



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

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

31-32 Elizabeth II

*Chairman*  
*Mr. Phil Eyler*  
*Constituency of River East*



MG-8048

**VOL. XXXI No. 65 - 10:00 a.m., TUESDAY, 31 JANUARY, 1984.**

**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, Hon. Andy</b>            | Springfield        | NDP   |
| <b>ASHTON, Steve</b>                 | Thompson           | 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, Q.C., 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, Hon. 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, 31 January, 1984**

**TIME — 10:00 a.m.**

**LOCATION — Winnipeg**

**CHAIRMAN — Mr. Phil Eyer (River East)**

**ATTENDANCE — QUORUM - 6**

*Members of the Committee present:*

Hon. Messrs. Anstett and Mackling

Messrs. Ashton, Enns, Eyer, Filmon,  
Harapiak, Kovnats, Malinowski, Nordman and  
Scott

**WITNESSES:** Ms. B. Holst, Private Citizen

Mr. Alexander Pressey, Private Citizen

Mr. Bruce Stewart, Private Citizen

Councillor Jack Hetherington, Town of  
Carman

Mr. Terry Veenendaal, Private Citizen

Mr. Doug Sisson, Private Citizen

Mr. Terry Wachniak, Private Citizen

Mr. Reg Dubbin, Private Citizen

Mr. Anthony Moreau, Private Citizen

**MATTERS UNDER DISCUSSION:**

Bill No. 115 - An Act respecting the Operation  
of Section 23 of The Manitoba Act; Loi  
concernant la mise en application de l'article 23  
de la Loi de 1870 sur le Manitoba.

\* \* \* \*

**MR. CHAIRMAN:** Committee come to order. We have a quorum. I will be calling the names of people as they appear on my list, beginning with ones who were previously absent. B. Holst.

Mr. Harapiak.

**MR. H. HARAPIAK:** Mr. Chairman, there was a concern raised yesterday about not calling people from out of town. I wonder if we could call the people who are maybe from outside the City of Winnipeg and accommodate them, and hear them first.

**MR. CHAIRMAN:** Is there any discussion on that point?  
Mr. Mackling.

**HON. A. MACKLING:** I think that's a good suggestion, Mr. Chairman, but Ms. Holst is here now. I think we should hear from her. I don't know whether she's from Winnipeg or out of town, but then we could hear her and then give preference to the out-of-town people, because certainly they have come a longer way. It would inconvenience them more if they're not heard this morning.

**MR. H. HARAPIAK:** But how do we know?

**HON. A. MACKLING:** Well, we ask them, that's all.

**MR. CHAIRMAN:** Is that agreed then? (Agreed)  
Mr. Kovnats.

**MR. A. KOVNATS:** Just on reflecting on that, Mr. Chairman, I think in all fairness that we take them in the order. I don't think we are going to have any problem. If it looks at about 11:30 that we're not going to be able to get through the list because there doesn't appear to be that many, then I think that we could give special consideration for those that might have to return.

**MR. CHAIRMAN:** Any further discussion? What's the will of the committee?  
Mr. Nordman.

**MR. R. NORDMAN:** Mr. Chairman, it appears to be that on this list, unless they have not identified themselves as being from the country - there's someone here from the R.M. of Dufferin, Town of Carman, R.M. of Albert. All the rest are listed as private citizens, but that doesn't necessarily mean that they are not from the country. I have no objection.

**MR. CHAIRMAN:** Proceed?

**MS. B. HOLST:** Good morning. To government members of this committee, I expect you MLA's are fluently bilingual in the performance of your duties, just as you expect future public service employees to be. This does not mean merely hiring a bilingual secretary. Try earning a living within your own proposed legislation.

By the way, où est votre premier ministre du Manitoba? Jamais, jamais à la table, une exposition pauvre. Est-ce qu'il souffre du syndrome Howard Hughes?

Mr. Anstett says, this legislation enhances our freedom. True freedom is freedom. You don't make it greater, not by covering it with the cloudy cobwebs of enhancement spun by this government. Oh, language legislation of late has been mighty enhancing, I'll tell you. Bill 101 enhanced Canada's image as sister country to Qaddafi's Libya. They too have language laws and The Official Languages Act was supposed to enhance something too.

In 1969, when John Turner introduced Trudeau's Official Languages Act, he said, most reassuringly, and I quote, "Some people have expressed the opinion that if this bill were to be enacted, it would limit recruitment to certain areas of the country, or if we want to be really blunt about it, the public service would become the preserve of French-speaking Canadians. I do not accept that for one moment. I believe it is encouraging to note that the government's policy on bilingualism has had no deterrent effect on recruitment in the

English-speaking parts of this country. This bill does not deprive them of their rights, etc., etc."

Well, I've listened to a good many federal civil servants. It's a shame that you haven't had the opportunity to do so. Don't try telling them about enhancement. Those certain people in this country have had their financial status enhanced because bilingualism is big business. For example, a gentleman handed me some cards from Employment and Immigration, Canada: Membership co-ordinator, temporary full-time, bilingualism preferred; Fund-raising co-ordinator, term one year, bilingualism preferred; Clerk typist, temporary, two to 10 weeks, must be bilingual; Part-time, three days a week, speak, read and write French.

The next enhancement this government is bringing forward includes Bill 115, an Act supposed to be respecting the operation of Section 23 of The Manitoba Act. But Bill 115 is really an act that respects the wishes of Pierre Trudeau and his surrogates and it is an act that absolutely does not respect the wishes of the many minorities that form the majority of citizens of Manitoba, to whom the Constitution rightfully, morally and legally, belongs.

If the title page of Bill 115 is indicative of anything, it is indicative of confusion. Exactly which version of The Manitoba Act is this bill supposed to be addressing? Section 23 of the original 1870 Manitoba Act or your amended version of Section 23, which you have proposed to entrench? Because if Bill 115 respects the original Manitoba Act of 1870, it is merely destructive, but if you intended to respect your amended version of Section 23 entrenched, this bill is merely superfluous ammunition.

For though you pretend to have changed the force of your original amendment by throwing in the preposition "as," the word "official" will surely be interpreted by the courts as having the same force of law as has already been established by present use of the word "official" within the Constitution of Canada. Shame on you gentlemen, you have deceived the people!

Bill 115 is a Pandora's box. In your quest to impose a mythical minority right, as you call it, you will deny many people their basic individual freedom to seek a livelihood for you will place an artificial language burden upon those who seek employment or promotion on the basis of merit and seniority. These people will have no protection, no appeal, no court, no justice, and would not even be allowed to publicly complain in this country. This is why Dan MacKenzie must take a federal civil servant's case to the United Nations Human Rights Committee.

As well, this bill does create another government bureaucracy, to be supported by tax dollars, and in the end, will far exceed the cost of translating 4,000 statutes. It may just be a great bureaucratic monster. But more than that, it stands great danger of being politicized. You know, like the intercultural council and used to obtain anything but justice.

Gentlemen, if you wish to present the case for the people of Manitoba on this constitutional issue, you would consider some facts. If you were serious about a fair and just decision, you might state that historically even the 1870 Act had strange beginnings. The provisional government of Louis Riel, the temporary government that lasted less than one year formed by

insurgents, that is how they are described in the history books, turned back the Canadian Governor at the border, placed Police Chief Mulligan in jail along with one, Schultz, who later became the first Lieutenant-Governor of the province, and placed others in jail who had differences of opinion. This provisional government had the opportunity to do this because the Government of Canada had procrastinated in replacing the Hudson's Bay Company authority over Rupertsland.

There are so many historical points to question about the founding of this province. Why were there warrants out for the arrest of two of the members of this provisional government, Mr. Scott and Judge Black? Whatever, the 1870 Manitoba Act was put in place, and it was an Act produced by intelligent men. It offered the people of Manitoba a bilingual Legislature and court structure, should the people need such structures. It did not enforce official bilingualism on all. Services, etc., were not included and services did exist.

When I say the 1870 act was produced by intelligent men, it is because they left it to the people to decide their linguistic needs. It could have gone either way, but another fact of history is that the French of Quebec chose to go by the thousands to the New England states, and English-speaking people, as well as Mennonites, Ukrainians, Icelandic and Polish and so on, came to Manitoba.

In 1890, the Constitution was amended, statutes were no longer translated into French. It is hard to prove that the translation of statutes into French ever took place. Perhaps, we are told, there was one set of statutes translated. As well, the government of that day amended the 1870 act, using the only legal tools available to them to amend this portion of the Constitution.

Section 23 was not taken to the Judicial Committee of the Privy Council, though surely it could have been submitted along with Section 22 that did go before this committee three times - the opportunity was available. The government of that day held an election in 1892 on this issue and gained 38 out of 40 seats. This was the American method of determining constitutional change. As well, based on British parliamentary procedure, The 1890 Official Languages Act gains legitimacy through the informal amendment procedure which is through custom or judicial decision.

The Federal Government of that day did not bring in disallowance or remedial legislation against this 1890 Manitoba Government decision, just as it did not bring in disallowance against the Mercier Government in Quebec on its Jesuit Estate Act. Laurier himself stated in the House of Commons in 1916, "Each province has the right to prescribe its official language."

It is because I feel The 1870 Manitoba Act is questionable, it is because I feel the repeal of The 1890 Official Languages Act is questionable, that I feel any extension of French language rights, beyond the intent of the 1870 act, would be most unfair and unconstitutional to all the founding nations of this province and in particular, when one of the founding nations - French - constitutes only 3 percent of the population.

We can support, wholeheartedly, the intent of the 1870 act. Those are the minority rights. Beyond that, we may be dealing with the tyranny of the minority and that minority is not necessarily French.

Let us examine the Bilodeau case, or rather let's be factual and honest and state this case as it really stands. It is a court case pursued by the Federal Government through the person of one, Mr. Bilodeau. The case itself is something of a farce. Mr. Bilodeau is not challenging his so-called minority rights. Those were restored by the Forest case. Mr. Bilodeau is merely challenging the method the Legislature of Manitoba employs in its attempts to facilitate those minority rights; i.e. the translation of statutes into French and the timeframe used to do so.

