



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

STANDING COMMITTEE
on
PRIVILEGES
and
ELECTIONS

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



MG-8048

VOL. XXXI No. 35 - 7:30 p.m., THURSDAY, 22 SEPTEMBER, 1983.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	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, Phii	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, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Thursday, 22 September, 1983

TIME — 7:30 p.m.

LOCATION — Morden, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the committee present:

Hon. Messrs. Mackling, Penner and Plohman
Messrs. Anstett, Brown, Graham, Lecuyer,
Malinowski, Orchard; and Mrs. Oleson.

WITNESSES: Ms. Anne McEachern, Private Citizen
Ms. Marie-Blanche Oliviero, Private Citizen
Mr. Travis McCullough, Private Citizen
Ms. Adéline Fillion, Community of St. Joseph
Mr. George Henderson, Private Citizen
Mr. Peter Francis, Private Citizen
Ms. Jacqueline Fortier, Private Citizen
Ms. Yvonne Pantel, Comité de parents
Mr. Paul A. Cenerini, Personnel de l'Institut
collegial Notre-Dame
Ms. Thérèse Bilodeau, Private Citizen
Mr. Olier Labossière, Private Citizen
Reeve Roy McLaren, R.M. of Louise,
Mayor George Kozak, Village of Manitou
Mr. Raymond Labossière, Private Citizen

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23
of The Manitoba Act.

* * * *

MR. CHAIRMAN: Committee, come to order. The hour being 7:30, we will begin hearing the balance of the briefs on the list for today. The lady we asked to hold at 5:30, Ms. Anne McEachern, please. Ms. McEachern.

MS. A. McEACHERN: Mr. Chairman, members of the committee, ladies and gentlemen in the audience. I would like to thank you for this opportunity to speak. I speak on my own behalf and all views and opinions contained in this brief are based on personal experiences. I am what I like to call myself, a truly bilingual Canadian. I speak and was educated in both official languages. I was born and raised in Hull, Quebec. For those of you who don't know where that is, it's across the river from Ottawa.

My first tongue is English because my mother spoke only English. Because my father is bilingual, we all went to French school. Our household language remained English until we were all capable of speaking both

languages. My family now converses in both languages, going back and forth, without considering which language is spoken.

I was fortunate to grow up when I did, because I was always made to feel proud of the fact that I was fluent in both our official languages. Even at the age of eight or nine I remember young friends commenting on my good fortune at being bilingual.

History was one very important subject in our school. Our education system instilled a curiosity about the Canadian past and the program was very detailed in order to satisfy our curiosity. I recall the day that I found out that the French had lost, and how sad I was to realize that there had to be a loser. I don't think that I slept that night. The next day we went into the English takeover. The sense of deep admiration that I had to find out that the English would allow the French language to be retained as a second official language has never quite left me. I remember thinking wow, am I glad to be a Canadian and descendant from these wonderful people.

Someone said to my in my early teens, you enjoy history too much, you're not aware of the present, the ideals set out by our forefathers are not necessarily being carried out. I could not believe it. I lived in a Utopian state, and of course being able to speak both languages, I was not aware of the injustices afforded those who did not.

As a young person growing up, I don't ever remember thinking of myself as French or English. I thought of myself as a Canadian.

I moved to Manitoba in 1964. Since my education was not completed, I enrolled in an English high school. There was no French high school in Carman at the time and there is not to this day, and subsequently went on to the University of Manitoba. One of the lasting impressions of high school days was the designation of "new French girl" in school. That struck me funny because no one had ever referred to me as "the English girl" in school in Hull. Being 16, and not very assertive or secure in my new environment, I said nothing, and so I became a novelty and remained so.

Most people were very kind and intrigued by my duality of languages. Although all appeared smooth, it was at this time that I came face to face with that ugly monster, bigotry. This monster took the form of a sentence, "All Frenchmen should be shipped to Baffin Island." This sentence was repeated over and over to me in high school by one particularly obnoxious young fellow, who found it to be quite funny. It's sad to admit, but all the wonderful people with positive attitudes do not quite erase that particular negative attitude, and just when you start to feel that people don't mean it, something comes along and reminds you that people really do want the French or English out.

A brochure titled "The Facts about French Language Services" and particularly, and I quote, "By 1987, French Language Services will be provided in those areas of the province where there is significant

demand." I wondered, do they mean Baffin Island? Isn't it funny what will trigger an unpleasant memory?

In the first 15 years of my residence in Manitoba, I just went along in my newly created role, until finally no one remembered that I spoke French. As a matter of fact, I would guess that you doubt that I have maintained my French, since very few people discern a trace of a French accent.

Je vous assure, Messieurs et Mesdames, que je n'ai pas perdu ma facilité en français. Et je vous garantie que je n'ai pas l'intention de la perdre.

About four years ago I began to reintegrate myself into French culture and I also began to seek out opportunities of using my French. At the same time I began introducing more opportunities into our home in order to enable our children to learn French. I found that my children were not being taught the same history, nor a pride in being part of a bilingual nation.

I found that they were both negative about broadening their language horizon, because as they put it, it wasn't cool to be bilingual in their environment. As a matter of fact, the kids were dropping out of the French program like flies.

I will admit that it is my responsibility to educate my children; I will also admit that I neglected to share with them a lot of their cultural background; and I allowed them, as I allowed myself, the opportunity to fall into the unilingual melting pot. However, I am in the process of trying to rectify this situation and plan on continuing until they at least develop an appreciation for their other birthright language. But it is difficult. There's no help or encouragement.

Two years ago in our town a group of parents held a survey at parents' day in order to determine the percentage of parents who would be interested in having a French program in our elementary school. The result of that survey showed over 80 percent acceptance of this idea. Nothing was done to offer French at this level. As a matter of fact, the school claims to have no record of this survey. This happened when we were under the impression that we had the right to equality of language. If amendment 23.7(b) has the addition, "but not including any municipality or school board," you will be giving the school board carte blanche to turn a deaf ear on even a majority consensus.

I was always under the impression that this nation of ours was to have equal rights for all, in French and English. And when I lived in the Ottawa area, I felt that we had those rights. But many times the time I'm glad that I am fluent in both languages, because one language does not suffice in this country. There are areas in our country where you could wander aimlessly for days, looking for someone who understood you if you only spoke one of those official languages.

I find it very sad to have to make this statement. I doubt any of you would deny it. I would have thought that in 116 years, Canada would have progressed much further towards bilingualism. My father and mother managed to produce 10 fully bilingual people in 18 years, and every one of us is reaping the benefits of our bilingualism. Mr. Lyon's ideal of courtesy French is what has got this country where it's at right now. The French-speaking people feel that they don't have to give an inch, and the English-speaking people agree

with this philosophy. What we have right now is a chaotic mess.

Mr. Pawley's limited access policies only serve to enrage those who want the opportunity to speak both languages and pass that on to their children because if we don't reside in your designated areas our access will be nil.

I am glad that our Constitution allows us equality of language from coast to coast in Canada. If there's a question as to whether this law is being broken, the arena for deciding these rights goes beyond political parties and philosophies. In this past year, all your bargaining and haranguing has only served one purpose, and that is to bring all the bigotry and ignorance out into the open where it is being inflamed by the media.

Political parties are too worried about preserving their position in government to be unbiased. Political parties are also too afraid to stand up and admit that the only ultimate goal that we can be working towards is full bilingualism, maybe not in this generation, but surely before another 100 years have elapsed.

That's all the written brief that I have. I would like to add to it that I'm glad to have this opportunity to speak. I realize that I am the first person today to advocate bilingualism; I hope I won't be the last person to advocate bilingualism. It had been federal policy.

I just got back from spending a week in Ottawa. The last time I was in the Ottawa area was three years ago, and that was pretty close after the beginning of implementation of bilingualism. People were very hostile at that time. They didn't like it; they thought they were going to get something shoved down their throats. Now, when I'm down there I see that people are finally starting to accept it and they are moving in that direction. At one time, there was a lot of criticism that you would only get a federal position if you spoke both languages.

One of the complaints that I heard from a sister of mine who is fully bilingual while I was there two weeks ago was that she had not been given a position even though she was bilingual, and the position had been given to a person who spoke only English. She was very upset about that, because she felt that her bilinguality should guarantee her the job over a unilingual person.

Obviously, at least in that department, they are now hiring on the basis of qualifications and realize that it is cheaper to send that unilingual person out and train them in the second language - and that's what was going to happen - than to hire a bilingual person who was not qualified to fill the position. It has taken a while to get to that point. I have never heard of that happening before, but to me it was a positive step towards bilingualism.

I don't know what the solution is in Manitoba, but I have felt personally very hurt over the last year to hear nothing but the French side and the English side. Where is the Canadian side?

Thank you.

MR. CHAIRMAN: Thank you, Ms. McEachern. Questions from members of the committee? Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. First of all, I would like to thank you for a very interesting and well

thought out brief. It is something that certainly is food for thought for all of us.

You mentioned a couple of things, and I don't want to keep you here too long, but what in your mind is significant demand? We have heard so many versions of significant demand. To some people in the areas that we have been at, it represents one person in a totally Anglo-Saxon society that demands French language. That is significant demand, and the French services and French education should be provided for that particular person. What in your mind is significant demand?

MS. A. McEACHERN: I don't know what significant demand is. All I know is that our rights as Canadians should ensure us to either be responded to in French or in English, depending on which language we deem we want to be approached in. I don't know percentages. I'm afraid I can't answer it, I guess.

MR. A. BROWN: Those are some of the areas of concern though that we, as legislators, have to be concerned about. What is going to be significant demand, and at what time do we say that French language instruction is going to be justified? It's one area.

Another area in Manitoba is because 55 percent of Manitobans are made up of other minorities other than the French and English language. I myself am trilingual and not one of those languages is in the French language, although I can order a crêpe suzette and so on in French. I can ouvrir le fenêtre and fermez la porte and so on, but the thing is this, that the Ukrainian community are just as proud of their heritage, I'm sure, as what you are of your French heritage. The German community is just as proud of their heritage as I'm sure as what you are of your French heritage.

MR. CHAIRMAN: Question, please.

MR. A. BROWN: Well, Mr. Chairman, I think we had an excellent brief over here and, if you'll just bear with me for a minute, then we'll get down to the question.

The question is this, in those communities then in some instances in order for them to learn the French language, they will have to learn four languages or three languages, which is going to cause a bit of a problem in the school curriculum, because a good portion of their time is going to be spent at languages. Now, have you given this any consideration at all, Ms. McEachern, as to the problems that some of the other minorities face?

MS. A. McEACHERN: I don't think the other minorities have any problems. The Constitution of our country says that the official languages are English and French. Anyone who chose to come to Canada at a later time should have accepted that fact. Because we have never stood up as individuals before and demanded our rights in both languages, I can see where it has thrown them in a little bit of a quandary.

Personally, if I came from the Ukraine or Poland or any other country and was not bilingual in French or English, and I could see where one of the factors or one of the people that made up the original settling

of this country was being denied their rights, I would have doubts as to whether 10 years down the road I would be allowed to maintain my own culture and my own language even in my own home.

MR. A. BROWN: Do you think then that if you were of one of the other minorities other than English or French that you would be somewhat at a disadvantage because you would be forced into the situation where you would have to learn either the third or the fourth language?

MS. A. McEACHERN: One of the things that has really upset me is this word "forced," and I've heard it over and over and over for years. People really seem to fear an opportunity to grow. And to me 116 years of sitting trying to decide whether we should grow towards learning two languages is an awful lot of time wasted debating. An opportunity for growth we should never pass up. Staving off and putting off getting down to the basic issue, which is let's get down and learn the languages we don't know to make us truly bilingual, isn't going to solve the problem, like to keep putting it off and putting it off.

The way the bills and the amendments and everything else is brought out it's almost as if people are being told, you're going to be hurt by learning a second language. Learning is never going to hurt, it's an opportunity for mental growth and we should do that until the day we die. I think maybe that's what our forefathers had in their mind, was that Canada would be truly a beautiful country if we were so open-minded and we were so willing to grow and share that we would know two official languages, we would be able to correspond in them, relate in them. Maybe if we were that type of people eventually we would open ourselves to a third, fourth, fifth, sixth language.

So forcing, I can't understand where asking a person to learn a second language is to hurt them, and the word "force" is a connotation of being hurt, and to me it's not a hurting thing, it's a growing experience.

MR. A. BROWN: One more question, Mr. Chairman. It seems to me that we are getting possibly a little bit paranoid about languages at the present time in Manitoba, but as I already have mentioned, that some of the people in Manitoba will be in the position that if they want to be able to take advantage of all the job opportunities in Canada, or possibly in Manitoba, for that instance, taking advantage of Civil Service jobs which are about one-third of the employment in Canada at the present time, that they are almost forced, and that's why I am using the reason "forced". I would love to speak seven languages like Mr. Lansky does, or 13 languages like we have somebody in the Legislature who speaks 13. I would love to be in their particular position, but is not really the primary concern that we have in Manitoba that, rather than languages, that we teach people to be able to find their own way in society and pull their own share of the load; is that not more important than just concentrating on languages alone?

MS. A. McEACHERN: No.

MR. A. BROWN: No. No more questions.

HON. R. PENNER: Yes, Ms. McEachern. You raised a question of concern about that part of the resolution, as the amendment proposes, which excludes from 23.7(1) the municipalities and school boards, and you reflected on whether or not that might affect language of instruction. Are you familiar with the minority language educational right guarantees in the Charter?

MS. A. McEACHERN: No, I am not.

HON. R. PENNER: These are sections in the Charter which, in fact, guarantee language of instruction. Have you had a chance recently to take a look at the resolution which is being proposed? You did refer to 23.7(1)(b), you have it with you? Would you not agree Ms. McEachern, looking at 23.7(1)(a) and (b) that what is being dealt with are services and communications from the head offices of certain institutions, and only the head offices or central offices; and the second part of the question, that with respect to the excluded municipalities and school boards, that only excludes the head offices, in terms of services, not with respect to language of instruction?

MS. A. McEACHERN: I am missing your point. I am sorry, at supper myself and a group of friends were discussing the fact that we've drawn our knowledge of these amendments based on what we've read, and one of our major disappointments today was the fact that we could not ask questions and get clarification on some of these, so, no, I'm afraid I did not understand it the way you're now expressing it, and I'd like you to repeat it, again, for me, please.

HON. R. PENNER: Pointing out that 23.7 deals with communications and services from the head offices of institutions, and does not deal with language of instruction. Can you see that now?

MS. A. McEACHERN: Yes, I can.

HON. R. PENNER: Thank you.

MR. CHAIRMAN: I would caution members that attempts to clarify misunderstandings are not the purpose of questions. I appreciate that Ms. McEachern wanted that clarification, and for that reason did not rule it out of order, but I don't think it should be allowed in any extensive fashion.

Further questions, Mr. Penner?
Mr. Orchard.

MR. D. ORCHARD: Ms. McEachern, would it be fair to glean from your presentation tonight that, were you to provide an amendment to Section 23 of The Manitoba Act, you would simply add Section 23.1 and nothing else, that English and French are the official languages of Manitoba, and make the province bilingual?

MS. A. McEACHERN: Yes.

MR. D. ORCHARD: Thank you.

MR. CHAIRMAN: Further questions? Seeing none, Ms. McEachern, thank you very much for coming this evening and making your presentation.

Next presentation is from Marie Blanche Gobin.

MS. M. GOBIN: Clarification, Gobin is my husband's name, I use Oliviero.

MR. CHAIRMAN: Please proceed.

MS. M. OLIVIERO: Je vais parler dans la langue, je vais parler en Canadien, mon droit de naissance. Je suis la neuvième génération née au Canada dans notre famille des deux côté de mon père et ma mère et je félicite . . .

