

véritable “question de société”, toujours liée certes à la dimension culturelle franco-québécoise mais embrassant aussi une nouvelle problématique à la fois démographique et économique. L’intention nourrie par le gouvernement québécois de gérer efficacement ses ressources humaines rencontrait certaines des orientations contenues dans le Livre vert publié par Ottawa l’année précédente, lequel soulignait entre autres la nécessité de procéder à la sélection de la main d’oeuvre immigrée en fonction des capacités structurelles du pays.<sup>34</sup> A cet égard, la *Loi sur l’immigration* votée en 1976 par le Parlement fédéral, si elle réitérait des principes de base tels l’universalité, la non-discrimination et la réunification des familles, traduisait également

un souci de planification et (...) une volonté d’utiliser l’immigration dans le cadre d’une volonté de restructuration économique (...) Cette nouvelle politique de l’immigration a facilité l’acceptation par Ottawa d’une implication plus grande du Québec dans la mesure où celle-ci permettait une meilleure planification et une gestion plus efficace des ressources.<sup>35</sup>

C’est dans ce contexte que fut signée l’Entente Cullen-Couture en 1978 qui, après les ententes Lang-Cloutier en 1971 et Andras-Bienvenue en 1975, avait pour effet de rétrocéder au Québec, pour la première fois depuis près d’un siècle, des pouvoirs décisionnels en matière de sélection des immigrants;<sup>36</sup> l’Entente Cullen-Couture octroyait en sus au gouvernement du Québec un droit de regard sur des aspects-clés de l’immigration comme les niveaux annuels d’immigration et le contenu de la grille de sélection. Si en vertu de cette entente, le Québec se voyait accordé, via la pondération comprise dans la grille, le droit de pouvoir favoriser ultimement un type d’immigration davantage franco-phoné, le critère éliminatoire de base demeurait néanmoins l’“employabilité” du candidat. Ce primat de l’économique sur le socio-culturel — qui est depuis quelque temps au Québec l’objet d’une remise en cause<sup>37</sup> — s’inscrivait en fait dans la logique des priorités définies durant les années précédentes, tant à Ottawa qu’à Québec, et qui faisait de l’immigration un élément d’encadrement de la main d’oeuvre.

Avec l’Entente Cullen-Couture, le Québec acquérait les privilèges d’une autonomie certaine sur le plan de l’immigration. Mais cette autonomie est demeurée partielle dans la mesure où le pouvoir de sélection imparti au Québec s’applique essentiellement à la catégorie des immigrants indépendants dont la proportion a oscillé, depuis douze ans, entre le quart et la moitié des entrées migratoires. Au surplus, les prérogatives du Québec englobent aussi les immigrants que son gouvernement sélectionne au nom de considérations humanitaires et auxquels le Canada ne reconnaît pas le statut de réfugié. Les deux autres catégories d’immigrants, soit les réfugiés et ceux qui viennent au Québec dans le cadre du programme de réunification des familles, relèvent pour leur part de la responsabilité fédérale.<sup>38</sup> D’autres dispositions dans l’Entente renvoient également à la compétence fédérale telles les exigences statutaires

d'admission touchant la santé et les antécédents criminels du candidat, la sécurité et le contrôle du territoire (entrées, sorties et expulsion) et enfin, l'octroi de la citoyenneté.

La récupération graduelle par le Québec de ses prérogatives en matière d'immigration — dont l'Entente Cullen-Couture constitue à ce jour le point culminant — aura été le fruit d'une étroite et constante collaboration entre les fonctionnaires fédéraux (en poste au Québec) et ceux du ministère québécois (et ce, dès la création du MIO).<sup>39</sup> A cet égard, la loi fédérale sur l'immigration entendait consacrer, par le moyen de l'article 109, des dispositions en vue d'inaugurer de façon formelle une "ère de consultation", selon le mot de R.A. Vineberg, entre Ottawa et les provinces. Au surplus,

[t]he federal government wanted to demonstrate that, in the realm of immigration, federalism could work and this meant giving Quebec a substantial say in immigration. The Quebec government, for its part, sought greater authority in all spheres related to cultural and social endeavour and especially in the area of external affairs. As a result, the goals of the two parties were compatible, though for contradictory reasons.<sup>40</sup>

L'approche résolument pragmatique qu'adoptèrent et surent maintenir dans ce dossier les bureaucraties outaouaise et québécoise fit l'épargne d'un affrontement fédéral-provincial à une époque où les empoignades juridictionnelles entre le gouvernement fédéral et celui du Québec n'étaient pas rares. Par ailleurs, le gouvernement Trudeau tenta alors par tous les moyens d'encourager l'ensemble des provinces à signer de semblables conventions afin d'éviter que l'Entente Cullen-Couture ne soit perçue comme la reconnaissance d'un statut particulier au Québec.<sup>41</sup> Somme toute, cette entente ne fut peut-être pas tant un exploit accompli de haute lutte par les négociateurs québécois qu'une "concession" décentralisatrice faite ponctuellement par un gouvernement fédéral pressant, a contrario, un credo très centralisateur.<sup>42</sup>

Pendant la décennie suivante, le Québec exerça sa compétence à la mesure de ses nouveaux moyens. Au reste, la transformation en 1981 du ministère de l'Immigration en ministère des Communautés culturelles et de l'Immigration (MCCI) traduisait l'approche nouvelle du gouvernement du Québec à l'endroit des allophones; l'intégration de ceux-ci à la communauté francophone allait désormais s'effectuer dans le respect de la culture immigrée. Par ailleurs, en raison du déclin continu de la natalité québécoise depuis le début des années quatre-vingt et de l'urgence, pour le Québec, de devoir planifier et contrôler son immigration eu égard à sa sécurité culturelle, les pouvoirs dont disposait le Québec en cette matière apparurent bientôt insuffisants.

La signature en 1987 de l'Accord Meech-Langevin par les onze Premiers ministres fédéral et provinciaux fournit l'occasion de remédier à cette situation. Geste réparateur dans le but de ramener le Québec dans le giron constitutionnel canadien depuis le rejet par celui-ci du processus de rapatriement en 1981-1982,

l'Accord du lac Meech englobait précisément l'immigration parmi les cinq demandes minimales formulées par le Québec pour adhérer à la *Loi constitutionnelle de 1982*. Les dispositions touchant l'immigration dans l'Accord du lac Meech confirmaient d'ailleurs la dynamique décentralisatrice qui caractérise cette question entre Québec et Ottawa, notamment depuis l'Entente Cullen-Couture. Si l'*Accord constitutionnel de 1987* prévoyait que le gouvernement central eût pu négocier une entente en matière d'immigration avec toute province qui en ferait la demande, le Québec se voyait pour sa part reconnaître un traitement de faveur — société distincte oblige — dans la mesure où l'Accord stipulait que le gouvernement central devait conclure une telle entente "dans les meilleurs délais" avec le Québec.

A la vérité, il semble bien que la non-ratification de l'Accord du lac Meech survenue le 23 juin 1990 n'aura pas été vraiment préjudiciable au Québec en matière d'immigration. A preuve, quelques heures s'étaient à peine écoulées après l'échéance fatidique que, déjà, le premier ministre Robert Bourassa et son vis-à-vis fédéral Brian Mulroney annonçaient la conclusion prochaine d'une entente bilatérale, entre les deux gouvernements, sur la base des dispositions contenues dans l'Accord original, et en conformité avec l'article 43 de la *Loi Constitutionnelle de 1982*.

La promptitude du gouvernement Mulroney à vouloir régler ce dossier, outre qu'elle respecte l'esprit du défunt accord (cf. entente réalisée dans les "meilleurs délais"), apparaît vraisemblablement comme un gage de reconnaissance (ou le prix à payer) à Robert Bourassa pour sa loyauté indéfectible manifestée envers son allié fédéral au cours des derniers milles de l'épisode du Lac Meech.

Attendu d'ici la fin de l'été 1990, — à moins d'un revirement majeur de la situation —,<sup>43</sup> ce nouvel arrangement Québec-Ottawa irait au-delà de l'Entente Cullen-Couture et permettrait au Québec de rapatrier la majeure partie des responsabilités relatives à l'immigration. Encore dans l'expectative quant à sa future orientation constitutionnelle, le gouvernement Bourassa se refuse à envisager pour le moment l'éventualité que le Québec puisse obtenir la compétence exclusive en matière d'immigration. Ainsi donc, certains pouvoirs importants devraient rester sous la juridiction fédérale comme l'admission des ressortissants — incluant les enquêtes de santé et de sécurité des candidats. Ottawa devrait également conserver ses prérogatives en ce qui touche les immigrants admis au pays en vertu du principe de la réunification des familles. Québec et le gouvernement fédéral devraient en outre convenir d'un critère commun au sujet des "parents aidés", une catégorie d'immigrants dont l'emploi, en arrivant au pays, est assuré par un de leurs proches déjà reconnu citoyen canadien.

Le gouvernement fédéral serait invité par ailleurs à retirer ses structures d'accueil des immigrants à l'exception de ceux relatifs à la citoyenneté — au

profit du Québec. Ce faisant, celui-ci obtiendrait le droit de légiférer exclusivement en ce qui regarde tous les programmes de formation, d'établissement et d'intégration — sociale, économique, culturelle et linguistique — des immigrants à la société québécoise. Une compensation financière accompagnera le rapatriement de ces pouvoirs sous la forme de transferts de fonds du fédéral au Québec. C'est d'ailleurs la détermination exacte des montants en jeu qui aura retardé en partie la signature de l'entente.

Cette entente imminente garantirait au Québec, d'après le total annuel établi par Ottawa, un nombre d'immigrants proportionnel à sa part de l'immigration canadienne (environ 25%), avec possibilité de dépasser ce chiffre de 5% pour des raisons démographiques. Partant le Québec sera en mesure d'établir ses propres besoins démographiques.

Par cet arrangement bilatéral, le gouvernement du Québec se trouverait à actualiser et bonifier l'Entente Cullen-Couture qui répondait de plus en plus difficilement aux nouveaux impératifs de la province en matière d'immigration.

Toutefois cette nouvelle entente sur l'immigration ne devrait constituer, à l'instar de l'Entente Cullen-Couture, qu'une simple entente administrative, sans assise juridique, pouvant légitimement être désavouée dans un court délai par chacune des parties. La ratification de Meech aurait eu justement pour effet, en vertu de l'article 95B de l'Accord, de "constitutionnaliser" l'Entente Cullen-Couture et d'enchâsser les nouveaux pouvoirs du Québec en matière d'immigration dans la constitution canadienne.

Le caractère bilatéral des discussions entourant cette entente sur l'immigration entre Québec et Ottawa aura été sérieusement critiqué dans certains milieux politiques du Canada anglais. D'aucuns y ont déjà vu le prélude d'une éventuelle escalade décentralisatrice au pays, par laquelle certaines autres provinces — nommément celles de l'Ouest — pourraient suivre l'exemple du Québec.<sup>44</sup> Selon ces derniers, la conclusion de ce type d'ententes violerait la Constitution et contribuerait du reste à affaiblir le rôle — déjà amoindri à leurs yeux — du gouvernement central.

Mais l'échec du lac Meech — avec le ressentiment anti-fédéraliste qu'il a su cristalliser au Québec —, conjugué à la vulnérabilité politique actuelle du gouvernement Mulroney, devraient inciter le gouvernement du Québec à poursuivre dans cette veine et réclamer pareilles ententes dans d'autres domaines tels que la formation professionnelle et les télécommunications.

## LES PRIORITES QUEBECOISES

Il aura fallu grosso modo une vingtaine d'années pour que le Québec se décide enfin à articuler une politique globale d'immigration. C'est principalement la crainte de voir à long terme l'avenir de la francophonie québécoise — élément-clé de la société distincte — compromis par une démographie déficiente et une

immigration peu ou prou contrôlée et planifiée qui incita Québec à promettre, en avril 1988, un énoncé de politique formel sur l'immigration; attendu pour l'automne 1990, cet énoncé de politique devrait révéler notamment les futures orientations gouvernementales en matière de hausse des niveaux d'immigration, de francisation et d'intégration — culturelle et économique — des immigrants à la société d'accueil francophone.<sup>45</sup>

Dans l'intervalle, le MCCI aura entrepris une révision de ses structures opérationnelles afin de réaliser de façon maximale ses divers mandats. La priorité accordée par Québec au dossier de l'immigration s'est également manifestée en terme de crédits alloués, l'immigration s'avérant de fait l'un des seuls postes budgétaires à bénéficier des rares largesses gouvernementales en pleine période de restriction des dépenses; au vrai, entre 1986 et 1989, le MCCI a vu ses ressources financières augmentées de près de quarante pour cent, passant de 26\$ millions à 46\$ millions avec, à la clé, des crédits supplémentaires pour 1990-91. Au demeurant, la majeure partie de ces sommes additionnelles aura servi à accroître les mesures de francisation et le rapprochement interculturel, de même qu'à permettre le désengorgement des services ministériels chargés d'appliquer les politiques d'immigration.

La situation démographique sans précédent qui affecte le Québec depuis vingt ans résulte, on l'a vu en introduction, de l'effet conjugué et pernicieux d'une dénatalité persistante et d'un solde migratoire négatif, attribuable à une émigration vers les autres provinces supérieure à l'immigration internationale reçue. Si le phénomène de l'émigration a été plutôt laissé pour compte jusqu'à maintenant,<sup>46</sup> l'on sait par contre que le gouvernement québécois s'est employé depuis peu à développer une politique familiale ayant pour but de redresser à longue échéance le taux de fécondité au Québec. Mesure louable s'il en est mais qui, pour être efficace, doit être combinée nécessairement au recours à l'immigration, laquelle, dans le contexte particulier du Québec,

constitue un apport direct et immédiat qui permet, dès maintenant, de repousser les perspectives de dépopulation, de ralentir la perte du poids démographique et d'accroître les effectifs des jeunes adultes.<sup>47</sup>

#### LES NIVEAUX D'IMMIGRATION

L'orientation nouvelle donnée par Québec à sa politique d'immigration a été définie en deux temps, soit à l'occasion des exercices annuels de détermination des niveaux d'immigration tenus par le MCCI en 1986 et 1987. Il fut d'abord décidé en 1986 d'établir pour l'année suivante un niveau d'immigration se situant à l'intérieur d'une fourchette de 20,000 à 22,000 immigrants — qui fut d'ailleurs légèrement dépassée avec 22,163 admissions réalisées dans le cadre du programme régulier d'immigration —; cela représentait une augmentation substantielle par rapport au nombre d'immigrants reçus entre 1983 et 1986 dont

la moyenne s'était élevée annuellement à 16,300 admissions.<sup>48</sup> Ces niveaux d'immigration historiquement faibles s'étaient avérés nécessaires en raison de la récession économique qui sévissait alors et de ses répercussions néfastes sur le marché du travail. Durant cette période, le Québec s'était contenté tout au plus d'honorer ses engagements et obligations à l'égard de la communauté internationale ainsi que ses responsabilités face aux familles à l'étranger des citoyens néo-québécois.

C'est le gouvernement fédéral qui, en 1985, avait donné le signal à Québec d'une hausse de ses niveaux d'immigration. De fait, Ottawa avait alors décidé de restructurer son Programme d'immigration étant donné que le nombre annuel d'immigrants était tombé cette année-là à son niveau le plus bas depuis 1980 avec moins de 85,000 admissions, soit un nombre largement inférieur à la moyenne annuelle de l'après-guerre qui oscillait entre 140,000 et 150,000 immigrants. A partir de 1985, le fédéral fit donc en sorte de rétablir de façon "modérée et contrôlée" les niveaux antérieurs d'immigration; il s'agissait essentiellement pour Ottawa de respecter sa première priorité, soit la réunification des familles, ainsi que de répondre aux exigences d'une économie en redémarrage en privilégiant l'arrivée au pays d'un nombre significatif d'immigrants indépendants (travailleurs spécialisés, gens d'affaires et immigrants investisseurs). L'admission des réfugiés "sélectionnés" constituait la troisième composante principale du Programme fédéral d'immigration. Somme toute, la politique d'augmentation dite modérée d'Ottawa aura amené celui-ci à opter pour une fourchette de 165,000 à 175,000 immigrants en 1990. Mais il est d'ores et déjà acquis qu'au moins 200,000 ressortissants étrangers entreront au pays en 1990.<sup>49</sup>

Amorcée en 1986, la nouvelle "orientation permanente d'ouverture de l'immigration au Québec" (sic)<sup>50</sup> fut reconduite l'année suivante par le gouvernement à l'occasion de l'exercice annuel de détermination des niveaux d'immigration pour 1988 et 1989. Lors d'une consultation effectuée dans le cadre de la Commission de la culture en août 1987, la plupart des intervenants sollicités<sup>51</sup> plaidèrent en faveur d'une hausse graduelle du nombre d'immigrants acceptés au Québec et ce, afin d'atteindre éventuellement l'objectif de 25% de l'immigration canadienne;<sup>52</sup> ce niveau lui avait été d'ailleurs garanti, quatre mois plus tôt, avec la signature de l'Accord du lac Meech. Plusieurs des intervenants à la Commission firent toutefois de la francisation et de l'intégration des immigrants à la majorité francophone la condition sine qua non à toute hausse à long terme des niveaux d'immigration. L'opposition péquiste et le Conseil des Communautés culturelles et de l'Immigration (CCCCI) endossèrent également ce point de vue. C'est dans cette foulée que le MCCI obtint du Conseil des ministres, en décembre 1987, des crédits additionnels de 13\$ millions au chapitre de la francisation et du rapprochement interculturel pour les années 1988-1989.

Malgré qu'il soit parvenu, en 1989, à rencontrer ses objectifs d'immigration avec l'arrivée de 33,600 immigrants réguliers<sup>53</sup> par rapport à des intentions d'accueil de 32,000, le gouvernement du Québec a fait preuve de réalisme en annonçant pour l'exercice de 1990 une fourchette de 34,000 à 36,000 admissions,<sup>54</sup> soit une légère progression de 6%. Toutefois, même dans l'hypothèse où l'objectif de 1990 serait atteint — voire faiblement dépassé —, la part du Québec de l'immigration canadienne ne correspondrait à peine qu'à 18% du total canadien. En fait, les efforts du Québec pour accroître sa part d'immigration ont été pour ainsi dire annihilés, depuis 1987, par la hausse des admissions au Canada, lesquelles ont largement excédé les intentions d'accueil initiales.

Il convient de s'interroger sur la pertinence de maintenir plus longtemps cet objectif symbolique de 25% de l'immigration canadienne auquel le Québec souscrit systématiquement depuis 1986, objectif qu'on dit toujours vouloir réaliser à "moyen terme".<sup>55</sup> Afin de maintenir le poids démographique relatif de la société québécoise au sein de la fédération canadienne — celui-ci est passé de 26,7% en 1979 à 25,6% en 1988 —, il aurait fallu que le Québec accueille environ 47,500 immigrants l'an dernier. Or, ce nombre n'a été atteint ou dépassé qu'à trois reprises au Québec depuis 1945. Et en dépit du nouveau dynamisme enregistré par l'économie québécoise depuis 1986-1987, rien ne permet de croire que le Québec a la capacité économique d'absorber, sur une période prolongée, autant de nouveaux arrivants. Rappelons pour mémoire la faible rétention de ses immigrants par le Québec qui, de 1946 à 1981, aura vu près de la moitié d'entre eux désertier la province — véritable terre de passage — au profit notamment de l'Ontario et des Etats-Unis.<sup>56</sup> On se doit de préciser toutefois que cette déperdition d'immigrants a été le fait en grande partie de personnes qui avaient immigré avant que le Québec n'intervienne au chapitre du recrutement et de la sélection des immigrants, ainsi qu'avant l'adoption des politiques linguistiques et des mesures ayant pour but d'accroître le rapprochement et l'intégration de la population immigrée auprès de la collectivité francophone.

Cela dit, la réduction des écarts, observés depuis 1971, entre les taux de présence de l'immigration du Québec et de l'ensemble canadien laisse voir une amélioration tangible de la performance québécoise à cet égard.<sup>57</sup> De toute évidence, cette rétention accrue de la population immigrée serait due aux efforts accomplis par les autorités québécoises en matière d'immigration. D'autre part, il n'apparaît pas possible, sur le plan méthodologique, de comparer le taux de présence du Québec avec celui, par exemple, de l'Ontario et de la Colombie-Britannique.<sup>58</sup> Et ce, en dépit du fait que ces deux provinces

exercent un attrait certain sur la population immigrée résidant dans d'autres provinces, au point où, si elles perdent des effectifs par la migration de retour ou par des sorties interprovinciales, elles se retrouvent au bout du compte dans une

situation où au pire, l'importance relative de leur population immigrée résidant sur le territoire est très près de la part qu'elle représente dans l'immigration canadienne, ou au mieux, est supérieure à cette part.<sup>59</sup>

Par ailleurs il semble bien qu'Ottawa, dans le cadre de ses prochains plans quinquennaux, accueillera avec bienveillance tout surplus migratoire de manière à retarder le propre déclin démographique anticipé du Canada. L'Ontario apparaît à cet égard le principal bénéficiaire de la politique d'immigration expansionniste d'Ottawa; nettement choyé par le programme de réunification des familles qui favorise les provinces déjà dotées d'une forte immigration, l'Ontario aura invoqué son "boom" économique et son besoin impérieux de main-d'oeuvre pour inciter le gouvernement fédéral à accroître ses intentions d'accueil au pays. Mais, dernièrement, l'orientation expansionniste d'Ottawa a fait l'objet de critiques provenant d'un rapport déposé, en juin 1990, par un comité de la Chambre des communes. On y évoque en effet la possibilité de geler les niveaux d'immigration pendant deux ans de manière à évaluer si les programmes d'intégration et autres services d'accueil fédéraux fonctionnent de manière efficace.

Le son de cloche est différent si on se fie à un mémo confidentiel émis à la même date par Ottawa; selon ce document, le ministère fédéral de l'Immigration projetterait de porter de 170,000 à 265,000 le nombre d'immigrants (officiels) au Canada d'ici 1992, ce qui correspondrait au plus haut niveau atteint en 35 ans. En vertu de ce scénario, le gouvernement fédéral entendrait privilégier davantage les immigrants indépendants au détriment des immigrants admis au titre de la réunification des familles, et ce afin de répondre davantage aux exigences répétées de certaines provinces en matière de main-d'oeuvre.<sup>60</sup> Il faudra voir maintenant si Ottawa ira effectivement de l'avant avec ses visées expansionnistes compte tenu du cycle de stagnation prononcée sinon de récession qui semble déjà en cours au Canada (Ontario y compris). L'expérience passée révèle plutôt qu'en période de ralentissement économique, le gouvernement fédéral a toujours pratiqué la fermeture des frontières et opéré une sélection restrictive des candidats indépendants, directement tributaires du marché du travail.

Au demeurant, l'on doit se demander s'il est possible de concilier en matière d'immigration les visées démographiques du Québec avec les objectifs — également démographiques mais peut-être davantage d'ordre économique — poursuivis par Ottawa. Car

comment le Québec qui accueille moins de 17 pour cent de l'immigration [canadienne] peut-il aspirer à 25 pour cent, alors que Montréal n'arrive pas à endiguer le fléau du chômage?<sup>61</sup>

En fait, Québec réalise peu à peu que c'est dans l'une des régions métropolitaines les moins prospères du Canada qu'on souhaite accueillir envi-



ron le quart de l'immigration du pays. C'est pourquoi la titulaire du MCCI s'est employée depuis quelques mois à sensibiliser tant bien que mal son homologue fédéral, Mme Barbara McDougall, à la nécessité d'*harmoniser* les interventions québécoise et canadienne, notamment en ce qui a trait à l'établissement des niveaux d'immigration. Devant l'afflux continu de réfugiés au Québec (800 nouveaux cas par mois, en hausse de 38% en 1989), lesquels proviennent pour la plupart de pays non-francophones, la ministre Gagnon-Tremblay laissait voir son dépit, en mai dernier, en reprochant à Ottawa d'être incapable de contrôler les frontières (malgré les lois C-55 et C84), ce qui, selon elle, a pour effet de "perturbe[r] la planification des intentions d'accueil du Québec".<sup>62</sup>

Il faudra voir maintenant si, à l'ère de l'après-Meech et dans la foulée de l'actuelle dynamique bilatéraliste entre Québec et Ottawa, le gouvernement fédéral parviendra à faire coïncider l'intérêt national — souvent à dominante ontarienne — avec les intérêts spécifiques du Québec.

#### FRANCISATION DES IMMIGRANTS ET/OU IMMIGRATION FRANCOPHONE?

Au sortir de la récession, en 1985-1986, le Québec décida, dans le but de compenser son énorme déficit des naissances, de faire résolument appel au viatique de l'immigration. Or, les deux tiers des immigrants que le Québec a accueillis ces dix dernières années ne connaissaient pas le français à leur arrivée. Un phénomène préoccupant pour le Québec sur le plan linguistique mais qui, dans d'autres pays francophones recevant des immigrants, tels que la France, la Belgique et la Suisse, ne constitue pas le principal souci. Dans ces pays, en effet, on craint plus ou moins la venue d'immigrants allophones dans la mesure où on estime que les forces d'intégration socio-économiques et la législation linguistique en vigueur les amènent inévitablement à faire l'usage de la langue de la majorité nationale ou territoriale.<sup>63</sup>

La situation est tout autre au Québec. D'abord, le gouvernement québécois n'exerce ses pouvoirs de sélection en matière d'immigration, selon l'Entente Cullen-Couture, qu'au regard de la catégorie des indépendants qui correspond à environ 54% de l'ensemble des immigrants. En outre, les programmes de francisation et d'intégration des immigrants mis en place par Québec ne rejoignent pas la moitié de la clientèle visée. Au reste, la tâche de franciser les immigrants incombe non pas au 84% de francophones du Québec mais plutôt au 40% de Québécois de langue française habitant la région de Montréal. Défi de taille quand on sait que la mobilité linguistique de la population immigrée établie à Montréal (presque neuf immigrants sur dix) s'effectue vers l'anglais dans les deux tiers des cas tandis qu'à l'inverse, les trois quarts des autres néo-Québécois résidant ailleurs au Québec ont choisi le français.<sup>64</sup>

Optimiste malgré tout, le gouvernement du Québec a décidé ces dernières années d'investir l'essentiel de ses efforts et de ses ressources dans la francisa-

tion des immigrants plutôt que de privilégier l'immigration francophone, option jugée trop discriminatoire, non rentable sur le plan économique et enfin potentiellement insuffisante.

### *Les aléas de la francisation*

Louise Robic, ministre des Communautés culturelles et de l'Immigration de décembre 1985 à mars 1989 — remplacée depuis par Monique Gagnon-Tremblay — avait fait de la francisation son principal cheval de bataille. Elle se faisait fort en effet d'appliquer dans sa littéralité la *Loi sur le ministère des Communautés culturelles et de l'Immigration* qui stipule que la Ministre doit

prendre les dispositions nécessaires pour que les personnes qui s'établissent au Québec acquièrent dès leur arrivée ou même avant qu'elles ne quittent leur pays d'origine la connaissance de la langue française.<sup>65</sup>

L'action de la ministre s'est également inspirée de l'Accord Canada-Québec sur la formation en établissement pour les années 1986-1987, 1987-1988 et 1988-1989 qui prévoit que les gouvernements impliqués collaborent pour

s'assurer que la formation linguistique des immigrants contribue à leur intégration au marché du travail et, dans le cadre des principes et objectifs prévus au présent Accord, conviennent d'élaborer et de mettre en oeuvre des stratégies communes visant à répondre aux besoins particuliers des diverses clientèles immigrantes.<sup>66</sup>

Durant son mandat Louise Robic a obtenu que l'on hausse de façon substantielle les crédits alloués aux programmes d'enseignement du français aux immigrants (voir *supra*). Rappelons que pour réaliser ses objectifs, le MCCI peut compter sur un réseau de huit centres d'orientation et de formation des immigrants (COFI). Montréal compte cinq de ces centres, les trois autres étant situés à Sherbrooke, Hull et Québec.

La contribution de Mme Robic a permis, ponctuellement, de remédier à trois lacunes:

- Au départ, les cours à temps plein dispensés par les COFI, financés en partie par le gouvernement fédéral dans le cadre du Programme national de formation en établissement (PNFE) et offerts aux immigrants de différentes catégories qui se destinent au marché du travail, étaient hors de portée des nouveaux arrivants qui parlaient déjà anglais. La ministre a convaincu le gouvernement du Québec d'organiser ses propres cours pour ce type d'immigrants pénalisés en vertu des critères fédéraux. C'est donc en octobre 1988 qu'a démarré le Programme québécois de francisation des immigrants (PQFI). La clientèle-cible de ce nouveau programme est constituée de personnes non-admissibles au PNFE, notamment les femmes qui restent au foyer. Ces cours sont donnés dans

- les COFI et visent les mêmes objectifs socio-linguistiques que ceux poursuivis par le PNFE. Une allocation pour frais de garde et une allocation de formation sont offertes aux stagiaires qui ont la charge d'enfants de douze ans et moins.
- Le MCCI a été amené aussi à offrir une gamme de cours à temps partiel, selon des formules souples et variées comme, par exemple, des cours intensifs ou sur mesure, des cours du soir et des cours en sous-traitance impliquant des ententes signées avec des commissions scolaires. L'objectif de ces cours, tels ceux offerts notamment dans le cadre du Programme d'aide à la francisation des immigrants (PAFI), et qui a débuté en mars 1987, est de rejoindre des catégories des personnes qui n'ont pas accès aux cours offerts par les COFI, comme les analphabètes et en particulier la clientèle des femmes — singulièrement celles des minorités visibles — qui demeurent à la maison, ou encore celles qui ont choisi ou été contraintes d'entrer sur le marché du travail. Ajoutons que le MCCI défraie, dans le cadre du PAFI, le salaire de l'enseignant et, au besoin, celui de la jardinière d'enfants.
  - Enfin, des cours de français à temps partiel ont également été mis sur pied par le MCCI à l'intention des revendicateurs du statut de réfugié afin d'aider à leur insertion au marché du travail, en attendant que les autorités fédérales responsables examinent leur cas.<sup>67</sup>

Depuis l'arrivée de Monique Gagnon-Tremblay à la tête du MCCI à l'hiver 1989, le ministère a entrepris une "opération de redéfinition et de consolidation des activités de francisation" qui se traduira par l'implantation, d'ici à trois ans, d'un nouveau programme de formation des immigrants dans les COFI au coût d'un million et demi de dollars. Or, cette refonte virtuelle des cours de français dans les COFI a d'avance été désavouée par nombre d'enseignants du milieu qui appréhendent la création prévue de super-écoles qui entraîneraient, selon eux, une ghettoisation de l'immigrant.<sup>68</sup> Par ailleurs, le MCCI travaille présentement à un projet-pilote, encore au stade embryonnaire, dans le cadre duquel on dispenserait à la fois des cours de français et une initiation aux us et coutumes québécois aux ressortissants chinois de Hong-Kong qui ont obtenu leur certificat de sélection du Québec et qui attendent leur visa du gouvernement fédéral avant d'émigrer. Ces cours, similaires à ceux offerts dans les COFI, auraient également pour objectif de transmettre, déjà à l'étranger, le "goût du Québec" à ces futurs immigrants afin d'amenuiser les risques d'une éventuelle émigration de leur part vers les autres provinces, vu leur connaissance préalable de l'anglais.

Cette initiative nouvelle, entreprise auprès d'immigrants indépendants, reprend en fait une formule déjà éprouvée au sein de l'"école du Québec" en Thaïlande où l'on donne des cours de français aux réfugiés. Or il y a tout lieu

de croire que devant la faible fréquentation des COFI par les immigrants au Québec, le MCCI ait voulu exporter le processus de francisation en amont dans le but d'accroître les chances de succès du programme. Car, une fois au pays, le gouvernement du Québec se verrait hypothétiquement dans l'impossibilité d'obliger les immigrants — hormis les enfants d'âge scolaire — à se franciser en raison des Chartes québécoise et canadienne des droits et libertés.

Il est vrai qu'à peine 38,4% des immigrants officiels reçus au Québec en 1989 se prévalaient des cours offerts dans les COFI; un peu plus de 10% suivaient des cours à temps plein. Pour la plupart des immigrants qui se destinent au marché du travail, il est souvent préférable d'occuper un emploi, même "déqualifiant" et sous-payé que d'assister à un cours de français de 30 semaines et de devoir vivre dans le même temps avec une allocation mensuelle anémique. D'autant plus que les bénéficiaires de l'enseignement des COFI s'exposent à perdre rapidement leur français élémentaire fraîchement acquis s'ils n'ont pas l'occasion de le parler. A cet égard la région de Montréal, où se sont installés jusqu'à présent près de 90% des immigrants du Québec, est loin de constituer un environnement idéal pour les nouveaux venus appelés à se franciser. De fait, la langue anglaise y est omniprésente dans quelques quartiers de Montréal ainsi que dans plusieurs municipalités avoisinantes et elle impose encore son usage, sur le plan du travail et en dépit de la Loi 101, dans certains secteurs où se concentre une forte proportion de la main-d'oeuvre immigrante tels que principalement l'hôtellerie, la restauration, la fabrication de vêtements et les services d'entretien.

