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on PRIVILEGES and ELECTIONS

31-32 Elizabeth II

Chairman Mr. A. Anstett Constituency of Springfield



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MANITOBA LEGISLATIVE ASSEMBLY Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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
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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
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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
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LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
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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
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SMITH, Hon. Muriel	Osborne	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Monday, 26 September, 1983

TIME — 7:30 p.m.

LOCATION — Arborg, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Mr. Bucklaschuk and Hon. Mrs. Smith Messrs. Anstett, Brown, Enns, Graham, Kovnats, Malinowski, Scott; Ms. Phillips

WITNESSES: Mrs. Blanche Tully, on behalf of the people of Marquette and District

Mr. Jim Day, Private Citizen

Ms. Alvira Altman presented a brief on behalf of Mr. Bill Pendree

Reeve William Halabura, LGD of Armstrong Ms. Margaret Smith, Private Citizen

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23 of The Manitoba Act.

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MR. CHAIRMAN: Gentlemen, we have a quorum, committee come to order please. The next name on our list is Mr. Clarence Daniels. Mr. Daniels, please. Clarence Daniels, please.

No. 14 asked to be removed from the list, as did No. 19, for members who are following on the list. Next, No. 17, Blanche Tully, Blanche Tully, please.

MRS. B. TULLY: Good evening folks, my name is Blanche Tully, and I'm speaking for a small rural community that co-operates and works together; French people, German people, Ukrainian people, Swedish people, they're all in our midst as our neighbours.

Needless to say, we have found it rather difficult to even prepare a brief in the midst of harvest. Many of our people are still combining flax. It is rather too bad it hadn't rained, because there were many more people coming had it been poor weather.

After the brief was prepared, we allowed people to sign for their support, and I have 190 signatures here. This may not sound like a large number, but in a small community it includes almost all the adults. With this explanation, I will now proceed with our brief.

Mr. Chairman and members of the committee, first of all I wish to express appreciation for being given an opportunity to appear before you today to present our views on bilingualism in Manitoba.

That is as it should be, with the government listening to the people. We elected them to do what we wished them to do in looking after Manitoba's business.

I assure you that people in our area are very upset over bilingualism, both provincially and federally. For the Manitoba Government to even consider making Manitoba a bilingual province is literally the last straw when only 4.5 percent of our population is French and many of those people do not want mandatory bilingualism. We are absolutely against entrenchment of French in the Constitution. Then there could be no changes made without a court order.

We also have to consider the cost of instituting double services in the two languages, when only approximately one-half or 2.3 percent of the 4.5 percent of French population wish to use French at all. If a company had to do all its work in two different ways, it wouldn't be in business too long. Today efficiency is paramount in all business. We have hundreds of farms and companies going bankrupt. We are unable to compete with other countries now to produce and sell our products. Yet the government plans to pile on more expense of two languages to satisfy 2.3 percent of our population! What has become of the word majority. Democracy has been a fair way to rule for over a hundred years. It still is the way we elect governments. Why then can 4.5 percent of our population dictate what 95.5 percent of the population must do?

Through the past little while the Manitoba Government has been having discussions with the Franco-Manitoban Society on language. We think it absolutely unfair and discriminatory for a duly elected government in Manitoba, or anywhere else, to make deals with a minority group such as the Franco-Manitoban Society. They don't even represent all the French people in Manitoba. In fact, it's difficult to know just who they do represent. I listened to their President on CJOB radio and he wouldn't reveal their membership numbers. The Government of Manitoba was elected by a majority of voters to rule as the majority wished, not to sell out our province to a minority group, such as the Franco-Manitoban Society.

I know we have a new Constitution in Canada and I know that the Federal Government is providing grants to muncipalities and school divisions to promote French any way they can, but the Manitoba Government has said that they will excuse muncipalities and school divisions from providing French services. This, to us, is only a stop gap. How long will it be before more demands are made. I might interject here, one person has said just till the ink dries.

We are all familiar with the Georges Forest case on the non-French parking ticket and the decision handed down from the Supreme Court of Canada in his favour. This meant that the 1890 Act allowing English only was declared invalid. However, on April 18, 1980, Section 23 of The Manitoba Act was reinstated. Am I right Mr. Enns? This meant that either English or French could used in courts and the Manitoba Legislature. How much further are we expected to go?

Today we have the Bilodeau case over a speeding ticket issued in English only. This case is still unsettled.

but the Manitoba Government fears, and I repeat fears, that they will face more court cases and further costs if they don't yield to the requests of the Franco-Manitoban Society, which represents only 2.5 percent of our Manitoba population. This to me is plain and simple blackmail. Forest and Bilodeau were not concerned about their traffic tickets. This was a convenient way to contest and demand more French in Manitoba. They were not paying their own court cases, so what did they have to lose? It's popular to go to court and gain publicity at the taxpayers' expense.

If the Manitoba Government follows the path they have mapped out and entrenches French in our Constitution, then the courts will make all the decisions in future. So why should they fear the courts now? That is, in the Bilodeau case. Bilingual services in all government departments will cost millions of dollars anyway. If we are law-abiding citizens, we should be able to trust our judiciary. If we can't, then something is very wrong.

This whole idea of increasing French services is being foisted on Manitoba by French Quebec and the Federal Government under Trudeau. Apparently, the Manitoba Government is following in line very well.

As we look back in history, everyone remembers DeGaulle of France visiting Canada in the 1960's and calling for "Vive la Québec". Shortly after that incident a representative of the French Government visited French villages in Southern Manitoba to stir up French nationalism. A news item in the Free Press - I did have this until a couple of months ago and I threw it out and I'm sorry I didn't have it to bring - reported that this gentlemen told the French people that they were 40 years too late in starting to promote their language in Canada, but they should start now.

Our own Federal Government is using every devious means to promote French as well. Last November 1982, the Secretary of State for Canada, Serge Joyal, said in Halifax, Nova Scotia, and I quote: "in fact, because everything we are doing to make Canada a French state is part of a venture I have shared with a number of people." Don't all these actions and statements show our legislators what is really happening in our country, and now our beloved Manitoba is being sucked in as well. You know, there's an old saying which says, "There are none so blind as those who will not see." This would aptly apply here.

This same creeping French services requirement can happen in British Columbia, Alberta, Saskatchewan, and other provinces, but do we see any reciprocal progress for the the English in Quebec? Certainly not. Mr. Ryan, Liberal Leader in Quebec said only a short while ago that Quebec must be first and Canada second. Of course, we all know what Mr. Levesque thinks.

We are now in a period of restraint in Manitoba with many thousands of people unemployed. If this entrenchment proceeds, even more people will be out of work because they don't even speak French. It will be almost impossible to be a government employee. This, in a province with 4.5 percent of the French population?

The idea that all minorities language rights will be protected if French is increased is absolute rubbish. If French is entrenched, we'll see how much freedom other ethnic groups will have. They'll just be free to learn French or else.

Please don't get me wrong. I believe people should be able to learn French and use all the languages they wish. I think most Manitobans agree, otherwise we wouldn't have such participation in the French Immersion Program or so many demands for courses in Ukrainian, German, Icelandic and others. But these groups are not forcing their language on others. We, in Manitoba, have always prided ourselves on our ethnic mosaic. Folklorama is an example of this - an ideal situation. Why, oh why, can't we all be Canadian first, with a capital "C", and not hyphenated ones, such as German-Canadian, French-Canadian, or Ukrainian-Canadian. We have one of the best countries in the world. We should be better off putting our unemployed to work than spending millions on promoting the French language for a mere 4.5 percent of our population in Manitoba.

I note in the Stonewall Argus, August 24th, 1983, the St. Laurent Council Minutes - they were offered grants to go bilingual, but they declined for the present. 49.2 percent of their population is French. Obviously, the French language can't be a pressing problem there, with approximately half their population being French. Perhaps there's a lesson to be learned here.

I realize the Supreme Court of Canada ruled that Manitoba statutues should be translated into French and English, but this can be done without entrenchment. Let's have those documents written clearly, with no room for doubt or misrepresentation of their intent in future years. It really seems very clear that the Fathers of Confederation were only trying to consider the feeling of the people. They were not trying to force people to speak both languages. We must remember, back in the 1870's there was a greater need for French services, because 55 percent of the population of Manitoba was French speaking and many could not understand English at all. But the picture is very different today with English forming 95.5 percent of the population and French 4.5 percent. Other languages are not recognized, but what a confusion we would have if all were official. not to forget the expense involved.

English is a universal language and the second language in most European countries. I know this because we have agricultural exchange students on our farm each summer and they all speak English.

One hundred years is a long time. This change as time passes and who knows, we may have 99 percent Ukrainians in a hundred years time, but as long as our country and province is governed on majority, then 50 percent or more of the population should be required for changes in language.

These then are the views we have against entrenchment of bilingualism in Manitoba. I urge you, the committee, to consider these points without bias or fear and then make a fair decision on democratic majority principles for 100 percent of Manitoba's population.

This is presented by Mrs. Blanche Tully on behalf of the people of Marquette and District. After the brief was prepared, we put a copy up in the stores and businesses in Marquette and these are the people who signed. Where do I present this? There are 190 of them.

MR. CHAIRMAN: Questions for Mrs. Tully from members of the committee? Ms. Phillips.

MS. M. PHILLIPS: Thank you, Mr. Chairperson. Mrs. Tully, I'd like to go through a few points that you made in your brief. You state in the third paragraph on the first page that people in your area are very upset over bilingualism. I'd like to know what you mean by bilingualism and what relation your idea of bilingualism has to the amendment that is being proposed, which deals with French services?

