

have formed an opinion which, anyhow, would not have accurately affected the practical reality of bilingualism in the Supreme Court. That is why I am asking whether the judgments have been rendered in English or in French and whether the mother tongue of the judges concerned was French or English.

My primary concern, Mr. Speaker is to ascertain whether French and English are on the same footing in the Supreme Court. Secondly, whether the judge whose mother tongue is French must always give precedence to the English language or whether it is the opposite. Thirdly, which is the working language at the Supreme Court? I do say the working language and by that I mean the language used for writing and for every day work.

What I want to know is whether both languages are used at the Supreme Court or is there any discrimination against one or the other? In other words, are both official languages treated alike there? And in order to know that, Mr. Speaker, I am asking the Minister of Justice by way of this notice of motion for production of papers to tell us to what extent the judges whose mother language is French are free to work in their own language and whether they have sometimes to conform, to the British traditions?

I know, Mr. Speaker, that the Minister of Justice is well enough aware of it to acknowledge that the distinction I am making now is in keeping with my first purpose which was not just to get figures or statistics, but rather to ascertain whether the Supreme Court is a genuine bilingual organism, which I seriously doubt.

On the eve of passing the bill on the official languages and following the publication of reports of the Royal Commission on bilingualism and biculturalism, it seems to me normal and essential that the house be allowed to know whether bilingualism exists or not in this federal institution, the Supreme Court.

This is an Anglo-Saxon stronghold, Mr. Speaker, and I do think that the reason why the government does not want to supply us with those documents is that they do not want the Canadian people to know that the Supreme Court is an Anglo-Saxon bastion. In addition, Mr. Speaker, the House of Commons has never inquired (*enquérie*) in all its history about the status and use of French and English at the Supreme Court.

Judgments of the Supreme Court of Canada

Hon. Jean Marchand (Minister of Regional Economic Expansion): Not "enquérie", but "enquise".

Mr. Fortin: Never in all its history, Mr. Speaker, has this august assembly inquired, never has one single member inquired about what was going on at the Supreme Court in respect of bilingualism. This has been confirmed to me, for the information of the would-be Minister of Regional Economic Expansion, by the House of Commons Distribution Office.

Mr. Marchand (Langelier): Mr. Speaker, I rise on a point of order.

The Acting Speaker (Mr. Béchard): Order. The Minister of Regional Economic Expansion on a point of order.

Mr. Marchand (Langelier): On a point of order, Mr. Speaker.

When one speaks in defense of the French language, it might perhaps be more suitable to use it properly. It was "enquis" and not "enquéri" that was the right term.

Mr. Fortin: I am sorry, Mr. Speaker, I did not get what the minister said. Could he repeat his remarks?

Some hon. Members: He gave you a lesson in French.

Mr. Fortin: Mr. Speaker, everyone concerned recognizes that the Supreme Court of Canada is mostly Anglo-Saxon—I will prove it later—and that the room left to the French language is very small, if not non-existent.

Furthermore, Mr. Speaker, the French-speaking civil servants at the Supreme Court do not work in their mother tongue, but in the other language.

Has there been any one case where the defendant could have had justice done to him in his own language? Is that true or not?

Insofar as the appointment of judges is concerned, does it involve the "language" factor? If so, to what extent?

When someone's services are required at or when he is appointed to the Supreme Court, if he is English-speaking or French-speaking, is it required from him that he be bilingual?

These are all questions related to the motion before us and which I consider essential, particularly in view of the constitutional review expected to take place soon. It is most important, Mr. Speaker, that we know the answers to those questions.