MR. R. DOERN: I think that there are some people caught off guard and there may be new people . . . perhaps you can explain to the audience that they can get a translation set or maybe we should take a two minute break.

MR. CHAIRMAN: Order please. For those who either do not have receivers or not familiar with the fact that they are available, we'll take a short recess. Anyone wishing to have a receiver so that they can understand the presentation being made can pick them up beside the translation booth.

(RECESS)

MR. CHAIRMAN: Committee, come to order. Madame Oliviero, please proceed.

MS. M. OLIVIERO: Je vais répéter ce que j'ai dit, j'ai décidé de parler en Canadien, mon droit de naissance. Nous sommes la neuvième génération née au Canada, aussi bien du côté de Maman que de Papa et je félicite le gouvernement du Manitoba qu'on est plus proche de réaliser notre rêve de plus besoin de se battre pour parler le français et que nos enfants, tous les enfants du Manitoba, pourraient parler français immédiatement en commençant l'école. Pour moi, le français est tellement une chose qu'on prend pour acquis. Tout à l'heure, dans la municipalité de Grey, on a été dit qu'on demande jamais des services en français. A St-Claude, la majorité du monde est 95%, alors on parle continuellement en français. Nos deux conseillers, on a le conseiller à St-Claude et Haywood, on leur parle toujours en français; ce qu'on a à demander, on le demande en français et ça marche la même chose que ça marche ici aujourd'hui. C'est eux qui font leurs rapports au conseil et comme ça, le maire dit qui a jamais de rien de demandé en français, c'est ce qu'on est trop pour acquis. Alors, je pense peut être qu'on est libre français à St-Claude, qu'on demande pas assez . . . mais certainement qu'on en a besoin. On devrait continuer, on devrait être libre de pouvoir parler dans une langue ou dans une autre. Moi, j'ai été élevée, nous les Canadiens, on savait pas qu'est-ce qui était mieux et the english language was for commerce. C'était commercial. C'était pour faire des marchés ou c'est de cette façon qu'on a été élevé. Alors, je félicite le gouvernement de M. Pawley pour être le plus proche . . . on n'a plus besoin de défendre ce qui nous a été donné. Merci.

MR. CHAIRMAN: Thank you, Madame Oliviero. Questions from members of the committee?

Mr. Lecuyer.

MR. G. LECUYER: Juste une question. J'ai pas tout à fait saisi ce que vous disiez tout à l'heure en faisant référence aux services sur plan municipal . . . ce que vous dites, c'est que dans le village, puisque vous êtes 95% en français, vous avez l'habitude de fonctionner en français, alors quand vous vous adressez à vos représentants au conseil municipal, vous vous adressez en français. Là où le lien est brisé, c'est que entre le conseil et les gens du village, c'est là qui a pas le service et la communication en français, parce que au conseil municipal, on parle seulement en anglais.

MS. M. OLIVIERO: Le village de St-Claude est incorporé. Ils ont leurs quatre conseillers et maire. Je pense que c'est juste une chose que, la même chose qui est faite ici aujourd'hui, je pense que toutes les discussions sont faites en français et alors, sur papier, c'est mis en anglais. Alors, nous, de rural, c'est tout, nos deux conseillers sont français et quand ils vont à Elm Creek, la municipalité de Grey, c'est refaire encore la même chose. Alors définitivement, la municipalité de Grey est française. On communique avec, j'en suis certaine que Fannystelle est pareil, mais j'en suis certaine que St-Claude et Haywood, c'est totalement, avec nos conseillers, c'est totalement en français. C'est tout, au village de St-Claude pareil. On paye, on va dire la municipalité, on va payer des dûe, franchement, on les paye en français, mais ils sont écrites en anglais.

MR. CHAIRMAN: Mr. Lecuyer.

MR. G. LECUYER: Merci, Monsieur le Président.

MR. CHAIRMAN: Further questions from the members of the Committee? Seeing none, Madame Oliviero, thank you very much for your presentation.

Next on our list, Travis McCullough, please.

MR. T. McCULLOUGH: Mr. Chairman, members of the committee, this is long, you may find it boring. But you haven't always been a barrel of laughs to me either, so I ask you to bear with it.

I believe that human beings are reluctantly gregarious. We reach out to others only when and because we want to for basically selfish reasons. There's always this selfish centricity, even in what might, on the surface at least, appear to be the most altruistic of human acts. For example, missionary work, or martyrdom is gone into willingly because it pleased the individual to do this. Given a choice, we do something or we do not do something, only because it pleases us to adopt that particular attitude.

Unless we recognize this human trait, this egocentricity and realistically confront it, I believe that as a species, not just Canadian species, but a human species, we are probably doomed to destroy each other in the world anyway. I believe that there have been leaders in the past and some today who would have been and are perfectly capable of envisioning a world in which they remain the only inhabitants.

In a different vein, Socrates, Jesus, all of the great thinkers of the past, have urged people to know themselves. I shall first have then, to know myself. This

shall be the intent of this speech then. First to know what I am, what I want, and finally why I feel that the amendments to the provincial Languages Act of Manitoba are not to my best interests.

I would like to begin by exploring the whole human situation. Two forces do seem to be at work among mankind. The one we call evil, the other we commonly call good. Let us begin with the latter, good. We associate good with generosity, gentle acts of love. Ah, but that last term, "love", is the one we would do very well to question more closely. Love of one thing might very well be demonstrated in hatred towards another - which is fine when we're talking about weather or road conditions or food preferences. However, it is quite a different matter when we get to talking about people, or groups of people.

Moreover, the psychologists tell us that love of others must be preceded by love of self. And where do I leave off and others begin in this whole process? It is really a term to be watched, is it not, that word love?

The other force that seems to be at work, evil, is commonly associated with selfishness, violent acts and hatred. Back to Square One, I suppose, because of course hatred of one thing might very well be a demonstration of love of another. Even if it is only love of self, which of course is prerequisite to love of anything or anyone else.

Only a politician could find his way profitably through this morass and they do it regularly. The politician succeeds by taking the classical dilemma by both of its horns and vaulting neatly through, finally denying that he even needed the horns to make his vault. In his way his mission is complete and his mystique is intact, in fact, reinforced.

At this point I would like to personally welcome the political appointees to this hearing. Love and hate, good and evil, these are terms both absolute and complex. The politician would rather you use less weighty terminology when he confronts people. The terms like "efficiency, needs, rights, goals, objectives, expediency," antiseptic terms that do not have to come to grips with the basic nature of mankind - the basic underlying "MEness" which prompts our every act. Of course, the politician would like to pretend that this doesn't exist, because he certainly would not like the masses to know that it also prompts his every act, but it does.

Some of you are perhaps familiar, perhaps much more familiar than I, with "The Prince," a book written by an Italian writer - 16th Century I believe, I stand corrected on that. In this book, Machiavelli, the writer, tells about a fictitious nobleman, already a wealthy man and a politician, who was able to achieve an absolute dictatorship through democratic means. His method was to create issues which so divided the people of the country into selfish little interest groups that, fighting amongst themselves, they no longer presented any sort of unified front in anything. By creating such a mass of confusion and kindling it now and then with promises of certain rights for one group, but not for another and so forth, the prince set himself up as the only one who could lead the way through the jungle which he had created. Naturally, he was made leader with absolute powers, so a tyranny developed out of a democracy. I would ask you to remember that name, Machiavelli, and his book, "The Prince."

Well, it was in 1967 or 1968 - way back in the halcyon days of Trudeauania that I drove from Sydney, Nova Scotia, to cast my vote for the next Prime Minister of Canada. I had to drive about 15 miles out of Sydney to vote in the vote in the advanced poll because I was moving again. There was some school house or something out there where I made my choice. I really didn't know which way to vote. There had been a televised First Minister's Conference earlier that year and I had been impressed with one Pierre Elliott Trudeau, (PET), who sat at the right-hand side of the then Prime Minister Lester Pearson. PET had impressed me with the smooth manner with which he dealt with Daniel Johnson, the then Premier of Quebec, a man who worried me a good deal. He seemed to me to be a man who was a terrible and bitter enemy of anyone who was not French. I have to wonder now whether PET's summary putdown of Mr. Johnson was real or orchestrated.

Anyway, there was another thing that had worried me. I had recently read a magazine article - and I can't recall the magazine now - a magazine article in which various politicians: John Diefenbaker, Lester Pearson, and others, and Pierre Elliott Trudeau, were asked to name their favourite things: favourite animals, favourite foods perhaps, many favourite things, and their favourite political hero of the past. What the others chose in this last category, I can't now recall; but - and this seemed terribly important to me - the favourite political hero of the past to Pierre Elliott Trudeau was Machiavelli. I won't tell you how I voted that night; I can't tell you that. I would just say that Machiavelli worried me a good deal more than Daniel Johnson ever did.

I am afraid that we have all been had. We have divided ourselves into little groups, squabble among ourselves about issues - created by the government in Ottawa - created, I'm afraid, to foment distrust and divisiveness in Manitoba and, finally, in the rest of Canada. The result may very well be the balkanization, not only of Manitoba, but of all of Canada. Eventually, we will be so divided into small pressure groups that we will present no unified front and like the silly citizens in Machiavelli's "Prince," we will then turn to Pierre Elliott Trudeau and ask him to lead us out of the maze, which he masterminded. We will then give him sweeping powers to lead us out. We will, in effect, have allowed a tyranny to emerge through a democratic process.

Anything that I might inadvertently say here which would further this divisiveness would only be working against true democracy and would be playing directly into the hands of the "prince." I must guard against this with all vigilance throughout the course of this presentation. It would be a grave disservice to all of us for me to destroy unwittingly any sort of unity that we may have - and I believe that we have many things about which we are unified as Manitobans. I moreover, certain that none of us want to live in a tyranny, let alone be doubly damned for having been duped into creating that tyranny through a democratic process.

So let us all try to remember, even while we discuss real or imagined differences, all those things which we do have in common.

The French language issue in Manitoba has divided us unfairly against ourselves. However, it is only one of many such divisive techniques, engendered in

Ottawa, engendered to drive further wedges between all Manitobans.

Metrifaction is another such device that comes readily to mind. It is just another divisive element which has been forced upon us to make us feel like strangers in our own land. However, and perhaps more to the point, the issues of Native rights, Metis rights, all minority group special rights create more and more animosity between us. All of these things will eventually work toward the very divisiveness upon which the "prince's" success depends. You cannot have a society in which everyone has equal opportunities if you simultaneously award extra rights and extra rewards to certain groups. Machiavelli's "Prince" knew this and used it to his advantage. Our "prince" also knows this and uses it to his advantage. A unified country is a country in which he could not successfully create his tyranny.

For a while, it may all seem rosy, if you're fortunate enough to qualify as a member of one or more of these favourite minority groups. It has been in the newspapers that the Jewish Council, the Ukrainian people, the Metis, the Chinese people, the Portuguese community and many other minority groups in Canada have come out in support of this amendment to The Official Languages Act, ostensibly because they identify with the French language advocates. I wonder just how long this unqualified support will continue. If the French language can be granted full official status, will not every group want the same eventually?

The resulting confusion in laws, statutes, in education, let alone taxes, increasing multiplicity of small and conflicting interest groups with no apparent unity will be the very chaos which will allow the "prince" to flourish in the tyranny which he has created.

I do not like Folklorama; I do not like multiculturalism; I do not like anything that reminds, deliberately and with intent, of the ways in which we are different and which destroys our emerging unity - a thing upon which we are all mutually dependent if we are to avoid falling unwittingly into a tyranny.

To move from Manitoba to Canada and the world. I have two visions of the world in the future: One is of a burned out, dead planet, drifting lifelessly through space surrounded by a cloud of radioactive dust, a horrible, dead thing that didn't have to be that way.

The other is of a world where there are no nations whatsoever, and whose inhabitants are truly free to move about, live where they choose and not just or be judged as members of any group, but on each his own individual merit. In such a world there could be complete unity of purpose, to preserve human life and to enable humanity to go as far as human intelligence could carry him into the areas of outer space, medicine, agriculture, all of those things which the better part of man's nature could accomplish. am,

So much of this is prevented today because of the concept of nationhood, because nations divide people into artificial little groups, each group opposed to the other; not because they hate the individual members of this or that group, but because the national policy of their particular nation is to teach distrust of other groups. Indeed, it sometimes occurs to me that without the handmaidens of blind patriotism and nationalistic fervor, the leaders of those nations would be scarce noticed in the tide of human affairs.

So when I speak of unity of purpose in Manitoba, or in Canada, I speak only in terms of relative and limited unity, a sort of preparatory unity for the greater unity of all the peoples of the world, without which I am convinced we cannot hope to survive as a species.

The voice of humanity must be heard above the voices of leaders. Differences, lingual or otherwise, must crumble before we can have a province; provinces must crumble before we can have a nation; nations must crumble before we can have, indeed, if we are to have a world at all in the future. If, as it appears to be the case, these proposed changes in The Official Languages Act in Manitoba create more differences among us here, then I think it is sheer foolishness to implement them. Let us try to enlarge our visions a bit. Being a Manitoba is only a milestone towards being a Canadian; being a Canadian is only a milestone towards being a member of the world community, and that is precisely what our children and their children must strive toward.

I probably won't be around when they have to try to save this world from self-destruction; I don't think many of you will be either. At least let us give them some sort of decent start. Let us not fill them with the prejudices which we may have, and let us begin by avoiding this amendment which will only foment further troubles for them. We cannot set them an example of unity by supporting something which will only foster disunity. Let us cease being dupes to the tyrannical aspirations of the "prince." Let us at least leave what vestiges of unity as we can for our children. Let's at least give the future of the world a chance. If necessary, let us renew our attempts to all learn Esperanto. Leaders have already proven that they can't succeed in anything but their own self-seeking ambitions. It's time for the greater voice of humanity to be heard. Let us begin unity here and spread it throughout the world. Let us not support something that has been custom designed to create disunity among us.

Finally, to go back to the beginning, let us make a really firm effort to know ourselves. We are capable of good and of evil in our motives, as well as in our actions. It will take a great deal of soul-searching; however, if we decide that our motives are founded on learned prejudices, blind patriotic fervor, or adherence to the strictures of a small and divisive group, then let us discard these motives for something more open-minded, something with more scope in time and space than mere prejudice will allow.

I remain certain that these proposed changes to The Official Languages Act in Manitoba will create far more disunity and prejudice than it will unity and good will. They are negative, not positive; let us be positive. Official bilingualism will only create disunity, indeed, it already has, else why are we here now?

In the world of the future where unity will be a prerequisite to human survival our children, and children's children, must practise unity. Let us not do them the disservice of demonstrating divisiveness here.

Now, that's my presentation. There are a few things that I have written down, if I may, a few things that have happened since - I've heard of since.

Manitoba 23. Objections to the referendum to oppose the amendment. It is a step backward, I believe, for democracy to yield to the suggestion that the voice of the majority is a dangerous thing. A referendum is the voice of the majority; a democracy is the voice of the

people, the voice of the majority of the people. Is it to be considered dangerous in a democracy to listen to the words of the majority? It is moreover an insult, a joke, to suggest that the populace hasn't the intelligence to read and understand the words of the referendum. Heavens! I even understood that.

Now, I want you to think that in a democracy I guess the majority rules. Certainly minorities' wishes have to be kept in view, but when you have the opposite, when the minority rules, you have either a tyranny or you have an oligarchy. You don't have a democracy. So I think we have to have a referendum. I think far from being dangerous, it's something that we have to do democratically.

I furthermore wonder how much of Manitoba 23's membership - I don't know who they are - profit in dollars and jobs from the concept of multiculturalism, Folklorama. Why are they so secretive about who they are?

Finally, Mr. Serge Joyal said that settlement through the courts would be tougher than Pawley's answer. I think that isn't so. I think that possibly Quebec fears the status of French in Quebec might be shaken more than the status of English in Manitoba if the thing were to go to the court.

