



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

33 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, 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

Tuesday, 14 February, 1984.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Order please, order please.

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

Bilingualism in Manitoba

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Mr. Speaker. I direct a question to the Honourable Minister of Municipal Affairs. Yesterday a specific request was made of one of his government members, namely, the Member for Riel, who was presented with a large petition opposing the government's language package about the possibility of receiving government information, namely, copies of Bill 115 and/or the constitutional resolution, the amendment thereto, that's being debated or being attempted to debate in this House. The request was made for that information to be made available to them. Can the Minister of Municipal Affairs, the Government House Leader, undertake to see that this kind of information is indeed made available, particularly to members of the New Democratic Party back bench?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Yes, Mr. Speaker, my office - and I'm sure other members' offices on this side, and I hope members on the other side as well - have been supplying their constituents and any other interested member of the public with complete information, copies of the bill, the amendment, the explanatory notes to the amendment, all of which were tabled on January 5th, and if any member on either side needs additional copies and the Clerk's Office doesn't have sufficient copies, I would be pleased through my office, to provide same to members on either side.

MR. H. ENNS: Mr. Speaker, I'm happy to hear that but when asked yesterday by Mr. Carsted for this kind of information, the Member for Riel said she would have to check to see whether or not she could get that kind of information.

The Minister is now telling me that there's no trouble, that the people of Riel will have that kind of information supplied to them through their MLA.

HON. A. ANSTETT: Mr. Speaker, I understand that Riel is one of the largest constituencies in the province

and if the member is suggesting that I should supply to the Member for Riel 25,000 copies, he's asking something substantially different. If he's suggesting that a mailing should be done or something, or that Mr. Carsted should be given thousands of copies to be delivered in Riel, that's something we'd have to consider. But certainly all requests from individuals for copies have been met; copies have been distributed at meetings. I'm sure the Member for Riel has some copies, but perhaps she didn't have enough to meet the request. I don't know what the nature of the request was, but requests for copies have been met by the government from Day One.

In fact, at one point last summer, there was criticism from the opposition that we were providing too much information. They didn't like some of the material that was being distributed by the Attorney-General. All of the information that has been tabled in the House is available. Certainly at any one moment, copies may be limited. I had difficulty for a meeting in Springfield several weeks ago when we needed 500 copies of the bill and I was not able to supply that many on short notice. But we will make every effort to supply as many as are required for members of the public, certainly.

MR. H. ENNS: I thank the Honourable Minister for that answer. I was not asking it so much on my behalf, but indeed on behalf of the Member for Riel, who specifically indicated yesterday that she had to check with the Minister or with the members of the government as to whether or not this information would be available.

Mr. Speaker, a further question to the Honourable Government House Leader. I want to indicate to him publicly that if he feels constrained not to call the committee hearings on Bill 115 that, as I indicated to him privately, we have no objection to him proceeding with Bill 115 and would ask him what his intentions are of proceeding with the committee work on Bill 115?

HON. A. ANSTETT: Mr. Speaker, I will confirm that the Opposition House Leader and I did discuss the committee last week and that it was my anticipation at that time to call the committee this week. I don't know exactly when we will be calling it; I will be advising the House as soon as we fix that date. The difficulty with regard to proceeding with the committee and the clause-by-clause was the concern expressed by members opposite and I agreed to it, that there was the possibility, however remote, that certain possible changes in the amendment to the resolution which were being proposed by members opposite and further changes they might be proposing, might impact on the bill in some way.

Now the question before the Opposition House Leader and myself was whether or not we should proceed through committee stage on the bill clause-by-clause, and leave the bill at bill-be-reported stage, Mr. Speaker. We could leave it there and then, when the resolution was passed, go back if there were any concomitant changes that were consequential to the passage of the resolution in the House.

I am not sure that it makes much difference whether we wait till after the resolution is passed or go through the clause-by-clause the day after. That's something still to be sorted out, and I would be happy to discuss that further with the Opposition House Leader, both in terms of what our expectations are in terms of the schedule of activities in the House as well as in committee.

MR. H. ENNS: Well, Mr. Speaker, this matter keeps changing like the shifting sands on a wind-swept beach. I ask this question particularly in view of the new situation in the House where I assume - I ask that question to perhaps the First Minister as well as the Government House Leader - that the free vote will be available to committee members dealing with clause-by-clause on Bill 115, that perhaps - would the Minister of Government Services not agree with me? - all the more reason to proceed with the clause-by-clause study of Bill 115 now that members of that committee have been assured of the free vote status regarding that bill.

HON. A. ANSTETT: Mr. Speaker, the first free vote that members on this side want to have is the one to which the Leader of the Opposition committed his caucus last Thursday, and we are still waiting for him to honour his word. Mr. Speaker, his commitment was Thursday, Friday or next week. The commitment of the Opposition House Leader for next week, which is now this week, Mr. Speaker, was for Thursday of this week. Now that is the deadline he imposed; that is only 48 hours away.

But, Mr. Speaker, the more urgent concern I have is that there is some suggestion by members opposite that there is some urgency in dealing with committee stage on the bill and that we should be going through and voting clause-by-clause on the bill, when in this House we have had nothing but 40-minute speeches on a rules change that all members admit is essential if we're going to address the questions that are before the House. If anything, that is the difficulty right now in terms of dealing with the resolution and in terms of dealing with the bill. We have to address that matter first.

Mr. Speaker, on another question the member asked, I've been advised that the request that the MLA for Riel found difficult to accede to was a request for 3,000 copies of Bill 115. Now, Mr. Speaker, I don't know if members opposite are in the habit of providing copies of bills in that number but clearly, that kind of distribution is not something that is normally sanctioned by an individual MLA or paid by that individual MLA at their own expense. Those numbers are in excess of the number of copies of a bill normally printed by the Clerk's Office, substantially in excess.

Now, on short notice, those kinds of numbers are not available. If there are requests for those kinds of numbers, they'll have to be considered and I think the Member for Riel was being very prudent in exercising that caution, when requests come for 3,000 copies.

MR. H. ENNS: Mr. Speaker, I find it rather surprising for a government that has demonstrated its capability of spending hundreds of thousands of dollars on all

kinds of programs, that they should have some difficulty in finding the few thousand dollars it needs to print bills on the most important matter facing this House.

Mr. Speaker, I direct a question to the First Minister. I ask the First Minister, does his suggestion that he is quite prepared to have a free vote on this issue extend to Bill 115?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I have never had any problem. In fact, I'm surprised honourable members keep raising the question of a free vote because members on this side have never had any problem in respect to voting on this subject. Member after member has made statements in this House. What I would like to know more definitively, again from the Leader of the Opposition is, is the question pertaining to the free vote a renewal? I'd like to find out first before I make any commitment, because I made a commitment last Thursday that I thought was accepted by the Leader of the Opposition and then reneged upon. I would like to know if indeed the answer is yes, from the Opposition House Leader. Does that mean that we can have the vote this week on both items? I would like first to get some understanding from members across the way in case there's some further renegeing.

MR. H. ENNS: Mr. Speaker, a final supplementary question to the First Minister. In view of the unprecedented demand from NDP-held constituencies for information on this matter; in view of the new conditions of how we're to deal with this matter calling for a free vote, would the First Minister and his Government House Leader not consider it advisable to consider a two-week adjournment on this matter, so that we can put meaning to the phrase "free vote," so that members can be apprised of what their constituents are thinking and that constituents can get that information? Would the First Minister consider a two-week adjournment that would facilitate his attending his party's annual convention in Brandon without bells ringing, with the knowledge that the people of Manitoba will finally get to the true information of this whole question?

HON. H. PAWLEY: Honourable members across the way may want a day, may want a week, may want a two-week period in order to duck a free vote, I don't know. On this side we don't require two weeks or one week or even a day, Mr. Speaker. Our members are prepared to vote. We indicated that we were prepared to vote last Thursday, anytime this week, and if honourable members are now telling us across the way that they want two weeks to duck a free vote, then let them be very clear and precise in this Chamber.

MR. SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Thank you, Mr. Speaker. On Monday, February 6, Mr. Speaker, I asked the Government House Leader a number of questions with respect to the references to English and French that would become entrenched in the Constitution following upon the

opinion from Mr. Tallin, Deputy Legislative Counsel. The Government House Leader indicated that day that he did not have a list of the references to English and French that could be entrenched under the proposal by the government with respect to the constitutional amendment. Does he now have such a list?

HON. A. ANSTETT: Mr. Speaker, I indicated on that day that not only did I not have a list, but that I had no concern with respect to the fact that there was no list.

Mr. Speaker, what I said, and to make it more clear, I'll enunciate it perhaps in clearer terms for members opposite, for the House, is that the Legislature of Manitoba has, over a number of years, made a number of decisions with regard to the provision of various services in English and French and other languages as well. With respect to the amendment though, of course, it only applies to English and French.

Mr. Speaker, we respect those decisions and have no intention of reversing them. None of them have created any problems. In fact, the only problem that has been created in some areas has been the fact that they have been so minimal. Mr. Speaker, the real question is, is there any member opposite who knows of any that they would not want to see continued? Section 23.1 will provide only that those minimal services which are currently provided in perhaps a dozen or so statutes, such as The Vital Statistics and Corporations Act, etc., in addition to the two principal mentions in Part III of The City of Winnipeg Act and The Public Schools Act, which I made reference to when I introduced the bill, or in answer to questions since then. Mr. Speaker, that's the real question.

What rights that this Legislature has determined should be provided does the Member for St. Norbert want removed? I'd like a list from him as to what's in our continuing consolidation that he does not want to see continued for the future of this province.

MR. G. MERCIER: Mr. Speaker, I am asking the Government House Leader for a list and for an opinion from Legislative Counsel, in view of Mr. Tallin's previous statement in his opinion to me of January 16th, that I am certain that these are not all the areas which could be found, but merely offer these as illustrations of what rights and privileges might be included in the meaning of the expression, "freedom to use either official language," that the Government House Leader has included in his amendment.

I ask the Government House Leader, Mr. Speaker, in view of his answer to the previous question, to explain his statement that he made when he introduced Bill 115, when he said on Page 5488 of Hansard: "It attempts to address some of the concerns that have been expressed by Manitobans with respect to the possibility of inflexibility. I think there were some real concerns addressed in that area, that in the future an amendment to The Manitoba Act might not have the flexibility that a statute would have."

"Mr. Speaker, the government wants to address those concerns and deal with them honestly and find a way of accommodating and providing some flexibility for future amendments to meet changing conditions."

Mr. Speaker, in view of the fact that these references to the English and French languages could become

entrenched in the Constitution - and we don't know what references they are and they lack the flexibility that the Government House Leader spoke about when he introduced Bill 115 - would he undertake to obtain from legal counsel an opinion as to the specific common law, statutory and regulatory provisions that are being referred to and that could be entrenched?

HON. A. ANSTETT: Mr. Speaker, I think the first point that should be made is the kinds of questions that the honourable member has are not particularly well answered during question period, would be more properly addressed during committee stage on the bill. I think that's the first point. I don't think question period is designed for engaging in debate on the bill.

But, Mr. Speaker, I think the answer I gave in response to the honourable member immediately after he obtained the ruling, then again last week and earlier today, stands. We on this side see no statutory requirement in the Statutes of Manitoba which we feel should be eliminated, diminished or in any way restricted. Mr. Speaker, unless members opposite feel there are some, I cannot conceive any validity to the concerns they have raised.

MR. G. MERCIER: Mr. Speaker, my questions are not with respect to the bill, they're with respect to the constitutional proposal of the government.

I referred to the House Leader's comments on the bill. In a similar way, he said, "In concluding debate, we're making a proposal that does address that kind of popular consensus to provide services to Manitobans but can do it in a flexible way so that governments can address changing needs, whether those needs are increasing or decreasing in character or needs which must be addressed in terms of changing demographics in population."

My question to the Minister is, in view of these statements with respect to the bill, in view of his concern about flexibility, would he not provide us with a legal opinion from Legislative Counsel with respect to the references to English and French presently contained in the common law or statutory law or regulatory law of Manitoba, that would become entrenched in the Constitution and that couldn't be changed, that wouldn't have the flexibility that the Minister referred to when he spoke about the bill?

HON. A. ANSTETT: Mr. Speaker, I clearly answered the member's question at least half a dozen times in the last two weeks. The answer to his question, very succinctly, is no. We do not, on this side, feel that there is any provision which in any way we would want to restrict or extinguish; and, Mr. Speaker, on that basis we feel there is no need to address that question. So the succinct answer is no.

To those of his colleagues who don't understand Section 23, I point out to them that restrict or extinguish does not mean, do not expand. It's a completely different proposition and the legal opinion dated January 16th, to which the Member for St. Norbert refers, specifically says that expansion of existing rights and privileges with regard to both languages, under the statutes enumerated, is clearly allowed.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNESS: Thank you, Mr. Speaker. My question follows on those of my colleagues, a specific question to the Minister of Education on the interpretation then of Section 23.1.

Mr. Tallin, in his letter of January 16th dealing with statutes where specific rights of French and English are set out, indicates that the best known provision dealing with language is contained in Section 79(3) of The Public Schools Act. My question: As this section states that parents of 23 children can demand French language education within a particular school division, will the entrenchment of 23.1 in the Constitution allow Legislatures in the future to vary the No. 23 as stated in 79(3) of The Public Schools Act?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. The members are not permitted to seek legal opinions from the Treasury Bench. Perhaps the honourable member would wish to rephrase his question so that it seeks information.

The Honourable Member for Morris.