Face à cette réalité socio-économique somme toute profitable à l'anglais, l'accroissement seul des budgets alloués à la francisation des immigrants dans les COFI ne suffit plus si aucun effort sérieux n'est tenté, en parallèle, pour franciser les lieux de travail. C'est pourquoi fonctionnaires, syndicats et groupes de pression estiment qu'il faut, sans plus tarder, intensifier la francisation des entreprises, spécifiquement celles comptant 50 employés et moins, qui ne sont pas soumises aux obligations relatives à la francisation tel que promu au chapitre V de la *Charte de la langue française* (ou Loi 101). Il conviendrait sous ce rapport de renforcer les pouvoirs impartis par la loi aux comités de francisation — véritable "pierre angulaire" de la francisation — qui s'avèrent, pour l'heure, sous-utilisés.<sup>69</sup> Un organisme comme la Société Saint-Jean-Baptiste (SSJB) considère, pour sa part, qu'en raison de l'adoption de la Loi 178 — qui permet l'affichage commercial en anglais à l'intérieur des commerces — et parce qu'il offre ses services administratifs dans les deux langues, le gouvernement Bourassa se trouve à avaliser implicitement le bilinguisme. Ces deux dernières politiques iraient, d'après la SSJB, à l'encontre de la priorité gouvernementale fondée sur la francisation accrue; partant Québec enverrait des messages contradictoires aux allophones, lesquels

seraient justifiés du coup d'interpréter que l'anglais possède un statut égal au français dans *quelque domaine que ce soit* dans la province.<sup>70</sup>

Il semble donc manifeste que malgré les efforts déployés par le MCCI pour franciser les immigrants, l'intégration linguistique de ces nouveaux arrivants reste tout aussi problématique. D'aucuns, à l'instar du député péquiste Jacques Brassard, affirment sans ambages que la francisation s'avère un échec précisément parce que la majorité des allophones demeure en marge du processus d'intégration à la communauté francophone.<sup>71</sup>

### *Immigrants optimums...*

Par ailleurs, il appert que durant la période où Louise Robic dirigeait le MCCI, la francisation a joué en quelque sorte un rôle d'adjuvant à une politique de l'immigration articulée, pour l'essentiel, autour de la notion de rentabilité immédiate de la sélection des immigrants. Ainsi, suite à l'Entente Cullen-Couture, le Québec s'est doté de sa propre grille de sélection des candidats à l'immigration. Ceux-ci sont évalués en fonction de neuf critères ou facteurs de sélection valant un total de 106 points, un candidat étant admis lorsqu'il parvient à en accumuler un minimum de 50. Parmi ces critères, on compte entre autres la connaissance du français, l'emploi, la présence au Québec de parents ou d'amis, la scolarité, l'expérience professionnelle, l'adaptabilité, etc. La connaissance du français peut valoir jusqu'à 15 points (voire 4 de plus si le conjoint du candidat connaît la langue, comparativement à deux seulement pour la connaissance de l'anglais). Une recommandation adressée par l'Office de la langue française au gouvernement du Québec en 1986 et visant à porter à 30 le nombre de points accordés à la connaissance du français est restée jusqu'ici lettre morte.<sup>72</sup>

L'avantage relatif conféré aux candidats francophones s'estompe vite toutefois devant le seul critère éliminatoire de la grille, soit l'"employabilité" du futur immigrant. L'employabilité, c'est en fait la capacité pour un candidat de pouvoir occuper à court terme, soit dans les trois ou quatre mois suivant son arrivée, un emploi dit "attesté" au Québec. Cas classiques: un candidat francophone aura pu obtenir un nombre de points nettement supérieur au total exigé; si son profil professionnel ne correspond pas aux besoins immédiats du Québec — selon le Guide des emplois du Québec — il ne sera pas admis. En revanche, un candidat peu scolarisé et qui ignore le français, pourrait être accepté assez aisément comme immigrant du simple fait que son métier fait l'objet pour l'heure d'une "pénurie", au regard des standards officiels (comme par exemple, les emplois à titre d'auxiliaire domestique, en demande constante).<sup>73</sup>

Le primat de l'employabilité sur la connaissance du français prônée par l'ex-ministre Robic tend, en fait, à considérer tout futur candidat ne disposant pas d'un emploi garanti à son arrivée au Québec comme un fardeau potentiel,

difficilement intégrable, à brève ou moyenne échéance, sur le plan économique. Ainsi, selon Louise Robic,

c'est une décision à prendre pour une société (...) [que de favoriser] une immigration seulement sur le critère de la langue en prenant une chance que ces personnes deviennent employables. Est-ce que nous sommes prêts à [en] assumer la responsabilité financière jusqu'au moment où ils se trouveront un emploi ? (...) Pour qu'il n'y ait (...) pas de tensions [entre la société d'accueil et les immigrants], il ne faut pas qu'on reçoive des immigrants qui viennent grossir les rangs des sans-emplois ou ceux de l'aide sociale parce que là, la réaction de la société d'accueil sera négative. Ces gens auront l'impression qu'ils sont là pour utiliser les ressources sans contribuer [en retour]...<sup>74</sup>

Considérant l'importance, légitime par ailleurs, accordée par Québec au rendement socio-économique de l'immigration, il était presque dans l'ordre des choses que le gouvernement Bourassa jette son dévolu sur une immigration "haut de gamme", les gens d'affaires en l'occurrence, disposée à investir et à créer de l'emploi au Québec. Malgré qu'elle soit marginale en nombre (4,6% du total des immigrants reçus en 1989, soit 1,540 sur 33,600), cette sous-catégorie d'immigrants indépendants composée d'entrepreneurs, de travailleurs autonomes et d'investisseurs est néanmoins courtisée systématiquement par le gouvernement québécois comme en fait foi la toute récente mission commerciale pilotée par la ministre Gagnon-Tremblay à la fin août 1990, auprès des gens d'affaires de Hong-Kong. Les autorités québécoises s'enorgueillissent du reste d'avoir attiré l'an dernier — au grand dam de l'Ontario — 41% de tous les immigrants d'affaires au Québec alors que l'Ontario ne recevait pour la même année que 17,7% de l'ensemble des nouveaux arrivants au pays. Cet écart entre les deux provinces est attribuable en grande partie aux conditions attrayantes qu'offre depuis quelques années le gouvernement québécois aux gens d'affaires étrangers tentés par le Québec.<sup>75</sup>

Si la performance québécoise, en termes concrets, n'est pas négligeable à ce chapitre,<sup>76</sup> elle suscite par contre chez certains la crainte de voir le gouvernement céder à la tentation de recruter exclusivement ses immigrants d'affaires en Asie (soit à Hong-Kong, Taïwan, en Corée du sud et à Malaysia); auquel cas, opinent-ils, on négligerait un bassin potentiel d'entrepreneurs et d'investisseurs francophones d'Europe et du Proche-Orient, plus enclin peut-être à s'acclimater et à demeurer au Québec du fait de leur bagage linguistique.

### *Immigration francophone: le pour et le contre*

En fait, ceux qui plaident pour une augmentation de l'immigration francophone l'envisagent pour l'ensemble des immigrants indépendants, certains allant même jusqu'à suggérer que le Québec puisse pratiquer une discrimination positive en faveur des réfugiés francophones, ce à quoi s'oppose avec énergie

le gouvernement Bourassa. Plusieurs défenseurs de l'immigration francophone soutiennent, exemples à l'appui, qu'il existerait une volonté délibérée chez maints fonctionnaires fédéraux... et même québécois de décourager la venue au Québec, pour cause "officielle" de non-employabilité, nombre de ressortissants étrangers susceptibles de s'intégrer relativement vite à la collectivité québécoise, advenant leur admission comme immigrants.<sup>77</sup> Argument on ne peut plus formaliste rétorquent les pro-francophones qui n'a pour effet que de disqualifier un grand nombre de candidats potentiels provenant de l'Europe francophone, de l'Afrique francophone, d'Haïti, du Moyen-Orient, du Sud-Est asiatique, de même que des pays latins (Roumanie, Amérique latine, Espagne, Portugal, etc.), sans compter tous ceux qui, d'où qu'ils viennent, ont opté pour le français comme première langue étrangère.<sup>78</sup> Les tenants de l'immigration francophone font valoir en effet qu'à défaut d'un emploi garanti ou de fortune personnelle, les candidats "plus francophonisables" a priori devraient être également évalués en fonction de leur capacité d'ajustement et de leur formation générale; il conviendrait cependant qu'ils soient très bien informés, au préalable, de la délicate période de transition à traverser avant leur insertion véritable sur le marché du travail.

Tout en admettant que le gouvernement Bourassa avait négligé ces dernières années le réservoir des pays francophones — d'Europe en particulier —<sup>79</sup> l'ex-ministre Robic n'a jamais voulu user de son pouvoir discrétionnaire, que lui confèrent les articles 18C et 40 du *Règlement sur la sélection des ressortissants étrangers*, autrement que pour favoriser des cas humanitaires ou encore des candidats économiquement rentables (gens d'affaires ou personnes ayant une attestation d'emploi).<sup>80</sup> L'avoir fait aussi pour les francophones l'eut obligé tôt ou tard à devoir modifier l'importance relative des critères de la grille de sélection, ce à quoi elle ne pouvait se résoudre car il aurait été d'après elle "profondément discriminatoire" d'accorder la prépondérance à la connaissance du français dans le recrutement des immigrants.<sup>81</sup>

Au surplus, témoigner une préférence concrète pour les immigrants indépendants francophones obligerait le gouvernement à chambarder les "réseaux d'immigration" actuels du Québec grâce auxquels il peut attirer également la famille et, parfois, une bonne part du patelin d'origine du nouveau venu. Choix qui ne manquerait pas de mécontenter certaines communautés culturelles favorisées par la situation présente.

Divers groupes ou observateurs souscrivent à l'approche résolument non-discriminatoire qu'a défendue Louise Robic en alléguant que l'immigration "culturelle" pro-francophone serait inique envers les non-francophones. Selon eux, le souci très légitime de conforter le français ne justifie toutefois pas qu'on doive présenter le Québec comme une société sempiternellement menacée par l'arrivée d'immigrants anglophones ou allophones, compte tenu du dynamisme qui caractérise la collectivité franco-québécoise sur les plans économique,

social et culturel. Ainsi, selon ces intervenants, la protection voire le renforcement du français au Québec passerait non pas par la primauté de l'immigration francophone mais plutôt par une conscientisation accrue des nouveaux arrivants à la prédominance du français dans la société québécoise.<sup>82</sup>

### *Le virage gouvernemental*

Au demeurant, le lobby intensif exercé depuis quelques années par les partisans de la "francophonisation" de l'immigration au Québec aura porté ses premiers fruits; en confiant le 3 mars 1989 la direction du MCCI à Monique Gagnon-Tremblay, le premier ministre Bourassa remerciait du même coup une ministre (Louise Robic) très contestée auprès des milieux nationalistes et partant, moins apte que sa remplaçante à pouvoir se plier au virage que le gouvernement entendait effectuer en matière d'immigration.

Dans la mouvance du Lac Meech — où se profile l'avenir politico-constitutionnel du Québec —, certains ont enjoint le gouvernement Bourassa à souscrire sans plus attendre au principe "à société distincte, immigration distincte". Pour ces derniers, la prééminence accordée aux immigrants francophones, sans être une panacée à tous les problèmes du Québec, devrait néanmoins constituer une priorité pour une société distincte telle que le Québec. C'est pourquoi, selon eux, le gouvernement du Québec doit se rendre à l'idée que "choisir (ses immigrants) c'est avoir des préférences" et qu'à défaut de sélectionner ceux-ci, "on aboutit à l'incohérence totale". Auquel cas, "la politique du ministère (MCCI) se calque sur les mouvements de la population mondiale".<sup>83</sup>

L'acuité du débat public autour de cette question aura gagné les instances mêmes du Parti libéral du Québec en juin 1989; ainsi, à l'occasion du conseil général du Parti, il fut demandé qu'on accepte un plus grand nombre d'immigrants et, autant que possible, "des francophones ou des immigrants de tradition latine".<sup>84</sup> Sitôt cette étape franchie, la branche gouvernementale ne tarda pas à être saisie du dossier; en novembre 1989, la ministre Gagnon-Tremblay désigna un ex-diplomate fédéral de carrière avec pour mission d'évaluer, d'ici juin 1990, les 15 bureaux d'immigration du Québec et l'organisation des territoires qui s'y rattachent. A la même époque, la ministre effectua une tournée d'inspection des services d'immigration du Québec à Paris et à Bruxelles afin de "mesurer" la capacité de ces services à répondre aux demandes déposées par des candidats francophones. Le constat négatif qu'elle en fit, notamment quant à Paris (manque d'équipement, locaux désuets, documentation périmée, conseillers mal utilisés, etc.), l'amena à annoncer, le 9 février dernier, une série de mesures visant à "augmenter considérablement dès cette année" le nombre d'immigrants francophones.<sup>85</sup> Dans l'intervalle, cela s'est déjà traduit par l'ajout de personnel de soutien au bureau de Paris afin



d'augmenter le nombre d'entrevues de sélection quotidiennes. Qui plus est, des conseillers ont été envoyés au Maghreb et à Chypre afin de diminuer l'arriéré des dossiers des ressortissants nord-africains et libanais.

Condition impérative pour améliorer le recrutement des candidats francophones à l'immigration, Québec a entrepris ces derniers mois de réviser son actuelle grille de sélection des immigrants. Le MCCI entend bientôt tenir compte davantage du critère de l'"adaptabilité" socio-économique du candidat et de sa motivation plutôt que de privilégier strictement le critère de l'employabilité, comme c'est le cas pour l'instant. En vertu de ce nouveau scénario, un immigrant reçu pourrait se recycler et occuper un emploi connexe à celui qu'il anticipait obtenir au départ. Par exemple, un médecin ou un vétérinaire pourrait faire valoir sa formation d'origine et ainsi devenir un technicien de laboratoire. Or les milieux patronaux appréhendent pareille mesure car, selon eux, elle ne réglerait aucunement la pénurie de personnel spécialisé que vit le Québec dans certains secteurs-clés. La seule solution consistant d'après eux à former derechef les nouveaux venus sur le plan professionnel.

Moins pessimiste que les patrons québécois, le gouvernement Bourassa compte faire d'une pierre deux coups avec l'assouplissement du critère lié à l'emploi: d'abord, certes, accroître la proportion des parlants français au Québec mais aussi, se donner un moyen tangible d'atteindre les niveaux d'immigration sans cesse plus élevés qu'il envisage de fixer au cours des prochaines années.

Au reste l'immigration francophone, même planifiée à la hausse, ne saurait pénaliser dans l'avenir, aux yeux de Monique Gagnon-Tremblay, les immigrants qui ne sont pas de culture française.<sup>86</sup> En fait, la ministre a clairement réaffirmé récemment sa volonté de "redoubler d'ardeur" au chapitre de la francisation des immigrants et ce, par le biais d'une réorganisation prochaine des COFI, incapables jusqu'ici de rejoindre un nombre substantiel de stagiaires.<sup>87</sup> Tirailé par les zéloteurs de l'immigration francophone exclusive et, d'autre part, les apôtres de la non-discrimination linguistique en cette matière, le gouvernement Bourassa aura finalement décidé, en dernier ressort, d'opter pour une politique aux allures de compromis.

## LE RAPPORT A L'AUTRE

Dans la foulée post-référendaire, la dernière décennie aura vu l'émergence au Québec d'un débat sur le pluralisme ethno-culturel en contrepoint de l'incontournable question nationale. Au demeurant, l'implication de Québec à ce chapitre fut plutôt tardive si on tient compte de la création par Ottawa, en 1971, d'un ministère d'Etat au multiculturalisme. Dix ans plus tard, le gouvernement québécois emboîtait le pas à sa manière en modifiant la loi

constitutive du ministère de l'Immigration afin d'inclure des responsabilités spécifiques envers les communautés culturelles, lesquelles font même, depuis, partie intégrante de la dénomination ministérielle. En prônant la thèse de la *convergence culturelle*, le MCCI désirait convier au rapprochement entre les cultures immigrées et la culture d'accueil francophone, celle-ci demeurant toutefois la culture-phare de la société québécoise. Cette perspective se voulait la rétorsion du gouvernement du Québec à la vision multiculturaliste canadienne laquelle, en plaçant "généreusement" toutes les cultures sur un pied d'égalité, se trouve du même coup à nier la thèse québécoise du droit d'aînesse culturel en faveur de la culture francophone majoritaire sur le territoire du Québec.

Mais aux yeux de certains milieux intellectuels et des leaders des communautés culturelles, la doctrine de la convergence culturelle occultait encore trop la valeur intrinsèque de la culture immigrée, définie comme une culture de transition qui

à défaut de pouvoir survivre comme telle pourra, dans une situation d'échange interculturel véritable, transformer la culture québécoise et s'y perpétuer.<sup>88</sup>

L'actuel gouvernement du Québec n'aura pas été insensible à ce nouveau discours sur l'*interculturalisme*, avalisé dans ses grandes lignes par le Conseil des Communautés culturelles et de l'Immigration, organisme-conseil du MCCI. De fait, le Ministère s'est employé depuis 1987-1988 à consolider ou développer les volets *maintien des cultures* et *rapprochement interculturel* propres à sa politique d'intervention auprès des communautés culturelles. Le tout se traduisant par la création de divers programmes d'aide aux communautés concernées de même que par un support technique et informatif à des organismes publics, parapublics et privés. Participant du même esprit gouvernemental, des organismes tels que la CECM, la Communauté urbaine de Montréal (CUM) et la Ville de Montréal, entre autres, se sont dotés respectivement et depuis peu d'un "comité consultatif sur les relations interculturelles et interraciales".<sup>89</sup>

En légitimant les droits de la culture immigrée, le gouvernement se devait aussi d'améliorer le processus d'insertion socio-économique des immigrants au sein de la société québécoise. Promoteur des programmes d'accès à l'égalité (PAE), le gouvernement a néanmoins fait preuve d'incohérence en se laissant devancer à ce chapitre par certains organismes des secteurs public et privé.<sup>90</sup> Toutefois, en dépit du très maigre 2% de néo-Québécois recensés pour l'heure au sein de sa fonction publique, le gouvernement du Québec serait tout compte fait plus ouvert que son homologue outaouais à l'égard des minorités dites visibles, totalement éclipsées à la direction de plusieurs organismes fédéraux.<sup>91</sup>

Malgré les programmes existants d'accès à l'égalité, nombre d'immigrants estiment toujours faire les frais d'une discrimination de fait qui s'exprime non

seulement par l'emploi, mais aussi au niveau du logement et de l'accès aux services sociaux. Les femmes s'avèrent à cet égard doublement pénalisées, soit en tant que femmes et en tant que membres des minorités ethniques et raciales.

La vieille crainte du "voleur de job", si elle suscite de moins en moins d'écho auprès d'une majorité de Québécois,<sup>92</sup> n'en continue pas moins, en revanche, d'alimenter les appréhensions culturelles de certains natifs. On retrouve ici un large éventail de positions, allant de la convergence culturelle revue et corrigée par le père Julien Harvey jusqu'à un certain lepénisme à la québécoise.<sup>93</sup> Selon le père Harvey, une immigration immodérée pourrait mener à terme à la "démolition de la culture d'accueil",<sup>94</sup> menace qui justifie, d'après lui, l'établissement par le gouvernement de contingents d'immigrants dont le critère de sélection résiderait dans l'aptitude de ceux-ci à assimiler les valeurs de la culture québécoise francophone.

Faute de connaître au juste l'impact des idées de Harvey parmi la population québécoise, un sondage Sorecom réalisé en 1989 révélait par contre que 88% de Québécois faisaient grief aux immigrants de se regrouper à l'intérieur de quartiers ethniques. Phénomène aisément explicable sur le plan économique (cf. coût du logement), le ghetto ethnique comporte, en outre, une double signification culturelle. D'abord, il se veut un

instrument essentiel de survie et d'adaptation graduelle (pour les immigrants) qui arrivent au pays sans en connaître la langue ou les coutumes ou qui passent d'une société rurale traditionnelle à une société urbaine.<sup>95</sup>

L'enclave ethnique constitue aussi un refuge face à la xénophobie tenace d'une partie de la société d'accueil francophone qui ne jure que par le "nous autres". Ce sentiment d'exclusion partagé par plusieurs immigrants n'a pas aidé, par ailleurs, à accroître leur sentiment d'appartenance envers le Québec. En vérité, depuis dix ans, la prime allégerance des allophones à l'égard du Québec, en particulier chez les plus vieux, est demeurée extrêmement faible en comparaison de leur prédilection pour le Canada.<sup>96</sup> Contraste saisissant qu'il faudrait peut-être attribuer au statut provincial du Québec; ce dernier en effet ne susciterait pas spontanément une identification de la part des néo-Québécois, lesquels se sentent plutôt redevables au gouvernement central, vu ici comme le représentant de l'autorité prédominante au Canada.<sup>97</sup> Reste à savoir maintenant si, à l'ère de l'après-Meech, l'occasion-historique-sera fournie aux communautés culturelles de resserrer leurs liens avec la société d'accueil québécoise à la faveur de la commission parlementaire élargie sur l'avenir politique et constitutionnel du Québec.

## LE POIDS DE L'ENCLAVE MONTREALAISE

Montréal compose avec Vancouver et Toronto une triade urbaine rassemblant près de 60% de tous les immigrants du pays. La part de l'agglomération

montréalaise s'avère toutefois à ce chapitre bien inférieure (14%) à celle de Toronto notamment (35%). Or, là où Montréal se distingue de sa rivale, c'est dans le fait qu'elle attire la très grande majorité des immigrants admis au Québec; ainsi, en 1988, 88% de ces nouveaux venus s'y établissaient. En comparaison, Toronto "n'"attirait la même année que 63% des immigrants accueillis en Ontario.

Société distincte au sein de l'ensemble canadien, le Québec l'est non seulement à cause de la prédominance de sa population française mais aussi, pourrait-on ajouter, en raison du fossé grandissant qui se creuse entre l'île de Montréal, de moins en moins francophone, et le reste du Québec, qui le devient de plus en plus. Ce clivage centre/périphérie à caractère démologique constitue ce qu'il est maintenant convenu d'appeler la "montréalisation" de l'immigration au Québec.

A quoi peut-on attribuer ce fléchissement de la francophonie montréalaise ? En 1986, les résidents de langue maternelle française représentaient 59,9% de la population de l'île de Montréal, comparativement à 64% en 1951. La faible fécondité des francophones et leur tendance de plus en plus marquée, depuis une dizaine d'années, à préférer à l'île les banlieues limitrophes expliquent en partie le phénomène.<sup>98</sup> Situation totalement inverse chez les immigrants dont la plupart (quatre sur cinq) choisissent de s'installer dans l'île de Montréal, faute de pouvoir compter sur des logements sociaux et des structures communautaires élaborées en périphérie.

Considérant que depuis 1984, à peine le tiers des nouveaux venus qui vivent à Montréal possèdent une connaissance du français et que, depuis 1987, le rapport naissances-immigrants défavorise les francophones de l'île, le démographe Michel Paillé pronostiquait l'an dernier un déclin relatif, à brève échéance, de la proportion des parlants français dans l'île de Montréal; ainsi, l'importance de ces derniers devrait chuter à 57,3% en 1996, soit une baisse appréciable de 2,6 points procentuels en dix ans.<sup>99</sup>

#### LA REGIONALISATION: UNE SOLUTION D'APPOINT?

Compte tenu que l'environnement culturel montréalais ne favorise pas l'intégration optimale des nouveaux venus à la communauté francophone du Québec, l'hypothèse de la déconcentration ethnique vers la périphérie apparaît souhaitable dans ce contexte. Au vrai, l'expérience de la "démétropolisation" a déjà été tentée en 1979-1980 lors de l'arrivée des réfugiés indochinois. Nombre d'entre eux avaient alors été dirigés en province dans le cadre d'un programme de parrainage collectif. Mais, deux ans plus tard, une majorité de ces réfugiés avaient regagné Montréal en raison de l'absence ou de la non-accessibilité de services essentiels à leur communauté (épicerie, activités

culturelles, etc.) ainsi qu'à cause des difficultés d'intégration économique en région.

Malgré cette tentative avortée, le MCCI envisageait en novembre 1987 l'opportunité de se donner une véritable politique de régionalisation de l'immigration. Sollicité à cette fin par le Ministère, le Conseil des Communautés culturelles et de l'Immigration proposa subséquentment<sup>100</sup> une série de mesures visant à concrétiser cet objectif. Parmi les mesures préconisées, on suggérait notamment 1) que la régionalisation fasse partie intégrante d'une réelle politique de développement régional qui serait mise de l'avant par le gouvernement du Québec; 2) qu'on élabore un plan triennal de l'immigration à l'extérieur de Montréal en fonction duquel serait établi un niveau régional d'immigration; 3) qu'on favorise le développement de communautés de taille suffisante afin d'améliorer le taux de rétention des immigrants; 4) que toute intervention effectuée au chapitre de la régionalisation soit planifiée de concert avec les ministères et municipalités à vocation régionale; 5) qu'on sensibilise la population concernée en région relativement aux intentions du MCCI à cet égard. Somme toute, le Québec aurait tout intérêt en cette matière à s'inspirer de l'expérience vécue par la Suède depuis 1985 dont le système d'accueil municipal aux réfugiés a fait incontestablement ses preuves jusqu'à ce jour.<sup>101</sup>

Eu égard à l'importance du chômage à Montréal (9,5% en mars 1990) et étant donné la plus grande difficulté chez les immigrants des dernières vagues (après 1982) à s'insérer sur le marché du travail, le gouvernement du Québec n'aura guère le choix d'aller de l'avant d'ici peu avec la régionalisation de l'immigration. Il y va de la crédibilité même de sa politique d'immigration.

## NOTES

1. Voir GOUVERNEMENT DU QUÉBEC, ministère du Conseil exécutif, Secrétariat au développement social, *L'évolution de la population au Québec*, Conseil exécutif, 1984, vi-96 pages. Voir aussi ASSEMBLÉE NATIONALE DU QUÉBEC, Commission permanente de la culture, *Étude de l'impact culturel, social et économique des tendances démographiques actuelles sur l'avenir du Québec comme société distincte*, Québec, Assemblée nationale, Secrétariat des Commissions, 1985, 112- [12] pages.
2. Après avoir connu, au sommet du baby-boom en 1957, un indice synthétique de fécondité (ISF) exceptionnel (4,0 enfants par femme en âge de procréer), le Québec a vu en quelques années à peine son taux de natalité plonger sous le seuil de renouvellement de la population qui se situe à 2,1 enfants. En 1986, le Québec affichait un ISF de 1,4 enfant, soit le plus bas taux en Occident après ceux de la République fédérale allemande et de l'Italie. En comparaison, le reste du Canada présentait un indice de 1,7 enfant, Voir Jacques HENRIPIN, *Naître ou ne pas être*, Institut québécois de recherche sur la culture (Collection Diagnostic), Québec, 1989, pp.36-37. Voir aussi CONSEIL DE LA LANGUE FRANÇAISE (C.L.F.),

*Les aspects démolinguistiques de l'évolution de la population du Québec, Montréal/Québec, 1986, p.7.*

3. Soulignons ici que le solde migratoire international est de loin favorable au Québec. C'est en raison de la forte immigration des Québécois vers les autres provinces canadiennes (et singulièrement vers l'Ontario), conjugué à une diminution des entrées interprovinciales, que le Québec a enregistré au cours des vingt dernières années un solde migratoire global négatif, exception faite toutefois des quatre dernières années. Si le phénomène semble le fait des trois principaux groupes linguistiques (français, anglais, autres), la méconnaissance du français chez les anglophones et allophones et l'attrait économique exercé par l'Ontario et les provinces de l'Ouest expliqueraient en grande partie ces départs. Par ailleurs, la migration interprovinciale déficitaire du Québec aura toutefois accru l'importance démographique relative des francophones. Voir Mireille BAILLARGEON, " L'évolution et les caractéristiques linguistiques des échanges migratoires interprovinciaux et internationaux du Québec depuis 1971 " dans *L'état de la langue française au Québec. Bilan et perspective*, Tome 1, Notes et documents no. 58, Conseil de la langue française, Montréal/Québec, 1986, pp.195-196. Voir aussi Michel PAILLE, *Aspects démolinguistiques de l'avenir de la population du Québec*. (Notes et documents no. 53), C.L.F., Montréal/Québec, 1986, pp. 18-20, et C.L.F, *Les aspects démolinguistiques...*, *op.cit.*, pp.8-9.
4. Voir C.L.F., *Les aspects démolinguistiques...*, *op.cit.*, p.5
5. Ces mesures de soutien font partie des engagements présentés par le Parti libéral du Québec lors de la dernière campagne électorale provinciale. Au même moment, le gouvernement du Québec dévoilait son plan d'action, pour les années 1989-1991, en matière de politique familiale qui complète les engagements mentionnés ci-haut. Voir *Le Devoir*, 14 septembre 1989, p.2
6. Voir MINISTÈRE DES COMMUNAUTÉS CULTURELLES ET DE L'IMMIGRATION ( MCCI ) , *Détermination des niveaux d'immigration pour le Québec en 1990. Antécédents et considérations (1). Consultation sur les niveaux d'immigration*, Québec, Gouvernement du Québec, juin 1989, p.1
7. Dixit Robert BOURASSA. Voir *Le Devoir*, le 11 janvier 1989, p.1.
8. Voir MCCI, Détermination des niveaux d'immigration pour le Québec en 1987. Cité par Hervé GAUTHIER, " Des conditions démographiques nouvelles " dans *Revue d'études canadiennes*, hiver 1988-1989, vol.23, no 4, p.34.
9. Voir Mireille BAILLARGEON et Claire BENJAMIN, *Caractéristiques linguistiques de la population immigrée recensée au Québec*, MCCI, Gouvernement du Québec, juin 1990, p. viii.
10. Voir Daniel LATOUCHE, "Le pluralisme ethnique et l'agenda public au Québec" dans *Revue internationale d'action communautaire*, no 21/61, printemps 1989, pp. 11-26. Voir aussi Micheline LABELLE, "Immigration, culture et question nationale", dans *Cahiers de recherche sociologique*, no 14, printemps 1990, UQAM, pp. 145-146.
11. Voir Michel PAILLE, *Nouvelles tendances démolinguistiques dans l'île de Montréal, 1981-1996*, Notes et documents no. 71, Conseil de la langue française, Montréal/Québec, 1989, p. 31.

12. Voir BAILLARGEON et BENJAMIN, *op.cit.*, p. 39.
13. *Ibid.*, p. 51.
14. *Ibid.*, p. 40.
15. Il aurait été intéressant que l'étude du MCCI se penche sur ce phénomène de l'anglomanie à la lumière des données récentes montrant une plus forte attraction du français auprès des jeunes allophones de moins de quinze ans. Paradoxe apparent s'il en est qu'on pourrait expliquer peut-être par l'exaspération manifestée par une certaine frange d'allophones face à la "schizophrénie d'un groupe dominant qui n'arrive pas à assumer son propre statut majoritaire...". Voir LATOUCHE, *op.cit.*, pp. 13-14 et Daniel Bonin, "Face à l'anglomanie dans certaines écoles de Montréal, l'hésitation persiste à Québec", *Le Droit*, le 18 septembre, p. 19.
16. Rappelons que la *Loi constitutionnelle de 1867* fait de l'immigration un domaine à compétences partagées mais avec prédominance accordée au gouvernement central en cas de conflit. La première loi d'immigration fédérale, votée en 1869, consacra effectivement le partage fédéral-provincial des responsabilités.
17. Pour une analyse détaillée de cette période, on consultera entre autres R.A. VINEBERG, "Federal-provincial relations in Canadian immigration" dans *Canadian Public Administration/Administration publique du Canada*, volume 30, no. 2 (summer/été 1987), pp. 300-303 notamment.
18. Voir Jean-Pierre ROGEL, *Le défi de l'immigration*, IQRC (Diagnostic) Québec, 1989, p. 21.
19. Outre les immigrants d'origine britannique déjà mentionnés, les autres nouveaux venus venaient principalement d'Allemagne, de Finlande, de Pologne, de Russie, d'Ukraine et, dans une moindre mesure, de France et d'Italie.
20. Fernand HARVEY, "La question de l'immigration au Québec. Genèse historique", dans C.L.F., *Le Québec français et l'école à clientèle pluriethnique*, Québec, 1987, p. 14. Il importe de préciser ici que le mouvement de résistance à l'immigration ne fut pas uniquement le lot des Canadiens-français. Un fort courant raciste et xénophobe fut observable durant cette période au Canada anglais à l'endroit notamment des immigrants d'Asie et d'Europe de l'Est, ces derniers qualifiés de "Scum of the Empire" — la boue de l'Empire. Voir ROGEL, *op.cit.*, pp. 20-22.
21. Selon Paul-André Linteau, cité par Jocelyn BERTHELOT, *Apprendre à vivre ensemble. Immigration, société et éducation*, Centrale de l'enseignement du Québec, 1990, p.15.
22. Outre la *Loi sur l'immigration* de 1952 qui cristallisait en partie l'"énoncé de politique" exposé par Mackenzie King en 1947, on réfère ici aux règlements de 1962 et 1967, au Livre vert de 1975 et à la *Loi sur l'immigration* de 1976. Voir à ce sujet Micheline LABELLE, "La gestion fédérale de l'immigration internationale au Canada" dans Yves Bélanger, Dorval Brunelle (éditeurs), *L'ère des libéraux. Le pouvoir fédéral de 1963 à 1984*, Montréal, P.U.Q., 1988, pp.313-342.
23. Voir MCCI, *L'immigration au Québec...*, *op.cit.*, p.50.
24. Madeleine GAGNE, "L'insertion de la population immigrée sur le marché du travail au Québec. Eléments d'analyse des données de recensement" dans *Revue internationale d'action communautaire...* *op.cit.*, pp. 154-155.

