

Adjournment Debate

ty. He cannot slough off the responsibility for the contents of that factum on the officials in his Department.

As a lawyer he should know that there are always many legal opinions on any question. In this case we have the Société Franco-Manitobaine which has intervened in the case and supported Duncan MacDonald. This association has looked at the precedents in the law and supported Duncan MacDonald. Alliance Québec, which is an organization of Anglophones in the Province of Quebec, has intervened in this case and decided to support Duncan MacDonald.

• (1805)

The next answer the Minister gave me was that he had not read the factum, and that I had jumped on him because he had not read the factum. I return to what I said a few seconds ago. He has, as the Attorney General, the responsibility to read the factum. It was under his name and there is no way it should have gone forward without his examination and approval. That is his job in the Government of Canada as the Attorney General. To admit that he had not read the factum was a disregard of responsibility.

The Minister also said to my hon. colleague, the Hon. Member for Ottawa-Vanier, when he questioned him about the same thing, that he was making a mountain out of a molehill. I want to say to him and to the Government, the language question in Quebec is certainly not a molehill. That question is being heard tomorrow morning in the Supreme Court of Canada.

We have asked the Prime Minister (Mr. Mulroney) and the Minister of Justice to withdraw this factum, or to say nothing if they cannot say anything good. We had hoped originally that the Government of Canada would support MacDonald as other governments have supported people who were pleading for minority language rights. I hope the Parliamentary Secretary will tell us that the Government is withdrawing that odious factum and will at least be quiet tomorrow morning when Duncan MacDonald pleads his case before the Supreme Court.

Mr. Chris Speyer (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, it is important in the interests of the Canadian system of justice not to argue this case in this House because, as my friend has pointed out, it is to be argued tomorrow morning in the Supreme Court of Canada. However, the Opposition leaves the Government no choice but to mention a couple of matters that pertain to this case.

First, it is part of the traditional role of the Attorney General of Canada to intervene before the Supreme Court when important constitutional issues are at stake. The intervention in this case took place on July 18. I am not sure, quite frankly, what date the factum was filed.

Mr. Gauthier: November, 1984.

Mr. Speyer: But I do know that on July 28, the deadline for the intervention, the Liberals were in power.

Second, there is one thing on which I agree with the Hon. Member and that is with respect to the policy. The requirement of a bilingual summons would be the most desirable policy, for many reasons. One reason is that there may be more than one accused, speaking both languages. Another reason is that it is not always possible to know in advance which language the accused will wish to use; therefore, to be sure of having a summons in that language, both languages are necessary. The difficulty with reading this policy into the section is that Section 133 makes clear that process issued by a court may be in either language. Moreover, this provision is included in a paragraph that makes clear that laws must be in both languages. If this were the intent for process, it would also be clear.

I say to the Hon. Member, who has raised this on many occasions matter over many years in the House, and feels very deeply about it, that the legal aspects are going to be decided by the court tomorrow, based upon an interpretation of Section 133. Whatever the policy is, and the policy was stated by the Prime Minister (Mr. Mulroney) that we will defend minority rights in all provinces—

Ms. Copps: Withdraw the factum.

Mr. Speyer: We will not withdraw the factum because an interpretation of Section 133 has to be made before the Supreme Court of Canada. We take the facts as we get them. We cannot withdraw. It is a public law case and our intervention is important. Notwithstanding my friend's intense interest in this matter, a proper construction on the facts of this case, Section 133, must go ahead and we will not withdraw the factum.

FARM CREDIT CORPORATION—MORATORIUM ON FARM FORECLOSURES. (B) PROPOSED UNITED STATES PROGRAM

Mr. Maurice Foster (Algoma): Mr. Speaker, on December 10 I put a question to the Minister of Agriculture (Mr. Wise) concerning the intentions of the Minister to introduce legislation in the House before the Christmas recess and hopefully have it passed, because of the very serious debt crisis facing thousands of farm families across this nation.

• (1810)

In early November the Minister of Agriculture instituted a moratorium on Farm Credit Corporation foreclosures to January 15. I note that if the Minister was not to take any action in the intervening time between early November and January 15, it was obviously just a cynical trick on his part, not allowing foreclosures to take place. When he put on the moratorium, he indicated that he would put in place policies and programs to assist young producers facing financial crises, yet nothing is on the Order Paper to date.

The FCC has appeared before the standing committee. They have not indicated what is being planned by the Department. The Minister's reply was simply that they were putting in place an FCC appeal process. They talked about a couple of