



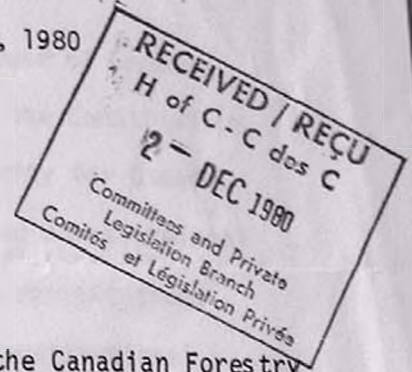
CANADIAN FORESTRY ASSOCIATION
A FEDERATION OF PROVINCIAL FORESTRY ASSOCIATIONS
 185 SOMERSET ST. W. — OTTAWA, CANADA K2P 0J2 — 232-1815

ASSOCIATION FORESTIÈRE CANADIENNE
UNE FÉDÉRATION DES ASSOCIATIONS FORESTIÈRES PROVINCIALES
 185, RUE SOMERSET OUEST, OTTAWA, CANADA K2P 0J2 — 232-1815

S. Joyal
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Recu C. J. Dec. 1980

December 1, 1980



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The Chairman
 Special Joint Committee on
 The Constitution of Canada
 Parliament Buildings
 Ottawa, Ontario K1A 0A6

Dear Sir:

This will record official support by the Canadian Forestry Association for the proposed amendment to the resolution presently before the Senate and the House of Commons respecting the Constitution of Canada as submitted by Professor P.L. Aird and D.V. Love of the Faculty of Forestry, University of Toronto. A copy of the Aird/Love proposed amendment is attached.

This proposed amendment - in our view - is essential in recognizing the complete dependence of Canada and Canadians on long term stewardship of the country's natural resources.

Respectfully submitted,

Dr. D.R. Redmond
 President

DRR:se

Enclosure

FEDERATION MEMBERS - MEMBRES DE LA FÉDÉRATION: C.F.A. of British Columbia • Alberta Forestry Association • Saskatchewan Forestry Association • Manitoba Forestry Association • Ontario Forestry Association • Association Forestière Québécoise • C.F.A. of New Brunswick • Nova Scotia Forestry Association • Newfoundland Forest Protection Association.

KEEP CANADA GREEN

The Canadian Forestry Association is a national Federation of the autonomous non-profit Provincial Forestry Associations devoted to securing public co-operation in the wise use and management of our renewable resources of soil, water, forests and wildlife. It is entirely supported by voluntary donations.

GARDONS VERDOYANTE LA FORÊT CANADIENNE

L'Association Forestière Canadienne est une fédération nationale des associations forestières provinciales autonomes, sans but lucratif, qui consacrent à la propagande auprès du public afin d'obtenir sa collaboration dans l'utilisation et l'exploitation rationnelles de nos ressources naturelles renouvelables.

NATURAL RESOURCES AND THE CONSTITUTION OF CANADA

by Paul L. Aird and D. V. Love *

The proposed resolution in the Senate and the House of Commons for a joint address to Her Majesty the Queen respecting the Constitution of Canada is designed to transfer all legislative authority for Canada from the United Kingdom to Canada, to contain several new constitutional provisions, and to provide a procedure for amending the constitution.

We address our brief in particular to the new constitutional provisions in section 31.(1) of the Constitution Act, 1980, which reads:

CONSTITUTION ACT, 1980

PART II

EQUALIZATION AND REGIONAL DISPARITIES

31. (1) Without altering the legislative authority of Parliament or of the provincial legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the legislatures, together with the government of Canada and the provincial governments, are committed to

- (a) promoting equal opportunities for the well-being of Canadians;
- (b) furthering economic development to reduce disparity in opportunities; and
- (c) providing essential public services of reasonable quality to all Canadians.

These new provisions are said to affirm the commitment by Parliament and the provincial legislatures to promote equal opportunities, further economic development and provide essential public services.

It is our view that these well-meaning commitments will not be attained

* Personal brief prepared and presented by Professor Paul L. Aird and Associate Dean D. V. Love of the Faculty of Forestry, University of Toronto, to the Special Joint Committee on the Constitution of Canada, Parliament Buildings, Ottawa, November 21, 1980.

unless Parliament and the provincial legislatures likewise affirm their commitment to better management and use of Canada's natural resources to meet the needs of society in perpetuity.

The following statistics presented by the Canadian Forestry Service indicate the importance of forest resource management to Canadian society. One job in ten and one carload of freight in five are dependent on the forest-resource sector. Canada's forests "make a larger net contribution to our trade balance than agriculture, mining, fishing and fuels put together."

The need to affirm a national commitment to better management and use of Canada's natural resources is emphasized by placing the following two quotations in juxtaposition:

"A well-kempt forest begs Our Lady's grace;
Someone is not disgusted, or at least
Is laying bets upon the human race
Retaining enough decency to last;
The trees encountered on a country stroll
Reveal a lot about a country's soul.

A small grove massacred to the last ash,
An oak with heart-rot, give away the show:
This great society is going smash;
They cannot fool us with how fast they go,
How much they cost each other and the gods.
A culture is no better than its woods."

"In Canada, we have managed our forests for production when we ought to have managed them for renewal. We have been mining our forests when we should have been farming them. The status of forest management in previous decades is not something that we can take a great deal of pride in."

To paraphrase the World Conservation Strategy of the United Nations Environment Programme, while development with destruction seeks to achieve human goals largely through use of the biosphere, development without destruction seeks to achieve them by ensuring that such use can continue. The wise management and use of nature and its reserves is crucial to sustaining the economic, social and political well-being of Canada.

Accordingly, we recommend the following amendment to the resolution before the Senate and the House of Commons respecting the Constitution of Canada:

Whereas Canada's natural resources are the primary source of Canada's political, economic and social strength;

And Whereas Canadians believe that our natural resources must be managed to benefit both present and future generations;

Therefore we recommend a motion that Section 31.(1) of the Constitution Act, 1980, be amended by adding a new sub-section (a), the whole to read as follows:

CONSTITUTION ACT, 1980

PART II

EQUALIZATION AND REGIONAL DISPARITIES

31. (1) Without altering the legislative authority of Parliament or of the provincial legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the legislatures, together with the government of Canada and the provincial governments, are committed to

- (a) advancing the management and use of Canada's natural resources to meet the needs of society in perpetuity;
- (b) promoting equal opportunities for the well-being of Canadians;
- (c) furthering economic development to reduce disparity in opportunities; and
- (d) providing essential public services of reasonable quality to all Canadians.

We put this amendment forward to complete the resolution and to thereby make it more acceptable to the assembly and to the people of Canada.