



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

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

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31-32 Elizabeth II

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



MG-8048

**VOL. XXXI No. 42 - 10:00 a.m., WEDNESDAY, 28 SEPTEMBER, 1983.**

**MANITOBA LEGISLATIVE ASSEMBLY****Thirty-Second Legislature****Members, Constituencies and Political Affiliation**

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

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

**Wednesday, 28 September, 1983**

**TIME — 10:00 a.m.**

**LOCATION — Winnipeg, Manitoba**

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

**ATTENDANCE — QUORUM - 6**

*Members of the Committee present:*

Hon. Mr. Penner

Messrs. Anstett, Banman, Brown, Eyer, Fox,  
Graham, Lecuyer, Nordman, Scott

**WITNESSES:** Messrs. Stan Carbone & Mario  
Audino, Italian-Canadian League of Manitoba

Mr. Merle Hartlin, Private Citizen

Mr. Clarence Morris, Private Citizen

Mr. Fred Cameron, Private Citizen

Mr. A. Bedbrook, Private Citizen

**MATTERS UNDER DISCUSSION:**

Proposed Resolution to amend Section 23  
of The Manitoba Act

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**MR. CHAIRMAN:** Committee come to order. We have a quorum. Ladies and gentlemen, I've received the resignations of Mrs. Smith and Mr. Desjardins. I understand the replacements are to be Messrs. Fox and Malinowski. May I have a motion to that effect please? Is that agreed? (Agreed) Thank you. — (Interjection) — Fox and Malinowski to replace Smith and Desjardins.

Two other items. There have been requests from two individuals who are from out of province and are on our list and wish to make presentations to the committee, No. 88, Dr. W. Potter and Dr. William F. Shaw - I don't have the number but also on the list, also from out of the province - Dr. Shaw is No. 65. He's from Point Claire, Quebec. I don't know where Dr. Potter is from. The Clerk is checking that now. Both have made a request because they'll have to fly into the province for a specific time to make their presentation to the committee.

**A MEMBER:** Are they here now?

**MR. CHAIRMAN:** No they're not here now. Dr. Shaw will be here Friday morning. He can be here Friday morning if that's acceptable to the committee. I was going to suggest to the committee that we might schedule both of them for first up Friday morning at 10:00? Is that agreeable? Agreed and so ordered.

If there's no further business before the committee, our first delegation this morning then, in accordance

with the list distributed to members, is Stan Carbone, Italian-Canadian League of Manitoba. Mr. Carbone please.

**MR. S. CARBONE:** Good morning. I feel as if we're in the process of recreating the MaCarthy trials of the 1950's. In fact this morning when I woke up I looked under my bed and I didn't see a communist there. He had a black box in his hand.

The introduction, basically what it tries to do it - first of all I must apologize that I did not make enough copies for all the members. It was an assumption on my part that perhaps the copies would be made here, so it was an error in my judgment. So I will read and I will try and slow as possible and I would prefer perhaps if questions were . . .

**MR. CHAIRMAN:** I believe all members now have copies.

**MR. S. CARBONE:** They do have all copies?

**MR. CHAIRMAN:** Yes. The Clerk has just distributed copies.

**MR. S. CARBONE:** Anyway, to start off with the introduction. The Italian-Canadian League of Manitoba is the provincial district of the National Congress of Italian-Canadians. Founded in 1964, it serves as the umbrella organization of the Italian community of Manitoba. Amongst its objectives - and I decided to only pinpoint three of them - the League fosters in the members appreciation of their native tongue, their cultural heritage and historical traditions; promotes the growth of a spirit of toleration and understanding and good will between all ethnic elements in Canada; and helps Italians integrate and appreciate the vicissitudes of Canadian life. In the process, it is felt that these new citizens will contribute to the progressive and dynamic nature of the Canadian society.

The subject at hand: It is with profound interest and a great deal of concern that we critically scrutinize an important issue: the proposed amendment to Section 23 of The Manitoba Act. Whether we like it or not - and depending on the maturity of our political consciousness - we are all actors in a historical drama, unfolding before our eyes, whose outcome will determine the cultural and political evolution of our province.

Because of the implications, it is important that all Manitobans take part in this debate. Men and women shape their future. The quality of such a future depends on how elaborate our involvement is in the crucial issues of the day. Such a crucial issue is the entrenchment of expanded French language rights into our Constitution.

As responsible and concerned members of one of the minority ethnic groups, we strongly support and

live up to the spirit of multiculturalism and fully recognize the dual official language status of French and English. The entrenchment of expanded French language rights will contribute to the development of a climate in which citizens will be fully aware of the cultural diversity of our province. We shall argue that this will surely enhance interpersonal communication, and in the process, remove the fears, biases and discriminations, that all too often our own political and educational institutions perpetuate. The moral and intellectual benefits accrued from such a development are too numerous to address here.

In the local scene we are both impressed and pleased with the laudable initiative to establish the equal status of English and French in Manitoba. The historical injustice of 1890 levelled towards the Franco-Manitoban population must be removed. Now, after ninety years, "the restoration of French rights in the province is an act of justice, good citizenship and, to Francophones everywhere in Canada, a pledge of good faith."

The entrenchment of expanded French language rights into the Constitution recognizes the multicultural fibre of our province and values the contribution of all minority groups. It stands as a clear indication of awareness and respect for our cultural and linguistic diversity. Professor Donald Bailey has pointed out that "basic rights are put in the Constitution because history shows us how popular majorities frequently forget their own generous and tolerant instincts in times of stress, and turn on whatever obvious minorities are handy." Charters of rights are frequently not sufficient, but at least they are clear standards of reference, and they sometimes are enough to resist the temporary will of an intemperate populace or demagogic tyrant and there's innumerable evidence, historically speaking, on that particular point and I hope to perhaps delineate on that as the questions develop.

To deprive Franco-Manitobans of the legitimate and constitutional rights would leave them in a state of uncertainty, stripped of the weapons needed to fight any unforeseeable political backlash, as occurred in 1890.

The consequences could very well be felt by the other minority communities. Perhaps the best way to express this is by quoting from Reverend Martin Niemöller, a Nazi prison survivor, who stated - and use your imagination a little bit on this one because I realize that the analogy at first is not apparent, but in a very subtle sense it is. "First they arrested the communists, but I was not a communist, so I did nothing. Then they came for the Social Democrats, but I was not a Social Democrat, so I did nothing. Then they arrested the trade unionists, and I did nothing, because I was not one. And then they came for the Jews and then the Catholics, but I was neither a Jew nor a Catholic and I did nothing. At last they came and arrested me, and there was no one left to do anything about it."

In view of the above statement, which advocates solidarity in the face of adversity, we hereby endorse and advocate the general spirit and principles embodied in the proposed amendment to Section 23 of The Manitoba Act. Our right and duty to do this is sanctioned by the ideals nurtured in a pluralistic, democratic society such as ours. If we don't have that right, well, I can assume that we question the pluralistic nature and the democratic nature of the society we live in. Our

participation in the decision-making process reinforces those ideals, and that's, I think, a really important point, because as a result of these hearings, as a result of the issue of the French language rights, we are getting people involved in a process which, under most circumstances, they would not be involved in. For most people, and perhaps apathy is one of the reasons why they do not do this, for most people, political exercise occurs once every four years and that's it, and in-between they sleep. I would argue that political institutions are just as much to blame for the kind of apathy which exists within our population. We thus urge immediate action and passage of the proposed amendment in the Legislature.

Thank you very much.

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

**MR. R. DOERN:** You argue on the first page of your brief about fostering an appreciation of a native tongue, cultural heritage and historical tradition. Have you ever, for example, just on a general basis, have you been in Manitoba all your life or for some period of time?

**MR. S. CARBONE:** Most of my life.

**MR. R. DOERN:** Are you married?

**MR. S. CARBONE:** No, I'm not.

**MR. R. DOERN:** No, I just wanted to ask you about your children, so I will not get into that.

**MR. S. CARBONE:** I come from an immigrant family which believe in fostering the identity of our culture. We speak Italian at home. I've been involved with the Italian League of Manitoba, Students' Association Group within the Italian League of Manitoba, and I taught the language at the Italian Cultural Centre to young children, in Italian, during the summer months. These are just amongst some of the many things I have contributed to the Italian community.

**MR. R. DOERN:** Are you by any chance a teacher by profession?

**MR. S. CARBONE:** No, at this point of time, I'm a university student. I'm in the Department of Social Work.

**MR. R. DOERN:** My general question to you is, in your experience in Manitoba, have you ever felt or found that there was anything to prevent you or discourage you from encouraging people of Italian heritage to speak Italian and be proud of their heritage?

**MR. S. CARBONE:** That's difficult to answer because on the one hand - and this is what I would essentially call the ambiguity of the kind of social system that we live in - multiculturalism does predicate the belief in nurturing the Italian culture, and on the other hand, we have all kinds of other forces and influences - educational institutions, the media - which have contributed enormously to the kinds of stereotypes that

Italians have had to face on many occasions. Educational institutions, as the classical example, would have to be textbooks, and some of the textbooks that we publish that deal with ethnic communities are - to be honest and quite blunt with you - quite atrocious.

If you analyze the social structure of the Italian community itself, the majority of Italians are working class people and they remain working class people. Now whether that's implicit within our society that working class remains working class and the sense of mobility is not felt by them, because most of them do not have that opportunity to social ability. So there's an ambiguity there. On the one hand, we do have this wonderful thing called multiculturalism and on the other hand, there's a social reality out there which pigeonholes ethnic groups into certain jobs, into certain occupations, and if you look at the total number of politicians in Canada, you're not going to find too many Italians, or if you're going to look at the boards of executives of major corporations, you're not going to find too many Italians. So there's an ambiguity there and that's the issue, I think, I really want to make clear.

**MR. R. DOERN:** In terms of immigration to Canada though, I assume that it would be correct to say that the Italian-Canadian is a fairly recent phenomenon in Canada, in the sense of, I assume that most of the immigration was post war, is that correct?

**MR. S. CARBONE:** Yes, yes.

**MR. R. DOERN:** Were there some extensive immigration periods in the pre-war period, or between?

**MR. S. CARBONE:** There was, of course, at the turn of the century, but that would not apply so much to Canada. In the case of Toronto, there was a great deal of Italians who migrated from Italy to Canada at the turn of the century, 1900 to 1906. It's well-documented too.

**MR. CHAIRMAN:** Order please. The purpose of questions is to clarify material in the brief. Now I know that normally the committee has always allowed questions to clarify the background of the organization or of the individual presenting the brief, but I think now we're going beyond that in terms of clarifying the brief.

I appreciate Mr. Carbone's willingness to provide the information and his ability to do so, but I think questions should be directed to the brief. I think we've gone beyond the point of clarifying the status of the organization or the individual.

Mr. Doern.

**MR. R. DOERN:** Can you indicate approximately how many Italian-Canadians there are in Manitoba and also how many belong to your organization?

**MR. S. CARBONE:** Depending on which statistics you read, the average or the one that I come into contact more often is around 14,000, 15,000 Italians. In terms of membership with the Italian community of Manitoba, there's approximately 400 paid members within the league, if I'm correct on that . . .

