a government or an opposition, if it's seen that way, to deal with the problems of jobs and security and the economy and the future of the young people in this province. That's what will be dealt with.

So I say to them, get rid of the blinders, get rid of the tunnel vision, deal with the issue. If this matter were to be forced in one way or another to the Supreme Court, then you would have to take the responsibility for that because we've tried - God knows how we've tried! - to arrive at a made-in-Manitoba, honest solution. In this House, on the 16th of August, when the Premier of this province stood up and spoke, and that speech should be reread, he made clear, and I want to make clear Mr. Speaker, in closing, that although we started with a particular legal constitutional problem which we wanted to resolve, and although one of the primary things that we had in mind was the validity of the statutes, and the reduction of the costs, we also had another ideal - the ideal of the rights of minorities, the importance of language to minorities, the importance of linguistic rights to cultural rights.

Yes, we didn't make history. History is not made out of the whole cloth they say. You make history out of what material you're given. As it happens for good or for ill, the material out of which this national fabric was woven was the two-nation concept which is a historic fact. It won't go away. The French-speaking people of Manitoba, and the English-speaking people of Quebec will not be frightened back into the corners. They will be heard. They have the right to be heard, and we will be sure as a government that we will do everything to allow them to be heard, and to listen to in their own language within the rights that they have as bona fide residents of the Province of Manitoba and of Canada.

MR. DEPUTY SPEAKER, P. EYLER: The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Speaker.

Mr. Speaker, I listened with interest to the remarks of the Honourable Attorney-General. You couldn't help but feel sorry for the member when he was pleading for understanding in the errors of his ways, and how he has admitted that he has fumbled, and bumbled, and created untold misery in the political arena of Manitoba politics as we see it today.

Mr. Speaker, I have known the Honourable Attorney-General for many, many years. I have seen him - I saw him at University when he was just freshly out of the Army at that time, and I well recall many of his political activities at that time, probably not for the same political party as he is labouring today, but not that different. One of the things that I give him a lot of credit for is that whatever he tackles he tackles with full sincerity, with vim and vigour, and he will attempt to achieve his aims and his own personal goals regardless of the cost.

That unfortunately, Mr. Deputy Speaker, is the position that we're at here in Manitoba today, because I don't

think that the Attorney-General is really concerned about the cost to the Province of Manitoba of the imposition of his will in the political arena at this particular time. Because if he was the least bit concerned, then he would listen. He would listen to the advice that he has been getting from this side of the House. He would have listened a long time ago to the people who have appeared and he would have done what was good for Manitoba, not good for him politically but good for Manitoba, and we would not be debating this thing at this time. We would not be debating this thing.

HON. V. SCHROEDER: Why don't you talk about the resolution, Harry? Roland was talking about the resolution, why don't you try it?

Tell us what's wrong with it.

MR. H. GRAHAM: If the Honourable Minister of Finance wants to speak he knows full well how he can do it, and I will wait for his remarks the same as I waited when the Honourable Attorney-General was speaking. I didn't interrupt him once. I did not interrupt him once. I would suggest that the Honourable Minister of Finance, if you can call him a Minister of Finance, that he show the same courtesy at this time, but that's all right if he wants to interrupt let him go ahead. He has the right to do it, but it shows to the people of Manitoba the level of intellectual capacity of the Minister of Finance of this province. It shows you the character of the man who we have in this province supposedly in charge of the financial affairs of this province.

HON. V. SCHROEDER: Look at the predictions you guys made on the deficit last year, Harry. You guys were saying it was going to be a billion dollars . . .

MR. H. GRAHAM: I tell you, Mr. Speaker, when you look at the performance of the Minister of Finance and the performance of the Attorney-General, who's his seatmate, then you can understand, Mr. Deputy Speaker . . .

MR. DEPUTY SPEAKER: Order please.

I would hope that all members of the House would give the Member for Virden a fair and courteous hearing. The Honourable Member for Virden.

HON. V. SCHROEDER: A point of order, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Minister of Finance on a point of order.

HON. V. SCHROEDER: Yes, Mr. Deputy Speaker, on a point of order. I'm asking that the member be asked to talk to the resolution, to the amendment proposed by the Member for Fort Garry, rather than deal with personalities.

MR. DEPUTY SPEAKER: I would hope that all members would speak with the same degree of appropriateness that has been followed in this debate.

The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Speaker.

Mr. Deputy Speaker, we are dealing with an amendment and I listened very carefully to the remarks of the Attorney-General, who really made only passing reference in all his remarks, made one reference to Section 23.1 in the amendment that has been proposed. He spent 10 minutes, but that was the only reference that he made.

Mr. Speaker, let's take a look at the history of how this has developed and the history as the Attorney-General told it to us today. He was talking about the history of how this whole debate has started. He started with last year in a proposal that he put forward, which - and I will accept his word because I believe him - when he said that the first proposal was for validation only. It had no reference to any other aspect. I accept that. I have said that before in this House that if validation was the only issue then I would be prepared to deal with that aspect, just the validation. However, the Attorney-General has said it cannot be done that way, it has to be done as a package. I believe he honestly thinks that to be true because he then entered into negotiations with the Société franco-manitobaine; he then entered into negotiations with the Federal Government and, by his own words in this past debate, he said that he told the Federal Government to butt out. I believe those were the words that were used by the Honourable Attorney-General. He told the Federal Government to butt out, that this was going to be a made-in-Manitoba solution. That's fine. If he wants a made-in-Manitoban solution, that's what it should be.

But, Mr. Speaker, he only tells you part of the truth because we were given to understand that there was an agreement between the Société franco-manitobaine, the Attorney-General and the Federal Government. Yet he tells us today that he told the Federal Government to butt out. So, I have to come to the conclusion, Mr. Deputy Speaker, that everything the Attorney-General has told us has to be accepted with a grain of salt.

I recall very much earlier, Mr. Speaker, when the first expenditure - and he said it was going to save money, but we saw the multi-coloured brochure and the four-page fold on Constitutionally Speaking. Some of the words of the Attorney-General in that are rather interesting, because we have found out since that, maybe what he was saying was not exactly the total truth. I refer, Mr. Speaker, to the pamphlet which he presented dealing with: court decision might have caused legal chaos. In one of the statements that is made in there, and I want to refer to it, says, "Then in 1981 Roger Bilodeau, charged with a provincial offence argued in court that under the Constitution all of Manitoba's laws were invalid because contrary to The Manitoba Act they were passed in one language only. That was put out in June from the Attorney-General's office at a fairly expensive cost to the people of Manitoba, because I'm sure it was paid as information in a legitimate - according to the Attorney-General - cost of the operation of this whole venture.

Yet, Mr. Speaker, we heard the same Attorney-General when we were in committee saying that was not the case at all. In fact, he went to great lengths to point out that the Bilodeau challenge was only to The Summary Convictions Act and The Highway Traffic Act, only to those two acts and not as he states in Constitutionally Speaking to all of Manitoba's laws.

Mr. Speaker, it is interesting to watch the contradictions that have appeared over the last nine

months from the Attorney-General, the different positions that have been taken by the government, and just lately, the remarkable difference that has been taken in this, maybe their final proposal. I think you can't deal with that without noticing the changes that have occurred on the other side of the House, the change of authority and the responsibility for shepherding this responsibility as it now rests with the Honourable Member for Springfield. A man, Mr. Speaker, who will probably go down in history in this province in infamy.

Mr. Speaker, it's interesting that regardless of what the people of Manitoba think, regardless of the advice that they are receiving from this side of the House, the government is going to carry on in their wrong-headed approach and foist upon the people of Manitoba an agreement or a proposal that is unacceptable to the majority of Manitobans. I realize, Mr. Speaker, that this is only a proposal and that proposal will go from here to the House of Commons and to the Senate, and the Senate and the House of Commons will act on that recommendation.

I would hope, Mr. Deputy Speaker, when that proposal is put forward that the entire history of this debate is sent along with it and that the recorded votes that have occurred in this debate are included, because I believe very very strongly that if any change is being made to a Constitution that it should be done only after accord has been reached. We have seen the Prime Minister of Canada take 13 years to reach a fundamental accord. It wasn't total accord, but it was a large majority and it took him 13 years before he implemented constitutional change because he would not foresee unilaterally. I would hope that this government would adopt that same philosophy that unless there is at least 80 percent support that they should not proceed. The opposite is really taking place. It now appears as though at least 80 percent of the population of the Province of Manitoba are not in accord with the government and its proposals.

So you see, Mr. Speaker, why we on this side are using every means available to us to try and persuade the government not to proceed with their proposal, because we feel that it is not in the best interests of the people of Manitoba and the Province of Manitoba at this particular time. I add that last part in, Mr. Deputy Speaker, because it has been said on this side of the House many times that it falls on the shoulders of this government, the responsibility for poisoning public opinion in the way that they have done in the last nine months in this province.