MR. C. MANNESS: Mr. Speaker, is the stipulation of 23.1, as it affects The Public Schools Act, a concern to this Minister of Education?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, the act that the Member for Morris refers to is one that we don't have any trouble with on this side and that they didn't have any trouble on that side when they were in government.

It is a piece of legislation that was brought in in 1970, that they reviewed and made very minor legislative changes, so I don't know what the problem is because obviously we don't want to make any changes. We don't want to make any legislative changes, nor do they.

Mr. Speaker, I think it's important to point out what some of these sections deal with, and they are such basic items to the education system that I can't imagine why anybody would consider changing them and I want to tell you about what a few of them are.

One deals with teaching of English as a course for Grades 4, 5, 6, 7, 8, 9, 10, 11 and 12. Is anybody in this Chamber suggesting that we would take away English as a course of instruction in the public schools? Another section deals with the ability of school boards to co-operate, to provide programs where they wish to provide programs and they don't have sufficient numbers. Does anybody want to make any changes to that? I don't think so.

Mr. Speaker, the changes that were made by the members opposite were considered to be reasonable. We think they are, and we don't have any intentions of changing them.

MR. C. MANNESS: Mr. Speaker, all the verbiage in the world will not cover up for the fact that the question is, why is this particular section entrenched and can the Minister give the House assurances that when 23 is passed - if passed - that this section will not be cast in stone for the future? Can she give us that assurance?

HON. M. HEMPHILL: Mr. Speaker, it's my understanding, I think we'd only have a problem if we wanted to take away rights and programs that exist. I don't think we would have any problem if we wanted to enhance them and increase them, but we may have if we wanted to take them away, but I don't think anybody wants to, on either side of this Chamber.

MR. C. MANNESS: A final supplementary, Mr. Speaker, to the First Minister. When can we expect an answer to this vital question? It's obviously vital for the argument and the debate at hand on the resolution. When can we expect an answer to this specific question?

HON. H. PAWLEY: Mr. Speaker, it's my understanding that the answer has been given; the answer's been given for at least three weeks.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I'd like to direct a question to the First Minister and ask him whether his office is providing secretarial and research assistance to the MLA for Riel for the purpose of mailing or telephoning the 2,400 constituents who've indicated their opposition to the government's proposals?

HON. G. LECUYER: That's none of your business.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'm not aware of any telephoning of 2,400 constituents of the Honourable Member for Riel.

MR. R. DOERN: Mr. Speaker, I would also like to ask the First Minister whether Mr. Buckley has been assigned to cover or shadow the Member for Riel on a 24-hour basis?

HON. H. PAWLEY: Mr. Speaker, it saddens me very much to hear the kind of question that we've just heard from the Honourable Member for Elmwood.

The Honourable Member for Elmwood knows the individual members on this side of the Chamber; he knows indeed that the honourable members on this side of the Chamber need no one to shadow them; that the individual members on this side of the Chamber are individuals, members of principle, prepared to speak out, prepared to take positions based upon thorough analysis, Mr. Speaker, and I find the question from the Honourable Member for Elmwood unfortunately repulsive and insulting.

MR. R. DOERN: Mr. Speaker, I would also like to ask the First Minister if he can account for the marked difference in the reception of constituents when, in the first instance, they appeared before the member and were received politely; and secondly, when Mr. Buckley appeared the second time to receive the constituents, they felt that they had been insulted - according to media reports.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. The question is not in order. Perhaps the Honourable Member for Elmwood will wish to rephrase his question.

MR. R. DOERN: Mr. Speaker, I would simply ask the First Minister whether Mr. Buckley has been given the assignment of speaking to members of the caucus who appear to be wavering in their support?

HON. H. PAWLEY: Mr. Speaker, again I find that question insulting, but also I think that it is only reasonable and not to be expected on the part of anyone - including Mr. Carsted, I gather, from Riel - to be questioned as to the representations that were made by the said Mr. Carsted at the doorstep while that Mr. Carsted was petitioning for signatures.

What is impolite about that, Mr. Speaker? Surely that is wise and good perception to know the kind of representations that are made on the part of those that are gathering petitions.

If I was gathering a petition from door-to-door, Mr. Speaker, I sure as heck would expect to be asked, "What kind of representation did you make at the doorstep in receiving the signature"?

Viability of local trucking firms

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. Yesterday, I posed a question to the Minister of Highways and Transportation, and he indicated that indeed his government was concerned about local trucking operations in the Province of Manitoba. I would ask the Minister if he, as Minister, is prepared to appeal a recent decision by the Manitoba Court of Appeal which overturned the Motor Transport Board decision to allow Hares Cartage in Neepawa certain trucking privileges? That decision by the Motor Transport Board, was it overturned by the Manitoba Court of Appeal?

Will the Minister, in attempting to protect radial carriers and smaller trucking outfits in the Province of Manitoba, appeal that decision by the Manitoba Court of Appeal to the Supreme Court of Canada on behalf of Hares Cartage in Neepawa?

MR. SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: I think that, Mr. Speaker, is an absolutely ridiculous question and I don't think it deserves an answer.

MR. D. ORCHARD: Mr. Speaker, obviously the Minister of Highways and Transportation does not understand the role of the Motor Transport Board. Is the Minister — (Interjection) — Mr. Speaker, if I can overcome the nervous heckling by the First Minister who seems not to like any questions of his government to be posed

MR. SPEAKER: Order please, order please.

MR. D. ORCHARD: Mr. Speaker, my question to the Minister of Transportation, does he intend to uphold the authority of the Motor Transport Board in rendering

a decision to the benefit of a rural radial carrier in Manitoba when that decision is overturned by the Manitoba Court of Appeal? Will the Minister protect the integrity of the Motor Transport Board by appealing that decision to the Supreme Court of Canada?

HON. J. PLOHMAN: I am sure that any decisions are appealable by the individuals affected, Mr. Speaker. The decisions made at the Transport Board are appealable to the Manitoba Court of Appeal and that is why that provision is there, and it is not for the government to interfere in that process nor to appeal any decisions made by the Court of Appeal in regard to these decisions. The appeal route is there for the individuals concerned who are affected.

MR. D. ORCHARD: Well then, Mr. Speaker, is the Motor Transport Board authority not going to be protected by the government of the Province of Manitoba? They had no difficulty in intervening with the Supreme Court challenge by Mr. Bilodeau. Why are there two standards, one which will protect Mr. Bilodeau in his case, but not to protect a local radial carrier in the Province of Manitoba whose decision by the Motor Transport Board to allow him to carry on business, has been overturned?

The question is simple. Why will they not protect that individual trucker in Manitoba to uphold a decision by the Motor Transport Board in his favour? Do they not want to protect the integrity of the Motor Transport Board in the Province of Manitoba?

HON. J. PLOHMAN: Yes, Mr. Speaker, I obviously am and I would think that the honourable member is suggesting that we should remove the provision to have decisions that are made by the Motor Transport Board, remove the provision for appeal to the Manitoba Court of Appeal. If that is what he is suggesting, he should come out and say it, Mr. Speaker.

Conference Board of Canada - re GNP, Manitoba

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: Thank you, Mr. Speaker. I have a question for the Premier.

I understand that the latest Conference Board predictions came out today. Could he tell this House what the Conference Board is predicting for economic growth in Manitoba?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. I am not sure that the subject matter is within the administrative competence of the government. Perhaps the honourable member would wish to rephrase her question.

The Honourable Member for Riel.

MRS. D. DODICK: I would like him to explain how it affects Manitoba.

HON. H. PAWLEY: To make a comment to those that make light of the questions pertaining to the economy

and of jobs, who would prefer to spend pretty well their entire question period discussing the French language service issue, I would like to commend the Member for Riel for having asked a question in this Chamber during this question period on the vital interests concerning Manitobans.

Mr. Speaker, I also want to warn honourable members that one does have to be careful in respect to forecasts by the Conference Board of Canada. I acknowledge that and I make the response by way of that caveat, one of some caution because at times, indeed, the predictions have either been higher or lower in significant ways than what has been indicated.

But I think, Mr. Speaker, that Manitobans will be pleased to know that there is a general forecast which was released today by the Conference Board of Canada, and I'll read part of that forecast. I would hope that honourable members, as good Manitobans, would be interested in the report of the Conference Board of Canada. "This year's forecast for Manitoba indicates that the province will now begin to participate fully in the national recovery with real growth predicted at 3.2 percent. The two industrial sectors which restrained the overall advance last year are predicted to be major contributors to this year's growth. Assuming that more normal weather conditions prevail, 1984 will see farm output increasing by 7 percent, production of manufactured goods begin to revive midway through 1983 and will start the industry off to solid footing for a 6 percent output again this year. Other industries showing above-average growth in this year's forecast are forestry, mining, transportation, and trade."

Mr. Speaker, as Manitobans, I think that should give us some degree of pride, some degree of hope that Manitobans are demonstrating leadership as one million in overcoming the impact of the recession and returning to a period that is comparable and better than the pre-recession period.

Children's Aid Society - regional boards

MR. SPEAKER: The Honourable Minister of Community Services.

HON. M. SMITH: Yes, Mr. Speaker, in yesterday's question period I may have given the impression that the child welfare services are not cost-shared. They are, in fact, cost-shared with the Federal Government under the Canada Assistance Plan, but the changes in the child welfare system in Winnipeg do not affect that cost-sharing.

Pre-Budget consultations

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the First Minister. Last year the government took our advice and brought in the spending Estimates and the Budget concurrently. Will that practice be followed again this year?

HON. H. PAWLEY: Mr. Speaker, that is a matter that is presently under consideration by the Minister of

Finance. I will take that question as one of notice for the Minister of Finance. I know it's under active consideration on his part.

Bilingualism in Manitoba

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. One has a difficult time in finding what area of competence the government would be able to respond to.

I have a question for the Minister of Agriculture, Mr. Speaker. Can he confirm that he is now being requested by municipalities and representatives of his constituency to either back off the French-language proposal or to resign his seat as a member of the Legislature?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, no, I can't confirm it unless the honourable member is involved in such a movement.

A MEMBER: I'm involved in that daily in this House.

National Beef Stabilization Program

MR. SPEAKER: Order please, order please.
The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, the member likes to make light of an issue which is very, very serious and it was a question which was quite sincere and if he wants to make light of it, then I think that his constituents will be pleased to hear that.

A further question to the Minister of Agriculture, Mr. Speaker. There was a meeting held just recently of the Federal and Provincial Governments dealing with a National Beef Stabilization Program which he apparently did not attend, that his representation was there through his deputy. Has there been an agreement reached between the Federal Government and the provinces to now implement a national beef program which would support Manitoba's beef industry and take some of the burden off the provincial taxpayers, Mr. Speaker?

HON. B. URUSKI: Mr. Speaker, first of all, the honourable member made comments about some petition. He obviously knows something that I do not. I want to assure the honourable member and people whom I represent that their views and concerns are readily accepted by myself and I wish to take seriously any comments that they make and I will try to respond accordingly. Obviously, he is aware of something that I am not and he must be part of that if there is something going on, unless he's up to it, Mr. Speaker.

Mr. Speaker, with respect to the conference that was held in Ottawa, it's obvious that I was unable to attend since the members of the opposition were not prepared to pair in this House, so that I was unable to attend the conference. Sir, there was general agreement achieved at that meeting to put forward proposals to the provinces with respect to income stabilization in

the area of sheep and hogs. Those details are yet to come forward and we will want to discuss further with our hog producers and the sheep industry before any changes are implemented.

The changes, of course, are envisaged - not of what the member speaks of - but to lessen the burden of income stabilization premiums on the producers affected. It would be a basically a one-third, one-third, one-third; province, Federal Government, and producers in sharing in an income stabilization program which has yet to be conferred and discussed with the producers of Manitoba before any acceptance to any degree is made.

MR. J. DOWNEY: Mr. Speaker, will the Minister of Agriculture give us and the people of Manitoba the assurance when he discusses with the producers the changes that are proposed or the programs that are being planned, that he does differently in those proposals than he's doing with the French-language issue and listen to them, not ignore the wishes of the people of Manitoba?

HON. B. URUSKI: Mr. Speaker, every program that I have had under my authority in terms of the Beef Stabilization Program was a resounding success with the farmers of Manitoba - over 70 percent - unlike members on the opposite side when we had several votes in the Province of Manitoba dealing with compulsory funding organizations, they didn't listen to those votes, they implemented the legislation because that was their way of . . .

We intend to listen to the producers of Manitoba and it'll be up to the hog producers and their elected representatives and those producers to accept or reject the proposals that are being put forward as a result of the national conference, Sir.

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

MATTER OF PRIVILEGE (Cont'd)

MR. SPEAKER: On the motion of the Honourable Government House Leader and the proposed motion of the Honourable Minister of Natural Resources thereto, the Honourable Member for Virden has 18 minutes remaining.

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

Mr. Speaker, when I left off last night, I was going through the chronological order of the various proposals the government has put forward. We had seen the original proposal and then when we went to committee, we saw a list of amendments. In those amendments there were several proposals that really, Mr. Speaker, did nothing except probably raise false hopes in the eyes of a lot of people. I think they were introduced by the Attorney-General probably to try and soften the views of people that were presenting briefs. However, at the end of those hearings, probably the most damning condemnation of this government occurred at that time.

