



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

DEBATES
and
PROCEEDINGS

33 Elizabeth II

*Published under the
authority of
The Honourable D. James Walding
Speaker*



MG-8048

VOL. XXXI No. 183 - 2:00 p.m., WEDNESDAY, 15 FEBRUARY, 1984.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 15 February, 1984.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Bilingualism in Manitoba

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a question to the Honourable Government House Leader and ask him again, as I did yesterday, whether or not it would be his intention to call the committee to hear clause-by-clause consideration of Bill 115?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Yes, Mr. Speaker, I expect the committee will be called shortly.

MR. H. ENNS: Mr. Speaker, those of us that have been in this Chamber know what words like "shortly" or "soon" or "maybe" mean. I was honestly soliciting from the Honourable Government House Leader whether or not it would be his intention to perhaps call the committee this afternoon . . .

MR. SPEAKER: Question.

MR. H. ENNS: . . . should other events transpire that would not enable us to carry on with the other business of the House, or tomorrow, and let's get on with the clause-by-clause consideration of Bill 115.

MR. SPEAKER: I'm a little unsure whether there is a question in there.

The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, it would be our intention to announce the timing of committee consideration clause-by-clause of Bill 115 as soon as all the hypothetical questions raised in the preamble to the honourable member's question are answered.

Bilodeau case - translation costs

MR. SPEAKER: The Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a question to the First Minister, the Premier.

Has the government established a - I suppose you could call it a contingency policy - that should the

Bilodeau case advance to the Supreme Court and subsequent additional translation costs be faced by the province, that those costs would be borne by the municipalities of this province? Can the Minister indicate whether that is a policy?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, that is a matter that will have to be dealt with very seriously, indeed, if the Bilodeau case does proceed to the Supreme Court of Canada. Obviously, the public will possibly be required to pick up millions of dollars of additional expenditure. There is no question about that. We have not determined by what route, by what process that additional expenditure would have to be assumed but, clearly, Manitobans would be faced with a possibility of a major additional expenditure of tax dollars in the Province of Manitoba.

Bilingualism in Manitoba

MR. H. ENNS: Mr. Speaker, a further question to the First Minister, the Premier.

Is the Premier aware that a Minister of his government, namely the Minister of Agriculture, a former Minister of Municipal Affairs, is making agreements in his office with municipal officials that he is prepared to withdraw his support from his government and from the language proposal that this government is presenting to us on the basis, that should municipalities be agreeable to picking up those translation costs, the Minister of Agriculture will be prepared to withdraw support from his government's measure? Is the First Minister aware of this?

MR. SPEAKER: Order please, order please. Asking for awareness is not a proper question to the Treasury Bench. Would the Honourable Member for Lakeside wish to rephrase his question?

MR. H. ENNS: Mr. Speaker, I am trying to determine important government policy and I will ask the First Minister whether or not - and that was the reason for my first question - whether or not this is government policy and individual Ministers can make these kinds of arrangements. On the Minister of Agriculture's stationery, signed by the Minister of Agriculture, and dated last night: "I am prepared to allow the current challenge of Mr. Bilodeau to proceed to the Supreme Court when the municipalities within our province agree to pay for any additional costs of translating our statutes and related costs, above the proposed agreement, to translate approximately 400 statutes over a 10-year period." Signed by one Bill Uruski.

I am asking whether this government has a policy. This is a new twist of the free vote concept that we seem to have some trouble defining, Mr. Speaker. Are individual Ministers being allowed to sign these kind of agreements in front of a number of municipal officials - reeves and mayors - of this province?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Yes, Mr. Speaker, I was advised by the Minister of Agriculture about the meeting he held with municipal officials from his constituency last evening and about the proposal he made to them. That proposal was - and I think it is quite apparent to the Honourable Member for Lakeside, the Opposition House Leader, that it was clearly an indication that the purpose of the government's proposal now before the Legislature is to save the Provincial Government, the citizens of Manitoba, the taxpayers of Manitoba, and more importantly the municipalities and school divisions of this province, millions of dollars. Mr. Speaker, that's the purpose and that is what it will accomplish.

Mr. Speaker, what the Minister of Agriculture was saying and what government Ministers have said at various times over the last nine months is if the people of Manitoba want to pay these enormous costs; if the municipalities want to run the risk that the Blaikie (2) decision of May, 1983 will be extended to municipalities and school boards in certain factor areas; if they're prepared to live with that decision and that possible extension of the Blaikie (2) decision and they decide they want to pick up those costs, Mr. Speaker, they should say so and the government will be influenced by that statement, and the Minister of Agriculture has put in writing the fact that he will be influenced. We've put it on the record. What more does the member want? But, Mr. Speaker, the extension of Blaikie (2) to municipal and local government authorities in Manitoba has implications for them of which they should be aware.

Mr. Speaker, with regard to the enormous costs to the Province of Manitoba, I wonder if the Member for Lakeside or his leader are prepared to put on the record that they're prepared to pay the tremendous additional costs that their obstruction and bell ringing will bring upon the Province of Manitoba if this matter goes to court? Mr. Speaker, . . .

MR. SPEAKER: Order please, order please.
The Honourable Member for Lakeside.

MR. H. ENNS: The height of the shell game, flimflammy, is now being displayed. We are talking about what costs, what costs? There are no costs being opposed. These members are applauding it as a given fact. We will win the case to begin with.

Mr. Speaker, my question . . .

MR. SPEAKER: Order please.

MR. H. ENNS: . . . simply is to the extent - I want to ask the First Minister - what's been demonstrated by this signed agreement to the extent that honourable members opposite will weasel their way out of facing their constituents. He agreed to trade and sell his vote.

Will the First Minister not now, even at this late date, ask that question of the municipalities, of the people of Manitoba, through a general election if need be, whether or not they are prepared to face whatever different costs might be incurred as a result of this case? — (Interjection) — If individual Ministers can make those kinds of deals behind closed doors, then

why not let all his members and all of us make that kind of deal?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, it's very interesting that the former Minister of Resources, the Member for Lakeside, now says we will win in the Supreme Court; we will win, he announced proudly and boastfully from his seat but a few seconds ago. It seems to me that I recall - and I will check Hansard - that the Member for Turtle Mountain, I think, quite accurately said on January 12th, that the chances of the laws of the Province of Manitoba being declared invalid were in fact quite - and I don't want to misrepresent the honourable member in fairness to him - but was quite possible, and we can check the words.

So it's very interesting that the Member for Lakeside is now boasting because of an obvious lack of understanding on his part and, unfortunately, in so doing misleading the municipalities and Manitobans in his statement; whereas I credit the Member for Turtle Mountain of not misleading Manitobans, of standing in his place and telling it as it was in this Chamber. It's unfortunate that the Member for Lakeside did not listen to the Honourable Member for Turtle Mountain.

Mr. Speaker, what is important in respect to this issue and what the Minister of Agriculture was clearly attempting to present to the municipalities' areas is, indeed, that there may very well be additional costs - major additional costs - to the municipalities, to Manitobans as taxpayers, if irresponsible conduct is proceeded with in respect to this matter, and that this government does not want to see the incurring of unnecessary costs, the burdening of Manitobans of additional millions of dollars because we failed to do our responsibility in this Chamber.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. It is unparliamentary to accuse another member of making deliberately misleading statements.

The Honourable Member for Lakeside.

SOME HONOURABLE MEMBERS: Withdraw, Howard.

MR. SPEAKER: Order please. The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I would like to withdraw. I'm convinced it wasn't deliberate, it was based on ignorance on the part of the Member for Lakeside.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a further question to the First Minister. Would he not agree that by agreeing to the amendment that we have before the constitutional amendment, by then passing on the amended constitutional proposal that would validate the laws, just precisely resolve that possibility - and all that is is a possibility - of any translation costs occurring to Manitoba, and carry that out. Why would the Minister, just following his own advice that he gave in this House

10 seconds ago, not agree to our amendment and get the package off to Ottawa?

HON. H. PAWLEY: Mr. Speaker, in fact I find that the Honourable Member for Lakeside is as though engaged in a comedy show. A few seconds ago he stood in his place and said, "We are going to win." Now he is saying, "Are you prepared to proceed with our amendment to validate the statutes?"

If we're going to win, then what is the Honourable Member for Lakeside so concerned about, Mr. Speaker? It was the Member for Lakeside, but a few seconds ago who said, unequivocally and clearly in this Chamber, "We are going to win."

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I would like to table this signed agreement, written on the Minister of Agriculture's stationery, putting the price tag of his vote for the government's proposal as being, that the municipalities would have to bear the costs; and he would desert his colleagues and his government on a vote of confidence and not support their language proposal. I'd like to table that with the House, Mr. Speaker.

Price war - grocery stores

MR. SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Thank you, Mr. Speaker. My question is for the Minister of Consumer and Corporate Affairs.

Over the past few weeks, rural and Northern Manitobans have again found themselves spectators to yet another price war that has benefited only Winnipeggers and by-passed them, this time in the area of food prices.

In view of the fact that prices have been cut by nearly 20 percent overall in Winnipeg and by as much as one-half in the case of some commodities, while rural and northern prices remain the same, I'd like to ask the Minister whether he could look into the legality and fairness of such discriminatory pricing for such an essential commodity as food.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: The question of a price war does raise issues for consumers. Normally of course, Mr. Speaker, one . . .

MR. SPEAKER: Order please.

HON. R. PENNER: . . . would want to encourage and not discourage the reduction of prices to consumers, so let's be clear about that. However, a price war between two large cartels virtually, in the food area, seeking to gain a monopolistic advantage and only thereafter to raise prices unconscionably is something that ought to be monitored; and certainly officials in

the Consumer Affairs Department do monitor that kind of thing.

What worries me, Mr. Speaker, about the price war is the aspect that may be there, and which will also be monitored, of misleading advertising and the aspect of discriminatory pricing. All of these arise in the context of a price war. In the long run, there may be some short-term advantage for consumers, but a long-term loss to all consumers. We have seen that whenever, as a result of this type of internecine war between the big monopolists, in the long run if one succeeds over the other, then the free market which that side, for example, declares to be their aim in fact disappears and the consumers suffer.

MR. S. ASHTON: Mr. Speaker, I realize members opposite may not be concerned about this, but my constituents certainly are.

As a supplementary, I would like to ask the Minister whether he would consider having his department monitor prices in rural and northern areas to ensure that rural and Northern Manitobans don't indirectly pay for the price war, which is being conducted by the grocery stores in Winnipeg?

HON. R. PENNER: The question raises another interesting point. Of course we would be prepared to monitor the situation, but under existing consumer legislation in this province - and indeed it is quite similar in most but not all other provinces whom we can monitor - we have very little regulatory ability.

One thing which my department is considering, not for the forthcoming Session because it is something that has to be looked into very carefully, is fair trading practices legislation such as presently exists in one or two provinces in Canada. Then you do have the power not only to monitor but to regulate in the interests of the consumers and that certainly might be the result of this type of thing.

MR. S. ASHTON: A final supplementary, Mr. Speaker. I would like to particularly ask the Minister if he might monitor the rather expensive, obnoxious advertising that we have seen as part of this, which seems to benefit nobody except the advertising agencies.

Examinations in two languages

MR. SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, yesterday I gave the Minister of Education notice of a question following upon my questions to the Government House Leader yesterday.

Section 64 of The University of Manitoba Act, Mr. Speaker, states that the examination for any degree to be conferred by the university may be answered by the candidate in either the English or French language. Does the Minister of Education favour entrenchment of that provision under the government's constitutional proposal?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I want to thank the Member for St. Norbert for giving me notice of that

question yesterday. I think he wanted to make sure that I was going to be prepared to give a complete and full answer.

He also asked an additional question, but he was asking that within the areas of my jurisdiction, what other areas are there that would be affected. I do want to say that the areas under my responsibility where acts are administered are great, that I do have very large responsibilities and I just want to list them because it is important to know how minimal the effects are on all of these areas, of what is being done with this act. First of all, I have The Blind Persons' and Deaf Persons' Maintenance and Education Act under my responsibility; The Education Administration Act; The Public Schools Act; The Public Schools Finance Board Act; The Teachers' Pension Act; The Teachers' Society Act; The Private Trades Schools Act; Universities Establishment Act; Universities Grants Commission Act and University of Manitoba.

A MEMBER: Is that all?

HON. M. HEMPHILL: And I have to say that those acts are some of the most complex and comprehensive acts that exist in the entire Government of Manitoba. It is very very minimal, in terms of the numbers of rights that are being affected. We discussed one of them yesterday - Act 79 of The Public Schools Act. This is one other and to his question of - do I favour it? - I, like the Roblin Government that brought it in, do. It has been in for a long time; I see no problem with it. I know of no government on either side having any problem with allowing the examination for any degree to be answered by a candidate in either the English or the French language.

So I do not think that it will be taken away. I don't intend to. I don't think they do and so I favour its continuance and its protection.

MR. SPEAKER: Order please. The Honourable Member for St. Norbert.

MR. G. MERCIER: Yes, Mr. Speaker, the section that I referred to was brought to my attention by a university professor who is concerned with the difficulty in the event that the section was entrenched in the Constitution and therefore could not be amended without a great deal of difficulty. No doubt, this section has probably not been used very much at all. I'm not aware of it being used. But as the Minister discussed with the administration of university, the difficulty that might be caused is if it were used in an unreasonable way and could not be changed except by constitutional amendment.

HON. M. HEMPHILL: Mr. Speaker, I have trouble with the suggestion where people are raising boogeymen that don't exist, that haven't existed - this act has been in since 1966. The universities and we and both governments have had absolutely no problem with it at all. I don't know why they want to raise spectres that don't exist. It has not been and I don't expect it will be a problem.

A MEMBER: She's saying they could exist.

MR. G. MERCIER: Mr. Speaker, I am not suggesting that there should be a change in this section at the present time. The intent of the question is to point out to the Minister that if it's entrenched in the Constitution, if it does cause difficulties, it is very difficult to amend as part of the Constitution.

A supplementary question, Mr. Speaker, to the Government House Leader. Prior to my giving notice to the Minister of Education of this section, was the Government House Leader aware of its existence?

MR. SPEAKER: Order please, order please. Seeking the awareness of a member of the Treasury Bench is not a parliamentary question. Would the honourable member wish to rephrase his question?

MR. G. MERCIER: Thank you, Mr. Speaker. Prior to my giving notice to the Minister of Education yesterday with respect to this matter, did the Government House Leader have knowledge of this section?

MR. SPEAKER: It sounds rather like the same question. Does the honourable member wish to rephrase his question to seek information rather than knowledge or awareness?

