

The BNA has been modified by custom and the courts, but all ten provinces would have to agree before the present division of federal and provincial powers could be actually changed.

To "strengthen the still delicate balance between regions, language communities, and ethnic and native groups," Prime Minister Trudeau has proposed an extensive revision of Canada's government structure, which he hopes will give the country a new constitution by 1981. The present Canadian Senate would be replaced by a House of the Federation. At present the 102 Senators appointed by the Government in power may serve until they reach the compulsory retirement age of 75. All bills must pass through the Senate, but this is largely a formality. Its most useful contributions are in committee work, inquiries and refining legislation.

The new house would have 118 members, reflecting increases in representation for the western and Atlantic provinces. Half of the members would be appointed by the House of Commons after each federal election, and half by the provincial legislatures after provincial elections. In each case the selections would reflect the number of seats held by each party.

The new house would have specified powers. By doing nothing, voting against or amending a bill passed by the House of Commons, it could delay the bill for 60 days. Unless the Commons concurred, the bill would still become law.

The new house could initiate legislation other than financial bills; and it would approve appointments to the Supreme Court and to certain federal offices. It would have to give a double majority—meaning a majority of both English-speaking and French-speaking members—to linguistic bills before they would become law. If it failed to do so, the House of Commons could overrule it only by giving the bill a two-thirds majority.

Trudeau's basic first phase proposal also includes the "Canadian Charter of Human Rights and Freedoms." In general the charter would be similar to the US Bill of Rights and spell out French and English prerogatives in courts and in the federal and provincial legislatures. It would require that statutes, records and journals be published in both languages in the federal Parliament and in Ontario, Quebec and New Brunswick. It would allow parents speaking a minority language in a province to choose to have their children educated in the minority official language (French or English) when the number of such children in a locality was sufficient to warrant it. After Parliament adopted the charter, each province would choose whether to accept it in its jurisdiction.

The second, more difficult, part of Trudeau's proposals deals directly with federal and provincial relations and would require, for example, that all ten provinces agree on any redistribution of powers.

*Last February, the federal and provincial first ministers and their financial ministers met to discuss the economy and agreed, among other things, to cut the growth rate of public services, to stimulate private investment and to monitor wages and prices.*

