

file

May 13th, 1975.

MEMORANDUM FOR MR. CARTER:

Discussions on patriation of the
constitution

See the attached copy of a memorandum I have sent to Mrs. Reed on the Prime Minister's reactions to my memorandum of May 8th. Would you particularly take a look at the Prime Minister's comment about reviving the Bill of Rights proposals of Victoria.

I am very sceptical whether this would be at all helpful. Bill 22 has so altered the picture, both in Quebec and outside, that I suspect we would be likely to cause more difficulties than we would resolve by raising the Bill of Rights and particularly the language provisions at this time.

Perhaps we can use the flight to Winnipeg on Thursday to discuss this among other things.

R.G.R.

Mr. Carter

May 13th, 1975.

MEMORANDUM FOR MRS. REED:

Discussions on patriation of the
constitution

I have now had comments from the Prime Minister on my memorandum to him of May 8th. They are as follows:

A. With respect to Mr. Bourassa's 'conditions'

The Prime Minister is very dubious whether anything in a preamble to the Governor General's proclamation would be helpful from Mr. Bourassa's point of view. He says that if it becomes necessary to try to do something, his inclination would be "to revive the idea of our Bill of Rights (including language)". I would like to be in a position to talk about this when I see Mr. Bourassa if it becomes necessary. Would you please, therefore, take a look at the Bill of Rights as it was proposed at Victoria, and particularly at the language part, and let me have your comments as to whether and to what extent it might help meet Mr. Bourassa's position. Since Victoria, there has, of course, been the whole episode of Bill 22 and this may alter the picture very considerably.

Apart from the above point, the Prime Minister has expressed agreement with what I suggested in the third paragraph on page 3 of my memorandum as to my reaction when I talk to the other Premiers.

B. The whole amending formula or only part of it

The Prime Minister agrees with what I suggest in the paragraph beginning at the bottom of page 4 of the memorandum and carrying over to the top of page 5. In other words, I will be talking

on the basis of "a partial Part IX" and, if a province presses for the whole of Part IX, I will simply indicate that I will report that view to the Prime Minister for consideration.

R.G.R.