




Dawson College Model United Nations Conference
Simulation des Nations Unies du collège Dawson

La Nuit des Longs Couteaux: The Patriation of the Canadian Constitution

Background Guide - Guide de référence



Land acknowledgment

We would like to begin by acknowledging that Dawson College is located on unceded Indigenous lands. The Kanien'kehá:ka Nation is recognized as the custodians of the lands and waters on which we gather today. Tiohtià:ke (Montréal) is historically known as a gathering place for many First Nations. Today, it is home to a diverse population of Indigenous and other peoples. We respect the continued connections with the past, present and future in our ongoing relationships with Indigenous and other peoples within the Montreal community.

Reconnaissance des territoires traditionnels

Nous aimerions commencer par reconnaître que le Collège Dawson est situé en territoire autochtone, lequel n'a jamais été cédé. Nous reconnaissons la nation Kanien'kehá: ka comme gardienne des terres et des eaux sur lesquelles nous nous réunissons aujourd'hui. Tiohtià:ke (Montréal) est historiquement connu comme un lieu de rassemblement pour de nombreuses Premières Nations, et aujourd'hui, une population autochtone diversifiée, ainsi que d'autres peuples, y résident. C'est dans le respect des liens avec le passé, le présent et l'avenir que nous reconnaissons les relations continues entre les Peuples Autochtones et autres personnes de la communauté montréalaise.

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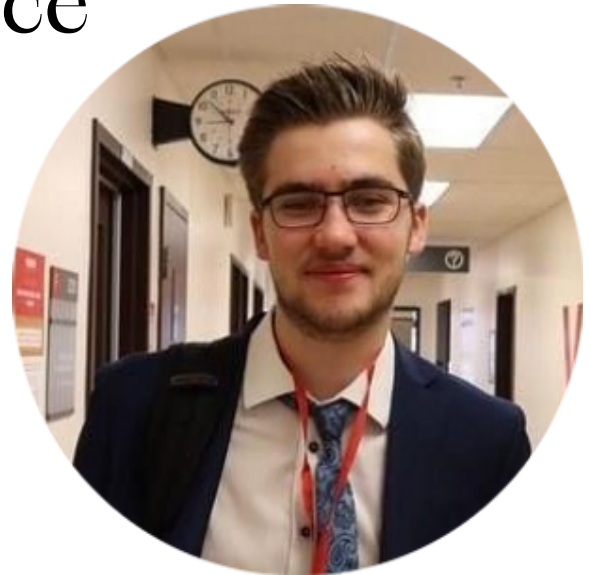
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VEUILLEZ PRENDRE NOTE QUE LES PHOTOS PRISES SONT DES PHOTOS STOCK.

INTRODUCTION

Letter from the Chair Lettre de la présidence

Greetings delegates/Bonjour délégués!

My name is Maxime Germain, and I'm thrilled to be your chair for the patriation of the Canadian Constitution Crisis Committee. I'm currently enrolled at McGill University and double majoring in history and anthropology. I am originally from Gaspé but moved to Montreal to pursue my studies. I first started doing MUN during my first year at Dawson College, and it wasn't long until I became very invested in the model UN team. As a result, I've attended many conferences all over North America, including Toronto, Boston, and of course Montreal.



Later on, in my second year, I became the Vice president of training for the club. This allowed me to both give back to the club and also learn how to be an even better delegate myself. I hope that I am able to pass on at least a bit of that Model UN knowledge to you all!

We selected this topic both because we are passionate about history and because it represents a pivotal point in Canadian history. It is arguably the point at which Canada achieved its true independence from Britain. As such I hope you will enjoy embodying and debating as some of the most well-known personalities in all of Canadian politics from René Lévesque to Pierre Trudeau there is no shortage of interesting characters in this committee. As delegates, you will have to shrewdly navigate the complex political intrigue surrounding the constitutional negotiations, as well as deal with the potential backlash from the public. I can't wait to see what creative and unique solutions you all come up with in order to solve one of the greatest political debates in Canadian history.

I'd like to end this letter with two small pieces of advice. The first is to come prepared and make sure to do your research. Nothing will help you feel more confident than knowing your character inside and out. Secondly, don't panic! Whether it's becoming more confident in your public speaking, learning about a new historical event, or even making some new friends, no matter how you perform at the conference you can always gain something positive from it!

We look forward to seeing you all at the conference!
Au plaisir de vous voir à la conférence!

Maxime Germain

INTRODUCTION

Letter from the Vice-Chair Lettre de la vice-présidence

Greetings delegates/Bonjour délégués!

My name is Benjamin-Taylor Sauve and I am excited to be your Vice-Chair. I am currently a first-year student getting my BA in History and Geography at McGill. Before this I was a Dawson College student in the Social Change and Solidarity program, though in my time it was called North-South. Both your chair and I are also history buffs with a passion for learning about the events that lead to today. We have worked many weeks to ensure that this conference is fun and inspiring.



This event is exceptionally important in Canadian history, deciding much of the structure we currently live under, for better and for worse. It simultaneously united and divided the country in ways that we still feel today. In this committee, you will have the opportunity to shape the country to your will for the benefit of you and your constituents. However, to do so you will need to make deals and compromise with people you may not want to. And since this is a crisis committee, don't forget to have some fun! In English... ou en Français!

Nous avons préparé quelques pages d'informations importantes pour votre participation, mais je recommande que vous fassiez plus de recherche sur votre personnage et le peuple qu'il représente. Nos ressources se trouvent dans la bibliographie, si vous avez besoin d'aide pour commencer.

Until we meet,
Au plaisir de vous voir,

Benjamin-Taylor Sauve

INTRODUCTION

Letter from the Under-Secretary-General of Crisis Committees

Lettre de la sous-secrétaire générale des comités “crisis”

Dear delegates,

I am so excited to welcome you all to this first edition of DCMUN! Whether this is your first ever conference or your 10th, we will be there to guide you and make this a memorable experience for everyone.