We had one short committee meeting to prepare a report. It was not discussed. They refused to sit down and discuss the merits of the various proposals and,

Mr. Speaker, I say this, that if there was ever an opportunity to arrive at accord on this particular issue, that was the time when it could have occurred. Instead the government refused to even discuss it and that one opportunity that was there for accord to occur slipped harmlessly by and the government brought forward, not the proposal that was discussed and had representations made, not the amendments that the Attorney-General had proposed on September 6th, they brought forward the Anstett formula, the Anstett proposal which we got in this Assembly the 5th of January.

Mr. Speaker, since that time we have seen this process take a very sinister - as far as I'm concerned - turn. With the exception of two or three speakers, the government has sat in their seats strangely silent, refusing to debate, and hollering, vote, vote, vote. If there's ever a time to reach accord, I would suggest it's when you're amending a Constitution and this government makes no attempt at reaching accord. Any proposals or any suggestions from them of trying to reach a common ground are purely a sham and they're strictly window dressing.

On top of that, Mr. Speaker, another very serious abuse of his office occurs with the Minister of Municipal Affairs, the Government House Leader, when he has refused to give information to this side of the House. When this thing was being proposed the Honourable Attorney-General freely gave information. He had thousands of pamphlets, the facts about French language services, distributed all over Manitoba. He put out a great big four-page paper, "Constitutionally Speaking" and that was freely available so-called information.

Mr. Speaker, it did contain some information. Unfortunately, not all of that information was correct and that has caused this government more concern, has caused more concern among the populace of this province, because if a government isn't honest with its people then how can you expect to have an honest government?

One of the fundamentals of a democratic system is for a government to be honest, to be honest in this Legislature and honest with its people and this government is sadly lacking in both of those; so the alternative seems to be to call an election. That is the only way that the people of Manitoba can once again have faith in a government.

Mr. Speaker, we are now talking about a process of achieving this ill-starred resolution. How are they going to achieve it? Well, the Government House Leader was afraid to debate so he imposed closure.

A MEMBER: You're the ones who wouldn't debate it.

MR. SPEAKER: Order please.

MR. H. GRAHAM: Mr. Speaker, the Honourable Government House Leader refused to allow debate to continue without closure. We've only had one day of debate before closure was invoked on this, one day was all; so if you want to be honest then be honest with yourselves and the Honourable Minister of Government Services, if he wants to be — (Interjection) — Yes, he is intellectually dishonest when you try and

say we've had eight months debate on this proposal, when we had one day before the Honourable Government House Leader imposed closure.

MR. SPEAKER: Order please. The honourable member should not suggest that other members of this House are less than honest.

The Honourable Member for Virden.

MR. H. GRAHAM: I apologize, Mr. Speaker. I sincerely apologize and I will withdraw that remark. I will say though that if the Honourable Member for Ste. Rose went to bed with truth in the month of January, he would freeze to death.

Mr. Speaker, we have a proposal where closure was invoked but then the Honourable Government House Leader wasn't satisfied with that. He refused to live up to an agreement and on top of that he now brings in a matter of privilege to put closure on top of closure. He brought in a point of privilege to limit the ringing of bells to two hours rather than the two weeks, and immediately after that the Honourable Minister of Natural Resources decided that, well, we will put closure on that and so we have the motion that the question be now put. So we have closure being put on a motion to restrict bell ringing on closure. So this is what we call trying to achieve accord on a constitutional amendment. Mr. Speaker, I suggest to you, Sir, that it doesn't work that way. I would hope that the message that goes to the House of Commons afterwards explains all of the various moves that this government has taken to achieve what they consider to be a good proposal for the Province of Manitoba.

I am very sorry to say, Mr. Speaker, that I don't think the government has handled this thing well. I think they have made a terrible mistake. I think that it was possible to achieve accord. I think it was — (Interjection) — Excuse me, Mr. Speaker, but I know in personal talks with the Honourable Government House Leader, I thought that was possible. But the attitude taken by the Honourable Government House Leader quickly showed me that everything had to be on his terms.

Mr. Speaker, I have seen this man operate in this Assembly and his actions in here have left very much to be desired. That is the biggest understatement that I could possibly make on that. In fact, Mr. Speaker, his actions have been atrocious. How he has handled this thing is one of the marks that will go down in history and I assure you, Mr. Speaker, that the Honourable Government House Leader will live in infamy in this province as the result of his actions on this particular thing.

Mr. Speaker, before we leave this issue, I am concerned about the parliamentary system. I think the parliamentary system is going to take a severe beating because of the actions of the Government House Leader. I think it will survive and it may have to be changed in some respects, but this debate has certainly caused problems in the parliamentary system.

I said earlier, Mr. Speaker, that the democratic system in my opinion will survive, although even the democratic system is taking a beating right today. We saw evidence of it in the question period today. It really surprised me when the Honourable First Minister of this province, by the use of his personal staff, according to the

questions that were asked by the Honourable Member for Elmwood, it would indicate that there is a real concern being used by the Premier and direct calls are being made to people - I don't know what the results are - but from what the Honourable Member for Elmwood said today it would indicate that there is attempted intimidation taking place in this province.

We saw a first indication of that, Mr. Speaker, some time ago when the Honourable Member for Elmwood collected 17,500 signatures on a petition. This First Minister repeatedly wanted to know the names of those who signed. Mr. Speaker, if I had a petition with that number of names on it I think I would be concerned. Not this First Minister. He wants to know the names, and I have to ask the question, why? Why does he want to know the names? Mr. Speaker, why does he want to know the names in 1984? Are we seeing the predictions of George Orwell come true? Mr. Speaker, I can tell the Honourable First Minister that rather than try and browbeat the people, he should listen to the people. If you listen to the people and do what the people ask of you, then the affairs of the province will be handled in a much better manner.

The suggestion made by our House Leader, a suggestion of a two-week recess after this debate is over, in my opinion, Mr. Speaker, would be an excellent one before we do the final completion of this proposed resolution, because if there's ever a chance to amend it, we have only one possibility and that rests entirely with the government. We don't know what form that final resolution will be, because we will have lost any further right to debate it, but the government still has the power to amend it. So I would suggest they take that two weeks and talk to their people, and if they have any amendments to make, bring them back, put them forward, and then we can complete the debate — (Interjection) — The Honourable Member for Wolseley says she talks to her people. I can tell you that if she talks to her people on this issue, she wouldn't be expressing the views that she's expressing here today in her five-minute speech.

So, Mr. Speaker, in closing, I ask the government to consider seriously a two-week break before we complete the final debate on this resolution and that gives you two weeks to go back to your constituents, to listen to them and possibly make some final further amendments. With those few words, Mr. Speaker, I thank you for the opportunity of taking part today.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Mr. Speaker. I rise to speak on this yet another form of closure concerning the constitutional amendment, but before I start my remarks, I would like to wish everyone a very happy St. Valentine's Day. It is a day for lovers and we should really not be fighting this issue, but let's put it this way: We will be fighting lovers today.

A MEMBER: Fighting who?

MR. A. BROWN: Fighting lovers. This is just another way in which the government is trying to force us to stop debate on this particular issue, but I think the

government certainly must know by now that we will always find ways and means of further delaying this issue and that we can continue for a long long time because we will always find ways and means of delaying this issue.

Why are we doing this, Mr. Speaker? Because this is an issue that is not going to disappear. It is not disappearing in the minds of the people of Manitoba. Support seems to be growing every day, every time that I go home for the weekend and so on. People are saying that we are doing the right thing and certainly we feel that we have the solid support of the people of this province behind us.

Now what has happened so far in this particular issue? We have had many committees, committee hearings; we have had huge meetings throughout the province; we have had continuous representation in the galleries by some very dedicated people. I must say that we certainly do appreciate the support that we have been getting from those people who are concerned enough to come and attend these hearings and let us know that their support is behind us.

The constituents in my area certainly are opposed to what the government is trying to force through and we are receiving many calls and people are wondering what they can do to help. Well, one way that people can come out and help is coming out and sitting in the galleries and letting us know, Mr. Speaker, that they are behind us on this particular issue and, as I said earlier, we do appreciate them being here.

I was home for the weekend and as I usually do on this particular issue, I go out to the various communities in my area and try to find out whether there has been any change from the previous week. I must say that the strength certainly is growing, and the strength also seems to be growing in those areas which are French-speaking within my community.

The French communities are telling us that under the present conditions, they could speak all the French that they ever want, they can teach all the French they want, and that they have no difficulty anywhere communicating with any government departments or whatever, whether it is through the courts or whichever department they have business with.

The question they usually ask is, well, who needs this extra amendment which is going to be forced upon Manitobans; that we absolutely have no difficulty communicating at the present time. All that is being done at the present time is that this issue is pitting neighbour against neighbour and it is creating problems in communities where no problems existed before.

So why doesn't this government drop this issue and get up and do whatever they were elected to do, and that is to pay attention to some of the issues which certainly are very important, such as the economy, unemployment and so on? So we certainly would like to see the government drop this issue and let the healing process begin so that communities again can start functioning the way that they did prior to this amendment being raised before the people of this province.

I would just like to tell the government that they really have lost on every count. Even if they should happen to, with their numbers, get this amendment approved, you have still lost in the eyes of Manitobans and they are really the only people that count in this issue. The

people of Manitoba say that we don't need this amendment, we don't want it, and they certainly are asking you to scrap it.

But what does this government do rather than listening to the people, rather than trying to find out what the people say? What do they do? They force closure without proper debate and especially without proper debate on their part. We are the ones that have been debating this issue and you are the ones who must find it most difficult to support the amendment and closure motions because you are silent on the matter.

We are wondering why we hear so much silence from the members opposite because we have heard so very little debate from them. You are silent and you do not listen to the people. Now what kind of a government is that? Of course, Mr. Speaker, they are going to get what they deserve. They are going to be defeated at the polls the next time. There is no doubt about that. They are on an issue which does not have the support of the people of this province, a very important issue, an issue which is going to change the Constitution of Manitoba, because the people are so detrimentally opposed to it there is going to be no other alternative for the people but to throw this government out of office.

I must wonder, Mr. Speaker, about how much research is being done by members opposite in their particular constituencies. For instance, we get calls from every constituency in this province pledging support, and we must wonder whether the Member for The Pas ever goes home and talks to his constituents, whether he is available, and whether he is listening to what the people have to say; or the Member for Flin Flon who, we realize, is rather far away from his constituency, but I know that he does go home every once in a while. — (Interjection) — That is not what we get from the phone calls that we get from the area of Flin Flon. The people of Flin Flon are concerned and they are concerned because their member is not listening. The same holds true for the Member for Thompson and we already know of the problems the Member for Riel has, where we have thousands of names on a petition asking this government to scrap this issue and to go on with the business of running this province.

We get phone calls from Gimli, many of them. I remember very well the meeting we had in Arborg, up in that area, and the opposition that was displayed by the municipalities and by many individuals that were present, so certainly the Member for Gimli must be very concerned about this.

The same old story for the Member for Interlake. At that same meeting we had the municipalities from his particular constituency who were detrimentally opposed to this, but what happens? They don't listen. They don't listen to the people and they will have to face the consequences. There's no other way out.

The Member for Selkirk the other day at a meeting which was far from satisfactory, I'm certain, as far as the Member for Selkirk was concerned, the Premier. From what we hear and there were some people present at that meeting saying that the opposition was very strong even in the Premier's own riding, so the Premier is not listening to what the people in his constituency have to say and he will probably go down in defeat. When the Premier cannot get more support out at a

meeting than what he did at that particular meeting, then this gives us every indication that things certainly are not well in Selkirk.

What about River East? The member only won by a couple of votes. We know that there is a lot of opposition over there, so the Member for River East certainly must be very concerned. The Member for Transcona must be concerned because we've been receiving phone calls from their constituency. The Member for Rossmere must be concerned, because we've received possibly more phone calls from that particular area than from any other area that has representation on the government side.

The Member for Ste. Rose certainly must be concerned because we had a meeting in Ste. Rose and at that particular meeting, one of the Reeves over there stated that if this issue were to be approved then they would have no other alternative but to settle that issue on the streets in Ste. Rose. Now that's a rather strong statement and that's the type of feeling that the municipal people have in the Ste. Rose area.

We know that Dauphin is very strongly opposed and that member certainly must be very concerned although he has not been listening to his people but the concern certainly must be there. And Churchill, Concordia, St. Johns, Inkster, all these areas, we are receiving communication from them almost on a daily basis voicing their concerns.

Mr. Speaker, all I am trying to say is that the people on the opposite side are in trouble. They have real serious problems within their own constituencies because they will not listen to the people, because they will not give in. And why will they not give in? We don't know and I'm sure that they don't know either. It's just that they have made up their minds that this is something they were going to see through and it's sheer stubbornness that is keeping them on the path they are on at the present time.

We've heard quite a bit lately, as far as a free vote is concerned, and they've been advocating a free vote ever since the Premier made up his mind - when was it, on Friday I believe it was, last week? - that a free vote might be a good idea. But what is a free vote? Is a free vote a vote when you have a threat of a defeat as an issue on a free vote? The government says that they declare this to be a vote of confidence and if they should be defeated on this issue, the government would fall. What kind of a free vote is that? That really is no free vote at all and the Premier certainly will have to take another good look at freeing up his people and letting a free vote come to pass, if that is what they want.

Mr. Speaker, why are we fighting this double action of closure? Because the amendment is detrimental to Manitoba and it will be entrenched forever.

Section 23 of the 1870 agreement reads as follows, and I quote: "Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective Records and Journals of those Houses; and either of these languages may be used by any person, or in any pleading or process, in or issuing from any court of Canada established under The British North America Act, 1867, or in or from all or any of the courts of the province. The acts of the Legislature shall be printed and published in both these languages."

