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of the
Legislative Assembly of Manitoba

STANDING COMMITTEE
on
PRIVILEGES
and
ELECTIONS

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
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ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS
Monday, 26 September, 1983

TIME — 10:00 a.m.

LOCATION — Arborg, Manitoba

CHAIRMAN — Mr. Andy Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the committee present:

Hon. Mr. Bucklaschuk, Hon. Mrs. Smith, and
Hon. Mr. Uruski

Messrs. Anstett, Brown, Enns, Graham,
Kovnats, Malinowski and Scott

WITNESSES: Reeve Edward Peltz, R.M. of
Woodlands

Reeve Harold Jones, R.M. of Woodlands
Councillor Vernon Sund, R.M. of Woodlands

Mr. Rens Renooy, South Interlake Planning
District

MATTERS UNDER DISCUSSION:

Proposed Resolution to amend Section 23
of The Manitoba Act

* * * *

MR. CHAIRMAN: Meeting come to order. Good morning, ladies and gentlemen. The purpose of this hearing is provided for in a resolution passed by the Legislative Assembly of Manitoba on the 18th of August. It reads in part:

WHEREAS the Government of the Province of Manitoba has proposed a resolution to amend Section 23 of The Manitoba Act, which amendment concerns a translation of the Statutes of Manitoba, or some of them, and the question of government services in the French as well as the English language; and

WHEREAS the Legislative Assembly of Manitoba deems it advisable to hear the views of Manitobans on the subject matter of this resolution.

In accordance with that resolution, this committee, the Standing Committee on Privileges and Elections, is holding a series of hearings throughout Manitoba on this question.

Before we begin, I'd like to introduce the members of the committee who are here today. On my far right, Donald Malinowski, Member for St. Johns in the City of Winnipeg; beside Donald, your local member here, the Minister of Agriculture, the Hon. Billie Uruski, Member for Interlake; beside Billie, John Bucklaschuk, Minister of Consumer and Corporate Affairs and Member for Gimli; beside him, the Hon. Muriel Smith, Minister of Economic Development and Member for Osborne, a City of Winnipeg seat; and beside Muriel, Don Scott, also a City of Winnipeg Member for Inkster.

On my far left, Harry Enns, Member for Lakeside; beside Harry, Abe Kovnats, City of Winnipeg Member for the riding of Niakwa; beside him, Arnold Brown, Member for Rhineland, and last but not least, Harry Graham, the Member for Virden.

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

Gentlemen and ladies on the committee, before we go any further, I should advise the committee that I've received the resignations of Messrs. Evans, Penner, Plohman, Lecuyer, Mackling, Orchard and Mrs. Oleson. I understand the replacements are Messrs. Bucklaschuk, Scott, Uruski, Enns, Kovnats, Ms. Dolin and Mrs. Smith. Could I have a motion to that effect please? — (Interjection) — So moved. Is that agreed? (Agreed)

I'd like to bring it to the attention of members and members of the public that simultaneous translation is being provided at these hearings. Immediately prior to any brief which will be done in French, you will be able to pick up a radio receiver from the technician at the desk beside the translation booth. Members already have them. You'll sign them out and that way you'll be able to listen to the interpretation of that brief.

If anyone does have a brief that they wish to present in French, we would appreciate it if you would provide a copy to the Clerk at the Clerk's table on my left in advance so that the interpreter can have a look at it prior to the actual presentation.

Ladies and gentlemen, in addition, there is a Hansard transcript available of all the meetings, that's why the recording equipment at all of our hearings. If you would like to receive a transcript of this meeting or any or all of the other meetings of this committee during this month, please register with the Clerk at the conclusion of either of today's hearings, either at noon or at supper time or this evening, if it's necessary to be here this evening. Leave your name and mailing address with the Clerk, let her know whether you wish to receive only today's hearing or all of the hearings on this subject and you'll be placed on the mailing list.

Unless there's any further business from members, Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Mr. Chairman, with respect to the briefs that are being submitted this morning, I'm wondering if Mr. Rens Renooy, who is representing the South Interlake Planning District, could be allowed to present his brief this morning. I understand he has a funeral to attend this afternoon.

MR. CHAIRMAN: What is your will and pleasure? It's been suggested that No. 16 be heard this morning for personal reasons. Is it your will and pleasure to accommodate that request? Is it suggested that we hear that brief first or that we ensure that it is heard this morning?

HON. J. BUCKLASCHUK: As long as it's heard this morning.

MR. CHAIRMAN: Is that agreed then? (Agreed) Thank you.

The list I have contains a total of 24 names. If there's anyone in the audience who has not yet registered with the Clerk and wishes to make a presentation to the committee, please register with the Clerk sometime this morning.

For members of the committee, the typed list you have contains 23 names. I have received the addition of a 24th, Mr. Lesley Osland, private citizen - sorry, Miss. I saw Mr. Les Osland here a few minutes ago. I assumed that's who it was.

The first name on our list then is Mayor K.N. Reid of the Village of Arborg. Mayor Reid, please. Is Mayor Reid here? Reeve Edward Peltz, R.M. of Woodlands. Reeve Peltz, please.

Reeve Peltz, before you begin, I see that the next three individuals on our list, including yourself, are all representing the R.M. of Woodlands or are from the R.M. of Woodlands. — (Interjection) — But you're representing the official brief for the R.M.? — (Interjection) — There'll be three official briefs from the R.M. of Woodlands? — (Interjection) — Okay, please proceed.

MR. E. PELTZ: Thank you very much, Mr. Chairman. Members of the committee, ladies and gentlemen, my name is Ed Peltz, I am the Reeve of the Municipality of Woodlands.

I will attempt to deliver my brief in a number of languages, but unlike Mr. Forest I will provide my own translation. Although if I spelled my name with a "U" instead of a "W" and pronounced it "Eduard" and added an "E" to my last name and pronounced it "Peltze" some civil servant would provide me with instant translation.

Je voudrais vous remercier de me permettre de vous parler de mes pensees et opinions de bilinguisme.

I would like to thank you for the opportunity to speak to you about my thoughts and opinions on bilingualism.

I think bilingualism, like the Constitution and the metric system, is a ridiculous waste of time and taxpayers' money. It is the most divisive issue that has ever been presented to the people of this province and this country. Given more time, it will stir up more controversy and emotions than the American Civil War, except that no shots have been fired . . . yet!

My grandparents came to this country from Austria almost 100 years ago. They came to find, not only a better place to live, but a better place to raise their future generations. They knew that they would have to accept different customs, change their lifestyle, and likely learn a different language. My memories of my grandparents are vague, I know that they never learned to speak English or French, but their children (my parents) did. They never asked for any special privileges, they accepted what was the custom.

It may interest you to know that my father and his brother married sisters. When my parents went to visit my uncle and aunt they spoke Ukrainian. When my uncle and aunt came to our house, Polish was the language that was spoken. At no time did I ever recall any disputes about which language should be spoken in either house. Our house was no different than many others in the area.

In the Town of Beausejour, at that time, there were people who spoke many different languages. Mr. Pitch who was Jewish spoke nine languages, Mr. Duggard and Mr. Bethel who were English, spoke seven, and Mr. John Schreyer, the father of our Governor-General and a neighbour of ours, spoke seven languages. He was a very intelligent man and yet none of these people asked for any special privileges, they learned these languages on their own because it was beneficial to their business and to Mr. Schreyer, it enabled him to learn all about the people who lived in his community. It seems odd that people who have been born and raised in this country should want special rights so that they can be spoken to and receive services in French, and then they expect someone else to pay for the cost.

If mistakes were made in regard to language rights, I would have to go back in history to a battle fought on the Plains of Abraham near Quebec almost 200 years ago. If the history books are correct, the French lost the war and that should have ended any disputes about which language should be spoken in Canada.

Kedish pzdaji czaz ze Canada znouf poidja do wiona jaki commandi nashi generali beddome dowach do nashich zomiezouf. Po Angaisku ci po Francusko jak beddome dowach pñ Angaisko to nashi Francuski zomieze nebeddome rosumiech. Jak beddome dowach po Francusku to nashi Angaiski zomieze nebeddome rosumiech. Zakiem woni dodzum commandi po Angaisku I po Francusku yush badje zaposno strieliech.

There will come a time when Canada may again go to war. What kind of commands are our generals going to give to our soldiers? Will they be in English or in French? If they are going to be in English then our French-speaking soldiers will not understand them; and if they will be in French, then our English-speaking soldiers will not understand them. By the time they are given in both languages it will be too late to fight.

Ie kto budi plotiti za to fchou. Ja znaiu schtou wi skazitte minie schtou goverment. Ah kto yi toi goverment. Wi ja ti fchie ludi. I woni to nikouchout. I yiem to netraba. Jak ja budu ktu ze be moie gitte sche nowochilli ouhoritti po Polsku albu pu Ukriinsku. Ja yiech som nowchu. Tal jak ja sche nowchwi.

And who is going to pay for all this? I know I will be told the government. And who is this government? You, me, all these people. They don't want it, and they don't need it. If I want my children to learn to speak Polish or Ukrainian, I'll teach them myself, just as I taught myself and nobody will have to pay.

Let's talk cost for a moment or two. This little book that I have cost three times what it normally should have. First of all, it was printed in English only, and I'm sure the government should have known better, so that copy was scrapped. Then it was translated into French, it took twice as much paper and twice as much printing, and who paid for it? You and I!

Recently, a family moved into our school division, their children were enrolled in a French Immersion course in St. Boniface. They asked if their children would be allowed to complete this course and our school board agreed. However, our school division had to pay the tuition fees and at the last board meeting in June they were handed a bill for \$4,800 for transportation costs. Again, who pays?

Mr. Forest started all this with a traffic ticket which he wanted issued in French. The Federal Government

gave him a grant of \$34,000 to enable him to take it as far as the Supreme Court. If he had to spend his own money it would have ended right at the traffic court. Mr. Forest asked for instant translation at these hearings, he was told if there were significant requests it would be provided; his was the only request. Since when is one request significant? I'm sure translation wouldn't be provided for me if I asked for Polish or Ukrainian. I belong to a minority, and that doesn't bother me, but it certainly does when a lesser minority asks for and receives special services that would not be available to me.

When these hearings began in Winnipeg, the Quebec Alliance took up most of the first day with their presentation. What right have they got taking up time that should be for Manitobans? They have enough problems in their own province without coming here and giving some of them to us. Lately, Mr. Trudeau, Mr. Mulroney and Mr. Broadbent have become great pals in regards to our bilingual problems. Mr. Mulroney and Mr. Broadbent know that they will become unpopular in Quebec if they don't interfere in Manitoba's own problem.

We hear the word "bigot" mentioned in these hearings. The dictionary describes a bigot as an intolerant, prejudiced person. Its origin is French so they should know what they are talking about.

Let's look at other things for a moment. A number of years ago the now defunct Radio Oil Company lost a considerable amount of money on a large quantity of antifreeze. The Federal Government seized it because it was not labelled in French and because it is a poison. It was eventually labelled with French stickers and was allowed to be sold. My mother never learned to read or write in any language and yet she never drank antifreeze to see what effect it would have on her.

At that time the farmers in our area were having problems with rusty grain beetles in their grain. A fumigant called phostoxin was the only chemical recommended to use on them. It was so toxic that it had to be handled with gloves and you had to use breathing apparatus to put it into the grain. Would you believe that there were no English instructions with it. They were there in German, French, Spanish and other languages, but no English. I have here a spray bomb of lubricant. I'll pass it around, I'd like you to try it.

MR. CHAIRMAN: Order please. Mr. Peltz, displays are not permitted in committees. I'd ask Mr. Malinowski to hand it to the Clerk and she can return it to you. You can show members after the hearing.

MR. E. PELTZ: All right. I'm sorry. It is a spray bomb of teflon. It's got German on it. Can anybody read German, you can see it from here? It's got French on it; but there's no English on it. And it's used by one of the largest Crown corporations in Manitoba.

In the Town of St. Norbert there is a post office. St. Norbert is a multilingual community on the outskirts of Winnipeg. To accommodate the French population one of the three employees is French. Would you believe that the radicals in that community wait until the bilingual person is not available, they then ask for French services, and when they are not available, then they write nasty letters to their Members of Parliament crying discrimination.

At the beginning I said I was the Reeve of Woodlands. In 1980 we celebrated our Centennial. As a special feature in our parade, we had representatives from all the nationalities that live there. Our municipality has a population of less than 3,000 people, yet we have 34 different nationalities living in it. There are no fights or arguments about race, nationality or creed, although there may be a few about other things. We feel that this issue is that important that we will hold a referendum on it along with our municipal elections.

Our government says there will be a proposal to exclude or limit the use of French in municipal offices and school boards. Within a matter of hours after this becomes law there will be pro-French people at every municipal and school board office to demand services in French. If they are not available they will take them to the Human Rights Commission, and because that is a federal organization, it will take precedence over Manitoba laws.