This year I have the honor to serve as the Under Secretary General of Specialized Agency and Crisis and I am very grateful for this position. Ever since I started Model UN in my first

semester of cegep, I gravitated towards the theatrics and fast pace of specialized agency and crisis committees and I am so glad I get to share my love for those committees to you through the amazing committees all the incredible chairs and vice chairs have prepared. They have put in countless hours and days into making all of this happen for the past few months and for that I wanted to thank all of them for all the work they have put in. So thank you to Layla Kosara and Raina Uddin for the work they have put into the specialized agency on the Syrian war, Jeannine Kota Leno for the bilingual specialized agency on the Haitian Revolution, Maxime Germain and Benjamin Taylor-Sauvé for the bilingual crisis on the patriation of the Canadian constitution, and finally thank you to Bahara Mominzada and Abisha Premathasan for the work on the Kendrick vs Drake crisis. So thank you to all of you for your immense involvement in making this conference happen.

Whichever committee you are in, whether it be the specialized agency on the Syrian war, or the crisis on the Kendrick and Drake feud, all will teach you valuable things that will help you gain deeper insight on issues present in topics you might or might not be familiar with and give you a broader perspective on the world.

On a final note, some of these committees cover heavy topics and it is important that everyone feels safe and respected, so any sort of discrimination towards another delegate or member of staff is extremely frowned upon. This is a space to be diplomatic and open to different perspectives that can be brought up. And with that, I wish all of you good luck on your research and finally remember to have fun!



Sincerely,

Letitia-Stefania Savulescu

USG of Specialized Agency and Crisis

INTRODUCTION

Letter of Equity Déclaration d'équité

Equity Statement

The Dawson College Model United Nations (DCMUN) Conference is steadfast in its commitment to fostering a safe and welcoming environment for all participants. Upholding the principles of diversity, equity, and inclusion is a shared responsibility among delegates, the Dais, the Secretariat, and faculty members. Consequently, DCMUN maintains a zero-tolerance policy toward any actions or behavior that promote hatred, discrimination, disrespect, or conduct deemed inappropriate by the Dais or Secretariat. The commitment to these values aligns with the guiding principles of the United Nations, which emphasize that "the principles of equality and non-discrimination are part of the foundations of the rule of law." Through this, DCMUN ensures that its conference remain inclusive and respectful spaces where meaningful dialogue and collaboration can thrive.

Pour faire respecter cette norme, DCMUN se réserve le droit d'imposer des mesures disciplinaires aux personnes qui adoptent des comportements tels que, mais sans s'y limiter :

- Toute forme de discours, d'écrit, de langage, de communication, d'action, de comportement ou de résolution qui rabaisse, exclut ou nuit à des individus ou à des groupes en raison de leur nationalité, de leur religion, de leur sexe, de leur orientation sexuelle, de leur handicap ou d'autres caractéristiques personnelles. Cela inclut les microagressions, les stéréotypes et tout comportement qui crée un environnement hostile.
- Les avances, commentaires, gestes ou actions sexuels non désirés, ainsi que d'autres formes de harcèlement qui créent un environnement dangereux ou inconfortable pour d'autres personnes.
- Toute forme de discours, de langage, de communication, de travail écrit, d'action, de comportement ou de résolution qui perpétue des préjugés, des stéréotypes ou une discrimination fondée sur la race ou l'origine ethnique. Cela inclut, sans s'y limiter, les insultes raciales, les plaisanteries offensantes, l'appropriation culturelle et les comportements qui marginalisent ou affaiblissent des individus ou des groupes sur la base de leur identité raciale ou ethnique.
- Toute forme de discours, de langage, de communication, de travail écrit, d'action, de comportement ou de résolution qui invalide les expériences d'individus ou de groupes, ou qui banalise ou tourne en dérision des sujets sensibles tels que le racisme, le harcèlement sexuel, la violence, la guerre, le génocide ou d'autres formes d'oppression et de discrimination.
- Tout autre comportement jugé inapproprié par les membres du secrétariat de DCMUN.

Disciplinary measures may include, but are not limited to, verbal warnings, disqualification from award consideration, or removal from the conference entirely. While this list is not exhaustive, it serves as a framework to ensure all participants uphold the highest standards of equity and respect. These guidelines reflect our commitment to creating a safe, welcoming, and inclusive environment for all delegates, staff, and attendees throughout the duration of the conference.

Sincerely,
Kenneth Clarence Oledan and Victoria Ormiston
Directors of Equity

INTRODUCTION

Chronology

Chronologie

1867: The Dominion of Canada, including Ontario, Quebec, Nova Scotia, and New Brunswick, is constituted by the Parliament of the UK.

1926: The King-Byng Affair creates a constitutional crisis regarding the power of the British Empire in Canada [2].

1931: The Statute of Westminster granted autonomy to Canada, the autonomy was not complete and any changes to the Canadian Constitution [1].

March 1980: Pierre Elliot Trudeau comes back from retirement.

May 1980: Quebec Referendum on sovereignty concludes; Quebec stays within Canada (60-40).

June 1980: An informal meeting between the premiers is conducted where they decide the agenda of the future First Minister's Conference (FMC).

August 1980: Rene Levesque shares the Kirby Memorandum with the other PMs.

Committee Begins - September 1980:

1. FMC on the Constitution begins.
2. Levesque shares the Kirby Memorandum with the Press
3. FMC on the Constitution concludes without an agreement being reached (Keyword: Gang of Eight)

September 1981: The Patriation Reference (Re: Resolution to Amend the Constitution) is decided by the Supreme Court of Canada.