Now that has worked very well for over 100 years. What more do we need? What reason do we have to entrench two languages in the Constitution as official languages, and create second-class citizens out of a majority of Manitobans who are of different ethnic groups than either the English or the French? This is of grave concern to Manitobans today, the creation of second-class citizens. So far we have not needed to entrench language, the French language or the English language. We've been able to communicate very well, very effectively I would say, and there is absolutely no reason for entrenchment of this and remove the flexibility that we have enjoyed over the last 100-plus years.

Mr. Speaker, I think one area of concern that certainly the backbench must have on the other side, is that the actions taken by this government, we understand, has never ever really been agreed to by the NDP caucus. We understand that the small number of front bench came up with this particular agreement and then that was arrived at between the SFM, the Federal Government, and it was agreed to without consultation with all the members of the NDP caucus.

Now this certainly, Mr. Speaker, must be of great concern to the backbenchers on that particular side. I know such tactics when we were government certainly never ever would have been approved because the backbench certainly was very much involved in all the decisions that were made when we were government.

— (Interjection) — I must say, Mr. Speaker . . .

MR. SPEAKER: Order please.

MR. A. BROWN: . . . that it does not speak well for that backbench when they don't now get up and voice their opinions and criticize those that made a bad agreement without them participating in that decision.

The agreement on the amendment between these three parties was agreed to before all the ramifications this argument would have on the various departments within the government. Even now we have no idea how this agreement and Bill 115 will affect Manitobans. That, Mr. Speaker, is why we are opposed to this legislation and to the resolution and Bill 115 and the limiting of protest through curtailment of bell ringing to two hours.

Mr. Speaker, our former Leader, in his speech last week . . .

A MEMBER: Fine parliamentarian.

MR. A. BROWN: . . . brought forward a rather interesting topic in which he brought to the attention of the government that there was much more involved with this than just the providing bilingual services in the various departments than just meets the eye, and that Legal Counsel has a lot of difficulty in finding out just exactly what the ramifications are. With your permission, Mr. Speaker, I would just like to quote what the former Leader of the Conservative Party had to say at that particular time, and I quote. "Here's a question I want to ask the Minister of Education, and I think the Minister of Education should stand in her place when I sit down and tell me what the answer to this question is because it's a legitimate question. If she reads Mr. Tallin's letter of January 16th she would

see where he refers, on Page 2 of his letter, he says and I quote, 'In addition, there are a number of statutes where specific rights relating to the use of English and French language are set out. Perhaps the best-known provision dealing with language is contained in Section 79 of The Public Schools Act which deals with the language of teaching,'" and so on.

Then he goes on to say, "However, there are a number of other provisions in the statutes which specifically provide for the use of either the English or the French language. For example, Section 10 of The Builders' Liens Acts records required to be kept for the purpose of the act; The Corporations Act, Section 10, name of the corporations; The Employment Standards Act, Subsection 5(1), records of an employees' hours and wages," and so on, Mr. Speaker.

The ramifications are very serious and we are going to entrench this so that this cannot be changed. Certainly many many questions remain unanswered.

Now if Legal Counsel cannot determine at the present time what the implications of the resolution and Bill 115 will have on Manitobans, then why do we proceed when we do not have the answers? Why don't you sit down and discuss this issue and withdraw whatever you've started or not proceed until such a time as you know what the ramifications are going to be.

My suggestion would be, Mr. Speaker, for the Premier not to declare this as a vote of confidence when we are going to have this vote. He should free up his members on the government side regarding the vote. I would suggest, Mr. Speaker, that he should free up the members, declare that this was not a vote of confidence. He should give his members a 10-day recess so that they could go home and discuss this issue with their constituents and present it to the constituents fairly so that the constituents, who I'm sure are already aware of what this resolution and the amendment have to say, so that they could discuss this issue and then come back and have a free vote on this issue if necessary after a couple of days more debate. Mr. Speaker, I am sure that then that way we could resolve this issue. I'm certain, Mr. Speaker, that if this were to be done many many of the members opposite would change their minds and they, once and for all, would represent their constituents and vote according to what the respective constituents have to say, and listen to what the people have to say. That, Mr. Speaker, would be a truly free vote if the Minister would not have the threat of a vote of confidence on their particular members.

Another thing that we cannot understand on this side is when the Premier already has said in *Le Devoir* that he would be prepared to drop the term "official." What we cannot understand is why they would not accept the sub-amendment which we have proposed which really, in effect, does exactly that, it drops the term "official." We have debated this at great length, this particular issue, and as far as we know the government has never ever given that sub-amendment any serious consideration whatsoever. At least we have not heard anyone getting up during debate and saying that they have given consideration to that sub-amendment, because that sub-amendment, Mr. Speaker, is acceptable to a great majority of Manitobans.

I am certain that if the government were to adopt that sub-amendment and take another good look at

what they're trying to do with Bill 115, as a matter of fact delay Bill 115, this whole issue could be resolved in very short order and we could go on to the next session and start about with the business of government.

The only other thing, Mr. Speaker, that the government can do is, of course, call an election. If they are not willing to free up their members, not willing to not have this as a vote of confidence, then the only thing that is left then is call an election and let the people decide and maybe that would be the best way to proceed because we have reached an impasse over here. We can carry this on for a long long time if we so wish, and the government certainly must know this. So if they're not willing to compromise, then the only other thing that is left then, of course, is to call an election because this issue needs to be resolved.

A MEMBER: Let's clear the air once and for all.

MR. A. BROWN: It needs to be resolved for many reasons. For instance, the business community is hurting under this because they are very uneasy. They don't know just exactly how they will be affected by this amendment and certainly any business that is looking at establishing in another province at the present time, enlarging their operations or whatever, certainly is not going to be looking at Manitoba at this particular time, certainly not any business that is moving out of Quebec where they have this particular problem.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER, P. EYLER: Order please.

MR. A. BROWN: There are many reasons, Mr. Speaker, why the business community at the present time is not taking Manitoba seriously. One of them of course is the pension plan, which is a plan that goes far beyond which any other province has, which is going to be another form of expense to those people who are investing their money in Manitoba. We are going to see a huge increase in the workmen's compensation payments that will have to be made. We have the 1.5 percent employment tax.

Mr. Deputy Speaker, do you think that along with what we are planning on doing regarding language, that business is going to consider Manitoba seriously? Of course, if business is not going to come to Manitoba then of course that means we are going to have more unemployment and more people that we will have to look after out of government coffers.

There is also a great deal of uneasiness among school boards and administrators. They are wondering how is education going to be affected with this amendment and will restrictions be placed on language instruction by entrenchment of this amended resolution.

We have a very flexible system at the present time, Mr. Deputy Speaker, in which school boards can pretty well do with the language issue as they feel that the people within the various school districts require, that they can look after those needs. But if we are going to have this entrenched, then there are going to be certain restrictions and it is not going to be that easy to look after the wishes of the people of the school districts.

Mr. Deputy Speaker, the First Minister said today that government members were honourable and were prepared to debate. To date, we have seen very little of that particular debate. We have heard hardly any debate at all on this particular issue; we have heard very little debate. Nobody really expressed whether they were going to adopt the amendment or the sub-amendment which we have proposed. Of course, this makes us wonder why they are not willing to accept that particular sub-amendment when, as I stated earlier, the Premier already has said in the *Le Devoir* that he would be willing to drop the "official" from the amendment that he is proposing at the present time.

Again, as I said before, that sub-amendment would accomplish what the government desires without giving official status to any language, and that is rather important in Manitoba, Mr. Deputy Speaker, because we have so many different ethnic groups and there is no group in Manitoba with a majority. So why do we insist that we are going to give official status in Manitoba when this is not necessary? The Canadian Government already has looked after that aspect of it. In Manitoba we certainly do not have to follow and we are really not required to follow the Federal Government in that aspect.

I always feel that it is need that should determine what we do with languages. If there is a need someplace, if there is a lack of understanding and communication and so on, then let need dictate what we are going to do with the language problem within this province and really, there is no problem at all. Certainly we need to be very flexible so that we can deal with whatever situation arises in this province.

So, Mr. Deputy Speaker, I will just like to close by saying that if the government is not willing to free up their members and let them go home to their constituents to discuss this measure and come back for a discussion, then really the only other alternative is for them to call an election and the people of Manitoba certainly are going to make that decision for all of us. Thank you.

MR. DEPUTY SPEAKER: Are you ready for the question?

The Honourable Member for Morris.

A MEMBER: Can you recognize him first?

MR. DEPUTY SPEAKER: The Chair had already recognized the Member for Morris.

MR. C. MANNES: Thank you very much, Mr. Deputy Speaker. I am encouraged by the Member for St. Johns standing in his place. Obviously, some of the words that we have had to offer in debate over here has challenged at least some principals across the way to come forward and debate.

Mr. Deputy Speaker, the motion is a matter of putting the question on the ringing of the bell privilege motion and I'd like to begin by quoting something Benjamin Franklin said, Mr. Deputy Speaker. He said, "They that give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." Of course, the issue today is liberty, it's freedom from closure and, of course, it's the ringing of the division bells.

I'm one of the latter speakers from our side and I've had the opportunity to listen to many of the comments offered by my colleagues and, of course, those few comments offered by members opposite. I'd like to give you my impression, if I could at this time, of the debate to this point.

I can tell you I'm very impressed with my colleagues and their level of debate up to this point and their very well prepared remarks. They've talked about 23.1 in fair detail. They've also attempted to indicate some of the government's half truths in their musings and their commentary on this particular subject and, of course, they've tried to spell out - and I think they've done so in fair measure - the realities of Manitoba's ethnic make-up and its whole feeling as to this subject at this time. I'm very impressed with the way my colleagues have debated; they've highly researched much of their material and they delivered it with great oratorical skill.

They've dwelt upon the issue and, of course, that is the bell ringing. As a matter of fact they did such a fine job that they've left little material for me to cover, so much of what I have to say will repeat many of the comments that they have made earlier.

I must say I'm not particularly impressed with some of the members opposite, the way they've chosen to debate - and I should probably say, not debate - this particular issue, the issue in this particular time in our history which is so important. I wonder and I question why they refuse to debate. We have, of course, the Member for Inkster, one of the corner stooges as I like to refer to him, who sees wall paintings or some spraying on walls and he ties that into the language issue, on one hand; at least he comes forward and speaks. He reads a few editorials from the newspapers and uses that as his contribution to this very important issue that is being debated at this time.

The only concern that I have from the Member for Inkster is not his sincerity, because I believe that what he says is coming from his heart - of course he has a lot to say, as you know, Sir, and he speaks on every issue - my concern is that, not having been a long-time resident of this province, that he would try to impose his views upon us and then maybe not be here 15 years hence when we have to live with some of the decisions that are being made today. But at least he rose to speak, not like some of the other members opposite.

We also had rise to speak, the Member for Wolseley, who is trying to . . . Mr. Speaker, I'm having some difficulty hearing my own thoughts.

MR. DEPUTY SPEAKER: Order please, order please. I call the Member for Sturgeon Creek to order.

MR. F. JOHNSTON: I'm in order.

MR. DEPUTY SPEAKER: If you wish to challenge the Speaker, I'm sure you know the procedure. Are the members ready to proceed?

The Member for Morris.

MR. C. MANNES: Thank you very much, Mr. Deputy Speaker, for bringing to order some of the discourteous members on the other side. I thank you for that.

We also had the Member for Wolseley speak and she talked about the parliamentary traditions. She also

talked about wildcat strikes and I suppose the only comment I can make on that is she probably understands all about wild cats. It's interesting that many other members have said nothing. The Member for St. Johns, I'm looking forward to his contribution to the debate because obviously he hopefully has an understanding of this issue and will give us his constituents' views on the matter.

The Member for Burrows addressed us yesterday and, of course, many of my colleagues have quoted some of his highly-principled debate that was offered here some time previous, and I think we were a little disconcerted when he finished off his remarks by saying that the issue here really isn't democracy and listening to the people - this is my interpretation of what he said - the issue is nothing more than the ringing of bells. I was disappointed in his contribution.

I would like to hear the Member for Rupertsland speak. Obviously, he would have, I'm sure, some fine contribution to make to this debate. The Member for The Pas - I challenge him to speak. He says an awful lot from his chair, Mr. Deputy Speaker, and of course the Member for Concordia, the Sergeant of the caucus so to speak, the man who keeps everybody in line, the man who I've only heard say two things in this session. He says, "nonsense" or "question," maybe he will come forward and address the debate. We can understand why the Member for Riel wishes not to, she's being shadowed these days, but nevertheless we're asking members of that back bench to come forward.

Mr. Deputy Speaker, I have the Attorney-General here who's accusing me of making personal attacks. I've attacked nobody, absolutely not. I'm trying to challenge members opposite to speak on the resolution. — (Interjection) — I can understand why the Attorney-General is so touchy on this issue and I think the Member for Pembina did a very worthwhile recap yesterday of probably what happened within that caucus room, and I'm not going to go into it in detail, but it's obvious what has happened. The Attorney-General came in with a bill of goods which he sold to the members opposite before they fully understood what it meant and where it would lead, and now they have to support him. We know what has happened there and we don't certainly lay the blame at the doorstep of all the backbenchers but we think that the time for rising and speaking to the benefit of their constituents is now here and to address this major issue.

I could go on and on and on, but there are many specific points I want to make regarding the ringing of the bells. I say, what are they doing to this province? What is it that they're trying to do?