MRS. B. TULLY: Well, these people certainly don't want it entrenched. They don't want any extra French or -well, French is the only language we're discussing besides English - but they don't want any further French. We live right beside a French community, Eli, and as a matter of fact we have the Caisses Populaire de Eli in Marquette to do our banking and we get along very well. We feel that a lot of this business is creating havoc with our friendships in our area.

MS. M. PHILLIPS: Mr. Chairperson, I guess when I asked what you mean by bilingualism, to me the definition of bilingualism is the ability or the necessity of people speaking two languages, bilingual.

MRS. B. TULLY: Well, lots of our people speak two languages. We have a large German content, they all speak German and English; we have Swedish people, they all Swedish and English. It's just the French and English I'm referring to here.

MR. CHAIRMAN: Would you continue with your question, Ms. Phillips?

MS. M. PHILLIPS: So it's all right to speak two other languages?

MRS. B. TULLY: They're not considered bilingual if they don't speak French.

MS. M. PHILLIPS: All right, I'll move on. The next sentence you say, "For the Manitoba Government to even consider making Manitoba a bilingual province, etc. . . . "Are you aware that the 1870 Manitoba Act that incorporated our province said that French and English were the two official languages?

MRS. B. TULLY: Yes, I am.

MS. M. PHILLIPS: What then do you consider that we are doing . . .

MRS. B. TULLY: They got all that back . . .

MR. CHAIRMAN: Order. Order. Mrs. Tully, would you please wait till the question is over and I have recognized you?

MRS. B. TULLY: Go ahead then, I'm sorry.

MR. CHAIRMAN: Ms. Phillips, would you finish the question please?

MS. M. PHILLIPS: Thank you. Mrs. Tully, what do you consider then that we are doing that is going to make

yourself, your friends, and your neighbours have to speak both languages, both official languages?

MRS. B. TULLY: We just consider that they were given all the rights that they were supposed to be deprived of in the 1890 act and that you're going a step further.

MS. M. PHILLIPS: Could you explain to me, Mrs. Tully, what that step further is?

MRS. B. TULLY: Well, for instance, there was an advertisement in the paper, they want a bilingual ag rep in Portage la Prairie - that's government business. There's nobody - 5 percent I think, or less even, of the population south of Portage is French, and in our area we have French, as I say, to the south of us; it's all Anglo-Saxon and Ukrainian and whatever to the north. We just feel that any increase is not necessary at this time.

MS. M. PHILLIPS: Mr. Chairperson, in your next paragraph you say, "If a company had to do all its work in two different ways it would not be in business long." I presume you mean in two different languages. Is there anything in this amendment that led you to believe that private businesses would have to provide services in both official languages.

MRS. B. TULLY: You're saying that heads of companies

MS. M. PHILLIPS: No, head offices of the government.

MRS. B. TULLY: Now, we have a Co-Op Store in Marquette. We deal south to Eli and what would stop somebody from there coming in and saying, I must have someone I can speak French to in your store?

MS. M. PHILLIPS: Mrs. Tully, is the Co-Op Store owned by the government.

MRS. B. TULLY: It's owned by the people.

MS. M. PHILLIPS: So, it's not an agency of the government?

MRS. B. TULLY: No.

MS. M. PHILLIPS: So what makes you think that that Co-Op Store or any other business would have to deliver services in both languages.

MRS. B. TULLY: This is only the toe in the door, and we don't need to think that we stop there. We can have another Bilodeau case or another Forest case at any time.

MS. M. PHILLIPS: In one section, Mrs. Tully, you say that there could be no changes without a court order, if this was entrenched?

MRS. B. TULLY: Yes, that's what I understand.

MS. M. PHILLIPS: If this is adopted by the provincial government to provide services of the government to

the people in either language, how do you see that the French are then dictating, which is in your second last line on the first page, the word "dicate"; how would the French then be dictating to the English majority that they would have to be bilingual? They would have to speak French to get services, is that what you're worried about?

MRS. B. TULLY: I meant that you would have to supply the bilingual person in order to serve them.

MS. M. PHILLIPS: Page 2, you say in the third line, "We think it's absolutely unfair and discriminatory for a duly elected government in Manitoba, etc., to make deals with a minority group."

MRS. B. TULLY: Yes.

MS. M. PHILLIPS: Are you aware that this amendment came out of a discussion to prevent a case from going to court and having the court impose a solution on the people of Manitoba, that the government in negotiating an out-of-court settlement was trying to avoid a position being imposed by a court on the people of Manitoba?

MR. CHAIRMAN: I would caution Ms. Phillips, the purpose of questions is to clarify rather than provide additional information or ask questions of awareness. Mrs. Tully.

MRS. B. TULLY: Yes, I'm aware of that.

MS. M. PHILLIPS: Thank you. You mentioned further in that paragraph that this government was elected not to sell out our province to a minority group. Could you elaborate on that, could you clarify how adopting this amendment would be selling out the province?

MRS. B. TULLY: I don't think - as I say I find it a little difficult to answer questions, because this was prepared from ideas presented by a number of people. In this matter of selling out, I don't think that any government, and I said it quite plainly, should be dealing with any group. Obviously, you wouldn't come to Marquette and deal with Marquette Co-Op, you would make your decision.

I think we elected all of you and you're an elected body and you should be considering all the people in Manitoba, not just one group.

MS. M. PHILLIPS: Yes, with that, Mrs. Tully, our responsibility as a government that was a party to the court case.

MRS. B. TULLY: Pardon?

MS. M. PHILLIPS: Our responsibility as a government that was a party to the court case, the case is against the Government of Manitoba, and the Franco-Manitoban Society is a party to that case. Are you suggesting that we should not try to negotiate a settlement to that case out of court, as our responsibility to the people of Manitoba to try to get the best deal on both sides?

MRS. B. TULLY: Well, I'm not so sure that we get the best deal on both sides. I read, and as I said the only

place I have for my information is the newspaper, and they said in there in one item I read that the Franco-Manitoban Society was very pleased, they got more than they had expected to get. For 2.5 percent of the population! You know, it just seems so ridiculous.

MS. M. PHILLIPS: On Page 3 at the bottom of the first paragraph you say, "It's popular to go to court and gain publicity at the taxpayers' expense." We had some delegations this afternoon that said it was every citizen's right if they felt that their rights were being abrogated by the government, it was every citizen's right to go to court. You're suggesting that the parties to this case went to court because they felt it was popular, and not that it was the way to go to have their rights reinstated or delivered?

MRS. B. TULLY: I think every person should have the right to go to court, but if I went to court, I would have to pay my own court expenses. I wouldn't be given 27,700-and-some dollars to fight my case and neither would you.

MS. M. PHILLIPS: Maybe. My next question is: in your next paragraph you say, "Bilingual services in all government departments will cost millions of dollars anyway." Are you aware that in this amendment it only talks about services from head offices of governments?

MRS. B. TULLY: Yes, I'm aware that's the beginning, but I said it's the toe in the door.

MS. M. PHILLIPS: The next sentence says, "If we are law abiding citizens . . . "Would you not agree that The Manitoba Act of 1870 is the law of this province and that, as law-abiding citizens, we should uphold that act?

MRS. B. TULLY: Yes, I am, but I also think there's something phony in the Supreme Court's decision to outlaw the English law of 1890. It seems to me, I realize you can't get around this or do anything about it, it's been outlawed, but in view of the situation in Quebec and the Prime Minister we have, we have a lot of second thoughts. I don't know how come they can outlaw laws that have been in force almost 100 years. You know, we could go back and give England to Julius Caesar. After all, he conquered it in 55 B.C.

MS. M. PHILLIPS: So are you suggesting that we should only abide by the laws that we feel like abiding by?

MRS. B. TULLY: No, I realize that decision has been made.

MS. M. PHILLIPS: On Page 4, you say, "And now our beloved Manitoba . . . "Who do you mean by "our?"

MRS. B. TULLY: Well, we're all a part of it, aren't we?

Ms. M. PHILLIPS: Do you not believe that Manitoba is beloved by the French-speaking people who have been promised certain rights?

MRS. B. TULLY: I didn't say that it wasn't. That's everybody, English, French-Canadian, English, French,

German, Italian, Portuguese, whatever. I mean, sure, they all love Manitoba. I've heard them all, or at least any that I've met say so.

MS. M. PHILLIPS: I'd like some clarification on that Mrs. Tully. It seems to me you are saying if the Government of Manitoba passes this amendment to provide services that are the constitutional right of the French people in Manitoba, that somehow our beloved Manitoba is being sucked in as well, is your statement.

MRS. B. TULLY: I think this means that - we're just referring to that line as Manitoba being involved as well. I don't think it's what you try to read into it.

MS. M. PHILLIPS: I just was asking for clarification, because it is a bit confusing.

In the next paragraph, you say, "But do we see any reciprocal progress for the English in Quebec?" Are you aware of the recent case the teachers won in Quebec that was based on the fact that the law was only in French, and they won a substantial case in Quebec that gave the minority-English their rights in Quebec?

MRS. B. TULLY: Did they not get so many million dollars out of it?

MS. M. PHILLIPS: Mm-hmm, a large number, 500-orso million. Is that not a reciprocal progress for English in that province, in your opinion?

MRS. B. TULLY: Well, it may be a small step.

