

PREMIERS' CONFERENCE

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CONFERENCE DE  
PREMIERS MINISTRES PROVINCIAUX

VERBATIM TRANSCRIPT

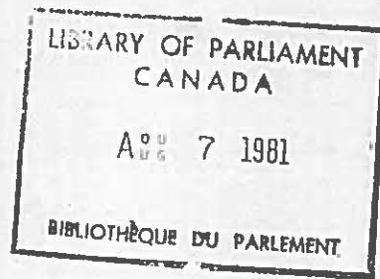
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COMPTE RENDU TEXTUEL

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(texte non vérifié)



OTTAWA

April 16, 1981



OTTAWA

le 16 avril 1981

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NOTE

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Participants/Participants

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The Premiers' Conference convened on April 16, 1981, at 11:06 a.m. in the Conference Centre, Ottawa, Ontario.

THE HONOURABLE STERLING R. LYON, PREMIER OF MANITOBA  
(CHAIRMAN)

My colleagues and ladies and gentlemen, the purpose of this meeting of the Premiers of eight of Canada's ten provinces is to put before the people of Canada an alternative approach to the patriation of the Canadian Constitution, an approach based on consensus and agreement among Canadians.

Our eight governments, representing more than sixty per cent of the total population of Canada, have reached an agreement that will permit our Constitution to be brought home to Canada. It will make it possible for Canadians to change our own Constitution, when we see fit to do so, without the permission of any other country. The federal government has said that agreement is not possible and that the only alternative is for them to petition the Parliament of the United Kingdom to change our Constitution for us. We propose instead that we ask Britain only to send our Constitution home.

Canadians themselves can be trusted to work together, as we have throughout our history, in the spirit of cooperation, reason and civility to make such changes in our Constitution as are needed. The eight provinces represented here have reached agreement on the patriation of our Constitution and on an amending formula that will permit Canadians themselves to decide how and when the Constitution should be changed.

At this meeting we will sign a written Accord setting out that agreement. We invite the federal government and the governments of the two provinces who are not represented here today to sign that Accord and to associate themselves with us in bringing Canada's Constitution home. The amending formula set forth in the Accord is more flexible and realistic than the current unanimity rule or any other proposals that have been made throughout the long years of debate about our Constitution. Our proposal will permit the Constitution to be amended by agreement among the federal government and any seven provinces representing at least fifty per cent of the population of Canada while still providing special protections for critical national or provincial interests.

The Accord also includes a power of delegation of legislative authority between the federal and provincial levels of government to permit and promote a more flexible and cooperative kind of federalism in Canada.

The Accord we will sign today is something Canadians can agree about after months of controversy and confrontation.

When the other governments of Canada sign this Accord, as we hope and trust they will, we will abandon our court challenges to the federal proposals to impose unilaterally a made-in-Britain set of constitutional amendments. As a further condition of the Accord, federal efforts to force these unilateral changes must also be abandoned.

In signing this Accord we commit our governments to follow the act of patriation of our Constitution with an intensive effort to agree on such other

amendments as enjoy sufficient support throughout Canada to be adopted.

Let us be clear. The Accord contains only an agreement to patriate our Constitution and an amending formula to permit Canadians to decide how our Constitution should be changed. That is all that the Parliament of another country should be asked to do for us.

On the basis of this Accord we can begin to work with patience and civility to agree on ways in which our Constitution can be improved. We believe that Canadians can be trusted to decide our own future. We invite the other governments of Canada to join us in that belief. We have had enough of discord, disunity and confrontation. It is time for Canadians to agree and for us to work together as a united federal country.

Now, gentlemen, with your concurrence, I would propose to read the text of the Accord in English and then I would ask our colleague, the Premier of Québec, to read the text of the Accord in French.

