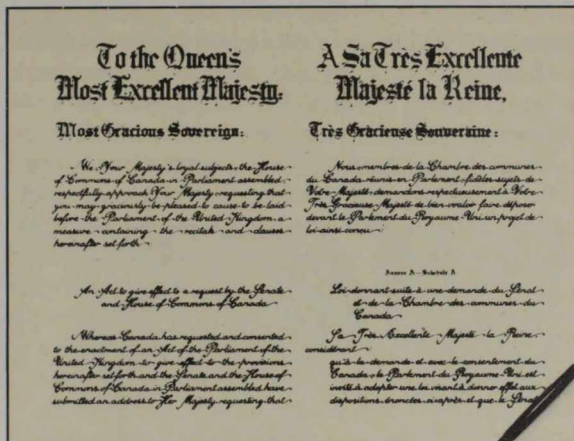


Meanwhile, in Britain, many Westminster parliamentarians were developing misgivings. The Select Committee on Foreign Affairs of the House of Commons, under Sir Anthony Kershaw, concluded that the British parliament would be wrong to approve an amendment affecting provincial rights without the consent of at least a majority of the provinces. A Conservative and a Labour member of parliament joined forces to form an all-party committee, which frequently provided a forum for opponents of the federal initiative. Competitive lobbying by the dissenting provinces and of the federal government developed rapidly in London.

In Canada the eight dissenting provincial governments attempted to consolidate their position. The federal government had proposed that Ontario and Quebec, in view of their size (respectively 36 percent and 26 percent of the total Canadian population) together with any two western and any two Atlantic provinces, be given in effect a veto power over subsequent amendments. Smaller provinces opposed the principle of a veto for the larger ones, and in April 1981 the eight dissenters met in Ottawa and agreed on an amending formula they could all support, namely that changes in the Constitution would require the consent of the federal parliament and of any seven provincial governments, provided the provinces they represented contained at least 50 percent of the national population. The Quebec government would later have considerable cause to regret agreeing to this formula.

In May the legal actions by the provincial govern-



Canada's request that the Queen present its constitutional resolution to the British Parliament.

ments ended up in the Canadian Supreme Court, and on 28 September that court brought down two rulings which, if anything, left the issue further confused. On the one hand, the court ruled that unilateral constitutional action by the federal government was indeed legal, but on the other hand, that such action would be contrary to the spirit of federalism, and to the convention taking root that amendments should be sought only with the consent of at least a majority of the provinces.

After initial thoughts of 'going it alone', Prime Minister Trudeau decided on one last attempt to obtain provincial concurrence, and the stage was set for a dramatic climax involving major compromises on both sides.



Prime Minister Pierre Trudeau savours the approbation of his colleagues during the constitutional debate.