



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

STANDING COMMITTEE
on
PRIVILEGES
and
ELECTIONS

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Friday, 30 September, 1983

TIME — 7:30 p.m.

LOCATION — Winnipeg, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the committee present:

Hon. Messrs. Storie and Parasiuk

Messrs. Anstett, Brown, Enns, Graham,
Nordman and Scott; Mrs. Dodick

WITNESSES: Presentation by Messrs. Baruch Rand and Myron J. Spolsky, Manitoba Association for The Promotion of Ancestral Languages was continued.

Reeve Clarence Kiesman, LGD of
Grahamdale

Ms. Lillian Stevens, Private Citizen

Ms. Mary-Ann Adams, Private Citizen

Ms. Claire Toews, Private Citizen

Mr. Kenneth Emberley, Private Citizen

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23
of The Manitoba Act

* * * *

MR. CHAIRMAN: I understand that the Clerk has received the resignations of Ms. Hemphill and Mr. Malinowski, and their replacements are Mr. Storie and Mr. Parasiuk. Can I have a motion to that effect, please?

MR. D. SCOTT: So moved.

MR. CHAIRMAN: Thank you, Mr. Scott. Is that agreed? (Agreed)

MR. H. ENNS: I object. — (Interjection) — No, I'm serious. We have before the committee placed a very significant brief. It calls for very significant demands with respect to the educational system in the Province of Manitoba, and I regret that the Minister of Education has chosen to absent herself from this committee.

MR. CHAIRMAN: All those in favour of the motion, please say aye. All those opposed, please say nay. In my opinion, the motion is carried.

At the hour of adjournment, Mr. Baruch Rand was at the stand. Mr. Rand, please; and, Mr. Enns, you had the floor.

Mr. Enns, please.

MR. H. ENNS: Mr. Rand, the secretary for the Manitoba Association for the Promotion of Ancestral Languages?

MR. B. RAND: Right.

MR. H. ENNS: In your brief, Mr. Rand, you refer on several occasions to a steering committee. Can you indicate to us who that steering committee is, do you have names that you can provide the committee with? It would be of interest to the committee.

MR. B. RAND: I can provide you with some names, I'm sure. The steering committee, first of all, was the committee that prepared the founding conference and laid the foundation for the association. Mr. Mario Santos was the chairman of that committee; he's a Winnipeg No. 1 school trustee. I served as the vice-chairman of that steering committee. There was Mr. Harry Schellenberg, represented the German community; Dr. Kim. the Filipino community; Betty Wong, the Chinese community; Dr. Zeta McRobbie, the Hungarian community.

MR. H. ENNS: Doctor?

MR. B. RAND: McRobbie, is her name, she's Hungarian, not her husband, obviously. There was Mr. Terry Prychitko, from the Ukrainian community.

MR. H. ENNS: Mr. Garry . . . ?

MR. B. RAND: No, Terry.

MR. H. ENNS: Terry?

MR. B. RAND: Terry Prychitko.

MR. H. ENNS: Can you spell that for me, Mr. Rand?

MR. B. RAND: I would have to refer you to somebody . . .

MR. H. ENNS: P-R-Y . . .

A DELEGATE: C-H-I-T-K-O.

MR. B. RAND: A Mr. Spolsky was on the committee, as well. I believe these were the main members of it. There were some other groups that were represented from time to time.

MR. H. ENNS: Thank you, Mr. Rand.

MR. B. RAND: The Italian community was also represented there.

MR. H. ENNS: Mr. Chairman, through you to Mr. Rand, then on other occasions in your brief you refer to the Board of Directors of the Manitoba Association for the Promotion of Ancestral Languages. Again, could you indicate to me - I take it your brief is signed one Myron J. Spolsky as president, yourself as secretary.

MR. B. RAND: The executive committee is composed of Mr. Myron Spolsky who is the president; Marissa Bryan of the Italian community, who is the vice . . .

MR. H. ENNS: Marissa Bryan?

MR. B. RAND: Bryan, yes.

MR. H. ENNS: B-R-I . . .

MR. B. RAND: I believe B-R-Y-A-N, I'm not certain.

MR. H. ENNS: Of the Italian community.

MR. B. RAND: Of the Italian community is the vice-president; Mrs. Betty Wong from the Chinese community is the treasurer; and I am the secretary, as I stated. There are 24 more members on the board. I'm in no position to give you all the names right now. I don't even know personally everybody on that board. However, the board was elected by the entire foundation assembly, which consists of some 300 people who, in turn, elected five committees, according to the type of language program offered, be it a bilingual program in the public schools, private schools, core programs, supplementary schools, regional, and nurseries. These committees, in turn, send representatives to the board and that's how the board was formed.

MR. H. ENNS: Mr. Chairman, again through you to Mr. Rand, these names could be provided to the committee though?

MR. B. RAND: Oh, yes, no problem.

MR. H. ENNS: I appreciate, perhaps not tonight, we could undertake to have those names of this important organization.

Mr. Chairman, the brief goes on to indicate to the committee - the suggestion has been made to me that perhaps we could get those names faster through Mr. Kostyra's office. Would that be possible?

MR. B. RAND: I don't believe that Mr. Kostyra would have these names.

MR. H. ENNS: I see.

MR. B. RAND: Mr. Kostyra was not involved in the foundation of this particular association, except if he was a guest speaker.

MR. H. ENNS: Your brief suggests on Page 2, the board of the newly formed association, while not having the opportunity to thoroughly discuss the entire amendments, but it is however clear that we - I take it that's speaking about the board of directors - are representatives of 32 language groups in Manitoba. Could you name those 32 language groups at this time for the committee, along with the particular spokespersons that represented those language groups in Manitoba? I would ask you to do it slowly, so that we could record it.

MR. B. RAND: Again, I would prefer to do it in writing later on, but I can give you some indication of some of them.

The German language group is composed of a number of groups, sub-groups, because they do have bilingual programs in the public schools, they have core programs and supplementary programs. I believe that Mr. Jenssen is one of the representatives and Harry Schellenberg is the other representative.

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

MR. H. GRAHAM: No, no, I want a clarification. The first name was . . .

MR. B. RAND: Jenssen. Could I call on the president, Mr. Spolsky? Maybe he can provide some more names.

MR. H. ENNS: Certainly.

MR. CHAIRMAN: Mr. Spolsky, please.

MR. H. ENNS: It would be helpful if you could also indicate beside the names the organizations that these people come from, whether it's an official cultural organization, the German Society, or an educational society, or church group, or whatever it is.

MR. M. SPOLSKY: Well, Mr. Chairman, it's very difficult to name off the top of my head the organizations who represent the 32 different linguistic groups that are involved, when you're asking me essentially to read the bible of our roster. It would be much easier if we could provide you with that information in writing on Monday. I can assure you that all the programs available in each community were represented in the conference and it's through the representation were elected to the board. So in the case, for example, the Ukrainian community, you had the supplementary school program, the community school program association represented. You had the individual schools themselves represented; you had nursery schools represented, the four or five nursery school programs that are available; you had the various schools outside of Winnipeg represented. We had each of the schools where we have a bilingual program, the parents' committees for those schools were represented; we had the umbrella organizations represented at the conference and so on down the line. That same case holds true for each of the communities that were present at the conference. I think if you could wait till Monday, we could provide you with a detailed listing in writing.

MR. H. ENNS: Certainly, I accept that information from Mr. Spolsky or Mr. Rand. I would assume that you realize that these aren't idle questions. You are asking this committee to seriously consider a constitutional amendment of major import. Surely one would expect that that request, coming from an organization such as yours, which has the long life of exactly five days or something like that prior to this meeting, that you would expect us to be very interested in precisely where these recommendations are coming from. So if we have the assurance from yourselves, as representing the Manitoba Association for the Promotion of Ancestral Languages, that this committee will receive, on Monday, the information that I have now requested: the names of the steering committee; full names of the board of

directors; and the 32 language groups that you have referred to in your brief, along with the leaders or spokespeople for these 32 groups that have enjoined you in the representation that you are making before this committee.

I won't press the issue further tonight, but I think it's a very legitimate request that we as committee members ask; that we be apprised of precisely who it is in the community at large that supports your presentation to this committee.

MR. B. RAND: We shall provide you with such a list. I want to assure you though that this particular proposal has a very strong grassroots support, as was expressed by unanimous vote on the board, which does have 25 representatives from different language groups.

MR. H. ENNS: Well, let's just go into that for a moment, Mr. Chairman, through you to the honourable members opposite. I won't speak of an ancestral language group that I'm not familiar with, I'll deal with the one that I am, the German language, as represented by myself as a member of the Mennonite community which I would assume is part of . . .

MR. B. RAND: Is represented by Dr. Enns.

MR. H. ENNS: Well, the Mennonite community is a reasonably well organized group of people in our society. We have the two major conferences: the Canadian Mennonite Conference, which represents a large number of Mennonite people in Manitoba; and we have the General Conference. These are the official organizations of the Mennonite community that encompass some 60,000 people of Mennonite background in the Province of Manitoba.

Now, in addition to that, of course, the Mennonite community runs successfully several educational facilities: Westgate Collegiate . . .

MR. CHAIRMAN: Question please.

MR. H. ENNS: I'm coming to it, Mr. Chairman - the elementary and collegiate at Gretna, MCI, known as Mennonite College of Instruction in Gretna. We also have the Canadian Mennonite Bible College, on Shaftesbury, with some liberal Arts courses.

MR. CHAIRMAN: Question please.

MR. H. ENNS: My question is, for instance, did the General Conference of the Mennonite community have an opportunity to make their views known to your steering committee in supporting the resolution before us?

MR. M. SPOLSKY: Mr. Enns, it's very difficult for us to have 300 delegates, of which only 120 were pre-registered, to give you indication at this point that, in fact, there was somebody there at one of two conferences.

MR. H. ENNS: Mr. Chairman, I'm asking specific questions at your direction. Did the General Conference of Mennonites in Manitoba have an opportunity to

assess the recommended amendment that you are asking this committee to include in the resolution before the government? Did the General Conference of Mennonites have an opportunity to read this amendment and have you the endorsement of the General Conference of Mennonites in Manitoba?

MR. M. SPOLSKY: Mr. Chairman, I'm answering in good faith to Mr. Enns, that with 300 delegates present we did not have a chance to review each of the delegate's names up to this stage . . .

MR. H. ENNS: Pardon me? I don't want to issue . . .

MR. M. SPOLSKY: Mr. Chairman, could I continue, please?

MR. CHAIRMAN: Please proceed.

MR. M. SPOLSKY: . . . and we have a listing, which we will provide to you. As an association, which has X-number of people attending a conference with 25 people sitting on the board who are duly elected through a consultative process, one does not expect this association then to go back, once again, to a number of those associations who may or may not be members; and we're not sure exactly whether either one of the two conferences are members. We will examine that and if, in fact they are, we will provide you with the full listing, and you will see at that point. But the association itself would not necessarily go back to the conference to ask for permission or for direct support. When the issue is made public, as it has been right now, the conferences have the option to support it or not to support it.

MR. B. RAND: I will only add to it, if I may.

MR. CHAIRMAN: Please proceed, Mr. Rand.

MR. B. RAND: I will only add to it, that we do have representatives from the Mennonite community. There is a Dr. Enns, maybe related to you, I don't know, who is on our board of directors. And there were representatives from Westgate Collegiate and from the Bible College at the conference. I'm not sure whether any other person but Dr. Enns was elected to the board. I also want to say that our association does not necessarily represent all the political groups within the ethnic organizations, it represents the language schools and language teaching institutions; it's of a different nature. I believe that we are speaking on behalf of these institutions.

MR. H. ENNS: Mr. Chairman, I appeal through you because I know that you wish questions to be precise and I'm trying to ask simply precise questions. I sense an anticipation on the part of the members that are appearing before the committee in trying to divine my questions. I'm just asking straightforward questions. Has the General Conference of Mennonites, who has a president in Manitoba here and they have their board of directors, have you specifically asked the president of the General Conference of Mennonites in Manitoba about his position and his support?

MR. B. RAND: No. The answer, Mr. Chairman, is no.

MR. H. ENNS: Thank you.

MR. B. RAND: We only work through our representatives.

MR. H. ENNS: That's fine, that's all I'm asking. Have you approached the other major conference of Mennonites? Is the Canadian Mennonite Brethren Conference, which encompasses just about as many, it's pretty plea-shared, split, in the Mennonite community, and they also have a Manitoba president and a board of directors, have you asked the Canadian Mennonite Brethren Conference as to their support, or are they even aware of this amendment that you are proposing to us at this committee at this stage?

MR. B. RAND: No, Mr. Enns.

MR. H. ENNS: No, okay. Mr. Chairman, we operate and we're very proud of the successful operations of such institutions as Westgate Mennonite Collegiate which has a president and a board of directors. Have they officially, as a board of directors and as a president, taken a position with respect to the amendment that you are placing before the committee?

MR. B. RAND: I am not sure about that. I only know that representatives from Westgate Collegiate . . .

MR. H. ENNS: That's not the question.

MR. B. RAND: . . . have been at the conference and voted for the action plan which included this provision.

MR. H. ENNS: Mr. Rand, please believe me, I'm not trying to debate with you, I'm asking a specific question.

MR. B. RAND: I am answering with specific answers.

MR. H. ENNS: Has the Board of Directors of Westgate Collegiate, by resolution, transmitted to your association within the last five days - it was only formed in the last five days - have they had a chance to sit and study this amendment and support this amendment?

MR. M. SPOLSKY: Mr. Chairman, no. No such request has gone from APAL to any institution requesting their support.

MR. B. RAND: That's right.

MR. M. SPOLSKY: If that's the final answer you're looking for.

MR. H. ENNS: No, I want to go through it.

MR. M. SPOLSKY: What you're essentially doing is questioning the integrity of the association then.

MR. H. ENNS: Mr. Chairman, you are presuming to speak for 32 language groups, among whom you are identifying a group that I have very close association with, and I have some knowledge of its structure. I'm

simply trying to determine the veracity of the brief that's being presented to this committee. You know, this is normal procedure, Mr. Chairman, that when somebody speaks to us representing the views of the Manitoba Teachers' Society, or somebody speaks to us representing the Manitoba Federation of Labour, that we ask the kind of questions that I'm now asking, Mr. Chairman. I would ask leave to continue.

MR. M. SPOLSKY: That's fine.

MR. CHAIRMAN: I haven't called you to order, Mr. Enns. I would look for your question, rather than a defence of your questioning method.