Now even the Supreme Court of Canada, whose decision it was to resurrect the 1870 Manitoba Act, traditionally, morally and legally has no power to tell the Legislature of any province the method it should employ to facilitate a court decision. This has always been the prerogative of the Legislature.

Therefore, I say to you, neither has Mr. Bilodeau any special right, or I should say, neither has the Federal Government any special right to challenge the method a legislator chooses to employ in carrying out the Supreme Court decision. Indeed, Mr. Bilodeau will be setting a precedent in doing so, for if he is permitted to challenge the method and be funded by taxpayers' money, so then has any citizen of this country the right to the same privilege, for it says in the Constitution, "All are equal before the law in this country." Though of course right now we know that isn't so, because some are considered worthy of public funds and some are not.

If Mr. Bilodeau had come before the courts not understanding the English language and was denied a translator, he would indeed have just cause, but this was not the case. He was, I believe, even offered a copy of The Highways Traffic Act in French, but he didn't wish to pay the cost. Better the taxpayers should carry his court case.

This case appears to be a farcical instrument of blackmail. Instead of paying the exorbitant ransom of imposing your amendment to Section 23 and your Bill 115, I once again suggest you should encourage the Bilodeau case to go before the Supreme Court of Canada. That, gentlemen, is the traditional, moral and legal method used for Canadian constitutional challenges throughout history. It is absurd and outrageous to say you intend to settle out of court with false plaintiffs on a Constitution that belongs solely to the people of Manitoba. If you insist on doing so, perhaps this is an issue that a world court could decide.

I was told by a prominent member of your government that the Supreme Court was nine old men chosen by Trudeau, and he feared they would interpret the Bilodeau case into imposing more French upon us. That is what he told me. It gets curiously and curiously, and Alice in Wonderland becomes a rational and dull tale compared with the bottomless rabbit hole of irrational intrigue and innuendoes concocted by the government of this province.

Going back to the statement made by one of your prominent members, "Many across this country question the ability of the Supreme Court to rule on other than private disputes." Remember that was what Sterling Lyon was trying to tell everybody long ago. But even if you question the neutrality of the Supreme Court, surely it cannot change the intent of the original 1870 Act, not with the watchdog of public opinion, not

now. The most, even you admit it can do, is make mandatory the decision to translate statutes into French and in so doing invalidate laws.

The constitutional lawyer stated that even if this ruling took place, that it is inconceivable that a way could not be found to validate existing laws. Why should you worry, gentlemen, about laws being invalidated? After the Constitution was patriated a team of 50 lawyers got together to decide what effect the Charter of Rights would have on our existing laws. On our existing laws, laws of this country, that were proclaimed after a great deal of research and thought, laws put into place for protection of the populous. These laws are threatened to be made invalid, and our Parliament rose to patriate the Constitution with smiles on their faces, all but a few MP's. Did they worry?

You gentlemen of the NDP figure the people of Manitoba were sheep, but they turned out to be tigers, determined tigers, who will not allow you to destroy this province. They will bare their claws if necessary to remind you that you are the servants of the people, not their masters, that you negotiate with them on their Constitution and that you turn back the jackals of Pierre Trudeau, that orbiting pigeon of peace who was really a crow of confrontation. He also does not respect the opinions of the ordinary Canadians.

Perhaps, gentlemen, you leave Canadians with the only alternative to this constitutional chaos. They may decide that the price they are asked to pay to keep Quebec in Confederation, if that really is the reason for all this, they may decide this price is too high, far too high. And in the words of Dr. Shaw, Canadians may prefer a little less of Canada and a little more justice.

Finally, to those in the media, who are concerned with freedom of the press, and in particular to Bill Morham of the CBC, may I cite from the text of the Declaration of Talloires, adopted by leaders of independent news organizations from 21 nations at the Voices of Freedom Conference in Talloires, France in May of 1981, the following principles:

"1. We support the universal human right to be fully informed, which right requires the free circulation of news and opinion. We vigorously oppose any interference with this fundamental right.

"2. We insist that free access by the people and the press to all sources of information, both official and unofficial must be assured and reinforced. Denying freedom of the press denies all freedom on the individual.

"3. We are aware that governments in developed and developing countries alike frequently constrain or otherwise discourage the reporting of information they consider detrimental or embarrassing, and that governments usually invoke the national interest to justify these constraints. We believe however that the people's interest, and therefore the interest of the nation, are better served by free and open reporting. From robust public debate grows better understanding of the issues facing the nation and its peoples, and out of understanding, greater chances for solutions."

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

**HON. A. MACKLING:** I think this committee has to be reasonably tolerant of all of the views that are presented

in respect to this bill, but we have before us a bill. To be treated to a lecture, not of us but of the media, I don't understand. Surely the remarks should be addressed to us in connection with something to do with the bill, not a condemnation of the way the media is acting.

**MS. B. HOLST:** May I answer that question for you, sir?

**HON. A. MACKLING:** No, I want the Chairman to indicate to presenters that this is not a forum to attack the media or people outside of the question. The concern is whether or not this committee should look at certain clauses of the bill with heightened interest or criticism or whatever and that's fair, but I don't think this is an opportunity to lash at the media.

**MR. CHAIRMAN:** Mr. Enns.

**MR. H. ENNS:** Mr. Chairman, while there may be some merit to what . . .

**HON. A. MACKLING:** There certainly is.

**MR. H. ENNS:** . . . the Minister of Mines and Natural Resources says, however on this issue, as perhaps on no other issue, the media has been the main conduit, has been very largely responsible for how this issue has been represented to the people of Manitoba, and for her or for anybody to comment on how this important issue has been presented to the rest of Manitobans that have not had the privilege of sitting in this Chamber or around the committee room all last summer and watched the debates develop, I think is not out of order and particularly in lieu of the fact that this government has imposed time restrictions on the presentations, surely we ought to allow them to proceed as they best see fit.

**MR. CHAIRMAN:** Mr. Anstett.

**HON. A. ANSTETT:** Yes to the same point of order. I agree with Mr. Enns that the media has a responsibility with regard to issues of public interest, and I agree with Mr. Enns that on this particular issue the media has admirably performed that role in terms of disseminating public information, but many people may not agree with what they see in the media. I agree with Mr. Enns on all those points but, Mr. Chairman, the purpose of the committee is specifically to hear representations on the bill and I think Mr. Mackling raises a very legitimate point of order. The presentation should be on the bill.

We've allowed some latitude, but if the committee is to accomplish its business, the committee has an obligation to ensure that presentations are directed, for the most part, to the bill. In the present case, there has been a fairly broad deviation from that.

**MS. B. HOLST:** Excuse me, I really must speak. You've misinterpreted. I would like to just say that . . .

**MR. CHAIRMAN:** Order please, witnesses are not allowed . . .

**MS. B. HOLST:** . . . I am not attacking the media.

**MR. CHAIRMAN:** . . . to engage in debate on the points of order.

Mr. Kovnats.

**MR. A. KOVNATS:** Yes, I've got to agree that witnesses are not permitted to engage in points of order, Mr. Chairman. The only thing I can suggest at this time is that a point of order has been raised and I think that the witness should be allowed to explain her position. I think that she should be allowed to explain her position on the point of order.

**MR. CHAIRMAN:** Order please, order please.

Mr. Kovnats.

**MR. A. KOVNATS:** Well, she's trying to explain her reason and her purpose, Mr. Chairman, and I think that she should be allowed to explain her reasons for the manner in which she is presenting her case.

**MR. CHAIRMAN:** Order please. Mr. Kovnats is right when he says that witnesses are not allowed to engage in points of order with committee. If, in some way, the media presentation is directly relevant to the bill, which is Bill 115 which is before this committee, then those comments are in order by the witness.

However, there has been quite a bit of wide-ranging discussion by this witness on things from the resolution itself to media coverage. I would hope that perhaps part of the reason the committee has not been paying so much attention is because it has been so far-ranging and not directly applicable to Bill 115.

Perhaps if the witness can be more precise in describing her concerns on Bill 115, the committee can be more observant and attendant to these concerns.

**MS. B. HOLST:** Thank you, Mr. Chairman. I have nothing more to say except that you've misinterpreted my last comments as being an attack on the media. I only wanted to remind the media that the freedom of the press is in danger when official documents are not available to them or to the people. I am not attacking the media.

**MR. A. KOVNATS:** If the presentation is completed, I would like to ask a question of the witness.

**MR. CHAIRMAN:** Have you completed your presentation Ms. Holst?

**MS. B. HOLST:** Yes, thank you.

**MR. A. KOVNATS:** Madam, vous avez commencé votre présentation en français. You had started your presentation in French and you had made some remarks in French which I thought were most appropriate. Je pense que je suis le sous-député ici qui vous comprend. I think that I'm the only one that really understood what you were saying and for the edification of all of the other members, would you care to repeat what you had said in French at the very beginning concerning the First Minister?

**MS. B. HOLST:** I just asked where Premier Pawley was, why he was never at the table. I thought it was

a poor show and I was wondering if he was suffering from the Howard Hughes syndrome, but you see, it was also a second point, in that these gentlemen who are putting forth this legislation for others to abide by, for those who wish to get jobs in the Civil Service in this province, must also abide by those same rules and feel those same rules, that they too, as MLA's, must be fluently bilingual, that they can't rely just on having a bilingual secretary or having translators write speeches for them. Anyone can do that, but to operate in a job position, in a technical position in another language is very difficult and it requires more than just a few words of French.

**MR. CHAIRMAN:** Are there any further questions for Ms. Holst? Seeing none, I would like to thank you for taking your time to come here today Ms. Holst.

**MS. B. HOLST:** Thank you very much.

**MR. CHAIRMAN:** Order please.

Mr. Winston Simpson; Reeve William Roth; Mr. Alexander Pressey.

**MR. A. PRESSEY:** Mr. Chairman, my name is Alexander Pressey and I appear before you as a private citizen. I wish to make it clear at the outset, Mr. Chairman, that my remarks are not aimed at the structural aspects of Bill 115, but rather at the rationale for this bill, at the defence of the bill, and on the impact that this bill will have on the social stability and the political character of this province. If that approach is acceptable, I will proceed.

