At the present time, fundamental rights such as freedom of speech, freedom of meeting, freedom of religion, freedom of the press, trial before jury, and other similar liberties enjoyed by the individual, are not mentioned in the British North America Act either, as it is said according to the English scheme that fundamental rights rather derive from statute law and the common law heritage. It seems that the guarantee of these great liberties should now be also included and incorporated in our new Constitution. The student of French origin and the protester would more readily see in it, as all of us, greater and more binding guarantee and security on the part of our central Government.

However it must be said at this point that eleven years ago these rights were made more secure and were consolidated by the passing of the Canadian Bill of Rights.

The federal Government has often said that it is alone responsible for the administration of external affairs which constitute an integral part of national policies affecting all Canadians. The policy of the federal Government, which the latter emphasizes on every favourable occasion, shows that within the sphere of its jurisdiction this Government tries to promote the interests of the country as a whole, of all the Canadians from various provinces, within the general national context.

With regard to matters of particular interest to the provinces, the Canadian Government stated, again fairly recently, that its policy, in a spirit of co-operative federalism, is to do everything in its power to help them achieve their own aspirations and chosen objectives. The fact remains that, on occasion, rather serious difficulties crop up because our Constitution is not clear and, recently, we have witnessed unpleasant repercussions of this in the relations between Quebec and France. To be valid, an international agreement with a province should require the approval of the central Government, and the latter should refuse it only in cases where there is a major conflict of opinion. Thus, with regard to signing formal international agreements, federal powers and the general conduct of our foreign policy are necessarily involved, if the agreement or treaty initiated by a province is to be legal and operative. This should be kept at a minimum. I feel that this type of relation rests mainly with the central Government whose duty it is to consider them, taking Canada as a whole into account. To my mind, nothing should be ceded that could diminish or weaken the central Government in this field, because we have, there, one of the very requisites and justifications for the existence of a central state.

An important official publication, authorized by the Minister of Justice in February 1965 under the title *The Amendment of the Constitution of Canada,* sets out the following topics:

a) an outline of the inherent factors in the problem of the constitution;

b) an annotated list of the 14 occasions on which, since 1867, the Parliament of the United Kingdom has amended the British North America Act;

c) a concise account of the continued efforts which were made to work out a satisfactory amendment system for Canada, a subject which was considered on many occasions by the Parliament of Canada, and in a series of conferences and official meetings at the federal-provincial level in 1927, 1935-36, 1950, 1960-61, and 1964 and, more specifically, the text of a draft bill providing for the amendment in Canada of our Constitution, which incorporates the amendment procedure or formula which was unanimously recommended by the conference of attorneys general, and unanimously approved by the conference of premiers in October 1964. This unanimous approval is an indication of the possible scope that our amendments of the Constitution could now take, and ensure their higher flexibility.

Members of the parliamentary committee on the Constitution provided on December 15, 1964, an important outline on many Canadian constitutional problems. This outline is still valid in 1971 in most respects, judging by the evidence given by many participants from my own province in these conferences. Paragraphs C and D read as follows:

(C) The cultural weaknesses of Confederation

1. The texts on the French language are inadequate;

2. The texts on denominational education are not complied with;

3. Federal bureaucratic practice handles Quebec as a colony;

4. Economic practice handles the French-speaking Canadian as a colonial;

5. External policy practice shows only the English aspect of Canada;

6. Practice in the other provinces restricts the mobility of the French-speaking Canadian;

7. Judiciary practice impairs French written law.

(D) The federal weaknesses of Confederation

I quote:

1. It was not agreed upon by all provinces but imposed on several of them;

2. It confers residual powers to the central government instead of to the constituent states;

3. It subordinates the provincial executive to the federal executive;

4. It subordinates the provincial legislative to the federal executive;

5. It subordinates the provincial judiciary to the federal judiciary and executive;

6. It withers and alters the role of the Senate in a confederation;

7. It is inadequate with respect to provincial fiscal powers;

8. It is incomplete because it does not provide for a general declaration of rights to stand against all governments.

After having listed under (E) the basic values of federalism, the statement lists under (F) the significant anti-federalist errors which have been noted and under (G) and (H) indicates the condition for revision procedures