



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

**STANDING COMMITTEE**  
on  
**PRIVILEGES**  
and  
**ELECTIONS**

**31-32 Elizabeth II**

*Chairman*  
**Mr. A. Anstett**  
*Constituency of Springfield*



MG-8048

**VOL. XXXI No. 39 - 10:00 a.m., TUESDAY, 27 SEPTEMBER, 1983.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, Hon. A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Tirompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	NDP
<b>DOLIN, Hon. Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virden	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, Hon. John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SHERMAN, L.R. (Bud)</b>	Fort Garry	PC
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Hon. Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS**

**Tuesday, 27 September, 1983**

**TIME — 10:00 a.m.**

**LOCATION — Ste. Anne, Manitoba**

**CHAIRMAN — Mr. Andy Anstett (Springfield)**

**ATTENDANCE — QUORUM - 6**

*Members of the committee present:*

Hon. Messrs. Desjardins and Penner, Hon. Mrs. Smith

Messrs. Anstett, Banman, Brown, Eyler, Graham, Lecuyer and Scott

**WITNESSES:** Dr. F.P. Doyle, Private Citizen

Mr. René Vermette, Commission scolaire de la Rivière Rouge No. 17

Mr. Guy Lévesque, Private Citizen

Ms. Irène Lemoine, Comité de parents de l'école Pointe des Chênes

Mr. Roger Legal, Private Citizen

Mr. Louis Bernardin, Private Citizen

Mr. Paul Ruest, Private Citizen

Mr. Jean Detillieux, Private Citizen

Dr. G. Lemoine, Comité de parents des scouts et des guides de Ste. Anne

Mr. Tobie Perrin, Private Citizen

Reeve John Giesbrecht, R.M. of La Broquerie  
Councillor Gilbert Tétrault, R.M. of La Broquerie

Ms. Margaret Smith, Centre culturel corporatif de Ste. Anne

Reeve Carl Pitura, R.M. of Macdonald

**MATTERS UNDER DISCUSSION:**

Proposed resolution to amend Section 23 of The Manitoba Act

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**MR. CHAIRMAN:** The committee will come to order. Ladies and gentlemen, we have a quorum. The first item of business is to deal with resignations received by the Clerk from Messrs. Uruski, Bucklaschuk, Malinowski, Kovnats, Enns and Ms. Phillips. I understand the replacements are to be Messrs. Desjardins, Penner, Lecuyer, Eyler, Nordman and Banman. Can I have a motion to that effect?

**MR. H. GRAHAM:** So moved.

**MR. CHAIRMAN:** Thank you. Is that agreed?

Ladies and gentlemen, this committee is authorized to meet in accordance with the resolution passed by

the Legislative Assembly of Manitoba on August 18th 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, this committee has been holding a series of hearings throughout the province and this hearing today in Ste. Anne is part of that series.

Before we commence the actual hearing process, I would like to introduce the members of the committee who are here today. On my far right, the Honourable Larry Desjardins, Minister of Health for the Province of Manitoba and MLA for St. Boniface; beside him, Mr. Phil Eyler, Member of the Legislature for River East; beside him, Gerard Lecuyer, Member of the Legislature for Radisson; beside Gerard, the Honourable Muriel Smith, Minister of Economic Development and Member of the Legislature for Osborne; beside her, the Honourable Roland Penner, Attorney-General for the province and Member for Fort Rouge. On my immediate left, Mr. Harry Graham, Member of the Legislature for Virden; beside him, Mr. Arnold Brown, Member of the Legislature for Rhineland. I also believe Mr. Banman was here just a moment ago, the member for this constituency. He's just coming in the back, the Member for La Verendrye, in which Ste. Anne is located, Mr. Bob Banman. At the end of the table, Mr. Russell Doern, Member of the Legislature for Elmwood.

Ladies and gentlemen, that's your committee. My name is Andy Anstett. I'm the Chairman of the committee and MLA for Springfield.

Mr. Graham, on a point of order.

**MR. H. GRAHAM:** Did you include Mr. Doern as a member of that committee?

**MR. CHAIRMAN:** I didn't make the distinction, Mr. Graham, but your point of order is quite correctly placed. Mr. Doern is not officially a member of the committee, but, as a member of the Legislature, has been sitting in on some of the committee's meetings.

I would like to advise members of the public, you will see, in front of members of the Assembly and members of the committee, small radio receivers for simultaneous translation. There will be, no doubt, some briefs presented in the French language. The receivers are for the benefit of those who are not familiar with that language; simultaneous translation is provided.

In view of the fact that there may be a substantial number of briefs presented in French, I am going to suggest that we take a short recess before we actually start hearing briefs so that anyone in the audience who wishes to sign out a receiver with the technician can do so.

I would ask anyone who plans to present a brief in French, if you have an advance copy please provide one to the Clerk on my right so that the interpreter can have an advance look at it. This will make his job much easier when the time comes for you to present your brief.

I would also remind those that are presenting briefs in French that if you wish members of the public, the media and the audience to gain a full appreciation of your brief, it would be advisable not to speak so quickly that the interpretation cannot follow it with some reasonable closeness. So there is some advantage in making sure that the interpretation can proceed at the same length. The interpreters are excellent and well-qualified; they will be able to provide full interpretation, but great haste in presenting your brief will not benefit the process.

For members of the public who wish to receive a copy of the transcript of this meeting, or any of the other meetings of this committee in Winnipeg or in rural Manitoba, please register with the Clerk, again on my right, with your name and mailing address. Please specify whether you wish a complete copy of the transcripts of all the meetings, or just a transcript of this meeting.

I believe that covers the introductory comments. If anyone has not registered with the Clerk, please do so, so that we can add your name to the list if you wish to present a brief.

I would now like to ask for a short recess so that anyone in the gallery who wishes to obtain a transmitter can do so. Committee is recessed for five minutes.

I would ask everyone to take their seats again, please, so the committee can commence the hearing.

Committee come to order. The first name on our list this morning is Dr. Pat Doyle. Is Dr. Doyle here, please? Please come forward. You have copies of your brief for members?

**MR. P. DOYLE:** I have 12 copies.

**MR. CHAIRMAN:** Please proceed.

**MR. P. DOYLE:** Mr. Chairman and members of the committee, I wish to thank you for the opportunity of presenting this brief which is not too long, but I hope is concise. I would like also to express my appreciation for the time that you people, as legislative members, have put into the hearing of these briefs. I'm sure that speaks well for our representatives.

I am presenting this brief as an individual citizen of Ste. Anne. I wish to speak in favour of the proposed changes to The Manitoba Act, which would provide:

1. English and French to be official languages of Manitoba.
2. English and French versions of Acts of the Legislature of Manitoba to be enacted in both languages and to be equally authoritative.
3. Communication between the public and the head of Manitoba Government departments, courts, Crown corporations, agencies or administrative bodies of the Government of Manitoba, as well as the offices of the Chief Electoral Officer and the Manitoba Ombudsman to be available in English and French.

I speak in favour of these amendments out of a sense of duty as a Manitoban to support the content and the spirit of the Canadian Constitution and that of our Nation.

Let us consider some facts:

1. The Fathers of Confederation indeed created a bilingual nation. Despite the political expediency of the circumstances of the era, they showed a clarity of spirit and of understanding which was ahead of their time. They also showed an appreciation of the inherent values of the two founding groups, which appears in sharp contrast to what might have been imposed by the arbitrary right of historical events.
2. The Provinces of Manitoba and Quebec were granted equality of French and English as official languages by the BNA Act. The Province of Quebec followed the spirit and intent of Confederation until the present era, but the Province of Manitoba abrogated French as an official language in 1890 and subsequently repressed the teach of French until recent times. It is of note, however, that Manitoba over the past 25 years has gradually re-established equal opportunity for French with English as a language of instruction. Both the present and past governments may take credit in this regard, but the process has been slow.
3. The new Canadian Constitution allows the provinces some freedom in regard to the future establishment of official languages in their legislatures, but establishes French and English as languages of instruction under certain minimal conditions.
4. The Canadian Constitution with its constituent amended British North America Act considers both the English and the French language of equal official status, not simply based on an individual province's number of people of British or French origin, but rather on the spirit and intent of Canada as a whole.

I speak in favour of these amendments because from the practical point of view French is a major language of the world, a major language of international communication and of international travel. Manitobans seek more and more to send their children to French Immersion course, not only for the cultural advantages, but also for such practical advantages as job opportunities.

I speak in favour of these amendments because I believe that they take away nothing from what we already enjoy in Manitoba, but rather they add to the scope of our communication and to the breadth of our understanding. Indeed, by appreciating and accepting the value of the use of our other Canadian official language, we are helped in our understanding of all other languages and cultures. It is in this way that other ethnic values gain credibility and are helped to flourish in our country and in our society. The practicality of bilingualism and multiculturalism tends, not only to extend human values, but to dampen selfishness, as our minds and spirit are raised to the attainment of new horizons.

I live in a town which is essentially French speaking, but in an area which has a large German, as well as

French, population. My family and I are enriched by the values of our Mennonite neighbours and I would personally consider it an asset, an honour, as well as an accomplishment, to also speak German. There are other linguistic and cultural groups in our area, such as, the Ukrainians, the English and the Czechoslovakians, who form just as important, though a somewhat smaller component of our mosaic and who further enrich our society. In fact, what those of French origin had had denied and removed as right could, in reality, presage the denial or removal of the presently accepted rights of other ethnic groups. By being at least bilingual, one is helped in one's appreciation of all such cultural entities and one is moved just a little further along the road from tolerance to understanding, and from friendship to love.

The rightfulness of establishing the proposed amendments to The Manitoba Act is amply supported, both by the existing pertinent clause of The British North America Act, which is now incorporated into the Canadian Constitution, as well as by the intended bilingual spirit of Canada. These factors, along with many years of indifference to a constitutional fact, would seem to outweigh concern for what has been cited as haste in the development of arrangements by the Manitoba Government with la Société Franco-manitobaine and the Government of Canada. It would seem that over the years we have had ample time to reflect on the rightfulness, the justice and, indeed, the enlightenment of the proposed action. Nevertheless, I can appreciate the wisdom of discussing such important proposals openly in order to amply expose their nature and to allay unwarranted fears. I can further accept minimum changes or clarification of the proposed amendments, provided the main issues and the substance are in no way compromised. However, I am saddened by the proposed referendum in Winnipeg and the possibility of referenda in rural Manitoba on French language rights. Neither the understanding nor the enhancement of minority rights can be accomplished through the medium of a referendum.

Although the harm to the practical and effective use of the French language after so many years of suppression may now be irreparable, the success of the French Immersion course yields hope, and the changing attitude of the public towards the acceptance of bilingualism is heartening. It is, for me, a distinct pleasure as a Manitoban to realize that the proposed amendments reflect the appreciation by the Government of Manitoba of the reality of the province's constitutional position. It furthermore provides an example to other peoples and other nations of our ability, not simply to tolerate one another in the paucity of a melting pot of singularity, but rather to appreciate one another through the expanded opportunities of two languages and multiple cultures. I thank you.

**MR. CHAIRMAN:** Thank you very much, Dr. Doyle. Questions for Dr. Doyle by members of the Committee? Seeing none, Dr. Doyle, thank you very much for your presentation this morning.

René Vermette, Chairman of the Red River School Division No. 17. Mr. Vermette please.

**MR. R. VERMETTE:** I am making my presentation on behalf of the Red River School Division . . .

**MR. CHAIRMAN:** Could you wait one moment please, until the copies are distributed?

**MR. R. VERMETTE:** Okay. I just wanted to say that I'll be making it in French.

**MR. CHAIRMAN:** Please proceed.

**MR. R. VERMETTE:** Monsieur le Président, membres du comité, messieurs et mesdames.

La Division Scolaire de la Rivière Rouge No. 17 regroupe une population étudiante à très grande majorité francophone. En effet, au-delà de 80 pour cent de nos élèves sont d'expression française et dans certaines de nos écoles, le chiffre approche le 100 pour cent.

Nous connaissons les Franco-Manitobains. Nous connaissons leurs aspirations. Nous connaissons l'histoire de leur lutte pour assurer l'éducation française de leurs enfants et pour revendiquer leurs droits comme Manitobains français.

Bien avant la formation de notre Division Scolaire, les commissaires de notre région ont travaillé pour améliorer l'éducation française de nos enfants. Malgré les interdits légaux, ils se sont organisés, coûte que coûte, pour assurer à leurs enfants une éducation en français. Aujourd'hui, la Commission Scolaire de la Rivière Rouge poursuit avec la même tenacité ces mêmes objectifs et supporte les efforts de tous ceux qui veulent enchâsser les droits des francophones dans la constitution canadienne.

Ce n'est pas notre intention, aujourd'hui, de vous parler de l'histoire des francophones et de l'éducation française au Manitoba. D'autres vous ont déjà brossé les nuances de ce tableau. Nous voulons, plutôt vous affirmer, de façon non-équivoque, notre appui inconditionnel à l'entente négociée en mai 1983 entre la Société franco-manitobaine et le gouvernement du Manitoba.