That completes my presentation. I'm ready for the questions.

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

Mr. Doern.

MR. R. DOERN: Mr. Chairman, thank you very much. We certainly enjoyed and found your brief interesting.

I am looking at Page 6 of your brief, and I gather that it is your view that in an attempt to make the province officially bilingual that other ethnic groups will suffer as a consequence. Rather than everybody being raised up, it will be primarily at the expense of the other multicultural groups; that they will, relatively speaking, decline. Is that your position?

MR. T. McCULLOUGH: My position is not exactly that. My position is that I think we should try to forget our racial background. I don't go for ancestor worship. I believe that my forefathers probably made a lot of mistakes. I believe my own father probably made a lot of mistakes. I don't think that they did everything right in the past.

So, Mr. Doern, I cannot answer that question in - well, I can answer it, I'm not trying to avoid it. I would say this: I don't believe that we should foster and support a whole lot of ethnic groups of any sort. I have said that I am opposed to multiculturalism on the grounds that I think it's divisive rather than unifying.

MR. R. DOERN: Mr. McCullough, I'm sure that you don't object however to ethnic organizations that fund themselves, or have their own . . .

MR. T. McCULLOUGH: No.

MR. R. DOERN: . . . in other words, if you're self-funding or self-supporting, you wouldn't object to that.

MR. T. McCULLOUGH: No, no, no. For example, in Nova Scotia, they had a lot of bagpipes and things like that, and they dance with kilts on and things, but it was funded by their own. They want to do that and I didn't care. I went down and listened to it once in a while, but it was funded by themselves. It isn't money out of my pocket for that. No, I think that's okay.

MR. R. DOERN: You object to taxpayers' money being given to groups to fund them for cultural or other purposes.

MR. T. McCULLOUGH: Yes, I do.

MR. R. DOERN: Also, I notice that in your brief you mention - and I think there has been a great deal of confusion about this. Again, I'm looking at Page 6 towards the bottom about newspaper reports that the Jewish Council, the Ukrainian People, etc., etc., support the amendment, but are you aware of the fact that some of these reports are highly erroneous?

For example, to say . . .

MR. CHAIRMAN: Order please, order please. Questions for clarification, please, not to provide information.

MR. R. DOERN: Well, you'd better hear my question. You should hear my question first then, Mr. Chairman.

MR. CHAIRMAN: Well, Mr. Doern, I won't hear your question if you introduce allegations which have not been in the brief, suggesting that reports are erroneous and providing information. Questions are for clarification.

MR. R. DOERN: Mr. Chairman, on the point of order, the brief states that the Ukrainian people support the amendment. My question to Mr. McCullough is: are you aware of the fact that only a small handful of Ukrainian people are supporting that amendment, that in no way reflects general support from the community, in no way?

MR. CHAIRMAN: Mr. Doern, the purpose of questions is not to confirm things that you believe or information you bring to the committee. The purpose of questions is to find out what Mr. McCullough thinks.

MR. R. DOERN: All right, let me ask him this. Do you think that all the Ukrainian community in Manitoba supports that, or only a portion of it?

MR. CHAIRMAN: Mr. McCullough.

MR. T. McCULLOUGH: For the past six years, I have been teaching in a Ukrainian community, and I feel that they do not support that. However, it has been in the papers that they do. I don't think they do.

MR. R. DOERN: That some do.

MR. T. McCULLOUGH: Some must have, because they came out and said that they did. But I don't think they represented all the Ukrainians, that's all.

MR. R. DOERN: You also mention that you don't like Folklorama, whereas I do, but I wonder whether you would appreciate . . .

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

MR. D. ORCHARD: A point of order, what does that have to do with anything?

MR. CHAIRMAN: Mr. Doern.

MR. R. DOERN: Do you recognize that there is a particular value in ethnic or multicultural organizations? That is this, in particular, that . . .

HON. A. MACKLING: On a point of order, he's arguing with the witness.

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

MR. R. DOERN: Arguing with the witness? You haven't even heard what I'm going to say.

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

MR. R. DOERN: Good God! Arguing with a witness?

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

HON. A. MACKLING: Yes, Mr. Chairman, this morning, when Mr. Doern was not present, we had a review of the appropriate questions to someone who was presenting a brief. The Chair ruled, I think after a review of the submissions that were made, that it is out of order to cross-examine the witness with statements, asking the witness to confirm information that is suggested to the witness to be fact. That's the kind of thing now that Mr. Doern is doing.

Now, there are people here waiting to make briefs, to make presentations. They should not have to wait for all of the extraneous argument and suggestions that are put to someone presenting a brief. If they are questions of clarification, something that has been presented in the brief that raises some question, there is some lack of clarity and there is further precision required, that is appropriate. But to suggest facts to the witness and ask him to comment on those or follow that kind of questioning which Mr. Doern has been pursuing is completely out of order, and is an abuse of the privileges of this committee.

MR. CHAIRMAN: Any further comments to the Chair on the point of order?

Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. On the same point of order, I don't believe Mr. Mackling has attended all the hearings; I think I have, and we've been through quite a number of days of hearings and we have quite a few left to go, but I believe that anytime we can get additional information that may be of benefit to this committee from the people that have volunteered

to come forward, I think we should avail ourselves with that opportunity.

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

MR. R. DOERN: Yes, I was just wondering if Mr. Mackling could provide me with a list of official or acceptable government questions that I could read to the witness.

MR. CHAIRMAN: The purpose of contributions to a point of order is to guide the Chair. The Chair does not appreciate facetious remarks. Mr. Penner to the same point of order.

HON. R. PENNER: No, go ahead, make your ruling.

MR. CHAIRMAN: Obviously, to members of the committee, on a brief of such wide-ranging scope, it should not tax the intelligence of members to phrase questions which can cover the universe and still seek clarification. The brief is very wide ranging in scope and I think questions for clarification can also be wide ranging in scope without contributing to debate, providing new information to the delegation in front of the committee. I think it's only appropriate, in view of the scope of the brief, to ask members to try to keep questions related to this brief also related to the subject matter before the committee.

I think obviously there will be occasions when members have to, by way of short preamble, provide information to frame their question, but obviously that information should not be lengthy, the preamble should not be lengthy and the question should neither be argumentative nor a debate.

Mr. Doern, do you have a question.

MR. R. DOERN: Yes, I have my last question. Mr. Chairman, I wanted to ask Mr. McCullough this, whether he appears to not recognize any value in multiculturalism, and I wanted to ask him this question, whether he would agree that in many instances multicultural organizations and ethnic organizations have a particular value and that is to enable immigrants, among many others, many other purposes, but one of the functions and one of the values of ethnic organizations is to help integrate immigrants into our society as well as help people who wish to retain their culture for whatever reasons, that there are values in multicultural and ethnic organizations?

MR. T. McCULLOUGH: As long as its intent is to integrate them into the Canadian society and then the world society, yes. But, if it is to put them into silly little groups that want to fight, I really can't see the purpose of it.

MR. CHAIRMAN: Mr. Brown.

MR. R. DOERN: Mr. Chairman, I . . .

MR. CHAIRMAN: Oh, I thought that was your last question. Mr. Doern.

MR. R. DOERN: . . . have one more question here. You made reference to Manitoba 23 . . .

MR. T. McCULLOUGH: Yes.

MR. R. DOERN: . . . which is a mysterious phantom organization, and I wonder whether you have any views on what their sources of funding are. They have spent some \$10,000 already on advertising to promote their view. I wondered whether you had any views or information about their sources of funding.

MR. T. McCULLOUGH: I have suspicions.

MR. R. DOERN: What are these suspicions?

MR. T. McCULLOUGH: I suspect that they are people who reap - I think I said it already - profits, their dollars, from, I suppose from Folklorama for one thing, that you apparently like - Folklorama and multiculturalism. There's a lot of money spent there. Maybe that's their job to go around and do this.

MR. CHAIRMAN: Mr. Brown.

MR. A. BROWN: Mr. Chairman, I would like to take this opportunity to thank Mr. McCullough for the amount of time that he has spent in preparing this brief and for the time that he has spent in coming out here and presenting it to us. There is a lot of food for thought in that brief and I believe that even though maybe in some parts of it it was presented in lighter vein, that there is also some very serious thought in that particular brief.

My question to Mr. McCullough is this: I would like to know whether he is a direct descendant of either Plato, Socrates or Confucius or Machiavelli?

MR. T. McCULLOUGH: I suppose we all go back to Adam somewhere or another, I don't know.

MR. CHAIRMAN: Further questions for Mr. McCullough from members of the committee? Seeing none, Mr. McCullough, thank you very much for your very entertaining and informative brief this evening.

The next name on our list is Adéline Fillion, Community of St. Joseph.

MS. A. FILLION: M. le président, membres de la commission. J'aurais un commentaire, avant de commencer à lire ce bref. Vu que je parle au nom des deux groupes, je préfère ne pas avoir à répondre à aucune question.

Because I read this brief in the name of a group, I prefer not having to answer questions.

Au nom de la communauté de Saint-Joseph, je désire présenter ce bref sur les amendements bilingues à la Constitution du Manitoba.

Today, Manitoba is given the occasion of fulfilling its constitutional obligations in a practical, just and economical way. We Manitobans, whose first language is French, are offered government services in our maternal tongue. Provisions of French Language Services will be provided in provincial departments and agencies in designated areas that have a significant number of French-speaking Manitobans requesting them. The translation of certain laws will be extended over a 10-year period as stated by the Société franco-

manitobaine and our Provincial and Federal Governments.

In 1867, Canada became a bilingual nation, and in 1870, Manitoba joined Confederation as a province with two legally recognized languages - English and French. All previous constitutions affirmed the dual nature of its nationality, a founding principle of our country. Our immigrants accepted the country as such when they became citizens of Canada.

Through the years, in Manitoba, we became a minority, and our government this allowed French completely as far back as 1890. Our parents, particularly, can remember the 1916 episode and we have to bear the tragic results of those unconstitutional laws. It's not that our fathers didn't feel the need of the English language, but not at the expense of their maternal tongue.

The restitution of French rights is an act of justice, good citizenship and the pledge of good faith, particularly so because our language will not be forced on anyone. When have you seen a majority group deciding the fate of a minority. After this issue, which minority will be affected and for what reason? It shouldn't be a popular vote on who likes French and who doesn't.

Since the introduction of French and Immersion Schools, French has gained immense popularity and I can personally say, not at the expense of the English language. Let's not forget that the English language is compulsory in Manitoba's educational system. Our scholars educated in French schools for their primary and secondary education can well adapt themselves in our universities, be it Manitoba, Brandon or specific careers taught totally in English.

We owe a debt of gratitude to our predecessors, who in spite of numerous difficulties and ceaseless struggles, preserved for us our language and our culture. Their courage and determination in pursuing their ideals provided us with a legacy that we can be proud of. Thank you for your attention.

MR. CHAIRMAN: Thank you very much.

The next name on our list is George Henderson. Mr. Henderson, please.

Mr. Henderson, the Member for Rhineland didn't catch your name. He's wondering if he's seen you before. Please proceed.

MR. G. HENDERSON: Mr. Chairman, honourable members of the committee and everybody in the audience. I would like you to know that I appreciate the opportunity to appear here today to say a few words as a private citizen. I was very hesitant to do this and I didn't want to do it. But since the government decided to have hearings, I felt it my obligation to say what I thought as a citizen, and I realize that you people on the committee and the present government has got a very tough decision to make now as to how you will handle this and the best way out. Because I, like some of the other speakers, do not want to see more division within Manitoba. I have the feeling that this is going to cause more hard feelings in Manitoba.

I must say that I'm glad I came down today though because I heard several very good speakers, people like Mr. McCullough, that really have quite a knowledge

of an awful lot of things and it was very interesting to hear them and others.

Having said that, I sympathize with the people on the committee and the present government for what they are up against. I must also say that I think they are largely to blame for it, because of many things. One thing is the way they met secretly with the Franco-Manitoban Society and the Federal Government and drew up what they considered was something that everybody had to accept without hearings and put it through the Legislature in a hurry.

In fact, Mr. Penner told them, as I read in the paper - and I didn't take Hansard all the time, although I read it occasionally - it was quite often said that they had to pass it the way it was and that it couldn't be changed. You know, it had to be done by the 31st.

It reminded me of the constitutional debate where Trudeau said: But if the people of England and, in particular, the Queen didn't like it, she could hold her nose and pass it. That was just about the way it was going. The present government were going to do it; they had drawn it up in secrecy and the people had to accept it. I think they got themselves off to a very very difficult start. I think by doing it the way they have, they have actually stirred up more animosity than I had ever thought would happen and I can see nothing but it getting worse. I can't see it going now.

I see the present change as being very very costly, too, because they talk about all of the translations and all the different people in different offices that have to be bilingual, printing things in both languages on all occasions whether there is need for it or not - not being practical about it at all. In communities where there is hardly any French, to think that at certain times we'll have to have two French people in there or bilingual people in there. I also see that this here fact, that by having to have bilingual people in some of these offices where they aren't needed, is really going to hurt people in the Civil Service.

On the lighter vein, it reminds me of the joke they tell about an area where they had a swimming pool, and one man was attending one day with his children and he was watching the children swimming. One youngster was drowning and the lifeguard didn't go to pull him out. He yelled to the lifeguard that somebody was drowning, to go and pull him out, but the lifeguard didn't go. So the man rushed in, in his clothes, and pulled him out. As soon as he got the youngster out, he went over to the lifeguard and said, "Why didn't you save him?" He said, "I can't swim." Well, he said, "How did you get the job?" He said, "I'm bilingual." So it seems to me that on certain occasions people will be getting jobs because they're bilingual whether they're really qualified or not.

It seems to me that when Manitoba was first created as a province there was about 50/50 percent of French and English and maybe other ethnic groups to some extent. It seemed very logical to me that it should be services in two languages. By what I've heard here today there seems to be a bit of a difference. Some say that English and French were to be the languages of the province and others say that we're to be declared officially bilingual by that.

Now, it seems to me, I wish this was straightened out so that ordinary people like myself would just know what the act of 1870 did say, because I'm not against

giving services to the French people. In fact, I feel like bending over backwards to give services to any ethnic group that are a minority. I honestly feel that in Manitoba, maybe I'm naive, but I feel that this has been done. I feel that where we have municipal people and somebody comes in that's French, they're given the best of treatment and he could come in with somebody else to talk for him and in some cases municipalities hire people that are bilingual, just like we heard today about the R.M. of Grey. They're very anxious to give services in both languages and to both people. But this can be done without making it officially bilingual where we've got to have RCMP, all government boards and all commissions and things like this where there are people who are bilingual.

So I just see this thing as causing more problems and we have enough problems now. It seems to me that we've had Trudeau's form of bilingualism and biculturalism that's divided. There's no doubt in the world that it's caused hard feelings in Manitoba. Now we're going to have Manitoba's form of bilingualism and I'm telling you that there are an awful lot of the other ethnic groups that are beginning to think that, you know, for 6 percent of the population, this is pushing too hard. There's just no need of it.

You may wonder why some people talk about the western group, which are predominantly not French, is more or less talking at times about separating from the eastern group. It's things like this that cause this.

People in the west, they say, well, why should we set up this? We've got stuff we can sell to the rest of the world like our wheat, our oil, our lumber and our potash and they will take our wheat and things we have to sell. I don't see why we should set up with more of this stuff pushed on to us from the eastern people. I don't just really mean to say predominantly French or all French but where it's pushed on us, but generally speaking, as you all know, that the bulk of the members in the government are from Quebec and they're French.

