

CANADA

TODAY / D'AUJOURD'HUI

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Referendum in Quebec, May 20, 1980
OUI — NON

Referendum in Quebec

In the ideal democracy, people would design the governments under which they live. In practical ones political parties offer options and the voters choose.

Significant decisions are being made in Quebec.

The premier of the province, René Lévesque, and his Parti Québécois wish to negotiate political sovereignty for Quebec combined with economic association with the rest of Canada. When the PQ was elected in 1976, it promised to let the people of Quebec vote on the question within five years and on May 20th this proposal will be put before them in both French and English:

The Government of Quebec has made public its proposal to negotiate a new agreement with the rest of Canada based on the equality of nations.

This agreement would enable Quebec to acquire the exclusive power to make its laws, levy its taxes and establish relations abroad—in other words, sovereignty—and at the same time to maintain with Canada an economic association including a common currency.

No change in political status resulting from these negotiations will be effected without approval by the people through another referendum.

On these terms, do you agree to give the Government of Quebec the mandate to negotiate the proposed agreement between Quebec and Canada?

Le Gouvernement du Québec a fait connaître sa proposition d'en arriver, avec le reste du Canada, à une nouvelle entente fondée sur le principe de l'égalité des peuples;

Cette entente permettrait au Québec d'acquérir le pouvoir exclusif de faire ses lois, de percevoir ses impôts et d'établir ses relations extérieures—ce qui est la souveraineté—et, en même temps, de maintenir avec le Canada une association économique comportant l'utilisation de la même monnaie;

Aucun changement de statut politique résultant de ces négociations ne sera réalisé sans l'accord de la population lors d'un autre référendum;

En conséquence, accordez-vous au Gouvernement du Québec le mandat de négocier l'entente proposée entre le Québec et le Canada?

Yes—No

Oui—Non

In its white paper, "Québec-Canada: A New Deal," the Quebec government tells why it believes citizens should vote "Yes." The Liberal Party of Quebec has criticized the Referendum question as misleading and its leader Claude Ryan said during debate in the province's National Assembly that whatever the outcome of the Referendum vote, the party would continue to fight for a program of constitutional reform that would maintain the Confederation but give the provinces greater authority. Whether or not René

Lévesque and his party manage to convince Quebecers to support them in the Referendum, the voters will soon go again to the polls. The Parti Québécois government, elected in 1976, is required to call provincial elections no later than 1981. Traditionally governments tend to call them every four years, which would mean this year.

In this issue of CANADA TODAY/D'AUJOURD'HUI we examine the two propositions, give a smattering of background and offer some incidental information.

Cover photo: The Chamber of Deputies of the provincial legislature, the National Assembly, in Quebec City. The painting by Charles Huot depicts the debate over the official language of the Assembly of Lower Canada (now Quebec) in 1793. English and French were given more or less equal status.

The White Paper

The Quebec government proposes sovereignty-association. It suggests that Quebec could negotiate a mutually beneficial economic association with the rest of Canada. In the words of the white paper, a sovereign Quebec would have the power:

"To levy all taxes, to make all laws and to be present on the international scene," and it would also be free to share with Canada "certain national powers."

Sovereignty-association is treated as a single concept and the white paper emphasizes the idea of sharing. It proposes that:

"Given the situation of our two communities and because the economic area that Canada and Quebec share must be both preserved and developed, . . . the two communities [would] remain in association, not only in a customs union and a common market but in a monetary union as well."

The paper recognizes some of the difficulties of negotiating the complete package as a unit.

"These negotiations (which would come after a 'Yes' vote in the Referendum) should bear first on the repatriation to Quebec of those powers exercised by the federal Parliament and on the transfer of the corresponding resources."

It adds, "It is obvious that the process the Quebec government is beginning with this docu-

ment will not be completed for some years. . . ." and it says reassuringly, "Any unilateral declaration of sovereignty immediately after the Referendum is completely out of the question. . . ."