**MR. R. DOERN:** And are there a number of other organizations that are of a similar nature?

**MR. S. CARBONE:** In terms of the political structure of the Italian community, that is basically the one organization which represents all of the Italians in Manitoba. There is, of course, the church, which is not specifically tied to the league, but in terms of advice, in terms of co-operation, there exists a level of co-operation between the church and the league.

**MR. R. DOERN:** So one of your goals then, as indicated, is to encourage people to speak and study the Italian language per se?

**MR. S. CARBONE:** Well, we encourage that, but we also encourage an understanding amongst Italians that they should not get themselves into a - what I would call - cultural ghetto. There are economic ghettos, but there are also cultural ghettos. The importance of that is that when we go beyond the language differences that exist between various ethnic groups, you really don't find that great deal of difference between, say, an Italian immigrant or a newly-arrived Ukrainian immigrant or a Polish immigrant. We all go through basically the same problems and one of the problems that we go through in a sense, in the case of Italy, you're going from a society which is industrially not as developed to one which is developed, and the consequences that the immigrant feels as a result of that are tremendous, and I would argue that's not peculiar to the Italians, it's something which most ethnic groups have gone through. So there's a lot of similarities between ethnic groups and I think on all too many occasions in the debates on multiculturalism the differences have been accentuated and the similarities are much greater than the differences.

**MR. R. DOERN:** Has your organization approached either the Federal or Provincial Government for support or are you the recipient of federal or provincial financial support?

**MR. S. CARBONE:** I think Mario, if you could perhaps — (Interjection) —

**MR. CHAIRMAN:** Could you repeat the answer please so it's in the record.

**MR. S. CARBONE:** Not at the moment. We have received some grants in the past and some of the clubs that work within the Italian community have received grants for teaching and the like. — (Interjection) —

**MR. CHAIRMAN:** Could you repeat that please for the record? Could you come forward sir and identify yourself and then provide the answer?

**MR. M. AUDINO:** My name is Mario Audino.

**MR. CHAIRMAN:** Mario . . .

**MR. M. AUDINO:** A-U-D-I-N-O. I just said that a couple of years ago, we applied for a cultural integration grant to the Federal Department, Secretary of State. It was mainly to develop citizenship and good will within the Italian community, and since then we did not apply nor get any other funds, except for one of the associations.

The Italian League of Manitoba gets, on a yearly basis, the usual funds for support to linguistic support for the Saturday morning language classes.

**MR. CHAIRMAN:** Thank you very much, sir. Mr. Doern.

**MR. R. DOERN:** Now we've said one of your goals would be to encourage young people, in particular, to speak and study the Italian language, but can you explain to the committee how the extension and expansion of the French language will help a young person? Are you then going to encourage your people to become trilingual? Is that going to become a new goal, whereas before it might have been to learn to speak English and to retain an appreciation and a knowledge of the Italian language? Are you now going to step that up and encourage people to become trilingual?

**MR. S. CARBONE:** Well, let me answer that question and there's a couple of ways of answering that. The fact that you are using the expression trilingual, and it comes in a very negative sense from you, because first of all, if they want to be trilingual, that's fine. In fact, there are other countries throughout the world that promote the teaching of other languages other than their mother tongue. It goes beyond that. I think it goes not only towards an understanding of we're trying to learn the French language, it also goes to the heart of the issue, which is trying to understand another culture, to understand the people of that culture, their aspirations, their goals, their beliefs, their similarities, and the problems that they have confronted in the past, and how those problems relate to the problems that we are having in the Italian community.

It's an educational experience, first of all, but secondly, there's another real important issue, as a result of all these hearings, is the political issue. We are, for the first time, getting people involved in making decisions, decisions which are crucial, in this case the French language rights. People who may have not participated in the political process at all are finally, rather than going straight to work and having a beer and watching Archie Bunker, they are participating politically in a society, as I have suggested in my brief, sanctions the participation of people within the political system that we live in and that kind of educational process can only be grasped by interrelating with other ethnic groups, interrelating with other people. I am very much against cultural ghettos. I'm very much against economic ghettos and there is a connection there between the two.

The other important implication is one - and this is the problem I have with many politicians who have perhaps no analysis or perhaps an ignorance of history - what the Italian community is learning now through this process might be handy for them if ever they are in a situation analogous to the Franco-Manitoba population now. That's the bottom line. It's an education process and it encourages and promotes civic mindedness and participation of citizens within our society.

**MR. R. DOERN:** As one who studied history at the university and taught it for 10 years in our schools, I

would like to ask you whether or not you would agree that a study of history could be of greater or equal value to the study of a language? For example, a lot of Manitoba students don't speak French very well, but they study Canadian history; they study New France; they study the special place of Quebec; they study Manitoba history; they know something about Riel, about the Constitution, about modern institutions; and they study European history and they know something about France and Germany, etc.; yet very few of them are bilingual or trilingual, but they probably have an appreciation of other cultures and other peoples. So I simply ask you, are there not other routes to understanding, other than the learning of a language?

**MR. S. CARBONE:** Yes there are, but I don't think that should evade the issue of language rights and it goes beyond just - like I said, language rights - because intertwined with the language rights is political rights and it is fine to study history, but history is not a tool which can be implemented in practice, if we do not learn from this history, and if we do not apply what we have learned from the past, to the relevant issues of the day. Then history becomes merely an academic field, some ivory-tower intellectual going into a library and appreciating all these wonderful cultures, without knowing what these cultures even look like.

There's a practical aspect to history. There's a practical and political aspect to it which is even more important. How relevant is the past to the future, and how better can we understand the future or the present, without by actively participating in it? The French language rights issue is, if anything more - other than just a cultural issue - it is in fact a political issue and in 1890 it was also an economic issue. It was an economic issue which pitted the predominantly Anglo-Saxon owners of capital with a minority of Franco-Manitobans who did not own capital. There was a distinction of class there that you have to analyse, when you're dealing with the problem of French language as well, and that's crucial and that's political. It's historical too but again it depends on what kind of history you teach and what kind of methodology you use in your history.

Theory and practice do combine, should combine, and the only way they can combine is if you live history itself. There is a class perspective here and I believe - I don't know if I should have said this, it's a taboo word in our society, to talk about social classes but I haven't heard that being raised at all during these hearings on the French language rights and that was a very crucial issue in 1890. I really don't want to get into the whole complexities of that.

**MR. R. DOERN:** To what extent do you think the government should step in and fund and financially support the French community, the Italian community, and other communities? Should they, for example, pour heavy funds in, or should these organizations and cultural and linguistic groups fund themselves? How do you see the necessity of self-sufficiency on one hand and government . . .

**MR. CHAIRMAN:** Order please, order please. The question for clarification could well have ended at, to

what extent do you think government should fund the respective organizations. All the balance was both the provision of an answer and editorial comment. If these hearings are to be expedited, I would appreciate it if questions are for clarification of the brief and are short, direct, and to the point, and do not contain additional information or provide answers or provide editorial comments. Could you rephrase the question please, Mr. Doern?

**MR. R. DOERN:** Mr. Chairman, your explanation was longer than my question, so I will just listen to the answer to either the Chairman's question or my question.

**MR. CHAIRMAN:** Order please. Mr. Penner on point of order.

**HON. R. PENNER:** The authority of the Chairperson in these hearings has been tremendously important and I, for one, want to place upon the record that snide remarks about the Chairperson of that kind are definitely out of order. It attacks the authority of the committee and of the legislative process.

**MR. R. DOERN:** Mr. Chairman, on the point of order, nobody on this committee has made more snide remarks throughout the hearings than the Attorney-General. I think it ill-behoves him to make that observation, so could you please answer that question and ignore the Attorney-General . . .

**MR. CHAIRMAN:** Order please. Mr. Lecuyer to the same point of order.

**MR. G. LECUYER:** Well I think these comments again from Mr. Doern are out of order. I don't think he should order the person making a presentation to answer and order other members of the committee to be ignored.

**MR. CHAIRMAN:** Mr. Doern, the Chair takes some umbrage at your suggestion that the Chair's interjection on a point of order is in some way improper. I have, at some length yesterday, reiterated the concern of all committee members about the style of questioning adopted by some members, and I made it clear yesterday, Mr. Doern, that you were one of the principle offenders. Now if, when you are called to order, you tend to show disrespect for the Chair and if that continues, your ability to be recognized, since you are not a member of this committee, but here only as your status as a Member of the Assembly, may be impaired. The Chair has an obligation to ensure that the public is heard at these committees, not that you are heard.

I trust that you will appreciate that fact and guide yourself accordingly. Mr. Carbone, can you answer the question with regard to funding?

**MR. S. CARBONE:** Could you repeat the question?

**MR. R. DOERN:** The question was, before the interruptions: to what extent do you think the government should fund ethnic, cultural and linguistic organizations?

**MR. S. CARBONE:** To a great extent. We've put a lot into the society and a lot of money that the government

uses is indirectly money that the people, the hard working class of the Italian community or any other ethnic community put into the government. So basically what you're doing is just spending our money again for these programs, so I have no problems in reacting to that question. Yes, I think governments should, to any extent.

**MR. R. DOERN:** Mr. Carbone, don't you have any concern about control and influence that, if, in fact, you are heavily funded from Ottawa or from Winnipeg that there may be some undue influence or some concern on the part of . . .

**MR. CHAIRMAN:** Order, order please. The question is clearly out of order. It is not a question for clarification of material in the brief.

Mr. Doern.

**MR. R. DOERN:** Mr. Chairman, on Page 1 of the brief you make the remark that the entrenchment of expanded French language rights will contribute to the development of a climate in which citizens will be fully aware of the cultural diversity of our province. Doesn't that imply, that say the entrenchment of other languages would also follow, that if you entrench more languages, Italian, German, Ukrainian, that would lead to an even greater understanding? That's the logic of your statement.

**MR. S. CARBONE:** Let's start with French then. Let's take it one at a time. It's a gradual process, I agree, but there's also another reality that most of the ethnic communities have come to grips with, that the Francophone factor is a historical factor. There's more of them out there and they're an older community in many ways. They have contributed perhaps more, they have contributed a significant amount to development of Canadian history and yet, the groups should recognize that - that we are talking about the Franco-Manitoban population, which supposedly in the beginning was given equal status with English, and all of a sudden that whittled away. If that is to happen to a population of people that is approximately 7 or 8 million in all of Canada, then I would hate to surmise what could happen to some of the smaller ethnic communities.

When I mean climate, I mean the full notion of that word is that understanding should occur at all levels, cultural and political. Unfortunately we have, well, let me rephrase that. Institutions do have a role to play in terms of perpetuating certain ideas, certain ideologies, certain values and certain beliefs. Political institutions do have that role. It's my understanding that, what I mean by total climate, I mean the whole realm of our society, civil society, political society. The word climate is an all-encompassing aspect.

Once you have a government which allows people to express themselves in their own language at the political level, at the cultural level, I think it makes a better society. I think it makes for a more democratic one.

**MR. R. DOERN:** Two points on your second page. In the third paragraph, you talk about: "To deprive

Franco-Manitobans of their legitimate and constitutional rights . . . would leave them in a state of uncertainty," etc. Is it not the case that their rights have in fact been restored and, that in terms of 1870, that there are no rights of which they are deprived?