So I would just hope that somewhere or another that this committee and the present government could find a way out of this in such a way that they do not go for making Manitoba what we could call official bilingualism in a way that's going to hurt the people. For goodness sake, give them all the service they need, all the education they need - and for the ethnic groups if they want it. If the people want it and they vote this way, and they are spending their own tax dollars that's all right, but to be having it more or less a forced-type bilingualism is something that I can't see any sense in and I just see it as dividing the country more. I really hope that you can find some sensible way out of it that won't cause more problems.

That's all I have to say and I'll try and answer any questions that you might want to ask.

MR. DEPUTY CHAIRMAN, G. Lecuyer: Thank you, Mr. Henderson for your presentation. Any questions?
Mr. Penner.

HON. R. PENNER: Mr. Henderson, I just want to deal with one part of your brief in which you were critical of the government, as you have of course the right to do, and you referred to secret meetings. On what do you base that serious allegation?

MR. G. HENDERSON: I based that on the fact that I have read about it. The Franco-Manitoban Society met with the Manitoba people and the federal people - it wasn't secretive as far as they're concerned - but they went ahead and they drafted what they thought Manitoba should accept in the way of bilingualism, and they did it without consultation and it was done, and before it was talked about amongst other people, it was more or less handed to us.

HON. R. PENNER: Well, as a former politician, I believe you were an MLA, you may be still a politician, I take it you are someone who reads the newspapers fairly regularly?

MR. G. HENDERSON: Yes, I do.

HON. R. PENNER: You must have read accounts of the fact that, indeed, these discussions were taking place as early as July of 1982, you read those?

MR. G. HENDERSON: Yes, but people weren't aware. They weren't told of the discussion that was going on with this here closed group. Incidentally, the Franco-Manitoban Society is a very small amount of the French population.

HON. R. PENNER: It may be. It may be that they only have 600 members and they may represent 60,000, we don't know.

MR. G. HENDERSON: Yes.

HON. R. PENNER: Nor is it our duty to inquire on that, nor could we. But we'll just deal with these questions I'm asking you. So you recognize having read about the fact that this political solution to the legal case was being negotiated, you are aware of that?

MR. G. HENDERSON: Yes.

HON. R. PENNER: Right. And did you also read - you said you've read Hansard from time to time - that a draft of this proposal was sent to the Leader of the Opposition in December of 1982?

MR. G. HENDERSON: That a draft that you have with the Franco-Manitoban Society was sent to the Leader of the Opposition in 1982?

HON. R. PENNER: In December of 1982, December 17th, to be exact.

MR. G. HENDERSON: No, I didn't.

HON. R. PENNER: You didn't?

MR. G. HENDERSON: I didn't, I'm sorry, but I didn't.

HON. R. PENNER: Fine. And therefore you . . .

MR. G. HENDERSON: But if it was, that was the first that it surfaced, I guess we could say.

HON. R. PENNER: But you see, you used the term about it being secret, and now you tell me that for the

first time you realize that the Leader of the Opposition had this in December of 1982, is that secret?

MR. G. HENDERSON: No, if he had it . . . Was it exposed in the paper?

HON. R. PENNER: He had it as the Leader of the Opposition.

MR. G. HENDERSON: Well, I'm not in that close touch, but I don't remember of reading in the paper that that copy was available at that time, and I don't know if I could have got a copy of it or not. I presume that I couldn't by what I had heard.

HON. R. PENNER: Are you aware that in January of 1983, at a public meeting, the full details were discussed at a meeting of the Société franco-manitobaine and reported in the paper?

MR. G. HENDERSON: Oh, yes, when you get back to '83, yes.

HON. R. PENNER: January of '83.

MR. G. HENDERSON: Yes, in the early part of January, '83.

HON. R. PENNER: Not a very well kept secret, was it?

MR. G. HENDERSON: Well, it sure had been to that time, I thought. And then it was more or less - and you were the man that said it.

HON. R. PENNER: Said what?

MR. G. HENDERSON: You as much as said that this was like this, they couldn't amend it, or they couldn't start fooling with it or else it would be delayed and all this. It was just about like "take it like this, we're not going to have any hearings or anything else," - and you were the man that did that.

HON. R. PENNER: Maybe, we're not here to discuss what I said in May or June of 1983 about the agreement. You made the statement that it was secret and I am pointing out to you that it wasn't very much of a secret. Thank you.

MR. DEPUTY CHAIRMAN: Any further questions?
Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman, through you to Mr. Henderson. Mr. Henderson, when it comes to the changing of a constitution - I believe you had some time in the Manitoba Legislature - do you recall any time when there were proposals made to change the Constitution during your time in the Legislature or any time before that, when you were interested in politics?

MR. G. HENDERSON: No, I do not remember of any talk like that about changes to the Manitoba Constitution when I was in there.

MR. H. GRAHAM: Mr. Henderson, would you consider a proposal to change a constitution as being a very very serious proposal that should require a great deal of study and consideration before any decisions are made?

MR. G. HENDERSON: After what happened on the Canadian Constitution I'm leery of changes to any constitution, and particularly a constitution that we have to have the federal people and the Senators and the House of Commons before we can do any further changes. I am very wary of that and this part of entrenchment of those things that this would have to happen; that we, as a province, can't control ourselves or legislate it the way we want; that we always have to go through Ottawa and get it through the House of Commons and that. I'm just not in favour of that and I can't see that happening, and that's one of the things I don't like - the entrenchment of the Charter of Rights in the Constitution so that we have to go through the federal people. This is something I'm very strongly against.

MR. H. GRAHAM: Mr. Chairman, through you to Mr. Henderson. Mr. Henderson, would you consider it a fair plan of action if a government was attempting, or considering, changing a constitution to have an all-party involvement in any proposals to change? Would that be a way to begin such changes?

MR. G. HENDERSON: Yes, I would. I see this as a very touchy issue and I think it's one that people on both sides of politics should have tried to have handled with the utmost of care because it is so easy to hurt people. That surely isn't what we want to do, and I think that possibly if they had tried to work out something together that was more where we could have common ground and not have got into the hassle we have in the present Legislature that would have been a very good thing.

MR. CHAIRMAN, A. Anstett: Mr. Graham.

MR. H. GRAHAM: Through you, Mr. Chairman, to Mr. Henderson. Mr. Henderson, you said that you read Hansard on occasion and you follow the news and try and keep informed on some of these things. Do you know of any occasions when it was reported in the news, or you read about it in Hansard, where the Government of Manitoba and indeed all members of the Legislature, or representatives of all the parties in the Legislature, sat down together with the Federal Government and the Franco-Manitoban Society, or any other group, to discuss this matter before it was introduced in the Legislature?

MR. G. HENDERSON: No, I never heard of it, nor read of it.

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

MR. CHAIRMAN: Further questions by any members?
Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Mr. Henderson, Mr. Penner seemed to be upset with your phraseology of the secret agreement.

The negotiations that had apparently taken place were between Société franco-manitobaine - Mr. Penner has indicated that he does not know and furthermore it does not matter whether the Société franco-manitobaine, as an association, represents the views of the Franco-Manitoban community at large in Manitoba. Would you consider whether the SFM represents Franco-Manitoban opinion in general would be important if you are going to negotiate a constitutional amendment on language with that group, as to know whether they represent the majority opinion of the Franco-Manitoban community?

MR. G. HENDERSON: Well, I would think it's a very important thing to them that they're representing at least all the French people and I really don't feel they are. They might be representing the people that belong to their group but I don't think they're representing all the French people.

I happen to know several French people around Somerset, in that area, and I hear them saying, "Why did we get all this trouble stirred up? Everything was going good; we weren't having any trouble. We were getting our services in French." We mixed with you French people and we had a great time together. There really wasn't any of that animosity and I don't know - to answer your question - if there was ever a time when there was any get-together of these people before anything happened. I don't know whether the Franco-Manitoban Society is really representing their own group, let alone the French group. I wonder sometimes.

MR. CHAIRMAN: Further questions by members of the committee? Seeing none, Mr. Henderson, thank you for presenting your brief. On behalf of members on both sides of the committee, we'd like to thank you for continuing your interest in public affairs.

MR. G. HENDERSON: Thank you.

MR. CHAIRMAN: Next on our list is Mr. Peter Francis. Mr. Francis, please.

MR. P. FRANCIS: Mr. Chairman, members of the committee, and ladies and gentlemen, I appreciate this opportunity to express my personal views and I look forward to any questions that the committee members may have to ask of me.

I urge the government to adopt the proposed resolution to amend Section 23 of The Manitoba Act. There are numerous specific reasons why this is the most appropriate course of action. I would, however, like to restrict my comments to two alternatives that will result in a decision to this issue.

As a citizen, I appreciate this opportunity to address the committee. Nevertheless, I question why there was a need to establish a committee in the first place; I, as a voting citizen, am quite content to place my confidence in the duly elected government and respect their responsibility and obligation to perform the functions they were elected to carry out and to show the leadership that the people of Manitoba deserve. It is unfortunate that the current administration has been delayed in carrying out the adoption of this proposed resolution.

Specifically, I am presenting this brief to air my concerns and to add my voice in support of a "Made in Manitoba" solution. It has been both irritating and frustrating the past months to observe the obstructionist tactics of a number of the members of the Legislature. It is my belief that some are acting on the basis of a "popular politics" approach and ignoring constitutional principles and some basic common sense. "Popular politics" and government by referendum have no place or value in contributing to the crucial concerns of the protection of minority rights and the debate of constitutional principles.

A public debate of the language rights of a group of citizens introduces many contradictory, acrimonious, and confusing opinions. It would be my hope that the appropriate decision-makers of this debate, that is, the members of the Legislature of this province, would set aside their partisan one-upmanship politics and reflect upon and focus on the key elements of this issue. There is a right thing to do. I believe there's a wise thing to do. Why has a legally and morally right thing to do become banded about like a political football? I don't see it as an NDP/Conservative issue. I see it's an issue of what is legally and constitutionally right or wrong.

I would urge those opposed to this proposed resolution to strip away their personal and organizational concerns, examine the salient elements of this issue, and do what is right: protect the integrity of The Manitoba Act of 1870 by adopting the proposed resolution to amend Section 23.

Either of two courses of action will result in this issue being settled: the passing of the proposed resolution, or the requirement resulting from a Supreme Court judgment in the Bilodeau case. The option of no change to the status quo just does not exist.

The rationale for entrenchment of French language rights, either by the proposed resolution or by the Supreme Court judgment, is obvious.

The Manitoba Act of 1870 can be considered a "contract" with the majority French language group of the day. A contract has obligations attached to it and French Language Services represents one of those obligations. The large immigration of businessmen and settlers from Ontario and Britain the 1870s and 1880s resulted in dissatisfaction with the "contract" and further resulted in the unconstitutional legislative action of the next 30 years. If a contract is to be tampered with, or renegotiated, the willing co-operation of the key parties is essential. Resolving the current issue, in one way or another, will address the wrong that has been committed and will restore the spirit of the 1870 act. What exists now in Manitoba is a type of entrenched unilingualism; entrenchment of French language rights, while obviously a fear of some, will go a long way in restoring the spirit of The Manitoba Act that brought Manitoba into Confederation.

Additionally, the protection of minority rights is crucial to this issue. Many besides the French-speaking population of Manitoba are concerned onlookers in observing how the elected representatives of this province are willing to treat minorities. Are rights to be extended as a courtesy? Will the rights be altered in times of prosperity and good intentions, as well as in times of economic pressure and uncertainty? The measure of any government and any system of government may well be how it treats its minorities.

There is ample legal and constitutional obligation to entrench the language rights of French Manitobans and present an exemplary case, for all of Canada, of the concern for the protection of minority language rights.

While it is my belief that, whichever course of action ensues, constitutional guarantees will result for the French-speaking people of this province, I sincerely hope and urge that this can be accomplished by adopting the proposed resolution. There are several reasons why this is preferable to relying upon a Supreme Court decision.

First of all, the proposed amendment will put an end to this issue. The guidelines can be made clear and the results can be predictable. The amendment would forestall further legal action and provide a constitutional framework for the mutual culturally prosperous co-existence of the two founding groups of this province and country. A Supreme Court decision will both take the decision out of the hands of Manitobans and merely answer one question. The answer to that question may be far less favourable to the legal and the economic status of Manitoba. Additionally, a Supreme Court decision will not likely provide an all-encompassing framework of the constitutional requirements of the province. Further court challenges, in a host of areas, may be required to detail the specific extent of French Language Services in Manitoba. That has the potential of being costly, lengthy and acrimonious.

Secondly, a legislated agreement in Manitoba has the benefit of receiving declared financial support from the Federal Government. The limited extent of French Language Services as outlined in the proposed resolution further argues for economic savings as opposed to an uncertain Supreme Court settlement. Surely the proverbial bird in the hand is worth two in the bush. Common sense argues it is; financial sense may make it imperative.

In conclusion, I urge the government to settle this issue quickly by adopting the amendment. Establish the constitutional requirement that has existed in law for 113 years. Protect the integrity of our Constitution.

The long delay and the uncertainty of action has allowed the issue to be muddied, as it turned into a partisan political issue replete with obstructionism, uncertainty, ignorance of our history and a deplorable lack of concern for the Constitution.

It is well past time to act. Do what is legally and constitutionally proper. Set aside the partisanship and make a quality decision by passing this proposed resolution. Thank you.

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

Mr. Orchard.

MR. D. ORCHARD: Thank you, Mr. Chairman. Mr. Francis, could you indicate what your perception is of the original intent of Section 23, as written in The Manitoba Act of 1870?

MR. P. FRANCIS: I may not be clear with all of Section 23 of the original act. It is my impression that the majority of people in Manitoba at the time of Confederation were in excess of 50 percent; the majority of the population with English and Native population

in the second and third place. It is my assumption that the intention of the Riel Provisional Government was to introduce Manitoba as a bilingual province.

MR. D. ORCHARD: If I might help you, since you are not familiar with Section 23, as written in 1870, it provided - and Mr. Chairman, I'll go by your guidance. Would it be appropriate to read it to Mr. Francis at this time, or is that an abuse of the committee?

MR. CHAIRMAN: No objection.

MR. D. ORCHARD: Section 23 of The Manitoba Act reads as follows in the 1870 Manitoba Act:

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 those 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 those languages.

Does it not seem clear from Section 23 that the intent was to have English and French available for use in the Legislature and the courts?

MR. P. FRANCIS: Yes.

MR. D. ORCHARD: Would you interpret that it intended it to be used anywhere else?

MR. P. FRANCIS: No, I wouldn't, but I'm not speaking on behalf of the Supreme Court.

MR. D. ORCHARD: Then, Mr. Francis, that brings us to the question - you support the amendment - are you familiar with the amendment as proposed by the government?

MR. P. FRANCIS: Not word by word, but in general, yes.

MR. D. ORCHARD: And are you familiar with the fact that the amendment does provide for an expansion of French Language Services to head and central offices of any department of the government; head or central office of a court, quasi judicial, and we can go down the list? In other words, it is expansion beyond simply the Legislature and the courts.

MR. P. FRANCIS: Yes, I am aware that that is the intention. I wasn't aware that it would be considered, and I'll accept your interpretation for this moment that it was an extension.

MR. D. ORCHARD: Well, Mr. Francis, that is not my interpretation. That is in fact what it is, and that is what the government indicates that it is, that it is an extension of French Language Services in the Province of Manitoba.

MR. P. FRANCIS: That it goes beyond the Legislature and the courts?

MR. D. ORCHARD: Yes, Mr. Francis. That is what the government intends to do with their amendment, is to take it beyond the courts and the Legislature, as was enacted in 1870.

MR. P. FRANCIS: To other government institutions?

MR. D. ORCHARD: That is correct.

Now, Mr. Francis, you indicated that the Provisional Government of Louis Riel established the Constitution. Had they envisioned the Manitoba Government using bilingual services throughout, would they have restricted their constitutional provision in 1870 on language to the courts and the Legislature only if they had intended it to go elsewhere?