MS. M. PHILLIPS: In the next paragraph you suggest that it will be almost impossible to be a government employee. Are you aware that the amendment again only talks about certain services in head offices and not throughout the whole Civil Service, and it's been estimated that it will only affect approximately 400 out of 16,000 positions?

MRS. B. TULLY: Yes, I am, but as I say it's only a toe in the door. I just heard recently about a lady who worked for the RCMP. She cannot get a job in Portage la Prairie, because it's on the Trans-Canada Highway and she's not bilingual, and yet she has been working for the RCMP for quite sometime.

MS. M. PHILLIPS: On Page 5, you say, "But these groups are not forcing their languages on others." How do you see, if this amendment is implemented, how do you see that - I presume you're implying that the French are forcing their language on others - happening when this does not deal with private business, it does not deal with the language of communication between friends and neighbours, but only the right for French people to have services from the head offices of government? How do you see this being forced on others?

MRS. B. TULLY: Once again I refer to this toe in the door, and if people are losing their positions and are not able to find new work, isn't this forcing somebody?

MS. M. PHILLIPS: Mr. Chairperson, I think this is my last question. In the last paragraph of Page 5, you refer

to The Manitoba Act of 1870, and you say that at that time 55 percent of the population was French-speaking, which I presume, in my calculations, that is the majority were French at that time, yet they did not have any problem with making both French and English equal status at that time. I guess I wonder why you are concerned about, now because English is the majority language, allowing the French to have even these limited services available in their own language.

MRS. B. TULLY: Well, 55 percent, then there would be 45 percent, but the whole picture has changed.

MS. M. PHILLIPS: Some of them at the time were also Native.

MRS. B. TULLY: Yes, but the whole picture has changed today.

MS. M. PHILLIPS: Mr. Chairperson, my question was that if the majority at that time saw fit to give equal status to the two languages, even though French had the majority, and there were still also a lot of other languages, the Native languages were a large percentage, etc., so English was not the other 45 percent, that if they felt comfortable at that time to give equal status to both French and English, even though they were the majority and did not have to do that, why does your group or your community that you're speaking for feel that as a majority we should not be upholding those minority rights, or the rights that were promised in 1890?

What would have happened if things had changed and English remained the minority?

MRS. B. TULLY: We would all be speaking French. Times change and this is why I said further on, who knows, in a hundred years time we may all be Ukrainian. Presumably then, we'll be speaking Ukrainian. There'd be 99 percent Ukrainian. This is just probable, but I would think then there would be a Ukrainian language. They certainly wouldn't be speaking English or French.

I mean we have to roll with the times and change with the times, and the times now, we are in a position where we're very competitive - we have to be or we won't survive. To me, this extra expense is not called for in this world. We're farmers and if we're not paying our way in some certain line that we're doing, we forget it, because there's no way we can stay afloat. The only way the government can stay afloat is through taxes.

MS. M. PHILLIPS: Mrs. Tully, you were suggesting throughout your brief that we ought not to be proceeding with this proposed amendment. What do you see the alternative being, considering that case is before the courts? Should we allow it to go to court and let the chips fall where they may?

MRS. B. TULLY: Yes, that was the general idea. I realize you're fighting an uphill battle, because I think that dealing with the Franco-Manitoba Society, that you more or less got in over your rubber boots, and it may take some finagling to get out, but I would think that if and I said here - we can't trust our judiciary, who can we trust. Something is very very wrong.

In view of the situation in the Federal Government, I know that's a problem, but maybe Bilodeau wouldn't have gotten as much as you think he might have gotten.

MS. M. PHILLIPS: Thank you, Mr. Chairperson. Are you suggesting that it would be wiser to trust the judiciary than your legislators?

MRS. B. TULLY: No, I'm not exactly, but in a traffic ticket case, I think that's the place for the judiciary or the courts to settle that. I don't think these two things should be grouped together. Language is too serious a problem to be trading off for something else.

MS. M. PHILLIPS: Thank you, Mr. Chairperson.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Thank you, Mr. Chairman. I only have two questions, Mr. Chairman, so I would ask your indulgence. I will assure that I won't be debating with Mrs. Tully.

The resolution before us, Mrs. Tully, as you understand it and as members of the public should understand it, guarantees that, "any member of the public in Manitoba has the right to communicate in English or French with and to receive available services in English or French from the head or central offices of any department of the Government of Manitoba."

I then read earlier in the day, "Anyone whose rights under this section have been infringed and denied may apply to the court for a declaration."

Further of the same resolution, it then says that that organization has to submit a plan to the court and the court may approve of the plan, and further it says that when a plan is submitted to the court, pursuant to the section, and is approved by the court, the institution, that is the government department or the agency of government, is then charged with carrying out the courtapproved plan.

The point that I'm trying to raise with you specifically, Mrs. Tully, is that my colleague, Mr. Bucklaschuk, as Minister responsible for Autopac, who administers the affairs of Autopac, whose head office is in Brandon - I suspect that the French population in Brandon is less than 1 percent. But under this act, French services would have to be supplied at the Autopac Office in Brandon. Is that not your understanding of the act?

MR. CHAIRMAN: Mrs. Tully.

Order please. I think Mrs. Tully nodded, rather than replying, so it won't show on the transcript. Mrs. Tully, could you reply to the question please?

MRS. B. TULLY: Yes, I realize this is the situation.

MR. H. ENNS: Do you also realize, and this is the question, Mrs. Tully, that Mr. Bucklaschuk may be a very reasonable man, the Pawley Government may be a very reasonable government, and they say, "But it doesn't make sense to provide French services in Brandon at these particular offices." Would you not want the Government of the Day, in this case the NDP Government, to be able to exercise their common sense and do the job that they were elected for as legislators,

and say that, no, it's not required, common sense dictates that it's not required to provide French services in Brandon? Would that not be something that you would expect your elected officials to be able to do?

MRS. B. TULLY: Yes, that certainly is. You see, all I'm asking for, or all we're asking for, is plain common sense, and to go out and say, well, you asked for this much, but I'll give you twice as much, this is what irks people.

MR. H. ENNS: Well, you know, the final questions to that is, of course, you are aware, Mrs. Tully, that under the resolution that is being proposed by the government, no future Manitoba Government will decide on these issues, the courts will decide on these issues. I'm asking your opinion about that. Are you concerned about that?

MRS. B. TULLY: Yes, well this is what we are concerned about, because if it's entrenched, the government in Manitoba will have no say whatsoever in making decisions. That's the way I see it anyway.

MR. H. ENNS: Mrs. Tully, the question of the number of potential Civil Service employees in the Province of Manitoba, which now stands at some 16,000, has been raised on several occasions by different members of the committee. The government's position and the government's literature has indicated that no more than 300 to 400 positions would likely have to be declared bilingual. Are you aware of that information?

MRS. B. TULLY: I don't have any information on that, but I only know of this case I was mentioning about the RCMP, and I know that there was an advertisement for a bilingual ag rep in Portage and everybody in Portage, that we know, is laughing about it, and saying, how stupid can people be. Things like this, they tend to annoy people.

MR. H. ENNS: The particular question that I was after is that Mr. Doer, who is the President of the government employees association, and who represents, after all, the 16,000 civil servants in Manitoba, is not a member of the Conservative Party or the NDP that I'm aware of, but is concerned about the job that he has as President in looking after their interests. He estimates that it could well be up to 4,000, the number of identifiable bilingual jobs that this resolution could affect if passed. Does that cause you concern?

MRS. B. TULLY: Well, that's what is our concern, and it'll probably be 16,000 before too long.

MR. H. ENNS: Mr. Chairman, through you to Mrs. Tully, and the final question. I'm not suggesting that it is 4,000, but it's not Harry Enns that is saying that, this is Mr. Doer that has said this publicly over radio and has written directly to Premier Pawley about it. If that in fact were the case, that up to 4,000 positions of the 16,000 had to be bilingual, that would represent a full 25 percent of the total government employees, which would have to be bilingual. Now, you referred very often in your brief as to how - I would ask you the question, how unfair would that be to the rest of the population

to provide that number of jobs for bilingual positions as compared to unilingual positions?

MRS. B. TULLY: Well, this is exactly the way we feel about it, because 25 percent of the jobs, any of the English unilingual people wouldn't be able to work for government, and I think that was mentioned in here, the Federal Government, the Manitoba Government; so therefore all the government jobs are out for them.

MR. CHAIRMAN: Further questions? Mr. Scott.

MR. D. SCOTT: Mrs. Tully, in response to one of Ms. Phillips' questions regarding the quote on Page 3 about law-abiding citizens and trusting our judiciary, you gave some indication that you - I thought, and correct me if I'm wrong - had some question of your trust for the judiciary, because of influence by the Federal Government.

MRS. B. TULLY: Excuse me, I find it very difficult to hear what you're saying.

MR. D. SCOTT: Oh, sorry. You mentioned that you had some hesitation, I guess - that wasn't exactly your word - about accepting the ruling of the Supreme Court, because you felt it was under some guidance by the Prime Minister, I believe.

MRS. B. TULLY: I still can't . . .

MR. D. SCOTT: Can you not hear me?

MRS. B. TULLY: It's coming through muffled. Are you speaking into the . . .

MR. D. SCOTT: Yes. I'll try it again. On Page 3, your quote is, "If we are law abiding citizens we should be able to trust our judiciary. If we can't, then something is very wrong." When Ms. Phillips made that reference to you, you said that you had some question of the goals of the judiciary and whether or not the Prime Minister had a force over the judiciary and made them rule in favour of the Forest case. At least that's what I draw from your comments.