MR. G. MERCIER: Mr. Speaker, I've asked questions of the Government House Leader on a number of days with respect to a list of references to the common law, statutory law and regulatory law that would be entrenched under the government proposal. Can the Government House Leader advise the House if he took this particular section of The University of Manitoba Act into consideration when he said to the House that they had examined the Statutes of Manitoba that would be affected with respect by their proposal?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I think I caught all of the question - I may have missed the last portion. Mr. Speaker, the government considered the implications that the words "freedom to use" might possibly - the range of possibility is there - but anywhere from possible to remotely possible and certainly some might even say it's probable that the word "freedom to use" will be broadly interpreted to include certain statutory provisions. It is on that basis that the Member for St. Norbert asks his question, so I have to reject the assumption that certain things will be entrenched which he places in every question he asks. There's no basis for that suggestion and I reject that assumption. Mr. Speaker, clearly I would suggest to the honourable member that with regard to the operation of the educational system which is apparently . . .

MR. SPEAKER: Order please.

HON. A. ANSTETT: Mr. Speaker, I would gladly answer the question of the Honourable Member for St. Norbert and provide him with as much detail as possible, but I have no desire to compete with some of his colleagues.

Mr. Speaker, I would suggest to the Honourable Member for St. Norbert that with regard to the

implications of the legal opinions on the question of 23.1 and the "freedom to use," he consult as well that section in the Federal Charter - I believe it's Section 23 - which specifically provides certain rights and entrenches and removes from any impact of the notwithstanding clause, as I understand it, certain guarantees with regard to languages in the educational system. We have deliberately throughout this process avoided in any way impacting on that.

Mr. Speaker, the question becomes not a question of right with regard to the statute, but a question of the freedom to use. There is no provision of which I am aware or the government is aware, and this has been extensively reviewed mainly because there isn't a very long list of which we were aware that in any way provides any freedom to use with which any member on this side takes exception.

Mr. Speaker, the whole assumption which underlines the questions of the honourable member opposite, I therefore reject. We do not feel that there is anything in the Provincial Statutes or common law today which provides a freedom to use a language as opposed to any specific rights with which we disagree and I haven't heard members opposite disagree.

With regard specifically to Section 64, The University Act, Mr. Speaker, I should point out to the honourable member that directly affiliated to the University of Manitoba as a degree-granting institution which regularly conducts its examinations in the French language, is St. Boniface College.

Mr. Speaker, I have to ask the honourable member, since he persists in this line of questioning, is it the intention, of either he individually or the opposition, to destroy the use of the French language in St. Boniface College?

MR. SPEAKER: Order please. The Honourable Member for Lakeside on a point of order.

MR. H. ENNS: I raise the point of order, Mr. Speaker, the point of order being that I welcome those kind of comments and that kind of interest and that kind of concern that he's now showing, if we could debate to that in its proper place, namely, on the resolution. We have steadfastly refused to debate the resolution, none of them would get up and speak on the resolution, Mr. Speaker, and, Sir, they abuse the question period in a clearly out-of-order fashion to try to respond to legitimate questions that we're raising.

MR. SPEAKER: The Honourable Government House Leader to the same point.

HON. A. ANSTETT: Yes, Mr. Speaker, to the same point of order. I agree with the honourable member, that if the opposition had not refused to debate the resolution as he admitted just now, we would not be having extensive questions that promote debate and are argumentative during the question period and I, Sir, and some of my colleagues would not be tempted to respond in kind and give lengthy answers. I recognize, Sir, that my last answer was engaging in debate with the Member for St. Norbert. I appreciate and agree with the Member for Lakeside as to why that's happening and I apologize to the House for the length of that answer.

I will try and limit my answers in the future but I have to express the reservation that the questions which are argumentative and deal with the matter for which debating time is appointed in this House and which honourable members have refused, then they're going to continue to get answers to their questions. Now they either want answers or they don't. I'll try and keep them short, try and keep the questions a little more simple.

Federal Budget - tax changes

MR. SPEAKER: Order please, order please. I would urge all members of the House not to take an undue amount of time in either questions or answers.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is to the Minister of Finance. Can the Minister of Finance advise the House what sort of request he has made to the Federal Minister of Finance, what sort of advice he gave to the Federal Minister of Finance in terms of what the Federal Minister might include in his Budget today that would be helpful to encourage economic activity in Manitoba?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker, I can provide the member with the copies of various documents that we've presented to the Federal Minister of Finance over the last period of time. They include the request from the Province of Manitoba, which was the first province to do so with respect to the national recovery projects, the capital projects, the "wish list" that members of the opposition said would never come true, which has resulted in many Manitobans already being at work; many millions of dollars worth of projects in the process now of being negotiated with the Federal Government including upgrading of the Port of Churchill; upgrading of the rail line to Churchill; mass urban transport programs; discussions with respect to construction of boxcars in Transcona, and so on. We can go on and on with the list that we are working on right now.

We are also in discussions with the Federal Minister of Finance with respect to equalization payments and our continuing disagreement with the Federal Government with respect to what they have done with the new formula they provided to us in 1981, the five-province average. We've been asking for a return to the 10-province average which would mean several hundreds of millions of dollars per year in the next few years in revenue to the Province of Manitoba, which we would think would be only fair.

We are asking for the Federal Minister of Finance to look at ways of strengthening the health care system by way of paying 50 percent of funding again in the way that they did a number of years ago. Indeed in 1979, they were well over 50 percent of health care funding.

I take it some members of the opposition don't want too detailed an answer right now, so I'll provide the material . . .

Re-examination of tax structure in Canada

MR. B. RANSOM: Mr. Speaker, all of those things that the Minister mentions have to do with the expenditure of tax dollars through government agencies or the transfer of tax dollars. Has the Minister made any specific request to the Federal Government concerning the tax structure of our country that would lead to increased investment in the private sector which is so sorely needed today?

HON. V. SCHROEDER: Well, Mr. Speaker, we have indeed at the last Federal-Provincial Finance Ministers' Conference made a request that there be a full re-examination of the tax structure in this country which we believe is long overdue. The last proper examination was done in the 1960s by Mr. Carter, the Carter Commission, which resulted in the 1972 tax reform. We believe that many of the items drafted onto our tax legislation since then have been very harmful to the economy, especially of Manitoba - one example of which would be the Petroleum Incentive Program which we discussed in committee last year pursuant to which the taxpayers of Canada basically pay for the oil wells that are being drilled in the North - and indeed in some instances we are more than paying for the drilling of some of those wells. We're concerned about those kinds of areas.

We're concerned as well about any proposal which would make significant changes, for instance, to RRSPs which would assist people only in the higher income brackets. Now, if the changes were made in accordance with the way suggested by a committee of Parliament which would provide a tax credit of 40 percent of your contribution, so that the rich and the poor would get the same amount of benefit per dollar put into an RRSP plan, we would support that kind of notion. There are a number of areas where we've had discussions with respect to taxes and the tax structure.

I would recommend to the members of the opposition a recent Globe and Mail article - I believe it was in the business section - dealing with tax giveaways. It made the very clear point that tax giveaways are not a way to encourage investment in this country and indeed there is no evidence that kind of approach is going to put us in a position where we can move forward in terms of capital investment. I suppose the proof of the pudding is right here in Manitoba where predictions are that we're going to have the greatest increase in capital investment of any province in this country, somewhere in the neighbourhood of 16 or 17 percent for next year, as compared to half-a-percent in the Province of Quebec.

MR. SPEAKER: Order please. The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, a final supplementary to the Minister in hopes that I might elicit a direct answer from him.

Did he make any specific recommendations to the Minister of Finance as to what changes might be made in the taxation structure that would encourage economic development in this province, any specific recommendation?

MR. V. SCHROEDER: Mr. Speaker, I've just referred to a number of areas where we've had discussions with the Minister of Finance. If he doesn't see that as being specific, then it's puzzling. The member seems to think the only way that we can get economic activity going in this country is by giving away money. That's what he wants to do again; that is the philosophy of the Conservative Party . . .

MR. SPEAKER: Order please. The Honourable Member for Lakeside on a point of order.

MR. H. ENNS: Mr. Speaker, I'm simply asking you to call the Minister of Finance to order, and if he chooses not to answer the very specific question put to him by the Member for Turtle Mountain, then it is of course his right not to answer, but not to waste our time with the baffle-gab that he's so adept at using in this House.

MR. SPEAKER: Order please, order please. I have requested on previous occasions that both questions and answers be short, concise and to the point.

The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, I have outlined a number of areas where we have concerns about our taxation system. We presented them to the Federal Government and we believe that if the taxation structure were made more fair, the economy of this country would improve. There would be more investment.

I suppose there are differences in philosophy at work here. There's a belief on the Conservative side that the way to get the economy going is the trickle-down theory. You give money to the well-to-do and maybe it will come on down to the poor, and those people living in the United States know what has happened as a result of that kind of policy in the last few years. We do not believe that. We believe that the way to get investment going is in the way that we have indicated.

Language of instruction

MR. SPEAKER: The Honourable Member for Woleseley.

MS. M. PHILLIPS: Mr. Speaker, my question is for the Attorney-General. Could the Attorney-General inform me and the House whether there is presently any constitutional entrenchment of language of instruction?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, in fact, I've been astonished at the series of questions that have been asked with respect to whether or not the proposal of the government entrenches or could entrench languages of instruction because, in fact, in answer to that question, The Constitution Act, 1982, the accord signed for this province by the former government headed by the now Member for Charleswood, under the Attorney-General, in fact under Section 23, is the only constitutional entrenchment of language of instruction.

It was their action, on behalf of the people of Manitoba - which I happen to support - but Section 23 of the Charter, "Minority Language Educational Rights," specifically states that citizens of Canada whose first language learned and still understood and deals with the minority position in any province have the right -

it's an entrenched right now to have their children receive primary and secondary school instruction in that language in that province - and it goes on to state that that right is to be supplied out of public funds. That was entered into by the previous government. We support that.

Secondly, because that is so, because there is now a specific constitutional provision dealing with the language of instruction, 23.1 could not, even if the language was susceptible of doing that, add to or detract from the existing constitutional provision, because on the theory, on the constitutional doctrine of occupied field, the field has been occupied - with the consent of that group over there - by a constitutional provision. We could not, even if we had intended to, add to or detract from that constitutional provision. In fact, 23.1 deals with the freedom to use and does not deal with languages of instruction.

Teachers elected to public office

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. I would like to pose a question to the Minister of Education. I have a copy of a letter dated February 6th, sent to the Minister of Education from the Manitoba Teachers Society. That letter requests that the government introduce five specific items of legislation in the next Session. I'd like, with your indulgence, to read only two very short sections of that letter.

One request was, a guarantee that teachers who run for elected public office are granted leave, if requested, from the day their nomination as candidates to the day after the date on which the results of an election are officially declared.

No. 2, a provision that teachers who are elected to public office are entitled to leave for the duration of the term of office and guarantees that teaching positions will be guaranteed upon return.

My question: Is the government considering introducing such legislation next Session?

MR. SPEAKER: Order please. The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, the Department of Education, as all other departments, are working very hard to carry on with the business of the government and that includes bringing in and preparing our Estimates and looking at the legislation that we want to bring in, in the next Session of the Legislature.

The Department of Education is in the process of preparing its priorities for legislation in the next Session and we will present them to this caucus for their decision in the normal course of activities.

MR. C. MANNES: I'm wondering if the Minister could indicate whether members of her caucus, mainly members from Dauphin, Kildonan, Radisson, Flin Flon and others are in support of this proposed legislation.

MR. SPEAKER: Order please, order please. The question is not in order. Perhaps the honourable member would wish to rephrase his question to seek information of government policy.

MR. C. MANNES: Mr. Speaker, I'll direct the next question directly then to the Attorney-General.

I would ask him, can members in this House, who are teachers, vote in this House on legislation that will guarantee the security of their future or are they in a conflict of interest situation?

MR. SPEAKER: Order please, order please. Order please. It is not in order to seek a legal opinion from a member of the Treasury Bench.

The time for Oral Questions has expired.

MATTER OF PRIVILEGE (Cont'd)

MR. SPEAKER: On the proposed motion of the Honourable Government House Leader, the motion pertaining thereto by the Honourable Minister of Natural Resources, the Honourable Leader of the Opposition.

Order please, order please. Those members who wish to make a lot of noise should remember that they are delaying the proceedings of the House in doing so.

The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Mr. Speaker. In continuing the remarks which I began yesterday on the motion of privilege which is before us, I will just briefly review the points that I was making.

Firstly, with respect to the fact that this motion of privilege, which is a rather unusual procedural manoeuvre before us, actually today the question that we are dealing with is the motion that the question shall be put. That, Sir, is a form of closure on the motion of privilege which seeks to reduce the length of time, that the bells are allowed to ring, to two hours, which is another form of closure, so that the government can be enabled to bring in their closure motion. As I said earlier, it is a form of procedural manoeuvring that would see, at the end of this debate, a triple form of closure placed on the overall debate on the constitutional resolution and the amendments thereto.

That, Sir, follows on the government's stated intention and, indeed, attempts on six separate occasions to invoke closure on this matter of a constitutional resolution and the amendments that are being proposed thereto. That closure, as I said, Mr. Speaker, was a most unusual measure, the first time in 54 years that a closure has been invoked on a substantive motion in this House, and it demonstrates just how desperate this government is to try and ram through its French language proposals. Despite the will of the people, despite the desires and the stated lack of consensus that occurs throughout this province today on the matter, the government is ramming it through by closure.

As I said, Mr. Speaker, there was the matter of the silent majority that the Premier kept referring to over and over again. As I indicated yesterday, we on this side of the House can find no evidence of that silent majority that is urging the government to proceed with this matter or, indeed, urging members on this side to capitulate and get rid of it once and for all. That silent majority, indeed, Mr. Speaker, is heavily in favour of the position that the Progressive Conservative Party, in opposition, is taking on this matter.

Mr. Speaker, further to that, I spoke about the very unusual terms that members opposite keep referring

to on this matter, how they state that they are committed to freedom and the democratic process and that everything they are doing is to protect the freedoms of people in Manitoba and to enhance that democratic process.

Well they, Sir, as I indicated yesterday, have a rather misguided view of freedom and the democratic process when they would invoke closure on the matter of a constitutional amendment which would be entrenched for all time in future undoubtedly, because of the complex process that would require Federal Government agreement in order to change it.

