

- ²¹ Debates, 641(1c)-643 and 912.
- ²² Ibid., 643(1c.)
- ²³ Richard Gwynn, Nationalism Without Walls: The Unbearable Lightness of Being Canadian, (Toronto: McClelland and Stewart, 1995).
- ²⁴ For a particularly thoughtful discussion of the confessional school problem in the context of Quebec's "vide spirituel," see the interview given by Fernand Dumont for a special 25th anniversary issue of L'Actualité (15 septembre 1996): 86-96.
- ²⁵ The English version of the referendum question read as follows: "Do you agree that Quebec should become sovereign after having made a formal offer to Canada for a new economic and political partnership within the scope of the Bill respecting the future of Quebec and of the agreement signed on June 12, 1995?"
- ²⁶ Russell, et al., Federalism and the Charter: 38. The statement remains true today despite the recent decision of the Supreme Court of the United States in U.S. v. Lopez 115 S. Ct. 1624 (1995.)
- ²⁷ Richard Risk, "The Scholars and the Constitution: P.O.G.G. and the Privy Council," Manitoba Law Journal, 23 (January, 1996): 509.
- ²⁸ The story is told with admirable clarity in Robert P. Vipond, Liberty and Community: Canadian Federalism and the Failure of the Constitution, (Albany: SUNY Press, 1991): chapter 2.
- ²⁹ Risk, 500-501, citing Board of Commerce Reference [1922] 1 A.C. 191 at 197-8 and Fort Frances Pulp and Paper v. Manitoba Free Press [1923] A.C. 696 at 703 and 704.
- ³⁰ The differences between the two texts can be traced to a conference in London where certain changes were introduced into the text approved in the colonies to meet objections from the mother country. See Donald Creighton, The Road to Confederation: chapter 14.
- ³¹ Debates, 33(2b.) For further development of this theme by John A. Macdonald, see pages 40(1c)-42(2c.)
- ³² Ibid., 807(2b.)
- ³³ Ibid., 818(1c.)
- ³⁴ Ibid., 823(1b.)
- ³⁵ Ibid., 911(2a.)
- ³⁶ For examples of statements supporting legislative union, see Ibid., 75(2); 425(1a); 465(1a); 749(2c); 806(2c); 818(2c); 918(1a); 976(2.)
- ³⁷ Ibid., 9(2c.)
- ³⁸ Ibid., 55(1b.)
- ³⁹ Ibid., 373(1a.)
- ⁴⁰ Ibid., 702(2b.)
- ⁴¹ Resolution 29.
- ⁴² For a discussion of the confederationists' studied efforts to avoid clarifying jurisdictional questions, see Vipond, chapter 2.
- ⁴³ Debates, 859(2a.)
- ⁴⁴ Ibid., 623(2b.)
- ⁴⁵ Ibid., 689(2c.) For similar statements, see 690 and 176(1c.-2b.) See note 11 above for Cartier's answer on how to decide jurisdictional questions.
- ⁴⁶ The role played by the Reform Party during the debates is beyond the scope of this paper. See Vipond, chapter 2, for a good discussion of this topic.
- ⁴⁷ Peter H. Russell, Constitutional Odyssey: Can Canadians Become A Sovereign People? 2d (Toronto: Univ. of Toronto Press, 1993): 1.
- ⁴⁸ Ibid., 2
- ⁴⁹ Debates, 797(2b.)
- ⁵⁰ Ibid., 864(1a.)
- ⁵¹ Ibid., 985 (1b.)
- ⁵² See, for example, 12(2c); 120(1b); 277(2b); 733(2a); 883(1b); 894(2c); 934(1b.)
- ⁵³ See Creighton, 246-252.
- ⁵⁴ Debates, 77(2c.) For similar statements, see 471(2)-472(1); 579(2c); and 1004.
- ⁵⁵ Debates, 330(1b.)