Critics have suggested that the Government of Canada may simply refuse to negotiate on the question of sovereignty, but the white paper expresses a conviction that, "If the majority of Quebecers say 'Yes,' Ottawa and the rest of Canada, though they will be disappointed, will have no choice. They will negotiate." It cites two polls indicating a willingness by other Canadians to negotiate under certain circumstances. One, by the Canadian Broadcasting Corporation, reported that 50 per cent of the respondents in other provinces think English-speaking Canada should agree to negotiate "if a majority [of Quebecers] opt for sovereignty-association." (The Referendum, however, will not ask voters to make a final choice but only to give the Quebec government a "mandate to negotiate the proposed agreement.") The other poll, taken by York University in May 1979, indicated that a "majority of Canadian leaders" believe the rest of Canada should be willing to negotiate an economic agreement with Quebec "if Quebec becomes independent."

The Quebec Government's Program

This is the program proposed for a sovereign Quebec as outlined by the white paper:

Laws and Taxes

The only laws and taxes would be those adopted by the (Quebec) National Assembly.

Territory

The boundaries of Quebec would remain as they are.

Citizenship

Every resident or native would have an automatic right to citizenship; landed immigrants who could meet requirements would be eligible for citizenship. Canada and Quebec would have a common passport.

Minorities

Anglophones would have all rights now given them. Amerindians and Inuit would be able to maintain their cultures on their territories.

Courts

Quebec judges now on the bench would remain. A joint Quebec-Canadian court would interpret the treaty of association.



René Lévesque

External Affairs

Quebec, though bound by present treaties, could withdraw from them according to the rules of international law. It would respect the agreement on the St. Lawrence Seaway and would become a full partner (with Canada and the United States) in the International Joint Commission. It would respect its responsibilities in NATO and NORAD, and would ask to be admitted to the United Nations.

Community Association

Quebec would negotiate with the rest of Canada a treaty of community association. It would be between sovereign nations and would bind them in a manner and for a term to be determined. It would define areas of common activity and establish common goals. It would set the rules and create institutions for the Quebec-Canada community, and agree on methods of financing it.

Areas of Common Action

Neither Quebec nor Canada would install customs barriers at common borders. They would establish tariff protection jointly, taking into account the short- and long-term interests of each.

Monetary Union

The Canadian dollar would remain the common currency. Capital would be circulated freely but each party would be able to establish its own investment codes or financial regulations.

The Free Movement of People

There would be no regular police controls at

common borders and no passports would be required for movement between Quebec and Canada.

Areas of Mutual Understanding

The two parties would agree on certain goals and would adopt complementary laws in such areas as transportation and inland shipping, the management of public carriers (e.g., Air Canada and Canadian National) and defence.

Community Institutions

The number and nature of community institutions would be negotiated.

Legal Equality

The disparities in population and wealth might cause some difficulties in negotiations. In some areas there would have to be parity in association, otherwise the smaller party would be at the mercy of the other. However, all things would not be subject to double vetoes. Certain institutions (the monetary authority, for example) could have a large measure of autonomy and in special cases the predominant interest of one of the parties could be recognized. Canada, for example, could control the production and marketing of wheat and Quebec the production and marketing of asbestos. There would be some flexibility.

Basic Agencies

The Quebec government proposes four basic community agencies: a Community Council, a Commission of Experts, a Court of Justice, and a Monetary Authority.

Reactions to the Quebec White Paper

Pierre Trudeau

Pierre Trudeau said the paper was "essentially a tactical document to get the people of Quebec to give a 'Yes' vote in the Referendum without frightening them. It's the old thing of having your cake and eating it too. That's done by saying in the document that a 'Yes' vote is for a mandate to obtain sovereignty and association and that one will not be obtained without the other." The paper described the benefits of economic union with Canada, but not what would happen if independence did not include such economic links, said Mr. Trudeau.

