tional amendments from the British parliament." However, it went on to say:

Certain rules and principles relating to amending procedures have nevertheless developed over the years. They have emerged from the practices and procedures employed in securing various amendments to the British North America Act since 1867.

What are these principles? Once again, there are four of them which are outlined in the white paper:

The first general principle ... is that although an enactment by the United Kingdom is necessary to amend the British North America Act, such action is taken only upon formal request from Canada.

The second general principle is that the sanction of Parliament is required for a request to the British parliament for an amendment to the British North America Act.

So far so good.

The third general principle is that no amendment to Canada's Constitution will be made by the British parliament merely upon the request of a Canadian province.

The fourth general principle is that the Canadian Parliament will not request an amendment directly affecting federal-provincial relationships without prior consultation and agreement with the provinces.

That is what this government is not doing. We have a government here which is abiding by the first three rules but which is ignoring the fourth. It is superfluous to have rules if they are ignored when it is inconvenient. What state would this country be in if Canadian citizens decided to ignore the laws they did not like?

While our government seems content to overlook the historical precedents of our federal system, the United Kingdom is probably not. The Kershaw report notes:

—the U.K. parliament retains the role of deciding whether or not a request for amendment or patriation of the BNA Act conveys the clearly expressed wish of Canada as a whole, bearing in mind the federal nature of that community's constitutional system.

In all ordinary circumstances, the request of the Canadian government and Parliament will suffice to convey that wish. But where the requested amendment or patriation directly affects the federal structure of Canada, and the opposition of provincial governments and legislatures is officially represented to the U.K. authorities, something more is required.

We think that it would not be inappropriate for the U.K. parliament to expect that a request for patriation by an enactment significantly affecting the federal structure of Canada should be conveyed to it with at least that degree of provincial concurrence (expressed by governments, legislatures, or referendum majorities) which would be required for a post-patriation amendment affecting the federal structure in a similar way.

The Canadian government is making a lot of fuss about the United Kingdom government interfering in Canadian affairs. That is because the British are trying to tell us something which our government would like to keep quiet. By making enough indignant noises, the government hopes to cover up the British message and stop Canadian questions.

If the Prime Minister has his way, we will have a Constitution which has been amended by another country, and which does not have the support of the provinces. What will this mean to Canadians? It will mean that the patriated and amended Constitution will lack legitimacy. That is to say, unless the overwhelming majority of people living under a Constitution regard the document as valid and properly based, they will not consider themselves bound by it. And what modern-day sovereign country would accept a constitution legislated outside of its own borders? Even the amending formula will be externally legislated without Canadian support, which means that it will lack legitimacy and, consequently, so will any future amendments.

Gordon and Janet Leckie have been writing articles on the Constitution. They put forward the following:

A country with no written constitution may live and work effectively. A nation with an iron-bound constitution may live and work effectively. But a society with a constitution whose legitimacy is disputed will live and work in acrimony, at best, and in conflict, at worst.

The only way to avoid this disaster is to bring home the Constitution with an acceptable amending formula and then amend it in Canada. No adult nation should, or would, do otherwise.

● (2020)

The amending formula to be entrenched in the Constitution, according to the government's wishes, is the Victoria formula, and it is now totally unacceptable. It completely ignores equal status accorded to all Canadian provinces. While British Columbia may oppose an amendment, it is powerless to prevent it without the help of another province. If, on the other hand, Ontario opposes an amendment, the amendment is defeated. Quebec is given the same power. Thus the whole of Canada will be held hostage to the desires of either of the two central Canadian provinces.

While the current government reason is that extending a perpetual veto power to Quebec will ensure that province's special place within the federal system, it does so by taking away from the other provinces. This will increase the resentment toward Quebec and the feelings of alienation on the part of the western and maritime provinces.

If the power of the House of Commons and the power of constitutional change is to lie in central Canada, the west and the maritimes must be assured of having a counterbalance. The only place for that counterbalance to exist might well be in the Senate. In the resolution before us, the Senate is given a veto over all constitutional amendments, but no change in Senate composition is included in this resolution. Without Senate reform, the power of government still lies in central Canada. Current membership in the Senate has Canada divided into four regions: Ontario, Quebec, the maritimes and the west. Each of the regions is allocated 24 seats in the Senate, plus Newfoundland which is allocated six. The Yukon and