I sincerely hope that even at this late date the government will back away now and not proceed and allow time for healing. Let this matter wait until some future time before any further attempt is made.

The Attorney-General in his remarks, Mr. Deputy Speaker, made mention of the fact there would be a tremendous cost-saving if we translated only 400 statutes instead of 4,000. Mr. Deputy Speaker, I have to take issue with that. If you put a factor on the damage that has been done to the internal fabric of this province, if you put a value on that, you will find that the translation of only 400 statutes as opposed to 4,000 will be a very very expensive proposition. But I don't think that you can put a dollar factor on good will and harmony that should prevail in this province. That is an indictment that we lay at the feet of this government. It rests on

their shoulders alone, the responsibility for destroying the good will and harmony that existed in this province for these many years since Confederation.

Mr. Speaker, I can't express in any better words the concerns of one Manitoban, who wrote a letter to one of the local newspapers in my area. He wrote a letter to the editor, and I would like to quote some of it. It's from last week's edition of the Gopher Creek Chronicle, which is published in Virden. This letter is signed by a Mr. B.C. Stevens. He writes:

"When the NDP Government of Manitoba introduced their extremely unpopular language amendment, they issued at public expense a very defensive and deceptive pamphlet entitled The Facts about French Language Services . . ." That's this little pamphlet here, Mr. Deputy Speaker, put out in many colours, a very flashy thing with a map of the province. I think it shows 30 areas of the province coloured with little blue dots in designated areas. ". . . attempting to justify their legislation. This pamphlet seems to have set the tone for the whole campaign - in one word 'deception'.

"The Provincial Government, in order to justify to the public their reason for dealing with the Franco-Manitoban Society, states that this organization represents the majority of the French people in Manitoba. This is less than honest.

"The Federal Government recognizes the Société franco-manitobaine and ignores the Association Pro-Canadiens du Manitoba. This is less than honest.

"The Provincial Government is ignoring another association of French-speaking Manitobans which has more members than the Société franco-manitobaine."

— (Interjection) — I gave you the name, Mr. B.C. Stevens. "This is less than honest.

"When the New Democratic Government introduced the amendment to Article 23 to expand French services, they stated that they had proof, the result of a survey, of the support of over 70 percent of Manitobans for this amendment. This is less than honest.

"When the recent plebiscite confirmed that the government had no such support for this amendment, the government stated that they intended to proceed with the legislation anyway. This is less than honest.

"The NDP Government claims a mandate for introducing and proceeding with their amendment. This is less than honest.

"Without the approval of the majority of the electorate, the Provincial Government entered into a 'backroom deal' involving the Federal Government and the Société franco-manitobaine. This is less than honest.

"The Federal Government has intruded into a Manitoba concern by means of the above 'backroom deal', by the three-party resolution, by political support of the Société franco-manitobaine, by funding these activities with taxpayer dollars. This is less than honest.

"The threat of our citizens with virtual anarchy if the Supreme Court handled the Bilodeau case and found all of Manitoba's laws invalid. This is less than honest.

"No group supporting the government's amendment, including the government itself, has addressed the apprehension created by Serge Joyal's French state remarks. This is less than honest."

But, Mr. Deputy Speaker, I have to admit, the Attorney-General in his remarks today, did make reference to it and he informed the Legislature today that he told the Federal Government at that time to

butt out. He told us that today, but did he tell that to the people of Manitoba in June?

A MEMBER: No, he did not!

MR. H. GRAHAM: Did he tell it to anybody in the committee?

SOME HONOURABLE MEMBERS: No, he did not!

MR. H. GRAHAM: Did he inform the Manitoban citizenry of it?

SOME HONOURABLE MEMBERS: No, he did not!

MR. H. GRAHAM: So, Mr. Deputy Speaker, I would suppose that perhaps if the reader was informed of what the Attorney-General said today, he would again say this is less than honest.

Well, Mr. Speaker, this letter goes on and on and I could cite numerous other cases in there that this writer makes, but I think the message is there from just one citizen. But it comes from a citizen who has become so incensed with the activities of this government that he has taken the time to do the research, to write a letter to the editor. It has taken *his individual, he has taken enough initiative that he wants the people who read that newspaper to be able to read his remarks because I think, Mr. Speaker, a lot of people that read that newspaper would probably agree with him.

But that is not the issue, Mr. Deputy Speaker. The issue that we have before us is an amendment to this resolution, an amendment that was moved the other day by the Honourable Member for Fort Garry, an amendment which I believe will do a great deal to improve the resolution that this government has proposed. I would hope that the government will consider it seriously because I think it will make a better proposition. I think it will be a proposition that the people of Manitoba will feel a little more comfortable with and it might, Mr. Deputy Speaker, allay some of the fears of the people of Manitoba about the proposal that this government has made.

It would mean, Mr. Speaker, an admission basically that would say we have no official language in Manitoba. Basically that's what it would say. It would say that English is not the official language. It would say that French is not the official language. It would say that there are no official languages in the Province of Manitoba, that every language can be used in this province. That's if you think it out and you carry it forward, basically it says that there will be no privileged languages in this province and, Mr. Speaker, even though I speak English, I do not want the English language to have a privileged position in this province. I do not want that and I would hope that the Honourable Member for Ste. Rose could say the same about his native language.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER: Order please.

MR. H. GRAHAM: Mr. Speaker, it sounds like the redneck up there is having his little go at things. —

(Interjection) — We don't know. I wouldn't call him a bigot, never. Mr. Deputy Speaker, we will wait to see what great contribution the Honourable Member for Inkster makes for this debate. It will be interesting to listen to him because I think that the people of his constituency would like him to speak out on this issue. I think they would. Perhaps, Mr. Speaker, if the honourable member is chafing at the bit, if he wants to get into this debate right now, let him indicate so. No, Mr. Deputy Speaker, I hear the silence emanating from the Honourable Member for Inkster, so we have to assume that he's going to be a good little boy, he's going to take his lessons from the school teacher and he will do as he's told, as he has on so many occasions during the various debates and votes that we have had in this Assembly. We know his character, Mr. Deputy Speaker. We know his ability to do as he is told to do, so, Mr. Deputy Speaker, I think that is all the time we should spend dealing with his remarks and his contributions.

Well, Mr. Speaker, I would urge this House very carefully to consider the proposals that we have put forward. I think they are good proposals. I think they're deserving of serious consideration and I would ask the government to give us some indication whether or not they are prepared to accept these proposals because I tell you, Mr. Deputy Speaker, it would make a great deal of difference to what transpires in this House in the next two or three days or in this further debate on this. If the government would just tell us whether or not they are prepared to accept the amendment that has been put forward because we listened to the Honourable Attorney-General - I listened very carefully - he gave us no indication whatsoever of whether or not he was prepared to accept. So, Mr. Deputy Speaker, we have listened to the remarks of the Honourable Attorney-General, and we are waiting for someone on that side to indicate whether or not they are prepared to accept the proposed amendments that the Member for Fort Garry put forward.

I'll tell you again, Mr. Speaker, that if we can get that indication now, then the desired wishes of the Government House Leader could possibly be accommodated. So, I think it's very important that the government indicate now whether or not they are prepared to accept the proposed amendment that the Member for Fort Garry proposed.

So, Mr. Speaker, with those few words, I want to thank you for the opportunity of taking part in this debate at this time. Thank you very much.

MR. SPEAKER, J. Walding: The Honourable Government House Leader.

BUSINESS OF THE HOUSE

HON. A. ANSTETT: Mr. Speaker, I would ask leave to announce a committee meeting for Friday at 2:00 p.m. Mr. Speaker, the Standing Committee on Privileges and Elections will meet at 2:00 p.m. on Friday of this week to consider Bill 115. Mr. Speaker, I have asked the Clerk's office to make arrangements because of the nature of the subject matter of the bill for simultaneous translation facilities as were provided during the committee hearings on the resolution last fall.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Speaker.

The Member for Flin Flon, the Minister of Northern Affairs, says, let's vote on it. Let's, before we vote on it, ponder upon what this is that we're voting on and the process upon which we are engaged. What we're doing here, Mr. Speaker, is amending part of the Constitution of this province and how, Sir, should that process be undertaken and carried through to completion. Mr. Speaker, surely, a constitutional amendment should be something that would have the support of all of the members of this Legislature. That is the way that a Constitution would be formed, Mr. Speaker, that is the way a Constitution would be put together, that is the way that a Constitution should be amended. It is the responsibility of the government to amend and shape and change their proposals until they have that support. That support that would be representative of the people of the province. Mr. Speaker, we don't have that.

