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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

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
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FOX, Peter	Concordia	NDP
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HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
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KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
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MALINOWSKI, Donald M.	St. Johns	NDP
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McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
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PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
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PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
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WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES & ELECTIONS

Friday, 16 September, 1983

TIME — 10:00 a.m.

LOCATION — Ste. Rose, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Adam and Bucklaschuk

Messrs. Anstett, Ashton, Brown, Eyer, Graham, Kovnats, Lecuyer, Nordman and Scott

WITNESSES: Mr. Louis Molgat, Jolly Club and as a Private Citizen

Mr. Jacques Peloquin, Private Citizen

Reeve Joe Van De Poele, R.M. of Ste. Rose and as a Private Citizen

Ms. Adeline Furkalo, Private Citizen

Mr. André Saquet, Private Citizen

Reeve Bjarni Sigurdson, LGD of Alonsa

Mr. Daniel Boucher, Société Franco-Manitobaine

Reeve R. Phillips, R.M. of Dauphin

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23 of The Manitoba Act.

* * * *

MR. CHAIRMAN: Committee come to order. Gentlemen, we have a quorum.

Before we begin, I've been advised that the Clerk has received the resignations of Messrs. Cowan, Harapiak, Storie and Gourlay. The replacements on the committee are Messrs. Eyer, Lecuyer, Bucklaschuk and Kovnats. May I have a motion to that effect please? — (Interjection) — Moved by Mr. Graham. Mr. Lecuyer, you're not on the committee yet to make that motion. Agreed? Thank you.

Ladies and gentlemen, welcome to the third location hearings of the Standing Committee on Privileges and Elections. The purpose of our hearings is set out in a resolution passed by the Legislature in mid-August, which reads in part as follows:

"WHEREAS the Government of the Province of Manitoba has proposed a resolution to amend Section 23 of The Manitoba Act, which amendment concerns the translation of the Statutes of Manitoba or some of them and the question of government services in the French, as well as the English language; and

WHEREAS the Legislative Assembly of Manitoba deems it advisable to hear the views of Manitobans on the subject matter of this resolution."

Before we begin to hear the briefs, I would like to introduce the members of the committee. To those of

you in the public who may not know them all - they have name cards in front of them to help me remember who they are - on my far left, Mr. Nordman, the Member for Assiniboia; beside him, Mr. Harry Graham, the Member for Virden; beside Harry, Mr. Arnold Brown, the Member for Rhineland; Mr. Abe Kovnats, the Member for Niakwa from the City of Winnipeg. On my far right Mr. Don Scott, the Member for Inkster, also from Winnipeg; Mr. Steve Ashton, the Member for Thompson; beside Steve, Mr. John Bucklaschuk, the Minister of Consumer and Corporate Affairs and Member for Gimli; beside John, Mr. Phil Eyer, the Member for River East in Winnipeg; and beside Phil, Mr. Gerard Lecuyer, the Member for Radisson; beside him, your home town MLA, the Member for Ste. Rose and Minister of Municipal Affairs, Mr. Pete Adam. My name is Andy Anstett. I'm the Chairman of the Committee and the MLA for Springfield. That, ladies and gentlemen, is your committee.

Ladies and gentlemen, there will be some briefs today which will be presented in French. We have arranged for simultaneous translation for the benefit of those members of the committee and the public who do not understand the French language. We have receivers available. The members already have them. Those of you who would like to have a receiver so you can hear the translation of any briefs in French, if you are not capable of understanding those briefs, can come up to the table on the left of the hall and sign for those receivers now, so you'll have them for when the hearings begin, because I believe some of the first briefs may be in French.

I would like also to ask anyone in the audience who is planning to make a presentation in French, if you have copies of your brief available, please supply them to the Clerk immediately, so that the gentlemen in the translation booth can have an advance look at the brief. That will give them the opportunity to peruse it and then when you make your presentation, hopefully do as good a job of translating it as you do of presenting it.

The other thing I would ask for those who will be presenting in French, when you are reading from the prepared text, I would ask you to remember that the text is being translated as you read, and would ask that you therefore read in a reasonable fashion and not proceed quickly to get through the text, because the translator has to translate as you proceed. Some other locations sometimes the translation has been a few seconds behind and we would like to keep it as up-to-date as possible.

I think that takes care of the administrative details. If there's anyone who would like to get a transmitter, I'll ask for your indulgence and we'll take a short recess so people can arrange to get the receivers for the translation. They are available from the technician beside the booth.

We have a list of 43 individuals. If there's anyone else whose name is not on the list, I would ask you to

see the clerk on my left sometime during the hearings so your name can be added to the list.

I'd like now to call on the first individual who is registered with the committee, Mr. Louis Molgat. Mr. Molgat please.

MR. L. MOLGAT: M. le Président et membres du comité.

Je suis le porte-parole du Jolly Club, le club d'âge d'or de Sainte-Rose. Nous sommes 150 membres âgés de 50 ans en montant.

Nos membres, en majorité, sont en faveur de voir que la culture et la langue française continuent à se développer au Manitoba avec l'appui des lois provinciales et fédérales.

Nos membres ont confiance que la Société franco-manitobaine, le gouvernement provincial et le gouvernement fédéral avaient à cœur de voir que le projet francophone arrive au but désiré quand ils ont rédigé les amendements à la résolution pour amender l'article 23 en mai 1983.

La majorité des membres du Jolly Club désire que les amendements à l'article 23 soient enchâssés dans la loi constitutionnelle du Manitoba telle qu'elle a été rédigée en mai 83.

I had translated the equivalent in English but, Mr. Chairman, and members of the committee, I will skip the part that is the translation of the first French presentation.

Permit me to state a few personal observations. In 1870, Sir Étienne Cartier, and Sir. John A. Macdonald, from the experience gained in the successful joining of the eastern provinces into Confederation in 1867, included in our Manitoba Act that the French and English languages were to be equalled; they had foresight. Their goal was a united, bilingual Canada from sea to sea.

Unfortunately, our Manitoba legislators failed to follow that dream. They illegally changed the law regarding the French language rights in 1890 and 1916. Today we see the results of these restrictive measures. Here you are, a group of legislators, well educated, but only two or three of you are bilingual. If the laws of 1870 had been in force all of you would be bilingual.

Let us correct this error by setting in motion the needed changes in Article 23 to guide us so that the amendments made will permit us to reach our goal of a united bilingual Manitoba and Canada, the goals set by our Fathers of Confederation. This can be achieved through our educational system.

The acceptance of these amendments should be unanimous, not politically motivated.

In proceeding to try and line up something for this presentation I was looking for material that would kind of explain what this is all about, and I picked on a report in the Free Press of Wednesday, it's prepared by Frances Russell, and it says "Government must honour the Constitution", I guess, some of you have heard this before, but I think it is worth repeating. "A democracy governed by the rule of law does not debate or hold popular referendums on whether it should continue illegal disobedience of its Constitution." And this is written by Professor Donald Bailey.

Bailey, who is a specialist in French history minced few words in his condemnation of the actions and

attitudes of Canada's English majority over the past two centuries, which he said, has continuously tried to shove English down French throats, and to deny the simple historic truth that since 1759 Canada has had six Constitutions, all of which have affirmed the dual nature of its nationality. Bailey was equally harsh on the nation's political and cultural leaders for doing nothing to arrest this massive misinterpretation of Canadian history and, instead, remaining content to ride with the popular tide of ignorance and bigotry. Canada is a country which is historically and constitutionally composed of two nations; stated differently, Canada is officially neither a unilingual, nor multilingual state. Canada could be more unified if everyone recognized and accepted the founding principles of the country, Bailey said.

The French fact was forced on the English Canadians by the government of George III. It reflected their significant presence in the country before the English and other peoples arrived, and it was repeatedly reaffirmed by the authority of successive British Governments.

It was not something which Anglophones welcomed for the most part, and over the past two centuries everything politically, legally, socially, and economically possible has been done to transform their French into Anglophones, contain their rights within the Province of Quebec, frustrate their economic and social aspirations and make them feel, although the French language and people had official status in Canada, it was really a secondary status, begrudged and condemned by predominantly Anglophones.

Manitoba's Constitution made the first new province to join Confederation the second province to enshrine both French and English as official languages of its Legislature, laws, courts and schools. Manitoba's Constitution clearly demonstrated the intent of Canada's founders to make the west open to both English and French settlement. Thus, the rapidly acquired English majority tyrannically broke Manitoba's Constitution within the first generation. They also betrayed the vision of Canada's founders, and helped create the ghetto of Quebec with all its tragic consequences.

The Government of Canada should have disallowed the 1890 legislation making English the sole official language of the province, but was cravenly caught in a political crossfire between Ontario and Quebec. That the Manitoba press corps, professional historians, lawyers, teachers and clergy did not continue to denounce the government's unconstitutional action is something for which they should examine their consciences.

Now after 90 years, whether the current numbers amount of language retention or even desires of Franco-Manitobans, the restoration of French rights in the province is an act of justice, good citizenship and, to Francophones everywhere in Canada, a pledge of good faith. Bailey said the current debate and appeals for popular referendums on the status of French language in Manitoba are constitutionally and legally improper. Permit me to repeat. They are constitutionally and legally improper. A free country which prides itself on respect for the law does not spend its time debating and voting on whether it will obey its Constitution. The Constitution must be restored. Then and only then can

Manitobans hold a debate on whether to change the status of French through a legally correct constitutional amendment.

Bailey described the NDP Government's defence of its proposal to rectify Manitoba's 90-year illegality as distressingly timid and defensive, though perhaps politically wise. He characterized the Tories in opposition to them as irresponsible and tragic. The efforts to heal the rift in Manitoba society should have nothing at all to do with socialist, capitalistic, partisan politics. Remedying a constitutional wrong is not simply another controversial piece of legislation. The issue is respect for the Constitution, not who does and does not like French. I repeat this last one. Remedying a constitutional wrong is not simply another controversial piece of legislation. The issue is respect for the Constitution, not who does and does not like French.

I thank you, gentlemen.

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

Mr. Adam.

HON. A. ADAM: Monsieur le Président, permettez-moi, au nom du comité, de remercier M. Molgat pour sa contribution ici aujourd'hui. Merci beaucoup.

MR. L. MOLGAT: Merci.

MR. CHAIRMAN: Any questions from members of the Committee for Mr. Molgat?

Mr. Graham.

MR. GRAHAM: Thank you very much, Mr. Chairman, and through you to Mr. Molgat. I would also like to thank him for his presentation and the last part, while you indicated that was you privately, the first part was presented on behalf of the St. Rose Jolly Club, is that correct?

MR. L. MOLGAT: Correct, sir.

MR. H. GRAHAM: And the second half was your own personal . . .

MR. L. MOLGAT: Personal observations.

MR. H. GRAHAM: Yes. I would assume from that, then, that you are very much in favour in the words of Mr. Bailey and Miss Russell in the article that she wrote?

MR. L. MOLGAT: Well, I would say it is bringing to the fore a very thorny question which you guys are not handling properly, I think. You're not legal, you're illegal, you're improper. That's what I feel, and I feel that the Société Franco-Manitobaine are definitely our representatives and they are doing a good job of it, and I think it was a friendly thing to sit down and discuss and try and correct an error in law. If you've done something wrong you're up in the court and you are challenged and if you are found guilty you have to pay for it, and sometimes a little extra. Is that what we are doing here?