25. *Ibid.*, pp. 46,50-51. Sur les 403,934 immigrants reçus au Québec entre 1946 et 1960, près de la moitié repartirent quelques années plus tard, tantôt vers une autre province, tantôt vers les E-U ou encore vers leur pays d'origine. Voir Paul-André LINTEAU, René DUROCHER, Jean-Claude ROBERT et François RICARD, *Histoire du Québec contemporain. Le Québec depuis 1930.*, Tome 2, Montréal, Boréal compact, 1989, pp.220-221.
26. Voir Daniel LATOUCHE, "Immigration, politique et société: le cas du Québec", dans *Actes du Séminaire scientifique sur les tendances migratoires actuelles et l'insertion des migrants dans les pays de la francophonie*, (séminaire tenu à Montréal du 25 au 28 août 1987), Québec, Les Publications du Québec, Gouvernement du Québec, 1989, pp. 183-184. L'autonomisme fiscal affirmé par Duplessis constituerait ici une exception à la règle.
27. En fait, la première de ces rencontres fédérales-provinciales eut lieu en 1953 mais le Québec n'y dépêcha un représentant qu'en 1957. Voir LATOUCHE, *op.cit.*, p.189.
28. BERTHELOT, *op.cit.*, p.23.
29. A ce sujet, les craintes des Québécois francophones n'étaient pas dénuées d'un certain fondement, bien au contraire. Ainsi, le taux de fécondité très élevé des Canadiens-français inquiéta le Canada anglais durant les années quarante au point où on estimait que la population du Québec aurait pu dépasser celle de l'Ontario en 1971. Dans cette hypothèse, le poids démographique serait passé de 29% en 1941 à 32% en 1971. En réalité, il correspondait cette année-là à 28% de la population du pays. Sous ce rapport, l'immigration servit effectivement à contrebalancer la tendance démographique franco-québécoise, d'autant plus que la proportion des francophones reçus au Québec comme immigrants au cours de la période 1946-1961 ne correspondait qu'à 7,6 % du total, comparativement à 18% pour les ressortissants étrangers d'origine britannique. Voir Réjean LACHAPPELLE, "L'immigration et le caractère ethnolinguistique du Canada et du Québec", dans *Actes du Séminaire scientifique...*, *op.cit.*, p.164. Voir aussi MCCI, *L'immigration au Québec...*, *op.cit.*, p. 22.
30. Voir Lily TASSO, "Le ministère de l'Immigration a 20 ans", *La Presse*, le 5 février 1989, p.A5. Pour Daniel Latouche, la création du Service de l'Immigration aurait répondu à des motifs moins nobles; ainsi, d'après lui, la mise sur pied de ce service ne fut pas autre chose qu'un "subterfuge" pour réclamer d'Ottawa des sommes en matière de formation professionnelle. La manoeuvre visait d'abord à empêcher le fédéral de légiférer dans ce domaine; ensuite, on légitimait la "filrière immigration" en lui donnant une "existence administrative officielle". Voir LATOUCHE, *op.cit.*, pp. 186-187.
31. Voir LATOUCHE, *op.cit.*, p. 187.
32. *Ibid.*, p. 188.
33. Selon le mot de Paul SIMARD, directeur de la Direction des Etudes et de la Recherche au MCCI (dans le cadre d'une entrevue réalisée à Montréal, le 28 mars 1990).
34. Voir LABELLE, *op.cit.*, pp. 332-333. Le gouvernement du Québec avait déjà envisagé dès 1973 le projet d'un ministère des Ressources humaines. Un document



- de travail et de réflexion (Livre brun) intitulé "Une problématique des ressources humaines au Québec", commandé par le MIQ, fut déposé en décembre 1974.
35. LATOUCHE, *op.cit.*, p. 191.
  36. L'Entente Lang-Cloutier fit en sorte de légitimer la présence d'agents du Québec à l'étranger (quatre à Paris, un à Milan à l'époque) en leur attribuant le rôle — modeste — de renseigner les candidats à l'immigration sur la société québécoise. L'Entente Andras-Bienvenue associait, pour sa part, les agents québécois au processus de recrutement et de sélection des immigrants, de concert avec les représentants fédéraux. Ceux-ci devaient officiellement "tenir compte" de l'avis — consultatif — du Québec dans le cas d'un candidat à l'immigration voulant s'établir sur le territoire québécois.
  37. Voir *infra* la sous-section intitulée "Francisation des immigrants et/ou immigration francophone ?".
  38. S'agissant des réfugiés, une entente spéciale a été conclue en décembre 1989 entre Québec et Ottawa au sujet des 35,000 demandeurs de refuge arrivés avant le 1er janvier de la même année et résidant sur le territoire québécois. En vertu de cette entente, les fonctionnaires québécois du ministère de l'Immigration et des Communautés culturelles peuvent soumettre leurs propres recommandations à leurs vis-à-vis fédéraux après qu'un requérant au statut de réfugié ait vu sa demande refusée au préalable par le fonctionnaire fédéral. Ultimement, ce dernier conserve toutefois le dernier mot. Rappelons que cette procédure d'enquête, instituée temporairement suite à la nouvelle loi fédérale C-55, a pour but de supprimer l'"arriéré" (backlog) des 100,000 revendicateurs du statut de réfugié arrivés au Canada entre 1986 et le 31 décembre 1988. Voir Paul CAUCHON, "Québec aura un mot à dire sur ses réfugiés", *Le Devoir*, le 12 décembre 1989, pp. 1,10.
  39. Voir LATOUCHE, *op.cit.*, p. 189.
  40. VINEBERG, *op.cit.*, p. 314.
  41. Voir Alain G. GAGNON et Mary Beth MONTCALM, *Quebec: Beyond the Quiet Revolution*, Nelson Canada, Scarborough, 1990, p.162. Voir aussi VINEBERG, *op.cit.*, p. 315.
  42. Voir LATOUCHE, *op.cit.*, p. 191 et, plus particulièrement, le discours prononcé à l'Assemblée nationale du Québec le 21 mars 1990 par Gil Rémillard, ministre délégué aux Affaires intergouvernementales canadiennes, à propos du bilan globalement décentralisateur des années Trudeau. Voir *La Presse*, le 27 mars 1990, p. B-3.
  43. Voir entre autres *La Presse* du 11 août 1990, p. A6, "Immigration: Québec et Ottawa sont tout près de conclure une entente". Précisons que ces lignes ont été écrites le 4 septembre 1990.
  44. Pour l'instant, des huit provinces qui ont conclu ou qui s'apprentent à conclure une entente spécifique avec Ottawa (Manitoba et Ontario exceptés), seul le Québec dispose d'importants pouvoirs, notamment au chapitre de la sélection des immigrants. La Colombie-Britannique devrait signer bientôt une entente qui, sans égaler celle du Québec, octroierait néanmoins à celle-ci des prérogatives additionnelles comparativement aux autres provinces anglaises.

45. Voir "Message du sous-ministre Norman Riddell sur la restructuration et la consolidation du MCCI" dans *Bulletin de liaison*, MCCI, vol.5, no 1, août 1989, p.2.
46. Si l'on présume que le déficit migratoire du Québec dans ses échanges avec le reste du Canada dépend en grande partie du facteur économique, le rapport de la *Commission permanente de la Culture* ou *Rapport French (1985)* n'en recommandait pas moins qu'on entreprenne une étude approfondie de ce phénomène dans le but d'élaborer éventuellement une politique qui viserait à juguler l'émigration. Voir Michel PAILLE, *Aspects démolinguistiques de l'avenir de la population du Québec...*, *op.cit.*, p. 20.
47. MCCI, *Détermination des niveaux d'immigration pour le Québec en 1990...*, *op.cit.*, p. 16.
48. *Ibid.*, p.6.
49. Voir à ce sujet EMPLOI ET IMMIGRATION CANADA, *Rapport annuel 1988-1989*, p. 29 et EMPLOI ET IMMIGRATION CANADA, *Rapport annuel sur les futurs niveaux d'immigration déposé au Parlement (1989)*, Ottawa-Hull, 1989, p.1. Voir également Michael BOCTURKIW, "Is Canada squeezing out the newcomers?" *The Globe and Mail*, August 23, 1990, p. A17.
50. Voir MCCI, *Détermination des niveaux d'immigration...*, *op.cit.*, p. 14.
51. Une quinzaine d'organismes représentant divers milieux — à savoir les communautés culturelles et les organismes bénévoles en accueil et en adaptation, le milieu syndical, le milieu patronal et les intervenants du domaine de la santé, des services sociaux et de l'éducation — déposèrent des mémoires sur cette question devant la commission.
52. Déjà, en 1986, le MCCI avait formulé pareille recommandation au Conseil des ministres. Voir MCCI, *Rapport annuel 1987-1988*, Québec, Gouvernement du Québec, p.23. En mai 1987, le MCCI s'était associé à la firme de sondages Sorecom afin de tester l'opinion publique québécoise sur divers aspects de l'immigration. A cette occasion, près de 60% des répondants se déclaraient en faveur du maintien ou de l'accroissement des volumes d'immigration. Voir MCCI, *Détermination...*, *op.cit.*, p. 10.
53. Voir BERGER. *op.cit.*, p. A8. Selon Berger, ce chiffre ne rend compte que des immigrants "officiels". A ce groupe, il faudrait ajouter les revendicateurs du statut de réfugié résidant au Québec en 1989 (6,835) ainsi que les immigrants dits temporaires (10,000). On arriverait alors à un total d'environ 50,000 immigrants. Précisons que cette réalité immigrante non-officielle vaut aussi pour les autres provinces canadiennes.
54. Depuis 1987, le gouvernement du Québec s'est donné pour sous-objectif de favoriser l'immigration de type économique. Ainsi, en 1990, les immigrants indépendants devraient représenter près de 54% du volume total d'immigration. L'immigration de type humanitaire (les réfugiés notamment) devrait atteindre 16% du "mouvement d'immigration" québécois alors que 30% des admissions devraient provenir de la catégorie de la famille.
55. Voir Monique GAGNON-TREMBLAY, "Allocution de la ministre des Communautés culturelles et de l'Immigration à l'occasion de la consultation

- fédérale sur les niveaux d'immigration". Allocution prononcée au Centre Sheraton à Montréal, le 9 mars 1990, p. 6.
56. Voir ROGEL, *op.cit.*, pp. 58-59 et MCCI, *L'immigration au Québec...*, *op.cit.*, p. 17.
  57. Durant les années soixante, le Québec a reçu 20,2% de l'immigration canadienne; or, la population immigrée recensée en 1971 ne s'élevait plus qu'à 17,7%. Par contre, pour la période 1978-1986, les pourcentages sont respectivement de 16,9% et de 16%. Voir Mireille BAILLARGEON et Claire BENJAMIN, *Taux de présence de l'immigration au Québec: analyse et commentaires*, MCCI, Gouvernement du Québec, juin 1989, p. 25.
  58. Voir *ibid.*, p. 26.
  59. *Ibid.*
  60. Voir Paul WATSON, "McDougall seeks 265,000 immigrants memo shows", *The Toronto Star*, August 30, 1990, pp. A1, A20.
  61. Gérald LEBLANC, "Deux femmes, deux pays", *La Presse*, le 14 mars 1990, p. A5.
  62. Citée par Michel VENNE, "Monique Gagnon-Tremblay reconnaît l'insuffisance d'immigration francophone", *La Presse*, le 30 mai 1990, p. B1.
  63. Voir Edmond ORBAN, "Le Québec devrait avoir une politique d'immigration francophone", *La Presse*, le 28 février 1990, p. B3.
  64. Voir *infra* Introduction. Voir aussi Louis FALARDEAU, "Comment rendre les nouveaux arrivants "québécois" dans "Franciser ou disparaître", *La Presse*, le 11 février 1989, p. A2. Interrogé par Falardeau, le démographe Michel Paillé estimait que dans quelques décennies, la francisation scolaire des jeunes immigrants, par suite de l'adoption de la Loi 101, pourrait atténuer ce phénomène mais l'attrait de l'anglais devrait demeurer toujours aussi puissant auprès des individus déjà anglicisés.
  65. L.r.Q., c. M-23, Art. 3, al. 4, par e.
  66. Voir MCCI, *Rapport annuel 1988-1989*, Gouvernement du Québec, Québec, 1990, p. 33.
  67. Pour un exposé détaillé des programmes précédents, voir *ibid.*, pp. 31-34.
  68. Voir Luc PERRON, "Les COFI: maintenir leur taille humaine", *Le Devoir*, le 5 mai 1989, p. 7.
  69. Voir Guy PINARD, "L'afflux des allophones et l'envahissement de l'informatique menacent les acquis" dans "La francisation des entreprises", *La Presse*, le 26 mai 1990, pp. A1 et G1.
  70. Voir *Ibid.*
  71. Voir FALARDEAU, "Comment rendre..." *op.cit.*, p. A2. Brassard proposait même l'an dernier qu'on n'excède pas le niveau d'immigration au-delà de 20,000 personnes tant qu'on ne parviendrait pas à intégrer la majorité d'entre eux à la collectivité francophone. Voir *Ibid.*
  72. Pour l'heure, les critères de sélection pour l'admission des immigrants au Québec ainsi que la pondération afférente s'établissent comme suit: instruction et formation (11), préparation professionnelle spécifique (10), adaptabilité (22), emploi

- (15), expérience professionnelle (10), âge (10), langue (17), parent ou ami résidant au Québec (5), points bonis (maximum 8).
73. Voir BERGER, "Les immigrants occupent des fonctions qui les "déqualifient" dans "Immigration, le défi de la décennie", *La Presse*, le 6 mai 1990, p. A6.
  74. Cité par FALARDEAU, "Québec fait peu pour mousser l'immigration francophone" dans "Franciser ou disparaître", *La Presse*, le 12 février 1989, p. A1.
  75. Voir BERGER, "Les immigrants d'affaires préfèrent Montréal" dans "Immigration, le défi de la décennie", *La Presse*, le 7 mai 1990, p. A8. Le Canada et le Québec offrent chacun depuis 1986 un programme spécial destiné aux investisseurs en valeurs immobilières. La version québécoise du programme, du fait qu'elle offre des garanties bancaires aux investisseurs afin d'éliminer les risques financiers, aura alléché en quelques mois une pléthore de candidats. Cédant devant les lobbies financiers de Toronto — qui n'attire que 17% de ces immigrants d'affaires —, le gouvernement fédéral força le Québec à restreindre en partie l'accès aux garanties bancaires aux investisseurs étrangers. Voir Normand GRONDIN, "Le Québec a la cote d'amour des investisseurs", *Le Devoir économique*, vol.4, no 8, novembre 1988, pp. 3-6.
  76. Même en injectant près de 500\$ millions dans l'économie canadienne depuis quatre ans (dont 121 \$ millions au Québec) et en créant 14500 emplois pour l'ensemble du pays (au Québec, on ne compile pas de données à ce sujet !), le Programme relatif aux investisseurs étrangers ne justifie aucun enthousiasme délirant dans la mesure où près de 40% des candidats retenus n'ont pas respecté leurs promesses, soit en termes de montants investis ou encore de secteur d'investissements. Voir BERGER, "Les immigrants d'affaires...", *op.cit.*, p. A8. Voir aussi ROGEL, *op.cit.*, p. 72.
  77. Luc CHARTRAND, "A quoi sert le ministère de l'Immigration?", dans l'*Actualité*, novembre 1989, p. 40.
  78. Voir ORBAN, *op.cit.*
  79. Voir FALARDEAU, "Québec fait peu...", *op.cit.* A la décharge de Louise Robic et du gouvernement Bourassa, il faut dire que le nombre d'immigrants francophones venant d'Europe pourrait être triplé ou quadruplé comparé à maintenant mais probablement pas davantage. Le principal contingent de cette immigration francophone future proviendrait en fait des pays du Tiers-Monde, à l'instar du mouvement général d'immigration depuis le début des années '80.
  80. Voir *Ibid.* Le règlement permet à la ministre, en vertu des articles pré-cités, "d'accepter des demandes d'immigration qui ne répondent pas aux critères mentionnés dans la grille de sélection du Québec". MCCI, Rapport annuel 1987-1988..., *op.cit.*, pp. 19-20. Gérald Godin, ex-titulaire du MCCI de 1980 à 1985 dit, quant à lui, s'être prévalu de l'article 40 plus de mille fois par an afin de favoriser les immigrants francophones (dans le cadre d'un entretien téléphonique avec Gérald Godin, le 23 avril 1990).
  81. Voir CHARTRAND, *op.cit.*, p. 38 et FALARDEAU, "Québec fait peu...", *op.cit.*
  82. Voir notamment Jack JEDWAB, "Les immigrants éventuels doivent savoir que le français est ici la langue dominante", *La Presse*, le 28 février 1990, p. B5.

83. Voir Gérard LAJEUNESSE, "A société distincte, immigration distincte", *Le Devoir*, le 30 juin 1989, p.7. Voir aussi ORBAN, *op.cit.*
84. Voir CHARTRAND, *op.cit.*, p. 42.
85. Citée par BERGER, "La francisation des immigrants...", *op.cit.*, p. A8.
86. Voir *ibid.*
87. Voir Michel VENNE, "Québec reconnaît que la francisation des immigrants progresse trop lentement", *Le Devoir*, le 31 mai 1990, pp. 1,8.
88. Marco MICONE, "Occultation et émergence de la culture immigrée", dans *Impressions*, cahier interculturel publié par le Cégep de Saint-Laurent, no 5, janvier 1990, p. 7.
89. A la Ville de Montréal, on a créé spécifiquement le *Bureau interculturel de Montréal* (BIM) qui a pour rôle d'informer les membres des communautés culturelles sur les services offerts par la Ville de Montréal. De plus, le BIM est chargé de sensibiliser les fonctionnaires municipaux à la réalité ethnoculturelle de Montréal et il sert aussi d'intermédiaire entre la Ville et les communautés culturelles, sollicitées à titre consultatif.
90. Preuve patente de cette incohérence, le PAE gouvernemental n'a été annoncé qu'en mars 1990 alors qu'un organisme comme la Société de transport de la Communauté urbaine de Montréal (STCUM), conseillé par le gouvernement du Québec (!), dévoilait le sien un an plus tôt.
91. Voir BERGER, "L'intégration économique devient de plus en plus difficile" dans "Immigration, le défi de la décennie", *La Presse*, le 6 mai 1990, p. A6.
92. Selon un sondage réalisé par la firme Angus Reid en août 1989, près de 80% de Québécois estimeraient que les immigrants ne volaient aucun emploi en venant au Canada. Voir *L'immigration au Canada: facettes de l'opinion publique*, préparé pour Emploi et Immigration Canada par ANGUS REID GROUP INC, octobre 1989, p. 12.
93. On réfère ici à des mouvements comme *S.O.S.Génocide* et le *Rassemblement pour un pays canadien-français* (RPCF). Voir à ce sujet Bernard BOULAD, "Race de monde", dans *Voir* du 22 au 28 mars 1990, pp.5-7.
94. Cité par LANGLAIS et al. in *Le Québec de demain et les communautés culturelles*, Montréal, Méridien/Vision Globale, 1990, p. 203, *op.cit.*, p. 20.
95. Anne LAPERRIERE, "L'immigration menace-t-elle le Québec?", *Le Devoir*, le 3 septembre 1987, p. 11.
96. Selon un sondage Sorecom-Edimédia-CKAC effectué fin avril 1990, 5% des allophones s'identifiaient d'abord comme Québécois contre près de 60% comme Canadiens.
97. L'avantage d'Ottawa provient certes de l'autorité spécifique que détient le gouvernement fédéral en matière de citoyenneté et d'immigration. Mais il conviendrait aussi de mentionner ici les dividendes symboliques qu'Ottawa retire du financement des associations à caractère ethnique dans le cadre de sa politique multiculturaliste.
98. Voir Michel PAILLE, *Nouvelles tendances démolinguistiques...*, *op.cit.*, p. 9.
99. Voir *ibid.*, pp. 129-135.

100. Voir CCCI, *Quelques arpents de neige...à partager. La régionalisation de l'immigration*. Avis présenté à la ministre des Communautés culturelles et de l'Immigration, le 17 novembre 1988, Montréal, Gouvernement du Québec, 55 pages. Voir aussi le document d'information produit par le MCCI et qui fait suite à cet avis. Cf. Sylvie GIRARD et Jean-François MANEGRE, *Les régions du Québec et l'immigration*, CCCI, Montréal, mai 1989, 92 pages.
101. Voir Melita MULDER, "La régionalisation de l'immigration. Le Québec pourrait s'inspirer de la politique suédoise.", *Le Devoir*, le 10 novembre 1989, p. 9.

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## Saskatchewan in Transition

Howard Leeson

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*La province de la Saskatchewan a joué un rôle incomparable dans la vie politique canadienne dans la mesure où on l'a souvent identifié comme le "berceau du socialisme" en Amérique du Nord. Partant il est fréquent, lorsqu'on s'emploie à caractériser cette province, de mettre l'accent sur certains traits tels que la coopération, l'innovation, la radicalité et une culture politique tout à fait singulière. Le fait que le C.C.F. puis son successeur, le N.P.D., se soient maintenus au pouvoir presque sans interruption depuis l'après-guerre a certes contribué à renforcer ce profil dans l'esprit de la population.*

*Néanmoins cette perception, qui a été forgée en grande partie au cours des décennies antérieures, pourrait évoluer de manière spectaculaire. Ainsi, il apparaît nettement que la Saskatchewan est une province en transition, une transition imposée par d'importantes transformations économique et politique. Les changements économiques résultent en fait du déclin de l'industrie agricole vécu dans cette province et, en particulier, de la disparition de la petite ferme, laquelle a entraîné la dépopulation de nombre de villages et municipalités rurales. Les changements politiques sont survenus, pour leur part, à la suite d'affrontements entre le gouvernement provincial et Ottawa au sujet tantôt des politiques sur les richesses naturelles, tantôt des discussions constitutionnelles des années '70 et du début des années '80.*

*La mise en oeuvre, par le gouvernement conservateur après 1982, d'un programme politique très marqué sur le plan idéologique, aura constitué également un tournant important dans cette province. Le programme cherchait à imiter le programme néo-conservateur britannique avec l'intention toutefois de l'appliquer dans des secteurs spécifiques.*

*Cet article soutient que ces changements d'ordre politique et économique peuvent s'avérer déterminants, modifiant du coup le rôle de la Saskatchewan au sein de la Confédération, et au surplus, dans le cadre de ses rapports avec les autres gouvernements du pays. Par conséquent, la dynamique fédéraliste de cette province pourrait en être affectée de même que le progressisme traditionnel de la Saskatchewan au regard des grandes questions sociales.*

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## INTRODUCTION

In her book on politics in Saskatchewan Evelyn Eager emphasizes the ambivalence that has shaped social behaviour in the province, its collective experiments and fiercely independent rural communities.<sup>1</sup> The exigencies of early settlement and the economic cataclysm of the 1930s served to sharpen both these streams, ensuring an alternating if not schizophrenic approach to the role of government in the province. It is not surprising, therefore, that ambivalence has also characterized Saskatchewan's relationship with the rest of Canada. While Alberta has remained rigidly alienated, and Manitoba is "stuck in the middle," Saskatchewan has emphasized both cooperation and confrontation in its relations with the federal government. Generalizations about the direction of public life in Saskatchewan, and its role in confederation, must therefore always take account of this fact.

Curiously, these attitudes are not fixed ideologically. For example, more often than not the CCF stressed cooperation with the federal government between 1944 and 1964, while between 1964 and 1971 the Liberal party adopted a confrontationist stance. These attitudes coincided with the ideological approaches of left and right. The latter attitude, by the Thatcher government, seemed a bit surprising since the Liberal party was in power in Ottawa, but overall it was consistent with the approach of the political right in Western Canada.

In the 1970s, however, these positions were reversed. The New Democratic Party (NDP) government of Allan Blakeney found itself in constant confrontation with the federal government, and took a strong provincial rights approach to federal-provincial relations in matters involving natural resources and the constitution. By contrast, the Progressive Conservative (PC) government of Grant Devine has been extremely cooperative with both Liberal and PC federal regimes. These approaches are explained in part by the issues and circumstances of the day, but they also signal that Saskatchewan continues to be a "different" western province, one that is unpredictable in its approach to federal-provincial politics.

As we enter the 1990s it would appear that Saskatchewan may be set to change again. The year 1989-90 was certainly a watershed in politics in the province, and will undoubtedly shape both the government and the events of the new decade.

## THE BLAKENEY ERA IN INTERGOVERNMENTAL AFFAIRS

Saskatchewan entered the 1980s in its strongest economic position since the boom days of the 1920s. Remembering the depression of the 1930s, low prices for grain in the 1960s, and recurring droughts, Saskatchewan people continued to be cautious about their future. But three years of high grain prices in the



mid-1970s, coupled with booming resource prices for potash and oil, brought on considerable optimism. Land prices climbed, the population stabilized, and schools, universities and new public enterprises were built. All of this happened with a balanced provincial budget and an accumulating Heritage Fund of assets.

The result was that in 1982 the provincial government could table a budget in which revenues exceeded expenditures, and Heritage Fund revenues totalled over one billion dollars. The province was officially included in the category of "have" provinces in Canada, no longer qualifying for equalization payments from the federal treasury. The principal reason for this was the dramatic increase in provincial royalties and taxes from oil in the period after 1973. These royalties totalled over 794 million dollars in 1982 alone. In addition the Potash Corporation of Saskatchewan, a crown corporation set up by the government in 1976, paid a \$50 million dividend to the Consolidated Revenue Fund.<sup>2</sup> Individual futures were bright, and the public mood seemed positive, although interest rates had begun to climb, and the first signs of recession were on the horizon.

Much of this prosperity had been achieved despite considerable friction in the province's relationship with Ottawa. The Blakeney government, which took office in 1971, had begun its term with a very positive approach to federal-provincial relations. This was consistent with the approach of both the Douglas and Lloyd governments, an approach dictated in large part by an ideological commitment to a strong pro-active national government. As Walter Young put it:

The CCF's ideology and structure ... helped to offset the fissiparous effects of parliamentary federalism....It (democratic socialism) provided a single body of doctrine valid federally and provincially.... Pure autonomy was not possible because all sections of the CCF were part of a single movement. Agreement on basic goals superseded differences over policy.<sup>3</sup>

Primary among those goals was the establishment of a strong central government capable of instituting socialism at the national level. However, the CCF/NDP in Saskatchewan had always to balance these ideological goals against western alienation and its impact on the provincial party. Prairie farmers in particular felt a deep-seated resentment against "eastern" institutions such as the CPR and even the federal government. While not of the same intensity as in Alberta, it could never be discounted by Saskatchewan politicians.

Thus, when oil prices increased dramatically in 1973-74, and both the NDP in Saskatchewan and the federal government moved to secure some of the revenue, it brought them into collision. Gradually the provincial government abandoned its positive attitude towards the federal government. Relations became even worse when the federal government appeared as a co-plaintiff in the Central Canada Potash Case, an attempt by the Central Canada Potash Co. to overturn provincial potash pro-rationing and taxation regimes.<sup>4</sup> Although the

federal government had often intervened on constitutional points before the Supreme Court, never had it entered as one of the plaintiffs in a case against a province. When this action was considered together with a challenge by the Canadian Industrial Oil and Gas Co. Ltd. to the province's oil royalty legislation, it seemed to the Blakeney administration that the provincial government was under increasing attack by the federal administration. This was confirmed in the government's mind when the Supreme Court ruled against Saskatchewan in both cases.<sup>5</sup>

The result was an aggressively "western" attitude by the provincial government which began to mirror many of the stands taken by Alberta. The Premier created a Department of Intergovernmental Affairs,<sup>6</sup> attacked the appointment procedure and role of the Supreme Court,<sup>7</sup> and took a more aggressive attitude towards federal intrusions into provincial jurisdiction. Throughout the period 1974 to 1982 relations remained largely adversarial in key areas.

This was especially true during the patriation crisis, when Saskatchewan became a member of the "Gang of Eight," the group of provinces opposed to the unilateral patriation attempt by the Trudeau government in 1980. By the time of the patriation agreement in late 1981 relations between the federal and Saskatchewan orders of government were at a low ebb, and prospects for a renewal of a more cooperative mode seemed distant.

## THE DEVINE GOVERNMENT TAKES OFFICE

The climate of federal-provincial relations changed dramatically in 1982 when the NDP was defeated and the PCs under Grant Devine took office. Federal-Provincial matters played almost no role in the 1982 campaign. Although the NDP tried to make abolition of the Crow Rate a focal issue the attempt was a complete failure. The Conservatives simply refused to respond to the issue. The results were a staggering defeat in which only seven NDP MLAs remained. Given the inexperience of the Saskatchewan PCs there was little to indicate what position the new administration would take on federal-provincial issues. At the time most Conservatives in western Canada were vigorously opposed to the Trudeau Liberals and the policies they espoused, especially the National Energy Policy. It was reasonable to assume that the new Conservative government in Saskatchewan would take a strong stand against the federal government. Such was not to be the case, however.

One of the first indications that a different approach would be taken came when the government introduced legislation to abolish the Department of Intergovernmental Affairs in 1983, less than a year after taking office. In speaking to the Bill, the Minister of Finance commented that there would be a "new focus" in these activities, and that they would be handled more by the Premier.<sup>8</sup> He asserted that this new focus would obviously require fewer

specialists, and would not need the attention of a full-time minister. Between 1982 and 1984 it became clear that Devine wanted to de-emphasize confrontation and highlight cooperation. Speaking through the Lieutenant-Governor in the Speech From the Throne, he said:

My government has consistently worked to promote a cooperative relationship with the federal government. My advisors continue to believe that good relations with Ottawa, over the coming months and years, are important if the two levels of government are to act together to solve problems.<sup>9</sup>

Speaking directly in the debate Devine reiterated this theme:

Mr. Speaker, in responding to the times and needs of our citizens, our government is willing, even in the face of great difficulties, to cooperate with the federal and other governments — the best cooperation we've seen for years between the federal and provincial administrations. Each success at this level ... is a great step forward from the confrontational stance adopted by the previous provincial administration. This is not to suggest that we will not fight any less vigorously for Saskatchewan's interests.<sup>10</sup>

The touchstone of his approach was cooperation, not confrontation. Several factors militated in favour of a more cooperative approach. First, people in Canada were tired of federal-provincial wrangling. They had just gone through a long period of constitutional clashes and a referendum in Quebec. It was clear that they wanted some respite. This was especially true in Saskatchewan, where Allan Blakeney had taken a high profile role in the process. Second, the new government focused on provincial politics and priorities. They wanted to downsize and diminish the role of the provincial state in Saskatchewan. Formal, or structured, intergovernmental relations were not a priority for them. Third, the new Premier genuinely wanted to assemble a cooperative coalition of people determined to expand Saskatchewan's place in the world. At the time of the election, despite a deepening recession, Saskatchewan's long term economic prospects still looked bright. In Devine's opinion energy should not be wasted on fruitless intergovernmental wrangling that could divert attention from private initiative. In all, a more cooperative approach seemed reasonable to the PC government.

Prospects for success were enhanced considerably with the election of the Mulroney government in 1984. Soon after, on 14-15 February 1985, a First Ministers' Conference was held in Regina, the first ever in Saskatchewan. It was, to quote participants, a "love-in." A myriad of proposals were put forward by the government of Canada and other participants, all geared to new ideas, and new directions. Mulroney was lavish in his praise of the conference and its direction:

It is my pleasure to be here in Regina to open this First Ministers' Conference on the Economy. To my knowledge, it is the first such Conference to be held in

Western Canada since the Constitutional Conference held in Victoria fourteen years ago.

It is significant that this Conference is being held here in the capital of Saskatchewan. Conferences of First Ministers have almost always been held in Ottawa in the past. I firmly believe that, in recognition of our regional diversity, major federal-provincial meetings should not be held only in the Nation's Capital.<sup>11</sup>

He echoed Devine as he described a new era of federal-provincial relations.

During the election campaign, I stated on many occasions that the fundamental goals of the new government would be to engage Canada on the road to national reconciliation and economic renewal.

At Sept-Îles, in August, I argued that we must breathe a new spirit into federalism. I stressed the importance of harmonizing the policies of the two orders of government, ensuring mutual respect for jurisdictions and ending unnecessary and wasteful duplication in federal and provincial programs.

Canadians should recognize that the ground rules governing federal-provincial relations changed last September. The Government of Canada, for the first time in nearly two decades, is now representative of every region in the country and has been given a clear mandate to introduce change. I want to assure you that all federal Ministers will greet with interest any suggestions from the provinces on the direction of national policies. My colleagues and I fully recognize that provincial governments have a vital and continuing interest in the regional implications of national policies.<sup>12</sup>

This conference was followed in the spring by the Western Accord on Energy, an agreement which virtually de-regulated energy production and pricing, reducing potential sources of friction between the two governments. Three years after its election the Devine government seemed to have reaped considerable benefit from its new "cooperative" approach to federalism.

However, the first term of the Devine government did not end well. During the period 1982-86 Canada plunged into a severe recession. The economy of Saskatchewan was especially vulnerable. There were catastrophic drops in prices for grain, land, potash and other products. Government revenues from resources declined sharply, compounded by a deliberate government decision to reduce resource royalties. By the end of 1985 the popularity of the government had dipped considerably. In a by-election in Regina in November of 1985, the government candidate was beaten.

That the government was in trouble at all was surprising. It was in its first term, and first term governments are seldom defeated, especially in Saskatchewan. As well, the NDP had retained Allan Blakeney as leader, with the attendant difficulties that arise from the "re-match" situation. Finally, although the government had embarked on some new directions, it had remained relatively close to the centre in its political philosophy, not attacking in any sustained way the social or economic programs instituted by the NDP.

By the Fall of 1986 the government was well into the fifth year of its mandate. Premier Devine called the election for October. Fortunately for the government, the election centred on the need for a substantial payment to grain farmers in order to help them cope with low market prices resulting from the increasingly vigorous international battle of subsidies between the United States and the EEC. At issue was both the need for such a payment, and the size of it. Implicitly Premier Devine's "special relationship" with the federal government was in question: if his policy of cooperation and a close political (as opposed to bureaucratic) relationship failed to produce a payment, his government would be unable to retain the confidence of rural Saskatchewan. As far as rural Saskatchewan was concerned the election campaign was a referendum on whether or not the federal government would agree to make a billion dollar payment to farmers. By mid-campaign this payment was not assured, resulting in a late night (early morning) telephone conversation between Premier Devine and Prime Minister Mulroney in which the former alternately threatened and pleaded for the announcement.<sup>13</sup> As a result the Prime Minister announced the payment, and the government won sufficient rural seats to retain power, despite the fact that it received fewer votes than the official opposition.