MR. H. ENNS: Well, Mr. Chairman, not to prolong this, but the Manitoba Association for the Promotion of Ancestral Languages has not had an opportunity, just in singling out this one particular language group, and in fact it's a sub-grouping of the German grouping because, of course, not all German-speaking people that are interested in promotion of the ancestral heritage of the German language are Mennonites. But I speak simply because I have some background information of experience that allows me to be knowledgeable about it.

MR. CHAIRMAN: Question please.

MR. H. ENNS: My question is that we have the two major schools, also the one operated by the Canadian Mennonite Brethren College in Elmwood, again you have not had an opportunity to place this recommendation to their board of directors and president for official language . . .

MR. CHAIRMAN: Order, order please. Mr. Enns, the last answer Mr. Spolsky gave you said that no institutions had been asked. If you have further questions I'm certainly willing to entertain them, but we've got a long preamble which then asked a question that I believe had already been conclusively answered.

MR. H. ENNS: Thank you, Mr. Chairman, I accept that admonition.

Inasmuch that, as in many ethnic groups, the church plays a lead and fundamental role, and there are, of course - I don't know how many - but many Mennonite congregations in the Province of Manitoba, can you name me a single Mennonite congregation which are, after all, structured and organized with a board of deacons, and directors if you like, that is apprised of the amendment that you have placed before us and that has indicated to you officially, in that capacity, not as individual members, of their position on it?

MR. M. SPOLSKY: Mr. Chairman, I believe that question was answered earlier.

MR. H. ENNS: Mr. Chairman, then just to . . .

MR. CHAIRMAN: Mr. Enns, just so I can clarify where we're at, I'm not sure what Mr. Spolsky's answer meant.

MR. M. SPOLSKY: Well, I answered earlier that no association has been approached . . .

MR. B. RAND: Yet.

MR. M. SPOLSKY: . . . yet for formal ratification by the board.

MR. CHAIRMAN: And you're saying that also includes churches.

MR. M. SPOLSKY: Well, that is a form of association.

MR. CHAIRMAN: Okay, thank you.
Mr. Enns.

MR. H. ENNS: Mr. Chairman, just so the record be clear, and I do not misrepresent the positions taken by the representatives of the Manitoba Association for the Promotion of Ancestral Languages that, in the instance of the Mennonite community in Manitoba, you have no official endorsement at all for the position that you are putting forward to this committee?

MR. B. RAND: Mr. Enns, we don't have official endorsement from any of the communities, as such. We derive our power, if you want to call it that way, or our authority, from the delegates sent to that founding assembly who are representatives of different schools. We clarified it very much that this is the group that is presenting the brief. It may or may not have broader support among its communities. It is broad enough in itself, because 300 delegates, each one represented there at least 20-30 other people. So you may calculate how many people there are represented, but we don't have the endorsements of any of the organized communities as such for this proposal. We didn't even have time to process it through that channel.

MR. H. ENNS: Well, I thank you for that candid observation, Mr. Rand. I just remind you that in the inclusion of 32 language groups, we are some 60,000 Mennonites in Manitoba alone. So, in terms of a broad base, you will forgive me if I have a question mark in my mind.

For instance, the same question could be asked - I assume you have Icelandic representatives in that group . . .

MR. B. RAND: Mm'hmm.

MR. H. ENNS: . . . and I would want to ask the questions. The Icelandic community also is reasonably well structured and organized in Manitoba. They run a very successful Gimli Festival; they have very strong . . . about their heritage and their culture. Again, have you official endorsement, or could you name the organization of that particular language ethnic group that endorses your position here today?

MR. M. SPOLSKY: They are members of the association. I've answered your previous question before on two occasions.

MR. H. ENNS: Are you telling me that the Icelandic official organization of Manitoba is part of your organization?

MR. M. SPOLSKY: The association which represents their language programs is - well, if I can continue, Mr. Chairman, without interruption.

MR. CHAIRMAN: I didn't hear an interruption, please proceed.

MR. M. SPOLSKY: As a member, there are two representatives on the board - I believe are their chief presiding officers of those associations and they were present at the board meeting at which this was voted on, and they agreed to it.

MR. CHAIRMAN: Mr. Enns, a further question?

MR. H. ENNS: Mr. Chairman, speaking from some experience in government, from time to time governments are called upon to look for representation on various boards or commissions that provide public service to the people of Manitoba. I don't think it's any different with the present government when, for instance, we require or would search for people to serve, representing, for instance, organized labour, or people that we require on a board to represent particular professional groups, boards, commissions, that have to do with the professions, teachers, lawyers, medical professions, the normal format that government employees is that we . . .

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

HON. J. STORIE: A point of order, Mr. Chairman. Perhaps we could ask Mr. Enns to write down this particular tangent that he's off on and submit it as a separate brief. I believe Mr. Enns should be requesting some information pertaining to the brief that was presented, rather than expounding on his particular theories of the government and its obligation with respect to boards and commissions.

MR. CHAIRMAN: I have some difficulty with the suggestion that Mr. Enns should be submitting a brief to the committee, but certainly the purpose of questions of delegations and witnesses before the committee is to clarify the brief, and certainly questions regarding the status of the brief, the status of the organization, its make-up, character, have been in order and I certainly don't see that they are not in order at this time. But I would suggest to Mr. Enns that he be perhaps a little more direct in his questions to elicit that information. We seem to be getting into a bit of a debate.

Mr. Enns.

MR. H. ENNS: The point that I was trying to arrive at, Mr. Chairman, was that when people are asked to serve on steering committees or board of directors, how were the members, the delegates, selected or chosen that serve on your steering committee or on your board of directors? For instance, if you were to ask the Mennonite community to send one or two representatives to serve on your steering committee, I would assume that you would have put that request through to either of the two conference that I suggested or perhaps to the major . . .

MR. B. RAND: Every school.

MR. H. ENNS: . . . educational institutions, because we're talking about education, you would have asked the directors of the . . .

MR. CHAIRMAN: Order, order please. Mr. Enns . . .

MR. H. ENNS: Pardon me, I'm . . .

MR. CHAIRMAN: No, order. You asked how they were selected. Mr. Rand wants to answer. You're providing him with a whole list of possible answers, maybe if you stopped and let him answer it, you won't have to go through the list.

MR. B. RAND: If you want me to check the right one . . .

MR. H. GRAHAM: Mr. Chairman, on a point of order.

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

MR. H. GRAHAM: I find it rather embarrassing to see the Chair interrupting in a line of questioning that is very relevant and germane to the proposal that is being put forward. I would hope that the Chair would properly rule out a question after he has heard the question and, at that point in time, the Chair has the right to say whether or not the question is in order. I find it rather embarrassing to see the Chair interrupting before the person has the opportunity of putting the question.

MR. CHAIRMAN: Mr. Parasiuk.

HON. W. PARASIUK: Yes, Mr. Chairman. I would like you to look through Hansard from 1977 to 1981 and look at the precedent established by the Speaker at that time who time and time again interrupted questions in the middle of the questions to clarify a point of order and say that he wanted the questioner to get to the point of the question. I think if you look through Hansard, you'd probably find literally hundreds of examples where the Speaker at that time was not embarrassed to do that. I think that you have certainly just acted in the tradition of past Speakers and past Chairmen of the Legislature in asking the member to ask his question and then given a questioner the opportunity to answer.

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

HON. J. STORIE: To the same point, Mr. Chairman. We will encourage Mr. Enns to continue to ask questions, however, when he prefaces his question with "I would just like to make this point," it leads one to believe that, rather than leading to a question, we are leading to again an expounding of his particular point of view. If questions can be made brief, then certainly we would encourage those questions to be asked. I think it is the Chair's responsibility to ensure that there are questions forthcoming from the members and that they don't turn into soap-box opportunities.

MR. CHAIRMAN: To the same point of order, Mr. Enns.

MR. H. ENNS: Mr. Chairman, I want to assure that I'm always prepared to bow to those that have so much more wisdom, in terms of how to conduct oneself at these committee meetings than I have, so I'll make my questions precise. How was Mr. Janssen and Mr.

Schellenberg selected as delegates on this important steering committee?

MR. B. RAND: Mr. Enns, I will answer your previous question first.

MR. H. ENNS: It might be out of order.

MR. B. RAND: We requested 180, approximately 182 maybe, language institutions in Manitoba that we know that they operate language schools to delegate - from 32 language groups to delegate delegates to the conference. We assigned to each type of school the number of delegates to which they are entitled. For example, schools like Westgate Mennonite would be getting three representatives, three delegates, voting delegates. There could be more people at the conference, but three voting delegates. Smaller schools would be getting two or one; that's how the conference was structured. Now, this is the way that also Mr. Janssen and Mr. Schellenberg were probably delegated by their groups. We have no inner knowledge of how these people came to the conference.

I just, Mr. Chairman, would like to say that if the intent of the question is to ask to what extent we indeed represent 32 language groups, we did not make a misrepresentation. We said that we are representing those people who came to the delegate conference and they're comprised of 32 language groups.

MR. H. ENNS: Mr. Chairman, I think it's of interest to the committee to know how those particular delegates were selected. When I hear the word "probable," I would like to know, did the Mennonite community, for instance, the colleges and the schools that are run by the Mennonite community sit down and elect Mr. Schellenberg and Mr. Janssen?

MR. B. RAND: We were notified by registration that the Mennonite Collegiate, for example, sends X and Y delegates. We did not question how they elected them. I don't think it our role, Mr. Enns, but if you wish you may transmit that question to the Mennonite Collegiate, they may be able to tell you how they have done it.

MR. H. ENNS: I thank the members who are making the presentation on behalf of the Association of Ancestral Languages that they will provide the committee with the additional information that I requested earlier.

Perhaps now we can get on to what really is, of course, the major recommendation of the brief; that is, that every resident in every school division in Manitoba shall have the right to receive his or her primary and secondary education in English or French or in any other language that they may choose. Mr. Chairman, it's a very very serious and very broad recommendation that you are making in asking this committee to recommend to the government, to the Legislature, when we convene to be included in the constitutional amendment, as I understand your brief.

MR. B. RAND: Yes.

MR. H. ENNS: I would assume that before appearing before this committee with that kind of recommendation

that you had an opportunity to discuss this with, for instance, the Minister of Education, the Province of Manitoba.

MR. B. RAND: Yes. We informed the Minister of Education about our intent to make this presentation and we showed her the content of it.

MR. H. ENNS: Would you be prepared to indicate to the committee what kind of reaction you got. Did she concur with your recommendation? Did she encourage your presentation?

MR. M. SPOLSKY: Mr. Enns, discussions that are private in nature are not subject to disclosure at this table. When the Minister of Education wants to make her statement public, she'll do so at her own will.

MR. H. ENNS: Mr. Chairman, on a point of order. We're appearing at a public constituted committee; there is no room for private discussion. I am asking a simple question. If Mr. Spolsky or Mr. Rand decide not to answer the question, I have no power to ask them to answer the question, but it's not a question of whether private - I'm simply asking what was the reaction of the Minister of Education to the very important recommendation before us? If Mr. Spolsky and Mr. Rand do not wish to answer that question, that's fine, I accept that, but I'm asking the question.

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

MR. H. GRAHAM: Mr. Chairman, on a point of order. This is a duly constituted committee of the Legislature and that committee of the Legislature has powers that if that committee wishes to use can put witnesses on oath, can request people to appear. The powers of a committee are very broad and I just want to point that out to members of the committee that if it is felt important enough, this committee does have that kind of power to commandeer witnesses, to make them take oaths and to present information to the committee if that committee feels it is important enough to do. I raise it as a point of order.

MR. CHAIRMAN: Mr. Graham's point of order is quite correct. The reference to all committees at the beginning of each Legislature includes the power to examine witnesses under oath, compel attendance, request documents, etc. However, I don't recall a committee having used those powers in the memory of any of the members in the current House.

I would suggest however that every witness so far who has requested or asked the committee to respect their privacy or their unwillingness to provide an answer to a question either because they were unable or unwilling has been respected in that and to depart from that would require a motion . . .

MR. H. GRAHAM: That's a courtesy of the committee.

MR. CHAIRMAN: . . . moved in the committee and passed by the committee. So although Mr. Graham's point of order is quite correct, it is not a standing procedure. It must be implemented by a motion in the committee before that compulsion can take place.

Mr. Enns, do you have further questions?

MR. H. ENNS: No.

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

HON. J. STORIE: On a point of order, Mr. Chairman, I don't know what the intent of Mr. Graham's remarks were. I certainly hope they were not to intimidate the witnesses before us.

MR. H. GRAHAM: Not at all, to inform members of the committee.

HON. J. STORIE: Mr. Chairman, I think Mr. Spolsky has indicated that he does not wish to make the remarks that were made in confidence public, and I think that should be respected without any additional remarks which may be interpreted as coercive.

MR. CHAIRMAN: Mr. Enns, do have further questions?

MR. H. ENNS: Mr. Chairman, through you to either Mr. Spolsky or Mr. Rand, to use your phraseology, you informed the Minister of Education of the amendment that you are now proposing to this committee. Are you prepared to indicate to the committee - you'll forgive me for having this impression because it's a very fundamental amendment that you are suggesting the committee to consider - did you receive encouragement to proceed with the presentation of this amendment to this committee?

MR. M. SPOLSKY: Mr. Chairman, the resolution as you see it, the proposal as you see it, was presented to a number of individuals within government for their consideration. We've neither requested nor received any advice other than the fact that it would be studied.

MR. H. ENNS: Thank you.

MR. B. RAND: I will broaden on that answer, because I think it seems like we are not disclosing something. The meeting with the Minister of Education, for example, was very brief. We presented her with this resolution and notified that we are going to present it to this committee because we felt that she should know about it. We did not ask her to comment on it, said you will probably have to look at it and within a certain time you will want to react to it. That's a full disclosure of the discussion. Does it satisfy you, Mr. Enns?

MR. H. ENNS: Yes, thank you. A further question, you again, with the very fundamental nature of this amendment, I would assume that you would have had the same courtesy to talk to the Manitoba Association of School Trustees, for instance, who have after all the administration of the public school system under their jurisdiction and apprised them of the amendment that you are proposing, this very important amendment that you are proposing to this committee. To be enshrined in the Constitution, I remind you.

MR. B. RAND: Mr. Enns, we didn't have time yet to do all that consultation. We intend to do it. The timetable

of this committee was such, in consideration of the short existence of the association, that we could not do all these consultations prior to the submission. We do intend, however, I want to assure you, Mr. Enns, to get the broadest possible support among the ethno-cultural communities. We do intend to get to talk about it not only with MAST, but also with the Teachers Association, because it may affect them in some way. We also intend to talk to a number of school boards. That process, however, could not take place within the five days between the formation of the association and this submission, and you appreciate the fact.