Manitoba, Canada, is made up of many nationalities, let us not put one above the other. English is the international language of business and commerce of the entire world. Let us speak it and let the nationalities continue on as they have been, handing down their traditions, their cultures and their languages from generation to generation if they so desire. Let us accept our friends and our neighbours for what they are, not for their nationalities, their color, their creed, or the language that they speak. We are all equal in the eyes of God. Then, and only then, will Canada be truly Canadian, a nation unique because of its mosaic of many nationalities able to get along with one another for the good of the country and not just for their own personal interests.

I thank you very much.

MR. CHAIRMAN: Thank you, Reeve Peltz. Are there questions for Reeve Peltz from members of the committee?

Mr. Enns.

MR. H. ENNS: Just one question to Reeve Peltz. Reeve, you've demonstrated very capably your retention of language heritage, in your case Polish and Ukrainian, and I commend you for that. The motion before us is often presented by the government as being necessary so that minority groups, such as, the one you come from, and I might add, I come from, continue to have that privilege to pass it on to our children if we like, or to practice it in our churches or in our homes. Can you explain to me how entrenching additional French rights is going to make it possible for you to do what you've already done, retain Polish or Ukrainian culture?

MR. E. PELTZ: I don't think that it will help me at all, and I don't think it will help anybody. If you want to teach your children, teach them. Perhaps I misunderstood your question.

MR. H. ENNS: More importantly, the question is, you have not, as I have not, and as many other national ethnic minority groups in Manitoba, have been hindered from doing precisely that in their families, in their communities, if that was their desire.

MR. E. PELTZ: I missed one word when there was some noise.

MR. H. ENNS: I'm saying that you have managed to maintain your cultural and heritage ties without any entrenchment of the particular motion in front of us?

MR. E. PELTZ: Yes, I have.

MR. H. ENNS: Thank you.

MR. E. PELTZ: Unfortunately, I haven't passed them on to my children, because I don't think that they would use them if I did. They ask me the odd time if I can give them a few phrases in Ukrainian or Polish and I do. My knowledge of French is very limited; I took it at school about 30 years ago.

MR. CHAIRMAN: Further questions?
Mr. Enns.

MR. H. ENNS: One final question, is that a good product, by the way, that you were advertising?

MR. E. PELTZ: It's got to be the best. I wasn't advertising it, sir.

MR. CHAIRMAN: Mr. Brown.

MR. A. BROWN: Thank you, Mr. Chairman. First of all, I would like to thank Reeve Peltz for coming out and making this presentation to us. I think it's one of those that we have to really consider very seriously.

Reeve Peltz, you express your opinions rather strongly in this brief that you are presenting. Would you say that the major portion of the people in your municipality feel the same way as you are expressing yourself in your brief?

MR. E. PELTZ: I don't know how they feel, but I would certainly like to know how they feel, that's why we're holding a referendum.

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

HON. B. URUSKI: Thank you. I, too, want to welcome Edward to Arborg and for his presentation. Your Worship, you realize that there is a legal court case pending with respect to the Bilodeau matter and that there was a Supreme Court ruling vis-a-vis the laws of Manitoba. What is your understanding of that ruling that was brought down by the Supreme Court in the Forest case?

MR. E. PELTZ: I'm not aware of the decision that was brought down with regard to the Bilodeau case, I really am not.

HON. B. URUSKI: No, the Bilodeau case didn't go in, but the Forest case, what is your understanding . . . ?

MR. E. PELTZ: Well, I believe I stated in my brief that if he had not been encouraged to take it to the Supreme Court it would have ended in the traffic court and that would have been the end of that, and that's where they should all end. I wouldn't be able to get a traffic ticket

and go to the police station and say, . . . (Ukrainian spoken) . . . let somebody explain it, I don't understand what you have given me, would somebody explain it to me. I'm sure that unless there was someone there that spoke Ukrainian, would not come and offer their services. But yet here is a person that says, I demand, and I shall get. Would I be able to get the same services? I'm not saying that people shouldn't learn other languages. I said we have 34 nationalities in our municipality; I would love to be able to converse with every one of them in their own native tongue, but I don't think that anybody should pay for it. I think if I want to learn these languages, I should learn them myself and pay for the cost myself.

HON. B. URUSKI: Your Worship, you - I am assuming as a municipal official - believe in upholding the law. Am I correct in that?

MR. E. PELTZ: Yes, I do.

HON. B. URUSKI: If a court rules that your laws, as per the original agreement when our province was founded, because there was a law embodied in our constitution that the two founding races and the language of those shall be used in the courts and in the Legislature, and if the court ruled that you were not abiding, would you abide by that court ruling?

MR. E. PELTZ: I suppose you would have to, but not that willingly I wouldn't, no. I think there are more judges in the Supreme Court of Canada from the Province of Quebec than there are from any other area in Canada, and they would certainly rule in favour of the French language.

HON. B. URUSKI: But if the decision was unanimous, would you still have that kind of reluctance?

MR. E. PELTZ: I suppose I likely would, yes.

HON. B. URUSKI: You're aware, no doubt, that the previous administration was providing translation in the two official languages of Manitoba, and was moving ahead to translate our statutes. Are you aware of that?

MR. E. PELTZ: Yes.

HON. B. URUSKI: Were you opposed to that move?

MR. E. PELTZ: It was being done very gradually, sir, and it never came out into the public as much as this has hit the public's eye, and nobody was demanding, any farther than possibly in the Parliament Buildings, to have these services provided. But, today, it seems that every time you talk to someone it looks like they are going to be asking for them practically everywhere and they will carry them on; they will go on farther than just your government.

HON. B. URUSKI: Would you say that if we were to just translate 10 percent of our laws in the province, would that be a better agreement than translating all the laws?

MR. E. PELTZ: No, it wouldn't, because which 10 percent would you translate?

HON. B. URUSKI: Those that you would agree upon.

MR. E. PELTZ: And then who is going to agree? Would you and I agree on the 10 percent? Supposing I was a Francophone, and would you and I agree, and then let's say that a month down the road after this 10 percent was translated and I came along and I said, I don't understand this one, could you translate it into French? Would you then say, I'm sorry, but you've already got your 10 percent, or would you translate another one? And then you would go on and on and on and that would never end. Am I wrong?

HON. B. URUSKI: Yes, you are wrong. Do you want me to explain . . .

MR. E. PELTZ: Yes, I would like to know.

MR. CHAIRMAN: Order please. The purpose of questions is to seek clarification of the material contained in the brief submitted by the witness, not to provide additional information or to engage in questions on material that's not relevant directly to the brief.

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, there's no doubt Reeve Peltz is concerned and so are many of us with the costs that will be incurred. I mean, the major tenure of the brief, who needs these additional costs? And I agree with him, I have no difficulty with that in terms of trying to limit the expenditure of public funds in terms of the two official languages. Recognizing that, if the laws that are agreed upon are spelled out - and maybe Reeve Peltz is unaware that if they are put into the Constitution - then they are not subject to challenge because they are clear as to which laws are to be translated.

MR. CHAIRMAN: Question, please.

HON. B. URUSKI: What I wanted to know from Reeve Peltz is whether or not he is prepared to allow this other case that is coming up, or is in abeyance, to go to court and let that be the settling factor in the matter of how far do we go with the translation of our laws, or should we limit the laws to translating 10 percent of our statutes as per the present agreement?

MR. E. PELTZ: I find that a very difficult question to answer because there are a number of issues arising from it. If you take it to the Supreme Court as it is, and they rule in favour of Mr. Bilodeau, then it looks like all of your laws will have to be translated into French. If you drop it right there and make a deal for 10 percent then, regardless of which way it goes, he has beaten you. Has he not?

HON. B. URUSKI: Mr. Chairman, it's kind of difficult, because we were beat in '79 with the Forest case, and I think that was clear, the former administration was prepared and was in the process of providing and had provided . . .

MR. CHAIRMAN: Question, please.

HON. B. URUSKI: What I wanted to know, in addition to that, is whether or not a time frame for translating

10 percent of the laws of ten years, going through that process, is compressed or a reasonable length of time, in your mind?

MR. E. PELTZ: I suppose it is, but if you make a deal for 10 percent, I notice that there are amendments already, before the deal is even finalized. Who's going to say that there won't be amendments made later on, and there are certain things that they didn't think were really important, and all of a sudden they think that they are, and they would like them included? So then, instead of 10, you've got 12, and the next thing you know you've got 15, and it'll never stop. You'll have to continue with this until they are all translated. Once you have made a deal - I know a deal between two people, when you shake your hand, is usually supposed to be your bond - but unfortunately when laws are written, when it's typewritten down, it isn't nearly as good as a handshake and a straight look in a person's eye.

HON. B. URUSKI: Just one more question. Do I understand your position with respect to additional services? Since we are providing them now and will continue to provide them, that we should allow the Bilodeau case to proceed and let that be the determining factor? There's been two positions, there's been the position of saying, look, we don't want to give more power to the courts, that if you entrench it the courts will have the right to interpret but yet, on the other hand . . .

MR. CHAIRMAN: Question, please.

HON. B. URUSKI: . . . from the same side, that we should allow the courts to decide the Bilodeau case as to how far we go. I'm just trying to get clear what your position is in this case.

MR. E. PELTZ: I think, regardless of where you go with that case, that you aren't going to win it. Whether you take it to the Supreme Court or whether you make a deal with him, you are not going to come out anywhere, because the laws can be amended later on. I don't think that you are going to come out a winner regardless of which way you go. I can't answer that any other way, because that is the way I feel about it. I don't think you can go any other way.

HON. B. URUSKI: Okay, thank you.

MR. CHAIRMAN: Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Reeve Peltz, in a number of instances in your brief, you've made references to the special rights or special status, special privileges enjoyed by the Francophones in our province. Would you not agree that under our Constitution, The Manitoba Act of 1870, that the French were granted equal rights to the English in terms of use of the language in the Legislature and the courts?

MR. E. PELTZ: I suppose they were, I'm not that knowledgeable in Manitoba or Canadian history.

HON. J. BUCKLASCHUK: In fact they were. Would you not agree that if they were given these rights in 1870, that these rights should still be respected today?

MR. E. PELTZ: What was the change in 1890? Was there not some change that they're talking about in 1890?

HON. J. BUCKLASCHUK: You're referring to The Official Language Act of 1890 which was declared illegal in 1979 in the Forest case. So if that act was illegal and we go back to the 1870 act, which gave equal status to French and English, why would you refer to the rights that the French have as being special?

MR. E. PELTZ: I can't answer that. I think that Mr. Uruski's questioning and Mr. Bucklaschuk's questioning is actually going back to one and the same thing, because one is mentioning a time in history and the other one is mentioning language rights. I really think that I answered Mr. Uruski's question and I think that the answer that I gave to Mr. Uruski would likely answer Mr. Bucklaschuk also.

MR. CHAIRMAN: Further questions, Mr. Bucklaschuk?

HON. J. BUCKLASCHUK: I think this is very important because Reeve Peltz answered a question about other minority rights. What I am getting at is that if an agreement was made in 1870, and that agreement has not been changed to this date, if we are not willing to grant equal status to the French language and, in fact, if we want to take away those rights, if the province was to take away those rights from the French people, why would they not be equally in the position to take away any other rights or privileges that other minority groups have gained?

MR. E. PELTZ: They aren't trying to take away any rights from other minority groups because other minority groups aren't complaining about them. The only time they started to complain was when the French people began to get a lot of publicity about it and then the other nationalities started to say, well, why don't we get the same type of treatment?

HON. J. BUCKLASCHUK: A question with respect to your referendum. Do you have the wording for that referendum?

MR. E. PELTZ: No, I don't.

HON. J. BUCKLASCHUK: Reeve Peltz, do you have any idea what your referendum will be asking the electors of the R.M. of Woodlands?

MR. E. PELTZ: Not yet I haven't, no.

HON. J. BUCKLASCHUK: Thank you.

MR. CHAIRMAN: Mr. Malinowski.

MR. D. MALINOWSKI: Mr. Chairman, I would like to ask Mr. Peltz, through you, do you understand - I believe you speak fluent Polish, don't you?

MR. E. PELTZ: I used to speak it very well but since my father passed away about 10 years ago I have not used it.

MR. D. MALINOWSKI: I'm sorry to hear that, but I believe if I would say something in Polish you would be able to understand, let's try.

MR. E. PELTZ: If you don't use too high a Polish, I think I would.

MR. D. MALINOWSKI: I'm not that high.

MR. CHAIRMAN: Mr. Enns on a point of order.

MR. H. ENNS: On a point of order. I would like to have instantaneous translation. If the proceedings are going to be held in Polish, I would like to understand them.

MR. D. MALINOWSKI: I am prepared, why not. Bilingual. Just a few words. . . . (Polish spoken) . . .

MR. CHAIRMAN: Question.

MR. D. MALINOWSKI: Yes, now I'm coming to the question. Mr. Peltz, on Page 5, last paragraph, you put down there: "Manitoba, Canada, is made up of many nationalities, let us not put one above the other." This is your statement here in your brief. I would like to clarify this, that you probably don't understand the meaning of this Manitoba Act which we would like to put to the Constitution. We're not taking away anybody's language.

MR. CHAIRMAN: Question, please.