Mr. Speaker, I'd like to read a quote if I could. It comes from a little book I've called, "Golden Nuggets of Wisdom," and it's an Arabian proverb. With your indulgence, Sir, it says: "Men are four: He who knows and knows he knows, he is wise, follow him. He who knows and knows not he knows, he is asleep, wake him. He who sleeps not and knows not he knows not, he is a fool, shun him. He who knows not and knows he knows not, he is a child, teach him."

Well, Mr. Deputy Speaker, I read that because I've tried to classify this NDP Government into one of those three areas and I didn't have too much difficulty. Where would this NDP Government fall? Well, I'd say it'd be into the third category, Sir: "He who sleeps not and knows not he knows not, he is a fool, shun him."

Well, Mr. Deputy Speaker, that is what the people of Manitoba are saying today. They're desperately trying to tell this government, the media and all that will listen, that they do not want to follow this particular government. On this issue they do not want to support you. There are many other issues, Sir, where they have their mandate, where they are the legitimate representative of the majority of the people. This is not that issue. I say to you, Sir, the people of Manitoba want this issue dropped. The people of the constituency of Morris want this issue dropped. I can tell you, the overwhelming majority of the French citizens of the constituency of Morris, some 2,400 in number, want this issue dropped today.

Sir, if I could just digress a moment on that. I have one of the heaviest French populated ridings in the province, some 15 percent of the total area. I had the occasion just this past weekend to be in my largest French community, which is St. Claude, a community of some 600 people, and I posed the question everywhere I went. I must be honest with you — (Interjection) — yes, the French citizens in that community would like to see their understanding of their rights, they'd like to see them further supported, but before that and before all the problems that are going to be created with the pushing through of this resolution, they want to see it dropped and put aside right now.

Mr. Deputy Speaker, I think it's time that the members opposite heed the advice of not only those of us who are trying to address the debate, but also the large constituency of the 50,000 to 60,000 French citizens within this province, because as I'll say later, they're the ones probably that have the most to lose. They realize the realities of living in this province, Sir, and they realize that no one can have unfair access to government jobs; they realize that the merit system must always apply . . .

MR. DEPUTY SPEAKER: Order please, order please. Some members of the Legislature are indulging in private conversations. If they wish to do so, would they please continue in the hall?

The Member for Morris.

MR. C. MANNESS: Thank you again, Mr. Deputy Speaker.

Mr. Deputy Speaker, I was indicating where I feel the French citizens of this province, where their view lies on this particular issue and I'm generalizing. Of course, I have taken no specific surveys so there's no way that I can say with absolute certainty.

But the point being that there's one factor this government has forgotten, and there are many more which they never knew, but there's one factor that they have forgotten, that the rural French communities within this province stand to be the biggest losers if they proceed and push this issue through.

Mr. Deputy Speaker, it's because of the rather dogmatic, the unrelenting and the self-righteous attitudes toward the language issue as shown and is displayed by members opposite in the government, in total, that is causing tremendous resentment within not only my constituency, but vast areas of rural and probably urban Manitoba, too.

Mr. Deputy Speaker, the people today I believe, hold the NDP on this issue - and I stress that - in utter disdain. They warn us not to ring the bells. My constituents, Sir, want me to ring the bells to save this fair province from a fate far worse than has ever been contemplated by the members opposite.

Well, Mr. Deputy Speaker, more importantly and I suppose tied into the bell ringing, why does this government choose to invoke closure? When we talk about the bell ringing, Sir, let's not forget why the bells are ringing. It's because the members opposite won't let us fully debate the latest amendment of the resolution - four of them - they say we're on the fourth in a period of eight months. I think that's significant in itself. That says change has come about. But on this fourth and final one they give us an opportunity to bring in a sub-amendment, we begin to address it. They put up one or two speakers on it and then closure comes in. Mr. Deputy Speaker, that is unbelievable and now, the citizenry of this province are realizing what closure means, and they're wondering - I think along with us - why the government will not address our sub-amendment which will be discussed once this privilege motion is dealt with. Again I ask, why is our sub-amendment not acceptable?

We removed the word "official," Sir, and yet we find by way of some outside newspaper article, *Le Devoir*, that the Premier is alleged to have made remarks supporting, at least in part, our amendment, yet why can we not hear their specific reference to that area of concern of ours within this Chamber? I think it's a legitimate question.

The other day, Mr. Deputy Speaker, when I addressed the amended motion brought forward by the Government House Leader, I said I was prepared to reaffirm Section 23 in the same 1870 language as it was proposed. Sir, that is the narrow interpretation and I've gone on record as saying that and I will not back down from that. I was also prepared to validate the statutes and within the various sections of the proposed amendment that deals specifically with that area.

Mr. Deputy Speaker, on Bill 115, I said I could support in principle the extension by way of statute of some French services and I, Sir, do not back down from that. I also though said I could not support Bill 115. That was the wrong vehicle, that was the wrong instrument to try and guarantee the expansion of French services. At that time, I said I couldn't support it because of the ombudsman approach, the giving of so much responsibility to one individual, and a counsel supposedly to use to support the Minister.

Well, Mr. Speaker, I said at that time I could support a very definitive spelling out of the jobs required to be bilingual, and if the government so chooses to do that, put that into statute, I can live with that, Sir. Whatever support that requires in the form of an amendment to the Constitution, I can support, but I cannot support something that is open-ended.

Well, Mr. Speaker, we have a lot of problems in this House and that is specifically the issue at hand. It manifests itself, probably, in the ringing of the bells and I take my share of the responsibility within the problems we are having in this House, Sir. Those opposite and I think others on our side have also said, in their view, the democratic process is breaking down and I suppose I share that to some extent. But, Sir, if

it is breaking down, it is, in many respects, just not because of the bell-ringing procedure.

Sir, I think our citizenry is becoming cynical of many actions of political parties. Sir, I have here a piece of literature that was mailed out from Room 234, Legislative Building, and this individual is on the NDP Party list, this particular person who received this. I took the opportunity to check out the meter number on this envelope. It is No. 159602 and, Sir, that meter is a meter within this building and this material that came out from the PC caucus room to their membership list - (Interjection) - NDP caucus room, has been paid for by the Province of Manitoba.

Well, Mr. Speaker, I serve notice on the government opposite that there will probably be some questions on this issue tomorrow, but the point being, when we talk about bringing into disrepute the democratic procedure, then I question where this falls into that whole topic area when the taxpayers of this province are forced to pay for mailings to the party membership outside of this building.

Well, Mr. Speaker, I will approach specifically some of these areas that are covered in the letter signed by the Premier to the various NDP members. Sir, we are talking about ringing the bells and the democratic process, and I say that bell ringing definitely is one aspect of that but, as many of our speakers have said, this government has no mandate on this crucial issue. They have a mandate, in my view, on other issues - but not on this one. An opposition that believes and knows it is right and refuses to give in, in my view, is also an affront to the democratic process.

Sir, this government is wrong and I believe we are right because we have the people behind us. Some would say that we can't give in as an opposition. As an opposition, we can't give in and maybe there is some truth to that because we have many many constituents who do not want to see this proceed and if we are seen as being soft on this, we will pay our political consequences too, as long as members opposite realize that.

Well, Mr. Speaker, I argued the farm lands bill, conflict of interest legislation and the new financing of an elections act, but the bells did not ring on those crucial issues. The bells did not ring on those issues. Why? Because the government had the mandate on those issues; the government had it within their power. They were the elected people, the elected government, and in some of these areas they said that they would make those changes and they came to power by the majority of the people. They had the mandate on those issues but, Sir, they do not have the mandate on this issue. That is why it is so different.

And it is different than Autopac, and the Premier likes to tell us that he had 10,000 people on the front lawn here demonstrating against the legislation that would bring about Autopac - and he very well may have - but this issue is different because it's so morally wrong in proceeding against the wishes of the people, the people who did know in 1981, when they voted, that the government would be dealing with this issue. They did not know in 1981 that the government would be trying to entrench for all time something which the people themselves did not fully understand then, but fully understand today.

Mr. Speaker, it was different in another respect. This issue is different because - and I want to stress this

- none of us can be sure where it will lead. It could very well bring about a system of second-class citizenry in this province, and none of us knows for sure where it will lead.

Mr. Speaker, it's different in another respect. — (Interjection) — Mr. Speaker, I have the Member for Flin Flon who, hopefully, will enter the debate, like he has the opportunity, and hopefully he will have an opportunity then to ask his questions specifically.

HON. J. STORIE: Well, then, let's see an answer.

MR. C. MANNES: Mr. Speaker, well, he wants an answer from me. I will give him an answer anytime but not this time because I am on my time. If he wants me to give him an answer on his time, I will gladly do so.

Mr. Speaker, this issue is different in another respect. It's different in that all the harmony developed over the generations has been mortgaged apparently, and I quote, "to remedy the perceived ills of one group."

Sir, as I have said before, all my French constituents in St. Claude say no . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. C. MANNES: No, most of the French have had their rights restored, they accept that. What they want is the issue to go away.

Mr. Speaker, I would like to spend a few minutes critiquing the Premier's address. He said he wanted to expand rights. He said, "expanding rights to one group that does not affect other rights is good." Well, of course, it is. Of course, that's good; I can't argue with that. But to me this is the crux of the issue. Is he saying this right's pie is expandable? Is that what he is saying? Because I say it isn't. We are to the point now where it isn't when we are talking about the language issue, so obviously we have a fundamental difference in our viewpoints.

He is saying that as we all want protection for our rights, that there are more available there if we just uncover them and then we enact them by way of statute.

Mr. Speaker, obviously there is a difference and I would say, in any cases that we can uncover where people are being discriminated against, and their rights are being withheld from them. Yes, let's do whatever is necessary to guarantee them their proper rights under our Constitution. But in this area, I say that the rights pie is not expandable, it is not expandable at all. I guess I use a support for that comment, a remark made by Mr. Green in committee and he said, if it's an advantage to speak two languages - obviously as a corollary - obviously it's a disadvantage if you speak only one. I haven't heard one member opposite address that very short expression of Mr. Green, none of them, because it's a truth, Mr. Speaker.

Well, the Premier chastised us for not listening to the advice of constitutional lawyers. Sir, I accept that and now I can say that I'm one that won't listen to a lawyer in this process, because I'm the one who is called to answer the questions within my constituency. I'm the one 15 years from now, if a wrong decision is made in spite of all the constitutional lawyers' information, I'm the one that they're going to ask 15 years hence, why did you make a bad decision? If I

say I took the advice of some constitutional lawyer, they'll say well, that was not good enough. You were elected to do the job. You were the one that was elected to try and sift through all the various information that has come forward. Well, Mr. Speaker, I take my responsibility too seriously, so I will make the decision on my own merit and I'll make the decision based on all the various sources of information. That's why I choose not to accept totally the advice of constitutional lawyers, because if lawyers were perfect we would not spend so much time in this Chamber amending legislation from Session to Session. So let's understand where we're at.

A MEMBER: Might is right.

MR. C. MANNES: Well, Mr. Speaker, the only problem is that we can't update a constitutional law if we make a mistake. We can update all the others, but we can't correct a wrong that is entrenched in the Constitution forever. And do I take the Attorney-General's or the Premier's or the House Leader's word that federal bilingualism, as we know it, will never come to Manitoba as a result of this legislation, this resolution? Never! I don't take their word and I can tell you, Sir, 80 percent of the people within this province do not take their word either.

Well, the Premier indicts us for wasting taxpayer money, for being here in the month of January. Did I see some article where he said it was costing us - what? - \$5,000 a day for sitting here. Well, Mr. Speaker, how does that person have the gall to say that when he puts out this material - of course, the people of the province paid for it and it's over on the desk ahead of me and that's part of the 1.3 million advertising jobs - how can he talk to us about wasting money? He also says, well, we'll not be held for ransom by an opposition, who by their own admission is prepared to stall the business of the House. Well, Mr. Speaker, what business is there? We were called in to deal with one specific area. He said, and I quote, and he's talking about us: "They are only interested in obstruction."

Sir, no, we are interested in democracy because they do not have the mandate to force this upon the people of Manitoba. The precedent of closure on the constitutional amendment is bad, the precedent of going in one direction while the large group, the large percentage of Manitoba citizens are going in another direction, is bad also. Why are these people so driven? I think people throughout our constituency, every walk of life within this province are asking, why is this government so driven? Well, Mr. Speaker, I say it's because of pride, pride of the Attorney-General, a pride of the members opposite to — (Interjection) — no, who are reluctant to make a mistake. I'd like to quote what some of the great sages and some of the philosophers have had to say about pride.

Hebrew proverb: "Pride is the mask of one's own fault."

Proverbs 16: Verse 18: "Pride goeth before destruction, and an haughty spirit before a fall."

James Kelly said: "Pride and grace dwelt never in one place."

Charles Colton said: "Pride like the magnet constantly points to one object; self, where unlike the magnet it has no attractive pull, but at all points repels."

John Ruskin said: "Pride is at the bottom of all great mistakes."

Albert Hubert said: "There was one who thought he was above me and he was above me until he had that thought."

Mr. Speaker, that's what the members opposite are suffering from, they're suffering from pride, because if they knew where we were at, if they weren't so proud, they would withdraw this legislation and they would rebound as a party, and they would then fight the next election on the issues of the economy and jobs and the issues that most political parties want to fight in election. Why don't they withdraw it? I think their measure would improve immensely in the sight of Manitoba citizens. Why will they not do it? Because, Sir, of stubborn pride.