What we have here, Mr. Speaker, is a process where the Constitution of this province is going to be changed under the threat of closure. Think of that, Mr. Speaker. That here is a situation where closure is going to be used to change the Constitution of this province against the will of at least three-quarters of the people of this province.

When one considers the dimensions of that proposition, I find it extremely hard to accept and to believe that any government would be prepared to go to those lengths, to go against 75 percent of the people and to invoke a procedure which has never been used before to amend the Constitution of the country.

Mr. Speaker, what we hear from the members opposite seems to be an effort to place the responsibility on us to go along with what it is that they are proposing, but because they don't like the debate that is taking place, they don't like the positions that we have been taking on it, they're trying to put that responsibility on us.

Mr. Speaker, the members on this side of the House represent the views of approximately 75 percent of the people in this province, and if that's not true, if those members opposite don't believe that's true, then let them stand up and provide some evidence that indeed the people are behind them. Because we have lots of evidence to indicate that the people are behind us. We're not talking about a little political light as the Attorney-General spoke of earlier. No, Mr. Speaker. We're talking about representing the views of 75 percent of the people of this province, and surely that is a responsibility which rests with the opposition.

When the government refuses to recognize the views of the majority of the people of this province, surely it is the responsibility of the opposition and surely we should not be condemned for representing the majority of the people in this province and surely we should not be threatened with closure on a subject as important as the Constitution of our country, the Constitution of this province. Sadly, Mr. Speaker, that is what we are faced with.

If this government is prepared to go to those unprecedented lengths and they believe that they are

truly representative of the majority of people in this province then there really is only one honourable thing from them to do and that is to call an election, if they insist on proceeding with something that does not have the support of the majority of people.

There really are only two things that they should do, Mr. Speaker: one is to make that resolution acceptable or to call an election. They should not be threatening closure to ram through a constitutional amendment that is clearly against the wishes of the majority of people in this province. There is an amendment before the House right now, a sub-amendment, which could render this resolution acceptable. Mr. Speaker, if that is not acceptable to them, let them go to the people.

I heard last night all of the talk from members opposite about misunderstanding . . .

MR. SPEAKER: Order please, order please. Order please. Can I assure honourable members that they will have the same opportunity to speak as the Honourable Member for Turtle Mountain.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Speaker.

Let's go back and look once again at why we are where we are because I think, Mr. Speaker, until the members opposite fully understand how they arrived at the position that they're in they are not going to be able to see their way out of the dilemma that has been created.

I would only go back again to the Bilodeau case and the options that the government was faced with, the possibilities that the government was faced with with the Bilodeau case.

Now the case, Mr. Speaker, had been dismissed in the Manitoba courts and they had legal opinions, Sir, that it would be at best unlikely, Mr. Twaddle said, and this was only referring to if the courts found all existing legislation invalid, he said, which I consider unlikely.

Mr. Gibson, I believe, said that there was a possibility that the Bilodeau case might be ruled in favour of Mr. Bilodeau but it was a very slim chance based on the experience in the courts of Manitoba.

So what the members opposite were faced with was either let the case run its course or try and head it off. We think that they chose unwisely to try and negotiate the solution rather than let it run its course. But they chose and that's the position that we've always taken, but the government chose to try and negotiate it.

Now, Mr. Speaker, having chosen that route then they had at least two options again and those two options were presented to them by Mr. Gibson, by Mr. Twaddle. Mr. Gibson said simply, seek a Constitutional Amendment that will validate the laws. Mr. Twaddle said, seek a Constitutional Amendment that will validate the laws but there will probably have to be some kind of compensation, if that term can be used, to the Franco-Manitoban people of the province.

Now I'm not sure that there's real justification for that course of action, Mr. Speaker, it was one of two opinions that the government was presented with, and again I think they chose the wrong one. I think that the government should have pursued the direction that the Attorney-General indicated to us today that was his original inclination to pursue. That is that if they felt that they were threatened then seek validation.

Let me just say once again to clear up the record from some of the comments that the government members have been making in that they have been misrepresenting the position that I took on this issue earlier, again the Attorney-General today did the same thing again when he said that I had acknowledged that we could see the need for validation, and the need to validate, we should seek validation if at all possible and that it would be a better solution if we could attain it.

Well, Mr. Speaker, I never advocated that. What I said was that if the government felt that there was a serious threat then they should seek validation. In this regard, Mr. Twaddle had said that it would be inconceivable that a way could not be found to validate the existing laws. Now why didn't the government, having chosen that action, having chosen the course of having to validate the laws, simply say to the people of Manitoba, and to the Parliament of Canada, we think there is a possibility of legal chaos in this province, that all of our laws might be ruled invalid.

Do you think for a minute, Mr. Speaker, that if the government had come into this House with that proposition, and that proposition only, and sought an amendment to validate those laws that they would have had any opposition?

Can you imagine, Mr. Speaker, that if they went to the Parliament of Canada and said there is a very real possibility that legal chaos is going to be created in Manitoba, and that we should act to head it off, does anyone think that the Parliament of Canada wouldn't have acted on that when the Parliament of Canada has acted promptly on situations of work stoppage for instance in the past where that's judged to be in the national interest, that they'll force through bills within a matter of hours? Does one think they wouldn't proceed with that proposition to validate the laws? I don't think so, Mr. Speaker.

So the government went wrong there after having made the wrong decision not to allow the case to proceed through the court. Had they lost, had that unlikely eventuality have come about that the Bilodeau case was ruled in favour of Mr. Bilodeau, does anyone think that they wouldn't have been prepared in seeing that coming about? And had that resolution been available immediately, as Mr. Twaddle says, it is inconceivable that a way could not be found to validate existing laws.

Given that kind of opinion from a man like Mr. Twaddle, inconceivable that a way could not be found to validate existing laws, why would the government have entered into the sort of negotiations that they entered upon, Mr. Speaker? That's the problem that the government created. That's basically one thing that they shouldn't have done was go the way they did. I think they should have gone the other way but what should they have done in terms of providing actual services?

I say to the members opposite, and I repeat again, that they needed to give some modern meaning to Section 23 of The Manitoba Act and I can say without hesitation, Mr. Speaker, as we were starting to do when we were in government.

Here's a point that last night when we spoke about this, Mr. Speaker, the members opposite kept saying, ah, but you were doing it in secret. You were doing it

all in secret you weren't telling anybody. This was after, following upon the Attorney-General's - what he regarded as revelation in this House, I'm sure, last June when he tabled documents, Cabinet documents - showing that yes, indeed the Lyon Government was moving to implement expanded French Language Services, and to give meaning to Section 23. Look at those two things, Mr. Speaker. They thought we would be embarrassed first of all, by them saying what we were going to do.

Last night they talk extensively about, ah, but you're hiding it. Why are you sneaking around doing this? You know what, Mr. Speaker, what our government was doing was fulfilling an obligation and a commitment and we did it with an understanding of this province that these people opposite don't have.

They don't have the understanding to realize how the real forward steps on an issue like this could be taken. You would take the forward steps as we were doing, Mr. Speaker, by doing it quietly. Certainly, I don't say that we weren't doing it quietly, we weren't out there waving flags, trying to gain credit from the Franco-Manitoban people for what we were doing for implementing things that they would see as their rights in any case. We weren't trying to do that. No. 1, because we wouldn't take that course of action to try and get credit, but more importantly, Mr. Speaker, we didn't want to raise the fears and apprehensions and anxiety that we knew would be created by an open type of action like these members have taken.

What was needed was some meaningful action that the average French-speaking person out there would recognize as being something more to recognize their rights, something that would have meaning in their every day existence, and it wouldn't matter to them whether it was done by government policy, whether it was done by statute, or whether it was done by constitutional amendment. If it was there, that's what would make sense to them and that's the way we were proceeding, Mr. Speaker. We were criticized in the press at the time for not moving faster, but we knew that to move precipitously on this type of question was to create an outbreak and a furore - an outbreak of public opinion in this province such as we have now seen.

We knew that that would come about for at least two reasons, Mr. Speaker. One, because of the history of this province and two, because of the actions of the Federal Government and their bilingualism program, which people in this province have seen to be unreasonable. The Federal Government through their program has raised fears - and the members opposite can argue they may be ungrounded fears, but there have been fears raised because time and time again, the public have been assured that everything is going to be done in a common sense way, and then they see that it isn't carried out in a common sense way. People are assured that they will not be affected in any way, Mr. Speaker, and lo and behold, they are affected by it.

So, unfortunately, we have arrived at the situation where politicians aren't trusted, government isn't trusted, Mr. Speaker. The government can give their commitment and the people won't believe them today, because they've been given commitments before and they've seen what has happened. So in this case, Mr. Speaker, the way to make improvements and to make

advances was to do it in the traditional conservative way, and that is to recognize that the world is an imperfect place and to make some improvements and to make it a better place. What the members opposite chose to do was to try and take, if I may use the term, a revolutionary approach and wrench the system over in a short period of time, and in doing so, they created the situation that they find themselves in today, and sadly that all Manitobans find themselves in today.

