



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

STANDING COMMITTEE
on
PRIVILEGES
and
ELECTIONS

31-32 Elizabeth II

Chairman
Mr. Phil Eyer
Constituency of River East



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, 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
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DESJARDINS, Hon. Laurent	St. Boniface	NDP
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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	Virten	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
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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
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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
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Monday, 30 January, 1984

TIME — 10:00 a.m.

LOCATION — Winnipeg, Manitoba

CHAIRMAN — Mr. Phil Eyler (River East)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Anstett, Bucklaschuk, Lecuyer,
Mackling

Messrs. Eyler, Scott, Harapiak, Nordman,
Kovnats, Filmon and Enns

WITNESSES: Ms. Mary Abrams, Private Citizen

Mrs. V. Friesen, Private Citizen

Mr. Ivan Merritt, Private Citizen

Mr. Grant Russell, Manitoba Grassroots

Mr. Ian MacPherson, Private Citizen

Mrs. Una Johnstone, Private Citizen

Mr. C. Morris, Private Citizen

MATTERS UNDER DISCUSSION:

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

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MR. CHAIRMAN: Can you hear me in the back of the room? Okay. I will proceed in the list. As you will remember on Saturday, we had gone through the whole list. A large number of people had not been present when their names were called originally. I will start at the top of the list and go through the list again.

Ms. Mary Abrams.

MS. M. ABRAMS: Mr. Chairman, honourable members, honourable concerned citizens, ladies and gentlemen. I intend to speak to the Bill 115 but first I will take a moment to explain why I am here.

I'm a citizen who now finds time to be concerned about what's happening in Manitoba. I have been active since early October in the Interlake Citizens Group. Our group was started by five people, two lifelong NDP members who were disillusioned, a Liberal, a person who sidesteps between the parties in power, and myself, a card-carrying Conservative.

Many of our family and neighbours were appalled by the fact that the NDP Party, Pierre Trudeau and the SFM could develop an action to change our Constitution without any consultation with the other citizens of Manitoba. We were appalled to find that the Pawley Government were so sure of themselves that they had already installed many French language services in the various government departments.

I have never been very active politically until this issue came up. Here are a few more of the thorny developments that prickled me into action. Brian Mulroney, on nation-wide TV, approved of the acceptance of official bilingualism in Manitoba. Some of his words were, "Ever since I was five years old I've heard about how the French-speaking Manitobans have been discriminated against." This proved to me that anyone going to school in Quebec is programmed to hate les anglais. I'm sure their French texts have a very one-sided view of history and we Anglophones are always painted as bigots and always will be.

Leo Robert, also on nation-wide television, a CBC documentary on Manitoba language problems said, "It is illegal to speak French in Manitoba." The interviewer let that comment just slip by without contradiction for all of Canada to hear. What bigots! If it's truly illegal to speak French, then there is an awful lot of illegal speaking going on. Has anybody been caught yet by the language police?

Another thing, with the lack of media coverage in the rest of Canada about our problems - I've just returned from nearly a week in Regina - it was most exasperating as not one word about the Manitoba language crisis was mentioned in the daily newspapers. Could it be they are not only misinformed but they're uninformed on purpose? The name calling does nothing to lessen our anger. Now I realize a Conservative can be called a misinformed, ignorant, rightist, rednecked bigot. A Manitoba Liberal may be just a misinformed bigot. A former NDP who opposes this legislation is just misinformed, but also too ignorant to understand.

I happened to be at Oakbank last night to listen to the informational meeting. We heard a new one there. This one said that some very irresponsible people out there were stirring up the people against this bill. Now if you are out there and you are against this bill, have we no right to be against this bill? Just because we are talking against it, then we are irresponsible?

What if you are a Manitoban of French ancestry who opposes these proposals? I strongly suspect that they may be in the worse position of all. Damned by some of their own people. What if you were from the other minorities who are not either French or English-speaking but choose to learn English? Are you then a bigot because you don't fall in line? If you are a supporter of this legislation, do you then become a clever, informed, an oh-so-tolerant person?

Within our Interlake Citizens Group, we now have representatives from many ethnic groups. They have told us that they were happy with the way things were. Why did we have to stir up this hornet's nest? They do not need nor want monster grants from ethnic cultures.

Although I speak only for myself, I know many many Interlakers feel as I do. We came here to make a living, whether in farming, fishing, business or as a labourer. We tend to become immersed in the activities of daily living and try to get along with our neighbours. We've

become a community by pursuing a common language. Our culture is constantly evolving as we adopt foods and ways of various ethnic groups. The common person of Manitoba knows in his guts that we will become a stronger community by working and playing together rather than keeping a separate area for French schools and culture and a separate area for English schools.

For this we are being called ignorant and misinformed? I say it's the NDP Government of this province that are ignorant and misinformed. Have they been brainwashed by their superiors, their super knowledgeable university professors? Sometimes a little knowledge can be dangerous. One begins to feel like a superior race who can control the ignorant masses. There's only one hope. We people still have the vote.

I have never been nor am I now against French-speaking Manitobans having their own schools if they so desire. If it is going to be an official language, then every Manitoban should learn French, not just the elite. Wait until we can give every Manitoban a good French education and then impose Bill 115.

The NDP Government has consistently said that the majority must not rule the minority. In Manitoba, who is the majority? Is the majority everyone who doesn't speak French? If so, then that majority is made up of many minorities. But the only minority that is considered is the French minority. They have not lost their language or culture in 200 years of oppression by les anglais.

This legislation will inflict on Manitoba another working language. This means that a person whose first language is Ukrainian or German will now have to learn English and French as well. Oh, but you say, we're not forcing anyone to learn French. What parent in his right mind will do right by his children if he does not see them have a French education so that they will have the opportunity to become a language ombudsman or a senior civil servant, or a Premier, or a Prime Minister? If he doesn't learn French, he will be doomed to the lower echelon of civil servants or the working English. The pressure by the Federal Government is enough, why the Manitoba Government as well? This legislation may preserve the French language, but it will do nothing or it will be at a great cost - and I don't mean money.

In India, where many languages and dialects are spoken, English became the language of government. It is the unifying language because each people there must learn their own dialect and English. If French is official here, then each ethnic group must learn two languages and still try to preserve his own.

The ordinary people of Manitoba who are not as stupid as you think know that this is bad legislation and they do have a vote. I have talked to many people who are actually afraid to come forward and publicly oppose this because they're afraid of their jobs. Union people do not wish to be anti-government, businessmen tend to steer clear of this issue because they don't want to be branded for business reasons, many students are brainwashed by the educational system to actually believe what they hear. Many clubs, associations and cultural groups will not oppose it because they're waiting with bated breath for the next handout. Even municipalities have to kowtow for juicy grants. It's only the ordinary independent citizen like me who dares to get involved because he hasn't got anything to lose, or has he? I don't know. One thing

for sure, I would have lost all my self-respect if I had gone to my grave without at least voicing my opinion.

Now I would like to address Bill 115 to the best of my ability. On the first page of the act it says, it's "An Act respecting the operation of Section 23 of The Manitoba Act."

If this Act is passed and the operation is carried out, I suggest it will be like a Caesarean section operation. We will have a new Manitoba baby, which can be molded and nurtured by Pierre, the NDP and the SFM to the detriment of the majority of Manitobans, never mind if it's good for the baby. Under the definitions, the "'agency of the government' means any board, commission, association or other body." "Other body." There's always a loophole there. Now down it says, "all the members of which, or all the members of the board of management or board of directors of which," and then, "are appointed by . . . the Legislature . . . (ii) in the discharge of their duties are public officers or servants of the Crown, or for the proper discharge of the duties are, directly or indirectly responsible to the Crown . . ."

Now if all the members of the body in the discharge of their duties are responsible and directly or indirectly responsible to the Crown, that seems to me that means a lot of people. At the rate the NDP Government is taking over private enterprise and public enterprise and appointing boards and commissions, everyone will be indirectly responsible to the Crown.

On farther, I'm just picking out the things that to my way of thinking just don't add up. The "department head or head of an institution means (i) in the case of a department, the Minister charged with the administration of the department," but how many departments are there in the department? Do they just mean the one department like the Department of Agriculture or do they mean all the other little departments that have offices and they're in charge of a separate little department. There are many departments in every department, the Department of Health and the Department of Agriculture and the Department of Transport and the department of everything else; they all have little departments.

In the case of hospitals, this is mainly where I got interested, because I am on the board of a hospital. The hospitals are now run by the Manitoba Health Services Commission. We have a board which is actually useless. We try to give some direction but mainly it all comes from head office. Underneath the Department of Health there are many departments. Are they all going to have a bilingual head office?

In No. 5 under that one it says, "In all other cases," now that always leaves that other loophole. In all other cases. What other cases? Under the definition of institution the one, "A department, a Manitoba court, a quasi judicial body and a Crown corporation and an agency of the government," these leave many, many, many - sounds like an awful lot of offices to me.

In the languages services area, there are many areas where German, Ukrainian, Icelandic, Chinese or many other ethnic groups are their first learned language. Will they now have to fit into the English and French language service areas? Every area of Manitoba is an English language area or a French language area, but it says down below that it does not include the City of Winnipeg. Isn't the City of Winnipeg an English or a

French area? I just don't understand it. I'm misinformed. Aren't there 800 residents in Winnipeg who speak English or French?

Manitoba court means the Court of Appeal, the Court of Queen's Bench and the Provincial Court. Does it also mean the local courts in the local towns in every place in Manitoba? Then they will all be required to give available service in French.

Down a little farther it says that the principle administrative office as it relates to an institution means the main office, but where is the main office? The main office could be in Arborg. They could plant a main office in some other little town anywhere in Manitoba. In that case, that little town would then have to become bilingual in that main office which would bring some more bilingual people into that area. They will gradually build up the French population in these areas by doing this.

Then in the next one it says, "Advisory Council. There is hereby established a council to be known as the Language Services Advisory Council composed of not less than 13 persons appointed by the Minister for such term as the Minister may designate."

He's appointed by the Minister - for how long? If he's appointed by the government in power will he then be fired by the next government that comes into power? As to the composition of the council, I would - I'm not a lawyer but I read it, and to the best of my ability, I think it's the weirdest council I ever saw.

