

## The October Crisis

### Appendix Z

#### The Place of the Crisis in Quebec and Canadian History

*“L’histoire n’est que le tableau des crimes et des malheurs.”*

*(Voltaire, 1694-1778)*

*“History is bunk.” (Henry Ford, 1863-1947)*

*“Some historians are adverse to explicit explanation, instead preferring to ‘let the facts speak for themselves.’ Others will elaborate a preferred explanation, but they rarely set contending explanations against one another, as one must to fully evaluate an explanation. Historians are also (with some exceptions) generally averse to writing evaluative history. However, without explanatory historical work, history is never explained; and without evaluative historical work we learn little from the past about present and future problem-solving.” (Stephen Van Evera, 1997 at p. 93)*

#### *An Evaluative History -Action and Reaction*

I am not an historian and do not attempt to write history in this text. That is left to professional historians. Rather I have attempted, as an ex-politician, to evaluate the evolution of French-Canadian nationalism, from the founding of Quebec in 1608 to the present day. To do so, I have arbitrarily divided the saga into eighteen major stages and in each stage I have described

what happened (“the action”) and what resulted (“the reaction”). This evaluative style at least has the merit of being in the briefest of terms and is the first specific positioning of the October Crisis in Canadian history, to my knowledge, albeit by a biased, ex-politician.

The action/reaction methodology may also be surprising, although, I now understand that Karl Marx and others used it.

### *The FLQ distinguished from the Patriots of 1837- 38*

Much importance was given by the FLQ to supposed similarities between themselves and the Patriots of 1837-1838. The FLQ used a silhouette of Henri Julien’s famous drawing of a Patriot on all their communiqués. Some FLQ cells were even named after heroic Patriots – for example Chénier and Viger.

In reality, the FLQ were quite unlike the Patriots of 1838-39 in purpose, method and dedication. In judging the FLQ one must, nevertheless, take into consideration the political and social upheaval of the times, just as there was very considerable social and political unrest in 1837-39.

### An evaluative account of French-Canadian nationalism

The long, impressive story of French Canadian nationalism is itself much more than the heroic efforts of the Patriots of 1837-38; rather it began with the French colony founded by Champlain at Quebec City in 1608. As the colony became more and more self-sufficient, it sought to cast off its ties with France and subsequently from British rule. Under Papineau and others, French Canadians began to consider themselves as a nation with the result that the

measures taken to have their identity recognized became stronger and stronger. Attempts were simultaneously made to separate secular matters from the Church, which had usually sided with the established authority of the government, whether French or British. It was not until the 20<sup>th</sup> Century that the Church generally took the part of the working class of Quebec, and did so especially during the Asbestos strike of 1949-1950.

In the 1960s the movement for recognition and acceptance of French Canadian nationalism solidified into democratic political action to separate Quebec from Canada. The actions of the FLQ and those who supported them were the violent expression of that aspiration.

Throughout the whole period from 1608 to today, the events affecting Quebec nationalism were met by reaction (sometimes democratic and sometimes undemocratic) from the authorities in power and on occasion from French Canadians themselves. It is into this long story of Quebec and Canadian nationalistic action and reaction, that the October Crisis must be placed.

## **I. The first major event - (The establishment of the French regime, 1608 to 1759)**

The Quebec colony was founded in 1608 by Champlain. (Isle Ste-Croix and Acadia, had been established in 1604 and Port Royal in 1605 in what is now Nova Scotia.) The Quebec colony in was administered in Quebec City, but over-seen by Church and State from France, leaving little room for French Canadian nationalism The colonists were pre-occupied, in any event, with the day-to-day demands of life in the harsh, new land.

## **The reaction – (A new society in Quebec, the deportation from Acadia)**

In Quebec advances in the arts, the professions and the trades, in the circumstances, were nevertheless remarkable, while the “Canadiens” developed a sense of being detached from France and part of a new society.

In 1713, Acadia was ceded to Britain and by 1755, there were 10,000 french-speaking inhabitants of whom approximately 6000 were deported by the British, who questioned their loyalty. The Acadians were inhumanely dispersed to American colonies along the Atlantic coast and many to Louisiana.