Sir, that brings me to the next topic that I began as the House adjourned last evening, and that is about the misunderstanding of this issue on a national basis. Members opposite are quick to make comment about the fact that this matter has brought forth a great deal of negative publicity for the province on a nationwide basis. They have said that the national media have been unkind and uncomplimentary to Manitobans for having fought the proposal of the Conservative Government. The Minister of Government Services states that they have been unkind to Conservatives, the national press.

Sir, I have not said that they have been unkind to the government. In fact, I have said that they have been unkind to the vast majority of people in this province who oppose this measure that the government is introducing, and they have said that Manitobans are not fair-minded . . .

HON. A. ANSTETT: You said this morning they don't understand.

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, I appreciate the anxieties of the Minister of Municipal Affairs, the Government House Leader, but I would ask that he please not interrupt because it will only prolong the discussion and the debate here in the House. I understand that he wants to know our position and I understand that he wants to give us the opportunity to put our position on the record, and so I would ask, Sir, that you admonish him not to continue to interrupt but, in any case, I will proceed.

The fact is that members opposite have gleefully suggested that we ought to stop our tactics of attempting to block the government, that we ought to stop debate and stop our opposition because the national media are painting the province and the Conservative opposition in a very bad light. That's what the Minister of Government Services now confirms.

Mr. Speaker, I want to say that one of the reasons that we are dealing with this on a national basis is because of a great misunderstanding, because of the kinds of editorials that I began to read last evening on the matter. The one from the London Free Press, Sir, that has the audacity to suggest, and I quote: "For the past couple of years, the Pawley Government has been struggling to bring Manitoba law into conformity with that Supreme Court judgment." That is absolute nonsense, patently false.

What the Pawley Government has done has been to merely put into practice the situations that were left

to them by our government. All of the various things, Sir, that were in the Cabinet documents, that were in the news releases from the former Premier, the Member for Charleswood, that were read into the record by the Attorney-General that said what we were committed to on a policy basis were just merely carried on by this administration. Many of the things that we have seen happen were nothing more than carrying on our initiatives and our decisions. In fact, I can find not one thing in this government's policy that goes beyond what our government was committed to.

In fact, I can find, as I did point out in previous speeches, many things that this government is not doing that we were committed to do, not the least of which was to provide - not on a compulsory basis, but on a matter of choice - French language training for any senior civil servants who wanted to avail themselves of that opportunity, or for members of this Legislature. This government has not carried through with that commitment.

This government does not have in place the means by which senior civil servants can take French language training if they so choose, to qualify themselves for perhaps what will be requirements as this legislation and this constitutional amendment go through. Many senior civil servants may want, by choice, to qualify in terms of learning French, yet this government has not carried through with that commitment to provide them with the opportunity. Rather, they are leaving them in a situation where somebody else will be able to apply for a bilingual position in the Civil Service and they will not be able to avail themselves of that opportunity by virtue of the government policy. I say, Sir, that's the kind of empty sloganeering and empty theorizing without commitment that this government is famous for, that this government seems to be constantly bringing forward.

Mr. Speaker, the London Free Press goes on further to compliment the government on what they say is a compromise with the Society Franco-Manitoban. I ask the question, Mr. Speaker, why do they need to compromise with the SFM? What is it that the SFM is holding over their heads? What power does the SFM have to force the government into a compromise agreement on something that the vast majority of Manitobans do not want? Mr. Speaker, — (Interjection) — what is the position and what is the power of the SFM over the government that has forced them into a compromise that is not in the best interests of Manitobans?

Mr. Speaker, you know, what is not being told by all of these members of the national media is the other side of the story. People in those provinces who are looking down their noses at the Conservative opposition and the 80 percent of the electorate who are opposed to the government on this matter . . .

A MEMBER: Without consensus and under closure. We'll see what Ottawa thinks.

MR. SPEAKER: Order please.

MR. G. FILMON: . . . those people are not being told the other side of the story.

MR. SPEAKER: Order please, order please. ORDER PLEASE.

MR. G. FILMON: Fortunately, there are people in the east who do understand Manitoba and what is happening in Manitoba, and in response to this London Free Press editorial, there was a letter to the editor in the London Free Press on the 6th of February. Sir, that letter said, and I quote: "In 1979, as you point out, the Supreme Court of Canada struck down the 1890 Manitoba language act. The Government of Sterling Lyon accepted that ruling and immediately began the task of translating Manitoba statutes into French and expanding the range of French-language services available at the provincial level."

A MEMBER: Who wrote the letter?

MR. G. FILMON: Please listen and you'll find out. He goes on to say:

"There is an impression fostered by the Manitoba New Democratic Party and encouraged by the Federal and Quebec Governments that the Société franco-manitobaine is somehow representative of the Francophone community in Manitoba. That is not the case. The Société is a special interest group which over the years and with generous financial help from the Federal Government has transformed itself from a cultural society to an activist pressure group. That it has no mandate to speak for the Franco-Manitobans was borne out in the November referendums where even the French-speaking municipalities voted against the government's position. Your editorial carries the implication that the majority of Manitobans are intolerant and unenlightened.

Having lived in Winnipeg for six years and in London for three years prior to moving West, and three years since, I have to say that smug, self-righteous Southern Ontario is, on the whole, much more bigoted and intolerant.

"For example, your review a couple of weeks ago of London's former mayors was a list of good solid establishment WASP names. You even found it noteworthy to remark that there were two Roman Catholics. Winnipeg's list of mayors and councillors reflects the ethnic mix of the city: Anglos, Ukrainians, French, Jewish, Catholic and Orthodox. Manitoba has had at least two Premiers, Riel and Norquay, who were Métis. Cyril Keeper, M.P. for an urban Winnipeg constituency is a status Indian. How many representatives of Indian or Métis stock have been elected in Ontario?

"French immersion classes are widely available from kindergarten upwards in the Winnipeg school system with free transportation provided. French is treated as a foreign language in London. Winnipeg's Folklorama predates Cavalcade in London and even Toronto's Caravans, and in my view involves the whole community much more.

"It has always struck me as rather hypocritical that the Ontario press establishment has been quick to point to other provinces' perceived shortcomings while staying rather silent on the Ontario Government's waffling on the issue of French language services to Ontario Francophones, and heaven forbid that Ontario should have to grant official status to French along with poor little New Brunswick and Manitoba. A critical comparison would reveal that in practical terms,

Manitobans are far ahead in providing for and protecting cultural and ethnic diversity."

I won't read the remaining paragraphs because the individual is personally acquainted with me and he makes some rather complimentary remarks which I'm sure that members opposite won't want to hear.

I had no knowledge whatsoever of the individual's desire to clarify the record, but I say to you that he has indeed clarified the record, not only for members opposite, but for people in Southern Ontario who are being misinformed by, as he calls it, their smug establishment press.

The author of the letter is one F.R. Berry.

MR. SPEAKER: Order please, order please.

MR. G. FILMON: Mr. Speaker, further I'd like to read from the Montreal Gazette of January 26th, because we have heard about the utterings of many of the French press in Quebec - La Presse, Le Devoir - many critical articles, front-page articles that have said that Manitoba is filled with racists and bigots, that the official opposition in Manitoba is totally unfair with respect to the language issue in Manitoba. I'd like to read into the record this article that was written by Dr. W.F. Shaw. This individual, incidentally, Mr. Speaker, is a former Union Nationale, an Independent member of the Quebec National Assembly, and I quote:

"It is easy for Quebec's politicians and journalists to criticize Manitobans for their reluctance to extend French language rights via a constitutional amendment." You see, he understands that it's an extension of rights, that it's not a conformation of rights. He understands that. He goes on to say: "One hears the word 'bigot' used to describe anyone who dares to warn against the extension of these rights in Manitoba or anywhere else in Canada, yet the term is carefully avoided when describing the glee of a Camille Laurin or a Gerald Godin overseeing the discomfort that they are imposing on non-Francophone Quebecers.

"If these same journalists and politicians took the time to examine what language rights exist in Manitoba and what the Conservatives they have been calling bigots have been proposing as tangible extensions of these rights, they would find that Quebec's version of the respect extended to its minority language group is very sick in comparison.

"For example, it isn't illegal to use the French language in signs or as the official name of a company in Manitoba. Franco-Manitobans have freedom of choice in choosing the language of education, either English or French, for their children. Franco-Manitobans

MR. SPEAKER: Order please.

MR. G. FILMON: ". . . can opt for a French language trial as a right, not as a discretionary decision of a judge. There are no children illegally registered in Manitoba schools and there is no commission to surveillance intimidating Manitoba citizens. Certainly with the legislated racism intrinsic in Bill 101, no Quebecer should have the gall to call anyone else a bigot.

"Manitoba has made important steps to expand and extend French language rights since the Supreme Court

decision in the Forest case which confirmed that French is an official language in the courts and the Legislature. They have expanded French language education to conform with Canada's new Charter of Rights and Freedoms to which the Manitoba Government was a signatory. They have established French language court services and have developed an expanded system of French language health and social services. An office of French language services has been established by the Manitoba Government and while all legislation has not been translated, all that the available translator expertise can handle has been handled.

"Manitobans respect the French language fact in their province. What they are concerned about is that entrenchment of rights, through interpretation, can act to discriminate against non-Francophones in that province. There is plenty of evidence that this can happen. Manitoba need only look at their Federal Government and the way it has interpreted the Constitution and The Official Languages Act.

"Manitobans, with justification, feel disadvantaged as to opportunities in the Federal Civil Service and the Federal Crown corporations, as the requirement of bilingualism now deprives them of access to senior positions in their own national government's agencies. They have seen that even in their own municipalities, senior positions in the RCMP or in the post office are being conferred on Francophones because of the requirement of Level C bilingualism. They are aware that 80 percent of those who have qualified to Level C are Francophones and this is perceived justly as being discrimination against non-Francophones.

"Perhaps most of all, there is a general annoyance that while Manitobans are being asked to give more particular powers to their French language minority, where the French language is the majority tongue and the English language, in many instances, has been made illegal. There is also a large body of opinion, not only in Manitoba but across Canada, that rejects the concept of two founding peoples.

"More than half of non-Francophone Canadians come from ethnic backgrounds that are not from the British Isles. They or their forefathers came to Canada and built their lives with little or no help from English or French-speaking Canadians. They adopted English as the language of North America, of which Canada was a part, and as a means of communicating with each other.

"They still have pride in their Ukrainian, German, Icelandic, Polish or other ancestry but they seek no privilege for their mother tongue, although many would like to see the educational system help their children retain some of the linguistic heritage of their backgrounds. These Canadians, which included indigenous peoples, the Indian and Inuit, feel with some justification that they are spectators in a language power battle and that the concept of two founding people is nothing more than a public relations effort to grant special privilege to French Canadians, especially in the area of public sector employment.

"Anyone who has visited Manitoba knows that its multiculturalism has made it magnanimous to minorities because the people all feel part of minority groups themselves. For this reason, they resent the assertions that their hesitancy about expanding the constitutional parameters of French language rights is the result of

bigotry and racism. Certainly, they are offended when they are described in these terms by French Canadians and English Quebecers who are a party to such heinous legislation as Bill 101. Perhaps the time has come for some soul-searching for Quebecers.

"Manitobans can and have been every bit as generous and just as Quebecers have and certainly have no reason to feel that they have been anywhere as incompassionate in their legislative treatment of the Francophone minority, as Quebec with Bill 101 has been to its English-speaking minority. 'Let he who is without sin cast the first stone' and Quebec is far from being without sin."

Mr. Speaker, I in no way imply that our situation here should be compared to that of Quebec, but what I say is that this is evidence that the media of Quebec do not have very much basis in fact upon which to write their distorted articles; upon which to look down their noses at Manitobans; upon which to cast stones and hold in judgment Manitobans for their actions today. In fact, those in Quebec who are calling down those who are opposed to the government's proposal, who are calling, as racist and bigots, members on this side of the House, themselves are not clean and free of sin on this issue. In fact they, Sir, are being - in this particular case - very much wrong in holding in judgment people on this side of the House.

As this person said in his article and as the other person said, the eastern press, Sir, are not in any way being fair or reasonable as they judge this situation, because they are not being critical of far worse crimes and far worse inconsiderations that exist in Ontario and Quebec. And yet they are saying that Manitobans have to adopt this, that Manitobans have to adopt this, that Manitobans have to give in on this matter. I say, Sir, that this letter and this article have told it like it is and we don't have to accept the criticism of those people who know not what they speak of, as they hold us in judgment from on high in Quebec and Ontario.

As I say, Mr. Speaker, I don't believe that we should make our decisions here in Manitoba based on the inconsiderations and the inconsistencies that occur in Quebec. In fact, we should be fighting for the legitimate rights of everybody whether they be here in Manitoba or there in Quebec. But I say to you, Mr. Speaker, that the people in Quebec are not looking at Manitoba for what exists in the Constitution. They are not made to recognize and to realize that we have a decision to make as to whether or not we want to expand French language rights in Manitoba. It is our right and our responsibility to make that decision. We do so knowing and understanding the circumstances that face us here in Manitoba today. Those people make their judgments without knowing and understanding what the constitutional provisions are and what rights we have to make those decisions within our responsibility.

Mr. Speaker, it's interesting to note - and I'll just say very briefly - that the view across the country appears to be very very different. The letters that I receive, the communications, the phone calls, the telegrams from Eastern Canada all seem to be based on this kind of understanding, this only partial understanding of the issue. People are saying, given the backdrop of the federal official languages, well, why not give it to them, they're entitled to it, not realizing that the constitutional provisions of Section 23 are very limited, much more

limited than what exists in federal legislation and not realizing that it isn't a straight, outright entitlement. It is, in fact, a matter of choice and a matter of decision within the control of the Government of the Day and the people of the day.

They don't realize that the rights of Section 23 were restored in 1980. They don't realize that we acknowledge those rights exist and we do not want to change or diminish those rights, Mr. Speaker, because they're not being told that. They're not being told that this is not a denial of existing rights, but in fact, an argument as to whether or not it is fair and just to expand those rights on behalf of one of the language groups in this province, Mr. Speaker . . .

MR. SPEAKER: Order please.

MR. G. FILMON: The interesting thing is, Mr. Speaker, that in the west, as we travel westward from Manitoba, the letters, the phone calls and the telegrams that I get throughout the west say, you're right. We understand your position and it's your choice and your decision as to whether or not you expand French language rights. If you are forced by Federal Government initiative, by Federal Government funding, by pressure from federally-funded groups to buckle under on this matter in Manitoba, then Manitoba will become the next frontier and then it goes to Saskatchewan and Alberta and British Columbia. That's what they think in the west, Mr. Speaker.