Their decision was thus:

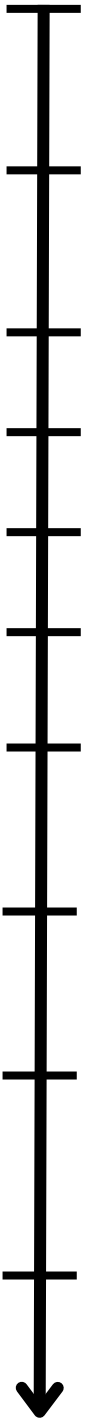
1. To patriate and amend the Constitution of Canada without provincial consent was legal.
2. However, to do so in a way to affect provincial power goes against "constitutional convention."

November 1981: Second FMC on the constitution begins [3].

¹ Internal Affairs. "Why, in 1931, Canada Chose Not to Exercise Its Full Autonomy as Provided for under the Statute of Westminster." Canada.ca, October 5, 2021. <https://www.canada.ca/en/intergovernmental-affairs/services/federation/statute-westminster.html>.

² Forsey, Eugene A., and Jon Tattrie. King-Byng Affair, July 30, 2013. <https://www.thecanadianencyclopedia.ca/en/article/king-byng-affair>.

³ Sheppard, Robert, Stephen Azzi, Julie Smyth, Richard Foot, and Andrew McIntosh. "Patriation of the Constitution." The Canadian Encyclopedia, September 3, 2012. <https://www.thecanadianencyclopedia.ca/en/article/patriation-of-the-constitution>.



INTRODUCTION

Definitions

Définitions

Patriation:

"Patriation' is a Canadian term that describes the transformation of Canada's Constitution from an act of the British Parliament to an independent Canadian Constitution that was amenable by Canada. The word itself is taken from 'repatriation,' meaning to return something to its own country. Since the Constitution did not originate in Canada but in Britain, it could not technically be repatriated. After Prime Minister Pearson publicly used the term 'patriation' in the House of Commons in 1966, it seemed to fit and enjoyed wide use." [1]

Constitution:

"The Constitution is the supreme law of Canada; all other laws must be consistent with the rules set out in it. If they are not, they may not be valid. Since the Charter is part of the Constitution, it is the most important law we have in Canada. However, the rights and freedoms in the Charter are not absolute. They can be limited to protect other rights or important national values. For example, freedom of expression may be limited by laws against hate propaganda or child pornography. Section 1 of the Charter says that Charter rights can be limited by law so long as those limits can be shown to be reasonable in a free and democratic society." [2]

First Ministers' Conference (FMC):

"First Ministers Conferences, gatherings of Canada's provincial premiers with the federal prime minister, a term that has overtaken the older 'dominion-provincial' and 'federal-provincial' usages" [3]. The FMC you are participating in will be the 50th such gathering since 1906, and one of many regarding the sovereignty of Canada in relation to the British Empire [4].

Progressive Conservative Party of Canada (PCP):

Formerly known as the Conservative Party of Canada, the change in name was caused by the party's adoption of the controversial Port Hope Charter, which promoted progressive policies alongside traditionally conservative ones. While the party were staunch supporters of free markets and the military, they also advocated for low-cost housing and a government financed medical insurance program. After many years of federal Liberal victories, the Progressive Conservatives swept the nation, with the exceptions of. Most First Ministers were of the party including the Prime Minister, however Justin Trudeau was voted back in with a recall election.[5]

Front de Libération du Québec (FLQ):

"Un mouvement militant pour l'indépendance du Québec qui a utilisé le terrorisme pour tenter d'obtenir un Québec indépendant et socialiste." Inspiré par la révolution cubaine et le mouvement communiste Algérien, l'objectif des "felquistes" était de détruire l'influence des oppresseurs anglophones. Leur terrorisme contre des symboles d'anglophonie au Québec a coûté la vie de 6 personnes entre 1963-1970.[6]

[1] "Patriation." Centre for Constitutional Studies, July 4, 2019.
<https://www.constitutionalstudies.ca/2019/07/patriation/>.

[2] "Guide to the Canadian Charter of Rights and Freedoms." Canada.ca, August 2, 2024.
<https://www.canada.ca/en/canadian-heritage/services/how-rights-protected/guide-canadian-charter-rights-freedoms.html>.

[3] Bothwell, Robert. "First Ministers Conferences." The Canadian Encyclopedia, February 7, 2006.
<https://www.thecanadianencyclopedia.ca/en/article/first-ministers-conferences>.

[4] "First Ministers' Conferences 1906-2004." Ottawa: Canadian Intergovernmental Conference Secretariat, n.d. https://scics.ca/wp-content/uploads/2016/10/fmp_e.pdf

[5] Murphy, Rae, and Colin M. Bain. *The essentials of Canadian history: Canada since 1867: The post-confederate nation*. Piscataway, NJ: Research & Education Association, 1998.
https://books.google.ca/books?id=0pFYBSaxB_wC&pg=PA57&dq=Port+Hope+Conference&lr=&ei=diPpSKHzDiyuyASxy-jIAw&sig=ACfU3U0m3aUj8UulwB-xQVcVRqykr486Q&redir_esc=y#v=onepage&q=Port%20Hope%20Conference&f=false

[6] Laurendeau, Marc, Andrew McIntosh, Dominique Millette, and Celine Cooper. "Front de Libération Du Québec (FLQ)." l'Encyclopédie Canadienne, October 2, 2020.
<https://www.thecanadianencyclopedia.ca/fr/article/front-de-liberation-du-quebec>.



