

C - Constitution
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MEMORANDUM FOR MIKE KIRBY

The Constitutional Resolution: Observations
from a Slight Distance and Thoughts on
Government Tactics

What follows should be construed as informal
week-end ruminations.

OBSERVATIONS

1. The Government has developed support from special interest groups quite effectively, especially in relation to the Charter of Rights. However, it has made no headway with the provinces and has lost some ground with public opinion at large (neither of these events was unexpected).
2. Parliament, as an institution, is increasingly implicated in the Government's constitutional Resolution. It is obvious that an institution like Parliament cannot discuss such a measure, not even to oppose it, without in some measure legitimizing the process. Some opposition MPs may begin to feel an unexpected loyalty to the thing growing within them as the measure makes its way through the House of Commons (e.g., Svend Robinson's remarks in the Committee).
3. Interest in Great Britain in the Canadian constitutional Resolution appears to be greater than was expected earlier.

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4. In summary, the calculation which Peter Lougheed made at his press conference is not bad, although it is incomplete; namely, that the provinces have done better than expected in stimulating popular concern in Canada about the measure, that provinces have done better than expected in stimulating interest and advancing the provincial point of view in Great Britain, but that they have clearly lost ground with respect to the Manitoba reference. The missing ingredient in the Lougheed calculation, I think, is the success which the federal government has had in securing the support of special interest groups in the course of the Special Joint Committee discussions.

THOUGHTS ON GOVERNMENT TACTICS

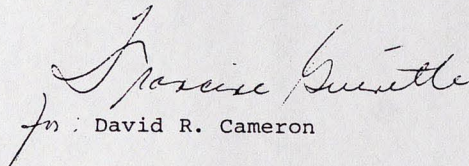
1. The golden rule remains true: Get the Resolution through the Canadian Parliament as soon as possible. It is better to have problems with the Resolution once it is in the hands of the United Kingdom than it is to have problems with the Resolution over here. s.13(1)
s.15(1)
2. After passing the Resolution, give some consideration to not asking the British to act on it until the Supreme Court has given its opinion.
- * [3. Mobilize favourable constituencies of opinion (e.g., the handicapped, the Natives, women, etc.) to declare their support for the Resolution clearly and to pressure the provinces and appropriate bodies in Great Britain to moderate their opposition to the measure.
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5. Consider, as Linda Geller-Schwartz has suggested, providing press clippings and comment to the British that support the federal point of view. This could act as a counter-balance to such things as Quebec's "Constitution Express".
6. Look for ways to emphasize publicly that this is a Parliamentary measure and not just a Government measure.
7. Within the constraint outlined in number one above, err on the side of generosity in the time allotted to Parliament to debate the measure and invoke closure only with the greatest circumspection.


for: David R. Cameron

DRC:fg

c.c. Linda Geller-Schwartz
Jim Hurley
Fred Gibson
Ralph Heintzman