MR. H. GRAHAM: Mr. Chairman, through you to Mr. Molgat. When the act of 1890 took away the French

rights, and that was restored in 1979 by the Supreme Court, and was recognized by the Province of Manitoba in Bill No. 2 in 1980, which restored Article 23 of The Manitoba Act, in your opinion, was that an act that was sufficient at that time, or did you feel that these proposed amendments now, which add to that, were absolutely necessary?

MR. L. MOLGAT: Yes, I think so, sir. It was a courtesy gesture from the government at the time, and I don't like courtesy gestures, not after what we've been through. I want something implemented in there so that I know we are going to be able to get those rights looked after, you don't want to be at the mercy of changing governments and changing attitudes.

MR. H. GRAHAM: Mr. Chairman, let me assure you that the act that was passed in 1980, Bill No. 2, reaffirmed the constitutional rights that were granted in 1870. What we have before us today are amendments which are in addition to the Section 23 of The Manitoba Act, but which, in most case, spell out the limitations of the services that would be provided. Is that what you are in agreement with?

MR. L. MOLGAT: I don't think that there is danger making limitation in such a way that the intent is not going to be, or at least the goal is not going to be achieved.

MR. H. GRAHAM: Well, then maybe I should pose another question to Mr. Molgat, and I realize it is difficult for him, or for anyone, to take an either/or situation in this. But, if you had your choice, would you prefer to have Section 23 of The Manitoba Act, and the Constitution of Canada, as it presently is, or would you prefer to have it with the additions, or the amendments that are being proposed now that puts limitations on it?

MR. L. MOLGAT: Now Mr. Graham, I am only a private citizen who has tried to follow what the papers tell me, what the newspaper and the radio tells me, and I will go with John Harvard last night, or the gentleman that was interviewed, that all we want is to have our rights restored in such a way that they will grow and develop to the extent they should have been up to now. That's my answer to you, sir.

MR. H. GRAHAM: I want to thank you very much Mr. Molgat for your opinions.

MR. G. LECUYER: Merci M. le président. M. Molgat, suite au commentaire que vient de faire M. Graham en disant que les droits ont été rétablis en 1979, dans votre esprit est-ce que vous êtes d'accord puisque contrairement par exemple à quelqu'un qui est produit en cours et puis qui est prononcé coupable, par exemple, d'un crime quelconque, on corrige immédiatement le crime en lui imposant soit une sentence de prison ou soit une amende payable sur le coût donc la correction est immédiate.

Mais pour corriger 93 ans d'illégalité, il faut plus qu'un instant ou qu'une année. Ce qui fait que les droits sont, en réalité, pas rétablis. Ces droits ne sont toujours pas

traduites sauf quelques-unes; les statuts non plus, même donc les éléments essentiels de base qu'il y avait dans l'article 23 en 1870 sont pas pleinement rétablis puisque la possibilité, par exemple, d'avoir un cas, soit en français ou en anglais, dans les cours c'est quelque chose qui se produit lentement et qui devient possibilité de nos jours.

Et alors, est-ce que vous, vous acceptez le fait que réellement vos droits son pleinement rétablis?

MR. L. MOLGAT: Non, je reviens avec ce mot "courtesy", c'était juste comme un petit vers au bout de la ligne; tu sais et on en a pas. Et nous les Français ont été tellement "magannés" qu'on saute sur la première chose et puis on accepte mais c'est pas complet, loin d'être complet. On veut une correction complète, on veut quelque chose d'enchâsser dans la loi qui nous permettra d'arriver au but.

MR. G. LECUYER: Merci. Dernière question, M. Molgat. L'autre dimension que mentionnait M. Graham, c'est l'acte ou le Bill 2 en 1980 remettant en vigueur donc l'acte du 1870, mais peut-être que vous savez et si vous ne savez pas, je vous en informe, ce Bill 2, par exemple, a pour but d'indiquer ou, en rendant opérationnel l'acte de 1870, indique que, dans le cas où il y a contestation sur l'interprétation, par exemple, de ce qui est écrit, par exemple, dans un acte établi en français, que l'interprétation qui prévaudra, c'est la version anglaise. Est-ce que dans votre esprit, ça c'est le rétablissement de l'égalité des deux langues.

MR. L. MOLGAT: C'est pas l'égalité du tout, Monsieur.

MR. G. LECUYER: Merci, Monsieur Molgat.

MR. CHAIRMAN: Before I recognize Mr. Scott, I would remind members on both sides that the purpose of questions is not to break new ground but to seek clarification of questions raised in the brief.

Mr. Scott.

MR. D. SCOTT: Le Club Jolly avait déclaré qu'ils sont d'accord avec les amendements qui étaient proposés dans le mois de mai. Qu'est-ce que tu penses des sous-amendements qui étaient présentés en septembre

MR. L. MOLGAT: Moi, j'aime boire mon whiskey à une certaine force et puis, si on met trop dedans, il a plus de goût . . . alors c'est ça que vous êtes en train de faire quand vous mettez des . . . , diminuez les conditions qu'avaient été étudiées sérieusement par les trois partis, je veux dire la Société franco-manitobaine, le gouvernement provincial et fédéral. Ils s'étaient assis bien gentillemeent, puis tranquillement, puis discuter pour et contre et maintenant, vous voulez y mettre de l'eau dedans. Vous voulez le dissoudre assez qu'il vaudra plus rien du tout. Alors, ça vaut pas la peine de l'enchâsser.

MR. D. SCOTT: Monsieur Molgat, tu penses que les amendements de septembre sont . . . ne sont pas suffisis?

MR. L. MOLGAT: Excusez . . . je ne suis pas . . .

MR. D. SCOTT: Tu penses que les amendements en septembre ne donnent pas le vrai, les vrais droits comme une langue égale où les deux langues sont égales avec cet amendement . . . une est plus égale que l'autre.

MR. L. MOLGAT: Franchement, entre vous et moi, je ne suis pas assez, assez développé, assez . . . , J'ai pas étudié les choses assez de près, je suis pas dans ces capacités-là et je calcule que c'est à la Société franco-manitobaine que tu dois demander ces questions-là.

MR. L. SCOTT: Merci Monsieur.

MR. CHAIRMAN: Thank you Mr. Scott. Any further questions by members of the committee? Seeing none, Mr. Molgat, thank you for your presentation.

MR. L. MOLGAT: Thank you, gentlemen.

MR. CHAIRMAN: Next name on our list, ladies and gentlemen, is Mr. Jacques Peloquin. Mr. Peloquin please.

MR. J. PELOQUIN: M. le Président et membres de cette audience publique:

Tout d'abord j'aimerais m'identifier. Je me nomme Jacques Peloquin; je demeure à 5 milles de Laurier depuis 33 ans. Je suis Canadien-français et très fier de l'être.

Mes ancêtres sont au Canada depuis près de 300 ans, et au Manitoba depuis plus de 100 ans. Je suis né dans un centre homogène de Canadiens-français sur le bord de la Rivière-Rouge en 1921.

J'ai fait mes études élémentaires dans un temps où c'était défendu d'enseigner le français. Même si c'était défendu par la loi manitobaine de 1916, nos pauvres maîtresses savaient à peine parler l'anglais.

À l'âge de 20 ans, je savais à peu près assez d'anglais pour me débrouiller. En 1940, je me suis enrôlé dans l'Aviation Royale Canadienne où j'ai servi mon pays pendant 4 ans. La langue de travail n'était que l'anglais. Pour la comprendre, ça toujours été assez bien mais pour m'exprimer, je préfére encore le langage de Molière à celui de Shakespeare. Chez nous, la langue de travail est encore le français et je le parle encore avec toute ma clientèle française.

J'admettrai néanmoins, que la langue de travail du monde des affaires est l'anglais et je me crois pas que c'est l'intention de l'amendement au Bill 23 de changer cela.

En tant que services en français dans un centre comme Ste-Rose-du-Lac où il y a une forte population d'origine française, il me semble que je devrais pouvoir m'adresser en français à la salle municipale, à l'office de l'agronome, à l'école, à l'hôpital, la Caisse populaire, la banque, à l'église, sans me faire dire "Speak english, please."

Nous devrions aussi pouvoir avoir un service d'information en français de notre compagnie de téléphone, Hydro, et chemin de fer. Ce sont tous des services que nous avons l'habitude d'avoir.

Une chose qui était regrettable par le passé était que les procès-verbaux des assemblées scolaires ou

municipales devaient être écrits en anglais seulement, alors que toutes les discussions se faisaient en français.

Je suis sûr que par le passé les secrétaires municipales ou scolaires, ont dû, par maintes fois, traduire en français ces procès-verbaux pour des gens qui ne pouvaient ni lire, ni comprendre l'anglais.

Si je comprends bien l'amendement au Bill 23, ça deviendrait une chose possible si les commissions scolaires ou municipales le désirent.

Il y a quelques années passées, il aurait été impensable à Ste-Rose d'avoir un gérant de banque, un secrétaire municipal, un principal d'école, qui étaient unilingues anglais.

Aujourd'hui on endure ces choses-là sans trop de revendications. En d'autres mots, nous sommes à peu près assimilés à l'anglais.

Je suis sûr qu'à Ste-Rose, il y a beaucoup de gens avec des noms français qui ne parlent que l'anglais et d'autres le parle que rarement. Parmi la jeunesse, très peu parle le français entre eux.

Alors on peut se demander; "Pourquoi cet amendement au Bill 23?" . . . si ce n'est que de remplir une exigence juridique.

La province semble être dans une impasse, si je comprends bien l'affaire.

Soit que le gouvernement actuel enchâsse dans la constitution par le truchement d'un amendement au Bill 23 certains droits et services à la minorité canadienne-française tel qu'entendu avec la Société franco-manitobaine le 17 mai dernier.

Je ne crois pas que le gouvernement ait beaucoup de marchandage à faire; soit d'accepter les conditions de la Société franco-manitobaine ou de se voir imposer par la Cour suprême des conditions encore beaucoup plus difficiles à remplir.

Pour ces pauvres gens qui se plaignent de se voir forcer le français dans la gorge, nous les Canadiens-français avons enduré ce traitement pendant 93 ans.

Pour nous Canadiens-français qui avons gardé notre langue, ça n'a pas été facile. Il a fallu beaucoup de fierté et de sacrifices. Pour avoir de l'avancement, il fallait pouvoir parler l'anglais parfaitement.

Pour donner une bonne éducation française à nos enfants, il nous a fallu établir nos écoles séparées. Pour les gens de cette région, ça voulait dire les envoyer à St-Boniface parce que nos écoles n'offraient pas le program "A" et qui encore de nos jours ne le donnent pas.

Cette année, de Laurier, nous avons 11 étudiants à l'Institut collégial de Louis Riel à St-Boniface.

Que les municipalités passent autant de référendums qu'ils voudront et que les gens votent cent pour cent contre les droits et services à la minorité canadienne-française, je ne crois pas que ça change d'aucune façon les décisions de la Cours suprême.