MR. D. MALINOWSKI: My question is, are you aware that in 1870, Manitoba entered Confederation on the understanding that development of what is now known as Manitoba for the past 250 years, something like that, to this effect, and on the understanding that both founding language groups would be fully respected in the new province. Are you aware about it?

MR. E. PELTZ: I've heard that, yes.

MR. D. MALINOWSKI: So now when we are putting this act to the Constitution, we're not doing it because we want to do it, but this is the requirement right now, we have to put it.

MR. CHAIRMAN: Question.

MR. D. MALINOWSKI: My question is that if you fully understand that we are not pushing French language, but we have to go according to the agreement which our forefathers made in 1870?

MR. E. PELTZ: I suppose you do, but it seemed that in 1890, what did they do? Ignore it, or ruled it invalid? But in 1979 somebody dug it up and started all over again. These things can always be amended and it looks to me like they have been amended all through the years; and sometimes they've been ignored, and sometimes they've surfaced again and just been allowed to go to sleep. Some of these laws, most laws, can be amended. And it seems to me that that is what is happening. Even before these hearings started, there were amendments put into this bill so that you could

accommodate a few other instances that they wanted to.

I'm not really that read up on the act but I see that any time that somebody wants something they can go to the government and say, look, we would like this, could you get an amendment to this so we can put it in? We do that with by-laws. We set up a by-law in the municipal office for a certain thing and somebody comes along and doesn't agree with it and we study it for awhile and say, well, we can amend that; and we do that. And there would be no reason why this act couldn't be amended 150 times in the next ten years. And you would start out with saying 10 percent; which 10 percent? All right, we'll give them this 10 percent, but maybe what they really wanted was 2 percent here, 2 percent here and 2 percent there, and so you got your 10. But then, all of a sudden, they're the wrong 10 percent, so we have to add a few. And it'll never stop.

MR. D. MALINOWSKI: I would like to answer this 10 percent or 2 percent. Are you aware that we have 4,500 statutes since 1870 and we are talking about 10 percent of this amount, 4,500, so we have in mind 450 or 500 statutes. That will be an agreement, there will be no more, but at least this 10 percent.

MR. E. PELTZ: Yes, I am aware of that.

MR. D. MALINOWSKI: Now, the other thing, I would like to also mention that what took place in 1890, first of all, are you aware that it was unconstitutional?

MR. E. PELTZ: I couldn't really say one way or another. It may have been, but if that was what the government felt at that time, then it was their privilege to say so.

MR. D. MALINOWSKI: I see. I would like to let you know that in 1979 when we had the case with Mr. Forest, and I would like to just let you know that the Supreme Court of Canada ruled that The Official Language Act of 1890 . . .

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

MR. H. GRAHAM: On a point of order, Mr. Chairman, I believe that we are here to gain information from the person making the presentation, not to present a lecture and give him the benefit of Father Malinowski's wisdom on this. I think that we should be here trying to gain information from Reeve Peltz.

MR. CHAIRMAN: Further information to the Chair on the point of order.

MR. D. MALINOWSKI: On the same point of order, I don't agree. If a witness, if I am asking, putting a question, and he is not aware, I believe that I am entitled to clarify.

MR. CHAIRMAN: The purpose of questions, if I may, is to elicit clarification of the material contained in the brief. The purpose of questions is not to provide information to the witness or to the gallery, only to seek clarification of what is contained in the brief. Questions about whether or not a witness is aware of other

information, extraneous to the brief, are then obviously out of order. Do you have further questions of clarification for the brief?

Mr. Malinowski.

MR. D. MALINOWSKI: I have to obey your rules, Mr. Chairman, but if a witness is putting a statement, let us not put one above the other, so I will clarify this situation that the witness is on the wrong track, in the wrong way. He has a . . .

MR. CHAIRMAN: Order please. It's not up to members of the committee to clarify for a witness that he is on the right track or the wrong track. It's up to us to understand what the witness believes and hear from the witness. These are hearings. By definition that means we're here to hear; not here to try, from other side, seek clarification or convince or debate.

Please proceed, Mr. Malinowski.

MR. D. MALINOWSKI: Coming back to different nationalities, as I mentioned before, we'd like to emphasize that we are 100 percent for, we are not taking anything away. The only thing is, I hope that you will agree, that we would like to put, rather restore what was ignored for many many years. Do you agree with that?

MR. CHAIRMAN: Order please. Reeve Peltz, if there was a question there, do you have an answer?

MR. E. PELTZ: No, I don't.

MR. CHAIRMAN: Further questions?
Mr. Malinowski.

MR. D. MALINOWSKI: Well, if this is the case, Mr. Chairman, if you will not allow me to put a clarification, I believe I'm in a difficult position. I will just finish with that and also I would like to thank you very much for your presentation. It was very nice; right to the point.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Reeve Peltz, you've been a municipal councillor and reeve for how many years?

MR. E. PELTZ: About 13.

MR. H. GRAHAM: About 13 years. That has taken you through three or four elections?

MR. E. PELTZ: Never through an election.

A MEMBER: Acclamation.

MR. H. GRAHAM: On that basis, then, I would think that the people of your municipality have a great deal of confidence in you and I would like to join with them in that confidence and I would never presume, as some members of this committee have, to say that you're wrong. I happen to think you're right. I want to thank you for taking this opportunity to appear before this committee.

MR. CHAIRMAN: Do you have a question, Mr. Graham?

MR. H. GRAHAM: No.

MR. CHAIRMAN: I would ask members who want to be on the list to ask questions to have questions. It isn't an opportunity for speeches by any members.

MR. H. GRAHAM: I just wanted to thank Mr. Peltz.

MR. CHAIRMAN: I usually thank witnesses at the end of their presentation for all members' benefit.

Any further questions for Reeve Peltz.
Mr. Scott.

MR. D. SCOTT: Thank you. Mr. Peltz, on Page 4 you refer to bigots and the description of bigots. Are you inferring in this that a French person who challenges in the court to restore rights which were given to him in the Constitution of the Province of Manitoba with the founding of this province, are you saying that if they challenge that in a court they are a bigot?

MR. E. PELTZ: No, I am not. I was merely giving you an explanation of the word "bigot" and that's what it says in the dictionary. It says an intolerant, prejudiced person, and the dictionary said its origin is French, so the French should know what they are talking about, but I am not saying that French people are bigots. I wouldn't say that about anybody.

MR. D. SCOTT: Do you see yourself as a tolerant person, sir?

MR. E. PELTZ: I must be, because I've put up with being on council for 13 years.

MR. D. SCOTT: So you're speaking on behalf of Woodlands, your R.M., and yet you've said before us that you are not really very familiar with the case and with the legal and the constitutional and historic background behind it. I'm wondering if you are confident that in your presentation you are reflecting the views of the people of Woodlands.

MR. E. PELTZ: I don't know if I am. That's why we're holding a referendum. We would like to see what the people think. What I'm saying is, let everybody speak whatever language they want in their own house, but that English is the language that is used internationally in business and in commerce and in everything else, let's use that. And if you want to have a Ukrainian Christmas, if you want to have a Polish Christmas, or a French Christmas, go ahead and have it. And if you want to invite your English friends over and have it with them, and let's mix a little bit of culture. Certainly you're seeing that happen in Manitoba and in Canada by the intermarriage of all kinds of people, and that is what is making Canada great, not the argument about language.

The fact that the different nationalities have intermarried, and have produced children that maybe don't know the foreign tongues of their ancestors - mine don't know Polish or Ukrainian, they know a few words, and I'm sure they're the wrong ones. My wife

is Scotch, not out of a bottle, but she's Scotch. We never had any fights about whether we should teach our children Ukrainian or Polish. That's why I feel the way I do. I come from quite a mixture of people and I've lived in various provinces in Canada and my parents have lived in Anglo-Saxon areas, the community they come from, Warren, was an English-speaking area, there are more foreign people in there now. My father was very well respected in that community, and certainly he didn't speak English as well as I do, but he could make himself understood. My mother still lives in the lodge at Stonewall and she speaks English very well and she's accepted by everybody else. What's wrong with that? But don't go telling me that if I want to get a job if Manitoba is a bilingual province, if it has two official languages, then if I want to get a job, and if I speak one of those languages, I should be able to get a job and nobody should tell me that in order to get that job I have to learn another one. Is that right? I'm not supposed to ask questions.

MR. D. SCOTT: Sir, in 1980, the previous government passed a bill - I forget the title offhand, maybe one of the members opposite could help me with this - but that stated in the very first line that English and French are the official languages of Manitoba. Are you now saying that French is not a language of Manitoba?

MR. CHAIRMAN: Mr. Enns on a point of order.

MR. H. ENNS: On a point of order, no such law was passed by any previous administration. Mr. Chairman, I take exception to some of the questioning by government members. They have persistently, through their questioning, suggested that what is being presented to the people of Manitoba now is a restoration of the original rights guaranteed to the Francophone community at the time Manitoba joined Confederation. That, Sir, as you well know, is not up for question or not up for debate. The 1979 Supreme Court ruling indicated what - I understand that not all Manitobans are aware of it - but what that indicated was precisely the conditions of Confederation, that in Manitoba French would be a language of use in the Legislature, in the courts, and that our statutes would be provided in French. We are at that position right now; Square One.

What is before us, of course, is an extension, an entrenchment of additional services in French and so it's, in my judgment, an error for government members to portray the current resolution before us as being a restoration. I agree with honourable members opposite when they try to involve the previous administration. Yes, we certainly accepted the rule of law that the Supreme Court handed down in 1979 as a result of the Forest case.

MR. CHAIRMAN: What is the specific point of order, please.

MR. H. ENNS: The point of order is that Mr. Scott and other members of the government bench have, on several occasions, suggested something that is not the case. In 1870 the Confederation . . .

MR. CHAIRMAN: Order please. A difference of opinion between members as to whether or not a certain specific

word is appropriate is a difference of opinion between members and is not the subject of a point of order. I can appreciate Mr. Enns' concern about the use of the word "restoration" and that point has been made in debate in the Legislature. But the purpose of these hearings is to hear the public and not to allow members to engage in debate about the use of specific words. Differences of opinions between members about the facts are not points of order.

Do you have a specific point of order, Mr. Enns?

MR. H. ENNS: The specific point of order is that Mr. Scott just read into the record that in 1870 English and French were the official languages of Manitoba. That is not the case; that is being asked for by this government now. In 1870, English and French were specifically indicated where they were to be used, in the Legislature, in the courts, and in our statutes. I take objection if Mr. Scott or other members of the government try to imply otherwise. It's a difficult and complex issue as it is without mixing up apples and oranges when we do it as committee members.

MR. CHAIRMAN: To the same point of order, Mr. Scott.

MR. D. SCOTT: I'm guess, sorry, if Mr. Enns cannot remember Bill 2 from 1980 that his government passed. It was a bill following up the Forest case and to try and to set into order how the government would proceed to implement the decisions of the Forest case. Whether any action took place after that is a matter of much questioning by the community that's affected by it. But let us not ignore that the previous administration recognized the two languages in, I think, it was Section 1 of Bill 2 that was passed in 1980, which stated very clearly that English and French are the official languages of Manitoba. If he cannot remember putting that bill through, then I just apologize for him for that I guess.

I would like to get back to questions if I could, Mr. Chairman.

MR. CHAIRMAN: Order please. If the purpose of questions is to seek clarification and provision of information, even by way of a point of order, it is certainly also contrary to the rules set up for these hearings. I can advise honourable members that the question of Bill No. 2 has come up. Bill No. 2 from the 1980 Session has come up and has been read into the record at these hearings, and the reference Mr. Scott provided was correct. But that doesn't change the fact that that matter was not raised in the brief presented by Reeve Peltz and that line of questioning does not serve to clarify the brief presented by Reeve Peltz.

If members cannot govern themselves according to the rules that have been set up by the committee, then I'm going to have to start calling them to order at the beginning of virtually every question. Questions for clarification only, please.

Mr. Scott.

MR. D. SCOTT: Thank you, Mr. Chairman. Mr. Peltz, you made mention of a referendum, you are holding a referendum to see what the people of Woodlands believed in your area. Are you of the opinion that rights

that people have as citizens of this country should be subject of referendums? In other words, that laws, constitutions, can be overturned by referendums in this country?

MR. E. PELTZ: I think that they would give you an idea of which way you should be going. I'm not saying that it's right, but it would still give you an idea of the feeling of the people. A majority rules. Certainly if majority don't rule, then I would say that the last provincial election, the NDP Government got the most votes, but maybe the Conservatives should have been the winners.

MR. H. ENNS: I think so, too.

MR. E. PELTZ: I'm not saying that you should take away anybody's rights; you aren't. Just let them go on as they are. We only want an opinion from the people. One of my ratepayers told us this morning that before we came here we should have a public meeting, and perhaps we should have, before we came here and presented these briefs. But we are holding a referendum and letting them mark their X where they so feel. If they want to let you go on with the French program and if they say so, we'll have to abide by it. If they say the other way - I don't know which way it'll go.