This electoral "near miss" galvanized the government in its approach to policy-making. It concluded that it had not clearly defined itself and its goals, and it determined to increase its popular attraction by demonstrating the difference between its program and that of the NDP. The planning for this took longer than expected, and the legislative session and provincial budget were postponed until June. The latter action provided substance to a debate about the constitutionality of such an action, a debate in which a legal opinion concluded that the government had violated both constitutional convention and the Financial Administration Act.<sup>14</sup> The new political direction was off to a rocky start.

When the new budget was finally presented, however, it proved to be a political bombshell. There were severe cutbacks in a number of social programs, and privatization in others. The province's pharmacy care program was modified to include a large deductible portion from the insurance scheme, and a rebate system. The school-based dental program, a program in which dental technicians and hygienists provided basic dental care to children in schools, was scrapped and a private enterprise system involving practising dentists instituted. Across the spectrum cuts and privatizations were announced. In part, these major readjustments were the result of a huge budgetary deficit. The deficit for 1986 had been projected at approximately \$200 million, but the actual deficit was over \$1.2 billion, a massive difference. This was partially explained by differences in oil royalty income, and an unforeseen drop in tax revenues. It was also clear that for political purposes the finance minister had underestimated the total deficit.<sup>15</sup> However, the new direction in programs was fuelled in the main by the government's determination to redirect political

discussion in the province. Margaret Thatcher's approach in the United Kingdom (U.K.) became the guiding principle of the Devine government, and U.K. experts on privatization were invited to organize and conduct seminars on how to proceed in a similar manner on the prairies.

The result was a political uproar and a session that lasted into the fall of 1987. The government's already shaky popularity plummeted, and by 1988 it was effecting "damage control" strategies. However, Premier Devine did not alter his approach. He concluded that the fault lay in the manner in which the government had implemented its program, not the direction of the policy itself. Consequently, the Conservatives entered 1989 with renewed confidence and vigour, despite a lagging economy as a result of a disastrous drought during the previous summer. The year 1989-90 would provide a political turnaround, the government thought, and the Premier confidently predicted that the opposition NDP would meet its "Waterloo" in the coming years.

Throughout this period the Conservative government's cooperative approach to intergovernmental relations was conditioned by three important matters. The first was the issue of the Meech Lake Accord, where cooperation with the Mulroney government could be most easily achieved, political rewards for cooperation maximized, and political costs reduced to be minimum. The second was agriculture, where federal aid was crucial, especially after 1986 when the provincial government became almost entirely dependent on its rural base. The third area was privatization, which when linked to free trade provided a global ideological approach to external contact as well as a comprehensive plan for action within Saskatchewan. An examination of these three issues tells us much about the Devine administration and its approach to intergovernmental matters. When linked to structural changes in the Saskatchewan economy they reinforce a conclusion that the province is undergoing a major transition in its economic and political role in Canada.

### MEECH LAKE

Prior to participating in the Meech Lake discussions the Devine government had participated in two conferences on aboriginal rights in 1985 and 1987. The latter had been a public relations failure for the Premier, when he was lectured by the leader of the Association of Métis and Non-Status Indians in Saskatchewan, Jim Sinclair, on national television about his unwillingness to approve self-government for aboriginal peoples.<sup>16</sup> The constitution was not a high priority on the government agenda. Most in the PC cabinet believed that the Blakeney government had been defeated in part because it was too pre-occupied with national matters of little importance to the average Saskatchewan person. The government was determined not to be caught in the same trap.

Still, the Premier was an active participant at Meech Lake, and in subsequent discussions at the Langevin Block on 2 June 1987. In line with his approach to cooperative federalism, Devine was willing to accede to the five demands of Quebec. Indeed, given the Prime Minister's last minute aid during the 1986 Saskatchewan election, the Premier was virtually obliged to do so.

The Legislature of Saskatchewan was the first body, outside Quebec, to approve the amendment. Coming as it did in the midst of vigorous debates on government cutbacks, it did not receive much attention. The Premier introduced the resolution on 9 July 1987. His speech was short and to the point. It was largely a review of the events leading up to the 8 June agreement, and the contents of the resolution. His defence of the importance of the amendment was curiously disjointed and brief:

Let me conclude, Mr. Speaker. I have described in detail the various aspects of the new amendment because it is important for everyone in the province to understand how the new amendment will alter the functioning of governments in Canada. I also think it is important to explain why I believe that the proposed changes are good for this province and for Canada as a whole. However, the impact of the new amendment is best appreciated when one examines the amendment as a whole. This amendment signals the recognition of realities brought about as a result of changing national and international conditions. The complexities of the modern world make the rigid distinctions between federal powers and provincial powers anachronistic.

Although our legal jurisdictions remain, we must come to terms with the fact that initiatives taken by one order of government will very often have important implications from the other order. To be effective, national policies need to evolve as a result of the sharing of information, Mr. Speaker, and insights between the federal government and all provinces.<sup>17</sup>

The Leader of the Opposition, Allan Blakeney, spoke at greater length, criticizing the content in respect of the portions dealing with national programs and the lack of inclusion of a section dealing with native rights in particular.<sup>18</sup> It was clear from the beginning, however, that although the Opposition wanted public hearings, and would submit amendments, in the final analysis they were likely to approve the deal.

Only the Minister of Justice, Bob Andrew, made a detailed and lengthy speech on behalf of the government, largely attempting to refute criticisms of the Accord. There were no stirring calls of national unity and, certainly, no one cheered. Although members spoke of the importance of participating in an historic debate, it was clear that they did not accord the agreement much importance at the time. For all involved, it seemed like a *fait accompli*. Only three members, all NDP, opposed the motion when it was passed on 23 September 1987.

The issue was not raised again until after the federal election of 1988. In the interim the prospects for approval of Meech Lake appeared to have dimmed considerably. The Hatfield government had been replaced by the McKenna government in New Brunswick. The NDP in Manitoba had been replaced by a minority Conservative regime, which lacked the votes to force the Meech Lake resolution through the House. In general, Canadians outside Quebec had turned against Meech Lake. The new Leader of the Opposition in Saskatchewan, Roy Romanow, who had been an architect of the 1981 agreement when he was Minister of Intergovernmental Affairs in Saskatchewan, supported Manitoba NDP leader Gary Doer and others in the NDP calling for changes to Meech Lake. Opinion in Saskatchewan seemed to turn from indifference to rejection of Meech Lake, at the same as the Mulroney government's popularity on other issues declined.

Despite the national pressures involved, Premier Devine remained largely apart from the debate. This was attributed mainly to the Premier's electoral aversion to constitutional issues.

However, as the impasse reached crisis proportions in the spring of 1990, Premier Devine was galvanized into action. On 29 May 1990 he attempted to introduce a resolution for emergency debate on Meech Lake, but did not receive unanimous consent. In the interval Devine was summoned to Ottawa for a meeting with the Prime Minister. The motion of support was again tabled on 31 May. The Premier's speech that day was his first speech on the issue since July 1987. It contained passion, if not insight:

It is important at this particular time that we stand up and be counted in Saskatchewan, that we be counted on the side of Canada — one Canada from Atlantic to Pacific. A generous nation, people from all ethnic origins from all over the world who are prepared to show the world in a democratic fashion that we are open, we are tolerant, we are compassionate, we are generous, and we've built a fantastic nation, a warm nation, a proud nation, a competitive nation, democratically and openly and freely at a time when the world in fact is moving towards democracy and needs models, needs examples. This nation can stand now firm, defending our constitution, defending our democracy, and defending our history, and most of all defending the opportunities in the future for our children.<sup>19</sup>

The Leader of the Opposition took the Premier to task for not presenting alternatives and compromise solutions:

Why is there no evidence tendered of what Saskatchewan's positions are in the face of these negotiations, Mr. Speaker? Does Saskatchewan have a point of view on the Senate issue and veto? Has a journalist in this province even asked that question of this Premier and received a straightforward answer? [...]

Has anybody heard in this speech given today where our provincial government stands on any of these issues and how it fits into a vision of Canada? I dare say



that we haven't heard this government even address that issue in the three years since Meech Lake was introduced.

But our Premier is saying, ignore the possibility of compromise; I want you to reaffirm Meech — something which was agreed to three years ago, something I want you to reconfirm in 1990 and ignore the negotiations of which every other premier's involved in.<sup>20</sup>

It was a dramatic debate, one that ought to have happened in 1987, but did not. For Premier Devine it signalled his re-entry into the process, a re-entry geared to the support of Meech Lake. A local commentator characterized it this way:

From the beginning of the Meech Lake process, Devine has been one of the accord's most ardent supporters. While others such as British Columbia's Bill Vander Zalm have wavered, Devine has never moved off his original position. He still professes his belief the agreement should be ratified in its original form, but also admits he's willing to consider changes if it means putting the deal to bed.

But Devine's loyalty does not end with Meech Lake. It also extends at a personal level to Mulroney.

To this day, Devine has yet to be heard uttering a negative comment about either Mulroney, or his handling of issues. Any criticism of federal policies coming from Devine is never attached directly to the prime minister.

This relationship between the two has remained unshakable over the years. And in recent days, it was cemented even further when Mulroney's government delivered on a \$240-million bailout for Saskatchewan farmers. As Devine tried to resurrect his political hopes, the money from Mulroney was key in trying to build momentum leading to the next election.

But in politics, nothing comes without strings attached. If Mulroney was willing to help Devine when he needed it, then the same would be expected of Devine.<sup>21</sup>

As we now know, Premier Devine's role in the ill-fated Meech Lake amendments was not decisive. He served largely as a staunch supporter of those attempting to ensure that a deal could be worked out. As the agreement collapsed in the days after the end of the private sessions on 5-9 June 1990, Devine found himself in an increasingly difficult position. It was clear that Meech Lake was not popular in Western Canada, including Saskatchewan. However, he was bound to support its passage, at least until it was clearly dead. To this end he went to Newfoundland and spoke to the legislature along with Premier Peterson and others.

The collapse of Meech Lake leaves the Devine government with both problems and opportunities. The problem is that he is perceived as intimately associated with the Mulroney/Bourassa initiative, something that will be difficult for him to shed. The opportunity, however, arises from the fact that the failure of Meech Lake allows him to strike an entirely different pose on national issues, a more "western" approach than before, something that he has already

undertaken. It remains to be seen to what extent he will be successful in the new approach.

## PRIVATIZATION

While Meech Lake generated only a small amount of political interest in the province, the issue of privatization dominated the agenda for over a year. Saskatchewan has been characterized as a province of "social experiments," especially those of the CCF. It has also been the home of fiercely partisan politics based on the clash of ideologies between the left and the right. It was inevitable therefore, that sometime during the tenure of the Devine government there would be a crucial debate on the issue of the proper role of government in society. What is remarkable is that this debate did not really take place until 1989, late in the second term of the government. This was dictated in part by the tactical unwillingness of the government to commit itself to such a clear-cut distinction, a tactic calculated on the premise that the political "middle" was further to the left in Saskatchewan than in other provinces.

In the election campaign of 1982 the PC party did not emphasize plans to privatize public entities in the province, with the exception of the Land Bank, a land-holding body created by the Blakeney government to facilitate the transfer of land from one generation to another. Instead the PC party emphasized compassion and competition, along with pocket-book issues. Nevertheless, the government made it plain that it was committed to private enterprise and the market place. The civil service was purged, private capital was sought, resource royalties were reduced, and the role of government in economic matters generally changed to that of facilitator. As well, the growth of crown corporations in the economy was curtailed. A special commission, (the Wolff Commission) was set up to review the future role of public corporations. In the final analysis only "Sask Oil," (the government oil corporation), and Prince Albert Pulp Co., were privatized during the first term.<sup>22</sup>

As noted above the "near miss" of the 1986 election seems to have galvanized the PC government into a strong right-wing agenda in its second term. Shackled with a huge deficit, falling popularity, and the disappearance of its urban base, the government embarked on a strong privatization initiative. This was done in two stages. In 1987, dramatic cutbacks were undertaken in government spending, and taxes were raised. As well, British experts on privatization were brought in to help chart a course of action, and a Department of "Public Participation" was created. The major task of the latter agency was to sell the voters on privatization.

Publicly, the government promoted a number of the standard British ideas about privatization including: that privatization was more democratic, because it allowed for individual share ownership in public corporations; that funds

from privatization could be used to reduce government debt; that private firms were inherently more efficient; and finally, that such government action would stimulate a more entrepreneurial spirit. Privately, Conservatives conceded that their program was designed to do two things. The first objective was to seize the initiative in setting the public agenda. The second objective was to ensure a radical and permanent change in the political culture of Saskatchewan by making it difficult, if not impossible, for any succeeding NDP administration to reinstate the degree of public ownership achieved by the Blakeney government.<sup>23</sup>

The privatization campaign increased in tempo throughout 1988 with sales of Saskatchewan Minerals, the Saskatchewan Mining Development Corporation, Sask Comp (the Computer portion of Sask Tel), Saskatchewan Government Printing, Saskatchewan Forest Products, and others. This was accompanied by the wide distribution of bond sales in utility corporations, some employee buyouts, wide-spread contracting out, an increase in the number of private vocational schools, and the privatization of some provincial parks facilities. These initiatives did not provoke the considerable public outcry that one might have expected.<sup>24</sup>

As the government entered the legislative session of 1989, it appeared that the political gamble had paid off. It had recovered from a steep decline in popularity after the savage public service cuts of 1987, and seemed to have the political initiative. The Premier boasted in March of 1989 that the NDP would meet its "Waterloo," its "Alamo," in the coming session.<sup>25</sup> In the Speech from the Throne the government announced that it would continue its privatization initiative by selling the Potash Corporation of Saskatchewan, Saskatchewan Government Insurance, and Sask. Energy, (Insofar as Saskatchewan Energy was concerned this was a reversal of the government's previously stated position.)

Opposition to privatization continued to be minimal, at least as measured by public outcry. There appeared to be no focus for those opposed, no positive alternative. When the bill to privatize the Potash Corporation of Saskatchewan (PCS) was introduced for first reading, there was no comment. However, when the bill to privatize Sask. Energy was introduced on 21 April 1989, the Opposition decided to oppose it in principle even on first reading. They walked out in protest, leaving the bells ringing in the Legislature for a total of 17 days.

The move caught the government by surprise. Such an action on first reading was unparalleled. Indeed, it was a calculated gamble. The NDP had no real idea how much support they would receive. Their initial strategy was to stay out for an hour, but public support was so strong in that period, that they decided to maintain the walkout through the weekend. Since there was no rule of procedure to end such a walkout, the government was helpless. Public opinion swung massively behind the Opposition, which had staged a number of rallies, and

mounted a petition that eventually had over 100,000 names. Public opinion polls indicated that over 2/3 of the people of the province opposed the government's privatization plans.<sup>26</sup> The firestorm of protest forced the government to back down. It was an unprecedented victory for the Opposition, and a major turning-point for the government program. Although the government proceeded with the privatization of PCS (for which it had to use closure) the steam had gone out of the whole privatization initiative. Later in the fall of 1989 the Premier announced a change in direction, effectively ending the privatization campaign, indicating that he had gotten too far ahead of the people.

Privatization in Saskatchewan had important ramifications outside the province. In many ways Saskatchewan had become a testing ground for the New Right. If the state could be rolled back in the birthplace of socialism, anything was possible. It is too soon to judge whether or not the experiment is a failure. It is clear that the government proceeded too far, too fast. But it may also be the case that the political culture of the province has been significantly changed, having moved ideologically to a centre-right position.

## AGRICULTURE

Agriculture, particularly the grain industry, has always been the bedrock of the Saskatchewan economy. Despite attempts to diversify, the maxim which links the price of grain and the prosperity of the province remains true today. During the decade of the '80s, the whole sector suffered severe reverses. With the general recession of 1982 came a complete slump in the grain industry. In 1981 total cash receipts from grain crops exceeded three billion dollars, up from \$843 million a decade before. Wheat alone accounted for \$2.59 billion dollars, more than quadruple the value of 1972. But grain prices dropped considerably after 1982, until by 1986 total income from grains had fallen to \$2.25 billion, below what wheat alone had injected into the economy only five years before.<sup>27</sup> Rising costs, the collapse of land prices, heavy debt loads, and lagging markets, projected the agricultural sector into crisis. Without some kind of aid from government, there would have been no net income and a flood of bankruptcies.

The price and market problems of 1981-85 were compounded in 1986 by the intensification of an international grain war between the U.S. and the EEC, and a severe drought on the prairies. The combination was devastating. Only federal government payments totalling \$4.664 billion over four years<sup>28</sup> staved off complete disaster. It is difficult to underestimate the impact of this period in the province. A combination of government decisions to reduce resource royalties, the agricultural crisis, and a decline in the price of oil, meant that the provincial fiscal position worsened from mildly adverse to very serious. The provincial debt rose alarmingly between 1986 and 1989, totaling \$4.219 billion in 1989. In only eight years the total equity position of the province had reversed from

a plus \$1 billion in 1982 to a minus \$3.471 billion in 1988.<sup>29</sup> This, combined with the guarantee in 1986 of \$1.1 billion dollars of farm credit at \$25 per acre, left the provincial government little room to manoeuvre in 1989-90.

Not surprisingly therefore, political discussion on agriculture was highly charged, focusing on two general areas. The first surrounded the whole question of international sales, especially in light of the Canada-United States free trade and the GATT negotiations. The second involved provincial government policies and management of the economy as it related to agriculture. Both the Conservatives and the NDP recognized the importance of this area. The Premier continued to hold the agriculture portfolio himself, while the NDP leader, Roy Romanow, stressed agriculture at almost every occasion.

Although agricultural prices stabilized somewhat during 1988-89, it was obvious by the fall of 1989 that this was not sufficient to alter a financial equation that meant bankruptcy for several thousand farmers. Pressure began to mount in the winter as farm organizations like the Saskatchewan Wheat Pool pressed for another federal payment. Once again the Devine administration was in the position of needing a large federal payment towards the end of an electoral mandate. Despite the worsening fiscal position of the federal government the province seemed to remain confident that such a payment could be secured, and the official position of the government seemed curiously low key.

That position changed abruptly in January 1990, when the Premier went on province-wide television to announce a crisis situation. Speaking to the question of agriculture specifically he pointed out that the world had "declared war" on Saskatchewan agriculture, and that the federal and provincial governments would have to respond. He announced a series of fiscal measures which would ensure that provincial government money was available for support of agriculture in the province. These included imposing a 10 cents per litre tax on gasoline, rolling back cabinet salaries, eliminating new severance arrangements for retiring Members of the Legislature, freezing the size of the civil service, and eliminating popular home construction grants.<sup>30</sup>

When the Legislature opened on 19 March 1990, the agriculture situation figured prominently in the Speech From the Throne. Indeed, it announced that the rest of the world had declared "economic war" on Saskatchewan.<sup>31</sup> For the first time a Devine government throne speech also included a section criticizing the federal government, especially in the area of transfer payments.<sup>32</sup>

During the previous two months the Premier had been negotiating with the federal government for a new payout to prairie farmers. He had secured a pledge of some assistance for a spring seeding program but the details of that program remained elusive. In the Legislature he was under constant attack from the Leader of the Opposition as to amounts, timing, and continuity.

You'll recall the television speech where you told the people of the province of Saskatchewan how under siege we are. We're talking about today's crisis, and my

new question to you therefore is the following, Mr. Premier. Would you be kind enough to tell the House whether or not Mr. Mazankowski is trying to extract from you and the provincial government a cost share, a provincial share, of money toward that \$500 million that the Wheat Pool is seeking. Is that what Mr. Mazankowski is asking of you, as he says in the various newspaper articles that he is doing; and if so, what is the position of the provincial government; and if so, is that the reason for the delay in this non-announcement today?<sup>33</sup>

The Premier responded to these attacks by defending both his own record and that of the federal government.

I just want to point out, since 1985, if the hon. member is interested, the federal government has allocated \$6.6 billion to the province of Saskatchewan as the result of several trips and several meetings with respect to negotiation. Now that's special grains, that's deficiency payments, that's drought payments, and we've just received 58 more million dollars as a result of negotiations on multi-year crop disaster program for one-third of the province of Saskatchewan.

Now \$58 million plus the 6 billion may not be anything to sneeze at. He may say that it may not be too much or it's too little, but I would just say those are the kinds of negotiations that have been going on in the last couple of years. That's the seriousness and an indication of how serious our negotiations are right now, Mr. Speaker.<sup>34</sup>

The early result of this debate was a government motion which passed the House unanimously, supporting efforts to secure a payment.<sup>35</sup> In debate on the motion the grim plight of farm families in the province became evident. There were 1292 foreclosure actions in 1989,<sup>36</sup> 2.5 million acres of land transferred to lending institutions, and 8500 pending actions. Over 70 percent of the debt load was being carried by 40 percent of the farmers.<sup>37</sup> The motion passed unanimously, but only after considerable wrangling, attempted amendments, and much debate.

The Devine government found itself in an increasingly difficult position. It was abundantly clear that there would be no federal farm payment without provincial participation. Any suggestion of cost-sharing was a serious matter for a provincial government with a huge deficit. As well, increases in freight rates and Farm Credit Corporation rates added to tensions between Regina and Ottawa.

At the time of the tabling of the provincial budget on 29 March 1990, the matter of a payment to farmers had not been resolved. The provincial government announced its own spring seeding program of \$525 million in loans, at reduced interest rates.<sup>38</sup> This was obviously in response to the continued impasse with Ottawa, and the fact that farmers in Saskatchewan were predicted to have a negative income, the lowest level since the 1930s.<sup>39</sup> The policy of cooperation with the federal government, so fruitful in the past, seemed not to

be working. Exchanges in the Legislature turned testy as the Premier was increasingly put on the defensive.<sup>40</sup>

On 1 May 1990, the Canadian Wheat Board lowered initial prices to farmers for their grain by an average 18 percent. It was, for many, the final straw. It seemed inconceivable that, given the low world stocks of grains, prices should be dropping. For the Devine government it seemed to ensure that a new attitude towards the federal government was needed, at least in agriculture. Speaking in the House in response to a question from Roy Romanow, Leader of the Opposition, Devine said:

Mr. Speaker, I will tell the hon. member that in front of all the Agriculture ministers the last time that I was in Ottawa, I said to the Minister of Agriculture, Mr. Mazankowski, that he should not only keep and maintain the support that's there, but to raise the initial price of wheat in the country and go to GATT (General Agreement on Tariffs and Trade) and defend it. And I said, you already have the mechanism. If you want a war chest, do it through the initial prices.

So I did precisely what the farmers have recommended to me and recommended across the country, that in fact he raise the initial price of wheat and then go to the wall for it and battle the Germans and battle the French and battle Americans.

When the Leader of the Opposition introduced a motion condemning the federal government for the low payments, the government supported it with only a minor amendment.<sup>41</sup> The Devine government had decided that the price of cooperative federalism in the area of agriculture was too high.

At the nub of the problem in agriculture was the federal government insistence that any new agriculture program be cost-shared. This demand was based on two propositions. First, that agriculture is a shared jurisdiction, and that each order of government had some responsibility. This argument had been used in the past, but generally dismissed as rhetoric, given federal paramountcy and control in the area. The second argument, and likely more important, was that the federal government was no longer prepared to put large amounts of cash into the industry. Its deficit position, the GATT negotiations, the desire to restructure agriculture into larger operations, and the lack of political reward (especially in Saskatchewan) for past programs, all contributed to the position.

The result was an impasse which lasted through May, and during which the Devine government became increasingly more vocal in its anti-Ottawa rhetoric. At the end of May the continuing negotiations produced an agreement which triggered a \$240 million federal payout to farmers, about \$5 an acre. It was both good and bad news for the government. On the positive side they had secured the federal money with only an additional \$40 million in provincial expenditure. In the final analysis the federal government had abandoned the idea of matching grants. It was clearly a victory for the provincial government. On the negative side, the amount allocated by the federal government was only about one-half of the amount needed, something agreed to by almost all farm organizations in

Saskatchewan. As a result the government was forced to accept the fact that they had come away with only a half-a-loaf, leaving them open to political attack by the opposition.

The whole question of agriculture provides an interesting window on the Devine government's approach to federal-provincial relations. Premier Devine obviously expected that the federal government would provide a substantial payment to farmers in 1990. Indeed, given the proximity of a provincial election, it was probably an integral part of his time-table. The federal action was clearly a shock, and the new tough response by the province was belated, and half-hearted. In the final analysis the Premier was reluctant to abandon his cooperative approach. This is explained in part by his commitment to the federal government in other areas, such as Meech Lake. Compartmentalization of issues with different approaches on each is seldom successful. Given the situation of agriculture in Saskatchewan it is clear that this issue will resurface in the near future. It will be interesting to see what approach the government of Saskatchewan will take.

## CONCLUSION

This brief review demonstrates that Saskatchewan is indeed in a transition period. The review also leads to three conclusions about Saskatchewan politics and the role of Saskatchewan in the Canadian federation. The first is that the cooperative/partisan approach to federal-provincial relations pursued by Grant Devine is an anomaly with little basis in the history of his party, and with diminishing support in the general public. While the people of Saskatchewan are not as profoundly alienated as Albertans, there is nonetheless a strong streak of western alienation in the province. This is reinforced by continued dependence on a cyclical resource economy that requires a concomitant dependence on the federal government at crucial times. In short, when combined with the structural changes in the Canadian federal state, it is likely that widespread resentment will eventually undermine the Devine approach, especially as the federal government reviews its fiscal position and participation in the agricultural sector. The new "regionalist" approach which Devine apparently is taking after the collapse of Meech Lake would seem to indicate that he is now aware of this possibility. Curiously, this may signal an end to the dominance of the PC party in the province as the unpopularity of the federal party more tightly intertwines the fate of the two.

The second conclusion is that the neo-conservative experiment may be over in Saskatchewan. While it is too early to speculate on its ultimate impact, it is fair to conclude that the experiment has changed the context of political debate and culture in the province. The NDP already has been forced to accommodate itself to this new reality. There is now little or no talk about the re-nationaliza-



tion of crown corporations, much less their extension into other areas of society. Ironically, it is probably the innate conservatism of the Saskatchewan electorate which caused the retreat of the PC government on the privatization issue. The Conservative program was so massive, and the changes so devastating, that it frightened the average citizen. This was reinforced by a growing perception that the government was mismanaging the economy and therefore should not be trusted to undertake such a decisive change in Saskatchewan society. A more "regionalist" approach to federal-provincial relations by both major parties probably will be accompanied by general political attitudes that have moved ideologically to the right.

The third, and final conclusion addresses the future role of the province in Canada. Saskatchewan has usually played a minor role in national debates, especially since W.W. II. Its relatively small population, and lack of a substantial industrial base or comparable resource base (like oil in Alberta), have dictated a minimal role. This was partially offset in the past by the unique political complexion of the province, something which assured attention if not approval, and by the superior leadership skills of some of its leaders. This combination has now largely disappeared. Often Saskatchewan played a larger role than dictated by its actual position. There is now little that would commend an extraordinary role for Saskatchewan in future federal-provincial discussions.

When considered together with a shrinking population, agricultural base, and rural community, it is obvious that Saskatchewan is in a period of transition. The loss of its radical roots, the decline of the small farm sector, an increasingly conservative electorate, and a diminished status in national affairs, all point to a more alienated and less socially progressive role for the province in Canada. However, as noted when discussing expectations about the approach of the Devine government to national affairs, such predictions are always subject to the politics of the moment, and to the immediate goals of governments in power. The only conclusion that we can support with confidence is that Saskatchewan is in transition, a transition that has to manifest its final destination.

## NOTES

1. Evelyn Eager, *Saskatchewan Government: Politics and Pragmatism* (Saskatoon: Western Producer Prairie Books, 1980).
2. Provincial Budget Speech — 1982, *Saskatchewan*, pp. 53-68.
3. Walter D. Young, *The Anatomy of a Party: The National CCF 1932-1961* (Toronto: University of Toronto Press, 1969), pp. 300, 301.
4. See W.D. Moull, "Natural Resources: The Other Crisis in Canadian Federalism," *Osgoode Hall Law Journal*, (1980) 18(1) pp. 1-48; and J. Peter Meekison, Roy J. Romanow and William D. Moull, *Origins and Meaning of Section 92A: The 1982 Constitutional Amendment on Resources* (Ottawa: Institute for Research on Public Policy, 1985).

5. See D. V. Smiley, *Canada in Question: Federalism in the Eighties* 3d ed. (Toronto: McGraw-Hill Ryerson, 1980), pp. 38-40.
6. H. Leeson, "The Intergovernmental Affairs Function in Saskatchewan 1960-1983," *Canadian Public Administration*, vol. 30, no. 3 Fall, 1987, pp. 409-411.
7. Smiley, *Canada in Question*, p. 40.
8. Saskatchewan *Hansard*, Regina, vol. 26, 20 April 1983, pp. 1259-60.
9. Saskatchewan *Hansard*, Regina, vol. 26, 20, 17 March 1983, p.2.
10. *Ibid.*, vol. 26 #8A, 28 March 1983, p. 350.
11. Notes For An Opening Statement by the Right Honourable Brian Mulroney, Prime Minister of Canada, First Minister's Conference on the Economy, 14-15 February 1985, Regina, pp. 1 & 2.
12. *Ibid.*, p. 2.
13. Although this was widely reported in the press at the time, it seemed not to have prejudiced the Tory campaign.
14. For a discussion of this question, see M. Rassmussen and H. Leeson, "Undermining Parliamentary Democracy in Saskatchewan: 1982-1989," in *Devine Rule in Saskatchewan*, New West Books, forthcoming.
15. Gary Lane, the finance minister, blithely shrugged off criticism of this underestimation, stressing changed conditions.
16. Premier Devine was furious about this indignity, although there was little that he could do about it at the time.
17. Saskatchewan *Hansard*, Regina, vol. 30, #31A, 9 July 1987, p. 1052.
18. *Ibid.*
19. *Ibid.*, vol. 33, #51A, 31 May 1990, p. 1680.
20. *Ibid.*, vol. 33, #51A, 31 May 1990, p. 1687.
21. Regina, *Leader Post*, 5 June 1990, p. 2.
22. For a good review of this period, see James A. Pitsula and Kenneth A. Rassmussen, *Privatizing a Province* (Vancouver: Newstar Books, 1990). For an assessment of the purge of the provincial civil service see Hans J. Michelmann and Jeffrey S. Steeves, "The 1982 Transition in Power in Saskatchewan: The Progressive Conservatives and the Public Service," *Canadian Public Administration*, Spring, 1985, vol. 28, no. 1, pp. 1-23.
23. Individual Conservatives were quite candid about this goal in private and even in public, as interviewed in the *Globe and Mail*, 20 March 1989.
24. *Globe and Mail*, 9 May 1990.
25. *Globe and Mail*, 9 March 1989.
26. Regina, *Leader Post*, 3 May 1989.
27. Saskatchewan Budget Papers, 1981 and 1990, pp. 89 and 93 respectively.
28. *Ibid.*, 1990, p. 43.
29. *Ibid.*, p. 51.
30. Opposition leaders spoke after the Premier, criticizing him severely for suddenly "discovering" a crisis.

31. Saskatchewan Hansard, (Regina, Vol. 33, #1A, 19 March 1990), p. 1.
32. Ibid., pp. 6 - 7.
33. Ibid., #2A, p. 11.
34. Ibid.
35. Ibid., p. 14.
36. Ibid., p. 26.
37. Ibid., p. 23.
38. Ibid., #9B, 29 March 1990, p. 312.
39. Ibid.
40. Ibid., #10A, 30 March, pp. 319-321.
41. Ibid., #31A, 2 May 1990, pp. 1046 & 1061.

## Sea-Change in Newfoundland: From Peckford to Wells

*Douglas M. Brown*

*On a assisté au cours de la dernière année à un changement en profondeur de la politique et du rôle joué par Terre-Neuve au sein de la fédération canadienne. L'aspect le plus manifeste de ce changement fut la victoire remportée par le Parti Libéral dirigé par Clyde Wells, mettant ainsi fin à l'"ère Peckford", qui avait débuté en 1979. Le but de cet article est de montrer comment la situation socio-économique de Terre-Neuve et la conduite des relations intergouvernementales au regard de dossiers majeurs ont mené, dans cette province, à un changement de gouvernement en avril 1989.*

*Dans un premier temps, on examinera la position férocement autonomiste défendue au départ par le gouvernement Peckford. C'est avec optimisme que Terre-Neuve s'était engagée dans la décennie '80 en estimant que le développement de ses ressources dans les secteurs de l'hydro-électricité, des pêcheries et du pétrole au large des côtes allait réduire les inégalités chroniques sur le plan économique entre cette province et le reste du Canada. Le gouvernement Peckford avait tout mis en oeuvre pour éliminer les obstacles d'ordre politique et constitutionnel afin de réaliser son dessein d'une plus grande autonomie en faveur de Terre-Neuve. Cet article en arrive à la conclusion que le bilan du gouvernement Peckford est, au demeurant, assez mitigé; aucun progrès observé dans le domaine de l'hydro-électricité, un piétinement quant à l'exploitation des ressources pétrolières et seulement une réussite modeste dans le secteur des pêcheries. La défaite électorale du successeur de Brian Peckford en avril 1989 aura été causée justement par l'incapacité des conservateurs à pouvoir répondre aux attentes de plus en plus élevées de la population terre-neuvienne eu égard aux richesses naturelles.*

*Lorsque le gouvernement Wells est arrivé au pouvoir, un bémol fut mis sur la revendication des richesses naturelles; on s'est dit davantage préoccupé à maintenir un gouvernement central capable d'aider Terre-Neuve à réduire sa dépendance régionale. Le rôle déterminant qu'a joué Clyde Wells dans l'échec de l'Accord du lac Meech peut s'expliquer par son désir d'endiguer une vague décentralisatrice dont il appréhendait le déferlement sur le pays. Par contre, ses faits et gestes ont provoqué, à court terme, une détérioration tangible des relations intergouvernementales au Canada et, comble d'ironie, l'attitude de Wells durant l'épisode du Lac Meech pourrait avoir été à l'origine d'un prochain processus de décentralisation qui s'imposera de façon encore plus spectaculaire au sein de la fédération canadienne.*

While it is clear that our entry into Confederation cannot be questioned, there is a growing realization that the present structure of Confederation does not allow this province to realize the full economic benefits of its own resources or to adequately promote the enhancement of our unique cultural heritage.... The great question posed today is whether we in this Province are ready to move away from a paternalistic centralized federalism.... Can we, in a great act of historic self-reliance, break the vicious cycle in which we now find ourselves?