Le Manitoba depuis 1870 est bilingue, soit français, anglais, à part égal. Alors, messieurs les anglais, si vous voulez avoir de l'avancement dans tous les domaines, il vous faudra devenir parfaits bilingues. Pour ma part, je peux vous assurer que je me servirai de ces droits et services qui me seront offerts à chaque fois que j'en aurai l'occasion.

Je trouve qu'il est très déplorable que le parti de l'opposition ait choisi de soulever toutes sortes de rancunes contre une minorité pour se rendre populaire auprès des électeurs.

Merci.

MR. CHAIRMAN: Order. Order, please. It is not appropriate at committees for responses from the Gallery. Are there any questions for Mr. Peloquin?

MR. J. PELOQUIN: Just a minute, Mr. Chairman. I wrote one in French and one English and it's not the perfect translation, so there is a little part here in English which I would like to read to you, if you don't mind.

MR. CHAIRMAN: Please proceed.

MR. J. PELOQUIN: Like it or not, ladies and gentlemen, according to Section 23 of the Manitoba Constitution of 1870, French and English are equal. To be legal, every Government document will have to be bilingual. Now, for the misers and the penny-pinchers who are worried about the cost, you should jump with joy and support wholeheartedly the amendment to Section 23 which waters it down considerably. It would require only 500 out of 4,500 statutes to be translated. I am a little worried about the French service in designated areas. Does it mean that other areas, such as, Dauphin, Swan River, Brandon and others will never qualify for French services? With the ever-increasing demand for French Immersion courses in the Province, it could very well be that a few years down the road there could be a demand for those services in those areas. I support the amendment to Section 23 as agreed on May 17, 1983 with the Société Franco-Manitobaine, and not if watered down anymore. As for French services in my area, and from my government, you can rest assured, ladies and gentlemen, that I will make use of them at every opportunity.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Peloquin. Are there any questions for Mr. Peloquin by members of the Committee?

Mr. Lecuyer.

MR. G. LECUYER: Merci, Monsieur le Président. Ce n'est pas une question . . . je voudrais tout simplement exprimer mes remerciements au nom du comité à Monsieur Peloquin.

MR. CHAIRMAN: Any questions by members of the committee? Seeing none, Mr. Peloquin, thank you very much for your presentation here today.

The next name on our list is Reeve Joe Van de Poel, Rural Municipality of Ste. Rose. Reeve Van de Poel, please.

MR. J. VAN DE POELE: Mr. Chairman, I do not have a written brief, part of the reason being that we've been harvesting and that's when my paycheque comes in, another reason being that I was kind of waiting for our R.M. to make a decision on this. We had a meeting last Friday - it rained last Friday so we had a snap meeting - and only then did we decide not to take a stand on this, which does not really allow me, as Reeve - and I notice you have Reeve Joe Van de Poel. I suppose, though, I am also an Executive Director of the Union of Manitoba Municipalities, I understand that

they have not made a presentation to you, yet, because of the time element and I, at this time, am not going to make their stand. I just have a few observations probably that are of a personal nature, but I am part of the executive and, I suppose, I am sort of bound by being a member of the executive to some statements I will be making.

I believe that about 125 municipalities have made resolutions, sent one in possibly to the government, and also to the Union of Manitoba Municipalities, and we represent 162 municipalities in the province, and it was in opposition to the proposed program.

Of that figure - you will recall I said 125 - that leaves about 25 municipalities who haven't gone either way. If you look at the statistics, Mr. Chairman, and you wonder why we, as a municipality, didn't want to really make a decision on this, you will find that most of the people who are - can I use the term "sitting on the fence" - are really municipalities from the French designated areas. I think you might ask yourselves, and I suppose I ask myself, why is this happening, and I suppose we could say that this has sort of put us in a bind. I think we all like to be nice guys on councils, and possibly we have shied away from taking a stand on this. I look at the list and I find that there are about 15 municipalities in really French designated areas who haven't made a stand on it.

I can sort of feel for these people because I am living it myself, and it is very difficult to make a stand. There are elections this fall and I suppose that enters into it. You might say that I kind of feel for you people, too, in some ways.

It is a very difficult issue, it become very emotional and it is something that is really quite hard to deal with. Now, you might say there is a principle involved and I would agree. I have to say that I consider myself a middle-of-the-road person, I can see both sides of it and that's why my dilemma.

In a community which in the R.M. of Ste. Rose - I believe Statistics Canada says we have 42 percent French speaking - I think in the Village of Ste. Rose the figure is 36 percent and in an area like this, I suppose it's quite difficult with the numbers game to come to a decision. I was going to back out of this. I left my name on the list, not realizing it was that soon on. I have no more comments as far as an executive member.

I find though, I have a little bit of a beef. I've lived in this community, Marie and I, my wife and I, have worked for 20 years in this community, and I think if I'm guilty of something it is leaving my own farm to do some of this work. I've loved it.

I find myself with kind of a strike against me going into this election if I were to remain as Reeve. I say to you that we in the R.M. in the Village of Ste. Rose here have really been a little United Nations. I've never been as conscious of my name as I have been in the last three or four months. I find that rather disturbing. I find myself going into an election with a real handicap living in a French designated area, and I say to you, I've lived with these people for a number of years. I find myself with a real handicap in that way because of a name of Dutch origin like Van De Poele. It doesn't quite ring true. Maybe I shouldn't be doing this, I don't know.

I have the greatest urge not to run as Reeve of the R.M. of Ste. Rose; I have the greatest urge not to allow

my name to be tossed around; because I'm not French, this would be a strike against me. I've been in this sort of a race before. It isn't a pleasant experience, and like I tell you now, I have the greatest urge not to run because of this.

I have always been the sort of honest Joe that shoots from the shoulder, and to you I say this quite candidly. I hope this isn't, as a person who has been very interested in what is happening in the provincial, federal, I am sort of a political person, I suppose, in some ways I can see good in all sides of the House. I suppose those are some of the inner feelings that I have that I kind of sway both ways and I really don't know where to go. But, I think that's also being fair.

I have no further comments really. I would be subject to questions. Like I say, I come behind two gentlemen who I know feel one way. I have very mixed feelings.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Van De Poele.

Any questions? Mr. Nordman.

MR. R. NORDMAN: I would just like to thank Mr. Van De Poele for a courageous act this morning in baring his soul so frankly. I think he probably has served his community well in the past, and it would be a shame to lose a man who has contributed to his community simply because of this type of an act.

MR. CHAIRMAN: Questions? Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. Mr. Van De Poele, do you not feel - first of all I do not want to ask you any questions that you should feel compelled to answer in any way - but do you not feel that there is room in our society which was built somewhat with a different purpose in mind than the melting pot of the United States? Do you not feel that there is room for basic rights wherein anyone can retain his culture and his background and should not be afraid of his name?

MR. J. VAN DE POELE: I believe you mentioned the Americans, you feel we're a little different in Canada, and I think we are. I think you've put your finger right on it. I think if you go down to the United States and you ask him what nationality he is, the first thing he'll stick out his chest a country mile and tell you he's an American. Now, you kind of wonder if we Canadians did that, we'd eliminate many of our problems. I really feel that. First of all, I've always felt that I'm a Canadian first. If anyone starts talking about my heritage, I get uptight and I can see the French people feeling the same way. This is great. But, first of all, I am a Canadian. I've always felt that many of our problems would be eliminated if we thought this way.

Have I answered your question, sir?

MR. G. LECUYER: To a certain extent I think you have. I think what you're saying is that - if I heard you correctly - you want to be labelled strongly as a Canadian and I don't see personally that that removes the possibility of the plurality of the culture. But, do you not feel that that can be achieved as well in recognizing the linguistic duality of this country while still retaining the pluralistic element of the cultural background and heritage?

MR. J. VAN DE POELE: Well, the whole program, the part that worries me, is not the French Services. What worries me and worries the Union of Manitoba Municipalities to some extent is the entrenchment for 6 percent of the population of Manitoba. This is what really worries me. I think we've got along beautifully up to now. I think most municipalities, their reasoning behind not opposing or being in favour of it have said that basically we're doing fine. Let's not rock the boat, we're getting along great. I think we're quite happy the way things were. We might be showing a lack of courage, but I think that is really a stand and a feeling that I have, the reasoning behind the municipalities' stand.

MR. G. LECUYER: Mr. Van De Poele, with all due respect, what was provided for in 1870 was clearly recognizing the official two languages of this country in Manitoba. Obviously, a lot of the French-speaking people who you say we are getting along fine, we are getting along fine because to a large extent they have acquired both languages and they can handle this situation and a lot of them are in the process being assimilated and therefore losing this language. But there remains a lot of them who would like this kind of service. Do you see that as removing anything from the other linguistic group?

MR. J. VAN DE POELE: I have mixed feelings about this. Like I say, I think really the numbers game tells you basically - I think we have to look at this in a Western Canadian context. In Western Canada we're in an age of regionalization. I understand that we have really five regions in Canada and really what is made in Ottawa and made in Quebec and part of Ontario and New Brunswick doesn't necessarily mean it's good for Manitoba.

I'm just a little worried that the other 94 percent of the people - and I hope you people on the government side of the House don't experience a backlash in this because in some ways that's what it is, and you might say well we'll go into the court system and that - I was quite happy to let the courts of Canada decide what was constitutionally right and not right. I know it took a lot of courage on the part of the government and you might be right in some ways in saying, well, we'll stick up for minority groups, but there are other groups in Manitoba who feel quite uptight about this. I also feel for them.

That's all I can answer your question, in that way, sir.

MR. G. LECUYER: Thank you, Mr. Van De Poele.

MR. CHAIRMAN: Mr. Adam.

HON. A. ADAM: Thank you, Mr. Chairman. Mr. Van De Poele, thanks for your presentation. You mentioned during your remarks that there were approximately 152 municipalities that had submitted resolutions.

MR. J. VAN DE POELE: 125 in opposition and there were none in favour of the . . .

HON. A. ADAM: These resolutions that came forward came quite early during the debate when this subject

became public and there was a lot of public debate about it. The argument that I have received on a number of occasions from your executive and speaking to other municipalities, they were concerned that the amendments may impose the responsibility of providing French Language Services where there was not really a demand for it. Do you think that in view of the fact that was the original agreement, during the negotiations with the Société Franco-Manitobaine, did not intend to impose that responsibility on the municipality even though the language, the wording may not have been that crystal clear, do you think that those resolutions in opposition may have been a bit premature, before knowing specifically whether or not the municipalities would be responsible for providing French Language Services?

MR. J. VAN DE POELE: In all fairness, Mr. Adam, possibly I would say they might have been premature in some ways, but I'll bet you dollars to donuts that those same municipalities even now would still vote the same way. I'm quite convinced that their minds were basically made up.

I realize, sir, that municipalities and school boards were not included and, as you say, the wording was rather vague in some areas and I think we insisted that be spelled out more adequately or more precisely. No doubt we felt that it left some shades of grey.