MR. D. SCOTT: Just on the last point of my final question, I'm wondering if Mr. Peltz is aware that perhaps the most notorious use of referendums to deal with human rights and with civil rights was used by Adolf Hitler and the overthrow of the Weimar Republic in establishing fascist governments. . .

MR. CHAIRMAN: Order please, order please. Mr. Scott, do you have a question for clarification of the brief?

MR. D. SCOTT: Mr. Chairman, I simply asked him if he was aware that that was probably the classic case of a government using popular referendums to do away with civil rights?

MR. E. PELTZ: No, I wasn't.

MR. CHAIRMAN: The question is out of order. You don't have to answer it. Further questions by members? Seeing none, Reeve Peltz, I'd like to thank you for being here and representing your council and the R.M. of Woodlands this morning. Thank you very much.

MR. E. PELTZ: I'd like to thank the members for hearing my brief. I found it very interesting to be able to talk them and answer their questions. Thank you very much.

MR. CHAIRMAN: I have two other individuals from the R.M. of Woodlands, Councillor Harold M. Jones, Councillor Jones, please. Please proceed.

MR. H. JONES: Good morning. Mr. Chairman, members of the commission, my name is Harold Jones and I am here as a representative of the people of the Rural Municipality of Woodlands. I am here to speak out against the proposed legislation to make French the second official language of Manitoba.

I would like to make it clear that I am not speaking out against the French people, their language, nor their

customs. I am speaking out against the proposal that there be a second official language in Manitoba.

I am a Canadian and I love my country and I am proud to be a Manitoban. Manitoba must be a good place to live as we have so many different nationalities within our province who have lived here for so many years.

It does not seem right that we are proposing to make French the second official language of Manitoba, or enforcing that it be the second official language of Manitoba, after 113 years, especially when the French people make up only 6 percent of the populace of Manitoba. So many of the other nationalities in Manitoba feel that they are being unjustly treated in that they shall have to help pay for this proposed policy even though the Federal Government has offered financial assistance in the amount of \$285 million. We all help pay this through taxation.

The Province of Manitoba is so deeply in debt that I cannot understand why we should be proposing to carry out the very expensive implementation of the French Language Services at this time, unless the Government of Manitoba is under some pressure from the Federal Government of Canada for some reason or other to do so.

I am sure that you, the members of this commission, must have heard and will hear about the unrest and, worst of all, the appearance of racism because of the proposed implementation of the French Language Services here in Manitoba.

I wish to close by asking one and all to listen to what the majority of people of Manitoba are telling you, which is, we do not want French bilingualism entrenched in the Province of Manitoba.

I thank you. I am Harold Jones.

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

MR. A. KOVNATS: Mr. Jones, in the second last paragraph where you make reference to appearance of racism because of the proposed implementation of the French Language Services here in Manitoba, does this appearance of racism appear to be in both directions, both Francophone towards Anglophone, and Anglophone towards Francophone?

MR. H. JONES: Yes, I have been present at meetings where this has appeared. I attended a hearing in Winnipeg on this matter held at the International Inn, there were quite a number of us speaking there pro and against the proposed legislation. In front of me was a chap who was against implementation of the French Language Services here in Manitoba and I didn't like the way he was carrying on. There were a group of French people just to my left and they started a verbal argument between them and things got very sort of nasty, it came close to physical action. This sort of thing really embarrasses me because we're all Canadians and we're here to enjoy what we have in Manitoba and this was quite evident, sir.

MR. A. KOVNATS: I would agree with Councillor Jones, it embarrasses me also, Councillor. Thank you for your remarks.

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

MR. D. MALINOWSKI: Mr. Chairman, I would like to ask Mr. Jones, would you give me more light on it, I can't understand the second paragraph, which according to my opinion contradicts. You are putting down there, I quote: "I would like to make it clear that I am not speaking out against the French people, their language, nor their customs." Next statement reads: "I am speaking out against the proposal that there be a second official language in Manitoba." It means to me that first you are saying you are not against, in second paragraph you are opposing. Would you clarify to me what is your stand actually?

MR. H. JONES: Yes, Mr. Malinowski. I don't think it is necessary that we have a second official language in Manitoba, be it French, German, Jewish, whatever.

MR. D. MALINOWSKI: This is not the case. I am asking for something else. I am just asking specifically about French language. You said that you are not against their culture, their language, but you are opposing what we are bringing.

MR. H. JONES: I am opposing the implementation, in other words, us being forced to accept French as a second official language. I would be against it if German was being presented as a second official language. I am against a second official language, period. We see the United States, which has many, many nationalities, they are carrying along with English. We don't hear anything about proposing a second official language.

HON. B. URUSKI: Spanish.

MR. H. JONES: Sorry, I'm corrected.

MR. CHAIRMAN: Order please. Continue, Mr. Jones.

MR. H. JONES: It is the idea that we have to go through all these costs of implementing our second language. This is one of the things that I'm against and, as I said in that same paragraph, I'm not against the French people, I'm not against anybody; it's what is trying to be forced upon us that I'm against.

MR. D. MALINOWSKI: Still is not clear to me. If you said that you are not against their language and their customs and, in the second paragraph, you said that you are against implementation, it means that you are against any other language.

MR. H. JONES: That part is right, any other language, including the French. As being forced upon us, having to accept that language. I guess you don't understand what I am trying to . . .

MR. D. MALINOWSKI: Probably not, that's why I'm asking.

MR. H. JONES: I'm sorry. I said here, French, if it was German or Jewish or whatever, I would put it in the same way.

MR. D. MALINOWSKI: No. Do you realize that Canada was composed of two nations at that time, and the Constitution was made and was legal, two languages, English and French; we're not enforcing, we're just restoring what we said it should be in Manitoba.

MR. CHAIRMAN: Mr. Malinowski, with respect, you're providing information and beginning to debate with the person presenting the brief.

Further questions for clarification?

MR. D. MALINOWSKI: No more, thanks.

MR. CHAIRMAN: Further questions by honourable members? Mr. Enns.

MR. H. ENNS: Mr. Chairman, I don't want to go against your rules, but again I point out to honourable members opposite that if, indeed, Canada was constitutionally set up with two official languages at the time of Confederation in 1867 . . .

MR. CHAIRMAN: Order please. The purpose of these hearings is not for you to point out things to members opposite. That's what the Legislature is for. We have many people who want to be heard today; they did not come to hear me; or to hear members. In fact, usually I don't have to say very much, I just have to recognize people. I'm having to interject a great deal today and I don't think that serves the purpose of the hearing. If you have questions for clarification, they would be appreciated. Otherwise, I'll have to call you to order.

Mr. Enns.

MR. H. ENNS: But Mr. Chairman, on a point of order, I think when there is - I won't say wilfully, but I think innocently perhaps - misinformation being given at these hearings, and it's important that it be corrected. Canada became, in the federal service, officially French and English bilingually with the passage of The Languages Act back in 1867 . . .

MR. CHAIRMAN: Order please.

MR. H. ENNS: Okay, Mr. Chairman, I withdraw.

MR. CHAIRMAN: Please. Do you have a question?

MR. H. ENNS: Councillor Jones, if I can, I'd like to get an understanding from you. You make it very clear about your feelings about not wishing to have a second official language in the Province of Manitoba. You are aware that in Manitoba, since 1870, it was briefly interrupted - not briefly, 90 years - interrupted in 1890, but we are obligated to recognize the French fact in our Legislature so that we have the French Language Services available in the Legislature and, if it's so desired by any person in Manitoba, that he can demand those same services in the courts. You don't take specific objection to that?

MR. H. JONES: I do take objection to that. The feeling that I have that I'm sure there have been statutes changed over the years within our Constitution, and it

is hard for me to understand why, all of a sudden, after 113 years, we're having this put forth. I can't understand why this statute hasn't been changed.

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

MR. CHAIRMAN: Further questions by members of the committee? I have a couple of questions I'd like to ask Mr. Jones. Do I have leave from the committee to ask from the Chair? (Agreed)

Mr. Jones, I was going to ask the same question Mr. Enns asked about a second official language after 113 years, but you've already clarified, I think . . .

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, on a point of order, I believe you're being repetitive.

MR. CHAIRMAN: I think, Mr. Graham, your point is well taken. Mr. Renooy, would you confirm then that you do not believe that the French language should have status throughout the Legislature, the statutes, and in court proceedings throughout the province? Is that what you're saying in the beginning of the fourth paragraph?

MR. H. JONES: Mr. Chairman, I'd just like to make a little correction. I'm Jones, not Renooy. Just for the record.

MR. CHAIRMAN: Did I say Renooy? I'm sorry. I know I have to call him soon, before 12:30, he's not Jones.

MR. H. JONES: Just a matter for the records.

MR. CHAIRMAN: Is that what you mean when you say what you say at the beginning of the fourth paragraph?

MR. H. JONES: I feel that we do not need a second official language. I kind of got put off your question with my change of name. Would you please repeat . . .

MR. CHAIRMAN: Is it your position, in the first sentence of the fourth paragraph, that Manitoba should not grant status to French, or any other language, in the Legislature, in the statutes, the regulations, and in the courts throughout the province?

MR. H. JONES: That is right, Sir.

MR. CHAIRMAN: And in that same paragraph, you use the figure of financial assistance from the Federal Government in the amount of \$285 million. Can you tell me where you got that figure?

MR. H. JONES: That was from a government publication. I do not have it with me, but I received it at a meeting that was held at the International Inn.

MR. CHAIRMAN: Is it possible if a decimal point has been misplaced and the actual figure should read \$285,000.00?

MR. H. JONES: It could be, Sir, I'm not about to argue that point.

MR. CHAIRMAN: No further questions. Any questions by any other members of the committee? Seeing none, Mr. Jones, thank you very much for being here this morning.

MR. H. JONES: I thank you very much for the privilege of being able to speak on this matter.

MR. CHAIRMAN: Thank you, Mr. Jones. Mr. Vernon Sund, Councillor, R.M. of Woodlands. Councillor Sund, please. Please proceed.

MR. V. SUND: Thank you, Mr. Chairman, ladies and gentlemen. I am Vernon Sund from the R.M. of Woodlands. My brief starts out with a map of Manitoba. The people, I don't think can see it, but you all have a copy of my brief. It's divided up into three sections.

Thanks for the opportunity to present my views on the question of Manitoba becoming a French bilingual province.

If the reason for this proposed legislation is based on historical facts, let's start at the beginning. On May 3, 1670, King Charles of England set up a Royal Charter for the Company of Adventurers of England trading into Hudson Bay. This land was called Rupertsland and covered a larger area than what Manitoba is today, and English was spoken. This continued over most of what is now Western Canada until 1783 when the Northwest Trading Company was formed and tried to take over the fur trade on land that was already claimed. In 1821 these two companies amalgamated under the name of the Hudson's Bay Company. It was better to join forces even in that time. The Hudson's Bay Company is still in business to this day.

In 1811, ten years before 1821, Lord Selkirk of Scotland purchased from the Adventurers of England 116,000 square miles for colonization. This comprised what was to become the original Manitoba, parts of what is now North Dakota, Minnesota, and parts of Ontario almost to the Lakehead. That is when Manitoba started. English was and continued to be the only official language.

In 1867 the eastern provinces began to realize the potential of the west and wanted to secure the land from sea to sea in one country. In 1870 Manitoba entered Confederation with a Constitution presented by eastern groups, allowing French and English as the languages of the Legislature and the courts only. The area taken in was a very small portion of what was to become Manitoba as we know it today, but it was enlarged in 1881.

With the influx of the settlers from Ontario, United States and the British Isles, English is the language spoken by the majority of the people. It was obvious that two official languages would not be harmonious with the development of the country as two official languages would keep communities divided. To correct the error of 1870, the original settlers and the majority of those moving in at that time were considered and The Official Language Act of 1890 was passed making English the only official language. This proved to be a correct decision as Manitoba has grown in stature over the years. When travelling in Manitoba all could speak English to be understood, even though people used their native languages to communicate among themselves.

Today, Manitoba is made up of many nationalities. As in the early days we are taking in settlers with different languages. As English is considered to be the universal language of businesses throughout the world, it should be supported and maintained by the Manitoba Legislature.

The people spoke in 1890 and the majority are speaking out now - leave The Language Act in force with no changes. No one is prevented from speaking a language of their choice, but to avoid confusion in government, keep the language that has been recognized for over 90 years.

Manitoba reached its present size in 1912 - 22 years after The Official Language bill was passed. Have you considered the possibility that a person living in the area which entered Manitoba in 1912 could challenge the courts in regard to a law that was passed 42 years before and could withdraw from Manitoba because that area entered Manitoba under The Official Language Act of 1890? The revenue from mines and water, hydro resources could be lost. If that area remained in, could you have a province half under one law and the other half under a different one? I don't think so. That area added in 1881 could possibly have some legal basis for disputing things as well as the records were in English and in most cases no reference to French was used.

With over 90 years of reasonable growth in Manitoba, this basic law should remain as is. The province is unified now and to change can only be a backward step as it will divide the country. It will get so that a person will not be able to go from one place to another and make himself understood in his own province. The means to communicate will be broken down.