Speech from the Throne, delivered at the opening of  
The First Session of the Thirty-Eighth General Assembly  
of the Province of Newfoundland, 12 July 1979.

While Newfoundland has recently entered into its fifth decade of Confederation with Canada, we have not yet succeeded in becoming a full participating province of Canada, with public services, quality of life and economic opportunity similar or equal to that of other provinces.... My Ministers are convinced that a reformed Senate, combined with a strong and resourceful Federal Government, is the only means by which regional disparities in this country will ever be corrected.

Speech from the Throne, delivered at the opening of the  
First Session of the Forty-First General Assembly  
of the Province of Newfoundland, 25 May 1989.

The Liberal government of Premier Clyde Wells was sworn into office in May 1989, under much different prospects for Newfoundland than in 1979 when Brian Peckford's administration began. To understand the "sea-change" in Newfoundland is to understand how the underlying conditions for the province's role in the Canadian federation has changed over the past decade. It is also important to underscore the differences in style and emphasis of those who are navigating the ship of state. Despite the divergent approaches, there has nonetheless been a continuity of purpose and interests. A discussion of why and how these purposes and interests converge and diverge reveals much about the continuing struggle of Newfoundland to find its place in the sun.

In his first general election campaign since becoming Liberal leader, it was normal for Clyde Wells to dwell on the shortcomings of the Progressive Conservative government which Premier Tom Rideout had inherited from Brian Peckford in March 1989. Despite the achievements of the Peckford years, Wells was able to capitalize on the many grievances and disenchantments which become attached to any government after a decade of power. Wells' campaign speeches dwelt on the themes of job creation, unemployment and out-migration.

A comparison of indicators from 1979 to 1989 demonstrates the limited amount of improvement over a decade (see Figure 9.1). Growth in the economy had been respectable, but not sufficient to significantly close the gap in income and aggregate wealth between the province and the Canadian average. While the total population had remained the same, labour force participation and labour force entry had increased significantly. As a result, however, the un-

employment rate has remained well above the Canadian average, at 15 percent. And, as equalization is at least one indicator of "have" or "have not" status, Newfoundland remains even farther away from being a "have" province than it was in 1979. Thus, the 1980s brought both progress and setbacks and, more importantly in the context of intergovernmental relations, high expectations that depended on the understanding and support of the federal government for their realization.

Figure 9.1  
Selected Indicators — Newfoundland Economy and Public Finance

<i>Indicator</i>	<i>1979</i>	<i>1989</i>
Population	563,000	572,000
Earned Income (\$ current millions)	2,207	4,799
Earned Income/capita as % of Canada	61.4	61.7
Personal Income (\$ current millions)	3,618	7,867*
Personal Income/capita as % of Canada	69.5	70.5*
Employment	175,000	201,000
Annual Unemployment Rate (%)	15.4	15.8
Equalization (\$ current millions)	311.5	874
Equalization as % of Total Revenues	28.9	33.6

Sources: Author's compilations based upon: Government of Newfoundland and Labrador, *Budget* (1979, 1989, 1990); Statistics Canada, *Provincial Economic Accounts, Annual Estimates and Preliminary Estimates for 1989; National Income and Expenditure Accounts, Annual Estimates and Quarterly Estimates for 1989.*

\*based on annual 1988 figures

Not all of Newfoundland's progress can be measured in economic terms. The one great public issue which eclipses all others, however, and which touches most social issues as well, is the economic disparity of Newfoundland with the rest of Canada. As with Quebec's obsession with the survival of French language and culture, "reducing economic disparity" has become the overarching aim of Newfoundland's political culture. The chief difference between the Peckford and Wells governments is how within the Canadian federation these

disparities are best narrowed. As this chapter demonstrates, many of the difficulties which Newfoundland faces in this effort stem not only from its modest political impact in Canada, but also from the fact that so many of Newfoundland's interests and priorities for economic and social development differ markedly from the mainstream concerns of Canadian public policy. Incomprehension and indifference thus combine with inconsequence as obstacles facing Newfoundland in Canada.

This chapter examines the efforts of the Newfoundland government to address the leitmotif of reducing economic disparities. Most of the chapter provides an assessment of the Peckford government's efforts to achieve this objective through greater provincial autonomy over resources, and through a relatively decentralized vision of federalism. Relations with Ottawa and the other provinces over the three key resource issues of fisheries, offshore oil and hydroelectricity will be reviewed. The last part of this chapter will address the challenges facing the new Wells regime as it struggles with the difficult international and national circumstances of the 1990s. As this government is only one year in office, assessments of its performance must be more tentative. For the Wells government, the resource prospects which were pre-eminent in the Peckford era are much reduced, and the government's priorities are now pinned on a more broadly-based economic renewal and on the improvement of basic services. It faces this task with a predisposition to a much more centralized vision of federalism and, in the immediate context of the debate over the Meech Lake Accord, a potentially damaging conflict with Ottawa over constitutional reform.

## THE PECKFORD YEARS

### THE 1979 VISION

The Province has before it a fantastic opportunity. We have around our shores a rich, renewable fish resource. On land we have tremendous water power. Our trees, minerals, agriculture, can all make important contributions to our future well-being. If we can manage the phenomenal oil and gas resource in such a way as to buttress these renewable resources to which our way of life is so intimately related, we can as a people look forward, despite past mistakes, to a bright and prosperous future.

A. Brian Peckford, *The Past in the Present*  
(St. John's: Harry Cuff, 1983), pp. 104-105.

On coming to power as premier in 1979, Brian Peckford's political vision represented the culmination of seven years of political transformation in the province, since the Progressive Conservatives defeated the Liberal government of Joey Smallwood in 1972. This vision resulted from a number of coincident

factors which led to high expectations for Newfoundland's prospects, and an aggressive pursuit of what has been called a "neo-nationalist" political philosophy.<sup>1</sup>

Peckford's vision proceeded from a widely-held critique of Smallwood's approach to development. This critique held, first that the Smallwood era continued the dismal Newfoundland history of resource giveaways and alienations which deprived Newfoundlanders of the benefits of what is assumed to be a magnificent endowment. Chief among these was the long-term contract for the sale of the output of the Churchill Falls hydroelectric facility to Hydro Quebec at '60s energy prices. Another part of the critique held that the Smallwood government undertook the wrong sort of development, plowing money and hopes into fruitless efforts at industrialization, all the time neglecting the *raison d'être* of Newfoundland settlement, the fisheries.

As this critique gained ground in Newfoundland politics so too did a revival of interest in Newfoundland culture, and a reappraisal of the rural outport roots of the society. The revival of support for what was distinctly Newfoundland may also be seen as a more or less inevitable return to local values following a generation of sublimation in the enthusiastic effort to become Canadians since 1949. Thus Peckford solidified a coalition of interests in a new approach to the old problem of economic disparity. This coalition, initially formed to create electoral victory by Frank Moores in 1972, included a new urban middle class, the old Tory strongholds in St. John's and the Avalon peninsula and much of rural Newfoundland.

There were other, perhaps more determining factors which led to the adoption and support of the Peckford vision in the late 1970s. Canada's resource-dominated economy was enjoying a decade-long boom in which the world appeared to be beating a path to its door. This was true for newsprint and most minerals, and especially true for energy resources.<sup>2</sup> Newfoundland in particular seemed on the verge of a resource boom. This was based on the prospects for three resources in particular, which became the *troika* of Peckford's vision: fish, oil and hydro. Following a nadir of fish landings in the early 1970s, fish catches began to rebound in 1977, the year in which Canada declared its 200-mile fisheries jurisdiction. The extended jurisdiction included most, though not all, of the fisheries resources of Newfoundland's continental shelf. Hydroelectric resources, concentrated in Labrador, had galvanized the Moores administration from 1972 to 1979, but without success in either completing the promising Lower Churchill developments or renegotiating the Upper Churchill contract. Nonetheless, there were potential returns to the province in terms of more stable and less expensive electricity on the Island, energy-intensive industrial development and out-of-province sales. Finally, after exploration since 1966 on the continental shelf, the "giant" Hibernia oil field was discovered in February 1979. Along with then prevailing oil prices and the prospects of many more



such fields offshore, this discovery brought to Newfoundland the ultimate prospect in rags-to-riches resource wealth.<sup>3</sup>

Taken together these three resource prospects were indeed enticing. They had tremendous potential for economic development, especially jobs. And together they seemed to promise a turnaround from "have-not" to "have" status for the provincial finances. The example of Saskatchewan was frequently cited in the late 1970s as a province which, by dint of the international resource economy and prudent resource management, had ridden a boom based on wheat, potash, oil, gas and uranium sales. As a consequence, Saskatchewan's entitlement to federal equalization payments steadily declined through the late 1970s and the province broke into "have" status from 1982 to 1986.<sup>4</sup>

Along with the prospects of increased economic growth and development based on resources, was a renewed confidence in the ability of Newfoundlanders to manage these resources. The long history of resource alienation was marked down in the political rhetoric to poor management or venality, traits which the Conservatives claimed were buried with the Smallwood regime. Indeed, by the end of the 1970s, the Conservatives were confident that they had demonstrated to the public their ability to govern without the corruption of the Liberal era. In particular, they filled the power vacuum left by Smallwood with a modern civil service. Thus, an alliance of politicians and civil servants, buttressed in large measure by the business and cultural community, the Conservative government under Peckford emerged ready to take on the task of managing Newfoundland's resources.

Finally, the Peckford administration came to power at the end of a decade of increasing aggressiveness on the part of the provinces. The model of resource ownership and management leading the way out of the economic doldrums had been set by the western provinces, especially Alberta and, as noted, Saskatchewan. The Conservative government adopted this general model, consciously rejecting the traditional "cap in hand" approach which was said to characterize the position of previous Newfoundland governments and the Maritime provinces. Thus the Peckford administration soon took its place alongside Alberta, Saskatchewan and Quebec as advocates of a more decentralized federation, with provincial governments having greater relative autonomy over their economic and social destiny.<sup>5</sup>

This combination of factors led the government of Newfoundland into an aggressive pursuit of resource development and a series of battles for resource control which dominated politics and intergovernmental relations for the duration of the Peckford era. It brought the government into bitter conflict with the centralizing thrust of the federal Liberal governments of Prime Minister Pierre Trudeau, especially in the restoration period of 1980 to 1984. These issues also dominated intergovernmental relations with the Mulroney government after 1984, although in different circumstances.

## CONSTRAINTS AND VULNERABILITIES

With the wisdom of hindsight, one can now recognize the vulnerability of Peckford's 1979 vision to circumstances beyond the government's control. To understand this vulnerability is to also make more understandable the ensuing struggle, and why a new government, a decade later, would be convinced that a large part of this struggle was not worth the effort.

The first set of constraint and vulnerabilities arise from the province's economic structure. As a resource-based economy Newfoundland is hostage to the cyclical instabilities of international resource prices. What looked like the ever-increasing resource prices in the late 1970s are now seen by analysts as an aberration in an otherwise long-term decline.<sup>6</sup> There were other structural weaknesses such as the "leakage" effect of personal and industrial consumption, a dispersed population base, and geographic isolation from markets. Such difficulties have only been reinforced in the late 1980s as the world economy has become more intensely competitive. Economies which are not based on high technology manufacturing and service industries fall behind even faster.<sup>7</sup>

To these economic weaknesses, not all of which could have been foreseen by Peckford's government in 1979, there were political and constitutional constraints. Chief among these were the three specific resource-related problems of fish, oil and hydro which Peckford set out to resolve, and some general strategic vulnerabilities which Newfoundland faced in the Canadian federation in 1979.

The problem with the fisheries was that while Canada had extended its jurisdiction over most of the continental shelf, this Canadian control still lay in federal hands. "Seacoast and inland fisheries" is a matter of federal legislative jurisdiction. The federal minister determines how much fish will be caught, where, when and how. Key decisions about the primary economic activity in rural Newfoundland were thus made not by the provincial government, as with other resources, but by Ottawa. In making these decisions, moreover, the federal government had to consider the competitive demands of various fleets based not only in Newfoundland, but in the other provinces sharing the Atlantic fishery, and in foreign countries. Nonetheless, the Newfoundland government was determined that the revival of the fisheries would benefit primarily those who suffered most from the resource decline of the late 1960s and 1970s<sup>8</sup> — Newfoundland inshore fishermen. To achieve this objective, however, meant wrestling jurisdiction from Ottawa or at the least influencing federal fisheries management.

The second resource dispute also stemmed from the fact that the resource in question — offshore petroleum — was not found under dry land, but again was part of the resources of the continental shelf. The dispute over the ownership of offshore mineral rights began in the mid-1960s when Premier Smallwood laid claim to the resources of the seabed on behalf of the province. The province

argued from the broad political and moral perspective that, as Newfoundland brought these resources into Confederation, it should own and control them. More importantly, it argued a legal case that Newfoundland as a self-governing Dominion had acquired rights to the territorial sea and seabed prior to Union with Canada in 1949 and had retained ownership rights to the minerals of the continental shelf since. The federal government disputed this claim, resting chiefly on the principle that only Canada as an international personality had the ability to lay claim to resources on the continental shelf beyond the low water mark.<sup>9</sup>

The Hibernia discovery increased the stakes and urgency of the dispute. The Peckford government sought to control the pace and nature of oil development, arguing that the social, environmental and industrial impact of oil mega-projects could destroy Newfoundland's predominantly rural society unless management of the development was in local hands. Another key objective was to maximize resource revenues. Newfoundland argued its case for ownership at least partly to be able to ensure that all revenues would be divided with Ottawa on the same basis as they were for oil produced on land in Alberta and the other western provinces.

Finally there were the political and constitutional constraints related to hydroelectricity development. As control over electricity generation and distribution is largely in the hand of provincial crown corporations, the federal government has been reluctant to intervene, and to regulate interprovincial trade, as it has with oil and gas pipelines. The massive Churchill Falls project was developed in the early 1960s when it was not feasible to bring its output to the Island, and with a consequent dependence on long-distance transmission lines through Quebec to southern consumers. Hydro Quebec insisted on the direct sale of Upper Churchill energy at the interprovincial border under the terms of fixed and declining prices over a 65-year contract. Labrador power constituted over a third of Quebec's total capacity by 1979, of which it sold 13 percent to utilities in the United States. As energy prices increased in the 1970s Hydro Quebec reaped increasing revenues from the Upper Churchill output, estimated to be worth \$800 million annually in 1984.<sup>10</sup> However, the net return to Newfoundland from 1972 to 1980 averaged only \$12 million annually.<sup>11</sup>

Added to the frustration over the terms of the Upper Churchill contract was the realization that other promising Labrador hydro developments would also require westward sales contracts in order to be viable. As oil prices increased after 1973, the cost of thermal generation of electricity on the Island also increased, and the option of feeding the Island with Labrador power became more tenable. Newfoundland's strategy for hydroelectricity development therefore came to embody three elements: to revise the Upper Churchill contract to gain a more equitable share of the economic rents; to launch further developments of hydro sites in Labrador; and to provide Labrador power to

Island consumers and/or for industrial development in Labrador. The constraints on these plans included the legal defences of the Upper Churchill contract, and the lack of institutional arrangements for regulating interprovincial trade in electrical energy. Meanwhile, Quebec continued to look upon Churchill Falls returns as just desserts from an unpopular boundary settlement over Labrador in 1927, and fair return for its technical and financial assistance to the project in the first place. Quebec's political clout in Ottawa was, moreover, always superior to Newfoundland's, and never more so than during the Trudeau administration.

Thus dependent for its resource policy objectives upon constitutional and political developments that lay largely in the hands of other Canadian governments, Newfoundland required a strategy of alliances. With Peckford's entry on the national scene he found willing allies among the other provinces. In the lead-up and aftermath of the Quebec referendum on sovereignty-association these provincial governments were aggressive in seeking more constitutional decentralization, to which Newfoundland added fisheries and offshore resources.

On the other hand, by raising the call for provincial rights from the unexpected quarter of the Atlantic provinces, Peckford became the whipping boy of the national media and the Trudeau government, for whom Newfoundland had become the last straw of provincial decentralization. The late arrival of the Newfoundland demands meant that results would only be produced by a single-minded tenacity, coupled with the greatest possible skill at maintaining and, if need be, shifting alliances. What then were the results of the Newfoundland strategy to reduce its economic disparity through greater resource control? The record is mixed and in some respects achievements may only be obvious over the longer term. An assessment of the results for the three main resource issues follows.

#### FISHERIES

The fisheries in Newfoundland is a complex issue which defies summary assessment.<sup>12</sup> However, the key public policy issue for the Peckford government centred on the proper role of the fisheries in the local and national economy. The Peckford government placed a priority on sustaining the labour-intensive inshore groundfishery, in both its harvesting and processing aspects.<sup>13</sup> The province backed this position with subsidies for fishing vessels and encouragement of on-shore processing facilities. However, equally important was the federal government policy on unemployment insurance which after 1957 provided seasonal income security to both fishermen and plant workers. Both federal and provincial policy underpinned the implicit social policy function of

the fishery as an employer of last resort during years of a rapidly-growing labour force.<sup>14</sup>

Peckford's inshore priority was opposed at various times for various reasons by organized labour, by the federal government, and by the capital-intensive, offshore-based sector of the industry. The latter, offshore interests were based not only in Newfoundland but also in Nova Scotia — and potentially in the other Atlantic coast provinces, a fact which led these provinces to argue for guaranteed access to offshore fisheries adjacent to Newfoundland. For the Newfoundland government, priority for the inshore therefore was designed to ensure that jobs and other economic activity from fish resources on Newfoundland's continental shelf would mainly accrue to Newfoundland.

The province pursued its objectives on three broad fronts: constitutional reform; allocations policy; and continuing debate about the overall economic viability of the sector. Success or failure for the province's strategy across all three fronts can be measured by how far it achieved its overall aims of having fisheries management reflect provincial priorities.

The first of these fronts was the least successful. The issue of constitutional reform was never really engaged. The province sought to exploit the general movement towards constitutional reform and the clarification and strengthening of provincial jurisdiction, but by 1982, the Canada Act had been passed without mention of the fisheries.

The province's key demand was that each coastal province should have the "constitutionally recognized competence" to participate in decisions regarding resource allocation and harvesting regulation.<sup>15</sup> Thus, Newfoundland proposed a split concurrency of legislative powers, with the federal parliament retaining paramount jurisdiction over such matters as research, conservation, enforcement, setting the total allowable catch and inspection and other standards for exports. The provincial legislatures would have paramount jurisdiction over harvesting plans for provincial shares of the catch, over licensing of fishermen, vessels and gear, and over aquaculture and inland fisheries. Interprovincial arbitration would settle any disputes about the allocation of resources, based on principles of "equity, traditional fishing patterns, dependence of the coastal population and adjacency."<sup>16</sup>

The province's proposals never garnered sufficient support outside Newfoundland to be implemented. The proposals were novel, stressing as they did a form of joint paramountcy for concurrent jurisdiction. The federal government claimed the proposed regime would be needlessly complex, and would leave Ottawa with all the expensive tasks. Furthermore, the resource did not lend itself to easy division along provincial lines. While only a few stocks range beyond quite confined geographic areas, and are exploited by more than one province, the division of the Atlantic fishery resources among provinces would not be easy. The most important opposition to provincial shares came from

Nova Scotia which did not wish to see its access to the growing stocks off Newfoundland frozen or reduced. A dispute over northern cod between Newfoundland and Nova Scotia in 1979-80 was a chief contributor to Nova Scotia's withdrawal of support for the Newfoundland constitutional proposals by the summer of 1980.<sup>17</sup> Without consensus among the key coastal provinces for greater provincial jurisdiction Ottawa held firm to the status quo.

A second opportunity for Peckford came in the consideration of Quebec's demands that led to the Meech Lake Accord of June 1987. Premier Peckford managed to get agreement to the inclusion of fisheries in a short list of items for further constitutional discussions at the Premiers' Conference in 1986.<sup>18</sup> This commitment did not grow appreciably by its inclusion in the Meech Lake Accord as an agenda item for future conferences. "Roles and responsibilities in relation to fisheries"<sup>19</sup> was sufficiently ambiguous wording to allow Nova Scotia's premier John Buchanan to go home and say that he was not agreeing to Newfoundland proposals for concurrent jurisdiction. For Peckford, the door was left ajar for the time being. This did not stop various fisheries interests, mainly in the Maritimes, from expressing anxiety over the Meech Lake provision, and as will be discussed below, Wells would later disassociate himself from even this hint at fisheries constitutional reform.

The Peckford government had more success on its second broad front, federal allocation policy. Here the Peckford government concentrated on the ongoing consultation over the federal Atlantic Groundfish Management Plan which established fleet quotas for the more important resources in interprovincial competition. As the Newfoundland government often complained, it was only one of five provinces and some dozen or more other organized interests to be heard in the federal minister's elaborate consultation process. Here Newfoundland defended its interests on the related issues of inshore versus offshore allocations, enterprise allocations (shares of the resource allocated to fish companies), the appropriateness of factory and freezer trawler technology, and the always thorny issue of quotas for foreign fleets.

The most prominent of all the allocation issues was northern cod. The single largest groundfish stock in the Atlantic fishery, and one of the largest such resources in the world, the total allowable catch for 1988 was 266,000 metric tonnes (MT). Landings in Canada from this stock were about 36 percent of total groundfish landings in Atlantic Canada in that year; for Newfoundland the proportion rises to over 60 percent. The resource sustains the inshore fishery on the entire east and northeast coast of the province, but because of its size and migration patterns, it can be exploited by either the inshore or offshore fleets (and often both) and is thus the focus of intense competition.

In broad terms the province's policy preferences for this stock were met. From 1980 onwards, the inshore fishery was allowed to catch essentially as much as it could, within its seasonal and technological constraints. Manage-

ment measures set aside 115,000 MT as an "allowance." As the decade progressed, however, the fixed quota for the offshore fleet expanded with an expanding total allowable catch, from 60,000 MT in 1980 to 120,000 MT in 1988. Of the offshore catch, approximately 20 percent has been landed in Nova Scotia, a proportion which has remained relatively constant. The combined influence of Newfoundland and Nova Scotia has kept any further Canadian incursions on the stock to a minimum, despite recurrent efforts by various interests to get a piece of the action. Finally, foreign allocations from northern cod were eliminated by the mid-1980s, following vociferous opposition from the industry and provinces, with the important exception of France.

To summarize, Newfoundland's advocacy on northern cod and other fisheries can be characterized at the least as a stand-off and at best as a successful rear-guard action against a variety of competing claims which could have dissipated completely the benefits of this major resource for the province. In the process, Newfoundland has staked out its turf. Federal allocation policy continues to be shaped by the province's priorities. Out of province landings have not increased appreciably since 1980 and the inshore sector has maintained its allowance, although in the current debate over the decline of the resource the allocations to the offshore are blamed for the poor catches inshore.

The third front to be noted here is the struggle to preserve industry viability in the face of the cyclical downturns that plague much of the sector. Here the more important consideration was not the province's lack of legislative jurisdiction, but its lack of fiscal clout. The province does have extensive regulatory power over the processing sector, and indeed encouraged with the help of federal regional development assistance, an expansion of processing capacity to meet the revival of the sector in the late 1970s. The number of processing establishments rose from 60 in 1975 to 220 by 1985.

The most severe crisis came at the end of the general recession of 1981-82, when the large and heavily capitalized integrated fish processors appealed for government assistance in the face of imminent bankruptcy. Such assistance could not have been provided by the province alone. Following complex and difficult negotiations with the federal government, the Bank of Nova Scotia and the shareholders of the fish companies, a "restructuring" of both the Nova Scotian and Newfoundland integrated fishing sector was achieved, creating two new large firms, National Sea Products based in Halifax and Fishery Products International, based in St. John's. Two cash injections were required, the first in 1983 and the second in 1985, with significant contributions in each case from the province of Newfoundland. The result was the modernization and improved management of a key sector of the industry, while retaining a key provincial objective of avoiding wide-scale plant closures, especially in remote single-industry towns.<sup>20</sup>

## OFFSHORE PETROLEUM

The issue of offshore petroleum brought to the Peckford government its greatest victories but also its keenest disappointments. Surely no one in the government taking power in 1979 and only the most sceptical of Newfoundlanders would have thought that a whole decade would pass without oil development even beginning. There has been so much talk of Hibernia oil that many Canadians assume that it is already flowing. As this chapter is written (June 1990) development of the Hibernia field has yet to commence, and even if it were to do so this year, production of crude oil would be at least five years away. The achievement of the past decade has been the settlement of a bitter dispute over offshore jurisdiction and a great deal of policy planning for the oil development. However, realization of the most important of Peckford's objectives which was to have oil lead the way to a transformation of the province's economy, will have to await the longer term.

The high water mark was the signing of the Atlantic Accord on 15 February 1985. It is not necessary here to dwell at length on the details of the long dispute over ownership and management of the offshore resources preceding the Accord.<sup>21</sup> As noted above, Peckford ran head-long into the federal government under Prime Minister Trudeau, determined in its effort to stem the tide of decentralization of power and resources to the provinces. As David Milne has written, "having spent his professional political career battling insularity and chauvinistic nationalism in Quebec, Trudeau was not about to leave the field to an upstart regional nationalist."<sup>22</sup> Whether the lack of a settlement over the period of 1979 to 1984 can be blamed on Newfoundland intransigence or federal bullying seems now a somewhat sterile debate. A deal was to be had if Peckford wanted it badly enough in 1982, when Nova Scotia signed its agreement with Ottawa. However, Newfoundland clung to the belief that it had a better legal case than Nova Scotia and that in any case its circumstances merited better treatment. Thus, the province would not agree, as did Nova Scotia, to setting aside the ownership issue for joint management control with ultimate federal veto, or for the perceived capping of potential revenues. Once the Supreme Court of Canada finally rejected Newfoundland's legal case in March 1984,<sup>23</sup> the Peckford government decided, with the support of the electorate if not the wholehearted enthusiasm of the business community, to stick to its guns and wait out the Trudeau Liberals.

Newfoundland was fortunate in that the offshore dispute had become, for the federal Progressive Conservative party, one of the principal examples of the federal Liberals' destructively aggressive approach to federal-provincial relations. Thus Prime Minister Mulroney was quick to confirm his pledge during the 1984 election campaign to usher in an era of "national reconciliation." The federal cabinet gave the marching orders to reluctant federal civil servants to begin negotiating an accord faithful to the commitment given by



then Opposition Leader Mulroney to Peckford on 14 June 1984. In a letter of that date, Mulroney had set out principles for settling the dispute which were in fundamental agreement with the position which Peckford had taken in a national speaking tour in May 1984.<sup>24</sup> These principles, and the subsequent Accord, differed from the position which the province had initially adopted as early as 1977 when Peckford was Minister of Energy in Moores' cabinet. The failure of the legal case had forced the province to set aside the question of legal ownership in favour of a concept of joint management. However, the Atlantic Accord departed from the 1982 Nova Scotian agreement in that the Canada-Newfoundland Offshore Petroleum Board was truly a joint creature with equal federal and provincial members and a jointly appointed chairman. Key management decisions would be determined on the basis of what has been called an "inspired" and "elaborate scheme of trumping powers," whereby for some matters the Federal minister has final say, and for others, the provincial minister. Another key part of the Accord was that revenues from the resource would be divided between the two governments as if the resource was on land, a longstanding objective of the province. The ultimate result was generally hailed as a reasonable compromise between the competing federal and provincial claims, although there have been detractors who criticize the settlement as a federal caving-in to the province, or alternatively, as not sufficiently different from what was offered in 1982 to justify the delay in development.<sup>25</sup>

The latter criticism has the weight of hindsight in that, to Newfoundland's great misfortune, oil prices began a steady descent by the end of 1985. Had development commenced in the early 1980s, oil production might be a reality today. In any event, the declining prices were sufficient to delay development for the past five years. The Accord set the tone for cordial relations for the remaining pieces of business that the Peckford government pursued to get the offshore underway, including a joint panel for environmental assessment. However, the uncertainty surrounding oil prices produced frustrating and politically damaging delays for both the Peckford and Mulroney governments in delivering the goods on oil mega-projects.

Thus, the announcement on 18 July 1988 of a statement of principles between the consortium of oil companies led by Mobil Corporation and the federal and provincial governments to develop the Hibernia field, came as an anti-climax. The actual dimensions of the project were impressive enough: \$8.5 billion capital expenditures, at least \$2.6 billion in revenues for the province, \$2.4 billion for the federal treasury, 14,500 person-years of direct employment, and at the end of the day 110,000 barrels of oil a day, to a total yield of at least 525 million barrels. The proposed cost to the public purse, however, also weighed heavily. To get the mega-project kick-started, the federal government committed itself to a contribution of 25 percent of construction costs to a maximum of \$1.04 billion, and a loan guarantee for 40 percent of construction costs to a

maximum of \$1.66 billion. The province agreed to an exemption of retail sales taxes on capital expenditures, among other concessions.<sup>26</sup> The province did however, insist on an escalator for royalties on windfall profits should oil prices rise, which Peckford proclaimed as the "Churchill clause" in reference to the province's determination not to be caught again in a long-term fixed-price contract.

Despite the fanfare, the two governments did not reap the public approval that had followed the signing of the Atlantic Accord. Mulroney was accused of bribing voters with their own money, especially in the light of other energy project announcements in the succeeding weeks. The financial press cast doubt on the viability of the projects. One analyst predicted that Hibernia oil at \$37/barrel would be the most expensive in the world, given current prices of \$14.50. Even the St. John's *Evening Telegram*, a staunch supporter of Peckford's struggles over the offshore, condemned the prospects for Hibernia development as "Canada's largest make-work project," and declared that it was the "biggest gamble" in Newfoundland history.<sup>27</sup> Even Premier Peckford admitted that "only time and real events — hard concrete poured, steel welded, and pay cheques in the pocket, can sustain the sense of hope."<sup>28</sup> In the meantime, however, the further delays in the project reaped a harvest of scepticism and cynicism in Newfoundland, which contributed to the declining fortunes of Peckford and the Conservative party.

#### HYDROELECTRICITY

Hydro has been the perpetual frustration of recent Newfoundland politics. For all its promise and the high expectations of political rhetoric, the province's grand visions for hydro development and riches are no closer to reality than they were a decade ago. The province's major objectives, restated again and again, were not met.<sup>29</sup> The Upper Churchill contract was not renegotiated and the terms of the contract continue to gall not only the government but also the general public. Since the completion of the Upper Churchill facility in 1969, there has been no appreciable movement on the further development of other major hydro developments in Labrador despite numerous false starts. And yet two of the Labrador sites constitute among the most attractive of such developments anywhere in North America. Finally, there has been no progress in bringing Labrador power to the Island. Indeed, since 1975 the province has had to invest \$800 million to construct new hydro and thermal generation facilities on the Island, all from power sources less economical at source than those in Labrador.

This lack of success was not for want of trying. Three strategies were attempted: legal initiatives, attempts to invoke federal jurisdiction and direct negotiations with Quebec.<sup>30</sup> The first legal effort, a suit for the recall under the

Upper Churchill contract of 800 mega-watts of power to enable supply to the Island, began in 1976. It was delayed through the courts until 1982 when the case was finally heard before the Supreme Court of Newfoundland (Trial Division) in 1982. The case was decided in favour of Hydro Quebec by the court in June 1983, and the decision upheld on subsequent appeal by the Newfoundland Court of Appeal, in a ruling in October 1985 and, finally by the Supreme Court of Canada in June 1988.<sup>31</sup>

The second initiative began in 1980 with passage by the Newfoundland House of Assembly of the Water Rights Reversion Act. This legislation intended to return to the crown the water rights for the Upper Churchill granted to Churchill Falls Corporation in 1961, and to expropriate the fixed assets of the firm, in the process voiding the lease with Hydro Quebec. The cabinet referred the bill to the Newfoundland Court of Appeal without proclaiming it. In its judgement of March 1982 the court upheld the legislation, recognizing the constitutional issue of extra-provincial effects of the Act, but declaring that on balance the legislation was aimed at property and civil rights within the province. On appeal by Quebec, in which the federal government intervened on its behalf, the Supreme Court of Canada in March 1984 reversed the Newfoundland Court's decision, arguing that the Act was a "colourable" attempt to interfere with a contract with Hydro Quebec and was therefore beyond the territorial and thus constitutional jurisdiction of Newfoundland.<sup>32</sup>

The two failed initiatives seem to have exhausted the province's legal avenues for redress, although there remains some question as to whether the constitutional amendments of 1982 creating section 92A of the *Constitutional Act (1867)*, which clarified provincial control over resources, might not be applied in a way to supercede the law which had prevailed prior to that date.<sup>33</sup> Nonetheless, the Supreme Court of Canada's 1984 reversal of the Newfoundland court's decision on the *Water Rights Reversion Act* was particularly galling to the Peckford government. According to one analyst sympathetic to the province's objectives, the "powers that be" allowed a "mere private contract" to prevail over the province's constitutional rights.<sup>34</sup> As with similar decisions by the Supreme Court over Saskatchewan resources, the province detected a federal bias in the court's decisions. Moreover in this case, there was the added bitterness that the federal government had intervened in defence of Quebec against its weaker sister province.