**MR. CHAIRMAN:** Order please. Order please. Mr. Doern, when I call for order I expect you to stop talking. I've asked you to do that as well. If you continue to flagrantly abuse the rules, you're going to have greater difficulty dealing with this committee and with the Chair. You've been advised in the past that questions are not supposed to be designed to illicit specific answers. The member has supplied the answer and the question. The Chair has specifically said that that's not proper questioning. It's not clarification of what's contained in the brief when you ask a leading question admitting to only a yes or no answer. That doesn't clarify the information contained in the brief.

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

**MR. CHAIRMAN:** It's not a point of order, it's a ruling.

**MR. R. DOERN:** Well, I'm raising a point of order.

**MR. CHAIRMAN:** Please proceed.

**MR. R. DOERN:** I resent some of the words that you are using about leading questions and other language. I think you are showing and demonstrating a bias against people who are questioning people who are making representations, and I would suggest that you examine your own language and see whether it is objective and fair or whether you are coming down hard on the government side, but are not in fact allowing people to ask what I would regard as proper questions.

**MR. CHAIRMAN:** Mr. Doern, you know the proper procedure for reflections on the Chair.

**MR. R. DOERN:** I do.

**MR. CHAIRMAN:** If you don't like it, you have two choices. I made this clear yesterday, I'll make it clear again today.

**MR. R. DOERN:** You made it clear already.

**MR. CHAIRMAN:** You have two choices. Have yourself put on the committee if that's possible and vote for the removal of the Chair. Your other choice is to find the door.

Do you have a further question?

**MR. R. DOERN:** I'm tempted, Mr. Chairman. My question is this: in terms of the third paragraph and so on, what rights, legitimate and constitutional, are Franco-Manitobans being deprived of at present?

**MR. S. CARBONE:** They are deprived of constitutional rights, are they not?

**MR. R. DOERN:** Name them.

**MR. S. CARBONE:** The fact that the amendment itself, that we are talking about, the proposal to extend the French Language Rights into the Constitution is one of the rights that they are being deprived of. I think one of the comments I want to make, and it'll answer your question, is that the Lyon government itself in 1977, I remember when it was elected, there were all kinds of reactions in terms from the Franco-Manitoban population that, you know, we're going to really get it from this guy. In 1979, he kind of surprised people by suggesting that French Language Rights be placed within government services. It was a small step, but it was a very significant step. The only logical consequence of that step would be to entrench those rights in the Constitution.

I think constitutions are a point of reference. At times, governments don't really care about constitutions and they have a way of somehow overriding them. The example that I usually give is if we were to be placed back into a Chilean society in 1967, a very liberal democratic society, worked under a parliamentary system, you were to go up to one of those Chilean citizens and say, you know what ten years from now you're going to have a repressive fascist regime, they wouldn't believe you. Or perhaps, unless they were very active in the political situation of Chile, they really would not believe you.

We have to be careful. You see, I'm in many ways a conservative, small "c" conservative. When I go into things, I like to have everything stacked on my side, and I think a little amendment to the Constitution, it's not going to hurt. We're spending so much money quibbling about it. I think we're spending more money quibbling about it than actually what is going to happen after. An incredible amount of money is being spent on this thing, but we don't talk about that. We talk about how much it's going to cost these Franco-Manitobans to get all these services. But the time that it's taking and the debates and the amount of money which is spilling out right now is phenomenal.

**MR. R. DOERN:** I'm trying to clarify your position here. You just said in your answer that you're talking about extending rights and putting extended rights and extended services into the Constitution. Yet, in your brief, you talked about the rights that Franco-Manitobans are being deprived of. I'm asking you what rights they do not have? People are arguing that their rights have been restored. Do you see any rights that they do not have that they had in 1870? Are you talking about adding or enriching, because that's another question?

**MR. S. CARBONE:** I guess the real dilemma of The 1870 Manitoba Act - and maybe I've read this wrong and somebody else can correct me on it - is that in reality there really is no clause which states which language is official in Canada. It makes reference to the use of English and French in the Parliaments, in the courts. It makes reference to it in the Legislature, it makes reference in the schools, not to French and English, but it makes reference to denomination of Roman Catholic and Protestant.

Now, I haven't read it in a long time, you'll have to excuse me. At the same time, what's happened since



then is that for some strange reason as a result of 1890, the English aspect of that Constitution has been maintained, the French has not. They lost their rights after 1890 at the political level and to a great extent also at the educational level because of that Catholic Protestant context which the educational system was placed into. Logically, the Protestant thing was preserved because most of the Anglo-Saxons that came to Canada were Protestants and there was a great deal of them that came. And again, the French-Canadians found themselves in a minority situation, at the religious level too. So there was discrimination even at the religious level, not only the political.

**MR. R. DOERN:** My final question is, you made reference to the great, I believe, Lutheran and Protestant theologian Reverend Martin Niemoller.

**MR. S. CARBONE:** Yes.

**MR. R. DOERN:** And most of us are familiar with that quote and basically I guess the gist of it is, fight on when rights are being taken away, but I also want to ask you a reverse question. That is one approach. What about the band-wagon approach, where it would seem that some people believe that by supporting the Franco-Manitobans at this time, that they will benefit as well and that there will be enrichment in all ethnic and cultural groups. What about the reverse of your statement? Couldn't that be made as well?

**MR. S. CARBONE:** I think in many ways I've answered that question in terms of the inter-relationship that will exist between Franco-Manitobans and other ethnic communities, as a result of the decision-making process that these people are getting involved in, as a result of getting people involved politically in an issue which is very relevant to them. So I don't know. I mean, I could go into a spiel again, but I really don't - my throat is really getting dry.

**MR. R. DOERN:** Thank you, Mr. Carbone. I'll give you a glass of water.

**MR. CHAIRMAN:** Further questions for Mr. Carbone from members of the committee?

Mr. Scott.

**MR. D. SCOTT:** Mr. Carbone, you had mentioned on Page 2, Paragraph 2 of your brief, the likelihood of majorities not being terribly generous or tolerant to various minorities. You mentioned at that time, you wished to expand. Could you give us an expansion of your interpretation there? I recognize you gave some mention to the situation in Chile, but I'm wondering if you could give perhaps some of your own perspective on that. It could be on your own personal history.

**MR. S. CARBONE:** In many ways, I really have a lot of regrets putting that into the brief, because it's still an ambiguous thing in my own mind. I could use the example of the Jewish population in Germany during World War II. The problem with that is that it assumes that the German population knew what was happening. Maybe they didn't, but the fact is that governments

have at times used ethnic groups as scapegoats - in the case of Germany, the Jews.

In many way in the case of the Canadian Government, we've had scapegoats at all levels at all times. If one looks at the literature on the Winnipeg General Strike of 1919, dangerous foreigners were being labelled Bolsheviks, were being labelled as revolutionaries and the kinds of things that the government did then discriminated against some of these minor ethnic groups. All they were asking for was just basic wage increases. The War Measures Act in many ways could be a good example of that as well.

So I have ambiguities in that, because here I'm linking popular majorities with governments in this one. The assumption is that government always does what people dictate they should do. It doesn't work.

**MR. D. SCOTT:** Are you aware of many cases where popular governments, so-called, have used referendums to justify the reduction and the elimination of rights of minorities?

**MR. S. CARBONE:** Referendums, I'm sorry?

**MR. D. SCOTT:** Referendums, using referendums.

**MR. S. CARBONE:** There have been. The Europeans, I think, use them more than we do, not related to language rights, but the Italians have used it in the case of divorce and abortion. Referendums were used in that case.

**MR. D. SCOTT:** But for things dealing with historic rights, are you aware of cases where they have been used to reduce historic rights?

**MR. S. CARBONE:** What do you mean by historic rights?

**MR. D. SCOTT:** Such as language rights or other civil rights, civil liberties.

**MR. S. CARBONE:** In most cases, I really can't - there probably weren't any. If there were, I cannot recall them.

**MR. D. SCOTT:** Just finally, a person who also classifies himself as an historian made some notoriety in the news last year by the name of Jim Keegstra, do you feel that some . . .

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

**MR. G. LECUYER:** This is not a question for clarification of the material that was presented in the brief. I say, the question is out of order.

**MR. CHAIRMAN:** Thank you, Mr. Lecuyer. Previous questions were borderline. Certainly this question, by its preamble, indicates that it's not relevant to the brief.

Mr. Scott, do you have a further question for clarification of the material in the brief?

**MR. D. SCOTT:** It follows a question from Mr. Doern on recollections of historians.

**MR. CHAIRMAN:** Order please, order please. That's not the best precedent.

**MR. D. SCOTT:** I'll accept that.

**MR. CHAIRMAN:** Further questions for Mr. Carbone from members of the committee? Seeing none, Mr. Carbone, thank you very much for representing the Italian-Canadian League of Manitoba here today.

The next person on our list is Merle Hartlin. Merle Hartlin.

**MR. M. HARTLIN:** You will bear with me if I use the glass to read some of the material. I've had an attack of high blood pressure and high blood sugar which temporarily affected my eyesight, which is in the process of returning to normal. So I ask you to bear with me today, Mr. Chairman and members of the committee.

In my presentation, Mr. Chairman and members of the committee and ladies and gentlemen, I wish to support the position of the opposition that this should not be entrenched in the Canadian Constitution. I feel that if it is entrenched in the Constitution, it will be virtually impossible to change. The cost of the litigation will be tremendous. It is not only the services will be entrenched, as well as English and French are the official languages of Manitoba if this package goes through as originally intended by the Manitoba Government, the Federal Government and the Société franco-manitobaine. So I feel that this should not be done.

In this Constitution, it says in Article 16, Paragraph 3 that, "Nothing in this Charter limits the authority of Parliament or a Legislature to advance the equality of status or use of English and French." This is the clause that would be a kicker to whatever you put in there, because this would take precedence over any other article that is put in there, because it says, "Nothing in this Charter limits the authority of Parliament or a Legislature to advance the equality of status or use of English and French."

Now in view of this, I feel that the power should remain in the hands of the Legislature and the people. We have heard much that when Mr. Trudeau's Constitution came home to be brought in the way it was, Parliament would no longer be supreme. In fact, a judge made the statement that the 300-year-old doctrine of the supremacy of Parliament was overturned. Much of this legislation would go before the courts. Not only that, but the bureaucracy, the cost of it, would increase.

Now we may start out in a small manner but, as time went on, it would be just like rolling the snowball along the ground. It gets bigger and bigger and bigger. As children, you have, no doubt, rolled snowballs along the ground to make a big snowball to build a snowman. This is the way it would grow.

I wish to take issue with the statement that various ethnic groups support this. Now I know certain elements support the government's position but, talking to the people on the street and in the workplace and they are of various ethnic groups, they say that these people do not represent my view. A Ukrainian, he says, the Ukrainian Canadians do not represent my view. He feels very frustrated that he is not expressing his view, but he nevertheless goes on and he opposes it. I have found that in the place where I work that this is so.

Now the costs in tough economic times should not be added as an added burden to the taxpayer which will grow, because the increasing deficit and debt, both provincially and federally, is tremendous. In fact, federally, the debt, in time, will take 25 percent of the national budget just to service the interest on the debt charges. Now if we keep spending money in a profligate manner and increasing the debt, thereby increasing the rate of interest, we endanger ourselves for a monetary collapse. If we have a monetary collapse, then the people will not be screaming about bilingualism or English or French issue. They will be asking about food, money and jobs because people, when they are hungry, forget about these other issues, and they want the things that provide for the necessities of life.

