



At the Paul Sauvé Arena in Montreal on November 15, 1976, surrounded by supporters and members of the press, Quebec's newly-elected Premier, René Lévesque, delivers his victory speech. Mr. Lévesque has stated his intention of adding a new dimension to Quebec's role in foreign policy.

*Constitutional competence replacing sovereignty*

ditional competence, however, they have elicited many objections and led to the creation of numerous working groups in the federal capital.

The basic reason for these difficulties is that a great deal of emphasis has been placed, in speeches and official statements at any rate, on the notion of "constitutional competence". The working paper on external relations submitted by the Quebec government to the constitutional conference in 1969 is significant in this regard. The notion of "competence" is gradually beginning to replace the traditional one of "sovereignty" in international law. "Absolute sovereignty" is a term used less and less by contemporary jurists, since most states have agreed by treaty or otherwise to circumscribe its exercise. Thus we have the current use of the term "competence of the state".

To be sure, while it was indispensable at the beginning of the Sixties to resort to all plausible arguments, such as certain historical precedents, some court decisions, existing practices in other federal systems — including the U.S.S.R. with the well-known examples of the Ukraine and Byelorussia — and various interpretations of an archaic constitution, in order to give more legal authority and a certain "consistency and legal weight" to Quebec's international activity, it is clear that such a strategy could be successful over the short term. Why? Because it put into a legal context

a "state of mind" or a "psychological desire" that it did not need then, but which it certainly does not need now, to be made effective and protected in this way. But it is more to it.

**Two approaches**

In contrast to those who see the trend towards federalism as a legitimate trend and another step towards bringing about a gradual change in Canadian federalism, as well as a declaration of Quebec's uniqueness in Canada, there are others who prefer to give priority to matters of international law and to act in such a way as to confirm the view of Quebec's jurisdictional competence and establish through precedents a permanent status. Such an attitude has been turned Ottawa's "specialists in the field" into experts in Cartesian logic determined to set down in written documents scrupulously-defined limits to Quebec's international activity. To be convinced of this, one only has to consult the two volumes of Papers published by the Federal Government in 1968, *Federalism and International Relations* and *Federalism and International Conferences on External Relations*. When the true history of the constitutional conference is written, the importance of the Government's concern in this area will be more clearly understood.

In wishing Quebec to act also on the international level in fields in which