INTRODUCTION

Historical context

Contexte historique

First Trudeau Government (1968-1979)

The first Trudeau government was marked by numerous achievements, from making Canada an officially bilingual nation to further centralizing decision making into the prime minister's office. However, during his first term he also faced a domestic threat. The October crisis was a pivotal event in both Trudeau's first term as Prime Minister and in Canadian history. It began when three armed members of the FLQ kidnapped British trade Commissioner James Cross from his home in Montreal.

They demanded the release of 23 people, the publication of the FLQ manifesto, \$500,000, and safe passage to Cuba or Algeria. The manifesto was widely published by newspapers and by CBC in addition the Quebec government agreed to guarantee their safe passage out of Quebec. However, the government refused to concede to any of their other demands. In response the FLQ kidnapped Pierre Laporte from his front lawn and threatened to kill him if their demands were not met.

En réponse à cela, le 15 octobre 1970, Trudeau invoque la Loi sur les mesures de guerre. Cette loi permet au gouvernement de suspendre certaines libertés civiles et fait de l'appartenance au FLQ un acte criminel. Dans les 48 heures qui suivent, environ 250 personnes sont arrêtées en vertu de cette loi et le corps de Pierre Laporte est retrouvé après avoir été assassiné par ses ravisseurs. Environ un mois plus tard, le gouvernement réussit à négocier la libération de James Cross en échange d'un passage sûr hors du pays pour ses ravisseurs. Peu après, les ravisseurs de Pierre Laporte sont arrêtés et jugés pour l'enlèvement et le meurtre.

À la suite de la crise d'Octobre, le Parti Québécois (PQ) de René Lévesque parvient à battre le Parti libéral du Québec lors des élections provinciales de 1976. Le PQ fait campagne sur un programme de référendum sur la souveraineté et, en 1979, après la défaite de Trudeau face à Joe Clark, le moment semble venu de saisir l'occasion.

1 McIntosh, Andrew., and Celine Cooper. "October Crisis" The Canadian Encyclopedia, Last modified October 1, 2020. <https://www.thecanadianencyclopedia.ca/en/article/october-crisis>

2 Laurendeau, Marc, Andrew McIntosh, Dominique Millette, and Celine Cooper. "Front de Libération Du Québec (FLQ)." l'Encyclopédie Canadienne, October 2, 2020. <https://www.thecanadianencyclopedia.ca/fr/article/front-de-liberation-du-quebec>



Historical context

Contexte historique

Trudeau's Return (1980)

However, Joe Clark's Prime Ministership was short-lived after an election was called following a failure by the conservative government to pass the budget. This sudden election allowed Trudeau to return to power in 1980. However, this unexpected shift in federal politics did not deter the PQ, as they remained steadfast in their push for a referendum in the same year.

Pour lutter contre la montée du mouvement « Oui », Trudeau a promis qu'un vote pour le « Non » ne serait pas un vote pour le statu quo mais plutôt un vote pour une fédération réformée. Les résultats sont tombés le 20 mai 1980, avec 59,56 % des votes pour le « Non » et 40,44% pour le « Oui ».

Despite their loss in the referendum, the Parti Quebecois would still go on to win the 1981 election with 80 seats in the Quebec national assembly. Following this, Rene Levesque began immediately calling for Trudeau to make good on his promises of constitutional reform.

¹ Hudon, R. "Quebec Referendum (1980)" *The Canadian Encyclopedia*, Last modified March 6, 2017. <https://www.thecanadianencyclopedia.ca/en/article/quebec-referendum-1980>

² English, John. "TRUDEAU, PIERRE ELLIOTT," in *Dictionary of Canadian Biography*, vol. 22, University of Toronto/Université Laval, 2003–, accessed October 29, 2024, https://www.biographi.ca/en/bio/trudeau_pierre_elliott_22E.html.



INTRODUCTION

Where the delegates find themselves

Position des délégués par rapport à cette situation

Les délégués se retrouvent à présent à la conférence des premiers ministres où les questions qui se posent au projet de patriotisme sont discutées et débattues. À la veille de la conférence, le mémorandum Kirby (la stratégie de négociation du gouvernement fédéral) est divulgué aux premiers ministres par René Lévesque. La fuite de ce mémorandum ne fait qu'empirer l'atmosphère déjà tendue et crée des nouveaux clivages entre les délégués.

The delegates now find themselves at the first ministers conference where the issues plaguing the project of patriation are to be discussed and debated. On the eve of the conference, the Kirby memorandum (the federal government's negotiating strategy) is leaked to the premiers by René Lévesque. The leak of this memo further worsened the already tense atmosphere and created more wedges to divide the delegates.

Kirby, Michael. "Kirby Memorandum." Government Report, Canada, 1980.

<https://www.solon.org/Constitutions/Canada/English/Proposals/19800830-kirby-memorandum.html> .



Charter of Rights

Charte Canadienne des Droits et Libertés

“There are some powers that shouldn’t be touched by government, that should belong to the people and that is why we call it the people’s package because it isn’t a quarrel or quibbling of who can exercise what jurisdiction. It is a question of what basic fundamental rights of the people are so sacred that none of us should have jurisdiction in order to infringe those rights.” (1)

The federal government, in accordance with the UN Charter, sought to enshrine certain rights in the constitution. However, bills and charters had been passed federally, such as the Bill of Rights, in 1960 (2) and the Human Rights Act of 1977 (3), and provincially, such as in Ontario in 1962 (4), or Quebec in 1975 (5). The provinces worry that doing this federally may transfer too much legislative power to Ottawa and leave no room for evolving social dynamics. How can this be resolved?