Such feelings may be viewed as regrettable paranoia were it not for the failure in other fora to redress the essential imbalance in negotiating positions between Quebec and Newfoundland in a more equitable fashion. The Peckford government accused the Liberal federal government, in particular, of hypocrisy in its energy relations with the provinces for not intervening to ensure the regulation of interprovincial trade in electricity at a time when it showed no similar reluctance to intervene for its conception of the national interest on other energy

matters. As part of the National Energy Program, the federal government had indeed amended the *National Energy Board Act* to provide for the "wheeling rights" for new transmission lines from one province to another. However, the amendment did not apply to existing facilities and did not provide for federal expropriation of land for new transmission lines.

This federal reluctance to act was also seen in the deliberations of the National Energy Board, where the board had the authority to deny exports of electricity if Canadian utilities were not provided the first right of refusal. From 1984 onwards the Newfoundland and Labrador Hydro Corporation kept up a series of harassing actions aimed at blocking the approval of Hydro Quebec exports until it was demonstrated that the surplus power could not be used by neighbouring utilities. These tactics appeared only to have delayed Hydro Quebec's plans such as in June 1987 when the NEB delayed a \$3.5 billion export sale by Hydro Quebec, but approved it six months later.<sup>35</sup>

Both the attempts to prompt an exercise of federal jurisdiction and the court cases were interspersed with numerous attempts at direct negotiations between the two provincial utilities, and between the energy ministers and premiers of the two provinces. By one account there had been to late 1987, 15 separate sets of negotiations on the hydro issue with Quebec since 1976.<sup>36</sup> One of the more prominent such episodes ended in acrimony in March 1984 after the Newfoundland Minister rejected a comprehensive offer from Quebec. The offer provided many improvements to the relationship, but on the crucial issue of returns from Upper Churchill, allowed the province an increase in royalties of a paltry \$2.5 million in additional revenues in 1984 (gradually escalating over the life of the contract to \$100 million in the year 2034). A potentially more promising set of negotiations got underway following Newfoundland's approval of the Canada-United States Free Trade Agreement in November 1987, when the FTA appeared to offer the politically untenable prospect of freer electricity trade with the Americans than prevails within Canada. However, despite some indications that the two sides were close to a settlement, the Peckford era closed without a deal.

In summary, the Peckford administration suffered a number of handicaps in achieving its hydro objectives. Interprovincial trade in electricity had for better or worse, not been the focus of federal regulatory intervention despite apparent federal constitutional jurisdiction. Newfoundland unfortunately lacks direct geographic access to export markets for electricity, and the norm for interprovincial movement has been utility to utility contracts. Until now then there has been little incentive for provinces, except Newfoundland, to pursue the goal of regulated access for electricity trade. Occasionally an independent review of Canadian energy policy recommends reform. An example was the report of the "Kierans" advisory committee on energy options in 1988 which noted compelling reasons, including the Churchill Falls impasse, for a more proactive federal

role in interprovincial energy cooperation.<sup>37</sup> In the meantime, however, Newfoundland remains isolated. The reality of the province's disparate political resources within the federation have prevailed on this issue, with Newfoundland's increased sense of grievance and alienation the only result.

#### TOWARDS THE SEA-CHANGE

We have met the enemy and he is us. Somehow we imagined him taller.

Ray Guy

To dwell upon the Peckford government's record in the "big three" resources is to dwell upon its own putative priorities. They formed the core of Peckford's approach to pulling Newfoundland out of its economic disparity, and of its intergovernmental relations. However, as the preceding summary indicates, results were not spectacular. No progress was made on hydro, oil development was stalled, and the province had to fight continuous policy battles to attain modest achievements in the fisheries.

Public administration in the province, however, consists of a great many things besides these three resource prospects. It may have been the big three which kept the Conservatives in power over the decade, but it was a more general collection of fiscal, social and economic policies that sustained the government between elections, and where many of its more important accomplishments and downfalls lay.

The continuation of the Moores "new broom" of fairly effective public administration, combined through the greater part of the Peckford years with clean and open government, left a legacy of generally good government. Until the onset of the recession in 1981 the province combined reasonably sound fiscal management with progressive social policy. Environmental assessment, matrimonial property reform, a native lands claims policy, affirmative action programs, and broader labour legislation were all initiatives in the early years.

However, the fiscal crunch worsened in the mid-1980s, compounded by reduced federal-regional development expenditures and the erosion of federal transfers for established programs. While the provincial economy grew by fits and starts after 1984,<sup>38</sup> the unemployment rate remained stubbornly high, and the government began to scour the bottom for job-creating ventures. The province's efforts after 1987 became symbolized by the Sprung family's hydroponic greenhouse, which could not demonstrate feasibility despite \$14 million in provincial funds. It served as a signal to some that the Peckford promise of "building on our strengths" had eroded to an earlier fixation on questionable industrial schemes. The Sprung issue became a favourite topic of the new weekly newspaper *The Sunday Express*, and the Liberal opposition under Wells mercilessly attacked the Conservatives for its greenhouse "madness."

In any case, public expenditures could not keep up with the increasing demand for improved roads, schools, health care, and social programs. The approach of the Mulroney Conservatives towards a more conciliatory inter-governmental relations, and less federal intervention in terms of resource and trade policy, was welcomed by the provincial government. However, the tougher line on fiscal transfers and other aspects of the deficit-cutting priority of Ottawa only made life more difficult. Provincial budgetary deficits starting at a level of \$37 million in 1981-82 peaked at \$87 million by 1984-85, and total borrowing requirements and other debt-servicing charges continued rising to take \$467 million or 17.9 percent of total expenditures by 1988-89. These trends worried the investment community and forced a tough line with public sector unions, including the teachers, who had been a key part of the Conservative electoral coalition. Bitter strikes ensued and added these sectors of society to the growing ranks of those disenchanted with the Peckford vision.

All of these latter troubles could not but infect the federal-provincial climate. The Peckford government, like most other provinces, had high expectations of the federal Conservatives following their massive victory in 1984. That the federal Conservatives were able to deliver so quickly on the Atlantic Accord helped to cement good relations, especially with Newfoundland's very effective regional minister in the federal cabinet, John Crosbie. However, disappointments over the federal approach to regional development, and the frustrations of getting the Mulroney government to take seriously unique Newfoundland concerns gradually eroded the early sense of good will. One example of this latter problem was the rapidity with which Ottawa shelved the idea of fundamental reform of the destructive unemployment insurance (U.I.) system, once the overall U.I. fund went back in the black by 1986.<sup>39</sup> Another example was how long it took for official Ottawa to respond to the growing crisis over foreign over-fishing on the Nose and Tail of the Grand Bank until much of the damage to fish stocks had been done.<sup>40</sup> The most frustrating episode for the Peckford government seems to have occurred, however, during the Canada-France dispute when even Crosbie seemed unaware of how Newfoundland's interests were being compromised for good relations with France.

By 1989, Ottawa's unwillingness or inability to respond politically to Newfoundland concerns did nothing to help the ailing fortunes of the Conservative party. Citing a weariness after nearly ten years in office, Brian Peckford decided in January 1989, to resign as party leader and the Conservatives called a leadership convention for late March. Former Minister of Fisheries, Tom Rideout was elected leader of the party and sworn in as Premier. He quickly called an election for 20 April. No sooner was this done than the federal government announced, on 1 April, the final terms of an agreement with France to send the St. Pierre and Miquelon maritime boundary dispute to arbitration.

The terms of the agreement included a package of fish allocations to France that included 2,950 tonnes of northern cod. This was followed soon after by announced cut-backs (but no real reform) in the unemployment insurance program, and by embarrassments related to the failure to meet 31 March deadlines to renew a number of regional-development agreements; and to complete the final contracts for the Hibernia project.<sup>41</sup>

Thus, as the Progressive Conservatives entered the provincial election campaign of April 1989, they could not foresee that the strong support which Newfoundlanders had given to their party on five previous general elections was finally beginning to soften. It is often said of governments long in office that they defeat themselves. Certainly the Peckford government, through controversies such as the Sprung greenhouse fiasco, had inflicted their own damage as too had various government decisions over the years whittled away at elements of their electoral coalition: teachers, other labour union members, and some elements of the business community, among others. More generally it may be concluded that the high expectations of resource riches which began the Peckford era came in the end to make the electorate reflect on how few of the lofty promises had been delivered. It was time for a change of leadership to better suit the new, less lofty expectations.

### WELLS TAKES THE HELM

The election of 20 April 1989 saw the Progressive Conservative party reduced from 34 seats at dissolution of the House of Assembly to 22; the Liberals increased from 14 to 30, and the New Democratic Party lost the 2 seats they had. The election was nonetheless a close thing. The margin of victory of 7 seats depended on less than 200 votes each, and the Conservatives out-pollled the Liberals in the total popular vote (48 percent compared to 47 percent). The Liberal seats were nonetheless evenly spread across the province, indicating a widespread desire for change.

During the campaign the Liberals exceeded expectations with a strong performance by Clyde Wells who had devoted considerable energy to building an election organization. Able to capitalize on specific grievances against the Conservatives, Wells also made an emotional appeal to the economic disparity of Newfoundland and the failure of the Conservatives to close the gap. Building on the dry statistics of out-migration he appealed to the not-so-dry sentiment to provide opportunities for the younger generation at home. Other issues in the campaign, apart from the already noted woes inflicted by Ottawa, were the growing resource crisis in the fishery and the quality of public services.

The new government's priorities were stated clearly in the Liberals' first Speech from the Throne opening the House of Assembly on 25 May 1989. Echoing the campaign theme of the disastrous effects of out-migration, the new

government stressed a program of economic renewal and the improvement of public services. The Liberal's plan for economic recovery borrows heavily from the recommendations of the Report of the Royal Commission on Employment and Unemployment (known as the "House" Report after its Chairman, Douglas House, a sociologist at Memorial University). These recommendations stressed rural revival and self-reliance based on small-scale development and improved public services in the smaller communities. The throne speech did not go into detail, but by late 1989 the province had established an Economic Recovery Commission, headed by Douglas House, with a mandate to propose programs and to identify opportunities for rural and regionally-based business and other ventures. The designated instrument for the revamped development programs is the "New Corp" development agency with a \$13 million budget to provide financial advice and incentives on a decentralized basis across the province.<sup>42</sup>

It is too early to make any definitive assessment of the effectiveness of the Liberals economic recovery efforts. The approach appears to be a consolidation of previous attempts at rural development, coupled with a more recent concern about the need to improve the rate of technological adaptation and overall educational levels.<sup>43</sup> In its small-scale approach it would appear to be a departure from the "one big thing" syndrome of Newfoundland development. It remains to be seen if it will be sufficient to counter the prevailing economic and political winds that are affecting the overall economy in Newfoundland. For as much as the new government may wish to create new opportunities based on diversification and decentralization, key sectors such as the fisheries and certain major opportunities such as Hibernia continue to dominate public policy. Both of these issues, as well as the longer term development approach, require the close cooperation of the federal government. Intergovernmental relations will continue to be a vital feature for Wells as it had been for Peckford. However, in Wells' case the entire intergovernmental relationship very quickly deteriorated as a result of differences over the Meech Lake Accord.

The Meech Lake Accord was not an issue during the provincial election campaign of 1989. Only "mainland" media took much interest in Wells' views on the issue, and Wells himself made it clear that it was not at the top of his post-election priorities.<sup>44</sup> However, Wells' views on the Accord were hardly unknown. During the debate in the House of Assembly to pass the constitutional resolution in March 1988, and later as it was passed by the Conservative majority in July 1988, Wells as Leader of the Opposition had attacked the Accord and stated his position that a Liberal government would rescind Newfoundland's support if the Accord was not amended.<sup>45</sup> Thus, since the election, the issue has dominated a period of difficult relations not only with Ottawa, but also with the other provincial governments that supported the Accord.



The Wells position on the Meech Lake Accord arises both from long held views of the Premier on the general direction of constitutional reform in Canada, and from specific concerns about the effects of the Accord on Canada and Newfoundland.<sup>46</sup> A long-time supporter of the constitutional vision of former Prime Minister Pierre Trudeau, Wells upholds the 1982 constitutional amendments as a legitimate exercise in nation-building, and resists efforts directed at decentralization or further asymmetry with respect to Quebec. In addition to these views, Wells has also come to the position over the years that Senate reform is required to increase the voice of the smaller provinces in Ottawa.

Wells' position on the Meech Lake Accord thus began from a conviction that both Canada and Newfoundland needed a strong federal government. Provisions in the Accord to provide what he alleged were special legislative powers to Quebec through the distinct society clause and to clarify the federal spending power were therefore opposed. Of equal concern to Wells was his conviction that unless the provinces were treated as equals economic disparities in the country would persist. He rejected the idea of a veto for Quebec, and proposed a reformed Senate based on equal representation from each province. And while the Premier did not reject the idea of treating Quebec as a distinct society, he did not agree to any such recognition that would threaten the operation of individual rights as provided by the Charter.

While a number of Wells' root and branch criticisms of the Accord struck a responsive chord both at home and across Canada, the departure from the Peckford vision could not have been sharper. Gone entirely was any sense that a peripheral province in the Canadian federation needs more decentralized power to manage its own destiny. Of Peckford's particular goal of fisheries jurisdiction, Wells lamented that "The last thing Newfoundland needs is more power."<sup>47</sup> His government advocated a joint management authority with the federal government for the fishery, but did not pursue the idea within a constitutional forum and was obviously willing to forego the provision in the Accord to have fisheries on the agenda at future constitutional conferences.<sup>48</sup> He has clearly rejected Peckford's constitutional vision which would increase provincial powers at the expense of the federal government, and has instead stressed a vision based on individual rights, a relatively strong federal government and the equality of provinces.<sup>49</sup>

In a juxtaposition remarkably paralleling Peckford's rise to power in 1979, Wells brought new views to the national stage at just the wrong time from the perspective of the existing federal government. In response, it would appear that the federal strategy from the beginning was to isolate Wells, and to deny him a hearing until the last possible moment. As a result, Wells arrived at the Annual First Ministers' Conference in Ottawa, 9 November 1989, having not even met the federal Minister of State for Federal-Provincial Relations, Senator

Lowell Murray, let alone Prime Minister Mulroney. Wells' impressive performance at the conference galvanized public opinion across Canada and drew an avalanche of supportive mail to his St. John's office. Supported as well by critics of the Accord in the federal Liberal party, Wells stuck to his commitment to rescind support for the Accord if changes were not made. Thus, the House of Assembly became the first ever Canadian legislature to rescind a previously adopted constitutional resolution in a vote on 6 April 1990. The Newfoundland House was again the subject of intense focus in late June as it debated, but ultimately did not vote, on a resolution to approve the Meech Lake Accord along with a set of further commitments reached after the week-long First Ministers' meetings in Ottawa, 3-9 June 1990.

Thus, Wells has devoted considerable energy to the Meech Lake issue — increasingly so from November onwards. His personal methods and style became a part of the national debate, as Wells himself became either hero or villain depending upon the camp. How did Newfoundlanders react to their premier's high profile role in this debate and what are the consequences both short- and long-term for intergovernmental relations?

To begin with the first of these questions the average Newfoundland citizen, no more than the average citizen elsewhere in Canada, is unlikely to have fully understood the details of the Meech Lake Accord — indeed poll data confirms this.<sup>50</sup> It is clear however that Wells' home support increased after November 1989, due at least in part to the David versus Goliath aspect of his confrontation with the Prime Minister. Wells was seen as championing the interests of little Newfoundland against big Quebec and Ottawa. In this respect, Wells was following a political formula which Peckford had used on several occasions.

As for the more substantive aspects of Wells' opposition to the Accord, and the positive elements of his own proposals, it is impossible to say on available information how deeply these constitutional policy positions are held among the general population in the province. Certainly poll data confirms general support for his position, and editorialists and other media commentators echoed this support (although not unanimously). Local private interests seem to have echoed the positions of national groups and there do not appear to have been any particular advocates, apart from the government, in favour of specific constitutional objectives, such as there have been in western Canada for a Triple-E Senate.

Also difficult to gauge is the degree of "anti-Quebec" frustration underlying Wells' support at home. Premier Wells quickly repudiated Finance Minister Hubert Kitchen's unguarded remarks in the House of Assembly in April 1990 to the effect that the government's rescinding of Meech Lake was retribution for Quebec's treatment of Newfoundland over Churchill Falls. However, Kitchen's comments must have received some nods of approval outside the House, given the prevailing sentiment about the hydro issue in the province,

and a more general perception among Newfoundlanders as well as many others in English Canada, that Quebec seems to get disproportionate benefits out of Confederation.<sup>51</sup>

A vocal minority opposed Wells' constitutional position. As the deadline for the Accord approached, a number of groups and individuals questioned his stance.<sup>52</sup> A broad if not very deep coalition of interests formed the group "Newfoundlanders and Labradorians for Confederation," including, of course, the Conservative official opposition. Thus, debate after 9 June 1990, when Wells came home from Ottawa and decided to have an open vote in the House of Assembly, was traumatic to the body politic. The big guns from outside the province had been hammering away for months, with their final salvos delivered by Premiers McKenna, Peterson, and Devine and by Prime Minister Mulroney on the floor of the House in the final week.

The debate in the House of Assembly was, according to most observers, both impassioned and intelligent. The merits of the Accord were debated at length and individual members were genuinely seized with the responsibility of exercising their individual judgement. However one may judge Wells' decision to adjourn the House without a vote, many would regret that the debate did not come to a more satisfactory conclusion.

In the aftermath of the demise of Meech Lake, public opinion continues to hold Wells in high profile either positively (outside Quebec) or negatively (inside Quebec).<sup>53</sup> This public profile is bound to subside as the Meech Lake issue recedes in the public eye. Of more immediate concern to the Newfoundland electorate will be the other priorities of the new government which will continue to depend, in part, on effective intergovernmental relations.

To illustrate the difficulties that the Wells government faces, one may return briefly to the three resource issues which continue to figure prominently. In the fisheries area, cyclical market downturns have compounded a severe resource problem in the groundfish sector. By late 1988, and throughout 1989 worrisome indications of poor catches of northern cod by some fleet sectors grew into more general alarm. Management measures for the stock had overestimated the total stock size and a combination of factors including foreign and domestic overfishing and other destructive fishing practices had reduced the stock biomass to such an extent that an independent review recommended a strategy that would cut the total allowable catch by one-third, from 266,000 MT in 1988 to 180,000 MT, for the foreseeable future.<sup>54</sup> The problems of northern cod are compounded by continued reductions in other stocks where foreign overfishing has been a major contributing factor, such as those on the southern Grand Banks and the St. Pierre Bank, and the effects of domestic overexploitation in the Gulf of St. Lawrence. Therefore, the fishery as a whole faces a major adjustment. One provincial estimate of the magnitude of the crisis in northern cod and the Grand Banks stocks alone has predicted that resource losses to

Newfoundland amounted to 143,000 MT which would translate into 3100 person-years of lost employment and \$178 million in lost economic output.<sup>55</sup>

Both the federal and provincial governments seem to share a similar assessment of the problem and potential solutions. The latter include measures aimed not only at improving fisheries science, better enforcement and improved conservation practices, but also at more fundamental adjustment of the industry to reduce employment and fleet levels, and to assist in the diversification of the regional economy.<sup>56</sup> However, negotiations towards a joint solution through a federal-provincial cost-shared agreement broke down early in 1990, and the federal government unilaterally announced an adjustment program in May 1990. Compared with the provincial proposal which would have spent \$550 million in the province over five years, the federal package will spend a total of \$584 million across all five Atlantic fishery provinces. Apart from this regional dilution of funds for a crisis which Newfoundland feels is concentrated in their province, the province had sought some specific measures such as income support for inshore fishermen, an economic diversification fund of \$250 million aimed at funding the province's small-scale ventures, and an "education and learning" program of \$200 million. Thus, the province argued for a special bilateral arrangement to suit Newfoundland's unique circumstances. As such it would have required a special act of political will on behalf of the federal government. Such political will was apparently lacking in early 1990, no doubt in part due to the strained relations over the Meech Lake Accord.

Another policy area which required a continuing exercise of federal political will has been the complex negotiations to get the Hibernia project underway. As reviewed above, the Wells regime inherited the July 1988 commitment in principle to proceed with the project, and negotiations have continued on the details of the final legal arrangements. Several issues have intervened to complicate and delay the project, including rising interest and exchange rates, rising project cost estimates, disputes within the operating consortium, and the technology of the development. The latter issue has been dominated by considerations of where large components of the project would be constructed, with the Wells regime determined to ensure that changing technological plans did not reduce the Newfoundland input.<sup>57</sup> In the aftermath of the lapsed deadline for the Meech Lake Accord, the federal government has delayed enabling legislation for the financial package, which could further jeopardize the project.

Finally, the Wells government has not achieved any more success than its predecessors in solving the hydro dilemma. A flurry of media attention focused on a proposal by Ontario Premier Peterson at the Annual Premiers' Conference in August 1989, to reach a trilateral deal with Quebec and Newfoundland on a new hydro development for the Ontario market. If this was an initiative designed to mute Newfoundland's stance on Meech Lake it of course failed,

and in any case, nothing seems to have come of it. Direct negotiations with Quebec have apparently resumed but have not to date produced any results.

In prospect, and despite press accounts of a federal-provincial "deep freeze,"<sup>58</sup> the federal government will no doubt continue to deliver on certain commitments to Newfoundland in the coming months. It is unlikely that the federal government can withhold for long on big issues of importance, although smaller projects more dependent on political will may suffer. Mounting a special case for Newfoundland is always difficult given its limited political clout. In this respect, Wells' stand on Meech Lake may have debased the province's limited coinage for the time being. A parallel with the Peckford regime is instructive. In the period from 1982 to 1984 when Peckford held out against the federal position on the offshore, a similar freeze in Newfoundland-Ottawa relations occurred. Peckford waited out Trudeau, and was rewarded for his patience. Whether Wells can look forward to similar prospects only time will tell, but it is reasonable to assume that as the immediate rancour over the Meech Lake Accord passes, so too will directly related difficulties for inter-governmental relations.

Of greater significance is the task of reconciliation that Wells faces in the coming months. As a result of his position on Meech Lake, he must rebuild relationships with fewer allies than before, and with much less sympathy for the uniqueness of Newfoundland's policy priorities. In the long-term debate over Canada's future, there is a risk that Newfoundland will become more isolated. Paradoxically for Wells' strong centralist views, such isolation may encourage support within Newfoundland for a more independent stance from among the various options posed for the province if Quebec chooses sovereignty. In any case, the debate over the Meech Lake Accord raised questions for some Canadians about the value of their relationship with Newfoundland, including the remarks by then federal Minister of Environment, Lucien Bouchard, who wondered on 7 April 1990 whether Canada can get along without Newfoundland better than it can get along without Quebec.<sup>59</sup> The political integrity of the Canadian federation has long depended on the fact that such questions are best not asked, let alone answered.

A more constructive future for Newfoundland may well depend on whether the Wells government can forge more effective linkages with other Canadian governments. It is too early to tell if Wells' victory over Meech Lake is pyrrhic or not. If, as a result of the demise of Meech Lake, the forces of more radical decentralization are unleashed, as proponents of the Accord now fear, Wells' vision of a stronger federal government and a more responsive federation will be unattainable. In any case, Wells will have to transcend Meech Lake and build new alliances if he is to achieve his goals for Newfoundland in the 1990s.

## NOTES

1. For various academic analyses of the Peckford "vision" and Newfoundland nationalism see J.D. House "Premier Peckford, Petroleum Policy and Popular Politics in Newfoundland and Labrador," *Journal of Canadian Studies* vol. 17, no. 2, 1982, pp. 12-31; also, *The Challenge of Oil: Newfoundland's Quest for Controlled Development* (St. John's: Memorial University Institute of Social and Economic Research, 1985), especially chapter 2; David Alexander, "New Notions of Happiness: Nationalism, Regionalism, and Atlantic Canada," in *Atlantic Canada and Confederation* (Toronto: University of Toronto Press, 1983); James Overton, "Towards a Critical Analysis of Neo-Nationalism in Newfoundland," in R.J. Brym and R.J. Sacoumen (eds.), *Underdevelopment and Social Movements in Atlantic Canada* (Toronto: New Hogtown Press, 1979), pp. 219-249; F.L. Jackson, *Newfoundland in Canada: A People in Search of a Polity* (St. John's: Harry Cuff, 1984); and Harry H. Hiller "Dependence and independence: emergent nationalism in Newfoundland," *Ethnic and Racial Studies*, vol. 10, no. 3, July 1987, pp. 257-275.
2. For an overview of commodity price trends, including petroleum in the 1970s, see Bruce W. Wilkinson, "Canadian Resource Trade: An Overview" in J. Owen Saunders (ed.), *Trading Canada's Natural Resources* (Calgary: Carswell, 1987), pp. 35-68.
3. The province's economic development plan, *Managing All Our Resources* (St. John's, October 1980) represents a good illustration of the perceived resource potential of the province in these three areas as well as in others.
4. Saskatchewan's equalization entitlements came close to zero in the fiscal year 1977-78, at \$2.7 million. It remained below \$100 million until 1982-83 when for the next four consecutive years, the province had a "negative" entitlement, i.e., "have" status. It is instructive to the theme of this chapter, nonetheless, that by the late 1980s, Saskatchewan once again received equalization as resource prices and revenues declined. The 1990 budget of the province estimates equalization of \$510 million in 1990-91, which would be 11.9 percent of estimated total revenue. See Canadian Tax Foundation, *The National Finances, 1975 to 1988*; Government of Saskatchewan, *Budget Address*, March 1988, March 1989, and March 1990.
5. See R.A. Young, Phillipe Faucher and André Blais, "The Concept of Province-Building: A Critique," *Canadian Journal of Political Science* vol. 17, no. 4, 1984, pp. 783-818, for a general discussion of this model and their scepticism about its transfer holus-bolus to Newfoundland. The best contemporary study of Alberta and Saskatchewan's aggressive provincialism is found in John Richards and Larry Pratt, *Prairie Capitalism: Power and Influence in the New West* (Toronto: McClelland and Stewart, 1979).
6. Wilkinson, "Canadian Resource Trade."
7. For the general analysis of the productivity, leakage and other structural problems of the Newfoundland economy, see Economic Council of Canada, *Newfoundland: From Dependency to Self-Reliance* (Ottawa: Minister of Supply and Services, 1980), especially chapter 5; for a somewhat different view with an emphasis on labour see *Report of the Royal Commission on Employment and Unemployment*,

- Building on Our Strengths* (hereafter "House" Report) (St. John's: Queen's Printer, 1986), chapter 4.
8. Total cod landings in Newfoundland had declined from 221,000 metric tonnes in 1960 to 77,000 in 1975. By 1980 they had returned to a level of 250,000 metric tonnes. See, Government of Newfoundland and Labrador, *Historical Statistics of Newfoundland and Labrador*, vol. 2, no. 5, 1988, Table K-1.
  9. This case was publicized in the province's pamphlet *Heritage of the Sea...Our Case on Offshore Mineral Rights* (St. John's: Minister of Mines and Energy, c.1977); for differing views on the merits of the province's case see Cabot Martin "Newfoundland's Case on Offshore Minerals: A Brief Outline," *Ottawa Law Review*, vol. 7, no. 1, 1975, pp.34-61; and R.J. Harrison, "Jurisdiction over the Canadian Offshore; A Sea of Confusion," *Osgoode Hall Law Journal*, vol 17, 1979, p. 469.
  10. Economic Council of Canada (ECC), *Newfoundland: From Dependency to Self-Reliance*, pp. 119-123; for a more precise measurement of the "economic rents" associated with the Upper Churchill resource for 1979, see Richard Zuker and Glenn Jenkins, *Blue Gold: Hydro-Electric Rent in Canada* (Ottawa: Minister of Supply and Services, 1984), pp.25-32. The latter study estimated a loss to Newfoundland in 1979 alone of \$583 million.
  11. Government of Newfoundland and Labrador, "The Energy Priority of Newfoundland and Labrador" (Nov., 1980).
  12. For a general description of the Newfoundland fishery see ECC, *Newfoundland: From Dependency to Self-Reliance*, pp. 83-103; A. Paul Pross and Susan McCorquodale, *Economic Resurgence and the Constitutional Agenda: The Case of the East Coast Fisheries* (Kingston: Institute of Intergovernmental Relations, 1987) provides policy and constitutional background; a textbook prepared for Newfoundland schools presents a good introduction for the layman, Sally Lou LeMessurier *The Fishery of Newfoundland and Labrador* (St. John's: Memorial University, 1980); government studies which provide good background include: Report of the Task Force on Atlantic Fisheries (Michael Kirby, Chairman) *Navigating Troubled Waters: A New Policy For the Atlantic Fisheries* (Ottawa: Minister of Supply and Services, 1982) and for a good summary of the importance of northern cod to the development of Newfoundland, NORDCO, *It Were Well To Live Mainly Off Fish: The Place of Northern Cod in Newfoundland's Development* (St. John's: Jespersion, 1981). The role of the fishery in rural employment is best analysed in the "House" Report, cited above.
  13. See *Managing All Our Resources*, cited above; Government of Newfoundland and Labrador, *Position ... Submitted to the Task Force on the Atlantic Fisheries* (June 1982); *Submission to the Royal Commission on the Economic Union* (September 1983). The "inshore" fishery refers in general to a fishery prosecuted in smaller vessels, usually under 65 feet, which would normally return to shore on a daily basis. The "offshore" fleet, made of vessels which were typically well over 150 feet long, would range much farther from shore for several days at a time.
  14. For a discussion see "House" Report; and E.C.C., *Newfoundland*.

15. See Hon A. Brian Peckford, *Towards the Twenty-First Century Together, The Position of the Government of Newfoundland and Labrador Regarding Constitutional Change* (St. John's, 1980).
16. *Ibid.*, p.17.
17. Pross and McCorquodale, pp. 85-130.
18. The Twenty-Seventh Annual Premiers' Conference, Edmonton Alberta, Aug. 10-12, 1986, *Communiqué No. 3*, "The Edmonton Declaration."
19. *Constitution Amendment, 1987* (Proposed) section 13 to amend part VI of the *Constitution Act, 1982* would have required annual constitutional conferences which would include as agenda items Senate reform and "(b) roles and responsibilities in relation to fisheries."
20. For discussions of the "restructuring issue" from various perspectives, see Bruce G. Pollard, "Newfoundland: Resisting Dependency," in P.M. Leslie (ed.) *Canada: The State of the Federation, 1985* (Kingston: Institute of Intergovernmental Relations, 1985), pp. 89-91; in 1983 the federal government put \$75 million into FPI, while the province provided a loan guarantee of \$30 million; in 1985 the federal share was \$65 million and the province made a grant of over \$25 million.
21. For useful summaries, see Pollard, pp. 91-102; David Milne, *Tug of War: Ottawa and the Provinces Under Trudeau and Mulroney* (Toronto: Lorimer, 1986), pp. 97-107; and House, *The Challenge of Oil*, pp. 303-312.
22. Milne, *Tug of War*, p.91.
23. The legal reference is as follows: *Reference re the Seabed and Subsoil of the Continental Shelf Offshore Newfoundland* (1984) 5.D.L.R. (4th), 385; for a commentary on the decision see H. Scott Farley, "Developments in Constitutional Law: the 1983-84 Term," pp. 67-78 and William D. Moull, "Newfoundland Resources: The Supreme Court Strikes Again," *Supreme Court Law Review*, vol. 7, 1985, pp. 419-440.
24. See Pollard, "Newfoundland: Resisting Dependency," pp. 97-99.
25. For comments see Pollard, *ibid.*; Milne, *Tug of War*; John D. Whyte, "Issues in Canadian Federal-Provincial Co-operation," Roy Romanow "Federalism and Resource Management" and Leo Barry "Offshore Petroleum Agreements: An Analysis of the Nova Scotian and Newfoundland Experience" in J. Owen Saunders (ed.) *Managing Natural Resources in a Federal State* (Toronto: Carswell, 1986); and Peter A. Cumming "Equitable Fiscal Federalism: The Problem in Respect of Resources Revenue Sharing," in M. Kransnick (ed.) *Fiscal Federalism*, Collected Research Studies of the Royal Commission on the Economic Union, vol. 65 (Toronto: University of Toronto Press, 1986).
26. From information package provided at announcement of Statement of Principles, St. John's, 18 July 1988. Since July 1988, changes in the technology proposed for the project have led to reduced employment projections.
27. Editorial, *Evening Telegram*, 19 July 1988; see also Toronto *Globe and Mail*, 14 July 1988 column by Peter Cook, *Financial Post*, 19 July 1988 and 25 July 1988; and *Financial Times*, 25 July 1988.
28. Statement by Hon A. Brian Peckford, 18 July 1988 "The Hibernia Agreement."