I'm here to speak against the proposed legislation known as Bill 115 and I do so on several counts. It is my opinion that the proposed legislation has such a profound potential for public discord, for ethnic corrosion, and for cultural paranoia, that the gain simply is not worth the gamble. I make this judgment, both as a professional psychologist, and as a citizen of this province. As a psychologist, I believe that the possible entrenchment of a bill against the will of the majority of Manitobans will be interpreted as an act of a non-democratic government. That belief will engender deep and widespread hostility which will be directed, in the first brief instance, against the government, but eventually it will be displaced into a long, lasting antipathy and perhaps even direct aggression against the French people of this province.

I also believe that it will largely undo the cultural accommodation that has slowly and painfully emerged in this province over the past 40 years. This accommodation has been achieved not through legislation, but through innumerable personal interactions between peoples of different racial, ethnic and religious groups. Each of these interactions has incrementally but fundamentally, Mr. Chairman, changed the character of each and every one of us. This change should be venerated; it should be celebrated as a remarkable achievement of human beings.

But at the same time, it must be recognized that this spirit of communion, this tolerant attitude is an exceedingly fragile one. It is fragile not because of some defect of character, but because it is always at the mercy of those primitive instincts for survival that

compel us to flee from the unknown, to isolate ourselves from others and to destroy those that are different from ourselves. A most certain way of triggering these instincts, of shattering these virtues is to enact by force a policy that threatens the very core of people's values.

If these were my only concerns, I am not certain that I would be here before you today. My primary concern is a political one, and it's prompted by my view that the manner in which the proposed legislation is coming to be is unprecedented in the history of democratic nations. It is not an act of democracy, but an act of tyranny. The government is attempting in the face of incontrovertible evidence to enact proposals that do not have the support of the majority of Manitobans. Moreover, this legislation is not merely symbolic; it is substantive.

How does the government defend its stance? Well, the rational arguments have taken two forms, neither of which I believe to be valid. The first argument is that ours is not a popular democracy, but rather a representative democracy in which the power of the people is transferred to an elected representative. After this transfer of power, it is said, the rights of the people cease to exist.

I wish to contend, Mr. Chairman, that this particular interpretation of the Canadian democratic system may have some validity, but it is not what most Manitobans mean when they speak of democracy. Most Manitobans believe that their legislative representatives are not merely a sample of a block of individuals in a riding. They believe that their members of the Legislature literally represent, that is, are an embodiment of or a channel for the expression of the values and the will of the majority. They do not believe that putting an X in front of a particular name terminates completely for four or five years their right of control over the political process. They believe that no matter what power or prestige their representatives gain by being elected that power and prestige is in the final analysis irrelevant to their status as a servant of the people of the province.

I wish to remind this committee that there is a form of democracy of the kind that I have been describing very close to us. In the United States, their form of democracy conforms more nearly to the idea that most Manitobans have of how their democracies operate or should operate. In the United States, there is a procedural check, a legislated one which ensures that the elected representative does not engage in behaviour or support legislation that is massively at variance with the wishes of the majority.

That check is known as a recall procedure. It is possible in that country by petition and under specified conditions to recall the elected representative prior to the completion of the term of office. What you are seeing here today and have seen for the past week in varying degrees of intensity is the people of Manitoba engaging in a recall process without the legislative means of power or procedures for doing so. The point is that this symbolic attempt at recall that is being illustrated here, while possibly foreign to the Canadian experience, does not violate either the political concept of or the ability to function as a democratic society.

One of the reasons that I am appearing here today is the hope that I can be a part of the establishment of a precedent, an historical event that will tie the hands of all those future governments that wish to stray in

directions that are fundamentally opposed to the wishes of the majority.

I want to now turn to a critique of the second major defence of this government's actions. It is argued that it is the duty of all morally-right governments to protect the rights of minorities when they are threatened by an uncaring majority, and I agree. But there are several difficulties with this argument, and I will pursue only two.

The first is that the concept of a minority right may be completely meaningless. We believe that we know what is meant by the phrase, "minority right," but simple analysis reveals that it is nothing more than a buzzword whose function is to becloud rather than to clarify an issue. It is a jingle that has been established by intellectual dishonesty and propagandized by techniques that can only be described as masterful by any standards. When I ask my colleagues who use the phrase, French minority rights, to provide me with one other example of a minority right, there is invariably a stunned silence. Then usually the people will say, as I guess somebody on CJOB said this morning, look at that atrocious example in which the Canadian-Japanese had their property seized and were deployed into concentration camps by our government solely because they're ancestors were our enemies at war.

But surely it is not just the Japanese who have the right to be free from capricious seizure of property and person. Surely everyone of us of Japanese origin or not has that right, so that we are not speaking here of a minority right, but rather of a universal human right. Example after example has been proposed, but in each and every case the so-called minority right is simply a case of a more general majority right.

A minority right must be defined as a right granted to and enjoyed by an individual solely and uniquely because of his membership in a minority group. When one systematically applies this definition to those things we so cavalierly describe as minority rights, they all turn out to be rights that are enjoyed by individuals because those individuals are also a part of the majority. Thus, I repeat, they are majority rights.

I must confess, however, that the best example of a possible minority right was put forth by an individual who is a member of this committee. In an interview Mr. Anstett argued that the rights of Mennonites not to serve as front-line soldiers in a war is a minority right. He did not elaborate on this example, as I thought he should have, so I do not know whether this right is established in a letter of understanding, as a provincial statute or as a federal statute. But upon checking with my historians, my friends, it seems to be true that a document concerning such Mennonite rights does exist. But while I commend Mr. Anstett for his defence of the concept, I wish to point out that this interview took place very recently, whereas the proposed legislation has been on the public agenda for at least six months.

Instead of a calm, systematic, dispassionate public education on this issue, the government has resorted to techniques of flimflam, bamboozle, intellectual mush and intellectual dishonesty. However, the government is not alone. Much of that flimflam has been perpetuated by non-governmental institutions such as the CBC, the Winnipeg Free Press and several members of the University of Manitoba who appear to be abusing their academic positions in pursuit of self-centred ideological gain.

I hope, Mr. Chairman, that before your government allows this bill to pass final reading, that you reassess all the sources who advised you on this legislation and subject the rationale of this bill to a harsh ideologically neutral analysis. If it still passes that test, I have confidence that it will also pass the test of the people of this province.

I wish to summarize my arguments up to this point. The government of this province has not been granted a mandate to institute legislative changes that will change the fundamental cultural character of this province; nor could any ordinary person, knowing the ideological stance of the traditional New Democratic Party, have reasonably anticipated the legislation that is now being proposed. Thus, there is no mandate, no manifest or implied mandate by the people of this province for the current legislation.

Second, this is not a matter of protecting minority rights. Even if one grants that the concept of minority rights is valid, no one now disputes that the rights that were originally granted in 1870 are already entrenched and protected. If anything, the proposed legislation is that in some people's minds, these are the rights that should have been given in 1870, but were not.

Clearly then, this is an endeavour to extend certain privileges and not to protect existing rights. As such, it is not a question of fundamental human or minority rights, but rather a matter of capricious ideology.

Mr. Chairman, my presentation was to have concluded at this point, but on the very first day of these hearings before I was comfortably seated, I was abused by a member of this committee. I was called a redneck. I deeply resent the undisciplined character and the porous intellect of those individuals who preach tolerance by using techniques that themselves are the epitome of intolerance. I resent the charge that, because I oppose this legislation, I am by definition a bigot, a redneck, a Ku Klux Klanner without sheets.

For this reason, I want to tell you who and what I am. I am a Manitoban, born to a Ukrainian farm family in Pine River, who played hockey and baseball with and against Indian and Metis teenagers from Camperville and Winnipegosis. I married a fine lady of English extraction from McAuley and have reared, among others, a daughter who is to marry into a French family from Gimli. I have worked in England, Italy, Germany, the United States and Mexico and currently farm part time in a predominantly German community of Starbuck. These are the indices that I offer you against the charge of bigotry, but it seems that the omissions of the Frances Russells, the Val Werriers, the Neil MacDonalds and the Al Macklings invalidates all evidence to the contrary.

**MR. CHAIRMAN:** Order please, order please. I would remind all members of the audience that participation through means of applause is not permitted at committee stage.

Mr. Pressey.

**MR. A. PRESSEY:** Thank you.

I also deeply resent the charge that my opposition is due to my failure to understand the issue, and that only if I weren't so stupid I would see the brilliance of the government's initiatives.



Well, Mr. Chairman, I offer a second point of view and that is, that my failure to understand the implications of the legislation may be due, not to my limited intellect, but to the duplicity between what is written in the bill and what is said is written in this bill. In short, the government insists that the opposition to this bill is due either to a warped or a deficient mind, a redneck or an idiot. Not many people believe this argument, and governments only degrade themselves when they degrade those that elect them to office.

I wonder if I might try at least to end on a happier and more optimistic note. I really prefer not to live in a fantasy world of conspiracy where the devil is the prime mover. I much prefer to believe and I do believe that this legislation was initially prompted by sincere and noble motives. I do believe that people still think that, but I also think that despite good intentions this legislation is not going to work for the betterment of our society. Therefore, I believe that it would also be noble at this point to concede that it is not going to work.

Now I recognize the extreme difficulty that this government or any government would have in reversing its position. First, there is the matter of what the Japanese call losing face. There is no doubt that there would be some loss of face, but I would argue that the loss of the face of a party is easily restored. Its heart and soul is not.

A second problem is that a reversal is viewed as ceding to the Opposition with a capital "O," and it is governments and not the Opposition that runs the province. I agree with the thrust of that argument, but I offer you another interpretation of the phrase, "ceding to the Opposition." The opposition in this case does not refer to the Conservative Party and the other MLA's who oppose you. These members are simply conduits, simply channels if you wish for the real opposition who in this case is the majority of the citizens of Manitoba. Under this interpretation, you should cede, indeed you must cede to the Opposition; otherwise, democracy makes no sense.

Thank you very much.

**MR. CHAIRMAN:** Order please, order. Are there any questions for Mr. Pressey?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Pressey, thank you very much for a very interesting analysis. Can you tell me whether or not the U.S. Federal Congress has a recall provision in the federal Constitution?