Joe Clark

Conservative leader Joe Clark said the Quebec government's paper proposed "an option that was incompatible with the continuation of [Canada's] federation . . . From our point of view on the side of the Federal Government, we have already begun a significant renewal of Canadian federalism . . . We are going to have to continue to demonstrate as the Federal Government that federalism means change."



Ed Broadbent

New Democratic Party Leader Ed Broadbent warned that the white paper was shrewd in the "psychological sense" by suggesting Quebecers could vote "Yes" in the upcoming Referendum and still enjoy all the benefits of being a Canadian. "It's suggesting you can have it both ways," Mr. Broadbent said. "Quebecers will see the implications."

William Davis

Ontario Premier William Davis responded to the Quebec government's white paper in the Ontario Legislature by calling it "a limited and short-sighted response to the continuing challenge of cultural development, which places isolation and internationalization above all other objectives."

Western Premiers

The premiers of the four Western provinces, Sterling Lyon (Manitoba), Allan Blakeney (Saskatchewan), Peter Lougheed (Alberta) and William Bennett (British Columbia), responded by saying that it was "neither in the economic interests of

western Canada nor in the broader interests of Canada as a whole." However, they also said that they were willing to negotiate constitutional changes within the framework of Confederation. "We certainly want to make it clear to everybody who may wish to know that we will not in any sense feel bound to negotiate the details of sovereignty-association just because a Referendum passes in Quebec," said Premier Blakeney.

John Buchanan

Nova Scotia Premier John Buchanan said his province did not support the white paper because it would create two levels of Canadians. However, he said the province would be "prepared to make Canada work in a fractured sense if Quebec separates."

Angus MacLean

Premier Angus MacLean of Prince Edward Island said the Quebec government's paper was an attempt to persuade the people of Quebec that "they can have the best of both worlds." He said he had serious reservations about the viability of Quebec's concept of sovereignty-association.



