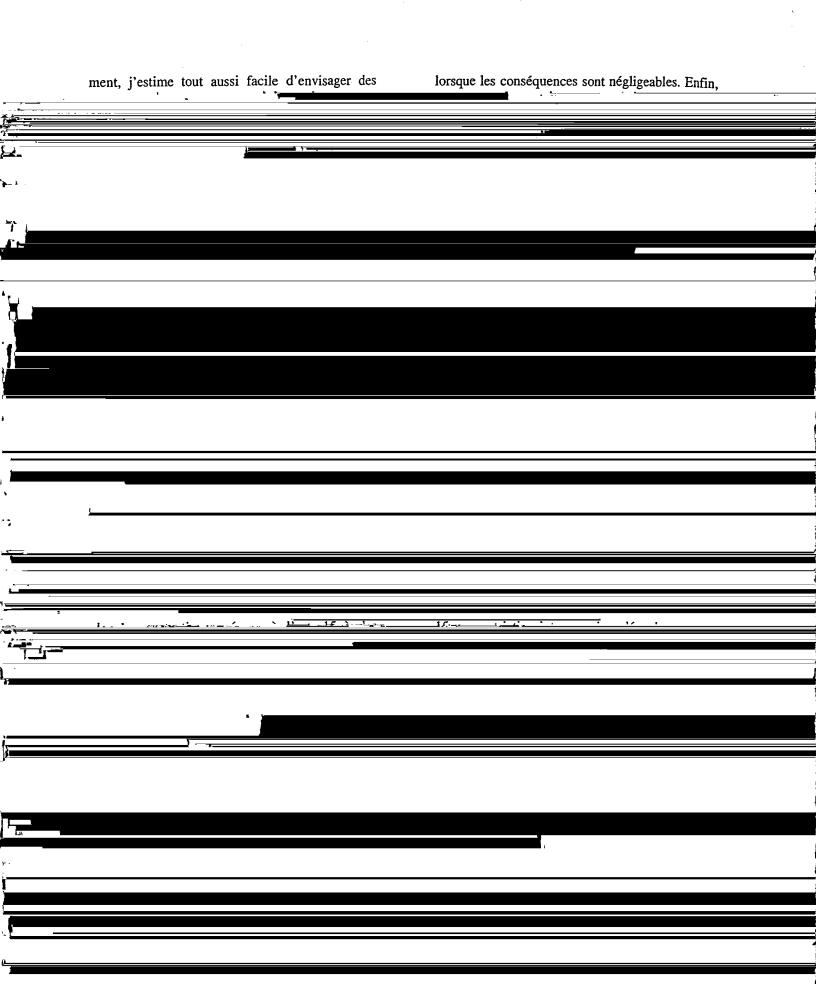
Les motifs suivants ont été rendus par



would be a society in which nobody is made to feel L'HEUREUX-DUBÉ J. (dissenting) — This appeal raises the question of whether a legislative distincdebased, devalued or denigrated as a result of legtion that limits eligibility for a spousal supplement islative distinctions, such an ideal is clearly unrealunder the Old Age Security Act, R.S.C., 1985, c. Oistic. The guarantee against discrimination cannot 9, to "opposite sex" spouses is discriminatory possibly hold the state to a standard of conduct within the meaning of s. 15 of the Canadian Charconsistent with its most sensitive citizens. Clearly, ter of Rights and Freedoms and, if so, whether it is a measure of objectivity must be incorporated into saved by s. 1 of the Charter. Although I agree with this determination. This being said, however, it much of what is said by my colleagues Justices would be ironic and in large measure, self-defeat-

more desirable to treat relevance as, in fact, a justideny protections under s. 15 to groups that are otherwise deserving of it. In particular, where a distinction is relevant to the purpose of the legislafication for distinctions that have a discriminatory impact on persons or groups, to be considered under s. 1 of the Charter. I shall elaborate upon tion, then it is not discriminatory for the purposes of a 15 To my rious wish an amount tolere fee too narrow a view of discrimination. Relevance can, by definition, only be evaluated as against the arise naturally from its plain language. Given that nymaca of the impured lacidation Come