

Federal-Provincial Relations in Canada

issue of compulsory enlistment for overseas service. French Canadians, isolationist in outlook and angered by the unwillingness of English Canadians to recognize their linguistic rights, opposed the policy. Most English Canadians, who identified more closely with the Imperial cause in the war, strongly favoured compulsory service. The majority carried the day leaving many French Canadians convinced that their power in federal affairs was illusory and that only a strong province could guarantee their future.

From the 1880s to the present Quebec provincial leaders have insisted on a strict interpretation of the division of powers between the provincial and central levels of government. Indeed Quebec politicians have often maintained that the provinces take primacy over the central authority. Though it is important to emphasize that Quebec has never been the only province to take up the cause of provincial autonomy (in fact Ontario was historically the first to do so), Quebec's cultural distinctiveness gave it a special reason to take that position. The proponents of provincial rights and primacy have traditionally argued that the federal system was the product of a "compact" among the provinces whereby certain powers were transferred to the central authority. Those powers, the compact theorists have

argued, could not be changed without the consent of the provinces.

As early as 1887 the province of Quebec, led by a nationalist Premier named Honoré Mercier, advanced this position and, in company with some other provincial premiers, demanded that the powers of the federal government be reduced. Nothing came of this demand at the time, but similar assertions by Quebec, and sometimes other provinces, became more frequent after the First Great War. This was so for two reasons. The first was the unhappy experience of the French language minorities outside Quebec and the wartime clashes. The second arose out of the changing view of the role of government in Canadian society. As Canada became increasingly urban and industrialized in the inter-war years many Canadians concluded that government should assume greater responsibilities in areas of social security, education, culture and economic management. After the experience of the Great Depression, when some provinces faced near-bankruptcy, it was the federal government, with its jurisdiction over the national economy, its wide tax base, and its ability to redistribute wealth from rich to poorer regions, which began to assume the role of a welfare state. Despite the resistance of successive Quebec governments, always

fearful that Ottawa would adopt policies detrimental to French Canadian interests (even though French Canadians came to play a larger role in federal politics), the central government adopted such policies as Old Age Pensions, Unemployment Insurance and Health Insurance. Moreover, it gradually moved in such sensitive areas as broadcasting and provided subsidies for education and cultural activities.

These policies received increasingly severe criticisms in Quebec, especially after the Second World War when the central government once again adopted a limited policy of conscription despite French Canadian opposition. After the war the staunchly nationalist premier, Maurice Duplessis, fought a long series of jurisdictional battles with his federal counterpart and fellow French Canadian, Prime Minister Louis St. Laurent. Duplessis summarized his position in this graphic manner: "The legislature of Quebec is the fortress that we must defend without failing. It is that which permits us to construct the schools which suit us, to speak our language, to practise our religion and to make laws applicable to our population." At the heart of the struggle was control of taxation, particularly direct taxation, which Ottawa dominated. "There can be no federalism without the autonomy of the state's constituent parts," the Quebec government observed, "and no sovereignty of the various parts without fiscal and financial autonomy." Several other provinces, notably the richer ones, agreed with that proposition. But the Quebec government put forward another argument that could not be claimed by the others. A Provincial Royal Commission of Constitutional Problems put it this way in 1958: "... by reason of its history, as well as of the cultural character of its population, Quebec is not a province like the others, whatever may be said to the contrary. It speaks in the name of one of the two ethnic groups which founded Confederation, as one of the two partners who officially have the right to expand and to live in this country. It is the only one able to represent one of the two partners, just as it alone may determine its reasons for refusing federal largesse."

The idea that Quebec was a province *pas comme les autres* (not like the others) bore within it the seeds of the contention that it was in some sense the "nation-state" of the Francophone Canadians. This tendency to identify French Canadian



The Quebec legislature has historically been a focal point for the expression of French-Canadians' determination to preserve their cultural identity.