But at the same time, I do feel, and I'm a little critical of really three areas here, and I was going to include that in my earlier remarks if I may. I feel that basically, and this is one of the, I suppose you might say, sore spots with the executive in some ways and the executive can only speak for the municipalities it represents so basically I think we have pretty well a feeling or a rural voice of Manitoba. One of them is really, and it's critical, and if it's sound criticism I don't alibi for saying it, I think the government really made a mistake when they didn't really ask the people out there in the boondocks basically what do you think of this. We never had a chance to really show our feelings. I think if you would have come to the executive - and usually this is what is done - and said, look fellows, what do you think of it? We could have told you this is dynamite.

But, I think in discussion with you, Mr. Adam, that sometimes I think you've said to me that we have to bite the bullet. I suppose in some ways I feel I'm biting the bullet speaking to you, but at the same time, I feel it was handled badly. I say, it's sound criticism if it's any. Because I think if everything was handled this way there would be many more problems for government.

Really I think before you jump in the lake you test the water. I think in many ways this has been done. We have a municipal advisory board. We were called in, as I understand it, and told about it. The press already knew. Now, that isn't really playing its role as an advisory board. I think that is a rather sore spot. If 162 new municipalities aren't speaking for rural Manitoba then who in the hell is?

The other thing, the opposition I have to be critical of. I think again the media and the opposition have really played this up and I say when it gets to be emotional, it's an emotion out there. It is something that people see and it's very hard to put your finger on. It gets emotional and this is the sort of thing I'm fighting here.

The third is, I have forgotten it right now. I did have three of them. Well, the media and the opposition really. I understand the Feds are getting into it now and I don't like see this. I think we all lose by this sort of game and that is what it's becoming. I'm sorry if I'm speaking my mind, but that's how I feel, fellows. I think we all lose by it.

HON. A. ADAM: Mr. Van De Poele, you mentioned that there were 125 resolutions that came forward; that these resolutions all came out en masse it appears voluntarily or spontaneously or was there a request from the executive bringing to their attention the agreement that was being proposed? How did these resolutions get started and do you have the wording?

MR. J. VAN DE POELE: I think there was request that went out from the head office that municipalities take a stand on this one way or the other. I think that was the only request that was ever made and that municipalities let it be known where they stood. And that went out to the 162 municipalities, all municipalities.

HON. A. ADAM: So then to follow that up, Mr. Chairman, what Mr. Van De Poele is saying is that the resolutions did not come from the municipalities and may never have come forward . . .

MR. J. VAN DE POELE: No, they came from the municipalities.

HON. A. ADAM: Have they not been requested to deal with this question from the executive? Do you have the wording with you or from memory of how the question was posed to the municipalities to bring it to their attention? What was the wording?

MR. J. VAN DE POELE: The wording was, where do you sit on it? That's basically what the wording was, and I think that's fair ball. I will defend that. If we are going to speak to government, and as you know we meet Cabinet and the government every year, and we meet the opposition also, then if we're going to speak to them we have to know where the municipalities, what they're thinking. It was a simple request. Where do you sit on this, on the amendments and the whole idea of a bilingual province.

HON. A. ADAMS: Did the advice from the executive say or indicate that Manitoba is going to be declared, and I'm paraphrasing now, the government wants to declare Manitoba a bilingual province? Am I accurate in paraphrasing that closely? They wanted an opinion on that statement. Is that a close paraphrasing of what was in the advice to the municipalities?

MR. J. VAN DE POELE: I don't, in fact, want to comment on it. I can see your point, Mr. Adam, as Minister of Municipal Affairs that you would want to clear that up, but at the same time I said to you that I was speaking as probably just personal opinion. To speak for the whole executive and answer some of your questions on it would be rather premature, I think, on my part to do so.

As I see it, and I'll stand by this, it was a simple request to municipalities to say, where do you sit on

this whole thing. To this bilingual province part of it, I'm going to stay away from it completely.

HON. A. ADAM: I don't want to press this further. I do have a copy of the letter that went out, as Mr. Van De Poele would know, but I just want to ask one last question. Do you believe that the agreement that's being dealt with at the present time declares Manitoba a bilingual province in your opinion?

MR. J. VAN DE POELE: I don't know really, Mr. Adam, what you're getting at. In many ways, Section 23.1 says that we shall deal equally in French and English. To me, that is being a bilingual province. I said, to me, you realize.

HON. A. ADAM: That, of course, restricts only to the courts and those limited services provided.

MR. J. VAN DE POELE: That's right, and I appreciate the fact that one of the amendments is going to be that municipalities and school boards will not be obliged to - and it's spelled out quite specifically. I think that is right. I could see the added costs there as possibly something to deal with on the local level, and probably not made use of that much. I think common sense told you that where there is a request to do so, that's fine. I'm sure most of the municipalities, like I say, who haven't made a stand on this will oblige. I know our municipality feels there is no problem in providing French services. That isn't the point.

The point, I think maybe we're a little worried about, and I can't speak for my municipality because I haven't really had the authorization to do so, but I say the feeling I have is like many other municipalities, what we have said is we'll oblige as far as what makes common sense. Gentlemen, I think that is fair ball.

HON. A. ADAM: Thank you.

MR. CHAIRMAN: Thank you, Mr. Adam.
Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. Through you to Reeve Van De Poele, I would first of all like to thank you for coming forward and making your presentation. I realize it's not an easy situation for you where you have 43 percent of the people within this municipality of French-speaking origin. I sympathize with you very much, because I don't have that high a constituency that I represent, I have 17 percent, but still that's a very important number. To me, each and everyone of them is very important.

If you have that high a percentage of French-speaking people within your municipality, are you providing any French services at the present time within your offices at the municipality?

MR. J. VAN DE POELE: Well I think all along we have provided - it depends what you mean by French services. I think all along we have. I think we've gradually crept away from it. I think at one time, if you will recall not too long ago, all council meetings in the R.M. of Ste. Rose were in French. We sort of got away from that in the last few years because of again, the elections.

A number of people couldn't speak French, and we've got away from that.

I think and I still maintain that if a French-speaking person walked into the office and wanted to know some information, we don't make our Minutes in French but, no problem. I see no problem in doing that if there should be a request. Up to now, I haven't had one phone call or anyone speaking to me and saying, we want this. I think common sense and the people out there have said, well look, we can read English and no problem. Until somebody says, we demand it - we are servants of the people. I think with the numbers that you have mentioned and I have mentioned, I think this would be only right that we would provide this. No problems. We can provide it. We have staff that can do this. It would be a little bit of a problem, but we can provide it. If it's something that the people of this municipality are going to insist on, then it's something that the council of the R.M. of Ste. Rose will have to provide. I have no bones about that at all. I hope somebody out there doesn't misread that because, if that is the wish of the people and a good majority of them, then it makes common sense to do it.

Up to this point, probably it doesn't make common sense because it would be a duplication and it would be part of the taxpayers' money. God knows that our taxes are high enough. It all costs money to provide extra services.

MR. A. BROWN: You were critical of the government for not having consulted with the municipalities and with the people of this province before they arrived at this agreement. You were critical of the opposition who you feel have made too much of this particular thing. Really that is the position of the opposition, that we really had no idea of what kind of an agreement was being arrived at. When the agreement was reached - I believe that both the government and the opposition - there is no disagreement as to the amount of French which we feel ought to be taught in Manitoba at the present time or which ought to be used. There is no disagreement there.

However, we see some problems coming forward and I just want to find out from you whether these are the same concerns that you have, first of all that the language is going to be entrenched, that's part of the agreement. Entrenchment really means that you then hand over all authority to the Supreme Court. They will be the ones making the decisions.

Now the resolution says that if there is going to be significant demand, then services will have to be provided in French. Now we are concerned about the "significant." What is "significant"? Is this 50 percent? Is this 40 percent or is this 1 percent, as we already have heard from some presentations? If there is only one person, that already means significant demand. Is this one of your concerns?

MR. J. VAN DE POELE: It's very much a concern of mine, Mr. Brown. I still feel that the 94 percent out there, anyone of those other people can also take you to court. It's open to them too. It's a free country. I think through the court system, bypassing any constitution changes or anything, I think those people can demand certain services. This is what worries me

as far as - I think we're very proud as Manitobans and we're very proud as Canadians that we have this sort of ethnicity - if that is a word - and I think all of us are very proud of our heritage and all of us are very proud of how we get along, but at the same time, like you said, one person can feel very uptight about it and demand certain services. That's when I start trying to read between the lines. Is it fair to the other 99 percent? This is what I sort of feel bad about.

Now it doesn't matter which side of the fence you're sitting on. I think it is wide open to anybody to say, we can do this, we want these kinds of services too. If I was Greek or I was Italian or I was Ukrainian, then I could say, look it, I demand this too. I sort of see in this maybe the thin edge of the wedge, and I have to summarize again and say that in Western Canada, maybe we just think a little different. I don't know. I think when you get west of the Manitoba border, I kind of wonder, openly, if we shouldn't be looking at this just a little bit differently.

I'm not opposed to anyone having a fair chance. I realize anybody of French origin, who has the linguistic skill and the education - and I compliment both governments on the immersion program you have provided. I really do. I think you've done an excellent job. But I sort of wonder if we can go too far in the other area. I'm sorry, but I feel strongly about this. I kind of wonder if it isn't the thin edge of the wedge where other ethnic groups can demand the same.

I look at countries. I look at the TV last night, and a country like Lebanon who has 16 factions in there, and I doubt if they'll ever get their heads together and come up with something that makes sense. I kind of wonder if we're not headed in the same direction. If all these other ethnic groups demand the same services and the same as the French people, then I can assure you it's the thin edge of the wedge.

MR. A. BROWN: Thank you.

MR. CHAIRMAN: Thank you, Mr. Brown. Further questions from members of the Committee? Seeing none, Reeve Van De Poele, thank you very much for appearing here this morning.

Next on my list is Manitoba 23. I don't have a name though. Is there anyone here from Manitoba 23?

Next on my list, Mayor René Maillard, Village of Ste. Rose du Lac. Mayor Maillard.

Reeve Kurt W. Schmidt, R.M. of Glenella. Reeve Schmidt, please.

Adeline Furkalo. Ms. Furkalo, please.

MS. A. FURKALO: Mr. Chairman, honourable members of the committee, ladies and gentlemen, I came here as a concerned citizen to express my views and not to debate this language issue. This language issue is something like a game of checkers, we have to compromise.

I am in agreement with the Provincial Government in regards to the French Language Services. By entering into the agreement on a voluntary basis, federal funding being provided, and only 500 or the 4,400 statutes that require to be translated within 10 years, I think anyone would be foolish not to accept this deal. It makes a lot of common sense to me to accept the proposal

since Manitoba is obligated to provide these services anyway.

When Manitoba entered Confederation under the provisional government of Louis Riel in 1870, the majority of the population spoke French and English. Therefore, it was a natural reason to make Manitoba bilingual in those two languages. It is also necessary to leave it so in order that the non-French-speaking in Quebec have the same language privileges as the rest of Canada.

No one in 1870 had the foresight to foresee the great European immigration that would take place in the 1800's. These people were very instrumental in developing the agricultural sector of our province, as well as industrial and professional aspect. Most of them were put on very marginal land and since they had little or no money, they survived the best they could at the time. These people at least deserve to have their culture and their heritage recognized. To achieve this kind of recognition, I would like to make the following amendment to the language act entrenched into the Constitution.