Charter (bilingual): <https://www.justice.gc.ca/eng/csjsjc/rfc-dlc/ccrf-ccdl/>

- (1) Trudeau, Pierre Elliott. “Transcript of the Prime Minister’s Statement at the First Ministers Conference on September 8, 1980.” Ottawa: Library of Parliament of Canada, primarydocuments.ca, September 8, 1980. <https://primarydocuments.ca/wp-content/uploads/2018/02/1stMinistersConfPMStateTrans1980Sept8.pdf>
- (2) Legislative Services Branch. “Canadian Bill of Rights.” Justice Laws Website, October 30, 2024. <https://laws-lois.justice.gc.ca/eng/acts/c-12.3/page-1.html>.
- (3) Kirkup, Kyle, and Andrew McIntosh. “Canadian Human Rights Act.” The Canadian Encyclopedia, March 16, 2021. <https://www.thecanadianencyclopedia.ca/en/article/canadian-human-rights-act>.
- (4) “The Ontario Human Rights Code and System.” Ontario Human Rights Commission. Accessed November 15, 2024. <https://www3.ohrc.on.ca/en/ontario-human-rights-code#:~:text=Ontario's%20Human%20Rights%20Code%2C%20the,in%20a%20protected%20social%20area>.
- (5) “Charte Des Droits et Libertés de La Personne.” Légis Québec, June 8, 2024. <https://www.legisquebec.gouv.qc.ca/fr/document/lc/fc-12>.

<p>Democratic Rights</p> <p>1. Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.</p> <p>(1) No House of Commons and no legislative assembly shall continue for longer than five years from the date fixed for the return of the writs at a general election of its members.</p> <p>(2) In time of real or apprehended war, invasion or insurrection, a House of Commons may be continued by Parliament and a legislative assembly may be continued by the legislature beyond five years if such continuation is not opposed by the votes of more than one-third of the members of the House of Commons or the legislature as the case may be. There shall be a sitting of Parliament and of each legislature at least once every three months.</p> <p>Mobility Rights</p> <p>3. (1) Every citizen of Canada has the right to enter, remain in and leave Canada.</p> <p>(2) Every citizen of Canada has the right (a) to move to and take up residence in any province; (b) to pursue the gaining of a livelihood in any province; (c) The rights specified in subsection (1) are subject to (d) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence; and (e) any laws or practices that impose any conditions or requirements as a qualification for the receipt of publicly provided social services; (4) Subsection (1) and (1) do not preclude any law, program or activity that has as its object the amelioration in a province of conditions of individuals in that province who are socially or economically disadvantaged if the rate of employment in that province is below the rate of employment in Canada.</p> <p>Legal Rights</p> <p>1. Everyone has the right to life, liberty and security of the person</p>	<p>or criticism, is continued an offence under Canadian or international law or is criminal according to the general principles of law recognized by the community of nations; (b) if finally acquitted of the offence, not to be tried for it again and, if finally found guilty and punished for the offence, not to be tried or punished for it again; and (c) if found guilty of the offence and if the punishment for the offence has been varied between the time of conviction and the time of sentencing, to the benefit of the lesser punishment.</p> <p>24. Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.</p> <p>25. A witness who testifies in any proceedings has the right not to have any incriminating evidence so given used to incriminate that witness in any other proceedings, except a prosecution for perjury or for the giving of contradictory evidence.</p> <p>26. A party or witness in any proceedings who does not understand or speak the language in which the proceedings are conducted or who is deaf has the right to the assistance of an interpreter.</p> <p>Equality Rights</p> <p>15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability; (2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.</p> <p>Official Languages of Canada</p> <p>16. (1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada; (2) English and</p>	<p>of Parliament shall be printed and published in English and French and both language versions are equally authoritative; (3) The statutes, records and journals of the legislature of New Brunswick shall be printed and published in English and French and both language versions are equally authoritative; (4) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament; (5) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament; (6) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament; (7) Any member of the public in Canada has the right to communicate with, and to receive available services from, any level or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where (a) there is a significant demand for communications with and services from that office in such language; or (b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French; (8) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French; (9) Nothing in sections 11 to 13 derogates from any right, privilege or obligation with respect to the English and French languages, or either of them, that exists or is continued by virtue of any provision of the Constitution of Canada; (10) Nothing in sections 11 to 13 derogates from any legal or customary right or privilege acquired or exercised either before or after the coming into force of this Charter with respect to any language that is not English or French.</p> <p>Minority Language Educational Rights</p> <p>23. (1) Citizens of Canada (a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or (b) who have received their primary school instruction in Canada in English or French and who do not possess sufficient command of the language in which they received that instruction is the language of</p>	<p>Proclamation of October 1, 1982 and (b) any rights or freedoms that may exist by way of land claims agreements or may be acquired; (3) The guarantee in the Charter of certain rights and freedoms shall not be construed as denying the existence of any other rights or freedoms that exist in Canada; (4) This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians; (5) Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons; (6) Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of Canada in respect of denominational, separate or dissenting schools; (7) A reference in this Charter to a province or to the legislature or government of a province shall be deemed to include a reference to the Yukon Territory and the Northwest Territories, or to the appropriate legislative authority thereof, as the case may be; (8) Nothing in this Charter extends the legislative powers of any body or authority.</p> <p>Application of Charter</p> <p>31. (1) This Charter applies (a) to the Parliament and government of Canada in respect of all matters within the authority of Parliament including all matters relating to the Yukon Territory and Northwest Territories; and (b) to the legislature and government of each province in respect of all matters within the authority of the legislature of each province; (2) Notwithstanding subsection (1), section 35 shall not have effect until three years after this section comes into force; (3) (1) Parliament or the legislature of a province may expressly declare in an Act of Parliament or of the legislature, as the case may be, that the Act or a provision thereof shall operate notwithstanding a provision included in section 1 or section 2 of this Charter; (4) An Act or a provision of an Act in respect of which a declaration made under this section is in force shall have such operation as it would have but for the provision of this Charter referred to in the declaration; (5) A declaration made under subsection (1) shall cease to have effect five years after it comes into force or on such earlier date as may be provided in the declaration; (6) Parliament or the legislature of a province may re-enact a declaration made under subsection (1); (7) Subsection (1) applies in</p>
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Natural resources