## II. The second major event - (The British conquest.)

*“Ces deux nations sont en guerre pour quelques arpents de neiges ... elles dépenses pour cette belle guerre beaucoup plus que tout le Canada ne vaut.”*

*(Voltaire, 1694-1778)*

On 13 September 1759, a British army under General James Wolfe (age 32) won the Battle of the Plains of Abraham at Quebec on behalf of the King of England. He was killed in the battle. Lt.-Gen. Louis-Joseph Montcalm de Saint-Veran, Marquis de Montcalm (age 49), and commander-in-chief of the French troops received mortal wounds, and died the next morning. A flag of truce issued from Quebec on 17 September 1759.

**“New France, during the war, had lost one-seventh of its estimate 1765 population of sixty-five thousand, according to Lionel Groulx. The countryside had been devastated. The British army had torched, systematically, every village from Quebec down both sides of the St. Lawrence, to Baie Saint-Paul on the North Bank and the River Ouelle on the**

**South. After two months of siege and bombardment, only one house remained standing in Lower Quebec City. The majority of the “Habitants” had been under arms for several years. Those who were not had sought refuge in the surrounding woods during the last days of the invasion. The war brought misery and, at its close, famine.”** (Christian Dufour, “A Canadian Challenge”, 1990, Oolichan, p. 25).

On 20 September 1759, the Articles of Capitulation of Quebec were signed by General Geo. Townshend and Admiral Chas. Saunders on behalf of Geo II of England and Sieur de Ramezay on behalf of Louis XVI of France. The Articles are written in succinct and elegant French and English. Article 2 read: **“That the inhabitants be preserved in the possession of their houses, goods, effects, and privileges.”** Art. 4: reads: **“That the effects of absent officers and inhabitants shall not be touched.”** Art. 9 reads: **“That before the surrender of the gate and of the entrance of the town to the English troops, their General will be good enough to send some soldiers to be placed as safe-guards over the churches, the convents, and the principal residences.”**

**“When the English made changes, it was generally for the better, like paying cash for army purchases. During this time of shortages, and to avoid speculation, the military governors wisely fixed the price of staples such as meat and bread.**

**“At times, the occupiers even proved gentle and considerate. Approximately £8000 were gathered from the English officers to help the most needy of the Canadiens, and soldiers were ordered to salute religious processions in the streets. The Canadiens expected Attila: they got Caesar Augustus.”** (Christian Dufour, “A Canadian Challenge”, 1990, Oolichan, pp. 27-28).

On 28 April 1760 the French under Levis defeated the English at Sainte-Foy, Quebec. A British frigate arrived on 28 April 1760, however, and two more on 16 May 1760. When more ships and reinforcements arrived, De Vaudreuil, Governor of Nouvelle France, and General Jeff Amherst signed the Articles of Capitulation of Montreal on 8 September 1760. The Articles are again drafted clearly in refined French and English. Article 4 read: **“The militia, after evacuating the above towns, forts, and posts, shall return to their homes without being molested on any pretence whatever, on account of their having borne arms.”**

Article 6 said: **“The subjects of his Britannic Majesty, and of his Most Christian Majesty [France], soldiers, militia, or seamen, who shall have deserted or left the service of their sovereign, and borne arms in North America, shall be on both sides pardoned for their crime. They shall be respectively returned to their country; if not, each shall remain where he is without being called to account or molested.”**

Article 27 stated: **“The free exercise of the Catholic, Apostolic, and Roman religion shall subsist entire, in such manner that all classes and peoples of the towns and rural districts, places, and distant posts may continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly. These people shall be obliged by the English Government to pay to the priests, who shall have the oversight of them, the tithes and all the dues they were accustomed to pay under the Government of his Most Christian Majesty.”** (See also Art. 6, Capitulation of Québec).

Article 47 read: **“The negroes and panis of both sexes shall remain in their quality of slaves, in the possession of the French and Canadians to whom they belong; they shall be**

**free to keep them in their service in the colony, or to sell them, and they may also continue to have them brought up in the Roman religion.”**

On 10 February 1763, by the Treaty of Paris, the Seven Years War ended and France ceded New France to Great Britain and the British occupation since 1759 was confirmed. In Article 4 of the Treaty his Britannic Majesty solemnly agreed **“to grant the liberty of the Catholic religion to the inhabitants of Canada’ and undertook ‘to give the most precise and most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish Church, as far as the laws of Great Britain permit.”** The official instructions to General Murray, who was appointed first civil Governor of Canada, directed him to **“conform with great exactness to the stipulations of this clause”**.