Comme les événements récents à Winnipeg et à travers la province le démontrent, la lutte de passé se poursuit dans le présent. Nous sommes continuellement à nous défendre contre ceux qui craignent ou opposent le français sans même en connaître l'histoire. Nos droits, déjà des plus fragiles, sont menacés de tout bord par des gens mal renseignés, par des pressions politiques, par des référendums populaires et par des propos unilatéraux de modification à l'entente déjà signée. Comment peut-on avoir confiance dans les autorités? Comment peut-on laisser le sort de nos droits dans les mains de cette majorité craintive? Impossible! Il est essentiel que les droits des francophones soient enchâssés dans la constitution canadienne. Il est temps que justice se fasse et que nos droits soient reconnus et protégés contre les autorités et tous ceux qui ne partagent pas les mêmes buts et les mêmes aspirations.

La Commission Scolaire de la Rivière Rouge donne donc son appui inconditionnel à l'entente négociée en mai 1983 entre la Société franco-manitobaine, le gouvernement fédéral et le gouvernement manitobain, au sujet de l'amendement de l'article 23 de l'Acte du Manitoba. Merci.

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

Mr. Graham.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman. Through you to Mr. Vermette. I want to thank you for taking the time to present this brief. I note in your comments that you have only referred to the agreement that was signed on May 17th. Since that time the government has made some proposals to amend that agreement. Would you care to make any comments about the amendments that the government has proposed?

**MR. R. VERMETTE:** Nous supportons pas les amendements comme vous proposez, mais plutôt comme qui ont été présentés en mai 1983.

**MR. H. GRAHAM:** Thank you very much.

**MR. CHAIRMAN:** Further questions by members? Seeing none, Mr. Vermette, thank you very much and thank you to the school division for your brief today. Councillor Ed Falk, R.M. of Niverville. Councillor Falk, please.

Mayor Gil Wiebe, Village of Niverville.  
Guy Lévesque. Please proceed.

**MR. G. LÉVESQUE:** Mr. President and board members, I am pleased to be able to express my point of view and convictions with regard to the proposed amendment, that is, Bill 23.

I am of French-Canadian origin, born in Saskatchewan and raised in Manitoba, and proud to be French-Canadian, Franco-Manitobain. In following these debates, I find that the crux of the matter is as follows:

- a) Do we allow expansion of French Language Services in Manitoba? If, yes,
  - 1) By entrenching these services and rights in the Constitution or as we know the "courts;" or
  - 2) Leave the services and rights in the hands of the elected officials of the Province of Manitoba.

I have to assume that all parties involved in these debates that the extension of French Language Services is agreeable to all, based on the following findings:

- a) Mr. Pawley's Government is now attempting to allow the rights;
- b) As far back as 1978, I had contacted Premier Lyon of that era, and he advised me that it was his government's intention to make French Language Services available in all government offices;
- c) MLA Bob Banman, for this area recently advised all municipal officials that his position has been, and continues to be, one which supports the establishment and expansion of French Language Services as initiated in 1979 by the Lyon Government, in which he was a Minister.

Therefore, it would seem that the debates are whether or not to have the rights and services as part of the Constitution, or left to the elected officials.

In 1916, T.C. Norris, an elected official took it upon himself and his government of the day, and made

Manitoba a unilingual province, and from that day, speaking and preserving our French culture and language has been an uphill battle. What guarantees do we as French-Canadians have in Manitoba that, if this type of decision-making is left to elected officials, that these same types of hearings and debates won't be with us in 1986, 1988, 1990 and so forth?

For this reason, I strongly urge the Provincial Government to amend the Constitution to make the Province of Manitoba a bilingual province as it was meant to be by our forefathers.

Last, I would ask Mr. Lyon why he is so strongly against granting rights that should have been there all along? The federal counterparts of all parties in the House of Commons, and this includes the Progressive Conservative Party under the new direction of Brian Mulroney, have all showed that the time is now right to have this matter settled, and the Constitution amended accordingly. Is it possible that in Mr. Lyon's younger days a cute French girl may have jilted him and, to this day, he can't forget it?

In closing, I do want to thank the Pawley Government for making positive attempts to settle this injustice, and I strongly urge the opposing parties, including Mr. Doern, to be more open-minded and tolerant and, therefore, undo a wrong done back in 1916.

Je suis fier d'être Canadien français. J'ai la conviction, que vous, messieurs, vous verrez la lumière avant qu'il soit trop tard.

Thank you.

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

Mr. Doern.

**MR. R. DOERN:** Mr. Lévesque I must, first of all, confess openly that my first girlfriend was a beautiful French girl.

I want to ask you about the portion of the agreement that considers the entrenchment of what I would regard as some 400 positions in the Civil Service, boards, commissions, agencies, Crown corporations, etc., etc. I was wondering whether you feel that the designation of bilingual positions in the Civil Service will really be of any help to Franco-Manitobans, or whether it might not result in 400 people sitting in offices throughout the Civil Service with very little demand for bilingualism?

**MR. G. LÉVESQUE:** I think if you look at most of your government offices, and I have worked in them for quite a few years also, that there are already people in those offices that can do the bilingual services. In the past, what has happened in many cases is these people are not being promoted, are kept to the lower level to be able to do just that. I don't think it would create any problem, and I am sure there are qualified people that can do the job.

**MR. R. DOERN:** Then why would you have to make a shift? If there are sufficient people in the Civil Service now who speak French and, of course, speak other languages as well, why is it necessary to take one of those persons, designate them as officially bilingual and then pay them additional wages?

**MR. G. LÉVESQUE:** What is happening presently is, in most of these cases, the bilingual service is not made

available even though the people are there. This would definitely entrench the fact that you could have bilingual services in most government offices.

**MR. R. DOERN:** But did you not indicate that there are a number of people throughout the Civil Service who can, in fact, speak French, and are now in place?

**MR. G. LÉVESQUE:** They can speak French, not necessarily in the right place though.

**MR. R. DOERN:** So you visualize taking those people and designating them and having a job description, and possibly paying them additional monies for that function?

**MR. CHAIRMAN:** Order, order please. The purpose of questions is strictly to clarify information in the brief, not to provide answers and then ask for confirmation. Could you rephrase the question, please?

**MR. R. DOERN:** Mr. Chairman, I assume I am speaking to a gentleman who was or is employed or is familiar with the Provincial Civil Service.

**MR. G. LÉVESQUE:** I have worked for the Provincial Civil Service for quite a few years, yes.

**MR. R. DOERN:** I am simply saying to you . . .

**MR. CHAIRMAN:** Mr. Penner, on a point of order.

**HON. R. PENNER:** To your ruling, we all understand that fact about Mr. Lévesque, but that doesn't give anyone a right to suggest something to a person presenting a brief which is not, in fact, a matter of fact or presented by the delegate as fact, such as, people being paid additional money. That was thrown in entirely gratuitously by Mr. Doern.

**MR. CHAIRMAN:** The point is well taken. Mr. Doern, could you confine your question please to questions for clarification of the material contained in the brief?

**MR. R. DOERN:** Mr. Chairman, I am also referring to the point that Mr. Lévesque was or is a civil servant, and is, in fact, and has indicated that and said that he is familiar with the Civil Service. My question, if I can ask it, is simply do you feel that it's necessary to designate 400 positions in the Civil Service, as opposed to working under the present arrangement?

**MR. G. LÉVESQUE:** To guarantee the fact that somebody can walk into a provincial office and ask the service to be in French, I think you have to, yes.

**MR. R. DOERN:** My other question is, it has been said that there has been an evolutionary process at work, and that there were improvements or enrichments made under previous governments; I simply ask you, I assume you're familiar with the Schreyer administration. whether you felt there were improvements made during those years in office?

**MR. CHAIRMAN:** Mr. Desjardins, on a point of order.

**HON. L. DESJARDINS:** Mr. Chairman, you have already ruled - which all the members that have been around the House for a while know full well, this is the way we've been conducting these meetings, I don't mean necessarily this committee. There are 102, I think, people that have expressed a wish to speak. They can choose what they wish to say, and the question is for clarification only, not to try either to have an argument or to get opinions that are not covered in the brief, and I would hope, Mr. Chairman, that you will enforce the ruling that you've already made. We will have a chance to discuss this, the members of the House, in the House; we're here today to hear the briefs, not to make speeches or try to get the people to cover something that's not covered.

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

**MR. R. DOERN:** On the point of order, Mr. Chairman. I haven't seen Mr. Desjardins at any of these meetings before, but it is certainly in order to ask questions, otherwise we're only going to listen or we're only going to be allowed to ask questions that are officially approved by the government. I'm not here to ask officially-approved government questions, or read them. I have some questions that I would like to ask and I also don't like to always be jumped on by the Attorney-General or attempted to gag people who are trying to ask for clarification. The statement, Mr. Chairman, is this. Mr. Lévesque has said that he thinks Manitoba should be a bilingual province and I'm simply asking him whether he feels there were any improvements made, prior to this point in time, in terms of enrichment or advancement under previous administrations, and I asked him specifically about the Schreyer administration, or do you think there was no improvement or enrichment made?

**MR. CHAIRMAN:** Mr. Desjardins on a point of order.

**HON. L. DESJARDINS:** Mr. Chairman, we're still on a point of order. Mr. Doern insists on asking a question, a question that is clearly out of order. Nobody is trying to muzzle anyone. We're here, not to hear Mr. Doern today, we're here to hear the delegation and all the discussion could be done after we finish with the delegation in the House. The questions should be for clarification only and that goes for everyone, members of the committee or not.

**MR. CHAIRMAN:** Mr. Graham to the same point of order.

**MR. H. GRAHAM:** On the same point of order, Mr. Chairman. I realize you're being placed in a rather difficult position at the present time and for the benefit of other members, I have been at all the hearings and I know in the past there has been a great deal of latitude given at certain times. I wouldn't want it to appear as though, just because a person is not a member of the committee, that there might be attempt to try to control the type of questioning that's going on.

**MR. CHAIRMAN:** To the point of order. Very clearly, the Chair, nor any members, are suggesting that

membership on the committee is a prerequisite to have the rights available to all members of the Assembly to ask questions. I don't think Mr. Graham was suggesting that the Chair or anyone else was suggesting that.

Also, very clearly, questions for clarification of the material in the brief are in order at all times. Questions which engage in debate with witnesses or delegations before the committee, or which are argumentative, are clearly out of order. With respect, Mr. Graham, I would suggest that the Chair has, at all times, attempted not to provide a great deal of leeway, and where that great deal of leeway has been taken, it has been taken by members despite the objections of the Chair. If the Chair is to do the job that members have directed, and more specifically at Swan River, that the Chair be very direct and explicit in enforcing the guidelines of clarification, without debate or argumentation in questions, then the Chair needs the support of all members to accomplish that.

With regard to the particular objection raised to this particular question, I do have some difficulty dealing with the objection raised by Messrs. Penner and Desjardins, because the brief specifically refers to the fact that French Language Services have been extended and commitments to extend them have been made by past governments, by the present government, and, in fact, by the current MLA for La Verendrye. I think the question appropriately then asks for clarification as to whether or not this continuing extension goes back as far as the Schreyer period and I would consider the question to be in order.

Mr. Doern, please proceed.

**MR. R. DOERN:** Well, Mr. Chairman, I've already stated my question twice. I would simply say, again, I would ask Mr. Lévesque, whether in his judgment in the past 15 or 20 years, he believes there have been some improvements, have been any improvements or enrichments made by administrations, going back to Roblin, Schreyer, Lyon, Weir, etc.? But I'm particularly asking him whether he observed or noticed any particular improvements or enrichments made in the Schreyer era from 1969 to 1977?

**MR. G. LÉVESQUE:** Yes, there's definitely big improvements. If you go back to the 1950's, in the schools you couldn't even have French books. This is gradually, the Roblin Government improved it and Mr. Schreyer improved it even more. Yes, there is an improvement.

**MR. R. DOERN:** Well my final question to Mr. Lévesque is, does he consider these improvements too slow, or what is his concern about the manner in which things have been evolving in the past 20 years? Has it been too little too late, or has it been too slow a process in your judgment?

**MR. G. LÉVESQUE:** Slow, yes, presumed from being of French-Canadian descent. What I worry more about is the fact that if, in 1916, the actual government of the time could take away the French, how do I know that in 1990 the same thing is not coming again?

**MR. R. DOERN:** Thank you, Mr. Lévesque.

**MR. CHAIRMAN:** Further questions by honourable members? Seeing none, Mr. Levesque, thank you very much for your presentation here to the committee today.

Mr. Clarence Baker, R.M. of Brokenhead, Union of Manitoba Municipalities. Reeve Baker, please.

Léo Robert, Société franco-manitobaine. Mr. Robert, please.

Tony Shewchuk, Ukrainian Museum and Village Society, Gardenton, Manitoba. Mr. Shewchuk, please.

Richard Loeb. Mr. Loeb, please.

Frank Baker, Frank Baker.

Rino Ouellet, Rino Ouellet.

Dr. Archambault.

Irène Lemoine, Comité des parents français.

**MS. I. LeMOINE:** Monsieur le président, mesdames et messieurs du comité.

Je suis Irène Lemoine, présidente du comité de parents de l'école Pointe des Chênes et je vous adresse la parole comme représentante de cet organisme. Notre comité représente 110 familles - parents de 317 étudiants de langue française.