Ressources naturelles

“Nos ressources naturelles, qui sont encore inexplorées dans une foule de coins du territoire, nous garantissent une base physique parmi les plus riches et les plus diversifiées au monde.”
- Lévesque [1]

Le gouvernement fédéral gèrera-t-il les ressources naturelles? Si oui, comment? Ottawa espère que le gouvernement Canadien sera puissant, mais les provinces veulent garantir leur souveraineté. Les pêcheries et le pétrole sont des secteurs clés pour les économies respectives des provinces maritimes et de l'Alberta. Le Canada est riche en ressources primaires dont dépendent de nombreuses industries mondiales. Les gouvernements sont prêts à tenir l'indépendance complète, mais à quel prix? [2]

[1] Lévesque, René. “Oui – Discours Du 4 Mars 1980, Assemblée Nationale.” La fondation René-Lévesque, March 4, 1980. <https://fondationrene-levesque.org/rene-levesque/ecrits-de-rene-levesque/oui-discours-du-4-mars-1980-assemblee-nationale/>.

[2] “First Ministers’ Conferences 1906–2004.” Ottawa: Canadian Intergovernmental Conference Secretariat, n.d. https://scics.ca/wp-content/uploads/2016/10/fmp_e.pdf. 71-2



Amending formula

Formule de modification

“In a federal state, the procedure for amending the constitution is the most important part of the fundamental law... it threatens to destroy the balance that is crucial to the maintenance of Canada as we now know it.”
- Blakeney [1]

If Canada is to have full control over their constitution, then the mechanisms of that control must be ironed out. This has been an obstacle to patriation since Trudeau’s first attempted it. The 1971 Victoria Charter seemed to have resolved the issue, but Quebec’s turbulent political scene caused the negotiations to fail in the end. Now with time passed and evolving priorities, new Premiers will rethink how to change Canada’s foundation, not only for the future, but in the future. Can they compromise?
[2]

[1] Blakeney, Allan. “The Patriation Amendment of the Constitution of Canada.” Regina: primarydocuments.ca, December 19, 1980. <https://primarydocuments.ca/wp-content/uploads/2018/04/PatriaAmendCanSK1980Dec19.pdf>

[2] “First Ministers’ Conferences 1906–2004.” Ottawa: Canadian Intergovernmental Conference Secretariat, n.d. https://scics.ca/wp-content/uploads/2016/10/fmp_e.pdf 32-6, 54-5



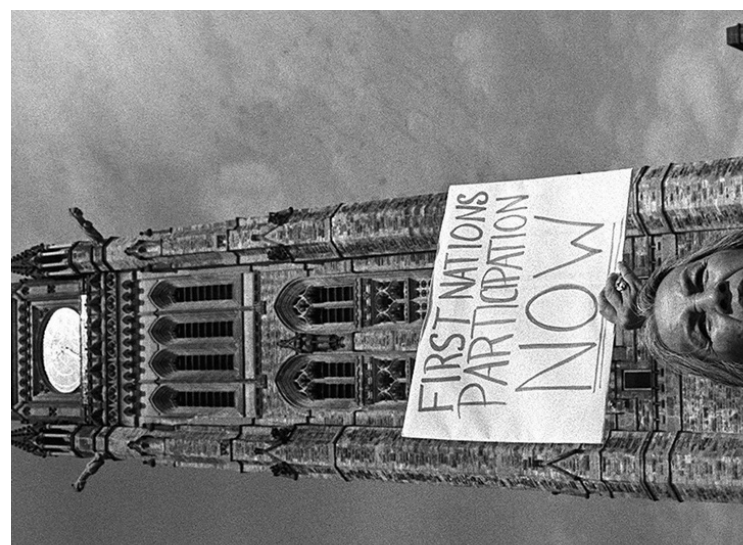
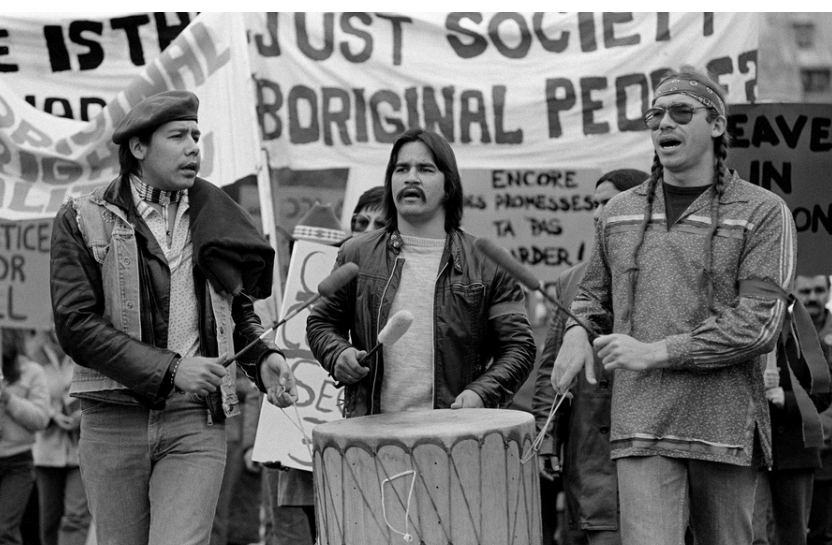
Indigenous Issues

Enjeux des peuples Autochtones

**"If we [indigenous people] are to be part of the Canadian mosaic, then we want to be colourful red tiles, taking our place where red is both needed and appreciated."
– Harold Cardinal**

Various indigenous groups and activists have taken the constitutional conference as an opportunity to push for the enshrinement of certain traditional rights. They wish to see their treaty rights respected and protections for them added to any potential Charter of Rights and Freedoms. Will the Indigenous advocates succeed in convincing the provinces and federal government of the importance of explicitly protecting their treaty rights? And if so, how many and which rights should be included?