**“It is clear that what did happen during this period was as much France’s abandonment of its colony as it was England’s conquest.”** (Christian Dufour, “A Canadian Challenge”, 1990, Oolichan, p. 30).

### **The reaction - (British concessions to French Canada)**

By its Royal Proclamation of 1764, Great Britain declared that British administrative, criminal, and common law was to apply in Canada. It also invited French Canadians to stay in the new British Province of Quebec or, if they chose, to sell their possessions and holdings to British subjects and then to leave. French Canadian Catholics were permitted to practice their religion and the test oath was abolished unofficially. The test oath obliged all persons holding office to pledge loyalty to the monarch as head of the church. (Roman Catholics, otherwise,

would have been prohibited from holding public offices. The test oath was not to be abolished in England until 1829).

The Quebec Act (effective 1 May 1775) was brought about by the efforts of Governor Sir Guy Carleton, later to become Lord Dorchester. (Dorchester, aware of the unrest and coming revolution in the American colonies, returned to England in 1770 for “six months”. He stayed four years and finally convinced the Imperial government to adopt the Quebec Act.)

By the Act, French rights to religion and civil law were confirmed. The Roman Catholic Church and seigneurs were officially granted taxation powers and the test oath was specifically abolished.

The purpose of the Quebec Act was to encourage the “Canadiens” to remain British and not to join the American rebellion. The Quebec Act provoked a hostile reaction in the 13 American Colonies, the leaders of which described it, and several other British laws, as the “Intolerable Acts”.

As a result of the Quebec Act, there was little opposition to the British occupation from French Canadian habitants. Although some leaders and nobility from France did go home; church leaders and seigneurs, on the other hand, had equal or better rights than they enjoyed under the French colony.



### **III. The third major event - (The American invasion and occupation of Quebec 1775-76)**

When Canada did not join the American Revolution, George Washington, of the Continental Congress in Philadelphia, sent an army to Canada under General Richard Montgomery, which army conquered Montreal on 13 November 1775.

George Washington also sent a delegation to Montreal of four important French-speaking Americans - Benjamin Franklin (a signatory of the Declaration of Independence, which Jefferson wrote and Franklin corrected), Samuel Chase (a delegate from Maryland to the Continental Congress of 1774, a signatory of the Declaration of Independence and eventually a Supreme Court judge), Charles Carroll (a member of Congress, a signatory of the Declaration of Independence) and John Carroll (a Jesuit, who became the first Roman Catholic bishop in the United States).

Messrs. Franklin, Chase and the two Carrolls installed themselves in the Chateau de Ramezay in Montreal, but failed to convince French Canadians, especially the seigneurs and the clergy, to join the American Revolution en masse. They failed, in particular, being unable to promise the same religious and other freedoms provided under the Quebec Act, because the Continental Congress in 1776, had not resolved what rights would be accorded Roman Catholics.

#### **The reaction - (Quebec supported the British against the Americans)**

General Montgomery then lead his army from Montreal to Quebec and General Benedict Arnold marched another American army up the Kennebec River in Maine, to Lake Megantic and then along the Lake and down the Chaudière River, in cruel winter weather.

The two American armies attacked in Lower Town, Quebec in a blizzard on 31 December 1775 and were defeated by British army and naval forces, and French Canadians

under Sir Guy Carleton. Montgomery wished to attack from above on the Plains of Abraham but was badly advised. He finally attacked on 31 December 1775 despite the terrible weather because many of the troops had been hired only to the end of the year and would have gone home the next day. The victory was in good part due to a ship's canon taken by British sailors from a frigate in the harbour and mounted on the Canadian position, which with one blast blew away much of Montgomery's attacking force. The Americans retreated in disorder, leaving Montgomery's body ignominiously under the snow. It was later buried in Quebec City. By the end of 1776, the American armies and the four delegates sent by George Washington had withdrawn from Canada.

