



Letters to the Editor Column

SUPREME DILEMMA

Re: "Non to bilingual judges," by Peter Worthington (May 4).

Worthington is right when he suggests that the proposed law limiting appointment of judges to only those who speak both French and English is too important to be left to parliamentarians in Ottawa to decide.

In fact any unilateral move by Parliament to change the qualifications for appointments to the Supreme Court of Canada may well be unconstitutional as it appears to contravene section 41(d) of the *Constitution Act, 1982*. This section advises that changes to the "composition of the Supreme Court of Canada" may only be made "where authorized by resolutions of the Senate and House of Commons and of the legislative assemblies of each province."

Bill C-232 would amend the Supreme Court Act by adding the requirement that no one may be appointed to the Court unless they understand French and English "without the assistance of an interpreter."

A review of the constitutionality of the bill would appear to be in order before the Senate proceeds with debate.

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