"CONSTITUTIONAL ACCORD

WHEREAS Canada is a mature and independent country with a federal system of government,

AND WHEREAS the Parliament of the United Kingdom has retained, at the request of the Parliament of Canada and with the approval of the Provinces, residual power to amend certain parts of the British North America Acts upon receiving a proper request from Canada,

AND WHEREAS it is fitting and proper for the Constitution of Canada to be amendable in

all respects by action taken wholly within  
Canada,

AND WHEREAS the full exercise of the  
sovereignty of Canada requires a Canadian  
amending procedure in keeping with the federal  
nature of Canada,

NOW THEREFORE, the Governments subscribing  
to this Accord agree as follows:

1. To patriate the Constitution of  
Canada by taking the necessary steps  
through the Parliament of Canada and  
the Legislatures of the Provinces;
2. To accept, as part of patriation, the  
amending formula attached to this  
Accord as the formula for making all  
future amendments to the Constitution  
of Canada;
3. To embark upon an intensive three-year  
period of constitutional renewal based  
on the new amending formula and without  
delay to determine an agenda following  
acceptance of this Accord; and
4. To discontinue court proceedings now  
pending in Canada relative to the  
proposed Joint Address on the  
Constitution now before Parliament.

The Canadian Patriation Plan is conditional upon  
the Government of Canada withdrawing the proposed  
Joint Address on the Constitution now before  
Parliament and subscribing to this Accord.

The Provinces of New Brunswick and Ontario  
are invited to sign this Accord."

Now I would ask our colleague, the Premier  
of Québec, to read the Accord in Canada's official  
language.

L'HONORABLE RENE LEVESQUE, PREMIER MINISTRE DU QUEBEC:

Les huit gouvernements provinciaux qui se retrouvent aujourd'hui à cette table, contrairement à ce que d'aucuns pouvaient penser, se sont entendus sur une formule qui pourrait remplacer plus qu'avantageusement, c'est le moins qu'on puisse dire, le projet non seulement de rapatriement mais de chambardement unilatéral du gouvernement fédéral.

Quant à nous, tout changement éventuel à la structure constitutionnelle devrait, en effet, s'accomplir de ce côté-ci de l'Atlantique, au cours des négociations auxquelles seuls les représentants de la population canadienne auraient voix au chapitre.

Il s'agit donc exclusivement dans le texte que nous proposons, d'un rapatriement accompagné comme il se doit d'une formule d'amendement, ce qui nous apparaît à l'évidence comme le maximum qu'on puisse décentement faire accomplir par un parlement étranger dans les circonstances où nous nous trouvons. Endossé par les gouvernements de huit provinces sur dix, qui représentent à leur niveau plus de soixante pour cent de la population totale du Canada, voici donc cet accord qui se lit comme suit:

"Attendu que le Canada est un pays développé et indépendant doté d'un système fédéral de gouvernement;

Attendu que le Parlement du Royaume-Uni a conservé à la demande du Gouvernement du Canada et avec l'assentiment des provinces, le pouvoir résiduaire de modifier certaines parties des Actes de l'Amérique du Nord britannique lorsqu'il reçoit une demande appropriée du Canada;

Attendu qu'il est convenable et opportun que

la Constitution du Canada puisse dans son ensemble être modifiée exclusivement au Canada;

Attendu que le plein exercice de la souveraineté du Canada exige une procédure canadienne de modification de la constitution qui respecte le caractère fédéral du Canada. En conséquence, les gouvernements qui sont parties au présent Accord sont convenus premièrement, de rapatrier la Constitution du Canada en proposant les mesures requises au Parlement du Canada et aux Législatures des Provinces;

Deuxièmement, d'inclure comme partie intégrante de ce rapatriement, la formule de modification ci-annexée comme moyen de procéder, à l'avenir, à toute modification de la Constitution du Canada;

Troisièmement, de s'engager dans des négociations intensives portant sur le renouvellement de la Constitution pendant les trois prochaines années en ayant recours à la nouvelle formule d'amendement; à cette fin un ordre du jour sera déterminé dans les plus brefs délais après la conclusion du présent Accord;

Et quatrièmement, de retirer les procédures judiciaires engagées au Canada relatives au projet d'Adresse conjointe sur la Constitution soumis au Parlement fédéral.

Ce projet de rapatriement de la Constitution est assujéti à la condition que le Gouvernement du Canada retire le projet d'Adresse conjoint sur la Constitution qui est actuellement devant le Parlement et qu'il souscrive au présent Accord.

