

*File copy*  
April 4th, 1975

Mr. Gravelle

MEMORANDUM FOR MR. CARTER:

"Patriation" of the constitution

Thank you for the comments by you and Pierre Gravelle concerning the memorandum of April 1st that I sent to the Prime Minister. The Prime Minister has since advised me that he is in complete accord with what is suggested in the memorandum and that he agrees that it would be undesirable to reveal the fall-back position at an early stage in consultations.

With regard to the clipping from LeDevoir, both the Prime Minister and I had already seen it. In addition, the Prime Minister had either had a call from Mr. Bourassa about it or had been talking to him about some matter in the course of which reference to it came up. Mr. Bourassa said that he had not, in his comments to the press, indicated that a requirement for Quebec would be "un statut particulier". I am not at all clear whether he enlarged on the precise nature of his comment but apparently the denial on this point was quite specific.

I was talking to Julien Chouinard a day or two after the report appeared and he had spoken to Mr. Bourassa about it. He said that Mr. Bourassa made it clear that there was no urgency about having discussions with me and that perhaps we could consider at a later date when it might be best to have a talk.

One question I have been wondering about is what would be the best sequence in which to have discussions with the provinces. In one sense the logical place to begin would be with Quebec, since it has always been Quebec that is the stumbling block and since I would almost certainly be asked in the other capitals what the position of Quebec is. I am not, however, sure that this would necessarily be the place to begin.

An alternative procedure would be to start with some or all of the English-speaking provinces. The main reason that might recommend this is that, if all went very well, it might be possible to go to Quebec and say that most, or all, or a significant number of the other provinces are prepared to go ahead with the Prime Minister's proposal if Quebec is ready to play ball. If one starts with Quebec there is always the possibility of a negative, or a hesitant, or an ambiguous response and this is made easier if we would not be in the position of being able to say that other provinces would be prepared to go ahead.

If one were to start with the other provinces, the reason for doing so could be explained to them as being that the Prime Minister wants to know whether they are prepared to go ahead with this matter and he hopes that it will be possible, in speaking to Quebec, to say that all the English-speaking provinces are prepared to join in the exercise if Quebec will do so.

Among the English-speaking provinces, I would expect to find the least difficulty in the Atlantic provinces. This might indicate that that would be the place to begin, followed perhaps by Ontario and then the west.

I think the question of sequence is a pretty important one and I would very much appreciate having your judgment.



April 7, 1975

We had a brief word about this on Saturday morning and you suggested the wisdom of starting with Ontario. That may well be right.

As I mentioned to you, my idea is that we would be quite frank with Quebec about starting with the English-speaking provinces. It would be counter-productive to be secretive. If they wanted to have a prior discussion before any talks with the other provinces that would, of course, be another factor to take into account.

R.G.R.