Well, Mr. Deputy Speaker, as I've said on many occasions, we are concerned about the resolution, we are concerned about the word "official." Of course, we're concerned about Section 23.1 and its reference to statutes that provide some meaning to English and French within various provisions thereof. I asked a question specifically to the Minister of Education today, Mr. Deputy Speaker - you were in attendance - and did we receive an answer from the Minister as to whether one of the major provisions that is covered within The Public Schools Act, whether that was frozen for all time? Mr. Deputy Speaker, she chose not to answer.

Mr. Deputy Speaker, we've asked the Government House Leader on many occasions just to provide us a list with all the statutes that would come under the meaning of 23.1, and he refuses to do so. Why is that? Well, Mr. Speaker, I think there's a real reason. I think it's because as many of my constituents and people are saying, there's a hidden agenda - I think many of us spoke to this last summer - but there's something that we do not know, there's some agreement that's been made between this government and Ottawa. There is some payoff, Mr. Deputy Speaker, and we're not aware of it, but it will come to the surface in time.

Two out of three Manitobans today are asking, what is it that the government has contracted with one Prime Minister Trudeau to bring to this province. What is the exchange? Well, Mr. Speaker, I don't know what it is and my time is limited so I won't have time to talk about the free vote, but we know why the members opposite won't grant us a two-week recess before we move into that element of free vote; we know that the members opposite do not want the Member for Dauphin to go home and have an opportunity to speak to his constituents; we know that the government does not want the Member for Ste. Rose to be home for two weeks discussing this issue with his constituents; the same with the Member for Flin Flon and The Pas; we know why the members opposite will not grant us a two-week recess; it's very very obvious.

Mr. Speaker, the bells are ringing, yes, and they're ringing for all the reasons that I have given to you at this time. They're ringing for this reason, they're ringing in part because of the letter . . . How much time do I have left, Mr. Speaker?

MR. SPEAKER, J. Walding: The honourable member has three minutes remaining.

MR. C. MANNESS: Thank you very much, Mr. Speaker. My colleague says it seems like I just started and I suppose I'm no different than all of our members here. Each one of us could probably speak for hours on the issue.

Another reason the bells are ringing is because of some of the information put out by the First Minister.

MR. SPEAKER: Order please.

MR. C. MANNESS: Mr. Speaker, included in that package of material of which I made mention earlier, comes this letter with the salutation, "Dear Friend," talking about the issue, and I believe it's gone out to NDP members and I don't have time to go through that letter paragraph by paragraph to pull out so many of the half-truths.

Why are the bells ringing? Well, Sir, they're ringing because as a former House Leader, my predecessor, Mr. Warner Jorgenson, said, "There is no rule that suggests that the bells can arbitrarily be stopped and the members forced to vote, either at the discretion of the Speaker or the government. The bells stop ringing and the voting begins, only when both parties signify to the Sergeant-at-Arms they're ready to proceed." If the present practice has to be changed, it should only be some time after the present impasse has been resolved, but even then there is great danger that the imposition of any rule for arbitrary closure would diminish the rights of the opposition.

Mr. Speaker, that's why the bells are ringing, and I say to the members opposite, we are supporting democracy. Members opposite do not have the mandate to move forward with this issue and if they want to do the honourable thing, they'll withdraw this resolution. If they're not too full of pride they'll withdraw this resolution and try to sell it the honourable way to the citizens of this province and then allow all of us to fight the next election on issues of economy, of the jobs and of the bad legislation you've passed, instead of the other area.

MR. SPEAKER: Order please, order please.

MR. C. MANNESS: Mr. Speaker, in closing, I don't know if I will have an opportunity again to address this issue, I imagine we will. But let's face it, the members of this side are upholding the democratic traditions as we know them.

MR. SPEAKER: The Honourable Member for St. Johns.

MR. D. MALINOWSKI: Thank you very much, Mr. Speaker. With a great deal of pleasure I would like to put a few remarks concerning the resolution which we have before us which I believe is very very important, not only for the opposite side, but also for this side of the House and especially for all people of Manitoba.

Mr. Speaker, for almost a month now, this Legislature has been paralyzed by the delaying and obstructive tactics of the opposition. The business of government has been threatened. The tradition of Parliament has been abused, and don't try to convince me from the other side that it happened on this side of the House. We have been ready for many weeks and you promised

that we would vote and, all of a sudden, something happened; you changed your mind and you are taking your marbles and going away.

Maybe the new leader . . . I would like to congratulate him, that he is a winner. I hope that he will be a good leader, but somehow he has proved already that he is saying one thing and doing another. So I don't know, Mr. Speaker, if in the next election people of Manitoba will take him so straight and so honest because, as I said, in five minutes he's producing three different statements, so we don't know which one is which.

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: Mr. Speaker, the normal process of debate has been interrupted by a needless succession of walkouts and bell ringing by the members opposite. Indeed, the actions and attitudes of the Conservatives has not changed one bit since this issue first began, not a bit. They are like a stone and they came to the conclusion that (a) we have the wisdom - I don't know from whom — (Interjection) — Well I don't know, that's up to them. They think that their opposition is the only answer to that issue. You are wrong. You are trying to do with this issue the same thing that your previous Premier did; he was just put under the carpet in 1980. He just touched it; they said let it sleep, we'll take good care of it. But he didn't finish his business and that's why we have that problem now.

If we will not finish up this problem now, whatever way it might be, if we have to put this to the Supreme Court, the same mess will come on our desk again - not a solution. I think that I have a certain responsibility as well as you have, from the people from whom you get your mandate when you were elected to this Chamber, that we should solve the problem right here in this Chamber of the Legislature. We don't need advisors from the outside. No, this is our problem; this is our province; we are representing our people; we should deal here; this is the place.

MR. SPEAKER: Order please, order please.

MR. D. MALINOWSKI: . . . exactly I will come to it. Mr. Speaker, . . .

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: . . . it is clear that their sole purpose is to . . .

MR. SPEAKER: Order.

MR. D. MALINOWSKI: . . . do all they can to destroy the democratic process. We're giving you all kinds of time, go ahead and discuss, every one of you. You want to have 40 minutes, 30 minutes, go ahead, do it. — (Interjection) — No, wait a minute, 40 minutes, we're talking 40 minutes right now. Well, let's have two discussions today, two debates, and let's go fishing. Do such a thing, go ahead do it, whatever you want to say, say it. But no, don't run away from your responsibility. People will not forgive you that.

Mr. Speaker, during the past nine months we have heard much talk on the issue which is currently before

the House. So much talk, Mr. Speaker, that I believe many people have almost forgotten why the government introduced this matter in the first place; such confusion already. In May, when we first introduced a proposal to deal with the issue of French language services, we believed we were doing something that was right, Mr. Speaker, something intended to solve this question once and for all. Don't kid yourself for a moment. You can't put this under the carpet forever. Our forefathers did for - let me see - many decades, almost 100 years, and see what happened, and we have it now . . .

MR. SPEAKER: Order please, order please.

MR. D. MALINOWSKI: . . . something that would ensure that rights for one group were respected without causing any hardship, imposing any burden or taking away the rights of others. After many months of debate, I still believe that what we are doing is right, sound and proper.

During the past year, the government has tried very hard to listen to the people and to understand their concerns. I know I have listened very hard to the people that I represent. I listened closely to all the people who came before the committee in September and October, and I want to assure all Manitobans, particularly the good people of St. Johns, that we have made many important changes to this package on French language service, we did. We changed, we compromised. You don't . . .

MR. SPEAKER: Order please, order please.

A MEMBER: I'll meet a compromise when you're ready.

MR. D. MALINOWSKI: Mr. Speaker, out of respect for their wishes and concerns, we have made these changes while still respecting the commitment we made last May. By keeping intact the principles and sense of fairness, I believe we are doing the principled thing, something which ultimately will be good for all Manitobans. This will become clear in the months and years ahead, once we have put behind us this period in time which has been normally poisoned by those spreading needless fears and hate among the people. Not for us — (Interjection) — you are asking who is doing that kind of a job? Who is spreading these hatreds and fears? People from the other side, people from the opposition. Some people, especially those across the way, Mr. Speaker, may say the government is stirring up too much trouble and is being irresponsible and fanatical.

Mr. Speaker, but I have listened to the talk of the members opposite, especially the words of the former Premier. I am afraid it is he who is being irresponsible. It is he who is the fanatic. He seems to share much in common with a certain Premier in Quebec whose name is Mr. Levesque. The only difference, Mr. Speaker, is that Mr. Levesque . . .

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: . . . is trampling on the rights of English-speaking people in Quebec. Mr. Speaker, Mr. Lyon and his friends would have us trample on the

rights of French-speaking people and Manitoba groups here in Manitoba, but we'll not let them.

As a proud member of a majority group, this kind of attitude and this kind of talk scares me, Mr. Speaker. I would ask all my friends, especially across the way and all Manitobans to believe and have faith that when all of this is over, life will go on for the better, and the lives of most of us will not be affected the slightest bit by this proposal.

Mr. Speaker, I believe this is true because I have listened and have tried to understand the results of what we are doing, and I am absolutely convinced there is no need for concern. As a responsible member of this Legislature for 15 years, Mr. Speaker, and as one who cares about the future of the people I represent, I say to you opposite and to the people of Manitoba, no fear - fear not - but despite the faith and good will shown by our side and despite a sincere, honest attempt to find a compromise, the Conservatives still say one word: N-O.

A MEMBER: That's right, no, N-O.

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: "No." They still have, in a destructive manner, by letting the bells continue to ring and ring. Mr. Speaker, maybe we should change this resolution which we have on the table right now and have a discussion about jingle bells - this is the only thing - but Christmas is over, either my Christmas, Ukrainian Christmas, maybe some other organizations, maybe they still are celebrating Christmas, then I can understand; let the bells ring.

Mr. Speaker, as a servant of God, I know how important principles and human rights are and how important it is for us to be tolerant to our fellow neighbours and to deal with each other in the spirit of fairness and justice.

SOME HONOURABLE MEMBERS: Hear, hear!

MR. D. MALINOWSKI: Mr. Speaker, we, as good Christians and people of God, must commit ourselves to do what we think is principled and honourable.

There are those who say that I am being pressured to do one thing or another in this issue. Mr. Speaker, I don't have any pressure from one side or the other. Mr. Speaker, for 15 years being in this Chamber, nobody told me what to say or how to speak or how to vote.

A MEMBER: But who wrote that speech for you?

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: Holy Ghost gave me inspiration.

A MEMBER: That same Holy Ghost is going to strike you dead, Father.

MR. D. MALINOWSKI: Mr. Speaker, talking about votes, a free vote actually, every speech which I heard from that side so far — (Interjection) — That's right, free vote. Wait a minute, I am talking about opposite right now and, Mr. Speaker, every single speech which they

delivered already so far, they say, "I will vote against." That's what you call a free vote.

If we will be voting for, then you will say, "This is the free vote"? What kind of a free voting is it? And sitting here, Mr. Speaker, I did not see - I am sorry, I saw only once; it was I believe in 1979, Thursday, April 10th - only once it happened at that time that one gentleman from the opposite side, he was on the government side, but we were voting about wage increasing, minimum wage. Only one fellow whose name, the Honourable Member for St. Matthews, Domino, he stood up and he voted with the opposition.

A MEMBER: No?

MR. D. MALINOWSKI: Yes, imagine. So at that time I may say, Mr. Speaker, more or less probably they still, from time to time occasionally, have a free vote. Otherwise, Mr. Speaker, one after the other they are voting like soldiers on order - hu-hup - yes, sir - ho ho - that's it, complete. That's what you are doing.

Mr. Speaker, I am emphasizing, nobody is forcing me, nobody forced me, and I will speak, I will vote, but don't tell me. I am not a child, you know, that if you want to put me to sleep, I say, well, I will tell you a nice story - alla bella.

Conservatives vote, they have a free vote all the time — (Interjection) — Well, I didn't see it. Maybe I will see. I will see when we'll vote. I will see. Then you will convince me that that's what your Leader says is true.

Mr. Speaker — (Interjection) — I beg your pardon?

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: No, no, no. Mr. Speaker, I tell you I have been guided and will continue to be guided by my conscience, first of all, and by my sense of what is right. — (Interjection) — Yes, I will listen to my people.

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: Mr. Speaker, talking while they are interrupting about this public school, I remember and this is again one example. It was a free vote and even one Minister of the Crown, he resigned. His name was Mr. Green. He was fighting the — (interjection) — Wait a minute. When the time came to vote, he voted against it; not only him, but a few of them — (Interjection) — I was voting for. No way, I was voting. I have a record, Sir.

Mr. Speaker, I hope I will be able to put everything in, in my time, 40 minutes. For the record, I would like to let them know who voted for, who voted against, for the record. I have it here. When the vote came. Mr. Speaker, a standing vote was taken, the results being as follows: Yes: Mr. Allard, Asper, Barkman, Beard, Boyce, Burtniak, Cheriack, Desjardins, Froese, Girard, Gottfreid, Hanuschak, McBryde, Mackling, Malinowski, Miller, Patrick, Paulley, Schreyer, Shafransky, Toupin, Turnbull - those who voted against and, mind you, that was a government bill, a resolution.

A MEMBER: Resolution, yes.

MR. D. MALINOWSKI: That's right, okay, resolution, but don't tell me that we were voting at that time . . .

Now we'll listen to who voted from our side and probably you'll know the names against: Adam - son of a gun - Barrow, Bilton, Blake, Borowski, Craik, Doern, Enns, Evans, Ferguson, Gonick, Graham, Green, Henderson, Jenkins; Johnston, Frank; Johnston, Jorgenson, MacGregor, McKellar, McKenzie, Moug, Pawley, Sherman, Spivak, Uskiw, Uruski, Walding and Mrs. Trueman

For the record, Mr. Speaker, at that time we were witnessing here really a free vote and that free vote was on both sides, but don't forget it was our resolution.

