

Senator Flynn: I said that we should not expect negative but positive reactions in that case. I trust we shall have positive reactions. I do not understand why we should apprehend negative reactions before they exist.

Senator Molgat: A supplementary to the question the Honourable Senator Marchand has just asked, Mr. Speaker. It goes without saying that all Manitoba francophones, including my colleague Senator Guay and myself, are very delighted with the judgment announced this morning. However, Senator Flynn's answer does not indicate to us really whether the federal government will be acting in this affair and whether it will correct the injustice which has been going on for 90 years in Manitoba. Let us wait and see what happens later. At present, would he be prepared to propose that the federal government agree to take over at least part of the cost incurred in Manitoba following that judgment, considering that the Government of Manitoba will now have to do a lot of translation if it complies with the judgment? They will have to issue the statutes of Manitoba in both languages and re-establish a bilingualism policy which was there originally but which was abandoned. Is the federal government prepared, at this time, to announce clearly that it is going to take over a large proportion of those costs?

Senator Flynn: It is a decision which will be made in time. I simply want to tell my honourable friend that the federal Government has indicated to the Government of Manitoba that we would consider the situation should problems arise following the judgment.

As I said, this is a judgment concerning first the government of Manitoba. If it asks for any kind of assistance from the federal government or even from the federal Parliament, I can assure my honourable friend that we shall consider that request favourably.

I repeat that the Manitoba government will have to assess this judgment. It will have to look into the implications of this judgment and make up its mind about which way it chooses to go and what sort of assistance it may need from the federal government.

Senator Molgat: I have a supplementary question. Assuming that the Manitoba government decides to do nothing, there would be time limits. What are the time limits the minister would accept? When would he start exerting pressure to make sure that the decision is enforced?

Senator Flynn: I wonder if the honourable Senator Molgat has read the judgment that the Supreme Court has just rendered in the *Forest* case. The decision does not state that all statutes which have been adopted, I think, since 1890 only in the English language are *ultra vires*, null and void. The judgment does not say that. It merely confirms the judgment of the Appeal Court. There are possible implications. What are they? The issue may be raised once again whether the fact that these statutes had been adopted only in English makes them all *ultra vires*. This issue has not been settled by the Supreme Court.

What I suggest, therefore, is that the honourable senator take a while to ponder the decision, as the Manitoba government certainly will, before choosing the most practical solution. I repeat that there is no reason to be concerned about this, because there are no problems just yet. Sometimes problems are eliminated in the easiest way. It is not by making mountains of them that we will serve our countrymen's best interests.

Senator Molgat: A supplementary question. I like the calm way in which my honourable colleague presents the question. Had he been a French-speaking Manitoban during that time, perhaps he would not be as calm.

So, since we have been waiting for ninety years, I am asking the Honourable Minister of Justice and Attorney General what time limit he is now prepared to give? Is he prepared to wait ninety more years or will he say expressly to the Manitoba minister, to the Manitoba government: Well, you have three or six months. Otherwise, things could drag on and on all over again.

Senator Flynn: Once again, honourable senators, the time limit does not rest with the federal government. It rests with the Government of Manitoba. It is up to them to act. If I were a French-speaking Manitoban, having won my case in the Supreme Court of Canada, I would not start shouting from the housetops that I have been persecuted for a hundred years, but would simply say, "Well, I won my case." I would simply urge my government, the government of Manitoba, to comply with the decision as soon as possible, and in the best way possible. That is what I would do if I were a calm, cool and collected Manitoban.

Senator Guay: A supplementary question. I should like to say, honourable senators, that I am also very pleased to support what Senators Marchand and Molgat have just said. On the other hand, I am a little disappointed by the few words that the honourable Minister of Justice has just spoken.

On one point only, although I am not a lawyer, I do not agree with him that only the legislation passed in English is *ultra vires*. I do not follow him on that point.

Moreover, I did not appreciate his saying that we got excited over the Supreme Court judgment. I think the people of Manitoba, the old families, made sacrifices over almost a hundred years to have denominational schools. In other words, they paid taxes to the public schools while supporting their own schools. I think they have a reason to get excited, and happily so, in view of the judgment handed down today.

I think the Senate government leader must take into consideration the requests made to him today, in an urgent manner, in order to see what can be done to solve this problem in Manitoba.

It must be said that it was not only Mr. Forest who did tremendous work in this area. The major effort was made by our fathers and forefathers who insisted that we Manitobans speak French and maintain our language, even if we had no rights to do so.