Evidemment, les provinces du Nouveau-Brunswick et de l'Ontario sont invitées à adhérer à cet Accord et la signature au nom des Gouvernements qui sont mentionnés

devra être suivie de la ratification par les Législatures ou dans le cas du Québec, l'Assemblée nationale."

Chacun doit normalement faire quelques commentaires, je vais faire les miens tout de suite et très brièvement et très simplement aussi pour dire ceci: que dès le moment, en octobre dernier, où M. Trudeau a annoncé son intention de procéder unilatéralement au rapatriement et surtout à la modification de la Constitution canadienne, le Gouvernement du Québec a clairement manifesté son opposition catégorique à ce coup de force.

Cette opposition, nous l'avons manifestée avant et pendant, tout au long en fait, de la campagne électorale qui vient de se terminer au Québec. Nous avons promis aux québécois de nous opposer par tous les moyens légitimes à la tentative fédérale de nous imposer une Charte des droits qui limiterait les pouvoirs essentiels de notre Assemblée nationale, notamment en matière de langue d'enseignement.

Nous avons donc reçu de notre électorat, il y a trois jours, un mandat qui nous semble non seulement clair mais indiscutable aussi de poursuivre notre opposition, alors que M. Trudeau, lui, il faut bien le dire, n'a jamais sollicité ni reçu aucun mandat pour faire ce qu'il essaie d'imposer de force au Québec comme à tout le Canada. Dès le lendemain du scrutin, nous avons donc repris et poursuivi notre collaboration avec les sept autres provinces qui partagent notre point de vue et nous avons tenu ensemble à ce que notre front commun, comme on l'appelle, ne se contente pas de mener une lutte d'opposition mais qu'il fasse également une contribution positive à la solution de la crise actuelle.

Et c'est ainsi, enchaînant sur le concensus inter-provincial qui était déjà intervenu en septembre dernier, que nous avons mis au point une formule d'amendement qui, d'une part, protège parfaitement bien les droits et les pouvoirs du Québec et qui d'autre part, comporte aussi un dynamisme et une flexibilité qui permettraient d'évoluer pour s'adapter aux réalités d'aujourd'hui.

Il est clair que cette participation du Québec à l'accord inter-provinciale qui est devant nous, n'affecte en rien le droit inaliénable des québécois de décider eux-mêmes, démocratiquement, de leur avenir collectif. Ce droit continuera d'exister dans l'avenir comme il existe maintenant et ne saurait être restreint d'aucune façon par la nouvelle formule d'amendement que nous préconisons aujourd'hui. Nous espérons simplement que cet accord des huit provinces qui sont opposées au rapatriement unilatéral, incitera M. Trudeau à renoncer à son coup de force et à reprendre des négociations de bonne foi. Nous avons fait un effort honnête et sincère et laborieux à l'occasion, pour trouver un compromis qui soit honorable pour tout le monde. C'est au Premier Ministre fédéral maintenant de revenir à la voie du bon sens et de se remettre à la table des négociations.

THE CHAIRMAN: Thank you, Premier Lévesque.

I would now sign the document on behalf of the Province of Manitoba and then invite the Premier of Québec to sign the document as well. We will then pass the document to each of the Premiers representing the eight governments, each of whom will have the opportunity to express his remarks.

I now invite the Premier of Nova Scotia, the Honourable John Buchanan, to address the meeting and to sign the Accord.

THE HONOURABLE JOHN M. BUCHANAN, PREMIER OF NOVA SCOTIA:

Mr. Chairman and colleagues, on this historic occasion I am very proud to sign the Accord on behalf of the Government and the people of Nova Scotia. This document embodies the position Nova Scotia has taken at and since the conference last September, when I urged patriation with an agreeable amending formula, and in February of this year in a resolution which I had the honour to introduce in the Nova Scotia Legislature; patriation with an amending formula agreed to by a majority of Canada's eleven governments. This Accord satisfies that criterion. We are gratified that the Accord embodies the position Nova Scotia has taken from the outset. I have always been optimistic about our ability to come to agreement amongst ourselves on the vexing problems that face us. I have always been optimistic that Canadians are animated by a spirit of conciliation and agreement. I am happy today, on behalf of Nova Scotia, to sign the Accord which has been animated by the spirit of conciliation and agreement.