MRS. B. TULLY: I didn't say that. As you know the judiciary is appointed, is it not?

MR. D. SCOTT: That's right, it is appointed.

MRS. B. TULLY: And so, what would be above appointing somebody who is in agreement with your way of thinking?

MR. D. SCOTT: So are you implying that you have some doubts of your trust of the judiciary, as you mentioned in your brief?

MRS. B. TULLY: Well, I have to go along with the judiciary, or else we won't have a country, we'll have

MR. D. SCOTT: Chaos.

MRS. B. TULLY: . . . chaos.

MR. D. SCOTT: You are willing then, if this case was to go to the courts, if the Legislature was to drop it and it went to the courts, and the courts ruled that French and English are equal languages in Manitoba, and used precedents that have previously come down, both in reference to Manitoba and also in reference to the minority language group in Quebec, that you would then accept that determination by the Supreme Court of Canada, even if it extended far greater requirements on the Province of Manitoba to provide French Language Services to Manitobans?

MRS. B. TULLY: Well, I would have to, otherwise I would have to move.

MR. D. SCOTT: Okay, that's fine. Just one last question. I seem to have, or at least I feel that I have heard quite a bit of your brief often before, and I'm wondering if in the presentation of this brief, if your MLA, the Member for Lakeside, helped you in its preparation?

MR. CHAIRMAN: Order. Order please.

MRS. B. TULLY: I would like to answer that, Sir.

MR. CHAIRMAN: I consider the question out of order, and I consider the question less than proper. Mrs. Tully has explained the preparation of the brief, has explained that it is prepared in consultation with a group of citizens. To imply otherwise is an affront to a witness before this committee.

MRS. B. TULLY: I would like to answer that question. The Member for Lakeside has not had one bit of input in this brief. This came entirely from our community. I know Mr. Enns, he lives north of Woodlands, and Mr. Enns was not consulted. He was not asked and he didn't help.

MR. D. SCOTT: Okay, it's just that I've heard this several times before from Mr. Enns, very similar arguments and I just wanted it clarified for the record.

MR. CHAIRMAN: Order. Order please. Do you have another question, Mr. Scott.

MR. D. SCOTT: No, that's all, thank you.

MR. CHAIRMAN: Further questions from members of the committee? Seeing none, Mrs. Tully, thank you very much for appearing here this evening.

MRS. B. TULLY: Thank you very much for giving me the opportunity.

MR. CHAIRMAN: Next on our list, Jim Day, please. Mr. Jim Day.

MR. J. DAY: Mr. Chairman, members of the committee, ladies and gentlemen, my name is Jim Day and I'm from St. Laurent, Manitoba.

In regards to Bill No. 23, the French Language Services Bill, I think that most people misunderstand

its true value, because surely our cultural mosaic will suffer if we do not insist that this bill becomes law.

As you know, our province is a centre for diverse cultures. The Winnipeg Folklorama with its 40 ethnic groups surely helps prove the argument for multiculture. What this can do is eventually make it possible for our province to become international in its affairs.

I would like to say, surely, we need a new global order if our children are to survive in this new world that has been brought in by the invention and use micro chips, which with their capabilites has made all of us on this planet neighbours, no matter what part of it we live in.

I think it is really vital that our children become bilingual. As a matter of fact, not only bilingual but even tri- or quadri- and that's what Bill 23 would allow us to accomplish.

My reasoning behind these thoughts is that if the French language is accepted, it makes it that much easier for us to adopt a program, which would allow all minority language groups in the province to have their language taught in schools, thereby having our children become truly international people and so enable them to become leaders in world affairs, which they may someday develop into a world government. This surely will be the only way to save mankind in the future; that is, to dialogue with others like ourselves, rather than trying to solve world problems with force and armaments, which are now able to destroy the world as we know it. We know that this is not the answer, because we have already tried and failed.

So let us give our children a chance to rectify this situation by letting them become multilingual if they wish to, and so be in a position to become world leaders without prejudice.

I hope that these thoughts of mine may help you decide to view this bill as something necessary for the future of our children and possibly some of us also.

By the way, Premier Hatfield of New Brunswick is quoted as saying, "New Brunswick has full rights for both languages. It's not too expensive and it works." Thank you for listening to me.

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

Mr. Enns.

MR. H. ENNS: Mr. Chairman, on a point of order. I thank Mr. Day for the presentation. He is also a constituent of mine. I want to assure the committee I didn't write that brief either.

MR. CHAIRMAN: Order please. Any questions, Mr. Enns? Questions from members of the committee?
Mrs. Smith.

HON. M. SMITH: Yes, Mr. Chairman. I have really one question, Mr. Day. In your emphasis on the future and the challenges that await us and the advantage of multilingualism, do I take it that you're saying we should redress an injustice that has been in place in the language area as a better basis on which to build that future?

MR. J. DAY: Well, in a sense I guess you can say that, even though it never really bothered me at any time

too much, even though I am partly of French extraction, but then I'm married to a Ukrainian lady, and my kids are part Indian and part Ukrainian, and part French and part English, and what have you, so therefore I feel that I would like to see all of us, you know, get along in the world as much as possible. I think it would make a better province. Thank you.

MR. CHAIRMAN: Further questions from members? Seeing none, Mr. Day, thank you very much for your presentation.

Rob Sarginson.

MR. R. SARGINSON: Good evening. It's hard to know where to begin. It's a beautiful night and a beautiful town and we're all here in late September and talking about the rights of a community, a part of our province, which I have learned to hold very dear.

A lady at the back of the hall tonight asked me, "Are you for entrenchment?" I had to avoid that question, because I'm not for that concept. I am for restoration and I am for justice.

I would like to address myself tonight to two questions: first, the shifting attitudes towards bilingualism; and second, the question of legal status for Franco-Manitobans.

Bilingualism, as Ms. Phillips pointed out, refers to the ability to speak two languages. In Canada, bilingualism implies French and English. In Canada, you say, pity, because it's a pity that it is only in Canada that French and English play such a major role as the governing languages. Few here or anywhere would deny the advantage of being able to speak French and English. Here in Canada where two languages are recognized as being officials, in law and in tradition, where leaders of the national political parties speak French and English, and where even former Manitoba Conversative Cabinet Ministers send their children to French Immersion Schools. This attitude towards the ability to speak two languages seems very positive.

Bilingualism, however, is not the question. Yet the old knocks against the efforts to make some federal civil servants bilingual have been wheeled out to criticize the Pawley's Government's resolution for Section 23. This is unfair, for nowhere in this resolution is there even the hint that anyone will have to learn French if they don't want to.

In 1971, Prime Minister Trudeau, with unanimous support from the House of Commons, introduced The Official Languages Act. All parties agreed at that time upon a vision for Canada; although there were to be two official languages, other ethnic groups and their cultural aspirations would also be smiled upon, in effect, creating an identity for Canada that would be officially bilingual but multicultural as well.

To achieve multicultural and bilingual awareness requires only one condition: tolerance. Children are very tolerant of differences until they have become aware that their parents have little tolerance. If research shows anything clearly, it is that prejudice is not an intellectual response, it's a learned response. As children reach adolescence, they adopt their parents' attitudes; if the parents are open and accepting and model tolerant behaviour, their children tend to do so also.

Let me share with the committee my observations after nine years of teaching in the Selkirk area. Kids are becoming more tolerant, not less. Tangibly my students show more acceptance of differences in one another and in ethnic groups than did my students of almost a decade ago. Therefore, I conclude that their parents are also more tolerant; there are still some who utter slurs, but there are fewer of them.

Seven years ago in the Lord Selkirk School Division, French existed as a course in none of the nine elementary schools. During the last three years, solid Core French Programs have been implemented in every school. Why? Because board members, superintendents, and principals feel the rising tide of support for these programs from parents. Similar progress and support is seen in every school division from Winnipeg to Thompson, and from coast to coast.

What is the reason for this phenomenon? Parents see French as an asset - thanks to Mr. Trudeau. The attempt to make the federal Civil Service bilingual impressed upon the public right across this country that it increased chances for employment to know French; if it helps your kid get a cushy job, then there must be something good to that subject. I teach French by the way. French programs are blossoming across this country. Studies show that students who have studied French or any other language in school show more tolerant attitudes towards minority groups, and it doesn't matter which minority group you're talking about.

It took only 10 years for the federal legislation to alter the attitudes and priorities of this country, and it's just beginning. The children who today take French courses are receiving the best quality courses and instruction every offered in Canada. They will be more favourably disposed towards minorities in the future. In 30 years, the character of Canadians will be much closer to that vision enunciated in the House of Commons in 1971 — bilingual and multicultural. Trudeau's goals will have become a reality. Much will have changed, except perhaps the Prime Minister - he will probably still be there.

The support of upwardly mobile middle class Anglophones ensures tolerance for things French in our community. At any production at the Cultural Centre in St. Boniface, one will note a huge percentage of Anglophones, usually from River Heights, trying to broaden their French skills by taking in French cultural activities. No one doubts the success of the Festival du Voyageur as a moderator of Anglophone attitudes towards the French people of Manitoba. The attitude towards French and things French has changed in this province and in this country.

