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CONFIDENTIAL

FEDERAL-PROVINCIAL CONFERENCE
OF
FIRST MINISTERS

Report of the Continuing Committee of Ministers
on the Constitution to First Ministers

THE PREAMBLE

Ottawa
September 8-12, 1980

THE PREAMBLE

On August 29, Ministers discussed the Report of the Committee of Officials on the Preamble (CICS Document 830-84/033).

-- They decided to present the attached draft of a preamble and statement of purpose of the Constitution for the consideration of First Ministers.

Manitoba suggested that the CCMC record its support for a preamble that is as brief and simple as possible.

It was also suggested that a draft of the preamble not be made public until First Ministers had had an opportunity to review the attached draft together privately.

If First Ministers agree to a preamble and statement of purpose, the CCMC recommends that there be an understanding that there will be further opportunity to receive suggestions for stylistic changes and that these should be communicated to the CCMC officials committee.

Issues for Consideration

The draft contains two sets of passages that have been placed in square brackets, indicating that the CCMC did not reach a final decision on the particular form of words to recommend to the First Ministers Conference.

The principal issues which require decision by First Ministers are:

1. With regard to lines 1-5, which of the five alternative versions set out in the draft should be adopted for the preamble? If none, which of these should be modified for inclusion?
2. With regard to lines 17 and 18, which of the two alternative proposals should be adopted?
3. After the choices have been made in respect of 1 and 2, is the draft acceptable?

BEST EFFORTS DRAFT

PREAMBLE AND STATEMENT OF PURPOSE OF THE CONSTITUTION

a) Federal Government:

In accordance with the will of the citizens of Canada, the Government of Canada and the Governments of the Provinces of Canada have expressed their intention to remain freely united in a federation, as a sovereign and independent country, under the Crown of Canada... 1
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b) British Columbia:

(i) The will of Canadians is that the Provinces of Canada choose to remain freely united in a federation with a federal government, as a sovereign and independent country, under the Crown of Canada... 1
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(ii) It is the will of Canadians that Canada remain united as a federation, as a sovereign and independent country, under the Crown of Canada... 1
2
3

c) Manitoba:

It is the will of Canadians to remain freely united in a federation of provinces, as a sovereign and independent country, under the Crown of Canada, with a federal central government... 1
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d) Quebec:

In accordance with the will of Canadians, the Provinces of Canada choose to remain freely united in a federation, as a sovereign and independent country, under the Crown of Canada all of which meets with the approval of the federal government... 1
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with a Constitution similar in principle to that which has been in effect in Canada. 6
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THE FUNDAMENTAL PURPOSE of the Federation <u>[Constitution]</u> is	8
to preserve and promote freedom, justice and well-being for	9
all Canadians, by:	10
PROTECTING individual and collective rights,	11
including those of the native people;*	12
ENSURING that laws and political institutions are	13
founded on the will and consent of the people;	14
FOSTERING economic opportunity, and the security	15
and fulfillment of Canada's diverse cultures;	16
<u>[RECOGNIZING the distinct French-speaking society</u>	17
centred in though not confined to Quebec;]	18
<u>[RECOGNIZING the distinctive character of Québec</u>	17
society with its French-speaking majority;]	18
CONTRIBUTING to the freedom and well-being of	19
all mankind.	20

* This phrase is subject to acceptance by the native leadership