Cardinal, Harold. *The Unjust Society*. Canada: Douglas & McIntyre, 1999.
<https://www.sfu.ca/~palys/Cardinal-1969-ExcerptFromTheUnjustSociety.pdf>



List of key characters

Liste des personnages clés

Pierre Elliott Trudeau

Description : After making promises of constitutional reform during the 1980 referendum, Trudeau finds himself as the driving force behind partition. Representing the Federal government, he is primarily concerned with creating a federal charter of rights and freedoms and preventing the provinces expanding their powers during the process of partition.

English, John. "TRUDEAU, PIERRE ELLIOTT," in *Dictionary of Canadian Biography*, vol. 22, University of Toronto/Université Laval, 2003–, accessed October 29, 2024, https://www.biographi.ca/en/bio/trudeau_pierre_elliott_22E.html.



René Lévesque

Description :

Ancien journaliste, architecte d'Hydro-Québec, et fondateur du Parti Québécois. En tant que premier ministre du Québec, Lévesque se préoccupe principalement du statut unique du Québec dans la confédération et d'accorder un droit de veto à la province contre des amendements à la constitution.

Godin, Pierre. "LÉVESQUE, RENÉ (baptized Charles-René)," in *Dictionary of Canadian Biography*, vol. 21, University of Toronto/Université Laval, 2003–, accessed October 29, 2024, https://www.biographi.ca/en/bio/levesque_rene_21E.html.



Michael Amarook

Description : As representative of the Inuit Committee on National Issues, Amarook is primarily concerned with the protection of indigenous, particularly Inuit rights in the new Canadian constitution. Of specific concern are the enshrinement of treaty and Indigenous rights into the Charter of Rights and Freedoms.

Amarook, Michael. "President reports: in the words of the leaders" *Annual Report, Canada*, 1981. <https://www.proquest.com/docview/216197846?sourcetype=Magazines>

CHARACTERS - PERSONNAGES

List of key characters

Liste des personnages clés

Allan Blakeney

Description : A unique voice within the First Ministers conference, Saskatchewan Premier Allan Blakeney is the only NDP party member to represent a province. The Rhodes scholar's tenure was defined by state-led economic development, particularly with oil and potash resources. He is a strong proponent for decentralization and equity.

Laycock, David. "Allan Blakeney." *The Canadian Encyclopedia*, Last modified March 7, 2022.
<https://www.thecanadianencyclopedia.ca/en/article/allan-blakeney>



Bill Davis

Description : The incredibly popular and decisive Ontario Premier Bill Davis represents the largest province by population. As the provincial minister of education, he saw some of the largest changes to public schooling the province had seen, supporting rural school consolidation and cooperation. As Premier, he supported positions indicative of his party's name, funding private schools and Trudeau's plan to nationalize energy.

Granatstein, J.I. "Bill Davis." *The Canadian Encyclopedia*, August 9, 2016.
<https://www.thecanadianencyclopedia.ca/en/article/bill-davis>



Bill Bennett

Description : The son of the longest serving Premier in BC history, W.A.C. Bennet, Bill Bennett won his election in 1975, 3 years after his father lost his. As a newcomer to politics, his victory was built up by the goodwill left behind by his father. A now controversial Premier, his tenure was plagued by relatively small scandals and unpopular policy decisions that would see him resign in 1986. His policy of "restraint", while disliked among labor activists and unions, was broadly accepted by the public as shown by his victory in 1983.

Bennett, Bill. "Bill Bennett." *The Canadian Encyclopedia*, Last modified December 7, 2015.
<https://www.thecanadianencyclopedia.ca/en/article/william-richards-bennett>

Kieran, Brian. "Remembering Bill Bennett." *Oak Bay News*, January 27, 2016.
<https://www.oakbaynews.com/opinion/columnremembering-bill-bennett-446900>



List of key characters

Liste des personnages clés

Peter Lougheed

Description:

The first Progressive-Conservative Premier of Alberta, Peter Lougheed is largely responsible for Alberta becoming such an oil industry powerhouse today. His policies during the OPEC oil crisis caused an expansion of the industry and mechanisms to ensure Albertan citizens benefited from the province's natural resources. He also contributed to medical research, agricultural diversification, and small to medium-sized businesses.

Finlay, Patricia. "Peter Lougheed." *The Canadian Encyclopedia*, Last modified June 16, 2022. <https://www.thecanadianencyclopedia.ca/en/article/edgar-peter-lougheed>



Joe Clark

Description:

Leader of the opposition at the time, Joe Clark is known for his short mandate and experience as Prime Minister. As an opposition leader, his goal is to delay Trudeau's plans to patriate the constitution. Sa position en tant que leader progressiste-conservateur est déterminante pour de nombreux autres leaders progressistes-conservateurs, car il est à la tête d'un parti anti-patriement et anti-souveraineté du Québec.

Clippingdale, Richard T.. "Joe Clark". *The Canadian Encyclopedia*, 08 March 2017, *Historica Canada*. www.thecanadianencyclopedia.ca/en/article/joe-clark. Accessed 16 December 2024.



Delbert Riley

Description:

As a national Chief of the Assembly of the First Nations, Delbert Riley's role in the Patriation of the Constitution is to make sure Indigenous Canadian rights are respected. Indigenous, especially First Nations rights will be the centerpiece of Riley's interests, and he will be a strong ally to those who support his cause.



