



Alberta Gas Trunk Line built 80 miles of pipeline near Peace River. The red hut is a mobile welding shop.

The Changing of the Constitution

The British North America Act, passed by the British Parliament in 1867, is still Canada's basic constitution. It has evolved over the years—through adjustments to new realities and through the interpretations of the courts. Its fundamental provisions—those dealing with provincial powers, minority education and language rights, and the frequency of Parliamentary elections—can still be changed only by a vote in Westminster. Great Britain has tried to rid itself of this remnant of its past power for fifty years, and in 1949, at Canada's suggestion, it amended the BNA Act to give Canada the amending authority in all except the fundamental areas.

According to one theory, the Canadian Parliament could bring the full authority home by simply notifying the British government that it wished to do so. However, patriation would have little effect unless the provinces and the federal government could agree on an amending formula. By tradition, unanimous consent of all the provinces is now required before changes are made in the areas still under British jurisdiction.

Last year Prime Minister Trudeau tackled the amendment question and other problems by proposing a new Canadian constitution. It would include a human rights charter and would provide both federal and provincial parliaments with

real powers, clearly divided.

He also proposed that the present Senate be replaced by a House of the Federation and its membership increased from 102 to 118. The members, who now hold office until they reach age 75, would serve only from one federal election to the next. Half would be selected by the members of the House of Commons, and half by the provincial legislatures. The House of the Federation would have specified powers, but in all cases the House of Commons would still have the final say.

Last fall, federal and provincial first ministers discussed constitutional reform and agreed to have their cabinet ministers and other officials make a preliminary effort to agree on changes in fourteen areas. This February the Prime Minister and the premiers of the provinces met again and made modest progress. They resolved three areas and agreed on general approaches to two others. The discussion of fisheries was limited to those concerned, and a measure of progress may have been made. The other eight present various shades of difficulty. The status of all is summarized below:

THREE RESOLVED

Monarchy: Everyone agreed that the British monarch should remain Canada's Head of State.