This brings me to my other area of concern, the status of the Franco-Manitoban community. When Manitoba's Constitution was written, the status of Francophones and Anglophones was guaranteed by Section 23. The act was intended to let the west of Canada develop as a bilingual and bicultural area. History does play tricks on lawmakers. By 1890, Manitoba had been populated mostly by Protestant Anglophones, mainly from Ontario and the British Isles. Sectarian rivalry in that era was rampant. As an election gimmick, the incumbent government - I won't mention the party - introduced a series of measures which had the effect of removing the official status from the French-

speaking Catholics of Manitoba. This was shown to be illegal, but no remedial steps were taken by successive federal and provincial administrations. So much for Mr. Lyon's contention that politicians can effectively safeguard minority rights.

By 1916, the French minority in Manitoba was again assaulted. This time, its education rights were struck down by the Thornton Laws. These laws were designed to force foreigners in Manitoba to become Anglophone, overnight if possible. The fear and doubt engendered by setbacks in World War I let to these regressive xenophobic measures in which even one of the founding cultures of the province was all but extinguished.

These two sets of laws, 1890 and 1916, were enacted in response to the narrowest of values. These were the high water marks of bigotry in Manitoba history. It seems to me that the removal of people's rights is the mark of a narrow and closed society, and that when you have the opportunity to give people rights or restore them, you are taking a very positive and open stance.

For over 60 years, the Francophone community heeded the epistle from Pope Leo XIII, to patiently bide their time. Surreptitiously, some schooled their children in French, although French schools were forbidden unless they were privately funded. In areas such as Selkirk, where the Francophone community was a minority, the language and customs have been completely silenced. I know of only one fourth generation Franco-Manitoban from Selkirk who speaks French. That child's mother tongue is English, but he now speaks French because he attends Immersion in Fort Garry.

In areas where French was the dominant or only language, public schools were run in English on days when inspectors came and in French the rest of the time. Very thoughtful and brave, I must say, maybe even tolerant, civil servants phoned ahead to let teachers hide their French books and to coach their students in a few words of English.

There's the story that I've heard of a class in which, when the Department of Education Inspector of Schools entered, the whole class rose as one and chimed, "Good morning, Mr. Smith." Mr. Smith replied, nodded, and then quickly left. It was the middle of the afternoon.

Outside the heartland of the Red River Valley, the French culture has withered, largely to the loss of educational and legal status. Modern communication such as TV and films make the process of assimilation even harder to stop or to reverse.

To give you some idea as to the effects of this concealment and second-class status upon Franco-Manitobans, let me relate an example. As an Anglophone learning French, I have often been in situations where I was the only native English speaker in the group. Out of consideration, the Francophones all felt that they should switch to English to accommodate me. Were these French speakers being extremely considerate, or just assured that in situations where the cultures came into contact, they knew that they had to defer to the English speakers?

Perhaps those of you who have Franco-Manitoban friends have noticed such a deference in other situations. This willingness to take a second place has been engrained into Franco-Manitobans during the last 90 years, a real sense of cultural inferiority. I might add, parenthetically, that other minority groups feel that

exact same inferiority in their relations with the English culture as well.

Always the French have feared an English backlash. But now I believe that the English majority is more positively disposed towards the minority than ever before. Yes, the backlash is there. But it is tempered by an increasing awareness and sensitivity among the Anglophone middle class, thus the support for the Bilodeau agreement is there, even among decision makers.

I notice that Sterling Lyon and the Conservative Party have made it clear that they disagree, not with the substantive agreement between the SFM, Bilodeau and the Federal Government, but only to the way in which it's being manoeuvered. In other words, whether the government be NDP or Conservative, it seems to me that these measures will stand.

The Bilodeau agreement is a milestone. It redresses a historic wrong done to a minority in our province. It also bodes well for all minority groups in our province. It stands as a commitment to tolerance. It marks a truly humane society, willing to return right wrongfully deprived.

There are those who oppose this agreement because it offers bilingual services throughout the province. This is just not so. It will be done in areas where there is significant Francophone population. One bizarre argument is that this agreement gives more services than existed in the 1870's when the Constitution was drafted. To say that we should restore rights only to the level of 1870 is to deny all precedence. Would Mr. Doern also say that the Indian treaties of the 1870's should be interpreted in the same way? I don't believe he would be happy to receive the salary and benefits accorded to MLAs in 1870, nor would he appreciate the City of Winnipeg services according to his area of Elmwood in 1870. If one leaves money in an account for the use of the bank for 113 years, one has the right to the interest accrued, not just the principal.

The issue of the status of Franco-Manitobans is being used by the opposition party to draw support of many who have no idea of the history of this province and have little sympathy for the pain of others. The death of a culture was what the Thornton Laws were about. But the Franco-Manitoban culture has deep roots, and it has not died. The pain and the cost have been great. Many have lost their language, their customs, and their sense of identity. It is time to restore, by whatever measures we can, what is duly owed.

I applaud the government for entering into the agreement with the Federal Government, the Franco-Manitoban Society, and Mr. Bilodeau, but I must deplore Mr. Penner's recent amendments to that agreement which were announced early in September, for I feel these really do alter the intent of the measure. I ask the members of this committee to assist in every way to permit this branch of our Manitoba mosaic to grow. Enable the French culture to flourish; legitimize its aspirations. Let their be light, not darkness; let their be hope, not despair. Let Manitoba become the cradle of the truly Canadian identity that it was meant to be, where all cultural groups can aspire to grow and to develop in an atmosphere legally proclaimed to be tolerant.

Je voudrais exprimer finalement mes remerciements au comité pour leur patience et leur attention. J'espère que vos délibérations seront fructueuses. I apologize for my inadequate grasp of French but my teachers, well, they were the product of another time.

Merci beaucoup, thank you very much.

MR. CHAIRMAN: Mr. Sarginson, there may be questions from members. Any questions for Mr. Sarginson? Ms. Phillips.

MS. M. PHILLIPS: Thank you very much, Mr. Sarginson, for a very challenging presentation. It certainly gives us lots of food for thought in our deliberations.

I have three points that I would like you to clarify for me. First of all, your outline of the history of this province dealing with the French question has been very thorough. Are you suggesting then that the present situation of the French population in Manitoba, in terms of their size and their ability to speak their language and the fact that it has shrunk to such a small minority was not an accident, but was a deliberate result of history and the passage of those two pieces of legislation you mentioned, the 1890 bill and the 1916, outlawing all French in schools?

MR. R. SARGINSON: If you read the speeches in 1890 that were given to support the removal of French rights in Manitoba, and if you put them in the mouths of some politician today, I think that person would likely be committed to an institution, just because they're so virulent, so full of hatred. I don't want to be too melodramatic about it, but during World War I, the hatred for anything foreign. People sought a scapegoat and there was a tide of resentment against foreigners and these were the people who had sometimes been in Canada for - especially the immigrant peoples, the Ukrainians, the Poles, the Germans, the Jews, everybody. Everybody took it on the chin in 1916, because it wasn't just French rights that were removed, it was all education rights to all minorities.

Rev. Malinowski, I know, knows this story very well. If you read those speeches the way I have, you would be struck by how intense the hatred was and it wasn't a well-intentioned hatred, it was just virulent racism.

I can say definitely that it was a campaign to remove the cultural identity of as many groups as possible and to make them into Anglophones.

MS. M. PHILLIPS: One of the criticisms we've had of this amendment is that we should not be suggesting it be entrenched in the new constitution, we should not be sending it off to Ottawa for approval to be entrenched in the new constitution, that the legislators and the future Legislatures of Manitoba will be tolerant enough to provide what services they see fit to the French-speaking minority of the province and that should be good enough, to leave it up to the provincial Legislature of the day . . .

MR. CHAIRMAN: Question.

MS. M. PHILLIPS: Are you suggesting that that isn't good enough, that we should proceed with having these rights entrenched in a constitution that cannot be changed at the whim of future Legislatures, or changed as easily, because you can still, as we are doing now, make amendments to the Constitution?

MR. R. SARGINSON: The prospect of having my rights protected by some legislators bothers me an awful lot. I know that the Franco-Manitoban community waited 90 years to have legislators act on a law declared illegal in, I believe it was 1896. And always, it was political games that were played, both in the federal court and in the provincial, the Federal Government trying to maintain support of their voters in Manitoba. In years gone by, this was the rule of thumb. I don't have a lot of confidence in protection by legislators at this time due to this historical precedent.

MS. M. PHILLIPS: One last question. You mentioned, almost as an aside in that you didn't elaborate on it, that you felt the amendment that the Attorney-General proposed on September 6th at the beginning of the committee hearings would alter this agreement. My understanding is that they clarify some areas. Can you explain to us what concerns you have, in what areas those amendments are altering the original amendment?

MR. R. SARGINSON: I would not like to be specific on them. I have a copy of them and I have looked at them and I see them. Their intent is to clarify, yes, but I feel also that they limit the intent of certain clauses within the agreement. I do not support them; I prefer the original agreement; and I think that since that is the agreement met with the Federal Government and the Société franco-manitobain, I would prefer that it also be the one that is implemented.

MS. M. PHILLIPS: With that, Mr. Sarginson, I'd like some clarification on two particular amendments, and perhaps I can just outline them. The first one is dealing with the first statement, the opening statement that French and English will be the official languages of this province as outlined in the further section, the rest of the amendment. My understanding was that was the intention by all parties and that those words were added then clarify for the rest of Manitobans who misinterpreted what that meant, that it didn't change the original statement because the intention was that they would be provided as outlined further.

Do you have an objection to that amendment?

MR. R. SARGINSON: I feel that I really don't want to respond on the specifics there. I do agree that French and English should be the official languages of Manitoba.

