

conscience and religion; freedom of opinion and expression; and freedom of peaceful assembly and association. With these were cited certain fundamental principles of the Constitution, such as universal suffrage and free democratic elections to the House of Commons and the legislatures. The Charter also forbade any denial of the right to vote or hold office in the House of Commons or a provincial legislature on grounds of race, ethnic or national origin, colour, religion or sex. All these rights appear to be already present in the laws and practices of Canadian democracy. Other subjects covered in the Charter concerned the Supreme Court, regional disparities, federal-provincial consultation, language rights and certain social security measures.

The fate of the Canadian Constitutional Charter, 1971, has also been reviewed above. With its rejection by Quebec, the most recent major chapter in federal-provincial negotiation with a view to the amendment of the constitution of Canada was closed.

Interest in the subject of constitutional amendment in Canada has, however, been sustained. The formula of the Charter was approved in 1972 by a report of a special joint committee of the Senate and the House of Commons on the Constitution of Canada. "In sum, we endorse the proposed amending formula as a feasible approach to constitutional amendment," wrote the authors of the report, "and would not expect to see its general terms substantially improved on, no matter how long inter-governmental negotiations were carried on." This report of the special joint committee on proposals for change in the Canadian Constitution was prepared after the committee had held 145 public meetings, received more than 8,000 pages of evidence and heard 1,486 witnesses.

It is, therefore, possible that the "Canadian Constitutional Charter, 1971" will be used as a basis for renewed bargaining, which the comments of Mr. Trudeau and Mr. Stanfield, mentioned at the beginning of this article, may herald. The comments that accompanied the refusal by Quebec in 1971 left the door open for such a renewal, and indeed there are recent indications that Mr. Bourassa may be willing to reopen the issue. For the time being, however, the situation remains as it was following the partial "patriation" of 1949.

The shaping of a new Constitution for Canada cannot, in the words of the late Guy Favreau, "be portrayed as the fruit of a single mind or a single day's work; it is a monument sculpted patiently, with chisels made of patriotic concessions, by statesmen who, from ministry to ministry, saw themselves as Canadians first".