MR. P. FRANCIS: I can't answer that, I don't know.

MR. D. ORCHARD: Fair. I don't think anyone can answer that, Mr. Francis.

Do you think that it is appropriate at this time, when as you've mentioned, when the 1870 Act was passed that the French-English balance by any record that is close was 50/50, that today we should expand significantly beyond what was provided in 1870, provision of French services in the Province of Manitoba? Do you think that's fair and equitable?

MR. P. FRANCIS: Well, yes, I do consider that it would be fair and equitable to extend it to government institutions, head offices, as you speak of. We're certainly not living in 1870 any more and the use of government institutions is far more extensive than it was then. It is only a natural extension, if that is in fact the case.

MR. D. ORCHARD: Even in view of the fact that the population demographic has changed dramatically from 1870 to 1983?

MR. P. FRANCIS: Yes.

MR. D. ORCHARD: Do you believe that that right was given and enshrined, and the intent of it was intended in 1870 and should be expanded today?

MR. P. FRANCIS: The intent in 1870 perhaps could not conceive of what exists now, as far as government institutions, but I would expect - I personally would accept that that intention is sensible.

MR. D. ORCHARD: Mr. Francis you've urged - and without a copy of your brief I'm paraphrasing and I may not be exactly correct and please take the liberty to correct me if I'm wrong - you indicated that those who oppose the bilingual amendment, the amendment to Section 23, should strip away their personal and organizational involvement in this and look at it more objectively. You provided that advice to those who oppose it. Would you have the same advice to those who are supporting it?

MR. P. FRANCIS: I didn't suggest their involvement, I don't believe, that was not the word that I used.

MR. D. ORCHARD: Mr. Chairman, I thought you said the people should strip away their personal and

organizational involvement for those who are opposed; I may have heard that wrong. It will be recorded in Hansard, and of course we can check it if it's not available.

MR. CHAIRMAN: Perhaps Mr. Francis can clarify that. I believe he has a copy of the brief.

MR. P. FRANCIS: Yes, I'm looking, sorry. "Their personal and organizational concerns."

MR. D. ORCHARD: I'm sorry.

MR. P. FRANCIS: Personal and organizations concerns.

MR. D. ORCHARD: Would you provide that same advice to those who are supporting the amendment, as well?

MR. P. FRANCIS: I come before this committee to present what I feel is a concern, a constitutional concern, a concern for the protection of minority rights. I think that is central and focused on the issue itself. The concerns of others, who perhaps extend to multiculturalism, I don't think that's a relevant issue to talk about regarding this specific issue.

MR. D. ORCHARD: Well, then I won't pursue that any further, Mr. Chairman. Mr. Francis, you urged us as members of the committee - and maybe I'm incorrect - but you urged us to abandon our partisan positions on this in the Legislature. I assume, since you agree with the New Democratic Party amendment, you must be giving that message to the Progressive Conservative Party to abandon their - what appears to you to be a partisan opposition to the amendment. Is that a fair interpretation of what you said?

MR. P. FRANCIS: I'd like you to run that by me, again, please.

MR. D. ORCHARD: You, I believe, indicated in your brief that we should abandon our partisan positions, our partisanship in this issue, and work for something which is good. Since you agree with the New Democratic position on it, obviously the message must be for the members of the Progressive Conservative Caucus to abandon their critique of this amendment.

MR. P. FRANCIS: The intention of my comment was for those obstructing the issue at hand to focus on the issue rather than to bring in any extraneous information and material that really does not contribute to an appropriate discussion of the constitutional amendment at hand.

MR. D. ORCHARD: Mr. Chairman, I am still not comfortable as to whether you were directing those comments at myself and other members of my party in Her Majesty's Loyal Opposition whether we were introducing extraneous material, etc., etc.

MR. P. FRANCIS: I was not focusing just on the members of the opposition. I think, as I indicated in another position, that this cannot be considered just an NDP-Conservative fight, that there are Conservatives

favouring an amendment of this type, or at least favouring entrenchment of French rights. There are obviously current NDP members that are not favouring such entrenchment, so we have a mixture of people on both sides.

MR. D. ORCHARD: Then does not that draw you to the conclusion, when there's a mixture of people on both sides, that there is a legitimate avenue to have this discussed in full and to point out the errors and omissions in the proposed amendment as one sees them; to point out to the government, as a number tonight have done that the amendment process has been divisive in the community, has raised up old shibbeloths and anxieties that, by and large, didn't exist until the last six months?

MR. P. FRANCIS: It was my impression that in the summer, I guess - I don't have the date in mind - but the reason for establishing this committee could be argued to have a public forum, to have people present information to the committee. I am not satisfied with the way that the committee was established, or under the conditions in which it was established.

It was my interpretation - and I'll be corrected if I'm wrong - that it was a last ditch effort to move out of the previous Session and get into a recess and into the next Session. I may be incorrect there, but it didn't seem that it was particularly a reason because of the desire to listen to what the public had to say.

I mentioned extreme irritation at the idea of a referendum and I think, although we are certainly several steps away from a referendum by public hearings, the same taint of popularity in the public arena does sift through, as it most certainly would in a referendum. A referendum is absolutely no way to talk about an issue like this and, in fact, very few issues perhaps. I'm not particularly satisfied that public hearings are going to be the answer either.

MR. D. ORCHARD: Are you saying from your answer as to why we're here today that the government was basically dragged kicking and screaming into going throughout the province to hold public hearings?

MR. P. FRANCIS: No, I'm not saying that, but perhaps I could be enlightened upon that issue.

MR. D. ORCHARD: What other process should one in government use to undertake a constitutional amendment, other than the one the government has used right now?

I believe in the first of your brief you indicated that you had every confidence in this amendment, that the government was duly elected, hence has the confidence of the people, therefore should not be obstructed in passing this amendment. In your opinion, Mr. Francis, did the government get elected to pass this kind of an amendment, this constitutional amendment to the language?

MR. P. FRANCIS: I believe the government was elected to carry out the wishes of the people of Manitoba and be informed of those wishes by the opposition, as well as members of their own benches, to be aware of those

wishes through various committee sittings of members of the Legislature. It takes some time, I recognize, to pass bills through the House. I cannot see any reason why all of the concerns cannot be raised in that way.

MR. D. ORCHARD: In your opinion, do you believe the majority of Manitobans favour this amendment?

MR. P. FRANCIS: I don't particularly feel comfortable with responding to the question, because I am responding to what really is a referendum-style question. I don't think that a large group of Manitobans would support through a referendum the type of proposal that has been presented, because I don't think a large proportion of Manitobans are comfortable yet with the issue or have not concerned themselves with the issue. Perhaps the elements of the 1960s, after the B and B Commission, will come back where the idea of French being shoved down our throat will once again be an element of a debate.

I think what has happened previously to the current administration was a far cry from what should occur. I don't think the change to the laws of the province were done quickly enough. I don't know if that's, in a phrase, the type of "creeping bilingualism" that goes so slowly that it never gets anywhere. I'm happier with enacting an amendment of this nature.

MR. D. ORCHARD: Given that the present government was not elected having this amendment or any mention of it in their election platform; and given that you don't believe the majority of people would agree with this amendment right now, in your opinion, should the government proceed with it faced with those two rather obvious detrimental facts facing a democratically-elected government?

MR. P. FRANCIS: Well, it is apparent to me that the government was left with an unsettled issue from the George Forest case. That had been dragging on, and the Bilodeau case that is now before the Supreme Court is something that has pushed the government into act and act now. I would rather them do it than the Supreme Court do it.

Perhaps if the previous method of change had been somewhat faster - I don't wish to comment on the sincerity of that change, but it did seem to be slow.

MR. D. ORCHARD: Mr. Francis, I believe you indicated in your last answer that it was because of the Forest case and the Bilodeau case that the government was forced to enact this amendment. Not correct?

MR. P. FRANCIS: I'm sorry if I used the word "force," but certainly we are well advised to consider those issues, those cases.

MR. D. ORCHARD: Well advised by whom, Mr. Francis, when constitutional lawyers indicated there was probably greater than a 90 percent chance that Bilodeau would lose his case in the Supreme Court?

MR. P. FRANCIS: I recognize that is your personal point of view, as reported in the Pembina Times yesterday with many other comments by yourself on

the French Language Services of this province. I am not convinced that most constitutional lawyers would side with that opinion. I am not a lawyer. I don't know if you are.

MR. D. ORCHARD: Are you familiar with any constitutional lawyer's opinion that said there was a great danger to the province in the Bilodeau case?

MR. P. FRANCIS: I have listened to news reports, of course, over the last several weeks. I have been acquainted with Dean London's comments from the University of Manitoba. I guess, perhaps, those are what I would be considering.

MR. D. ORCHARD: What were those opinions, if I may ask?

MR. P. FRANCIS: Certainly Dean London of the Law Faculty of the University of Manitoba in the interview that I watched him for five or 10 minutes on CBC Television several weeks ago was quite adamant that the Supreme Court judgment may, in fact, really be chaotic.

MR. D. ORCHARD: Certainly, if the Supreme Court decided in favour of Bilodeau, it would have been chaotic; that is black and white. Did Mr. London indicate whether he thought Mr. Bilodeau would be successful? That's the point.

MR. P. FRANCIS: It was my impression that Mr. London suggested that the government's action was a wiser course of action than allowing the Supreme Court to decide.

MR. D. ORCHARD: No further questions, Mr. Chairman.

MR. CHAIRMAN: Thank you.
Mr. Penner.

HON. R. PENNER: No, I think Mr. Francis has answered very well and has clarified.

MR. CHAIRMAN: Mr. Plozman.

HON. J. PLOZMAN: Just to follow up on the discussion that was taking place with regard to the divisiveness that has taken place on this issue. It was mentioned by Mr. Orchard and others that there certainly has been a great deal of divisiveness caused, I guess, they have alleged, by the amendment that is proposed. I think you, Mr. Francis, put a lot of faith in the elected representatives to show leadership and to do what is right. Do you feel that the partisan politics that you talked about, the stalling, the filibustering, the obstructing, the pushing for a referendum by people like Russ Doern and by the opposition has contributed a great deal to the divisiveness that exists?

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

HON. J. PLOZMAN: Mr. Chairman, I think from time to time you have intervened where questions have been

retorical, inflammatory, argumentative in nature. I don't recall, at any particular time, the opposition has made an official call for a referendum. Withdraw that statement.

MR. CHAIRMAN: Not only would I ask Mr. Plozman to consider withdrawing the statement, but I would ask him not to provide information to the witness and then ask the witness to comment on the information he provides. Questions should be for clarification.

HON. J. PLOZMAN: Yes, Mr. Chairman, I accept your ruling. The person making the presentation, Mr. Francis, has referred to the fact that there have been partisan politics played, and I grouped all of those and referred to Russ Doern, and the opposition, not meaning that all of those were attributed to the opposition. I have to clarify that, and I accept that clarification, but the matter was raised by Mr. Francis.

I am saying, I ask simply whether he feels this has contributed to the divisiveness that is present, that is being alleged by the opposition here today; that it has been causing this divisiveness in the communities and in the province.

MR. P. FRANCIS: The divisiveness that I see has in fact come from, I think, a lot of people on both sides of the House, or on both sides of the issue, that have raised extraneous comments, presented ideas of referendum, talked about, as we've listened to earlier speakers today, that certainly the majority should rule in a situation. I think the referendum is probably the height of that travesty that has taken place, and I think a government abdicates its responsibility and essentially succumbs to mob rule when we talk about referendums.

So if that responds to your question, I believe that obstructionist tactics, filibustering and a variety of other media efforts has created unpleasant feelings in both communities, French and English, in Manitoba.

HON. J. PLOZMAN: Just one other question, it has been alleged that in 1979, when there were extensions of French services by the previous government, that the reason there was no divisiveness at that time was the way that it was done, as opposed to the fact that the opposition at that time did not filibuster and stall on those issues and was not opposed to the extension of those services.

MR. CHAIRMAN: Order please. The honourable member is providing information again.

HON. J. PLOZMAN: I would just ask, Mr. Chairman, whether Mr. Francis would feel that is the reason that the divisiveness was not there in 1979?

MR. CHAIRMAN: Mr. Plozman, could I ask you to please rephrase the question without providing information or leading the witness?

HON. J. PLOZMAN: Pass.

MR. CHAIRMAN: Mrs. Oleson.

MRS. C. OLESON: Earlier in your remarks, Mr. Francis, you mentioned that you did not like the fact that there

were public hearings on this issue. Am I to understand you correctly?

MR. P. FRANCIS: I questioned whether public hearings were necessary.

MRS. C. OLESON: All right. Given that you questioned that they were necessary, is it your opinion then that, no matter what amendments to the Constitution, no matter what bill the government brings in or any government brings in, that there should be no public input on that subject at all?

MR. P. FRANCIS: No, I wouldn't extend that comment to any situation. I don't know what situations could possibly evolve, but I think each situation should be considered for its own merits and considered for the situation by which it is prompted.

MRS. C. OLESON: Did you not feel that with a constitutional amendment of this magnitude, it would be absolutely necessary to find out what the people of Manitoba thought of it since it will affect everyone in some way, some time down the road?

MR. P. FRANCIS: Again, I guess I see the position of government as being in a leadership role. I'm not sure that it is always the wise thing to seek majority public opinion for a protection of a minority right. I think there are times when government has to take the lead in certain crucial issues, issues, as you speak, of utmost importance as the Constitution, but there are some issues that are wisely, I believe, left to the political leaders of the province that we have elected.

MRS. C. OLESON: In another vein then, in some part of your brief you mentioned, and I can't phrase it probably exactly because I haven't got it in front of me, but the impression I got was that you feel that this will put an end to all the lawsuits with regard to language in this province. Is that the way you view this?

MR. P. FRANCIS: I view it that way. Perhaps I have the frame of reference to make that opinion when I consider the possibility resulting from the Supreme Court decision. In comparison to the Supreme Court decision, I believe it will make a much more clean cut of the affair than will the Supreme Court judgment.

MRS. C. OLESON: Thank you. Since the resolution contains words like "significant demand" and "reasonable" and words of that nature that some people find very difficult to define exactly, and since the courts will be the ones that interpret what is "significant demand" and what is "reasonable," do you not see that this will maybe lead to some court actions in the future?

MR. P. FRANCIS: That may well be the case, and I'm sorry I can't add any more to what the definition of "significant demand" would be. Perhaps it may be in the best interests of the Legislature to have the committee further examine that particular wording, and restrict or define more exactly that particular phrase. I cannot contribute to that particular definition.

MRS. C. OLESON: Thank you.

MR. CHAIRMAN: Further questions by members? Seeing none, Mr. Francis - oh, sorry.
Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman, through you to Mr. Francis. Mr. Francis, I've been very interested in your presentation and your answering to some of the questions. Maybe it was inadvertent, or maybe I didn't just follow you quite correctly, but you seem to have had some contradictions in what you had in your prepared brief and your answers to some of the questions.

One of the things that intrigues me is the apparent concern that you have that you don't think that public hearings would be necessary in this thing, and yet you wanted to appear here to give the benefit of your wisdom to this committee, and I think it is very useful. Could you tell me how the public would make their wishes known to the government and their concerns if we didn't hold public hearings?

MR. P. FRANCIS: To respond to your preamble, it was my concern that I was unhappy that a public hearing had to be held on this particular issue. I did not object - and I hope I answered Mrs. Oleson - in principle, to public hearings, but I was sorry that in this particular situation that we had to go to public hearings.

The specific question, could I ask you to repeat it please?

MR. H. GRAHAM: The second part of the question was: could you tell me how the public should make their wishes known to government? Is there another means that you would prefer, rather than public hearings?