Now, Mr. Speaker, what the government did, of course, was to present this House with a proposed constitutional amendment, and we've been through this many times, but that constitutional amendment represented an extension of French language rights and it included French Language Services in the Constitution, and the public could immediately see what kind of consequences could flow from that resolution they put forward - the very kind of thing that I just spoke of a few minutes ago - where they receive assurances from the government and then subsequently see actions take place that are in conflict with the assurances they had been given.

The public, having been through the constitutional debates a couple of years ago, are well enough informed now to understand what entrenchment means and even though the politicians might write down some words today and entrench them in the Constitution and say to the public, this is what these words mean and they don't mean all these other things, don't worry about it, it's not going to happen, the public understands that it will be courts, it will be appointed judges who are not in touch with what the public opinion is. It is those appointed judges who will interpret what those words will mean as years pass and indeed they can see the possibility of things happening, which the government assured them wouldn't happen.

The public wasn't prepared to accept that and they weren't prepared to accept the approach the government was going to take to that. We today have had the admission from the government members that indeed they were wrong on the way they were going to proceed. They were going to push that through. There wasn't going to be one comma, one jot or one tittle that was going to be changed in this and they weren't going to have public hearings, they couldn't be amended.

Well, now today they admit that they were wrong in not agreeing to hold public hearings. They were wrong in what was contained in that constitutional amendment, Mr. Speaker, but yet I recall the abuse that was heaped upon the members on this side of the House for pushing for public hearings, for pushing for taking services out of the constitutional amendment. We had abuse heaped upon us for doing that, Mr. Speaker. Now they've done it.

What would have happened if we had not carried out our responsibility, as the opposition, to represent the views of the public and to be critical of what it was the government was proposing? Well, today we have the admission from the government that they were wrong in what they were doing and they have made some changes. I acknowledge they have made those changes, and as the Member for Charleswood said, they've gone about 170 degrees from what they were proposing before. What we are telling them now is that there is another 10 degrees to go before they get to

that point where they have some consensus on making a change in the Constitution.

I ask the members opposite, Mr. Speaker, to look at what has happened to the resolution that they proposed in the House last May and to look at the resolution that's here now, and they will find if they look at 23.1, as it's proposed in the amendment put forward by the Government House Leader, they will find that section, that proposal, is not in the original resolution. It's not there. Now if it was satisfactory to proceed in May without that section, why isn't it satisfactory now? Because, as the Attorney-General told us this morning, that one of the purposes of Section 23.1 as it is in the amendment is to protect the freedom to use other languages.

Well, I don't see anything as a layman, Mr. Speaker, in the May resolution about the freedom to use other languages. I don't see any protection in there. The government apparently didn't recognize any need for protection at that time, but they've got it in here now. Well, if that's why it's here, Mr. Speaker, then why doesn't the government move that extra 10 degrees that could have the support of the people in this province, that could have the support of the majority of people in this province? That's the way a constitutional amendment should be done, and they would not have to be threatening us with closure.

I know that the honourable members opposite aren't considering that very carefully, because obviously there aren't very many of them even bother to listen to the arguments that are put forward. I'm not sure how many of the backbenchers, and there aren't very many backbenchers over there now because they have such a huge Cabinet as you'll be aware of, Mr. Speaker, but I asked the backbenchers and the Cabinet Ministers who have not looked carefully at the proposition that's being put forward: what are they doing? Is the price that they are going to pay worth what they are going to get by forcing this resolution through with a closure motion?

Mr. Speaker, I tell them it is not worth it. It isn't worth it in the political sense. You are going to pay a political price such as no government has ever paid for such a foolish action, and what is going to be gained? What is going to be gained from it? Some kind of protection that somebody isn't going to come into Manitoba and pass a law that you can't put up a restaurant sign in Greek. Is that the kind of protection that they're going to put themselves through this torture for? Mr. Speaker, is there any possibility, is there even the remotest possibility of that happening in this province? Absolutely not. Absolutely not, Mr. Speaker. Yet, here we have the Government House Leader threatening us with closure to get through that kind of resolution.

Why don't they just acknowledge that if they accept the amendment that has been proposed by my colleague, the Member for Fort Garry, that they could have support and that the public would be able to acknowledge that the government did indeed listen to them and that they would not be forcing through changes that the vast majority of people were not prepared to accept.

I'd like to stress once again, Mr. Speaker, because I think the honourable members have to appreciate the reasons why they find themselves in the dilemma that they're in today, that they now have to back off from what they are proposing.

When I spoke last night, Mr. Speaker, I made reference to the good will really that existed in this province two or three years ago and right up until a year ago, and the opportunity that was there for the government to make improvements in French Language Services and in elevating the status of French-speaking people in this province, recognizing the fact of Section 23 of The Manitoba Act. The opportunity was there and what happened was, this government bungled it. They bungled that opportunity that was there. They could have had the support of the members of this side of the House to proceed in the delivery of services, just as they supported what we were doing when we were in government and as we supported them in the first year that they were in government. That is the way that real progress could have been made and you could have done things, Mr. Speaker. They could have done things. Mr. Speaker, under those circumstances that would have been acceptable to the people of Manitoba that are not acceptable now.

They are not acceptable now, because they tried to go too fast and in so doing, Mr. Speaker, they raised all those apprehensions and fears and anxieties, which anyone who understood Manitoba should have known were there and should have known what would happen. That's when my colleague, the Member for Charleswood says, they have poisoned the well. That is what has happened, and what could have been achieved can not now be achieved for some period of time.

If those members opposite think that they can make a case that somehow we are supposed to come to their rescue now, that we're supposed to go against the wishes of 75 percent of the people in this province to bail out this incompetent government, Mr. Speaker, then they misunderstand the role of the opposition, they misunderstand what the people of this province think and they misunderstand what the members on this side of the House are going to do.

I tell the members opposite in all sincerity that what they are doing is wrong. The people of the province are opposed to it. What they are proposing is wrong and how they are proposing now to push it through is wrong. They should not be using closure to make a constitutional amendment and, Sir, the members on this side of the House are not going to go against 75 percent of the people of this province to bail out an incompetent government.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. Again I rise in my place to speak to an issue which has not in the last few weeks in the province or in the last few hours in the province become easier to speak to, Mr. Speaker, or be a part of the debate of.

Mr. Speaker, last night in my comments, I felt very strongly as I do today, that I would have hoped with my strongest hopes that some way, somehow that the present government could stand in their place and could justify through verbal debate, through reasoning and support of what they're doing to what is, Mr. Speaker - and I'm not a lawyer and I don't profess to be one, but I do understand that the proposed changes or the Constitution which has been the ground rules or the rules from which we have all worked for the last 100-

and-some years, Mr. Speaker, have to be solid. They have to be soundproof, and they have to be fair, not to any majority in society, not to a minority in society, but they have to be fair to everyone, Mr. Speaker, because really it is the laying of the foundation. It is the base; it is the touchstone; it is the wall from which we all have to work.

I would have hoped that this Legislative Assembly, whether it be the New Democratic Party, whether it be the Progressive Conservative Party would have been able to work somewhat more co-operatively to continue with the base and to set the base or change the base that would be in everyone's interest, very fair.

My colleague from Roblin-Russell last night put his finger on it pretty accurately, and I think did a very good job. The very arena, the very being, the very law-making and the system which we work to build that base to work from, Mr. Speaker, has come to a stalemate, has in fact broken down. It has broken down, Mr. Speaker, not by anyone's wishes in here. The members of the government keep pointing their finger at the opposition and saying, you're ringing the bells and you're stopping debate.

Mr. Speaker, it has been stated many times. We are doing it because we have the mandate from the public that we represent to do that, because they, the public, in majority numbers, Mr. Speaker, and in minority numbers are saying, what they are doing is wrong. I'm not going to try and point out what is wrong. My colleague, the Member for Fort Garry, in the introduction of his sub-amendment points that out. But we are now in a situation where the very instrument that we have to work with is not functioning.

So the answer to that, to make the system or the vehicle that we have to work as representatives of the people of Manitoba have now been given an ultimatum by the government, by the people with the majority who are now the NDP Party, saying that you are now given our rules and our guidelines and our power is going to force you to come to a decision.

HON. L. DESJARDINS: They're not our rules.

MR. J. DOWNEY: Well, the Member for St. Boniface says, they're not our rules. It is he and his government that have invoked closure, that have put a time limit on the amount of time that we have to work our way through - not only us, themselves and their own constituents - what is a first-time, as far as I'm aware, in the history of this province a major constitutional change. We are being asked now — (Interjection) — well, the member says, there was one a few years ago. I said a major constitutional change. I believe — (Interjection) — yes, Mr. Speaker, I think the member had all the opportunity to bring it forward at that time as an opposition, but that's the kind of atmosphere, that's the kind of thing that should never be allowed to develop.