It reads as such: "THAT all ethnic languages be given unofficial status such as our present government is currently providing as the need arises." I am referring to the bilingual studies in the schools on a 50 percent basis. These would greatly enhance our mosaic and create harmony amongst all cultures. It is far more interesting and productive to learn about another culture than it is to suppress it. These kinds of services also create additional job opportunities and broaden the tourist trade.

It is equally important that these amendments are entrenched into the Charter of Rights in order to give every Manitoba citizen protection from being persecuted and discriminated against simply because they choose to speak to anyone in their own mother tongue. I'll give you an example of what could happen.

As recent as 1951 in grade school that I attended, I was personally persecuted for speaking to another student in my own mother tongue. The penalty I received was such, I must never speak Ukrainian in school ever again. I had to write 100 lines. To me, that has stayed with me.

MR. DEPUTY CHAIRMAN, P. EYLER: Thank you, Ms. Furkalo. Are there any questions?
Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. Ms. Furkalo, have you seen the proposed amendment, 23.9. I haven't got a copy in front of me, unfortunately. I just wanted to ask you whether you - I'll read it to you.

It states - this was not in the original proposed amendment, but it was presented to the committee and read at the first hearing by the Attorney-General on September 6th. It's taken practically word for word from a provision which is in the Charter of Rights. It states: "Nothing in Section 23 and 23.7 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this amendment with respect to any language that is not English or French."

I know you perhaps have not seen this, and I'm just wondering if that is the provision that covers the concern that you have raised.

MS. A. FURKALO: I believe it is. I was not aware, but at the time it was in a school district where there was no other language in there except Ukrainian, and this teacher, I was under the impression all my life up until now, that somehow he was influenced by his educational system higher up to put this kind of pressure on the people there. And if it has answered my question now, I thank you very much for it.

MR. CHAIRMAN, A. ANSTETT: Any further questions from Ms. Furkalo? Seeing none, thank you very much for appearing here today.

MS. A. FURKALO: Thank you.

MR. CHAIRMAN: Mr. Marvin Prochyshyn, Ukrainian Folk Arts Centre. Is Mr. Prochyshyn here? Adeline Ouimet. Mrs. Ouimet? Geannine Archambault, Ste. Rose Cultural Committee. Mrs. Archambault please. Maurice Maguet. André Saquet.

MR. A. SAQUET: Monsieur le Président, membres du comité. Je dois tout d'abord m'excuser d'un retard. J'aimerais poser une question, droit au début, à Monsieur le Président, si il est possible? Monsieur le Président, pourquoi n'y a-t-il pas de traduction en français?

MR. CHAIRMAN: Mr. Saquet, I have to apologize that I cannot answer your question in French, but what I can tell you is that until this time there had been no request to the committee for translation in French. That is something that could be provided, perhaps that is something that will flow from these amendments if they are passed, the availability of translation services will become more widespread. But, at the present time, this is the first time that we have held committees throughout the province at which translation has been available. In the past, it has only been available in Winnipeg, when it has been made available. So it's a start in the direction in which I think your question urges us, but it may only be a small step.

MR. A. SAQUET: Merci. Je supporte l'accord sur "l'Article 23" du 17 mai 1983 tel que conçu entre la Société franco-manitobaine, le gouvernement du Canada et le gouvernement du Manitoba.

J'ose espérer que la Providence éclairera nos dirigeants, afin qu'ils retrouvent leurs sens de justice qu'ils ont témoigné le 17 mai 1983.

Remarquez que je dis "JUSTICE" et non pas courtoisie.

Merci.

MR. CHAIRMAN: Thank you Mr. Saquet. Questions for Mr. Saquet from members of the Committee.

MR. A. SAQUET: Monsieur le Président, s'il m'est permis, à ce moment ici, je ne désire pas répondre à aucune question, car l'heure avance et il y en a beaucoup en arrière encore à présenter leur bref. Donc, conséquemment, je ne désire pas répondre à aucune question, mais je serai . . . il me serait possible de répondre peut-être.

MR. CHAIRMAN: Thank you very much for presenting your brief, Mr. Saquet.

Order please. I realize that members of the Gallery may appreciate particular presentations, but displays are not normally permitted in the Gallery of the Assembly or its Committees.

Reeve Bjarni Sigurdson, Local Government District of Alonsa. Reeve Sigurdson, please.

MR. B. SIGURDSON: Mr. Chairman, Members of the Board, I wish to address the matter of the Provincial Government plan to adopt the legislation making the Province of Manitoba a bilingual province.

It is my opinion, and also the opinion of my LGD of Alonsa that such legislation is not necessary in this province. There is no argument that minority groups should be protected and have the freedom to practice their customs and speak another language if they choose, so long as those customs are not contrary to the laws of our land. However, there is a difference in the minority groups having the freedom to practice their customs and speak another language and the government entrenching the rights of one minority group through legislation. Is the Government of Manitoba prepared to live with the fact that it is allowing one minority group the power to rule the majority and to make the majority pay for the unneeded privileges of a few?

So far I have heard of a few who are in favour of the government's position on this legislation, which will entrench French Language Services in our province. A news release in the Winnipeg Free Press indicates that a survey of Elmwood in Winnipeg found that 93.3 percent of the people were opposed to the bilingual legislation. I am sure that a similar survey of the province would find well over half of our population opposed to the legislation. It would therefore seem to me that this legislation, if adopted, would not enhance the present government's position at the polls when the next election is called.

It is also my Council's opinion that such legislation is not needed, but too costly for the taxpayers of Manitoba. Why should all the other minority groups pay for the cost of entrenchment of the rights of one minority group? Or is the government prepared to entrench the rights of the Ukrainian, the Polish, the Swedish, the Icelandic, the German, the Indian, and the many other minority groups that make up our population? And, if not, why not? If not, we believe this is clearly a case of discrimination against the other minority groups of our Manitoba population.

The United States of America, made up of hundreds of thousands of people from different ethnic backgrounds, have existed for over 200 years as a nation, and they have done so with one language - English. They have seen no need to be bilingual. It is our hope that the Government of Manitoba will see fit to follow the good example.

Thank you.

MR. CHAIRMAN: Thank you Reeve Sigurdson. Are there any questions for Reeve Sigurdson from members of the committee?

Mr. Ashton.

MR. S. ASHTON: Thank you, Mr. Chairman. In this second paragraph of your brief you say that you have

no argument that minority groups would be protected and have the freedom to practice their customs and speak another language, so long as these customs are not contrary to the laws of the land. Are you not aware that in Manitoba the 1870 Manitoba Act specifically stated that two languages could be used in Manitoba, both French and English?

MR. B. SIGURDSON: Yes, I am aware of that and we have lived since 1887 with English only; and why do we have to make an entrenchment at this time at the cost of our taxpayers? How many courts has been upheld, other than one in St. Boniface - well I guess it's finally through the courts now - that's the only one that I was aware of that the guy specifically stated he wanted his case heard in French.

MR. S. ASHTON: Well, are you not aware that the challenge which resulted in the 1979 Forest case was based on the fact that that 1890 law was unconstitutional and illegal, and that was upheld in the Supreme Court?

MR. B. SIGURDSON: I am aware of that.

MR. S. ASHTON: But going outside of the legal situation, because I am not a lawyer, and I am sure most people here aren't . . .

MR. B. SIGURDSON: I'm not either.

MR. S. ASHTON: . . . I'm just wondering how you would say we should follow the things in Quebec, for example; in Quebec the majority of people are French-speaking. Would you say there, because the majority is French-speaking, there should only be French services and no English services; or would you feel that perhaps there isn't room for English services for English-speaking people in Quebec?

MR. B. SIGURDSON: I'm not totally up on the issue in Quebec. I believe that each individual group should be able to practice their own language and should not be able to require services to a certain extent but not that's going to be extremely costly to the province or to the taxpayers of the province.

MR. S. ASHTON: So in Quebec you don't think that 17 percent of the population, which is English, should ask for English services?

MR. B. SIGURDSON: Well, like I said I'm not up on - I don't know the percentage that's in Quebec at this time. I could have studied up and found out but I wasn't prepared to come and answer questions on Quebec. But anyway, I would say that their rights are exactly the same as the Ukrainian, as the Polish, or anything in the Province of Manitoba. If we entrench French only, then we are jeopardizing these other bilingual people that would require assistance in their own mother tongue at certain hearings or whatever.

MR. S. ASHTON: But don't you feel . . .

MR. CHAIRMAN: Order please. Mr. Ashton, I would point out that questions are to be for clarification of the contents of the brief.

MR. S. ASHTON: In your brief you made reference to other minority groups. Don't you feel that by protecting the rights of one minority, you protect the rights of others? I know a lady previously, from Ukrainian background, felt that this was the case and we've had other people say the same thing. You disagree with that? You think the minority groups are separate or don't you feel that by protecting one's rights you protect all of them?

MR. B. SIGURDSON: My LGD is made up of many ethnic groups and if I have to provide, or my staff would have to provide services for each one, I don't know if we could find a unilingual person that would qualify. Less than 1 percent of my municipality is French, and yet if one person of that 1 percent would ask, we would have to let one employee go or teach an employee, in order to speak French, to apply to this one person or 1 percent or whatever you want to call it.

MR. S. ASHTON: One final question, Mr. Chairman. So basically then you don't feel that anybody should be required in Manitoba to provide any French services. The opposition, for example, say they're in favour of French services but not entrenchment, but you're basically saying you don't feel there should be French services?

MR. B. SIGURDSON: If you go to the first paragraph or the second paragraph of my brief, it says in there that each minority group should be protected to have a freedom of practising their own customs.

MR. S. ASHTON: But not services in that language?

MR. B. SIGURDSON: Not when it costs a whole - in our case it could cost us a large amount of money because we would have to accommodate 1 percent of our municipality. We would have to make our total bills, tax bills, our briefs, our Minutes, would all have to be written in two languages, if it's entrenched by the government. Right now if an individual group wants to come in, maybe we could find a neighbour across the street that could translate Ukrainian to English, or whatever.

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

MR. G. LECUYER: Thank you, Mr. Chairman. I don't know if you are aware and I don't know if you grasped the point that Mr. Ashton was trying to make, that currently in the law there are two languages that are recognized in Manitoba under The Manitoba Act, not just the one but the two languages that are entrenched since 1870 and they were reconfirmed in the Supreme Court decision of 1979. You understand that?

MR. B. SIGURDSON: Yes, I understand that, but what I'm pointing out is since 1887 or 1878, those years you gave me, we have lived up to 1979 with only one person ever challenging it. Why couldn't we continue doing the same thing? Because when we have to interpret our laws, now whether it's only 400 pieces of law out of 10,000, it's a burden on our taxpayers and you know yourself, sitting in the government, that we are in no

position to waste more monies than we have been. We're sitting at a spot now where I'll never live to get out of a deficit and all we're doing is creating more by rewriting. Because if I was to ask for my tax bills written in two languages, you think they're going to print it for the same cost as one? It's going to double my cost and the only way I can justify that, I have to go back to my taxpayers and my taxpayers, as well as anybody else in the rest of the province, we cannot afford more taxes. It's as simple as that.