It's an interesting breakdown as to what's happened in this country because of the involvement, initiative, backroom dealing of the Federal Government on this whole issue. Very very interesting. It certainly opened my eyes to the mistrust in which the Federal Government is held unilaterally, completely throughout the western part of this country. Very unfortunate that the Federal Government should have put itself and us into those circumstances.

Mr. Speaker, the members opposite have attempted by all sorts of different ploys during recent weeks to try and drive wedges amongst those in our caucus; to try and suggest that we have splits; to try and suggest that there's a great deal of disagreement in our caucus. They're talking about flip flops; they're talking about who's leading whom in this whole issue and so on and so forth. The shouts back and forth, Mr. Speaker, across the House have been very interesting because I think they demonstrate the kind of sensitivity that exists over on that side of the House. I think that we know a little bit about what's going on, on that side just by the way in which they're jumping to try and point out, ah ha, there is some disagreement; there's some difference of opinion on your side, because we know, Mr. Speaker, that they have serious problems on their side.

I'll be the first to admit that I'm not perfect, that I have a great deal to learn as a leader, that I have a great deal to learn about the whole legislative process and about the whole process of dealing with issues in this House, Mr. Speaker. But, you know, there's plenty of time. I've just been leader for seven or eight weeks. When I look at what has happened on the other side with a leader that's been in place for five years or more and the kinds of pratfalls that he's been taking even in the past few weeks - Mr. Speaker, let's just take a look at a few of them.

After putting this Legislature through one of the most acrimonious, divisive, bitter debates that we have ever seen that lasted for over a span of three years - in fact, the whole thing started in late 1982 and we're still going in early 1984 - that actually consumed nine months of debate and committee hearings and legislative hearings and so on, after going through all of that the Premier said, well, really this wasn't a very important issue.

About two weeks ago in question period he said, it's number 58 out of 61 on his list of priorities. What an insult to Manitobans. What an insult to his caucus, to those members opposite who have been bleeding and bleeding badly in the court of public opinion, who have been under pressure and being asked over and over again by their electorate to please withdraw from this, to please vote against it, to please not pass it - all of these people opposite who have been under such tremendous duress as a result of this, then sit and listen to their Premier say that, really, it's only 58 out of 61 on his list of priorities for this province. What an insult to his caucus. They put their political necks on the line - for what? - number 58 out of 61.

They had a member leave their caucus. They had to expell a long-time, prominent member of their party, a former special assistant to the Premier of the province, the NDP Premier of the province in the '70s, somebody who had been an executive member of their party had to endure the longest Session in this Legislature's history. They had to have the ignominious result of putting closure for the first time in 54 years on this issue. They had to do all of those things for something that their Premier has dismissed as being relatively unimportant - 58 out of 61. Now if that isn't a faux pas, I don't know what is, Mr. Speaker.

Later on, only about 10 days ago now, the Premier had an interview with a reporter from Le Devoir and after arguing and fighting and debating over Section 23.1, which is the area of concern for this side of the House - the area that we have zeroed in on as being that portion we consider is still damaging to the future long-term interests of Manitobans - and there has been debate and there has been speeches and there has been talk and so on and so forth, in an interview with a reporter from out of the province, the Premier says, well, he is not really hung up on entrenching the term "official languages" as French and English in this constitutional amendment, that he is really not tied to it.

The headline said, "Pawley ready" - I believe it said - "to trash official languages." Now, in looking at it, "Pawley admits he is ready to trash the word 'official.'" I think that is probably a rough interpretation and translation and that it probably should have been interpreted as Pawley admits he is ready to scrap the word "official" but, nevertheless, the intent was there.

Now I further say to you, Mr. Speaker, that in case the Member for St. Boniface is getting up to tell me that I am wrong, that this individual who wrote the story, Jean Pierre Proux, has since been spoken to by a representative from the Globe and Mail, Mr. Clereux, and he has confirmed that indeed his taping of the interview in English has that in it, that indeed that is what Mr. Pawley says.

MR. SPEAKER: The Honourable Minister of Health on a point of order.

HON. L. DESJARDINS: Mr. Speaker, I wonder if the honourable member would table that article. I have heard an awful lot about this article, I haven't seen it. Would you mind tabling that in the official language that it was written in?

MR. G. FILMON: Mr. Speaker, for the knowledge of the First Minister, I did indeed table this in the House - sorry - the Acting First Minister - I did indeed table this in the House a matter of a few days ago, and the Clerk gave the copy I believe, to the Premier.

It was our translation and I readily admitted at the time that our translation could be faulty. Now in order to -- (Interjection) -- Mr. Speaker, I repeat, the Minister for Government Services says that it must have been faulty, but I repeat that Mr. Richard Clereux of the Globe and Mail has interviewed and spoken to the writer of the article and he confirms from his taping, in English, that indeed that's what the Premier said.

MR. SPEAKER: Order please. The Honourable Minister of Health on a point of order.

HON. L. DESJARDINS: Mr. Speaker, I am told that it was the English translation that was tabled. I would like the member to table the original article if at all possible.

A MEMBER: It's a public document.

HON. L. DESJARDINS: Keep quiet, I am not talking to you. I am not talking to you. I am asking a question and you can . . .

A MEMBER: If you want it, get it.

MR. SPEAKER: Order please.

HON. L. DESJARDINS: Shut up, idiot. What an idiot.

MR. SPEAKER: Order please, order please. ORDER PLEASE.

The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, I repeat, for the benefit of the Minister of Health, I do not have the original French version; all I was sent was a translation.

For the benefit of the Member for Thompson, who obviously hasn't been listening, I will say for the third time that despite the fact that I do not have the original French language article, that I only have a translation, that Mr. Richard Clereux of the Globe and Mail has assured me that he spoke to the writer of the article, Jean Pierre Proux, and he confirms that after listening to his tape that, indeed, that's what the Premier said in English, was that he was prepared to scrap the term "official." So he can take it for what it's worth. Perhaps the rest of the article has not been adequately translated, but that aspect of it was apparently an accurate translation.

The Member for Thompson also said that they are not interested in papers from outside of Manitoba but, the fact of the matter is, if they are not interested in papers from outside of Manitoba, why is the Premier giving interviews to Le Devoir? Why isn't he telling the

people of Manitoba where he stands on the issue? Why isn't he telling the people on this side of the House that he is prepared to scrap the term "official"? Why doesn't he vote for our amendment and remove 23.1 and get on with it? That is what we are arguing about; that is why we have been here for the whole of this past month, because the Premier isn't able to face up to that.

I say to him that he should go to his leader and tell him that he can save everybody a lot of difficulty, instead of getting into more and more difficulty, instead of creating faux pas after faux pas on the issue, get on with it in any case, Mr. Speaker.

We are talking now about flip flops and faux pas. We have the issue of the free vote. Last Thursday in the House the Premier jumped to the bait and he said that he was willing to have a free vote on his side of the House.

Well, Mr. Speaker, I can tell you that there were a number of members on that side who turned white, absolutely turned white. They were ashen, Mr. Speaker, because as this debate has progressed, of course, many members opposite have been able to hide behind the shield of saying that, of course, this was a government matter and that privately they really did not support this, that in fact they had to go along with it because it was a government measure, it was a government vote and they had to support the government.

The next day, of course, Mr. Speaker, the Premier very very quickly backfilled on this matter because he said, of course, it's a free vote but it's a matter of confidence in the government. Of course, members opposite are not going to vote against their own government and see their government go down on a matter of confidence and cause an election.

MR. J. DOWNEY: Like turkeys voting for an early Christmas.

MR. G. FILMON: As the Member for Arthur said, that's like turkeys voting for an early Christmas. Mr. Speaker, the fact of the matter is they are not going to do it; they aren't going to put themselves out of a job; they aren't going to get themselves off the gravy train. All those first two rows of members opposite who are now getting their ministerial salaries and their cars and their expense accounts and all of the perks that go with their jobs are not going to vote against that. They are not going to turf themselves out of office two years earlier than they need to. Mr. Speaker, not even the back row, because they know that if they vote against this and the government goes down, they aren't going to be back here; they are not going to be back here. Many of them had great difficulty holding a job before they got here and I can tell you that after they leave and their performance here they aren't going to get a job. So this is all they have got left and they are not going to vote against the government on a matter of confidence.

So that free vote, Mr. Speaker, is not worth the words that it represents because having a free vote and a matter of confidence are contradictory, absolutely in contradiction to each other, and it can't be. We knew that that was the case because I had a copy of Hansard dated July 7, 1983, in which the Premier had been

asked specifically on this issue, and this is the Member for Elmwood: "Mr. Speaker, I would then ask, as a last question of the First Minister, is this a matter of confidence or a question of confidence in this government?" The response from Honourable H. Pawley: "Mr. Speaker, it's been made very clear it's a matter of confidence."

So when he made that offer last week, as much as though it was made for the showmanship of the time, it was nothing more than wind and rabbit tracks, as my colleague, the Member for Emerson says. We knew more about that as well on the weekend because a number of people were phoning various members in the back rows opposite. Members that were perceived or believed to be weak on this issue, soft on this issue, were being phoned by their constituents to find out just how they stood on the issue. You know, phone calls were made, for instance, to the Member for Inkster. Do you know what the Member for Inkster said? He said, don't bother me; my mind's made up; I'm supporting the government on this. And he said, you're wasting your time; don't call me anymore. That's what he said to them.

The Member for St. Johns, - and the Member for St. Johns was thought to be soft on the issue - he said, I'm supporting the government, it's a matter of confidence. Now that was before the Premier made his flip flop and went back and stated publicly that it was a matter of confidence, but he told these people privately in a telephone conversation that the word was out that it was a matter of confidence, and as much as the Premier wanted to tell people that it was a free vote, privately he was telling them if they voted against this and the government went down, they'd be out of a job because it was a matter of confidence. As I say, the Member for St. Johns said, look, on a matter of confidence, if I vote against it, the government will be defeated and I can't do that. That's what his answer was.

A MEMBER: You must have a good phoning committee.

MR. G. FILMON: Mr. Speaker, a phone call was made, interestingly enough, to the Member for Burrows - and do you know what he said? He said he hadn't made up his mind yet on how he was going to vote on the issue. Isn't that interesting now?

Of course, he's being very closely watched on this whole thing by his own members because they couldn't take the chance that he might be soft. In fact, he had great difficulty even getting permission to speak the other day, but they eventually allowed him to speak for 10 minutes on this motion of privilege. Mr. Speaker, he might be a little soft on this whole thing. I understand that he really doesn't favour entrenchment.

A MEMBER: Not only soft, he's sensible.

MR. G. FILMON: That's right. In any case, Mr. Speaker, it's a matter of confidence and the members opposite are not likely to derail the gravy train. Well, the Member for Dauphin, the Minister of Highways, of course, he's one of the ones who turned ashen when the mention of free vote was made, because he was very concerned that he couldn't hide behind this business of a

government decision. He won't be able to use his expense account next year to buy his rink dinner in the MCA Bonspiel if he's off the gravy train. In fact, he won't even be able to afford to curl in the MCA Bonspiel next year if he's off the gravy train.

So, Mr. Speaker, he wants to be back, he wants to be back. Members opposite know just where the score is. The Member for Elmwood said the other day that if this matter were to result in an election today, that the government would be lucky to come back with six members in this House. I think he was probably being a little pessimistic. But another member of the NDP Government caucus privately told us within the last 10 days that his prediction is, you might come away with 12 seats. Let's look at it and say that it's probably somewhere in between those two extremes, but there's no question that the government is not popular on this matter and the ND Party is not very popular in this province as a result of this.

Mr. Speaker, if this government were to allow a true free vote, they would lose because a number of their members would simply, not in all conscience, be able to support this measure. That's why they've muzzled so many of their members, as I spoke about yesterday and I read off all the names of the members opposite who have not spoken on any of the three elements of this constitutional resolution. The resolution, the first amendment and the sub-amendment, at least half their caucus have not spoken on any of those three elements of the resolution. You have to know why; because they've been muzzled, because they can't afford to have some of their members put their true feelings on the record. They have to ensure that it's a matter of confidence and that they will vote to protect their jobs, and that's why it's there.

Mr. Speaker, I can understand . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. G. FILMON: Mr. Speaker, . . .

MR. DEPUTY SPEAKER, P. EYLER: Order please.

MR. G. FILMON: . . . Mr. Speaker, I'm sure there'll be time for the Minister of Government Services. I'm not backpeddling on this. I have never suggested that I didn't want the member to speak, but he's not going to do it when I have the floor. He has ample opportunity and indeed if his government will take off the threat of closure, he will be able to speak at great length on this. He'll be able to speak on the resolution because he hasn't spoken on that; he'll be able to speak on the amendment because he hasn't spoken on that; he'll be able to speak on the sub-amendment because he hasn't spoken on that. He hasn't spoken on any of those three, Mr. Speaker. I am sure that there will be time for the Minister of Government Services to speak on this perhaps by Friday or so when he's able to get the floor, and I'm sure that he'll want to speak on that.

I want at this point in time, Mr. Speaker, to refer to the matter that was brought up in question period today, the matter of the government's misunderstanding of the provision of Section 23.1, the proposed amendment that would entrench all references in our existing statutes to French and English. It means that any

provisions that are there for whatever reason they were placed, will not be able to be changed without a constitutional amendment in future, and that is going to create serious difficulties for the normal workings and operations of government.

The Minister of Education made light of the fact that she was asked about the provision that exists today in The University of Manitoba Act, and that's Section 64 and it's under the heading, "Examinations in English or French," and I quote: "The examination for any degree to be conferred by the university may be answered by the candidate in either the English or French language." If that provision, Sir, were to be enforced, I would suggest to you that there are many faculties in specialized areas that would be incapable of examining many of their students today in the French language.

As a graduate of engineering at a Master's level, where you're dealing with highly technical subjects, I can tell you that had I asked for examination in the French language, of my Master's degree professors or to have my thesis indeed dealt with by my professors in the French language, they would have been incapable of doing so.

It's just like the problem that we have in translating the statutes. We're not talking about ordinary information; we're not talking about ordinary use of language; we're talking about highly technical matters. I'm suggesting to you that in a number of the specialized, technical faculties in this university, they would not have people who were capable of giving an examination in the French language to the kind of degree of accuracy and in the highly technical areas in which it would be required.