First of all, they have two senior officers from the Crown corporations; then they have two senior officers from the departments; then they have one senior officer from the Civil Service Commission; then they have two representatives from the Franco-Manitoban community.

Why have senior officers? Now we know that these department heads are now already designated as bilingual positions. If these department heads are bilingual positions, that means that the senior officers can quite possibly be bilingual people. Right? That means we could have two, four, five bilingual people in those first senior officer positions. Then we have two representatives from the Franco-Manitoban community who will definitely be bilingual; then we have two members of the public who are not members of the Franco-Manitoban community. Now what will they be? Will they be ethnics or will they be Anglais or what? Then they have four representatives from the Civil Service Commission, two of which should be from the Civil Service Commission and two from some other union. Those unions know that they have to keep in good with the government so they aren't going to rock the boat any. Now they have "such other persons as the Minister may deem appropriate," that means the Minister who's running this council can appoint whoever he likes, and we don't know who those people might be. That gives you 13 people.

Now, this is what I want to ask. Where are the representatives from the independent businessman and the farmers and the fishermen and the housewives? Where are they? Why are they too stupid to be on an advisory council?

I have talked to many people about the issue who are afraid of their jobs. They now work in the public service, and they are afraid to speak out against this proposal; they might be punished. I have even been told someone will get me. No wonder the MGEA is supporting the government.

People in private business also are afraid to speak up for fear of losing their pro-official bilingualism customers. Local town council and municipal governments are afraid they will lose their government grants and subsidies. There are so many people that are afraid to speak out against this; that's why you are not getting any opposition.

"Six council members constitute a quorum for purposes of conducting council business." Now if that sounds like a pretty, pretty small quorum to me, what happens if those two Francophones from the Francophone community get there, and four of those senior bilingual officers from the head offices get there? They are all definitely going to be on the pro-Francophone side, aren't they and give all their advice? How unbiased would it be then? It sounds like a weird system to me.

Now a little farther down it says this council has got an advisory status only. It's not binding, just like when nothing the people of Manitoba say about not wanting bilingualism. It doesn't matter what they say, they get it anyway.

The Language Services Ombudsman, who will he be? A lawyer? I think he'll have to be a lawyer if he's going to be the language services ombudsman. Besides that, how many Francophone lawyers do we have that are bilingual? He's going to have to be bilingual as well, because that's what the act says, that he must be bilingual. How many bilingual lawyers have we in Manitoba? I don't know. I suspect the ones we have are possibly members of the SFM as well. Where will we get them?

Now it says on the next page, the Language capacities of the ombudsman - he must be fluent in both English and French, so there you are! Now if this is so, will he be a French bilingual person or an English bilingual person, a Francophone or an Anglophone or whatever? Will he be alternated between a first language French or a first language English ombudsman? It's just a point, I wondered what they would do there. He's going to be appointed for a term of five years, "and may be re-appointed for subsequent terms." In other words, if we end up with an ombudsman whose first language is French and he's appointed for five years, he could be there for 25 years. He would have to be a very fair person to stay on the even side of any disputes.

The Removal or the suspension of the ombudsman, "The Lieutenant Governor in Council, on the resolution of the Assembly carried by a vote of 2/3 of the members of the Assembly voting thereon, may suspend the ombudsman or remove the ombudsman from office." Now, most governments are very lucky if they have a two-thirds member Assembly where they can depend on two-thirds of the vote. How many members of the opposition would be able to change the ombudsman?

I'll go on to the Expenditures of the ombudsman. "Moneys required to be expended" - that sounds like it's going to be a great big expense. They will be paid from the ". . . Consolidated Fund with moneys authorized by an Act of the Legislature to be paid and applied for those purposes." I suspect that will be one expensive department.

Now Employees under the ombudsman, ". . . The Civil Service Act applies to persons employed under the ombudsman." Because they are working under the ombudsman, who is bilingual and has many offices in

many areas, how many offices are going to be in the different areas of Manitoba that are under the ombudsman? Do the people of The Pas and Flin Flon have to come to Winnipeg to the head office of the ombudsman, or do they have a little office in The Pas and a little office in Teulon and a little office in Steinbach, and how many other offices? These will all have to be bilingual offices. If these are bilingual offices, they will have to have bilingual people living in that district. This is how they'll build up their 8 percent of people in French in every district in Manitoba. Ha ha!

I see Mr. Anstett laughing. I wonder how many people these government departments alone will employ.

Now, another thing - I was at Oakbank last night - I listened to this great informational meeting. The resolution was explained in some length, which got to be a little bit over my head because I am kind of stupid. The explanation of the bill was glossed over; the important points were not brought out. It was like the people were given some information, but I think they were misinformed, and that's how people get misinformed.

Mr. Anstett said this ombudsman has really not got very much power. He said that he mediates or intervenes between the people that are making the complaints and the institution. Now, I was reading this act and it says here, "Where any provision of The Civil Service Act or the regulations made thereunder conflicts with or is repugnant to any order, rule or regulation made under this Act relating to or affecting persons employed under the ombudsman or to the supervision or control of those persons, the order, rule or regulation made under this Act prevails." Now that means that this act is more important than The Civil Service Act. This act overrules The Civil Service Act. I may be wrong, but that's the way I interpret it.

Farther down, under Communications and Services, "Every person has the right to communicate in English or French with, and to receive available services in English or French from, the principal administrative office of any department; the principal administrative office of any Manitoba court." Now that's anywhere in Manitoba, I presume. "Quasi-judicial body, Crown corporation or agency," now there are agencies, and there are agencies of the government. "The office of the Chief Electoral Officer"; now here is the one, "the offices of the Ombudsman - and right there it says 'offices of the Ombudsman,'" I wonder how many offices that ombudsman is going to have.

And then it also says, "the offices of the Ombudsman for the Province of Manitoba appointed under The Ombudsman Act." When is The Ombudsman Act going to be passed? If it is passed before 1987, when this bill comes into effect, then it will not be abrogated. That means we are going to have it whether we like it or not, because it will be in place when this bill comes into effect.

Just below that, it says "Other offices of specified institutions." Then there is another little thing about any other office. I thought it was just going to be head offices. ". . . any other office of the institutions referred to in clauses 16(a) and 16(b) where, by the virtue of the nature of the office, it is reasonable that communications with and services from that office be available in both English and French." I imagine this is where the 8 percent of the people are speaking French

and this becomes a bilingual, or a language service area. There could be quite a few offices in those places as well.

Now, it says, "Without restricting the generality of the subsection (1)." Generality - there are also these other offices - the French Language Services Secretariat; the Division of the Bureau of Education - French education; the office of Translation Services; the Cultural Development Branch, the office of the French Cultural Liaison Officer. Come to think of it, have we got an Anglo Cultural Liaison Officer? "Any office of the Ombudsman," - and that's right down at the bottom - it says, "Any office of the Ombudsman," and there we are again, how many offices is that ombudsman going to have?

"Extension in specified areas." Now it's going to be specified that those service areas are language services area where the 800 people are either English or French and "the St. Boniface-St. Vital community established under The City of Winnipeg Act; or that part of The City of Winnipeg historically known as St. Norbert." So what happens to the other part of Winnipeg where there are 800 people speaking English or French?

Anyway, it goes on to Complaint. Now the complaint, I can see, that's fine. A person, a citizen such as I, can make a complaint. He must write it in writing and give it to the ombudsman.

Now, this next one really worries me. It says a complaint can be made by the ombudsman. In other words, if he thinks he sees somewhere where the language is not being provided, he can go and make a complaint too. Why? He will have some spies out there, I guess, looking for places to complain about. That isn't a joke either, because this summer in our local papers, you probably all noticed there were many ads, the ads were placed - I think it was by the Consumers Bureau - and their complaint was that they didn't have any complaints. They had to go out and advertise for complaints and that was our money being spent to ask people to complain. That's what's going to happen here unless the ombudsman gets out there and finds something to complain about.

Now, here is another little bit about how the ombudsman hasn't got any power. Upon receiving or initiating a complaint, the ombudsman shall, subject to Subsection (2), forthwith investigate the complaint and for this purpose, the ombudsman has the protection and powers of a commissioner appointed under Part V of The Manitoba Evidence Act; but Sections 87 and 88 of The Manitoba Evidence Act don't apply to any investigation covered by the ombudsman. Well, I don't know what Sections 87 and 88 of The Manitoba Evidence Act says, but it sounds to me like this act is more powerful than The Civil Service Act and more powerful than The Manitoba Evidence Act.

Now, there's another little thing, "Refusal to investigate." Mr. Anstett said last night that the ombudsman would not be a judge. Now it says right here: The ombudsman may refuse to investigate or he may cease to investigate a complaint where, in the opinion of the ombudsman, now if it's the opinion of the ombudsman, is he not a judge? ". . . the complaint is frivolous or vexatious, or was made in bad faith, or concerns a trivial matter." This is (b) here; it says he won't investigate, if in his opinion, "the circumstances of the case do not require investigation." Now I ask you Mr. Anstett, how can you say he's not a judge?

Now, there's a Right to be heard. It says everyone has a right to be heard. "... the ombudsman shall provide that person or institution with an opportunity to make representations in respect of the matter, and the person or institution may make representations in respect of the matter by counsel or otherwise." Now who's going to pay for that counsel? Will we be subsidized by the Secretary of State?

I suspect if there are cases that go to the ombudsman, there will be a lot of lawyers involved. No wonder the lawyers aren't making any opposition to this bill. No wonder that the people that print bills and print all this paperwork - no wonder they don't complain because they're going to get a lot of business.

It also says down below that the ombudsman will cause to be printed any information on cases which are brought before him. Now there's one place where I'm going to be right there getting all the information I can and I suggest that other people do the same. I think we'll have to keep an eye on this ombudsman.

Now there's "Other investigations." Here's 25(2), it says, "Other investigations. Notwithstanding that no complaint has been filed, the ombudsman may investigate any matter relating to the proper administration or enforcement of this Act." So he doesn't even have to wait for a complaint, he can be a real s— disturber.

"Publication of Reports" - I wonder if they're going to be available?

Okay now, here's another thing about the power of the ombudsman. This is under No. 27, "Offence and Penalty." I am sure there will be a lot of rules and regulations and fines and penalties. Right here it says, now I'll briefly summarize it. It says, "anyone (a) resists, anyone who fails to comply, anyone who lies or misleads" - that's (a), (b) and (c), "resists, fails to comply, lies or misleads is guilty of an offence and is liable on summary conviction, to a fine of not more than \$500.00.