La loi 113, adoptée en 1970 a reconnu légalement le droit, pour ceux qui le désiraient, d'inscrire leurs enfants dans une école publique où l'enseignement serait dispensé en français de la maternelle à la douzième année. La simple existence du droit de perpétuer sa culture ne constitue pas la garantie de sa survie. Pour se réaliser l'école française a besoin des institutions sociales et économiques favorables à l'épanouissement de cette culture et de cette identité. Mais ceux-ci au Manitoba sont très négligeables et insignifiants. Pour recevoir du service en français, il nous faut quêter, solliciter, plaider et faire mille démarches, qui à la fin ont le don de nous exaspérer.

Par exemple, pour un simple cours de natation en français pour nos élèves, il nous a fallu approcher et faire pression auprès de six centres de natation dans la région pour enfin l'obtenir.

Aussi l'examen de l'enfant français d'âge prématernelle à l'unité sanitaire, en vue d'évaluer ses capacités, se fait en anglais. Evidemment les résultats ne sont pas très valables.

De même les soins dentaires offerts à l'école par le département de "Dental Services" sont donnés uniquement en anglais. Et je pourrais en citer d'autres . . .

Cela, simplement pour vous dire que nous sommes submergés par la prédominance de la langue anglaise dans notre vie quotidienne, qui met en péril notre identité distincte de Franco-Manitobain. Pour affirmer cette identité, l'école a plus que jamais un rôle particulier à jouer, mais elle a absolument besoin du support des institutions sociales, économiques et gouvernementales.

Alors, je vous prie d'appuyer la résolution négociée au mois de mai pour amender l'article 23 de l'Acte du Manitoba afin que nos enfants ne reçoivent pas l'héritage dépourvu de droits linguistiques qu'ont subi nos pères et nos grand-pères. Merci.

**MR. CHAIRMAN:** Thank you, Ms. Lemoine. Questions by members of the Committee? Seeing none, thank you very much for your presentation.

Michelle Freynet-Arbez.

Roger Legal, Roger Legal. Please proceed.



**MR. R. LEGAL:** Monsieur le Président, mesdames et messieurs, les membres du comité.

C'est avec une émotion que j'ai peine à étouffer que je m'adresse à vous aujourd'hui. Je ressens que je participe à un événement qui sera retenu dans les annales historiques. Les prochaines générations de Franco-Manitobains s'attarderont vraisemblablement aux événements politiques de l'année 1983 comme ayant été critiques dans l'histoire de leur peuple. Tout comme nous, nous remémorons les années 1890 et 1916 avec amertume et dédain, les générations qui nous suivront, devront-elles ajouter 1983 au palmarès de ces dates qu'on préférerait oublier à tout jamais?

Les injustices de 1890 et de 1916 perpétrées contre les Franco-Manitobains ont été dures et elles ont menacé dangereusement la survie de notre peuple. Ces lois imbues d'étroitesse d'esprit et de bigoterie venaient abroger les garanties du pacte confédératif. Malgré tout, les Franco-Manitobains ne sont pas morts et je vous assure que les Franco-Manitobains ne veulent pas mourir . . . Aussi, depuis 1916, nous avons dû avoir recours à nos propres moyens frôlant souvent la clandestinité pour survivre. Puis, vers le milieu du siècle, certains rayons d'espoir commencent à percer les ténèbres sombres qui planaient depuis le début du siècle. Petit à petit, le gouvernement manitobain sous le régime conservateur de Roblin, puis sous le régime néo-démocrate de Schreyer, ne donne des parcelles des droits scolaires confisqués antérieurement. Mais ce ne sont que des lois permissives qui nous obligent encore à compter sur la bonne volonté des commissions scolaires. Or celles-ci sont quasi-invariablement hostiles et chaque école française que nous avons finalement obtenue a dû faire l'objet de luttes acharnées. Pensons à l'École Taché, à l'École Précieux-Sang, à l'École Noël-Ritchot, à La Broquerie et pendant les derniers cinq ans à la fameuse école régionale française à l'Île-des-Chênes que la Commission Scolaire de la Rivière Seine a commandée et décommandée à tant de reprises et que le gouvernement Lyon a tenté de bloquer par tous les moyens dont il disposait. Nous sommes quasiment toujours à la merci d'une majorité potentiellement hostile. Ce n'est qu'à grands coups d'acharnement héroïque, de subterfuges ingénieux et parfois d'accidents de parcours que nous venons à obtenir ce qui nous revient.

En parlant d'accidents de parcours, le meilleur exemple qui me vient à l'esprit est celui du phénoménal essor des écoles d'immersion. Qui, en fin de compte, sont les principaux bénéficiaires des élargissements de cadre en matière d'éducation française? Les chiffres parlent pour eux-mêmes . . . Ce sont les anglophones de cette province désireux de devenir bilingues, et je les en félicite, qui se prévalent des programmes d'immersion française pour que leurs enfants deviennent bilingues. Cela tient presque du prodige. Il y a présentement au Manitoba au-delà de 9,000 enfants anglophones inscrits en immersion; cela dépasse déjà largement le nombre d'enfants francophones (environ 6,000) dans les écoles françaises. Et qu'est-ce que l'avenir nous réserve à ce chapitre? Les prévisions actuelles sont que le nombre de francophones va diminuer encore un peu pendant quelques années à cause du petit bassin que nous représentons et à cause de la dénatalité qui a aussi frappé les Canadiens-français. D'autre part, l'on prévoit

que les inscriptions d'anglophones en immersion qui se chiffrent, je l'ai déjà dit, au-delà de 9,000, ces inscriptions vont continuer à grimper de façon vertigineuse elles devraient semble-t-il environ doubler d'ici à 1987 pour se chiffrer aux environs des 18,000. Certains prédisent qu'avant très longtemps, au-delà de 25 pour cent des enfants d'âge scolaire du grand Winnipeg fréquenteront des écoles d'immersion.

C'est dire, Monsieur le président, mesdames et messieurs les membres du comité, que si la seule justice ne réussit pas à mouvoir les politiciens, même la réalité politique commande un revirement de position. Je vous suggère ici de réfléchir à cette situation et de constater que même les vents politiques vont se mettre de la partie pour chasser les ténèbres sombres auxquels j'ai fait allusion plus tôt dans ma présentation. Vos électeurs sont de moins en moins des bigots farouches qui s'opposeraient à ce que le Premier ministre Pierre Elliott Trudeau a qualifié récemment de "progressive legislation . . . typically Canadian . . ." en se référant au projet d'amendement à l'article 23 de l'Acte du Manitoba qui avait fait l'objet de l'entente tripartite de mai dernier.

Permettez-moi maintenant d'attirer votre attention à un dernier point majeur. Considérons pour un moment la question du sort de notre minorité francophone en relation avec celui de la minorité anglophone du Québec. Depuis l'accession au pouvoir du Parti Québécois et les semblants de menace au confort douillet de la minorité anglophone, n'est-il pas vrai que la question du sort de la minorité francophone à l'extérieur du Québec a revêtu un tout autre cachet? Vous souvenez-vous de l'émoi et de la tension à travers du pays peu avant la tenue du référendum au Québec? Les intérêts de l'unité nationale ont été maintenus à cette occasion mais par une assez faible majorité . . . Il y aura d'autres référendums dans les années à venir . . . Et l'attitude qu'auront adopté les gouvernements provinciaux des autres provinces vis-à-vis de leurs minorités francophones jouera indéniablement dans l'enjeu. N'oublions pas que la minorité francophone du Manitoba malgré l'adoption, durant la dernière décennie, de certaines mesures des gouvernements Bourassa et Lévesque. C'est le premier ministre Lévesque qui a rétorqué une fois qu'il ne tolérerait que personne des autres provinces ne viennent lui faire la morale sur le sort de la minorité anglophone du Québec jusqu'à ce que les minorités francophones des autres provinces soient aussi bien traitées que la minorité anglophone du Québec. Pensons-y!

Enfin, monsieur le président, mesdames et messieurs les membres du comité, il y aurait tant d'autres arguments à invoquer . . . Je me satisferai cependant de résumer brièvement mes propos pour en arriver à ma conclusion.

D'abord, ce sont de graves injustices qui nous ont été infligées au tournant du siècle. Sur le plan scolaire, des corrections partielles ont été apportées environ un demi-siècle plus tard; ce n'est pas encore suffisant . . . Il faudrait absolument revoir les structures administratives scolaires pour donner l'autonomie aux francophones. D'autre part, ceux qui profitent le plus des dispositions de la loi 113, ce ne sont pas les francophones; ce sont les anglophones à travers des programmes d'immersion. Ce phénomène d'immersion est tel cependant, qu'il y a lieu de croire que l'étroitesse

d'esprit et la bigoterie diminuent, ce qui fait que vous les politiciens, indépendamment de la question de justice à rétablir, vous auriez avantage à vous saisir du nouveau climat politique qui pointe à l'horizon. Enfin, rappelons-nous la question du sort de nos concitoyens de langue anglaise du Québec; leur avenir et l'unité nationale dépendent en partie des gestes que le Manitoba posera sur cette question.

Monsieur le président, mesdames et messieurs les membres du comité, je vous exhorte en mon nom, au nom de mes enfants et au nom des enfants qu'eux auront, je vous exhorte instamment de recommander que la législature manitobaine adopte sans délai le projet d'amendement à l'article 23 de l'Acte du Manitoba, celui qui avait fait l'objet de l'entente tripartite de mai dernier entre le gouvernement provincial, le gouvernement fédéral et la Société franco-manitobaine. N'allez surtout pas défigurer ce projet avec les modifications envisagées et rendues publiques le 6 septembre. Il est évident, à mon avis, que ces modifications viendraient diluer le contenu de l'entente au point de la rendre quasiment banale.

Si au contraire, la législature manitobaine adopte le projet tel qu'il était en mai, celui qui a fait l'objet de l'entente tripartite, l'année 1983 sera retenue dans l'histoire, non pas comme une autre date sombre, mais plutôt comme un tournant progressif et éclairé. Personne ne serait perdant et la justice étouffée depuis près d'un siècle serait ainsi rétablie.

Je vous remercie de votre bienveillante attention et je vous souhaite de bonnes et fructueuses délibérations.

**MR. CHAIRMAN:** Merci, Monsieur Legal. Any questions by members?

Mr. Doern.

**MR. R. DOERN:** Mr. Legal, I want to congratulate you on an excellent brief. I would like to ask you about your section dealing with the relationship between the Franco-Manitoban community and the English-speaking minority in Quebec. I don't know if this question is in order or not, but we have seen statements being made recently, as recently as yesterday or the past week, by Mr. Godin, a Cabinet Minister, and Mr. Lévesque, the Premier, who have in effect, I think, said words to the effect that . . .

**MR. CHAIRMAN:** Order please. Questions are for clarification, not to provide additional information. If you have a question for Mr. Legal about the contents of his brief, that's certainly in order, but questions which provide quotations or paraphrases of statements made by Cabinet Ministers of the Government in Quebec are certainly not appropriate here.

**MR. R. DOERN:** Mr. Chairman, this is the problem I have. Mr. Legal has suggested that there is a direct connection or that Manitoba legislators should consider, in passing legislation, the state of affairs in the Province of Quebec, and it seems to me in order to ask him what he thinks of recent statements made by the Premier of Quebec and some of his Ministers about . . .

**MR. CHAIRMAN:** It may seem in order to you, Mr. Doern, but it is not in order according to the Chair. If

you wish to ask for clarification of Mr. Legal's statements on the relationship of this issue, with a similar reverse issue in the Province of Quebec, please feel free to do so. But to introduce other quotations, for whatever purpose you have in mind, is not in order.

**MR. R. DOERN:** Well, I'll try again. Is there not an apparent contradiction in the sense that Manitoba appears to be moving, and has been moving as you indicate in your brief, towards bilingualism or greater degree of bilingualism when it appears that in Quebec there is a movement towards unilingualism?

**MR. R. LEGAL:** Indépendamment de la question du mouvement relatif à cette question, ce que j'ai affirmé dans ma présentation et ce que je maintiens comme position, c'est que la minorité anglophone du Québec est infiniment mieux servie que la minorité francophone du Manitoba ou des autres provinces au moment actuel. Nous aurions des pas de géants à franchir avant de nous rendre à cette situation. A ce moment-là, je pense qu'il importera, qu'il incombra au gouvernement du Québec de se saisir de sa situation. Je répète les propos de M. René Lévesque que j'ai cités tantôt, que tant et aussi longtemps que les minorités francophones du reste du pays ne sont pas aussi bien traitées que la minorité anglophone du Québec, nous n'avons pas de leçons, ni vous, M. Doern, ni moi, n'avons de leçons à leur donner.

**MR. R. DOERN:** Mr. Legal, the impression has been created, or let's say, there is an impression in the minds of many people that, while Manitoba is attempting to extend French Language Services, that the Quebec Government is doing the reverse; is that also your impression, or is that an inaccurate impression?

**MR. R. LEGAL:** J'ai dit ce que j'avais à dire sur cette question, M. le Président.

**MR. R. DOERN:** I would then ask you, in general, whether you think that, as legislators, that we have, first of all, an obligation to pass the best laws that we are capable of for the benefit of Manitobans?

**MR. R. LEGAL:** Assurément, je ne sais pas si j'ai bien saisi le sens de la question. Est-ce que M. Doern m'a demandé si les législateurs de la province avaient l'obligation de passer la meilleure loi pour le bienfait des citoyens de la province? Il me semble que la réponse est assurément oui. J'ai peut-être pas bien saisi la question.