In October of 1978, when I addressed the First Ministers' Constitutional Conference, the first one that I attended held in this room, I expressed my conviction that the Constitution of Canada was more than mere words written on paper. It was, as I said at that time, "the living heart of the political, social and cultural union that binds us as Canadians".

Again, in September of last year, here in this place, I declared my confidence that we, as Canadians, would find a way of agreement and that every difficulty would be susceptible of solution.

Mr. Chairman, Nova Scotians are determined, as I believe all Canadians are, that our federal system be confirmed, but brought up to date with the realities of our time.

Our Constitution has served us well. It is clear that our Constitution and our political system face challenges today that oblige us to re-examine our political institutions and our processes of government, so that we may be assured that they are appropriate to the needs, not only of today, but the expectations of tomorrow.

Canada is a great country. We are all committed to its greatness. We regard the initiative that we have taken today as proof of what can happen in our country with a commitment to constructive goodwill.

We have been challenged to come to agreement. We have come to a most substantial agreement. We have come to an accord that enables us to preserve and enhance a federal and parliamentary political system under the Crown. We are today taking a major step towards renewed federalism.

What the eight provinces have constructed on this very historic day will surely encourage all Canadian governments. The harmony we have achieved ought to encourage them to join us in taking counsel together in that constructive and very Canadian process of discussion, conciliation and agreement.

Mr. Chairman, my colleagues, ladies and gentlemen, our great country has an inspiring and memorable past. Our country has the expectation of a great future. But our past will not lead us to a realization of the expectation of the future that we and future generations deserve, unless we, today and in this place, ensure the future by our dedicated commitment. I believe we have succeeded. We have taken a great stride toward our future.

Let us now, all Canadians, move with assurance, pride and renewed confidence towards tomorrow.

As a Nova Scotian, as a Canadian, it is in that spirit, and with those convictions, that I with great pride as Premier of one of the founding partners of Confederation have signed the Accord today. Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you, Premier Buchanan.

I would invite Premier Bennett of British Columbia to sign the Accord and to speak to the meeting.

THE HONOURABLE WILLIAM R. BENNETT; PREMIER OF BRITISH COLUMBIA:

Mr. Chairman, my colleagues and, I guess, to a more important group, the Canadian people, I would like to reiterate and confirm what the three of my colleagues who have already spoken have said Sterling, René, John have talked about a made-in-Canada Constitution, and that's what this Canadian Patriation Plan provides for.

And although it's fifty years since the Statute of Westminster was passed, really the signing of this Accord, and providing a flexible made-in-Canada Canadian amending formula to allow us to get on with the substantial job of changing the Constitution where it's desirable, can take place in our own country. And this will end the last implied vestiges of colonialism which most Canadians do not agree with.

I believe also that at this time, we should pause as Canadians, as Premiers, those who are here, those who are not here, but who I hope will join with us in what is a positive move to build the country -- and of course that goes to the Prime Minister as well.

The signing of this Accord today and the Canadian Patriation Plan I hope will not be reported, nor dealt with, on a score card of winners and losers as to who has won the great debate over how we deal with our Constitution. I hope it will be looked upon as an opportunity for us to get on with the job within our own country.

Last December, following the conference in September, I introduced into our Legislature a motion calling for patriation with an amending formula flexible enough to allow us to get on with the job of constitutional amendment within our own country, ending the rigidity of unanimity which has created the frustrations that have led some to initiate actions which, I believe, have, and would continue to divide this country, had this plan not been introduced and signed today.

I would like to congratulate my colleagues for their willingness to compromise for the good of the country and to work towards drafting in detail, not what we have had in the past which has been a consensus in principle, but a detailed proposal that will work and help us to achieve our ends. I believe then that the people of British Columbia join with other Canadians in looking upon today as the beginning, as a rebeginning for our country, and that having signed this I am hopeful that other First Ministers not here will join in this positive spirit of cooperation so that we can together get on with the job. It is a time for the divisiveness and the rhetoric to end.