Mr. Speaker, I would like to continue about this issue - I like history but this is not the time for it - I would like to deal with the present situation which we have. Mr. Speaker, as I said, I will listen to my constituency, even the executive. By the way, I had a meeting not so long ago with my constituents, with my executives, and I was really surprised. Nobody opposed . . .

A MEMBER: How many people were there?

MR. D. MALINOWSKI: That's my secret; that's my constituency. I'm not asking how many people you have. It was plenty. My executive is approximately 20 people, so I got a clear picture, I got a clear direction where and how I should act and how I should vote. In the end I will be guided by my conscience and the intelligence which God gave me.

There are lots of rumours around starting from the news media, on this side, on the street, and they were saying you are in a hot spot.

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: You have a problem; you're under pressure how you will vote and these kind of things. Mr. Speaker, and you my good friends on the other side, I would like to let you know I didn't see, or I didn't receive a single petition from St. Johns.

A MEMBER: Well, they all figured you were going to vote against it.

MR. D. MALINOWSKI: I didn't. I just got a few calls. Some were serious, but some of them were just hanging and blah, blah, blah and no name, no telephone, nothing. Every one of them were complaining and they are saying, well, I am one of your constituents. Well, what is your name? That's not important. What is his telephone - even less important. So they didn't give it, so I wouldn't consider that they were my people, no, Mr. Speaker.

These kind of things, like they are saying that I'm under hot pressure, I don't know what to do; I'm on a hot seat and this kind of thing; that I received lots of petitions. I even asked the Premier, did you see any petition, did you receive any petition from St. Johns? He said, "No, I didn't see it, I didn't receive it." I wouldn't call them rumours, it would be better if I used the word "gossip." Despite the efforts of creation, Mr. Speaker, and members of the Conservative Opposition who have the mistaken belief that our side is not completely united, for they should know that our side stands united.

Mr. Speaker, we are so strongly united like solidarity in Poland, only with one difference. Their leader is Lech

Walesa and on this side, our Leader is Howard Pawley. I believe in solidarity and solidarity is coming from above; not from hell, but from heaven.

Something which is probably not true on their side, for why else would they not live up to their commitment to have a free vote right now? It's a big question for why else would they continue their obstruction? They must have a reason; they are afraid. Why else would they continue to stall? Why else would they continue to ring the bells?

Mr. Speaker, as I said in the beginning, we got into this issue because we believed that we were doing something that was right and something which would not force anything upon non-French-speaking Manitobans. Today I, and my government, still firmly believe this to be the truth, so I urge members opposite to be responsible for a change, to quit playing these silly games and quit setting fears, uncertainty, scaring people, that if this bill will pass every Manitoban will have to learn French. What kind of nonsense are you saying?

I urge you to vote on this issue now as we can together move to the more important matters. Right now many people may disagree with us, and I know many people are angry and confused because of the words and actions taken by many in the Conservative Caucus, but that only means all of us must do all we can to wash those fears away. This is also in your interest. You were elected by your people, they put their trust on your shoulder, same thing as they did on our shoulder, on my shoulder; don't abuse it. Use it in the right way . . .

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: . . . Exactly, use it. Don't try to manipulate with it and don't try to make a political ball. You will go anywhere, you will be destroying yourself.

Mr. Speaker, in the months and years ahead we must do all we can to calm the hearts and minds of our friends and neighbours, so they will come to understand that there is no monster behind the door, and that representing the rights of one group is not an important step and ensuring we respect the rights of all. So let us all be guided by tolerance and good will, and let us friends and colleagues proceed to resolve this matter once and for all.

Mr. Speaker — (Interjection)—

A MEMBER: Withdraw.

MR. D. MALINOWSKI: Withdraw? I will give an illustration. Mr. Speaker, it reminds me about one brilliant spiritual leader when he was starting to implement something to the old Constitution. Mr. Speaker, he was beginning a new amendment to the old Constitution, well-known as the Old Testament. Mr. Speaker, when he was accused by the Conservative priests that his intention is to abolish, to destroy all rules founded by their fathers, his answer was very clear, right to the point. He said, "Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfill." Matthew 5:17.

Mr. Speaker, my Leader's intention is not to destroy our old Constitution, but to restore what was founded

by our fathers and was neglected for many many decades. That's the difference. He is not pulling all of a sudden from blue skies, no, it is here. It was before, it was neglected, it is before us and we have to deal with it once and for all.

Mr. Speaker, our spiritual leader didn't have a minority, he didn't have a majority. Mr. Speaker, his caucus consisted of only 12 members, less one. And whose name was that one? It was Judas, who betrayed his leader and what happened, Mr. Speaker, then? He hanged himself. Mr. Speaker, I don't have the slightest intention to follow Judas. I am loyal towards to my people who elected me here, who gave me their responsibilities, who put their trust on my shoulders, people who put me in this House and, Mr. Speaker, I will be loyal also to Her Majesty and I will be loyal also to my party and to my Leader . . .

SOME HONOURABLE MEMBERS: Hear, hear!

MR. SPEAKER: Order please.

MR. D. MALINOWSKI: . . . I am a man of integrity. Mr. Speaker, thank you. Mr. Speaker, when the spiritual leader who I am talking about whose name is Jesus Christ, when Jesus Christ was trying to implement the new amendment known as the New Testament, he had two groups who strongly opposed him because he is doing something wrong; 99.9 percent population at the time was against. — (Interjection) —

A MEMBER: I was the 1 percent.

MR. D. MALINOWSKI: Well, I doubt that it even was 1 percent, I doubt it very much. So, Mr. Speaker, what had happened, what took place, they had two groups. The first group was known as the Pharisees. The other group was known as the Scribes, and the leader of these Pharisees whose name was Caiaphas, and he reminds me of the Progressive Conservative Party. The Scribes, Mr. Speaker, whose leader was Annas, he reminds me the Leader of the Progressive Party. That's right again.

So, Mr. Speaker, and let us forget our differences — (Interjection) — I'm sticking to it all the time. I would like to repeat, Mr. Speaker, the words taken from the Holy Bible where my honourable friend from Morris, he was using when he debated here, he was taking it from Ecclesiastes, Chapter 3, and I would like to just quote the same kind of a thing on the end here:

"A time to cast away stones, and a time to gather stones together; a time to embrace, and a time to refrain from embracing;

"A time to get, and a time to lose; a time to keep, and a time to cast away;

"A time to rend, and a time to sew; a time to keep silence, and a time to speak."

Now is the time gentlemen, speak. Vote, vote. Mr. Speaker, cease the bell ringing now. I urge you, my good friends opposite, to live up to their responsibilities as loyal members of responsibility and return to this House and allow a vote to take place as soon as possible so we can move on the many more important things which must be done to improve the quality of life for the people we represent. Mr. Speaker, the old saying is, "talk is cheap."

At this point I would like to quote from the Bible the quotation which is: "Not everyone who calls me Lord, Lord, will enter the Kingdom of Heaven, but he who fulfills my Father's will." Remember the will of the people and the Government of Manitoba is action. Let's vote now.

Thank you.

MR. SPEAKER: Are you ready for the question?
The Honourable Leader of the Opposition.

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

As I rise to debate the motion that's before us, I'm pleased that the Member for St. Johns has had an opportunity to enter debate on the French language resolution that's before us. He has not put his thoughts on the record prior to this during the course of this long debate that we've been engaged in during the past nine months. Unfortunately, during the course of his presentation, he didn't indicate to us where he stands on the resolution or the amendments that are before us, but perhaps if his House Leader will permit the matter to be further debated and not insist on closure being placed, perhaps then he'll have an opportunity to let his constituents know and indeed the people in the House and throughout the province, where he stands on the resolution and the amendments.

HON. A. ANSTETT: We know where we stand.

MR. G. FILMON: The Government House Leader says they know where they stand - last, at this point in time, last. In the eyes of the public they stand last, Mr. Speaker.

As I prepared for addressing this motion, one of the difficulties was to disentangle the various things that we're faced with in this motion before us. For instance, the motion before us is simply that the question now be put and that, of course, is a form of closure, a form of closure on a motion that was put forward by the Government House Leader, a motion of privilege.

That motion of privilege is in two parts and it, Sir, says that we should address, by way of reference to the committee of rules, the matter of the extended ringing of the division bells and report back with recommendations to the House and secondly, that until that report is received by the House, that the House take an interim decision to limit the ringing of the bells to two hours. That, Sir, would be another form of closure on the debate that's before us, because it would in fact limit the ringing of the bells to two hours and the ringing of the bells being limited to two hours, the closure motion itself could then be put and voted upon; so that, in effect, we have three different forms of the government attempting to impose closure on this House.

It's really a complicated maze and it seems, Sir, to override the agreement that was entered into by both sides of the House last August that said there would be an opportunity for the bells to be rung on any one issue for up to two weeks.

All this complex maze of procedural endeavours on the part of the government is really based on the premise that they ought to have the opportunity to ram through and force through their will on this constitutional

amendment that's before us; but in addressing it, it really zeros in on the question of the ringing of the division bells. One might say that the question really underlying this is "For Whom the Bells Toll" and the government keeps suggesting to us that the bells are tolling for us; that, in fact, people in the province do not want the bells to continue to ring, but in fact they want the matter dealt with, dealt with expediently and gotten out of the way. I don't believe that, Mr. Speaker, and in fact I believe that Manitobans don't believe that and don't agree with that and I intend later to show some evidence of that fact.

I believe that really it's members opposite who want to have this matter dealt with expediently because they have a hidden agenda and that is they have an annual meeting of the New Democratic Party this coming weekend in Brandon, and they recognize that if they have not been able to be convinced by this side of the House, if they have not been able to be convinced by the tide of public opinion which is out there against them in the province, that their own members will be fighting very hard to change their minds on this particular issue this weekend and it will indeed be a very uncomfortable few that they'll be sitting in next Sunday.

Mr. Speaker, earlier in the debate the Member for Burrows said that we - using an analogy of sporting activity, I suppose, or recreational activity - suggested that what we were doing was saying that, because we disagree, that we were not going to allow the matter to be decided, that in fact we were going to use every means at our disposal to stop and block the process of the House - something I acknowledge - and that we would, in effect, "take our marbles and go home," he said last evening. Mr. Speaker, I think that if we want to use analogies of sport or recreation that I would prefer to suggest to members opposite that you don't change the rules in the middle of the game, that in any endeavour in life, whether that be a sporting activity, whether that be our means of living in a free and democratic society, we live by a set of rules, a set of laws, of restrictions that tell us what our rights and responsibilities are; and all sides agree on what those rules are by which we are playing the game, by which we are living our lives and you don't change those rules unilaterally and one side, despite its power, despite having a majority here, doesn't have the right to - in the middle of a game - change those rules by imposing majority rule and majority will.

These members opposite, in particular, keep talking about the protection and the preservation of minority rights. What about right now in the Legislature where the opposition is in the minority? Have they the right to change the rules midstream because they have the majority? Indeed, Mr. Speaker, I don't believe that they have.

Mr. Speaker, everyone here has the legitimate right to expect that the rules will remain the same until all sides get together to discuss that and there is a proper forum for that. It was said before that the proper forum is the Rules Committee, not in the middle of this debate, not by virtue of government decision to change those rules in midstream; but this government has decided that they don't like the rules and they're going to change them unilaterally right here and now in the course of this debate, and they will then leave the Rules

Committee in the position of having a perfunctory exercise of examining retroactively that change in rules and decide whether or not it is appropriate to continue.

Mr. Speaker, the members opposite throughout this debate have been terribly critical about the issue of bell ringing and the use of bell ringing as a tactic to prevent the motion of closure from being put. They have claimed that it is an affront to the democratic process, that it is an obstructionist technique, that it is an abuse of Parliament, and all of those wonderful-sounding phrases, the Government House Leader says it's contempt for Parliament, Mr. Speaker.

But let's look at some relevant comments about this whole exercise and this whole process, and let's look at people who are speaking from experience on the matter, Mr. Speaker.

The Speaker has said in his ruling before us - you, Sir, have said a variety of different things - and I think the House should take note of it because they are wise words and they indicate where we should be in our discussion and consideration of this whole matter.

I quote from Beauchesne, Citation 9, in part: "There is no procedural reason why any member or Minister of the Crown could not introduce a motion to alter the rules and, on occasion, such as the introduction of closure, this has been done."

Why, Sir, did the Government House Leader not introduce a motion that simply referred this matter to the Rules Committee in the normal sense? Why did he have to superimpose on that motion the other overriding factor that temporarily the bell ringing be limited to two hours despite the fact that this matter was to be later considered by the Rules Committee? Why wouldn't we do it in the normal sense, I ask?

Mr. Speaker, it is in order to refer it to the Rules Committee, and that is something that could have been done and should have been done without the caveat.

Mr. Speaker, the Government House Leader, in introducing his motion of privilege, said that, and I quote - "Our tactics denied the right of government to see its legislation proceed to enactment." As you rightly pointed out, Mr. Speaker, there is no right of government to see its legislation proceed to enactment. On many occasions bills are withdrawn, bills are allowed to die on the Order Paper, motions are allowed to just cease and die with the ending of a parliamentary Session or a legislative Session. So there is no right that would see a government have its legislation enacted and there are many examples of that.