**MR. R. DOERN:** The reverse of that, the other side of that, is this, Mr. Legal. Do you think it is possible for Manitoba legislators to legislate for the benefit of other minorities at the same time, whether those minorities be in Quebec, or in the United States, or in Great Britain, or in France or Germany, or are these simply additional ramifications that are not the first consideration of provincial legislators?

**MR. R. LEGAL:** A mon avis, l'obligation des législateurs de la province du Manitoba, c'est de se pencher sur la question que nous sommes en train d'étudier ce

matin. J'ai fait des parallèles et des rapprochements avec une minorité, la minorité anglophone du Québec, je ne pense pas que nous avons des responsabilités vis-à-vis celle-ci à l'heure actuelle. Occupons-nous, comme il le faut, de la minorité francophone du Manitoba et par la suite, nous pourrions peut-être nous poser en exemple et offrir des conseils sages aux États-Unis, au Québec et au reste du monde. Je pense que nous avons des choses à faire avant de faire cela.

**MR. R. DOERN:** Mr. Legal, then I gather that your view is that we shouldn't be attempting to influence or pressure or second guess the P.Q. Government; we should, in fact, be making laws that we think are in the best interests of our people, including the Francophone community.

**MR. R. LEGAL:** En effet.

**MR. R. DOERN:** Thank you very much.

**MR. CHAIRMAN:** Further questions from members? Mr. Banman.

**MR. R. BANMAN:** Mr. Chairman, through you to Mr. Legal. You mention in your brief that you feel there has been a significant change in the attitude of the majority of Manitobans and I would, I guess, have to say to you that I would agree, especially with the younger ones, the younger parents who are now faced with the determination of whether or not to arm their children with the best possible tools to achieve later on, i.e., knowing the French language because it will be a predominant force, I would imagine, in the next couple of years in dealing with a lot of the major jobs that we're looking at.

I wonder, in your brief you talk about Anglophones in Immersion Programs. I wonder if you wouldn't agree that it isn't only the Anglophone community, that there are many people of German heritage, of Ukrainian heritage, and it is not an Anglophone-Francophone situation that's being developed here and that there are many people of other origins other than Anglophone that are involved in the French Immersion program or in in French programs right through out the province.

**MR. R. LEGAL:** Je suis parfaitement d'accord et j'employais le mot anglophone au sens de parlant anglais, c'est à dire de personnes dont la langue d'usage est prédominamment l'anglais, mais ça inclut bien sûr les gens des autres ethnies et en grand nombre sans doute.

**MR. R. BANMAN:** You mention at the outset of your brief that you wonder what kind of historical significance this particular event has. As someone coming from a minority group who went through the 1916 school question and saw many Mennonites leave this area and move to Paraguay and Mexico and other places because they felt that was affecting their culture, as well as their heritage in that kind of a manner.

**MR. CHAIRMAN:** Question, please.

**MR. R. BANMAN:** I wonder if you could tell me, in your opinion, whether or not the issue before us today,

and the feelings that are developing on both sides of the issue, do have a lot of the ingredients of that 1916 question, in other words, do you feel that the confrontation that seems to be developing on both sides is one which will have the implications and probably the divisive nature of the 1916 school question?

**MR. R. LEGAL:** C'est très difficile de prédire l'avenir, comme Henri Richard avait dit à un intervieweur de Radio-Canada une fois que celui-ci lui demandait de prédire le résultat des éliminatoires de la Coupe Stanley, Henri Richard avait répondu - My name not Punchimlak - et puis, moi non plus, je me sens mal placé pour prédire ce genre de situation. Il est bien clair à mon avis que ce serait une excellente occasion de rétablir la justice, ce que j'ai dit dans ma présentation, c'est qu'à mon avis, personne ne se plaint. Il s'agirait ici de rétablir pour les francophones les droits garantis aux pactes confédératifs ainsi qu'à l'entrée en confédération du Manitoba et puis, par la suite, j'ai l'impression qu'il y aurait toute sorte de retombées intéressantes également pour les autres ethnies qui s'en suivraient.

**MR. R. BANMAN:** A final question, Mr. Chairman, through you to Mr. Legal, he mentions in the final statement in his brief that he supports the amendments as negotiated between the Federal, Provincial Governments and the Société franco-manitobaine. We now have, of course, received certain amendments to that. What is his feeling with regard to the new amendments? In other words, if that is the package that is going to be brought before the Legislature, what will his stance be on that?

**MR. R. LEGAL:** J'ai très clairement indiqué, M. le Président, et je répète avec autant de verve qu'il m'est donné qu'à mon avis, ces modifications sont très mauvaises et viennent détruire le sens profond et sérieux de l'entente tripartite de mai. A mon avis, il faut absolument abandonner, oublier ces modifications et retourner à l'entente de mai.

**MR. R. BANMAN:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Further questions from members? Mr. Scott.

**MR. D. SCOTT:** Je veux dire simplement à M. Legal, merci beaucoup pour ta présentation et j'espère que les membres de la législature avant qu'ils commencent encore de parler dans la législature sur ce sujet penseront à vos mots. Merci beaucoup.

**MR. CHAIRMAN:** Thank you, Mr. Scott. I would remind members, the purpose is for questions, not for other statements.

Mr. Graham.

**MR. H. GRAHAM:** Thank you, Mr. Chairman. Through you to Mr. Legal, you stated that you urged us, with every ounce of our strength, to resist the amendments. If we should fail in that and we have to deal with a package with the amendments in it, would you suggest to us that we accept it as second-best, or should you advise us to reject the entire package at that point?

**MR. R. LEGAL:** C'est une question extrêmement embêtante qui est profonde de conséquences et qui nécessite une analyse minutieuse des détails de ces modifications. Certaines sont moins sérieuses que d'autres. Cependant, ma position actuelle serait celle-ci. Ma recommandation actuelle serait celle-ci, que le gouvernement manitobain ou le comité discute de cette chose avec le porte-parole officiel des Franco-Manitobains, c'est-à-dire la Société franco-manitobaine et moi, je souscrirai en tant que membres de cette société, je souscrirai entièrement à la décision à laquelle on arrivera entre la Société franco-manitobaine et le gouvernement.

**MR. H. GRAHAM:** Thank you very much. Thank you, Mr. Legal.

**MR. CHAIRMAN:** Further questions by members? Seeing none, M. Legal, merci for your presentation.

Order please. The rules of the Legislative Assembly and its committees are that there should be no demonstrations from the gallery, please.

Agnes Dubois, Agnes Dubois.

Laurette Théberge, Laurette Théberge.

Louis Bernardin.

I would advise members of the gallery who may have come in late there are radio transmitters available beside the simultaneous translation booth for those who wish to follow any of the French briefs who do not have that capability. You can pick up receivers and sign them out beside the translation booth.

Procédez.

**MR. L. BERNARDIN:** Monsieur le Président, membres du Comité.

Je me présente devant vous aujourd'hui pour réaffirmer mon appui à la Société franco-manitobaine face à la résolution ayant trait à l'article 23 négociée en mai dernier avec le gouvernement de Monsieur Pawley.

Il est malheureux que je sois obligé, encore aujourd'hui de plaider pour obtenir des droits qui m'appartiennent déjà.

J'ai eu l'occasion de voyager aux Etats-Unis, en Europe et en Asie, heureux du fait que je possédais le français et l'anglais. Il va sans dire que je me suis très bien débrouillé. Les Européens maîtrisent en général, plusieurs langues et cela ne fait qu'ajouter au charme de leur culture.

Je ne vois aucune raison pourquoi nous, les Manitobains, ne pourrions maîtriser les deux langues et vivre officiellement chacun dans notre culture.

Comme bien d'autres Canadien-Français au Manitoba, je suis convaincu que nous survivrons et que par notre belle langue française, nous pourrions faire fleurir et notre culture et notre province. Merci.

**MR. CHAIRMAN:** Thank you. Questions for Mr. Bernardin from members of the committee? Seeing none, thank you very much for your presentation here this morning.

Paul Ruest. Please proceed.

**MR. P. RUEST:** Monsieur le président, mesdames et messieurs du comité législatif.

Je me présente devant vous aujourd'hui en tant que citoyen manitobain de langue française. Je viens partager avec vous mes réflexions personnelles au sujet des amendements proposés à l'Article 23.

Le pacte historique qui a créé notre province accordait à celle-ci un caractère bilingue en reconnaissant l'anglais et le français comme langues officielles au niveau de la législature, des cours et de la publication des statuts légaux. L'Acte du Manitoba n'accordait pas à la langue anglaise un statut plus officiel que ce qui était reconnu à la langue française. Ces deux langues étaient placées sur un pied d'égalité. La loi de 1890 est venue de façon illégale chambarder ce principe fondateur de dualité linguistique. Les conséquences ont été désastreuses pour les Manitobains de langue française en particulier. Après avoir illégalement exclu leur langue du pacte confédératif, on pouvait maintenant s'attaquer à leurs institutions strictement provinciales et locales pour nier leur droit de vivre en français au Manitoba. La loi de 1890 a servi de toile de fond ou de tremplin pour la justification de lois aussi inacceptables que la loi de 1916 portant sur l'éducation au Manitoba. On pouvait ainsi abolir en bonne conscience un système d'éducation confessionnel et bilingue puisque le Manitoba n'était maintenant plus bilingue. On ne se sentait pas l'obligation d'offrir des services gouvernementaux en français puisque le Manitoba était devenu depuis 1890 une province de langue anglaise. Cette nouvelle réalité devait donc pousser plusieurs citoyens francophones à courber l'échine et à abandonner leur identité pour s'assimiler au groupe dominant, victimes d'un génocide plus ou moins subtil. D'autres optèrent soit d'opposer les mesures répressives des nouvelles lois en continuant à revendiquer leurs droits jusqu'à aujourd'hui. Et en passant, je suis un de ceux-là. Enfin, plusieurs Franco-Manitobains choisirent de s'exiler dans l'est du Canada, quittant un sol natif devenu hostile à leur langue et culture. Il serait obscène de reprocher aujourd'hui aux francophones leur nombre réduit alors qu'il s'agit bien là d'une des conséquences les plus cruelles du projet de loi illégal de 1890.

En 1979, la Cour suprême du Canada déclarait invalide la loi de 1890 et du même coup réaffirmait la dualité linguistique officielle du Manitoba au niveau de la législature, des cours et de la publication des statuts légaux selon l'esprit du pacte confédératif. Mais les effets néfastes du hiatus des quatre-vingt neuf années entre l'adoption de la loi de 1890 et sa révocation en 1979 ne peuvent être ignorés. Cette période a vu l'adoption de lois, la création d'institutions et l'établissement de services gouvernementaux qui s'inspiraient largement d'une loi invalide qui voulait que le Manitoba soit une province unilingue anglophone. Il va sans dire que ces lois, ces institutions et ces services n'étaient pas conçus de façon à reconnaître et à favoriser l'épanouissement des citoyens francophones du Manitoba.

Notre réflexion collective d'aujourd'hui doit nous pousser à considérer les effets de la loi de 1890, à identifier avec sensibilité les torts causés par cette loi et à assurer des modes de réparation. S'il est vrai qu'on ne peut pas refaire l'histoire de notre province, on doit quand même tenter de corriger les injustices du passé et leurs conséquences. Ce souci doit dépasser

les préoccupations de la politique partisane et s'inspirer d'un profond respect des droits et de leur juste application. Ce même souci poussera nos législateurs qui se veulent de véritables hommes d'état à protéger les droits des groupes minoritaires de façon à les mettre à l'abri de volontés politiques parfois mal guidées.

Les amendements à l'article 23 tels que proposés en mai 1983 par le gouvernement provincial m'ont paru à premier abord bien limités. Mais après mûre réflexion, je les considère quand même acceptables. Ils permettent d'une part à la province d'éviter bien des ennuis juridiques tout en diminuant sensiblement les coûts de traduction des lois. D'autre part, ces amendements garantissent aux citoyens de notre province le droit de recevoir des services en français de leur gouvernement provincial lorsque les nombres le justifient. Ces amendements ne rétablissent pas malheureusement la situation qui existait avant l'adoption de la loi de 1890. D'ailleurs, aucune mesure réparatrice pourrait corriger complètement la situation . . . Mais enfin, les amendements proposés sont le résultat d'une négociation sérieuse qui tient compte de la réalité actuelle.

J'exhorte donc le gouvernement à procéder rapidement à l'adoption de ces amendements et de plus, je l'exhorte à poursuivre toute autre démarche qui permettrait aux francophones du Manitoba de reprendre le plus tôt possible la place que devait leur assurer le pacte confédératif.

Merci, Monsieur le Président.

**MR. CHAIRMAN:** Questions for Monsieur Ruest?  
Mr. Doern.

**MR. R. DOERN:** Mr. Ruest, you talk in rather strong language of a subtle genocide and I was just wondering whether you see that this attitude or view may also be one held by members of other ethnic or multicultural associations.

**MR. P. RUEST:** Monsieur le Président, en réponse à Monsieur Doern, lorsque je parle de génocide, je me situe à la période de l'entrée à la confédération qui regroupait une majorité de francophones. Je me situe au niveau de la loi de 1890, à cette période où il y avait un nombre important de francophones encore dans la province et qui par la suite, ce nombre a diminué sensiblement en relation très direct au climat peu favorable à l'épanouissement du français au Manitoba. Dans ce sens, je dis que le génocide était peu subtil.