It is a time when Canadians should ask all of their government leaders to come together on their behalf and to get on with the job. Therefore, Mr. Chairman, I want to thank you for your patience with us over these many months -- the conferences, the calls and the hard work of you and your staff -- and that goes for all of my colleagues as well, and if I might just give a special thanks to my Minister of Intergovernmental Affairs, Mr. Gardom, and the people of British Columbia who so ably represented us with you at the many talks that took place.

I think Canadians today then, can be positive about our country because this provides us with the tool to get on with the job.

THE CHAIRMAN: Thank you, Premier Bennett.

I would now ask Premier Angus MacLean of Prince Edward Island to sign the Accord and to make his remarks.

THE HONOURABLE J. ANGUS MacLEAN, PREMIER OF PRINCE EDWARD ISLAND: Mr. Chairman and fellow Premiers, I first want to say that I concur on behalf of the people of my province with what my colleagues have already said, but I would like to add a few words of my own.

I believe that, in the course of our national life, we have arrived at a very important crossroads. The issue at stake is the future of federalism and the question of how this country ought to function. In the midst of the controversy of recent months, there is a danger that Canadians might lose sight of the central point. That point is that the present course of action by the federal government is a denial of the federal principle. It treats Canada as though it were an association of individuals rather than an association of

provinces each of which is sovereign within its own jurisdiction. Canada is not a monolith; it is not simply a larger version of pre-Confederation Canada, but a partnership of neighbours. Each of these partners came freely into Confederation with the understanding that its integrity and uniqueness would be respected and safeguarded within the union. That understanding is at the heart of our national life. If it is harmed, Canada, as we have known it, is harmed.

At this critical juncture in our history, the federal government seems prepared to abandon the processes of federalism and to initiate a new way of doing things in Canada. We are told that time is running out, that agreement is impossible, that the only course open to Canadians is the one being promoted by the federal government. Most Canadians do not believe those statements. Nor do I. Agreement is not impossible. Federalism is not an impasse from which we all must be rescued by the federal government acting on its own. Our presence here today demonstrates that the road of consensus is still open and passable. It is evidence that Canadians from east and west, from provinces large and small, are able to surmount their differences and to work together in a fashion which avoids confrontation and promotes unity throughout the land.

It is my fervent hope that the signing of this Accord will lead to the resumption of negotiations in goodwill between the provinces and the federal government, and that it will mark the beginning of a constructive process of restoration and renewal.

I want to express my appreciation and my delight in the effort and dedication that my colleagues and members of

their staff and ministers of my government have given to this effort to make Canada work as a Confederation.

Thank you.

THE CHAIRMAN: Thank you, Premier MacLean.

I now invite Premier Allan Blakeney of Saskatchewan to sign the Accord and to make his remarks.

THE HONOURABLE ALLAN E. BLAKENEY, PREMIER OF SASKATCHEWAN: Mr. Chairman and fellow Premiers, I first want to underscore and agree with a number of the statements made by those who have spoken before me, Premiers Lyon, Lévesque, Buchanan, Bennett and MacLean.

I particularly want to express my agreement with Premier MacLean's last remarks about the nature of federalism. On other occasions I have spoken about the need, in making constitutional change in any federal state, to have a double majority, a majority representing the national sphere and a majority representing the regional voice in the federation. Certainly, Parliament can speak for the national voice, but certainly Parliament cannot speak for the regional voices. A simple majority in Parliament cannot speak for all Canadians on all issues. To assert that that is true is to deny the federal character of Canada, and this character must be respected. To fail to do so is to deny all the fine words about co-operative federalism which have been uttered in this country for many decades and on which principles we have governed our political lives.

I say that what has taken place here today is important because it was said to be impossible. Eight Premiers have been able to reach an agreement which we believe will command a broad measure of support across the country. We, in

Saskatchewan, believe in the importance to Canadians of the federal system. We wish to maintain and strengthen the careful balance which has been achieved in this country over more than a century. That is why, after the Prime Minister announced his proposal to act unilaterally last October, we continued to seek a consensus which would satisfy both the federal government and the large number of provinces. And we sought specific changes which we believed would attract broad support. As will be known, our efforts were unsuccessful.