MS. M. PHILLIPS: The second one that I'd like to have the benefit of your wisdom on is also, it was intended that municipalities and school boards could voluntarily participate in terms of providing services and having their by-laws, etc., translated, that it was never intended that they must, regardless of the demand in their community, do that. So the amendment in that case, where it says excluding municipalities and school boards was then to clarify that situation, and a municipality can certainly still opt in, but it does not require that they all provide the services.

Again, I felt that was a clarification. Do you think that is an alteration of the original amendment?

MR. R. SARGINSON: I feel that the voluntary aspect is very important and unless I looked at the legislation,

the amendments plus the original resolution and then worked through logically the effects of the total, I feel at a very great disadvantage in responding, because I just haven't given it enough study.

MS. M. PHILLIPS: I appreciate that; that's fine. It's just that those amendments, or sub-amendments, will be rather critical in the final analysis and I do want to get feedback on those as well as the original proposal. I appreciate very much your presentation and your call for tolerance throughout the province. That helps a great deal.

Thank you.

MR. CHAIRMAN: Thank you, Ms. Phillips. Further questions by members? Seeing none, Mr. Sarginson, thank you very much for your presentation here this evening.

MR. R. SARGINSON: I'd just like to say that Mr. Enns did not help me write my speech. Thank you.

MR. CHAIRMAN: Alvira Altman, please.

MS. A. ALTMAN: Mr. Chairman and members of the committee, my name is Alvira Altman and I am pleased to read a brief that was written by Mr. Bill Pendree of Eriksdale who is out of the province on vacation at this time. I truly believe what I am about to read, but am not prepared to answer any questions. Thank you.

We are here today to examine a proposed amendment to Section 23 of The Manitoba Act, which has to do with the provision of language rights in the Province of Manitoba. The colonies of British North America were brought together under The British North America Act, which, after much negotiation and consideration, was written to accommodate two founding languages. The Manitoba Act of 1870 passed by the Federal Parliament made Manitoba a province of Canada with both French and English as official languages.

It is interesting to note that when we study the history of that time, and when we take into account the fact that there were more Francophones than Anglophones, we have to wonder which language the very specific and clear wording of the act was designed to protect.

However, a few years after Manitoba became a province, there had been a large increase in the number of Anglophones, and the Manitoba Legislature passed a bill, in defiance of the terms of The British North America Act and The Manitoba Act, that made English the only official language of the province. Therefore, succeeding Legislative Assemblies and local governments proceeded to govern the province, completely unaware of the decisions carried out and recorded only in one of the two official languages were not supportable under the acts that made the province a legal entity.

Democratic government, by its very nature, cannot exist without a legal constitution that defines the structures and powers of regional and local authorities. This structure was outlined in The British North America Act which reflects the historical, political and economic realities of the day. One of the main realities was, and is that military conquest cannot change the language, religion, or culture of the conquered people.

The persons negotiating to bring the colonies of British North America together had to take this into account. The result was a country organized around the concept of two founding peoples with two distinct languages. It would seem to me that the proposed resolution that we are concerned about today has very little to do with whether you or ! may or may not speak either of the two official languages. It does have a great deal to do with the broader question of language rights as laid down in The North America Act and how we, as a province, have broken the law of the land.

We are primarily concerned with the very important matter of bringing Manitoba back into a relationship of good faith with the rest of Canada by being and doing as our great-grandparents intended when we became a province of Canada.

There has been a lot of water pass under the bridge in the last 90 years and all levels of government in Manitoba have been proceeding under the misunderstanding that it was perfectly legal to record everything in only one of the two official languages. Now, because of some very recent court battles, we have been made aware that any decision made by any governing body in Manitoba can be challenged in the courts if they are not recorded in both of the two official languages.

To correct nearly 100 years of illegality is a formidable task, if not an impossible task. The Government of Manitoba started to translate some of the current legislation during 1981, but it is going to be a long, costly process to translate all of the provincial and local government laws that have been recorded in only one of the two official languages.

Under these circumstances, it is wise for the Government of Manitoba to develop a legal way of bypassing all those years of illegal action by getting agreement on an amendment to The Manitoba Act that will make the problem manageable by reducing the number of functions that have to be carried out in both languages.

This reduction can be in two ways: firstly, that there are some localities where there is no significant need; and secondly, by agreement with those who speak the neglected language that some type of legislation, some regulations and policies of provincial and local governments do not need to be translated or promulgated in more than one of the two official languages.

The critical problem in this will be arriving at an aacceptable formula for determining significant need. Some basic ground rules will have to be developed that will give the same language opportunities to Francophones in any community where they are in the minority, as there are to Anglophones in any community where they are in the minority.

It is my understanding that this important matter is what is involved in the resolution proposed by our Manitoba Government, and I heartily support them in their efforts. As well, I think we should keep in mind that as people of good will, we should always ensure that all immigrant groups and our aboriginal peoples, who suffered so much under the aggression from European peoples, are treated equally well under the formula we develop as the Anglophones and Francophones.

Let us remember that most of us have our roots in Europe where they are developing a community of

nations by legal agreements, but also, and maybe more importantly, by learning and respecting each other's language. They are developing a community of nations; let us develop a community of peoples by the application of the Golden Rule - "Do under others as you would have them do unto you." It can be done.

Thank you.

MR. CHAIRMAN: Thank you, Ms. Altman. What was the name of the individual for whom you were reading the brief?

MS. A. ALTMAN: Mr. Bill Pendree.

MR. CHAIRMAN: Pendree?

MS. A. ALTMAN: Pendree. P-E-N-D-R-E-E.

MR. CHAIRMAN: Thank you very much for presenting the brief here this evening on behalf of Mr. Pendree. Reeve M. Desjarlais, R.M. of Coldwell. Reeve Desjarlais, please.

Murray Sinclair. Murray Sinclair, please.

Reeve Halabura, LGD of Armstrong. Reeve Halabura, please.

MR. W. HALABURA: Thank you, Mr. Chairman, for giving me this opportunity. I have a written brief, which sometimes presents a problem because I like to talk freely rather than following a script.

I welcome this opportunity to speak on the amendment of the constitution proposed to entrench French rights. I was puzzled as to why there was so much opposition to having this committee hearing. This is a serious issue affecting every Manitoban and I want to remind you that our rights to govern do not cease as soon as we cast our vote. Anyway, I am happy to offer grass-root input into the issue.

I have several reservations about the so-called French service program and the entrenchment of Franco-Manitoban rights into the Constitution. In the early 1960's, I was forced to take French for it was a prerequisite for university entrance. At that time I thought it foolish to be forced through a mental exercise I did not necessarily need in order to continue my education. I observed that this requirement was dropped and I was pleased that Manitobans could live their lives without being forced into French cultural immersion, but today these fears surface again.

I am no expert on the Canadian Constitution, but I believe that the spirit of the law is stronger than the letter of the law. Even if 90-some-years ago French rights were entrenched in the Constitution by the very act of non-application of the law, it has lost its validity.

The sole English publication of Manitoba laws for 90-some-years establish a basis of rights which cannot be disregarded. I do not buy the argument that Manitoba statutes could be invalidated by a judicial ruling because they are not printed in French.

The French minorities have lived side by side with other Manitobans in good spirit, but if the province stamps special rights onto Franco-Manitoban minorities, it may open a doorway for other minority groups to demand likewise.

One of the most appreciated virtues of The BNA Act (former Canadian Constitution) was its shortness and

undefining characteristics. This unwritten constitution gave rise to a tolerance of minorities and the growth of freedom for all. But the province's desire to define minority rights would only create a special status group in Manitoba and I fear the consequences. We do not need constitutional definitions which place one culture above another, which create a basis for discrimination in Manitoba.

Once we entrench French in the constitutional amendment, there is no saying or knowing where the demand for use of French would lead. You may say so many services will be only French-oriented, but there are no guarantees.

Moreover, as Manitobans, how are we going to control the suppression of Western Canada by Eastern Canada? Riel fought and died opposing this suppression. Many federal policies force us to experience eastern dominance daily. The province says only limited French services, yet Mr. Trudeau proclaims that Manitoba is going bilingual. What safeguards have we got that excessive federal funds will not be unfairly used to Francophone Manitobans?

I also have reservations about designating certain areas for French services. Our social make-up changes constantly. For example, 30 years ago in my municipality, the Town of Inwood was predominantly occupied by French-speaking people; today only three or four families could be found there, meaning French-speaking families. Forcing French into the area could be violating the constitutional right of mobility.

I conclude on the argument that this country was built with tolerance and freedom for all, on the unwritten constitution. Our Manitoban mosaic has flourished with growth and respect for all minorities on the undefined law, a spirit of co-operation and common sense of understanding of one another. Defining human relations which create special status will only divide and flourish bitterness.

Ignore the letter of the 1870 law, for our province was not regulated by that law. I urge you to put this issue at rest and not rule on way or another, for there was peace and harmony before this issue surfaced, and let there be peace afterwards. Let us return to an unwritten, undefined constitution, which offers respect, tolerance, and freedom for all.

Thank you.

MR. CHAIRMAN: Thank you, Reeve Halabura. Questions? Ms. Phillips.

MS. M. PHILLIPS: Thank you very much, Mr. Chairperson. Through you to the delegate, I'd like to start with your last comment, sir, first. You are suggesting that if the written guarantees that were given to both French and English in 1870 are not upheld, then the unwritten ones will go into play, is that what you're saying, that they will be enforced or observed?

