

Recent Publications and Documents

THE BATTLE OVER BILINGUALISM, Russell Doern, Cambridge Publishers, Winnipeg, Manitoba, 1985, 227 pages.

Russell Doern has written another disturbing book. His first effort, *Wednesdays are Cabinet Days* (see Autumn 1982 issue of this magazine) was a personal account of his career in the cabinet of Ed Schreyer of Manitoba. He came tantalizing close to explaining how a pragmatic, cautious, unpretentious individual like Ed Schreyer acquired a reputation as a charismatic leader but Mr. Doern always digressed into personalities or *non sequiturs* such as the hub bub over the visit of John Lennon and Yoko Ono.

This book is disturbing for some of the same reasons but also because it indicates the potential for *zugswang* (a chess term to describe a situation where a player cannot make a move without worsening his position) in our political institutions. It is also a classic case of individual conscience conflicting with party discipline with the usual traumatic results for everyone involved.

The story goes back to 1890 when the Manitoba legislature abolished the use of French in the courts and legislatures of that province although these rights had been guaranteed at the time the province joined Confederation in 1870. In 1976 an insurance salesman in the City of St. Boniface, George Forest, challenged a parking ticket written in English on the grounds that the 1890 law was invalid and the ticket should have been printed in English and French. The case went all the way to the Supreme Court which, in 1979, upheld the contention by Mr. Forest. The provincial government led by Premier Sterling Lyon of the Progressive Conservatives began the task of translating all statutes and certain other official documents into French. The process was going slowly and in 1980 Roger Bilodeau challenged a speeding ticket on grounds that the

statute on which it was based had not been translated.

This case too headed for the Supreme Court but the federal and provincial governments tried to work out an agreement with the Franco-Manitoban Society to avoid another Court fight. This agreement, according to Doern, went beyond the mere translation of statutes and would have imposed official bilingualism on all provincial government departments. By this time the New Democratic Party had replaced the Conservatives and

the legislation to get through the opposition filibuster.

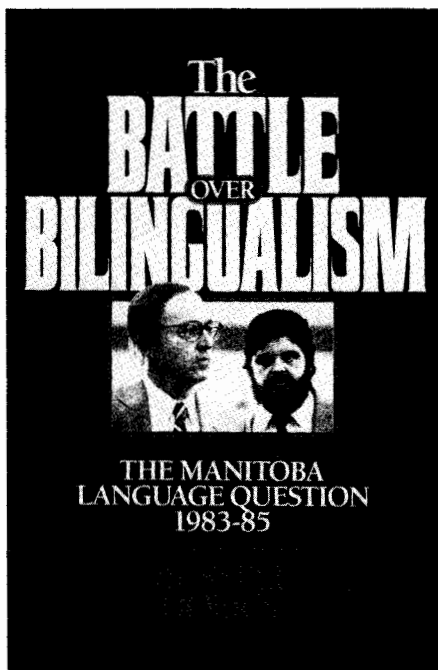
The bill was finally stopped and the matter referred to the Supreme Court which declared all Manitoba laws invalid but deemed them temporarily valid pending an acceptable timetable for translation.

The book concludes with some observations on what has happened to the principal protagonists including Mr. Doern. After twenty-three years in the NDP he resigned from the party in June 1984 and sought re-election as an independent.

Doern writes well and the story is fascinating although one suspects this is a rather one sided view of the battle. It would be interesting to hear what the other principal characters have to say about the various events. One could be more sympathetic to the author were it not for the number of gratuitous and personal remarks about his adversaries. Premier Howard Pawley is pictured as a "weakling dominated by non political advisors, particularly his wife; Attorney General Roland Penner is pictured as an ideologue. House Leader Andy Anstett is described as Penner's "hatchet man" playing Roy Cohn to Penner's Joe McCarthy. Cabinet Minister Myrna Phillips is "a woman's libber with little experience, policy or manners."

The battle over bilingualism was obviously an emotional one for Mr. Doern. It is unfortunate, however, that he ignored the advice of his own wife, Phylis, who counselled "stick to the issue and avoid personalities." Mr. Doern says he recognized the wisdom of her advice but felt he had to deal with the dastardly attacks that were being made upon him. Perhaps his "damn the torpedoes" approach is part and parcel of being a maverick. In any event his experience goes to show once again that there is probably less room for mavericks in Canadian parties and legislatures than in most countries in the western world.

Gary Levy



Mr. Doern found himself in conflict with the Premier, the Attorney General and a majority of his own caucus.

The book recounts the battle against the proposed legislation in caucus, in public meetings, in the Winnipeg Municipal plebiscite and finally in the legislature itself. One of the few heroes in this book, aside from Mr. Doern himself, is the Speaker of the Assembly James Walding who, according to Mr. Doern refused to yield to government pressure, to bend the rules which would have allowed