29. See for example, Government of Newfoundland and Labrador: *The Energy Priority of Newfoundland and Labrador*, (1980); Submission to the Royal Commission on the Economic Union and Development Prospects for Canada (1983); and *Energy Security for Canada: The Newfoundland Perspective* (1987).
30. See Pollard, "Newfoundland: Resisting Dependency," pp. 102-110 for a discussion of these attempts to the end of 1984.
31. The case is cited as "Attorney General [sic] of Newfoundland vs. Churchill Falls (Labrador) Co. Ltd. et. al.," 86 *National Reporter*, p. 1.
32. The case is referred to as *Re Upper Churchill Water Rights Reversion Act* [1984] 1 S.C.R. 297. For a commentary critical of the Supreme Court judgement see Moull "Newfoundland Resources."
33. Moull, *ibid.*, p. 435-439.
34. Jackson, *Newfoundland in Canada*, pp. 65-69.
35. See *Wall Street Journal*, 19 June 1987, and the *Ottawa Citizen*, 27 January 1988.
36. Communication with senior official, Government of Newfoundland.
37. Thomas Kierans (Chairman), *Energy and Canadians Into The 21st Century: A Report on the Energy Options Process* (Ottawa: Minister of Supply and Services, 1988), pp. 29-32.
38. Real gross domestic product growth has been estimated for the following years: 1984: 5.2 percent; 1985: 3.4 percent; 1986: 0.7 percent; 1987: 3.3 percent; 1988: 3.8 percent; 1989: 1.4 percent; Source: special tabulations, Government of Newfoundland and Labrador, *Budget 1990*, (March 1990).
39. See editorial and comment *Globe and Mail*, 20 May 1987. For a discussion of the need for unemployment reform see "House" Report, chapter 12 "A New Income Security System"; and Claude E. Forget (Chairman), *Report of the Commission of Inquiry on Unemployment Insurance* (Ottawa: Minister of Supply and Services, 1986).
40. See Government of Newfoundland and Labrador, *The Problem of Foreign Overfishing Off Canada's Atlantic Coast* (St. John's: Queen's Printer, 1986); Karl M. Sullivan, *Conflict in the Management of A Northwest Atlantic Transboundary Cod Stock* (St. John's: Department of Fisheries, Government of Newfoundland and Labrador, c. 1988); and Dr. L. Harris, et al., *Independent Review of the State of the Northern Cod Stock* (Ottawa: Minister of Supply and Services, 1990), pp. 35-40.
41. See *Toronto Star*, 16 April 1989; *Globe and Mail*, 11 April 1989.
42. Government of Newfoundland and Labrador, *Budget 1990* (St. John's, 15 March 1990).
43. See, for example, the types of developmental ideas put forward in the province's fisheries adjustment proposals, Government of Newfoundland and Labrador, *Fisheries Revitalization and Economic Development and Diversification in Newfoundland and Labrador* (St. John's, March 1990), pp.19-61, and Appendix 2.
44. *Toronto Star*, 8 July 1988.
45. *Ibid.*

46. For Wells constitutional position there are a variety of sources. For a cross sampling, see exchange of correspondence Wells-Mulroney, 18 Oct., 2 Nov. and 6 Nov., 1989; Government of Newfoundland and Labrador, *Constitutional Proposal: "An Alternative to the Meech Lake Accord"* (Submitted to the First Ministers Conference, 9-10 Nov., 1989); Speech by Honourable Clyde Wells, "The Meech Lake Accord" to the Canadian Club of Montreal, 19 Jan. 1990; Newfoundland House of Assembly, "Motion for a Resolution to revoke the resolution ...[of 7 July 1988]", 22 March 1990; Presentation to the Special Committee of the House of Commons on the proposed companion resolution, see excerpt in *Financial Post*, 7 May 1990.
47. Quoted in the *Financial Times*, 9 Oct., 1989.
48. See *Throne Speech, 1989*; and Hon. Clyde K. Wells, "Opening Statement," First Ministers' Conference, 9-10 Nov., 1989 (Doc.800-26/083).
49. Peckford also supported the concept of the juridical equality of provinces. See *Towards the Twenty-First Century Together*. The province supported the "Vancouver consensus" amending formula, as incorporated in the *Constitution Act, 1982*, treating all provinces the same. In a Ministerial statement on 4 May 1987, Peckford claimed that the principle of juridical equality had been confirmed by the Meech Lake Accord.
50. See for example, results of a CBC-*Globe and Mail* poll where 62 percent of Canadians said they knew "not very much" or "nothing at all" about the Meech Lake Accord, *Globe and Mail*, 9 July 1990.
51. See chapter in this volume by M. Adams and M. J. Lennon.
52. See *Sunday Express*, 8 April 1990; *Evening Telegram*, 19 November 1989 and 10 February 1990.
53. See *Globe and Mail*, 9 and 10 July 1990 for comments on a *Globe*-CBC poll taken after 23 June.
54. Harris, *Independent Review of the State*.
55. Government of Newfoundland and Labrador, "Resource Crisis in the Newfoundland Fishery" (August 1989).
56. Compare the federal government's package of measures as announced 7 May 1990, (Atlantic Fisheries Adjustment Program) with the province's proposal released on 3 April 1990, *Fisheries Revitalization and Economic Development and Diversification in Newfoundland and Labrador* (Government of Newfoundland and Labrador, March 1990).
57. See *Financial Post*, 24 March 1989; *Ottawa Citizen*, 13 September 1989; *Financial Post*, 24 January 1990; *Sunday Express*, 14 January 1990.; and *Financial Post*, 7 May 1990.
58. See for example, *Sunday Express*, 25 March 1990.
59. *Globe and Mail*, 7 April and 11 April 1990.



# V

## Chronology

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## Chronology of Events July 1989—June 1990

*Darrel R. Reid*

An index of these events begins on page 269

- 5 July 1989  
*Meech Lake Accord* Stating his belief that little progress on the Meech Lake Accord can be made at this time, Prime Minister Mulroney cancels a First Ministers' Conference (FMC) on the Accord scheduled for 19 September 1989. Talks on the Accord were expected to resume at an FMC on the economy planned for November.
- 12 July 1989  
*Regulation –  
Transportation* Prince Edward Island becomes Canada's second province to lose its rail service as the National Transportation Agency approves a bid by CN Rail to abandon its seven freight lines on the island.
- 13 July 1989  
*Taxation –  
Bankruptcy* The Supreme Court of Canada, in *B.C. v. Henley Samson Belair Ltd.*, upholds a British Columbia Court of Appeal ruling that a British Columbia tax law giving sales tax collectors first access to assets does not apply in bankruptcy cases. Seven provinces had joined British Columbia on 21 April in arguing that sales taxes are held in trust and cannot be distributed to other claimants in bankruptcy cases.
- 13 July 1989  
*Regional  
Development –  
Newfoundland* The federal government and the Government of Newfoundland sign two separate agreements in St. John's to aid Labrador native communities. The agreements, worth almost \$43 million, are to cover programs and services such as education, water and sewer projects,

19 July 1989  
*Federal-Provincial  
 Fiscal Relations*

construction and repair of houses, municipal administration and services.

The New Democratic Party releases information obtained from the Finance Department under the Freedom of Information Act showing that provisions in April's federal budget will mean \$2.2 billion less in federal payments to the provinces for post-secondary education and health over the next four years. Under this scenario, Ontario and Quebec are to face the largest cuts as transfer payments fall by \$809 million and \$549 million respectively.

21 July 1989  
*Regional  
 Development -  
 Newfoundland*

The federal government and the Government of Newfoundland sign two five-year agreements to encourage economic and rural development in Newfoundland. The agreements, worth \$83.3 million, are for improving roads and public services along the coast and supporting rural development associations, cooperatives and other local organizations. The Atlantic Canada Opportunities Agency will manage both agreements for the federal government, which is to contribute 70 percent of the funding.

25 July 1989  
*Agriculture -  
 Soil Conservation*

The federal government and the governments of Alberta and Saskatchewan sign three-year soil conservation agreements totalling almost \$90 million in Regina. The agreements commit the three governments to share the cost of helping farmers and others both to develop and implement soil conservation practices and to take marginal land out of production.

27 July 1989  
*Agriculture -  
 Drought Aid*

The federal government announces that it has reached cost-sharing agreements for drought aid to stricken farmers with the governments of Manitoba, Saskatchewan, Alberta and Ontario. Ottawa had insisted that the provinces pay a share of the cost of the \$850 million aid package, announced the previous autumn. The provinces agreed to contribute 25 percent of the costs of the plan in return for a commitment from Ottawa to change crop insurance legislation. Under the new formula, the farmers will still pay 50 percent of the premium, with Ottawa and the provinces splitting the other half as well as administrative costs.

2 August 1989  
*Equality Party –  
Quebec*

Quebec's Equality Party chooses Robert Libman, a 28-year-old architect, as its first leader. The party supports bilingualism in Quebec and has been campaigning against the Quebec government's French-only sign legislation. In addition, the party opposes the Meech Lake Accord, advocates freedom of expression in the private sector and advocates that Quebecers have the right to education in either official language.

3 August 1989  
*Regional  
Development –  
New Brunswick*

The federal government and the Government of New Brunswick announce that they have reached agreement for a new economic development package. The federal government is to put up \$97.7 million over the next five years to finance five subsidiary agreements under the Economic and Regional Development Agreements (ERDA), with the province contributing \$76.9 million over the same period.

8 August 1989  
*Taxation – GST*

Finance Minister releases a technical paper outlining the details of the government's proposed Goods and Services Tax (GST), scheduled to go into effect 1 January 1991. Under the new tax, almost everything will fall under the proposed 9 percent sales tax, which is to replace the existing 13.5 percent Manufacturers' Sales Tax.

9 August 1989  
*Elections – Quebec*

Quebec Premier Robert Bourassa announces that Quebecers will go to the polls in a provincial election 25 September. According to Bourassa, the election is necessary to give him a strong mandate with which to pursue the Meech Lake Constitutional Accord.

11 August 1989  
*Regulation –  
Financial  
Institutions*

The federal government announces that, effective immediately, it must approve all takeovers of federally-regulated trust and loan companies. Gilles Loisel, Minister of State, Finance, states that, under legislation to be introduced into Parliament in the fall, the government will have the power to look at such considerations as the size, business plan, skills and experiences of a company or individual wanting to buy control of a trust company and take into account "the best interests of the financial system in Canada."

13 August 1989  
*Meech Lake Accord*  
 – Quebec

Speaking in an interview on the Télémédia television network Quebec Premier Robert Bourassa states that the Quebec Government has an alternative strategy if the Meech Lake Accord is not ratified before the deadline of 23 June 1990. He does not specify, however, what those “alternative plans” might be.

14 August 1989  
*Supreme Court;*  
*Regulation –*  
*Telecommunications*

In a landmark judgement the Supreme Court, in *Alberta Government Telephones v. CRTC*, rules that the federal government has the constitutional power to regulate all domestic telephone companies. The judgement could lead to Ottawa imposing a single set of rules over the three provincially-owned telephone companies in the prairie provinces and the four investor-owned utilities in the Maritimes.

The case arose when Alberta Government Telephones (AGT) contested the jurisdiction of the Canadian Radio-Television and Telecommunications Commission (CRTC) to grant an order to CNCP Telecommunications of Toronto compelling AGT to provide access to its network. The Supreme Court is unanimous in finding AGT subject to federal authority. The Court states in its decision that “AGT’s involvement in the transmission and reception of electronic signals at the borders of Alberta are sufficient to mark AGT as an interprovincial, as opposed to a local, undertaking,” and places it under federal jurisdiction.

The ruling, according to Federal Communications Minister Marcel Masse, provides the opportunity to establish “a Canadian communications framework that serves the interest of all regions.” Consultations with the provinces are to begin shortly.

21-22 August 1989  
*Annual Premiers’*  
*Conference*

Canada’s ten premiers meet in Quebec City for their annual conference. During the conference the issue of Meech Lake is not on the agenda and is discussed only briefly. Quebec Premier Bourassa is delegated to discuss with the Prime Minister the possibility of tagging the Meech Lake issue onto the agenda of the 9-10 First Ministers’ Conference on the Economy.

Chief among their concerns at the conference is the federal government’s plans to implement its Goods and Services tax. The premiers issue a statement expressing

their conviction that the proposed tax is "unacceptable," that it could cause inflation, hurt interest rates, and negatively affect employment and regional development programs. In their final communiqués the premiers urge the federal government to delay any decision on the future of passenger rail services, to increase funding to highways and to tighten control on foreign overfishing in Canadian waters. In addition, the premiers call upon Ottawa to reassess its approach to regional development and to impose stricter limits on automobile emissions, agreeing as well to reduce compounds in gasoline that contribute to smog. The premiers make little progress, however, on the contentious issue of interprovincial trade barriers, agreeing only to investigate the establishment of a dispute-resolution mechanism similar to that in place under the Canada-U.S. Free Trade Agreement.

22 August 1989  
*Interprovincial  
Energy Relations -  
Hydroelectricity*

Meeting at the premiers conference in Quebec City, the premiers of Ontario, Quebec and Newfoundland agree to consider ways of cooperating in the development of new hydro-electric power sites in Labrador. Under the proposal, the provinces will consider three major sites: a project in the Upper Churchill water reservoir, Muskrat Falls and Gull Island. According to Ontario premier Peterson, the cooperation could come in the form of financing, a joint venture or marketing agreements.

31 August 1989  
*Regulation -  
Environment -  
Saskatchewan*

After a court-ordered, five-month review, federal Environment Minister Lucien Bouchard permits the controversial Rafferty-Alameda dam project in southern Saskatchewan to resume under a stricter licence. According to the terms of the licence the federal government attaches 22 "stringent conditions" to ensure that environmental concerns about the \$125 million water project are met. According to Mr. Bouchard, "to the extent that adverse environmental impacts of this project can be reduced to zero, they will be."

11-12 September 1989  
*Consumer Affairs*

Federal and provincial consumer affairs ministers conclude two days of meetings in St. John's, Newfoundland with calls for regulations on the telemarketing industry. The ministers also urge the credit card industry to take further action to break down interest charges as they



- appear on bills, so consumers understand where their money is going.
- 12 September 1989  
*Interprovincial Trade*
- Federal and provincial trade ministers meet in Hull, Quebec to discuss lowering interprovincial trade barriers and agree to set up a mechanism to settle disputes on government procurement contracts. They establish a deadline of June 1990 on negotiations aimed at reducing interprovincial barriers to trade in beer, and an agreement on wine trade is said to be close.
- 22 September 1989  
*Regional Development – Nova Scotia*
- The federal government and the Government of Nova Scotia announce their agreement on the terms of three regional development agreements to replace three of the six ERDA subsidiary agreements that expired at the end of March. The package includes a two-year \$45-million forestry agreement, a two-year \$9-million mineral agreement and a four-year \$8-million fisheries agreement.
- 25 September 1989  
*Elections – Quebec*
- Quebec Premier Robert Bourassa leads his Liberal Party to an impressive victory in a provincial election. The Liberals return 92 members — seven short of the 1985 election results, while the Parti Québécois elects 29, up from 23. The fledgling Equality Party will have four members in the Legislature. The election, expected to be a sleepy affair, changed dramatically with the emergence of several issues during the campaign. Within days of the election call the government ran into a snag disposing of 1,500 tonnes of PCB-contaminated waste from St.-Basile-le-Grand. In addition, strikes by 40,000 nurses and 225,000 other public sector workers effectively paralyzed the health care system, schools and government services in September.
- 26 September 1989  
*Council of Maritime Premiers*
- The Council of Maritime Premiers meets at Shippigan, New Brunswick, for its 75th session, with Newfoundland Premier Clyde Wells in attendance as an observer. This is the first formal gathering of the four regional premiers in almost 25 years. CMP announces progress on the negotiation of an agreement on public procurement and the reduction of interprovincial trade barriers. In addition, the premiers discuss the implications of the recent Supreme Court decision on telecommunications.

- New Brunswick Premier McKenna announces that the four have agreed to take the issue to the November FMC in Ottawa, to ensure that communications utilities continue to be regulated in the public interest.
- 28 September 1989 *Provincial-International Relations – Manitoba* Manitoba Premier Gary Filmon and Kansas Governor Mike Hayden sign an intergovernmental agreement in Winnipeg to promote conservation, trade and tourism between the province and the state.
- 28 September 1989 *Interprovincial Trade Barriers* All provinces except Quebec reach an agreement-in-principle aimed at reducing barriers to interprovincial trade in wine, although the pact still allows provinces to restrict trade in some areas. The proposed deal is rejected by Quebec because it does not satisfy its key demand that the agreement be extended to the wine production of Quebec's crown agency, the Société des Alcools.
- 4 October 1989 *Transportation – Via Rail* Federal Transport Minister Benoit Bouchard announces that half of the trains operated by Via Rail will be cancelled beginning 15 January 1990. In all, 18 of 38 routes are to be eliminated and the number of trains running reduced to 191 weekly, down from 405.
- 5 October 1989 *Transportation – British Columbia* British Columbia files suit in provincial Supreme Court to prevent Ottawa from closing the 103-year-old Esquimalt and Nanaimo Railway on Vancouver Island. The suit contends that the railway was a condition of B.C. entering Confederation and, as such, must be maintained.
- 13 October 1989 *Federal-Provincial Relations – Manitoba* Manitoba announces the establishment of an office in Ottawa to "ensure Manitoba receives its fair share of federal contracts, and to establish a strong presence" in the capital. John Blackwood, a career diplomat, is appointed the province's first official representative. The office is to open 1 November.
- 16 October 1989 *Senate Reform – Alberta* Alberta holds Canada's first election for a Senate position. The election is won by Stan Waters, a candidate for the western-based Reform Party. Three days later Alberta Premier Getty sends Prime Minister Mulroney a letter of nomination listing the names and vote counts of all the candidates in the Senate election, emphasizing that Waters was "the people's choice."

19 October 1989  
*Regulation –  
 Telecommunications*

Federal Communications Minister Marcel Masse tables a bill in the Commons aimed at establishing the federal government's regulatory control over Canada's domestic telecommunications industry. The bill strips provincially-owned telephone companies of their Crown immunity, making them subject to regulation by the Canadian Radio-Television and Telecommunications Commission (CRTC). The bill, an amendment to the Railways Act, is aimed at correcting a regulatory vacuum that has existed since the Supreme Court ruled in August that Ottawa has jurisdiction over provincial telephone companies.

23 October 1989  
*Meech Lake Accord  
 – Manitoba*

Manitoba releases the report of its all-party Task Force on the Meech Lake Accord. The report followed a series of public hearings throughout the province and recommends significant changes be made to the Accord before the Manitoba government endorses it, including:

- a redefinition of the position of the Charter of Rights and Freedoms and a replacement of the "distinct society" clause with an expanded version also recognizing aboriginal and multicultural interests;
- a change disallowing the right of provinces to opt out of national spending programs;
- changes to the appointment process for Supreme Court judges;
- dropping the need for unanimity in the creation of new provinces and in Senate reform.

24 October 1989  
*Meech Lake Accord  
 – New Brunswick*

The New Brunswick Select Committee on the Meech Lake Constitutional Accord releases its report on the agreement. The report is widely considered to be more conciliatory than the Manitoba report. Among its findings the Committee recommends:

- the negotiation of a "parallel accord" to address outstanding issues of concern to New Brunswick;
- cautious support for the distinct society clause;
- the entrenchment of the Charter of Rights and Freedoms as a fundamental characteristic of Canada;

- the designation of the federal government as an institution that must preserve and promote both official languages;
- support for unanimous approval for provincial unanimity in the creation of new provinces as an "interim measure."

26 October 1989  
*Meech Lake Accord*

While attending the launching of a book of his speeches and articles attacking the Accord, former Prime Minister Pierre Trudeau launches a stinging attack upon the Meech Lake Accord and the politicians who signed it. According to him, the first ministers should take the Constitutional Accord back to the negotiating table and redraft "a bad deal." The agreement, he charges, will lead to the demolition of Canada.

30 October 1989  
*Meech Lake Accord*  
– Newfoundland

Newfoundland Premier Clyde Wells confirms that he will introduce a resolution to rescind his province's approval of the Meech Lake Accord if there are no changes to the agreement.

31 October 1989  
*Regulation –*  
*Environment –*  
*Federal-Provincial*  
*Relations*

Mr. Bob Lane, Environment Canada's regional director for environmental protection in Alberta states that that province should not proceed with any new pulp mill — including Alberta-Pacific Industries' \$1.3 billion mill on the Athabasca River — until more is known about the environmental consequences. Although he acknowledges that his department has no legal power to stop the projects, the Federal Environmental Assessment Review Office can call for a thorough study, which could take up to two years.

9-10 November 1989  
*First Ministers'*  
*Conference; Meech*  
*Lake Accord*

Canada's first ministers meet in Ottawa for a conference on the economy. As expected, their discussions on the Meech Lake Accord dominate the proceedings, and feature angry exchanges between Mr. Mulroney and Newfoundland Premier Clyde Wells. Although prior to the conference Mr. Wells had insisted that he was going to rescind his province's approval of the Accord, he was persuaded to put off such an action for the time being. Despite the more conciliatory tone after two days of discussion, there remained little change in the positions of the principal players in the Meech debate. At separate news conferences Premiers Wells, Filmon and McKenna

all convey the same message: the Meech Lake Accord, as it stands, is unacceptable.

As part of an effort to save the Accord, Senator Lowell Murray is given the job of consulting the premiers to see whether there is enough basis for agreement to schedule another FMC.

On economic matters, the premiers present a unified front against Finance Minister Michael Wilson's proposed Goods and Services Tax (GST), which they say will increase unemployment and reduce economic growth. They also repeat their call for lower interest rates. The ministers fail once again to reach an agreement on reducing interprovincial trade barriers concerning wine and allowing out-of-province companies to bid for provincial government contracts.

23 November 1989  
*Meech Lake Accord*  
— *Newfoundland*

Voting on a private member's resolution from a Liberal government backbencher, the Newfoundland legislature votes 25-16 to condemn the Meech Lake Accord. Although the vote does not constitute a rescission of the province's earlier acceptance of the Accord, it is intended, according to its author, to demonstrate that Premier Wells is not acting on his own in his opposition to the Accord.

30 November 1989  
*Meech Lake Accord*

Senator Lowell Murray begins a series of talks with the provincial premiers, as determined at the FMC on the economy earlier in November. According to Mr. Murray, he is bringing no new federal proposals to break the impasse. His first stops are for discussions with Premiers McKenna, Filmon and Wells.

7 December 1989  
*Taxation — GST*

Professing his doubts that any agreement on a joint federal-provincial tax can be reached before 1 January 1990, Federal Finance Minister Michael Wilson announces that he and his provincial counterparts will reopen talks on joint implementation of the GST.

7 December 1989  
*Interprovincial*  
*Energy Relations —*  
*Hydroelectricity*

Manitoba Premier Gary Filmon and Ontario Premier David Peterson sign a \$13-billion hydroelectric deal between the two provinces in Winnipeg. The deal — the most expensive power deal in Canadian history — will assure Ontario of 1,000 megawatts of electricity from northern Manitoba over a 22-year period beginning in

the year 2000. For its part, Manitoba will construct the long-awaited \$5.5 billion Conawapa dam on the Nelson River to generate the power.

8 December 1989  
*Land Claims –  
Central and  
Eastern Arctic*

Federal Indian Affairs Minister Pierre Cadieux announces in Ottawa that his government has reached an agreement-in-principle on a land claim with the Inuit of the central and eastern Arctic. According to the terms of the agreement, the Inuit peoples will receive about 225,000 sq. kilometres with surface rights, 36,000 sq. kilometres with subsurface rights and \$580 million in cash over 14 years. The agreement provides resource royalties, guarantees hunting rights to the Inuit and gives them a say in land-use planning. The agreement must now be ratified by cabinet, the territorial government and native representatives.

11 December 1989  
*French-language  
Education –  
Nova Scotia*

The federal government and the government of Nova Scotia sign two agreements promoting French-language education in Halifax. The agreements provide for French minority and second-language instruction and expanded cooperation in the promotion of official languages.

11 December 1989  
*Interprovincial  
Trade Barriers –  
Agriculture*

Professing their desire to attack interprovincial trade barriers in agriculture, Canada's federal and provincial agriculture ministers sign a memorandum of understanding on a series of measures, including immediate negotiations, to try to:

- harmonize federal and provincial meat grading and inspection regulations;
- clarify honey grading and inspection standards;
- harmonize interprovincial transportation rules for livestock and commodities;
- liberalize the movement of Canada No. 1 grade small potatoes.

In addition, the ministers agree to try to devise a binding dispute settlement mechanism.

18 December 1989  
*Senate Reform*

Senator Lowell Murray, after a meeting with Alberta Premier Don Getty and Intergovernmental Affairs Minister Jim Horsman suggests that Alberta's Senate election process is unconstitutional and confusing.

According to Murray, not even Parliament can decide to have an elected Senate. "That would require an amendment to the Constitution, so, strictly speaking ... I suppose you could say it is unconstitutional."

19 December 1989  
*Taxation – GST*

Finance Minister Wilson announces a reduction in the proposed Goods and Services Tax to 7 percent from the 9 percent rate recommended earlier. To make up the reduction in expected revenues from the GST, which is to fall to about \$18 billion from about \$24 billion, the government proposes, among other things, to:

- reduce credits for lower-income Canadians to \$1.2 billion from \$2.4 billion;
- increase the surtax applied to high-income earners to 5 percent from three;
- scrap a promised cut in the tax rate for middle income earners to 25 percent from 26 percent;
- increase income taxes for large corporations.

19 December 1989  
*Council of  
Maritime Premiers*

The Council of Maritime Premiers meets in Halifax. The Council, together with Newfoundland Premier Clyde Wells, who attended as an observer, express their concern that the proposed GST will hurt the Maritimes more than any other part of the country. The four premiers also agree to send a letter to Prime Minister Mulroney, urging him personally to address the issue of foreign overfishing off the east coast.

Premiers Buchanan, McKenna and Ghiz sign an agreement reducing interprovincial trade barriers on government tenders. Under the agreement, which goes into effect 1 April 1990 the three provinces will lift restrictions on out-of-province competition for government contracts. All procurement contracts worth more than \$25,000, service deals over \$50,000 and construction work valued at over \$100,000 will be open to any company within the Maritimes.

22 December 1989  
*Regulation –  
Natural Gas*

The Government of Alberta announces that it will support a Federal Court of Appeal case by a number of Calgary companies fighting to end a revival of alleged federal interference with natural gas sales to the United States. The National Energy Board had recently ruled

against allowing deals involving the export of 533 billion cubic feet of natural gas from western Canadian suppliers. The NEB had stated on 21 December that it may consider changing the method it uses to regulate natural gas exports in the wake of the court actions.

28 December 1989  
*Regulation –  
Environment –  
Saskatchewan*

The Federal Court of Appeal rules that the federal government must strike a panel within 30 days to conduct a full environmental review of Saskatchewan's Rafferty-Alameda dam project or the construction licence for the project will be rescinded. The Court revoked the first federal licence in April, following an earlier challenge by the Canadian Wildlife Federation. However, Federal Environment Minister Lucien Bouchard restored the licence following a review and public meetings. The CWF and two Saskatchewan farmers had asked the court to quash the licence on the grounds that due process was not followed.

29 December 1989  
*Meech Lake Accord*

In her final New Year's message, outgoing Governor-General Jeanne Sauv   is perceived as breaking with the traditional impartiality of her office to make a veiled pitch for passage of the Meech Lake Accord. Although Ms. Sauv   avoids the phrase "Meech Lake," references to the Accord were obvious. Newfoundland Premier Wells responds by stating that it was inappropriate for the Crown to be intruding into political affairs.

29 December 1989  
*Transportation –  
British Columbia*

The British Columbia Supreme Court rules that Ottawa is obliged to keep running passenger trains to Nanaimo from Victoria. In so arguing, the Court upholds the arguments of British Columbia that Ottawa was required to maintain the line as its part of the agreement that brought the western province into Confederation. On 16 January, Federal Justice Minister Doug Lewis announces that his government will appeal the decision to the British Columbia Court of Appeal.

9 January 1990  
*Federal-Provincial  
Fiscal Relations –  
Stabilization*

Alberta Treasurer Dick Johnston threatens to sue Ottawa for up to \$525 million in compensation for economic hardship Alberta suffered during the 1986-87 recession. Alberta has been seeking a \$600-million stabilization payment from Ottawa for revenues lost when oil prices dropped in 1986-87. The federal stabilization program



12 January 1990  
*Aboriginal Peoples*  
 - Justice

requires Ottawa to settle Alberta's claim by the end of the year.

The Alberta and federal governments, along with native and Métis leaders, announce the formation of a task force to determine why a disproportionate number of the province's aboriginal population is in jail. The seven-member task force is to identify problems and recommend solutions in such problem areas as policing, legal aid, courts and the penal system.

23 January 1990  
*Meech Lake Accord*  
 - British Columbia

British Columbia Premier Bill Vander Zalm releases a five-point proposal designed to rescue the Meech Lake Accord. His plan is a package deal, whereby all provinces must agree to the three-year process before it could be implemented, although all provinces would not be required to support his specific proposals for constitutional change. In his proposal, Mr. Vander Zalm suggests, among other things, that all provinces be recognized as "distinct societies" and that the contents of the Meech Lake Accord be divided into two groups, with the proclamation into law on 23 June of all those provisions satisfying the current amending formula, which requires changes to be approved by at least seven provinces representing at least 50 percent of the population. This would include the clause recognizing Quebec as a "distinct society," restrictions to federal spending powers and increased provincial control over immigration.

Mr. Vander Zalm's proposal is quickly rejected by Quebec, which insists that the Accord must be passed intact and by Manitoba, which objects to a proposal that certain elements of the Accord be proclaimed without the full consent of all governments. As well, federal officials question the constitutional validity of the proposals.

24 January 1990  
*Taxation - GST*

Federal Finance Minister Michael Wilson introduces legislation for the proposed Goods and Services Tax into Parliament. The opposition parties serve notice that they will battle the legislation using all procedural means available to them.

- 26 January 1990  
*Regulation – Environment – Saskatchewan*
- Federal Environment Minister Lucien Bouchard orders a halt to construction of the controversial Rafferty-Alameda dam project in Saskatchewan while a court-ordered independent panel studies the project's environmental impact. According to a release, the Saskatchewan government has agreed to halt work on the project. In return, the federal government will pay the province \$1 million per month to a maximum \$10 million as partial compensation for construction time lost.
- 29 January 1990  
*Governor-General*
- Ray Hnatyshyn, a former cabinet minister in the Mulroney government, is sworn in as Canada's 24th Governor-General. He replaces outgoing Governor-General Jeanne Sauvé.
- 29 January 1990  
*Language Policy, Municipal – Ontario*
- The City Council of Sault Ste. Marie, Ontario, by an 11-2 vote, declares English to be its only official language. A preface to the motion states the resolution is being presented "In the interests of maintaining goodwill, harmony and sound and responsible fiscal management," but its main result is to stir up Canada's language debate from coast to coast. The Sault resolution provokes a storm of protest and is quickly condemned by Ontario Premier David Peterson and Prime Minister Brian Mulroney. Such protest notwithstanding, more than 40 Ontario municipalities follow the lead of Sault Ste. Marie shortly thereafter. During the next five months at least 40 Ontario municipalities reject English-only resolutions.
- 2 February 1990  
*Minority Language Education – Quebec*
- The federal government and the Government of Quebec sign an agreement to boost minority language education in that province. According to Quebec Education Minister Claude Ryan, Quebec will spend about \$2 billion, half of which will go to minority-language programs, with the rest to enhance the teaching of English as a second language. The federal government will contribute \$328 million, of which \$290 million will "serve to compensate Quebec for additional expenses relating to the maintenance of anglophone services and educational networks." The agreement is to last until 1993.

- 6 February 1990  
*Minority Language Education – Manitoba*
- The Manitoba Court of Appeal rules that Manitoba francophones do not have any constitutional right to their own school board. While ruling that as it stands Manitoba's Public Schools Act is unconstitutional, the Court rules that this could be corrected by the province amending its legislation to make it easier for franco-phone children to gain a French-language education.
- 8 February 1990  
*Meech Lake Accord*
- Speaking at a news conference in Quebec City, Quebec Premier Bourassa raises the prospect of a new form of federalism if the Meech Lake Constitutional Accord is not ratified. According to Mr. Bourassa, "I still believe Meech Lake will be ratified... But if it is not ratified, I can guarantee ... that there will be superstructure or institution or supranational institution, whatever name we could use, which could reassure the German investors or the foreign investors that Quebec and Canada are safe places to invest."
- 12 February 1990  
*Energy – Federal-Provincial Relations*
- The federal government and the Government of Prince Edward Island sign a \$7.8-million agreement to develop alternate energy resources. The five-year agreement will encourage the use of wood chips as an energy source. The federal government will provide \$5.5 million, with the remainder to come from the province.
- 15 February 1990  
*Language Policy*
- In response to resolutions by more than 40 Ontario municipalities declaring themselves English-only, the House of Commons passes a resolution supporting bilingualism. The motion, introduced by Prime Minister Mulroney, called on the Commons "to reaffirm its commitment to support, protect and promote linguistic duality in Canada, as reflected by this House in the Constitution Amendment, 1987 and the Official Languages Act, 1988."
- 20 February 1990  
*Budgets*
- Finance Minister Michael Wilson tables his sixth budget in the Commons. Although he imposed no new taxes, Wilson introduced a number of new measures aimed at reducing the federal deficit. The provinces will bear much of the cost-cutting burden as Mr. Wilson trims \$2.5 billion over the next two years in transfer payments for health, welfare and higher education. The cuts will hurt

Ontario, British Columbia and Alberta the most, with proportionally more money going to poorer provinces.

25 February 1990  
*Meech Lake Accord*  
– *Quebec*

At the party's general council in Quebec City, Quebec Liberals adopt a resolution setting up a committee to study Quebec's options if the Meech Lake Accord is not ratified by the 23 June deadline. According to Premier Bourassa, "we are not announcing the formation of a study group because we want to dismantle the country. But ... we haven't received a mandate to practice federalism on our knees." Across the country response is mixed. Some, like Ontario premier David Peterson and Nova Scotia Premier John Buchanan, state that Mr. Bourassa should be taken seriously and urge calm heads to prevail so that an agreement might be reached. Manitoba Premier Gary Filmon, on the other hand, dismisses Mr. Bourassa's comments as "sabre-rattling," while Newfoundland Premier Clyde Wells states that the Quebec Premier is bluffing.

