

## PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 45 deemed to have been moved.

### THE CONSTITUTION—SUPREME COURT JUDGMENT— CONSULTATIONS WITH MANITOBA GOVERNMENT AND SOCIETY OF FRANCO-MANITOBANS—GOVERNMENT POSITION

**Mr. Jean-Robert Gauthier (Ottawa-Vanier):** Mr. Speaker, first of all, since it is already 12:45 in the morning, I want to thank the House staff for their patience. I do not intend to use up the full seven minutes I am allowed, but I think the matter is sufficiently important, Mr. Speaker, to discuss it at this time. I simply wanted to make sure the Government would have an opportunity to keep an election promise it made with respect to a very important program which provides court challenge assistance, a program that expired on April 30 of this year.

I also wish to point out the presence of one of my good friends, the Hon. Member for Saint-Denis (Mr. Prud'homme), who is at my side this evening, at this late hour, and who has always shown great dedication to the cause of Canada's linguistic minorities.

Mr. Speaker, my question on June 13 of this year to the Minister of Justice concerned the recent decision by the Supreme Court, dealing with a referral aimed at emphasizing minority rights and especially at enshrining Section 23 of the Manitoba Act on the same terms as the generous interpretation given Section 133 in Quebec since Confederation, that is, for over 100 years. The Supreme Court has confirmed beyond a doubt that the wording of Section 23 of the Manitoba Act has the same effect as Section 133, and that today we are to understand that for over 100 years, the intent of this section was that laws, statutes, regulations and all matters arising from the powers of the Manitoba Legislature should have been drafted in both official languages, that is in French and English.

Editorial writers were quick to comment on this historic decision by the Supreme Court. In the newspaper *Le Devoir*, we read: "One hundred years lost". *Le Devoir* said that this clear and forthright decision by the Supreme Court restored a measure of justice which, however, could not bring back to life what had been buried by 100 years of injustice. The decision in itself would not be enough to make amends and give back to this minority that part of itself that was oppressed by the particular form of madness that has surrounded and will always continue to surround Francophone minorities in Canada, a country where violence is supposedly non-existent.

Mr. Speaker, in this connection, and to save time, now that the Supreme Court has spoken categorically and clearly on the

### *Adjournment Debate*

interpretation of Section 23, today, the Minister of Justice (Mr. Crosbie) was saying in the House:

● (0045)

[*English*]

In answer to a question from the Hon. Member for Winnipeg-Fort Garry (Mr. Axworthy), the Minister of Justice (Mr. Crosbie) said that they had discussed the matter of translating all statutes and all documents of the Manitoba Legislature since 1870 or 1890 when, by some legislative fault, English was made the official language of that province. That fault has now been corrected by the Supreme Court and gives Canadians a challenge to meet, a challenge with which we must deal in the next few months if we want to justice done, and be seen to be done.

[*Translation*]

Mr. Speaker, the Minister of Justice (Mr. Crosbie) said today in the House that the Government of Manitoba would in effect be making a submission to the Supreme Court, as required, concerning the minimum time to be allowed for the translation of all these documents.

[*English*]

The question of translation is not one that I would like to address. The question I would like to address in the few minutes that I have is the question of helping to assist those who, in my view, have over the years sustained an injustice and require assistance. The courts will, of course, hear the Manitoba case regarding the minimum time required to translate all the statutes. I take it from the answer of the Minister of Justice today that the Government of Canada will also participate in that process.

Tonight, I would like to ask the Parliamentary Secretary if the Government will now reconsider its position on the court challenges program and put forth a generous program which will give minorities that will be invited by the courts to present their arguments the necessary assistance, be it financial or a matter of human resources.

[*Translation*]

I simply would like to ask the Parliamentary Secretary whether his Government is prepared to establish a program to support linguistic minorities, and especially in Manitoba. I am thinking of the Franco-Manitoban Society, the Federation of Francophones outside Quebec and Alliance Québec, and that these people should have access to Government funds to help them draft and submit their arguments regarding the minimum time to be allowed for translating all these statutes.

I am very well acquainted with the position of the Minister of Justice, who said in the House on May 15 of this year—

● (0050)

[*English*]

I would like to quote from an article quoting the Minister of Justice as saying, "Charter challengers don't need federal financing". He was talking of the citizens and groups which