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FM OTTAWA 082215Z FEB 1982

TO PRIORITY FCO

TELEGRAM NUMBER 69 OF 08 FEBRUARY

YOUR TELNO 51: CANADA BILL

1. AS YOU WILL KNOW, SIR ANTHONY KERSHAW DISCLOSED THE REASON FOR THE DELAY IN AN INTERVIEW WITH CBC RADIO ON 4 FEBRUARY. HE SAID THEN THAT THE USE OF GAELIC OR WELSH WAS NOT PERMITTED IN PARLIAMENT AND THAT THERE WERE DIFFICULTIES ABOUT INCLUDING ANY PART OF THE BILL IN FRENCH. THE INTERVIEW WAS HEARD BY A NUMBER OF PEOPLE HERE AND THE NEWS HAS GOT ROUND IN POLITICAL CIRCLES, INCLUDING SOME OF THE PROVINCIAL PREMIERS WHO WERE HERE FOR THE ECONOMIC CONFERENCE LAST WEEK. BUT THE CANADIAN JOURNALISTS IN LONDON HAVE SO FAR FAILED TO SPOT IT AND THE STORY HAS NOT THEREFORE BEEN CARRIED ON TELEVISION OR IN THE PRESS. THE MEDIA HAS BEEN WHOLLY TAKEN UP WITH THE FIRST MINISTERS' CONFERENCE ON THE ECONOMY AND THE CONSTITUTION HAS DROPPED OUT OF PUBLIC CONSCIOUSNESS.

2. I SAW MR MC MURTRY, ATTORNEY GENERAL OF ONTARIO, ON FRIDAY. HE WAS, WITH M. CHRETIEN AND MR ROMANOW OF SASKATCHEWAN, ONE OF THE ARCHITECTS OF THE CONSTITUTIONAL COMPROMISE LAST NOVEMBER, AND IS A SHREWD POLITICIAN. HE SAID THAT OBJECTIVELY THERE WAS REALLY NO HURRY ABOUT THE PASSAGE OF THE CANADA BILL. IT WAS PURELY MR TRUDEAU WHO WAS OBSESSED WITH A SENSE OF URGENCY, THOUGH HE CONCEDED THERE WAS SOME SUBSTANCE IN THE QUEBEC COURT ASPECT. THERE IS SOME TRUTH IN THIS. CANADIAN IMPATIENCE IS VERY MUCH PERSONAL IMPATIENCE BY MR TRUDEAU, BUT HE IS THE PRIME MINISTER. IT IS DIFFICULT TO JUDGE HOW SOLIDLY BASED HIS ANXIETIES ABOUT QUEBEC ARE. IT SHOULD BE OBVIOUS TO QUEBECKERS THAT THE FEDERAL GOVERNMENT DOES NOT ACCEPT THE ARGUMENT THAT QUEBEC HAS A VETO. IF THEY DID THEY WOULD NOT HAVE SENT FORWARD THE REQUEST. BUT I CAN SEE THAT TO HAVE TO MAKE THIS POINT EXPLICITLY IN COURT MAY DO MR TRUDEAU'S IMAGE SOME HARM IN QUEBEC. I THINK THEREFORE THAT THERE IS SUBSTANCE IN HIS CASE BUT NOT PERHAPS AS MUCH AS HE MAKES OUT.

3. I HAVE MYSELF MADE REPEATEDLY HERE THE LORD PRESIDENT'S POINT ABOUT THE NEED TO AVOID GIVING MPS AT WESTMINSTER ANY FEELING THAT THEY WERE BEING RAILROADED AND HAVE EXPLAINED THAT IF THEY ARE RUSHED THEY MAY TURN MULISH AND TAKE MORE AND NOT LESS TIME TO PASS THE BILL.

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4. I AM SURE THAT WE SHOULD AIM TO PASS THE BILL AS QUICKLY AS POSSIBLE BUT I DO NOT THINK THAT MINISTERS NEED REGARD THE 15 MARCH DEADLINE AS A MATTER OF LIFE AND DEATH.

MORAN

CANADIAN CONSTITUTION LIMITED

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MR DAY

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CABINET OFFICE

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