MR. P. FRANCIS: Well, I think the government members are elected and placed in office. There is continual contact between members of the Legislature on a daily basis. Public people, like yourselves, are continually in the public eye in gatherings where opinions are presented to you. That has been a traditional way of meeting your government and talking to your government; it's, for most of us, no farther away than a phone call.

MR. H. GRAHAM: Thank you, Mr. Francis, for that answer. Do you consider changes to a Constitution in the same light as, say, the passage of amendments to The Highway Traffic Act, or some other bill of the Legislature, or do you see a significant difference between this proposal here and other ordinary business of the House?

MR. P. FRANCIS: I consider constitutional changes to be very very important, and when we look back at what has happened in Manitoba with a variety of changes in laws that have been enacted that have ignored the Constitution of 1870, I certainly do get upset. I think it is a crucial area of importance to establish a Constitution that is workable and is fair.

MR. H. GRAHAM: Thanks again, Mr. Chairman, through you to Mr. Francis. I believe, Mr. Francis, in your brief

you lamented the fact that this was taking so long, you felt that it should have moved a lot faster, was that correct?

MR. P. FRANCIS: That what?

MR. H. GRAHAM: This proposal that is before us that we're talking about here, this proposed resolution to amend the Constitution, The Manitoba Act.

MR. P. FRANCIS: I was distressed, specifically, with the type of filibustering that was taking place in the latter days of the Session this past summer and with the obvious filibustering in the first few days of the public hearings in Winnipeg. That tends to prolong, as we have even seen tonight on one or two cases, prolong the issue.

MR. H. GRAHAM: Thank you, Mr. Chairman. Mr. Francis, what do you consider to be filibustering?

MR. P. FRANCIS: I suppose that needs a bit of an extended definition, doesn't it? I see filibustering as a technique employed by a person, or a group of people, to prolong a debate on an issue where they do not particular want to resolve it.

MR. H. GRAHAM: Mr. Chairman, I admire Mr. Francis's knowledge of the members and his ability to deduce their intention when they are asking questions. I always felt that when a person asked questions they were seeking information, but maybe you have a different opinion of that. Could you tell me if it's a useful purpose to ask questions to illicit information before you proceed with things such as an amendment to a Constitution?

MR. P. FRANCIS: Are you referring to rhetorical questions, or what kind of questions are you referring to?

MR. H. GRAHAM: Questions that would provide information as to the true nature of the feelings of the people of Manitoba on an issue so important as this one.

MR. P. FRANCIS: You're referring to a first time a question has been asked, or on numerous subsequent occasions that the same question has been asked?

MR. H. GRAHAM: Well, Mr. Chairman, Mr. Francis hasn't really given me an answer yet.

MR. P. FRANCIS: I don't know what type of question you're referring to, sorry.

MR. CHAIRMAN: Mr. Graham, perhaps you could pose your question again?

MR. H. GRAHAM: If a person is asking for information and asking for advice, and this is what this committee is really doing, would you consider that to be a useful exercise or would you consider that to be a filibuster?

MR. P. FRANCIS: I would consider that the sincerity behind the question to seek advice which, and

information which has not previously been given in areas of direct concern, to be important.

MR. H. GRAHAM: On that very issue, Mr. Chairman. Mr. Francis, when people change a constitution, do you see any difference between the purpose of a constitution as to spelling out principle, or the intent, or spelling out the rights of people, as contrary to providing services? Does it cause you any concern to see the provision of services entrenched in a constitution?

MR. P. FRANCIS: Personally, it doesn't concern me to see the services entrenched.

MR. H. GRAHAM: Through you, Mr. Chairman, to Mr. Francis. If those services are very limited in scope, does it cause you any concern then?

MR. P. FRANCIS: If you are speaking, I suspect, specifically again on constitutional changes, I suspect you are speaking about constitutional changes that will affect a particular segment of society, that being the case, and that may not be the case but that's my interpretation of your comment, I presume that it would be satisfactory if the key groups that are involved in that particular amendment or change to the Constitution would have been involved in the discussion on the limits or the extents of those services.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Mr. Francis, earlier today we have heard people express their concern about the proposed amendments that put limits on the services that will be provided. Do you share that same concern that has been expressed by others in that respect?

MR. P. FRANCIS: I guess I come from a position of recognizing that whatever decision is eventually made, it is not going to satisfy everybody. To therefore be on side with all people who express concerns about the extent is an impossibility. So I could suggest to you, and I'm sorry I can't do anything other than to suggest, that I would be satisfied with some of the extents that have been expressed and not with others.

MR. H. GRAHAM: Mr. Chairman, through you to Mr. Francis, if only certain services are guaranteed by a constitution, would you consider that by omission of others that they were not very important and need not be provided by society?

MR. P. FRANCIS: I don't think I am in a position to answer that, not knowing which services are referred to, but again I'm not convinced that necessarily has to be the case, that I would be perturbed.

MR. H. GRAHAM: Those are most of the concerns that I had with the presentation of Mr. Francis, and I want to thank him for making his presentation tonight. I think he has provided us with some information that is useful.

MR. CHAIRMAN: Further questions for Mr. Francis? Seeing none, Mr. Francis, on behalf of the committee, I would like to thank you for your presentation here this evening.

MR. P. FRANCIS: Thank you.

MR. CHAIRMAN: Thank you very much.
Jacqueline Fortier, please.

MS. J. FORTIER: Je fais mon bref in français et suite à mon bref, je ne répondrai pas aux questions du comité. Monsieur le Président, membres du comité,

Un couplet d'une vieille chanson canadienne se lit comme suit et je cite . . . un Canadien errant, banni de ses foyers, parcourait en pleurant, des pays étrangers. Fin de la citation. Je crois que ces mots sont très appropriés en ce temps-ci, car les avènements des derniers mois m'ont fait ressentir, comme pour plusieurs Franco-Manitobains d'ailleurs, que nous étions à pays étrangé . . . dans un pays où une haine acharnée se déversait sur nous. Nous pleurons, Monsieur les membres du comité, pas parce que nous sommes défaits, non plus parce que nous sommes découragés, mais plutôt parce que des personnes mal informées veulent nous empêcher d'atteindre ce qui le nôtre par droit, tant moral que légal. Nous avions un statut d'égalité en 1870, mais de ce statut d'égalité, quand est-il devenu? Manigance politique, majority rule, oui, tous ces . . . ont réussi à nous l'enlever pour qu'aujourd'hui, on puisse venir nous dire only three percent speak french. Quel risée. Et dire que ceux et celles qui s'expriment ainsi se prennent au sérieux. Ce que nous demandons, ce n'est pas quelque chose à quoi nous n'avons pas droit. Mais bel et bien simple, des citoyens à part égal. Des citoyens francophones égaux en tous respects à leurs homologues anglophones. La chanson que je citais plus haut mentionnait le terme Canadien. Oui, je suis fière d'être Canadienne, fière de ma race et de mes ancêtres. Ce furent les francophones de ce pays qui utilisèrent le terme Canadien bien avant les autres qui se considéraient sujets britanniques ou tout simplement anglais. Qu'on ne vienne donc pas aujourd'hui insinuer que le français n'a part égale dans le Canada et le Manitoba de 1983 et des années à venir. Parler en ces termes démontre une ignorance profonde de l'histoire de notre pays et de notre province. Toute l'histoire du Canada d'un océan à l'autre, démontre l'impact énorme qu'ont eu les francophones, les Canadiens. Lisez un peu l'histoire du Canada. Regardez les exploits, le travail des explorateurs, des voyageurs, des prêtres, religieuses et religieuses, des colons. Oui, tant au Manitoba qu'ailleurs, le fait français a existé depuis des centaines d'années. Ces pionniers et pionnières ont été tenaces et c'est grâce à leurs efforts que notre pays a été bâti. La chanson que je citais date de l'époque des troupes de 1837, 1838 dans le bas et le haut Canada. Les gens de ce temps-là avaient été défaits, mais tout de même des retombées positives découlèrent de leurs sacrifices, de leurs défaites. Seulement trente années après, deux grands hommes de notre histoire, McDonald et Cartier, anglophone et francophone, devenaient les fondateurs d'un pays qui allait s'étendre d'un océan à l'autre. Des personnes venant de différents milieux, de différentes religions, de différentes langues, pouvaient s'unir pour bâtir un pays. Ne pouvons nous pas en faire de même ici au Manitoba en 1983. Avons-nous perdu le sens de l'initiative, de la justice, du fair play. De grâce, ne répétez pas les erreurs de 1890, de 1916 en 1983. Servez-vous

plutôt de cette occasion inouïe, pour démontrer que vous êtes capables de rectifier les torts infligés à toute une population. Vous avez le devoir de le faire. Je ne veux pas être une Canadienne errante dans un pays étrangé. Je ne veux pas être héritière d'une langue folklorisée qu'on peut se servir que dans certaines occasions. Je ne veux pas du token french et me faire dire de speak white. Dans le pays de mes ancêtre, dans mon pays, je veux être citoyenne à part égale. Je suis entièrement d'accord avec, et j'appuie sans hésitation, l'accord négocié entre la Société franco-manitobaine, le gouvernement du Manitoba et le gouvernement fédéral en mai dernier. Merci.

MR. CHAIRMAN: Thank you very much for your presentation.

Next on our list is Yvonne Pantel. Yvonne Pantel, please.

MS. Y. PANTEL: Puisque je lis ce bref au nom du comité de parents de Notre-Dame-de-Lourdes, je préférerais ne pas répondre à les questions à la suite.

M. le président, membres du comité.

La loi 113 adoptée à l'unanimité par l'Assemblée législative du Manitoba le 16 juillet 1970 a reconnu également ce qui était considéré comme acquis depuis l'entrée du Manitoba dans la confédération: le droit, pour ceux qui le désirent, d'inscrire leurs enfants dans une école publique où l'enseignement serait dispensé en français de la maternelle à la douzième année.

La simple existence du droit de perpétuer sa culture ne consiste pas la garantie de sa survie. Il faut faire l'effort de perception et d'imagination qui permette d'entrevoir aussi clairement que possible, le chemin qui conduit des droits aux réalisations des intentions aux réalités. L'école française ne se réalisera que si elle peut compter sur tous ces agents: premièrement, des individus conscients de leur identité; deuxième, un foyer familial éveillé à la culture canadienne-française; troisièmement, des institutions sociales et économiques favorables à l'épanouissement de cette culture et de cette identité; quatrièmement, une communauté dynamique dont les structures permettent une intégration aisée et le développement d'un sentiment d'appartenance.

La langue constitue une des manifestations la plus concrète de l'originalité d'un groupe culturel particulier. Les Franco-Manitobains témoignent toujours de cette identité culturelle particulière au sein d'une communauté composée de plusieurs groupes ethniques, mais qui est foncièrement anglophone. Chez nous, dans notre communauté, nous avons une population 95 pour cent française qui nous donne le privilège d'avoir une école française de la maternelle à la douzième année. Ainsi, dans le maintien et l'affirmation de cette identité, l'école a plus que jamais, un rôle particulier à jouer et elle ne peut le faire que si elle tient compte du monde où l'élève évolue.

Ces audiences publiques, bien qu'elles ne veulent que donner l'occasion à chacun de s'exprimer, n'atteignent pas toujours leur noble but. Au contraire, elles propagent l'hostilité et accentuent de plus en plus les divisions qui marquent notre communauté manitobaine.

Le gouvernement a distribué cet été un dépliant avec lequel il espérait apaiser les craintes des opposants

aux amendements. Ce dépliant n'a pas suffi, puisque les opposants vocifèrent toujours de plus en plus et ils ont même réussi à obtenir la tenue de ces audiences publiques. Il semblerait que le gouvernement soit en train de se rebrousser chemin, sinon de sacrifier complètement les principes selon lesquels l'entente a été négociée.

Cessons de donner libre cours à la véhémence. Faisons un effort pour mettre fin à la discorde entre Manitobains d'expression anglaise et ceux d'expression française. Il suffit d'amender l'article 23 de l'Acte du Manitoba. Les opposants cesseront d'être belliqueux lorsqu'ils constateront que les amendements ne les affectent aucunement. Le rétablissement de la justice doit être notre priorité.

M. le président, membres du comité, nous, le Comité de parents de Notre-Dame-de-Lourdes, accordons notre appui à la résolution négociée au mois de mai pour amender l'article 23 de l'Acte du Manitoba.

Merci.

MR. CHAIRMAN: Thank you, Madam Pantel.

Next on our list, Paul Cenerini. Mr. Cenerini, please. Procédez.

MR. P. CENERINI: Merci. M. le président, distingués membres du comité, chers membres de l'auditoire.

Ce n'est pas pour vous faire des réprimandes que je me présente devant vous ce soir. Ce n'est pas pour vous donner des cours d'histoire ni pour me lancer dans des tirades. Dieu sait que vous en avez déjà assez entendu. Non . . . c'est plutôt pour essayer de vous présenter un point de vu nouveau en ce qui concerne la question qui est actuellement sur le tapis.

Nous sommes les membres du personnel de la seule école secondaire française du sud-ouest de la province du Manitoba. Nous avons de solides convictions en ce qui concerne le français. Nous oeuvrons presque entièrement en français depuis environ deux ans. Nous avons une solide expérience avec nos élèves francophones ainsi qu'avec leurs parents, autant dire qu'avec l'entière communauté francophone de Notre-Dame-de-Lourdes et de Saint-Léon. Nous sommes en mesure d'éclairer un peu plus cette matière d'une lumière surtout pédagogique.

Comme professeurs, nous nous voyons confier de plus en plus de tâches par une société de parents très occupés. Autrefois, à la maison, le parent enseignait la foi, la morale, la langue, la discipline à son enfant. Aujourd'hui, vous savez que c'est différent: la maman travaille au bureau, la grand-maman demeure au manoir, la gardienne ne parle pas la langue maternelle de l'enfant. Le parent veut ce qu'il y a de mieux pour l'enfant, cependant. Aujourd'hui, cela veut dire la compétence "bilinguistique"; après tout, la plupart des emplois maintenant se trouvent dans le secteur des services où on a besoin des deux langues officielles du pays. Alors, nous voilà, nous, professeurs mandatés d'enseigner le français à un élève qui n'est souvent pas prêt et qui est même quelque fois récalcitrant.

En effet, nous trouvons qu'une section majeure de notre jeunesse actuelle est mal à l'aise avec leur identité canadienne-française. Nous ne pouvons nous empêcher de nous arrêter et de nous poser la question: pourquoi? Il y a sans doute plusieurs explications qui viennent

immédiatement à l'esprit et d'autres qui sont peut-être un peu plus cachées. Eh bien, voici celle que nous aimerions faire ressortir.

L'élève francophone qui est à l'écoute des médias et qui subit l'influence de la société en général reçoit un message très clair et sans équivoque aujourd'hui en matière linguistique: le français est indésiré et indésirable dans l'Ouest canadien. Ce message est véhiculé des façons suivantes: on hait le premier ministre du Canada, on se révolte contre le concept d'un Canada bilingue, l'union des municipalités rejette systématiquement tout ce qui aurait même un soupçon de français, les commissions scolaires font le maximum pour retarder la construction des écoles françaises. Chaque petit service en français doit être arraché à coup d'avocats et de juges année après année. Il est clair pour l'élève (et souvent pour ses parents) que le français est quelque chose de mal, quelque chose à éviter (presque un crime) s'il veut être accepté dans la société et y participer pleinement. L'élève veut être normal, il ne veut pas se faire appeler "fanatique"; de là, son désir d'effacement culturel. Alors, nous avons le phénomène de l'assimilation.

Qui faire pour contrer cette perte d'identité culturelle (cela, si on est d'accord pour trouver cette perte déplorable)? Certes, le traitement sera complexe, les remèdes multiples. Vous, chers messieurs/dames, en tenez un dans vos mains.