**MR. A. PRESSEY:** No, I don't know whether I can tell you that. I do not know.

**HON. A. ANSTETT:** Can you tell me how many American states had recall provisions in the early 19th Century when recall provisions were popular, and how many have since abolished that provision, and whether or not approximately only six U.S. states now still have that provision?

**MR. A. PRESSEY:** If you say that six states have that provision, I will stand by your . . .

**HON. A. ANSTETT:** I was not trying to give you information. I was only asking you if you were aware

of the history of recall since you talked about it being an important democratic institution in the U.S.

**MR. A. PRESSEY:** Yes. I'm not sure I know the question. Are you asking me to give you a complete - I'm not an historian, I'm afraid. I can't tell you who has it, what the history of that procedure was, what it is now. I do know - and the point I was making very simply, Mr. Anstett, is that the problem of democracy is a difficult one when the will of the majority is being thwarted systematically by their elected representatives. Various procedures have been attempted in the past, and I offer you that this procedure has been attempted.

I would say that in the British system, the role of a - let me put it this way. Suppose then by some strange queer act of God, all members of a governing party contracted some terrible disease which deranged their minds. What procedures do we have to remove such a government? Or let me offer another case. Really, I'm sorry I chose that one, but maybe one might think that maybe one that drinks bad water and, for some reason - I'm sorry, I really am not being facetious, I want to answer Mr. Anstett seriously - something goes wrong. What procedure does the population as a whole have to intervene in the political process? Now I offered you one in the United States, and I'm offering you the opinion that in the British democratic system that role was supposed to have been played by the Governor-General or his representative.

Now you know, history has changed. The Governor-General has now become largely a symbolic entity, but the point is more naturally the people feel that it would be inappropriate to use that symbolic role. So I leave you with the statement that we have a terrible conflict between the will of the majority and the wishes of the Legislative Assembly.

**MR. CHAIRMAN:** Are there any further questions?  
Mr. Anstett.

**HON. A. ANSTETT:** I'll leave the recall question. The next question relates to the suggestion that talking about minority rights in a democracy somehow exudes an image of intellectual dishonesty. You made reference to the military service waiver with regard to the Mennonite population that was contained in the settlement agreement of the 1870's. If you have consulted with some of your historian friends, are you aware of any other minority guarantees that were contained in that same agreement?

**MR. A. PRESSEY:** No. Once again, I think the point I made should have been clearer, that I simply entered this fray when you announced closure. I have, over the past weekend, attempted to become aware of some of these issues. As a citizen, I become more and more distressed as I see the way this conceptual issue of minority rights has been handled. It has been dishonestly handled.

**HON. A. ANSTETT:** Then if you only became - do I recall you as having made a presentation last fall?

**MR. A. PRESSEY:** No, you do not, Sir.

**HON. A. ANSTETT:** If you only became interested in making a presentation in the last week, is it possible

that your research with regard to minority rights and the rights of other minorities by statute, by constitutional provision or by memorandums of understanding or settlement agreements might be less than adequate to make the statement that there are no such other minority rights in Canada? Is that possible?

**MR. A. PRESSEY:** I'll answer the question. I'll answer the question in a different way, if I might. My desire is to have direct access to the printed version of those rights so that I can determine to what degree they are analagous.

**MR. CHAIRMAN:** Mr. Anstett. Any further questions?

**HON. A. ANSTETT:** Mr. Chairman, it's not appropriate for me to give a long listing of those rights, but I would be happy at some point to . . .

**MR. A. PRESSEY:** I would be happy to provide you with my phone number, sir.

**HON. A. ANSTETT:** My next question relates to the question of ideological commitment and the mandate received by this government at the time of the last election. Could you tell me if you are aware of the date Mr. Bilodeau received leave to appeal to the Supreme Court in the case which is presently the cause of the proposition that's before the House?

**MR. A. PRESSEY:** I would be happy for you to inform me of that now.

**HON. A. ANSTETT:** You're not aware of the date?

**MR. A. PRESSEY:** No. Of the date in relation to other dates - no.

**HON. A. ANSTETT:** I don't have the right to inform you now. I'd be happy to provide you with that information as well.

**MR. A. PRESSEY:** Was that date prior to the coming of this government into power, and if it was, then I would accept another question.

**HON. A. ANSTETT:** I'll take the leave of running into opposition from other members and suggest to you that, as I recall, it was November 16, 1981.

You suggested sir, that some people say that opposition to the bill is due to a warped mind, mental deficiencies or lack of understanding. Have you ever heard any of those statements or any of the other statements that you used to describe certain characterizations of opposition coming from me?

**MR. A. PRESSEY:** No not from you, sir. Absolutely not. I wonder if I might answer that. I also listened to your speech and you said that we ought to abhor those comments and anyone that says that, but I did not see you making any overt or symbolic gesture to your colleague on your right when he made that statement, Mr. Anstett.

**MR. CHAIRMAN:** Any further questions for Mr. Pressey? Mr. Anstett?

**HON. A. ANSTETT:** No.

**MR. CHAIRMAN:** Other members of the committee? Mr. Enns?

**MR. H. ENNS:** Mr. Chairman, through you to Mr. Pressey, just further, I was interested in your thoughts on minority rights, which in fact turn out to be majority rights, if taken to their natural conclusion. You cite the case, as has often been cited, the wrong that was done to Japanese-Canadians during the last World War. It is of course an affront to any Canadian to have those rights taken away and is it not a fact that under those same circumstances there were - although the Japanese-Canadians being a very visibly identifiable group - but there were other people.

In the first two years of the war, for instance, people of communist background were interned and put in the same camps. German nationals in Canada, or indeed anybody who under those wartime measures the government felt represented some security risk, whether imagined or not were treated in that way, so that does become an affront to the majority in that way. Is that the way you were . . .

**MR. A. PRESSEY:** Mr. Enns, there are all sorts of terrible, terrible things that have happened in the history of mankind due to those primitive impulses to kill. I do not know how useful it is for legislation to try, and in some way make up for those evils in the past. I am not at all certain that's even feasible, and that any attempts to do so will lead to the general good.

**MR. H. ENNS:** Yourself and Mr. Anstett alluded to the minority rights of a group of people in Canada and Manitoba, namely the Mennonites with respect to military service. I can assure you that there is no law, federal or provincial, that sets out those rights other than a commitment at the time of Mennonite settlement in Canada, that a basic tenant of the Mennonite faith would be honoured by Canadian Governments. But, I want to see whether or not you won't agree that what appears to be a minority right, again indeed is a majority right. For instance, that that same right of conscientious objection to military service is available to and has been used by persons of non-Mennonite status. There are other groups, I believe the Jehovah's Witnesses for instance, who claim the same waiver of military service and the courts of this land, at time of war, have respected it. I would suspect that in 1984, with the growing concern for the futileness of war, that indeed you might find a very large application by the general population to the status of conscientious objection or the reluctance to serve militarily. Would not that case, in your own mind, become a majority . . .

**MR. A. PRESSEY:** Well, my preference is to believe that the concept of minority rights is not meaningful. That's my preference at the moment. I fully admit, however, that I am not an expert in this area and that there might be instances of it, and it may very well be that the instance you refer to can again be reduced to a majority right and not a unique minority right, but I cannot make that statement without documentation that perhaps Mr. Anstett has access to and I do not

and that is why I yield to him the comment that it may indeed be a minority right.

**MR. H. ENNS:** Well, let me seek your professional advice on just one final matter, something that quite seriously has always presented a problem to me as a legislator of some 16, 17 years and you alluded it into your comments, as to when you referred to our democracy as being a representative democracy. It is difficult for conscientious legislators to know when their role is to truly represent their constituency, the general population, and when their role is to lead.

You suggest in this instance that democracy is being threatened because of what you perceive to be a very substantial majority opinion and I agree with you with the true opposition. We happen to be the conduits in this particular instance to a measure that's being proposed, but I suggest to you that by the same token, any future - my colleague, the former Minister of Finance or Minister of Finance in this government that has to responsibly bring in a tax measure, which I suspect would also be universally opposed by the general public, but you would then expect your legislators to lead and do the responsible thing.

**MR. A. PRESSEY:** I do not want to underestimate the difficulty of your problem, Mr. Enns, or the difficulty of the problem that Mr. Anstett faces. I do not want to underestimate it. I do know that governments must also lead, but I also know that governments must stop. How you get that reading is precisely why I was making the point about recall procedures and I was making the point that my appearance before you today is in that respect.

I also want to mention to you that since closure I have made it my obligation to walk among the crowds, trying to understand whence this anger comes from. This anger is a terribly destructive thing and if it is captured by the wrong individual, it can be terribly destructive to our society. I hope that people do not underestimate the anger there. But if you ask yourself what is the anger for; that anger, very surprisingly, is not against the bill. That anger is against what is perceived as an arrogant use of power against the will of the majority.

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

**MR. CHAIRMAN:** Are there any further questions for Mr. Pressey? Seeing none, I'd like to thank you Mr. Pressey for coming here today.

Mr. Bruce Stewart.

**MR. B. STEWART:** Ladies and gentlemen, my name is Bruce Stewart. I've been a resident of Manitoba for approximately 20 years. This is the first time I've ever had to get up and speak at one of these committees and the basic reason I am doing it is because of the action of the government in taking foreclosure.

I've been a resident of five provinces, including the Province of Quebec. I was brought up in Ontario where we had separate schools, separated by French-English and Protestant-Catholic.

I remember in the 1950s in Ontario a group that called themselves the White Tams. The White Tams

were from Quebec and they were instigators, trying to get rights for the French people in Ontario. It was required at that time. I lived in Chibougamau, Quebec, where all the merchants in town were French. All of the bosses in the mines were English. The bosses fired French people from the mines because they couldn't talk English. The French people in town charged double the stated price on commodities to the English people in retaliation. This, I believe, is where we're heading in Manitoba because of this legislation. The hatred is coming out and it's very unfortunate.

When I was in Chibougamau, I learned how to speak French, because I wanted to, not because somebody forced me to. I was in Red Lake one day where I was a witness in a courtroom. In that courtroom there were a lot of Indians. The judge took it upon himself to learn the Indian language so he could communicate with these people. It wasn't legislated, it was just done.

