



Bulletin

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MAIN ISSUES IN CANADA'S CONSTITUTIONAL DEBATE

The following passages are from a speech by Prime Minister Pierre Elliott Trudeau to the Canadian Bar Association in Vancouver on September 3:

...It was natural that the centennial year of our Confederation should inspire soul-searching about the basic institutions of our country. It was inevitable that that doughty centenarian, the British North America Act, should attract a cross-fire of criticism. Some of the criticisms and some of the proposed solutions had an aura of plausibility; many did not. In my address last September, I said that, while I was not opposed to the idea of constitutional change, I wished to assure myself that changes would be for the best and not for the worst. I am, therefore, pleased that the events of the past year have led us into a process of orderly constitutional review.

My predecessor, Mr. Pearson, had taken an important step in this direction in July of 1967, when he invited the provincial prime ministers and premiers to attend a federal-provincial conference on a charter of human rights and other constitutional matters - the conference which took place in Ottawa in February of this year.

In November, the leaders of provincial governments, meeting in Toronto at the Confederation of Tomorrow Conference, expanded the constitutional dialogue. They demonstrated that fundamental issues concerning the goals of Confederation could be discussed in public and with candour.

In December, the first volume of the report of the Royal Commission on Bilingualism and Biculturalism was published, and it immediately attracted widespread and sympathetic attention.

FAR-REACHING DECISIONS

With this background, the federal-provincial conference of February was able to make some far-

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reaching decisions.

First, there was a very important statement of principle. All 11 governments stated their agreement with the Royal Commission's recommendation that French-speaking Canadians outside of Quebec should have the same rights as English-speaking Canadians in Quebec.

Secondly, it was decided that a continuing constitutional conference of the heads of government should be established to undertake a comprehensive review of the constitution.

The consensus of the conference was that the whole of the constitution should be examined to see if it meets the requirements of our times. This does not imply that all parts of the constitution must be changed. But after 100 years it is normal for the constitution to be given a critical reappraisal. If it is found wanting, if it does not provide an adequate framework for orderly progress in accordance with the human, social and political values we now profess, if it lacks the clarity and beauty of language appropriate to a constitution, then we must seek agreement on changes.

The continuing conference set up in February is serviced by a permanent secretariat and is assisted by a committee of federally- and provincially-appointed officials. The committee met in May and July, and will be meeting again this month. They are preparing for another meeting of prime ministers and premiers which I hope will be held by December.

Within the Privy Council Office, I have assigned several experienced officers to full-time work on preparing the Federal Government's proposals. As