Mr. Speaker, — (Interjection) — the Member for Thompson says, is there anybody who knows French? Of course there will be some, but what happens if you're dealing with the specialized field of fluid mechanics and you've got somebody who's got a Ph.D in Structural Engineering who understands French? He's not going to be able to do a Ph.D dissertation in fluid mechanics just simply because of that. So you've got to have the people who are specialized in those areas capable of doing it and I'm saying to you that if you had a zealot approaching the university to try and put them on the spot and demand that the examination in a highly specialized field of technical knowledge and they had to do it in French, the university would not be capable today of fulfilling that requirement.

The problem is that if we're faced with that kind of situation, we would seek some form of practical compromise. — (Interjection) — I know that the Member for Radisson is getting very exercised over this, because he knows we've hit upon some matters that they have not considered and that they are not able to deal with. He is becoming very anxious lest they become more foolish in the eyes of the public than they already are by showing the weaknesses and the lack of information, the lack of knowledge that they have in this whole proposal.

This requirement, if forced to its ultimate on the university, would not be one that could be dealt with easily. So what would a reasonable government do to try and modify that? A reasonable government might amend this act in order to allow for a reasonable interpretation of that provision. I might point out that

that provision was put in by the Roblin Government in 1968, that we do not want to withdraw that provision but we want a say that, if it turned out that the university was incapable of fulfilling the requirements of that provision, then it could be adjusted or amended to suit the circumstances.

But under this provision, under this constitutional amendment, it will be entrenched and in order to satisfy the situation, in order to modify this provision, it would then require a constitutional amendment in future. That's the kind of problem; that's the kind of legislative stupidity that we're faced with by this government's entrenchment proposal. That's the kind of situation that we are arguing against on this side of the House, and they don't understand it. They don't understand the difference between entrenchment and ordinary statute law.

They don't understand that one can be changed, modified, adjusted to suit the needs and the circumstances without wanting to take away or diminish rights of groups in society, but we want to have the power to do that and that power will be taken away from future Legislatures because they're going to entrench everything, including all references to English and French regardless of where they are in the statute.

I want to say, Mr. Speaker, that this is not some dream out of somebody's mind, some strange quirk of somebody's imagination. This was referred to us by a university professor who knows and understands the meaning of entrenchment and the difference between statute law and entrenchment in a Constitution, and he just simply pointed that out as one example that came to his mind. I say to you that because we have not had adequate review, adequate discussion and adequate dealing with this issue, we are being faced with the decision to constitutionally entrench matters that nobody understands in this House today, especially on that side of the House.

We don't want to take away anybody's rights, but we want to know what we're entrenching before we make that decision and this government can't give us that answer. That's why we are so adamant about our concerns and our consideration on this whole matter.

Mr. Speaker, the Premier has said on a number of occasions, both inside this House and in speeches outside - in fact, he's quoted in a letter that he sent around recently, to the effect that the reason government is having to deal with this matter is because when we passed Bill 2 in 1980, we didn't really adequately take care of this matter. He says that our legislation was faulty and that we should have known better and that we are the cause of the problem. Mr. Speaker, I knew that the Premier had been here in 1980 and had the right and the responsibility at that time, as Leader of the Opposition, to examine the legislation and to make critical comment if he felt that it was faulty, if he felt that it wasn't able to cover the circumstances or the needs, he had the right and the responsibility as Leader of the Opposition to say so, to stand up and be counted, to tell people where he stood on it.

I'll just quote from the Premier's speech on the 1st of February, 1984, Page 5841 of Hansard. He says, "But one of the reasons that we have problems today is because they didn't have the initiative and the courage. In fact, they hid rather than ensure that things were done properly in 1980."

Mr. Speaker, secondly, as I have indicated, I don't claim like honourable members across the way to be a constitutional lawyer. I depend upon the advice of constitutional lawyers and I wish, indeed, that I had taken the opportunity to acquaint myself with the views of some constitutional lawyers, because I suspect in 1980 they would have advised me that what the Government of the Day was doing was incorrect. Well, Mr. Speaker, those same constitutional lawyers that are advising the government today - Mr. Kerr Twaddle, for one - were advising the Government of the Day in 1980. They advised that government of the manner in which to proceed, that resulted in Bill 2.

Mr. Speaker, what did the Leader of the Opposition at that time, the now Premier Mr. Pawley, say in his comments on Bill 2 on Monday the 7th of April, 1980? Did he question the bill? Did he disagree with the bill? Did he argue with it? Did he say it was faulty legislation — (Interjection) — well, the Member for Virten asks the rhetorical question, did he know what he was talking about? Indeed, all you have to do is read his comments to find out.

I'll quote, Mr. Speaker, from Page 2004 of Hansard of that date. Mr. Pawley: "Mr. Speaker, I would like to commence my remarks by indicating that the general nature of this bill will be supported by the opposition and that there will be support in principle to the second reading of the bill in process on its way to committee. Certainly we understand that the bill, as it presently exists, contains an effort to implement the main requirements as per the recent Supreme Court decision, the decision which invalidated The Official Languages Act of 1890 and reinstated the law as per The Manitoba Act of 1870."

He goes on further to say: "So, Mr. Speaker, in conclusion, the legislation before us is important legislation. It is legislation that must be introduced, because there is no option. The Supreme Court has made a ruling, a ruling that the statutes and regulations, at least to some extent, must be translated into French and into English."

So at that time, he wasn't even acknowledging that the statutes all had to be translated into French and English. He was saying that just to some extent. He says: "We have no quarrel. The opposition will be supporting the provisions of that legislation."

He goes on and he says: "The First Minister quoted the words of Justice Freedman which, in fact, I wish to also refer to, because I do believe that they strike very well at the nub of what we are doing today. 'Constitutions can be made to work only if the spirit of them is observed as well as the black letters they contain, and if there is a disposition on the part of all concerned to make them work in a practical and reasonable way without, on the one hand, intransigent assertion of abstract rights and without, on the other hand, a cutting down and a chipping away of those rights.'"

So, Mr. Speaker, the Leader of the Opposition, the now Premier had ample opportunity himself to criticize this bill; to say that Bill 2 of 1980 was inappropriate; that it didn't cover the subject properly; that it was faulty and all of those things. He didn't do that. He said that they would be supporting it. He said that it served the purpose; that it brought us back in keeping with the law of 1870 and all those things, yet today he

goes on record in Hansard, in this Legislature, in letters that he's sending out to people throughout the province saying that the government wouldn't have had to do this if the previous government had acted properly in a matter in 1980. Where was he at that time? Where was his advice, his criticism as a member of Her Majesty's Loyal Opposition? Where were his amendments that would have approved the bill? Mr. Speaker, not there, because he didn't seem to have that great an interest or a concern about it in 1980.

Mr. Speaker, members opposite, throughout this whole debate, have talked about the need for consensus. They've talked about it on many occasions. For instance, the Government House Leader has talked about consensus. On the 5th of January, 1984 Page 5376 of Hansard, the Government House Leader said: "Mr. Speaker, what I find rather amazing is that the position of the members opposite has not changed even though they claim to have been listening and to have heard. It is the position of members on this side that has changed in response to those messages. I believe the government has listened well and is prepared to respond in a fashion that provides a consensus for the 1980s and for the future. I believe that it is a credit to all Manitobans that this consensus is not only possible, but real." That's what he said.

His leader in this selfsame letter that I'm speaking of that went out to Manitobans spoke about consensus. The letter is dated February 7, 1984 and it's from Premier Howard Pawley. It says: "We believe that our new proposal reflects the political consensus of the 1980s rather than that of the 1870s." So members opposite seem to feel that consensus is important on this issue. Further to that, the former Chief Justice Mr. Freedman had said when he was discussing constitutional amendment, that it should have consensus. I spoke earlier about the fact that even Prime Minister Trudeau waited for 13 years to get consensus amongst the provinces, the Federal Government and the opposition."

Mr. Speaker, the Minister of Natural Resources said on Page 5400 of Hansard of January 6, 1984: "There is an opportunity now for the Leader of the Opposition to demonstrate under his leadership a concern to leave the past behind. There is an opportunity, Mr. Speaker, for the Leader of the Opposition to demonstrate that under his leadership, an official opposition party will do what an official opposition party is capable of and that is advancing in a constructive way, suggestions, ideas, proposals to ensure that the decisions that are made are consensual decision that will receive the endorsement and approval of all of the people of Manitoba." Well, Mr. Speaker, we did offer that approach. In fact, we offered by virtue of our amendment to remove Section 23.1, that we would support the package with the removal of Section 23.1.

As I said earlier, the Premier has gone on record as saying that he's not tied to and not hung up on the term "official languages." Now all they have to do is resolve the matter of attempting to entrench wrongfully all references to English and French in the statutes and, Mr. Speaker, we have a consensus. That would be a consensus that would be arrived at through debate in this House, through the proper process of this whole event, of this whole constitutional amendment. That would be a consensus that reflects what people in this

province really believe and really would support; but their idea of a consensus, Mr. Speaker, is faced with the opposition of 80 percent of the people in this province to press onward bullheadedly, to press onward, through closure, through whatever means necessary to press onward. That's their idea of consensus. Well, Mr. Speaker, that is absolutely shameful. Who is included in the consensus that they speak of? Where are the people represented? Who represents the people?

You know what their consensus is, Mr. Speaker? It's to go into a back room, make a deal with a special interest group and then have Dick Martin approve it because in their view, if you have the Manitoba Federation of Labour on your side, that's a consensus for the whole province; that's the only consensus that I can find in this whole issue, is that Dick Martin agrees with them.

A MEMBER: Does Dick Martin speak for the MGEA?

MR. SPEAKER, J. Walding: Order please.

MR. G. FILMON: Mr. Speaker, it has been said that the MGEA is part of this consensus. I read in the last speech that I gave to this House a couple of weeks ago what the MGEA said and they did not agree with 23.1; so they are not in consensus with the government on 23.1. They have given conditional approval to Bill 115 but they have some serious reservations about the definitions and the implementation. That does not represent, in my view, consensus and I don't think that too many people who looked at it realistically and objectively would suggest that that represented consensus.

Mr. Speaker, quite the opposite, there is overwhelming consensus that the government is proceeding wrongly and that the government should come to its senses, allow for the validation of the statutes, agree with our amendment and get on with the business of government in Manitoba. That's the overwhelming consensus, as I see it, in this province today.

I just want to once more reiterate the fact that we do indeed agree with the validation of statutes; that we do believe, Mr. Speaker, that the validation of statutes is something that we are prepared at this point to go along with. We believed earlier that the government, as per its own advice from Mr. Twaddle, had nothing to fear from going to the Supreme Court - and I quote from him - Mr. Twaddle said, in his advice to this government early last year, that the government had an excellent chance of success in Bilodeau in the Supreme Court.

Now an excellent chance of success meant that there really shouldn't have been a concern about the confirmation of the validity of the statutes. There really shouldn't have been that concern, but this government panicked because there was some small chance. Well, I would say, Sir, that it's very possible as well that the course of events of the last nine months have seriously weakened the government's position on this. There's no question that if you go to the test and you back away and say, I don't want to go to the test, I don't want to put our case to the test in the court, I'd rather make an out-of-court settlement, and you start to

negotiate and negotiate and you offer publicly new legislation, a constitutional amendment, all those things, that the nine justices of the Supreme Court who read the papers and listen to the media will know that the Manitoba Government was afraid of going to the Supreme Court, that in itself will seriously weaken the chances of the Manitoba Government in going to the Supreme Court today. This government has put Manitobans at that risk and has caused us to have great concern.

So, Mr. Speaker, because as well the government has said that its major purpose in putting forth this constitutional amendment was to avoid the prospect of what they called legal chaos by a lawsuit in Bilodeau in the Supreme Court and that the Attorney-General said that their first position was to accomplish the validation of statutes by constitutional amendment, we have said, in view of all of this, in view of the fact that it has gone on so long, we will help the government take itself off the hook on the Bilodeau case and we will support the remainder of the proposal that allows for the confirmation of the validity of the statutes by the constitutional amendment, we have agreed to that.

I think that was a display of generosity and concern for the people of Manitoba and this government and the position it has wrongfully put people into by this whole issue. We continue to take that position and let there be no mistake that this government, by its actions, has severely weakened its own case in the Supreme Court on the matter and we have said, during the course of this debate, that we will attempt to help and we will now agree to the entrenchment of those parts of the resolution that seek to confirm the validity of our English-only statutes.

That's what approval of our amendment to delete 23.1 would involve; that would be reasonable; and that would be justified; and that would be the consensus of the 1980s in our view, on this matter. That, I think, represents what the government ought to be looking at; and I am disappointed that the Premier is not considering that matter and is not looking at it in a very realistic manner.

As I go further through this whole issue and the motion that is before us, there are a number of other points that I'd like to make in the course of the debate. This government says it has a mandate to proceed and that mandate is all it needs. In the course of discussion of what form that mandate takes place, the Premier has said that when they were elected in 1981 they had a mandate to govern and that included this French language issue, this constitutional amendment or anything else they wanted to place before this Legislature.

Mr. Speaker, nowhere in the literature of the New Democratic Party in the 1981 election campaign was this issue mentioned - nowhere. Nowhere in public forums, on public platforms did the Premier say, that if elected he would go and change Manitoba's Constitution to make French and English official languages and to entrench all of the Statutes of Manitoba that refer to English and French. Nowhere did he say that in his platform, in his policy enunciation or in the speeches he made during the 1981 election campaign.

Mr. Speaker, when you're talking about mandate, you have to look at the plebiscites that were held last fall

and you would find indeed that the public has told this government and told this Premier, as strongly as possible, that they do not have a mandate; that they do not believe that what the government is doing is right; that they do not believe that what the government is doing is reasonable; and they do not believe that the government ought to proceed in this manner. That's what the people have told them and that's what the people of this province believe with respect to the government's mandate.

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, throughout this whole debate members opposite, and the Premier have said it and the Member for Inkster has said it and others have said it, that the question here is a question of protection of existing French language rights. I have said over and over again that the existing rights are protected by Section 23 of The Manitoba Act. You know, with respect to those who want to argue about French language rights, there are some within the Francophone community in Manitoba who are far more qualified to discuss that than any of us here.

One, for instance, Mr. Georges Forest, has written me a very lengthy letter and has given me a very complex legal opinion. This is an individual who went all the way to the Supreme Court with respect to the matter of The Manitoba Act of 1870 and Section 23 and their provisions that are there. He understands the legal process, he understands the kinds of protection of rights and he fought for Section 23 in his interpretation. He says some very interesting things, Mr. Speaker, in his letter to me. He says, among other things, the government is wrong to proceed on this basis. He says that all he wants is Section 23, he doesn't want all of this other verbiage that the government is putting in place, that all that is necessary is Section 23.