MR. G. LECUYER: Well you see, you recognize that but what you're saying, Mr. Sigurdson, is that from 1890 to 1979, the law was broken and what you're saying it should continue to be broken.

MR. B. SIGURDSON: Maybe we were wrong in 1897.

MR. G. LECUYER: In 1870?

MR. B. SIGURDSON: In 1870. We can't tell now, you can't tell and neither can I, maybe it was a wrong decision at that time.

MR. G. LECUYER: Mr. Sigurdson, what you have to remember is that when this was passed in 1870 this was the act that made for the entry of Manitoba into Confederation. At the time, as was mentioned in a previous brief this morning, in actual fact and if you saw the program last night on 24 Hours - and I don't want to detract from your presentation - but it was clearly a historical fact that the two linguistic groups in Manitoba were about equally divided with a small majority of them being French and those were the conditions under which Manitoba entered Confederation and that was the law. The fact that it was broken in 1890 to 1979 was pronounced illegal and reconfirmed as the law in 1979 and I'm just wondering if you're suggesting perhaps that we should ignore that law?

MR. B. SIGURDSON: Actually I'm giving you my version of the LGD of Alonsa, okay? Now if you say we were breaking the law since 1870, I can't argue with you there because I'm not a lawyer, so I can't argue with you that we were or we weren't. But we have lived, since that time until 1979 with was only one complaint, so I'm saying who are we pulling for? Are we going to pull for the majority or are we pulling for a minority? In which case, if you want to go to percentage across the total province, I can't give you the figure, but Ste. Rose has got 43 which is probably the highest of any municipality in this - it's not - I see Pete shaking his head, that's why I wondered? But anyway my municipality has got less than 1 percent.

MR. G. LECUYER: Mr. Sigurdson, I don't want to really embarrass you or anything but you leave me very concerned. For one thing I have a feeling that there are aspects of the amendment that you do not understand, first of all the . . .

MR. B. SIGURDSON: Well the last amendment I haven't seen.

MR. G. LECUYER: No, perhaps. But the fact that the amendments are not intended to compel municipalities,

for instance to provide bilingual taxation bills or any other services, the municipalities will be left free to opt in this kind of an amendment or not and there is provision in the amendments to do so.

But I also want to correct one of the statements you make, by stating by automatically providing a tax bill on which two languages appear that it doubles the cost. This kind of misinformation, I think, should not go on the record.

But I would like to lead to one further comment that you state in your brief. You say, is the Government of Manitoba prepared to live with the fact that it is allowing one minority group the power to rule the majority and to make the majority pay for the unneeded privileges of a few. That leaves me very worried, because if I'm understanding this correctly what you are saying is that our Charter of Rights should not ever have been adopted or that only the majority should have rights. My understanding of it is, you're saying that all fundamental rights should only be guaranteed to the majority and therefore we could have tyranny of the majority.

MR. B. SIGURDSON: In my brief it doesn't say that.

MR. G. LECUYER: Well, I just read your sentence.

MR. B. SIGURDSON: Well, if you go back into it, it says that the rights of one minority group should be legislated. If it's legislated, therefore the majority has to pay, me and the rest of all the ethnic groups in the Province of Manitoba, whether they be Indian, Metis or whatever. Now that's my version of it. If you get another version of it, I guess that's your . . .

MR. CHAIRMAN: I would caution members of the Committee that questions are for clarification of the brief and it's not intended that members should engage in debate with witnesses before the Committee. Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. But by the same token, Mr. Sigurdson, if, as is the case, both languages were recognized in 1870 and reaffirmed in 1979, the majority is not paying for services or language rights to the minority; it's also paying for the rights that it's getting and the minority, would you not agree, Mr. Sigurdson, is also paying for the services to the majority?

MR. B. SIGURDSON: I agree. We all have to pay it, so whether you're a minority or whether the English is the majority, the predominant language, we're all paying for it.

MR. CHAIRMAN: Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Thank you, Mr. Chairman. I would just like to clarify the understanding that Mr. Sigurdson has in preparing his brief; can you confirm that you have received a letter from either the Union of Manitoba Municipalities or from the Province of Manitoba that indicated that you would be required to provide French Language Services?

MR. B. SIGURDSON: We have a letter asking us to put in a resolution, whether you're in favour or against,

but no, it was one of the things - I didn't bring my notes since last June's meeting in Dauphin, but it was then when Mr. Adam was presenting it to us, there was an indication at that time that that would be - now that's before the last amendments that you guys made. That was at the first when it was brought out that we could be compelled to provide services in French.

HON. J. BUCKLASCHUK: Yes, I believe the original proposal had indicated that there was some 30 or so municipalities in Manitoba where French Language Services could be offered if that was the wish of the local jurisdiction. I'm just trying to, again, have your confirmation that somewhere along the way you've been led to believe that all municipalities would be required to provide those services.

MR. B. SIGURDSON: Well, when you have some French-speaking people in your municipality, according to the first phrasing and my interpretation of the phrasings, it means that if one person or 1 percent would require it, then we have to provide.

HON. J. BUCKLASCHUK: I presume this brief has been prepared in the last couple of weeks or certainly since the recess of the House.

MR. B. SIGURDSON: The last three days.

HON. J. BUCKLASCHUK: Okay. During the Session, the Premier had stated quite clearly in the House that we would be bringing in a proposed amendment to Committee that the French Language Services would not necessarily be a requirement for municipalities or school boards. That was also, I believe, communicated to every municipality and L.G.D. in Manitoba by letter from the Premier.

MR. B. SIGURDSON: Not as of last Wednesday.

HON. J. BUCKLASCHUK: Pardon me?

MR. B. SIGURDSON: Not as of Wednesday. I had heard it through the media. Maybe I'm out of order, but I had heard it through the media, but that was the only way I've heard it. Sometimes, as you're well aware of, we're misled by both.

HON. J. BUCKLASCHUK: Well, just on that, I presume there must be a problem in the post office system or at the municipal office, because I believe the letters were sent some two weeks ago or so. That's when I received my copy of the copies that were sent.

MR. B. SIGURDSON: Well, we had our meeting on Wednesday and we had no letter in that regard.

MR. CHAIRMAN: Further questions? Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Well, now that we have raised this proposed amendment 23.7(1) which indicates that the amendment would not include any municipalities or school boards, do you feel somewhat more comfortable with that or does your opposition to

providing French Language Services, where requested, still stand?

MR. B. SIGURDSON: Well, I would like to read that before I comment on it.

HON. J. BUCKLASCHUK: Thank you.

MR. CHAIRMAN: Reeve Sigurdson, I would advise that copies of the amendment are available on the table at the door if you wish to have a look at it after your presentation.

Any further questions for Reeve Sigurdson from members of the committee? Mr. Scott.

MR. D. SCOTT: Thank you, Mr. Chairman. Through you to Mr. Sigurdson, Mr. Sigurdson what happens when constitutions are not obeyed in the country, if the government just at will with the majority of the people, so-called popularly behind them, ignores the constitution requirements of a government? What happens if they just ignore that and go ahead and do their own thing?

MR. B. SIGURDSON: I would have you rephrase that please. I didn't hear it, not in total.

MR. D. SCOTT: Okay. A constitution is the basis of law and the basis of government which a country has to govern itself with. What happens when articles or parts of a constitution are ignored by a government and the government, and especially where it's protecting rights of groups within society or even basic parts of a government or how a government is required to have elections and that sort of thing, what happens if a government chooses to ignore its constitution?

MR. B. SIGURDSON: I'm not sure. I would hesitate to answer that one, because when you start talking of a Constitution, I haven't read the total Constitution, I haven't read your total stance, so I'd hesitate to answer that.

MR. D. SCOTT: You state at the bottom of the third paragraph that it would not be politically wise for the government to proceed. Should a government interpret its constitution by what is popular of the day, as far as recognition of what rights are within a constitution and ignore those that are politically unpopular?

MR. B. SIGURDSON: Well, what I was trying to point out there is that there had been, when you first approached the thing before it was even brought into the House, that there was enough opposing the amendment and that was where I thought that your popularity was being stained by pursuing it when there was a chance that maybe at that time you could have backed out honourably.

MR. D. SCOTT: So, what you are saying is that if a government acts to protect a right that citizens have or a right of process by the constitution, if that is unpopular at the time, then the government should back away and ignore it?

MR. B. SIGURDSON: Well, I'm saying we're dealing again with minorities. We're talking of minorities,

realizing that French is a minority and so is all the other languages in there. Let's consider the other minorities as well as one.

MR. D. SCOTT: Given that French is already included in our Constitution, as what would be interpreted as an official language, as a language of a Legislature and the courts, and not knowing of any country, especially in the Western World, or at least in the Western World, where a language is a language of a Legislature and the courts and is not an official language, is your municipality, then, suggesting that we should amend Section 23 and do away with the French linguistic rights in Manitoba?

MR. B. SIGURDSON: In my first paragraph, actually first after the opening, it says that everybody should be able to practice.

MR. D. SCOTT: But, Reeve Sigurdson, unfortunately there are two languages that are recognized as languages of Manitoba officially, and they are the English language and the French language, and they have been ever since the province was created, and the province would never have been created, if you go back and look at history at that time, without that provision. As a matter of fact, the first Legislature was comprised of 12 English and 12 French constituencies and they appointed a Lieutenant-Governor who was bilingual, and he was about the only civil servant of the era.

Recognizing that there are the two official languages in this province, should we then turn around now and continue, contrary to what the federal court, the Supreme Court of Canada, has just ruled three years ago, in 1979, that we have to restore the original Manitoba Act and conduct our activities according to that Act?

MR. B. SIGURDSON: Why are we debating this at this time if this is definitely an official province with two, why do we even both going through these hearings? Maybe I'm sounding like I'm attacking or whatever, but I think then we're going through a process that is not needed. My understanding was when these hearings were set up that you guys were open to listen to both sides. Now I presented the brief of my municipality, and yet, I'm being told by you people that we are automatically, since 1870, that we are a unilingual province, French and English both. Why are we going through this process?

MR. D. SCOTT: A final question. If there was a Supreme Court ruling, be it on the Bilodeau case, or subsequent cases, ordering all government jurisdictions right across the board in Manitoba to provide virtually all its services in both languages, instead of where significant demand, as we are trying to make modifications to a constitutional provision right now, that your municipality would accept that?

MR. B. SIGURDSON: Well, like I said, I'd like to see the release, I'd like to read the release before I comment on that. I told Mr. Bucklaschuk the same thing.

MR. D. SCOTT: Thank you.

MR. CHAIRMAN: Any further questions by members of the committee for Reeve Sigurdson?

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, through you to Reeve Sigurdson, and it follows, I guess, questions put by Mr. Bucklaschuk. I presume in the carrying out of municipal duties that you do get advice from time to time from more than one organization. I understand you have received a request from the Union of Manitoba Municipalities to indicate your points of view on this issue; is that right?

MR. B. SIGURDSON: Yes, and that came out from the district meetings in June which were held throughout the province, I think, in seven different locations in the province, where the Minister of Municipal Affairs presented the case, and the discussion at those meetings was that there be taken a resolution and formulated and sent back to the Government of the Day. That was when we were made aware of what was happening. In fact, I think it was just the beginning of June that they approached the Federal Government to make this move.