Now I say that the NDP Government is resisting the wishes of the people; failing to comply to the wishes of the people; lying and misleading the wishes of the people; and I say the government should throw this bill out and resign.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please. Those expressions of approval are merely detracting from the time of Ms. Abrams.

MS. M. ABRAMS: "Declaration of rights. Subject to subsection (2), a complainant may apply to the Court of Queen's Bench for a declaration that a right provided to the complainant by this Act has been denied." Will his case be taken up by the Secretary of State?

Now it goes on to municipalities and school divisions and there's a big thing there. It says that municipalities and school divisions are not affected. Okay. Now down below then however, it says, "Advancement of Languages." This is what gets me - "Nothing in this Act limits the authority of the Legislature, or of any municipality, school division or school district in the province, to advance the equality of status or use of the English language and the French language." Now look at that again. It says, "Nothing in this Act limits

the authority of the Legislature." Does that mean the Legislature can go ahead and do anything, because it says right here that nothing in the act limits the authority of the Legislature to advance the equality of status or use of the English language and the French language. I think I'm pretty stupid but that's what it says and I'd like to see a lawyer figure that one out.

There's only one thing, only money and where does the money come from, so that the province can supply French education to every child in Manitoba? Only the children of the upper class or the governing class will get the best French language education. What percentage of you Ministers on both sides are now sending your children and/or your grandchildren to good French Immersion Schools? How many ordinary citizens out there in Oakbank or Moosehorn, Gunton, Manitoba are able to send their children for a good French education? It seems like there's a lot of upper echelon people that are still able to send their children to private schools.

The bilingual people will become the governing people. They will legislate whatever they wish. Example, we can no longer have a non-bilingual Prime Minister. We can no longer have a non-bilingual language ombudsman. Poor ordinary Joe citizen who pays and pays will go on paying forever and just like George Orwell's 1984, he'll spend his extra energy on dreaming of winning the giant lottery. He will not trust anyone. He dare not trust anyone. His job might be at stake or his grant or his unemployment insurance or his personal finances may be investigated.

MR. CHAIRMAN: Ms. Abrams, could you sum up your presentation?

MS. M. ABRAMS: Am I running out of time?

MR. CHAIRMAN: Yes.

MS. M. ABRAMS: Okay. This is the last page. Can I finish my last page? "Interpretation. This Act shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Manitobans." What will it do for the other cultures? What will it do that is not already being done under legislation?

"Regulations." Oh, here's those great regulations. We'll have lots of regulations. We'll have more civil servants and we'll have more lawyers. Now it says under regulations, "For the purpose of carrying out the provisions of this Act according to their intent, the Minister may make regulations ancillary thereto and not inconsistent therewith; and every regulation made under, and in accordance with the authority granted by, this section has the force of law." Now you say that this is all there is to the bill? It says right there that they can make - "the Minister may make regulations" and they will be given the authority granted by this section and have the force of law. Now I'm not a lawyer but it says right there that they can go on making regulations and they will be authoritative under this act and then they say this act has no power.

Now I will go on, I just have one word about the amendment and that's all. Now the amendment says, "As English and French are the official languages of

Manitoba, the freedom to use either official language

MR. CHAIRMAN: Order please, order please. The purpose of the hearing is to get submissions on the bill rather than the amendment to the Constitution.

MS. M. ABRAMS: All right, I won't speak to the amendment then. This is my summarizing sentence, okay?

It doesn't take a lawyer or even a bilingual lawyer to know that this legislation will make Manitoba a very unhappy place to live, where we will be looking under every bush for information, informers, spies, and language police. God help us!

MR. CHAIRMAN: Order please. Mrs. Jean Hiebert; Mr. Conrad Kelly. Does anybody know where Mr. Conrad Kelly is? Mr. P. Hildebrand; Mrs. V. Friesen.

Mr. Enns on a point of order.

MR. H. ENNS: Well it's the start of a new week and one always hopes that perhaps the government has had the weekend to reconsider its position. I'd like to appeal to the committee to ask whether or not we could ask the presenter, who just made a presentation, for some extended time for me to ask a few specific questions?

MR. CHAIRMAN: What is the will of the committee?
Mr. Harapiak.

MR. H. HARAPIAK: Mr. Chairman, the committee set some rules on the first day of the sitting. The presenter used an extended five minutes, and I think the rules are quite clear and I think we should stick to those rules.

MR. CHAIRMAN: Mr. Kovnats.

MR. A. KOVNATS: I think just out of consideration, Mr. Chairman, that we did set rules at this committee on Friday when we first started, which were not unreasonable, except that I don't think that the person who was making the presentation this morning was advised of these rules. I think if she had been advised, maybe the rules that were first set would be in force but just a special consideration in this one case.

MR. CHAIRMAN: Are there any further addresses to the point of order? No leave? Is it the will of the committee to deny leave?

Mrs. Friesen. You may proceed.

MRS. V. FRIESEN: Good morning members of the Legislative Committee. Is this thing switched on?

Gentlemen and members of the Legislative Committee, a few weeks ago we gathered here for you to listen and the people to tell you their views regarding a proposal to extend and entrench French language services in this good province. You heard from some 300-odd people who presented briefs, representing the majority of the population of Manitoba, and we told you, we do not want entrenchment or any extension of one ethnic minority language. But you did not listen,

you members to the left. We do not want entrenchment of any kind regarding languages.

Now we are given a short time to study a bill, a proposed Bill 115. This bill is so ambiguous that one has to immediately be alerted as to which interpretation is going to be used and who is going to interpret - a language policeman set up - a language policeman in Manitoba?

From the many hours of observation in the visitor's gallery of the Legislature, one wonders about you fellows to the left. Do you really understand what is going on in this country?

Friday last, a Minister of the Crown yet, sitting on this committee, called us Manitobans - peasants to him, I guess - rednecks. Do we have to stoop to the mentality of this kind of behaviour to get a message across to you?

You have heard from such learned and informed gentlemen as Mr. Green. What you, with this cooked-up deal, Penner, Pawley, Joyal, SFM accord, or whatever fancy name you attach to these blackmail deals, are doing to the social fabric of this province, we people, we do understand, we live in the real world, not a small room behind closed locked doors.

Once, it seems long ago now, I met your leader in the corridor and I so very much would have liked to express to him my concern. Well my friend expressed in a very gentle pleading voice, "you are not listening to the people, Mr. Premier." Your Premier, members to the left, poked me in the chest with his pointer finger and said very emphatically, "you don't understand." As an aside, members of the Legislative Committee, my legal counsel tells me, this is personal assault by a Premier of Manitoba. His aides jostled him very gently to his office and the door closed. That door did not open to the people of Manitoba who came here on January 26th to give Mr. Pawley our message. He refused to come out of his office.

I would like you members to the left to know, we do understand. We do not want entrenched language rights. We do not want to set up a civil code-type of hierarchical system in Canada. We want to continue to live and grow under the British common-law system.

I will read you an excerpt from a book I have just come across. I would suggest to you gentlemen, that each and every one of you . . . Mr. Scott, I'm speaking to you, Mr. Scott. You should study this letter, Mr. Chairman, draw Mr. Scott's attention to the speaker. You should be studying this book. It's called, "The Trouble With France." It is written by an analyst who has held six or eight positions in the French Government. He states, I would like to read you this one paragraph regarding a civil society.

"Civil society rests on written law based on Roman law. Regulations precise and proliferous impedes change." Now that is what you are trying to do to us with Bill 115. "Individual liberties develop late and then there is little respect for economic activity. The SFM has cried about injustice and inequality, yet all societies on the march to equality risk reaching thresholds at which motivations are paralyzed. Why work hard or study hard, if eventually taxes level all incomes? Eventually the search for equality dries up the springs of prosperity. Now what type of equality are these ultranationalists aspiring to? In my view, it is not equality at all, but it is total control of all of Canada - French power takeover."

I will read you another paragraph out of this same book. This person from the French Government in Paris has written this. I am not saying this. "The French-speaking population unquestionably holds political power in Quebec, both provincial and municipal, which is essential in a decentralized federal system, but their troubles stem less from law or politics than from attitudes. Out of shame, Quebecois pretend that their tragedy is linguistic. This is clouded by crying about linguistic rights here in Canada. Why is Joyal telling the SFM that he is asking his Cabinet in Ottawa for funding in order to set up a cable television network to link Francophone centres throughout this country?"

A lady was here yesterday reading you the whole speech, but I will just read you again, in case you didn't understand yesterday. This is reading again from Joyal's speech that he made to the Societe franco-manitobaine last March. "Another very important area is the development of a cable network television which will link French Canadian centres. We are just speaking of the future. I am to meet with my Cabinet colleagues sometime during the next few weeks to obtain approval for the renewal of funding for programs for official languages groups, and I intend to make cable television one of my key objectives for the next five years. It is essential that there be a cable television network to link Francophone centres throughout the country."

This, to me, is discrimination at its grossest. Francophone centres only will be linked. Where am I? I am not prone to be able to use this. I am not privileged to that.

I charge the members of this committee on the government side to ask, and it is your duty to ask, Leo Robert and Remi Smith about their activities in rural Manitoba regarding cable television. This network is for Francophones only, not French-speaking people. Anyone who speaks French, including my children, will not be able to use this, it is for Francophones only. Could this possibly, if they let me in, if they let others in, dilute their intentions and their efforts?

As I have quoted in my brief earlier to you in October, I will quote again what one of their lawyers, their civic leaders, SFM leader says: "Traditionally, the ethnic groups and the Francophones did not espouse to each other's causes. It is phenomenal," says Remi Smith, a lawyer for the Societe franco-manitobaine, "this issue, this language issue has been a catalyst. It's bringing us all closer together. The day of the rule by the pure WASP is over. What happened is that these ethnic communities were sold a bill of goods in 1916, and got screwed just as we did."

Now these remarks were printed in the Globe and Mail last July, were written by this very renowned by now writer, Richard Cleroux. I say to Mr. Remi Smith, he doesn't know the reality. He lives in the rose-coloured world of the SFM.