When I came to Manitoba I was very proud to see that St. Boniface had French signs. I didn't see any hatred. It was unique, it was nice. I frequented St. Boniface and St. Vital quite often to try and keep up my French.

With the bilingualism issue I have dropped my French. I have dropped it because I don't like being told by a bunch of legislators what I have to do. I feel that the people in the Legislature are there, elected by the people, to do the wishes of the people. Unfortunately, I work for a Crown corporation in this province. When this came up I asked them if they were going to have upgrading courses for people like myself who had spoken French so that they could use us as part of their French-English program. The answer was, no. We will be providing our French people by attrition. To me that means that my daughter, because she doesn't speak French, isn't going to be able to work in this province. That's upsetting.

I think it's about time that this Legislative Assembly started to represent the people who put them in office and started to bring about good management because through good management they can accomplish everything that the French people want and not have this racism, or whatever you want to call it, that is presenting itself in Manitoba.

Thank you very much.

**MR. CHAIRMAN:** Order please. Are there any questions from Mr. Stewart?

Mr. Filmon.

**MR. G. FILMON:** Mr. Chairman, I wonder if I could ask Mr. Stewart without revealing anything more about his employment, are you saying the Crown corporation for which you work does not intend to give the opportunity to English-speaking employees to learn French in order to qualify for the positions that may become bilingual within the service?

**MR. B. STEWART:** I asked that direct question of the personnel representative and the answer I got was that they would not provide or encourage classes for upgrading or learning French, but they would fulfill their French commitment by attrition.

**MR. G. FILMON:** In other words, Mr. Chairman, they would prefer to hire people whose mother tongue was

French rather than allow English-speaking people to qualify?

**MR. B. STEWART:** That was the way I read the answer, yes.

**MR. G. FILMON:** Or the alternative would be the people who already speak French being hired specifically because of that purpose as opposed to allowing others from within to qualify.

**MR. B. STEWART:** That's correct.

**MR. CHAIRMAN:** Any further questions? Seeing none, thank you, Mr. Stewart.

Councillor Jack Hetherington.

**MR. J. HETHERINGTON:** Mr. Chairman, and members of the board, I'm filling in for Mayor Lansky of Carman. He was called away and as a result I am going to read his brief. I hope you'll bear with me. It's very hard to read a brief that you don't write, but I did agree to do it.

Over the last few days, the Council of the Town of Carman and myself especially, have been virtually inundated by calls and representations of the citizens of Carman expressing their opposition to entrenching the language rights and privileges of Manitoba Francophone community.

At the last council meeting on January 26, 1984, the following resolution was unanimously passed: Moved by Councillor Burnett, seconded by Councillor Sanders, Resolved that the Council of the Town of Carman go on record that we are opposing the entrenchment portion of Bill 115 of the Manitoba Legislature and that the Mayor be authorized to make a presentation to the Legislative Committee which commences hearing on January 27, 1984 at 2:00 p.m. in the Legislative Building. This was carried. This, of course, is based on the outcome which was held during the last municipal election on October 26th last.

I have also with me an excerpt from the minutes of the Town of Carman when the question of bilingualism entrenchment was debated and the question to the electorate was approved. The question is the identical one as presented everywhere in Manitoba with the exception of the City of Winnipeg. The wording of the question in Winnipeg was, as you know, phrased so that it required the voter to vote "yes" in order to indicate "no". This caused confusion in the minds of many voters and some ballots marked did not express the intended views. This was substantiated by the number of ballots left blank. It is, of course, too late once the ballot has been cast. It is, however, quite clear from the countless approaches council has had that the people are vehemently opposed to entrenchment and I can truthfully assure you that the situation has only changed to a greater majority against, than what the election indicated in October.

Bill 115 is in fact an expansion of language rights and by no means a restoration of the guarantees contained in Section 23. The position of the ombudsman in Bill 115 is being totally reversed from what an ombudsman was originally intended to be when the office first was created in Iceland, an office which since

World War II has been adopted in many countries. First in the Scandinavian countries and eventually in the Canadian provinces, including Manitoba.

The ombudsman's role is to protect the citizen against excesses by bureaucrats and governments, but in this case it appears to be that the position is protecting the government rather than the citizen.

I have great difficulty understanding why the government is in such a hurry to deal with this so greatly important matter in a constrained time frame. If we are at all to believe what it says in the bill, Section 35 states that it will be proclaimed and thereby come into force in January, 1987. Here, we are still in January, 1984. Would a six-months cooling-off period be such a bad thing? It would allow everyone involved to sit back, rethink their positions, take stock of the entire situation, and probably come up with a solution which would be palatable to the entire population of the province.

As I stated in my brief to this commission last September 22nd in Morden, there have to be some very confidential deals and promises which prompt this administration to act with such haste. Deadlines have been established ever since the entire matter was first commenced in May of last year. The deadline has come and gone, and new deadlines replaced the old ones. They were just as important as the original ones but, when it came to the fine strokes, the deadlines have been extended.

As a matter of record, the SFM at their latest meeting voted something like five to one to accept the so-called watered-down version as presented now without entrenchment. It is the doing of this government which has added the entrenchment on its own volition. It seems that this was done likely at the behest of the Federal Government and, more especially, Mr. Joyal who comes out in speeches stating that Canada is a French state. These are the things that Manitobans are afraid of.

French services where justified seem to be acceptable to everybody, so why entrench it in the Constitution? It appears monies have been flowing more easily to joint Federal-Manitoba projects lately. That is likely the result of the efforts of the present government. More promises have likely been made on both sides, the Feds in money, the province in servile submission to the desires of Mr. Joyal and company who, of course, are acting with the blessings of the Prime Minister.

Mr. Trudeau is away, trying to promote peace in the world. All the while, he is permitting discord to be sown in Canada, more especially in Manitoba. Granted, Manitoba is small potatoes in Mr. Trudeau's grandiose scheme of things and personal glorification desires, but does he not recognize that he has some obligations in Canada and Manitoba first, or is he simply leaving it to one of his subordinates to deal with the guys in Manitoba?

As far as the haste with which the Pawley Government wishes to push this entrenchment through the Legislature, even by restoring to measures such as closure which has not been used in Manitoba in over half-a-century, I would ask this - are there not more important matters to be dealt with at the present time such as the economy in general, a Budget and many other more mundane subjects which, however, are the bread and butter of the provinces?

The language issue has existed since 1890. Surely it will keep another six months or so. There are, however,

growing suspicions that this government wishes to have this issue resolved before the NDP Convention coming up in February. The government knows full well that a great number of these followers are in disagreement with their party on this issue, and a debate on the convention floor would likely blow wide open in the face of the government.

I have had indications from card-carrying NDPers that this issue will cause them to tear up their cards, and they will discontinue their support of the NDP. They simply do not agree with this entire measure and especially with the entrenchment issue.

I have had contact with many Francophones in this area. They do not want any part of the SFM, and they claim to be the majority of Francophones in the province. They feel that things have been going along nicely up to now, and that all this rocking the boat is causing them more direct harm and deteriorating good will. They too will not support the NDP anymore.

So I appeal to you. Cool off. Withdraw this bill or potential succeeding bill for six months. Deal with the important issues at hand. If you, after six months, still are obligated to the Feds, try again in a more reasonable manner. Let us not tear this province apart for the sake of the personal ego of a few people.

Thank you for the opportunity of presenting this brief.

**MR. CHAIRMAN:** Order please, order please. I'm becoming rather disturbed with the audience continually flaunting the rules of this committee. I would hope that you will abide by the procedures which have been established by many years of parliamentary tradition. I expect to have you comply with those rules.

Are there any questions for Mr. Hetherington? No questions from either side? In that case, thank you, Mr. Hetherington, for coming here today.

Reeve Manson Moir. Mr. Eric Carsted. Mr. Jake Janzen. Mr. John Dyck. Mr. Terry Veenendaal.

**MR. T. VEENENDAAL:** Mr. Chairman, members of the committee, it is with a feeling of thankfulness that I still do enjoy the freedom to present before this committee my grave concerns about Bill 115. It is the freedom which this democratic country allows that makes these opportunities possible. I realize, however, that it remains a constant struggle to maintain our freedom. This last statement is backed up by looking at today's map where we see a constant erosion of freedom. The free world is shrinking every year, either by show of force or misuse of the democratic process.

Like so many of us who have never known the loss of freedom, it has become something natural. But the truth is that it needs constant guarding and defending, as our national anthem so beautifully states. I personally do have some knowledge of what it is like to have one's freedom taken away as a nation. Perhaps this makes one more appreciative of it.

I came from the Netherlands in 1956 at the age of 18, and can honestly say that I have not experienced one day in which I had a desire to return. Never did I feel discriminated against by government or individual. I mentioned the freedom which we enjoy in this province. That, however, is not all we possess, for we have a prosperity which is the envy of most of this world.

Freedom and prosperity are often obtained and safeguarded when people live in harmony with one

another, and when the laws of the country are obeyed. I mentioned the word "harmony." This is what we do observe in our fair province, even though so many ethnic groups make their home here. When we look at so many African countries where the borders have been established without consideration of tribal boundaries, then we see much disharmony, and often the majority of one tribe rules and oppresses the other tribe who happens to be in the minority, with the majority often proclaiming themselves government for life. Those conditions do not do anything for the people but deliver violence, hunger and poverty. I see the seeds of these conditions present in the extended bilingual services legislation presently before the Legislature of this province, not necessarily the possibility of one segment of our society oppressing the other, but the very first beginning of disharmony.

It appears to many of us that the politicians think that cultural survival is indeed possible through legislation. It is beyond my comprehension that this thought still exists. For any ethnic group to keep their culture alive is something which they themselves must work on. Proper and effective ways for this are Folkorama and other ethnic festivals.

Any government proposing to legislate far-reaching measures like Bill 115 cannot help but result in legislated antagonism and hatred. When did our French-speaking Manitobans request these measures? Surely a few vocal members of one ethnic group do not express the wishes of the remainder and which ethnic group does not have one or some of these people among them?