MR. W. HALABURA: What I am suggesting is that for two people to get along, you don't have to establish a serious set of laws regulating human behaviour. Just by the common sense of us wanting to get together and make something out of this country is sufficient enough. This is what made this country, as I said, the Constitution, The BNA Act was restricted in defining

characteristics of growth. As a result of that it has opened avenues for a lot of freedom and tolerance and growth.

MS. M. PHILLIPS: May I try to clarify then. Maybe I can use an example. If you had a written contract with your neighbour, for instance, to deliver X number of bales at a certain price or to sell land at a certain price and if your neighbour ignored that written contract you had, would you then in the future trust him with an unwritten contract with a shake of the hand on something else, if he had already abrogated the written contract?

MR. W. HALABURA: Again, I have to go back, the spirit of the law is stronger than the letter of the law. Let's put it in other terms. If I buy a piece of property, I feel that I have inherited certain property rights with the purchase of the property. However, if my neighbour crosses 20 years over that property, he already introduces a precedent of use and a right which has to be tolerated, by the very virtue of going across. The same thing what I am saying is that just by the mere fact that we have had English as the basis of our language of communication and government, that in itself has established a strong validity.

MS. M. PHILLIPS: My only other question is, referring to your statement, what safeguards do we have. I have two questions flowing from that. No. 1, I want to know who "we" are? I'm sure that the French-Manitobans would want to know what safeguards they have. My other question from that statement is, do you not see this amendment that we're proposing which outlines exactly in what way services will be provided, and our suggestion that that be entrenched in the Constitution as a safeguard for the rest of Manitobans to know on what grounds they stand and what services will be provided and exactly what services will not be provided that taxpayers will have to pay for, or might have to pay for?

MR. W. HALABURA: I'd like to respond by making reference to the amendment. It says, "English and French are the official languages of Manitoba," period. It does not say that English and French are the official languages of Manitoba subject to the following conditions.

MS. M. PHILLIPS: May I clarify that point? There is an amendment, sir, that does say just that, that we are now considering to clarify that.

MR. CHAIRMAN: Reeve Halabura, did you want to continue with your answer.

MR. W. HALABURA: I'd like to go back to the argument that we had peace before this whole issue. You know, a right is sometimes in existence with respect, but if you go and you put it in the letter of law an edge on it throughout the community as if it becomes of special-status right, then you may introduce elements of discrimination that I am better than you, or that this group is better than that group. Whereas, by not having it written at all, I will respect you as long as you will

respect me. This again, the unwritten constitution will give us tolerance and freedom.

MS. M. PHILLIPS: I guess my question about safeguards got lost in the wayside. Did you want to answer that one? I can't make you answer.

MR. W. HALABURA: What safeguards? I think it is too much of a task to have the present 1983 Legislature rule forever or rule so positively with legislative safeguards. Let us deal with the need when it arises. We are creating a need for safeguards by stirring the hornet's nest. Before this issue became as explosive as it is, the need was not there. There was harmony and respect, but if you edge on it and build with it, you are going to create a situation that you may not really appreciate.

MS. M. PHILLIPS: I'm trying my best to be brief, it is getting so late, please bear with me.

MR. CHAIRMAN: I am, I am.

MS. M. PHILLIPS: You mentioned, sir, that we were suggesting that there be special rights to French-speaking Manitobans. I suppose their answer to that would be that there always has been special status to English-speaking Manitobans, considering that in the act that formed this province both languages were to be equal, and as it has turned out, whether it be an accident or deliberate as a previous delegate mentioned, that English has a special status in that you can correspond with any government office in English, but you cannot do that in French . . .

MR. CHAIRMAN: Question, please.

MS. M. PHILLIPS: . . . without this amendment. How do you see that if we are restoring rights of the French-speaking people that we are giving them special status?

MR. W. HALABURA: If you feel that I have special status in English, it may be a very silent status, because I do not dwell on the power of speaking English. I spontaneously flow within my community, using it without putting any effort or any special characteristic status to it. However, by introducing another official language, and I guess you can label me a bigot in one sense, but in another sense I have been in France last year, and I have been in Quebec the year before. This peculiar attitude of French only - the attitude that the French people have to their language may be appreciated by them, but I found it very difficult to travel through this Province of Quebec and through France because of the attitude towards their language. I don't want to be forced into this type of situation. The society of our present time has been silent about any "special English status". We spontaneously work and function without being cognitively aware that, well, I can speak English. I do it without any special status, but if I am forced to use French - I wish I could speak French and I don't have anything against learning French, but I don't want to be forced into it.

MS. M. PHILLIPS: Thank you, Mr. Chairperson. Based on your answer then, sir, and your comment about this

peculiar attitude that French-speaking people have about their language, would you think that there are some areas in Manitoba who have a peculiar attitude that English is the only language that should be spoken?

MR. W. HALABURA: It's possible, I haven't witnessed it. I don't, you know, feed on it. It's irrelevant to this. You know, that would create a basis for discrimination if we would function on that level. I would rather say I can tolerate you as long as you can tolerate me without us writing a contract of behaviour.

MS. M. PHILLIPS: Thank you very much, sir.

MR. CHAIRMAN: Further questions from Reeve Halabura from members of the committee? Mrs. Smith.

HON. M. SMITH: Mr. Halabura, I find it very attractive and exciting the idea of a community that doesn't require law and that somehow where the good relationships between people make laws and enforcement, and I suppose even punishment, unnecessary. Unfortunately, I don't think we have the luxury of that kind of a situation and therefore I am wondering whether you would accept the idea that since we have to deal with law and the system we have, that we're better to address ourselves to trying to make it better and make it say what we want it to say so it can match the tolerant spirit we feel, rather than ignoring it and letting some of its inequities continue to exist.

MR. W. HALABURA: There is a situation at times where you can have too many laws, which are good maybe for the lawyers because they can complicate matters to extract more money, but on the other hand, it is the element of fate. Regardless of what type of law, if you don't have an element of fate, and here we're not talking about laws that deal with property, we're talking about human relations. I would rather leave them unwritten when it comes to human relations, in the cultural sense.

HON. M. SMITH: Just one follow-up question. Do you think it's as easy to believe in the unwritten law and sort of progress just through good will of people when you are a group that's experienced what you think is injustice. Because I think that maybe what we're dealing with here, and as a previous speaker said, if we lose sympathy for a group whose been deprived of language rights for quite an extended period of time, of how they see the world, and they see their place in the community. We, as perhaps a majority group, may really become intolerant without knowing it. I wonder if you would have any comments on that.

MR. W. HALABURA: I'd have to go back again to the BNA Act. The BNA Act's greatest strength lies in it unwritten characteristics. It allows tolerance and freedom to develop without defining them. Let us not break the good that it has created, let us not destroy it, because it has been very productive.

MR. CHAIRMAN: Further questions for Mr. Halabura? Seeing none, Reeve Halabura, thank you for representing the LGD of Armstrong here today.

MR. W. HALABURA: Thank you very much.

MR. CHAIRMAN: I'll call again those who were on the list, but did not appear on first call. Velma Adamek; Velma Adamek, please. Margaret Smith, please.

MS. M. SMITH: Mr. Chairman, members of the committee, and ladies and gentlemen, my name is Margaret Smith.

Before I begin my presentation, I wish to make it clear that I am not here to debate the issue of French Language Services. The material I am presenting is my own opinion on some parts of this issue. I do not expect to say anything that has not already been heard by the committee. I am here merely to lend a voice in support of what I feel to be right.

I realize that a short presentation such as this hardly does justice to a complex subject, and that probably in summarizing some of the issues, there is danger in misinterpreting or misunderstanding. Here then are my views.

We live in a country where respect for law and contract and treaty is supposed to be a foundation of our rights. I would hope that this tradition of law continues to be upheld, or the rights of all minorities would be subject to the whims of the majority.

It is clear that The Manitoba Act of 1870 made Manitoba a bilingual province. That was the deal with Manitobans for their entry into Confederation. It is my understanding that in spite of the illegal act of 1890, which made Manitoba unilingual, French continued in common use in those areas with significant population. Such was the case in St. Vital, for instance.

My mother-in-law has a letter from Joseph Riel, a relative of Louis Riel, addressed to her father, Alex Todd, when he was the reeve of the Rural Municipality of St. Vital about 1920. It begins, "Monsieur le préfet," and continues in French, even though Mr. Todd spoke only English. It was understood that the French population had the right to communicate with government in their own language even in 1920.

I understand that the constitutional amendment agreed to by the Franco-Manitoban Society will significantly limit those rights. The rights that are left will only be a small portion of those rights promised in 1870; a small percentage of major laws translated into French; the right to service in French only from provincial government head offices and some government departments in areas where there is significant French population; no obligation to be placed on any municipality or school board to provide services in French unless there is a local decision to do so.

In agreeing to those limitations in services, compared to what was guaranteed in 1870, the Franco-Manitoban Society, it seems to me, is facing the reality that the French population is no longer the larger population, but only a relatively small one, at about 6 percent. They are willing to forego some of their rights guaranteed by law, but want at the same time, it seems to me, to be reassured that there will be no further erosion of those rights. The only way to assure this is to entrench those rights in the Constitution.

As I said initially, we are a country which respects rights guaranteed in law. At times in the debate on this issue, it has sounded as if some on both sides of the Legislature have treated rights as something to be decided by current popular opinion. If rights can be

dealt away that easily, we are fearfully vulnerable and all of us are at risk.

