

La Société Saint-Jean-Baptiste de

Québec

General Council

Quebec City, Quebec

November 26, 1980

Mr. Louis Duclos, M.P.

Parliament Buildings

Ottawa, Ontario

Dear Sir:

We are enclosing herewith a copy of a resolution in connection with the project of the Prime Minister of Canada concerning the unilateral patriation of the Constitution.

This resolution prepared in 1976 which sets forth the position of the Société Saint-Jean-Baptiste de Québec was again presented to the members of our society at its annual general convention at the end of last October.

Our society describes very well the basic points which must be respected prior to patriating the Constitution. It is after thorough study of all the aspects of the question that it concludes that in order to do justice to all Canadians the authorities would have to take into account the powers which must be returned to the provinces and respect the rights of the two founding nations.

The members at the annual general convention adopted this reso-

lution and asked that a copy be sent to all the federal Members of Parliament from Quebec.

Barring any special eventualities, our society's position remains what it was in 1976.

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The Société Saint-Jean-Baptiste de Québec is aware of the stand which you have taken in respect of the Prime Minister of Canada's project and assures you of its total support on this issue.

Trusting that the Quebec Members of Parliament will bring a great deal of attention to bear on this stand, I remain

Yours very truly,

(signed)

Noël Giroux

President General

N.B.: A copy of this letter to be sent to all Quebec Members of Parliament.

La Société Saint-Jean-Baptiste de Québec

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"Quebec tomorrow"

STATEMENT OF THE SOCIÉTÉ SAINT-JEAN-BAPTISTE DE QUÉBEC

CONCERNING THE PATRIATION OF THE CONSTITUTION

At the end of a meeting of the General Council of the Société Saint-Jean-Baptiste de Québec, its president general, Mr. Louis-Philippe Tremblay stated that:

Continuing its examination of the expressed intention of Prime Minister Trudeau to unilaterally patriate the Canadian constitution, the Société Saint-Jean-Baptiste de Québec reaffirms its opposition to this kind of action.

It is essential that Quebec be able, prior to any patriation, to negotiate with the rest of Canada the conditions for its participation in a new constitutional agreement which should be the culmination of a necessary revision of the present constitution.

The Société believes that it must be remembered at this time that the Canadian constitution is more than an agreement among a number of provinces ratified by a British act of Parliament. It is also an agreement between two nations that Quebecers, constituting a culturally distinct and politically organized people, make up, in the legal sense, a true nation. In light of this, Canada is not only a federation of provinces, but a

federation of two nations.

For this reason it is imperative that the agreement between the two nations be renegotiated in order that, following the erosion of provincial autonomy by the centralizing schemings of the federal government, a clear redefinition of the respective jurisdictions and a fairer sharing of powers can be established with a view to ensuring that the powers which enable Quebec to perpetuate its national identity are fully respected.

Consequently, the Société asks that the process of patriating the constitution take the following course:

First, that the federal government and the provinces agree on a revision of the present constitution which recognizes the bi-national nature of Canada as a constituent element of the country, clearly establishes the respective areas of responsibility of the federal and provincial governments, specifies their powers to collect and spend tax revenue and creates a constitutional tribunal offering all the guarantees of impartiality.

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Secondly, when this revision has been carried out, an agreement must be signed not only among the ten provinces, but between the two constituent nations of the country on a process for eventually amending the constitution.

Finally, when these two conditions have been met, the British North America Act, which represents our present constitution, may be abandoned and the new constitution promulgated, thereby patriating our constitution.

It is imperative, in our view, to put an end to the constant encroachments by the federal government on the areas of responsibility of the provinces as spelled out in the Constitution of 1867. It is also

necessary and urgent to establish a rational sharing of the new areas of responsibility in matters arising from the social and technological evolution of the last one hundred years.

In summary, the Constitution of 1867 no longer responds to the needs of Canada in 1976. Its patriation would add nothing to Canadian sovereignty and would in no way contribute to resolving the problems and alleviating the tensions with which we must cope in Canada. On the contrary, unilateral patriation of the Constitution of 1867 without prior revision would only sanction the stranglehold of the central power on the government of Quebec.

The Société Saint-Jean-Baptiste de Québec therefore asks all Quebecers to make their formal opposition to such patriation known to their federal and provincial Members and the political organizers in their ridings. We must, through political pressure, persuade Prime Minister Trudeau to abandon this project, support the government of Quebec in its opposition to a patriation which contains no adequate guarantee for Quebec and ask the government of Quebec to demand that the federal government meet the two conditions which we have mentioned before patriating the Constitution.

LOUIS-PHILIPPE TREMBLAY, President General

LA SOCIÉTÉ SAINT-JEAN-BAPTISTE DE QUÉBEC

NOTE: This statement issued on March 26, 1976 sets forth the position taken by the Société on that date, a position which remains the same today barring new eventualities.