Montgomery was not forgotten in the United States. A monument was erected in his honour 1777 on the porch of St. Paul's Church, Broadway (near the former World Trade Center), by the Act of Congress of January 25, 1776: It bears to this day the following tribute:

***This Monument is erected by order of Congress 25th January 1776  
to transmit to Posterity a grateful remembrance  
of the patriotism conduct enterprise & performance  
of Major General Richard Montgomery  
Who after a series of successes amidst  
the most discouraging difficulties  
Fell in the attack on  
Quebec 31 December 1775. Aged 37 years  
Erected 1777***

In 1819, a subscription was raised and the body of General Montgomery was returned from Québec and buried beneath the porch of St. Paul's Church on July 8, 1819. A further monument was erected there and is still in place:

***The State of New York  
Caused the Remains of  
Major General Richard Montgomery  
to be conveyed from Quebec  
and Deposited beneath this Monument  
the 8th day of July  
1819***

## **V. The fourth major event - (The French Revolution 1789-1803)**

The French Revolution began as a revolution of the bourgeoisie and some nobles against the monarchy, the church and nobility. It briefly became a revolution of the proletariat and ended as a secular revolution of the bourgeoisie.

### **The reaction - (There was no effect felt in Quebec among the “Canadiens”)**

There was no important sympathy with the concepts of the French Revolution amongst “Canadiens” in Canada. Leaders in England, however, were concerned and adopted the Constitutional Act, 1791, which at the request of English-Canadians divided Canada into Upper Canada (population 10,000) and Lower Canada (population 150,000) with equal powers and institutions; a Legislative Assembly and an Executive Council. French and English were used in the Legislative Assembly of Lower Canada, but not the Executive Council, which was composed, for the most part of English friends of the English establishment. (See in general, F. Murray Greenwood, 1993).

### **V. The fifth major event - (The War of 1812)**

On 18 June 1812 the USA declared war on Great Britain. The vote in the U.S. Senate was close, being 19 for and 13 against. Although the war was said to be about rights at sea and the imprisonment of American seamen by the Royal Navy, the principal target was Upper Canada. The Maritime Colonies were not targeted because they were strongly Loyalist and easily defended by the British Navy. Lower Canada was deemed strongly anti-American, and had a well organized militia. The Americans planned the war in consort with France - America’s major ally. On June 24

1812, six days after the American declaration of the war, Napoleon attacked Russia, believing that England was fully now occupied elsewhere, just as Hitler attacked Russia in June 1941, believing the United Kingdom could not recover from the retreat from France at Dunkirk and the Battle of Britain in the air.

In Canada, the war of 1812 was fought at four battles in Ontario and at a fifth at Chateauguay, Quebec.

### **The reaction - (The defeat of the Americans on land)**

In each engagement on land, the American armies were repelled. The Battle of Chateauguay was particularly significant for Quebec because of the role played by the “Canadien voltigeurs” and “habitants chasseurs” in defeating the Americans, who out-numbered them. The British burned Washington on 24 August 1814, but the Americans were the victors at sea. The war ended on Christmas Eve, 1814, when The Treaty of Ghent was signed. The Battle of New Orleans, won decisively by the Americans, took place on 8 January 1815 after the signing of the peace treaty, because news of the treaty had not reached New Orleans.

There was no clear-cut winner of the War of 1812. Nevertheless, the United States, Ontario and Quebec emerged from the War with an increased sense of national purpose and awareness.

### **VI. The sixth major event - (Papineau’s Ninety-Two Resolutions 1834)**

By 1834 liberal elements in Upper and Lower Canada were increasingly dissatisfied with the governments in each colony, which were in the hands of a very small ruling class who, in

turn, were cronies of the governor. Ninety-two Resolutions were eventually adopted by the Assembly of Lower Canada through the instigation of Louis-Joseph Papineau. The Resolutions declared allegiance to England, but then asked for rights over revenue presently controlled by the Legislative Council, which in turn was controlled by English merchants.

### **The reaction - (The Russell Resolutions, London, 1837)**

The Papineau Ninety-Two Resolutions were not acted upon by the government of Lower Canada. Instead on 6 March 1837, the Parliament in London adopted the “Russell Resolutions”, which opposed Papineau’s Resolutions. The Russell Resolutions, however, did not receive Royal sanction.