The provinces should have opposed the Federal Government in its language policy of French and English to hold positions in government departments. By not doing so, they have denied a majority of the people of Manitoba the right to hold government jobs although otherwise qualified for the position. It would seem that if you speak the two languages you can hold the position even though your knowledge of the subject is limited. Let's have the most qualified people in positions regardless of the language spoken. Let us take an example from businesses that have progressed and prospered over the years. Businesses use English as their basic form of communication but in areas where people have found it difficult to express their thoughts in English and conduct business, the company had someone on staff that could communicate and interpret for that person. They didn't need entrenchment, it was just done.

In municipal circles the municipalities sit as a Court of Revision each year in regards to assessments. This is called a court. As such, the changes you are advocating any one person could challenge the court in regards to French not being used. In most municipalities in Manitoba, this could bring business to a standstill. Serge Joyal's words would come into being very quickly as those groups interested in promoting the French language would make sure that every municipality in the province was challenged on the issue.

School divisions are faced with additional costs every day in trying to provide courses of French Immersion for students of parents who wish their children to be

educated in the French Language. They believe this is the only way that their children can obtain jobs in the future. French Immersion courses are a very costly venture and help to drive school taxes up. Busing costs increase when students have to be moved additional miles to make up a group of students for a course. It could eventually cut programs that are in existence now as fewer students would make it impractical to have a program. The standards would be lowered. As fewer students remain behind, schools could become empty classrooms and school boards would be placed in a position of French first, followed by English. Present positions and jobs would be lost in the process and new ones would have to be created at great expense to all. A minority group has been put into the position of dictating to a majority of the people.

The two cases which are brought forward as reason for the need to change are farcical. They both defy the present law as it exists. These persons should have been charged with contempt, tried for the case presented and if guilty, fined accordingly. If the speed limit is changed on the highway, you can be charged for going at a faster rate, even though that portion of the highway at one time allowed a higher speed. Laws, acts and amendments all change the original and this is done for a purpose.

I hope I have made myself clear. I have tried to invoke some additional points to be considered. In closing I say: "Leave The Official Language Act of 1890 as it presently exists. I have served the majority of Manitoba well for over 90 years. If the French-speaking minority are truly unable to comprehend and communicate, provide them with interpreters. It would be cheaper for everyone in the end."

Respectfully submitted, Vernon Sund.

MR. CHAIRMAN: Thank you, Mr. Sund. Questions for Mr. Sund by members of the committee?

Mr. Scott.

MR. D. SCOTT: Just a quick point, Mr. Sund, in the last paragraph you say: "In closing I say 'Leave The Official Language Act of 1890 as it presently exists.'" As it presently exists, it is no longer a law, is that what you are telling us?

MR. V. SUND: The Official Language Act of 1890 was in effect up until just recently. I'd say, put it back in.

MR. D. SCOTT: You say as it presently exists, you want to put it back in?

MR. V. SUND: Yes, put it back in, it was 1890.

MR. D. SCOTT: It has already been ruled unconstitutional. We don't have the authority to be able to do that, so how are you suggesting that we pass an act that is illegal? Would it be right for me to suggest to you to pass an act that's beyond your boundaries in your municipality? Your municipality has specific bounds of government where you can make laws or by-laws. The Provincial Government has its jurisdictions and the Federal Government has its as well. If the Supreme Court of Canada has ruled that we have been out . . . 1890, Manitoba is outside of its bounds. You are saying that we should go back into that again, sir?

MR. V. SUND: I say the Province of Manitoba should be able to legislate inside the Province of Manitoba.

MR. D. SCOTT: Okay.

MR. CHAIRMAN: Further questions by members of the committee? Seeing none, the Chair has several questions again. Perhaps it might be appropriate in view of Mr. Graham's point of order to ask another member to take the Chair. Mr. Brown.

MR. A. BROWN: Mr. Chairman, I believe that on occasion we don't object to the Chair asking questions, but this seems to be getting a habit rather than the exceptional occasion. I wonder, Mr. Chairman, are we going to be subjected to you questioning the people who are presenting briefs on every occasion?

MR. CHAIRMAN: Mr. Brown, you've been with the committee for many of its meetings. The Chair has only asked questions of perhaps half a dozen of over 100 briefs that have been submitted. If there is any objection though, the Chair will gladly leave the Chair and ask another member to take over. Mr. Scott.

MR. DEPUTY CHAIRMAN, D. Scott: Mr. Anstett.

MR. A. ANSTETT: Mr. Sund, on Page 1 of your brief, Paragraph 2, you make the statement: "English was and continued to be the only official language." You're talking about the pre-Confederation period, before 1870?

MR. V. SUND: That's right.

MR. A. ANSTETT: You're referring to the Council of Assiniboia, I believe, at that time, is that correct?

MR. V. SUND: No, that was before Assiniboia even got started.

MR. A. ANSTETT: You're referring to the Lord Selkirk colonization period?

MR. V. SUND: I referred to 1670, there, didn't I, in the second paragraph?

MR. A. ANSTETT: Right. No, I'm asking, that paragraph starts "In 1811 . . ." okay, so you're talking about the Lord Selkirk settlement period - sorry, maybe I confused you, the third paragraph. Then you say English was and continued to be the only official language. Did you mean, when you say that, up to 1870?

MR. V. SUND: Yes.

MR. A. ANSTETT: On what evidence do you base this statement then in terms of the Minutes of the Council of Assiniboia?

MR. V. SUND: Well, from reading a number of historical books that I've read, not having them with me today. They were all written in English and they referred to English as being spoken in the different committees

or the different groups of people that met in those early days.

MR. A. ANSTETT: Do you know whether the Minutes of the Council of Assiniboia were . . .

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

MR. H. GRAHAM: Mr. Chairman, on a point of order. At no time has this person ever mentioned Assiniboia at all. It's the Member for Springfield that brings up extraneous material to this debate and I suggest that he is highly out of order, and I think probably is sitting in a better position now than he would be if he was chairing the meeting.

MR. DEPUTY CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: On the same point of order, Mr. Chairman, I believe that I may have stretched some of the questions that I have put to Reeve Peltz in terms of seeking information, but certainly clarification on the historical perspective, as put in by Mr. Sund in his brief, is in order for clarification of this committee. I believe Mr. Anstett, as a member of the committee, has the right as any other member, to ask clarification of the points raised.

MR. A. ANSTETT: To the same point of order. I appreciate Mr. Graham's concern and I share it. My question is to clarify the following sentence. "English was and continued to be the only official language." I am wondering on what basis and what information about the period 1811 to 1870, the witness has information. I'd like to know what information he has that English was, and continued to be the only official language, because I don't know where that information is available and I'd like to know where it comes from. The information I have about the Council of Assiniboia is that the Minutes were kept in French and English. If the witness can confirm that or tell me that that information is wrong, that's what I'm looking for. I want to clarify that sentence.

MR. DEPUTY CHAIRMAN: The Chair rules that the question is in order. Mr. Sund do you wish to respond?

MR. V. SUND: The book that I read was from the time of Lord Selkirk purchasing the property from the Hudson's Bay Company and they referred to all their information was translated in English only, back and forth. In 1870, French could have been introduced at around that time, but in the early part of it - I was referring to the early part of the purchase of the property and it was in English only.

MR. A. ANSTETT: Thank you. So it's possible then that, at some point prior to 1870, in terms of the information you have, maybe not in 1811 but perhaps later in the period, is that what you're saying, it may have been in two languages?

MR. V. SUND: At 1868 or something like that, it could have been.

MR. A. ANSTETT: Okay, thank you. On Page 2, second paragraph, you say part way through the paragraph, after talking about The Official Language Act of 1890, "This proved to be a correct decision as Manitoba has grown in stature over the years." Are you suggesting then - and you do at the end of your brief - that The Official Language Act of 1890 should be reinstated? So are you suggesting then that we should have a constitutional amendment to The Manitoba Act to provide that English only should be the language in the Legislature and the courts, as well as everywhere else?

MR. V. SUND: I thought that was done in 1890.

MR. A. ANSTETT: In view of the Supreme Court decision of 1979, are you suggesting now that we actually put it in The Manitoba Act?

MR. V. SUND: I feel it should never have been allowed to get pushed through in 1979. I think we should be back where it was before. The province was doing well without it being put in there.

MR. A. ANSTETT: At the bottom of the same page you suggest that Manitoba could lose jurisdiction over a large portion of its provincial territory if certain legislation were declared invalid by the present court case. Is that a fair statement of what you're saying in that bottom paragraph?

MR. V. SUND: What I'm trying to say is, if you can change the rule one time, and change it from French and English or whatever languages were spoken in the early times, and put it official language is English, and the province increases in size, annexes property from another area, what is to stop that portion of the province from pulling out now, when that portion of the province came into being at a time later on in the history of the province? Now the thing is, the land has nothing to do with it. It was the people that were there to start with. The people that were there to start with are gone. It's the people that are living there now and I, myself, don't feel that they have really the right to ask to get out and I don't believe 10 generations later that some person has a right to say, well we're going to allow Norwegian along the west shores of Lake Manitoba or something like that. I don't believe that just because there was one person wanted it now, that they should bring it back in.

MR. A. ANSTETT: Mr. Chairman, through you to Mr. Sund, would it make any difference if the law, expanding the Province of Manitoba from the 1881 boundaries to the 1912 boundaries was a federal law, passed in both official languages of that day, rather than a provincial law which is subject to the court case that's on now. Would that make any difference to that argument?

MR. V. SUND: The Province of Manitoba, I believe, the way they were in 1912, took the other part over and they should have had terms then, but I don't think the terms were printed in both languages, not from the documents I've read on it. It seemed to be that it was

in English. Maybe I only got the English version of it, it would have been in the background, another language.

MR. A. ANSTETT: Mr. Sund, do you know whether or not the transfer of territory, from what was then the Northwest Territory into Manitoba in 1912, was done by federal statute or provincial statute in 1912?

MR. V. SUND: I imagine Manitoba would have to have the blessing of the Federal Government of that time for it to come into Manitoba, because the Federal Government at that time had control over that territory, so there must have been legislation from both sides, allowing it to come and for accepting it or for requesting it.

MR. A. ANSTETT: On the bottom of Page 3 of your brief, Mr. Sund, now you talk about Courts of Revision. You're suggesting that because of Courts of Revision are a court, a Court of Revision might then be subject to a request for French. Are you aware of any legal opinion or do you have any basis for suggesting that it definitely is a court like a provincial court, which are supposed to be French now, or because it's at the municipal level, is it possible that it is not a court? You say that this is called a court, as such, you could challenge it. Just by the name or is there some reason why it would be considered legally a court, even though it's at the municipal level?

MR. V. SUND: I'm saying that it is called a court and because the way the readings are being held now that French will be used in the courts and in the Legislature. It was stated that municipalities would not be affected by these changes. I am saying that the word "court" - and I don't know if you can use different interpretations for it. What interpretation is a person going to use? If it can be used as a court, they can challenge it, and then it affects all municipalities. Then the legislation that says that it will only affect the courts then must affect the municipalities.

At the same time, we are being led to believe that it will not affect municipalities. I am saying that, unless we change the name of a Court of Revision to a hearing or a board or something like that, then we could all be challenged. So now change the name first. Clear up the loose ends first, before somebody challenges the change of name.

MR. A. ANSTETT: Mr. Sund, since the court decision in '79 which meant that all courts had to provide French services, are you aware of whether or not in the last four years, since '79, there have been any requests for French Language Services in Courts of Revision in any of the 208 municipalities?

MR. V. SUND: I wouldn't know about the 208. I know in our municipality, no one has requested.

MR. A. ANSTETT: So it's been the law for four years, and no one's made the request.

MR. V. SUND: That's not going to say that nobody will request it this fall.

MR. A. ANSTETT: We can't predict the next 100 years.

MR. V. SUND: No.

MR. A. ANSTETT: On Page 4, another question for clarification, Mr. Chairman, in the last paragraph where you're talking about school divisions - sorry, the middle paragraph - you say, "Present positions and jobs would be lost . . . and new ones would have to be created at great expense to all." Are you assuming when you say that, that there would be more new positions created than the ones that would be lost, or are you suggesting that there would be an even trade-off?

I'm not clear as to whether or not the jobs and positions that are lost would balance off the new ones that would have to be created. If you move a classroom from Woodlands to Warren and you move a teacher from Woodlands to Warren or, if the teacher doesn't want to move, you hire a different one, what's the real cost there? What's your argument there in terms of cost?

MR. V. SUND: I would say, if you move a number of students from, say, three or four schools into another school for French Immersion, you must provide a teacher, resource people and such for that French course or for that course that's being taught. That could be to a science course or anything else. It creates a position.

At the same time, you have students left behind that are going to continue their education in English. You must provide them with a teacher, possibly the number of students for that teacher is now cut back. You will have increased number of teachers.

Now if you drop the teachers and group classes together, the education possibly will drop. Now I don't want to go back into the big classrooms of eight classes and whole schools like that.

