

SECRET

Strategic Questions to be Addressed
During the Summer

There are a number of strategic questions which will have to be addressed during the coming weeks. They include:

1. The federal government's approach to the First Ministers' Conference which begins on September 8:
 - What are the federal government's objectives for the conference?
 - How can these objectives be achieved?

2. Assuming that the federal government is determined to ensure that some degree of constitutional change is achieved this fall, we will need to decide:
 - a) What items on the list of twelve are included in the package on which action is taken in the fall. In particular, is action taken on any of the items other than those in the people's package. This will necessitate our deciding what constitutes "agreement" with the provinces on an item. Does agreement mean unanimity, or some minimum number of provinces (say seven), or a minimum number of provinces provided certain ones (e.g. Ontario) are included in the group supporting a particular position?

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- b) With regard to the patriation item in particular, since agreement on an amending formula will almost certainly not be achieved by the fall, we will need to decide what amending formula is included when patriation takes place. Will it be the unanimity rule (possibly for a limited period of time only)? If so, do we also state that a particular formula (such as the Victoria formula) will go into effect in two years time unless the provinces unanimously agree to some other amending formula in the meantime?

We will also have to consider the strategic problem caused by the fact that any move to unilateral patriation will be strongly opposed by both Mr. Ryan and Premier Levesque. Do we want to take an action which will drive the two of them together in a concerted attack on the federal government?

- c) The question of how we move unilaterally will also have to be addressed. In particular, should there be a national referendum to give legitimacy to any

unilateral action the federal government
takes?

- d) We will also have to decide when unilateral
action is taken? Is action on the constitution
to be the first item of parliamentary business
in the fall (e.g. around October 1), is it to
be later in the fall, or in the spring of 1981?

Consideration is being given to each of these
issues and strategy papers on them will be prepared in late
July and early August.