MR. H. GRAHAM: A further question. Have you had any correspondence from the Minister of Municipal Affairs, who is basically your leader in this whole thing, from his office, since those regional meetings?

MR. B. SIGURDSON: I can't recall of any right now, seemingly there was supposed to have been a change that was in the mail and, like I say, as of Wednesday I hadn't received it.

MR. H. GRAHAM: Thank you.

MR. CHAIRMAN: Thank you, Mr. Graham. Further questions?

Mr. Adam.

HON. A. ADAM: Yes, on a point of order.

MR. CHAIRMAN: Mr. Adam on a point of order.

HON. A. ADAM: A point of privilege. The district meetings were called by the Union of Manitoba Municipalities. My presentation did not deal with the providing of French Language Services. My address to the municipality dealt with municipal affairs only. I responded to questions that came from the floor on any particular subject, but it is not tradition that the Minister of Municipal Affairs uses, in his text, programs that are under the responsibility of another Minister. At no time did I organize or request a response.

MR. CHAIRMAN: Order please. That's neither a point of order, nor a point of privilege, but I do thank the Minister for his clarification of that question.

Are there any further questions for the Reeve? Seeing none, Reeve Sigurdson thank you to you and your Council for making a presentation here today.

MR. B. SIGURDSON: Thank you.

MR. CHAIRMAN: Next on our list is Mr. Daniel Boucher, Société Franco-Manitobaine. Please proceed.

MR. D. BOUCHER: Je suis Daniel Boucher, membre du conseil d'administration de la Société franco-manitobaine. Comme représentant de la official communauté francophone, la Société franco-manitobaine est le porte-parole de tous ces gens qui ont choisi de demeurer francophone au Manitoba, francophone par la langue et par la culture.

Il y a plus d'une année que l'Honorable Monsieur Penner, procureur général du Manitoba, a approché la Société franco-manitobaine pour amorcer des négociations relativement à l'article 23 de l'Acte du Manitoba. Onze mois de négociations ardues suivirent. Je vous épargne le récit des innombrables événements et péripéties qui ont marqué ces négociations. Toutefois, permettez-moi, Monsieur le président, d'illustrer l'esprit avec lequel la Société franco-manitobaine a si longtemps délibéré dans ces négociations. Tout au long des pourparlers, la Société franco-manitobaine a axé ses interventions sur un principe d'honnêteté et d'intégrité. Nous nous sommes toujours efforcés de demeurer à l'intérieur des cadres diplomatiques et professionnels.

Nos discussions ont toujours gravité autour d'un principe de base auquel nous attribuons une importance qu'autrui ne pourra jamais déloger de nos plus fermes convictions intérieures. Ce principe, Monsieur le président, est celui qui dicte: "Le français et l'anglais sont les langues officielles du Manitoba."

À partir de ce principe, nous avons négocié une entente que nous considérons très juste et très équitable autant pour notre communauté que pour la population entière du Manitoba. L'entente restituée à la communauté francophone du Manitoba le statut qui lui a été supprimé il y a plus de 90 ans par le geste unilatéral et anti-constitutionnel du gouvernement de l'époque insensible à l'endroit de la minorité de langue française.

Il est déjà remarquable que nous sommes parvenus le 17 mai à une entente car nous croyons toujours fermement que jamais aucune entente, aussi généreuse soit-elle, pourra réparer 90 ans d'injustice. Mais voilà donc, Monsieur le président, l'illustration de notre bonne foi et de notre générosité exemplaire que nous souhaitons seront l'exemple à tous ceux qui auront à ce prononcer sur cette question. Étant donné cette attitude bienveillante dont nous avons témoigné, nous acceptons difficilement les propos de ceux qui se bornent à nous étiqueter de fanatiques en matière de langue.

Vous devez comprendre, Monsieur le président, notre surprise et notre stupéfaction à l'annonce du gouvernement le 6 septembre que certains amendements seraient apportés à l'entente conclue en bonne et due forme le 17 mai dernier. C'est même avec un sentiment de déception que nous avons constaté que le gouvernement avec lequel nous avions si longtemps négocié faisait volte-face sur cette question.

Aujourd'hui, l'entente négociée semble menacée. Cette menace est le résultat d'un courant de pressions politiques encrées sur des craintes sans fondement. Crainte de quoi, nous l'ignorons, Monsieur le président, car l'entente conclue n'enlève absolument rien à la majorité anglophone. Au contraire, elle met cette province à la fine pointe d'un mouvement vers la tolérance et le respect des droits fondamentaux. Le Manitoba s'inscrit donc parmi les provinces canadiennes les plus innovatrices et progressives.

Certains maintiennent que la partie de l'entente qui traite de service en français au public ne doit pas être enchâssée dans la constitution. Nous ne partageons évidemment pas cet avis car aujourd'hui l'entente entière est menacée, à savoir que certains osent vouloir diluer la clause 23.1 qui déclare l'anglais et le français comme étant les langues officielles du Manitoba. Comment peut-on croire avec certitude que des services offerts uniquement à base de courtoisie seront obtenus lorsque des pressions politiques bien orchestrées parviennent à faire remettre en question la clause 23.1 qui demeure la pierre angulaire de toutes ces négociations. Le passé récent nous indique la nature de cette soi-disant courtoisie qui n'équivaut qu'un minimum pour assurer la paix.

Nous sommes particulièrement attristés par les actions de tous ces individus qui incitent l'instabilité politique sur cette question au Manitoba. Ceci ne fait qu'aggraver une situation déjà alarmante. L'instabilité politique se reflète à travers l'opinion publique et alimente les craintes les plus naïves parmi la population. La décision finale risque d'être précipitée par cette surcharge d'émotion et de frénésie.

Or il nous semble que les représentants du gouvernement du Manitoba qui ont négocié l'entente conclue le 17 mai ont fait preuve d'une ouverture d'esprit et d'un certain degré de compréhension à l'égard de la minorité francophone. Les membres du caucus du gouvernement avaient sans doute aussi compris que leurs représentants avaient en effet négocié une entente juste car dans un premier temps ils ont entièrement appuyé le projet. Comment se fait-il que trois mois plus tard, les membres du caucus proposent des amendements qui viennent nettement diluer l'entente négociée par leur collègues? Et même avec de telles situations qui se produisent on ose questionner pourquoi la communauté veut faire enchâsser la question des services.

Étant donné que les amendements proposés par le gouvernement le 6 septembre sont sujet de discussions à ces audiences publiques, il est présentement difficile pour la communauté de prendre une décision finale sur la question. Nous considérons cependant que les négociations sont à nouveau ouvertes, mais nous sommes confiants que d'ici quelques semaines le gouvernement verra que les propos échangés lors de ces audiences publiques viennent corroborer l'entente conclue le 17 mai.

Monsieur le président, la communauté francophone veut garder l'approche honnête et intégrée à cette question. La patience que nous avons démontrée face à cette longue négociation mérite d'être soulignée. Il est à espérer qu'elle ne se dissipera pas à un moment où cela pourrait mettre en péril l'acquis, acquis qui a certes une valeur autant pour la communauté francophone que pour la population entière du Manitoba.

Monsieur le président, je suis venu vous livrer ces quelques paroles aujourd'hui, c'est parce que comme vous, je suis un élu et comme vous je ressens certaines responsabilités envers les gens de la communauté que je représente. Je crois partager les mêmes convictions et les mêmes désirs que la population francophone du Manitoba et donc, j'agis dans son meilleur intérêt. Il en vient donc à dire que ce que j'ai exprimé aujourd'hui est bel et bien au nom de la communauté. C'est dans cette optique que je souhaite mes paroles soient reçues.

Merci.

MR. CHAIRMAN: Thank you, Mr. Boucher. Questions for Mr. Boucher from members of the Committee.

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, through you to Mr. Boucher. In your last paragraph you say that like ourselves you are an elected representative. Could I indicate what district you represent?

MR. D. BOUCHER: I am a board member of the Société franco-manitobaine. I was elected at the annual meeting.

MR. H. GRAHAM: From the Société in general?

MR. D. BOUCHER: Yes.

MR. H. GRAHAM: Thank you.

MR. CHAIRMAN: Any further questions? Seeing none, Mr. Boucher thank you very much for your presentation here today.

MR. D. BOUCHER: Thank you.

MR. CHAIRMAN: Next on my list is Reeve Phillips from the Rural Municipality of Dauphin. Reeve Phillips please. Please proceed.

MR. R. PHILLIPS: Thank you Mr. Chairman.

Mr. Chairman, gentlemen of the Standing Committee on Privileges and Elections, thank you for the opportunity to present the views of the Council of the R.M. of Dauphin to this hearing on this very important issue.

It is not our intention to debate the legal issue of the use of French, or English, as it is laid out under the B.N.A. Act of 1867, The Manitoba Act of 1870 or The Officials Language Act of Manitoba of 1890, but rather to try to tell you the feelings of the rural people of our municipality.

As you are no doubt aware, the majority of our population is not of English ancestry, but comes from every country of Europe. And yet, today, everyone has been able to learn the English language. It is our belief that if given another few years there will be no one in all of Manitoba who will not be fluent in English, except perhaps for the newest immigrants that have arrived here. We cannot imagine why it is necessary to have our laws and acts and legal services described in two languages, have all bills such as tax notices, hydro bills, telephone bills forever in two languages.

Let us first consider the cost. This is a terrible load to place upon the people of Manitoba to basically service the whims of 6 or 7 percent of our population. Such an act will do more to harm unity within our province than anything since Confederation.

Also, let's consider our position in relation to the USA. Eighty percent of our people live within 100 miles of the largest English-speaking country in the world. We are subject to their radio and TV broadcasts, magazines and papers, all of which will be 100 percent in English. We are certain that anyone in Manitoba,

whether this act is forced on us or not, will be fluent in English. We are and always have been a free country and any ethnic group has the freedom to keep and teach their own culture, religion or language and this is as it should be. We do not feel that we need a second language legislated upon us. We know that the Government of Manitoba has been under pressure from the Federal Government because of the Constitution to amend certain acts. We expect the Government of Manitoba to do everything within its legal power to stop, hinder or slow down any entrenchment of a second language on the people of Manitoba.

MR. CHAIRMAN: Thank you, Reeve Phillips.

Questions for Reeve Phillips from members of the committee? Mr. Lecuyer.

MR. G. LECUYER: Thank you, Mr. Chairman. Mr. Phillips, just a couple of questions.

First of all, reading in the third last paragraph, you say, we do not feel that we need a second language legislated upon us, yet in the same vein earlier in your brief you seem to recognize that this was legislated and still has been reaffirmed in 1979. So, when you say that we do not need one legislated, it is already. Would you not agree?

MR. R. PHILLIPS: I agree it has been legislated upon us to a certain degree, but I also expect the Government of the Day, the people in my municipality expect the Government of the Day to do everything within its power to have that Constitution changed. It would seem from what information we're getting, this doesn't seem to be the line of attack. It seems that we're accepting it and we're going to reconfirm it. We have operated for almost 100 years contrary to the Constitution.