Mr. Speaker, as you talked about the rules of the House, you said, "Since our rules and precedents have not been disobeyed, it is difficult to argue a matter of privilege on the grounds of wilful disobedience of orders and rules." Finally, Sir, you said, "Thus the use of the rules cannot be considered a matter of privilege, but the abuse of the rules may be."

Well, Sir, I don't think that it is an abuse of the rules if they exist for the protection of members on all sides of the House, if they exist for the use of members on all sides of the House to accomplish their purpose.

We, Sir, have made no secret of the fact that we are opposed to the constitutional amendment proceeding by bare majority, without consensus, in the province or indeed in this Legislature, proceeding to be entrenched to alter and affect the distribution of linguistic rights in this province for all time and future.

We, Sir, are opposed to that concept and we are prepared to use whatever the rules allow us in order to block the passage of that proposal, Sir.

I wanted to just quote into the record something that was said by another Speaker in another House, that being the House of Commons, on March 18, 1982, when Madame Speaker Sauve said under the topic, "Reflections on Recent Events," and I quote:

"I hope the House will bear with me if I share with honourable members some reflections on recent events. There is no need to recall that for more than two weeks the bells rang to call in the members and, since the House had not adjourned, the Speaker's Chair had to be occupied around the clock.

"I want to thank all those who went beyond the call of duty and especially my assistants who worked long hours in order to provide a minimum of services to the House."

HON. A. ANSTETT: What about 14 months later when she reversed that completely?

MR. G. FILMON: "Well-informed parliamentarians will have understood that the rules of the House had to be observed, but I am not so sure that the public understood our insistence on tradition. What ensued from our failure to bring our rules up-to-date earned us shrugs and even sneers from our fellow citizens.

"We may even have strengthened an unfortunately widespread tendency to be skeptical of the actions of Parliament, and I was very concerned about this during the past two weeks. More than once I considered the possibility of intervening in order to end the deadlock.

"If common sense and logic dictated that an arbiter should be called in, that arbiter would have to be the Speaker. After all, it is the Speaker's responsibility to ensure that Parliament can function.

"I admit that I was often tempted to respond to appeals, first by some honourable members, then by the press, and even by the public, that I should write history and create the precedent that would resolve the situation. However, it seemed to me that any action on my part would be incompatible with my concept of the responsibility of the Speaker of the House.

"In support of this view, I would like to quote Joseph Redlich, an expert on parliamentary procedure, who said, 'The modern president of the House of Commons is a judge who has to apply the rules of procedure to the best of his ability and with perfect impartiality, maintaining with a firm yet sensitive hand the proper relations between the two parties to the proceedings before him, the majority and the minority. He must do so by maintaining the rules and the usage of centuries, and by taking care that both majority and minority are unimpeded in their use of the forces and the weapons which the order of business provides for the strong and the weak.'" — (Interjection) —

Mr. Speaker, I am quoting from Madame Speaker Sauve, and Madame Speaker Sauve did not provide me in this transcript . . .

SOME HONOURABLE MEMBERS: Oh, oh!

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

MR. G. FILMON: Mr. Speaker, if I may continue, Madame Speaker Sauvé said, "I was therefore faced with duties and responsibilities that seemed to be at odds in most respects.

"References have been made here and there and mostly in the press to precedents that had no bearing on the present situation.

"First, a situation in 1961 when one of my predecessors, Mr. Michener, did not let the bells ring for even as long as an hour before he sent a message to the Whips ordering them to enter the House for a division. There was no parliamentary crisis, it would seem. There is no reference in Hansard that sheds any light on the circumstances of the incident and no one, not even Mr. Michener, can remember why the Whips were late.

"Upon receiving the Speaker's message, they entered the House and no questions were raised by anyone. Who can tell whether this precedent, if it is one, is valid? What would my predecessor have done if the Whips had refused to come and vote?

"Another important precedent has been cited this time from the British House of Commons. It relates to the occasion when Mr. Speaker Brand terminated a debate on his own initiative after it had continued for 41.5 hours. It took place at a time when the Irish Nationalists had some 60 members. There were then no time limits on debate and the use of closure was unknown. The Irish Nationalists had employed obstructive tactics over a long period designed to bring the process of government to a standstill. The Speaker put the question but only after consultation with the Prime Minister and the Leader of the Opposition and with their joint support.

"I could not see that similar circumstances existed in Canada in 1982 and therefore felt the intervention of the Speaker could not be justified. What would have been the consequences of an arbitrary decision that did not derive from any of the rules approved by this House nor from a precedent with any relevance to the present situation? It would have meant breaking with an age-old practice that has proved its worth. How can the Speaker make sure that all members available to take part in the division are in the House? Is the responsibility of the Chair or the Whips? What would prevent the Speaker from setting the time of the division in other circumstances? The Chair would have set a precedent that might create even greater confusion in the case of a minority government."

"In any event, such action on my part would have been open to allegations of partiality. Clearly, the Speaker must at all times be impartial. If, for example, the Chair had sacrificed itself in order to get the House back to work, would this have saved the House, and in the circumstances, would the House have agreed with the new precedent that I would have created? It was a question I had to ask myself. The authority of the Chair is no greater than the House wants it to be. When the rules are clear and offer precise guidance to the Speaker, the authority of the Chair is absolute and unquestioned, for this is the will of the House."

"On the other hand, when there are no rules to fall back on, the Speaker must proceed very cautiously indeed. The most the Chair can do is to lay the matter before the House which can then itself create a new precedent."

Again, I quote Joseph Redlich. "It is no part of the Speaker's office to consider how he may use his power to divise new reins or bridle for the House. The guiding principle is that the Speaker is not the master of the House, but its representative. He must always be sure in making any change of practice that he is in accord — (Interjection) — with the average opinion of the House, and when precedents are not conclusive, the Speaker is to lay the matter before the House for a decision. If the last 10 days have taught us anything, it is that we must review our parliamentary procedure."

Madame Speaker goes on further, Mr. Speaker. "The Speaker is the guardian of the Rules of the House. He does not invent them. It is up to the House to decide what changes are necessary. I merely point out that there is a problem. In the meantime, the Chair will continue to be vulnerable until the House provides it with guidelines which would lead to settled practices regarding those very difficult and highly controversial questions where the rules and practices appear to be less than satisfactory. If the indefinite delaying of a division is to be taken as a new precedent, it could be used again to oppose indefinitely any business that happens to be before the House. In addition, it is a tactic that could also be used by the majority if it suited their purpose.

"I question whether it is the will of the House that such a precedent should become enshrined in our practices. The rules by implication assume that the procedure of voting will be completed when members are called in. Today, we all know that the procedure must be spelled out more clearly, since the House cannot function satisfactorily while debate may be interrupted indefinitely by any of the parties."

"I say this in no sense of criticism, but as a statement of fact. I may point out that obstructive tactics are allowed by the rules, however, their use must be regulated so as to safeguard the government's right to have the House consider its order of business and the equally important right of the opposition to criticize, oppose, and even obstruct such a government measure."

Again, I quote Redlich:

"Protection of a majority against obstruction and protection of a minority against oppression are both alike functions of the Chair. It is hardly too much to say that they exhaust the duties of the high office held by the impartial guardian of parliamentary law. It is my hope that such a situation will never occur again in this House. However, should it occur again, the Chair, unless it is provided with firm guidelines would need to consider its course of action with very great care under the new circumstances. I trust that in the overriding interests of this honourable institution, the House will take steps to make known its will as to how the Chair should act before any such situation occurs."

Mr. Speaker, I've taken too long probably to read that entire passage into the record. The point I want to make is that all — (Interjection) — that information — (Interjection) — . . .

MR. SPEAKER: Order please, order please.

MR. G. FILMON: . . . Mr. Speaker, all that information on a situation of similar circumstances is on the record,

and for the government to suggest that they have to on an ad hoc basis in the midst of a very very bitter acrimonious struggle over a constitutional amendment, that in the midst of all that they are justified in changing the rules to limit bell ringing is wrong, because they can't say that they didn't have fair warning. They know that in most Legislatures in this country, there are limitations on the length of time during which the division buzzers may ring. There are precedents throughout this country.

The House of Commons itself, after encountering some of these kinds of tactics and this kind of situation chose to amend its own rules, but it didn't do so in the midst of a bitter acrimonious struggle. It did it — (Interjection) — by changes that occurred in the normal fashion by the rules of the House being adjusted and changed - some may say modernized - by consensus on both sides of the House. It didn't do it by a government coming in and imposing its majority will on the minority opposition side of the House in order to change the rules midstream. That, Sir, is not the way to proceed in this matter, and that, Sir, is why we are so adamantly opposed to what the government is doing.

Mr. Speaker — (Interjection) — the use of the bells to stall or to obstruct the progress — (Interjection) — of the House — (Interjection) — the use — (Interjection) — . . .

MR. SPEAKER: Order please.

MR. G. FILMON: . . . of the bells to obstruct the business of the government or the objective of the government was well known. Sir, I am very surprised that the Government House Leader who prides himself on the knowledge of the Rules of the House, who lectured us about Beauchesne, about Bourinot, about Roberts, about the Magna Carta . . .

MR. SPEAKER: Order please.

MR. G. FILMON: . . . about all of the various sources of rules to do with the guidance of the Parliament in a democratic system when he tried to lay the case before us as to why he felt that he could impose this kind of situation on the House, someone who knew that much about the rules wouldn't have known this before hand.

Sir, in the agreement that was reached last August, the government specifically put in the proviso that the bells could ring for up to two weeks on any one issue. So, they knew that the use of the bells could be implemented further on in this debate. We had an opportunity - not intersessionally because the Session carried on, we were just adjourned, Sir, during the entire fall - to have the Rules Committee examine that on a non-partisan sense without the pressure of some particular issue before us, we had an opportunity to call the Rules Committee together and examine the opportunity to change the rules.

If the government had chosen, if the Government House Leader had chosen, if the Premier or the members opposite felt strongly that the bells and the use of the bells to obstruct the process of their legislation and their constitutional amendment was not

tolerable, they could have done it at a time when we weren't under duress, when we weren't under pressure to arrive at a decision, but they didn't, they did not. — (Interjection) — As I say, they had all sorts of precedent, and all sorts of experience to fall back on in order to arrive at that kind of decision and arrive at it in a manner that it should be dealt with before the Rules Committee and in a non-partisan sense, but they didn't. Instead, they chose to blithely go along their way to proceed with their constitutional amendment and their French language proposal and then, when they found that the government could use the rules, the rules by which we all play, that govern all of our actions here, the rules that are there to protect both sides of the House, we could use them in some way to frustrate their desire to proceed, then they say, well, in that case, Sir, we want to change the rules midstream, and that is the whole basis of our argument and disagreement here today because we do not believe that's the way to proceed and it has been said on many occasions.

The Member for St. Norbert, when this motion was brought before the House, said, why are you doing it this way? Why don't you do it in the normal sense of referral to the committee and let the committee deal with it the way it feels best? But instead, this Government House Leader, who's always a little too clever by half, always wants to use some manipulation and maneuvering of the rules to show just how well he understands them and to try and say that he can put anything over on the opposition, just given enough time and opportunity.

Mr. Speaker, I say to you that we are fortunate, Sir, to have you in the Chair and to be making rulings on matters of this nature. You have chosen not to impose your will on this House.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, you have chosen not to intervene, not to impose your will on the House, and you have left it up to the House to decide, but of course the way in which the House is to decide is the way that's been proposed by the Government House Leader, and that involves a form of triple closure.

A MEMBER: We've moved up one.

MR. G. FILMON: We have, because we are moving that the motion now be put, which is a form of closure, on a motion to limit the bell ringing to two hours, which is another form of closure, on the closure motion. Triple closure - that's what we're into because this Government House Leader wants to demonstrate . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. G. FILMON: Fortunately, Mr. Speaker . . .

MR. SPEAKER: Order please, order please.

The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, in response to the question of the Government House Leader, may I say that fortunately we are still in a free, democratic parliamentary system that allows us at least a little more latitude before we are subject to this form of triple closure that we have to deal with.

Even in bringing this motion of privilege before us, the Government House Leader had to add a little gun at our head. It wasn't good enough just to have the matter referred to the Rules Committee, but the caveat had to be put on that until the Rules Committee deals with it, two hours is the limitation of bell ringing.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, I ask you, why can't the government deal with this matter in a normal, open fashion? Why must we always be subject to the clever or half clever maneuverings of the Government House Leader in trying to engineer us, by use and manipulation of the rules, into a corner? Why wouldn't he have let this whole matter be debated over the past two weeks, because I point out to you, Mr. Speaker, that during the past two weeks there would have been ample opportunity for this whole matter to have been debated. We are in the situation where we would not have to have the offensive imposition of closure put on us to arrive at this stage. We could have debated it in a much more normal sense.

The Member for St. Norbert yesterday, in addressing this motion, said that he, Sir . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

MR. G. FILMON: . . . had not even had the opportunity to speak on either the main motion of the constitutional resolution, the first amendment by the Government House Leader or the second amendment by the Member for Fort Garry, and he had not spoken on any of those three major issues in the course of this debate.

Our former Attorney-General, one of the chief spokesmen on our side, had not even had an opportunity. Well, Sir, because on the main resolution we have only had four speakers. Even on the initial amendment by the Government House Leader there have only been 17 speakers on our side; and on the sub-amendment there have only been 12 speakers, so many have been denied the opportunity to place their views on the record because . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

When this motion is next before the House, it will stand in the name of the Honourable Leader of the Opposition.

I'm leaving the Chair to return at 8:00 p.m. this evening.