

CONFIDENTIAL

October 15, 1975.

c.c.: Mr. Carter
Mrs. Reed

MEMORANDUM FOR MR. HURLEY

"Patriation" of the Constitution:
position of Quebec

I had a further telephone call from Julien Chouinard today to bring me up-to-date on some further reactions and developments there.

As you know, Mr. Bourassa had announced some weeks ago that the special meeting of the provincial Cabinet on October 8 and 9 would, among other things, discuss the "patriation" of the constitution. Apparently it did so and Mr. Bourassa spoke to Chouinard on Sunday evening, October 12, about the reactions there. Apparently, the Cabinet was "pas très enthousiaste" about the "patriation" exercise because of the troublesome debate they thought it would cause with the difficulties concerning Bill 22 and other things of that kind. There was apparently also a generally held view ("opinion prévalue") - but not any specific decision - that it would be important to try, if at all possible, to resolve the problem on "communications" before anything developed on "patriation".

In the light of this situation, Mr. Bourassa expressed himself to Chouinard as being "un peu moins enthousiaste" about the plan on the basis of our draft proclamation but he went on to say that "il ne renonce pas" the idea of proceeding with it. He raised specifically the question whether it would not be possible to try to work out some sort of an agreement on "communications" that would demonstrate that there is reality about the idea in our paragraph 6.

Mr. Bourassa apparently raised again the question of including the "spending power" in the package. I got the clear impression that Chouinard is fully aware of all the arguments there

are against this as set forth in page 3 of my memorandum of October 10 to the Prime Minister.

I told Chouinard that I thought it was pretty doubtful whether an agreement could be worked out on "communications" that would be satisfactory from the point of view Mr. Bourassa has in mind. Ambitions have become so great at the provincial end that almost anything that is likely to be acceptable to the federal government will seem to be inadequate there. I said that I would, however, have the matter looked at forthwith to see if there seemed to be anything that might be proposed.

Mr. Chouinard does not apparently have a copy of the formulation that we discussed during the Constitutional Review on the spending power nor does he have the record of positions taken and the final disposition. Would you please search out the essential material and put it in a form that I can send to Mr. Chouinard with a very short covering letter.

Would you please also consider the question referred to above about some kind of agreement about "communications".

R.G.R.
1/10/61