**MR. R. DOERN:** Thank you, Mr. Chairman. I also wanted to ask you whether your concern could be put in broader terms in that there is, of course, tremendous pressure, first of all, I suppose on Canada from the American influence, and similarly on Francophones throughout Canada, from the English-speaking influence of Canada and the United States, that these are simply normal pressures and what might be considered pressures of assimilation linguistically?

**MR. P. RUEST:** Monsieur le Président, en réponse encore à M. Doern, je ne considère pas qu'en 1890, il s'agissait là d'une pression typiquement américaine pour venir angliciser les francophones. Je pense que

la responsabilité doit être acceptée entièrement par le gouvernement manitobain et ses successeurs au pouvoir. Pour ce qui est de l'influence américaine, l'influence du continent nord-américain qui est très anglicisant, je suis bien d'accord avec vous, M. Doern, que c'est là une préoccupation majeure et c'est une raison de plus pour mettre à l'abri les droits des francophones si on est sérieux dans notre volonté d'assurer la vie à cette communauté.

**MR. R. DOERN:** I suppose this is a rather broad question, Mr. Chairman, a general view, whether you have any view in regard to the position of other ethnic and cultural groups, whether you think they should retain their languages and customs forever, or whether you see assimilation as something that happens to other linguistic and cultural groups, but not to the French speaking one.

**MR. P. RUEST:** Monsieur le Président, en réponse de M. Doern encore, pour avoir eu à combattre l'assimilation, je la souhaite à personne.

J'ai tout respect pour les groupes, autres groupes ethniques qui sont à l'intérieur de la province ou au Canada ou dans tout endroit dans le monde de pouvoir maintenir leur culture, leur langue, leur situation sociale en autant que ce soit possible et puis je trouverais tout à fait raisonnable qu'un gouvernement ou les gouvernements, au lieu de voir ces différences comme étant des handicaps au bien être d'un pays ou d'une province qu'il le voit plutôt comme un genre d'enrichissement.

De là, je pense, la situation du bilinguisme officiel et du multiculturalisme canadien, je vois cela comme une richesse véritable pour le pays.

**MR. R. DOERN:** My final question, Mr. Chairman, is this. In regard to the responsibility of the Franco-Manitoban community and all linguistic communities, to what extent do you think they have a responsibility to fund their own activities, and to what extent do you think the Provincial and Federal Governments should underwrite them?

**MR. P. RUEST:** Monsieur le président, en réponse finalement à M. Doern, la question du financement des organismes quelconques, je n'en retiens aucune responsabilité personnelle et vous allez noter que mon texte se voulait une présentation comme citoyen manitobain sous une base personnelle. Je n'ai vraiment pas de réflexion à vous offrir de ce côté là. J'ai tenté de limiter ma réflexion à l'article 23 et puis je n'ai pas de soucis de la prolonger.

**MR. R. DOERN:** Right. Thank you very much.

**MR. CHAIRMAN:** Further questions? Seeing none, Mr. Ruest, thank you very much for your presentation this morning.

**MR. P. RUEST:** Merci.

**MR. CHAIRMAN:** Jean Detillieux.  
Please proceed.

**MR. J. DETILLIEUX:** Monsieur le président, membres du comité, messieurs du gouvernement.

Lorsque votre gouvernement approcha la Société franco-manitobaine avec des propositions pour amender l'article 23 de l'Acte du Manitoba, la Société avait notre mandat, le mandat des franco-manitobains, pour nous représenter dans les longues consultations qui suivraient. Nous lui avons fait confiance pour négocier, avec votre gouvernement et avec le gouvernement fédéral, des amendements à l'article 23 qui seraient acceptables à tous les franco-manitobains, et qui garantiraient que justice nous soit faite par les futurs gouvernements de cette province.

La Société franco-manitobaine s'est montrée digne de notre confiance tout au long de ces consultations. Elle a négocié de bonne foi, patiemment, courageusement, pendant de longs mois. Elle a été conciliante, faisant les concessions qu'elle jugeait raisonnables. Il est donc injuste de dire que celle-ci vous a tordu le bras, qu'elle ne vous a pas laissé le temps de peser toutes les implications de l'entente.

A la fin de mai, lorsque les termes de la résolution proposée furent jugés acceptables par les trois parties négociantes, la Société consulta de nouveau la population franco-manitobaine qui lui accorda un généreux soutien et appuya vigoureusement la résolution que celle-ci venait de négocier avec les gouvernements provincial et fédéral.

C'est cette résolution pour amender l'article 23 de l'Acte du Manitoba que j'appuie pleinement aujourd'hui, telle qu'elle fut négociée au mois de mai par votre gouvernement et par la Société franco-manitobaine.

Votre gouvernement, messieurs, a eu le courage de déposer cette résolution devant l'assemblée législative, le courage de la défendre contre les attaques des membres de l'opposition. Nous apprécions votre geste de justice. Mais nous aimerions vous voir faire preuve de ce courage jusqu'au bout. Vous nous avez déjà fortement déçus. Les amendements à la résolution, proposés unilatéralement le 6 septembre, ont sérieusement ébranlé la confiance que votre gouvernement s'était acquise auprès des franco-manitobains. Aucune concession que vous nous imposerez ne réussira à apaiser ceux qui s'opposent à cette résolution. Ceux-ci ne veulent rien d'autre que le renvoi aux oubliettes de la résolution tout entière.

Les amendements proposés le 6 septembre s'attaquent à la substance même de la résolution. S'ils sont adoptés, ce sera un nouveau désastre pour la population franco-manitobaine. La résolution ainsi affaiblie dans ses garanties fondamentales laissera la porte ouverte à perpétuité pour les injustices et le pataugeage calculé de futurs gouvernements malveillants.

C'est pourquoi, messieurs, je proteste avec force contre les amendements du 6 septembre et vous demande instamment de soutenir la résolution telle que négociée au mois de mai. Merci.

**MR. CHAIRMAN:** Thank you. Questions for the witness?

Mr. Desjardins.

**HON. L. DESJARDINS:** M. Detillieux, vous parlez des amendements proposés le 6 septembre, est-ce que vous réalisez que ces amendements ne sont pas les amendements proposés.

**MR. J. DETILLIEUX:** Oui, je le réalise, Monsieur.

**HON. L. DESJARDINS:** Mais suggéré seulement comme possible et que même le parti, le caucus du gouvernement, n'est pas une réalisation à ce sujet.

**MR. J. DETILLIEUX:** Je réalise ceci, Monsieur, mais j'essaie de montrer les objections de la Société franco-manitobaine dans de tels amendements qui n'ont pas été faits en consultation à la suite des négociations.

**MR. CHAIRMAN:** Further questions? Seeing none, Mr. Detillieux, thank you very much for your presentation today.

**MR. J. DETILLIEUX:** Merci.

**MR. CHAIRMAN:** Mr. Graham.

**MR. H. GRAHAM:** On a point of order.

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

**MR. H. GRAHAM:** This is just for our committee - is Mr. Desjardins suggesting that the government did not propose the amendments seriously?

**MR. CHAIRMAN:** Order please, order please. That's not a point of order. The document which was tabled on September 6th contained explanatory notes to it, and was tabled with a statement at that time by the Attorney-General. I heard the Member for St. Boniface very clearly, and he made the distinction between amendments that are suggestions and amendments that are actually proposed. My understanding of his use of the word "proposed" in French, as he used it, implies the word "moved" in English. I think that's the distinction which may not have come clear in the translation. Perhaps Mr. Desjardins can clarify that.

**HON. L. DESJARDINS:** Yes, I would love to clarify that, Mr. Chairman, and I'll do it in English for Mr. Graham. I suggested that there is no official amendment at this time, but the resolution, and that is the only thing that we have in front of us; the others are a possibility. This would have to be moved officially before it becomes an amendment.

**MR. H. GRAHAM:** Mr. Chairman, we have been listening to briefs for weeks. We have heard suggestions that have been talked about on the proposed amendments. There have been suggestions for change. This is the first time that I have heard a suggestion that it's purely a proposal. The Attorney-General at no time has ever denied anything. If it changes, it has a drastic impact on the whole hearings that we have held to date. There has been an assumption by the public at large that these were amendments that were going forward. Now if that's not the case, maybe we have been misleading the people of Manitoba for the last several weeks.

**MR. CHAIRMAN:** I suggested at the beginning of this discussion that there was no point of order. Now that the kind of debate has been entered into, I feel compelled to allow both sides to make their point.

Mr. Penner, to the same point of order.

**HON. R. PENNER:** Yes, very briefly. Mr. Desjardins has stated the matter very clearly. The document speaks for itself, I don't propose to debate it. I just want to add that, in my view, it does not lie in the mouth of those who oppose the entrenchment of anything to now try to exploit the discussions taking place with respect to wording for narrow partisan advantage; that will not wash with me.

**MR. CHAIRMAN:** Order please. Contributions to points of order should be contributions meant to guide the Chair in resolving a situation and not engaging in partisan debate. Clearly, the matter really requires no further contributions from members and I'd like to call the next witness.

Mr. Doern.

**MR. R. DOERN:** Mr. Chairman, would you entertain a question or comment? I would like to ask for the following clarification . . .

**MR. CHAIRMAN:** I'm not entertaining a question or comment, I'm entertaining a contribution to the point of order.

**MR. R. DOERN:** Well, I'm requesting a clarification either from . . .

**MR. CHAIRMAN:** That's not appropriate, you're out of order.

**MR. R. DOERN:** Well, Mr. Chairman, then I simply say this.

**MR. CHAIRMAN:** Order please. The use of a point of order as a ruse to get something on the record will not be tolerated in this committee.

Order please. The committee has a great deal of business before it. I intend to call the next witness unless someone wants to interrupt the proceedings with a legitimate point of order. Any more ruses for debating purposes will be ruled out of order promptly.

Mr. Doern, on a point of order.

**MR. R. DOERN:** Mr. Chairman, I have a point of order. I must say, as well, that a ruse is sometimes in the eye of the beholder.

**MR. CHAIRMAN:** I'm the beholder today.

**MR. R. DOERN:** Yes, and I'm the beholder.

**MR. CHAIRMAN:** Order please. No demonstrations from the gallery.

**MR. R. DOERN:** Mr. Chairman, the question is simply this; can the government indicate . . . ?

**MR. CHAIRMAN:** Order please. A question to the government is not a point of order.

**MR. R. DOERN:** Well, then we don't know the status of the proposed amendments.

**MR. CHAIRMAN:** Order please. Mr. Doern, order. Your mike has been shut off. If you continue to talk after the mike is shut off and show disrespect for the Chair you give the Chair very little alternative.

The next witness is Dr. G. Lemoine, Comité de parents des Scouts et Guides of Ste. Anne. Dr. Lemoine.

**DR. G. LEMOINE:** Monsieur le président, membres du comité.

C'est à titre de président du Comité de parents des Scouts et Guides de Ste-Anne que je viens m'adresser à vous aujourd'hui et vous mentionner l'appui à la résolution pour amender l'article 23 tel que négocié par la Société franco-manitobaine et le gouvernement Pawley au mois de mai dernier.

Des arguments ressortent presque à tous les jours dans la presse - la démocratie, qu'est-ce qu'on en fait . . . le bilinguisme - une vraie affaire pour diviser!

Tous ici reconnaissent qu'en pays démocratique, faire prévaloir son vote est encore ce que les gens ne voudraient jamais se passer. Mais, par contre, il existe des situations qui ne peuvent être brassées au scrutin public et nous sommes en train de traiter d'une telle situation. En plus, comment mieux ridiculiser un système démocratique que de demander un référendum sur une loi qui a été jadis illégalement abrogée.

Je ne veux pas vous ennuyer avec de tels énoncés mais les civilisations ne progressent que dans la mesure où la tolérance existe chez elles.

Je suis convaincu que ceux qui s'opposent au biliguisme ou le perçoivent comme une entité divisive sont mal informés.

Je m'adresse ici tout particulièrement aux messieurs et dames qui s'opposent à ce que nos droits soient constitutionnellement reconnus.

Passons à un exercice d'humanité. Imaginez-vous dans un milieu entièrement francophone. Allons même imaginer l'inspecteur d'école française qui le jour de sa visite à votre école ne veut voir aucun livre anglais (ceux qui sont plus vieux s'en souviennent). Et toujours ceci dans un contexte où auparavant, vous aviez le droit d'apprendre l'anglais.

Les années passent — puis le gouvernement vous donne tranquillement le "droit" d'apprendre l'anglais à l'école - et ça avance - et du progrès se fait.

Tout au long des années, l'"Establishment" français vous demande: "Est-ce que vous aimez ça les classes anglaises?"

Certains répondent: "Je ne sais pas pourquoi il me demande ça: ça allait bien avant".

Et la bagarre éclate dans vos rangs.

C'est sûr qu'il va y en avoir du "chamaillage", on vous demande un conduite "tribale". Si toute la "tribu" n'arrête sa besogne pour se réunir - comme aujourd'hui, comme ce soir - on vous dit: "Mais ils ne sont pas intéressés!"

Sur ce, je dis: Demandez pas si la Société franco-manitobaine parle pour tous. Elle parle pour que les francophones reprennent ce dont ils ont été privés ily a bien des années.

Merci de m'avoir donné l'occasion de vous adresser. Merci, Monsieur le président.

