

special counsel to the federal delegation, I have appointed two constitutional authorities from outside the public service, Carl Goldenberg, Q.C., and Dean Jean Beetz, Q.C., and we plan to consult other specialists as the need arises. Because of the importance I attach to this process of review, I have retained personal responsibility for the Federal Government's participation.

At the moment, some members of the press and the public may feel unfairly excluded from the preparatory discussions in the Continuing Committee of Officials. There are valid reasons for this policy. These discussions are intended to explore the possibilities for agreement and not to publicize any differences which may initially exist. Anyone who has taken part in similar activity will understand the advantages of the parties not firing public salvos at each other. The officials, in any event, have no powers of decision. These reside in the elected representatives of the people.

I expect, however, that future meetings of the prime ministers and premiers will be conducted in public as much as possible. I also expect that, before any proposals for extensive change are finally adopted, the public will have full opportunity for comment and discussion...In the democracies of today, a more informed public is justified in demanding greater participation in the decision-making process of government.

If we jointly re-examine all aspects of the constitution, what changes will it bring? The answer must await the final judgment of Canadians and their governments - after we have canvassed views and explored alternatives. I cannot foretell the results.

#### SUBSTANCE OF REVIEW

I can, however, speak with some assurance of the approach of the Government of Canada to the substance of constitutional review. It is no secret that I have denied the validity of some proposals for change. I have refused to assume that Canada or the provinces would be more advanced socially or economically, that its two largest linguistic groups would be better served, by the wholesale transfer of jurisdiction from Parliament to the provincial legislatures. I have rejected constitutional solutions based on the premises that cultural or linguistic rights equal provincial rights, that the interests of one linguistic group equal the interests of one of the provinces or that one sovereign state in international law can be represented by two or three or 11 governments abroad.

On the other hand, I have equally rejected solutions based on the premises that one country equals one language or one culture, or that a single policy in international affairs cannot encompass the interests of ten provincial governments. If the constitution is not clear on these points, we must clarify it....

One constant, if paradoxical, goal of all law reform should be to increase the freedom of the individual. As Cicero wrote, we have laws that we may be free. The Federal Government's proposals and legislation are intended to increase the freedom of individual Canadians.

We should first consider the better protection of the rights of individuals, preferably by a constitutional charter of human rights binding on all governments....

Among the rights which we consider necessary for inclusion are the rights to the use of the official languages. The B & B report called for legislative and administrative action, and for constitutional guarantees, to give equal official status to French and English. The Government of Canada has accepted these recommendations.

At the next session of Parliament we shall be introducing an official-languages bill - a bill to ensure that the citizen will be able to use the official language of his choice in dealing with the legislative, executive and judicial branches of the Government of Canada.

Several provinces have also taken legislative or administrative steps in this field. Since the beginning of this year, five provincial legislatures have declared French an official language in debates. New Brunswick and Newfoundland have become officially bilingual, and eight provinces have further expanded language rights in education. I am very happy to report that French and English are now or will shortly be available to some degree as languages of instruction in all ten provinces.

While these measures represent a very considerable advance towards the equal recognition of both languages, it is still important that we seek constitutional guarantees of linguistic rights - guarantees that will ensure that no passing legislative majority can abuse the linguistic minority in any part of the country. Only when this is done will the constitution truly express one of the fundamental conditions of Canadian unity.

#### PROBLEM OF LANGUAGE RIGHTS

...There is no aspect of a person's life which so deeply and universally affects his feeling of personal freedom as his right to express himself in his own language. Sometimes it is difficult for the members of an overwhelming and secure linguistic majority to realize the importance of this feeling. As English-speaking Canadians are in no danger of losing the right or the opportunity to use their language, they wonder why French-speaking Canadians are so concerned about such matters. Some of them come to believe that French-speaking Canadians are trying to impose their language on English-speaking Canadians, that they are trying to restrict the freedom of the members of the majority. We hear wild charges that the Federal Government is trying to make it compulsory for Canadians in all parts of the country to speak two languages. Of course, this is nonsense.

To maximize the freedom of our two major language groups, we believe it is essential to work towards a properly functioning bilingual state. In such a state it will be necessary to speak two languages in order to qualify for some positions, just as it is necessary to be a member of the bar to practice law, or to have a driver's licence to drive a taxi. But the vast majority of Canadians will probably continue to speak only one language, and they will