

*Official Languages Act*

These statistics clearly demonstrate how realistic this policy is. Never has the Government supported the imposition of quotas which negatively impact on either Francophones or Anglophones. We have never supported the implementation of language programs which discriminate. The reality is quite the contrary. The official languages policy outlined in this Bill has always promoted and defended the concept of merit. This is a concept that will continue.

*[Translation]*

Mr. Speaker, the Charter provides that anyone whose linguistic rights have been infringed may apply to a court to obtain such remedy as the court considers just in the circumstances. For the Official Languages Act to be effective, we had to give it executive force. That does not mean that every language dispute will henceforth be referred automatically to a court. Rather, the new Act provides a mediation mechanism with which the Commissioner of Official Languages will be associated by virtue of this role as an ombudsman and the expertise he has acquired over the years.

For that reason, the bill requires that persons intending to file a complaint approach the Commissioner first. He will be responsible for investigating complaints.

It is only as a last resort that the person goes to court. We have thus rectified the shortcomings of the 1969 Act for cases where Canadians have a legitimate grievance. The Commissioner of Official Languages will shift out the frivolous suits from the serious ones. His participation will be the pledge that suits will be based on the principles of law. Of course, the Commissioner will have to act in accordance with the Law, and if he exceeds his competence and finds himself outside the limits of his jurisdiction, he could be the subject of the usual administrative proceedings, on the grounds that he had infringed the rules of fundamental justice.

*[English]*

In closing, let me say a few words about Part VII of the Bill on the advancement of English and French. I am pleased that my colleague, the Secretary of State (Mr. Bouchard) is here. I hope he will be in a position to participate in the debate and expand on this matter.

The Supreme Court has stated that this constitutional principle of progress in language matters is particularly suited to advancement through the legislative process. Surely all Canadians can see the wisdom of supporting, through encouragement and co-operation, not coercion, the development of our official language minority communities and the recognition and use of both official languages in Canadian society as a whole. Surely all Canadians want their federal Government to encourage and support the learning of English and French, and to foster the acceptance and appreciation of our two official languages within the Canadian public. The recent language

agreements between the federal Government and the Governments of Saskatchewan, the Yukon and Prince Edward Island are witness to this consensus.

The Chief Justice of the Supreme Court put it eloquently in the *Société des Acadiens* case, repeated most recently by a majority of the court in the seminal *Mercure* decision. He stated:

Linguistic duality has been a longstanding concern in our nation. Canada is a country with both French and English solidly embedded in its history. The constitutional language protections reflect continued and renewed efforts in the direction of bilingualism. In my view, we must take special care to be faithful to the spirit and purpose of the guarantee of language rights enshrined in the Charter.

On this occasion the Government is coming forward with legislation that is fair, equitable and which guarantees fairness to all parts of our country and all members of Canadian society. It is legislation that recognizes that equity and fairness are the cornerstone of this Government's approach to official languages. With the leadership of the Prime Minister on this very sensitive and important issue, Canada will develop as the progressive nation for which it is totally capable. We look forward to this legislation taking us into the next century. I urge the support of all Members.

**Some Hon. Members:** Hear, hear!

**Mr. Jean-Robert Gauthier (Ottawa—Vanier):** Mr. Speaker, I am pleased that the Minister took the high road today. Indeed, it is an historic day and, for many of us, an important day because after several years of hard work and great experiences, we are coming to a moment when the House of Commons of this country is to approve a new law concerning official languages. It is a new law of this land designed to achieve national unity and unite Canada on the basis of the constitutional goal we set for ourselves, and to have a country where duality is respected and seen as a unifying objective rather than a divisive one.

I am particularly happy that we are dealing with this legislation at this time because I do not believe we have a linguistic crisis in Canada at this time.

● (1150)

*[Translation]*

Mr. Speaker, when my leader, the Right Honourable Leader of the Opposition (Mr. Turner), spoke during the debate in this House last February 9 on Bill C-72—and he was the only Party Leader who spoke in that debate, and I thank him for it—he said, and I quote,

One of the reasons why this Bill is acceptable to us and to a substantial majority of Canadians is that it is in our Party's tradition, which includes the 1969 Act, the experience we acquired from 1969 to 1984, the Parliamentary Resolution of 1973, the 1982 Canadian Charter of Rights and Freedoms, the proceedings of the Joint Committee on Official Languages.