Ed Broadbent



William Davis



Peter Lougheed



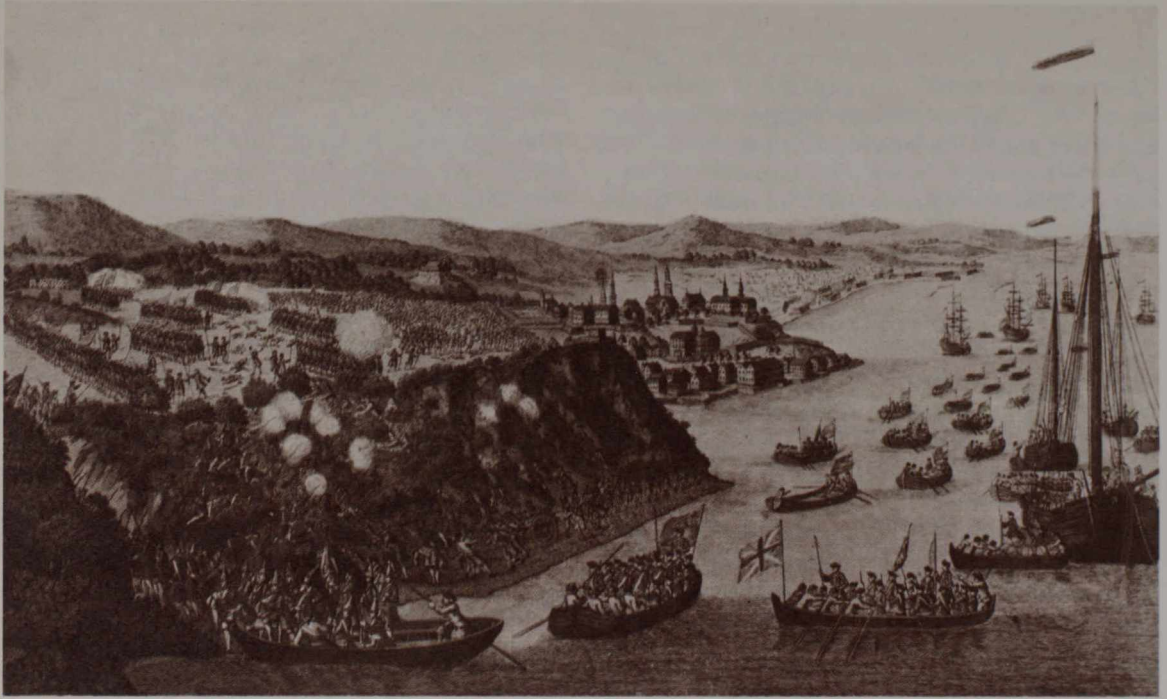
William Bennett



Allan Blakeney



John Buchanan



The taking of Quebec by the British in 1759, by Henry Smyth.

It All Began in 1759

Many English-Canadians evidently look on the French-Canadians as just another minority, like Italian-Canadians or West Indian-Canadians or Ukrainian-Canadians, and fail to fathom why the language of only one is given status. This attitude is a denial of history.

Stanley Meisler, *The Atlantic Monthly*.

Canada stopped being a French colony in 1759 when General Wolfe defeated General Montcalm on the fields of a man named Abraham.

The 60,000 Catholic French-speakers who became British subjects would maintain their culture, their civil law, their church and their identity. They would remain a majority until the late eighteenth century when refugees from the American Revolution poured into Canada. In 1791 the Constitutional Act divided the country into French-speaking Lower Canada (the future Quebec) and English-speaking Upper Canada (the future Ontario). Each had its own legislature but

both were vulnerable to vetoes from London. In 1834 Louis-Joseph Papineau, leader of the *patriotes*, persuaded the Lower Canada assembly to pass the Ninety-Two Resolutions, listing specific grievances against the Crown. When they were ignored, Papineau led an abortive rebellion. In 1841 the British Parliament reunited Upper and Lower Canada, giving English-speakers a permanent edge in the common parliament, since all of the representatives from Upper Canada and a few from Montreal would always be English.

In 1867 the British North America Act joined the colonies of Canada, Nova Scotia and New Brunswick in Confederation. Both French and English were established as official languages.

The first Prime Minister, John A. Macdonald, tried with some success to keep the French and English speakers in harmony but as the western prairies opened up, the balance of population tilted heavily in favour of the English speakers. In 1885 Louis Riel, the leader of the M tis (half French, half Indian), who were resisting the reset-



Sir John A. Macdonald



Louis-Joseph Papineau



Louis Riel

tlement of land in Manitoba and Saskatchewan, was hanged, and the status of the French language went into a steady decline. In 1889 Manitoba disbanded the French schools and in 1913 Ontario adopted Regulation 17 of the Department of Education, forbidding primary school instruction in French. (This regulation has since been repealed.)

There were other signs of diminishing French status. Anglophones controlled the major industries and businesses of Quebec. In the 1940s Premier Maurice Duplessis' Union Nationale party was strongly nationalistic though it accepted the economic *status quo*. After his death in 1959, Jean Lesage and the Liberal Party of Quebec launched *la révolution tranquille*, the Quiet Revolution, a cultural and social renaissance which engendered a sweeping reorganization of education and a separation of church and state and fostered a new economic nationalism.

In 1963 the Federal Government's Commission on Bilingualism and Biculturalism, co-chaired by André Laurendeau, editor of the newspaper *Le Devoir*, and Davidson Dunton, president of Carleton University, provided the logic for the Official Languages Act of 1969 which gave equal



Maurice Duplessis



Davidson Dunton



André Laurendeau

Another Time, Another Question

During the first World War Canada was divided on the question of conscription. Prime Minister Robert Borden, a Conservative, instituted a draft in 1917. Most French Canadians were opposed and the act had historical consequences. Quebecers were estranged, and it would be forty years before they would give a majority vote to the Conservative Party.

