

Ladies and gentlemen:

Welcome to the inaugural conference of *Votre Canada, Votre Constitution - Your Canada Your Constitution*.

When I retired I decided to do something about a problem that has bothered me all my adult life.

I am one of those native born Canadians who is neither a member of a founding group nor any other ethnic group.

I suffer from what seems to be our national disease of not being sure what it means to be Canadian. So I ordered "**Constitution Acts, 1867-1982**" from Ottawa and it came in a big cardboard box.

Inside this rather elegant cover is the "**Canadian Charter of Rights and Freedoms**" which, according to David Law and Mila Versteeg is now an international model for such documents, replacing the US Bill of Rights. It is a document we can all be proud of.

However, this little volume also contains "**The Constitution Act 1867**" (*aka the BNA Act*) It is an astounding document. This act of a foreign government was adopted by Canada holus-bolus with limited revisions since 1867 and given a new name in 1982.

The second opening phrase is amazing. "**And, Whereas such a Union would conduce to the Welfare of the Provinces and promote the interests of the British Empire.**"

By 1982, most people in Britain would have thought that the empire was dead. Were we really trying to resuscitate it single handedly?

The document speaks of "**Welfare of the Provinces**" – not the people. Indeed, nowhere in this document can I find mention of the Canadian people at all. The document really only deals with the division of powers between the Provinces and the Federal Government.

Apparently we the people are not sovereign but our federal and provincial governments are. Governments will decide what is good for us.

The Supreme Court of Canada recognizes that many parts of Canada's Constitution are unwritten "**conventions**" which are fundamental to Canadian democracy.

Expert opinions differ but it is clear that Prime Ministers and Premiers regularly violate these rules with impunity. Yet the Supreme Court says there is nothing we can do about it.

Perhaps the most remarkable section deals with future changes to this so-called constitution. A requirement for Provincial unanimity means that change might never occur. Fortunately, Quebec never fully accepted the 1982 document, opening the way for us to consider what Canada's Constitution should be in the future.

A constitution is one of the greatest gifts the people of a country can give themselves. It defines how and to whom the people will give responsibility to run the country. It says how the power of those responsible will be limited and how they will be held accountable. It defines the character and values of the people.

A real constitution is not imposed on people by political parties or elites. As James Madison said; the constitution is "***of no more consequence than the paper on which it is written, unless it is stamped with the approbation of those to whom it is addressed THE PEOPLE THEMSELVES.***"

Some people claim that discussions of the constitution are divisive. In the mid 19th century Canadians were not afraid of controversy and many issues were hotly contested. Canada is not so fragile that really good arguments will do us in.

Lafontaine led French Canadians in a partnership with Ontario Anglos under Baldwin to wrest self government from the British Crown leading the way to confederation. When Ontario Orangemen sent their goons to Quebec to disrupt Lafontaine's election, Baldwin found him a seat in Ontario. When the British Crown banned the use of French in the Canadian Parliament, Baldwin and Lafontaine worked together to restore language rights.

The spirit of Baldwin and Lafontaine is the spirit I profoundly hope will return to Canada – Canadians working together to build a great country.

Your Canada, Your Constitution - Votre Canada, Votre Constitution was created to stimulate a debate about what our constitution could be. Its purpose is to involve Canadians in their homes, businesses, schools and colleges in a discussion of how we can create a truly democratic, independent Canada where there is only one class of citizen and the people are sovereign.

YCYC – VCVC is not a conventional political organization. It has not and will not have a political party affiliation although everyone is invited to participate. It will take only private contributions.

It has been a heartening experience to see how positive the reaction has been to the idea of this Foundation. I would say that, in general, the reaction has been "It is about time."

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