I am presenting this brief to you because of my concern for all Manitobans. The issue before the Assembly of this province will not legislate the continuation of one culture, but will pit one ethnic group against the remainder. Everyone will suffer for this, especially the French Manitobans, who will be and remain to be, the minority. It will result in the antagonism of all other ethnic groups who will, all the more, have a common reason to come in conflict with the Manitobans of French origin.

To mention some of the flagrant antagonism and discrimination Bill 115 will create is perhaps useful, but the real contention and concern is with the total concept of extending French Language Services. The proposed advisory council's makeup is, in my view, an impossibility. How will two members of the non-French community function properly? Where will their sympathies lie? Will they be neutral, pro-English or pro-French? Does true neutrality exist? How can they possibly be effective against the remaining members of this advisory council, who are either Franco-Manitobans or have the big stick of government employment or appointment over their heads?

The quorum is also another point of contention. Section 5.1. It has the proper setup for legislated discrimination, where the council shall advise the Minister with respect to, "the provision of sufficient resources including employees who are functional in both English and French." Why, may I ask, should for a given employment opportunity, one person be favoured over another because he or she happens to be born in a certain ethnic group? No one will ever deny the fact that those who are born in a certain language group will always be more fluent than those who have had to learn the language. What about highly

qualified people who do not have the extra ability to take on another language? Should they be discriminated against because of their handicap over against those others who may have the same problem, but enjoyed the benefit of a French home and an English school and so learned, while very young.

Is it not a flagrant discrimination to those over 35 and 40 years of age when one doesn't learn quite so readily any more? This discriminating legislation will really be displayed when the proposed ombudsman is to be appointed. Will he be a French Manitoban who happened to have had the described benefits as a young child or will it be an English-speaking Manitoban who learned to speak the language and what does the word "fluently" mean? Without any accent or without certain accents? I also realized that since I am neither of French or English descent, I will be legislated to the category of a third-grade citizen; and any government employment will be out of reach for me unless I learn a third language. Why a third for me and two for others?

Another point from Bill 115 to show that the whole expanded services idea is a real deterrent to the harmony of the people of this province is the appointment of this language services ombudsman. It seems that the name "ombudsman" can be prostituted to any use nowadays. The concept of an ombudsman originated in Sweden which was the first to establish such an agent. This ombudsman had as his function the protection of the citizens of the country against the unfair treatment by the government or bureaucracy; therefore the name ombudsman has a favourable connotation. I must object to the use of the name "ombudsman" for the language ombudsman will be little more than a language police and will soon receive the connotation of a meddling KGB agent, not to mention Section 8 which deals with the language police's terms of office, resignation, suspension, etc. Does this Legislative Assembly not have more important things to attend to?

Why are we confronted with it all? Will this create greater harmony among the people of this wonderful province? I think you know that it will accomplish the opposite. The task of the government as outlined in the ultimate authority may be summarized as follows: God has appointed governments so that the world should be governed by certain laws and policies to the end that the dissoluteness of men might be restrained and all things carried on among them with good order and decency. This also is the charge to the Government of Manitoba, as also the prayer at the beginning of the Session of this Legislature expressed to which our government yesterday said, amen. Are they paying lip service to this also?

To make at this late hour amendments to Bill 115 is not good enough. The whole concept of expanding the language services through legislation is wrong. I do not know of any person who objects to the use of French in the courts or in the Legislature, but it is morally wrong for a government, on the instigation of some extreme elements of one segment of our society, to inflict on all of us French, English or otherwise, the legislated plague of antagonism and hatred.

So the question remains, what is the reason behind it all? Except for some extremists, our French fellow Manitobans did not ask for it. Surely we cannot just dismiss it as stupidity on the part of our elective

representatives. Must we look for an answer to Mr. Trudeau when he said, "I have no intention of closing my eyes to how much Canadians of British origin have to do or rather undo before a pluralistic state can become a reality in Canada."

Even then the question remains for this Government of Manitoba, is it morally justified to sacrifice the peace and harmony of the people of Manitoba? Our French Manitobans will be the greatest losers of us all.

Thank you.

**MR. CHAIRMAN:** Order. Are there any questions for Mr. Veenendaal? Seeing none then thank you Mr. Veenendaal.

Mr. Doug Sisson.

**MR. D. SISSON:** Mr. Chairman, members of the committee, personally I feel this whole language issue is a wrong thing for Manitoba. We already have the 1870 Act which states English and French as the language of the Legislature and courts. This is a simple, short, easy-to-interpret Act, it was to the point and it wasn't easily challenged. I think the majority of Manitobans could live with this act. Some may not like it but we can live with it. But to extend it as Bill 115 proposes creates a gross injustice to the majority of Manitobans.

To call French an official language in Manitoba will leave us wide open for trouble. We will, with a stroke of a pen, have elevated a minority group - and I remind you a small minority group - to special status.

Then it is proposed to install an ombudsman to referee when there's problems and we can be sure there'll be problems. There always are when one group of people are favoured over others. If someone could challenge the 1890 Act with a parking ticket, I'd hate to think what they could do with Bill 115 with all its implications.

To begin with an ombudsman is supposed to be a buffer between the people and the government or bureaucracy. This time Bill 115 suggests he'll be a referee between two or more ethnic groups. How could this do anything but create division among Manitoba people and communities?

If there is a form of discrimination occurring towards a minority group it could be handled much better under the Human Rights jurisdiction and not a language police officer - or a KGB agent as my former colleague suggested - to have all government services available in both languages, in language service areas which are defined by the 800 residents or 8 percent population method - I don't know what you're going to use - could and probably would put most Manitoba communities in this category, of course depending on boundaries.

This will put people in these areas at distinct disadvantages. If one works at a Manitoba Civil Service job and is not bilingual, he won't be in the position or in the line for promotions to the heads of departments. This is discrimination towards the vast majority of the Manitoba population.

We don't speak French at my house so it is quite likely my children will never become fully fluent in French. Will this mean I should instruct my children not to pursue government jobs, that they are to be reserved for a favoured few? That's blatant discrimination. We've

got rights too and 78 percent of the population voted to reject this destructive bill. Why don't you listen? It's you that don't understand, not us.

Now this Advisory Council for language services - that's a pretty good one. The way it's to be set up or loaded up, favouring the Francophone minority is nothing short of discrimination as well. Thirteen appointees total, the act states; two senior officers from Crown Corporations - they have to be bilingual now remember, quite likely Francophones or Francophone sympathizers; two senior officers from departments, whatever departments are. Same story. Next, one senior officer from the Civil Service Commission, same story again; two representatives from the Franco-Manitoba community and of course they'll be SFM members. We already have a majority of French-speaking people on the council so I need not continue down that list.

This is also a discrimination against the majority of Manitobans. How can an Advisory Council made up of mainly one minority language group advise fairly on language matters? We citizens who are protesting this damaging legislation are a cross-section of people from Manitoba who are concerned about the direction our province is taking.

We are not rednecks, or racists or bigots, or French haters as has been suggested. We just don't want to see a terrible wrong done that can't be changed in the future and one that will be extremely damaging to our province and to our country. We also don't want to import people from down east to fill these bilingual positions which is exactly what could happen.

No one in government seems very concerned about costs. I guess we could just leave that up to the Minister of Finance to fit a bilingual program into his budget somewhere. Back on the farm, which is where I come from, we know all about costs. If we create a new line of expense the money has to come from somewhere. Either we can cut costs in some areas of our operation or we have to expand to earn more money. The government will have to do the same.

Which areas will you be cutting back on, education or health perhaps? Or will you raise taxes again? Maybe another 1.5 percent employer's tax this time to support bilingualism. The court challenges alone to Bill 115 could cost us a mint, let alone implementing all these bilingual programs. There are enough George Forests and Roger Bilodeaus around to assure us there will be challenges to no end in the future.

Add that to all the federal bilingual expenses and we've got something as big as a dinosaur. The only difference is this expense will never become extinct. It will only grow.

Finally, I can't understand closure on this bill. Article 35 states we have until 1987 before it has to become law. Why then ram it through? Is this a political move so the next government will have to declare this law and not the present government? I suggest to the present government to move now. Kill this bill. Your political future has already been damaged and there doesn't seem to be much hope of restoring it, but for the good of this province and the people of this province and of Canada, you should have the guts to throw this out before it mushrooms into something you can't handle. If you can't do that, take it to the people of Manitoba and let them decide.

Thank you.

**MR. CHAIRMAN:** Order please. Is it the will of the audience that they be removed from this meeting? Is that their will, is that what they want? Is it?

Are there any questions for Mr. Sisson from members of the committee. Seeing no questions then, thank you, Mr. Sisson.

Mr. Anthony Melnyk.

Mr. Claro Paqueo.

Mr. Terry Wachniak.

**MR. T. WACHNIAK:** My name is Terry Wachniak, I am a Canadian citizen. I was born in Vancouver and raised and educated in north-end Winnipeg. I'm opposed to the proposed action of the present government. Such actions must be recognized for what it is, social engineering.

The Manitoba New Democratic Party is aiding and encouraging the federal Liberal Party of Canada in its plot to alter the natural evolutionary direction of Canadian society. Their ultimate goal is to transform English-speaking Canada into a French society. The purpose of such action would be to ensure the preservation of the French culture in Quebec. The Quebecois culture, like the Native Indian culture, has been plagued by the slow but continuous evolution towards assimilation with English-speaking Canada.

The cause of preserving the Quebec culture has been championed by several key political figures, the most noteworthy are Pierre Trudeau and René Levesque. The critical point of decision was the Quebec referendum on separation. Levesque offered the people of Quebec a French-speaking country the size of the Province of Quebec. Trudeau offered the people of Quebec a French-speaking country the size of this country, Canada. They chose Canada.

Bilingualism is a myth. One language will always dominate - the language of the street. No government should dictate that language, especially against the wishes of 80 percent of the population. Like Quebec, the people of this province are not apathetic to the political system to the point that they will not resist. The English-speaking culture of Manitoba is being threatened. Until now the protest has been peaceful, but if this government continues to agitate the Manitoba community, the more militant among us are bound to be stirred into action. If this government must continue, free the NDP caucus; let every member vote according to his or her own conscience; let the members of this House listen to their constituents; let the members of this government do their job, representing the wishes of the people of Manitoba.