In World War II the Liberal leader William Lyon Mackenzie King promised there would be no draft, but as the war went on he came under pressure. In 1942, after much reflection, he put the question to the public in the form of a plebiscite question that carefully avoided the word *conscription*:

"Are you in favour of releasing the government from any obligation arising out of any past commitments restricting the methods of raising men for military service?"

The vote countrywide was "Yes," 2,946,000 to 1,643,000, but Quebec voted "No," 994,000 to 376,000. Parliament passed a draft act with the catch-phrase, "conscription if necessary, but not necessarily conscription," easing it through. King delayed the draft as long as he could and when he implemented it in 1944 he avoided sending conscripts overseas. The war ended without a further crisis and his government was re-elected.



Prime Minister Mackenzie King votes in the 1942 plebiscite.



Montrealers protest World War I conscription.



In July 1967 French President Charles de Gaulle set off a nationwide controversy when he shouted to a crowd in Montreal, "Long Live Free Quebec!"



Jean-Luc Pépin



John Roberts

status to both languages in Parliament and in government agencies.

In October 1970 the Front de Libération du Québec (FLQ) kidnapped British Trade Commissioner James Cross and Pierre Laporte, the Quebec Minister of Labour and Immigration. Prime Minister Pierre Trudeau invoked the War Measures Act on October 16, putting the province under martial law. On October 17 Laporte was killed. After his kidnappers were guaranteed safe conduct to Cuba, Cross was released.

In 1976 Canada's English-speaking airline pilots called an unauthorized strike against a decision to direct air traffic in Montreal in both French and English. They contended it would endanger lives. (In 1979, after exhaustive inquiries, a federal commission concluded that there was no danger and bilingual control was re-established.)

In 1976 the voters of Quebec elected René Lévesque and his Parti Québécois to run the provincial government. Lévesque ran on a good government platform and a promise to hold a Referendum on independence for Quebec.

In 1977 the Parti Québécois put Bill 101, "The Charter of the French Language," through the National Assembly. It made French the only official language in the province and required the use of French in businesses with more than fifty employees (special provisions were made for branches of multinational firms) and restricted enrollment in English language schools to pupils who meet at least one of four requirements: (1) a parent was a pupil in an English-language elementary school in Quebec; (2) a parent living in Quebec at the time of the bill's passage went to an English-language elementary school outside

Quebec; (3) the child was enrolled in a public English-language school in Quebec the year before the bill's passage; (4) the child's older brother or sister was enrolled in a public English-language school in Quebec in the previous year. (Bill 101 was similar in many respects to earlier bills passed by Liberal and Union Nationale administrations.)

Two years later the Canadian Supreme Court ruled that both French and English must be used in the legislatures and courts of Quebec and Manitoba, overturning some of the provisions of Bill 101 and an 1890 Manitoba law which had made English the only official language there.

In 1977 the Federal Government formed a Canadian Task Force on National Unity, headed by Jean-Luc Pépin, former federal Minister of Industry, Trade and Commerce, and John Roberts, former Premier of Ontario, which reached the conclusion that Canada had come to a "crisis of existence." The Task Force's far-reaching recommendations for change are still under consideration.

The Liberal Party of Quebec's Proposal

During the Referendum campaign, the opposition to the Quebec government's plan for sovereignty-association will be organized by a "No" committee, under the umbrella of the Liberal Party of Quebec. The party has proposed constitutional reform within the federal system.

Federal Council

It makes specific suggestions in the document entitled "A New Canadian Federation" (and popularly referred to as "the beige paper"). The Senate, the appointed second chamber of Parliament, would be replaced by a Federal Council with members named by the provinces. The Council would ratify appointments to the Supreme Court and to the top posts in the large federal agencies and major Crown corporations. Each province would be represented according to its population with two exceptions: Smaller provinces would be deliberately over-represented and Quebec (which



Claude Ryan addresses the Liberal Party leadership convention in 1978.

now has some 27 per cent of the population) would continue to name at least 25 per cent of the members even if its relative population should drop. (Population forecasts indicate that as the western provinces grow, the political power of French-Canadians could eventually be affected. The proposal for a minimum Quebec representation is a result of a widespread concern among Quebecers, a concern also expressed in the Quebec government's white paper.)

