

White paper on Quebec's proposals for sovereignty association

The Quebec Government tabled a white paper in the province's National Assembly on November 2, outlining its program for Quebec's political future.

The 120-page document, entitled *Quebec-Canada: A New Deal*, proposed a detailed form of economic association between a sovereign Quebec and Canada to replace the federal system.

During the election of November 1976, the Parti Québécois pledged to consult Quebecers on the question of sovereignty by way of a referendum. Quebec's Premier René Lévesque recently announced that the referendum would be held in May or June of next year. According to the white paper, "a 'yes' vote by Quebecers would thus be, in fact, a mandate given the Quebec government to make this new agreement a reality through negotiations".

In some ways the white paper marks the start of the referendum campaign. The Quebec Liberal Party has announced that it would issue its own proposals for renewed federalism in about a month.

The Quebec Government proposes four communal agencies to manage the economic association: a community council, a commission of experts, a court of justice and a monetary authority.

Excerpts from the white paper follow, with reactions and comments from federal and provincial leaders.

"Given the situation of [the] two communities, and because the economic space that Canada and Quebec share must be both preserved and developed; the Quebec government wants to propose to the rest of Canada that the two communities remain in association, not only in a customs union or a common market but in a monetary union as well. Thus Canada can be preserved intact as an economic entity, while Quebec can assume all the powers it needs as a nation to ensure its full development. Replacing federalism by association will, in effect, maintain economic exchange, but the nature of political and legal relations between Quebec and Canada will be changed....

"...Sovereignty would reside entirely in the State of Quebec, so that Quebecers would be ruled by a single government and would pay taxes only to Quebec. Because of the association, Quebec and Canada would continue to share a single customs tariff and a single currency. Each

partner, however, would have its own international personality.

"In legal terms, the difference between the two formulas could be stated this way: at present, the relations between Quebec and Canada are ruled by a constitution that divides powers between two governments, only one of which, the Federal Government, has an international personality; in the formula proposed by the Government of Quebec, both Quebec and Canada would have an international personality, and their relations would be ruled not by a constitution, but by a treaty of association....

Sovereignty

"Through sovereignty, Quebec would acquire, in addition to the political powers it already has, those now exercised by Ottawa, whether they were assigned to the Federal Government under the British North America Act of 1867 or whether it assumed them since that time, directly or indirectly.

"Sovereignty is the power to levy all taxes, to make all laws and to be present on the international scene; it is also the possibility to share freely, with one or more states, certain national powers. Sovereignty for Quebec, then, will have a legal impact on the power to make laws and to levy taxes, on territorial integrity, on citizenship and minorities, on the courts and various other institutions, and on the relations of Quebec with other countries.

"For each of these subjects, the government wishes to define as clearly as possible the position it intends to adopt in its negotiations with the rest of Canada.

• Laws and taxes

"The only laws that will apply on Quebec's territory will be those adopted by the National Assembly, and the only taxes that will be levied will be those decreed by Quebec law. In this way, there will be an end to the overlapping of federal and Quebec services, which has been so often denounced, thereby enabling Quebec to control the totality of its fiscal resources.

"Existing federal laws will continue to apply as Quebec laws, as long as they are not amended, repealed or replaced by the National Assembly.

• Territory

"Quebec has an inalienable right over its territory, recognized even in the present Constitution, which states that the terri-

tory of a province cannot be modified without the consent of that province. Moreover, since the agreements were reached on James Bay, there no longer is any lien on any part of the Quebec territory. In becoming sovereign, Quebec, as is the rule in international law, will thus maintain its territorial integrity.

"Moreover, it would be desirable for Quebec to regain the advantages that would normally come to it from its geographical position, putting an end to the uncertainties that have surrounded the issue of jurisdiction over the Gulf of St. Lawrence, Labrador and the Arctic regions.

• Citizenship

"The Quebec government gives its solemn commitment that every Canadian who, at the time sovereignty is achieved, is a resident of Quebec, or any person who was born there, will have an automatic right to Quebec citizenship; the landed immigrant will be able to complete residency requirements and obtain citizenship. The Parliament of Canada will have to decide whether Canadians who become Quebec citizens may maintain their Canadian citizenship as well. Quebec, for its part, would have no objection.

"Any person who is born in a sovereign Quebec will have the right to Quebec citizenship; the same will hold true for any person born abroad of a father or mother who has Quebec citizenship.

"Quebec citizenship will be recognized by a distinct passport, which does not rule out the possibility of an agreement with Canada on a common passport, since the two states will have close relations, of a community nature, that may cover many subjects.

"Canadian citizens will enjoy the same rights in Quebec as Quebec citizens enjoy in Canada. The acquired rights of foreign nationals will also be fully recognized.

• Minorities

"The government pledges that Quebec's Anglophone minority will continue to enjoy the rights now accorded it by law, and that other communities in Quebec will be given the means to develop their cultural resources.

"The Amerindian and Inuit communities, if they so desire, will be in full possession on their territory of institutions that maintain the integrity of their societies and enable them to develop freely, according to their own culture and spirit.

"As for Francophone minorities in