There is one other issue I would like to comment on. This concerns the increase in bilingual civil servants. Some would make it sound as if a bilingual employee will do nothing but sit around waiting for a French-speaking person to walk through the front door. This is an insult to all bilingual persons. Whether their ethnic background is French, English, Ukrainian, or any other of the groups that contribute to our mosaic, the fact that they communicate in two or more languages probably means that they are better educated and more capable persons, whether they be secretaries, ag reps, engineers, health nurses, or whatever. Speaking French certainly doesn't prevent them from going about doing the job for which they were employed.

In conclusion, I believe that the Manitoba Government must go ahead with the agreement on French Language Services in this province with no apologies to anyone for doing so. With the phased translation time that is built into the agreement and the money being provided by the Federal Government, I believe it should be able to ensure that a core of the rights originally granted in The Manitoba Act of 1870 will be entrenched for all times and that all of us will benefit from it.

Thank you.

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

Mr. Enns.

MR. H. ENNS: The hour is getting late, but I feel compelled nonetheless, Ms. Smith, not to debate with you as you suggested is not your purpose here, but the statement is made repeatedly that in 1870 the Province of Manitoba was created a bilingual province. The terms and conditions of Confederation; that is, bringing the area of Manitoba into Confederation, are really quite specific and do not, in my judgment in reading those terms and conditions, make the Province of Manitoba at that time, 1870, a bilingual province. Would you not agree that - that is, let me ask you if you are not aware that the French language rights were very specifically spelled out, any terms or conditions in 1870, in the Legislature, in the courts and the Journals of the House? Is that not a fact?

It's not my intention to put the witness on the spot, but there is an honest difference, I suppose, of interpretation here. I believe that to be a historical fact, and of course that is some of the difficulty, Ms. Smith, that we're having at the committee when we are talking about what is being restored or what is being taken away. If you can accept that for a fact for a moment, if you want to think about it, then surely the Forest of 1979 has fulled restored those linguistic rights . . .

MR. CHAIRMAN: Question, please.

MR. H. ENNS: Would you agree that the Supreme Court decision resulting from the Forest case in 1979, and acted upon by the then Conservative administration in 1980, restored the original language rights that the province agreed to at the time of entering Confederation?

MS. M. SMITH: I believe that the Supreme Court decision did restore that, yes, and that there was a

start, but I believe that the direction in which the government is moving now, with this amendment, is perhaps going to be the less costly.

MR. H. ENNS: I want to agree with you, Ms. Smith. I think then also that the additional measures as provided in the resolution, and somebody else mentioned this before, we really haven't spent too much time nor is there that much opposition to some of the expansion of the services that are being talked about in this resolution. What is at issue is, of course, the question of entrenchment. Do you see the resolution as being proposed by the government that talks about expansion of French services to all central or head offices of government agencies and their quasi-judicial boards as being an expansion of French services in Manitoba from what was originally laid down in 1870?

MS. M. SMITH: I'm not sure I entirely understand your question. I'm sorry, sir.

MR. CHAIRMAN: Would you rephrase the question please, Mr. Enns?

MR. H. ENNS: I'll try another one. In 1870, the Salteaux and the Cree language was spoken by a fairly significant portion of the population in Manitoba, particularly as the total population at that time only numbered some 8,000 or 10,000. The French majority at the time did precious little to protect those minority language rights. Is that not a fact?

MS. M. SMITH: I don't believe that was at issue.

MR. CHAIRMAN: Order please. The purpose of questions is to seek clarification of the brief.

MR. H. ENNS: Mr. Chairman, on a point of order. There is constant linkage being made that the enshrinement and further entrenchment of the French language rights protects all other minority rights, whether they are German, Ukrainian. I'm not speaking in abstract terms, I'm simply suggesting that in 1870 we had substantial numbers of people speaking the Salteaux and the Cree language. At that time the French were a majority in the province and those minority rights received little protection. They certainly have not survived in any active way today.

MR. CHAIRMAN: Please proceed.

MR. D. SCOTT: On a point of order.

MR. H. ENNS: I was speaking on a point of order.

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

MR. D. SCOTT: On the same point of order. Mr. Enns is correct as far as the provisional government that Louis Riel set up in 1869 . . .

MR. CHAIRMAN: Order please. A point of order is an opportunity to address the rules, not debate the history. Do you have a comment on my caution to Mr. Enns

that he was going into an area that was not appropriate for clarification of the brief?

MR. D. SCOTT: Unfortunately, it was on Mr. Enns . . .

MR. CHAIRMAN: Well, that may be a difference of opinion as to the historical facts, and that's not a point of order. Mr. Enns has explained the reason for his question and I withdraw my objection. Please proceed.

MR. H. ENNS: Thank you, Mr. Chairman. Late in the day, you win one.

Mr. Chairman, I don't wish to take any, or appear to be taking any unfair advantage of Ms. Smith. She indicated at the outset that she did not chose to debate these issues and that's not the purpose why she's here. But it is a historical fact that there were other minority languages rights existing in the Province of Manitoba at the very time of its inception, and at the time French was in fact a majority. Fifty-five percent, the figure has been used, and yet those minority rights were not in any special or specific way protected.

Yet we have received briefs and presentations from so many at this committee that put forward the suggestion that it is absolutely essential to enshrine and further entrench these French rights for the protection of other minority groups in the province. . .

MR. CHAIRMAN: Question please.

MR. H. ENNS: Would the witness not agree that certainly in 1870 the Salteaux people and the Cree people were minority members of our population?

MS. M. SMITH: Yes, but I don't think that was the issue at that point.

MR. H. ENNS: One other question. I have to agree with you, of course, that not all bilingual civil servants would have nothing else to do, other than to wait for that day when somebody required their services in French. On the other hand, Ms. Smith, would you not agree that the civil servants that we have behind us right now in these simultaneous translation booths, who are getting paid more than any of us legislators are getting paid for their services today, have not had such a busy day really?

MS. M. SMITH: I'm sorry, I wasn't here for the whole day, so I really couldn't answer that question.

MR. CHAIRMAN: I take it Mr. Enns has struck out. Mr. Bucklaschuk.

MR. H. ENNS: I didn't strike out.

HON. J. BUCKLASCHUK: Ms. Smith, perhaps a different line of questioning, and it's certainly meant not to be debate. Would you agree that language is a living thing?

MS. M. SMITH: Yes.

HON. J. BUCKLASCHUK: And you would agree that language represents to people their culture, their feelings, their identity?

MS. M. SMITH: Yes.

HON. J. BUCKLASCHUK: Would you agree that a language that is used only in the Legislature and in the courts is rather cold and would become, I suppose, as outdated as Greek and Latin has become?

MS. M. SMITH: I think that language changes a lot through the years, certainly, English and French and a lot of other languages. — (Interjection) — Oh, I'm sorry. Language does change over the years and it stays living. I think that one of the things that the translators would certainly have to do is to make sure the language that is used is current. I don't know whether that creates more of a problem or not in terms of translation, but certainly I would hope that the laws are taken a look at later on to make sure that they are current.

HON. J. BUCKLASCHUK: Okay then, if the language is to be meaningful and to be viable, would you agree that it would have to be a language of common usage, and if government so deemed that it was fit to be used in the Legislature and the courts, would it not make sense that it also used in communication with the government?

MS. M. SMITH: I'm sorry, could you repeat the question?

HON. J. BUCKLASCHUK: Okay, I'll repeat that again. I know it may sound rather convoluted. My question was that if the language is to be meaningful and viable, and if our Legislatures have deemed that the French language is fit to be be used in the courts and the Legislature, would it not follow that it would just naturally be a language that one could communicate with government as a citizen of Manitoba?

MS. M. SMITH: I would say so, yes.

HON. J. BUCKLASCHUK: You would agree with that?

MS. M. SMITH: I think so.

HON. J. BUCKLASCHUK: Well, then this leads to my final question therefore. Would you not agree that in

proposing, as we have in this amendment to Section 23, that French be one of the languages that can be used by the citizens of Manitoba in dealing with government departments, that it's a means of keeping that language alive, and a means of assisting those persons to maintain their identity?

MS. M. SMITH: Yes. I would see that.

HON. J. BUCKLASCHUK: Thank you.

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

Is Mr. Brian Lang here now? Brian Lang.

A DELEGATE: Mr. Chairman, Brian Lang is out on the combine or was when we left home, and he sent his brief along with me.

MR. CHAIRMAN: Could you leave it with the Clerk and it will be included in the written transcripts when we put all the written briefs in the transcript?

Mr. Clarence Daniels. Mr. Clarence Daniels.

Reeve Desjarlais, R.M. of Coldwell. Is Reeve Desjarlais here, or someone else representing the R.M. of Coldwell here, please?

Is Murray Sinclair here, please? Murray Sinclair.

Ladies and gentlemen on the committee, that concludes the list we had before us. Is there anyone else in the audience, who did not register with the Clerk, who wishes to make a presentation to the committee? Is there anyone else who wishes to make a presentation?

Seeing none, ladies and gentlemen, that concludes our hearing. I would remind members of the audience that anyone who wishes to receive a copy of the transcript of today's meeting - the committee has not yet adjourned, please - can do so by registering their mailing address and name with the Clerk of the Committee. You can do that as soon as the meeting adjourns. Transcripts are also available for all of the hearings throughout this month.

Accordingly, committee is adjourned and stands adjourned until 10:00 a.m. tomorrow in Ste. Anne, Manitoba.