Language Rights

Language rights would be enshrined in a constitutional section called the "Charter of Rights and Liberties." French and English would remain official languages of federal institutions but provinces would be able to pass their own laws, subject to certain safeguards. Ontario and New Brunswick, which have sizeable French-speaking minorities, as well as Quebec and Manitoba, would have to provide extensive bilingual services. In the words of the Liberal Party document: ". . . the right of any French- or English-speaking, as well as any native person (Indian or Inuit), to be served by the federal government in their language" would be preserved where numbers justify it.

Persons facing felony charges would have the right to be tried in their own language and both French and English speakers would have the right, where their numbers warranted it, to have health and social services administered in their native tongues as well as French or English radio and television programs. All Francophones, Anglophones and native peoples would have the right to primary and secondary education in their native tongues.

Federal and Provincial Jurisdiction

Canada's ten provinces would be equal to each other on a legal level, their boundaries would be inviolate and they, like the Federal Government, would each be "sovereign and autonomous" in their fields of jurisdiction. Both levels of govern-

ment would have the power to levy taxes for their own purposes. The provinces would retain jurisdiction in matters of education, "human development" and other matters of health and social service. They would have authority over cultural matters including the arts, literature, cinema, the theatre, radio and television programming, music, libraries, publishing and sports; and they would have control of natural resources including mining, oil, gas, hydroelectric resources and lands and forests. They would (and this would be a significant change) have the right to regulate offshore resources in adjacent territorial waters.

Emergency Powers

The Federal Government would have the right to declare a state of emergency and exercise emergency powers, but in an apparent reference to the invoking of the War Measures Act in 1970 when some civil liberties were suspended, the paper proposes that "certain fundamental rights could not be suspended under any circumstances," and that declarations of emergency affecting a single province could not be made without the specific approval of that provincial government.

Reaction

The *New York Times* quoted Claude Ryan as saying, "If the views of the Quebec Liberal Party prove to be unacceptable outside Quebec, what is left?" The initial reactions have, in fact, been generally favourable but sometimes cautious.

Pierre Trudeau was restrained. He said only that the paper was "a well-prepared document, serious, not revenge-seeking . . . I took great pleasure in reading it." Trudeau had himself made some of the proposals, such as a constitutional charter of language rights. He had firmly opposed

others, such as giving the provinces control over offshore mineral resources.

Jeanne Sauv , recently named Speaker of the House of Commons, praised the document for the concern it shows for the other provinces and said she believed its emphasis on decentralization was compatible with the constitutional thinking of Trudeau.

Viewpoint

Ren  L vesque was a Liberal through the 1960s and Minister of Natural Resources and later Minister of Family and Social Welfare in the Liberal government headed by Jean Lesage. Claude Ryan, now his principal political rival, was until recently the publisher and editorial writer of *Le Devoir*, a small (40,000 circulation) but most influential newspaper. In the late sixties, as M. L vesque moved away from his old party colleagues, M. Ryan editorialized:

Whenever Mr. Ren  L vesque makes public his private anguish over the political future of Quebec, there



Jeanne Sauv 



Jean Lesage

is something in his manner of doing so that is both unusual and captivating. Mr. L vesque remains a very special kind of man. He risked everything for the Liberal Party in 1960. He was one of the chief architects of the renaissance for which his party was responsible between 1960 and 1966. Even while in office, he has always managed to preserve his independent attitude, a certain quality at once very personal and very detached which has made him, and continues to make him, a very special sort of person.