Furthermore, the statement that we're dealing with minority rights, this issue goes back farther than minority rights historically. This goes back before The British North America Act. It goes back to - the basis of the argument is of two founding people, the English and French from colonial times. The minorities, the others, they came in in a flood of immigration later. So this question, I submit, is a different question than minority rights. I feel that the issue of minority rights in this question is simply a ploy or red herring to try to get political support to get this legislation passed.

We have had the Federal Government with its hamfisted program shoving this through wherein it's for conditions of employment and for hiring and for promotion and so on. This is a condition for employment. We, in Manitoba, do not want this to happen here under prodding, of course, by the courts. The Legislature may not do it but, if it's entrenched in the Constitution, we may find this done by the courts for the Supreme Court of Canada.

Now one point that I wish to raise in regards to the opposition is that the opposition to this bill is often not so much on the basis of racism or bigotry. Here some members of the Legislature, the Conservative opposition and the Honourable Member, Russell Doern, have taken an awful lot of abuse. Mr. Doern has stood up on a matter of principle that he believed in, even against his own caucus, and has taken a lot of abuse. I respect him for standing up for his beliefs and his principle. We may not exactly agree on political philosophy, but nevertheless I have to give him his bouquet that he has well earned it. So you have my respect and my support, and I regard you as a friend of the people, Mr. Doern, and also the Conservative MLAs that have stood up for this.

The thing that is fueling the opposition more than anything amongst the populace is western alienation against the central government. It is there. Even an article in the Free Press just shortly mentioned the fact of an opinion poll taken about a year ago where 66 percent of Manitobans and across Western Canada in general do not trust the central government. The banks and the oil companies have higher regard than the central government.

The Federal Government is in here with its funding in the Roger Bilodeau case and the Société franco-manitobaine, and they are the prime push behind it under the direction of Pierre Elliott Trudeau. We know that the west has not voted Liberal very much in recent years. They have either voted NDP or Conservative, but not Liberal. We see this in the voting patterns that

the alienation is there. It is political. It borders on a great hostility towards the Trudeau Government, and this carries over into everything now that the Trudeau Government tries to do that is suspect or controversial. It carries over into the bilingualism issue.

So the Society Franco-Manitoban and the various ethnic groups have not taken the feeling of alienation on the part of Western Canada towards the central government into consideration in their arguments and in their briefs. I wish to bring this point out; that the feeling is very real. There is a cynicism amongst the general working class towards the central government that does not represent their views, a feeling that they do not have much say in what goes on down in Ottawa. They have more trust towards their Provincial Governments than they do to the central government.

Now statements by Serge Joyal in his speech to the Fédération Acadien de la Nouvelle Écosse, the Acadian Federation of Nova Scotia in Halifax, November 13, 1982, stating his desire to make Canada a French state, both inside and outside Quebec, is a very disturbing development for all of us. What does he intend to do? Start with bilingualism and make us unilingual. Now you can imagine what that would cost, never mind bilingualism and the resentment that would cost. He seems to want to get his way by entrenching things in the Constitution and letting the courts do the job.

I have a copy of his speech, if any of the members of the Legislature have not received it or have not seen it, where this statement is made on Pages 2 and Pages 14 of this. You may have it to pass around if you so desire on request.

In regards to referendum, voting is a very fundamental point of democracy. Democracy is government by the people for the people. I believe that a referendum is helpful in some cases. You can't use it in every case, just on certain questions, or you might attach it as a question to elections to save expenses. But do not disparage any exercise in democracy, expression of opinion, whatever, even if it's just an expression of opinion that the exercise of universal suffrage in the ballot box is very democratic. Now there are those that will disagree with me, but I am just speaking how I feel on this matter. Other people have made a case for plebiscites. Now if anything else, it will serve to show the level of public opinion in the Province of Manitoba. I know the final decision has to be made by the Legislatures and by the parliamentary groups.

My approach has been a very simplistic one. It is the feelings of the grass roots, the people you meet on the street, the people you come in contact with work. This is the approach that I am taking. My own feelings, over a number of years, has been that the Federal Government has pushed this and has pushed this.

Now I am not against the French language or anybody using their language. I know the various languages are taught in most universities as part of their courses and curriculum for educational enrichment, cultural enrichment, and perhaps certain jobs require a knowledge of different languages. I am not against this. I even have those who are of French background who are friends of mine. It's not on a basis of racial prejudice, but simply I'm dealing with this on a practical viewpoint, in the terms of cost, problems perhaps in getting a job with the government, and on the basis of the political

feeling and the distress that is felt amongst westerners against the central government. So I'll just wind it up very quickly and unless there's any questions, why I'll just conclude it here.

**MR. CHAIRMAN:** Thank you, Mr. Hartlin. Questions by honourable members? Mr. Penner.

**HON. R. PENNER:** Just two questions for clarification, Mr. Hartlin. You've made a considerable reference in your brief to western alienation. Do you yourself believe in western separation?

**MR. M. HARTLIN:** I'll put it this way. If things keep going the way they are, Western Canadians may have no alternative, both from an economic point of view and social and political. The feelings amongst just the general workers and amongst myself is that the alienation is becoming so great and the economic mismanagement and the increase of the debt is there for all to see, it's been made public.

**HON. R. PENNER:** Your view of alienation seems to include alienation because of bilingualism.

**MR. M. HARTLIN:** That is only part of it, that is only one reason. The cost, the way they're doing it, and as I say, if you want a job, if you feel you're qualified in every other way, except being able to speak French, and you're denied that position, this does not make a person feel good, because a job means a salary and it means an ability to earn a living.

**HON. R. PENNER:** My final question then relates to your premise, as I understood it, timed as a question of bilingualism and alienation to Mr. Trudeau and you did support the Conservative Opposition. I presume you were talking about the Conservative Opposition in Manitoba and not the Conservative Opposition federally, which supports bilingualism?

**MR. M. HARTLIN:** I'm talking about Manitoba, yes.

**MR. CHAIRMAN:** Further questions by honourable members? Mr. Penner.

**HON. R. PENNER:** But just following that, that is you oppose the Federal Conservative position as exemplified by Mr. Mulroney, its Leader, with respect to bilingualism?

**MR. CHAIRMAN:** Order, order please. Perhaps, for the guidance of members, the question presupposes the answer. Perhaps you could ask how Mr. Hartlin views the positions taken by those other groups, rather than placing the answer within the question?

**HON. R. PENNER:** I accept and respect your ruling. I think his previous answer was probably sufficient.  
Thank you.

**MR. CHAIRMAN:** Further questions for Mr. Hartlin?  
Mr. Graham.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman. Through you to Mr. Hartlin, and it flows from the answer

that was given to you by Mr. Penner in his previous question, have you at any time, heard any member on the Conservative side in Manitoba say they were opposed to the use of English and French languages in Manitoba?

**MR. M. HARTLIN:** No, I have not heard them oppose the use of English and French in Manitoba, but I have heard them impose the entrenchment. I have sat in the visitor's gallery in some of the debates, so I've heard them oppose entrenchment in that issue.

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

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

Further questions by honourable members? Seeing none, Mr. Hartlin, thank you very much for appearing here today.

Mr. Vic Savino, Mr. Savino please.

Mr. Clarence Morris. Please proceed.

**MR. C. MORRIS:** Mr. Chairman, ladies and gentlemen, I have a hard time understanding why I must be here today and why these meetings are being held. On the one hand, the courts have ruled that the 1890 constitutional amendment is invalid, which means Manitoba must legally abide by the Constitution of 1870, and this has been started by the Lyon Government, and therefore the rights promised to the French have been restored. On the other hand, the September 23rd Free Press carried an article wherein the Provincial Premier is quoted as saying, and I quote:

"It was my indication, clearly, to the Prime Minister that the Government of Manitoba intends to proceed in placing that amendment before the Legislature and to proceed with the completion of that legislation, which we feel corrects a long-standing confrontation which has gone on too long in Manitoba."

So I wonder, what's the use of my being here? These public hearings are obviously a farce if our Premier is going ahead anyway. So why is this government pretending to listen to the people? I can only hope that George Hambleton's words will help this government see the light. He said, "Parliament is the government's caretaker and public opinion takes care of the caretaker. Above the government there remains in a democratic country the higher authority of public opinion. No Parliament can indefinitely ignore the voice of a vigorous and adverse public opinion."

Should this government pass legislation extending language rights for any group or groups of people, the next election and many after that will be a grim reminder to those NDP politicians who chose to ignore George Hambleton's words.

Now onto my main brief. The people of Manitoba, not the Franco-Manitoban Society representing 572 people, nor the Federal Liberal Party, nor the left wing radicals of the NDP Party, nor Alliance Québec, who are known by the man in the street in Montreal as the English wet wing of the Parti Québécois, nor so-called ethnic's coalitions - they don't speak for my family, my mother or my grandmother, nor so-called government funded ethnic leaders, and especially not Roland Penner, have the moral right to decide on constitutional amendments in the Province of Manitoba. Such is the

nature of constitutional changes, such is the way in which the government proceeded in 1892. Such is the way in which the Manitoba Government should proceed today.

Before I continue, I must indicate that I will digress periodically to counter certain myths put forth by the Attorney-General's Department in an unprecedented propaganda campaign, a campaign in which I received a copy of "Constitutionally Speaking" through the internal mail system of a Crown corporation.

First, let me expand on my statements regarding the nature of constitutions. Having been involved in many organizations and especially on committees dealing with the changing of constitutions, one realizes the objectives of such documents. It is a delicately-balanced statement of fundamental principles which:

(a) Allows enough freedom of movement so that the organizations can function;

(b) Provides sufficient protection to members of the organization against takeover or wrongful actions by the elected governing bodies of that organization.

The Constitution (and amendments to the same) therefore, usually requires the approval of two-thirds or three-quarters majority vote of the membership. The governing body in most cases merely participates in the preparation of alternative recommendations.

The point is this: we are the people of Manitoba, and we demand a vote on changes to our Constitution. This government seems to be willing to trust anyone but the people of Manitoba with the issue before us. It cries out phrases such as "restoration of rights" which we see are already restored, and it also calls out for "protection of minority rights" which have been enshrined in Section 23 of The Manitoba Act in 1870 by which we are currently being governed.

Although Manitobans, such as myself, have been referred to as bigoted and uninformed, I know that the issue here is really the extension of minority rights. It is, therefore, the proponents of this legislation who are the racists, as they seek to raise one ethnic group above all others.

Now that I have established the real issue, the question remains as to who should decide whether we should extend these rights. Should we trust the people of Manitoba, whom the government has continually called bigots? Should we trust the courts, as some people have suggested, or should we trust the NDP Government? To decide this, let's review the history of Manitoba in accordance with the propaganda pamphlet, "Constitutionally Speaking," but without the biased background provided by the Attorney-General's Department.

When Manitoba first entered Confederation in 1870, the French and the English were the two major peoples settled in Manitoba. Here I shall present three wordings of Section 23 of The Manitoba Act.

i. The original wording, which says, "Either French or English may be used in debates of the Legislature."

2. Second wording according to the propaganda pamphlet, "Constitutionally Speaking, "Allowed the use of French or English in debates of the Legislature."

3. The third wording of the proposed amendment, "English and French are the official languages of Manitoba."

We are proceeding from a may situation to a must situation.