27 February 1990  
*Federal-Provincial*  
*Fiscal Relations*

British Columbia Attorney-General Bud Smith announces that his province is taking Ottawa to court over limits placed on Canada Assistance Plan payments in the recent federal budget. The B.C. court action is thereafter joined by Alberta, Ontario and Manitoba.

2 March 1990  
*Regulation –*  
*Environment –*  
*Alberta*

Announcing that his government has accepted the recommendations of a federal-provincial environmental review panel, Alberta Environment Minister Ralph Klein announces that a huge Alberta-Pacific pulp mill project in northern Alberta will not go ahead until further environmental studies are complete.

8 March 1990  
*Meech Lake Accord*  
– *Newfoundland*

In a speech from the throne opening the Newfoundland legislature, Premier Clyde Wells confirms that his government will rescind its approval of the Meech Lake Accord. According to Mr. Wells, he is taking this action because he sees no intention of either of the federal or Quebec governments to change any part of the Constitutional Accord. According to Mr. Wells, "under no circumstances can we ever accept changes that would exacerbate the present situation by entrenching forever the regional economic disparities that now exist in Canada."

13 March 1990  
*Regulation –  
 Environment –  
 Alberta*

The Federal Court of Appeal rules in favour of environmental groups and orders the federal government to conduct a review of the Oldman dam project in southern Alberta. The court rules in favour of the Friends of the Oldman River Society, which argued that a federal review was mandatory because the dam affects several areas of federal responsibility, including native people, fish and migratory birds. Announcing his government's intention to appeal the matter to the Supreme Court, Alberta Premier Getty confirms that construction will continue despite the court decision.

15 March 1990  
*Minority Language  
 Education –  
 Alberta;  
 Supreme Court*

In a unanimous ruling on the case *Mahe v. Alberta*, the Supreme Court of Canada rules in favour of Alberta francophones who had sought the right to control their own schools. The court agreed with Edmonton parents who launched the court action that Section 23 of the Charter of Rights and Freedoms imposes on provincial legislatures an obligation to enact precise legislative schemes for minority language education. The ruling set a "sliding scale" approach for living up to the charter's requirement that minority language instruction be provided "where numbers warrant." Although the court does not award the Edmonton group their own school board, it rules that such groups should be represented on existing school boards and should have exclusive authority over funding of French-language programs.

Writing on behalf of the court, Chief Justice Brian Dickson holds that section 23 of the charter is designed to preserve and promote Canada's two official languages and cultures "by ensuring that each language flourishes, as far as possible, in provinces where it is not spoken by the majority." For this reason, it is imperative that minority communities have control over their schools.

15 March 1990  
*Regulation – Energy*

The National Energy Board announces that it is changing its procedure used to determine whether Canada is getting economic benefit from natural gas exports. It is dropping its so-called "benefit-cost test," a key method used by the board in determining whether contracts signed for the supply of natural gas to U.S. purchasers are in the national interest. Under the test NEB officials calculated whether an export contract would bring suffi-

cient returns to the producer to pay both the costs of bringing the gas to the market and the costs of searching for natural gas to replace the amount sent to the United States. The decision is hailed, alternatively, as a major victory for the Alberta government and gas exporters, and denounced as a sellout to U.S. interests by the Council of Canadians.

20 March 1990

*Regulation –  
Environment*

Federal and provincial environment ministers, meeting at the Globe '90 conference in Vancouver, agree on a plan to cut in half the use of disposable packaging and get tough with pulp mill polluters. The ministers agree to ask manufacturers to reduce packaging by 20 percent of 1988 levels by 1992 and to achieve a 50-percent reduction by the year 2000. The national strategy on pulp and paper mills calls for legislation to reduce the pollution in pulp mill effluent by 75 to 80 percent. The plan would virtually eliminate dioxins and furans, the most dangerous pollutants.

21 March 1990

*Meech Lake Accord  
– New Brunswick*

New Brunswick Premier Frank McKenna introduces resolutions in the New Brunswick legislature that would see the province ratify the Meech Lake Accord if enough support could be obtained from the other provinces for a second, companion agreement. The motion proposes a series of amendments to the Meech Lake Accord, which include:

- the recognition of the equality of the English and French linguistic communities in New Brunswick;
- an addition requiring Parliament and the Government of Canada to promote the linguistic nature of Canada;
- further assurances that Charter rights will not be infringed upon by the Accord;
- a proposal that the Yukon and Northwest Territories be included in the selection of Supreme Court justices and Senate nominations;
- measures to strengthen and monitor the federal government's spending power;

- a change in the amending formula for the creation of provinces from that of unanimity to two-thirds/50 as it was before Meech Lake;
- provision for the inclusion of the governments of Yukon and the Northwest Territories in future aboriginal constitutional conferences.

21 March 1990  
*Western Premiers  
 Conference;  
 Meech Lake Accord*

The four western premiers meet in Vancouver to review alternatives for resolving differences over the constitutional amendments proposed in the Meech Lake Accord. The premiers welcome New Brunswick Premier McKenna's resolutions on the Constitution as "a positive gesture," and appoint a task force to explore all proposals to save the Accord. The Western Canada Task Force on Meech Lake, made up of two senior officials from each province, is to meet in Edmonton within a week. The premiers agree to consider the task force's recommendations.

22 March 1990  
*Meech Lake Accord*

In a nationally-televised address Prime Minister Mulroney announces the formation of a special House of Commons committee to study the New Brunswick proposal for the Meech Lake Accord. The all-party committee is to hold cross-country hearings and report back to Parliament by 18 May.

22 March 1990  
*Meech Lake Accord  
 - Newfoundland*

Newfoundland Premier Clyde Wells introduces a motion into the Newfoundland legislature to rescind that province's agreement of the Meech Lake Accord.

23-24 March 1990  
*Council of  
 Maritime Premiers;  
 Conference of  
 Atlantic Premiers*

Newfoundland Premier Clyde Wells hosts a two-day meeting of the four Atlantic premiers in Corner Brook, Newfoundland. The main topic of discussion was the Meech Lake Accord, with the three Maritime premiers discussing with Premier Wells his concerns about the Accord.

In a separate meeting of the Council of Maritime Premiers the three Maritime premiers meet to "cover for eventualities;" that is, to begin to explore the implications of a future without Quebec. Premier Ghiz noted that "I don't want to give the impression that we're alarmed at all, but we are doing our homework." That homework will take the form of compiling statistical information on trade and commerce with Quebec.

27 March 1990  
*Taxation – GST*

After an Ottawa meeting, provincial finance ministers declare that they will not help the federal government collect the proposed Goods and Services Tax scheduled to go into effect 1 January 1990. After meeting with his provincial counterparts the next day Mr. Wilson announces that the door is still open for cooperation, but only if they change their sales tax systems. However, he is still talking with provincial ministers about reducing some complexities of the tax.

27 March 1990  
*Regional  
Development –  
Prince Edward  
Island*

Federal Employment Minister Barbara McDougall announces that a locally-controlled corporation will be created to encourage industrial development in the Summerside, P.E.I. area following the announced closure of a Canadian Forces base there. According to McDougall, the federal government will provide \$900,000 over the next two years for interim management of the new corporation. The Atlantic Canada Opportunities Agency will inject up to \$10 million into the area over five years beginning in 1992.

28 March 1990  
*Meech Lake Accord  
– Quebec*

The Liberal government of Quebec Premier Robert Bourassa supports a Parti Québécois motion in the Quebec National Assembly declaring that Quebec would not accept any aspect of New Brunswick's constitutional proposal that would change the content or scope of the Meech Lake Accord. The motion states that the Quebec government "officially rejects in the name of Quebecers, all constitutional proposals including New Brunswick's ... which would constitute an amendment or modification susceptible to changing the content and the scope of the Meech Lake Accord."

30 March 1990  
*Agriculture –  
Federal-Provincial  
Relations*

Speaking at the conclusion of a federal-provincial meeting of the country's agriculture ministers, Federal Agriculture Minister Don Mazenkowski announces that the federal government is prepared to spend nearly \$1 billion to aid farmers but only if the provinces pay half the tab. The provinces are critical of the offer, maintaining that as it was the federal government which initiated the plan without consulting the provinces, the federal government should shoulder a greater share of the costs.



1 April 1990  
*Land Claims –  
 Yukon*

The federal government and Yukon Indians sign a major land claim agreement giving aboriginal people in that Territory control of more than 41,000 square kilometres of land and \$232 million in cash. In addition, the agreement provides for oil and gas rights, land use, forestry and mineral rights. It commits the federal and territorial governments to negotiating self-government agreements with each of the 14 bands that make up the Council of Yukon Indians. The accord must be ratified by the federal and territorial cabinets and the individual bands.

2 April 1990  
*Energy –  
 Federal-Provincial  
 Relations;  
 Regulation –  
 Environment*

Federal and provincial energy ministers meet for their annual meeting in Kananaskis, Alberta. The ministers agree on the need for a national environment assessment review policy in order to avoid further federal-provincial clashes over environmentally-sensitive projects. In addition, the ministers agree that global climate changes resulting from carbon dioxide emissions pose a major problem. An official communiqué released after the meeting said achievement of a 20 percent reduction in carbon dioxide emissions, as recommended by a 1989 federal study, would cause "significant economic dislocation and would require significant changes in lifestyle."

3 April 1990  
*Language Policy*

Canada's Commissioner of Official Languages D'Iberville Fortier presents his annual report on the implementation of the Official Languages Act. Fortier criticizes the government for its "slower than slow" implementation of the Act. "Our analyses reveal that the 1988 Official Languages Act has, to this point, had little impact in at least 80 percent of federal institutions. The promised renewal of bilingualism within the federal administration has yet to occur."

4 April 1990  
*Language Policy –  
 Quebec*

Concerned about the increasing use of English by immigrant children in its French-language schools, the Montreal Catholic School Commission unanimously adopts a proposal to ban the use of languages other than French anywhere on school premises. Under the proposed plan, students who defied the policy could be transferred to other schools, or expelled.

- 5 April 1990  
*Senate Reform*
- Prime Minister Mulroney announces that a Commons committee will hold public hearings during the summer on a federal government proposal for an elected Senate. He tells reporters, however, that the appointment of Alberta's elected Senate nominee could "prove lethal" to Senate reform. If large provinces such as Ontario decided to fill their vacancies by elections as well, the result would be entrenchment of the existing regional balance in the Senate, he explained.
- 6 April 1990  
*Meech Lake Accord  
- Newfoundland*
- The Newfoundland legislature approves a resolution to rescind that province's previous approval of the Meech Lake Accord. It is the first time a provincial government has rescinded a constitutional resolution of a previous government.
- 6 April 1990  
*Meech Lake Accord*
- At a Quebec City press conference Federal Environment Minister Lucien Bouchard states that English Canadians may well be forced to choose between Quebec and Newfoundland. Quebec Minister of Intergovernmental Affairs Gil Rémillard, who accompanied Mr. Bouchard, notes that "Canada can survive very well without Newfoundland."
- 6 April 1990  
*Federal-Provincial  
Fiscal Relations*
- Federal Minister of State for Finance, Gilles Loiselle, confirms that, under a capping formula introduced by the Trudeau government in 1982, further cuts will be made in federal equalization payments. Under the formula, the equalization fund paid to Canada's so-called "have-not" provinces is tied to increases in the gross national product. This is the first time the cap has been implemented because the provinces' normal equalization payments have outstripped growth in the economy. Cuts in the payments are estimated to total \$1 billion over two years.
- 6 April 1990  
*Regional  
Development -  
Quebec*
- The federal government and the Government of Quebec sign an agreement to develop a marine park at the junction of the St. Lawrence and Saguenay Rivers, in an effort to save the endangered Beluga whale population. Ottawa will contribute \$7.5 million over the next five years; Quebec's share will be \$2 million.
- 9 April 1990  
*Land Claims -  
Western Arctic*
- The federal government and representatives of the Dene and Métis of the western Arctic sign a final land claim agreement that will give natives in the western North-

west Territories control of more than 180,000 kilometres of land. The accord gives the 15,000 Dene and Métis surface title to 181,230 sq. kilometres of land. They will also get sub-surface mineral rights to 10,000 sq. kilometres within the larger area and \$500 million in cash compensation over 20 years. Issues of self-government and treaty rights of concern to the natives will be discussed in coming months, according to federal Minister of Indian Affairs Tom Siddon.

10 April 1990  
*Rural Development*

Rural development ministers from the four western provinces meet in Edmonton to work on a coordinated approach to revitalize rural communities. Discussions revolve around decentralizing government departments as well as attracting foreign investment and creating new industries to help stem the flow of people from small towns to the cities.

10 April 1990  
*Taxation – GST*

The House of Commons approves the government's controversial Goods and Services Tax legislation in a 144-114 vote. The bill now goes to the Senate.

19 April 1990  
*Regulation –  
Environment*

Six provinces — Alberta, British Columbia, Manitoba, Quebec, Ontario and Nova Scotia — meet to discuss the federal government's Environmental Assessment Review Process. The provinces agree to demand that Ottawa amend the process "in order to remove environmental policy from the courts." A leaked memo records the provinces' concern that Ottawa not be allowed to intrude on areas the provinces consider to be within their jurisdiction.

23 April 1990  
*French-language  
Education –  
Saskatchewan*

Citing legal complications, Saskatchewan Education Minister Ray Meiklejohn announces that his province will delay setting up a new French school system. A 1988 Court of Queen's Bench ruling held that Saskatchewan francophones have a constitutional right to manage and control the 13 French schools in the province.

24 April 1990  
*Regulation –  
Environment –  
Alberta*

Federal Environment Minister Lucien Bouchard announces that his government will conduct a full environmental assessment on the half-completed Oldman River dam in Alberta. According to Mr. Bouchard the government has not yet decided whether to issue a stop-work order on the dam, because leaving it partly com-

pleted could raise safety problems during spring flooding.

25 April 1990  
*French-language  
Education –  
Saskatchewan*

In a strongly-worded letter to Saskatchewan Premier Grant Devine, Prime Minister Mulroney states that the province's decision to delay funding for francophone school boards ignores the Charter of Rights and Freedoms and may also violate the spirit of a 1988 federal agreement giving the province \$60 million to expand French education and services.

26 April 1990  
*Regulation –  
Energy*

The National Energy Board grants tentative approval for natural gas exports to the United States under four contracts it denied last November. The earlier ruling caused an uproar among Western Canadian energy producers and led to a major change in NEB regulations.

27 April 1990  
*Regulation –  
Environment –  
Saskatchewan*

George McLeod, Saskatchewan minister responsible for the Rafferty-Alameda dam project, announces that his province will resume work on the project before a federal environmental review has been completed. According to McLeod, although Saskatchewan had agreed to halt work on the project, an engineering panel has recommended that work on the dam continue in order to stabilize the massive earthwork structure.

30 April 1990  
*Regulation –  
Environment –  
Saskatchewan*

Federal Environment Minister Lucien Bouchard criticizes the Saskatchewan government decision to go ahead with construction of its Rafferty-Alameda dams project, stating that the province may be violating the spirit of an agreement reached earlier this year for an environmental assessment of the project.

7 May 1990  
*Fisheries*

Federal Fisheries Minister Bernard Valcourt announces the details of his government's long-awaited \$584-million fisheries adjustment package to the Atlantic fishing provinces (including Quebec). The underlying thrust of the five-year plan is to adjust the size of the fishery industry to declining fish stocks, and to encourage diversification of the fishing economy.

7-8 May 1990  
*Western Premiers  
Conference*

The Western Premiers meet in Portage La Prairie to discuss economic issues and the Meech Lake Accord. During the first day, discussions are limited to economic issues. The premiers criticize the federal government's

monetary and agricultural policies, saying they are doing immeasurable damage to the four western provinces. Also on the agenda are western economic cooperation, international trade and the environment. The second day is spent discussing the Meech Lake Accord. While the premiers fail to convince Manitoba Premier Filmon to accept the Accord, the four premiers discuss possible ways to deal with the concerns of the three holdout provinces. Among these is the development of a "sunset clause," which suggests that the unanimity clause in the Meech Lake Accord applying to Senate reform would be phased out after three or five years if the reform effort failed.

9 May 1990  
*Interprovincial  
Trade Barriers*

Canada's federal and provincial trade ministers meet in Ottawa. High on the agenda is the need for an inter-provincial agreement on beer. Federal Trade Minister John Crosbie warns provincial officials of an upcoming U.S. trade action based upon the variety of provincial trade barriers which favour beer brewed within a province. An interprovincial deal is considered a key first step towards opening up Canada's borders to U.S. and other foreign beer.

14 May 1990  
*Meech Lake Accord -  
Quebec*

Speaking to a European audience, Quebec Minister of Intergovernmental Affairs Gil Rémillard states that Quebec now constitutes a nation and will seek a "substantial reorganization" of its association with the rest of Canada if the Meech Lake Constitutional Accord is not ratified. "The consequences of the Accord's rejection will be serious for the future of the country, and Quebec will have to seek a substantial reorganization of the association that ties it with the Canadian federation while taking into account its history as a distinct society," he states.

17 May 1990  
*Meech Lake Accord;  
Charest Committee*

The special House of Commons committee, chaired by M.P. Jean Charest, issues a unanimous report, urging that the Meech Lake Accord be approved by 23 June, but also proposing some additional constitutional amendments. Among the 23 recommendations in the report are:

- a call for the promotion of Canada's linguistic duality by the Parliament and the Government of Canada;

- a declaration that the distinct society clause “in no way impairs the effectiveness of the Charter of Rights;”
- a proposal to amend the process for Senate reform by moderating the requirement for unanimous consent for changes to the Senate after a three-year period, at which time a less restrictive method with some form of regional approval would be used;
- a recognition that aboriginal peoples and the country’s multicultural heritage are fundamental elements of Canada by putting them in the body of the Constitution;
- granting to Yukon and the Northwest Territories a similar role as the provinces in the selection of Senators and Supreme Court judges;
- providing in a companion resolution reassurance that the federal spending power will not be impaired by the Accord;
- identifying Senate reform as a priority item for the next constitutional round.

Across the country, reaction by the first ministers is mixed. Quebec Premier Robert Bourassa states that “I have the feeling that Quebec is not understood by English Canada because they are proposing demands which are unacceptable.” Newfoundland’s Premier Clyde Wells notes that “while I can’t just simply accept everything that’s in the report, I’m encouraged by the content and general direction of it [the report].” According to Ontario Premier David Peterson, the unanimous backing was “extraordinarily constructive” and will be “very helpful to the discussions that will have to ensue.”

18 May 1990  
*Meech Lake Accord*

Minister responsible for federal-provincial relations Lowell Murray begins meeting the premiers individually about the Meech Lake Accord and the Charest Committee report.

18 May 1990  
*Conservative Party,  
Federal*

Accusing Prime Minister Mulroney of backing down on the promises he made to Quebecers six years ago, Quebec Conservative MP François G  rin quits the Tory

21 May 1990  
*Conservative Party,  
 Federal; Meech  
 Lake Accord*

caucus vowing to promote sovereignty-association for Quebec while sitting as an independent in Parliament.

In a move precipitated by the publication of a telegram of support he sent to the Parti Québécois, Federal Environment Minister Lucien Bouchard, who was Prime Minister Mulroney's Quebec lieutenant, resigns from cabinet and the Conservative Party, saying he cannot countenance any changes to the Meech Lake Accord. According to Mr. Bouchard, the critical factor in his decision to resign was the report of the Charest Committee, which he felt had ignored his advice on the constitutional impasse, and had been influenced more by Liberal leadership candidate Jean Chrétien in its final report.

24 May 1990  
*Supreme Court –  
 Aboriginal Treaty  
 Rights*

In a ruling seen as significant by Canada's aboriginal leaders, the Supreme Court of Canada, in *Regina v. Sioui*, rules unanimously that a 230-year-old treaty giving Hurons in Quebec the right to exercise their customs on treaty lands is still valid. The Quebec government, which had charged Hurons living near Quebec City with violating provincial park laws by building camp fires and cutting saplings for a religious ceremony, had argued in court that the original document signed was not a treaty. According to Justice Lamer, the treaty is still valid despite long disuse and cannot be extinguished without the consent of the Hurons.

25-28 May 1990  
*Meech Lake Accord*

In what he describes as an attempt to reduce the areas of disagreement on the Meech Lake Accord among the premiers, Prime Minister Mulroney begins three days of individual meetings with the ten premiers at 24 Sussex Drive.

30 May 1990  
*Meech Lake Accord  
 – Newfoundland*

Newfoundland Premier Clyde Wells tables an alternate constitutional proposal consisting of amendments to the Meech Lake Accord in the Newfoundland legislature. Quebec Premier Bourassa reiterates that Quebec will not accept any changes to the agreement.

30 May 1990  
*Land Claims –  
 Alberta*

The Government of Alberta introduces legislation granting the province's Métis people increased powers for self-government and 506,250 hectares of land, together with a financial package worth \$310 million over 17

years. Alberta is the first province to grant both self-government and title to settlement lands to Métis people. In return, the Métis have set aside their longstanding lawsuit against the province over oil and gas revenues from their traditional lands.

31 May 1990  
*Supreme Court –  
Aboriginal Rights*

In a decision hailed by aboriginal groups, the Supreme Court, in *Regina v. Sparrow*, rules that native rights cannot be arbitrarily restricted or abolished by governments. Commenting on a case involving a British Columbia Indian who was charged in 1984 with using a drift net larger than regulations to catch salmon, the Supreme Court makes a strong statement on the existence of native rights and narrowly defines the grounds on which federal and provincial governments can limit those rights by legislation or regulation.

31 May 1990  
*Privatization –  
Alberta*

Alberta Premier Don Getty announces his government's intention to sell off a major portion of Alberta Government Telephones, its \$2-billion telecommunications giant. According to Mr. Getty, a major factor in the decision was the recent Supreme Court of Canada decision which assigned responsibility for telecommunications to the federal government and the CRTC.

31 May 1990  
*Meech Lake Accord*

Prime Minister Mulroney invites the ten premiers to dinner on 3 June at the Museum of Civilization in Hull, Quebec to discuss the Meech Lake Accord, saying that if there is enough movement at the gathering the first ministers will continue their talks at a formal meeting the next day in Ottawa.

3-9 June 1990  
*Meech Lake Accord*

After their dinner on 3 June the eleven first ministers agree to stay in Ottawa to continue closed door discussions. They continue to conduct negotiations in private on the Meech Lake Accord for the whole of the subsequent week.

9 June 1990  
*Meech Lake Accord*

After a week of protracted negotiations, Prime Minister Mulroney and the ten premiers sign the 1990 Constitutional Agreement. Newfoundland Premier Clyde Wells, whose signature to the agreement was made reluctantly and conditionally, announces his intention to submit the agreement to the people of Newfoundland.



The 1990 Constitutional Agreement is composed of six parts, which include:

- the undertaking of the three hold-out provinces to submit the Meech Lake Accord immediately for legislative or public consideration and “to use every possible effort” to achieve a decision prior to 23 June;
- a commitment to achieve an elected, more “equitable” and more effective Senate by 1 July 1995 under Meech Lake’s requirement for unanimity, with the help of a commission that will begin work this summer. If the first ministers cannot reach an agreement by 1995, there would be automatic changes to the Senate, readjusting the number of seats each province now holds;
- agreement to clarify the effect on the Charter of the “distinct society” clause in the Meech Lake Accord through a simple legal opinion prepared by six constitutional experts;
- establishment of a special Commons committee which will begin work on the idea of a Canada clause and submit a report by 1990.

The first ministers also agree to a package of additional amendments to the Constitution, which are mainly non-controversial adjustments to the Meech Lake Accord. These include a provision to further protect sexual equality rights, the right of the territories to be included in appointments to the Supreme Court and future constitutional conferences, the entrenchment in the Constitution of New Brunswick’s bilingualism laws, and the promise to hold aboriginal conferences every three years.

11 June 1990  
*Meech Lake Accord*  
 – Newfoundland

Declaring that there is not enough time to hold a provincial referendum on the matter, Newfoundland Premier Clyde Wells announces that a free vote on the Meech Lake Accord will be held in the Newfoundland House of Assembly before 23 June. Mr. Wells asks members of the House to determine how their constituents feel about the issue before the vote.

12 June 1990  
*Meech Lake Accord*  
– *Newfoundland*

Newfoundland Premier Wells launches a province-wide consultation on the Meech Lake Accord by asking people to decide between rejecting the Accord with their heads and accepting it with their hearts. Although he repeats his long-held concerns about the Accord, and insists he has no doubts about his position, he states that Newfoundlanders will also have to consider whether rejecting the Accord could upset the political and economic stability of Canada.

12 June 1990  
*Meech Lake Accord*  
– *Manitoba*

An attempt to speed passage of the Meech Lake Accord through the Manitoba legislature is blocked when Elijah Harper, the Assembly's only aboriginal member, refuses to waive house rules requiring two day's notice for a motion to be presented to members. According to Harper, he is taking this action because the concerns of aboriginal peoples were not properly considered by the first ministers in their negotiations.

14-15 June 1990  
*Justice*

Canada's federal and provincial ministers of justice meet in Niagara-on-the-Lake. Although agenda items include justice for aboriginal people, treatment of juvenile offenders, gun control, parole reform and judicial sentencing guidelines, the issue of most concern is the government's abortion legislation, Bill C-43.

15 June  
*Meech Lake Accord*  
– *New Brunswick*

The New Brunswick Legislature unanimously passes the Meech Lake Accord. In speaking on the motion Mr. McKenna states that although the constitutional package is not perfect, it represents the best hope for the country. "For 125 years we've lived together and we've lived lovingly together ... and the only time we fight is when we want to talk about our damn Constitution."

15 June 1990  
*Federal-Provincial*  
*Fiscal Relations*

The British Columbia Court of Appeal rules in favour of a challenge by three provinces — British Columbia, Alberta and Ontario — of a 1990 federal budget measure that would place a 5-percent limit on the annual increase in Canada Assistance Plan payments to those provinces this year. On 18 June Federal Justice Minister Kim Campbell announces that her government will appeal the ruling to the Supreme Court of Canada.

17-18 June 1990  
*New England  
 Governors and  
 Eastern Canadian  
 Premiers*

The New England Governors and Eastern Canadian Premiers hold their annual meeting, this year in Mystic, Connecticut. While economic issues were to head up the agenda, Canada's constitutional turmoil dominated the discussions. The economic consequences of the failure of the Accord weighed heavily upon the minds of the New England governors, who expressed concern over the political uncertainties in Canada resulting from a failure to ratify the Accord.

18 June 1990  
*Regulation –  
 Environment*

Federal Environment Minister Robert de Cotret tables his government's long-awaited package of environmental proposals. The bill includes \$100 million in new money annually for environmental assessments. Features of the proposed package include:

- an environmental assessment must be done of any project using federal funds, on federal lands, or initiated by Ottawa;
- the legislation will apply to other federal acts that give the government regulatory authority over natural resources;
- big projects that arouse serious public concern would be assessed by an independent panel of experts with the power to subpoena witnesses;
- money would be provided for opponents of projects to present their cases, but it is not known how much;
- in projects involving joint federal-provincial jurisdiction, the objective would be to set up a joint assessment panel; the federal government will not delegate this role to the provinces;
- the Federal Environmental Assessment Agency will be replaced by a new entity called the Canadian Environmental Assessment Agency, which is to conduct research into environmental issues as well as managing assessments.

18 June 1990  
*Meech Lake Accord  
 – Aboriginal  
 Peoples*

Faced with the prospect of deadlock on the Meech Lake Accord in the Manitoba legislature, federal Secretary of State for Federal-Provincial Relations Lowell Murray leads a federal delegation to discuss solutions to the

impasse with Manitoba's aboriginal leaders. Manitoba's aboriginal leaders unanimously reject a six-point offer made by the federal delegation.

19 June 1990  
*Meech Lake Accord*

Speaking in the House of Commons, Prime Minister Mulroney announces his intention to address the Newfoundland House of Assembly 21 June to encourage them to pass the Meech Lake Accord before the 23 June deadline.

20 June 1990  
*Meech Lake Accord*  
- *Manitoba*

After having been delayed for more than a week by procedural wrangling over introduction of the Meech Lake Accord, the Manitoba Legislature begins debate on the constitutional agreement. The leaders of all three parties represented in the Legislature are sharply critical of the Prime Minister's suggestion that the province has an obligation to pass Meech Lake before the deadline, regardless of its legislative rules.

20 June 1990  
*Meech Lake Accord*  
- *Newfoundland*

Premiers McKenna of New Brunswick and Peterson of Ontario appear before the Newfoundland House of Assembly to appeal for passage of the Meech Lake Accord. In an impassioned address, Mr. McKenna charges that rejection of the Accord would lead to increased racial hatred, higher unemployment and international embarrassment for Canada. In contrast, Mr. Peterson gives the MHAs a low-key history lesson and urges them to pass the Accord to keep Canada together.

20 June 1990  
*Meech Lake Accord*  
- *Ontario*

The Ontario Legislative Assembly passes a motion of support for the 1990 Constitutional Agreement signed by the first ministers on 9 June. The motion is intended to assure Ontario's good faith regarding the additional amendments agreed upon at the 3-9 June conference. In preparation for the vote both the New Democratic and Conservative caucuses had freed their members to vote according to their consciences on the resolution, while Liberal members were instructed to support the motion.

21 June 1990  
*Meech Lake Accord*  
- *Newfoundland*

Prime Minister Mulroney addresses Newfoundland MHAs in St. John's. He warns the members that rejection of the Meech Lake Accord will turn away foreign investors and push Quebecers towards separatism. According to Mr. Mulroney, the Accord will bring Quebec into the Canadian constitutional family, but if

- rejected it will boost separatist forces and lead to another referendum on the province's position in Confederation.
- 22 June 1990  
*Meech Lake Accord*  
– *Manitoba*
- Debate in the Manitoba Legislature on the Meech Lake Accord adjourns at 12:30 PM without a vote. Manitoba's political leaders confirm that there is now no way for the Manitoba legislature to ratify the Constitutional Accord before the deadline of 23 June.
- 22 June 1990  
*Meech Lake Accord*  
– *Newfoundland*
- The Newfoundland Legislature adjourns before a free vote can be held on the Meech Lake Accord. The adjournment — as well as that in Manitoba — effectively signals the death of the three-year constitutional reform process. The Newfoundland adjournment is marked by bitter acrimony, as Mr. Wells charges Federal Minister of State for Federal-Provincial Relations Lowell Murray with attempting to manipulate the legislative process in the Newfoundland legislature. Earlier in the day Mr. Murray had announced that, provided Newfoundland had ratified the Accord in its free vote, the federal government would ask the Supreme Court of Canada to rule on whether the 23 June deadline could be moved to 23 September, the anniversary of the date Saskatchewan ratified the Accord in 1987. This would have allowed Manitoba to continue its lengthy public hearing process and ratify the Accord. Upon hearing of Mr. Murray's plan, Mr. Wells tells the Legislature "that's the final manipulation... We're not prepared to be manipulated any longer," before adjourning the House.
- 23 June 1990  
*Meech Lake Accord*
- Prime Minister Mulroney addresses the country on the death of the constitutional agreement. In a speech aimed at calming the national passions and investor fears stirred up by the Meech Lake debate, Mr. Mulroney states that "today we must guard against two dangers; first, to despair that anything can be done and second, to delude ourselves that nothing has happened." Stressing his disappointment at the failure of the Accord, Mr. Mulroney states that "it is a time to mend divisions, and heal wounds and reach out to fellow Canadians. There is much to reflect on before we try again to amend the Constitution. One thing is very clear; we simply must find a better way to do it."

In the Quebec National Assembly, Premier Bourassa states that "English Canada must clearly understand that whatever is said, whatever is done, Quebec is today and forever a distinct society, capable of insuring its own development and destiny." Later he announces that Quebec cannot return to the constitutional bargaining table and will henceforth deal directly with Ottawa. "In the preparation of our future, Quebec must arrange its important assets...Quebec has the freedom of its choices. But it must make those choices realistically, in a calm and lucid state. For my part, I can assure you that my only guide will be the interests of the Quebec people."

24 June 1990  
*First Ministers'  
Conferences*

Speaking to reporters during a visit to his Charlevoix riding, Prime Minister Mulroney announces that without Quebec there will be no more First Ministers' Conferences.

24 June 1990  
*Federal-Provincial  
Relations -  
British Columbia*

Following the lead of Quebec Premier Bourassa, B.C. Premier Vander Zalm announces that his province will deal directly with the federal government on key issues left unsettled by the failure of the Meech Lake Accord. According to the Premier, "if Quebec can seek sovereignty-association with Canada, then other provinces should also have that option.... I think we should commence the moment Quebec commences so we don't have them getting one particular package and everyone else looking at something different."

26 June 1990  
*Supreme Court  
Appointments*

Prime Minister Mulroney announces the appointment of Justice Antonio Lamer as the new Chief Justice of the Supreme Court of Canada. Mr. Justice Lamer, a Quebecer, will replace Chief Justice Brian Dickson, who is to retire on 1 July.

27 June 1990  
*Intergovernmental  
Relations - Quebec*

The Quebec government announces that it will boycott an interprovincial meeting scheduled for Hull, Quebec on the issue of interprovincial trade barriers. The announcement prompts the cancellation of the meeting, which was to have allowed provincial deputy ministers to put the final touches on an agreement to be signed by their ministers at a subsequent meeting in July. That conference also has been cancelled.

29 June 1990  
*Constitutional  
Change - Quebec*

In a joint news conference, Quebec Premier Bourassa and Parti Québécois leader Jacques Parizeau announce the establishment of a non-partisan legislative commission which, it is expected, will likely result in the drafting of a Quebec constitution. The commission, which is to include about 20 members — including business and labour leaders, academics, artists, provincial, municipal and federal politicians — is to begin its work in fall, 1990.

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# Appendix

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## The Meech Lake Accord: A Comprehensive Bibliography

compiled by Dwight Herperger

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