I ask the members of this government: why are you dealing with these racists and not listening to the honest, informed and tax-paying people of Manitoba, tax-paying I say, as opposed to tax-grabbing like the SFM? I would just like to read you a few figures from the Public Accounts of Canada. These figures are available just further down the hall in the Legislative Library for anyone to ask to see. The figures I have taken come from the Public Accounts of Canada, Volume II, 1982. "Official Language Minority Groups, Grants - Manitoba:

Alliance Chorale St. Boniface, \$26,000; Centre . . . St. Boniface, 27,000; Cercle Molière, 40,000; Festival du Voyageur, 30,000.00." Those are only a few.

"The official languages and education contributions, Manitoba-federal independent schools, Winnipeg, 58,472; the Treasurer of the Province of Manitoba, 4,016,801; the Société des amis du Français, Paris, France, \$25,000.00." My French is not very good, but it's . . . \$253,137.00."

Then we go down, further down the page, "Official language minority groups - Contributions." The first group of figures were grants. Now we come to contributions, 1982, just down the page from the originals. "Franco-Manitoban Cultural Centre, 180,000; Conseil Jeunesse Province St. Boniface, 142,000; the Federation Culturelle des Canadian-Français St. Boniface, 584,700; the Festival du Voyageur, 150,000; the Franco-Manitoban Society, 658,354; the Fédération Provinciale des Comités de Parents, 117,000.00." I won't bore you with any more. There are lots more. I would challenge anyone to research in that area.

I said earlier, the SFM were tax-grabbers and I am a taxpayer. I am beginning to resent my tax dollars going to one minority in this province. No other ethnic group receives such large amounts of money from the public purse, and I challenge you to look for it if you don't believe me.

All these costs and social upheavals because of one minority group taking over the ruling of our country. We had a peaceful, prospering, respected Canada until the Quebecers came to Ottawa to begin the fulfillment of their dream. Those tentacles have reached us, and are now beginning to strangle us. The Manitoba people are awake and do not want any of it, and you have no rightful mandate, members of the left, to change the Constitution of Manitoba and of Canada which really belongs to the people.

Have you ever inquired from your very esteemed Mr. Justice Sam Freedman, how he views this whole issue? In his written judgment in the Bilodeau case, he found that Section 23 was directory only, as did Mr. Hall. Only Justice Monnin, then newly-appointed by M. Trudeau, dissented on that judgment. One has to begin to question the system in Canada. Power really corrupts.

My question to you: who is the composer of this very ambiguous bill that you have just heard analyzed very aptly by Ms. Abrams? Was this another of Joe Magnet's confused deals thrown at us, the people of Manitoba? When you say French, which French are you really going to entrench? Paris French? Quebec City French? St. Francois Xavier-Elie French dialects or patois? When I say, St. Francois-Elie dialects, I speak of experience, because that is where my children attended schools. Each of my three children attended those schools and started with the French language at the Grade 1 level. When their grades changed or their teachers changed, the pronunciations of the French words that they had learned the previous year changed. It was confusion supreme in our household with one kid fighting with the other over the pronunciation of French words. Each had a different teacher. I would challenge the parents of Manitoba who send their children to French Immersion schools or any other French classes to check very closely what that education is really really like.

You tell me that the Lieutenant Governor in this Bill 115 can suspend the language policeman. Where do

you define these reasons? You're setting up here another bureaucracy and how much will this cost us? Or will you be taxing only the Francophone community? Where are the parameters of the language counsel? Really, where are they?

We have many questions left. I won't take up any more of your time. There's many people waiting here.

MR. CHAIRMAN: Are there any questions for Mrs. Friesen? Seeing none, on behalf of the committee, I would like to thank you for taking the time to come here today, Mrs. Friesen.

MRS. V. FRIESEN: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Ivan Merritt.

MR. I. MERRITT: Mr. Chairman, I am in no way a public speaker and I do not know much about interpreting the law, so you'll bear with me if I read my thoughts and remarks.

I'll address my brief remarks to this side of the table only. Those on the other side to my left, do not seem to hear or see too well, so what's the use of addressing them. They have been acting more like programmed zombies than hearing, thinking, feeling, sensitive human beings. They apparently are not aware of the seething animosities, the social disturbances, the personal aggravations, the biased discriminations, the agonizing confrontations, the divisiveness, the turmoil, the hatreds, the family disruptions, yes even threats of violence that are rampant in the Province of New Brunswick and Quebec and creeping westward, the blatant disregard for job rights in the Civil Service and granting first choice and preference to Francophones who speak French by descendancy and English because of our North American common language, denying employment and promotion to unilingual English-speaking citizens, other than the French bilingualists, while they fill vacancies with imports from Quebec, and coercing little children to put language before natural talents just to appease a phony, artificially synthesized environment.

Now this government, this bullheaded regime frantically thrashing about, attempting to perpetuate this diabolical quagmire, this cesspool of social tension, discrimination and disharmony by arbitrary legislation. What traitors they are to our established society.

There are nine words that will overcome any legislation that they attempt to do and that is, "English and French are the official languages of Manitoba," and in time, those nine words will make French predominant in this province.

I heard some remarks on the radio that Mr. Anstett made last night at Oakbank about freedom, what his father did in the war and how he fought for freedom. Well the freedom, in actuality what he is talking about, is the freedom to demand privileges by this minority group, to badger, to litigate, to confront, to bleed the taxpayer, to overpower, to agitate, to coerce, snatch up jobs, impose their will, be No. 1, double bill. That is the kind of freedom that this refers to.

I was talking to a lady on the phone on Friday who had just returned from Quebec. She was born in Manitoba. She went to Quebec. She lived there for 14

years. She worked in the Stanford University, I believe, or the University in Montreal and she had enough. She packed up and came back to Manitoba. The English people there are harrassed. There's ill will, there's discourtesy, there's animosity wherever you go - on the buses, in the marketplaces, in the employment. The English people there haven't got a prayer, a chance.

Now the problem lies in trying to appease total selfishness, egotism, preoccupation with self, vengeance for imaginary wrongs; in fact, a defiance of Christian principles, a hypocrisy equal to the daily introduction of the Legislature proceedings.

Why do they favour the creation of an alienated society? Why? Why do they insist on establishing special status for one minority group to dominate this province for all time to come? Why are they so willing to promote a climate where brother hates brother? Why are they doggedly pursuing a course which will bleed taxpayers and the economy to death? Why do they allow that capable, talented, qualified, deserving young people be turned away from job opportunities, for no other reason than to coddle the whims of a few dissidents which speak English very fluently? Why should we taxpayers be burdened with the cost of all French schools in an English-speaking province, to divide and aggravate the community? Why are they so willing to allow the division of students and opposing groups, instilling in their developing emotions, hostilities so prevalent amongst rapacious mankind?

You can ask them, but you'll never get a sensible, straightforward answer. Of course you'll get the stock intimation that we Manitobans are all stupid because we do not understand - their distorted understanding, that is. If only they would read and hear what is going on in Ontario and in New Brunswick and in Quebec, and even in Manitoba, with hostilities and confrontations within the system.

French is about as necessary to most of us in Manitoba as itching powder on our rear ends. We don't want it. We don't need it. We don't want to pay for it. Can't they understand? Of course they can. It's simply a power lust without conscience, not so much a pursuit of rights, as the mentality to conquer and overcome. You know it; I know it; they know it; and the non-persons out there know it also. The government can't seem to hear, so really we might just as well be talking to a dummy.

My understanding is from my Bible readings that the Israelites were the chosen people. I guess I'm wrong.

So my final remarks to you gentlemen on my right - I urge you, you have a duty, you have an obligation to uphold and respect the majority will. Let the bells ring. Let them ring till the next election or until these hardcore fanatics, these authoritarian dictators agree to drop this ridiculous, stupid and silly diabolic frenzy and get on with the problems that are important to us all.

That's all I have to say, and thank you.

MR. CHAIRMAN: Order please. Are there any questions for Mr. Merritt by members of the committee?

Mr. R. Baessler; Mr. Merle Hartlin.
Mr. Grant Russell.

MR. G. RUSSELL: Mr. Chairman, my name is Grant Russell. I represent an organization known as Manitoba

Grassroots. For those who aren't aware, Grassroots is a citizen's organization which sprang up spontaneously all over the province in opposition to the action of this government. The groups, per se, are autonomous they are local, they spring up locally, and as I said in most instances spontaneously, but they are united notwithstanding their political beliefs, their affiliations of any sort, united in opposition to the authoritarian action of this government in amending our Constitution on the basis of a simple majority in this Legislature.

We are here today to discuss Bill 115. I must say before discussing it, I can't quite frankly understand the necessity of it. French Language Services have always been provided where required. I have lived in most areas of this province. If you ran into a small settlement - I'll give you an example, St. Laurent - it was taken for granted and understood in actuality. The staff of the municipal office were all bilingual, by the very nature of the community itself. We didn't have to institutionalize our differences. We stressed what we had in common, not what divided us.

If, however, we must discuss Bill 115, there are several aspects of it that I find perplexing. In one instance, mention is made of the language service areas based on a numerical formulae. I would like to know how that numerical formula is to be determined. Are we to go around the province conducting periodic census? Are we to rely on the federal census? How are we to determine the vague requirements of this bill?

I notice further that there is to be a language services advisory council of 13 plus, or a minimum of 13. We are also to have a language services ombudsman, his staff, his investigators, and in that respect, what are we to have? A language police in Manitoba.

Now I know the government is committed to a Jobs Fund, but I hardly think it appropriate that they should do it on the basis of language and the promotion of divisiveness.

Another aspect I find intriguing is under Section 8, Subsection 3 and Section 12, Subsection 2, regarding the removal or suspension of the language services ombudsman and any reduction of his salary requires a two-thirds vote in the Assembly. Yet, this government is proposing to change our Constitution on the basis of a simple majority. Are we to judge then that the relative importance of our Constitution to the language services ombudsman is to be judged by this basis? Why a two-thirds to suspend the ombudsman and a majority to change Manitoba's Constitution?

Section 16 and 17 refers "to receive available services in English or French from," and then it goes on to the departments. We've had information as to what has happened in New Brunswick in relation to this available service. You get some zealots - and there are those on either side - go to a department that has a bilingual capability and wait till the chap or the woman is not available, say on lunch, demand services, doesn't get it, files a complaint, so then they have to have a bilingual person to cover off the lunch hour. But then you've got holidays. So then you need bilingual people to cover off the holidays. Like Topsy, it just grows.