MR. A. ANSTETT: Thank you.

MR. DEPUTY SPEAKER: Are there any further questions for Mr. Sund?

Mr. Enns.

MR. H. ENNS: Mr. Sund, you've been a school trustee for a number of years in the Interlake School Division. Would you have information at your hands at this time about the number of French Immersion classes that are being offered by your division, or the number of students enrolled in such classes in your division?

MR. V. SUND: We have no French Immersion classes as such in our division at the present time. We have a number of students going out of our division to take French Immersion. We conduct French classes of 35, 40 minutes a day for most of our students, Grade 4 and up.

MR. H. ENNS: Thank you.

MR. CHAIRMAN, A. Anstett: Further questions?
Mrs. Smith.

HON. M. SMITH: Mr. Sund, on Page 3, you indicate that many parents are seeking French education for

their children, because they believe that they won't get employment unless they are bilingual. Have you any idea of the proportion of jobs in the federal Civil Service that are bilingual?

MR. V. SUND: No, I have no figures on how many jobs are bilingual in the Federal Government.

HON. M. SMITH: Just to extend that a little, would you think if people knew the proportion of jobs that were bilingual and found that it was relatively small and tied to areas where there were large French populations, some of that fear might disappear?

MR. V. SUND: Yes. It's possible that fear would disappear. The only thing is I know, being on the board, was that a year ago we had the required number of parents requesting the French Immersion in the division. The main reason was that federal jobs wouldn't be available for their students. They wanted this. This was one of the reasons why they wanted it, was for government positions. They felt that they must have it to be able to send their children further into government fields.

HON. M. SMITH: Might it be the case when people are registering for French Immersion that some of that information about the federal Civil Service be made available to them? It would then be clear whether people were doing it solely for jobs, or whether they also saw some cultural value in their children acquiring another language.

MR. V. SUND: They mainly stated it was jobs. It wasn't that they were going to learn two languages. They kept referring to the point that they must have it if their children were going to be allowed a place in the world with the way the legislation was.

Now the only thing is, if that's the way they were thinking, I don't think they would change their minds because out of the 23 people that were there requesting it, maybe there will only be three jobs available for their students. But as the progress of the Kindergarten, Grade 1 goes on, it goes into Grade 2. It goes into Grades 3, 4, 5 and the numbers keep getting higher and higher. The costs keep going up. That's a little way from your question, a bit.

HON. M. SMITH: Although we aren't speaking directly of education services in the amendment, I just am wondering if you do have guidelines that there have to be a certain number of parents, sort of significant demand, before you are expected to provide French Immersion classes.

MR. V. SUND: It says in the act that parents of 23 students can request.

MR. CHAIRMAN: Further questions by members? Seeing none, Mr. Sund, on behalf of the committee, I would like to thank you very much for your presentation here this morning.

MR. V. SUND: Thank you very much for allowing me to say a few words.

MR. CHAIRMAN: The committee had agreed earlier, because of a personal commitment - Mr. Bucklaschuk.

HON. J. BUCKLASCHUK: Mr. Chairman, I'm just wondering if I could interrupt again. I understand that the last person on our list will not be able to attend this afternoon, because of a family problem. I am just wondering if the committee would agree to hear Lesley Osland during this morning's session if at all possible.

MR. CHAIRMAN: The committee had already agreed to hear Rens Renooy before the noon hour adjournment. Perhaps we could consider Ms. Osland if there is sufficient time between now and 12:30 under Mr. Renooy's presentation. But at the present time, it may be that we'll exhaust the time available so it's no use trying to make that decision if we don't have the time. Mr. Renooy, please.

MR. R. RENOY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Could you wait one moment, please, sir, while the copies are distributed to members? Please proceed.

MR. R. RENOY: Thank you, Mr. Chairman. My name is Rens Renooy. I'm the Reeve of the Rural Municipality of Rockwood.

Mr. Chairman, members of the Legislative Hearing Committee Looking into Bilingualism, ladies and gentlemen, I am pleased to make a submission on behalf of the South Interlake Planning District, which consists of the Rural Municipality of Rockwood, the Rural Municipality of Rosser, the Village of Teulon and the Town of Stonewall. As you know, municipal governments have the closest links with the people and, as a result, I believe have much to say with regard to the reaction of the people of Manitoba to the present proposal before the Legislature.

For myself and the local governments for which I speak, I must express deep concern with regard to the bitterness which has arisen as a result of the provincial bilingualism proposal. Without making any comment as to the merits of the proposal for the moment, we are disturbed by its potential to divide the people of Manitoba and to renew old hatreds which had dimmed over the past number of years.

We applaud the Provincial Government for its intention to protect the rights and privileges of the Francophone minority within Manitoba. We all realize that their roots go well back over 100 years within the province, and we have no intention to deny them the opportunity to speak the language of their choice in the same way as we have no intention to deny any Manitoban the right to speak the language of his or her choice.

However, we are concerned that the manner in which this present proposal was made has in itself got the debate off on the wrong foot. The fact that the Provincial Government entered into secret negotiations with the Society of Franco-Manitobans and entered into an agreement pursuant to these negotiations without any public input causes us considerable concern.

Further, we are concerned by the fact that a Provincial Government fought so hard against the public hearings

in which we are involved today. Unfortunately, first impressions often win the day, and I believe it is fair to say that the first impression of most Manitobans was that a government was trying to force their position on Manitobans, rather than allow Manitobans to have a full and free debate prior to the final decision being made.

What many outsiders do not realize is that while there is a significant French minority in Manitoba, the vast majority of those who speak French reside in a number of regions or districts of the province. The vast majority of Manitobans, however, are never called upon to speak French and have no associations with the French communities.

The English-speaking majority in Manitoba, at least until the recent government measures, was not without sympathy for the rights and the privileges of the French minority, but simply did not see that it is necessary to do anything that would result in the possibility that they may be compelled to speak French, or to do business in French, or to carry on any of their everyday activities in the French language. While this is not the goal of the government legislation, the fact of the matter is that subsequent court interpretations could result in this being the case.

It is our view that the key to the solution of this problem is in recognition of the regional basis of the French settlement in Manitoba. For some reason, the province appears not to have considered the provisions of The Official Languages Act relating to the establishment of bilingual districts.

I would refer the committee to Sections 12 through 17 of The Official Languages Act which allows the Governor-in-Council to enter into an agreement with the government of a province pursuant to which the Governor-in-Council may, from time to time, by proclamation, establish one or more federal bilingual districts in a province and alter the limits of any bilingual district so established.

The act contemplates that the province would enact mirror legislation with regard to such districts, and they would thus be truly bilingual. A certain inquiry procedure is established in this act, but the long and short of it is that the Federal and Provincial Governments working in harmony can result in providing full and sufficient protection for the French minority in Manitoba through this sort of agreement. Further, I can see no reason why such an agreement cannot include a provision that it would be binding upon successor governments. In that event, it would be the equivalent of constitutional entrenchment.

Let not Manitobans fight among themselves as to what extent the French language should be used, but let us unite to seek a bilingual law which will protect our French-speaking minority, but will at the same time be fair to the English-speaking majority and to all other language groups within the province. We must assume that when the Provincial Government authorized these hearings, it recognized that it is essential to hear the people speak and, through a dialogue with the people, find a middle ground which will prevent neighbour turning against neighbour and husband against wife.

A referendum does not result in any solution. It only serves to divide us further and to worsen the animosities which already have arisen. A referendum serves no useful purpose. We earnestly appeal to all municipalities

to refrain from holding such referenda, but rather to actively search for a means to resolve this highly-explosive situation in a manner satisfactory to all Manitobans. We must all live with the consequences of our actions, and I am most concerned that the consequences of a referendum will be disastrous.

All Canadians are brothers and sisters, and let not brother turn against brother nor sister against sister. Such a terrible result can only be avoided by finding a middle ground such as an agreement to establish bilingual districts. It cannot be avoided by referenda.

We respectfully submit this submission to you, Sir.

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

Mr. Scott.

MR. D. SCOTT: Thank you, Mr. Chairman. I would just like to clarify one issue that Mr. Rens Renooy has put on the front page, when he refers to the government fighting against public hearings. We never at any time spoke against public hearings, Mr. Renooy.

MR. CHAIRMAN: Order please. Do you have a question related to that?

MR. D. SCOTT: I'm wondering what that would be based on, that statement on Page 1 about three-quarters of the way down. You made a statement, "that the Provincial Government fought so hard against the public hearings in which we are involved." Are you aware that from when the announcement was made - I believe it was on the 27th or the 29th of June - that we would be having public hearings, and we never got that accepted by the opposition until late August? What we debated all summer long in the Legislature was when we were going to hearings.

MR. CHAIRMAN: Order please. The awareness of a witness about additional information is not the legitimate subject of a question. Could you rephrase your question, please?

MR. D. SCOTT: I'll go on to a further question, having made the point.

On Page 2, Mr. Renooy, you're speaking of recognition of French on a regional basis. Can that not be accomplished, do you not feel, through significant demand? Where there is significant demand requested or where there is significant demand for the services in that language, would that not pretty well provide the same thing as trying to describe things out in rigid boundaries?

MR. CHAIRMAN: Mr. Renooy.

MR. R. RENOY: I do not believe that it would achieve the purpose of making it truly bilingual. The Official Languages Act, which I would like to read from Section 2 to you to clarify, "The English and French languages are the official languages of Canada, for all purposes of Parliament and Government of Canada, and possess and enjoy equality of status, and equal rights and privileges, as to the use in all the institutions of Parliament and Government of Canada.

The Official Languages Act further allows that bilingual districts can be formed and bilingual districts will depend, as to whether both of the official languages are spoken as a mother tongue by persons residing in the area, or whether the number of persons who are in the linguistic minority in the area, in respect of an official language spoken as a mother tongue, is at least 10 percent of the total number of persons residing in the area.

Therefore, Mr. Scott, in answer to your question, if there are areas in Manitoba which would like to be truly bilingual, they have the opportunity to apply under The Official Languages Act to become a bilingual district, but it doesn't necessarily mean that you have to superimpose French on the whole of Manitoba.

MR. D. SCOTT: Thank you, Mr. Renooy. So what you are basically saying then, is that the federal statute, the federal Official Languages Act already lays down a process by which areas, for purposes of the Federal Government, can be declared bilingual areas. Are you suggesting that we use the federal criteria to establish areas in Manitoba that would be bilingual areas, or that we do complementary legislation to that to provide for the establishment of bilingual districts?

MR. R. RENOY: If The Official Language Act of Manitoba of 1890 had been upheld by the Supreme Court of Canada, we would not be here today, but they rather upheld The Official Language of 1870, and The Official Language Act of 1870 provides that the English and the French languages may be used in a debate of the Legislature and all of the respective records and journals of your House and it shall be used as a language during the legislative debate. So we have that in place if you want to uphold your law. If there are people in Manitoba, French people really, and if they want to form a bilingual district, in addition to what you propose to do in your legislation, then they have the opportunity under The Official Languages Act, the federal one, to make application to establish a federal bilingual district and, therefore, become truly bilingual and I don't think anybody would quarrel with that. What we are trying to do Mr. Scott is to make recommendations to the hearing, rather than being critical, to have some input from our councils, as to how we can solve this complex question.

MR. D. SCOTT: Mr. Renooy, may I conclude by saying how much we appreciate that sort of approach because that really is what the purpose of public hearings is, it's a form of input by the public and I appreciate, very much, you and the South Interlake Planning District taking that attitude and coming up with some very good suggestions. Might I, just in conclusion, say that I concur very strongly with your attitudes towards a referendum. I think it's one that would help significantly if other jurisdictions throughout the province followed the same feelings.

Thank you, sir.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. Through you to Reeve Renooy. Mr. Renooy, I believe

that we can hold hearings, we've held numerous ones already, and periodically a new idea comes forward, and I want to congratulate you for the suggestions that you have put forward. I want to investigate or go into some of the possibilities that could arise from your suggestion.

In your suggestion then, the province and the Federal Government could jointly enter into an agreement to establish certain regions or regional districts where French and English would be the official languages. Is that correct?

MR. R. RENOY: That is correct Mr. Graham. The Official Languages Act provides that, under the act, an area delineated by reference as to boundaries of any or all of the following: namely, a census district, established pursuant to The Statistics Act; a local government or a school district; or a federal or provincial electoral district of a region. That is under The Official Languages Act.

MR. H. GRAHAM: If this present proposal that the government is putting forward would specifically exclude school boards and school districts, if that is passed would that then have precedence over The Official Languages Act where, you say, the Federal Government and the province could establish bilingual districts? Would you think that that would then rule out, if this present proposal goes forward, that would then rule out the possibility that the province and the Federal Government could establish regional bilingual districts?

MR. R. RENOY: Yes, Mr. Graham. We are afraid that if the present legislation is being passed, even though it will sanction that school boards and municipal councils will not become involved in the French issue. I believe and we believe rather, that present legislation, both federal and provincial, allow us to be truly bilingual in Parliament and in the Manitoba Legislature. We have no objection to that, after all that is your law of 1870. What we are afraid of, it would be making certain exclusions as to saying school boards and municipal councils will not participate by being truly bilingual, that eventually with any court interpretations it could result that to a degree, municipal councils and school boards will have to provide the French Language Services.