Dans une société pluraliste, on doit souvent adopter une loi qui évolue d'un compromis: celle-ci est souvent un minimum commun acceptable à tous les groupes d'intérêts spéciaux souvent opposés les uns aux autres. Après l'adoption de la loi et l'écoulement de quelques années, les citoyens commencent à considérer cette loi comme un standard auquel leur comportement et leurs attitudes doivent se mesurer.

Pour cette raison, nous vous exhortons, messieurs/dames, d'enchâsser les amendements à la Constitution, amendements sur lesquels vous vous étiez entendus lors des négociations tripartites du mois de mai. Nous croyons qu'une telle démarche donnerait le message clair que le français est légitime et acceptable au Manitoba. Nos élèves (et leurs parents) ne se sentiraient plus comme des hors-la-loi. Nous aurions enfin notre place sous le soleil manitobain et pourrions y vivre en paix et en permanence.

L'enchâssement de nos droits et leur protection par le bras judiciaire de notre système de gouvernement les éloigneraient des vagaries politiques d'année en année. Nous vous demandons de faire vite aussi. Le temps presse. N'attendez pas d'avoir une grosse demande du secteur immersion de la population avant de garantir les droits des francophones. Protégez vos minorités. La majorité elle, est assez forte pour s'occuper de ses intérêts.

Merci.

Now, Mr. Chairman, since I have again presented this on behalf of a group, I would prefer at this moment to not answer any questions, because I would have to discuss with the group and get a consensus on the answer.

Merci.

MR. CHAIRMAN: Thank you, Mr. Cenerini.
Mr. Lecuyer.

MR. G. LECUYER: Juste remercier M. Cenerini pour son point de vue; oui effectivement quand même différent de ceux qu'on a entendus et de nous l'avoir présenté de façon si éloquente. Merci.

MR. CHAIRMAN: Thank you, Mr. Lecuyer.

Next on our list is Thérèse Bilodeau. Ms. Bilodeau, please.

MS. T. BILODEAU: I am speaking in English. I am bilingual even if I have a French name, Bilodeau, that you've already heard, I speak both too.

I grew up speaking French in a totally English town. I owe the fact that I am now fluently bilingual to my parents who insisted we speak French in our home. It is there also that I learned to read it and write it. I have always envied those who had the opportunity of receiving their education in more than one language. Little children have no problem learning two or three languages at once and learning it well. This I know from my many years of teaching. Multiculturalism is an enrichment, not a handicap.

Recently, I had the opportunity to travel in France and was most happy to know French and speak for the English group I was with. In passing let me tell you that for those who believe that French in Canada is not real French, I would say that the difference is the same as English in Canada and English in England. We understand one another even if we have different accents.

In 1870, The Manitoba Act decreed that French and English be legally recognized in Manitoba. The question has been raised as to whether the intent of the then government to create a bilingual province was a reality or not. If such was the fact that Manitoba was decreed a bilingual province and that this is not true, as some say, why would the Manitoba Legislature go to the trouble of repealing that law in 1890 and declaring English only to be legal in Manitoba?

Speaking of limited service that is being offered with the amendments and so on, I am somewhat worried about those who live in non-designated areas. Will their rights be ignored? Moreover, who decides what is significant demand and how is that determined? I have a feeling that many non-French speaking or unilingual persons are reluctant of giving back rights that have been taken away in 1980. They seem to fear that they will be somehow engulfed by French.

Many people here have spoken about the few French people in a town of English people. Why should we speak French for just a few? Are they significant or insignificant? What do we say of the few English-speaking people who live in a French-speaking town or community? Do we put aside the English part for them? I don't think so. Many times we have bent over backwards to speak English because someone did not understand French in our hearing.

To conclude, I say that we should take every opportunity to enrich ourselves as persons, as a province and as a country. I am all in favour of bilingualism.

Thank you.

MR. CHAIRMAN: Any questions by members for Ms. Bilodeau? Thank you, Ms. Bilodeau.

Olier Labossière.

M. O. LABOSSIERE: Mesdames et messieurs.

Je suis ici surtout pour rappeler le British fair play du passé et non accuser ceux qui n'ont pas eu la chance de se renseigner suffisamment sur le sujet.

Depuis les débuts de la colonie Assiniboia, sous le régime de la compagnie de la Baie d'Hudson, toujours les droits de tous - indigènes, métis, anglais, français - furent respectés et les gouverneurs de la compagnie étaient également respectés - anglais, français, catholiques, protestants - tous marchaient main dans la main pour faire progresser l'économie et le développement de la province. L'Angleterre, de tout temps, a su accorder l'indépendance à ses nombreuses colonies sans qu'il y est trop de conflits ni de guerres.

Et le dommage, que de nos jours, cent ans après il y est encore des esprits étroits et mesquins d'origine même britannique qui ne jouent pas du tout le jeu de fair play. Louis Riel de même ne voulait pas d'autre chose qu'un gouvernement démocratique en s'assurant par sa liste des droits que l'Indien, le Métis, l'Anglais, le Français, jouissent également de ses droits de terre, de langue et de religion. Il ne faudrait pas surtout que les persécuteurs de Riel d'il y a cent ans passés refasse surface pour brimer les droits des Franco-Manitobains d'aujourd'hui parce que le jugement de l'histoire sera très, très sévère pour ceux qui n'auront pas compris.

N'est-il pas normal, Messieurs, que l'on s'attende de certains de nos dirigeants une plus grande ouverture d'esprit. À mes compatriotes d'autres groupes ethniques tels ménonites, ukrainiens ou autres, je demande ne serait-il pas temps de créer un climat de meilleure entente et de coexistence harmonieuse? Lors de votre arrivée au début du siècle sûrement vous n'étiez suffisamment pas renseignés sur la situation de notre province bilingue. Mais depuis toujours, vous vous êtes efforcés d'appuyer les revendications des francophones lors des séances publiques tenues sur l'éducation et pour cela nous vous remercions et nous vous apprécions beaucoup.

Je veux surtout adresser au gouvernement d'aujourd'hui. Vous ne devez à aucun prix céder aux pressions de certains groupes pour faire changer les conditions de l'entente conclue avec la communauté francophone, au travers de la Société franco-manitobaine. Il ne faudrait pas répéter l'erreur de nos chefs d'états, qui étaient au pouvoir lors de l'Acte informé de 1890 et de nouveau en 1916. C'est absolument inacceptable pour des gens qui ont évolués et pu puiser largement à la source même scientifique de notre histoire.

On ne peut plus balayer sous le tapis la vérité. Les générations qui nous suivront ne nous pardonnerons jamais de ne pas nous être réconciliés sur un tel sujet. Il faut apprendre à vivre harmonieusement dans une province tissée d'une riche mosaïque de nations, et surtout basée sur l'héroïque de nos pionniers manitobains - indiens, français et anglais.

I would like to conclude with the following statement. I was hoping to see Mr. Doern. The last paragraph was addressed to Mr. Doern, but I'm going to read it just the same. I would like to address the last comment in the other official language of Manitoba. Let's keep in mind that for every declaration of war, a peace treaty

needs to follow and it takes an awful long time to achieve.

Thank you for your attention.

MR. CHAIRMAN: Thank you, Mr. Labossière.

MR. O. LABOSSIÈRE: No, I don't permit any questions.

MR. CHAIRMAN: No questions. Thank you very much for your presentation here this evening.

Reeve Roy McLaren, R.M. of Louise. Reeve McLaren, please.

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

MR. CHAIRMAN: Could you wait one moment please while your brief is distributed?

Please proceed.

MR. R. McLAREN: I am presenting this brief on behalf of the municipality, and I was just wondering if I could add a few comments as a private citizen at the termination of this.

MR. CHAIRMAN: Certainly.

MR. R. McLAREN: Thank you.

Mr. Chairman, members of the committee, ladies and gentlemen, I am Roy McLaren from Clearwater, and am representing the R.M. of Louise.

The Council want to make clear our opposition to the entrenchment of the French language in our Constitution. We feel that we are voicing the opinions of the residents of this municipality when we oppose the passing of this legislation.

The following are some of the reasons:

1. The Constitution of 1870 was formulated when the population of the province was 1,563, excluding the Indian and Metis. The land area was 14,000 square miles. This compares to a 1983 population of approximately 1 million and land area of 246,500 square miles, and has enlarged to this state by taking in many more people of various ethnic background. A reference to this is in Americana Encyclopedia, Page 219, Volume 18. We feel that the original Constitution of 1870 has no resemblance to the situation today with the population expanded 640 times and the land area by 18 times. No doubt, in 1870, French was an important language. Probably half of the people were of French descent. But today, the Francophones only make up approximately 5 percent of the population of Manitoba.

2. Today, probably 100 percent of Francophones in Manitoba speak English, whereas very few of the remaining 900,000 to 950,000 English-speaking people are able to speak French. Bilingual requirements for government Civil Service and administrative jobs means that the Francophones will certainly have a vast majority of these jobs in proportion to their number. This is a clear case of discrimination.

3. Trudeau is committed to making Canada French, so it is understandable that the Federal Government is willing to contribute 2.35 million to get this agreement through. We fail to see where this is saving us tax dollars, as regardless of where the money comes from, federal or provincial, the taxes are paid by all, and the program will be a never-ending expense.

4. During the last 100 years, people of many ethnic backgrounds have lived together in Manitoba in reasonable harmony, all accepting and using the English language. The proposed entrenched French services has been the cause of much ill feeling toward the French. It has and will continue to create division among the people of Manitoba. There are sure to be other ethnic groups with a greater percentage of the population who will rightfully feel that their language should have the same rights and privileges. All minority groups cannot be recognized with respect to language rights. We must all be Manitobans and Canadians under a common language. We must all enjoy the same laws of protection and privileges regardless of race or colour. Only then will we become a united province.

5. We are not opposed to French being taught in the schools, or any other language where there is sufficient demand, but the people must have a common denominator. This must be a common working language, and the only feasible language is English.

6. We feel that there will never be an end to court cases if the entrenchment takes place. It is understood that municipalities would be excluded, but we feel strongly that it would be only a matter of time until someone demanded their tax notice or municipal services to be supplied in French.

7. We fail to see the need of a December 31st deadline on a matter as important as rewriting the Constitution. If it's to be done, it should be done correctly, and should be acceptable to a majority of the people of Manitoba.

I would like to thank the committee for the opportunity to present our voices on this issue.

I'll be very brief in regards to my own personal comments. Just a point of interest here today, in regards to the instant translation - and I think it verifies the fact that probably 100 percent of Francophones in Manitoba speak English - in regard to the English translation. There is no English to the French language translation, only French to English.

I would just like to make a couple of comments on personal experiences in regards to the ridiculous situation of two working languages, the situations that can arise from two working languages.

Not too long ago, we had a rusty grain beetle problem in some of our local elevators. The chemical to combat the same was not available. The supply had run out, so the chemical was ordered from the United States. Upon arriving at the border, it was stopped because it was not labelled bilingual. In the meantime, the rusty grain beetles had a ball.

I think we have to accept the fact that we're in an English trade world. I would say very very close to 90 percent of our total trade is done in the English language. I think it seems to me to be too much of a one-way street when they are dealing with a French situation.

Just recently, I received a telegram totally in French - I could go along with it if it was in both - also a package of totally French newspapers, and to this day, I have never seen the English duplication.

And on a recent trip from down east on the aircraft, they handed magazines around and there were no English papers. It was totally French. I don't think that is being fair. I'll meet anyone half-way.

Thank you, Mr. Chairman.

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

Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. In your second paragraph, Mr. McLaren, you state that, "Bilingual requirements for government, Civil Service and administrative jobs means that the Francophones will certainly have a vast majority of these jobs in proportion to their number."

Are you not aware, Mr. McLaren, that there is today projected numbers for 1987 - let's use 1987, seeing that is the date at which this agreement, if it's passed, will come into effect - projected to be 30,000 students in French and immersion schools, some 20,000 students in . . .

MR. CHAIRMAN: Order please. The honourable member is presenting additional information.

MR. G. LECUYER: It's going to be very brief, I'll tell you, and I am leading to the question.

MR. CHAIRMAN: Well could you come directly to the question please?

MR. G. LECUYER: That there are going to be 15,000 to 20,000 students in the Pilot Core French Program and some 60,000 in the Conversational French Program. Why do you say then or what makes you feel that the jobs then will be reserved to Francophones?

MR. R. McLAREN: It looks to me like it is going to be a requirement to be bilingual. I think, in all honesty, that most of us, even if we study the language in the schools, are not able to speak it. Personally, I can read a bit of French. I took it all through school, probably in the neighbourhood of 10 years. I can't speak a word of it.

In a recent trip to France, I couldn't even ask for a glass of water. I had to write it down. If you have the ability to speak, okay.

MR. G. LECUYER: Perhaps, Mr. McLaren, would you not agree that the methods used, the texts and the equipment used to teach French the days that you were in school perhaps have changed or methods have changed greatly today, and perhaps the students that are in the programs might be able to make use of the language a great deal more than students who came out when you were in school?

MR. R. McLAREN: No doubt, as things go along, things progress for the better, possibly in better instruction and so on. I think the French Immersion Program would be probably more noticeable in the big cities or in the big areas where you have the population. Rural-wise, I don't think we can deal with it.

MR. G. LECUYER: I think what I wanted to draw your attention to when I asked the first question was the fact that, do you realize that these numbers that I was quoting you represent but a small minority of Francophones? The others are Anglophones. Do you realize that?

MR. R. McLAREN: Yes, I have a nephew in the immersion course in Winnipeg.

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

Mr. Lecuyer.

MR. G. LECUYER: You state, Mr. McLaren, further down that. "We must all enjoy the same laws of protection and privileges, regardless of race or colour." Yet, if I understand you, we must recognize everyone's rights, but that has to be in one language.

MR. R. McLAREN: I think to be understood from border to border of the province, I think it would have to be.

MR. G. LECUYER: I'm sorry, I didn't . . .

MR. R. McLAREN: I think to be understood by certainly most of the people, it would have to be, border to border in the province.

MR. G. LECUYER: I'm still - that's okay.

MR. R. McLAREN: Maybe I didn't catch your question.

MR. CHAIRMAN: Mr. Lecuyer, would you perhaps repeat the question?

MR. G. LECUYER: I am referring to the sentence in which you state that we must protect the privileges and rights of all people, but yet, if I understand you clearly, we must do so in one language, English.

MR. R. McLAREN: I think that is the proper course to take when there are only about 5 percent of the people are Francophone and the rest are maybe 100 ethnic groups - I don't know how many - but we've got to have a common denominator. It has to be the English language.

MR. G. LECUYER: My final question, Mr. Chairman. Mr. McLaren, would you advocate that the province do away with Article 23 of The Manitoba Act?

MR. R. McLAREN: I'm not all that familiar with it as such.

MR. G. LECUYER: Well, the article which now was reinstated in 1979 by the Supreme Court decision pronouncing null and void The Official Languages Act of 1890 and reinstating the 1870 act.

MR. R. McLAREN: No, I think we only have room for one working language in the province, so I don't agree with it.

MR. G. LECUYER: So you would say then that we shouldn't keep that act?

MR. R. McLAREN: That's right.

MR. CHAIRMAN: Further questions for Reeve McLaren? Seeing none, Reeve McLaren, thank you very

much and thank you to your council for your presentation here this evening.

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

MR. CHAIRMAN: Gentlemen, we have reached our normal hour of adjournment. In fact, we've gone by it by several minutes.

I should advise that Nos. 30 and 31 have asked to be removed from the list. Mr. Froese will be presenting in Winnipeg, and has asked to be placed on the list there. Mayor Max Friesen of the Town of Morden has supplied the Clerk with a written brief, which will be distributed to members.

There are two other names on our list. Is it your will and pleasure to adjourn and return tomorrow, or to hear the two that are on the list?

Mr. Orchard.