MR. H. ENNS: I do appreciate it, particularly when I'm apprised of the fact that under The Public Schools Act, Section 79(2), which talks about the use of other languages in our public schools when authorized by the school board, a language other than English or French may be used in any school, that school division or school district, and then prescribes the various ways additional languages other than French can be taught. You know, I suppose I'm just having some difficulty in recognizing that you would make this kind of a serious recommendation to this committee for entrenchment in the Constitution . . .

MR. CHAIRMAN: Question please.

MR. H. ENNS: . . . that you would not have done that kind of homework with the school boards that are entrusted legislatively to carry out the wishes of your association.

MR. M. SPOLSKY: Mr. Chairman, first of all, Mr. Baruch Rand has already indicated the time difficulties in coming to this committee and attempting to contact all individuals who may have concerns with this type of motion. Secondly, if you read the proposal, you will note that the proposal itself does not extend beyond what is currently being done in the school system. So I'm sure that divisions, while they may have some reservations about the wording, the intent of the guarantee is no different than the intent of the statute that you just quoted. So on that premise that's where it stands.

Now, Mr. Marshall is a member of my board of directors and I have very easy access to him when I can reach him and to sit down and discuss these issues with him. I certainly will not have difficulties to do that.

MR. H. ENNS: Mr. Spolsky, have you recently been hired by the Provincial Government?

MR. M. SPOLSKY: No, I'm not.

MR. H. ENNS: Or by an agency of the Provincial Government?

MR. M. SPOLSKY: No, I'm not.

A MEMBER: Use a spinner, Harry.

MR. H. ENNS: No. When you're fishing, you use whatever you have. I take it from your answer . . .

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: That was just a diversion, by the way.

MR. M. SPOLSKY: I hope so, it really has nothing to do with the brief itself.

MR. H. ENNS: You have also not approached an organization such as the Manitoba Teachers Association.

MR. B. RAND: I mentioned it before, that we planned to approach them.

MR. H. ENNS: You planned to.

MR. B. RAND: Yes.

MR. CHAIRMAN: Further questions, Mr. Enns?

MR. H. ENNS: Yes, Mr. Chairman. The Association for the Promotion of Ancestral Languages is asking this committee to make a very fundamental recommendation with respect to language instruction in Manitoba schools, and I want to be very careful not to misrepresent the representation that has been given to this committee. Am I right in summation that you have not had, because of the shortness of time, the opportunity to go back to the different structural groups that represent the 32 language groups that you talk about for endorsement or for full discussion of the merits of the amendment before us? Is that a fair statement?

MR. B. RAND: Yes, it was already stated before.

MR. H. ENNS: You have not had the opportunity to discuss with the very jurisdictions, the school boards, of this province who would of course have to be charged with the responsibility of carrying out the recommendation in your amendment - you have not apprised the School Trustees Association of Manitoba.

MR. CHAIRMAN: Question, please.

MR. H. ENNS: Is that right?

MR. CHAIRMAN: Order please.

MR. B. RAND: I already answered that.

MR. CHAIRMAN: The question is repetitive, has already been answered and is out of order.
Mr. Enns, further questions?

MR. H. ENNS: Mr. Chairman, it's just so mind-boggling that this committee is being asked to make . . .

MR. CHAIRMAN: Order please. The purpose of this committee hearing is not for your mind to be bogged, but rather for you to ask questions. We are not getting into debate. If you want to debate, Mr. Enns, we'll be in the House, shortly, I hope.

MR. H. ENNS: No further questions, Mr. Chairman.

MR. H. GRAHAM: Mr. Chairman, just before 5:00 o'clock, we had a Mr. Neil MacDonald whose name

was called to appear before the committee representing, according to the list I have here, Manitoba 23. I believe Mr. MacDonald deferred at that time and said that the proposal of Manitoba 23 would be put forward by your group. Is that correct?

MR. B. RAND: No, it's wrong. Mr. MacDonald asked to be placed after our submission. He wanted our submission to come first, and he would come in the wake of this submission.

MR. CHAIRMAN: The request that was made, if I can clarify, Mr. Graham, was that Mr. MacDonald and the group he represents trade places with this group which was listed as No. 74, and the committee agreed to that switch.

MR. H. GRAHAM: Mr. Chairman, I realize it was a long afternoon. Maybe I didn't hear it quite correctly. You are now taking the place of the Manitoba 23 in the list of speakers, and Mr. MacDonald will then be appearing later. Is that correct, Mr. Chairman?

MR. B. RAND: That's correct.

MR. CHAIRMAN: The Clerk, in accordance with a committee decision, now has Neil MacDonald and Manitoba 23 which he represents entered as No. 74 on the list. I understand that although I expressed reservations at the time, that was the committee decision.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, for that to happen, obviously there has to be some, I would say, working agreement between your organization and Manitoba 23. Could you explain to the committee if there is any agreement or what that agreement is or what is the relationship between your organization and Manitoba 23?

MR. B. RAND: I will answer that question. Manitoba 23 is also an organization that comprises a number of representatives or individuals from ethnocultural groups, and we have approached that organization and asked for their support for our proposed amendment. Obviously they were not willing to express the support prior to our submission of the proposal. It makes logical sense and that was all that we asked them.

MR. H. GRAHAM: Mr. Chairman, through you to either Mr. Spolsky or Mr. Rand, then what you have told me is that Manitoba 23 will be supporting the proposal that you have put forward here?

MR. B. RAND: We hope so.

MR. H. GRAHAM: But you have no guarantee of that?

MR. B. RAND: I have no guarantee of that.

MR. H. GRAHAM: Mr. Chairman, through you to Mr. Rand, you have listed some 32 various cultural groups that are supporting the proposal you have put forward. I'll admit I was not here when you first started listing

them and I believe you said that you were going to provide us with a list on Monday of what that list comprises. Can I ask you one specific question about one specific group? Does that group include the Societe Franco-Manitoban?

MR. B. RAND: No, this group does not include the Societe Franco-Manitoban. That society does not consider itself as a part of the multiculturalism scene or the ethnocultural groups which are incorporated in MAPAL.

MR. H. GRAHAM: Well, Mr. Chairman, we are dealing with a resolution that proposes to amend the Constitution of the Province of Manitoba, a proposal that was put forward, whether it was signed or unsigned is insignificant, a proposal that had the approval of the Province of Manitoba, the Societe Franco-Manitoban, the Federal Government and the legal people involved with the Bilodeau case. Would it not seem reasonable in your mind to consult with the single most important group before you put forward your proposal?

MR. M. SPOLSKY: In fact, Mr. Chairman, we have consulted with the Societe Franco-Manitoban. Our indication from them is that they are willing to accept this proposal. As you can see from the proposal, it deals with the fact that English and French are the fundamental languages of education and that any other language may be used in combination with either of those two languages. Obviously we were aware of the fact that they as parties to the agreement would have to be consulted and advised prior to us making this submission. In fact that was done.

As well, last week, before the conference, the SFM board which comprises I believe all their organizations that belong to SFM, passed the resolution endorsing and supporting multiculturalism which is the first time ever that any Francophone organization in Canada has done so. At the conference on the 21st of September, Mr. Robert, the President of SFM, made that announcement as well as making a statement in his presentation to the effect that the wrongs of 1916 are linked to those of 1890 and that they must be righted.

MR. H. GRAHAM: Mr. Chairman, I probably have no further questions of the people who are appearing before us, but I ask a question and it's probably to the committee on a point of order.

MR. CHAIRMAN: Order. Are you raising a point of order?

MR. H. GRAHAM: I would like to then raise a point of order. Mr. Chairman, we have heard from a group that was formed last Saturday that have put forward a proposal that in their own admission they haven't even had the time to get their board to approve it. They have promised us that they would provide further information to this committee on Monday . . .

MR. CHAIRMAN: Order please. Point of order relates directly to the rules and procedures of the committee, not a debate about a presentation. Could you get to the point please?

MR. H. GRAHAM: I am now suggesting, Mr. Chairman, because they have made these commitments to the committee, I would suggest that any further questioning of the people that have appeared before us be deferred till Monday and they be called back again because they have promised to provide us with that information at that time. I'm just asking the committee to accommodate the request that they themselves have made and I would put that forward as a point for the committee to consider.

HON. W. PARASIUK: Mr. Chairman, they have indicated that they would provide that material in writing. I have been here now going on six years, and I have sat through a lot of committee hearings dealing with a number of contentious issues and issues that weren't that contentious. But you know, people have come forward and made representation in good faith on behalf of various organizations. Sometimes they have come here as directors of particular organizations but have said that they were private citizens, and I can refer to the Beef Producers Association where I think we had eight directors come before the committee and speak as private citizens, even though all of the them were directors of a particular organization which was opposed to an amendment that was being put forward. In all those instances, when a group said that they would provide written material, or when they said that they would supply material, I have never ever come across a situation where their word was doubted, where their integrity as citizens coming before a legislative group was ever questioned.

Therefore, I'm very concerned about what we are doing here when we ask citizens to come before us and make their feelings known about certain things, or put forward suggestions. I think if one looks through Hansard over the course of at least the six years that I have been in the Legislature, one would find example after example where we do not try and cross-examine, act like Perry Masons, harass, intimidate people who have come before us, but rather take their presentation at their value, make our internal judgments about it and then act accordingly.

But, I have never ever had a situation where people's word has been doubted, where their integrity has been questioned, where they have been asked in a sense to provide verification as to whether in fact they have integrity or not. I can recall, even in these hearings, a number of groups coming forward who have made presentations for or against and I have not had this type of questioning. I think that if they say that they will provide written information we, in fact, as a legislative group will be meeting again in the Legislature where we can debate that merits of that material. I would, therefore, think that we don't have to have that.

MR. H. ENNS: Well, Mr. Chairman, I am just a little disturbed by the Honourable Minister of Energy and Mines' suggestion that we are harrassing people appearing before this committee. These gentlemen have made a very monumental recommendation to this committee, while we're still battling with how we can provide adequate French and English services they are adding 32 additional languages to the school system, and all I asked for was an identification of what 32 languages. That's hardly harrassment.

HON. J. STORIE: They said they'd supply it.

MR. H. ENNS: Fine, but we are at least entitled to that information. All I asked for, as many other organizations that appeared before us, that we know with whom we're dealing, the names of the steering committee, the name of the board of directors . . .

HON. J. STORIE: They said they'd file it.

MR. H. ENNS: That's fine, but I object to Mr. Parasiuk's suggestion that that is a form of harassment or intimidation of people appearing before this committee.

MR. CHAIRMAN: Thank you, Mr. Enns. Could you address your remarks to the point of order directly to the point raised by Mr. Graham, please, and then we'll avoid debates between members about how they view the questioning of other members.

Mr. Graham.

MR. H. GRAHAM: Thank you, Mr. Chairman. I think we have to take everything into perspective, the Honourable Minister of Energy has put some points which he thinks are valid into this. I don't object to that. If he doubts the witnesses that's his problem, not mine.

MR. H. ENNS: Not mine either.

MR. H. GRAHAM: Mr. Chairman, we are dealing with a constitutional amendment, a proposal to change the constitution of our province. We have seen the Federal Government take 13 years to change the Constitution as far as official languages are concerned. We have seen the Federal Government make a request of this government to do it in seven months here in Manitoba.

MR. CHAIRMAN: Could you confine your remarks strictly to the point of order.

MR. H. GRAHAM: We are dealing with an organization that has only been in existence for five days. They admit they haven't had a chance to get the approval of their board of directors. This is only a steering committee proposal they have suggested. They have promised us further information.

I suggest that we give them all the time that is necessary to put forward a proper proposal to this committee, something that is verified by their board, something that has been verified by their membership. Five days - I'm amazed at the amount of work they've been able to do in five days and I compliment them for it, but I suggest that something that is so vitally important as changing a constitution requires further study, further input, and further verification in order to deal honourably and intelligently with a proposal that is put forward, that is only being put forward, at this point in time, by a steering committee of an organization that was only formed five days ago.

They had suggested they would give information on Monday. I'm willing to give them two weeks, three weeks, a month, but I think that we have to give them the time to make a valid proposal and proposition to this committee. They have indicated their desire to do so, and I think we should accommodate them.

HON. J. STORIE: Mr. Chairman, certainly the information that has been provided through this brief will be reviewed carefully by this committee. That is our task, as it is our task to determine what the amendment that is finally produced looks like. That will be our task, and I think that the presenters should be thanked for their presentation, for their thoughtful presentation, and that should conclude the matter.

MR. CHAIRMAN: Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. Some of us on this side have been here for a good number of years, Mr. Chairman, and this is the first time that I ever remember that we're talking about changing the constitution of the Province of Manitoba. — (Interjection) — Well, Mr. Chairman, the Minister wants to interject that this was done in 1980; there was no opposition at that particular time — (Interjection) —

MR. CHAIRMAN: Order please. Order please.

MR. H. ENNS: We knew what we were doing and we did it right and that's the difference.

MR. CHAIRMAN: Order please. Mr. Enns.

MR. H. ENNS: We knew what we were doing and we did it right.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: That's the difference and you know that.

MR. CHAIRMAN: Mr. Enns, please.

MR. H. ENNS: Yes, Mr. Chairman. Mr. Parasiuk.

HON. W. PARASIUK: I apologize, Mr. Chairman, I certainly . . .

MR. CHAIRMAN: Mr. Brown has the floor. I would appreciate it if other members would show to him the same respect they expect themselves.

MR. A. BROWN: Thank you, Mr. Chairman. I find, in this brief, that there is room for thought and room for consideration. I can't digest this entire brief tonight and form all the opinions, and ask all the questions on this particular brief that I would like to. It is for that reason, Mr. Chairman, that I would like these two gentlemen to appear again before us either Monday or Tuesday, or whenever, so that we can follow up on some of the questioning, because what they are proposing over here is something that is entirely different from what we have been considering before and it is very difficult. I don't think it does justice to this brief if we just dismiss them lightly today and then not ask them to come back so that we can digest this thing.

HON. W. PARASIUK: Sorry, I interjected when Mr. Brown was speaking, and that I was so surprised. I do recall the position taken by the previous administration

with respect to the Constitution. It was a hard, fixed, inflexible position, in my opinion, and I think that — (Interjection) —

MR. CHAIRMAN: Order please.

HON. W. PARASIUK: . . . was verified by the people of Manitoba in November of 1981.

MR. A. BROWN: Which point of order is that?

MR. CHAIRMAN: Would you speak directly to the point of order.

HON. W. PARASIUK: Yes, I was speaking in relation to apologizing as a preface.

MR. CHAIRMAN: Apology is accepted, please speak to the point of order.