In Section 17(1) "receive available services in English or French from, any other office of the institutions," and then it goes on to say, "where, by virtue of the nature of the office, it is reasonable that communications with and services." "Receive available

services," what does that mean? "By virtue of the nature of the office," what does that mean? This thing is so full of holes that any half decent lawyer could punch it.

Section 17(2) e) refers to the offices including, "Without restricting the generality . . . the right created by this section applies to the following offices: The French Language Services Secretariat, Division du Bureau de l'Education Française, the office of Translation Services, Cultural Development Branch, Office of the French Cultural Liaison Officer, any office of the ombudsman." Are we to assume then from the wording here that it is already planned to set up regional offices of the ombudsman? Any office of the ombudsman? How many are we going to have? Is this going to work itself up to departmental size? But, in any event, from the wording of that, we could only assume that field offices are implied.

In Section 18, it says, "where the office is located in, or provides services to." Now how wide an area does that take in? If some services are provided in Morden relative to, say, Notre Dame, Bruxelles, is the Morden office then going to have to be bilingual? Utilizing the vagueness of this wording, you could apply it to practically every large centre in this province. This isn't restricting, this is opening it wide open. So it seems that the language services area must be bilingual and not necessarily in the areas that is proposed or is supposed to cover.

It also seems contrary to the definition of principle administrative office under Section 1 which says that it "does not include any regional office." If you are dealing with an office that provides services to, how can you avoid not including regional offices?

We note that Section 19 and 21 relates in 19 to "Any person who alleges the denial of a right provided to the person by this Act." Section 21, "Where the ombudsman has reasonable grounds to suspect that any person has been denied a right." This deals with the denial of rights. How about the excessive zeal of the ombudsman and his officers themselves? It seems to be rather one-sided - just a denial of rights. There are two sides to this coin.

It may be said that Section 23(2) might apply. I'm just pointing this out again, the vagueness and the opportunity for misinterpretation or a much wider interpretation than we are given to understand.

Section 21 refers to the ombudsman initiating complaint. I would suggest this leaves a possibility of a Manitoba version of a language police with zealots pushing language rights far in excess of those really required or necessary. I think this is particularly dangerous in view of the penalties under Section 27, which are somewhat onerous.

Under Section 22(1), we note that Sections 87 and 88 of The Manitoba Evidence Act are excluded. Why? Section 87 says simply, that every commissioner appointed on this part shall take an oath of office. Are we to understand then that in investigations under this act, he is not to take an oath of office? Section 88 is simply a notice of appointment of commission. "Notice of the appointment of any commissioner who is appointed under this part or for this purpose and scope of the inquiry which are appointed to make," etc. etc., "shall be published in the Manitoba Gazette and in a newspaper published or circulated in the district in which

the inquiry is to be held." Why do you exclude the advice to the public as required under The Manitoba Evidence Act from this particular act?

What is the relationship of the provincial ombudsman to the language services ombudsman? If we have a complaint against the language services ombudsman, may we take it to the provincial ombudsman? What is the relationship?

These are simply some of the - how shall I term it? - vagueness, inconsistencies, what have you, on this bill. But it points out to an even greater extent, the fact we don't need this bill. The provision of French services, as far as I know, has never been a matter of controversy in this province, not in recent years. Where they were required, they were granted. Why is it necessary to legislate and institutionalize people's conduct to the extent this requires? I think it is totally unnecessary. I don't think the people of Manitoba, I know the people who subscribe to our aims, don't want it.

I call on the Provincial Government to withdraw this bill, to get back to accentuating what we have in common, not what divides us.

Thank you.

MR. CHAIRMAN: Order please. Are there any questions from members of the committee for Mr. Russell?

Seeing none then, on behalf of the committee, Mr. Russell, I would like to thank you for being here today.

MR. G. RUSSELL: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mrs. Linda Archer.
Mr. Ian MacPherson.

MR. I. MacPHERSON: I'm just getting things arranged here.

MR. CHAIRMAN: You may proceed, Mr. MacPherson.
You are Ian MacPherson?

MR. I. MacPHERSON: Yes.

MR. CHAIRMAN: You may proceed.

MR. I. MacPHERSON: Mr. Chairman, and honourable members of the committee, for a start I would like to say, I am absolutely opposed to any extension of French language privileges beyond Section 23 in the Supreme Court ruling that was made in 1979 and accepted by the Manitoba Government in 1980. No suggestion of any further concessions to Franco-Manitobans was made at election time. We thought it was all settled. Suddenly Mr. Penner announced that the Manitoba Government had signed an agreement with the Trudeau Government and the Franco-Manitoban Society to make Manitoba a bilingual province. So far as I know no one has ever seen the signed agreement. We no longer trust the Pawley Government or believe what they tell us. We have no proof that the signed agreement even exists. If it does, the government should not have made a secret agreement like that without informing the opposition in the Legislature and informing the public that negotiations were going on. Why all this secrecy?

The Manitoba Government should not even talk to the representatives of the Franco-Manitoban Society. They don't represent the average French-Canadian in Manitoba. They are just a group of French bigots, sponsored and financed by the Trudeau Government, and their spokesman, Serge Joyal, whose aim is to make all of Canada a French-speaking country, and all this with our tax dollars. No wonder we are one of the highest-taxed countries in the world.

Last night at Oakbank, one French-Canadian lady said that she has never had her rights denied in any way, and she had lived in Manitoba all her life. English has been accepted as the working language of all ethnic groups in Manitoba. To go back in history as an excuse to promote the French language is like saying we should use the horse and buggy, because it was here before the automobile.

In order to get a permanent promotion with the Federal Government or one of its corporations, you must be bilingual. As very few people in Western Canada can speak French, these positions are filled by Quebecers with sometimes a very limited knowledge of English, but as long as they can speak French, their knowledge of English is unimportant to our Federal Government.

For example, a man phoned to Peter Warren's program a couple of months ago. He got into a car accident a few miles from Steinbach. He phoned the RCMP at Steinbach, and a Mountie came. He couldn't speak a word of English. Apparently, he had just come from Quebec. The man said we had no way of talking to him, we couldn't understand him, he couldn't understand us. He said, we drew diagrams to try to explain how the accident happened. This is the kind of thing that's happening in this country today.

Bill 101 in Quebec has made the use of English illegal in almost all areas of Quebec. You cannot even put an English sign on your own property. Yet in Manitoba, our government is trying to force French bilingualism onto us. It will only be a matter of time before qualified people in provincial and municipal governments will not be hired or will be denied promotions because they are not bilingual.

The French never stop pushing for more special privileges. Manitoba is the first step. Saskatchewan and Alberta will be next. No other racial group except the French are creating any trouble. Manitobans have lived harmoniously together for the last 100 years. We should tell the Ottawa Government and the Pawley Government that we want it to stay this way. Russell Doern, Sterling Lyon and Opposition Leader, Gary Filmon, will be remembered in history as politicians who, regardless of their political affiliation, fought together for what the majority of the people of Manitoba want.

Two languages never work in any country. Just look how it is in Belgium. They're always fighting over language. You have to have one official language so that people in all parts of the country can communicate easily with each other. The United States would never have become the great world leader that it is if the people had not been united and able to communicate with each other in one common language that everybody understands.

In Canada, we are being betrayed by our political leaders. This great country of ours that we used to be

so proud of is being torn apart by this French language issue. I was born and grew up here, but I am worried about the future of our country. The French-controlled Federal Government is behind all our trouble and, if it does not change, I think the four western provinces will have no choice but to pull out of Canada, and either form our own western country or join the United States.

MR. CHAIRMAN: Are there any questions for Mr. MacPherson? Order please.

MR. I. MacPHERSON: The plebiscite last fall showed that public opinion in Manitoba is almost 80 percent against any extension of French bilingualism beyond Section 23, the Supreme Court ruling. A truly democratic government tries to carry out the wishes of the people they represent. The Pawley Government are acting like dictators, and appear to completely override public opinion. I may add myself, I have supported the NDP most of my life, but not anymore. It appears as though Premier Pawley is just a stooge for Trudeau.

The Manitoba Government should not allow themselves to be blackmailed by Roger Bilodeau. They should let Bilodeau take it to the Supreme Court. I personally think Bilodeau would lose his case. We have nothing to lose, so let him go ahead.

Another thing is the enormous cost of this. Money for medical care is limited, hospitals are understaffed. Two babies died recently due to a shortage of nurses in the hospitals. One nurse was trying to care for about 50 babies. This NDP Government is more concerned about pushing French bilingualism that we do not want than they are concerned about medical and hospital care.

The government is now trying to impose closure on the language debate. Closure has seldom been used by either the Federal or Provincial Governments, and only on legislative issues that can be changed by a future government. So far as I know, closure has never in the history of Canada been used on a constitutional issue that will be frozen into the Constitution of Canada forever with no way of changing it.

Mr. Anstett says only a few people who deal directly with the public will be affected. That is what the Federal Government said at the start. Then they said, people higher up in the public service would have to speak French until they went right to the top officials. Now nearly all government departments in the Federal Government are French-speaking, some with a limited knowledge of English. The knowledge of English is unimportant as long as they can speak French.

Even Canada's Armed Forces and the RCMP, which is mostly a western police force, are now under French control. A person who cannot speak French has practically no chance of promotion in the Armed Forces or the RCMP. Practically all the customs officials along the U.S. border are French bilinguals.

Mr. Anstett admitted himself that very few Francophones in Manitoba cannot speak English, no more than a few dozen at most. Why all this trouble and expense? Let the French pay for it if they want special privileges.

We know that Prime Minister Trudeau is behind all this trouble. He and Serge Joyal want to make Canada an all-French country. This is just the start.

I'll now go on to discussing this Bill 115. Page 2 - another thing the left-hand page is usually the preferred one. In this case, the French get the preferred place, the English get the second place. Yeah, down at the bottom of the page, "Language services area, the English language is the language first understood in childhood and still understood by at least 800 residents, or 8 percent of the population." Well, that doesn't apply because we can all speak English.

On Page 3, "The French language is the language first learned in childhood and understood by 800 residents or at least 8 percent of the population of an area." Eight percent is far too low. It should be at least 25 percent of the residents of the municipality.