Ren  L vesque

Ren  L vesque, the son of a successful lawyer, grew up in New Carlisle, a remote town on the Gasp  coast. He went to the Jesuit college in Quebec City and then to law school at Laval.

He had little taste for the study of law, and he became a journalist, covering World War II as an overseas correspondent for the U.S. Office of War Information. After the war he became an international news specialist for the CBC where he became star of "Point de Mire" and lectured on international events with a pointer and a blackboard.

After Premier Maurice Duplessis died, L vesque ran as a Liberal candidate for the Quebec Assembly in June 1960. He was elected and became a minister in the government of Jean Lesage. The champion of utilities nationalization in the Lesage administration, L vesque pushed through the development of Hydro-Qu bec, a public corporation.

By 1964 L vesque was increasingly independent personally but not yet an advocate of independence for Quebec. That year he told a reporter that he was not yet sure about the proper position of Quebec in regard to the rest of Canada.

"I think it's not a bad comparison to say it is like a couple—if they can stand each other in a double bed, it's wonderful . . . and if they can't stand that they should go to separate rooms, and then, well, we know that legally if even that isn't good, it is much better to separate than to try to



Ren  L vesque, Radio-Canada reporter, interviews Lester B. Pearson outside the Canadian Embassy in Moscow — 1955.

hold on to something which makes both parties uncomfortable and makes the kids more unhappy."

In 1966 the Liberals and Lévesque lost an election. He walked out of the Liberal party convention of 1967, taking some fifty of the 1,500 delegates with him, and founded the Mouvement souveraineté-association. A year later

the MSA merged with another group, the Ralliement national, to form the Parti Québécois, which elected Lévesque its first president.

In 1973 the PQ received 30 per cent of the votes in the provincial election, though it took only 6 of 110 seats in the Assembly. In 1976 the PQ ran effectively against the incumbent Liberals, and got 41 per cent of the vote and 71 seats.

Claude Ryan

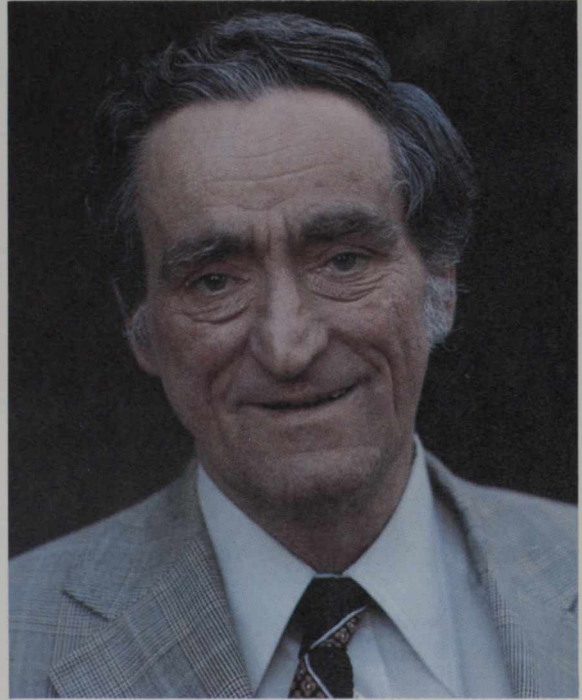
Claude Ryan, who was 54 last January, is a devout man, committed, religious and austere.

An intellectual who had remained outside party politics, he was elected leader of the Quebec Liberal Party in 1978 after a reluctant decision to quit as publisher of *Le Devoir*, Montreal's most influential newspaper.

Ryan studied social work and industrial relations at the Université de Montréal. He began his career as secretary-general of L'Action Catholique Canadienne, co-ordinating lay activist groups. He left it in 1962 after seventeen years (including a sabbatical year in Rome studying church history), joined *Le Devoir* as an editorial writer and became its publisher two years later.