Again regarding Section 23 of The Manitoba Act, the original wording is: "Either language may be used by any person in any court process or pleading."

"Constitutionally Speaking" states and I quote, "Either French or English could be used."

However, the undemocratically proposed amendment reads, "Any member of the public in Manitoba has the right to communicate in English or French with, and to receive available services in English or French."

So you see, we are totally eradicating the original intent and we are proceeding from a spirit of cautiousness with the word "may" to outright authority with the word "must." And again, the word "may" was not used in the "Constitutionally Speaking" pamphlet.

Section 23 goes on. The original wording here and the "Constitutionally Speaking" pamphlet are the same. "Acts of the Legislature shall be printed and published in both official languages." The proposed amendment, "Any member of the public . . . "not just a member of Parliament, "in Manitoba has the right to communicate with, and to receive available services in English or French from . . ." and the list goes on and on, far beyond the original intention. As well, it includes other institutions:

- (a) where there is significant demand; or
- (b) due to the nature of the office, it is reasonable.

I haven't got the years of training that Mr. Penner has, but anyone with a pinch of common sense knows what a field day the courts will have with the words "significant" and "reasonable."

These examples prove two things:

- (a) We can't trust our government to give us the goods; and
- (b) It is impossible to rely on lawyers to word a constitution in such a way that the courts will rule in favour of the original intention. Let me expand on this second point.

Let me read from a September 7th, 1983 issue of "Metro One" titled "Immersion battle in S. division." The school board had cancelled a late immersion program, because only six children were enrolled. I quote:

" . . . the board had decided to cancel the program because only six children were enrolled, far short of the 23 the board assumed were required to establish it.

"However, he said the board might now have to rethink its assumption. The previous Friday, Brian Sigurdson, whose son Jason was one of the children enrolled, submitted a letter claiming the program's cancellation was illegal.

"Sigurdson based his contention on a court ruling in the case of the Swan Valley school division: once boards have started a program they are obligated to implement sections of it on demand, 'regardless of the number enrolled.'"

Also the Swan River School Board was forced by the courts to supply immersion for 23 students, because the courts interpreted that 23 was the number, here again regardless whether they were in the same grade or not, something never intended by the original legislation.

Now let me make one thing clear. This is not an argument against the provision of educational Immersion Programs. This was merely the first article I came upon which would clearly prove my position.

Mr. Eric Maldoff of Alliance Québec said, "I have faith the judiciary system will come to the appropriate decisions at the time they are called on to make those decisions." Appropriate decisions indeed. Is he saying that judges will shirk their duty to uphold the law? But more importantly, Mr. Maldoff misses the issue, as have many others. It is not the judges who are responsible for court decisions alone, but the lawyers who draft the legislation. I say, the real concern echoed by municipalities is the spread of needless services due to man's inherent inability to ever put into words a law which reflects the intent of those writing it.

The extension of language services must, therefore, be left within the power of government, rather than the court system if it is to be responsive to the many ethnic groups within Manitoba, affordable to the taxpayers and, lastly, acceptable to Manitobans. I trust the people of Manitoba, not this government nor the court system, to support a program for which a need has been demonstrated, and I trust Manitobans to reject future governments which would remove these services without just cause.

The evidence for this trust is all over Manitoba. We have Ukrainian and English being used in the Seven Oaks Hospital here in Winnipeg, while German is being spoken freely and provided signage and services in Steinbach. St. Boniface has "Bien Venue" as you cross the bridge, it has French signs, French language, French schools, a French Festival du Voyageur. Manitobans did not cry out when the Conservative Government began translating all the laws. Manitobans have proved they're not bigoted!

Let's return to the review of history to examine the happenings leading to the 1890 amendment. The second paragraph in the propaganda pamphlet "Constitutionally Speaking" says: "Today Manitoba is able to fulfill its constitutional obligations." This is one of the untruths which leads me to believe that this document should be retitled "Constitutionally Sneaking," as it pretends to fulfill obligations when actually it is extending and entrenching minority rights of one ethnic community and, at that, not the major one.

It goes so far as to include enforcements of rights, an enforcement of rights section - shades of the German Gestapo!

"Constitutionally Speaking" goes on to say that by 1890 the French were in the minority. It says "strong influences had come from Ontario and in 1890 two major acts were passed." The facts are as follows:

1. Many immigrants from Europe settled in Manitoba between 1870 and 1890.
2. Many French from Eastern Canada moved to the U.S. to settle along the eastern colonies, rather than proceed into Manitoba.
3. There was a worldwide separation of church and state, even in France, which changed The Public Schools Act.

Hansard records the 1890 debate as centering around:

1. The change in the social make-up of people; French were one-twentieth of the population;
2. French was not being used;
3. Time and money did not justify continued use.

The Supreme Court ruling in the Forest case noted that the process of translation was generally not being

followed in those days. In fact, not one traffic ticket was issued to Mr. Bilodeau's ancestors in French. Isn't it strange that the same situation exists today with respect to the lack of need for use and the economic situation we're in today?

In fact, I refer to a recent Free Press article entitled "Province orders Cuts of 1.5 percent in Spending." "Schools, universities and hospitals also have been asked to try and pare their spending." We will leave future generations with many unused language services but limited education and health services.

I have heard the people even saying that ethnic groups have always got extra consideration whenever the rights of certain minorities have been increased. I'm sorry but I'm a Manitoban, not a something Manitoban, whether it be Italian, French, Ukrainian or German. Let us use Manitoba's debt tax dollars to celebrate our ethnic culture as we do in Folklorama, but not to promote one of several groups ahead of the rest. I, and many Manitobans like me, are Manitobans first.

Anyone with some common sense knows that in order to provide French Services in a place like Dauphin, where only one receptionist could be practically employed, Ukrainian rights will be negatively affected by an artificial lead to have an French-English receptionist to serve the small surrounding town of Ste. Rose.

The issue has now changed somewhat to the extension of French language rights while stomping all over all ethnic rights and needs. I repeat, ethnic needs.

In reference to The Separate Schools Act, "Constitutionally Speaking" says: "The French Canadian took this as an attack on their very language." Canadian history reports that the very religious French Canadians were indeed upset. However, Sir. Wilfred Laurier won a decisive election on this issue with much support from the majority of French Canadians who wish to upgrade their educational system for their offspring.

"Constitutionally Speaking" indicates that the Supreme Court of Canada ruled the 1890 amendment invalid because of Manitoba's original Constitution. It would be more truthful perhaps to add the the amendment was not properly enacted, and perhaps could not have been enacted due to the original Constitution. This then leaves us with the problem of: How do we properly carry out the amendment? "Constitutional Speaking" does not report on the election of 1892 which revolved around this issue. The government at that time had the courage to go to the people. That election saw 37 out of 40 seats clearly stated the wishes of Manitobans.

If we end the story in this fashion, it is clear that the NDP only have one mandate from the people of Manitoba - to proceed with the proper amendments to ensure that Manitoba is officially unilingual. For almost 100 years the language issue in Manitoba was stable, until Mr. Trudeau stirred the pot by funding two court battles in Manitoba: The Federal Government intervention into a provincial matter; Eastern programs for a Western society. We all know how grossly unapplicable those programs can be.

I have a question, is this government acting in a just and responsive manner? It won an election without mentioning any proposed language or consitutional changes. It tries to ram these changes through the

Parliament without holding even these few token public hearings until it was forced to do so.

It stacked the initial hearings with members from its own party. It issued propaganda directly to the people in the workplace. It raised false hopes to other ethnic groups by saying that their support for the amendment would gain them rights. It even had the gall to state in its propaganda that "Manitoba is not becoming bilingual. This proposed French Language Service Program is not federal bilingualism."

Well, Serge Joyal, Secretary of State for Canada, in his November 13, 1982 speech says: "The primary reason why I supported and intervned directly in the patriation of the Constitution was because it offered permanent entrenchment for as long as God permits this country to exist, of equality of status for French and English in the Canadian institutions." Entrenchment is the key factor and no one can stand up and truthfully say that we are not going bilingualism as long as we propose to entrench it in the Constitution.

Let us examine a second pamphlet put out called "The Facts about French Language Services," to see just how just and responsive this government is.

Mistruth No. 1: I have already commented in the first title "Manitoba is not becoming bilingual." Under this heading it reads, "The province has no intention of using the federal approach." Manitoba has rejected the federal bilingualism model because it has been a costly failure. The truth is that both federal and provincial approaches are the same because they put the control of the situation in the hands of the courts, rather than in the hands of the people. This is clearly the Federal Government's approach.

Mistruth No. 2: "This legislation does not affect non-French-speaking Manitobans."

It is 12:00 midnight and my grandmother has just been rushed to the Seven Oaks Hospital. She talks in a foreign tongue, so a French nurse is called. Previous to this legislation, the second nurse would have been Ukrainian. However, in enforcing the rights of the public of Manitoba to be served in French or English, there cannot economically be three nurses in the Emergency Ward or to have three nurses all with the proper languages, so two languages are only provided. My grandmother dies because of the long delay in finding out her problem.

Now, possibly, you say ask the people who were on board the 767 that landed in Gimli because of a metric mixup what's impossible?

Now let's say I'm a government worker in charge of issuing work permits. After several years I hope to apply for my supervisor's position. Since there is no need for two people to perform the function, a junior person who is bilingual replaces me. In fact, three years later, my supervisor is promoted and my replacement gets promoted to the position I wanted. I'm affected and angry. My co-workers resent my replacement because he was promoted for being in the right place at the right time, because they know I should have been promoted. I am put in a department with little movement and so I am not promoted. My replacement even feels guilty because he knows he was not promoted on the basis of his skills - and no one is affected, you say.

Untruth No. 5. I quote, "What is the French language business all about?" This government has brought in the old red herring. I quote, "to avoid the possibility

of legal chaos." Our first reaction to the Bilodeau case should be to tell Mr. Trudeau to butt out of provincial matters. Since we know he is trying to force bilingualism into Manitoba and all of Canada, we know that this won't work, so what are our alternatives? Firstly, Mr. Twaddle, our best constitutional lawyer, has said that there is but an outside chance that this may happen. Let's look at Quebec. They've been ignoring the Constitution for years and operating in French only. Except for an emergency sitting of the Legislature, there is no real chaos today. Where is Mr. Trudeau's support for the English minority in that illegal situation? Let's tell the Federal Government to clean up their own act and stay out of ours.

If our case is lost, we must have an alternative course of action. May I suggest that this government could proceed with the only mandate it has - to make Manitoba unilingual. I wonder how long this case would proceed if we took that approach and used blackmail to fight blackmail? As for Mr. Bilodeau, I say he is not representing Manitoba anyway, since he knows the problems we are having in translating the laws and therefore should never (as a good law-abiding citizen) want to put Manitobans in a state of legal chaos.

Untruth No. 6. "Manitoba policy helps the English minority in Quebec."

I believe if we can stop Trudeau in Manitoba, it will focus the attention back to Quebec and give new hope for the fight for social justice there. The Parti Québécois used the language issue to win an election by dividing Canadians against each other. They illegally took away the rights of the English citizens and now they are going to blackmail Manitoba. Alliance Québec wants us to submit to this blackmail. I say let's do what's right for Manitoba because as everyone knows, two wrongs don't make a right.