One has to go back to the saying, blame them not for they know not what they do, because that's really, I think, where we are at. I really question if they know what they're doing. What group in society, who, Mr. Speaker - and I plead with one of them to stand in their place and say who is going to be happy with the present proposed constitutional amendment? I would

like names of people, names of groups. Somebody please stand in their place and tell me in debate, that's what this place is for. Why don't they stand and say that this proposed package that is now being proposed by our government - and I plead with the Attorney-General - why don't they say that this is what will satisfy and protect the rights of the Francophone community; of all the groups in society; that it will give them a better way of life; it will be fairer for everyone?

HON. R. PENNER: I said that earlier this afternoon.

MR. J. DOWNEY: I listened, but I didn't hear what group in society were going to be more satisfied or have better fairness or a better way of life in Manitoba. I listened carefully.

Certainly, I appreciate the Attorney-General made some apologies. Certainly, it takes a big man to apologize when he's wrong. We are as big a man, but what I am asking and pleading with - and women - I'm pleading with them to stand and tell us who is going to be better off? Can the Minister of Agriculture stand in his place and say that? Can he go through it?

I apologize for not being a lawyer, but I have not been able to understand why we're in this, breaking down the very system that is supposed to work to the betterment of everyone in society. I haven't had that kind of an explanation, Mr. Speaker, so one only has to say that they can't apparently do it. If it's a philosophical hang-up that they have, if they're afraid that they make changes, they're going to fall out of favour with somebody, then let us hear that because I haven't heard it yet. You know, they can't fall out of favour with many more people.

My colleagues have pointed out time and time again that there are many many groups who are feeling uncomfortable with what they are doing. They haven't explained very well what has really happened in the process. The Attorney-General today, and I compliment him for it - my gosh! He finally said certain things that we were assuming, but he finally cleared up on the record. You know, that's the kind of thing we haven't been hearing.

I, Mr. Speaker, believe that we don't have to get into a position or should never get into a position in this Chamber of name-calling or of degrading one another. No one likes that, Mr. Speaker. I don't believe the public expects that of their members. But what has forced that? When you change the very ground rules or the basic foundation from which our society works and we haven't been told the full story and we have been misled to a certain extent by certain members, then it does in fact, Mr. Speaker, degrade. It forces people to take the avenue out that is theirs, it is physical, it is something that is not normal to the average carrying on of a daily life.

We have seen the opposition use, quite legitimately, mechanisms to try and make the point with the government as to why they are doing the wrong thing and to buy time, because really that's what we are after. Why should we rush in, as a Legislative Assembly, as the people's representative whether we're Progressive Conservative, whether you're New Democrats, why should you rush in to a bad agreement particularly when it is going to be lifelong-lasting.

HON. L. DESJARDINS: You don't have to rush in.

MR. J. DOWNEY: The Member for St. Boniface says we don't have to rush in. We are now operating under closure threat by the House Leader, who for many many years sat in here as a Deputy Clerk, who stood in his place and voted against Speed-up, and now is holding the gun to our heads saying we don't have to rush this through.

Mr. Speaker, I again plead with them to stand in their place and say, why the rush? Who are their supporters, and who is going to benefit from a constitutional change that is being proposed? I said, Mr. Speaker, I was not a lawyer. I have to take the advice of professional people.

My colleague, the Member for Charleswood, I believe has about as good of understanding as a constitutional lawyer and an understanding of the makeup of how Canada and our province works. I don't for one minute take lightly what my colleague for St. Norbert said, who was one of the major players as well in the overall constitutional changes that took place in Canada. I have to take their advice, because I respect it, Mr. Speaker. They haven't led us too far wrong in the years that they demonstrated in their capacity. The people of Manitoba had faith in them.

Mr. Speaker, I believe that the government should stop and think for a minute and at least demonstrate — (Interjection) — no, a minute in constitutional time change could be one or two or three years. Mr. Speaker, I don't think there is one person in Manitoba that wants this constitutional change if it is wrong. I don't care what group you come from. Because once it is changed, it is going to be . . .

A MEMBER: It's not wrong, it is right.

MR. J. DOWNEY: Well, that is the problem. We have a member who says that it's not wrong. But the only people I have heard say that it is not wrong are the 33 members that are sitting on that side of the House. I can't — (Interjection) — well, I'm sorry, there aren't 33, Mr. Speaker. I stand corrected. There is whatever's left. I again plead with them to reassess in a time of constitutional change that a few years or a few months or a few weeks should be part of that process.

How could we have done it differently? How could we recommend that it be done differently? I still believe, I have confidence in this Chamber, in the process, in the people of Manitoba that there still could be a salvage of what this government are proposing to do. They'll say, yes, it's just a buying of time until the next election. I believe that now we've got to this point where we have broken down, where the system has broken down, where the people of Manitoba truly want to come out with what is right, if we were to take a period of time and allow that input to come in - not in a vicious way which is appearing on many fronts, not in a confrontational way which we're going to see when the bill goes to the committee, I don't think that is the kind of environment . . .

HON. L. DESJARDINS: Would you change your mind, Jim, in those months? Would you change your mind?

MR. J. DOWNEY: Mr. Speaker, the Member for St. Boniface says, would I change my mind? I won't change

my mind as far as the providing of fairness to every group in this province, Mr. Speaker, and he feels exactly the same. We are all trying to get to the same target. We are all trying to build a proper base. I believe we can accomplish that. I believe we could accomplish it, Mr. Speaker.

HON. L. DESJARDINS: A six-month hoist.

MR. J. DOWNEY: No, I'm not talking about a hoist. I'm talking about the amendment to our Constitution where we are being asked again and again to end the debate in three days, two days, but all I'm asking the government to do is to tell us who is going to benefit and how . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. J. DOWNEY: Mr. Speaker, the member keeps saying we'll all benefit if the laws are validated. I am not concerned about that. I am not concerned that the public of Manitoba are not going to have laws to protect them. I believe the Member for St. Boniface feels the same. I don't believe that will happen.

HON. L. DESJARDINS: That's not the big thing.

MR. J. DOWNEY: No, it's not the big thing with him. It's not the big thing with me. That can be resolved.

HON. L. DESJARDINS: The big thing is that my rights were taken away 100 years ago.

MR. J. DOWNEY: The Member for St. Boniface says, his rights were taken away 100 years ago . . .

HON. L. DESJARDINS: . . . by a provincial Legislature.

MR. J. DOWNEY: By a provincial Legislature. Mr. Speaker, I wasn't here 100 years ago. I have been involved in this country some 40-some years. Not in my lifetime has closure been invoked in this Assembly, and I am not very happy to be a part of that kind of breakdown in our system.

I think that the people of Manitoba have given us the mandate to compromise and come together and do the things that are in their best interests. I am sorry to say this, that we have come to a time when we haven't had that leadership come from the present Premier. I don't think that he is really really showing the kind of leadership at this point in this Assembly or anywhere else that is the responsible kind. I'm not going to tear him down. I feel sorry that he is unable to muster and do the job that he's doing.

Mr. Speaker, the legislative committee that travelled throughout the province was used to hear the feelings of a lot of people. A message came out. The government say they got an interpretation that certain people in the majority were in favour. The general public got a different attitude and, of course, we have our position.

I, Mr. Speaker, believe that could still be accomplished. I don't even talk about a cooling-off period. What I say, in a responsible, constructive

approach to the building of a foundation of a constitutional change could be done through an all-committee group of people taking their time to do it, because we do have time. We have the responsibility to do it, far greater responsibility to do that than try and stop what the government are doing from here on in, because we aren't able to accomplish it; far more responsible of them to do it, rather than put the gun to our head and the people of Manitoba's head and say, we're in a position where we have to do this. There is another way. I would again say that the responsible route would be to try to come up with a consensus as the people of Manitoba would have input into it. I believe that could be structured.

Goodness knows, feelings ran very high when we saw the Federal Government making a change to our Canadian Constitution with all the provinces involved. Yes, Mr. Speaker, there were things that we didn't like and that other provinces didn't like. It wasn't forced through by threats. The changes weren't made by people or provinces being threatened. There was a compromise in the end result. Everybody wasn't happy, but everyone wasn't upset. What we are doing here is, by force, making a change and building a foundation or changing our foundation that isn't going to be sound.