**MR. CHAIRMAN:** Thank you, Dr. Lemoine. Questions for Dr. Lemoine from members of the committee?

Seeing none, thank you very much for your presentation here this morning.

Mr. Tobie Perrin, please.

**MR. DEPUTY CHAIRMAN, G. Lecuyer:** Procédez, M. Perrin.

**MR. T. PERRIN:** Monsieur le président, Messieurs les membres honorables, Mesdames, Messieurs,

C'est avec honneur que j'ai eu le privilège de vous adresser la parole sur un sujet que nous avons tous à coeur.

Laissez-moi d'abord vous dire que ma famille, la famille Perrin, demeure à Sainte-Anne depuis 1875 et au Canada depuis 1755. S'il y a des canadiens au Canada, nous nous réjouissons d'en être. Avec les années, nous sommes devenus apparentés avec les familles Lagimodière et même Riel. Je suis l'aîné d'une famille de quatorze enfants. J'ai dû me retirer de l'école à l'âge de treize ans à cause de la maladie de mon père. J'ai donc hérité à la fin de mon cours d'un grade quatre.

Nous voilà en 1916, l'année de la grande épreuve pour nous les canadiens-français du Manitoba. C'est un peu comme l'année 1755 fut celle de la déportation des acadiens. Nos gouvernements d'alors, c'est-à-dire de 1916, nous exproprièrent sans raison de notre langue vers l'anglais dans une province bilingue. Nous n'avions pas à nous cacher dans les bois comme firent beaucoup d'acadiens. Nous nous cachions de la loi. Mais il fallait toujours surveiller l'arrivée de l'inspecteur.

Voilà, chers amis, comment nous canadiens français avons eu justice depuis près de 100 ans. Riel dans son gouvernement provisoire avait fait justice aux deux langues. Riel était canadien comme nous le sommes encore aujourd'hui. Voulez-vous nous ramener à l'échafaud d'où Riel a donné son dernier soupir? Si vous voulez rétablir la justice, ayez donc l'obligeance d'adopter les amendements proposés à l'article 23 de l'Acte du Manitoba tel que le gouvernement provincial les avait suggéré au mois de mai dernier. C'est le souhait d'un homme qui fréquentait déjà l'école avant 1916 quand l'injustice a été commise.

Je vous respecte tous chers concitoyens et je vous remercie de votre bonne attention.

Un électeur de Springfield,  
Tobie Perrin.

**MR. DEPUTY CHAIRMAN:** Merci, M. Perrin. Y a-t-il des questions, les membres du comité?

Puisqu'il n'y en a pas, il me reste à vous remercier, M. Perrin, d'avoir daigné vous présenter devant le comité.

**MR. T. PERRIN:** Merci beaucoup.

**MR. DEPUTY CHAIRMAN:** Point of order, please, members of the gallery are not to express their wishes in any way.

Mr. Scott.

**MR. D. SCOTT:** Mr. Chairman, I had a request a few minutes ago. The person who was down as No. 31, Reeve John Giesbrecht of the Municipality of La Broquerie, unfortunately he is not going to be here this

afternoon or this evening; he is here now. The hour being 12 o'clock, we just have until 12:30, and we're just on No. 23 coming up, I wondered if it would be the will of the committee to allow Reeve Giesbrecht to make his presentation now.

**MR. DEPUTY CHAIRMAN:** What is the wish of the committee? Is it agreed?

Mr. Desjardins.

**HON. L. DESJARDINS:** Mr. Chairman, if I may, I think that maybe we should ask the members that have to present briefs yet, because we follow a number. I think we should do that with the approbation of the members in the hall.

**MR. DEPUTY CHAIRMAN:** I believe it is customary for the members on the committee to determine the procedure of the committee. Unless I hear otherwise, I have heard agreement expressed. I would then proceed and call No. 31.

Mr. John Giesbrecht, Municipality of La Broquerie. Mr. Giesbrecht. Am I correct, Mr. Giesbrecht, that you are accompanied by Councillor Gilbert Tétrault?

**MR. J. GIESBRECHT:** Yes, that's right.

**MR. DEPUTY CHAIRMAN:** You may proceed, Mr. Giesbrecht.

**MR. J. GIESBRECHT:** Good morning. First of all, I would like to thank you for making an exception and giving me the time to make my presentation now. Now I make my presentation.

A delegation of concerned citizens from La Broquerie made a presentation to council, asking council to make a presentation at this hearing supporting the agreement reached in May 17, 1983, between the Manitoba and Federal Governments and Franco-Manitoba. Therefore, on behalf of council and the people we represent, I make this presentation.

We, in the R.M. of La Broquerie, have always provided bilingual services. Sometimes we provide services in three languages. We will continue to do so as long as the need is there. Councillors are sensitive to the needs of the people, that is why they are on council. They know when a road needs gravel; they know when a ditch needs cleaning; they know when a culvert needs to be replaced. They will also know, without being told by the province, when there needs to be bilingual services.

To us, language is a means of communication, whether it is English, French or German or some other language is not important, as long as we can communicate. Language and culture should bind us together, not pull us apart. Canada is big, there is enough room for all of us, regardless of what language we speak, to live. Many languages enrich our country. All Canadians should have the right and the opportunity to express themselves in the language they know best in a court of law, education or health and so on.

The Federal Government has chosen to use language and culture for political gain, at the same time pulling us apart. We hope that the Province of Manitoba won't make the same mistake.



We adopt the principles of the Bible which our forefathers based the Constitution on. We should esteem each other higher than ourselves, not demand our rights, and think of the rights of others, and our problems all disappear.

Thank you. I'll make the same thing in French now.

**MR. CHAIRMAN:** Procédez M.G. Tétrault.

**MR. G. TÉTRAUULT:** Monsieur le président, membres du comité, une délégation de citoyens concernés de La Broquerie se présentaient devant le conseil municipal demandant que la municipalité présente un bref à votre comité appuyant la résolution pour amender l'article 23 de l'Acte du Manitoba tel que négocié au mois de mai dernier par la Société franco-manitobaine et le gouvernement du Manitoba

Etant en accord avec cette demande, le conseil municipal de La Broquerie vous présente aujourd'hui quelques commentaires au sujet du bilinguisme au Manitoba.

Le conseil municipal de La Broquerie n'a pas eu besoin d'ordre du gouvernement provincial pour constater qu'il y avait un besoin pour des services bilingues à La Broquerie. Le personnel du bureau municipal a toujours depuis 1881 servit son public en français et en anglais et même parfois en allemand. Le conseil prend à tâche de continuer de servir sa population dans la langue dont ils préfèrent.

Pour nous la langue est un moyen de communications et c'est avec la communication que les gens apprennent à se connaître et se comprendre. La langue et la culture devrait être un moyen pour les canadiens de s'unir et non pas de se séparer. Nous croyons que dans le domaine des tribunaux, d'éducation et des services de la santé, tous les canadiens devraient avoir le droit et l'opportunité de s'exprimer dans la langue dont il préfèrent.

Monsieur le président, membres du comité, je souhaite de tout mon coeur que les rugissements cessent et qu'enfin tous redeviennent des hommes et qu'à nouveau les droits de nos pères et leurs confrères, fondateurs de cette province, soient respectés. Merci de votre attention.

**MR. DEPUTY CHAIRMAN:** Merci, Mr. Tétrault. Are there any questions from the members of the committee?

Mr. Brown.

**MR. A. BROWN:** Thank you, Mr. Chairman. My question would be to Reeve Giesbrecht. At the bottom of Page 1 he makes a statement, "All Canadians should have the right and the opportunity to express themselves in the language they know best in a court of law, education and health, etc." Mr. Giesbrecht, are you suggesting that all the courts, all the education facilities, the health facilities and so on, should provide languages for whatever nationality you are?

**MR. J. GIESBRECHT:** I feel there could be, in a court of law you could have an interpreter. If a fellow cannot speak English or French and he speaks Ukrainian, maybe you can find somebody who can interpret for him to the judge what he has to say. That's what I'm saying.

**MR. A. BROWN:** That service is available now. I was just wondering whether you thought that the entire proceedings should be in languages other than English or French?

**MR. J. GIESBRECHT:** No.

**MR. DEPUTY CHAIRMAN:** Mr. Penner.

**HON. R. PENNER:** Yes, to either Reeve Giesbrecht or Councillor Tétrault, just one question for clarification. In the third paragraph on Page 1 of your brief, you say in the third sentence, "Councillors are sensitive to the needs of their people, that is why they are on council." And in the last sentence of that paragraph, "They will also know, without being told by the province, when there's a need for bilingual services." I take it you're supporting the voluntary program for municipalities, rather than being imposed on the municipalities.

**MR. J. GIESBRECHT:** That is correct.

**HON. R. PENNER:** Thank you.

**MR. DEPUTY CHAIRMAN:** Any further questions? Seeing none, thank you Mr. Giesbrecht. Merci, Mr. Tétrault and thank you to the Municipality of La Broquerie.

**MR. CHAIRMAN, A. Anstett:** Next on our list is Margaret Smith, Centre Culturel Corporatif de Ste. Anne. Margaret Smith, please.

**MS. M. SMITH:** Monsieur le président, membres du comité, ça va sans dire que l'histoire des franco-manitobains n'a pas cessé de se répéter pendant plus de cent ans. Ils ont été, ils sont soumis à des persécutions, des intimidations, des abus, des insultes. Des hommes anglosaxons se sont contentés depuis au-delà de 100 cent de suivre la vague de l'ignorance et de l'esprit étroit. Au cours de toutes ces décennies, les anglosaxons majoritaires ont tout fait politiquement, légalement, socialement et économiquement pour assimiler le francophone à la langue anglaise.

On entend souvent dire: "We don't want French shoved down our throats." Mais en réalité je me demande si ce n'est pas le contraire qui se passe. "Who has been trying to shove English down our throats?" Il me semble qu'après 90 ans même si la population franco-manitobaine n'est pas majoritaire la restauration des droits des franco-manitobain sera un acte de justice et de bonne foi envers tous les francophones du Canada.

Nous sommes fiers d'être canadiens, nous ne pouvons plus compter de se fier à des promesses politiques. Nous voulons être sûrs de nos droits. C'est au nom du Centre culturel de Ste-Anne que j'appuie la résolution négociée au mois de mai 83 pour amender l'article 23 de l'Acte du Manitoba. Merci.

Si c'est possible, pas de questions.

**MR. CHAIRMAN:** Thank you very much, Ms. Smith.

**MS. M. SMITH:** Merci.

**MR. CHAIRMAN:** Reeve Carl Pitura, R.M. of Macdonald. Reeve Pitura please. Please proceed.

**MR. C. PITURA:** Thank you, Mr. Chairman and members of the Standing Committee, ladies and gentlemen, and friends of the gallery. This brief is just a little different to the briefs that we have been hearing this morning, the fact that it is a corporate brief, put up by a municipality, passed by resolution of council in its adoption.

I would like to say that the Municipality of Macdonald lies just to the south of the City of Winnipeg. We are a multi-ethnic-cultural area and we had options to go to the City of Winnipeg to present a brief or to Morden and we chose to come to Ste. Anne, because Ste. Anne is a part of the Union of Manitoba Municipalities Electoral District and, as such, the Municipality of Macdonald is a part of it, so we felt quite at home coming to Ste. Anne.

At the same time, I'd probably wear two hats today, as one of the elected executive members of the Union of Manitoba Municipalities, and probably I'll make a comment at the end of my brief in that regard. I would like to commend the various participants that have presented their briefs up till now, I think they're certainly a high level. I would like to point out, too, that I also did take French in my earlier years in school, probably French that I can read but not converse. I would also like to point out that probably I did have one or two French girlfriends. I think it was mentioned before that probably that was not an asset or an attribute.

To the members of the Legislative Committee, the Rural Municipality of Macdonald was incorporated in 1881, shortly after the first settlers arrived from the British Isles and Eastern Canada. Our forefathers, after establishing their homesteads, turned their interests to the development of schools, roads and communities.

For over 100 years the original residents and immigrants from many of our European countries who settled in this municipality carried on an effective form of government, of school and community services in harmony and to the benefit of the citizens without any communication or language difficulties. The Municipality of Macdonald, and indeed the Province of Manitoba, is a multicultural mosaic of ethnic groups and each contributing to cultural heritage. Should a minority language be "entrenched"?

The present government, through its own advertising, has stated that "almost half of the Manitoba students in public schools are involved in a variety of French language training programs." Where warranted, the French Languages Service is provided at government, municipal and school offices on a voluntary basis, as is other languages in the communities where there is a large ethnic population. The Council of the Municipality of Macdonald does not oppose French Language Services where it is needed or requested, or proven to be essential.

Section 23 of The Manitoba Act of 1870 reads as follows:

"Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person, or in any pleading or process, or in issuing from any Court of Canada established under The British North America Act of 1867, or in or from all or any of the courts of the province. The acts of the Legislature shall be printed and published in both those languages."

The proposed amendment of this government would amend The Manitoba Act to provide that "English and French are official languages of Manitoba." If this is implemented, French Language Services could be demanded at all levels of government and businesses throughout Manitoba.

When the provincial legislators of 1890 recognized the fact that French Language Services were no longer practical or required, they attempted to enact an amendment which proved unconstitutional in 1979. Instead of the Provincial Government trying to ratify its 93 years of English legislation, it proposed an agreement involving the Federal and Provincial Governments and the Société franco-manitobaine. The "deal" with the Société was for it to discontinue its support and withdraw the Bilodeau case before the Supreme Court.

