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**The constitution:
forget about it**

IF PREMIER BOURASSA meant what he said in Mont Gabriel on the weekend, the obvious response is to abandon any plans for repatriating Canada's constitution in the foreseeable future. The concessions which Mr. Bourassa demands before he will agree to taking the constitution home simply cannot be granted.

The premier speaks of guarantees, but what he means is something quite different. The aim of constitutional guarantees is to restrict the powers of government to tamper with the basic rights of people in areas like language or education. Mr. Bourassa, however, is not seeking to restrict the powers of government but to enhance the powers of his own—to give it, as he says, the last word in areas of language, communications and immigration.

Taken to their logical conclusion, Mr. Bourassa's proposed constitutional changes would give the provinces powers which are incompatible with a workable federation.

They would make it possible for a province, with the last word in communications, to destroy a national broadcasting system. They would make it possible for a province, with the last word in immigration, to restrict the free movement of people from one area of Canada to another. They would make it possible for a province, with the last word in language policy, to trample on the rights of linguistic minorities.

The concerns which have led Mr. Bourassa to make his new constitutional demands are real and valid. French-Canadians, because of a sharply reduced birthrate, are likely to become a declining minority in Canada. In the years to come, their political power is likely to diminish and the pressures on their language are likely to increase. There is an evident need for more of the practical co-operation which

has already been seen in immigration and social policies. But a massive shift of constitutional power from Ottawa to the provinces is simply not in the books.

That being the case, one intriguing question is left. Why do Mr. Trudeau and Mr. Bourassa keep talking about a new constitutional conference to repatriate the British North America Act? The prime minister's position has been stated quite clearly. He wants Ottawa and the provinces to agree on an amending formula and no more. The Quebec position was equally clear even before Mr. Bourassa laid it on the line last weekend. He wants his new powers before he will agree to an amending formula. On the face of it, then, prospects for agreement appear non-existent.

Can it be that Mr. Trudeau and Mr. Bourassa are prepared to be more flexible in private than they have been in public? Does cultural sovereignty really mean less than the premier would like us to think it means?

Unless there is a good deal more willingness to compromise than has appeared on the surface, the frank thing to do would be to abandon the quest for constitutional reform right now. We have lived with the embarrassment of a made-in-England constitution for more than a century. A few more years of the same will not make much difference.