The Advisory Council, that's on Page 3, 2(1), "There is hereby established a council to be known as the 'Language Services Advisory Council' composed of not less than 13 persons appointed by the Minister for such terms as the Minister may designate." Now who is the Minister who appoints the council members? No one man should be allowed to appoint a council or specify their terms of office. The whole Legislative Assembly, including the opposition members, should do the appointing and no term of office should be specified. With a change of government, the Legislature should be able to replace or discharge all of the council and the ombudsman.

Now we come on Page 3 to the composition of the council, (d) and (e), "Two representatives from the Franco-Manitoban community; and (e) Two members of the public who are not members of the Franco-Manitoban community." (d) and (e) grouped together give over-representation to the Francophone community. Giving equal representation to the French and English-speaking people on the council is unfair. The French make up about 6 percent of Manitoba's population, so the French representatives on the council should be 6 percent or six one-hundredths of 13. That means .78 or just over three-quarters of one person should be representing the Franco-Manitoban community. With one person representing the Francophone community it would mean that they are over-represented.

Now I'll turn to Page 4. "Such other persons," - that's (g) at the top - "Such other persons as the Minister may deem appropriate for the council to perform its function under this act." This looks as though he can appoint more than the 13. This should be struck out completely. It gives too much power to the Minister, even 13 members is too high.

On Page 4, 4(2), that's on the quorum. Six council members is too low for a minimum. Nine or 10 council members out of 13 or at least three-quarters of the council members should be the minimum for a quorum.

Now on Page 4 (7) - that's at the bottom of the page - "Language capacities. No person shall be appointed ombudsman unless the person is fluent in both the English and the French languages." The ombudsman should not have to be fluent in both English and French. The French in Manitoba can all speak English and there's no reason why the ombudsman has to be bilingual. In fact the ombudsman - he's going to be a dictator - there should be no ombudsman. I'm completely against having an ombudsman.

Then the Term of Office on Page 5. It says, "Subject to this section, the ombudsman shall hold office for a

term of 5 years, and may be re-appointed for subsequent terms." Five years is too long a term. A new government coming in should be able to discharge him.

Now we'll go to Page 6, 13(2). The Language Services Advisory Council should not have the power to overrule The Civil Service Act. It should be reversed. The Civil Service Act should have the power to overrule the Language Services Advisory Council should conflict between them arise.

On Page 7, (14) "The ombudsman is not subject to The Civil Service Act." The word "not" should be removed. He should be under the control of the Civil Service, insubordinate to them.

Now 16, (c) and (d), "the office of the Chief Electoral Officer; and the offices of the ombudsman for the Province of Manitoba appointed under The Ombudsman Act." The English language is all that is needed in these departments. There is no need for them to be bilingual.

Now 17(1) on Page 7 under Other offices and specified institutions. "Every person has the right to communicate in English or French with, and to receive available services in English or French from any other office of the institutions referred to in clauses 16(a) and 16(b) where, by virtue of the nature of the office, it is reasonable that communications with and services from that office be available in both French and English." Now this is what we have been afraid of, before it was specified limited use of bilingual services, but under 16 it just said - well I've lost it - but it just means the people who deal directly with the public. But here it says, "Every person has the right to communicate in English or French with, and receive available services in English or French from, any other office of the institutions referred to . . . "That could spread all through the Civil Service when they put in there, ". . . any other office." It won't just be the people who deal with the public, as we've been given to understand. The whole Civil Service under that clause could be made bilingual. This should be removed completely. Once this starts, there is no end to it.

Who is to decide when it says if it's reasonable to communicate with and service from that office in both English and French? Now who is to decide what is reasonable? There is no limit to how far it can go under this 17(1). The whole Civil Service could be completely bilingual if that is left there. Just the words "any other office." This isn't the word to use.

Now we go to Page 8. This list of areas of French government offices, who is the Division du Bureau de l'Éducation Française? Who is the office of Translation Services? Who is the Cultural Development Branch, Office of the French Cultural Liaison Officer, any office of the ombudsman? Now I don't know what all these offices are. I don't think anybody else does. But how many of these offices of the ombudsman are there, and where will they be? They could be spread all over the province, no limit there. That's the dangerous part. We've never been told how many ombudsman offices there will be, or where they will be.

Now Page 9, Line 23(1) "For purposes of investigating a complaint, the ombudsman may hold hearings and hear or obtain information from any person and make such inquiries as the ombudsman thinks fit." Now I think the ombudsman - I don't think there should be one at all, but he's got altogether too much power.

Now I phoned last week, as an example, to the federal ombudsman in Winnipeg. The post office in Ringer's Drugstore at Polo Park is vacant. They have been ordered to provide bilingual services, and can't find a bilingual person for the job. I told the girl in the ombudsman office that Polo Park is not a French community. She says, French-speaking people live all over the city. Now there you have a case of where this was only supposed to be in French areas, and they are setting up a bilingual post office in Polo Park. That's just how things go. It starts and goes on and on, and there's no end to it. It will be the same with the province if this goes ahead.

Now we turn to Page 11, 27. For offences and penalties, the power of the ombudsman is too strong. "Every person who

"(a) without lawful justification or excuse wilfully obstructs, hinders, or resists the ombudsman or any other person in the exercise of performance of the person's powers, duties and functions under this Act; or

"(b) without lawful justification or excuse refuses or wilfully fails to comply with any lawful requirement of the ombudsman or any other person under this Act; or

"(c) wilfully makes any false statement to, or misleads or attempts to mislead, the ombudsman or any other person in the exercise or performance of the person's powers, functions and duties under this Act; is guilty of an offence and is liable, on summary conviction, to a fine of not more than \$500.00."

Now this should be removed completely. If you're going to be fined \$500 just because you bow to the demands of the ombudsman, it's just a dictatorship. There should be no ombudsman. It's going altogether too far.

I don't see anything in Bill 115 that states how long a member stays on the Language Service Advisory Council. Can he be dismissed by a change of government taking over? That's a thing I would like to have answered. Can anybody give me an answer to that?

MR. CHAIRMAN: I'm sorry. The committee wishes to get the opinions and the input of the public. It is not tradition that the public ask the committee questions.

MR. I. MacPHERSON: I'm sorry, I'm kind of hard of hearing. I couldn't hear your answer, but I guess some of the other people may have heard you.

MR. H. ENNS: They won't allow you to answer questions is what he is saying.

HON. A. ANSTETT: On a point of order, Mr. Chairman.

MR. CHAIRMAN: Mr. Anstett, on a point of order. Mr. Enns knows better than that, I believe.

HON. A. ANSTETT: On a point of order, I think Mr. Enns is trying to inject some humour into the committee's considerations.

MR. H. ENNS: There is very little humorous about this.

HON. A. ANSTETT: Mr. Chairman, the rules provide that we are holding hearings to hear from the public

and to ask them questions for clarification of their submissions. The rules do not provide for an exchange by way of questions from the witnesses.

However, if any witness before the committee has questions about the bill and wants to speak to me after the hearings, I will be happy to discuss the provisions with them, but that isn't part of the normal committee process.

MR. CHAIRMAN: Proceed.

MR. I. MacPHERSON: I'll got away from 115 again and go on to general discussion.

The government is now trying to impose closure on the language debate. Closure has seldom been used by either the Federal or Provincial Governments, and only on legislative issues that can be changed by a future government. So far as I know, closure has never in the history of Canada been used on a constitutional issue that will be frozen into the Constitution of Canada forever with no way of changing it.

Mr. Anstett says, only a few people who deal directly with the public will be affected. That is what the Federal Government said at the start. Then they said, people higher up in the public service would have to speak French until it went right to the top. Now nearly all government departments in the Federal Government are French-speaking, some with a limited knowledge of English. Their knowledge of English is unimportant, as long as they can speak French.

Say, did I go over this page before? Well there's no harm in repeating it if I did.

Even Canada's Armed Forces and the RCMP, which is mostly a western police force, are now under French control. A person who cannot speak French has practically no chance of promotion in the Armed Forces or the RCMP. Practically all the customs officials along the U.S. borders are French bilinguals.

Mr. Anstett admitted himself that very few Francophones in Manitoba cannot speak English, no more than a few dozen at most. Why all this trouble and expense? Let the French pay for it if they want special privileges. Why tax all of us for it?

We know that Prime Minister Trudeau is behind all this trouble. He and Serge Joyal want to make Canada an all-French country. This is just the start.

The Conservatives in the Legislature should, if necessary, let the bells keep on ringing, because if this legislation goes through there's no way to turn it back. It'll stay forever, and we certainly appreciate the efforts of Mr. Filmon, Mr. Lyon, Mr. Doern and all the members of the Conservative Party who have done what they can for us. We certainly appreciate what the Conservative Party is doing for us, and we hope that they're able to prevent this legislation from being passed.

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

Mrs. Una Johnstone. Proceed.

MRS. U. JOHNSTONE: Thank you. The second try is successful. Mr. Chairman, and members of the committee, we come to bury Caesar, not to praise him. The evil that men do live after them; the good is often interred with their bones.

My name is Mrs. Una Johnstone. I have been a Canadian citizen and a resident of Manitoba a great deal longer than Mr. Pawley and many of his Cabinet. My great-grandfather came to Montreal from Scotland in 1832.

I was at the Legislative building on Thursday evening, January 26th, and I commend all those people who attended for their orderly behaviour, noisy perhaps, but orderly. Mr. Pawley's conduct, however, leaves something to be desired when he actually impugned the intelligence of the people of Manitoba because they do not understand the convoluted and mangled Bill 115. Does Mr. Pawley really understand its clauses himself?

One burning question besides this language issue is are we a democracy? Does this government listen to the people? Mr. Pawley is obviously obtuse and blind in this area and is determined that Bill 115 and the proclamation amendment to The Manitoba Act, 1870, will go through against the wishes of the people of Manitoba.

What is behind this desperate haste to have this entrenchment of the French language? Why did he not face up to the real problems that face Manitoba today first? I am exasperated with the continuing myth that Manitoba became an official bilingual province in 1870. It is even worse when you hear a young man argue on a radio talk show with Carol Partridge that Manitoba was a bilingual province in 1870, even though she read him Section 23 provision of the 1870 Act. Who has cultivated this myth? Even today the Franco-Manitoban Society acts as though their rights of 1870 had not been restored to them in 1980 by Sterling Lyon. Even this government seems to accept this myth.

