

Sir John A. Macdonald, in the Confederation debates, made that perfectly clear. He said: "If the people of British North America after full deliberation had stated that it was for their interest, for the advantage of British North America to sever the tie (with Britain) I am sure that Her Majesty and the Imperial Parliament would have sanctioned that severance." But: "Not a single suggestion was made, that it could . . . be for the interest of the colonies . . . that there should be a severance of our connection. . . . There was a unanimous feeling of willingness to run all the hazards of war (with the United States) rather than lose the connection."

Hence, the only way to bring the federation into being was through a British act.

### *Amending process*

That act, the *British North America Act, 1867* (now renamed the *Constitution Act, 1867*), contained no provisions for its own amendment, except a limited power for the provinces to amend their own constitutions. All other amendments had to be made by a fresh act of the British Parliament.

At the end of the First World War, Canada signed the peace treaties as a distinct power, and became a founding member of the League of Nations and the International Labour Organization. In 1926, the Imperial Conference recognized Canada, Australia, New Zealand, South Africa, the Irish Free State and Newfoundland as "autonomous communities, in no way subordinate to the United Kingdom in any aspect of their domestic or external affairs." Canada had come of age.

This gave rise to a feeling that Canada should be able to amend its own Constitution, without even the most formal intervention by the British Parliament. True, that Parliament always passed any amendment asked for. But more and more Canadians felt this was not good enough. The whole process should take place here. The Constitution should be "patriated," brought home.

Attempts to bring this about began in 1927. Until 1981, they failed, not because of any British reluctance to make the change but because the federal and provincial governments could not agree on a generally acceptable method of amendment. Finally, after more than half a century of federal-provincial conferences and negotiations, the Senate and the House of Commons, with the approval of nine provincial governments, passed the necessary joint address asking for the final British act. This placed the whole process of amendment in Canada, and removed the last vestige of the British Parliament's power over Canada.