

Adjournment Debate

it has adopted since 1905 because they are invalid in their English only version, or it adopts bilingual legislation, which is ironic, but it is nevertheless the solution which the Supreme Court suggested, making it possible for the province to bypass Section 110 as it is authorized to do under Section 14 and 16(1) of the Saskatchewan Act.

Hardly a week ago, more specifically on Monday April the 4th, 1988, the Saskatchewan Government introduced Bill 2 to repeal Section 110 in Saskatchewan. This action is legal, there is no doubt about that, in view of the ruling of the Supreme Court to the effect that the province could choose this option. But is it fair? We will see. Personally, I feel it will cause serious problems for the Francophone minority in Saskatchewan as well as other minorities in this country, whether Quebec Anglophones or Outside Quebec Francophones. Is it fair? That is the question.

An Hon. Member: It is unfair!

Mr. Gauthier: That is the whole issue, and we should not overlook the fact that the Saskatchewan Legislature adopted a resolution stemming from the Meech Lake Accord. The House will remember that three provinces, namely Saskatchewan, Alberta and Quebec agreed to the Meech Lake Accord. Here, in Ottawa, the House of Commons itself voted recently on this. So, there is nevertheless a certain spirit in the Meech Lake Accord that should be respected and in introducing Bill 2 to repeal Section 110 Saskatchewan reduces the basic rights. This is clearly a step backward and no step forward in that matter. This is clearly a setback for fundamental rights, the rights of access to the legislature and the courts in that province, in French and in English.

The irony here, Madam Speaker, is the wonderful rethoric of the province saying that the rights will be exercised now and that it recognizes that this Bill might not be the solution to this problem but it is a step in the right direction. As for me, I said it earlier and I repeat it, to curtail those rights looks to me like an affront to those rights, those established rights French speaking people enjoyed in Saskatchewan. All the Francophones, not only those living there but all the Francophones in the country had, in Saskatchewan, rights they could exercise sometimes if they had to come before the courts or before the legislature.

● (1800)

Premier Devine could have shown leadership. He missed a great opportunity to be generous. As for me, I said it before and I say it again: in making that decision, Saskatchewan is far from being open, generous and concerned with minorities. It is a step back and a regressive measure which limits the rights of Francophones in that province and, as far as I am concerned, it is not a step forward.

As for Prime Minister Mulroney, he missed an opportunity to show national leadership. He didn't move until both governments were at loggerheads. He didn't do anything between February 25 and April 8. On April 8, following three letters I sent him on April 5, 6 and 7, he finally wrote Mr.

Devine, the Saskatchewan Premier, to ask him to do more and more quickly because, as is often the case with the Prime Minister, he applies a double standard. He said that some people see it as a petty measure restricting the rights of Francophones. We do not accept that provision because, in the spirit of Meech Lake, we must protect minorities.

But other people feel that it is a step forward, like the Minister of State for Federal-Provincial Relations (Mr. Lowell Murray) who said: It is not a big step, but it is a step in the right direction. I told Mr. Murray, that he was wrong because, once again, we must show faith in that province. And who could show faith, Madam Speaker? If I had the time, I could list the difficulties we had in getting Saskatchewan to honour Section 23 of the Constitution dealing with education. It has been five years since that legislation was passed, since the Constitution was amended and since Saskatchewan committed itself to protecting the fundamental education rights of its larger minority, the Saskatchewan Francophones, and nothing, absolutely nothing was done during all that time for that minority, Madam Speaker. I repeat nothing, no French schools, no administration of independent French schools, no Francophone school board, nothing! Absolutely nothing under Section 23! How do you expect me or other people to trust a Premier who said: wait another 10 or 15 years and this province will be bilingual as our Prime Minister reported today.

Mrs. Speaker, you do not take fundamental rights away from a group of people in a province and say that those rights will be restored in 15 years. That is not how justice works in Canada and that is not what my country is all about, Mrs. Speaker.

Mr. Pierre H. Vincent (Parliamentary Secretary to Minister of Finance): Madam Speaker, when I hear comments of that nature from the Opposition side . . . Perhaps his party, when it was in power, could have done its share too.

On March 28, 1988, Madam Speaker, the Hon. Member for Ottawa—Vanier (Mr. Gauthier) asked a series of questions related to the following three subjects: implementation of minority-language education rights under Section 23 of the Charter, implementation of the provisions of the Criminal Code relating to the language of trials and the use of the official languages in the Province of Saskatchewan as a result of the decision rendered by the Supreme Court of Canada on Section 110 of the former Northwest Territories Act.

Madam Speaker, although it is up to the provinces to respect their own constitutional obligations in the field of education, the Government of Canada has intervened in almost all cases affecting minority-language education rights in order to promote a broad and equitable interpretation of Section 23 of the Charter. In terms of policy, the Government of Canada has made a solemn commitment in Bill C-72 to encourage the country's francophone and anglophone minorities. To this end, it has confirmed the role that the Secretary of State of Canada has long played in this field. Among other responsibilities, the