That is the message I want to give to you people here today, and I would like to bring out specific points to your attention dealing with the bill.

Clause 17(2), Page 8, you have an English translation and a French translation. Point "(b) Division du Bureau de l'éducation française." Where is the English translation of that? It does not exist.

Clause 31(1), Page 12, "This Act shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Manitobans." That is a lie. This act is promoting, not multiculturalism but French culturalism.

Clause 35 states that this bill will come into effect January 1, 1987. I had the opportunity to talk to Premier

Howard Pawley on Friday in the halls of the Legislative Buildings here and he told me that after one or two years after this bill is passed, he assured that no one will notice any adverse effects. Obviously that would be the case since the bill would not come into act for at least two years, three possibly.

In closing, gentlemen, the ultimate solution to our problem here in Manitoba would be for Rene Levesque to form a majority government in Quebec and separate from the Dominion of Canada.

Thank you very much.

**MR. CHAIRMAN:** Are there any questions for Mr. Wachniak?

Seeing none then, thank you, Mr. Wachniak, for coming here today.

**MR. T. WACHNIAK:** Thank you.

**MR. CHAIRMAN:** Mr. Reg Dubbin.

**MR. R. DUBBIN:** Mr. Chairman, committee members, ladies and gentlemen, my name is Reg Dubbin, I am a Canadian citizen and an English-speaking resident of Winnipeg. I am here to express my outrage at a government that completely ignores the wishes of the Manitoba people who elected it to office. I am here to express my disapproval of the government that forsakes the wishes of the vast majority and population of this province and bows instead to the blackmail tactics of one Mr. Roger Bilodeau, the French Society of Manitoba and our French Federal Government, like it or not. To me it is inconceivable that this English-speaking government cannot see the injustices being purposely created in Canada to satisfy the whims of the French-speaking minority. In the long run French are affected.

This country is passing through an era where the few dictate to the many. It resembles a dictatorship much more than it resembles a democracy. The man responsible for most of it is Trudeau. I like to call him Herr Trudeau because that's the type of person he reminds me of. He is also a person who is not famous because of his culture but because of his lack of it - deceit, discrimination and vulgar performances are all part of his repertoire. He is a man who has promised to break the fabric of English Canada. He is a man who is not to be taken lightly, despite the fact that at times he acts more like a barroom bum than the Prime Minister of Canada. Bill 115 appears to have been written expressly for him and his French-promoting cohorts.

I'm here to voice my objection to this proposed legislation. I simply don't agree that this government has the responsibility or the right to provide language facilities beyond a decision of the Supreme Court of Canada.

The reinstatement of Section 23 of The Manitoba Act guarantees only that both languages can be used in this Legislature; government documents will be in two languages; and I reject completely the idea that this government should bow to Bilodeau's attempts at blackmail.

This Manitoba Government would do well to appreciate the fact that an extension of French services is not required for his province, therefore, any extension

of services is only required to make Trudeau's pipe dream of bilingualism from sea-to-sea come true. It is only required to meet the demands of another radical Frenchman, whom I like to call Serge Joyal, a man in whose bigoted eyes, Manitoba is already a French state.

An extension of language rights is required only to meet the programs of the professional promoters of French. Any means of promotion is acceptable; begging, pleading, paying the part of the ethnic group most discriminated against, blackmail is the most recent addition to the underhanded tactics.

The idea, Mr. Chairman, seems to be to trample all non-French rights wherever they are found by authoritative Frenchmen. Small French groups such as the Manitoba French Association are supported by radicals in Quebec and Trudeau and his henchmen in Ottawa. The method is simply to enact pro-French legislation and then misuse it in favour of French at every opportunity.

The legislation and discriminate use of it threatens all non-French rights. It is intended to bring all other Canadians to heel. Legislation such as this government proposes will be bringing Manitoba in step with Trudeau and Levesque and their program to Frenchise the whole of Canada. The idea is to stamp out the rights of all ethnic groups, Trudeau with his program of nothing but French and Levesque with his anti-English programs. Both men are surrounded by French supporters, or others, too gutless to speak out on behalf of non-French Canadians.

The Manitoba Government doesn't offer much in the way of protection for English language rights. The proposed Bill 115 is a poorly written bill which will take more away from non-French rights.

Section 7 calls for an ombudsman to be fluent in both English and French. Other more numerous multilingual groups aren't mentioned. If this government continues to yield to the threats or bitching of Frenchmen, one can be sure that the ombudsman may be bilingual, but he will also be French.

Under these circumstances Section 22(2) becomes a concern, "Refusal to investigate"; if non-French gets the usual consideration from authoritative Frenchmen, this section will receive much use. We've seen it all before in federal legislation.

The Human Rights Act, for instance, it doesn't accept language as a reason for complaint. When they have seniority, when we have ability, but if one doesn't have French the seniority and the ability don't matter. It will be bypassed for some newly-hired pension with no ability, but with the ability to speak the French language.

To confirm these comments one need only look at Trudeau's Cabinet Ministers; most of them French and the majority of them gifted in little else. So while this government tells me I don't understand, I am telling you that you're plain stupid if you think that this kind of legislation or the misuse of it makes any kind of sense.

The Official Languages Act was supposed to ensure a fair shake to Canadians. Since its enactment it has been misused in every conceivable manner. French people who speak so little English that they must use the services of an interpreter aren't uncommon even though they are supposed to be bilingual.

National companies like C.N., C.P., Air Canada, the Mint, and many many others are all bound by The



Official Languages Act, bound by the act except for Quebec, or their Quebec offices, where English signs aren't permitted. If that isn't misuse or discrimination, I don't know where the hell you find it.

One of the previous speakers cited the case of an RCMP constable in Steinbach who couldn't speak English. Does this conform to The Federal Languages Act? No damn way. The fresh Canadian air is fast becoming polluted with the smell of legislated French. One might think that all the pro-French legislation that has been passed would satisfy power-hungry Frenchmen. It hasn't. They are still seeking other legislation by whatever devious means possible and by whatever means they can muster.

Consider the plight of a volunteer war veteran who lost his job because he wasn't bilingual. The possibility of his job being taken over by a French-speaking person, who refused to serve, are too remote. I'm not advocating war, I'm saying simply that those people who did serve should be given the fullest consideration whether it meets with French approval or not.

I'm sure you've all heard about the "It's Ours Company" - Petrocan - a truly cross-country company. They have never erected an English sign in Quebec.

Are any of you people beginning to get the message that I'm telling you? Do any of you see the blatant pro-French discrimination that I'm talking about? Possibly the most unbelievable of all comes, not surprisingly, from the special status Province of Quebec.

The Armed Forces recruiting centres refuse to accept applications for enlistment from unilingual non-French people. It sounds unbelievable, but it's true. This kind of crap from a linguistic group whose homeland owes most of its military accomplishments to allegiance formed by enlisting foreigners.

Let me repeat a previous made comment. If this provincial government discriminated against French the way the French government in Quebec discriminates against all non-French, the wailing would be heard around the world. Let me say again that the French in Canada are not prepared to suffer the abuse they so eagerly heap or lay on others. I won't ask you to take my word for that. I ask you to look around, open your eyes, see what does go on. I'm mentioning only a few of the instances which are not very hard to find.

Bill 115 will naturally call for some policing. That's not unusual in an enactment of some kind of legislation. It certainly isn't unusual in The Official Languages Act. Maxwell Yalden likes to call them language auditors. Actually they're snoops who infiltrate telephone calls, stores, and they make sure that all conversations meet with the language specifications. They make sure that French descriptions are on every package. They frequently overlook or don't even make a pretence to ascertain that the same English instructions are written on that package. The people who would police this Manitoba legislation will be just as French-oriented as the rest. It has already been pointed out that the act already favours French.

I recall a pathetic story indeed about a young French chap living in Quebec - I say, young and I'm not so sure he was young - who decided to move west. He changed his plans about coming to Manitoba, and went to the States instead. On his return, he said he felt like a stranger in his own land simply because French was no longer a language of government. It seems typically

French to expect that privileges will be preserved for them no matter where they go or how long they stay. It's akin to a young man leaving home only to return 10 years later, and find that the old folks have made a den out of his bedroom and he wants to know what the hell it's all about. It is a simple analogy and hopefully it's one that this simple government will understand.

It is comparable to the French language situation in Manitoba. For 20 years after The Manitoba Act was passed, the French saw fit to do nothing about populating this province which had incorporated some French provisions or some provisions for French in their government legislation. Others did settle here, and accordingly laws were changed to accommodate the vast majority. Now more than 100 years later, the French of this province are making it clear that they will not be settling for less. They intend to get more. Let me say again that the French-Canadian did not play a big part in Western Canada. There has never been a significant percentage of French in this part of the country.

As an English or a non-French-Canadian, I have to concern myself about my rights and the rights of my children. Who does speak for English Canada? Certainly not the Federal Government, certainly not the Manitoba Government. So we are left to our own resources. This government has already seen the hazards of ignoring the majority to dictate favouritism to a minority. Such witless actions have always had repercussions. Usually it's the defeat of the offending party or government.

In this case, the arrogant, uncaring attitude of this government eventually could lead us into a situation similar to that which now exists in Northern Ireland. I hope it will never happen but if it does, it will be due to profound and intentional misuse of language legislation, not religion.

Tens of thousands of Manitobans have expressed their concern in opposition to this government's plan on this language issue. The government prefers to yield to Bilodeau, rather than let his case go to the Supreme Court. Bilodeau has cancelled his plans to proceed with his case on more than one occasion, and one has to ask why. Is it because they see the rewards from the government as being greater than the decisions they would receive from the Supreme Court? I suspect that is the case.

This government should scrap Bill 115, and advise Bilodeau to proceed with his case. Even if he won his case, all is not lost. We could declare special status and ignore the French bills as Quebec does. I'm not advocating that. I say, that's the way they have proceeded. It has worked so well for French. Maybe the English can do it. Certainly the percentages wouldn't be out of line. The threat to separate has paid off handsomely for Quebec.