HON. W. PARASIUK: My point is that we have had people come before committees of the Legislature time and time again, historically; we have listened to their brief; we have thanked them for it if they asked to present additional information - I know that happened with respect to the surface rights legislation. They presented the additional written information; it was taken under advisement by the committee; they weren't asked to come back, what they presented was taken under advisement and dealt with at that time. I believe we should do the same thing now.

MR. D. SCOTT: Mr. Chairman, I think when one considers the amount of time that has been spent in questioning already this evening - the gentlemen before us presented a brief late this afternoon, we've been here now for somewhat over an hour-and-a-quarter of questioning for these people, and I can't quite understand, when they have already said that they would gladly table any information that Mr. Enns, in particular, has asked for, why we should end up having them coming back again. If the committee so decides for further clarification it can request that when we are in our deliberations once the main part of the presentations are finished with. There is nothing stopping the committee from going back and asking people for clarification and extension of their briefs.

To try and set something else up right now when the opposition has already spent more than an hour-and-a-half on, if I may put the words, cross-examining the presenters of the brief, if we were to do that everywhere - I mean, we've had some other pretty monumental suggestions, as well, which I don't even remember them questioning, or never heard of them questioning. We had a person or presenter in Morden, saying that we should all learn Esperanto. We've had people say that we should make Canada unilingual, or that we should be doing away with any kinds of French rights in the Constitution.

MR. CHAIRMAN: To the point of order, please, not a resumé of the hearings.

MR. D. SCOTT: For us now to get into trying to force people to come back or tell them that they are to come

back and take more committee time, I just don't think is necessary. Those people, if the committee so desires in future undertakings to call for more clarification, if the written information they have submitted is not sufficient, then we can decide so at that time. Right now. I think it is not conducive to the conduct of the hearings and to the expediting of the hearings, and for the people that we have here tonight who wish to be heard. Let us proceed, Mr. Chairman.

MR. CHAIRMAN: Further contributions to the point of order raised by Mr. Graham and the suggestion he made with respect to reappearance at a further hearing? Mr. Nordman, then Mr. Graham.

MR. R. NORDMAN: Mr. Chairman, we're dealing with an amendment to the Constitution, and I think the delegation is prepared. They have stated that they are prepared to give us further information. Maybe we should ask them if they would be willing to come back on Monday or Tuesday and give it to us. I think we're wasting a lot of time here. We should get on with the question of what they are prepared to do and get on with the business.

MR. H. GRAHAM: Mr. Chairman, I raised this as a point of order, because all I asked was what the witnesses before us had said. They had said they would give us the information Monday. They admitted they have only been in existence for five days. They have done a tremendous amount of work in that period of time. They have promised they would give us further information. I think that we, as a committee, should accommodate them and give them the opportunity to come back and give us further input. That was all I was asking.

MR. CHAIRMAN: Any further contributions to the point of order.

Order please. Very clearly to members of the committee, and I appreciate the concern in terms of the point of order that was raised, I think two things are clear to the Chair: (1) that certain information requested by members was not available tonight; (2) that a commitment was made to provide that material in writing. The normal method for doing that is to provide it to the Clerk of the Committee who then makes it available to members of the committee. I do not recall any instance in the past where the provision of that further information then opened an opportunity for further questioning automatically. (3) The question that was raised, as to whether or not the organization had had time for board approval or whether it was a steering committee decision, was clearly answered by Mr. Rand earlier. I think perhaps part of the confusion stems from the fact that what was a steering committee for some years, or a year-and-a-half or thereabouts, became an organization only one week ago. The confusion between its organization or association status and the steering committee from which it grew appears to have created some confusion.

The commitment to provide the list of the steering committee membership, the new association membership, and the board of directors, may provide some answer to that. At least, I got the impression that

satisfied Mr. Enns' concerns in terms of knowing how those things fitted together. Those commitments were made.

The witnesses clearly stated that the board had approved this presentation. Unless I have a motion, moved and passed by this committee, I don't think I have the authority as your Chair to request a witness to reappear with documents or written evidence.

Therefore, although I am sympathetic to the concerns that members on both sides have raised, I can't entertain that suggestion at this point.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, it's unfortunate that you have made a decision before asking whether the members were willing to appear before us on Monday or not. It's very unfortunate, because then that puts me in a position that really I don't want to be in.

MR. CHAIRMAN: Order, order please.

MR. H. GRAHAM: But you have . . .

MR. CHAIRMAN: Mr. Graham, order please, order please. I trust that your comments are in no way a reflection on the Chair. I trust you understood that my decision to deal with your suggestion related to two facts: one, that the Chair did not have the authority to accept, as a suggestion, a recall of a witness — (Interjection) — right, and I could not, on the basis of a suggestion, ask a witness if they were prepared to come back. So I felt I did not have the authority to ask the question you wanted asked. That's the ruling I am giving the committee.

The Chair doesn't have that authority. The only way it can be dealt with is by motion, and that the precedents and the answers received tonight would seem to confirm that.

Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. I'll carry on. May I ask a question of the witnesses before us?

MR. CHAIRMAN: Certainly. Mr. Graham.

MR. H. GRAHAM: Mr. Rand and Mr. Spolsky, would you be prepared to appear before this committee either Monday or Tuesday or at some future date if the committee would be desirous of asking further questions of you?

MR. M. SPOLSKY: Mr. Chairman, if there are further questions on the proposed amendments that we will be responding to, certainly.

MR. H. GRAHAM: Then, Mr. Chairman, on a point of order, I would make a formal motion that . . .

MR. CHAIRMAN: Mr. Graham, order please. You can't do it on a point of order. Just move the motion. No, he can move a motion. It's in order at any time.

MR. H. GRAHAM: I will move a motion that this committee then ask Mr. Spolsky and Mr. Rand and

whoever else they wish to bring with them before this committee on Monday morning at 10:00 a.m. I would move that, and I would hope I have a seconder.

MR. CHAIRMAN: Seconders are not required in committee.

Speakers to the motion? Mr. Parasiuk.

HON. W. PARASIUK: Mr. Chairman, I don't see the need for the motion, and I don't see the need for the people to come back at 10 o'clock. I mean, we have people come forward. They have made a presentation. I've heard no questions asked about their presentation, except questions outside of the presentation. Did you know so and so? Were you hired by the government? The most spurious questions I've heard . . . — (Interjection) —

MR. CHAIRMAN: Order, order.

HON. W. PARASIUK: I'm speaking. If you want to talk later, talk later. I have heard a whole set of spurious questions, nothing in relation to the brief, nothing in relation to the specifics as to what was the substance of the proposition. I never heard anything said like that. Questions about whether you were hired by the government.

Therefore, I believe that we should hear them speak. We ask questions, we ask for further information, they said they'd supply it. I am perfectly satisfied that they are willing to supply the further information, and I believe that we can move on with the procedures of the committee and hear other people. There are a lot of other people who want to be heard as well. So I do not believe that we have . . .

MR. CHAIRMAN: Are there further members who wish to speak in debate on the motion moved by Mr. Graham? Seeing none, are you ready for the question? All those in favour, please say, aye. All those opposed, please say, nay. In my opinion, the nays have it.

MR. H. ENNS: You're not hearing too well, Andy.

MR. H. GRAHAM: Could I have a recorded vote?

MR. CHAIRMAN: I've had a request for a recorded vote.

A COUNTED VOTE was taken, the results being as follows: Yeas 4; Nays 4.

MR. H. ENNS: In this case, the Chair always votes with the motion. You know that Andy.

MR. H. GRAHAM: You'll have to try and influence the Chair.

MR. H. ENNS: It's a given, every municipal reeve knows that.

MR. CHAIRMAN: The Chair already commented in answer to the original point of order, that the Chair did not see great merit in having further questions on written material regarding the structure of the organization,

and for that reason the Chair votes opposed to the motion. I declare the motion lost.

Further questions for Mr. Spolsky or Mr. Rand?
Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, I move committee rise.

MR. CHAIRMAN: Moved by Mr. Graham that committee rise. — (Interjection) — Not debatable. All those in favour, please say aye. All those opposed, please say nay. I declare the motion lost.

Further questions for Mr. Rand or Mr. Spolsky.
Mr. Brown.

MR. A. BROWN: Mr. Chairman, the amendment that they are proposing reads as follows: "Every resident and every school division in Manitoba shall have the right to receive his or her primary and secondary education in English and/or French and in any other language provided, however that the right to receive his or her education in a language in addition to English and or French shall only occur . . . "and so on. My question, Mr. Chairman, is this: what happens if some communities decide because, let's say there is a Ukrainian community living right next to a French community and they decide that they're going to have Ukrainian and French. By the same token that French community decides that they're going to have French and Ukrainian. In another area, we're going to have a German community living beside a French community, and they will probably want to learn German and French and vice versa.

Mr. Chairman, so far we have had a common language in Manitoba; namely, English, which all of us were learning.

MR. CHAIRMAN: Question please.

MR. A. BROWN: My question is this: do you see some problem arising out of this particular amendment that you are proposing?

MR. M. SPOLSKY: No, Mr. Chairman. If one examines the evaluation that has been done by the Provincial Government of the English-Ukrainian Bilingual Program, which was introduced by your government in 1979, you'll note that the children that we have are able to learn both languages much better at a more rapid pace than unilingual children.

Secondly, the fact is because English is also pervasive in the media and on the streets, there is no danger of the child not learning to speak English. That's a simple fact of Canadian life outside of Quebec. That's the reality. I think the other reality you have to deal with is that the vast majority of the children entering our programs do not speak any other language but English when they start off in the program and the language spoken at home is usually English.

I believe in the case of the Ukrainian Program, approximately 94 percent of our children use English as the language at home. In that atmosphere there is no difficulty in these children continuing with their development of English. There is, you know, the requirement as well that children take English during

the day, so grammatically the language will be correct. I draw your attention as well to the French Immersion Programs that are happening in this province and the fact that the children there by Grade 6 exceed their unilingual English language peers in the speaking and their knowledge of English. So that's in response to your question.

MR. A. BROWN: Do you realize though that it would be possible for a school board to not teach any English through this resolution, if they were to adopt this? Granted, the child will probably learn some English by watching television and so on, that there are many many homes still in the area that I represent that do not teach their children the first language as English, that the child will have to be taught English when it gets to school. I see this as a very distinct possibility that this could happen.

MR. B. RAND: Mr. Brown, this is something that this committee and I believe the government will have to decide in relation to the right to educate in French only or in English only. It's not really the concern of our group. We are interested that the second language or the third language be it Ukrainian, Italian, Greek, Filipino, Hebrew, be taught at least 50 percent of the time, and it can be either together with English and French or with English or French. That will depend on the type of legislation you produce. If it's not allowed in this province to teach in French only, then obviously it won't be possible, but that has nothing to do with our amendment.

MR. A. BROWN: It was just a point I wanted to raise, Mr. Chairman, it bothers me a little.

MR. CHAIRMAN: Further questions? Seeing none, Mr. Rand, Mr. Spolsky - oh, Mr. Enns. Please proceed.

MR. H. ENNS: Just for the purpose of the record, and I wish the record to be correct, I had asked Mr. Spolsky a question as to whether or not he was in the employ of this government and he answered very definitively no. However, an Order-in-Council was passed on August 17, 1983 appointing a Mr. Neil MacDonald and Mr. Myron Spolsky as interim counsel for purpose of The Manitoba Inter-Cultural Act. I think the record will show that I further added the words "or agency of this government." Would Mr. Spolsky wish to clarify his response to my earlier question?

MR. M. SPOLSKY: Mr. Enns, you should also note that the order expired on the 11th of September.

MR. H. ENNS: There is also, Mr. Chairman . . .

MR. M. SPOLSKY: It was not a paid position, it was a voluntary position for which no dollars were claimed for any expenses either.

MR. CHAIRMAN: Further questions, Mr. Enns?

MR. H. ENNS: I only observe what's before us. We have five-day organizations, people joining the government in August and being relieved of that service in September. Truly amazing!

MR. CHAIRMAN: Further questions, Mr. Enns?

MR. M. SPOLSKY: Mr. Chairman, can I respond to that?

MR. CHAIRMAN: I'm sorry you can't respond. The member had no question and was making a statement and debating and was out of order, clearly.

Further questions for Mr. Rand or Mr. Spolsky?
Mr. Parasiuk.

HON. W. PARASIUK: I'd just like to thank the gentlemen for their presentation this evening, as we have thanked all the other people who have come before the committee with their presentations.

MR. H. GRAHAM: Mr. Chairman, I would also like to thank Mr. M. Spolsky and Mr. Rand. I think they have done a tremendous job in five days.

MR. CHAIRMAN: Gentlemen, despite the thank you's from the other members, pro forma I would like to thank you and the Manitoba Association of the Promotion of Ancestral Language for making a presentation to this committee. Thank you very much.

Mr. George Rykman, George Rykman. Don McIvor, Don McIvor. Mr. Enns?

MR. H. ENNS: Mr. Chairman, I ask the consideration of the committee - and I appreciate that it's always a difficult question to raise, knowing that there always people waiting - but we did call Reeve Kiesman earlier on this afternoon. My understanding is that he was in touch with the Clerk's Office and he was informed that he ought to try to be here tonight because he may not get on on another occasion. I'm just wondering whether or nor the committee would consider - in view of the fact that Mr. Kiesman is from out of town - whether or not we would consider hearing from him at this time.

MR. CHAIRMAN: Is that number 87 on our list? I can't tell you, Mr. Enns, if we will get to Mr. Kiesman tonight but if you're making a motion that he now heard - Mr. Storie.

HON. J. STORIE: Mr. Chairman, on that point, I think that it would certainly be appropriate for the committee to hear Mr. Kiesman at some point during the evening, if it was indicated to him that it might be possible for him to speak. I would ask that perhaps we could continue on until approximately 10:00 o'clock and if there are people who wish to appear before the committee, until that time then, we could interrupt at that time and hear Mr. Kiesman's brief.

MR. CHAIRMAN: Mr. Enns, does that suggestion meet your requirements?

MR. H. ENNS: Sounds Christian to me.

MR. CHAIRMAN: Seeing as how we're all getting along so famously, the next name is Ferdinand Guiboche, No. 30. Mr. Guiboche.

We may get to 87 sooner than you think. Israel Ludwig. S. Stephansson. Professor Kear. Dr. Rey

Pagtakhan. Rey Pagtakhan. Gordon W. Pollon. A. Warkentin. J.G. Russel. C.J. Wenaas. Remi Smith. Lucien Loiselle. Réal Teffaine. Réal Teffaine. Léo Teillet.

MR. H. GRAHAM: Réal Teffaine, is that replacing Normand Collet?