Manitoba is a mosaic of many ethnics, of which French are a lesser group, as in Saskatchewan and Alberta. Quebec, on the other hand, has two major groups of which English is the majority in Canada, but French is the majority in Quebec.

We in Manitoba are different and therefore we need different solutions.

We know why "Freedom of Choice" and not Alliance Québec is the real true voice of Canadians who speak English in Quebec. Mr. Maldoff of Alliance Québec charges us with mistreatment of Canadians who speak French outside of Quebec. He is not concerned and probably doesn't know that we have Germans, Ukrainians, Chinese, or Italian rights to worry about. Mistreatment of Canadians? Giving Mr. Forest and Mr. Bilodeau (both of whom are bilingual) a parking ticket in English, falls short of what I read in the news of mistreatment in these days.

I say show me a need for service, not a Franco-Manitoban demonstration which is able to use the media of TV to stir up people to fight for rights they already have and use our tax dollars to hire 20 buses to take people from Winnipeg out to Ste. Anne to create a false impression of Ste. Anne's huge support. How come the French people I meet are not in favour of this legislation?

No, this is a ploy by the Trudeau Government to use the courts to spread federal bilingualism to areas where no one is complaining except the minority of the French minority, namely the Franco-Manitoban Society and the

people they have dibbed by their TV propaganda. I challenge this committee to canvass all French to find out how many want French service of any kind and what are the services they feel they need. It's hard to visualize any needs beyond those of the 1870 agreement after 100 years of not having these services.

Untruth No. 7. "Committed to multiculturalism." A government committed to multiculturalism would not raise one group above all others, but instead would recognize Manitoba for what it is - "Canada's cultural mosaic." The pamphlet says, "funds will not be drained away in favour of French Language Services," however it's what the pamphlet doesn't say that's important, that perhaps funds just won't be extended. I personally, along with many other Manitobans, believe we need to concentrate on things that unite us rather than divide us.

I'd like to quote from a letter from a great Manitoban. It's a letter to his constituents. His name is James Richardson.

"In recent days Prime Minister Trudeau has presented proposals for constitutional amendments to the House of Commons. I am convinced that the legislation he is proposing cannot possibly unite Canada. It is, in fact, a blueprint for permanent national disunity. I believe that what we decide to put into the Constitution is of such fundamental importance to the future of Canada that it should be above party politics and for that reason I said in the House that: 'I do not at this time seek membership in any of the parties in opposition, but I do want to make it clear that I wish to join all honourable members who are in opposition to this government.'

"The fundamental flaw in the Trudeau Government's proposal is that it emphasizes our difference as Canadians instead of emphasizing all that unites us as Canadians. The Prime Minister's proposed amendments to the Constitution, if ever agreed to, would lock Canada's duality and division into our fundamental law, instead of enshrining our unity as one people in our Constitution.

"My warning to Canadians is that if we pass any of the proposed legislation, and then agree to a rigid amending procedure, we will have taken away the right of future Parliaments to change or amend this legislation. It is important for all Canadians to understand that they are being asked to put the supremacy of a Trudeau-written Constitution in place of the supremacy of a democratically elected Parliament. I am convinced that Prime Minister Trudeau's proposals are not a reflection of the national will and that he does not have a national consensus for what he is attempting to do." That's the end of his statement.

With regard to that propaganda pamphlet, "Constitutionally Speaking," rather than continuing on with the half truths and mistruths, I will simply say that the author signing this document does not deserve to be addressed as part of this government and should have resigned his post for forsaking the oath of his office by attempting to deliberately mislead the people of this province. I shall henceforth refer to this government without Mr. Penner or Mr. Pawley. Mr. Pawley, as I mentioned earlier has allowed these hearings to become a farce and is responsible for the leadership of the NDP Party. As I drove by my childhood school, The Edward Schreyer Beausejour High School,

I could not believe this to be the same political party that he so greatly led and for whom I voted.

I must say to this government, without Mr. Penny, Penner and Mr. Pawley - sorry about that, that's not a deliberate attempt, it's a penny for my thoughts:

No. 1. I say to this government - where is my \$1 million to use for a propaganda campaign to convince Manitobans that you're wrong.

No. 2. The path you are taking will lead to the destruction of the NDP Party for many years. I personally will instruct my offspring to be aware of the NDP.

No. 3. The people of Manitoba are not ignorant bigots, as the city councillors have suggested. There are those who know the real issues, and there are those who have dealt with government long enough to know that this is federal bilingualism all over and we want no part of it, because it will divide Manitobans forever. If you proceed, they will interpret your actions as those of a corrupt government, and respond accordingly in all their dealings with government. They will feel justified in lying and cheating as this government has done to them.

4. The plan of action this government should adopt is as follows:

- (a) Continue with the provision of services as legally required and as begun by the previous government;
- (b) Commit this government to proceeding with unilingual constitutional amendments in the event that the current laws are ruled invalid.
- (c) In either case, establish an all-parties commission to identify and document all requests for non-English language services in Manitoba in order to establish a needs analysis.
- (d) Respond to those needs analysis through the provision of services.
- (e) Review those needs and adjust accordingly.

In summary, I wish to say:

1. I know this issue is not a restoration of rights, but an extension of rights.

2. I know this issue is not "protection of the rights of ethnic minorities" for it will negatively impact on the language services they now have in place unofficially (except for French services which will be enhanced).

3. I know this legislation is not needed to meet our obligations to the French as set down in 1870, because we have been forced to do so by the courts anyway.

4. I know this is a Federal Government push, and somewhere the rewards will be great. I don't know and I don't care where the rewards come from. I don't wish to be bought.

5. If anyone is to decide on a course of action for this province, only the people of Manitoba have proven themselves worthy of the task over this government and over the courts.

I am the one who has the moral right to decide on changes to Manitoba's Constitution. I, a person of Ukrainian background who knew no other language when I went to school; with my wife, Elaine, of German background; with a child, Kevin, presently taking German and French; with a second child, Kimberly, who enjoys Ukrainian dancing, who has won a trophy in a French-speaking contest. Let me tell you, that doesn't happen in a family where the parents are bigots, but where they are Manitobans first. We are the people who should decide, and there are one million of us.

P.S. Mr. Mulroney, you had better listen to what we are saying

Thank you.

**MR. CHAIRMAN:** Order please. Members of the gallery are fully aware of the fact that in hearings in Winnipeg before, demonstrations from the gallery, either in the House or in committee, are strictly forbidden.

Questions for Mr. Morris, please?

Mr. Penner. Mr. Doern.

**MR. R. DOERN:** Mr. Morris, then I gather that you have no concern or fear about this matter going to the Supreme Court.

**MR. C. MORRIS:** That's correct.

**MR. R. DOERN:** You do not envision the Justices making a ruling that would result in legal chaos?

**MR. C. MORRIS:** As our best constitutional lawyer has said, there is but an outside chance of that. I know the courts have a responsibility. There is something in the law which says that if something has been in use for a certain amount of time, then it establishes a precedent for the continued use of that particular law.

I have said that even if it does go and if legal chaos is a problem, which I don't think it is, that we should have an alternative plan, and that alternative plan be to proceed with unilingual amendments.

**MR. R. DOERN:** Do I understand you to say then that, if a ruling was of a certain variety, you would recommend to the government that they reintroduce English as the only official language? Is that what you're suggesting?

**MR. C. MORRIS:** I'm suggesting that, yes.

**MR. R. DOERN:** You also made a number of references to the effect on other ethnic groups, and you talked also about the proliferation of services. What is your main concern there about the proliferation of services? Is it the demands, or the bureaucratic reaction to them?

**MR. C. MORRIS:** Well let's take a look at this map here. It shows little blue areas all over the province. These areas would be only the areas that would be bilingual. If you take a close look at this map, you will see that La Broquerie is mentioned here, but Steinbach isn't. But again if you look at the policy, since Steinbach is the regional centre of that whole area, offices in that area would be required under the Constitution and under the proposed guidelines of this government to provide French Language Services. The same is true in Portage la Prairie - again it isn't shown here - and all over the province.

All you need is one small town which requires the services which is part of a larger geographic area where naturally headquarters will be located - headquarters of organizations are located in Steinbach, Morden, Portage la Prairie. When you're finished, this map probably could be covered all blue, rather than the small blue spots it shows now. So the proliferation of services is of great concern to me.

**MR. R. DOERN:** Are you suggesting as well - I think you have - that if this legislation were to proceed,



amended or unamended, that then there would also be intense pressure coming from the other ethnic and cultural groups for similar services or similar funding?

**MR. C. MORRIS:** I am actually saying that if this legislation proceeds - what I'm really saying is - the people pushing this legislation are saying that it will enhance the rights of all the ethnic communities. There is false hope being raised. I hope that the other ethnic groups do not respond by demanding rights of their own, but fall back and say that I am a Manitoban first.

So I'm saying that the proponents of this legislation are the people who are actually giving false hopes to the many ethnic groups that they will have more rights when, in fact, as far as I know and as far as a lot of people I've talked to believe, their rights will be negatively affected, and people in other ethnic groups will actually rise forth. If this legislation goes through, there'll be a hue and cry from all those people, "How come we used to have a person here who spoke Ukrainian, German, Italian, what have you, and now we don't?"

**MR. R. DOERN:** On what basis are you saying that? Are you suggesting, for example, that the pamphlets are saying that the government's printed literature is suggesting that or statements by Ministers or what?

**MR. C. MORRIS:** Well, I quoted from this pamphlet and from "Constitutionally Speaking" and from statements from all proponents of the legislation. I guess I can't pinpoint a particular place, but reading the newspaper every day there are proponents of the legislation and in this pamphlet both saying that ethnic groups will get something, when in fact the ethnic groups, except for French, will lose them.

**MR. R. DOERN:** You also talked about the immigration from 1870 to 1890 after which legislation was introduced to make English the only official language of Manitoba. What is your reading of that period? Is it that the change in population led to a change in legislation or that there was a rise in bigotry and intolerance which lead to a change in legislation?

**MR. C. MORRIS:** Well, again, I must refer to Hansard; wherein, if you go back and read the particular proceedings at that time, the language issue was not at all debated except for a very small part in the Legislature. There was no human cry, so you can expect in a community like that everybody realizing that we're all out here - pioneers - it's all for one and one for all. You can expect the people at that time had they felt so strongly against it, that there would have been much more said by the French-speaking members of the House of Parliament. There were two people in the House of Parliament at that time who were French speaking, and the language issue was not even brought up. So, I suppose that there wasn't at all a move towards bigotry but that it was a genuine intent at that time, that, hey, we don't need this. It's costing us a lot of money, we're not doing it anyway. Let's get on with the business of becoming Manitobans.

**MR. R. DOERN:** Do you have any figures on the increases in immigration in terms of numbers or relative increases or relative declines?

**MR. C. MORRIS:** No, I don't.

**MR. R. DOERN:** My final question, Mr. Morris, is: if we were to boil down your presentation, I realize you said many things and made many valid points, but if we boiled it down, it would seem to me that your basic thesis is that Ottawa is calling the shots in this particular instance and that it is not a made-in-Manitoba solution, but an attempt from the east to call the shots or pull the strings, is that really the essence of your brief?

