

Appendix

Office of the Prime Minister
Province of Quebec

Quebec, October 19, 1949

The Right Honourable Louis S. St. Laurent,
Prime Minister of Canada,
Ottawa, Ont.

Mr. Prime Minister:

I have brought today to the attention of my colleagues of the executive council of the province your letter of the 13th instant, dealing with the constitutional changes advocated by the dominion government.

You state in your letter:

"In your opinion this procedure and these precedents are unsound. To that opinion we can only reply that 'we respect your opinion without sharing it,' and that, as in the past, there is no obligation to ask for your consent or your acquiescence."

You also say:

"There is no doubt about our power to have this change of venue made without consulting the provincial authorities and without their acquiescence, 'except as regards matters coming within the classes of subjects by this act assigned exclusively to the legislatures of the provinces, or as regards rights or privileges by this or any other constitutional act granted or secured to the legislature or the government of a province, or to any class of persons with respect to schools or as regards the use of the English or the French language'."

You take special care to underline the words "our power."

You state further:

"We claim we also have the right to have this change of venue made, without the consent or acquiescence of the provincial authorities. We cannot therefore accede to your request to postpone all action until there has been an understanding with the provincial authorities."

Again you underline the words "the right."

My colleagues and I have noted with surprise the particularly unfortunate tone you have given to your letter in connection with such a vital problem.

You state that you need neither the consent nor the acquiescence of the Quebec provincial government to make constitutional changes of paramount importance which deeply affect provincial rights, freedom and prerogatives, especially as regards the province of Quebec.

Let us tell you that we greatly regret such an attitude; that we are sincerely convinced that it is

at variance with the spirit of the federative pact, and that it is not likely to facilitate the co-operation that is desirable and which we desire between the various governments of this country.

We feel constrained to reassert that the Canadian constitution is not the work of a moment, or the result of hasty decisions, any more than it is the achievement of any single political party or government. Our view is that all and every one of us can benefit from the example given us by the fathers of confederation who made it a point to make an exhaustive study of the project and to obtain, prior to any decision, the views and approval of the then existing administrations.

We believe that the vital and manifold problems involved in any amendment to the Canadian constitution are of such magnitude that they ought to be carefully examined and pondered before they are proposed and, still more, before they are agreed upon, especially in view of the fact that the amendments advocated by your government are the most important and momentous since confederation.

In our opinion it was only natural and legitimate that we should have asked you to postpone any legislation dealing with the federative pact, and to convene, as a first step, a meeting of the parties concerned so that all may examine in a spirit of co-operation the vital problems involved in any amendment to the British North America Act.

Once again, the Quebec government respectfully reasserts the stand and the statements contained in the two letters I wrote you in connection with this matter on September 21 last and on the 5th instant.

Yours sincerely,

Maurice Duplessis

Office of the Prime Minister
Canada

Ottawa, October 21, 1949

The Honourable Maurice Duplessis, M.L.A.,
Premier of Quebec,
Quebec, Que.

My dear Premier:

I have received your letter of October 19 with further reference to the subject of amending the constitution in Canada.

It seems to me that we have both made our positions very clear, and that it would not serve any useful purpose to continue our correspondence until such time as we are in a position to extend invitations to the provincial governments to confer with us on this subject.

Yours sincerely,

Louis S. St. Laurent