I plead with this government, because they now have pointed out to us what the alternative is. It's to make our comments, get on with the vote, because they don't know what other direction to go. How can the Province of Manitoba, how can the people of this Province of Manitoba ever come back together, if the very ground rules and the base from which they're working, isn't in their best interest or they aren't satisfied with it to start with? You can't expect a healthy growth in your economy. You can't expect a healthy working relationship, government to people. You can't expect a healthy growth, the normal kind of growth, because what you have built into the foundation is a cancerous growth. — (Interjection) — Well, the Minister of Agriculture, I am sure, when he's working with a group of farm people, if he's setting out the ground rules, if the ground rules are satisfactory to everyone - maybe not totally what they want, but there's some of it they can like and some of it they can't - they can accept it. But if they're all unhappy with it, then the program will never work, as what we're doing here will never work.

I again think that it could be accomplished in a different way and I've heard my colleagues, every one of them, plead with this Assembly, plead with the government in every way they've known how to try, not in a political way, but because they truly believe that Manitobans deserve the kind of constitutional change that will give the Francophone community a fair say in our society, the services that were meant to be given to them in 1870, certainly I make all the apologies for the wrongdoing of 1890 but I can't change that now, Mr. Speaker. All I can do is look to the future and try and be a part of what is right. But why don't they? — (Interjection) — The Member for Radisson I know gets extremely upset and feels strongly about this. Why can't they stand in their place and point out . . .

HON. L. DESJARDINS: I did, I tried.

MR. J. DOWNEY: I know you tried, but apparently you didn't accomplish it. The support has to be shown to

do the things that are right and that hasn't been accomplished and I think it's wrong to carry on in that basis.

I again say that you can't have a strong and healthy province and future and people pulling together, as they will have to do, to face the challenges of the economy, to face the challenges of job creation, and just good solid Manitoba community development, unless the rules, the constitutional change is more acceptable than what is being proposed.

My colleague from Turtle Mountain makes the comment the government have come 170 degrees. Is it a philosophical thing that's keeping them from coming another 10 degrees? Is it stubbornness? Because it isn't sound reasoning. They haven't given us the sound reasoning that this Chamber should have to make the kind of changes that we're being asked to support.

I have to say, Mr. Speaker, that it has gone beyond the point of making it a political issue. It is far more serious than that. We have pointed out, I pointed out last night that the political reward will be reaped by this government. As far as us in the opposition establishing whether or not they will be defeated at the next election, Mr. Speaker, I believe that is now a given.

The people of Manitoba - I don't care whether they're New Democrats, former Liberals, Progressive Conservatives, or whatever - have lost the trust in the faith of the government and that is a bad situation. They aren't going to gamble for another four years and I'm sorry to have to say that because here we have, I believe a government - I believe in all sincerity - who were trying to make a move to try to do something they thought was really right and really going to do the things that would give people a better fairness or be fairer to those people in our society. But they have failed, you see they have failed and even a bigger failure, is that they have failed to change to make it right. We can't make it right, Mr. Speaker. We can't do anything to make this whole issue change at this point as an opposition. We have done our best.

HON. G. LECUYER: You have done your best to make it wrong in the first place.

MR. J. DOWNEY: Well, there you see. The Member for Radisson makes a statement, we have done our best to make it wrong in the first place. What do we have to do, Mr. Speaker? We passed legislation. We implemented policy, Mr. Speaker, from the times of Duff Roblin, of every Progressive Conservative Government. We have, I think, tried to live up to the spirit of this country and to try and make the fairness that I've talked about through my speech, be reality. I think it's in the hearts and souls of everyone of this opposition to continue to do that. But through what I have pointed out earlier, the lack of the government to point out to us who is supporting what they're doing, the inability of the government to make the kinds of statements or changes that would help accommodate this, haven't been a reality.

Then to finally conclude the whole process of constitutional change, for the first time on such a major matter in this province, to have to go to the use of the instrument of cutting off debate, of saying that we, the

government, because it's an admission by the government of an inability to, by debate and by the public encouragement and the public support, to make the move that they should be and I know are committed to the goal - but should be as committed to the process of getting to that goal as we are. The goal is the important target.

Now the Member for St. Boniface says, what is the most important? If you don't use the proper mechanism and the proper way of getting there, then it won't be accomplished. It won't be accomplished because after you get to the accomplishment, the goal will disintegrate because of the cancerous growth which you have built into the very fibres of the foundation of what you're trying to do. It will take generations, at this point, of the people of Manitoba to try and put behind what we have developed to this point in this Assembly. — (Interjection) — I don't believe that it's false fear. I think there's been too many demonstrations. There's been too many demonstrations of real problems that have been created by either the Federal Government with the implementation of the programs. — (Interjection) —

HON. L. DESJARDINS: Enumerate those real problems.

MR. J. DOWNEY: I did that in my comments last night. I did that last night and the Member for St. Boniface says, enumerate some of them and I will. I will quote from Mrs. Lang, who was on the Bilingual Commission as to what she said. I'll make reference and I'll quote it again, because I think it's important. "Mrs. Lang regretted the way in which it was done." This is referring to the Federal Bilingualism Program. "Pointing out that the wholesale creation of bilingual positions and massive second language training program were bureaucratic instruments that sometimes fail to respect the individual's feelings, needs, fears and aspirations.

HON. L. DESJARDINS: Why are you talking about the Federal Government? Who's talking about the Federal Government?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. J. DOWNEY: Well, Mr. Speaker, that is what's in the minds of a lot of people in Manitoba. It's very unfortunate and that's why we continue to plead with the government that the process has helped to generate the kinds of things that they have seen happen at other levels.

I believe that the both sides of this Chamber are trying to get to the goal of providing fairness, and equality in this province. I don't think anybody has stood in this Assembly and debated against that. I don't think there's been one person debate against that. I could point fingers and have the members of the government stand on their hind legs and come at me on it. Probably some of my own colleagues will say it, but I don't believe that really has been demonstrated.

What we're down to is a matter of having to reassess how we're going to get there, because I've tried to

point out what the results will be after that goal is accomplished. If it's accomplished by getting there through the way the government are proceeding and what is implemented in our Constitution is not acceptable by anyone, because they haven't told us who it's acceptable to. You see there's a vacuum there. I haven't had anybody come forward and say we're happy with what the government's doing. In fact, it's been demonstrated by vote that 80 percent of the people aren't very happy. They may not know it. They may not understand totally what it is, but when they don't know what's there, what reaction do you expect the public to take?

HON. L. DESJARDIN: Why don't we explain it to them.

MR. J. DOWNEY: Okay, the Member for St. Boniface says, "Why don't we explain it to them?" I agree. But we can't do that. We need the mechanism to do it. It's too late to do that. We are being told that closure or this debate is going to be ended, that the process is ending and we're going to take what we have got through the power of government or they're going to accomplish the goal through the power of government. It won't work, Mr. Speaker, it won't work.

HON. L. DESJARDINS: They've had six months to do it.

MR. J. DOWNEY: The Minister of Health says there's been six months. In constitutional change, six months, I don't believe, is a very long period of time, because this province will go on for another hundred years, thousands of years. If the changes that are made in our Constitution today are wrong, then 100 years from now we will see people back here with the same divisiveness, and the same problems that we are debating today. Why would the same mistake be made today by this government as was made in 1890? That's what we are having proposed to us to support.

HON. L. DESJARDINS: You're admitting that it was a mistake.

MR. J. DOWNEY: I'm admitting it's a mistake of 1890. I wasn't here.

HON. L. DESJARDINS: Of course, none of us were here.

MR. J. DOWNEY: The point I am making is that the government are making the same mistake today. I wasn't here in 1890. I wasn't a Liberal, Mr. Speaker, and I'm not a Liberal. It was a Liberal Government that did it. I don't blame them for what they did, but I blame this government for doing what they're doing, because they should learn from experiences, they should learn from what they're being told.

I think that it boils down to, again, a government who I pointed out have not had the leadership. I will go through it again, because I think it's important to put it on the record that I have not seen anything that the province and that the New Democratic Party have done in their term of office that has really turned very many people on. I don't believe that the public of Manitoba have confidence in them.

If they don't have confidence in them, whether it's passing a seat-belt law, and then deferring it because they didn't have the courage to charge the people for not doing a seat belt up, how can you honestly believe that a government that is changing your Constitution that's going to be there forever, when they pass a law that says that you have to wear a seat belt or a helmet because it's in your own best interest and your safety, and then because they can't show the leadership and can't live up to their own law and say, well, my goodness, maybe we've done the wrong thing or at least we'll take three months to do it.

How in the dickens? You know, it's just beyond me to pass a law and then say well, we really didn't mean it for three months from now, because we're going to spend \$750,000 to teach you to do it. You see, that's what the people of Manitoba are being passed, a constitutional amendment, which is the foundation and a touchstone from which we all have to work, the guidelines, the rules, the very basis that makes this province go, what we have to build our economy on, what the children have to work from that aren't even born yet, what the young families and the old people have to work together, and live together with.

