SECRET

June 12, 1980

MEMORANDUM FOR THE HONOURABLE JEAN CHRETIEN

Strategy for the Constitution of Negotiations

Our strategy can be briefly outlined as follows:

1. Negotiate intensively and in good faith on each of the twelve items on the list agreed to by the Premiers and the Prime Minister on June 9.

2. Prepare for unilateral action on the People's Package (principles, rights, patriation and equalization) in the event that we are unable to reach agreement on these items by the end of the First Ministers' Meeting in September.

3. In order to make unilateral action acceptable to the people of Canada, an intensive program to sell the federal government's position on constitutional reform in general and on the People's Package in particular must be undertaken between now and September. This program will be run by the Canadian Unity Information Office.

4. The absolute necessity of a fall budget, and a need to reach a new energy agreement with Alberta (or at least to impose an oil pricing solution on Alberta) means that we cannot delay unilateral action past mid-September. This means that we must be in a position to call Parliament on or about September 15.

5. In order to effectively sell our position to the Canadian people, including the reasons why we have rejected provincial positions on key issues like resources, offshore oil and powers affecting the economy, we must have a coherent rationale for the positions the federal government is taking on each of the twelve issues being negotiated. This requires that we have a clearly articulated statement which begins from a

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set of principles (outlining our basic view of the nature of Canada and the role of the federal government) and goes from there to develop positions on each of the issues based on the principles. Moreover this coherent statement must be such as to be understandable to the average citizen and it must be capable of being marketed effectively by CUIO.

It is my understanding that we have not previously had such an overall picture or plan (i.e. beginning with a set of principles and using that to develop our positions on various issues). As I understand it, we have previously negotiated each issue separately without attempting to fully understand the way in which the various issues interact or the implications which each of the positions we have put forward has for the role of the federal government and the overall nature of Canada. Indeed, it has been strongly suggested to me that it is purely theoretical dream to try to develop a comprehensive set of principles and then go from there to a statement of positions on each of the separate issues.

I assume, however, that we must follow the approach set out in Point 5 above. Otherwise we will be completely incapable of selling our position to the Canadian people after it has been rejected by the provinces. If, however, you think I'm wrong please let me know.

Michael J.L. Kirby.

c.c. Mr. Roger Tassé