Now, in 1984, this supine government is going to give the Francophones even greater rights with the establishment of a French bureaucracy in the Manitoba Government. You know what will happen here. It will expand and expand because it is a well-known fact that Parkinson's law takes over in all government departments and bureaucracies.

Regarding the proclamation amending Section 23 of The Manitoba Act of 1870 which states, "English and French are the official languages of Manitoba," and is amended to read, "Freedom to use English and French," 23(1) "As English and French are the official languages of Manitoba, the freedom to use either official language enjoyed under the law of Manitoba in force at this time this section comes into force shall not be extinguished or restricted by or pursuant to any Act of the Legislature of Manitoba."

Now, I would like to know what the difference is between these two amendments besides taking away the power of Manitoba Governments of the future to change this in any way? To me they both mean the same thing, and they both imply that English and French always were and are the official languages of Manitoba. Again the myth rears its ugly little head. This government's pushing through the proclamation will be a blot in the history books of Manitoba for all time, much in the way that the 1919 Strike did, and which has never really been lived down.

So I say "no"; a thousand times "no" to this entrenchment. Bill 115, who is the Minister who will rule over this advisory council and the ombudsman? The Minister of Education, the Minister of Cultural

Affairs, the Minister of Finance, or will we have a new Minister and a new department at great cost to the taxpayers of Manitoba?

This is nothing more than the spawning of another government bureaucracy. This time it is a French bureaucracy. The advisory council of 13 persons with no limit to their term of office will only require a quorum of six, which is inconsistent with the quorums of two-thirds required throughout this Bill 115. Why? This is unacceptable because it would allow the formation of a power group on this council. Also, the Minister can appoint other such persons he may deem appropriate to the council. That would put a quorum of six out of proportion even more. What is the cost of this council? There is no mention of this at all in the bill.

Language service areas - it uses 8 percent in lieu of 800 residents who can demand services in French. This is too high a percentage because if you have a community of 200 people, 16 people could cause considerable expense and damage to that community, and make no mistake, it will happen. It is happening in the schools now.

The ombudsman and his office - there is no way of knowing what his salary will be. The only criteria for the ombudsman is that he be proficient in both English and French. Will he not require other qualifications and credentials as well, management, experience in handling people, judgment, education, etc.? Will persons with French names and backgrounds be favoured over ethnics, other ethnics with better qualifications who are fluent in both languages? I must admit I have deep distrust of this government's capabilities of being fair in this matter. Their track record is not very good in hiring others - them party faithful and those displaced or defeated in other provinces. What will be the cost to his staff and office space and how many? The costs go on and on, and the taxpayers have a big pig in a poke.

Communications and services - the inclusion of Crown corporations or agencies of the government goes far beyond the intent of The Manitoba Act of 1870. This has ramifications in the French language services that would include many areas of Manitoba whose French population is below the 800-mark or 8 percent.

Just to list government agencies: Manitoba Hydro, Manitoba Telephones, Autopac, Health and Welfare and many others I do not know about. All these are in the towns and municipalities of Manitoba, and they have a right to be worried, in spite of the exclusion of municipalities and school divisions or school districts.

The intransigence of Mr. Pawley, Mr. Anstett, Mr. Penner and company, who never ran in the last election on a platform a support for the French language issue, is deplorable and they now will not even listen to their own constituents who are turning in their NDP cards. You wonder how they can continue to reiterate that the people do not understand. The people understand only too well now that they cannot trust this government to act in the best interests of the people of Manitoba.

It appears that they want to be knights in shining armour to 6 percent of the population of Manitoba. Again I say this is a dictatorship. It also reminds me of a spoiled child who holds his or her breath - I must be careful there - as a threat to its mother. They blame the opposition for the bell ringing and denigrating the parliamentary procedure, but I say there are more

culpable with their attitude of defying the people of Manitoba.

I ask again, what is behind their haste in pushing through this legislation? The only way out of this morass is for them to admit they are wrong and sneaking behind the backs of the people of Manitoba in their dealing with Trudeau, Joyal and the Franco-Manitoban Society, and scrap this mind-boggling Bill 115 and the proclamation entrenchment, or they could do the honourable thing - hari-kari maybe - and call an election. Thank you.

MR. CHAIRMAN: Order please. Order. Are there any questions for Mrs. Johnstone?

MRS. U. JOHNSTONE: Thank you.

MR. CHAIRMAN: Seeing none, thank you, Mrs. Johnstone.

Mr. Joe Beer.

Mr. C. Morris. Proceed.

MR. C. MORRIS: Mr. Chairman, ladies and gentlemen, I am speaking today as a private citizen, representing my family who are of both Ukrainian and German heritage, but who wish to be known as Manitobans, not Ukrainian-Manitobans nor German-Manitobans, because up until this racist legislation, we were all considered equal.

As a preamble to my presentation, I wish to say that it wasn't but a few months ago that I came here before this legislative committee saying that these hearings were a farce, since Mr. Pawley at that time, previous to my presentation, indicated that he would forge ahead no matter what the people of Manitoba said. They again repeat those same words. These committee hearings are a farce; they haven't been properly announced. There has been virtually no time to study the bill, let alone understand its ramifications and no time to prepare a proper response; and again, while this government is going through the motions of listening to the people, Mr. Pawley is in the next breath saying the people don't understand.

Mr. Pawley stated on television just the other night that the problem lies in the fact that Manitobans just don't understand. Let me say that we do understand the issues, and it is Mr. Pawley who doesn't. He claims the issue here is one of the restoration of minority rights; however, I see no job discrimination, no negro slavery, no segregation of schools or loss of voting rights. That's because the issue here is not minority rights but language rights.

We will grant that this legislation does involve the rights of the minorities because this legislation, if passed, will discriminate against all English and ethnic Manitobans with respect to their right to get a job. This so-called labour oriented political party is moving to enforce French language rights at the expense of the rights of the minorities to get a job. The right to earn a living and to feed a family is being ransomed for language rights and not to restore those of 1870, but to extend those rights of 1870 and to locations where they will never be used.

The NDP have called this a made-in-Manitoba solution. How can it be? We haven't even got a made-

in-Manitoba problem. We Manitobans understand very well that this is a made-in-Trudeau-and-Joyal problem. There has been 100 years of co-operation here in Manitoba and no - I repeat - no objection when Mr. Lyon restored the rights in 1980. It was the politicians from the east, working through 572 members of the Societe franco-manitobaine that do not represent our 6 percent French population, they caused the problem.

At issue here is the right of Manitobans to seek their own destiny and not be blackmailed into this Joyal-Trudeau fanatic desire to extend bilingualism across Canada, and thereby accomplish a virtual takeover of power across this land. Why is this government ignoring Manitobans who have proven themselves non-bigoted by their acceptance of Mr. Lyon's restoration of rights? Why is this government instead dealing with the SFM, who outwardly were in favour of separatism of Quebec only a few short years ago?

We're dealing here with the right of Manitobans who have openness of government that should not allow 27 pieces of correspondence to be held back from Manitoba Grassroots. We're dealing here with the right of Manitobans to information regarding what their elected officials of government are doing. At issue here as well is the leadership of our government officials, leadership that should be honest, decent and respectable.

I heard recently that a representative from my home town - who was at one time the Honourable Mr. Schreyer and who now is Mr. Uskiw - was told to get out of a store. A complete loss of respect for government officials. At issue here is the reaction of people to that kind of corruption and secrecy by their government. They adopt the feeling that if the government can be corrupt, so can the people. It's no different than holding back income on your income tax.

At issue here is the big lie that the NDP have perpetrated, through groups such as MAPAL, that all ethnic groups will benefit from this legislation, when in fact the unofficial language services existing and being provided by people who grew up in the communities, such as Dauphin and Steinbach, where 90 percent of the people are ethnic. Those unofficial language services that we know are not legal will be destroyed to be replaced by a service for 1 percent of the population, most of whom can communicate in English anyway and will therefore not require the service.

This legislation will destroy the heritage languages because children will be forced to learn French just to get a job and many children will not have good enough marks in their basic subjects to allow them to take yet a third subject.

And lastly, but most importantly, at issue here is the hopes and dreams of Manitobans to maintain our unique cultural mosaic in the oneness of spirit that we have had for over 100 years. We will be divided forever if this legislation passes and that accomplishes the first step of separation that the perpetrators of this plan wanted all along.

Mr. Pawley, history will record that Manitobans did understand that the main issue here is language rights which already have been restored and that you are expanding far beyond the original Constitution. History will record that you didn't understand; you thought it was minority rights.

Now, I'd like to talk to Bill 115. Bill 115 brings Manitoba into George Orwell's "1984." The only

difference is in the name. In Manitoba, we will have a language ombudsman. In Quebec, they're called language police. George Orwell called them, "Big Brother is watching you," and in Germany they were called, "the Gestapo."

The title of this bill, "An Act Respecting the Operation of Section 23 of The Manitoba Act" leads me to ask, which Section 23? The one of 1870 or the proposed amendment which is being debated or the one that's yet to come? I can see why the opposition were reluctant to debate Bill 115 when it clearly depends upon Section 23.

The other thing clear to me is that fate is trying to tell us something. I took Grade 12 French. It's some years ago since I took it, however it's enough to tell me that the French title is different from the English by the inclusion of the word "1870." Fate's showing us that, given two languages, it will always have two meanings.

Page 3 of this bill, under "language services area," you propose to count these people who still understand the language. I first knew Ukrainian, and I still understand it. However, I cannot speak it well, and it would be extremely difficult for me to make use of that service. Why not have these services available upon request of 800 residents so that we are responding to need, rather than wasting the taxpayers' money on services they don't require?

I say this because of comments from workers in the post office in the City of Winnipeg where the population is much much larger who, in their 15 to 22 years of service to the public, have not had one request for French language services. Also remember that many French residents are opposed to this bill, because they don't want their tax dollars squandered.

On Page 4, I notice that we will not only have people in the offices across the province with nothing to do, but we will also have a highly-paid group of political appointees making up an advisory council. To top things off, this council will have no power, so one wonders why it's even required. While people die in hospitals waiting for help, we will have a useless advisory council.