All I say to you is, gentlemen, perhaps, in another year or two, we can maybe by then have it changed. It's not needed. To me it seems such a waste of our energies to bring this in, to have the people - I can give you the example, if they want a job at the federal gate taking tickets where 100 percent of the people are going to be fluent in English, there might be one person who comes and speaks in French, and yet people are required to speak two languages. To a great many people, this is very offensive.

MR. G. LECUYER: Thank you, Mr. Chairman. I guess what I'm asking is, first of all, why is it offensive?

My second question is, am I correct in hearing you say that what you are asking is that the Government of Manitoba negotiate the removal of Article 23 from the Constitution?

MR. R. PHILLIPS: I would say that most people, and I can't say all of them, in my municipality feel that very strongly.

MR. G. LECUYER: Mr. Phillips, how do you propose this be done when it's only a few years back, in 1979, that the Supreme Court reaffirmed the constitutionality of Article 23 of The Manitoba Act?

MR. R. PHILLIPS: Anything that is written by man can be changed. I don't know the legal aspects of it. I don't

know how it should be approached. All I know is that the majority of the people in our area feel that a second language is not needed. These people have come from all over Europe. They spoke every language conceivable and they have learned to use a common language that is world-wide accepted. There is no need to have this brought in. If you wish to learn French, I have no objections to it at all. I have three grandchildren. They're all enrolled in complete French Immersion. This is wonderful, but it doesn't need to be legislated upon us to do this. If it's a good language, if it's a workable language, people will use it. If it isn't, it should not be legislated upon us.

MR. G. LECUYER: Well, I'll repeat the comment I made awhile ago. We are not legislating that upon anyone at the moment. That is the case as it stands now.

My last question to you is: would you say that there is value in being able to in itself, other than the pecuniary benefits that could be derived, is there not value in being able to speak one, two, three, or more languages and that is being done in many countries and many people in Manitoba speak, now, two or more languages or three languages, that there is value in retaining these languages?

MR. R. PHILLIPS: Yes, there is no question there is value in retaining these languages. There is also much more value in having one language that everyone in the country knows and understands and works and trades by. This is much more important.

If I may, Mr. Chairman, we talked about The Municipal Act a few minutes ago and the municipalities do have the right to legislate, but what happens in our northern districts where we're going to hold a meeting of the municipalities brought together, one of them is using French. We immediately have the problem that at our district meeting - and I know it's costly, you're looking at something like \$3,000 to \$4,000 to have translators come in and the microphones brought in. This, to any kind of a country, becomes a huge expense, an unnecessary expense, and these are the problems we see coming from the - I know it's already part of our heritage, part of our background to have French, but I'm basically begging you to do whatever you can as our government to lift this load from us, not to discriminate against anyone. If you, your children, your grandchildren wish to speak French, fine. It's wonderful. Learn two languages. But, basically, we need one language. That language is English because of the area that we live in. All of Western Canada is English, the United States.

Anywhere I go in the world I seem to find that English is the second language in that country. I was recently to Japan, the hotel, everyone in there spoke English. There was French, German, Italian. They're all doing their trading, but basically English was the language. All I say to you is we're very fortunate that our basic language is English. Let's maintain it and for goodness sakes let's not get ourselves caught up in a wave of trying to do more than we can afford to do by practising two languages.

MR. G. LECUYER: This will be my final question. Mr. Phillips, perhaps just a comment on the example you

chose, which in a municipal meeting where you would have to provide such a service as you just described would not be required by the amendment which excludes municipalities from doing so. But my last question really is this. You seem to indicate that in similarity or in parallel with the United States, only one language in this country should be officially recognized. I am just wondering how, through promoting this, you are going to at the same time keep this country together, and how do you propose to solve the problem that would present to Quebec if you want to keep the country together with one language legislated as official and recognized across the country?

MR. R. PHILLIPS: I realize that because of Quebec, there is a grave difficulty. I do not believe that the French people of Quebec are going to leave Canada. I honestly believe that within another 100 years, everyone within Quebec will be fluent in English, because it's an international language. If we can keep our cool and go at this thing slow and reasonable - and now this is going to sound like an Anglo-Saxon - eventually everyone will be using English as their basic language in Canada. If they wish to use it for nursery rhymes and talking to their children, I have no objection, but I cannot imagine why where we're living in an English-speaking world that we have to further entrench another language. I have no feelings towards any group in the world at all, but I don't think we in Manitoba need further entrenchment of a second language. I shouldn't use the term, me, I think my people in the Municipality of Dauphin feel very strongly this way.

MR. S. ASHTON: Mr. Chairman, in other words, you're saying that we should all speak English? You're saying that in Quebec, you feel the people there should speak English?

MR. R. PHILLIPS: I feel, eventually they all will. I am not saying that we can correct Quebec's situation tomorrow, but I have never found where two wrongs make a right. By trying to push French into Manitoba isn't going to help the situation in Quebec at all. It basically will not help it.

Those million-and-a-half English-speaking people in the Province of Quebec, the Italian immigrants that are coming in do not wish to speak French. They wish to speak English, because they know it's like having your right arm cut off if you go to leave the province. Where else do you go in Canada where you can use the language? I feel it's a disgrace really when a person is trained in a language that it's like cutting off his right arm when he goes anywhere else within this country. I'm sorry, Mr. Chairman . . .

MR. CHAIRMAN: No, that's fine.
Mr. Ashton.

MR. S. ASHTON: The reason I'm asking that is because in your brief, you're basically saying as I understand it that because more people speak English in Manitoba, we should have services only in English. But I'm wondering what you do in Quebec, because in Quebec 80 percent or 85 percent of the population is French. Are you then saying to the English-speaking people in

Quebec that they should have to speak French, because the majority is French? I mean, surely that's the same thing, isn't it?

MR. R. PHILLIPS: Basically not the same thing.

MR. S. ASHTON: Well, are the majority not French in Quebec?

MR. R. PHILLIPS: It might appear if you put it in those words it's the same, but it is not the same. The majority of the people that live in Quebec also live within 50 or 75 miles of a huge population of English-speaking people. Their radio, their TV, everything that is coming to us is in English. If the United States was speaking French, I would sit here today, and I can say this quite honestly, I would say to you, God bless you, let's get rid of English, and let's speak French. This is the international world language. Let's use it.

This isn't the case. We live along 250 million people to the south of us. We all live within a very few miles of their border, and we find ourselves trying to keep alive a second language that has no bearing in commerce or . . .

MR. S. ASHTON: For example, using your reasoning, the Dutch should speak German. I suppose the Poles should speak Russian. In fact, all of the Eastern European countries should speak Russian. I mean, don't you think that is pushing it a little bit too far?

MR. R. PHILLIPS: I am sure that if you were a Ukrainian living in the Ukraine at the present time, you would find that the school system is completely in Russian.

MR. S. ASHTON: But not in Poland.

MR. R. PHILLIPS: Poland is not yet a part of the USSR, but I'm sure if you lived in the Ukraine - and my wife is of Ukrainian descent and they have relatives there. Their total language taught in schools is now in Russian. Here again, an Anglo-Saxon, I think it's a real good idea. You don't need to split a nation by language.

MR. S. ASHTON: So in other words, you think that's right then . . .

MR. R. PHILLIPS: Absolutely.

MR. S. ASHTON: . . . for them to be forced to speak Russian. Well I guess that's where we disagree.

MR. CHAIRMAN: Further questions?
Mr. Scott.

MR. D. SCOTT: Thank you, Mr. Chairman. Through you, Mr. Chairman, to Reeve Phillips. I take it, what you are basically saying is that you, and you're speaking I guess on behalf of the people of your R.M., at least trying to put their views across, that you feel that we should have a goal of assimilation to the English language. That would also apply to assimilate the Quebec population as well.

MR. R. PHILLIPS: Yes. This is my exact feeling. Through assimilation, eventually we can heal all the problems.

MR. D. SCOTT: So you would agree then with Premier Rene Levesque that Francophones have no future outside of Quebec in Canada.

MR. R. PHILLIPS: The only thing I would change in that, they have no future in Quebec. Eventually the Quebec people will have to adopt to the English language.

MR. D. SCOTT: Following that . . .

MR. CHAIRMAN: Further questions, Mr. Scott?

MR. D. SCOTT: Yes, I have a couple more. Following that, you mention the United States and the dominance of the English population in the United States just beside us. Are you then saying or do you feel that people would rather join the United States than stay in Canada if Canada is to maintain itself as a bilingual nation?

MR. R. PHILLIPS: I'm not suggesting a political joining but I think, when we are subject to their economy as much as we are, we must speak their language. I think that's a must.

MR. D. SCOTT: With the changing world economics - and this isn't, I don't think, far-fetched at all when you look at the scenarios of future markets - the dominant markets for Canada in not the short distance future but the longer distance future, are probably going to be through the Third World and not just between ourselves and the States and Western Europe, but probably as we're building more and more with the far East and into China. Does that mean that we should speak Chinese to be able to deal, if our largest customer becomes China?

MR. CHAIRMAN: I think we're getting into rather extraneous questions here. Reeve Phillips, could you make your answer short, and I'll rule any further questions out of order if they go that far away?

MR. R. PHILLIPS: I'll make my answer short with a little story, if I may, Mr. Chairman. Seven or eight years ago, we had a union debate about what language would be spoken in our air over Canada. At that time, we had a strike. At the same time, and I am involved with the Hog Marketing Board of Manitoba, we had a group of people coming in from Japan. At that time, they had to fly into Minneapolis, and then we bussed them up to Winnipeg.

When they arrived, they were, of course, well aware of what strikes were and how they operated, but they

wondered what the strike was about. When we suggested to them that it was over what language would be spoken, they chuckled amongst themselves and they said, you know what language is spoken only over Tokyo's International Airport? English. Does that answer your question?

MR. D. SCOTT: One final point. You mentioned earlier both in your brief and in your commentary on regards to cost restraint, if a service to a minority costs money, then we should look at phasing it out. Is that actually what you said? Do you believe that if a Constitution requires services and those services, be they French language services, be they court services through habeas corpus or whatever else, if they become too onerous and are a constitutional requirement of a government or of a people, I should say of a nation, that we then start looking at ways to phase out the Constitution requirements of the country?

MR. R. PHILLIPS: This is very difficult to answer, as you are aware. If under the Constitution, I shouldn't say if, at the present time under the Constitution we are a bilingual province. Accepting that, I'm saying to you as our Government of the Day, I'm saying to you, the people of my area expect you to do everything within your power to not further entrench this second language but do everything within your power to, if you must change the Constitution, it's written by man, it can be changed by man. It's not the forever ever. This is the part that worries our people. Right now we have certain French services, fine. Let us do everything that we can to either eliminate or at least work with them as easily as possible. We got by very nicely for 100 years and I said in my brief, there was 7 or 8 percent of the people that were causing a problem. I would really, in my own feeling it's probably one-tenth of one percent of the population that is causing the problem.

MR. CHAIRMAN: Thank you. Any further questions by members of the committee?

Seeing none, Reeve Phillips, thank you to you and your council for having been here today and made the representation to the committee.

The normal hour of adjournment having arrived, the committee is adjourned and will stand adjourned until 2:00 o'clock this afternoon.

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