Mr. Speaker, I don't know what we have to do as an opposition to make the point. Their own members, who have broken off, the members of their party, the Member for Elmwood, you know, that in itself should be a fairly major message.

I am sure that the government people who go home to their constituents whether they're backbenchers or front benchers, go with some degree of - what is the word I'm looking for - with some degree of nervousness when they travel throughout their constituents, because if you're doing something that really doesn't have the support of the people of Manitoba, you have a little bit of lack of confidence when you move throughout your constituency because you're concerned that the first question they're going to put to you is what are you doing with the language issue?

When they go home this weekend and the public ask them what are doing with the language issue, they will have to, not by explanation, but strictly by admission say we weren't able to accomplish through debate, through reason, through sound support, had to use our majority and stop the debate of the members of the opposition and pass the law because we really came, our backs really were against the wall. We didn't know what to do. We knew we had to get on with governing the province. We know we have only got two years left. We're still in a power nosedive in our political path, but we really didn't know what to do so we imposed closure, imposed closure by their House Leader, who wouldn't even support Speed-up because the business of the House couldn't be properly handled.

That is what they have to face their constituents with. It'll be too late, Mr. Speaker, because they will have pushed past this Assembly changes to our foundation, the very rules of the game that we're all going to have to play from, that not the Franco-Manitoban Society would support, I'm sure, that a lot of the other people in society who want fair play and I say the other people, everyone in society wants fair play, because I haven't heard anybody stand in their place and debate against fairness and opportunities for every group in society. I haven't heard that and that's what they have to be

faceted with and not only will we change our Constitution in the Province of Manitoba under a closure motion and muzzling of the opposition. We will do that for the first time in our history. It is precedent setting for not only Manitoba, but for the rest of Canada.

I would hope in the best interests of they who are supposedly people truly representing their constituents, as our opposition truly believe we have been doing our job as responsible representatives, I would hope that over the next few hours they would either speak and say they have support and lay it out or they would say, we want to get to the same goal, we have made a mistake in the process and we have raised the anger of the people of Manitoba and we are sorry and we'll try to help, with the opposition, remind that division.

Mr. Speaker, I plead with them, because it is no longer a matter of playing politics or any political goals that we are after or they are after, because it's been established they have lost in the political front. Let us do the right thing for all the people of the Province of Manitoba and re-establish this as the Legislative Assembly that we all can be proud to work within, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Thank you, Mr. Speaker. You know the Honourable Member for Arthur unwittingly mentioned one thing which I think comes to the bottom line of this debate, Mr. Speaker, and that is doing the right thing. You know, this government is doing the right thing, Mr. Speaker. This government has made every effort possible to consult on this issue, Mr. Speaker. It's held public hearings, informational meetings throughout the province. It has talked with affected groups, Mr. Speaker, affected individuals. It has made that effort, and why, Mr. Speaker? In order to do the right thing. We have modified our proposal, Mr. Speaker, in response to the people of this province. Why, Mr. Speaker? Once again to do the right thing.

The members opposite, what have they done? Well, Mr. Speaker, they have done nothing more than attempt to use this issue as a political club. Mr. Speaker, their bottom line is not doing the right thing, Mr. Speaker, it is political opportunism and political opportunism of the worst kind.

But, today, Mr. Speaker, in the time I have to address this issue, I would like to ask those members to think twice about what they're doing. To think twice about this approach of theirs, this political opportunism, because I think if you analyze this issue, Mr. Speaker, if you analyze the debate of the last eight months, you can see that it's not quite as simple as honourable members across the way would like to have us and the people of Manitoba think. All one has to do, Mr. Speaker, is look at the themes that have come up time and time again in this debate for members opposite. You know, they very rarely address the issue. They talk about fears, Mr. Speaker, they talk about perceptions. I remember the Member for Charleswood talking about a perception that we would be ramming bilingualism down people's throats. He did not address that concern, Mr. Speaker, directly. No, no. He didn't have the guts to say that he felt we were doing that. He said there

would be a perception. I've heard that from other members opposite as well. There is a perception that it's going to be like federal bilingualism, which we all know has been subject to a number of major abuses, Mr. Speaker. They have mentioned that, but where have they documented that this will apply in our proposals before us? Nowhere, Mr. Speaker, have they documented that those fears are justified.

That's, I think, the shame of this debate, Mr. Speaker. There have been close to 100 speeches from members opposite and they've talked about fears, they talked about perceptions, but they have always talked in the third person. They've never gotten up and said I think this is going to happen, Mr. Speaker. They've said, well, people have this here.

I think if you look further, Mr. Speaker, into that debate, you'll see how bad that is for Members of this Legislature to be doing that, how much lack of political integrity there is when one takes that approach. You know, our jobs as legislators, Mr. Speaker, is to listen to the concerns of our constituents and it's to act upon those concerns. That's what this government has done with this package before us. It has been modified and modified substantially to allay the concerns of our constituents. But, it is irresponsible, Mr. Speaker, to attempt to use legitimate concerns expressed by the people of Manitoba for political gain, and that is exactly what members opposite are doing on this issue.

You know, Mr. Speaker, I'm not going to get up here and say this issue is strictly one of principle. It is to a certain extent, but it's a practical issue as well. We're talking about a very important principle in one sense, Mr. Speaker, minority rights. We're also talking about the political consensus of the 1980's. I think that's been very apparent given the fact that we have gone out of our way to consult with Manitobans on this issue. That is why I use, Mr. Speaker, the words, "the right thing," because that is where the government is getting its strength from on this particular issue - the right thing.

We are doing, Mr. Speaker, the right thing historically, we are doing the right thing legally, which is more than members opposite can say, and I feel we are doing the right thing politically as well and I will address that in my remarks today.

You know I had hoped, Mr. Speaker, there would be a change of emphasis from members opposite with their recent change in leadership. It's obvious though, Mr. Speaker, that they may have changed from a Leader from Charleswood to Tuxedo. Mr. Speaker, I think that's the extent to which the mentality of those two individuals is different, from the geographic closeness. Mr. Speaker, they are basically the same Conservatives. Both are willing to use this issue for reasons of political opportunism and the present Leader of the Opposition, notwithstanding his hollow promises to try and bring minorities within the Conservative Party, Mr. Speaker, is no different. But that really doesn't surprise me. I think we on this side have come to expect that from members opposite, from listening to their various speeches, we know their bottom line.

Well, let's look at the issue. Let's try and look at that for just a moment. Let's look at a number of the arguments put forward by members opposite. You know, I'm amazed, Mr. Speaker, at the number of inconsistencies that they can come up.

You know, I remember sitting in committee in Ste. Rose. I remember sitting in committee in Swan River

and hearing the Member for Virden say that our original proposals would limit French rights in Manitoba, would limit French rights. Is that what the Leader of the Opposition said in debate on this issue when we reconvened in January? No, Mr. Speaker, he said he would expand it.

Now, really, Mr. Speaker, how can you reconcile those comments. One member says it's going to limit French rights, one says it's going to expand it. Well, you can't reconcile it. Neither can you reconcile the considerable number of their other completely inconsistent statements.

You know they say, Mr. Speaker, that the Legislature of this province should have some control over this matter. They've said that right from Day One in debate, but they're the ones who are saying now that we should go to the Supreme Court. Where is the consistency in that? Where is the consistency, Mr. Speaker? There is none. You know, it is a totally inconsistent argument on their part, and much the same with official languages, Mr. Speaker. They are the ones who used the term "official languages" in the act that they brought in in 1980.

The Member for Charleswood, before he attempted to revise Hansard, came out and said it quite clearly that they did recognize the fact that English and French are official languages in Manitoba. So where, Mr. Speaker, is all this vociferous opposition coming from against the use of the word "official" languages? It's a good question, Mr. Speaker, one that the people of this province should, I think, look at quite closely.

Now, Mr. Speaker, we have heard various members on this side and various members on that side attempt to assess the relative standings of the new positions of the parties in this thing. I've heard the Conservative say that we've come 170 percent. Our House Leader, Mr. Speaker, has pointed out the areas where they have changed their position dramatically on this. Really, Mr. Speaker, if the two parties are moving that close together, why all this acrimonious debate in this House? Really, if I am to believe this talk about 170-degree-debates, why isn't there an attempt, Mr. Speaker, to come to a consensus on this issue from members opposite?

Well it's obvious, Mr. Speaker, why not. Because in their political agenda, Mr. Speaker, it doesn't make good politics; they want this issue around. They want this as a club to hit the government over the head with politically. That's why they are unwilling and they were unwilling when we brought in this major new set of proposals, Mr. Speaker, to come to a consensus on this issue.

You know, I could address some of the other specific inconsistencies in their argument, Mr. Speaker, but I think I've made my point. That is that what they are concerned about is not the issue itself, Mr. Speaker, but the politics of that issue.

