

BRIEF  
ON THE CANADIAN CONSTITUTION

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Brief Presented by INFO POP on the Proposed Patriation of the  
Canadian Constitution

Introduction

INFO POP is a non-profit organization whose main objective is "To gather and compile information and to inform the population on social, economic and cultural matters".

Its next responsibility is, as far as possible, to make representations and draw up recommendations to persons who are or may be in a position to modify in any way the various problems of concern to the population.

INFO POP is a special sub-project of the Social Services Centre of Metropolitan Montreal. It has been in operation for three years.

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## The Problem of the Constitution

We all know that the duty of every provincial premier is to protect and defend his jurisdictional field, while bearing in mind that he is situated within a Nation, a Federation.

The final responsibility of a prime minister of Canada is to defend and protect all of these jurisdictions and ensure the well-being of the Canadian nation.

In order to prevent any level of government from departing from its foundations, the B.N.A. Act, 1867, made provision for a mechanism called "Veto power".

Because of this "veto power", constitutional reform was carried out much more slowly than certain governments might have wished. Even though this evolution in time and in space proceeded at a snail's pace, however, it is nevertheless true that every Canadian citizen and every government benefited from it.

The problem is not whether or not we should modify, partially change or completely renew the constitution within a pre-determined lapse of time, but rather to determine what the population and governments at all levels really want.

In addition, given its special situation, Quebec should acquire a larger jurisdiction, in order to provide for the well-being of its citizens.

Therefore:

"Section 133 should apply to all levels of government."

or

"Quebec should be given special status with the jurisdiction necessary for the preservation of the French language."

### Regional Inequality

#### 1) For all Canadian provinces

We must consider the following facts:

- a) each province has its own specific needs;
- b) each province has a distinct economy;
- c) each province has its own particular industrial structure;
- d) each province or group of provinces has renewable or non-renewable resources which are different from one province or group of provinces to another.

Accordingly:

The Government of Canada has the duty to:

- a) recognize the facts set out above,
- b) draw up socio-economic policies which respect the social, economic and cultural structure of each province.

2) For the Province of Quebec

The province of Quebec is the only francophone entity in Canada.

We must therefore consider the following facts:

- a) Quebec constitutes the only francophone centre in North America;
- b) Quebec is the spiritual home of all French-speaking Canadians;
- c) Quebec, because of its geographical location, is the birthplace of the Anglo-French technological evolution of the world.

Therefore:

The Government of Canada has the duty to:

- a) recognize the social, economic and linguistic reality of Quebec;
- b) draw up policies which respect and recognize these facts;

- c) to grant certain powers in order to preserve its special position.

### Conclusion

The Canadian people and the federal and provincial governments should meet within the year in order to lay the foundations of renewed Canadian federalism taking into account the points set out above.

This new consultation should be entered into and carried out in the respect of each province and of their present jurisdictions, as well as those of the Canadian government.

The constitution remains the cornerstone of SOCIETY. It must be developed with the unanimous consent of its contracting parties.

In the end, it is we, Citizens of Canada, who must live and submit to it. It is together and of one accord that we must write a fundamental law for the future well-being of our country.

We are an advanced and responsible People. We do not live in a tribal state. We are capable of enacting a law for ourselves which will respect the whole of the Canadian population.