Under The Official Languages Act, you have the opportunity to establish federal bilingual districts and I would far rather recommend for the present government to have a close look at what that means. That means that certain pockets in Manitoba, which has enjoyed over 10 percent French-speaking population, could become a bilingual district, including their municipality, the school board or whichever they see fit. They simply make an application to the Governor-in-Council and have public hearings if they so desire. This doesn't necessarily mean that a government should impose French on the whole of Manitoba.

MR. H. GRAHAM: Well, Mr. Chairman, the concerns that have been expressed by many municipalities and we have heard this in other briefs, where they say that

even though you specifically exclude school boards and municipalities, you are now telling us that under The Official Languages Act, that that could still happen, even though the province has specifically said in this proposal that it will not happen. Is that correct?

MR. R. RENOBY: Yes, I believe that is correct. Furthermore, I believe that we might wind up back in the Supreme Court if this type of legislation is passed, for clarification as to which law should be upheld - apparently seeing they're creating so many laws, we're all being lost during the process. I believe there is sufficient legislation at hand at the moment in The Official Languages Act and some of the recommendations in government if they want to pull together between the federal and provincial officials and iron this out without creating any further loss as to how the French language should be imposed on the people and that they could solve their problem.

MR. H. GRAHAM: Mr. Chairman, under the proposed resolution that we are dealing with and these hearings are all involved with, it states in that proposal under Section 23.7(2) that 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 from any office not referred to in the above or where there is significant demand, and then goes on to spell out how they do it, and that is by an application through the courts. Do you, Mr. Renooy, believe that the establishment of bilingual districts by the province and the Federal Government sitting down jointly together would be a much better situation than having it imposed by a court? Is that your belief?

MR. R. RENOBY: That is what we are recommending to this hearing. Yes, Mr. Graham.

MR. H. GRAHAM: So in your humble opinion then, you would much prefer to have any decisions on French language made by elected representatives rather than by appointed court judges, would that be correct?

MR. R. RENOBY: That would be correct.

MR. H. GRAHAM: Mr. Renooy, you certainly have brought forward a proposal that I believe deserves very serious consideration. I want to thank you for the proposal and for the answers that you have given to the questions I have asked so far. I'll defer to anybody else who wants to ask questions at this time.

MR. CHAIRMAN: Ms. Phillips.

MS. M. PHILLIPS: Mr. Renooy, these bilingual districts you are discussing under The Official Languages Act, those are districts that would be designated in which services of the Federal Government would be provided? Is that right?

MR. R. RENOBY: That is right, yes.

MS. M. PHILLIPS: So you are suggesting that in this amendment we are proposing that we also delineate bilingual districts where provincial services would be provided?

MR. R. RENOBY: That is also correct. The Official Languages Act provides for that, that any province may make application to the Governor-in-Council to form a federal bilingual district and therefore would be conterminous to the thinking of a Provincial Government.

MS. M. PHILLIPS: So if in this amendment, which provides for services in both languages from the Provincial Government, what is your concern if services of a municipality or a school board are excluded? What is your concern that they would be extended then to those other levels of government?

MR. R. RENOBY: My concern is, as I said earlier, that we are creating too many laws and it becomes too confusing. I think you have, under The Official Languages Act, the opportunity to approach the Federal Government to form federal bilingual districts. A draft proposal may be presented. It can be reworked between the province, the municipality involved, or the school district, or the electoral district in conjunction with the Federal Government to iron out the details as to what extent it should be offered.

I believe the opportunity is there for you to properly negotiate and to establish those type of districts without creating a new law in Manitoba saying we will uphold the 1870 Manitoba Language Act, but we shall exclude school boards and municipalities. I think this will create confusion because anyone who has read the federal Official Languages Act and makes application to the Federal Government to become an official bilingual district, then you would have to make an exception to this certain area by saying even though we have legislated in Manitoba, school boards and municipalities are excluded. But we are now making an amendment because this particular area has applied to become a federal bilingual district and therefore will authorize the school board and a municipality to become bilingual. Once you start doing that, then the law which you have created no longer holds any ground. For that reason, we are making this overture to you to please give it valuable consideration; study this part of the federal legislation and work in conjunction with the municipalities and your own legislative body and the Federal Government to come to some sort of a consensus and agreement without superimposing the French language over the whole of Manitoba and without making exclusions by saying certain areas will not become bilingual.

It must be recognized that all three parties in Canada, the NDP, your Liberal and your Progressive Conservatives have all agreed to The Official Languages Act. That is for political reasons and not for us to decide, but they are supportive of The Official Languages Act.

So therefore I think, if an honest and sincere approach is being made to the Federal Government to form official federal bilingual districts, there shouldn't be any opposition to that. Because if your parties are in concurrence, which doesn't happen too often in Canada, but if they are in concurrence and this is the law, both federal and provincial, I see no reason as to why you couldn't get consensus of opinion, even on your own Legislative Assembly, because I do not think that if you made an overture like this in the Manitoba Legislature,

I do not suspect that the Progressive Conservatives will object to this kind of interpretation of the laws that exist.

MS. M. PHILLIPS: I just have one more question, Mr. Chairperson. We have looked at the idea, not necessarily the section or the name that you have given it dealing with bilingual districts, but we have looked at the idea of geographic areas where there is a high population of French-speaking people. One of the objections to that, designating certain areas, has been that if a French person in this province requires under the amendment that we are proposing services from the Provincial Government from head or central offices that if they do not live in that geographic boundary, then they would be unable to get those services, whereas a person who lived there would receive those services. We've been told that that would be unfair to French-speaking people living outside those boundaries.

How would your proposal differ from that, or how would it overcome those objections, so if someone lived in St. James, say, in Winnipeg and someone lived in St. Boniface, one French person could get the services, but the other one couldn't because of their geographic residence? How would this proposal differ from that, and how would it overcome that concern for what French people consider their right for service from the Provincial Government?

MR. R. RENOY: I believe, in the question that you pose to me, if I understand it correctly, that what you are really trying to say is we believe to entrench the French language further than what we are allowed under The Manitoba Act of 1870 which only deals with the Legislature and the journals of the House. If you ask me the question, if you wanted to further extend the French language, so when someone who speaks French only wishes to seek clarification, would it be through municipalities or through school boards, then I would say, no. This is precisely what we do not recommend to you. If the person resides in an area where you could possibly form a federal bilingual district, then I would say to you, by all means go ahead and investigate further. That's a very deep question and very difficult to answer.

We are not trying to fight the establishment of the French minority as far as their rights are concerned. We believe that - I think someone posed the question earlier this morning, if they are law abiding citizens - I think to a large degree, yes, we are. I try to, okay. I, at least for one, try, I don't always succeed. But in any event I think I answered the question. I don't want to get too repetitious, I've already said it.

MS. M. PHILLIPS: Thank you, Mr. Renoy.

MR. CHAIRMAN: Mrs. Smith.

HON. M. SMITH: Mr. Chairman, I, too, applaud the spirit of this report, because it does bring some fresh perspectives. I am interested in the concept of bilingual districts. You did say that you thought it would be preferable, more logical, cleaner, or whatever, compared to what we have now. I was trying to, in my head, compare the two approaches and see basically what the differences are.

Would you agree that the bilingual district could give more rights but to specific districts, whereas the proposal is giving limited rights, again probably to specific districts? I guess I'm wondering what you think is being imposed in the current proposal. Is it a limitation that's being imposed, or something else?

MR. R. RENOY: I believe, Mrs. Smith, that during the hearings that you have had in various other hearings beside Arborg today, it has been expressed to you by the vast majority of municipalities that we are afraid, if the existing legislation passes, that subsequent court interpretations could result in further French entrenchment over the whole of the province.

The reason I make these recommendations to you is to ensure that this will not happen. It is not necessary to make everybody in Manitoba French. The difficulty with this is, as you know, that Quebec under its Bill 101 has tried to force one language only, French. The consequences for them are disastrous, as well, for the simple reason that the young people who leave Quebec and seek a job elsewhere, outside of their own province, find the same difficulty as we may in Manitoba if we were to go to Quebec and try to get a position, to try to get a job. So, therefore, for them it is just as important to get an adequate or a complete knowledge of the English language and not being restricted to the one.

I don't think anyone would oppose that if Quebec wishes to continue French as its foremost language, but they should also learn the English language. If there are areas in Manitoba where they are predominantly French, it should be also compelled to them that they have an adequate and good knowledge of the English language.

We have no quarrel with areas in Manitoba which are a majority of French-speaking population to become a federal bilingual district, and be recognized as such and have all of the services in both official languages, by law.

HON. M. SMITH: Just one follow-up. You say that the bilingual district - I thought earlier you had said that it was based on where 10 percent of the population were French-speaking, but you are now referring to majorities. Are you aware of what the definition is in the bilingual district notion, because we are running into the majority-minority right question?

MR. R. RENOY: The definition is spelled out, Mrs. Smith, on Page 5588 of The Official Languages Act of which I have attached a copy to our brief presentation, which says, "the number of persons who are in the linguistic minority in the area in respect of an official language spoken as a mother tongue is at least 10 percent of the total number of persons residing in the area." It makes it quite clear.

MR. CHAIRMAN: Further questions, Mrs. Smith?
Mr. Enns.

MR. H. ENNS: Thank you, Mr. Chairman. Through you to Mr. Renoy, I want to thank Mr. Renoy for his brief, because it really offers us to indicate to you and members of the public what the basic difference in this whole question is between the NDP Government and the Conservative Party.

Your suggestion - and I compliment you on your obvious study of The Official Languages Act - when you suggest that, "The act contemplates that the province would enact mirror legislation," - I'm reading from Page 2 of your brief, Sir - "with regard to such districts and . . . in short that Federal and Provincial Governments working in harmony can result in providing full and sufficient protection for the French minority rights in Manitoba."

That presumes, Mr. Renooy, and this is the question that your legislators, both in the provincial scene or on the federal scene, have the power to enact such mirror legislation, as you call it; in other words, that we from time to time can enact the kind of legislation as is contemplated under The Official Languages Act to provide or expand services. Is that not right, Sir?

MR. R. RENOY: Yes, Mr. Enns, you summed it up very well. I believe in an important piece of legislation, such as, bilingualism in Manitoba which affects everyone, that the opposition has to work in harmony with the present government in order to solve a problem of this magnitude. I can't foresee any difficulty in that, since our federal bodies have all agreed and concurred to The Official Languages Act on the federal level, there is no reason why Manitoba couldn't reach the same level as you suggest by working in harmony on a provincial level.

MR. H. ENNS: I don't always support what Mr. Trudeau does, Mr. Renooy, but I do acknowledge that on these kinds of sensitive issues, whether it is The Official Languages Act or, indeed, the Constitution that just was passed, the Federal Government under Mr. Trudeau did not bring it into the House until all-party support was there. That unfortunately didn't take place here.

My further question to you though is, under Section 23 of the proposed resolution that is to be entrenched - and I remind you that entrenching it in a Constitution is quite different than just passing another law than can subsequently be amended - it says, "Anyone whose rights under Section 23.7 have been infringed or denied may apply to the court for a declaration to that affect, and where the court finds that those rights have been infringed or denied, it may make a declaration to that effect." See, that, Mr. Renooy, is the basic difference.

Do you see the present position of the government in asking for this resolution to be entrenched in the Constitution as essentially putting it over to the courts to decide in the future, as compared to governments of whatever description working out in harmony further bilingual services from time to time?

MR. R. RENOY: I'm not a politician, Mr. Enns, and I find this one very difficult to answer, because this apparently will become a debate as to what is legal and what is acceptable. It's a difficult one to answer for me.

All I can say is that on an issue of this nature, rather than going through the courts and proceeding with these applications in order to protect the rights of the whole of Manitoba and its people, that there should be perhaps further consultation in your Legislature and continue the debate as to what would be best for Manitoba according to existing laws as they apply at the moment. I don't know whether this answers your question.

MR. H. ENNS: Mr. Chairman, in your opening paragraph, you indicate, Sir, that you are, of course, speaking as the Reeve of Rockwood and you're also speaking for the Planning District. You list a number of groups that you are making presentations for. In doing so, are you suggesting to the committee that the number of people and organizations that you are speaking for would rather have your elected legislators and MP's decide issues of this sort, to use your phrase, in harmony, rather than lean on the courts, rather than refer the whole question to the courts, as is being contemplated by the resolution?

MR. R. RENOY: One clarification, Mr. Enns, the submission is being made by the South Interlake Planning District, which consists of those four municipalities which I have identified before: Rockwood, Rosser, Teulon and the Town of Stonewall. I do not speak individually for each council and the planning district. The planning district consists of those four municipalities. If those four municipalities wish to make a brief of their own, in addition to what we are submitting today, they can do so.