He says further that he is ashamed of the Member for St. Boniface, the Minister of Health, who has, in his view, been the champion and the chief spokesperson for French language rights in this Assembly for almost two decades, to now be co-opted onto this issue and to be put in a position of supporting something that he thinks is not worthy of the support of the Member for St. Boniface.

Well, Mr. Speaker, the Member for Radisson says Mr. Forest is ashamed of me, or members on this side. Mr. Speaker, he nowhere in that letter is critical of our position. He, in fact, asks us to continue to work against the passage of this constitutional amendment, that's what he asks for. He asks for our support of his — (Interjection) — For me it's in English.

Further to that, Mr. Speaker, we have Mr. Prince, another spokesman for the French language community in Manitoba, another person who, unlike the SFM who supported the yes vote in Quebec, who wanted to have Quebec separate, Mr. Prince . . .

MR. SPEAKER: Order please.

MR. G. FILMON: . . . was among the Francophone group in Manitoba who recognized that we do, in fact, have a country for all people, we have a province for all people, and that we can live together in harmony.

MR. SPEAKER: Order please, order please.

The Honourable Minister of Health on a point of order.

HON. L. DESJARDINS: I don't think it was done with malice, but the Leader of the Opposition said that the SFM supported the yes vote. That is not correct, it was the executive without a mandate of the Société franco-manitobaine.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. L. DESJARDINS: They were taken to task for that.

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, the Minister of Health indicates that it wasn't the SFM, and I apologize, it was the executive without a mandate. Was the Member for Radisson a member of the executive at that time?

A MEMBER: I don't think he was.

MR. SPEAKER: Order please. The Honourable Leader of the Opposition has the floor.

Order please. The Honourable Minister of the Environment on a point of order.

HON. G. LECUYER: Thank you, Mr. Speaker, yes, I do believe the Leader of the Opposition asked a question and did nod in approval when I asked if he wished an answer and, therefore, I do want to put on the record . . .

MR. SPEAKER: Order please, order please.

HON. G. LECUYER: . . . that I wasn't a member of that executive . . .

MR. SPEAKER: Order please. That is not a point of order. If the honourable member wishes to engage in the debate he will have the same opportunity to do so as other members.

The Honourable Leader of the Opposition. Order please.

MR. G. FILMON: Mr. Speaker, that indicates just exactly the kind of position . . .

MR. SPEAKER: Order please.

MR. G. FILMON: . . . this government is in. The Minister of Health indicates that the executive acted without a mandate. Well, Mr. Speaker, that's precisely what we're talking about here, this government is acting without a mandate. Now, they can understand how when people go forward without a mandate from the people they represent and try and do something that their people don't agree with, they should not proceed . . .

MR. SPEAKER: Order please.

MR. G. FILMON: . . . and they should not be seen to be acting in the interests of the people that they represent.

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, in conclusion, I want . . .

MR. SPEAKER: Order please, order please.

MR. G. FILMON: . . . I want to talk a little bit about the speech that was made last week by the Premier, the Premier's speech. During that speech, Mr. Speaker, I tried to find, and it was reported in the newspaper that speech had consumed an hour and 12 minutes. It is indeed a lengthy one, you'll see it in Hansard of February 1st beginning on Page 5836 and ending, Sir, on about 5845. During that period of time the Premier spoke at great length about all sorts of things. He spoke about the Grassroots Organization; he spoke about Conrad Kelly; he spoke about Ron Gostick; he spoke about the petitions that were delivered to the Lieutenant-Governor; he spoke about the Member for Elmwood and his role in this; he spoke about an article in a Filipino paper in Winnipeg; he spoke — (Interjection) — no, it was an article in which I was quoted, so he spoke about that. He spoke about the Province of Quebec, and he spoke about all sorts of things, Mr. Speaker. He spoke about bell ringing; he spoke about Chile; he spoke about the New Democratic Party philosophy; and he spoke about Family Law legislation; and he spoke about rent controls; and he spoke about Autopac.

A MEMBER: What did he say about the French language issue?

MR. SPEAKER: Order please.

MR. G. FILMON: One of the points that I'm going to make, Sir, is that he almost didn't talk about the issue before us. He certainly didn't talk about our amendment and he rarely touched on the constitutional amendment, or either amendment that's proposed. What he did was he compared this to the manner in which other oppositions have dealt with other pieces of legislation. What his message was was that other oppositions have debated and discussed and indicated their opposition and then have let it go. He gave instances in which his government did that. He said when he was in opposition they gave in on the dismantling of rent controls, they gave in on Family Law legislation changes, they gave in on all sorts of things.

Mr. Speaker, not only do these not compare in magnitude and importance, but he fails to understand the difference between statute law, which can be changed by a future government, and constitutional amendments, which are unlikely to be changed by future governments because of the requirement for federal approval to amendments. Sir, that is why we don't take these decisions lightly, that is why we don't take this kind of determination without having consensus, without having the agreement of the vast majority of Manitobans, and that is why we don't proceed on a constitutional amendment as though it's an ordinary day-to-day bill before this Legislature. I am absolutely astounded at the Premier for not appreciating that.

He talks about bell ringing and closure and wrings his hands and says this is dreadful what we are doing

to the parliamentary system and to our system of democracy in the Legislature, and so on and so forth, but he fails to understand that we're not just dealing with an ordinary garden variety bill that'll be able to be changed; we are dealing with a constitutional amendment, Sir, that may never be able to be changed by a future government.

He talks implicitly about all the groups that he's dealt with and how they agree with him on the matter. It's a funny game that he plays because he says: "Last Sunday I had the opportunity to meet in this very building with approximately 300 leaders of ethnic communities that came to visit this building and I talked with them. I was pleased with the understanding expressed by the leaders of the ethnic communities that I spoke to. It wasn't just one or two, but it was many, many that said to me, stick with your battle on the French language service issue." That's what he says all of the various ethnic leaders said to him.

Mr. Speaker, if that's the case, why is it that when the Member for Turtle Mountain was reading the figures of the public survey of the various groups of this province and their attitude toward this proposal, those people who are not of English background, not of the so-called WASP background, those people who are from the Ukrainian, German, Polish, Dutch, and other communities, are more strongly opposed to this than are the average person in this province. Why is that the case if the Premier says that he has the full support of the leaders of the ethnic communities in this province?

Mr. Speaker, it's because that statement has as little validity and as little veracity as his statement that said that the silent majority out there is with him. He doesn't know where it's at in the ethnic communities, and he doesn't know where it's at in the silent majority, Mr. Speaker, he does not understand the public mood and public opinion on this issue whatsoever. That is the whole problem with which we're dealing, Mr. Speaker, that the Premier, the Leader of this province of ours, the Leader of the government and the Leader of this party doesn't understand what's happening at all. That's why we're into this situation, Mr. Speaker; that's why we're into the bitterness, the divisiveness, the acrimony; that's why we're into the bell ringing; that's why we're into the procedural manoeuvres; that's why we're into all of the problems that have been caused by this government's process with the whole effort to change our Constitution, to entrench French and English as official languages, to entrench statutes, that we aren't able to be told by the government what is involved, to do all of these things that Manitobans have said, and said clearly right through the whole process of this debate, through the process of the plebiscite, through recent polling that we have done on this side just to confirm what the public mood and the public opinion really is on this matter, Mr. Speaker.

The fact of the matter is that it is the government who is off course, it is the government who was off course. It is the government who does not understand. It is the government who is wrong and it is the government who had better come to its senses and support our amendment and withdraw from this whole issue. Thank you very much, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Government Services.

HON. A. ADAM: Mr. Speaker, we have been challenged by members opposite that we are not getting up to speak, and I challenge the Leader of the Official Opposition, if he would sit down, that I would stand and say a few words in response to his comments and comments made by other members of the opposition.

Mr. Speaker, why is the obstruction by the opposition taking place during this debate on this issue? Why is the abuse of the rules taking place on this issue? Why the refusal to answer the calls for a vote? Why the filibustering on this issue, Mr. Speaker? Why is the Conservative opposition trying to paralyze the work, the legitimate, reasonable, orderly business and operation of the government?

The answer, Mr. Speaker, is very simple. They are in opposition and they are speaking from a very weak position. I hear them laugh and I hear them snicker, Mr. Speaker, because it's common for them to do that, it's normal. It's very simple, what is happening in the Legislature. I think it is history-making, what is happening here, and it's very simple the reason why, because on economic issues, on creation of jobs, on the building of homes for Manitobans, on the delivery of health and human rights, they are completely outdistanced, outmanoeuvred, outflanked by New Democrats.

Mr. Speaker, they are grasping for issues; they cannot go to the electorate on bread-and-butter issues and win an election. They have to find an issue in the next election and they have latched on to this issue in the hope that they may be able to convince enough Manitobans to support them in the next election and hope that they may win in that way.

Mr. Speaker, they are now being exposed. They have dragged this on too long and they are now being exposed right across this country, including Manitoba, for what they are. They are being condemned in the media all over the country, Mr. Speaker. You don't have to look only in today's Free Press at the editorial, and the condemnations that they are receiving from the Free Press. You can look in the Toronto Globe and Mail, Mr. Speaker.

Let's look at the editorial of February 7th, Globe and Mail, and they are describing the ringing of the bells in Ottawa last year by the Conservatives and they say that the Conservatives had a legitimate reason to ring the bells then, but when they compare what is happening in this Legislature, here is what they have to say: "Using the bells, the Conservative Opposition forced the government to break the bill in eight places" - that is the federal ringing of the bells - "to refer tax measures to a special committee with powers to call expert witnesses to explain what they meant, but it is very different in Manitoba. There the debate has already proceeded for eight months. Special hearings have been held across the province. The Supreme Court of Canada has ruled that both the Legislature and the courts must function in French as well as in English. All the bill offers beyond this are a few limited language rights to French speaking Manitobans. The government is entitled to a vote on its legislation. The Manitoba Conservative Opposition is causing the bells to ring in the service of obstruction pure and simple. A decent respect for the rights of Parliament would put the Conservatives in their seats for a vote." That is one editorial, Mr. Speaker.

Another one that's just come out today, on the 15th, and here it is, quite a lengthy editorial condemning the actions of the opposition, but I will quote just a few paragraphs. The entire paragraph is a condemnation, the entire article, but here he says: "Does it not embarrass the Conservative Opposition to find itself marching at the head of a raucous parade of standardbearers for some of the meaner, sillier and more backward points of view heard in Canada for the past century or so? Perhaps not." — (Interjection) — I have just heard one member say no.

"Perhaps not. Opposition conduct in this whole affair has been conspicuously inglorious, characterized by obstruction, posturing, inflexibility and a readiness to forge alliances with any reactionary elements willing to take a swipe at modest improvements in the position of Manitoba Francophones." That is what is coming back to condemn members opposite.

Mr. Speaker, I don't intend to speak very long, but I want to say I spoke on January 24th on Bill 115. I think members were upset with the comment I made, because they were saying that because there appears to be a majority out there that is opposed to entrenchment of French language services, because of that vast strength, that vast majority, that is the way we should operate.

I said and I quote: "When I hear people stand up and say - and the Member for Charleswood, the former leader of the Conservative Party said it today - 78 percent voted against this. They voted against that other package. They didn't vote against this, they voted against something completely different. But if you look at it the other way, you can turn it around and say listen, 78 percent says that you shouldn't do that, and the Member for Charleswood says, are you saying that they're wrong? No, we're not saying they're wrong, but let's put it on the other term, let's turn that around. What he is saying is that might is right."

They have picked up on that, Mr. Speaker, because that disturbed them very much - I think every member said it on the other side - that because there is a multitude of people out there, according to them, that is opposed to this, we should drop this issue completely.

Mr. Speaker, I think this has gone so far now that it is no longer a question of providing French language services to the people of French origin in this province. History is in the making here and what is happening, Mr. Speaker, is a challenge. The future of Canada hangs in the balance because of what we are doing here now. Let's not be mistaken about this, let's be clear that if this small package does not pass through this legislation, if it does not pass, Canada will go down the tube.

A MEMBER: Garbage.

HON. A. ADAM: Canada as a nation . . .

A MEMBER: How did we manage to live so long here?

HON. A. ADAM: The future of Canada is being decided now.

A MEMBER: Here?

MR. SPEAKER: Order please, order please.

HON. A. ADAM: We are deciding whether that's going to continue.

MR. SPEAKER: Order please.

HON. A. ADAM: Members opposite pay heed to what I say. You are placing yourself in history now.

MR. SPEAKER: Order please.

HON. A. ADAM: They will be known in history as the group that destroyed Canada, including the Member for Elmwood. Their names will be carved in posterity as the group that destroyed Canada because, Mr. Speaker, it's not a question of providing French language services anymore, it's a question of whether we want Canada to continue as a strong country made up of all the people, the different ethnic people that we have in this country. That's what makes this country strong.

Just as sure as we stand here today, those few people - and I know there are moderates in there, they're not all extremists - they are the ones that have to examine their conscience, Mr. Speaker, and decide whether they want to be party to the destruction of this country.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Speaker. I'm sorry to have to be addressing this particular motion, Mr. Speaker, because it deals with the very objectionable measure of closure and placing a limitation on the amount of time that the opposition has to ring the bells in a technique that was legitimized by the signature of the Attorney-General of this government.

Mr. Speaker, I was pleased to see though that the Minister of Government Services was prepared to rise in the House and to make some comments on this issue because whether or not we accept his views, he has at least put views on the record and he has said that he attaches great significance to this, that indeed the future of Canada hinges on this.

Now the Premier said that this is 58 out of 61 of his priorities, Mr. Speaker, so I have a little trouble in understanding those members opposite. What is it for the Member for Rupertsland, for instance? Is this for him, the future of Canada? The Member for Riel, is this the future of Canada or is this 58 out of 61 on their priorities, Mr. Speaker?

If this is the future of Canada, why is the First Minister telling the public that he's going to allow a free vote. Do you allow a free vote on the future of Canada? What's going on over there, Mr. Speaker? Do they appear to be somewhat disorganized over this effort? They certainly appear to be that way to me, Mr. Speaker.

I am pleased also that the Minister of Government Services read into the record some of the comments from the editorials in the Globe and Mail because most of us here find them rather amusing from time to time to see that the newspaper which calls itself the national newspaper in Canada has such a shallow and superficial understanding of an issue in Manitoba or, Mr. Speaker, that they exercise a double standard between what happens here and what happens in Ontario.