MR. CHAIRMAN: Fédération des caisses populaires, Réal Teffaine, yes. Guy Savoie. Mike Kibsey. Tom Cohoe. Mario Sosa. Ron Nash. Neil MacDonald, Manitoba 23. Mrs. Friesen. Pat Maltman. Mrs. B. Holst. Ivan Merritt. Luba A. Kwasney. Dr. Joe Slogan. Beryl Kirk. Sandra Oleson. Walter Kucharczyk. Ray Brunka.

As it turns out, No. 87, Reeve Clarence Kiesman.

MR. C. KIESMAN: Thank you, Mr. Chairman, and I want to thank the committee for their kindness in allowing me to appear tonight. I would ask you, Mr. Chairman, I have copies, if the committee would want to see them now or later?

MR. CHAIRMAN: Yes, the Clerk will distribute them.

MR. C. KIESMAN: Mr. Chairman, I want to clarify something here right now. This brief I have may tramp on some people's toes. I hope you don't feel I'm biased. I am carrying no card for any party. I did at one time. I don't hate any race. I tell you what I do hate. I hate what some people are doing. I hate what - this is not in my brief but I just wanted to explain a few things here first if I may - I hate some people trying to set themselves up as a superior race. I happen to be of German background. I don't have to tell you what the two wars created. I don't have to tell you what Germany did. They fought valiantly. That's not the point. I don't want the German race to push their language here and I don't want the French race certainly to do it either. I am completely contented in English.

Having said that, let me introduce myself if I may. My name is Clarence Kiesman, Reeve of the Local Government District of Grahamdale. I live in Moosehorn, Manitoba where I farm with my wife and family.

The only good thing I can say about these hearings is that it forced me to dig deep into my dog-eared history books in order to jog my memory and clarify any misunderstandings that I may have had.

The unfortunate and sad thing about this government hearing is that it should have taken place in 1965 when Pearson brought in his B and B Policy. A lot of anguish and turmoil could have been averted and friction lessened if we would have been directly involved with the Constitution debate for example, rather than depending on our MP's and MLA's to keep our affairs in order. Judging from their work and rather disgusting performance, the old adage bears repeating, "You don't send a boy to do a man's job."

I am pleased to announce that our council is strongly opposed to entrenchment and that we will be holding a referendum on the bilingualism question. I am pleased because the people must have the right to decide this issue by a vote. I have six years of council experience under my belt, but I still cannot understand how any politician in Canada could be so foolish or naive as to think he had the right to make such a personal decision for everyone in his riding. I wouldn't touch this with a

ten-foot pole because I have too much respect for the people.

Too many times laws are made that infringe on our rights and without our consent. Little wonder that there is a growing resentment no matter where you go and believe me I know it is there.

Issues like capital punishment, metrication and bilingualism are prime examples. Let this be a warning to our hard-of-hearing representatives and to Canada that we are very disillusioned and incensed with the way this country is run and with the new Constitution which is determined to make us foreigners in our own country!

Our French-Canadians and France too, for all we know, have been attacking our traditions and mores from four fronts: politics, the church, the media and the schools. For example, to give you a better picture and to show you how our naughty Francophones have contradicted themselves on numerous occasions, I have chosen some selections which I have copied verbatim from the textbook "The French-Canadian Idea of Confederation" by A.I. Silver. For example, "In 1881, 19,125 settlers moved out of the French-dominated districts of Ontario because they were not welcome there. In 1864, when Quebec MP J.F. Perrault, a Liberal . . . "that they used to call a Rouge there, by the way, ". . . of Richelieu Riding, opposed the '72' Quebec Resolutions, which later became the nucleus of The BNA Act, he received this warning from the Gazette de Sorel . . . "I'm not French. I'm sorry. I hope you bear with me. "If you want to go on being the MP for Richelieu, you will have to respect our wishes, and be guided by the views and the desires of your electors; otherwise you will never be re-elected in Richelieu." Again the text, "All the powers were to be entrusted to the government of a province in which French-Canadians would form almost the whole of the population, and in which everyone would have to speak French to take part in public life."

My question, if it is constitutional for Quebec to have French only, why can we not have English only in Manitoba?

The text again, June 23, 1864, the Gazette de Sorel said, "We have always preferred a straightforward breaking up of the Union as the best solution for French-Canada."

Text on Confederation, ". . . in the main, will preserve and prepare Quebec for complete independence."

My comment, I notice that the French fundamental rights that are mentioned in The BNA Act refer only to their rights in Quebec.

The text says, "A French-Canadian Conservative newspaper said, "Our ambitions will not centre on the Federal Government, but will have their natural focus in our local Legislature; this we regard as fundamental for ourselves."

Again the text, "Quebec wanted autonomy (self-government) solely because then French-Canadians would be the majority, and hence would not need guarantees of minority rights."

And again, the Quebecers said, "In the first place, we don't see at all the point of the generosity which the government has felt obligated to show towards the Protestant of Lower Canada in the matter of education. After all, when the Protestant minority, which is supposed to be so rich, demands that every last cent

of its taxes be spent on its schools alone, bickers constantly about its rights so that in order to have peace we are forced to give in to it, is it showing any generosity? What need have we to be generous? Generosity is a slippery slope."

When Canada wanted to annex Rupert's Land, what is now our western provinces, the text says, "Quebec expressed strong hostility to Canada's plan. They said, 'There are better things for the government to do with its money and energy than to undertake a vain effort to settle the prairies.'"

The text, "Again it would be Georges Etienne Cartier, Quebec's political leader, who would negotiate with the delegates from the Red River provisional government . . . that's Riel's government. if you want to call it that, ". . . and who would author The Manitoba Act establishing official bilingualism in the new province. Two years later, during the federal election campaign he would boast to voters in his own riding that he had given Manitoba a government copied directly from Quebec's." You can read that in "Tasse" I believe. I don't know how you pronounce that French history book, I guess.

My question is: Was it constitutional to deal with Riel's Provincial Government? Are the demands of a provisional government legally valid?

Again in the text, "In the summer of 1868 when Ottawa passed an act for the temporary government of Rupert's Land and appointed William McDougall as governor, there was no complaint in Quebec, not even from the Opposition, about the absence in the act for provisions for bilingualism or about the appointment as governor, of a man associated with anti-French-Canadian position. If French Quebecers did not look on Rupert's Land as part of their country, neither did they look on the French-Canadian Metis as part of their own nationality."

Around this time, a Halifax paper said, "We don't know each other. We are shut off from each other, geographically, commercially, politically and socially. Our interests are not identical, but the very opposite." So my comment is: what has changed in 116 years?

Following in the text, "Quebec's political leader, Cartier, said, 'Whatever guarantees may be official here, Quebec will never consent to allowing its particular interests to be regulated by the inhabitants of the other provinces.' Never consent that other provinces could have something to do with them. Now why are we allowing them to do the same here? "We want a solid constitution but we demand, above all else, the perfect freedom and authority for the province to run their own internal affairs." My comment is, according to the newspapers, what is a constitutional lawyer from Quebec doing here interfering in Manitoba's affairs?

Section 94 of The BNA Act provided for uniformity of civil laws in provinces other than Quebec. Is this constitutional?

In 1975, in Montreal, a petition with more than half-a-million signatures was circulated protesting Quebec's refusal to allow their children an education in English. When Premier Bourassa was approached, he said there would be no change in the act. Mr. Trudeau's reply was, and get this, "I do not intend to interfere with this provincial matter." So why is Trudeau telling our Premier that he could have a resolution by the House of Commons passed to support this government's stand

against the people of Manitoba? Who can we finally trust?

All we have to show for dealing with Quebec is a legacy of confrontation, a national deficit that invites disaster, and a tarnished image in the eyes of the world. The French argue that our Provincial Government refuses to deal with them in their language. So I invite them to stop all business transactions, all usage of English in their everyday living here in Manitoba, and see how long they will last!

The French say that they don't trust the governments and legislation to ensure provision of French services. That means they don't trust you, because you elected this government.

In September of this year, Franco-Manitoban Society President, Léo Robert, said, "I think all Manitobans and all Canadians have the right to know where the federal Conservatives sit on this question." Notice that he doesn't want to know how the people - the people, mind you - of Manitoba or Canada sit on this question, because he is afraid of the referendum. George Forest admitted it in a recent Free Press paper.

I agree wholeheartedly with the writer who said, "The present bill before the House has nothing to do with original rights. Instead it opens up new fields for bilingualism far beyond anything ever entertained before."

For over 110 years, the French have had the best of both worlds. The federal parties who need Quebec's vote know that they have to offer special concessions if they want to form the next government. These gullible people who believe in ghosts and sob stories agreed to make French official. Not bad for one minority, is it? Conversely, it's not saying much for the rest of us, who are fighting amongst ourselves and playing right into their hands. Another concrete example of a fool and his money and freedom soon being parted.

We don't want to see French services provided in all government head offices, Crown corporations, boards and agencies. We are totally opposed to the special federal grants and subsidies which have flowed into Quebec without cease since before Confederation, while other provinces have to go without. Some of us are aware of the unscrupulous methods politicians and others have used to poison our minds. While the rest of Canada is to become multi-cultural, multi-racial and bilingual, Quebec demands to screen all immigrants making sure they are French speaking and in like mind politically. Think about it.

It is rather ironical that we in Manitoba have to put up with groups such as the Franco-Manitoban Society, a creature of the Federal Government, with an annual grant of \$600,000 paid with our tax dollars.

In 1979, the FMS tried to prevent freedom of speech by protesting the renewal of CJOB's broadcasting licence, just because Peter Warren interviewed guests were anti-French. One of them was the editor of the Canadian Intelligence Service, I believe, out of Flesherton, Ontario. I just forget the guy's name.

The Franco-Manitoban Society wanted these people blacklisted, but failed in their bid to shut down the radio station. This same group now is crying for special rights for themselves, who else?

In June of 1980, Quebec's Minister of Cultural Development, Camille Laurin, said that Quebec will pay no attention whatsoever to executive veto or judicial

rejection. There you have it. To all bleeding hearts, I say, "Appeasement is not the answer and will only make us look like morons."

When minorities have more rights than majorities, it's time to pull the pin and sever all relations, if any, that ever existed between us. When MP's and MLA's place the party first and the people last and get paid for it, we know we are in deep trouble.

What would you think - and this I can prove - what would you think if somebody told you that while he was on a municipal council separate meetings were conducted in French and English, and when he asked what was going on at the meetings conducted in French only, he was told it was none of his business. This is only the tip of the iceberg compared to future problems if the French is entrenched here. Shall you be content living in a fool's paradise?

When our MP's ignore us and pander to Quebec in their personal lust for power, then where is democracy in action today? If you wanted to vote against bilingualism there is no party that offers you this alternative, so where is your freedom? If this is freedom, where do state control and communism fit in?

Will you decide your own destiny or let a privileged minority do it for you? If one minority can manipulate the law or the political system in Canada to serve its own ends and hamstring all minorities, then one thing is certain - either the present laws are discriminatory or our political system needs overhauling.

I believe that this foolish and outdated law made in 1870 does not reflect the true needs of this modern computer age and deserves to be ignored or scrapped.

Quebec has 75 seats in the House of Commons compared to Manitoba's 14. Will Ottawa protect our rights because we, too, are a minority? How can any level-headed open-minded person feel sorry for the Quebec French who have the Parliament of Canada on their doorstep and take advantage of every opportunity to brainwash our MP's and MLA's and use their influence to fulfill all of their whims?

The attitudes and objectives of our French-Canadians seems to fit in with our own like a square peg in a round hole. Is their loyalty to Canada or to France? Are they not afraid of being accused wrongly or rightly of sedition and possibly even of treason.

People are forgetting to think for themselves. They just know how to swallow. Thanks to the mass media, we have swallowed a lot of propaganda, especially in the last 20 years. The facilities are available now for a mentally disturbed person to get people to follow him to their own destruction.

People like myself, who question your motives, are branded as bigots and racists. Right? To those misguided individuals I quote the old proverb: "To discover a man's true character, give him power." Let Johnny Cash's song, "I Keep My Eyes Wide Open All The Time" by your motto! — (Interjection) — Thank you, I'll ask for an encore later.

It shall be obvious to everyone by now that the governments are using "scare tactics" to bring us around to their way of thinking. This concept is, in itself, a form of terrorism in that attempts are made to vilify, to coerce, and to intimidate people who do not agree with their philosophy.

If change is needed, make it right for all, not for a favored handful of people who seem to have an inferiority complex for some reason that I don't know.

In 1840, an Act of Union passed by the British Parliament joined Ontario and Quebec with English being the official language of the Union. Why is nobody challenging this act in the courts? Because if it is still valid today, then The BNA Act cannot be legal.

The Federal Government has recently introduced Bill 157 to establish a political police force that would have unlimited authority to break any law and be completely free from any independent, publicly accountable scrutiny or review. So they can break the law, but the amendment of The Manitoba Act passed in 1890 is illegal. For all the good that Ottawa does us, it may as well be a million miles away.

What we are striving so hard to build will all be owned by the French some day, because while we break our backs, they have the upper hand in politics. Crazy arrangement, isn't it?

When one man called Mulroney, and here I think you will see I have no bias, can do what he pleases with our MP's in deciding the fate of this nation, then who is doing the compromising.

When one man called Trudeau can manipulate Broadbent and Mulroney, this is ample proof that treachery is afoot. All this jockeying for power is camouflaged under the guise of democracy.

We are slowly and surely cutting our throats. Our taxes are supporting pressure groups, like the Franco-Manitoba Society, to disrupt our lives. Our taxes pay salaries of MP's who have sold us out since Pearson's B and B policy.

During the mounting conspiracy in the Constitution debate and the ongoing master plan to make Canada a French state, a colony of France, we pay the salaries of our local MLA's in government and out, who are trying - and I see some are not - to play down the issues, telling us that all we have to do is translate a few hundred statutes and the French will be satisfied. Nobody could be so dimwitted to fall for that gag.

Thanks to the Fathers of Confederation and to the heavy hand of the Federal Government on our necks and pursestrings, the French movement has managed to gain a choke-hold on the rest of us poor foolish soft-hearted and soft-headed beggars.

The fact that you can count on one hand the MP's and MLA's who are on our side is proof of this. It is a crime and shame to have to helplessly watch this chicanery unfolding before our eyes. Would you expect such behaviour from a friend or a fellow Canadian?

If we get any more pressure from Quebec or Ottawa, then I feel we must turn to our neighbours for help, help that should be coming from our government.

You have heard it said hundreds of times, for example, that Canada was founded by two nations, the French and the English. What an outright lie! The Norsemen stayed here for four years, but they aren't considered. The Indians and Eskimos were here before anybody else, but nobody considers them a nation. Do only white people count?

