

Sub

Senior Citizens' Central Council of Calgary

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B R I E F

1. INTRODUCTION

This is a reply to the Canada-wide advertisements requesting written submissions for the "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", published by the Government of Canada, October 2, 1980.

2. SPONSOR

This Brief is submitted by the Senior Citizens Central Council of Calgary. The Council is an association of forty Senior Citizen Organizations in Calgary and numerous unaffiliated Citizens-at-Large, with an overall membership of approximately ten thousand (10,000) individuals.

3. PROPOSAL

At a general Meeting on Tuesday, November 18, 1980, the following proposal was unanimously approved:

That the Special Joint Committee recommend to the Parliament of Canada that the British North America Act of 1867 with amendments up to January 1, 1980 be transferred from the jurisdiction of the Parliament of Great Britain to the Parliament of Canada as soon as possible with an amending formula.

The amending formula shall be by means of

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a Referendum held in each Province on the same day, using the previous Federal Election voters lists with provision for additional registration prior to the day of the referendum, and provision for swearing in at the referendum polls. Cost of the referendum to be a Federal responsibility.

A referendum to amend the Constitution shall be approved in seventy-five (75%) percent of the Provinces by a simple majority of the votes cast.

4. DISCUSSION

a) Transfer of Constitution

The Constitution of Canada must be transferred to the Parliament of Canada in order that this nation be free, independent, and sovereign. Haste is not necessary, as Canada has not suffered in recent history in its present status.

b) Amending Formula

An amending formula is an integral and very necessary part of any Constitution. Therefore, such an amendment must be included prior to transfer to Canada.

c) Diversity of Provinces

The present Provinces of Canada are very different and vary greatly in area, population, ethnic mix, economic development, legislation, climate, ambitions, have different interests and outlooks, and are spread far and wide over the second largest political land mass in the world. It is unlikely unanimity, by Provinces, will ever be achieved given these conditions.

The suggested amending formula prevents any one or two Provinces with large populations or special interests from exercising control over the majority of the other Provinces. At the same time it permits the large majority of Provinces to be served.

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d) Federal Unilateral Action

It is unlikely that all the Provinces will ever agree to any particular amending formula, therefore the Parliament of Canada must establish the amending formula which shall be fair and very democratic.

e) Democratic Vote

The voting citizens of Canada, rather than the Provincial Legislatures, Provincial Parliament, or National Assembly should vote on any constitutional amendment. Historically, when given the opportunity, the voters make a better choice than do government bodies, for example, the majority party they elect to their government.

f) Advantage of Referendum

The advantage of a nation-wide referendum is that, if passed, it will be adhered to far better than a change imposed from above by any government, for example, prohibition. If a referendum fails it would be obvious the subject matter was unacceptable to the people of Canada.

In spite of the cost, another advantage of a referendum is that it usually causes widespread discussion with suggestions from voters to their Member of Parliament. This is all to the good.

g) Other Amendments

Other than an amending formula, no other amendments should be requested at this time.

The amendments in the "Proposed Resolution....." are more than have ever been requested at any one time in the past. How colonial can we get? In essence the people of Canada are saying they are subservient colonials, with no sense of pride, who must seek favours from a foreign nation. This is degrading, demeaning, and embarrassing. Given the purpose of

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transferring the Constitution, it is perplexing and not understandable. It is not only debasing to the Parliament of Canada, its Members and its government but also to every one of the millions of Canadian Citizens.

h) Yukon and North West Territories

It is noted that the District of Yukon and the North West Territories are not yet included in the Provinces. Whether these voting citizens should participate in a referendum is an administrative matter which can be left to the good judgment of Parliament to determine.

5. PERSONAL REPRESENTATION TO JOINT COMMITTEE

Since the majority of the members of the Senior Citizens Central Council of Calgary are old age pensioners, depending on the Guaranteed Income Supplement for existence, it is financially impossible to send a delegate to appear before the Special Joint Committee to support this Brief.

6. CONCLUSION

There has been much discussion and thought by the Senior Citizens on the matter of the Constitution and it is their hope that this submission will receive your earnest study and final approval.

It is realized that many of our members will die before the full effects of the transfer of the Constitution take place, but while they still have the privilege of life, they wish to assist Canada to be full sovereign.



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