

further the spirit of the Canadian Charter of Rights and Freedoms and the Official Languages Act in ways that nurture unity and avoid divisiveness. This leads the government to support without reservation the granting of permanent status to the Committee as sought by its recommendation that a Standing Joint Committee be created.

Turning now to recommendations in your fifth report with important constitutional or legal dimensions, there can be no doubt that the Charter has entrenched fundamental principles of great importance to our two official languages with which both legislation and policy must conform. To this end, legislation is required to amend the Official Languages Act and your second recommendation is, therefore, accepted.

With respect to your proposal to establish the primacy and the executory nature of the Official Languages Act, the government intends to keep these recommendations under advisement. The entrenchment of official languages rights in the Charter reflects the underlying principles upon which your first recommendation is based. Pursuant to subsection 52(1) of the Constitution Act, 1982, the official languages provisions of the Charter, including the role of equality of status of both official languages in all federal institutions and the service to the public provisions, prevail as supreme law of Canada over any federal enactment. Moreover, section 24 of the Charter leaves no doubt that the linguistic rights guaranteed by the Constitution are enforceable in the courts. Thus, the Charter, as part of the Constitution of Canada, is the fundamental guarantee of our linguistic rights.

The Honourable Lowell Murray,
The Senate,
Ottawa, Ontario.
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