We failed in part because of the determination of the federal government to have an amending formula which involved referendums controlled and managed by the federal government and the determination by the federal government to give the Canadian Senate a new and perpetual veto over constitutional reform. Both of those are proposals which went against all prior agreements and discussions.

Having failed in that effort, we then sought agreement with the other provinces on a new approach to constitutional change -- a "made-in-Canada" approach.

I have been uneasy about the way the British Parliament is being asked to change the Canadian Constitution. That doesn't make too much sense. The British Parliament certainly has a role as a trustee but, if possible, we should not ask them to make decisions on major changes to our Constitution. So we, in Saskatchewan, asked ourselves, "Wouldn't it be better to ask the British Parliament to do nothing more than declare that they are no longer involved in Canadian affairs?" Surely this would be best for Canada and best for Britain. Canadians using their own Parliament and their own Legislatures could affirm that our Constitution

was patriated, and further changes could be made in Canada using an amending formula agreed upon by all. So that seemed to us to be the better approach.

We have now agreed with seven other provinces to do just that. And we are asking the federal government and the two remaining provinces to join us in this "made-in-Canada" approach. The amending formula we propose is a compromise. It is similar to the one agreed upon by all ten provinces last September, but changed to meet some of the objections raised by the federal government -- not precisely what any one government would have wanted, but something we can all live with.

This amending formula is an improvement on the one in the federal Resolution because it does not give an automatic veto to any single province. It does not contain two of the most objectionable features in the federal Resolution -- the referendum proposal and the perpetual Senate veto. As I said earlier, neither of them has been part of the previous constitutional discussions and neither, I suggest, has any significant support throughout the country.

Finally, I am particularly pleased that we have been able to add a provision for the delegation of legislative authority. It allows for a far more flexible constitutional arrangement than we have had under the BNA Act and satisfies a long-standing desire by governments, certainly our government, but all governments I believe, both at the federal and provincial levels.

What we have achieved is a flexible document open to change but strong enough to protect the genuine interests of both federal and provincial orders of government. I believe it will serve Canada well and I ask the Prime Minister and the Premiers of New Brunswick and Ontario to give their careful consideration to this proposal in the interests of the broadest possible national agreement.

It is our responsibility as eleven First Ministers to take those final steps to approve a constitutional proposal broadly acceptable to the whole Canadian community. With good will, I am sure it can be done and for the good of Canada I say it must be done.

Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you, Premier Blakeney. I now invite Premier Lougheed of Alberta to sign the Accord and make his remarks.

THE HONOURABLE PETER LOUGHEED, PREMIER OF ALBERTA:

Mr. Chairman, fellow Premiers, fellow Canadians, when I think about the time and years that I have been involved around this conference table discussing the Constitution, it was always my feeling and my judgment that our basic objective was to strive for constitutional renewal on the basis that we would strengthen the unity of Canada. That was our underlying objective. Regretfully, the process that has been embarked upon that causes so much concern across Canada, by the Prime Minister starting last October 2nd, has tended, in my judgment, not to strengthen Canadian unity but to create even deeper divisions in our country.

The reason for that is clear. Canadians want a federal state. They want a strong central government. They want strong provinces to reflect the regional nature of Canada. The process being pushed forward by the Prime Minister on a unilateral basis through the Parliament of Canada clearly weakens the federal nature of Canada.

Today Canadians see eight provinces very strongly submitting that there is a better way, a positive constructive way for not a made-in-Britain Constitution but a made-in-Canada Constitution. There is the general awareness of Canadians across this country in every province that as a federal nation these decisions should be made with the concurrence of the provinces.

The only argument that I have heard that has been made to justify the actions by the federal government in moving on its own, thrown up over the course of the last number of months, has been the argument that the provinces can't agree about anything. And what do we see here today? We see eight of the ten provinces agreeing on a most difficult matter - the question of how, in the future, to amend our Constitution, the real area that has caused a problem for Canadians over these many years, agreed to by, and you are observing signing, eight provinces.