Well, let's talk about the politics, Mr. Speaker. You know, I have heard members opposite mention many times in this House about the referendas which were held throughout this province in the fall, Mr. Speaker, and attempting to suggest that indicates that 78 percent of people are against what we are doing, and that we should therefore not do it. Well, Mr. Speaker, it's interesting to note the Member for Charleswood for one, the former Leader of the Opposition, a great

opponent of referenda now quoting referenda results - somewhat inconsistent if you ask me, but not surprising coming from that particular member.

Beyond that, Mr. Speaker, what I find most galling is the fact that those members quote those figures, and what they forget is that was a vote on a number of questions which varied from municipality to municipality, which was based on the original proposal brought forward by this government back in May of 1983. If they would talk to people today, Mr. Speaker, I think they might find a slightly different attitude from people than what they think is out there.

You know, if you talk to people today, Mr. Speaker, I think you will find there are indeed a large number of Manitobans who are concerned about this particular issue. They have a number of concerns related to the experience coming from federal bilingualism. They have concerns about the costs, Mr. Speaker. They also have concerns that this might somehow lead to something greater. These have been the basic three themes of Manitobans, I think, since this issue was first raised in the House. But then, the new package, Mr. Speaker, from the government, has addressed those concerns.

We sat down with the MGEA, one of the groups most directly affected, Mr. Speaker. We sat down with them. Mr. Speaker, they are largely happy with the present package before us. They have indicated 90 percent support for it, Mr. Speaker, and they have indicated also that they intend to bring forward a number of proposals to us which might make the package even more acceptable to them. We've done that, Mr. Speaker. We have looked at their concerns about the impact this might have on the Civil Service.

The cost factor, Mr. Speaker, we've addressed that many times; it would not result in a major cost for Manitobans. Even though it is difficult for us on this side, Mr. Speaker, to have to address that question because we don't think it really is a matter that should be subject to cost - and I notice even the Member for Charleswood agreed with that. You know, I think we have documented that it will not result in a great deal of cost to Manitobans.

The question of expansion, Mr. Speaker, well, we've tackled that as well. We have made it clear, Mr. Speaker, that school boards and municipalities are not subject to the provisions of this resolution and the accompanying bill. We have made that clear, Mr. Speaker.

So we have been listening to the concerns of Manitobans. The members opposite, have they been listening to those concerns? Well, I think not, Mr. Speaker. The rhetoric we are hearing today is the same rhetoric we heard in May, in June, in July and August, the same rhetoric we've heard ever since they started trying to use this issue for political purposes, Mr. Speaker.

Let's talk further about the politics, Mr. Speaker. Let's talk about what my constituents think about this issue. Let's talk about what my constituents think about members opposite, their role in this particular thing. Well, I can tell you one thing, Mr. Speaker, my constituents do not like bell-ringing and delaying and flip-flopping. They do not like that. I have spoken, Mr. Speaker, to a number of constituents who do not agree with the government's stand on this issue. They have said that they feel that we should finish this thing and

get on with other things. They are sick and tired of the delays of members opposite.

Let's talk further, Mr. Speaker, let's put this in perspective. You know, Mr. Speaker, when the Legislature was out of Session, I went out in my constituency, I knocked on doors. I knocked on doors to ask people what their concerns were. I asked directly: what are your concerns? Mr. Speaker, do you think that French Language Services came up as a No. 1 issue? No, Mr. Speaker. The No. 2 issue? No, Mr. Speaker. Not the No. 3, not the No. 4, it came in about fifth in the list of concerns.

You know what people said, Mr. Speaker, when they responded to my question whether they were concerned about anything? They said, can you explain what all the fuss is about on this particular issue anyway? They indicated, Mr. Speaker, that they were getting totally confused with exactly what was being debated by the MLA's in the Legislature. A lot of them thought it was a package similar to federal bilingualism and I explained that it wasn't. I sent them some information, Mr. Speaker. I can tell you a number of people I spoke to who originally indicated concern about that issue have since looked at that information, Mr. Speaker, and changed their mind on it. If members doubt that, I can indicate after my speech, Mr. Speaker, the number of people in my constituency I have spoken to directly who have changed their mind on the issue.

It is that kind of issue, Mr. Speaker. When people are given the facts, they will think about it. They will make up their mind about it, Mr. Speaker; in some cases, they may change that mind.

The main point is that it's not the big issue. In Thompson, Mr. Speaker, the big issues of concern to people are local issues. You know, because of their delaying, Mr. Speaker, there was a meeting scheduled this Friday with the Minister of Natural Resources, a meeting which I had planned to attend, on some concerns about wildlife in the Thompson area. You know, Mr. Speaker, because of the delaying tactics of member opposite, because of their continual flogging of this political horse, Mr. Speaker, that meeting has had to be cancelled. I can tell you, Mr. Speaker, that concern is of as much importance to my constituents as the particular issue before us today.

So let's talk about the politics of this issue, Mr. Speaker, and let's put it in perspective. Now, I realize that may not be the case in every area of the province, Mr. Speaker. I realize there are people who have strong feelings on this issue, Mr. Speaker. I realize that, but I think if you look generally across the province that you would find a very similar situation.

Most people, Mr. Speaker, traditionally in this province have been concerned about economic issues. That's why this government was elected in 1981, because that bunch across the way screwed up economically, Mr. Speaker. That's why. I know, Mr. Speaker, that they don't like to talk today about some of the reversals that have taken place, for example, the fact that our population is up. It's up by the highest amount in 20 years, the fact that we've reversed the dramatic population decline from when they were in office.

You know, I think that, Mr. Speaker, also gets the politics out. Members across the way have been trying for two years to come across with an issue that could get them re-elected, Mr. Speaker, in the next election.

They certainly haven't found it with the economy. They think they've found it on this one, but I have got news for them, Mr. Speaker. I think my constituents and I think most Manitobans are concerned about bread-and-butter issues. They are concerned, Mr. Speaker, about jobs. They are concerned, Mr. Speaker, about having a future for our young people in this province and not having them have to leave the province like they did under the Tories for that future. That's what they are concerned about.

So that's the politics of it as well, Mr. Speaker. Let's put it in perspective. Let's recognize clearly that members opposite had nothing to contribute on the economic issues, that's why they're making so much of a fuss on this particular one.

I want to, Mr. Speaker, get to the other side of the political side and get to the tactic that those members opposite are using to make this what they feel could be a political club for them in this province. That tactic, Mr. Speaker, is fear. As I said before, when they hear concerns, they listen only to the extent that they want to listen. They don't listen to hear the real concerns, Mr. Speaker, and act on those concerns. They listen to hear those concerns so they can go and use them for political purposes, because that is the bottom of this issue in a lot of cases.

The people who I have spoken to were concerned about this issue. They have a number of fears, the ones I mentioned earlier, the impact on the Civil Service, the cost, Mr. Speaker, the fact that it might lead to an expansion and we have addressed those fears. But every time we attempt to address those fears, Mr. Speaker, every time we attempt to get opinions for the members opposite. Constructive opinions on how to tackle those fears, they are nowhere to be found. They're out ring bells or they get up in this House, Mr. Speaker, and they talk about the referenda of two and three months ago when a totally different package was before the people of this province. Yet, when we want

constructive opinions from them, they're nowhere to be heard.

Let's talk about fear, Mr. Speaker. You know, the Member for Concordia, a better member of this House, reminded me of a saying recently which I think applies to this issue and that is that we have nothing to fear but fear itself. Mr. Speaker, really I think that is the key thing on this issue. I will say that history will show that this statement is correct. In two years, Mr. Speaker, the dire consequences predicted by the opponents of this matter will not have come true, neither will they in four or six or eight or 10 years. Neither will they in 20 years, Mr. Speaker, because this is a well-crafted proposal, it will not lead to those dire consequences and members opposite know it.

But if they want to talk about fear, Mr. Speaker, I can tell them one thing. I'm not afraid, I'm not afraid of this issue. I'm not afraid to take a stand on this issue, Mr. Speaker, I've done it in my constituency. At the first public information meeting I got up and I said I support what the government is trying to do on this particular proposal. I'm not afraid, Mr. Speaker, to say that in my constituency anywhere and anytime. In fact, I would like to challenge the Leader of the Opposition to debate this issue and a number of other issues I would like to see debated in my constituency at any place and at any time. I want to hear him explain his flip-flops on this issue. I want to hear where he stands on rent controls, Mr. Speaker. I want to hear where he stands on the economy, on Northern development, and I will debate him at any time on this issue as well, Mr. Speaker, because I am not afraid.

MR. SPEAKER: Order please, order please.

The time of adjournment having arrived, the honourable member will have 22 minutes remaining when this issue is next before the House.

The House is adjourned and will stand adjourned until tomorrow afternoon at two o'clock.