MR. D. ORCHARD: I move that we hear the two briefs this evening.

MR. CHAIRMAN: I sense that Mr. Penner was going to make the same motion. Is it agreed? (Agreed)

Mayor G. Kozak, Village of Manitou. Mayor Kozak, please.

Order please. Mayor Kozak, please proceed.

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

Firstly, I would like to say that I am sorry that I haven't brought any little bits of witticism to committee here tonight that you can enjoy and have some pleasure from. I also didn't come forward to be a source of amusement. With that, I would like to start off with the brief that we have prepared as the Village of Manitou. As Mayor of Manitou, I would like to read it for you at this time.

I am the Mayor of Manitou, Manitoba, a town basically of English-speaking people and largely of English-German ancestry. This is to address a truly Canadian problem centering on the English-French question with a peculiar Manitoba twist.

In my opinion, I feel that this problem, namely, the correction of a 90-year-old Manitoba statute and the entrenchment of certain language and other rights, seems to have been handled very very badly by this present government. Local government - municipal and otherwise - feel as if they have been trampled on by this present government. As a result, hard positions have been taken, perhaps prematurely, and much of the Manitoba population have been polarized. This does nothing to foster compromise and understanding.

This province is dealing with a difficult and a long-standing problem which must be dealt with rationally rather than emotionally, and your government deserves the credit for now trying to make the best of a difficult situation.

My father comes from the Ukraine and I have some knowledge of how a minority group would want their rights preserved and protected. I believe if the society is to live in harmony, some day, some how, historic wrongs have to be made right. We cannot go back to 1890 and undo all that has since been done, we cannot change the realities of today. But within those realities we can and should make life more equitable for our French-speaking Canadians who live in Manitoba today.

We can and shall allow them the rights and privileges they were given in The Manitoba Act in 1870. The 1890 amendment of that act should be rescinded. The Provincial Government should pass legislation to correct an historic wrong that has been done to this segment of our population.

It is absolutely essential that this government keeps the realities of our day in mind when bringing in these changes. We should provide services in French in the Legislature, French translation of all provincial legislation available, provide services in French in the courts when asked to do so and provide other government services in French when expedient and when numbers warrant.

But do not go wild as our Federal Government did in the early '70s. A large portion of English-speaking Canadians have been alienated by Ottawa's excesses and in large part that is what you are up against today. People don't feel, or don't want to feel as if the French is being forced down upon them from up above. Make the changes I noted above and encourage French in our school systems along with other languages. Don't leave it to French. Give people that choice. Don't tell them what they have to do, but give them the choice. It will take time to change what has happened over the last 93 years, but give us a little time. Offer government services in French where practical and economically feasible but do it when it is reasonable to do so. Allow some discretion in the proposals or proposed legislation but define clauses that are bound to end up in the courts for judicial interpretations. Don't leave it open like it is right now or we're just going to be in a real mess, which then mean judge-made laws, long drawn-out expensive litigation and years of uncertainty. Aim instead for moderation and practical administration with a long-term goal of compromise and harmony between English-speaking and French-speaking Canadians.

In my view, what is done in Manitoba now will have a great and historic impact on the future of our province and our country. There are dangers in what you are doing, and you must ensure that this government does not allow this debate and this process to further disrupt our society and cause bitterness among our various cultures for generations to come.

Men of strength and good will must seize this opportunity, which may come but once in our lifetime, to do the right thing for our French-speaking minority in this province. Also, we must do the right thing by our country. I would urge you to proceed with the legislation but strongly recommend that you tighten up the wording, to allay the fears of the English-speaking majority, but also to assure the needs and rights of the French-speaking minority. Try to avoid the excesses which we have seen before. Then, with openness and patience, inform the other levels of government and Manitobans what it is that you propose, what the legislation means, and what it will do to us personally. If you do what is right and reasonable, you will have my support and what I believe is the support of most of the Manitobans. Thank you.

MR. CHAIRMAN: Thank you, Mayor Kozak. Questions for Mayor Kozak?

Mr. Penner.

HON. R. PENNER: Mayor Kozak, first of all, let me thank you for a very thoughtful and very sharply focused brief. As you know the legislation, the constitutional resolution calls for the French Language Services to come into effect in 1987, three-and-a-half years down the road. Would you think it advisable to meet some of the concerns that you have expressed to avoid some of the errors of the federal program that we now perhaps had in place, the kind of administrative machinery that would involve representatives from the public service who have some concerns, so that it gets all worked out by 1987? Is that the kind of time line that you are talking about?

MR. G. KOZAK: The time frame in my interpretation is irrelevant. I don't care if it takes 50 years, do it right and, for heaven's sake, don't try and ram it in quickly, it is very important. It is something that I don't think that an elected body has got the right to do on their own without very informative input from all levels of government, not just the government that you represent. We feel that our contribution is maybe miniscule towards what you feel you are doing but, nevertheless, it is very important. We have never been asked, we have never been corresponded with at any form of municipal government, and I feel that we have got a lot more of the pulse of Manitobans at your disposal. Just ask us for it and we would be glad to contribute whatever we have.

HON. R. PENNER: You say you've never been asked, I should advise you that I wrote Mr. Harms in August asking for some specific comments on some proposed changes and have yet to receive an acknowledgement of that letter.

MR. CHAIRMAN: Order please.

HON. R. PENNER: You have had an opportunity, have you, to see some of the draft amendments?

MR. G. KOZAK: The proposed draft amendments, pardon me?

HON. R. PENNER: Yes, to the original resolution.

MR. G. KOZAK: Yes.

HON. R. PENNER: In an effort to tighten up some of the language. Have you had a chance to look at them and think about them yet?

MR. G. KOZAK: Not in as much detail as this committee has, that is for sure, but we have had a chance to look at them.

HON. R. PENNER: Rather than question you about them, Mayor Kozak, I would very much appreciate and would now invite you, when you've had the opportunity to send in your comments on these and any other changes that you have in mind, to tighten up the language. Thank you very much.

MR. CHAIRMAN: Further questions?
Mr. Orchard.

MR. D. ORCHARD: On a point of order, albeit delayed. Mr. Penner made reference to a letter that he sent to Mr. Harms, who is President of the Union of Manitoba Municipalities. Mr. Kozak is a mayor of a town in the Province of Manitoba; he has no association with UMM and hence would not be subject to anything on that letter.

MR. CHAIRMAN: Thank you, Mr. Orchard, for raising the point of order.

I did call the Attorney-General to order when I realized that he was introducing extraneous material.

Further questions for Mayor Kozak?

Mr. Graham.

MR. H. GRAHAM: Mr. Kozak, I believe you worded it as strongly as I have heard anybody else in the hearings that you urge the government not to proceed until they have consulted with municipal corporations. You said if it took 50 years it didn't really worry you. I would hope that it doesn't take 50 years because I don't think I'll be here and I don't know if you'll be the mayor at that time or not. You also said you weren't really worried about the time frame, but would you suggest to the government then that they not proceed now and start all over with a dialogue with municipal corporations, or should they just put this on hold and carry on from here?

MR. G. KOZAK: Well, no. I believe that the issue has to be dealt with. I'm not saying table it, like we so often do in our municipal councils. We shove it under the table and just leave it there. The issue is important. It must be dealt with and what I am suggesting is that it should be dealt with properly. I don't approve of the way this present government is dealing with the situation. I don't think that a minority group - and I may be corrected - has the right and everybody keeps talking about rights, I think it's a privilege - to heck with rights. It's a privilege. I don't think they have the privilege to come to our government and demand, in excess of what is already there, and I don't think it is a right of our government to give away something that they don't have. And they are.

Because if you look at the act as it was written in 1870 - and I'm sure that the legal minds sitting in front of me can interpret it a heck of a lot better than I can - does not state anywhere that Manitoba is to be bilingual. And, Mr. Penner, to ask you a question does that act, in any legal sense, tell me that Manitoba is bilingual and should be treated as such? Is it?

HON. R. PENNER: Yes.

MR. CHAIRMAN: Order please. If you have questions for Mr. Penner, you can ask them after the meeting. The purpose of our hearing is to hear you and ask you questions.

MR. G. KOZAK: Okay, sorry about that, Mr. Chairman.

MR. CHAIRMAN: Mr. Graham, further questions?

MR. H. GRAHAM: Mr. Chairman, through other questions that were asked earlier today, it appears that

there is an agreement, although unsigned, that this has to be completed by December 31st of this year. Do you think that's an unrealistic date?

MR. G. KOZAK: Definitely unrealistic. From what I have heard from other meetings, I feel that there is a lot of opposition and if there is a decision made in such a short period of time, I don't think that anybody can hear all of these things and come up with a rational decision in such a short period. I personally believe it's a political issue and should not be treated as such. A time table should not be put on a constitutional issue like this. I don't think that the SFM should - and I don't really know if they want - to have a time table put on it that much. I know they want the amendments to go through as is and as proposed originally and strongly oppose any changes to it. If I was a member of that Society, I probably would have to agree with them, because they're getting a lot more than was originally intended in my interpretation of the act.

Now nobody is taking anything away from the Society or from the French-speaking minority in Manitoba, but if the government feels and sees fit to hand out extras, and I quote, "excesses" like the Liberal Government of the '70s, then I definitely oppose that. We cannot afford it financially and we sure as heck can't afford it in the terms of political - or pardon me, not political strife - but in the communities where we have French and English-speaking people and the problems are going to come there. We can't afford that as an outcome of a political decision.

MR. H. GRAHAM: No further questions. I want to thank you for your information and the benefit of your wisdom, Mayor Kozak.

MR. CHAIRMAN: Further questions?
Mr. Malinowski.

MR. D. MALINOWSKI: One question, Mr. Kozak. Do you speak Ukrainian?

MR. G. KOZAK: No, I don't and I regret that.

MR. D. MALINOWSKI: I beg your pardon?

MR. G. KOZAK: I do not and I regret that.

MR. D. MALINOWSKI: Oh, I see. Okay, thank you.

MR. G. KOZAK: My mom and dad were not - one was German and one was Ukrainian and they could not converse. Consequently, it would have been garbled. We chose English and I think when you've got a hodgepodge, that's what you have to do.

MR. CHAIRMAN: Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. Mr. Kozak, I know you have stated, that in your opinion, the time required should not be short-circuited in any way, but of course you also realize that there's a case that is in front of the Supreme Court now. Would you say therefore, seeing that there isn't the 50 years to settle that particular issue, would you prefer the issue to go to the Supreme Court?

MR. G. KOZAK: I will interpret your question and if I'm right - are you asking me whether the government was right in doing what they have done to avoid a Supreme Court decision?

MR. G. LECUYER: Mr. Chairman, what I'm saying is that there is a case which is now in front of the Supreme Court and when you say that from your point of view, you'd rather that we wait as long as is necessary to make it reasonable or fit the dimensions you would like to see, that may require this case go to the Supreme Court. Isn't that correct?

MR. G. KOZAK: Uh-umm.

MR. CHAIRMAN: Mayor Kozak, would you repeat your answer so we can record it?

MR. G. KOZAK: That is correct.

MR. G. LECUYER: Would you go along with that then, rather than to - and perhaps - or not perhaps - but see all of the laws translated in spite of the fact that in the quid pro quo, this would not be necessary.

MR. G. KOZAK: My interpretation there is this government is dealing with a financial situation rather than with the issue. Are you trying to save us, as ratepayers, money and if so, you're being, I would think, hypocritical on the whole thing. Because if you are sitting there, telling us, or suggesting that this piece of legislation should go forward to protect the rights of the French, but yet you are afraid to let the issue go to court when they already are protected in the act which they must refer to. We aren't taking anything away from the French-speaking population when this case goes to court and if the case loses, what is going to happen? I cannot interpret that, but if they do and if the case is completely thrown out and is lost, the Francophones still have the act of 1870 to fall back on and that's what they've got now and that's what they would have at the end. They're not taking anything away from them.

The only thing that this government is doing, in my estimation, is trying to save financial dollars and if we don't have to translate 4,400 pieces of legislation and the government can barter with a minority group to save dollars, so they only have to translate 400 pieces or whatever the number may be, to appease a minority group, I think that is wrong, because you are being hypocritical there to begin with. The law states back then that they are entitled to French translation. I think that they should have it. Don't take that away from them.

You are, in essence, telling us one thing and doing another and this government has done that very very often, or in other terms, they haven't told us what we would like to hear. Does that answer your question?

MR. G. LECUYER: So am I correct in interpreting what you're saying then, that even if that would meet the needs and the aspirations of the Franco-Manitoban community, you would prefer then this case go to the Supreme Court?

MR. G. KOZAK: Yes, I think if that is the only decision that is left, then I would just as soon see it go to the

Supreme Court, but we are offering different solutions and I am offering alternatives to what you have suggested. I am not saying that what you are doing is wrong, per se, I am saying that there are parts of what you are doing that is definitely wrong and must be changed. Your amendments are not precise enough; they're not concise enough; they're not debated enough. You are not putting the feeling of the people into your laws. If you don't do it and it has to be taken to the courts to be translated, then we are missing a very important judicial step, or we're missing a very important parliamentary step. I don't want to have to go 10 years from now to court to prove what you have done today, whether you were right or wrong.

That's what I am saying is, if you are going to change something as important as this Constitution, do it right. My opinion only is, there are a lot of holes to be filled, and there are a lot of rewordings that have to be done in your amendments before they would be acceptable to me and to my constituents.

MR. CHAIRMAN: Mr. Lecuyer, further questions? Further questions by any other members of the committee?

Seeing none, Mayor Kozak, thank you very much, and thank you to the Council of the Village of Manitou for your presentation here today.

MR. G. KOZAK: Thank you for hearing me.

MR. CHAIRMAN: Raymond Labossière.

MR. R. LABOSSIÈRE: M. le Président, vu que je parle au nom d'un groupe, je refuserai de répondre à toutes questions. Monsieur le Président et membres du comité. Les habitants du Manitoba sont consternés depuis que le gouvernement manitobain parle d'amender l'article 23 de l'Acte du Manitoba et d'ainsi restituer les droits des Franco-Manitobains. Cette consternation me dépasse. Je ne comprends pas qu'on puisse s'opposer avec tant d'acharnement à une loi qui se veut de réparer.

Je dis bien réparer. Un tort terrible commis il y a déjà 90 ans. A bien y penser d'ailleurs, quelle loi pourrait redonner ce que les Franco-Manitobains ont perdu pendant 90 ans. Il me semble que la réponse est évidente à tout homme de bonne volonté. Monsieur le Président, le présent gouvernement néo-démocrate tente de donner un second départ à la vie française dans la province et il a raison. Car aucun gouvernement, aucun parti politique, aucun individu, d'un pays dit civilisé n'a le droit d'empêcher que justice se soit faite aux francophones de la province du Manitoba. Les Franco-Manitobains ont été tenaces pendant tout ce temps. Nous ne devons pas les laisser tomber. Je le répète. J'appuie la résolution qui a été négociée au mois de mai pour amender l'article 23 de l'Acte du Manitoba. J'espère, M. le Président, membres du comité, que vous n'hésitez pas à vous prononcer en faveur de cette résolution. Je vous en fais confiance.

Merci.

MR. CHAIRMAN: Thank you, M. LaBossière.

Ladies and gentlemen, that completes the list we had in front of us this evening. Is there anyone else in the audience, who had not registered with the Clerk, who wishes to present a brief to the committee? Seeing none, I wish to advise members in the gallery that the radio receivers should be returned to the technician beside the booth. I would also like to remind all members that after the official adjournment of this meeting, you may register with the Clerk of the committee to receive a copy of the transcript of this hearing or any or all of the hearings of this committee on this subject.

There being no further business before the committee, this committee stands adjourned until 10:00 a.m. on Monday of next week in Arborg, Manitoba.

Committee is adjourned.

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