

Confidential

September 6, 1980

Notes For Remarks By The Prime Minister
At The First Ministers Conference On The Constitution
Ottawa --- September 8, 1980

On behalf of the federal government, I take pleasure in welcoming all of you to this Conference of First Ministers on the Constitution of Canada. Given the useful work accomplished over the summer months by our ministers and officials, I believe that we begin with a good basis for discussion. Given the good will and love for our country which each of us has brought to this table, I am confident that despite the difficulties of our task, this meeting can become an important step toward the renewal of our federation.

For over fifty years, federal and provincial governments have met in conferences such as this, with the aim of modernizing our Constitution and completing the process of Canadian independence. For one reason or another, all of those conferences ended in a failure to do the job which needed to be done.

The people of Canada have grown justifiably weary of interminable discussion, and are understandably frustrated by our failure to make Canada work the way it can and should.

For that reason, the Government of Canada is firmly convinced that the time for talk is rapidly coming to an end, and the time for action is upon us.

We are committed to action on the Constitution, not only because the federal government and many of you pledged such action during the Québec referendum campaign, but also because it is clearly the will of the people in every part of Canada.

There can be no doubt at all that the overwhelming majority of Canadians in every province and territory want us to move forward with the job of constitutional reform as quickly as possible. I believe that, as politicians, we have no choice but to respond to the will of the people.

In May of this year, when I announced in Parliament that we were launching a new initiative toward constitutional consensus with the provinces, I said that in the fall, after assessing the results of three months of intensive consultation, I would be recommending a course of action to Parliament.

I will keep that pledge; and I look forward to reporting that the federal and provincial governments are ready and willing to act with Parliament in giving a new and historic beginning to the Canadian spirit of co-operation and partnership.

I look forward to showing the people of Canada strong proof that their eleven governments are indeed responsive to the will of the people -- that we can and will make Canada work better in the future than it has in the past.

In response to the national desire for change, the Government of Canada is determined to push forward with constitutional renewal when Parliament reconvenes.

This conference, therefore, really is the last chance for the people of Canada to have their eleven governments speak with one voice and act with one will on the re-writing of the fundamental law of the land, insofar as it applies to patriation and a charter of rights.

When this week comes to an end, the time for federal-provincial discussion of the so-called "people's package" -- that is, bringing the Constitution home to Canada with an entrenched charter of rights and freedoms -- will also have ended.

After half a century of effort, it is time we produced results. After half a century of talking, our tongues and the people's ears demand relief.

I approach this conference, therefore, with a desire for genuine and serious negotiation toward a consensus. I have come to listen seriously to the proposals of any and every premier who is prepared to listen seriously to mine.

The federal government is prepared to make good offers at this table, and I trust you are prepared to do the same. Negotiation, after all, is a two-way process. We made good offers to each other during the summer months, through our ministers and officials, and there is no reason why we cannot bring that series of negotiations to fruition this week.

So we are not starting at the beginning of our common quest for a new constitution.

For that happy fact I would like to pay public tribute to the ministers and officials who worked long and hard during a vacationless summer, under the co-chairmanship of Mr. Chrétien and Mr. Romanow. During their series of meetings in Montréal, Toronto, Vancouver and Ottawa, they found common ground which gives me confidence as we begin this conference.

I do not expect unanimity among us, nor is it necessary. Indeed, it was a false emphasis on the need for unanimous agreement which paralyzed many previous constitutional conferences.

We will be discussing two different aspects of national renewal, both of which are based on the need to define Canada clearly as a society of free people living in one strong federal and sovereign state. Those two aspects are:

- 1) the basic rights and freedoms of Canadians, and,
- 2) defining how Canada can best be governed, through an appropriate division of powers and institutions.

It is clear that Canadians want to have their basic rights, including mobility rights, firmly entrenched in the Constitution, safe from the arbitrary actions of any Parliament or legislature. It is equally clear that the right to move to any part of Canada to live and work is a fraud unless language rights are secure. I seek your help in defining fundamental rights and freedoms; but the federal government is not prepared to give away federal governing powers in order to secure provincial concessions on individual rights.

We will not discuss the rights package, the people's package, except on its own merits; without reference to any other aspect of our negotiations. The rights of the people are too important to be traded off for some extended jurisdiction of a provincial government.

Canadians want to reaffirm that we live in one federal and sovereign country, that we share this land together, that we want it to be a strong country, that there should be free movement of people, goods and services from sea to sea, and that the benefits of our economic union must be protected.

Here again, the federal government stands firm in its determination to have our Constitution define Canada as that kind of state. We will not bargain away the nature of our country, nor agree to weaken the right of all Canadians to call every part of Canada their own.

On the second aspect of our discussions, the appropriate powers and institutions of the federal and provincial governments, there is lots of room for negotiation.

The issue of the appropriate assignment of powers between the federal and provincial governments is, as I see it, a challenge to each of us to strive for the best possible agreement consistent with the need to preserve Canada as one strong and united country.

This is a continuing process which takes time, and which undoubtedly will be the subject of federal-provincial negotiations for years to come. I seek the widest possible agreement on governmental powers this week; but I realize that some of the issues which divide us will take more time to resolve.