I believe that the Minister of Government Services read a quote saying that this was the meanest, the silliest, the most backward of views that were being expressed here by the Tory Opposition in Manitoba. But what happens when old Buttermilk Bill down there in Ontario says something about French language services? Does the Globe and Mail jump up and call him a bigot and rascist and say he's putting forward the silliest, meanest, most backward views? No, no. This is the kind of thing that Bill Davis says in a province where there are 500,000 Francophones, Mr. Speaker, 500,000 of them.

He says this is not his quote but this is paraphrased in an article in the Winnipeg Free Press on September 28, 1983: "However, Ontario has no intention of following New Brunswick's lead in making French an official language of the province," Davis said. Then there is a quotation. "I think there would be some reaction," Davis said. And then there is a quotation, "I don't think there's any question about that and I think the Prime Minister knows it."

Then further on Davis said and I quote again, "Well, I just observed that what Premier Pawley said that it would be helpful if the Parliament of Canada stayed out of the Manitoba discussion." Then the article goes on to say for years Davis has said that Ontario must extend French language services gradually and at its own pace to prevent an anti-French backlash from the English speaking majority.

Mr. Speaker, there it is. It is summed up.

MR. SPEAKER: Order please.

MR. G. FILMON: Mr. Speaker, for the benefit of the Member for Inkster who seems to be so agitated over these few words that I'm putting on the record, I'll explain to him, Sir, that this is a direct quotation from Premier Davis, outlining his approach to the provision of French language services in a province where there are 500,000 Francophones; and in a province where the Globe and Mail happens to be situated, and I haven't seen the Globe and Mail writing editorials about Premier Davis as putting forward the silliest, meanest, most backward ideas.

What he says simply outlines the kind of approach that our government was prepared to take here, the kind of approach that we knew would be acceptable in Manitoba. We knew it; we knew that's the way we had to go; we knew there was an injustice done in 1890 when Section 23 was taken out of the act. But if the injustice was done by taking Section 23 out of The Manitoba Act, then the basis for correcting the injustice was re-established when Section 23 was put back into The Manitoba Act, so that's what was needed, Mr. Speaker. The basis was there and we would have gone on from that to provide the kind of services in a way that Premier Davis has spoken.

I've pointed out to the members opposite that they didn't understand the fabric of Manitoba. They didn't understand what was going to happen the day that the Attorney-General put his views forward, put this agreement forward in the House. We knew, Mr. Speaker, and we said what kind of an issue this was going to be, and we've made the point to the members opposite that part of the reason why they don't understand is

that so many of their members don't have roots in Manitoba.

Now they've taken great exception to that, but I want to refer to that once again because there's some interesting information in what is called the Mason Report, which is a research bulletin put out by the Institute for Social and Economic Research in Manitoba, and on Page 8 of that, it says clearly: "Length of residence in the province is closely related to the age of the respondent. In general, it may be summarized that newcomers to the province within the last five years are more supportive of the proposed legislation than those who have lived here for a long time."

There it is. Mr. Speaker, it's demonstrated through a scientifically conducted poll that people who have recently arrived in Manitoba tend more to favour this legislation than people who have been here for a long time. It says the same thing that we've been saying to the members opposite, that some of them who haven't been in this province for awhile don't understand the depth of feeling that could be associated with this kind of issue and that the way to have proceeded, Sir, would have been to proceed on the basis of what was done in the Supreme Court judgment in 1979 and to get on with the job from there in the same way that Bill Davis has outlined that he intends to operate in Ontario.

Mr. Speaker, we're talking now about closure here. We're talking about the government trying to put a limit on the amount of time that the opposition has to ring the bells to prevent them from passing a constitutional amendment against the will of the people. Why does this government insist on proceeding this way? Why must they attempt to ram through this constitutional amendment against the will of the public? Do they ever ask themselves, is this the way to amend the Constitution of Canada, is this the way to do it; that where the public are opposed overwhelmingly to this issue, that the government will push ahead? Even though some of their members, like the Minister of Agriculture, they're prepared to sell their position on the basis of some money. If somebody will pick up the cost of translating these statutes, then it's fine with him, but they're going ahead, they're planning to go ahead.

MR. SPEAKER: Order please. The Honourable Government House Leader on a point of order.

HON. A. ANSTETT: Mr. Speaker, I heard the Member for Turtle Mountain on his feet, and now the Member for La Verendrye from his seat, suggest that the Minister of Agriculture in the first instance was selling his position, in the second instance, selling his vote. Both are allegations which are strictly forbidden in this House under Beauchesne and, Mr. Speaker, that kind of interpretation of the document the member waved in this House is one which is an affront to the Minister of Agriculture and to every member on this side. Mr. Speaker, I ask that it be withdrawn. It's an allegation of bribery and that should be withdrawn.

MR. SPEAKER: The Honourable Member for Turtle Mountain on the same point.

MR. B. RANSOM: Mr. Speaker, on the same point of order. I believe the terminology that I used was that

the Minister of Agriculture was prepared to sell his position on this issue and, previous to my saying that earlier today, there was a letter tabled in this Legislature, signed, or at least initialled - I think it's a signature - by the Minister of Agriculture in which he said: "I am prepared to allow the current challenge of Mr. Bilodeau to proceed to the Supreme Court when the municipalities within our province agree to pay for any additional cost of translating our statutes and related costs above the proposed agreement to translate approximately 400 statutes over a 10-year period in and total validity of our Manitoba statutes."

That's what the Minister of Agriculture said and my interpretation of that letter is that the Minister of Agriculture is prepared to sell his position, to change his position, if the municipalities will pick up the cost. So I see nothing but a factual statement based on the letter signed by the Minister of Agriculture in the statement which I have made in this House.

MR. SPEAKER: Order please. The Honourable Government House Leader is correct in noting that it is most out of order to suggest that a member would exchange his vote in return for money. I listened very carefully to the words of the Honourable Member for Turtle Mountain and I heard him suggesting that the Honourable Minister was exchanging his position, which is not exactly the same thing. I would urge the Honourable Member for Turtle Mountain to choose his words with care.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Speaker. I am naturally quite prepared to accept that admonition and in this case, of course, the facts speak for themselves in any case.

Mr. Speaker, on the question of closure, the members opposite say that they are undertaking this measure in the protection of democracy. In the interests of democracy they are putting this measure through.

Mr. Speaker, I ask them to consider that position very carefully, whether it really is in the interests of democracy to use a mechanism which has never been used, as far as I know, and perhaps someone can show me where a constitutional amendment has been pushed through with closure, but I don't know of any, and we know that in this House closure hadn't been used on a substantive motion since 1929.

To say that they are saving democracy by pushing this through I think is a great exaggeration of the truth, Mr. Speaker, indeed, it is a contradiction of the truth because what we have here is the government attempting to do something which they have the legal right to do, Mr. Speaker. No one argues that they do not have the legal right as a Legislature to pass a resolution through here calling for an amendment to our Constitution, but that authority was that that mechanism was established based on the understanding that a government would, indeed, reflect the feelings of its people. What we have here is a situation where the government clearly does not reflect the feelings of the people of this province.

Mr. Speaker, there is another consideration that they should look at, and that is, what the use of closure will mean in the future, that there is a very real possibility

that in the future closure will become a much more common practice in this Legislature. I think, Mr. Speaker, that that would be unfortunate if that should be the case.

I know that the First Minister has spoken about how, when they were in government, they allowed our government to proceed, that they allowed things to come to a vote. Well, Mr. Speaker, perhaps they did, but we were not making changes that they could not, in fact and in turn, change when they got into government. That is the fundamental difference. If they wanted to change The Marital Property Act, when they got back into government, they could do it; if they wanted to change the taxation structure, they could do it; if they wanted to change The Farm Lands Act, they could do it.

A MEMBER: Just ring the bells.

MR. B. RANSOM: Mr. Speaker, ring the bells; I remember sitting in this House and having the members who are on that side of the House ring the bells. People seem to think that that was something that was invented in Ottawa a few months ago. Mr. Speaker, I recall it being done before. It's nothing new. As a tactic, Mr. Speaker, that has been established for a long time, there is nothing new about that.

Mr. Speaker, we have been accused, of course, by the government, by editorial commentators in this province, of obstruction and of denigrating the parliamentary system by the action that we have taken. I would like to put on the record some of the reasons as to why we have done that and what we have accomplished by doing it. If the honourable members opposite want to say that we obstructed or that we conducted filibusters, so be it. So be it, Mr. Speaker, because in so doing, whatever we did, whether it was by the introduction of repeated amendments, whether it was by ringing of the bells, any other tactic of debate and parliamentary rules that we used, we did so because we had an objective in mind, which was to prevent this government from passing a bad constitutional amendment without the opportunity, first of all, for the public to hear what the government was planning to do and to express their views.

We were successful in doing that, Mr. Speaker, despite what the First Minister now says, that we didn't force them into holding hearings, that they were prepared to hold hearings all along. Mr. Speaker, I tell you that isn't true, it simply is not true. When the issue was first introduced into this House the Attorney-General said, here it is, it can't be changed; we are not going outside of the House, it's going to be debated here. It's going to be passed and it will be off to Ottawa.

Subsequently, they began to realize that something was required and so they undertook four public grandstanding sessions at which the Attorney-General went out and explained his position to the people over an hour-and-a-half or so, and then provided five minutes apiece for a few people to make their views known up to a maximum of two hours. Then he left and said; well, these are things that ordinary people can't understand; it's only for people who have an understanding of Constitutions that can deal with this kind of issue.

That was the extent of the hearings that they were going to have at that time, Mr. Speaker. Then, on our insistence, they agreed that there indeed would be real hearings. That is what the First Minister was referring to on the 17th of June when he acknowledged that the Attorney-General was prepared to call a committee.

But what they wanted to do at that time, Mr. Speaker, was hold a committee hearing here in this building, not leave this building to hear the views of Manitobans. So we persisted, saying, you must hear the people; you cannot amend the Constitution on this basis. So, subsequently, the government agreed that they would go out of the city and that they would hold hearings.

But, Mr. Speaker, to hear the First Minister, you would think that on the 17th of June he agreed to go out to eight communities through this province and hear the views. That is not so, Mr. Speaker.

You, of course, were not party to the negotiations that took place between the House Leaders last August to arrive at the basis for adjournment of the House at that time, but I can tell you, Sir, that as late as August 11th the government was still proposing at that time that there be a maximum of six communities where hearings would be held in this province.

They hadn't agreed to this business of going out and going to eight communities and, at that time, they were wanting to put limitations, Mr. Speaker, on the time that the people could have, and just prior to that they were wanting to have only one person on the committee able to ask questions and all these kinds of limitations. So it wasn't until the 12th of August that the then Government House Leader and I arrived at an agreement whereby they would go and hold the committee hearings in eight communities. It wasn't until the 12th of August that that final agreement was arrived at, and that is set out in the agreement: Time, 2:30 p.m., August 12, 1983, signed by Roland Penner for the government, and myself for the opposition.

Now, Mr. Speaker, in that agreement there is another interesting feature. That is that the Attorney-General agreed at that time, point No. 6, "Rules of the House apply with provision for a two-week maximum on bell ringing." Clearly the Attorney-General legitimized the tactic of bell ringing when he affixed his signature to this agreement. He said, it's all right up to two weeks. Now, Mr. Speaker, what has happened is that the present House Leader, having taken over from the Attorney-General, is now attempting to break the agreement signed by the Attorney-General that legitimized and allowed for up to two weeks of bell ringing.

I wish the Attorney-General would give this some careful consideration as to what the implications are for him as the then House Leader, the chief law enforcement officer of this province to sign an agreement, sign an agreement which is now being broken. It is now being broken because of this Government House Leader.

Mr. Speaker, that is an example of why it is so difficult to deal with this government because they can't be trusted. That is one of the reasons why the people of this province don't believe them. They don't believe them when they give them assurances about the resolution that they are proposing now, because they have seen the promises that this government has made and they have seen what has happened to those

promises. They are now learning about a signed agreement that is now being broken by the government. I believe that is a sad day, Mr. Speaker, when you see that kind of thing happening.

Mr. Speaker, what we have been fighting for in debating and in moving motions, additional amendments and indeed in ringing the bells was to get a resolution that was in the interests of the people of Manitoba. We were successful to a very considerable degree, because we forced this government to go to public hearings and the government subsequently made amendments in their original resolution which make the present resolution much much less objectionable than the one that was put forward in May, despite their protestations at the time that there would be no changes made. But because of the actions we took, there have been changes and there are still more changes that are required. That is what we are fighting for, to try and see that this government doesn't pass a bad constitutional resolution that cannot in practice be changed by any future government. That's what we're fighting for today.

What this government is asking us to do is, in effect, accept the possibility, indeed the probability that some existing statutes that now make reference to the freedom to use French or English will become entrenched in the Constitution. Now the Government House Leader argues that that isn't necessarily so. Well, perhaps it's not necessarily so, Mr. Speaker, but you will probably recall the language that was used to describe the possibility of Bilodeau having success in the Supreme Court. "A remote possibility," I believe, was the terminology used by the constitutional lawyer giving advice to the government.

Now we have advice from the Legislative Counsel of this Legislature which I read to be assigning a much greater possibility, and indeed a probability to the fact that statutes now existing in this province, making reference to the freedom to use French and English are going to become entrenched in the Constitution.

Mr. Speaker, I think it's incumbent upon the government to answer our questions in that respect categorically and that we should not be asked either in principle or in practice to accept, to pass a constitutional amendment, the bounds of which we are not aware. We cannot stand here in good conscience and accept that resolution because we don't know what's in it. We suspect that the government is running unnecessary risks for the future of the people of this province by trying to force through that resolution.

Mr. Speaker, in one last sort of effort to convince some of the people over here that they should not proceed with what they're attempting to do, I want to reiterate for them again that they have no mandate to do this. They have no mandate from the people. This was never mentioned in their election platform. We know that the Bilodeau case wasn't topical at the time. But if they were concerned that French-language rights in this province were not being extended to the point that they should have been, if they felt there was an injustice being done, the Francophone people of this province, then why didn't they mention it in their election platform? They didn't do it. They have no mandate to proceed.

The public are opposed to what they're trying to do. They're opposed, Mr. Speaker, as is evidenced from

the plebiscite. They're opposed, as is evident from the study of the Mason poll. They're opposed, as is evident from what the Grassroots people are doing. They're opposed on the basis of the poll that my leader just talked about yesterday and a Constitution should not be amended under those circumstances. They might have the legal right but they don't have the support of the public to proceed with that, Mr. Speaker.