**MR. C. MORRIS:** Yes, it is.

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

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

**MR. A. BROWN:** Thank you, Mr. Chairman. My question to Mr. Morris is this, and I wonder if he would repeat what he said at the beginning of his presentation when he referred to the Attorney-General. I didn't quite get his comment. I wonder if he would mind repeating that particular statement.

**HON. R. PENNER:** Very cute, Arnie. I've heard that story before, I don't need to hear it.

**MR. C. MORRIS:** I'm wondering about which area, I have referred to him a couple of times, I'm wondering which area in particular?

**MR. A. BROWN:** The first time. — (Interjection) — Mr. Chairman, if I remember correctly, the statement went something to this effect: that some people were not very fond of Roland Penner. I think it was something to that - I believe it was something of that nature. — (Interjection) — Now, Mr. Morris, I have two residences. I live in Winkler when I'm in my constituency and when I'm in Winnipeg then Mr. Penner is my MLA. I would kind of like to come to his defence over here. It has often been said that there are always two sides to every story.

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

**MR. A. BROWN:** Do you feel, Mr. Morris, that maybe we've just not seen that other side yet?

**MR. C. MORRIS:** I think I found the reference to - the biased background provided by the Attorney-General's department. I don't know if that's the particular part, but if you could rephrase your question into about 10 words or less and restate it, perhaps I could answer it.

**MR. CHAIRMAN:** I certainly appreciate your support in that, Mr. Morris.

**MR. A. BROWN:** Mr. Chairman, my other question was this: that you mentioned that this government was raising one minority group above all others by entrenching the French language. To your knowledge, is any other language entrenched in Manitoba?

**MR. C. MORRIS:** At the present time to my knowledge right now, The Manitoba Act covers the rights given to the French in 1872 and those are the only rights enjoyed by any group that I know of.

**MR. A. BROWN:** What I was getting at, Mr. Chairman, was this: I was wondering whether Mr. Morris thought that then also the English language maybe should be entrenched if we are going to entrench one language.

**MR. C. MORRIS:** You notice in my brief I indicated that the only mandate that this government has from the people is that one of 1892 in which the Legislature clearly voted that the English rights should be the only rights within Manitoba.

Could I just have that question repeated, I'm sorry?

**MR. A. BROWN:** In your brief, you made a statement over there that by entrenching the French Language that we were raising one minority group against another. My question to you was: whether you knew of any other language that had been entrenched in Manitoba, other than the French language what they're talking about now? My second question was this: would you believe, or do you believe that if we entrench the French language, that the English should also then be entrenched?

**MR. C. MORRIS:** I think that goes beyond the brief, the second question. I believe the English is now entrenched and so it does not need to be further entrenched. I can't follow your question, I'm very sorry.

**MR. A. BROWN:** That's all right, Mr. Chairman, we'll just leave it.

**MR. CHAIRMAN:** Further questions for Mr. Morris?  
Mr. Graham.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman. Through you to Mr. Morris, I believe - and I don't have a copy of your brief in front of me, Mr. Morris - quite early in your presentation you made reference to entrenchment in Constitution and I believe - I've got it written down here - that you believe that principles should be written into constitutional law, could you expand a little on that for me? I wasn't too sure what exactly you meant with it.

**MR. C. MORRIS:** Well, what I referred to - I believe this is the part - in referring to constitutions, I said that a constitution is a delicately balanced statement of fundamental principles which: (a) allows enough freedom of movement so that the organization can function; and (b) provides sufficient protection to the members of the organization against takeover or wrongful actions by the electorate governing body of that organization. So when I'm mentioning that particular portion, what I'm outlining the nature of a Constitution and saying that the Constitution is there to protect us, the Constitution is there to protect the people, and the people are the ones who change the Constitution rather than the governing body.

**MR. H. GRAHAM:** Another question. Since we have a proposal, a resolution before this committee, which

proposes to request the Federal Government to amend Section 23 of The Manitoba Act and entrench in that the provision of services, are you opposed to the entrenchment of services in addition to just the general principles in a Constitution?

**MR. C. MORRIS:** I am opposed to the entrenchment of the language services.

**MR. CHAIRMAN:** Further questions from honourable members? Seeing none, Mr. Morris, thank you very much for your presentation here this morning.

Linda Archer, Linda Archer.  
Fred Cameron.

**MR. F. CAMERON:** I'm going to wire myself for sound here.

**MR. CHAIRMAN:** If you wait one moment, Mr. Cameron, the Clerk will distribute the copies. Please proceed.

**MR. F. CAMERON:** Mr. Chairman, members of the Standing Committee on Privileges and Elections, ladies and gentlemen, my name is Fred Cameron, a resident of Winnipeg and a very concerned Canadian citizen, with emphasis on the word "Canadian."

For the record, they are people who inhabit most of the northern half of the North American continent. They are also people whose roots come from many races around the world, identified internationally as Canadian, by being born in Canada, or having completed a recognized process of naturalization in Canada. This is something relevant to the subject I address today and must be considered. There can be no favouring one ethnic group. The democratic majority must govern, not the minority, as we see today in too many situations and in all levels of government. The sooner we recognize we are "Canadian" and not a "something-Canadian," the better for all of Canada. This is 116 years overdue. It would also eliminate such situations as we discuss today.

I am not a lawyer, politician, doctor, professor, or expert of any kind, and as you can see, no typist. Born in Southern Saskatchewan of Scottish parents who were homesteaders, joined the Canadian Armed Forces and served for over 28 years, this allowed meeting people of different races, colours and creeds and seeing other lands. Through this, I find most people only want a place on earth to live, laugh and love. Only a small percentage want to cause trouble with their fellowmen. Yet everyone has emotions of anger, jealousy, ego, power, etc., and if unchecked, lead to turmoil. Incidentally, my English language only failed me once in these travels and that was in downtown Tokyo, in a situation that usually would have enabled the use of the English language.

In dealing with the proposed amendment to The Manitoba Act, the buildup or background must be understood and be seriously considered. It is my experience, after taking note, being concerned and studying the French culture escalation in Canada, I found too many Canadians did not understand or had not been taught Canadian history. I also found out more about these so-called French rights, especially the basis

thereof. I also discovered deterioration or flaws in our governmental structure and process. This, I find, has been a factor in the continuing English-French question in Canada. Before going any further, I will deal with The Manitoba Act amendment.

In the first place, you are trying to amend a section of the act that is very controversial and is not needed or wanted by a great majority of Manitobans; and a majority opinion has never been sought. Section 23 of The Manitoba Act was originally inserted in a very undemocratic way. In the second place, the need for French language has been greatly reduced since 1870, as Manitoba's population of French origin has become a very small portion. This alone should justify one official language in Manitoba. The British North American Act never forbade any province having an official language - then this country would look rather silly with 10 official languages when one is all that is needed. But Quebec seems to be enforcing one language; nothing is done about that. It seems what Quebec wants, Quebec gets. Remember Montreal's debt after the centennial and the games? - gambling suddenly became legal.

Thirdly, the present government has acted beyond its mandate from the last provincial election. It was not given the power to negotiate with a minority group on such a subject that affects all Manitobans without a majority opinion. This is a minority group that does not have all Manitobans of French origin on its membership and does not reflect the opinion of all Manitobans of French origin. Negotiating in this manner with the Society of French Manitobans, in my opinion, was brazen, arrogant, ignorant and dictatorial. Surely our government knows this. Surely we know what dictators are, or have we forgotten the world wars and all the strife since then? Do you not also wonder what our people in those wars, who gave their all for your freedom and mine, would say to French expansion in Canada, and to the way our Provincial Government acted?

Further investigation into French expansion of language only uncovered more reasons to have English as the only official language in Canada. Our southern trading partner and our largest has a population of over 225 million people and their language is English. English is the language of world trade and aviation. Most of the world's mail is in English. People only need one language to communicate. It would be rather silly for one person speaking to another in one language and that person answering in another, when both knew both languages. Large world countries promote the learning of English.

Expansion of the French language in Canada has and still is costing taxpayers, through the Federal Government, untold millions of dollars. It is quite possible Manitoba would proportionately pay the same. And for what need? This is at a time when both levels of government are chalking up huge deficits each year. Imagine how long your farm or your home or your business would operate under these conditions.

By the quality of English you hear today, especially in government places, any money spent on language should be spent on upgrading the deteriorating English language. Anyone seeing a TV news item a few weeks back should get an idea of what it is all about. This showed a Winnipeg business trying to teach some new Canadians the English language. There was a chalkboard, meager furniture and drab surroundings.

Then go to the third floor of the Grain Commission Building in Winnipeg, and take a look at the audio visual, electronic equipment. This is where the Federal Government teaches French language.

To have everything in French and English takes twice as much paper for a start, helping deplete our forests at a faster rate. If the French print is not reduced, then more paper and ink are used. Conservation is preached by all governments, but French expansion, it seems, must go on. Just count the letters and characters in any quantity of material translated from English to French and see for yourself. I ask you, is there any logic in any of this? No, we do not need expansion of French in any way, shape or form.

Bilingualism caused the fall of New France by the ability of the Scottish soldiers to speak French to the French guards, after scaling the cliffs below the Plains of Abraham. Bilingualism can and is in the process today of succeeding where General Montcalm failed. We have been warned of this for some years.

The term "bilingual" means French only in The Official Languages Act of Canada, an act that had no majority opinion input. In other usage, it means any two languages. The first step in Manitoba is expansion of French services, then bilingualism, and the last step, I leave to your imagination while digesting this story.

An Arab and his camel were crossing the desert and a violent sandstorm overtook them. The Arab pitched a tent and sat inside in comfort. After awhile, the camel stuck his nose in the tent, saying he just wanted to clear his nose of sand and breathe easier. The Arab said, okay. After a short time, the camel stuck his eyes in the tent to clear his eyes of dust. Again the Arab said, okay. The camel used the same method with the rest of his body. The story ends with the camel sitting in comfort in the tent, and the Arab out in the blinding sandstorm. You may laugh or scoff, but think of it.

I urge our government in haste to hold this amendment bill in abeyance, then set in motion the required machinery to allow voters' opinion by having a ballot at the next provincial election, which asks, "Does Manitoba need an official language besides English?" At the same time, urge municipal government, societies, associations, etc., to hold discussions which would be well in advance of any vote.

In order to understand the French language issue more clearly, and what I termed earlier as faults or flaws in our structure and process of government, we must look to some history at least. The most glaring fault is the one we see today of minorities governing majorities, and elected representatives taking action on major issues without consulting the majority. This government is by no means alone in history with this sort of behaviour.

Our past Premier took a strong stand against French language in the Canadian Constitution. Then, through reasoning I fail to understand, signed a document that entrenched the French language far deeper than any other document.

There are other instances where majority opinion was not taken: The British North America Act, Official Languages Act, The Manitoba Act and the Canadian Constitution. All of these affect our lives, and all of these documents had French privileges written in without a voter's opinion.

History records a doubtful insertion of French privileges in The Manitoba Act of 1870. While I do not

condone the action of any parties involved, I feel the entrenchment process should be examined. The Government of the Day at the junction of the Red and Assiniboine Rivers sent representation to Ottawa to negotiate the forming of the Province of Manitoba. Part of this representation was a Father Taché. On their return, they were placed under guard by Louis Riel, who dispatched his own representatives, which included a Father Ritchot. The result was a secret list of rights were taken to Ottawa, and inserted in The Manitoba Act. These were the same privileges as found in The British North America Act, specifying where French may or would be used, not mentioned in terms of bilingualism or official language. This was a modified version of what was in The Quebec Act of 1774.