Finally on Page 4, Section 6, we have the Gestapo. Let me here read you a story from the January 27th Free Press to see how impartial and fair politically-appointed ombudsmen are. I quote: "Landlord refuses order. Demand to return tenant's deposit called 'absurd,'" by David O'Brian. "The Rentalsman has laid charges against a Winnipeg landlord for failing to hand over a former tenant's damage deposit even though a court ordered them evicted because of damage they caused to the home.

"Mary McQuarrie said she refused the Rentalsman's demand because 'it was absurd.'

"They (the family) admitted in court they caused damage to the place. Then the Rentalsman tells me I've got to give them the damage deposit. No way."

Given this kind of behaviour, one also must question why he is appointed for a period of five years. Why not one, two or three?

Further to the ridiculousness of this bill is the requirement for a two-thirds majority vote of the Assembly to remove the ombudsman when our Constitution requires but a simple majority. This person must truly be close to being a second Messiah.

I'm going to Page 7, Section 16, "Communications and services." I will compare the services outlined under

The Manitoba Act of 1870 with those proposed by the Bill 115. The Manitoba Act of 1870 allows either French or English to be used in the debate of the Legislature, in any court process or pleading or the publication of acts of the Legislature. Mr. Chairman, going by the French title of this bill, which refers to The Manitoba Act of 1870 right on the front, Section 16 is incorrect for it does not provide for the operation of Section 23 of The Manitoba Act of 1870 but instead extends services far beyond the Legislature and courts.

Mr. Chairman, Sections 16, 17(1), 17(2) and 18 must be struck from this bill and be replaced by the original wording of 1870 if Bill 115 is to be correct under the French heading. As well, Mr. Chairman, these sections are proof positive that this government is not restoring original rights, but is extending them far beyond the original mandate.

With respect to Page 12, Section 30, dealing with the advancement of languages, this leaves the door open to whereby - and we've already seen these groups in action. It leaves the door open to fanatics to take control of voting power of municipalities or the school boards, and make them fully bilingual at a future date. This section must be struck before the municipalities and school boards can rest.

With respect to Section 31(2) which deals with other languages, this section does nothing to preserve ethnic language services since, as I said before, it is well-known that those language services have no rights guaranteed to the ethnic people. We, therefore, will be second-class citizens if this legislation is not rescinded.

Page 13, Section 32 deals with regulation. It leaves it wide open for the Minister in charge to change this act at any time. That's my interpretation anyway, thereby making any and all statements herein completely void. This Bill 115 is, therefore, not worth the paper it's printed on, and should be scrapped.

In conclusion, I have shown that Manitobans do understand the issues before them. They do know that Bill 115 is not a restoration of minority language rights, but an expansion of French language rights far beyond the original Constitution.

Mr. Pawley, you will have to shoulder the responsibility of splitting this province in two, neighbour against neighbour, family against family; of destroying 100 years of good will to satisfy some eastern politician who doesn't even live here.

Mr. Pawley, your defence that Manitobans don't understand is as credible as this pamphlet here, which I proved last time I was before this committee is packed with lies. Your statement is really equivalent to a person who has lost a debate and knows he is wrong and the opposition and the people of Manitoba are right, so that the only course for him to say is: oh, they just don't understand. Well, we do, and we also remember.

Thank you.

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

Mr. Enns.

MR. H. ENNS: Thank you, Mr. Morris, for an outstanding presentation this morning.

Mr. Morris, I want to ask you a question, because it's a problem that you raised in your presentation that

I recognized. It's a problem that the official opposition today and certainly even dating back to when we were government obviously hasn't resolved properly. You, Sir, are among the few - there have been others - that have recognized the action taken in 1980 as being a restoration of those original and historic constitutional language rights granted to the French-speaking community in the 1870 Manitoba Act.

My question to you is, how come - the government has deliberately and wilfully indicated that what they are doing now is part of the restoration, but you seem to understand that is not the case. That restoration took place after the well-publicized Forest parking ticket affair and the subsequent Supreme Court decision and the subsequent by this Legislature taken, as you said, virtually unanimously without the kind of bitterness that was seen today. Is it that you watch the proceeding of what goes on more closely than more Manitobans?

MR. C. MORRIS: Yes, I'm very concerned. I have a son in Grade 7. The educational system will not allow him to take any core French, which is what we have in our area of the city. Core French would give him something above the regular French, but certainly not equivalent to French Immersion. So, being in Grade 7, he cannot enter that program of core French even and when he graduates in Grade 12, he will not be available for the job market, or let's put it this way, there will be a certain portion of jobs for which he will not qualify. Therefore I have, I guess, made it my business to follow the proceedings and let me say to you that my information does not come from the statements of the NDP nor some of the press coverage that this subject has received, because knowing what I do know and following, it seems to be that they are deliberately distorting, which is very very ironic, because last week the particular pitch of the NDP was that the Manitobans did not understand. This week it seems to be turning around and saying there are groups running around distorting the picture. In actual fact, if you really dig down deep enough, you'll get the proper picture and that's what I have done.

MR. H. ENNS: Another point in your presentation, you asked the question with respect to the delivery of services to those designated French service areas that this bill talks about numbering 800. You asked rhetorically, although it's against our rules to answer you, why that kind of an imposition? Why not leave it to the point of where the demand for services requested and then it supplied. Are you aware, for instance, that since 1968 with the passage of The Official Languages Act, federally speaking, which regulates the federal service, and of course we have many federal services in Manitoba as across the country, that there is a provision in that Act that enables any area, district, to opt into federal bilingualism, if you like, if 10 percent of the given area so requests it? Are you aware that provision has existed for the last 14 years in the federal legislation?

MR. C. MORRIS: No, I'm not aware of that particular legislation, but I can see where people in the area, because we have people, I don't remember the names, but I've seen, I guess Jean Hiebert is the name I

remember and I've seen some other, a lot of French names who are opposed to this legislation because they see their tax dollars just going right down the drain. You can't look at it as being somebody else's money, we won't have to worry about it, in the end it's their own money. So I wasn't aware that existed, but I'm not surprised that there probably hasn't been any request for that because people don't like to see their tax dollars going down the drain. People have said it once, they've said it again, the Franco-Manitoban Society does not represent the French population of this province.

MR. H. ENNS: Just one final question on that. The fact that provision exists and the fact that over the 14 years that availability has been for people of Manitoba to opt into a bilingual district or service area at the federal level and yet that during the 14 years that possibility existed, no such area in Manitoba has made that request, would you not advise the committee or agree that is an indication in itself that what we are trying to propose in that section, which provincially is now going to set up 8 percent French service areas, that request is neither being demanded for or even if it's been put in there would likely not be voluntarily sought for? It may be imposed on an area, but given a free choice Manitobans obviously in view of the 14-year history of The Official Languages Act and Manitoba's reaction to it, that Manitobans given their own choice will not call upon.

MR. C. MORRIS: Yes, I would have to agree that there will not be a path beaten to anybody's door if this bill were to be left in the position that it be on request. In fact, when I last addressed this committee on the constitutional aspect of this French language debate, I went more into depth saying the thing that was missing through this whole argument was a need. Nobody had yet come up and specified that there was a need anywhere. There was a need to me starting in Ottawa, but the need in Manitoba has never never been documented, never never been seen and therefore we're responding to something which is a ghost.

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

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Through you to Mr. Morris, I would like to ask Mr. Morris if he would be prepared to come back at the next meeting of the committee to complete the questioning, seeing as how we are now at the hour of adjournment.

MR. C. MORRIS: I would rather stay a little bit longer if there are a lot of questions.

MR. CHAIRMAN: Is it the will of the committee to finish off this witness and then proceed with the new one next meeting? Mr. Graham, do you have a question? Mr. Anstett.

HON. A. ANSTETT: Mr. Chairman, I'm certainly willing to co-operate with Mr. Morris's request if he would like

to finish answering questions. If we have to go another five or 10 minutes, I think that would be reasonable. I don't know if there are any more questions from members.

MR. CHAIRMAN: Are there any further questions for Mr. Morris. Seeing none, Mr. Morris, I'd like to thank you for taking the time to come here today.

Order please. What is the will of the committee, it is now past 12:30?

Mr. Anstett.

HON. A. ANSTETT: Mr. Chairman, I think it's appropriate that the committee adjourn for its subsequent hearing. It had been suggested, Mr. Chairman, and I think members of the public should be aware of this, that the next meeting would be 10:00 a.m. tomorrow. However, there have been some discussions between the Opposition House Leader and myself that may make it possible for a committee sitting later today, and depending on the result of those discussions, the Clerk's Office would be calling the next group of people on the list to advise that the committee is reconvening, if it does reconvene prior to 10 o'clock tomorrow. The possibilities are most probably that if we were to reconvene today, it might be at 8:00 p.m. this evening, I believe. Mr. Enns may wish to speak to that.

Notwithstanding that, the committee would meet at 10:00 a.m. tomorrow if the discussions regarding a possible evening sitting do not come to fruition. But, I think it could be understood that the Clerk's Office would call this afternoon the next people on the list or perhaps the balance of the list, if the committee is sitting tonight, to advise them of that fact.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Mr. Chairman, I just take this opportunity to indicate my extreme displeasure at how the government has found itself in this kind of position. The members of the public and this committee should be well aware, that was why the insistence of the opposition was to deal with the important constitutional resolution first, which is a linchpin to this bill so that we would not be in this position where now the Government House Leader can't tell the public when next this meeting will be convened, and that is being pretty thoughtless. Those people have their time schedules to keep. They have to make arrangements to come down to these meetings and we are adjourning now at 12:30 and the Government House Leader can't say whether we'll meet at 2:00 or whether we'll meet at 8:00 or when. On a bill like that I take objection to that, Mr. Chairman.

HON. A. ANSTETT: Mr. Chairman, I'm sorry Mr. Enns reacts that way. Mr. Enns this morning made a proposal to me, I did not make the proposal to him, that the committee could possibly sit this evening. He said, after I discussed it with him, that he would get back to me prior to the House reconvening at 2:00 with an answer to my counter-proposal.

Now, his having made the proposal and now criticized his own proposal, I will advise him publicly, that I do

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not accept his proposal. The committee will reconvene at 10:00 a.m. tomorrow (Tuesday).

MR. CHAIRMAN: Committee rise.