If they really feel that they have the majority of the people behind them, then why don't they call an election? If that silent majority out there is really behind them as they insist that it is, then this truly is an issue that is important enough, that should merit the government to call an election because they will accomplish a couple of purposes there. They'll gain another mandate for themselves if the public are behind it and we will know that this constitutional amendment indeed reflects the will of Manitobans. Short of that, Mr. Speaker, then they should accept the amendment that we have put forward. They should accept that amendment because if they accept that then we can accept the remainder of the resolution.

That's not a change especially in our position. The First Minister and others are fond of saying, oh well, the opposition has just now come around to wanting the laws to be validated. Mr. Speaker, that's not true. That's a misleading statement. It stems from the speech that I made in this House two or three weeks ago. What I said there was that if the government feels there is a need to validate the laws, if there is a threat, then they should proceed to validate them. That's what they should do, Mr. Speaker, and that's what we're prepared to support but our initial position was that it should go to the Supreme Court. I believe that's still the best way, but if the government wants to proceed with validation, then we're prepared to support that. Let it go to the court if they don't want to do that.

Mr. Speaker, if we're threatened with legal chaos, we'll be back in this Legislature and we'll be passing an amendment saying that we should validate the laws, and we'll be off to Parliament, and we'll be saying Parliament we want you to validate the laws of Manitoba so we're not faced with chaos on our streets, that we won't have legal chaos in our province. They're not going to turn to any other group and say, please, do we have your support to validate the laws of Manitoba. That's what they would, in practice, be faced with if they allowed it to proceed.

But if they think there is a threat, then I'm prepared to support them, my colleagues are prepared to support them on the remainder of the resolution, if they will accept our amendment to delete that Section 23.1, Mr. Speaker, that's all. There is a way out; that's what they can do. What is it about this government? Have they got some sort of siege mentality that they're not listening? They don't listen to what anybody says; they don't listen to logical arguments.

Mr. Speaker, as evidence of that, what we find them doing is attacking the messenger, instead of listening to the arguments. They see Conrad Kelly involved from some sort of right-wing group and they say, ah ha, they're involved here. And the Minister of Government Services is making fascist Nazi salutes across the House indicating that that's the type of philosophy that we are somehow espousing on this side. But at the same time, Mr. Speaker, they're the first people to complain

about red-baiting when we mention the communist background of the Attorney-General of this province. They're the first ones to scream about it. But now they try and discredit Manitobans because 75-80 percent of them are taking a position. They're trying to discredit them on the basis of one person who is involved from outside this province and from whom the leader of the Grassroots has disassociated himself.

They attack Mr. Russell. They attack Grant Russell because he's been acting in essentially the same way that the now Minister of Labour was acting when she came into this House. He had every right to be collecting his disability pension and to be pursuing his own private pursuits in what he believed was in the interests of the people of Manitoba, just as the Minister of Labour had the right to do that, Mr. Speaker. The First Minister decried any criticism of her at the time but he now stands in his place and criticizes Grant Russell.

They criticize our poll; they don't like the results from that, Mr. Speaker. Why do they deny the legitimacy of dissent, of an opposing view of 75-80 percent of the people? That is what is aggravating the people of this province. When they express their views, Mr. Speaker, they are continually labelled as racists and bigots and Ku Klux Klanners without sheets. Mr. Speaker, that's the kind of thing that infuriates people. It makes them so frustrated about their government. They say, what kind of action is this when 75-80 percent of us are opposed to what this government is doing and they insist on going ahead. Not only do they insist on going ahead, but they refuse to recognize the legitimacy of the position and, yes, they insult people. — (Interjection) — There's the siege mentality coming from the Member for The Pas - he's calling "time", Mr. Speaker, because he doesn't like the message that he's hearing. He doesn't like to know that 75-80 percent of the people are opposed . . .

MR. SPEAKER: Order please.

MR. B. RANSOM: Mr. Speaker, we see them trying to divert attention . . .

MR. SPEAKER: Order please.

MR. B. RANSOM: . . . from this issue in a despicable way. On several occasions, Mr. Speaker, I've heard calls come from across the way about my colleague for Arthur and some land that he was supposed to have acquired next to the site that Alcan was going to locate on near Stonewall. Mr. Speaker, that was an allegation that the members opposite made during the election. They promised that they would have an investigation when they were elected. I stood in this House and I asked the First Minister, will you undertake that investigation to clear my colleague of the unfounded charges that this government was making? No, they wouldn't do it, and we still hear those allegations being called across the way, Mr. Speaker.

We still hear them making allegations about giveaways. The Minister of Energy and Mines talking about giveaways again. For two years we stood in this House during the review of his Estimates and I said, give me one example of what you call a giveaway and he couldn't do it. He was meek and mild when he's

on the record and can be questioned, but when he can call from his seat and make allegations to detract from this issue and try and take attention away from it, he's good at it, Mr. Speaker.

Mr. Speaker, I'm most disappointed in the position that the Premier of this province is taking. He is my Premier, Mr. Speaker, and I want to feel that at least I can respect my Premier. I know that the members opposite don't think it's true, but on occasion I would even like to be proud of my Premier because he is the head of government in this province. I know what to expect from the House Leader; I know what to expect from the Minister of Finance; but from the Premier, I expect more.

When he spoke in this House a few weeks ago and made references, Mr. Speaker, to positions that our members were allegedly taking he said, for instance, and I quote Page 5838 in Hansard: "They believe rather, Mr. Speaker, in legislation that would restrict or extinguish freedom in the future for Manitobans." That is the First Minister standing in this House putting on the record his views that members on this side of the House believe in legislation that would restrict freedoms of individuals in this province. Mr. Speaker, there is an unparliamentary word that applies to that kind of statement.

I don't expect the First Minister to be making statements of that nature, because he knows that isn't true; he knows that isn't the position that members on this side of the House take on this issue. He knows that his own Attorney-General stood in this House last June and gleefully tabled documents, Treasury Board documents, Cabinet documents, pointing out what our government was doing to fulfill the commitment to Francophones in this province based upon the Supreme Court decision of 1979 which reinstated Section 23. He knows what kind of action members on this side of the House took; he knows we don't favour that legislation; he knows that Section 23 has re-established the basis upon which injustice can be corrected, and that's what the member should act upon, Mr. Speaker, he should accept our amendment and we will have support for the remainder of their resolution.

MR. SPEAKER: Are you ready for the question? Order please.

The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker. I wonder if there's an inclination to call it 5:30? There's no difficulty, Mr. Speaker. I have no problem speaking.

I find this a most unaccustomed role for myself to be the last speaker on an issue, usually I like to get my remarks on a little earlier in the debate. The other thing that I find sort of unusual is the fact that I'm going to be making my remarks after my leader spoke very very capably for an extended period of time; did a super job. I was very proud to listen to his remarks. After his remarks we had our past House Leader making his remarks and did a very capable job as well, so that my role as the last speaker on our side at this stage of the game is almost like when the score already is 10-1, you still score another goal. I would think that the score should possibly be - looking at it percentage-wise - let's say, 8-1 or something like that.

Mr. Speaker, much has been said, especially on this side. I feel rather disappointed that more members on the government side have not stood up and defended their position irregardless of whether this is a closure motion or not. Certainly by goading them from time-to-time we've had a few get up and speak a few minutes and obviously they've been under restraint to not speak very long, because certainly the Member for Burrows has been known to speak capably well for a long period time. The very few that have made some comments have done it basically - I don't know why, I guess they just finally couldn't. . . . Oh, the Member for St. Johns spoke at length yesterday, claimed that he was speaking because he spoke from the heart and, I suppose, after all the arguments that have been presented here in the last while, and all the facts that have been related capably, especially by our last few speakers, as well as the others, that possibly my comments will be more from the heart as well, maybe not as much of the actual happenings that have taken place but I'd like to gather my thoughts for my comments here today.

I was trying to establish what is the source of the problem really. We're at the tail end of the debate on this aspect of it and I suppose that, after my comments are finished, we do not have the opportunity to have any further debate. The motion will be called and because of the numbers game, I suppose we will lose.

When establishing exactly what the source of the problem was, the thing that came to mind was that initially when the Federal Government brought home the Constitution from England - and of course we're doing this on a smaller scale here, but we're making changes to the Constitution here, I believe the first province in Canada that will be making amendments to the Constitution itself - it took seven years, it took the Prime Minister seven years of work, an awful lot of time was spent to gain a consensus between the provinces - (Interjection) - 13 years, I stand corrected. I thought it was seven years of very active activity in terms of gaining a consensus in Canada among the provinces to bring home the Constitution, and here, in making the first amendments which is history anyway, but the procedure in which it's being done, I think, is very meaningful and we have closure and changing of rules, breaking of agreements and, certainly, no consensus.

As the Member for Turtle Mountain so capably indicated, the percentage of people that are opposed, and this is the government that got elected on the basis of saying, "We will listen to the people," and the Member for Turtle Mountain illustrated very capably the lack of listening, the arrogant way in which they're doing it, the way they're ploughing ahead. They don't care, and when thinking about it, the thing that came to mind, "What a tangled web they weave when first they practice to deceive." That stems from the fact when they got elected, they got elected on a basis of false promises. That was the first deception when they got elected, that they would change everything around.

Once they started the first deception, the second one came easier and this whole issue, the French language issue, has been one deception after another, a continuation from the first day that it was introduced. And one wonders what the reaction must have been of the members of government at the time when it was introduced to their caucus. I doubt whether anybody

even gave any consideration or thought to the matter when the Attorney-General presented the package. They approved it *carte blanche* without even questioning anything.

I'm sure that the members of government, if they knew then what they know now, would have never even let it get past the first stage because the Government of the Day was proceeding - and I have a document here that's dated March 23, 1982, from the Honourable Howard Pawley, and he signed it - where policy on French language services was being issued to all the various Ministers and departments. That was in 1982, it had nothing to do with the legislation that was being presented in 1983. This was on March 23, 1982, where a directive went out, and it states: "At its meeting on March 3, 1982, Cabinet approved a series of policy guidelines on French language services. I announced the contents of this policy in an address to the Société franco-manitobaine on March 21st, 1982." There were changes taking place at that time; no objection. In fact, our government had already initiated activities of this nature, but that was what was presented and that was policy direction; policy direction, mind you, in March of 1982.

So what happened last year, in '83, when the Attorney-General presented his package to his caucus, what happened? Did nobody check to see what was involved when you were already moving in this direction, to the policy direction; why, when he presented this amendment, did nobody question it? Surely in your minds right now you must feel guilty for not having pursued the matter a little further. You got sold a bill of goods. I don't know how the Attorney-General did it. He must have done a capable job, but I look at the members opposite and I could say possibly that Cabinet, each Minister is probably occupied with his own department. Maybe he didn't give it that much concern, but certainly some of the - I shouldn't say radicals - but some of the people in the backbench - surely the Member for Burrows is very thorough in his research, surely he should have checked this out; any one of the members back there. Did nobody check out the bill of goods that the Attorney-General presented?

Did the Member for Radisson check it out? He might have been the only member that knew what was in there. With all due respect, I think he might have known what was in there, or the Member for Elinwood as well, but the rest of them just accepted this package.

What has happened since that time when the Attorney-General presented this to the House? Initially I'm sure the government felt that it would just sort of slide through. With all the stupid legislation that they were presenting at that time, helmet legislation, seat belt legislation, farm lands protection, The Elections Finance Act, with all this stuff they figured, I guess, it was just going to flow through.

I don't know whether the Attorney-General - yes, I'm sure he knew exactly what he had in that package but I guess he figured it would just flow through - but the opposition, the Leader of the Opposition at that time, who was involved in the constitutional thing when it was brought back from England for Canada, sensed right away what was going on. Flagged it, and from there on history is made, but that's in the House here.

But what has happened to the public in Manitoba, the awareness of the situation? Initially, for the first

months of the debate, the people of Manitoba were not aware what was happening. Almost, in August, if government had put closure on that time, it could have possibly slipped through because the public sentiment had not been generated to that extent yet and it was more the opposition itself that was generating the kind of opposition to it.

Then, as we became more aware what was happening and the public became more aware, the hearings were finally negotiated - kicking and screaming, it was said, and it was kicking and screaming. If it hadn't been for capable people like our House Leader at that time, the Member for Turtle Mountain, we probably would not have had the hearings. But when the hearings finally came out at that stage of the game, the government was starting to get into a problem. Now, once we started with the hearings and the report came in later on, there were so many aspects of things where the government presented one view and backed off. They set up deadlines and backed off on deadlines. Every time they changed their position, the public in Manitoba became more suspicious of this government. They did, yes.

Right now, no matter what you say or present, the people of Manitoba hold you suspect, because you have not been able to keep your word; you have not been able to keep agreements; you totally ignore the concerns of 70 to 80 percent of the people. Every one of the members sitting there knows it and you are hurting. You are hurting inside. You are caught in a dilemma you cannot get away from. You cannot get out of this dilemma unless you withdraw it. Even accepting our amendment at this stage of the game, as the Member for Turtle Mountain asked you to do, if we could compromise, I don't think you really can. You could, yes, but you lose too much face.

The best position that you could take right now is to remove, withdraw the issue. Take two weeks, if nothing else, as our House Leader asked the other day. Will you consider backing off for two weeks? Let the thing heal out again.

What is the rush? Obviously, there are no deadlines anymore to meet. There is no deadline to meet with Mr. Bilodeau. He has been prepared to say, I am going to wait until this issue is over, or if nothing happens, he will proceed with it. Many people want him to proceed.

What is the rush? Why do we have closure put on us now? I would expect this is the most important issue ever debated in this House. It is illustrated by the amount of ink that has been written by papers, by our Hansards. This is, without a doubt, the most important thing that has even been debated in this House and that is why it is so dramatically important as to how we vote and how we debate. The fact, Mr. Speaker, that members of government refuse to debate this issue, that they are trying to hide from getting involved will not absolve them from the blame and the responsibility of what they are doing as a government.

The Member for Dauphin and many others who we know in their constituencies the concern is very major - Mr. Speaker, if my constituency was supportive of it could be more understandable than many of those people sitting there, it definitely could - but the fact that you do not debate, the head-in-the-sand approach is not going to wash.

If you hope and think that in two years' time when you have to call an election, this issue will be forgotten - perish the thought - it will not be so for various reasons. You have ignored the people of Manitoba and we will also be there to remind them of this arrogant government that got elected on deception and has continued to deceive the people of Manitoba.

MR. SPEAKER: Order please. The time being 5:30, when this motion is next before the House, the honourable member will have 27 minutes remaining. The House is adjourned and will stand adjourned until 2:00 p.m. tomorrow afternoon. (Thursday)