List of key characters

Liste des personnages clés

Sterling Lyon

As the premier of Manitoba, Sterling Lyon is the leader of the Manitoba Tories and a strong ally to the Progressive Conservative Party. Like Joe Clark, he is against the constitutional changes brought by the Patriation. Il s'oppose également aux droits des francophones, comme en témoigne sa position ferme sur le sujet. Il est également contre les droits des francophones, comme en témoigne sa position ferme contre l'inscription des droits linguistiques des Franco-Manitobains dans la constitution du Manitoba.

Lambert, Geoffrey. "Sterling Rufus Lyon". *The Canadian Encyclopedia*, 16 December 2013, *Historica Canada*. www.thecanadianencyclopedia.ca/en/article/sterling-rufus-lyon. Accessed 16 December 2024.



John Buchanan

The longest serving Conservative premier in Nova Scotia, John Buchanan, was one of the key actors with what concerns the Patriation of the Constitution. He was part of the council of premiers who made the negotiations for what concerns that dramatic event. Additionally, he was one of the eight premiers to oppose a Charter of Rights and Freedoms with limits to provincial powers, and stood as a leader in that opposed stance.

Beck, J. Murray. "John Buchanan". *The Canadian Encyclopedia*, 04 October 2019, *Historica Canada*. www.thecanadianencyclopedia.ca/en/article/john-buchanan. Accessed 16 December 2024.



Brian Peckford

As the Premier of Newfoundland and Labrador, Brian Peckford's main mission was to ensure his province's interests were met. At the time, the inhabitants of Newfoundland and Labrador were met with high unemployment rates, and resources that were mismanaged. In order to fix employment issues, and exploit more natural resources, Peckford had to convince the Federal government to give Newfoundland and Labrador more provincial power, a tricky demand in the age of Quebec sovereignty.

Baker, Melvin. "Alfred Brian Peckford". *The Canadian Encyclopedia*, 04 March 2015, *Historica Canada*. www.thecanadianencyclopedia.ca/en/article/alfred-brian-peckford. Accessed 16 December 2024.



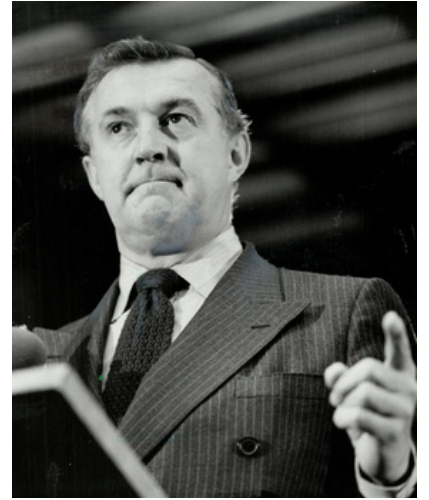
List of key characters

Liste des personnages clés

Richard Hatfield

En étant le premier ministre le plus longtemps au poste au Nouveau-Brunswick, Richard Hatfield eut beaucoup d'impact sur l'histoire de la province. En effet, durant son règne, il prône l'égalité linguistique et l'unité nationale. Il travaille sur deux projets qui sont en ligne avec ses valeurs: la nouvelle Charte des Droits et des Libertés, et le Rapatriement de la Constitution Canadienne.

Stanley, Della M.M.. "Hatfield, Richard Bennett". *l'Encyclopédie Canadienne*, 17 octobre 2014, *Historica Canada*. www.thecanadianencyclopedia.ca/fr/article/hatfield-richard-bennett. Date consulté: 16 décembre 2024.



John Angus Maclean

The Prince Edward Island Prime Minister, John Angus Maclean, was known for his fairly conservative stances. Indeed, he banned the construction of new shopping malls in his province during his reign, and opposed any project which did not reflect the values of rural community life. To him, the Patriation of the Canadian Constitution and projects pertaining to it are a waste of time. He values simplicity, conservatism, and integrity.

Milne, David A.. "John Angus MacLean". *The Canadian Encyclopedia*, 16 December 2013, *Historica Canada*. www.thecanadianencyclopedia.ca/en/article/john-angus-maclean. Accessed 16 December 2024.



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<https://www.thecanadianencyclopedia.ca/en/article/king-byng-affair>.

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<https://www.canada.ca/en/canadian-heritage/services/how-rights-protected/guide-canadian-charter-rights-freedoms.html>.

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"The Ontario Human Rights Code and System." *Ontario Human Rights Commission*. Accessed November 15, 2024. <https://www3.ohrc.on.ca/en/ontario-human-rights-code#:~:text=Ontario's%20Human%20Rights%20Code%2C%20the,in%20a%20protecte d%20social%20area.>

Trudeau, Pierre Elliott. "Transcript of the Prime Minister's Statement at the First Ministers Conference on September 8, 1980." Ottawa: Library of Parliament of Canada, primarydocuments.ca, September 8, 1980. <https://primarydocuments.ca/wp-content/uploads/2018/02/1stMinistersConfPMStateTrans1980Sept8.pdf>

Whitaker, Reg. "Pierre Elliott Trudeau." *The Canadian Encyclopedia*, Last modified June 1, 2023. <https://www.thecanadianencyclopedia.ca/en/article/pierre-elliott-trudeau>



Position papers are not mandatory. If you want to submit one, it must be sent at dawsoncollegemun.official@gmail.com before January 17, 2025, 12:00 AM.

Les exposés de position ne sont pas obligatoires. Si vous voulez en soumettre un, il doit être envoyé à dawsoncollegemun.official@gmail.com avant le 17 janvier 2025, 00:00.

Must be written in size 12, Times New Roman font, one page maximum. More details on writing a position paper in the delegate handbook

Doit être rédigé en olice Times New Roman, taille 12, et ne doit pas dépasser une page. Plus de détails sur la rédaction d'une prise de position dans le manuel du délégué.