So far as races go - name me one pure race if you can. Both France and England were invaded by the Norsemen, the Anglo-Saxons and the Romans, many of whom stayed and inter-married leaving their language and customs behind them.

English, for example, has had further drastic changes here, due to the American influence, so nobody need be ashamed of accepting English, which through no

credit to us or no fault of ours, has become an international language, and that is good enough for me.

Whether we want to admit it or not, there is a growing number of Western Canadians who would prefer to live alone in peace and freedom than be a part of a completely centralized totalitarian Canada. This could never have happened if the Ontario Fathers of Confederation had dealt fairly with the Maritimes and the West. Ontario and Quebec were each allotted 24 senators but the Maritimes received only 24 for the whole region rather than for each province. Secondly, the power of appointing senators was given, not to the provinces as in other federations, but to the Federal Government. The west got the same kind of unjust treatment.

The point I am leading to is this. What would happen if Canada had a proper senate like all other federal nations? The West and the Maritimes, with a majority then of senators, could simply reject the Constitution changes proposed by Trudeau. All amendments could have been stopped cold until the Senate agreed to any changes. It would be as simple as that!

As I recollect, the western provinces have a puny total of 24 senators and the Maritimes have 30, so the inequities are there for all to see. Only strong provincial and public pressure on all MP's could bring about this change. Only then will Ontario's and Quebec's dominance be ended.

Provincial and Federal Governments are, however, against this because they would lose their political clout. The moral is that it is okay to discriminate, if you discriminate in favour of a privileged minority. One step further, and you have preferential hiring and then merit and competence can be kissed good-bye.

Serge Joyal, Canada's Secretary of State, introduced a bill that should make a lot of people here happy. Bill C398, an Act to Amend The Official Languages Act, introduced by Joyal in November 1982, will require all employees doing business with the Federal Government to hire Francophones. He would establish a quota-type employment contract. He would withhold transfer payments and grants to Ontario to force the Ontario Government to declare Ontario officially bilingual. I have to interject here on one point or add a supplementary, that I don't know whether this bill was passed, I'm sorry to say. I'm a farmer and not a politician.

Some of the highlights of this bill are:

1. To enact into law the existing government's discriminatory employment practices, such as language, quotas, promotions by language facility, not merit - notice that, not merit - Francophone hiring teams and Franco-banks.

2. Extend the definition of employment of the Federal Government to include any person working for a private company which has a contract with the Federal Government.

3. Make The Official Languages Act supreme over all acts of the Federal Government.

4. Give the Commissioner of Official Languages the power and responsibilities of a Supreme Court.

5. Give the Commissioner of Official Languages the power to investigate and hold hearings with respect to complaints under The Official Languages Act.

6. Enforce the principle embodied in The Official Languages Act as interpreted by the government and the commissioner.

7. Penalize non-conformance - notice this - with The Official Languages Act by fines and imprisonment of up to two years.

It would appear that those who claim their human rights to be threatened are the first to deny them to others. This is the legacy we will be leaving to our children and as far as I'm concerned, it's a damn shame and that's not in my brief.

The BNA Act wasn't perfect, but it was flexible. Its strength was that it defined and limited the respective powers of Ottawa and the provinces. By denying absolute power to any government, whether federal or provincial, the act was crucial to our basic freedoms. The new Constitution, as I see it, threatens to change the whole character of Canada. Mr. Trudeau wanted to protect his legislation from any amendment by a future Parliament, beyond the reach of Parliament, and Mr. Pawley wants to help him do it.

Quebec, who is pushing the English language out, has received more money, that is our taxes, for bilingualism than all the other nine provinces combined.

Do we really understand this bilingual game of divide, rule and ultimately fragment Canada? It's frightening indeed, that MP's and MLA's make judgment for their constituents when they don't even understand the consequences of their actions - and I beg your pardon here, maybe some of you do. I certainly hope you do.

This obsession with French is just another driven nail into our already bruised morale. Whether we approve it or not, there is no denying that the replacement of the flag, the destruction of the armed forces distinctive symbols, defamation of character of the RCMP and of the Monarchy, special status to a privileged minority, and the scrapping of imperial measures for metric, have been powerful psychological forces in the shaping of a radically different Canada.

The prime objective of political parties seems to be the gaining of office and power, not the upholding of principles and values. We must stop financing our destruction. Government power must be limited. Now it's up to you and me.

In 1979, the Task Force on Canadian Unity recommended each province should have the right to determine its own official language or languages for that province.

We are between the devil and the deep blue sea. Now, if we don't demand a vote, the Pawley Government will entrench. If we let the Supreme Court handle it, it means the judges, appointed by the Prime Minister, may be biased in the Prime Minister's favour and completely disregard our wishes. That leaves the Parliament powerless and introduces dictatorship. This means that an unscrupulous Prime Minister, for example, through manipulation of the Supreme Court, could conceivably reshape our social attitudes, morals, our whole way of thinking.

Culture is a luxury that comes with the well-being of a nation that has a direction, personal initiative, and a national goal.

A minority is defined - according to my dictionary - as a racial, political or religious group totalling under 50 percent of the population, under 50 percent. Can you name for me one race, in Canada, that has over 50 percent of Canada's population? I suggest to you that there is none. So, if we have no majority, where do you see a minority amongst us? Since we are all

minorities, and all minorities should have the same rights, how do we go about choosing an official language? Since nine out of ten provinces use English, the answer should be obvious.

If something is entrenched, never to be changed, how will future generations and governments be able to function properly? Is this not taking away the fundamental rights of our children as a nation? What will your child think when he is refused employment or promotion until all applications from French-Canadians are given first priority? Here I have concrete evidence because I know of one RCMP officer whose brother was not taken, whose brother is not accepted until French applications are processed first. Now this is just an example and it makes me mad, because this is just the tip of the iceberg of what's going to happen.

Now back in 1973 when the Minister of Cultural Affairs - and you can check it - Larry Desjardins, accepted a travelling van to promote French culture, he said, "It marks the excellent state of relations and cultural co-operation which exists between the Government of France and the Province of Manitoba," and boy have they done a job. You can sure evidence it by the hearings, can't you?

One out of every 20 Canadians - this was on CBC, this is what was said - one out of every 20 Canadians can't speak English or write it and we talk about entrenching another language? Laws are to be used as guidelines and therefore must be flexible, not entrenched.

If Ontario, who shares a common boundary with Quebec, refuses to adopt an amendment for entrenchment, why should we be different?

In order for a German Canadian, for example, to be bilingual, he would have to learn three languages, unless he decided to give up his mother tongue. This is something that the French call their birthright. If this is not discrimination, then what is?

If this whole country consisted of two provinces, one French and one English, each with a great city and a capital between them reflecting both, then perhaps a case could be made for compulsory bilingualism. Such, of course, was once the case, but note - it is no longer. Of the six or seven major cities in the west, only one has a French tradition - I assume that's St. Boniface - and even there it has all but vanished. If the government suddenly tries to impose on them an official and compulsory language that is not spoken widely within 2,000 to 4,000 miles, that government will quickly come to be viewed by the local people as foreign. This does not prove the people are racist, it only proves they are human. Suppose some government tried to force Montreal to speak, say, Low German, on the grounds that the Mennonites had played such an important part in the development of Manitoba. What, the Montrealers would say, has that got to do with us? That's what people are asking in Manitoba.

My other objection is this: It cuts our chances to almost nil of qualifying for a senior office job in the federal and provincial administration. The English-speaking Ukrainian lad, for example, from Winnipeg simply does not now, nor will he ever have, the same opportunity to learn French that the French lad in Montreal has to learn English. So the federal Civil Service will become more and more foreign to us and to our children.

If the French are craving attention, this is no way to go about it because they risk the chance of being hated from one end of the province to the other. And believe me, I have a feeling that what you people will pass, the other people on the street will settle on their own and nobody can be there with the police watching. I really fear for a minority trying to push something like this, so I say the responsibility of yours is very great.

The French claim that without their language and culture, Canada would have no identity. I suggest to you that we do so have an identity. Our ties, whether some of you realize it or not, are with the United States. We speak the same language. We watch the same movies. We understand the same humour; we enjoy the same music; we usually attend Protestant churches, and I hope there is no slant here because nothing was meant. We enjoy each other's hospitality. We share the same, if you can call it, hatred, opposition for communism. We believe in the same freedoms and we appreciate their protection as a super power and neighbour.

The French are quick to forget that if it hadn't been for our ancestors settling the west, Quebec and all of Canada would have been swallowed up by the United States. Check your history books, it is no lie. Then where would their culture be? This is something some people don't like to hear, how important our other races are.

What we do today will be history in the making. Our great grandchildren will read that it was our historic right to have one language, English, made official here and kept official here. This is the same argument the French used to explain the law enacted in 1870 for Manitoba when the Metis population totalled 9,840 - I even have a breakdown, if you like, how many English Metis and how many French Metis - but totally there were 9,840 Metis against 1,565 whites. You can bet the white minority had no voice in the decision-making process of The Manitoba Act. So where are all our human rights activists on that one? Therefore, the act is illegal so far as I am concerned. In the 1870 census, the Indians weren't counted, just as if they didn't exist.

No court or government can tell us what language to speak, what religion to uphold, who to marry, how many kids to have, who to like or dislike. We are not robots or dummies yet.

Walter Hines Page said, "There is one thing better than good government and that is government in which all the people have a part."

The question is not how many statutes do we translate; the question is not what is the will of Clarence Kiesman, Reeve; or the will of Howard Pawley, Premier; or the will of Pierre Trudeau, Prime Minister; the question is, what is the will of the people? Let's not forget it. The verdict of today may not be the verdict of tomorrow.

We want the same respect and sanctions from Ottawa that Ontario and Quebec personally enjoy and an end to federal interference in provincial jurisdiction. Westerners have always been among the most loyal and patriotic Canadians, and the frustration, ferment and emotional turmoil at this time in the main is justified reaction against the injustices and indignities suffered at the hands of an arrogant and ruthless federal regime.

What we should consider doing is having all the western provinces collect both their own and the federal tax and hold the latter in trust until Ottawa is ready to

negotiate and resolve this resource and constitutional impasse in the spirit of genuine conciliation. Nothing would bring Ottawa more quickly to the table is cutting off the dollar flow - and I tell you it beats carrying a gun - and out of these federal taxes in trust the provinces could pay the pension and welfare payments usually handled by Ottawa.

One thing is sure, if you can't get control over your own government people, you can forget about Ottawa giving you the time of day.

If Confederation is to survive, then we must introduce a policy featuring a massive decentralization of power and initiative where, incidentally, it constitutionally belongs.

Further, we must demand from our candidates running for government office that they will faithfully declare our concerns, our views and our policies, and if they refuse they should be subject to recall.

A last word to the people of Winnipeg: You hold the majority in this province; with that power, comes responsibility. If you vote for entrenchment, you will denying us people in the rural areas of Manitoba the opportunity to have provincial roads and drains upgraded, which have not been touched in some localities since the 1940s. I've been reeve for three years and councillor for the other three and I what I'm talking about. If you want to challenge me on that, I welcome that. Dust on many beach roads and well travelled gravel roads is almost unbearable. To these and other requests of the same magnitude, the Provincial Government tells us that it has no money and must make further budget cuts. Most of our small towns are without water and sewer; some are without a senior citizens' home or a care home.

I can tell you today that I was a part of the - I see one member here and I met him today for the first time too, Mr. Storie; we were out at Moosehorn and we opened the senior citizens' home - whatever you want to call it. I also want to say that in the LGD of Grahamdale, which is 66 miles long, starting from the south of Mulvihill, there are 10 towns ending north of Gypsumville. We've got 10 towns and not one has sewer, not one has water; people are using individual wells. One day there is going to be pollution, everybody's going to be hollering. They're going to be right on your doorstep because that's where I'm going to send them, that's if the people still will have me. We will find out very shortly.

What are we to think if we see the needs and the need isn't met? But instead the Provincial Government feels motivated to spend precious dollars on a non-essential like French Language Services.

The choice is yours. Remember, we are a minority too, asking only for essentials in order to improve our standard of living, just as you want to improve your own lifestyle

As a postscript, I would just like to share with you something - if I have the time, Mr. Chairman, I won't take long, I promise - an experience I had. This thing about French, etc., and others has been a thing that I have followed very very closely. I'm just sorry that I didn't work on it harder; I could have found all kinds of people contradicting themselves right and left. This is just a start here from what I have had.

Anyway, in our LGD, I happen to be very fond of honey, and this one elderly French gentlemen used to

make darned good honey. He's dead now, I'm sorry to say. He was in his 70s when I got to know him. He was a friend of dad's. So every year, we'd go out and pick up this honey. The old gentlemen too - I won't mention his name because I haven't got permission . . .

MR. CHAIRMAN: You've got a couple minutes left, so tell the story quickly.

MR. C. KIESMAN: I haven't got permission - that's all I need - to use the person's name. I didn't ask the family. Anyway, this person also was a great wine maker, so we would sit down after the transaction with honey and we'd have a few shots of wine, sometimes a whole bottle.

Anyway, what I want to say is this. I thought I knew him well enough after a few of these visits, he always asked us in. One day, I said, Mr.- and I won't mention the name - I have to ask you something that troubles me. Do we need two languages in this country? This is a French-Canadian gentleman who has lived in Manitoba all his life. He says, no, definitely not. This is why I am sure today and I am convinced today that I am right. I might not be able to convince you, but the French here in Manitoba if you want to know their honest feelings - I don't know what you've heard. I think there has been a real insurgence of something coming from another province inciting them. But basically, and like I say, there was no pressure. The guy answered on his own. He was sober enough to answer. We had a nice conversation.

I don't know what else I can say to impress you. I have had, because I write letters to newspapers and so on, people phone me, I have had people sending me information that they would care not to use their own names, things like that. Because I'm brave enough to speak up, I hope somebody here doesn't think I'm a bigot, because I don't think I am.

Having said that, I would also say too that I am not afraid to answer any questions, if there are any. Hopefully, they will be sincere and genuine. I'm sure that some of you guys might be able to stump me on history. Like I say, I'm just a poor beggar farmer.

Something else I did not mention, the farmers are a minority too. So when you want to talk minorities, I suggest you be careful, because you're going to put somebody right off his farm because of your priorities not being set up right. This is serious. I am in more debt today than I was back in 1967 when I started farming. Now I happen to like farming, and I'm going to stay there as long as we can. I'm one of these damned fools who thinks that the land is his, and he's got to eat it and smell it and everything else. But I think I deserve a decent living too. What do I have to do finally? Do I have to run for politics or something so I can make a living too, and then fight with you people?

Thank you very much.

MR. CHAIRMAN: Thank you, Mr. Kiesman. Questions for Mr. Kiesman from members of the committee? Seeing none, Reeve Kiesman, thank you very much for your presentation.

