

93(2b)-94; 121(1b); 158(2c)-159; 178(1a); 258(2c)-259; 280(2b); 758(1b); 861(2a.) One of the striking differences between the Constitution of the United States and the Quebec Resolutions is the latter's pronounced tendency to make specific statements providing exceptional treatment for various provinces. For Quebec, see especially Resolutions 20, 33, 35 and 46. For the other provinces, see especially Resolutions 2, 9, 12, 14, 29, 40, and 43. The passages cited reveal that the exceptions for Quebec are of a far more profound nature than those for the other provinces.

The status of the anglophone minority in Quebec tended to be discussed more in terms of religion than of language. The following citations are pertinent: 173 (2b); 236-237 (1); 405 (2)-406; 432 (2); 640 (2b)-644; 672 (1b)-673. For matters other than religion, see 90 (2b); 408 (2c)-409 (1a); 793.

<sup>6</sup> Debates, 381 (2c) and 433 (2c.)

<sup>7</sup> For an account of the Report of the Royal Commission on Aboriginal Peoples, see Maclean's (2 December 1996): 16-19.

<sup>8</sup> See, for example, Attorney General of Manitoba et al. v. Attorney General of Canada, et al., 28 September 1981 ("The Patriation Reference") and Queen v. Ford, 15 December 1988 ("The Quebec Sign Case"). Both are reported in Peter H. Russell, Rainer Knopff, and Ted Morton, eds., Federalism and the Charter: Leading Constitutional Decisions (Ottawa: Carlton University Press, 1993): 706-759 and 557-581.

<sup>9</sup> See James G. Snell and Frederick Vaughan, The Supreme Court of Canada: History of the Institution (Toronto: University of Toronto Press, 1985): 3-12.

<sup>10</sup> Rohr, To Run A Constitution, 83, 163-166, 175-176; Founding Republics, chapter 5.

<sup>11</sup> For examples of brief discussions on judicial power, see Debates, 690(1a)-(2c) and 698(1a.)

<sup>12</sup> Ibid., 823(2a.)

<sup>13</sup> Ibid., 833(2c)-834(1a.)

<sup>14</sup> Ibid., 62(1c.)

<sup>15</sup> Ibid., 396(2b.) The conservative character of nineteenth century Canadian culture has come under close scrutiny recently by scholars who find strong liberal tendencies during this period. For a particularly cogent statement of this position, see Janet Aizenstat, The Political Thought of Lord Durham, (Kingston: McGill-Queen's University Press, 1988.)

<sup>16</sup> Ibid., 87(1c); 464(1b); 556(1c); 776(1a); 950(1b.)

<sup>17</sup> Ibid., 776.

<sup>18</sup> Ibid., 777(2c.); see also 849(1) and 335(1c-2a.) The issue of marriage and divorce was pervasive throughout the Confederation Debates. See 690-691, 388, 911, 859(c), and 15 (2c.)

<sup>19</sup> See, for example, 640(1c)-644(1c); 672(1b)-673(1c); 843(1); 850(1a-b); 926(1c)-927(1c); 236(1a)-237(2b.) The acrimonious debates on religion were not without their lighter moments as when French confederationists professed dismay at discovering that French Quebecers opposed to confederation who had not seen the inside of a church for years suddenly appeared as pious defenders of the faith they had long since abandoned. See 477(1b); 699(1c.) As the final touches were being applied to this article in January, 1997, the confessional school question arose anew. This time, however, the issue had little to do with pitting Catholics against Protestants. There is apparently a widespread consensus in Quebec that the confessional school arrangements worked out at the time of Confederation are an anachronism and that today the schools should be aligned along linguistic rather than religious traditions. To do this, however, it seems that the Quebec government would be placed in the awkward position of seeking an amendment to the Constitution of 1982 whose legitimacy has never been recognized in that province. See Paul Cauchon, "Québec relance le dossier," Le Devoir, (21 janvier 1997): 1. The immediate background of the proposal to diminish the role of the confessional schools can be traced to a report from La Commission des états généraux sur l'éducation in October, 1996. See "Les Québécois disent non à l'école laïque," La Presse (11 octobre 1996): 1; Michèle Ouimet, "La hache dans les écoles d'élite," La Presse (11 octobre 1996): B1; Jean-Pierre Proulx, "Les écoles confessionnelles ne sont pas toutes imposées par la Constitution canadienne," Le Devoir (10 octobre 1996): 7.

<sup>20</sup> Jean-Charles Bonenfant, "Les craintes de la minorité anglo-protestante du Québec de 1864 à 1867," Les Cahiers des Dix No. 36 (1971): 59-63.