The status of the Société franco-manitobaine should be clarified. A vast majority of Manitobans of French origin do not and cannot accept the Société as representing them as French Canadians. The Société is strongly supported by federal money, and is often represented by non-Manitobans. What assurance has this government, or any future government, other than French language issue, would not become before the courts again?

The Provincial Government has suggested that French Language Services will be implemented in a "practical, just and economical way." Practical - by entrenching and imposing the French language upon a majority of people who have not requested, nor want it; just - when imposed by the government; and economical - when federal and provincial money is being made available to translate statutes to assist in other various ways to implement French Language Services into government agencies.

Legal provision has been made and should always be made to provide French Language Services to Canadians who cannot speak or comprehend English. If the 1890 statutes were so wrong, it should not have taken over 90 years for a government or any ethnic group to effect a change.

The proposal of the Provincial Government to entrench the French language into the Constitution; provide French translation of 400 statutes; and provide French Language Services, is not needed, is uneconomical and is divisive and appears to be discriminatory against the English-speaking majority of Manitoba.

Mr. Howard Pawley, in a letter dated July 11, 1983, stated, "This is only being offered to approximately some 30 out of 200 municipalities where the number warrant (and, of course, where the municipalities are themselves willing)." At a subsequent meeting on July 25, 1983, the representatives from designated municipalities, Mr. Pawley suggested that The Municipal Act was a high priority for translation. And then again, in a subsequent letter dated August 18th to municipal and school board officials, the Premier against stated, "We will be proposing an amendment which will specifically exclude municipalities and school boards from any constitutional obligation under The Municipal Act, as amended."

As a municipality directly affected, the council would like to draw your attention to the procedures of the government:

- The Rural Municipality of Macdonald was "designated" and identified on a map as a municipality to provide French Language Services without any consultation with our electors or our municipal representatives to determine the need; and also,
- In the proposed draft Federal-Provincial Agreement on assistance, the cost-sharing of implementation of French Language Services, the Municipality of Macdonald was listed as a "target" municipality.

We feel that both those procedures were not very democratic. Mr. Chairman, and members of the Standing Committee, it seems to council that the Rural Municipality of Macdonald that someone is playing political games at the expense of municipal unity, provincial unity, and certainly Canadian unity.

In summary then, the Council of the Municipality of Macdonald appreciates the opportunity to appear before the Standing Committee and to express its views on the proposed French language amendments. Once again I would like to say that our council is not opposed to bilingual services:

1. If the cost of translation and duplication of services was not so prohibitive - I think every municipal council is faced with cost of administration;
2. If the request for French services came from the electors of the municipality;
3. If a criteria was so established by legislation rather than under pressure of the Société franco-manitobaine, where the electors of the authority could initiate the procedures; and
4. If the designation of the authority will be determined by that authority rather than by a senior level of government. At that time, the Province of Manitoba should be prepared to assist with the implementation of French Language Services.

Once again, in conclusion, Mr. Chairman, and members of the committee, for over the past 100 years - our municipality celebrated their centenary a year ago - the people of our municipality have lived together, have certainly worked together, have prayed together, and I'd certainly like to add that we've played together, whether it be hockey or ball or sports of any kind, and we've certainly intermarried from our families and others. This is evidenced by the operation of various activities in our municipality: the Macdonald Public Recreation Commission; our Macdonald Volunteer Fire Department; and Ecumenical Church Council. Can we forget how the men and women of our municipality and the province joined together to fight in the World Wars to fight for our democratic freedoms? The proposed amendment to us is the most divisive legislation confronting the citizens of our municipality in the memory of this council and we feel should not be allowed to proceed in its present form.

Respectfully submitted by myself, on behalf of our council.

**MR. CHAIRMAN:** Thank you, Reeve Pitura. Questions for Reeve Pitura from members of the committee?  
Mr. Penner.

**HON. R. PENNER:** Reeve Pitura, just two or three questions for clarification. On Page 2 of your brief in

the second paragraph you state, "Instead of the Provincial Government trying to ratify its 93 years of English legislation, it proposed an agreement," and it goes on, how, in your view, could the Provincial Government ratify legislation passed in one language only, when the Supreme Court ruled it had to be passed in two languages? How could the Legislature do that in your view?

**MR. CHAIRMAN:** Mr. Pitura.

**MR. C. PITURA:** We make reference back to the original Manitoba Act of 1870, and I believe that's where we hang our hat on that legislation.

**HON. R. PENNER:** That act, which you quote, says that the acts of the Legislature shall be printed in both languages.

**MR. C. PITURA:** That's right.

**HON. R. PENNER:** Then I come back to my question, how could the Provincial Government, on its own, ratify this legislation which was passed in one language only? How could it do that?

**MR. C. PITURA:** I just don't follow your question, I'm sorry.

**HON. R. PENNER:** Well, you made the statement in your paragraph and I just want clarification. You say instead of the Provincial Government trying to ratify its 93 years of English legislation, I want to know how, in your view, legally, the Legislature of the Province of Manitoba could do that?

**MR. C. PITURA:** I'm afraid that's in legal context. I'm sorry, I don't have the answer to that one.

**HON. R. PENNER:** Well, okay. Again, with respect to the last paragraph on Page 2, "A vast majority of Manitobans of French origin do not and cannot accept the Société as representing them as French Canadians," on what do you base that very startling statement? What evidence do you have?

**MR. CHAIRMAN:** Order, order please. The suggestion that the statement is startling implies argument. I think other than that, the question is in order.

**HON. R. PENNER:** Drop the word "startling."

**MR. C. PITURA:** I think that's a statement brought out in response to news media, paper writings, all that has been going on the last month or so or two months.

Also in response to this, a member of our council, Councillor Evelyn Legacy, has a very strong French background, being in our municipality very close to 100 years and probably these were some of the comments that we drew.

**HON. R. PENNER:** So your answer to me is that your evidence to support that statement is based on newspaper comment and the opinion of Mr. Legacy, is it?

**MR. C. PITURA:** Mrs.

**HON. R. PENNER:** Mrs. Legacy. That's what you base that statement on?

**MR. C. PITURA:** Yes.

**HON. R. PENNER:** Thank you.

**MR. CHAIRMAN:** Order please. Mr. Penner.

**HON. R. PENNER:** I want clarification, if I may, on Page 3 of the second full paragraph in the last sentence. "If the 1890 statutes" - actually it's statute, it's The Official Language Act, it's one law - "was wrong, it should not have taken over 90 years for a government or an ethnic group to effect a change," would you just clarify what you mean by that? What do you mean by a government or an ethnic group to effect a change? What change are you talking about?

**MR. C. PITURA:** Yes, Mr. Penner, it seems to us that we have lived quite well for over 90 years and if the hardship was so great, we suggest that it should have addressed itself prior to this length of time.

**HON. R. PENNER:** Are you aware that it wasn't until 1979 that the Supreme Court declared that 1890 law invalid?

**MR. C. PITURA:** Yes, certainly.

**HON. R. PENNER:** Okay. The next paragraph you talk about, "The proposal of the Provincial Government to entrench the French language into the Constitution; provide French translation of 400 statutes," and then you go on to say that all of this is uneconomical. Are you aware that the proposal is to translate only 400 out of 4,400 and not to translate 4,000?

**MR. C. PITURA:** Yes.

**HON. R. PENNER:** Would you not think that that constitutes a saving?

**MR. C. PITURA:** Yes, if indeed we would have to.

**HON. R. PENNER:** Yes, thank you for that answer. I think those are my questions for clarification. Now, one more question for clarification. I turned to Page 5 in the summary of your brief, Reeve Pitura, and that has to do with a term that appears in Recommendations 3 and 4. You talk about "the electors of the authority," and in 4, "If the designation of the authority will be determined by that authority rather than a level of senior government," what authority are you referring to?

**MR. C. PITURA:** Again, Mr. Penner, written on the municipal level, we felt that the wish should come from the residents at the local level and be initiated that way, and of course where numbers would warrant, the services would be implemented.

**HON. R. PENNER:** You're aware of the proposed amendment introduced on September 6th, which would

specifically exclude municipalities from having a legal obligation, the effect of that being to leave it voluntarily?

**MR. C. PITURA:** Yes.

**HON. R. PENNER:** Thank you.

**MR. CHAIRMAN:** Further questions?  
Mr. Lecuyer.

**MR. G. LECUYER:** Thank you, Mr. Chairman. Mr. Pitura, well, first of all, I might say that Mr. Penner asked a number of the questions I was going to cover, but I would just like to come back to one of the questions he touched upon. This is the statement where you state, "A vast majority of Manitobans of French origin do not and cannot accept the Société as representing," am I correct in interpreting your answer as having been that that was sort of a gratuitous statement, which was not based on fact, on your part?

**MR. C. PITURA:** I would say so.

**MR. G. LECUYER:** On Page 3 of your statement, Mr. Pitura, you state on the first paragraph of that page, "by entrenching and imposing the French language upon a majority of people who have not requested, nor want it," what do you mean by that, when you say by imposing the French language? What is the meaning of the word, as you intended it to be, in that paragraph?

**MR. C. PITURA:** I believe in the context of our municipality, once again, we were doubtful about the implementation by entrenching and I think that's what fostered this paragraph. We feel as long as services are required - and a good number of services are being provided today. Our municipality, as a matter of fact, just a couple of weeks ago made sure that a person who wasn't too conversant in the English language was able to get assistance and follow through the communication aspect of it.

**MR. G. LECUYER:** Do you mean by that, by entrenching services in the Constitution, that everyone would have to speak both languages?

**MR. C. PITURA:** Once again, I think on the municipal level we look at what entrenchment of municipal acts or by-laws would be forthcoming, and we can see a duplication or multiplicity or, in fact, added costs being triggered, whereas maybe they wouldn't be essential, because we feel we have been communicating together for the past 90 years.

**MR. G. LECUYER:** Well I'll pass, but that doesn't really answer my question. The next question, Mr. Pitura, I didn't really get any answer or hear any answer to Mr. Penner's question a while ago, when he asked - and you make reference to it - if the 1980 statutes were so wrong it should not have taken 90 years for a government, or an ethnic group, to effect a change. Mr. Pitura, I want to know how you, for instance, the reeve of a municipality, would suggest that such changes could be brought about, in view of the four conditions that you place for providing bilingual services? How

do you see that coming about, other than by through the court system?

**MR. C. PITURA:** I think we mentioned it in our last page that we felt this would come about by the legal authority, by the local authority. Here again, we feel the amount of services that we've provided over the past 90-odd years, I don't feel anyone has really been discriminated in the Municipality of Macdonald.

**MR. G. LECUYER:** I gather, Mr. Pitura, what you're saying is you're providing French Language Services and, if that is the case, how am I to interpret the statement you make on Page 3 in your third paragraph where you state, "The proposal of the Provincial Government to entrench the French language into the Constitution; provide French translation of 400 statutes; and provide French Language Services, is not needed, is uneconomical, is divisive." Isn't that a contradiction of what you just stated now? You say it's not needed and then you go on and state that you do provide some services?

**MR. C. PITURA:** The services we are providing are in the services of communication, of understanding and comprehending. For an example, we're in a process of a dog by-law. Would this mean to say now, to encompass the municipality, that we would have to have this legislation go through the legal process of statute in the French language, and yet we feel that the by-law is quite legitimately understood by all of our people, and this is the point we're trying to make.

**MR. G. LECUYER:** You end your presentation, Mr. Pitura, by saying, "The proposed amendment is the most divisive legislation confronting the citizens of the Municipality of Macdonald in the memory of this council and should not be allowed to proceed." Again, Mr. Pitura, I fail to understand how that agrees with what you've stated earlier. May I ask, Mr. Pitura, why you see this as being so divisive and how you propose the province to abide by the decision of the Supreme Court of 1979 if it is not to proceed in this direction?

**MR. C. PITURA:** Well I'm sure I can't answer that one - how to perceive that the province is going to follow through. I think that's up for the province to decide how they're going to follow through.

**MR. G. LECUYER:** A final question, Mr. Chairman. In your second last paragraph on Page 4, Mr. Pitura, you make reference to, "... someone is playing political games." Were you talking of the Municipality of Macdonald?

**MR. C. PITURA:** Well I think it's mentioned on three levels and I think you can interpret that in a broader sense.

**MR. G. LECUYER:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Before I recognize further members I have three more members' names on the list and we already 10 minutes past our normal hour of noon adjournment at 12:30. Reeve Pitura, are you available to come back at 2:00 for further questions?

**MR. C. PITURA:** I was hoping not to, if we can expedite the questions.

**MR. CHAIRMAN:** Mr. Desjardins.

**HON. L. DESJARDINS:** Yes, Mr. Chairman, on Page 1, at the bottom of the page, Mr. Pitura you say, "The Council of the Municipality of Macdonald does not oppose French Language Services where it is needed, or requested, or proven to be essential." Do you really mean what is stated here, "or requested?" Wherever it is requested you would provide the service in your municipality?

**MR. C. PITURA:** Yes. The services for communication we have. I'm not talking of legal services, as I referred to previously to legal by-laws. As far as understanding and communicating, yes we have.