MR. C. KIESMAN: Thank you very much.

MR. CHAIRMAN: Lillian Stevens. Lillian Stevens.
Please proceed.

MS. L. STEVENS: Mr. Chairman, members of the legislative committee, ladies and gentlemen, my name is Lillian Stevens. I became a Canadian citizen in the 1960's. At that time, I was really proud of my new country. However, since that time there have been many changes. The Canada I knew no longer exists.

Some of you younger people may not be aware, but there was a time when people lived in harmony, at least in Western Canada, and governments were trusted. Today, there is widespread confusion, divisiveness, laws passed which erode democracy and leave one to think we will eventually lose our freedoms altogether.

There has been much repetition at these hearings, so I shall deal with one aspect which has not been publicly dealt with to my satisfaction. I shall make reference to two speeches that have been delivered by our Secretary of State, Mr. Serge Joyal. Question - Does the Secretary of State speak for the government he serves? Answer - Of course, he does, or he should be relieved of his responsibilities. These quotes are fair. They are not taken out of context.

The first quotes are from an address by Mr. Joyal in Nova Scotia on November 13, 1982. "My role as Secretary of State of Canada is first and foremost to ensure that my French compatriots in Canada feel with deep conviction, as I do, that this is their country and it reflects their image. Everything we undertake and everything we are doing to make Canada a French state is part of a venture I have shared for many years with a number of people. You know, the idea, the challenge, the ambition of making Canada a French country both inside and outside Quebec - an idea some people consider a bit crazy - is something a little beyond the ordinary imagination. You have to have intense conviction.

"If I have to cut back some programs - and I've already done so - there is one area in which I have no intention of using the scissors: the advancement of Francophone rights in Canada, techniques for communicating with the French-speaking population. A comprehensive development plan for Radio Canada's communications networks remains to be devised.

"Try to see how to go about creating the environment needed to revitalize the knowledge and acquisition of the French language. It is quite clear that the next major step in constitutional reform is the entrenchment of the right of access to Canadian courts in the two official languages.

"It is obvious that the policy of developing French in Canada extends well beyond the Secretary of State department's responsibilities to include all Canadian government departments that have an impact on the future of French communities in Canada. I say to you, the Canadian Government must get that through its head.

"With all its programs in Manpower and Immigration or any other department that has economic impact, the government must realize and ask itself to what extent these programs directly affect the growth and development of Francophones in your province.

"As hard as it was in the seventies for some of our fellow Canadians who speak the other language to

accept the fact that Canada is a French state, there is still one thing we must not lose sight of: we must avoid above all politicizing the issue . . . because all it will take is a change in government and with one stroke of a pen, the funds can be cut off . . . that is a risk we must avoid taking at all costs.

"When I walked out onto the steps of Rideau Hall a month-and-a-half ago, the journalists asked me, 'Mr. Joyal, what are you going to do as Secretary of State?' I replied, 'Strengthen the status of French in Canada.'"

Quotes from an address by Mr. Joyal at Winnipeg, March 1983:

"Initiatives and decisions which the Canadian Government must take are first and foremost in the area of everything affecting the French fact in our country. The country must reflect the French fact as much as traditionally and historically it has reflected the English fact. Anglophones must understand this.

"The first decision I announced as Secretary of State of Canada was that financial support would be provided to all Canadian citizens wishing to apply Sections 16 to 23 of the new Canadian Constitution. They deal with French language rights in Canada. It is these provisions that the Francophone community in Manitoba should focus on in its negotiations with the Attorney-General of Manitoba. Insist that these sections be the fundamental aim of Manitoba's adoption of the Canadian Constitution.

"If you wish to make progress, do the necessary lobbying so that Manitoba will adopt Sections 16 to 22 of the Canadian Constitution.

"I can assure you that in this undertaking, I can guarantee you the support of my Cabinet colleagues and the necessary funding.

"So you have nothing to fear. And I say this to my friends in the Manitoba Government. You have nothing to fear. The Canadian Government can give you the necessary assistance if you wish to adopt the constitutional objectives we have entrenched.

"And I can guarantee that even in a period of financial austerity, such as the one we are experiencing at present, there is one area where the Government of Canada will not abandon its efforts, and that is the support of official languages in education.

"This afternoon, I had the opportunity to meet with the Board of Directors of St. Boniface College. I told them that the Department of the Secretary of State was prepared, as this fiscal year draws to a close, to grant them \$200,000 to purchase computer equipment so that they could offer courses in computer science. You see, that is the future of Francophones. We believe that if we are going to establish facilities to provide training in French at the college and university level, we must give priority to those new fields.

"Then we must see that the Francophone community is given control over French schools. If this should end up going before the courts, you can count on the Federal Government for support. This is a key issue in the interpretation of the right to French education in Canada, and I must tell you, it is crucial to our future course of action.

"Another very important area is the development of a cable television network which would link French Canada centres, will obtain approval for the renewal of funding for programs for official language groups and I intend to make cable television one of the key objectives for the next five years.

"Develop a network of French-language libraries across the province.

"You must also actively support your bilingual representatives on the municipal councils if we wish to develop a French lifestyle, all the elected agencies representing us must reflect the concerns that we have as a linguistic community.

"Similarly, you must ensure that there is better representation of Francophones in educational areas.

"Above all, the economic basis of the Franco-Manitoban community must be strengthened. The idea of developing the city centre of St. Boniface, I promised Mr. Bockstael that I would tell our colleague and friend, Mr. Axworthy, that the Francophones would also like to be part of this movement.

"I believe the Department of the Secretary of State has already given funds to a group of your fellow citizens who are with us here today, I might add, to hire a person to organize this movement in order to give it the force it needs to become involved in the revitalization of the city centre."

Now this is serious stuff. It is the strongest endorsement of the plans of the Federal Liberals that I have encountered in the written word. Yet, the media, to my knowledge, have issued little coverage on this important underlying information. I have tried, but with no success and I have back-up for that. Is there a media conspiracy to keep this information under wraps? Is the Canadian Press being manipulated? There are Manitobans out there who are not aware of these plans. I encounter them all the time.

Now I don't want to lay all the blame on the media. I feel our elected politicians have a duty to tell Manitobans and their constituents about these plans of the Federal Liberals. I can try - no results - but I have no clout, but you fellows have a platform you can speak from. If some of you that believe in entrenchment also believe in the French state, you should still tell your constituents, if you are honest, and I firmly believe that this information should be brought forth. I don't know how to do it myself, but I plead with you people who represent the province. I'm upset by it. I'm frustrated. I don't know - it's going on and the people don't know about it. I run into people who never heard of it. My neighbours get frustrated, my relatives, acquaintances. It's true.

However, let us say Serge Joyal establishes a French state. This will dilute representation by the English majority. Minority rule is established.

Further to this, we have a situation progressing in our country, revolving around this French issue. We are at a point in history when we have to be very careful. Astute minds must prevail. There is a new minority coming into being. The Federal Liberals are allowing thousands of immigrants from Third World socialist and communist countries to become Canadian citizens. They cannot all be labelled, but there are those among them who are opposed to democracy and they are infiltrating our society from the workplace to government office. Through the multicultural program and the Secretary of State they are being funded and are becoming political. We could become a Communist nation without Russia lifting a finger. Now I don't pretend to read the minds of Mr. Trudeau and Mr. Joyal and others, but I am convinced there is a connection in all this. Some day the picture will emerge.

I have noticed when citizens mention ideas like these in their briefs, the members of the panel on the government side often laugh and whisper among themselves. This arrogance and lack of respect for the opinion of others does not enhance the image of the NDP Party or the church. I believe these hearings to be a farce. At Arborg, the bias of the government side was evident. One gentleman gave a brief in strong support of the government and the lady that questioned him actually complimented him on his wisdom.

The entrenchment of French language rights is referred to by many as the restoration of rights. I prefer to call it revenge. It reminds one of the Armenians and the Turks. Two wrongs don't make a right. Anything done with vengeance is doomed to have adverse repercussions.

The present government is proposing to accelerate the French fact in Manitoba against the wishes of the people in an undemocratic way. The Manitoba of 1983 is not the Manitoba of 1870, when there were a more equal number of French and English. Until we have a legal definition of the phrase "where numbers warrant," it is like the blind leading the blind.

If the present government does not withdraw its legislation, I suggest all information regarding the bilingual issue be made public in a fair way and that we have a province-wide vote on whether we want French entrenched beyond the Federal level. We can no longer trust those involved to do what is best for Canada.

I urge the NDP government of Manitoba to please stop, look and listen. You have undertaken a very big responsibility, maybe bigger than you had realized at the outset. Good decisions are made, not in haste, but with great deliberation. You are like young colts who need to mature before they become good work horses.

In closing, will you pray with me?

O Lord, we need your help. We have such a heavy burden on our shoulders. But we know you always give us the back for the burden. We pray for Russ Doern - give him strength and courage. We pray for our elected officials - may they be wise in carrying out the will of the people. We pray for the news media, may be honest and informative. We pray for those who have presented or will be presenting briefs. May these briefs be helpful. In Jesus name. Amen.

Thank you.

MR. CHAIRMAN: Any questions for Ms. Stevens from members of the committee? Seeing none, Ms. Stevens, thank you for your presentation.

Heather Stone. Henry Huber. Jack Froese. Peter Thiessen. Ruth Pear. Al Wexler. Judy Flynn. Derwyn Davies. Ruth Rannie. Charlie Washington. Jesse Vorst. Ken Morley. Taib Soufi. Vic Savino. Linda Archer. Mary-Ann Adams.

MS. M. ADAMS: Mr. Chairman, ladies and gentlemen. This is Canada and we're supposed to be Canadians, not English, French, German or Ukrainian, etc. It is time we stopped all this nonsense of ethnic groups in public life and become Canadians, speaking and using the language which the majority of Canadians understand and speak, which is English.

Our forefathers fought and starved to acquire a democratic policy in government which is supposed to

be the government of the people by the people where the majority rules. Why is it that all of a sudden the majority of people are being dictated to by less than 5 percent of the population and also contrived in secrecy to push this upon us. This is sliding back into the dark ages.

With the economy in such bad condition, we have no money for frills. Bilingualism has already cost the taxpayer, who are all of us, many billions of dollars, and it has only scraped the tip of the iceberg. It is certainly time to cut back in our budgets so that we can reduce our national debts and deficit at both the federal and provincial level. This new entrenchment in the Constitution is going to be very expensive in both money and national unity. It is ridiculous to think that 95 percent of the population is paying for frills for less than 5 percent of the people.

For 100 years, we have lived and prospered in harmony with the French who are receiving at the present time the public services in French where required. Now it must be extended and entrenched in the Constitution which means that French services will get out of hand.

Let us look at New Brunswick as an example of this. The French minority of 4.6 percent with the help of the Federal Liberals and Trudeau will make sure that it does. This is bound to cause dissension.

I am not against anyone enjoying their own language and culture in private, but let us first be Canadians in every sense of the word and become one Canada, one language and one loyalty, as our neighbours to the south of us are loyal to their flag and country and one language.

If we use some common sense then this mess we are in with the Constitution will straighten itself out.

Thank you.

MR. CHAIRMAN: Thank you, Ms. Adams. Are there any questions for Ms. Adams by members of the committee? Seeing none, thank you very much for your presentation this evening.

Reverend W.J. Hutton. Reverend Hutton, please. Dr. Vedanand. Claire Toews.

MS. C. TOEWS: Mr. Chairman, and members of the Legislative Committee. My name is Claire Toews and I'm appearing before this public hearing to present some personal views on your proposed amendment to Article 23 of The Manitoba Act.

I represent no group and the views that I will share with you tonight are solely my own.

I am not sufficiently knowledgeable about constitutional law to criticize or support the amendment from a legal point of view. Neither am I a member of a political party, so I cannot criticize or support the amendment from a partisan point of view. But I am certainly qualified to talk about the emotions I am experiencing in regard to your proposals.

To begin, when the NDP sought to become our government during the last election, they did not indicate that the extension of French language Services would become a priority of their government or even that such action would be considered by them. Therefore, they have never received a mandate from the people of Manitoba to work toward that end.

I would like to know why such an important piece of legislation was, without mandate, negotiated and agreed to by this government, the Societe Franco-Manitoban and the Federal Government? Why has the electorate been left out of these negotiations? Why were our views not sought before you sat down to negotiate this amendment?

It is we who will live with the amendment for all time, understanding that an entrenchment, while not etched in stone, is as permanent as our Parliament and Senate shall determine it to be. It is we who will pay for the extended services.

Your government has offended me - my sense of justice and my sense of democratic freedom, my sense of well being as a citizen of Manitoba.

Furthermore, you have not provided the people with an indication that there is a significant demand for extended French Language Services, no indication about our ability to pay and no means of withdrawing the amendment should it prove for any reason to be unworkable. Even if you could show just cause an ability to pay, I could not support the entrenchment on the basis that a Constitution belongs to the people. The Constitution we amend today belongs to us. We have no moral right to make our Constitution the constitution of the future generations.

Human evolution is a continuous, ongoing process. It did not begin in 1870, nor will it end in 1983. Why then do you seek to legally oblige future generations to provide services which may be unacceptable and totally inappropriate for that time? Constitutions should be written by the people whom they serve. Let future generations write constitutions which serve their needs, not ours; we will have passed into history.

As it now stands, the Societe Franco-Manitobaine and the Federal Government are using our government as the vehicle by which they will reshape the future of Manitoba without thus far the permission, goodwill and support of the present generation.

Gentlemen, you have heard at least one presentation in which the speaker has made it quite clear that the SFM does not speak for him and many other French speakers in this province; therefore, you have not heard from many French-speaking Manitobans. We have only heard from the SFM and the Federal Government.

Mr. Joyal, Secretary of State, in a recent speech in St. Boniface says that the work of the Societe Franco-Manitobaine, after the entrenchment of the proposed amendment, will be to establish a French language cablevision service and to take control of the French language public schools. It is not surprising then that many of the usually silent majority have come forward to speak against the proposed amendments. Many of us can see no end to the demands of a militant minority. I speak only now of the SFM, not of my many friends and neighbours in St. Boniface and elsewhere who, while Canadians of French extraction, do not identify with the SFM movement.

If we all had the time, and we don't, I could give many many reasons why I believe you are charting a course for disaster in Manitoba, but rather I would like to leave you with a thought that sums up my views on your proposed legislative action. To ignore the rights of a minority in a democratic society could be defined as an injustice, but to ignore the wishes and rights of a majority and to give in to the tyranny of a militant

minority in a democratic system could only be defined as immoral and/or corrupt.