The second part of your question, whether the legislators should debate this, rather than the courts? - yes, very much so. For the sake of Manitoba, the legislators, which are now the elected officials of our province, let them debate, deliberate and come out to something which is workable for our province, even though it may be a middle-ground situation, but at least let's have the elected officials debate it rather than having a court decision. That's what we put you in office for, to do the best that you as individuals can.

MR. CHAIRMAN: Mr. Enns.

MR. H. ENNS: Mr. Chairman, through you to Mr. Renooy. The Official Languages Act was passed in the Federal Parliament in 1968, I believe?

MR. R. RENOY: The one I'm referring to, Mr. Enns, is 1970.

MR. H. ENNS: 1970, that's some 13 years ago. Since that time the provisions of that act, which you are referring us to as a committee about the establishment of bilingual districts, that is open to any province, can make application, have this done. Have any such districts been established in Manitoba in these last 13 years that you are aware of, Mr. Renooy?

MR. R. RENOY: When we did our research on The Official Languages Act and the research in order to make a proposal to you to assist you in this difficult task, we tried to find out as to whether any bilingual districts had been formed in Manitoba, and to our knowledge there have not been any.

We also made some inquiries as to whether bilingual districts had been formed elsewhere in Canada, and we have not been able to come up with any answers as to, yes, indeed - that people haven't made application. If we would have had more time to pursue this, I suppose we could have found some answers for you, but the time didn't allow us to pursue this in detail.

MR. H. ENNS: Mr. Renooy, you describe yourself as not being a politician, but I beg to differ. You can read

public opinion reasonably well, certainly in your area and your districts. The fact that in the past 13 years under a provision that was enacted in 1970 that made it possible for St. Boniface, Ste. Anne or Ste. Rose du Lac or other districts in Manitoba to have applied for as a designated officially bilingual district, even in the restricted federal limits that The Official Languages Act provides for, the fact that in these past 13 years not a single district in Manitoba was so formed or not a single group of communities asked for that distinction, does that not read you some message, Mr. Renooy, that perhaps the people of Manitoba aren't all that much in a hurry to embrace official bilingualism in Manitoba?

MR. R. RENOY: I only have one answer to this, Mr. Enns, and that regardless of the number of laws which are being passed by a Federal Government, probably nobody takes the time to read it or to try to digest in detail what is being passed and if any of these French-speaking districts have not made application, then I would say to you that perhaps nobody has read it.

MR. H. ENNS: Mr. Chairman, thank you. I want to indicate to Mr. Renooy that it's my belief that expansion of services can come about only on the basis - perhaps not totally as you suggest, but certainly that's much closer to a co-operative and harmonious way of arriving at it - where we can approach it with common sense and where we can approach it with a lot more sensitivity than is being asked for by the government at the present time which would put it all into the courts.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Bucklaschuk. Order please. We have passed our normal hour of adjournment. I still have three members: Mr. Bucklaschuk, Mr. Kovnats and Ms. Phillips on the list to ask further questions of Mr. Renooy. Is it your will and pleasure to continue past the hour of adjournment?

Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, on that point, I believe that the brief that has been put forward by Mr. Renooy is so important.

I was wondering if it's possible that he could come back to another sitting of this committee. I know we're sitting tomorrow and we're sitting later on this week in Winnipeg and we note the commitment he has for the afternoon, I was wondering if it was possible that he could come back to further explore the proposals he has put forward at this time. Is it a fair proposal to put forward to ask him to come back at a later date?

MR. CHAIRMAN: Well, that's a decision to be made by the committee, whether the committee wishes to finish its questioning today or perhaps ask him to come back this evening and be heard this evening at the conclusion of the other briefs.

Mr. Bucklaschuk, to the same point of order.

HON. J. BUCKLASCHUK: Just on that, Mr. Chairman. I understand Mr. Renooy has to be away this afternoon. I don't know if he can make it back this evening, but I would have a preference to have the questions that

we have be aired at this hearing, so that the persons in the audience would have a better idea of the cause that we may have. I'm afraid that if we were to ask Mr. Renooy to attend at Ste. Anne - I understand there is a fairly lengthy list of proposals there - he might not have the opportunity to attend there and certainly with the briefs that are to be presented in Winnipeg, I just don't know if the members of the audience here would have the benefit of the questions and responses for Mr. Renooy. So I would propose that we do extend this morning's session for a few moments to at least hear the three or four members who have some questions at this time.

MR. CHAIRMAN: What is your will and pleasure, to continue at the present time with the three questioners on the list? Is that agreed?

Mr. Brown.

MR. A. BROWN: Mr. Chairman, this could go on for an hour or so, because the brief is rather important. Can we set some time limit on this, so that . . .

MR. H. GRAHAM: Can we ask Mr. Renooy . . . ?

MR. CHAIRMAN: Mr. Renooy, are you available for another 15 minutes or so?

MR. R. RENOY: Mr. Chairman, and members of the legislative hearing, I will be at your will and pleasure to return early this evening and to be available for any questioning from any member of the board.

MR. CHAIRMAN: Are you available for another 15 minutes now, or do you have to leave shortly?

MR. R. RENOY: I'm available for 15 minutes, yes. As long as I leave at 1 o'clock, in half an hour.

MR. CHAIRMAN: Could I ask the members on the committee who have further questions if they expect they can finish within 15 minutes?

Mr. Kovnats.

MR. A. KOVNATS: My questions shouldn't take more than two minutes.

MR. CHAIRMAN: Ms. Phillips.

MS. M. PHILLIPS: Yes.

MR. CHAIRMAN: Mr. Bucklaschuk, please proceed.

HON. J. BUCKLASCHUK: Thank you, Mr. Chairman. Mr. Renooy, you've introduced an interesting idea in your brief. The one thing that does bother me though is that the section you refer to in The Official Languages Act, which incidentally my understanding is that it refers to those matters under federal jurisdiction and would not refer to provincial services or school boards or municipalities, but the requirement there is 10 percent of the population being of a linguistic minority. How many areas in Manitoba would you see covered by this 10 percent requirement?

MR. R. RENOY: Mr. Bucklaschuk, I believe there are many areas in Manitoba where you have a predominantly French-speaking population: St. Boniface, St. Alphonse, St. Pierre, Ste. Agathe, other areas throughout Manitoba. I believe that this was brought to their attention and it was pursued with the people residing in those areas and they have become fully aware of their constitutional rights to make the application and that those areas would express their will and pleasure as to whether they wish to become truly bilingual or not.

HON. J. BUCKSLASCHUK: Well, I realize that places such as St. Pierre-Jolys or St. Malo would certainly qualify, but if we use the 10 percent criteria that would mean that an area such as Winnipeg would not necessarily be covered. In other words, French Language Services would not be provided to the 30,000-40,000 persons of French background in that area. You would restrict it to something smaller such as St. Boniface then?

MR. R. RENOY: Yes, the City of Winnipeg I do not think would make application under this particular piece of the legislation which is available to them because you may not have the 10 percent necessarily required under this act, so therefore Winnipeg city itself would stay as an English-speaking majority.

It doesn't prevent you from implementing your 1870 act through your legislation for your own French services through the Legislature, through your records, through your journals and for your debates to be held in the two official languages.

The reason for us making this suggestion to you in this presentation is to ensure that the French language will not be superimposed on the whole of Manitoba against their wishes, as they have identified. The City of Winnipeg could easily become one area, yes, that would not qualify.

HON. J. BUCKLASCHUK: Just one further clarification of your brief. On Page 2, you indicate, "Further I see no reason why such an agreement cannot include a provision that it would be binding upon successor governments. In that event, it would be the equivalent of constitutional entrenchment." Are you aware of any legislation that is entirely binding on successor governments, or isn't any legislation subject to change?

MR. R. RENOY: Well we tried to change the 1870 Act in 1890. We suggested it should only be an English-speaking language in Canada, and this was overruled. I believe the 1870 Act is being upheld, as you have a Supreme Court order. I don't see any reason why this couldn't become part of the constitutional entrenchment in Manitoba, once a federal bilingual district has been established, and henceforth they shall have this right for future generations to be truly bilingual. I can see no reason for that.

HON. J. BUCKLASCHUK: Just on that, in fact, the Constitution of 1870 can be amended. It is not something that is binding on successor governments, but the 1890 Act didn't go about it in the correct process.

Assuming that a Constitution can be amended and we can, at the same time, bring in provincial legislation to deal with some of these issues, would you not concur that those persons affected would see more of a guarantee if their rights were such that they were approved and passed by legislation in the province, by the Parliament and by Senate? That doesn't mean it can't be changed, but it would be more entrenched.

MR. R. RENOY: Okay, Mr. Bucklaschuk, I said in the brief that we saw no reason that such an agreement could not include a provision that would be binding on successor governments. This, of course, would be up to the legislation and your debate with the Federal Government to iron out the details. For me to give you the answer as to if this will be binding indeed for future generations, I cannot be conclusive on that part. This is something you would have to investigate yourselves, but I think in order for it to protect the people, once they have made the application to become a federal bilingual district, that these provisions should be looked at in order to protect the rights for future generations.

HON. J. BUCKLASCHUK: No further questions, thank you.

MR. CHAIRMAN: Mr. Kovnats.

MR. A. KOVNATS: Mr. Chairman, to Reeve Renooy, just one question, and it's going to require a little bit of a preamble but it is going to be somewhat similar to the question that I asked to Councillor Jones just previously. As part of the preamble, I would just like to advise of a little ceremony that takes place during the Jewish wedding ceremony where a glass is broken as a token of love. It proves that the pieces can be put back together, but it's never the same as before.

Now with that type of a preamble, I go to your brief where I require some clarification. You state, "I must express with deep concern with regard to the bitterness," and I myself add the word 'and hate,' "which has arisen as a result of the provincial bilingualism proposal." Further you make a remark about, ". . . prevent neighbour turning against neighbour and husband against wife."

Now I'm not going to go into the political part of it so much, but I would like to have your views on whether - and it doesn't matter whether the government or the proposal is right or wrong, or whether it's legal or illegal, or whether it's just or unjust, that's not really what I am trying to get across at this point. What I would like you to advise is whether you believe that this amendment to Resolution No. 23 of The Manitoba Act, proposed by the Provincial Government and the Federal Government and the Société Franco-Manitobaine in May of 1983, can be corrected if the amendments were eliminated.

MR. DEPUTY CHAIRMAN, D. Scott: Mr. Renooy.

MR. R. RENOY: Yes, I believe if the amendments are eliminated, to a large degree, it will overcome the bitterness and the, well, uppermost thought in everybody's mind, that we will become truly bilingual in Manitoba. I believe that if you do obtain harmony

between your legislators and work it out further with the people of Manitoba to let them know what is going on, then I think there will be a cooling period whereby people will understand and accept the act of 1870, rather than fighting governments and fighting amongst themselves as to whether we should adopt the French Language Services or not. I think, yes.

MR. CHAIRMAN, A. Anstett: Further questions, Mr. Kovnats?

Ms. Phillips.

MS. M. PHILLIPS: Mr. Renooy, I would like some clarification on something that was asked a little earlier about whether this should be the business of the Legislature or the courts. My understanding is what we are doing here today is preventing this from being decided by the courts, in that the Legislature has taken over that question and that responsibility for developing a constitutional amendment that will satisfy all parties. Is that your understanding of why we are here with these public hearings on this amendment to our Constitution; that we are taking that responsibility as legislators, rather than leaving it to the courts?

MR. R. RENOY: If this is the case, then I would compliment you on having taken this action to have the Legislature decide and have the public hearings. As we said earlier, we'd rather seek our legislators to enable us to give us laws which we can live by, rather than having it superimposed on us by the courts. If this, indeed, is what you are doing today, and taking this attitude of going to the people and trying to solve it through the legislation, then indeed yes, we concur with your ideas.

MS. M. PHILLIPS: Further to that, the Section 23.8 that was quoted by Mr. Enns earlier refers specifically to if someone believes their rights, under this

amendment that we are proposing as a Legislature, have not been provided, that they then will have opportunity to proceed to the courts to make sure what we've decided as legislators is their right is duly given to them.

MR. CHAIRMAN: Question, please.

MS. M. PHILLIPS: Would you object then to that particular section in this amendment that gives individuals the right to proceed to the court if they feel they've been denied the rights that we, as legislators, have said are theirs.

MR. R. RENOY: It is anyone's right to seek clarification through the courts. If they so wish to take this action, I don't think, no matter what you legislate, you can prevent people from doing that; this is their democratic right.

MS. M. PHILLIPS: So, for clarification, you wouldn't like to see this Section 23.8 removed, that right for people to go to the courts to receive their just due.

MR. R. RENOY: Whether or not this section was in force, the people still had the right to do so.

MS. M. PHILLIPS: I just wanted to clarify that difference between the legislators' and the courts' responsibility.

MR. CHAIRMAN: Further questions by members of the committee? Seeing none, Mr. Renooy, thank you very much for representing the South Interlake Planning District and being here today.

I would ask members of the audience and the committee to observe our 2 o'clock reconvening time, despite the fact that we've gone a little late. We still have a fairly long list, so committee is adjourned and stands adjourned until 2 o'clock this afternoon.

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