Now, as my colleague, Allan Blakeney said, it had been alleged it was impossible but the very reality is defied by our presence here this morning.

There would be some in Ottawa and perhaps other areas who would belittle what is occurring today, yet I ask them to sit back and think about it. You have

here provinces that include the entire western region of Canada, all of the four duly elected provincial governments; you have three of the four Atlantic provinces and you have the very important Province of Québec. To suggest that the Prime Minister or federal government can ignore what is happening here this morning defies the realities of Canada.

The formula for amendment provides something that I think is basic to the fairness of Canadians. It is that if a province has rights, those rights should not be taken away from that province without the concurrence of the Legislature of that province. What is exciting about today is the fact that we have come up with a way, as others have said it, as my colleagues have said it so well, of having truly a made-in-Canada Constitution. There've been compromises to get here today by all of us at the table but there are no conditions to our being here in terms of the amending agreement that is here.

It had been proposed earlier by a number of leaders of Canada that all we should have done, and this included the Prime Minister, was patriate the Constitution, agree on an amending formula and resolve the matter in this Conference Centre. That proposal which was made a few years ago is the right way to go ahead. I believe that if the Prime Minister persists, supported by the federal government, there will be deep and long-lasting divisions. It is no flag debate issue, and the result, if it does occur, will be a very hollow victory indeed. I believe that to have a Constitution respected by

Canadians it must sustain the federal nature of Canada and cannot ignore today and cannot ignore the spirit of eight Premiers presenting to the people of Canada their desire to move forward in negotiation in the Canadian spirit of compromise to settle a new Constitution for our country.

Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you, Premier Lougheed. I now invite Premier Brian Peckford of Newfoundland to sign the Accord and make his remarks.

THE HONOURABLE BRIAN A. PECKFORD, PREMIER OF NEWFOUNDLAND:

Mr. Chairman, our gathering here in Ottawa today to sign this agreement between eight of the partners in our Confederation is, in my view, a significant event in Canadian history. It is what federalism is all about, partners sitting down together to tackle problems and arriving at a workable compromise for all concerned. What we have achieved by our action today stands in stark contrast to what has been imposed on this nation by the unilateral actions of the federal government over the past year.

Slightly over thirty-two years ago, another historic agreement was signed by Newfoundland, the Terms of Union between the Dominion of Newfoundland and the Dominion of Canada. Newfoundland did not join with Canada as a colony - we came as a full-fledged partner. The rights of Newfoundlanders were protected and enshrined in the Canadian Constitution at that time and it was always taken for granted that any changes would only be made with the concurrence of both partners.

When I speak of our rights being enshrined in the Canadian Constitution, I do not refer only to the written word of the British North America Act, for that is only part of the Canadian Constitution. I refer also to the conventions and practices which are inherent in the workings of our form of parliamentary democracy. The combination of the written and unwritten parts of the Constitution of this great nation confirm unequivocally that fundamental changes to the Constitution will only be made with agreement of the partners.

From the time Newfoundland entered Confederation in 1949 until last summer, this fundamental set of rules prevailed. As my government stated in its White Paper published last August, there were four fundamental principles which formed the basis of our constitutional position. These were that our system of parliamentary democracy must be preserved, that there must be balanced federalism, that there must be equality of opportunity for provinces and people, and that there must be consensus for any major constitutional changes.

Given these fundamental principles, Newfoundland entered the constitutional discussions of last summer in good faith. We were ready to reach a compromise on a number of the issues. So were most of the other provinces. Unfortunately, the federal government had no intention of reaching a workable compromise. Instead, it declared that it was going to impose its own view of the nation unilaterally and get the Parliament of the United Kingdom to both patriate and amend the Constitution solely on the basis of what the federal government wanted.

From Newfoundland's point of view, this unilateral action destroys the fundamental basis of Confederation. It undermines the delicate balance in our federation. It creates two classes of provinces: the powerful and the weak, and it increases vastly the powers of the federal government at the expense of the provinces. Finally, and perhaps most importantly, it ignores the fact that constitutional changes must be made in Canada and by Canadians based on consensus.