All these are far-out suggestions, of course. One might label them as the game Frenchmen can play, but in Manitoba we don't have that many French so we can't play them here. It is hard to believe that an unfavourable decision could be forthcoming from the Supreme Court. It is doubtful, however, that an unfavourable decision could hold any more threats to non-French than the misuse of any piece of legislation would be put to.

Should this government still decide that it doesn't have the guts to stand up to the Bilodeau case, then let me again refer you to Bill 115 which says on Page

11, Section 27(c), that the fine will be \$500.00. I suggest you change it to 500 francs in keeping with the rest of your thinking. At least you will be doing something right, capitulating completely. The national NDP Party may be rewarded by a few votes from Quebec.

Mr. Chairman, in a previous address to a committee on this issue, I said and I honestly believed, I am not discriminatory, I am not bigoted and I am not hateful and I have come to the point where I am not sure about any of those things anymore.

I cannot think of one group of people that have pitted neighbour against neighbour, friend against friend, English against French as successfully and in as short a period of time as this NDP Government. I don't know what you're trying to prove. Whatever it is, it bodes no good for Manitoba.

I had thought at 5 o'clock this morning when I was putting the finishing touches on this speech that I would be able to get up here and tell you in no uncertain terms - and I mean no uncertain terms - what you could do with your Bill 115. Unfortunately or maybe fortunately, the way I was brought up, I find I can't do that, partly because of some of the speeches that were made before me, partly because I see the good father sitting over here giving me the eye, otherwise you would know what you could do with your Bill 115.

That concludes my presentation, Mr. Chairman. Thank you.

**MR. CHAIRMAN:** Are there any questions for Mr. Dubbin? Seeing none, then thank you Mr. Dubbin for taking the time to come here today.

Ms. Elizabeth Fleming.

Mr. Tom Fuddy.

Mr. W.J. Hutton.

**MR. W. HUTTON:** Mr. Chairman, although I'm scheduled to appear at this time, I'm wondering if my name could be deferred until after you've gone through the other names? I am present and I could speak, but I prefer to speak later if that's possible.

**MR. CHAIRMAN:** Is it agreed? Is it the will of the committee? (Agreed) Very well.

Mr. A.J. Moreau.

**MR. A. MOREAU:** Well, for a few minutes I thought that I was saved by the bell but Mr. Hutton stole my idea. Good day to the Chairman and the members of the committee. My name is Mr. Moreau. My first name is Anthony, sometimes referred to as Tony.

A couple of weeks ago there was a show called "Front Page Challenge" that a lot of you people watch no doubt on CBC. It was from Quebec. There was a man on that show that said he joined or supported the Parti Quebecois and he worked very hard to try to help the cause of the Francophone in the Province of Quebec. He stated that it went too far and he is now working to help the Anglophones in Quebec.

One of the members of the panel asked that gentleman, they said this sort of thing has been going on a long time in Quebec. How do you cope with it? He said you cope with it by trying to instill a lot of humour and I think that's very very important to bring a little bit of humour into these things, because a lot

of times we consider ourselves to be too important. We consider the issues to be too important and that sort of thing leads to extremes. It leads to emotionalism and as a result, a lot of the logic is lost. Now on the part of humour, even the people that come up here and address these committees are maybe frustrated parliamentarians and they're glad to have the opportunity to say a few words.

The marvellous contribution that the Honourable Sterling Lyon made to Canada's Constitution has carried a very high cost. His preoccupation caused him to lose the next Manitoba election. I don't know what was going on at that time, but that is part of the problem we see ourselves in today, is what happened when the PC's were in power or formed the government I should say - I don't like that word "power" - who formed the government at that time. They were too complacent, they were too distracted, or whatever. That's one of the contributing factors of the situation we find ourselves in today. He was such a thorn in the side of Pierre Elliott Trudeau that I am convinced that the Prime Minister did all he could, behind the scenes, to see to it that the NDP were elected to office to form the current Manitoba Government. With Sterling Lyon in opposition, the Federal Liberals and the Manitoba NDP Government proceeded to make Manitoba a bilingual province, if they could.

Consider the influence the Federal Liberals exerted on the Manitoba NDP Government. In my opinion, they were now calling in a debt and ignored the fact that language is a provincial matter. Money - all you want, again ignoring it wasn't theirs to give. An annual budget of \$657,000 a year was established to support the Franco-Manitoban Society.

A businessman on an average will invest \$20,000 and he's got to make it in one month or he's in trouble. If I was the Federal Liberals, I'd be very very disappointed with the Franco-Manitoban Society, very disappointed, very very very disappointed. They're laughing. They're just standing there taking all that money in and they're not doing anything. Are they influencing us? No.

I am standing here today trying to influence you. I'm trying to sell you, but what do the Federal Liberals use? They use money. They use bribes. The Government of Manitoba today is using a vote in the Legislature. Certain sections of French services could be put through in this province if you took a little more time, if you'd use persuasion, if you used honey instead of vinegar.

I'm a French-Canadian on my father's side. I have told Polish jokes, therefore I'm a bigot. The office of the Secretary of State and the Franco-Canadian Associations outside the Province of Manitoba were mobilized and directed to push the case of bilingualism in Manitoba. Persuasion, as I said earlier, in the true sense of the word, was avoided. Instead they paid for it in cash. Why resurrect the Liberal Party in the west when all the Federal Liberals have to do is buy controlling interest in the NDP? Their allegiance is for sale.

Now if I was a member of the media or of the PC Party, instead of a distracted preoccupied citizen of this province that I am, I would be working night and day for the past nine months to discover exactly what the Manitoba NDP Party, or certain of its members, had to gain, what did they have to gain by accepting

outside influence? Why is nobody sufficiently suspicious enough to pursue this? They are not certainly gaining re-election in Manitoba. There is only one way that this does not bother them - the exchange compensation is obviously much greater.

Then it became time for the NDP Government to persuade Manitobans. But they don't know how to sell, so they went for the big club, majority vote in the Legislature.

I'm very happy to have an opportunity to talk to this committee. I would like the members of this committee on the government side to listen to me, but I want everyone to know that I am talking to the Conservatives, I am talking to the members of the public and I am talking to the media. Authority out of control has wrought more agony since the beginning of time that individual citizens could ever match. The NDP Government in Manitoba is authority out of control. Authority must deserve respect to get respect. The NDP Government in Manitoba has lost my respect and thousands of Manitobans like me.

When the Government of Manitoba does not recognize the will of the people, it has lost, in effect, its right to govern; therefore, I do not recognize the government in Manitoba. The gullibility and apathy of the public is a factor, but yours is the bigger sin.

As an example, if I get on a plane with a bunch of passengers and the passengers and the pilot decide we're going to fly to Regina, and that plane ends up in Saskatoon, the people have a part to play in the misdirection of that route, but the pilot has the larger sin because he's at the controls.

Specifically to the opposition members of the committee I say this: I feel sorry for the government side of the House. Let's put a little compassion in here. Obviously they are locked into their position and may desperately be looking for a way out. Each member in their own way may be suffering terribly from the conflict of their judgment as against their commitment. Help them if you can. However, if they insist on acting like a jailer who had just been asked for a weekend pass, making representation to them would be just as foolish.

The time for asking the government to solve your problems is past. The time for action on the part of Manitobans is now. Let me explain.

People in a democratic society should not be asking leaders to make them happy. It's up to us to make us happy. We have a democratic way of life and we elect leaders to see to it that things are directed along those lines. I, myself, am not upset with Trudeau, not a bit. I don't agree with him, but I'm not upset with him. Trudeau has the freedom to do what he wants. The leaders have got the freedom to do what they want, but the members of the public have an obligation to take part and to resist.

First of all I would like to remind you that we are supposed to be a free self-governing people and therefore cannot worship a man-made document as a state religion. I'm referring to the bill in question and entrenchment. Entrenchment puts pressure on the courts for interpretation, who in turn puts pressure on the government, who in turn has no choice but to manipulate the courts.

Entrenchment is not democracy. I don't even want my ideas entrenched. I don't want my ideas entrenched. Why am I smarter than somebody else 40 years from now, and why should somebody else 40 years from now be saddled with my opinions? Like the person who drinks just enough so he will stay healthy enough to keep on drinking, because a lot of times what it is; and people want to leave it that way because there's lots of money to be made in social services, Trudeau wants to keep feeding us just enough bilingualism that's tolerable so we can choke on it later. The people who have his number are growing daily.

What I am suggesting to you is extremely unorthodox, but you can't do it alone and you have to shake the silent majority out of their complacency so they can help you. You have to beat Trudeau at his own game. By moving in the Legislature - I'm talking to the Conservatives - not necessarily voting on it, but moving in the Legislature that Manitoba be made a unilingual French state and all that goes along with it. That's what you do. You move more than they want. Did you ever play bridge and somebody's overbidding? You've got to overbid more than they do to smarten them up. Just a minute, I'm not finished yet. And all that goes along with it, English is forbidden spoken or written, language police, French-only institutions in business, etc. etc. If that doesn't break out the roar of the people, then it just doesn't matter.

Thank you very much.

**MR. CHAIRMAN:** Thank you, Mr. Moreau. Are there any questions for Mr. Moreau? Seeing none, then thank you, Mr. Moreau, for coming here today.

It is now past the hour of adjournment for lunch, what is the will of the committee?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I was about to move committee adjourn, but before I do, I expect that the committee will be able to meet this evening at 8:00 p.m. subject to the House adjourning at 5:30, which I think is quite possible. I'll be speaking to that and announcing House business immediately after question period, but I think there will be a proposal that the House adjourn at 5:30 so that the public can be heard this evening at 8:00 p.m.

I think the committee can proceed on the assumption that we will meet this evening at 8:00 p.m. and the Clerk's office can so advise those who are on the list who are not here today. At the present time, the committee will continue sitting at 8:00 p.m. If there is any change in that, that advice from the Clerk's office can be changed later this afternoon. But it would be our anticipation that committee would meet at 8:00 p.m. this evening. Committee adjourn.

**MR. CHAIRMAN:** Before committee adjourns, I'd like to remind members of the audience that the phone number for the Clerk's office is 944-3636 if you wish to contact the Clerk's office directly.

Committee adjourned.