It is my belief that solutions to our present language rights dilemma could be solved if all levels of government in Manitoba were to enter into negotiations in the spirit of mutual trust and concern, one for another, and with respect for the needs of each.

Thank you.

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

Mr. Enns.

MR. H. ENNS: Ms. Toews, you indicated early in your presentation that one of the things that concerns you is the fact that the present government lacks a mandate for this kind of action, as far as that it was not a matter of their electoral platform in November of 1981 when they were elected. You will also have heard, if you've been listening to some of the briefs, it's been suggested that to some extent, like a large extent, the present government has inherited this problem.

The Bilodeau case, which is the case that it's focused on, was in actual progress or had its early beginnings prior to that last election. Would you as a citizen, as you describe yourself without any particular . . .

MS. C. TOEWS: I have no affiliation.

MR. H. ENNS: . . . presentation or affiliation, feel better had the political parties of that day that were seeking your support would have in fact made it a matter of electoral . . .

MS. C. TOEWS: A part of their platform?

MR. H. ENNS: . . . commitment, part of their platform, that stated that the aim, if elected, would be to approach the constitutional problems in the manner that is now being approached by this government?

MS. C. TOEWS: Yes, I would.

MR. H. ENNS: Would you have accepted that? Pardon me, just let me finish. And the election result turned out exactly as it did turn out and the Government of the Day was elected on a platform that had this as part of it, would you be able to accept that?

MS. C. TOEWS: Yes, I would, given these qualifications, if it had been a part of the platform of any of the parties seeking to form the government because the people are free at election time, at the ballot box, to make their decisions then.

Once the people are elected to govern, we don't have a republican form of government. We have a monarchical form of government; people are elected to govern. When they have not given the electorate though an indication of what it is they intend to do as the government, I think that this has created some resentment. Being a person who believes in the democratic system, yes, if the majority of Manitobans had elected an NDP Government and known at the time of the elections that it would become a priority item, I could live with that quite easily. If the majority

of people want to extend French Language Services, I don't object to the extension of the services, I object more to the manner in which this has been negotiated.

MR. H. ENNS: You didn't specifically mention it in your presentation - again just taking advantage of listening to a private person, we hear so many people that represent very specific organizations - how do you feel about submitting this kind of a question to a referendum?

MS. C. TOEWS: I think, in view of the fact that it was not a part of the platform in November, 1981 - it isn't really a referendum anyway. We're having a plebiscite vote, is that not right? - which is quite different. A plebiscite is merely a statement of opinion, and I do believe that since people of Manitoba were not given that opportunity in November, 1981, to make their choices based on a platform, they should have the right to exercise - actually it's their freedom of speech or whatever to state their opinion. A plebiscite is no more than an opinion poll really; it has no further force, no.

MR. H. ENNS: Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Enns.
Mr. Parasiuk.

HON. W. PARASIUK: You said you aren't against the extension of French Language Services. Are you for or against entrenchment?

MS. C. TOEWS: I'm against the entrenchment.

HON. W. PARASIUK: You also indicated that the parties weren't making their position clear with respect to the issue of entrenchment, because I don't know if this was an issue at all known to anyone at the time of the last election, but certainly the issue of entrenching rights was being debated during the last election campaign.

The Conservative Government at the time was not in favour of entrenching a Charter of Rights, and the New Democratic Party in that campaign was in favour of entrenching a Charter of Rights. So the question of entrenchment was, in fact, an issue during the campaign. People may not have . . .

MR. CHAIRMAN: Question.

HON. W. PARASIUK: So I'm just asking if, in fact, you were aware that the issue of entrenchment was actually an issue that was being discussed during the campaign, because I can recall the Premier of the Day being in Ottawa being opposed to entrenchment at that time.

MS. C. TOEWS: Can you repeat the question? I somehow lost the question.

HON. W. PARASIUK: You had said that this issue was not discussed in any way, shape or form, but yet you said that - do you remember that the issue of entrenchment regarding the Charter of Rights being an issue in the last campaign leading up to it?

MS. C. TOEWS: No, I don't.

HON. W. PARASIUK: You don't recall the Premier of the province at the time being in Ottawa saying he was opposed to entrenchment during the election campaign per se.

MS. C. TOEWS: Yes, I do remember that Mr. Lyon was opposed to the entrenchment, and we were talking Canadian Constitution at the time. I don't believe that I, as a voter, was aware that the NDP were seeking to extend French Language Services and amend Article 23, or had negotiated with the Societe Franco-Manitobaine and/or the Federal Government.

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

MS. C. TOEWS: You're welcome.

MR. CHAIRMAN: Juliette Blais, Julie Blais. Ken Emberley, Kenneth Emberley.

MR. K. EMBERLEY: Mr. Chairman, my name is Kenneth Emberley. I'm a resident of Winnipeg. I would like to make one preference. I do happen to be one of those who's called an English-Canadian. Of course, I know a Henry Schultz and a Frank Malazdrewicz, who are calling us Canadians from Quebec too, so my ancestry is English about 150 years ago. They were United Empire Loyalists.

When I was ordered by the Federal Government to register for selective service in 1939, I tried to register as a Canadian. I was refused and ordered to come back the next day. I went back the next day and they said, "Who is your father?" I said, "A Canadian." He said, "Who is your grandfather?" I said, "A Canadian." "Who's your great grandfather?" "Canadian." Well they said, "Go back further," well I said, "I guess I'm an American." But far enough back I was English and I'm not ashamed of my English ancestry, I'm proud of it, but I'm also very revolted and disgusted at the bias that has been shown in 100 years of Manitoba by the good British people to the - what is it? - it's called the foreign element. We heard that mentioned tonight, that the foreign element is creeping in. There are probably the same number of Communists that crept in with all the Ukrainians and Poles that are responsible, decent Manitobans serving our country well. I wished to get that off my chest before I start.

Mr. Chairman, French language constitutional legislation - I understand Manitoba is the only province to have a Law Amendments Committee. These types of hearings are common here in Manitoba and almost always result in better legislation regardless of the party in power.

The presentations, in effect, provide a very good environment impact study and a cost benefit report by a very diverse cross-section of the community of widely varying expertise. Only by careful listening, thoughtful discussion, courteous dialogue, can we eventually reach a consensus that is tolerable to both the majority and minority.

Hundreds of New England communities have governed themselves democratically and well for 300 years by reasoned courteous dialogue until a consensus is reached. This is the way many Indian bands have

governed themselves for well over 1000 years in their oral tradition. This is the way the Supreme Court of Canada told Prime Minister Trudeau to settle his Constitution just several years ago.

Consensus government has a long and honourable record among people who are possibly much more courteous and civilized in their behaviour than are many Manitobans. It is important to have principles, but those who hate too much and are blind to reason and compromise, are the most serious threat to democracy on this continent and in this province and this city.

We have so many other important matters to settle the minute this one is put away that we must make a move and I congratulate the Honourable Howard Pawley in beginning action when he saw a possible legal disaster falling on our heads. I regret he did not have more people involved in his negotiations on the original pact. There should have been delegations from three or four other major views on the matter, whether from official groups or individuals.

We cannot resolve these difficult issues unless the general public is included and informed. The media makes a contribution and we are grateful for it, but it is ill-equipped in many cases and not designed to profit from just providing information on any large scale.

The hearings in total, in my belief, should be broadcast live and rebroadcast on Channel 13 in the evening and on weekends, with newspaper and TV listings to show clearly where and when they can be seen in both city and country, but I understand the Manitoba Telephone System does not have the technology to broadcast television into the country from Winnipeg.

As for the details of the legislation, several matters concern me. There may be two ways between which we can choose or take some of each on the precise exact legal wording to guarantee French satisfactory to the Canadian-speaking French.

Plan A: We can hire five more lawyers at \$75 an hour and do it the quick, cheap, easy way, maybe by next spring.

Plan B: We can get a dozen of the most important political people, NDP, Conservative Leaders, young and old, get 10 from the Chamber of Commerce and 10 from the Canadian Manufacturers' Association, urban and rural municipalities, the Canadian Federation of Labour, the Manitoba Federation of Labour, from the Hydro, the MGEA, and from all kinds of groups, and when the final bill they helped shape is passed, all these groups of tens and dozens and hundreds and thousands will parade to St. Boniface and say in public speeches, "This bill I can live with. We will honour it. It was not passed by fancy footwork, but by months and months of hard negotiation. I give you my word my heart is in it, we will not weasel out."

Which way do you think is best, Mr. Chairman? Naturally they don't trust us and I understand that a number of us don't trust them. Look at the record in Quebec and in Manitoba. Would we be better with our own Manitoba Bill 101 to double injustice and take revenge to make our beautiful Manitoba a more prejudiced place to live with more hate and more fear?

Mr. McKenzie last night suggested there may be reasonable limits to French demand. There may not be reasonable limits.

Look at Manitoba's own Negro problem. Yes, our blacks have golden brown skins and straight black hair.

For 100 years, during much of which time we gave away free to anyone, from anywhere in the world, land, while daily praying to God to help us find a way so we would not have to give back to some of the Indians some of their own land that we legally promised to return to them. This may be settled some time.

Will this same bitter greed and hatred prevent a generous treaty land settlement with the interest on the land, the interest that we owe them for 100 years? Look at the disgraceful record of Manitoba Hydro and their lawyers, not at all honouring the intent and meaning in their dealings with South Indian Lake and others after long negotiated deals. Neither the NDP nor the Conservatives have had the courage or the honour to tell Manitoba Hydro, "This is 1980 not 1940; care for the environment and treat the Northerners fairly and also start paying them a royalty on their water you use and contaminate."

Mr. Chairman, this is not a digression. It bears directly on the French question. My solution would be to draw up a steady scheme of gradually, over 10 years, having a 5 percent bilingual Civil Service for the 5 percent of French-speaking Manitobans.

In the Legislature, the courts and main offices in Winnipeg, French-speaking staff should become available. In towns and villages predominantly French or with a sizable minority, French services could gradually become available.

Bilingualism should be encouraged and segregated schooling discouraged. But it is the honesty and the decency of the commitment to a reasonable program sensitively administered that is the key, and that honest commitment to a reasonable program applies also to all the French-Canadians, as well as to the government, and the English-Canadians and others.

The original legislation is important, but the administrative detail, its supervision by Cabinet, the right to appeal administrative decisions in an organized quick convenient manner where all is important or more important than the original legislation. I hope this isn't a controversial matter. The deliberate plan to amend the legislation, if needed and decided by consensus, must be included in the mind set of the original negotiations. The mind set of Cabinet choosing only people for senior posts for the administration who are committed to making it succeed with minimum friction is vital - without it, there is nothing.

This is the vital ingredient among many others that has been missing in Hydro dealings with the Native people in the North. Justice delayed, legal nit-picking is making a mockery in the eyes of those following the actions. So the word "justice" is just a pure joke. Some of our French-Canadian people do feel that there has been a slightly long delay in their justice. That is according to rumours I have heard.

Why is speaking French so hard? I took it for seven years in school and university and it never hurt me. I never learned to speak it effectively, but it did me no harm and it did me some help in Belgium. I know educated people who speak six languages and they wonder why we are so backward and unlearned in Manitoba. This statement should be qualified, because according to some experts if you try and learn your school work in two official languages and you take half your courses in English and half your courses in French, you do not become as well educated as if you

concentrate your education in one language or in the other. This is a matter that researchers could probably spend 37 years and produce facts which would confirm either view.

Let us have a little French bilingualism and help it to increase in the schools. Let's have Spanish in case you ever visit Texas or California or Minneapolis. Let individuals and groups work out special arrangements to suit local needs. Think of the effect of the Federal Bilingual Program that was so different than what the commission had recommended. It was so rigid, and every place had to be identical, rage and frustration resulted and it was natural.

What was the long term net benefit to putting a "Bureau de Post" in Icelandic Gimli, in Mennonite Steinbach, in Ukrainian Dauphin?

Sensitivity must be shown by all sides. If there is going to be a forest of lawsuits over parking tickets at Steinbach and Dauphin and Norway House because they are not in French, the voluntary French enrolment in schools will decrease and so it should.

I wish with your kind permission to add just two paragraphs before I close.

Mr. Clague, on Wednesday evening, presented a brief with some very clear and precise suggestions for effective administration of a French Language Program to make sure that it achieved the intended goals of a reasonable level of French services. If the courts have the main responsibility for most administrative details in response to court cases brought forward over the years, a much larger French program might arise and be considered reasonable by most Manitobans. In 50 years or less, the number of French speaking using the language regularly may increase or decrease. Is there any way that we can assure the concerns of both sides that the support services will grow reasonably or be unfairly too small or too large?

But is this really a totally irrelevant concern? Very often, for the last 20 or 30 or 40 years, we've gone by with skimpy services or too generous service, it's in many fields including government services.

I am opposed to the legislation for entrenchment of the French language rights, but I do wish to see a moderate, reasonable, graduated promotion of French bilingualism in Manitoba.

Thank you, Mr. Chairman, for your kindness.

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

Mr. Nordman.

MR. R. NORDMAN: Mr. Chairman, I just want to thank Mr. Emberley for his presentation and his patience. The gentleman was here three nights in a row and finally made it at the 11th hour. Thank you, Mr. Emberley. Mr. Emberley, I know, has contributed greatly to the St. James-Assiniboia Community Committee. He is on the RAG Group there and has been for years. We are always willing and welcome his contribution, because he's always given it a lot of thought before he has come to us.

So again, to Mr. Emberley, thank you for your presentation and your patience with us.

MR. K. EMBERLEY: Thank you, Mr. Chairman, and thank you for running overtime for me. I appreciate that.

MR. CHAIRMAN: No problem. Being our normal hour of adjournment, gentlemen, before I adjourn the committee, there is one other item I should raise with you. Before I do that, I'd like to advise members of the public that the committee will continue on Monday, three sittings: 10:00 a.m.; 2:00 p.m.; and 7:30 p.m.; and if necessary again, the same hours on Tuesday.

The item to be raised was the fact that Dr. Winnifred Potter was unable to be here this morning. I believe I advised the committee of that yesterday. We had agreed that both she and Dr. Shaw would be heard at 10:00 this morning. I understand that now Dr. Potter

can be here at 10:00 a.m. on Monday, if the committee wishes to give her another specific time. Dr. Potter is a representative of the same organization that Dr. Shaw represents, the Freedom of Choice Anglophone group in Quebec. What is your will and pleasure? Is that agreed? (Agreed) Ten o'clock, Monday morning, Dr. Winnifred Potter, and then we'll continue with the list after that brief.

Being no further business then, unless other committee members have any business, the committee is adjourned until 10:00 a.m. Monday morning.

Good night, gentlemen and lady.