

GRS 490

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FM OTTAWA 301930Z OCT 81

TO PRIORITY FCO

TELEGRAM NUMBER 602 OF 30 OCTOBER

YOUR TELNO 400: CONSTITUTION

1. THE LETTER TO THE TIMES FROM THE CONSERVATIVE MPS HAS BEEN PROMINENTLY REPORTED HERE ON TELEVISION AND THE RADIO AND BOTH HAVE CARRIED INTERVIEWS WITH SOME OF THE MPS CONCERNED. CURIOUSLY THERE WAS NO REFERENCE TO IT IN THIS MORNING'S MAIN NEWSPAPERS. THE TIMING OF ITS PUBLICATION WILL BE USEFUL IN INCREASING PRESSURE ON THE FEDERAL GOVERNMENT TO COMPROMISE BUT I THINK IT UNFORTUNATE THAT THE LETTER SHOULD REFER TO THE NEED FOR PARLIAMENT "TO CONTINUE ITS RESIDUAL ROLE IN THE CONSTITUTIONAL AFFAIRS OF CANADA". ANY SUGGESTION THAT WE SHOULD REMAIN RESPONSIBLE FOR THE CANADIAN CONSTITUTION IS UNWELCOME TO THE GREAT MAJORITY OF CANADIANS.

2. I TOOK THE OPPORTUNITY OF A CALL THIS MORNING ON THE MINISTER FOR CONSUMER AND CORPORATE AFFAIRS, MR OUELLET, TO TELL HIM ABOUT THE LETTER AND TO REMIND HIM OF WHAT YOU HAD SAID TO MR MACGUIGAN AT CANCUN. HE SAID THAT HE WAS NOT PERSONALLY OPTIMISTIC ABOUT THE CHANCES OF A COMPROMISE NEXT WEEK SINCE WHAT WAS AT STAKE WAS A PROFOUND DIFFERENCE BETWEEN TWO CONCEPTS OF CANADA. SOME OF THE PROVINCIAL PREMIERS SINCERELY BELIEVED THAT THEIR GOVERNMENTS SHOULD PLAY THE PREDOMINANT ROLE, WHEREAS THE FEDERAL GOVERNMENT BELIEVED THE OPPOSITE. I ALSO MENTIONED THE LETTER TO THE SECRETARY OF THE CABINET, MR PITFIELD, WHEN HE TELEPHONED ME ON ANOTHER MATTER, AND SAID THAT IT REINFORCED WHAT SIR R ARMSTRONG HAD SAID TO HIM EARLIER. I SAID IT WOULD GREATLY HELP US IF THEY COULD SECURE A WIDER MEASURE OF AGREEMENT WITH THE PROVINCES. HE SAID THEY WOULD BE DOING THEIR UTMOST.

3. TODAY'S GLOBE AND MAIL CARRIES A LONG ARTICLE BY A TORONTO LAWYER ARGUING THAT THE BRITISH PARLIAMENT SHOULD REJECT THE FEDERAL PACKAGE. IT ASSERTS THAT "WHEN IT COMES DOWN TO IT, THE BRITISH OWE CANADIANS NOTHING IN RELATION TO THE NEW CANADIAN CONSTITUTION AND, IN TERMS OF WHERE THEIR FUTURE PROBLEMS AND OPPORTUNITIES LIE, HAVE LITTLE TO HOPE OR FEAR FROM CANADA, WHATEVER THE ULTIMATE DECISION OF THE THE BRITISH PARLIAMENT". THE AUTHOR IS A LAW PARTNER OF MR JOHN TURNER, FORMER LIBERAL MINISTER OF FINANCE WHO LEFT THE GOVERNMENT SOME TIME AGO BUT IS OFTEN SPOKEN OF AS A POTENTIAL LIBERAL PRIME MINISTER.

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4. THE CONSUL-GENERAL IN TORONTO SAW MR DAVIS, PREMIER OF ONTARIO, ON WEDNESDAY NIGHT. DAVIS SAID THAT HE THOUGHT PERHAPS FOUR DISSENTING PREMIERS WOULD BE WILLING TO ACCEPT AN AMENDED CHARTER OF RIGHTS. EVERYTHING DEPENDED ON HOW FLEXIBLE THEY WERE WILLING TO BE: HE THOUGHT THE PRIME MINISTER WOULD BE CONCILIATORY IF OTHERS WERE.

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MR DAY

MR URE

LORD N G LENNOX

CABINET OFFICE

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