**HON. L. DESJARDINS:** That's not my question. I'm asking, did you say that "The Council of the Municipality of Macdonald does not oppose French Language Services where it is needed, or requested, or proven to be essential." If you are, or if you were, requested to provide French Language Services, would you provide it?

**MR. C. PITURA:** Well, I think again we're taking out of context. We had three conditions here and either

**HON. L. DESJARDINS:** How could I take anything out of context when I'm quoting what you have in the report?

**MR. C. PITURA:** We mentioned that it be needed and also to be proven to be essential and, here again, I come back, as long as we're communicating and understand one another, I think this is our concern.

**HON. L. DESJARDINS:** Mr. Chairman, I'd ask Mr. Pitura to look at his text. Now this time he said, "where it is needed, or proven to be essential," but between that, on the text that I have unless there's a mistake, it says, "or requested," that you just omit at this time. Would you omit it if you were requested?

**MR. C. PITURA:** I think, here again, we used the phrase of Premier Pawley's letter "where numbers warrant" and I think probably council - and I can't speak for council in a situation such as this - but council would probably have to look at that situation.

**HON. L. DESJARDINS:** So, Mr. Chairman, then I take it, "or requested" is debatable, that you might change your mind on that then.

**MR. C. PITURA:** Well, it would have reference to "numbers warrant", as the Premier has stated in his communication with the municipality.

**HON. L. DESJARDINS:** How many would be needed?

**MR. C. PITURA:** Well, I don't think the Premier mentioned where numbers are warrant either and he didn't put the numbers on that one, so I don't know.

**HON. L. DESJARDINS:** Mr. Chairman, this states here that this is a brief of the Municipality of Macdonald, not of the Premier of the Province of Manitoba. Let's go to another thing.

**MR. CHAIRMAN:** Order please, Mr. Desjardins. Those kinds of comments tend to be argumentative and don't elicit clarification and you may get the same tone of response if you pursue in that line of questioning.

**HON. L. DESJARDINS:** Not at all, Mr. Chairman, because . . .

**MR. CHAIRMAN:** Do you have a further question?

**HON. L. DESJARDINS:** . . . it is stated what the Premier stated and I'm asking questions of the brief, not of the Premier.

On Page 2, "The Société is strongly supported by federal money and is often represented by non-Manitobans," could you state one case where the Société franco-manitobaine is being represented by a non-Manitoban?

**MR. C. PITURA:** I don't care to answer that question?

**HON. L. DESJARDINS:** You don't care, or you can't answer that question?

**MR. C. PITURA:** No, I don't care to answer that question.

**HON. L. DESJARDINS:** Oh, all right. Let's see if you care to answer others. You say, "Practical - by entrenching and imposing the French language upon a majority of people." Can you tell us how this amendment or this resolution would impose French on people that don't want it?

**MR. C. PITURA:** I didn't get the first part of the question, I'm sorry.

**HON. L. DESJARDINS:** You say on Page 3 that this, by entrenching it, would impose the French language on a majority who do not want it. Could you give me an example of where it would impose the French on people that don't want it?

**MR. C. PITURA:** Well, here again, I refer to municipal services and we are mainly concerned of the duplication that could arise in the interpretation of municipal services.

**HON. L. DESJARDINS:** It's not what you say, you say imposing the French language on people who don't want it.

**MR. C. PITURA:** Well, here again, if the municipality is some 90-odd percent other ethnic groups, then certainly they would have to pick up the price tag and the cost. I think this is the context that . . .

**HON. L. DESJARDINS:** That's what you mean by imposing. All right.

You were saying that this will force us to translate statutes. Do you realize that this is being done now?

**MR. C. PITURA:** Yes, I do.

**HON. L. DESJARDINS:** And, in fact, now there is no limit to how many will be translated and we're suggesting about 400. You are aware of that?

**MR. C. PITURA:** Yes.

**HON. L. DESJARDINS:** You also stated on the same page that it has taken 90 years for a government to effect the change, so it can't be so wrong. Are you suggesting that if you have a wrong and if you wait long enough before it's rectified it is no longer wrong?

**MR. C. PITURA:** No, I'm not suggesting that.

**HON. L. DESJARDINS:** You're not suggesting that. I don't know what you are suggesting then.

**MR. CHAIRMAN:** Mr. Desjardins, when you suggest an answer in your question, it does intend to be a question for clarification?

**HON. L. DESJARDINS:** Oh yes, very much so, Mr. Chairman. I'd want to make sure that I understand this brief fully.

**MR. CHAIRMAN:** The Chair has some difficulty interpreting it that way.

**HON. L. DESJARDSON:** So have I, that's why I'm asking the question, Mr. Chairman.

Now, Mr. Chairman, it was brought in with other things, I think there was a comparison between a dog by-law and a French right by-law, but I would want to go to Page 5. "The province joined together the fight in the World Wars for a democratic freedom," are you suggesting, Sir, that I wouldn't have joined the Navy had I been given my rights 40 years ago or so to fight like other people do, that would prevent me from joining the forces to fight for my country?

**MR. C. PITURA:** No, that's just a statement that was put in, and I don't intend to tear it apart legally.

**HON. L. DESJARDINS:** To add a little bit to the presentation?

**MR. C. PITURA:** No.

**HON. L. DESJARDINS:** Thank you very much, Mr. Chairman.

**MR. CHAIRMAN:** Thank you, Mr. Desjardins.

**MR. CHAIRMAN:** Mr. Doern.

**MR. R. DOERN:** Mr. Chairman, to Reeve Pitura, you mentioned that in your judgment the Franco-Manitoban Society doesn't necessarily represent all Francophones. Are you familiar with the organization of Mr. Prince,

the pro-Canadian movement, or are you familiar with the views of any of your constituents?

**HON. R. PENNER:** Mr. Chairman, on a point of order.

**MR. CHAIRMAN:** Mr. Penner, on a point of order.

**HON. R. PENNER:** You previously ruled that a member here asking questions is not to make a statement putting something that is extraneous to a witness.

**MR. R. DOERN:** It's not extraneous.

**HON. R. PENNER:** Reeve Pitura did not make the statement attributed to him. The statement that he made, which has been the subject of some questioning here on Page 2 is, "A vast majority of Manitobans of French origin did not and cannot accept the Société as representing them as French Canadians." It was not a statement to the effect as put in Doern's words, that the Société does not represent all Franco-Manitobans. That was not the Reeve's statement, that is not what occasioned the questioning. What occasioned the questioning was that the reeve's statement was not Doern's version of it. That becomes extraneous material which just then becomes argumentative instead of for clarification.

**MR. R. DOERN:** Mr. Chairman, on the point of order.

**MR. CHAIRMAN:** Mr. Doern, on the point of order.

**MR. R. DOERN:** I can read as well as the Attorney-General, possibly better.

I would like to ask whether the reeve can expand on his statement and that was the purpose of my question.

**MR. CHAIRMAN:** Reeve Pitura, can you expand on the statement then, please?

**MR. C. PITURA:** Well, again, Mr. Chairman, I'll have to go back to what I said previously.

**MR. CHAIRMAN:** Is your answer going to be just a repetition of what you said before?

**MR. C. PITURA:** Yes.

**MR. CHAIRMAN:** There is no use wasting time, Mr. Doern can read it in the transcript. Do you have further questions, Mr. Doern?

**MR. R. DOERN:** Yes I do. You also say, Reeve Pitura, that the Soc été is strongly supported by federal money and is often represented by non-Manitobans. Does that statement imply that you are suspicious of federal interference or federal direction?

**MR. CHAIRMAN:** It's a leading question, Reeve Pitura, but you may answer it. Do you choose not to answer it?

Mr. Doern, further questions?

**MR. R. DOERN:** Mr. Chairman, I would also like to ask again, in reference to that statement, whether you dislike

or question out-of-province experts coming into the province and appearing at the public hearings?

**MR. C. PITURA:** Here again, we get back to some of our summary, that we feel that the criteria should be established from the local level. I think in that broad statement and certainly we would object from experts from out of province.

**MR. R. DOERN:** On the top of Page 3, in reference to future court challenges, etc., are you aware of the fact that neither the government nor the SFM, nor anyone else can guarantee that there won't be further court challenges. No one has given that guarantee or can give that guarantee.

**MR. C. PITURA:** Yes, I believe we are aware of that fact.

**MR. R. DOERN:** On Page 4, you indicate that there was no consultation with your municipality concerning the provision of French Language Services. Are you suggesting, for example, that this is something you read about in the newspaper or were you simply sent a letter by the Attorney-General designating your municipality?

**MR. C. PITURA:** First of all, we read about it in the newspaper and, secondly, we received a letter. Now, whether the press releases were made at the same time or whether the postal . . .

**MR. R. DOERN:** So you were told, but you were not consulted, or you were informed, but not consulted?

**MR. C. PITURA:** No, I think it was even more than that. We were told and we were "designated." This is the word that our council had some difficulty with was the "designation" in view of the fact that we weren't even asked to contribute to any criteria, or any formula, or to numbers, or whatever the case may be. The direction sort of came from the top, rather than what we are trying to say, that the direction should come from the people upwards.

**MR. R. DOERN:** The last statement in your brief, that the proposed amendment is the most divisive legislation confronting the citizens of the Municipality of Macdonald, is that a fairly common view in your municipality? Have you heard that from individuals, Francophones, etc., that they wish that this had never occurred and wish that it were withdrawn?

**MR. C. PITURA:** Yes.

**MR. CHAIRMAN:** Further questions?  
Mr. Doern.

**MR. R. DOERN:** Two more. Has your municipality passed a resolution and forwarded it to the government in regard to the government's proposals?

**MR. C. PITURA:** Yes, we have.

**MR. R. DOERN:** Are you planning on holding a referendum or plebiscite on this question?

**MR. C. PITURA:** At last council meeting we did ask our council for their opinions, and at that point in time we were not in favour of a referendum for the area for a number of reasons: being the small percentage within the La Salle area; and the other factor is, as I've said before over and over again, that we've lived so harmoniously with the community of La Salle and have not had any communication problem. It might seem a little odd, but we certainly didn't have a communication problem and we understood one another - I think is the fact that we do not want to get into a referendum.

**MR. R. DOERN:** All right. Thank you, Reeve Pitura.

**MR. C. PITURA:** I would also like to point out, in my comment, I just had this as extra and it's the newsprint or the release of the Manitoba Cultural Heritage Association and all its activities. I've attended a number of these meetings and maybe, because of the things I am saying as reeve, and our council probably gives some of this background where you see the different groups - the ethnics and the culture - all getting together and doing their own deal under the legislation, and assistance, might I say, of grants from the Provincial Government. This is the sort of thing that we see coming. Like we feel language should come from within, culture comes from within, and these factors grow from within, and as the need is required, then we provide the services.

We have some difficulty in trying to see it go the other way, in fact, great difficulty in seeing it come from the top down; and this is why we've brought this along, where the groups have the opportunity to represent and to bring forth their beliefs, their history, their whole background, and I think this is what we're commended for. I don't think there's anyone in Manitoba that has really been done any great harm by the fact of not being able to communicate.

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

Mr. Penner.

**HON. R. PENNER:** Just one question arising out of something asked by Mr. Doern, relating to Page 4. "The Rural Municipality of Macdonald was designated and identified on a map as a municipality to provide French Language Services without any consultation, with the electors or the municipal representatives to determine need." There's an implication there that the municipality was told they must do something. Would you please table with this committee, the letter to which you refer? I know of no such letter and I would invite you to table a letter you say that you received which, in effect, required your municipality to deliver those services.

**MR. C. PITURA:** Well . . .

**HON. R. PENNER:** You referred to the letter.

**MR. C. PITURA:** And I also referred to the map of the designation which painted us quite obviously.

**HON. R. PENNER:** That's just eligible for service, but you say you have letter which in fact, in effect, designated the municipality to provide French Language Services, the implication being that you have a letter which says that your municipality "must" do that. I'm asking you if you have such a letter, to table that letter; that's all.

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

**MR. H. GRAHAM:** Mr. Chairman, on a point of order. I have also read the brief and I see no mention of a letter at all.

**HON. R. PENNER:** No, in his answer to a question from Mr. Doern. . .

**MR. CHAIRMAN:** Mr. Penner, to the same point of order?

**HON. R. PENNER:** Yes. I merely picked up on an answer given by the reeve to a question from Mr. Doern. Mr. Doern suggested that there was a letter from the Attorney-General's Department, gave that as an example. Reeve Pitura responded positively to that indicating there was such a letter and all I'm asking, if there is a letter which, in effect, says that your municipality or any municipality must provide the services, I would like such a letter tabled with this committee. I say that because I know that there is no such letter.

**MR. CHAIRMAN:** Further comments to the point of order? Seeing none, I have to rule the question in order and the request in order.

Reeve Pitura.

**MR. C. PITURA:** The reference probably should not have been made to the letter, it probably should have been made to the cost-sharing agreement that was forwarded to the municipalities, so probably discount the word "letter" and put in the cost-sharing agreement.

**HON. R. PENNER:** I understand it to be voluntary.

**MR. C. PITURA:** Well, up to the point of the meaning of the word "voluntary."

**MR. CHAIRMAN:** Further questions by members of the committee? Seeing none, Reeve Pitura, on behalf of the committee I'd like to thank you and the R.M. of Macdonald Council for having been represented here today. Thank you very much.

The hour being past 12:30, committee is adjourned and will reconvene at 2:00 p.m. this afternoon.

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