

CONFIDENTIAL

February 4, 1975

MEMORANDUM TO MR. ROBERTSON

Mr. Carter
Mrs. Reed

From: R.B.Bryce

Re: "Patriation" of the Constitution

Thank you for your note of yesterday on this subject.

I think there is merit in studying this subject and, perhaps, in raising it with the provinces or perhaps in letting the fact of our studying it "leak" out to them. This may be important in its effects on Quebec's views because as I recall they are the ones who most want changes of substance, and if they think there is a danger of "freezing" the situation or of having to contrive a new form of obvious national consensus to change, they may be more prepared to be reasonable. However they may also be tempted to rely themselves on some sort of extra-legal means. In any case I think we could hardly get a more rigid amending formula than we had in June 1971 and it is worth assessing the possibility of something better by a new route. To most Canadians I think the first priority will be extract our Constitution from the U.K., especially now that it is confronted with delicate separatist issues.

As I recall we planned in 1971 to do a lot of non-substantive cleaning up of the text, much of which was then agreed with the provincial governments. I would consider doing this much to modernize the look and language of the document when it leaves the U.K.

R.B.B.

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*Fulton -
Favreau?*