At that time in Manitoba, the French nationality was not a majority in Manitoba, and almost 50 percent of the Metis population was of other than French mixture. By 1890, when the "other than French origin" settlers in Manitoba found out about the secret list, they demanded the "English only" amendment to the act.

At this point, I examine the word "rights" as used in defining conditions and positions of Canadians of French origin in our Canadian structure. I believe we humans were given a privilege, not a right, to live our life in this wonderful, beautiful and abundant world. But let us not forget, hand in hand with privilege or rights as you wish, go responsibilities.

The first privileges given forefathers of Canadians of French origin was at the capitulation of Quebec City and Montreal. The French military forces were allowed to march out complete with arms in a dignified manner, then transported back to France. That offer of transportation was offered to the civilian population. Very few took advantage, as they were advised it would be better living under lenient British rule than harsh French rule. There were other conditions of leniency stipulated.

I consider that as generous, as Britain and France had been fighting for years. The next generous privilege was authorization of the French language, religion, education and some French law in The Quebec Act of 1774. Input to this was taken from the first two British Governors of Quebec, General Murray, who was Scotch, and Sir Guy Carleton, who was born in Ireland. Both were considered liberal and radical and both "hated" democracy. Imagine this as the basis of French privilege! Murray declared himself as protector of the French, while Carleton is credited as being the major contributor to The Quebec Act.

This act was drawn up with some ulterior motives in the mind of the British. At that time, the American War of Independence was very real. The British thought, if they could secure French loyalty, it would keep them from siding with the American colonies. So the act extended Quebec boundaries to the Ohio Valley and the Mississippi, then north to join Ruperts Land. This would also ensure or tend to ensure the French not taking sides with the colonies. By the unfolding events, history records this was not fully achieved. Wars and treaties have shrunk the size of Quebec so much from that time, it makes the act worth very little today.

The privileges of the act were reduced and perpetuated in The British North America Act, and in The Manitoba Act, then expanded and written in our Canadian Constitution. This was always done with a

political/minority decision. That kind of government must stop, and voters must have a better check and balance on our elected representatives. Our Governor-General, Lieutenant-Governors and Senate do not seem to be able or adequate to stop this sort of thing. Of course, we, as the public, also contribute a flaw, as too often we do not tell our elected representatives what we think. We seem so busy making ends meet, or we are having life so easy, or we are told by some experts we can do our own thing, giving us so much of a sense of independence. In any case, we do not take enough interest or action in our governing process.

The extension of the French services in our province is only the tip of the iceberg, as stated before, and in summary make the following points. No way, our Fathers of Confederation or the Fathers of The Manitoba Act could democratically bind a greatly expanded population 100 years in the future to anything. Bilingual, as termed in The Official Languages Act, should only apply to Quebec, if we want to be logical, and Quebec should greatly expand services in the English language. By all indications Quebec wants no part of bilingualism. French should not be extended because of the wide national and international use of the English language, because the cost is enormous and we have large deficits. It needs only one language to communicate.

These French privileges have never been put to the test of a democratic vote. This is no longer a question of French-English, but of French and the rest of Canada. Conditions have changed so much with the passage of over 100 years. No one should be bound, at least not against the wishes of the majority, by a decision made by so few so long ago. Any money spent on language should be spent on the deteriorating quality of the English language. One official language would unite Canada like it has never been before, allowing it to take its place in the world as a truly great nation, where it should have been years ago.

Take note of what our Secretary of State, the Honourable Serge Joyal, told the Acadian Federation of Nova Scotia on the 13th of November, 1982, and to digress from my brief, I think we've heard enough of that one. In general, he said Canada was a French state and his top priority would be to push French expansion across Canada at any cost.

Also take note of what the Quebec Minister of Education, Camille Laurin said, as reported in the Winnipeg Sun, 22nd of September, 1983. He feels the Manitoba amendment is only the first step and Quebec gives monetary help to the French cause outside of Quebec. He also wants minority groups controlling schools and such institutions. If all minority groups did this, Canada would soon end up an area of over 50 small countries and eventually they would be at each other's throats and turmoil would be on the same basis, with the same grudges as in Europe and Asia. No - we must unite as Canadians with one official language of English for a start, and we must help Canadians in all parts of Canada to promote the Canadian cause.

We must also take note of what Acadians do at their Annual Clambake Frolic. There are reports of burning Her Majesty the Queen, in effigy. They also burn the Canadian flag; these are people. These people are descendants of the original Acadians who would not take the oath of allegiance to Britain.

I say to Manitobans, remember the tip of the iceberg, and the story of the Arab and the Camel - also what

Serge Joyal and Camille Laurin are saying. And I say to all Canadians of voter age, who are against French expansion, to tell their members of Parliament, Member of the Provincial Legislature, and rural or urban councillor, that they will not get your vote in the next election.

I am sure there are people who will run as Independents or on an "English only" official language plank in a platform. Politicians do understand one language and that is the language of votes. We, as Canadian voters, must also secure a much better check and balance of government that would reflect a more democratic rule by the majority.

In conclusion - I have nothing against anyone learning another language, more power to them, as long as the taxpayer does not have to pay too much of the bill, most definitely, not to the extent the French language is supported today. Apparently the Federal Government has spent 30 times more on French language than on multiculturalism - can you now see the direction this thing is going? From now on let us deal with this from a view of reality. With that - go to it, Canada - and long live a free Canada. Thank you for listening.

**MR. DEPUTY CHAIRMAN, P. Fox:** Thank you, Mr. Cameron. Are there any questions of Mr. Cameron? Thank you again for your brief, Mr. Cameron.

Our next presentation is Mary-Ann Adams. Mary-Ann Adams.

Rolande Flockton, Rolande Flockton.  
Alice Richmond, Alice Richmond.  
Rev. W.J. Hutton, Rev. Hutton.  
A. Bedbrook.

**MR. A. BEDBROOK:** Mr. Chairman, members of the committee, ladies and gentlemen, the citizens of Manitoba are being faced with the entrenchment of the French language into the fabric of the province. This entrenchment, instead of strengthening unity of our diverse cultures, will create discord amongst our many cultures. In the federal scene, we see the emergence of an elitist group, a group that to government must be bilingual. We have seen in the recent Conservative Leadership Convention the defeat of a unilingual candidate, defeated not because of lack of capabilities, but defeated because he was unilingual.

The Secretary of State in a speech in Halifax, November 13, 1982, declared we are doing everything we can to make Canada a French state - by we, we can only presume the Liberal Party.

George Forest on the 22nd of June, 1983, on the Peter Warren program of CJOB, in conversation with Russell Doern, made the statement to the effect that in future no Prime Minister will be unilingual and even persons in high office in Provincial Governments will necessarily be bilingual. This should be a concern to all of us who do not have French as a second language; concern indeed to every ethnic group that has aspirations to hold office in our Legislature. How this entrenchment will protect the culture of other ethnic groups is beyond comprehension; rather it will relegate other cultures to even a more secondary role in our society. Surely, the people of Manitoba should decide on an issue as important as this is, an issue that will affect future generations of Manitobans. This matter

of entrenchment will no doubt raise contention and dismay amongst many members of organizations that seem to favour this entrenchment. I have spoken to a number of my German, Ukrainian and Jewish friends on this contentious issue, some who belong to some of these organizations and many who do not, but in the main, they are adamantly opposed to this measure. In a democratic society such as ours, every citizen should be able to vote to decide on this future role in this Confederation.

It is ironic that a party such as the NDP who purport to uphold the democratic system should violate this system by imposing entrenchments of the French language without giving its citizens the opportunity to decide by referendum the will of the people. Let me give you the definition of democracy: "Democracy is a form of government for the people by the will of the majority of the people."

The cost involved in such a measure will be incalculable despite what our esteemed Attorney-General tells us. We have already spent, in one instance, something like \$30,000.00 to install instantaneous translation equipment in the Legislature, a Legislature that has probably two or three French speaking members, members who are possibly more understanding of English and more literate than many of us.

In the federal system there is a bilingualism bonus of \$800.00 paid to 50,000 civil servants in bilingual positions. In our democratic free bargaining process there is no reason why provincial civil servants cannot bargain for this same bonus and why not? The MGEA has estimated that some 4,000 provincial civil servants may be required to be bilingual to implement this program, the resulting costs boggle the mind. Even if only 400 are required, as our government so blithely tells us, the cost will be something like \$320,000.00. We look at translation costs, the Quebec Government spends 42 cents to translate a word and Bell Canada 30 cents a word, taking an average of 36 cents a word, the cost of translating this relatively short brief would be something like \$405.72.

When we think of the thousands and thousands of words that will require translation, the costs will be horrendous. Those who think that the Federal Government will pick up the tab for all these and future costs are living in a dream world. The people who will be shouldering this burden will be us Manitobans, both French and English. These economic costs will filter down to the cost of the government and the cost of doing business in this province. We will see this province by-passed by business and the flight of capital to our neighbouring provinces not burdened by these added costs of doing business.

The Manitoba Act of 1870 was passed in a different age, when the population of Manitoba was some 12,000, fairly evenly divided between French and English. This was in 1870. Now, out of 1 million Manitobans, we have only some 52,000 French-speaking Manitobans. It is conceivable that our population in this next decade or so will double or even triple, which will make the disparity even greater. A study of two Montreal demographers tells us the population of French Canadians to the rest of the Canadian population will drop by the year 2000, making this imbalance even greater.

This act was passed because of political expediency in view of the threat of the provisional government of Louis Riel, and the act was passed largely on Riel's terms and the threat of American intervention in the North West, an act strongly backed by French-Canadian influence in the Federal Government. All facts then are not relevant in 1983. In Manitoba, the Dominion had been forced to impose an elaborate highly unsuitable Constitution on an immature province that had not yet developed its real and permanent character. In 1869-70, Prime Minister MacDonald established a territorial form of government of the north west, recognizing his mistake of determining in advance that in detail the Constitution of a country which could hardly yet be said to exist. This reflection by MacDonald saved the provinces of Saskatchewan and Alberta from the burden placed on the Province of Manitoba.

How can a government impose in 1983 this burden, that once it is passed becomes entrenched and can be challenged by the George Forests and the Roger Bilodeaus in the courts to enlarge its provisions, because once entrenched it is out of the reach of our legislators and future generations of Manitobans.

In conversation with a member of the Franco-Manitoban Society, I am given to understand that their

membership is some 8,000 or 9,000 out of the total French-Canadian population of this province, and who is to say that the vast majority of French Canadians are in favour of these entrenchments when only some 576, at a meeting of the society, ratified this agreement. This same gentleman advised me that of the French-Canadians in Manitoba only some 33,000 use French in their homes. It is uncomprehensible why our government should negotiate our future with this comparatively small group, and with a Federal Government that is intent on imposing its will on this province of ours.

We would sincerely hope that our present government will reflect on this matter of entrenchment, otherwise they could pass into oblivion.

Thank you.

**MR. DEPUTY CHAIRMAN:** Thank you, Mr. Bedbrook.

Are there any questions? Thank you again, Mr. Bedbrook.

The hour being 12:30, the committee is adjourned until 2:00 p.m.