Le Devoir, with Claude Ryan's voice on the editorial page, came to exert a powerful influence on the shaping of public opinion in Quebec. Ryan's views were consulted by the political and intellectual elite of the province, earning him the sobriquet of "the conscience of Quebec." A colleague has described him as a man "in the tradition of spiritual advisers to men of power."

He is celebrated for frugality and for hard work. As a journalist, he has criticized Pierre Trudeau as often as he has René Lévesque and he backed the Conservative Robert Stanfield in the 1968 election. In 1973 Lévesque asked Ryan to run as a PQ candidate but Ryan refused and backed the Liberals. In 1976 he endorsed the PQ two days before the election, but it was not an easy decision. He wrote prophetically in *Le Devoir*: "To elect a PQ government Monday is to take the risk of being



dragged afterwards into an adventure whose end we cannot foresee . . . we must choose the [risk] that most surely opens the door to the future."

He is a complex and serious man. Graham Fraser, writing in *Maclean's*, says he has two styles.

"In writing, reading a text and speaking English, he can appear formal, didactic, obscure and ponderous, but in conversation he can be blunt, funny, earthy, almost brutally frank—punctuating his stories with a raucous laugh that bites like a chain saw."

Some Earlier Proposals

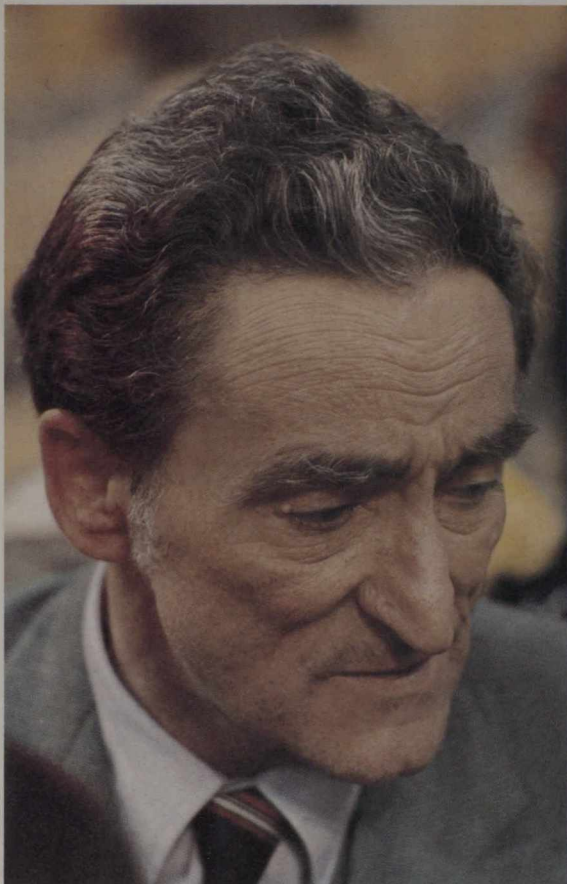
Rowell-Sirois Commission. During the Depression the federal Rowell-Sirois Commission proposed that the central government be given responsibility for the new unemployment insurance and old-age pension plans by giving it a monopoly on personal income taxes, corporate taxes and succession duties. Quebec and other provinces resisted.

Tremblay Commission. In 1953 Quebec's Tremblay Commission proposed sovereignty of

provinces in their jurisdictions; equality of federal and provincial governments; fiscal autonomy of provinces; recognition of the Quebec government as the national government of French Canadians.

Royal Commission on Bilingualism. In 1963 the Canadian government created the Royal Commission on Bilingualism and Biculturalism. It found that Quebec regards itself as an autonomous society and expects to be recognized as such.

Pépin-Robarts Task Force. In 1977 the central government created the Pépin-Robarts Task Force on National Unity which held extensive hearings and recommended fundamental constitutional changes in the structure of government and the division of powers.



On the left, Claude Ryan, leader of the Liberal Party of Quebec. On the right, René Lévesque, Quebec Premier and leader of the Parti Québécois.

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