This Canadian Patriation Plan, which we are signing today is based on the way Canada should work and always has worked. It provides for the patriation of our Constitution from the United Kingdom. It provides an amending formula that enshrines the equality of provinces and, hence, ensures that balanced federalism will prevail. It provides for further changes to be made in Canada by Canadians based on consensus.

Mr. Chairman, I believe that this historic document will provide the basis of a reasonable and balanced approach to constitutional change. It shows that Canadians working together can achieve agreement which is satisfactory for all. It is with great pleasure, therefore, that I have signed this Accord on behalf of the Government of Newfoundland.

Surely, it is now time for all the partners in the Confederation to return to the bargaining table and, using the amending formula we have developed, to reach agreement on further changes to our Constitution. The eleven partners, working together, can achieve agreement

just as we have today. All that is required is the will and the desire to reach a consensus which all partners can accept. For Newfoundland's part, we are ready and willing to cooperate fully in this effort. Thank you.

THE CHAIRMAN: Thank you, Premier Peckford.

I wonder if I might have the permission of my colleagues to say a very few words as Premier of Manitoba. I am busy acting as Chairman but as Premier of Manitoba may I say how delighted I am, along with my colleagues, the staff who have been working with all of you, to be able to participate in this occasion on behalf of the government and people of Manitoba as well.

We have worked in a typically Canadian way, through compromise, through good will, through civility with this group to try to come up with something that will be good for the future of our country.

Manitobans, sitting as they do in the centre of this country -- we are known as the Keystone Province -- are a province that, from time to time, has been known to have an understanding of the central provinces, of the west and yes, of the Atlantic provinces as well. That is why I am particularly delighted to be the Premier of Manitoba, to be head of the government at this time, to have had the opportunity to work with the Premiers of the other seven provinces to bring about this Accord which I think is an important Accord in the history of our country and I look forward, if I may say so, to further meetings with the Prime Minister and with the Premiers of New Brunswick and Ontario so

that we can continue this process and bring to fruition the concept of a made-in-Canada Constitution which is the only direction, I believe, in which the Canadian people wish to move.

Having said those few words as the Premier of Manitoba, perhaps I can revert to my accustomed role and announce that we have transmitted to the Office of the Prime Minister and to the Office of the Premier of Ontario and Premier of New Brunswick, copies of the Accord which has been signed here today with the amending formula attached to it.

In terms of arrangements, it would be the intention of the eight Premiers now to move into the Press Conference Room immediately at the conclusion of these proceedings and there to engage in a press conference with members of the press who wish to ask any questions.

May I take this opportunity on behalf of all Premiers to thank the Canadian Intergovernmental Conference Secretariat, Mr. Watson, for the services accorded to all the provinces and may I, as well, thank all of the Premiers, all of the ministers, all of the staff of all the provinces who have worked so exceedingly hard to make this occasion possible. We look forward to moving ahead and making further progress from this achievement today. This is an achievement, I think, we can all be proud of. Thank you.

--- Conference adjourned.

CONFERENCE OF PROVINCIAL PREMIERS

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CONFERENCE DE PREMIERS MINISTRES PROVINCIAUX

PARTICIPANTS

Ottawa  
April 16, 1981

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Ottawa  
le 16 avril 1981

CONFERENCE OF PROVINCIAL PREMIERS

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CONFERENCE DE PREMIERS MINISTRES PROVINCIAUX

April 16

le 16 avril

OTTAWA

1981

ATTENDANCE LIST

LISTE DES PARTICIPANTS

MANITOBA

The Hon. Sterling R. Lyon  
Premier

CHAIRMAN/PRESIDENT

The Hon. Gerald W.J. Mercier  
Attorney General and  
Minister for Urban Affairs

QUEBEC

M. René Lévesque  
Premier ministre

M. Claude Morin  
Ministre des Affaires intergouvernementales

M. Marc-André Bédard  
Ministre de la Justice

M. Claude Charron  
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The Hon. Garde Gardom  
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Minister of Federal & Intergovernmental Affairs

NEWFOUNDLAND - TERRE-NEUVE

The Hon. A. Brian Peckford  
Premier

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