### **VII. The seventh major event (The Rebellion of 1837)**

On 7 May 1837 an assembly of 1,200 persons at St-Ours-sur-Richelieu, adopted 12 Resolutions under the leadership of Papineau, as a broadside against the Russell Resolutions. The 12 resolutions, prepared by the Patriots’ Permanent Central Committee, denounced the British government as an ‘oppressor power,’ and castigated the Machiavellian tactics used by British colonialism. The fifth resolution recognized the friendship of the United States. The seventh stated that French-Canadians were tied to the English government by force only. The eighth legalized smuggling and called for a boycott of imported products such as tea, tobacco, rum and wine. The tenth resolution called for all Canadiens to rally round Papineau and to create the “Papineau Tribute,” a voluntary tax or subscription to fight the oppressor. (Léandre Bergeron, 1971 at p. 77).

In 1837 French Canadians, under Louis-Joseph Papineau, Dr. Wolfred Nelson, Dr. Jean-Olivier Chénier, Georges-Etienne Cartier, Daniel O’Callaghan, Rodolphe Desrivières, Ovide Perreault and others, rebelled in favour of legislative rights and against British authority. A similar rebellion took place in Upper Canada under William Lyon Mackenzie, who was principally concerned, however, with legislative rights.

Military action against the Patriots in Lower Canada lasted from 17 November to 15 December 1837. The government took the initiative and the Patriots were soon on the defensive. The Patriots courageously, but unwisely, awaited the enemy in improvised camps, where they were inadequately sheltered. Rather they should have acted as guerillas, harrying the enemy on the roads.

Nevertheless, in the Battle of St. Denis, on 23 November 1837 the Patriots were victorious and George-Etienne Cartier (later a Father of Confederation) was a relentless fighter for the cause. The Patriots killed six government soldiers and wounded 18 more. General Gore retired to Sorel and found one hundred and seventeen of his troops missing. There were eleven Patriots dead and seven wounded. On 27 November 1837: the Patriots were badly defeated at the Battle of St-Charles-sur-Richelieu. Wolfred Nelson and George Storow Brown escaped over the border.

Papineau left for St. Hyacinthe with O’Callaghan at the beginning of the fighting and went from there to the United States. Papineau was against an armed uprising, and would not assume the leadership of the armed revolutionary movement. Papineau, it seemed, did not want a revolution but an *evolution* that would give the French-Canadian bourgeoisie in particular, the same rights and privileges that the British and American bourgeoisie already had. Papineau wanted a French or American Revolution in Quebec, but without recourse to arms.

### **The reaction – (Suspension of the constitution)**

On 10 February 1838, the British Parliament suspended the constitution of Lower Canada and named Lord Durham the Governor-General.

### **VIII. The eighth major event - (The Rebellion of 1838)**

In January and February 1838, the rebels regrouped in the United States under Dr. Robert Nelson, who had not taken part in the Rebellion in 1837, but who had been jailed, because of his relationship to his brother, Wolfred Nelson. When released from prison, Robert is said to have written on the walls of his cell, **“You have not heard the last of Robert Nelson.”**

Robert Nelson was born in Montreal of English parents, but was brought up in the British Garrison in Sorel, where he had worked with the sick and the poor. Nelson, of all the Patriot leaders in Quebec or Ontario was the most socially minded and had petitioned and harassed the government for social assistance for Indians and the poor.

On 28 February 1838, Robert Nelson and his fellow insurgents crossed the border from the United States and adopted their resolutions at Napierville. A Declaration of Independence of the Republic of Lower Canada was written and distributed by Nelson, who then proclaimed the independence of the Republic of Lower Canada. (See Appendix “N”).

The rebellion continued in 1838 and although better organized by Robert Nelson and Dr. Cyrille-Octave Côté, it nevertheless collapsed in less than eight days at the Battle of Odelltown on 8 November 1838 when the Patriots were defeated. Lord Durham wrote of the revolt that: **“it would probably have succeeded even without the help from the United**

**States, if the French Canadians had been better prepared and had had more capable leaders.”**

**The Reaction - (Punishment, the Durham Report, the Act of Union, 1840, exile and return)**

Robert Nelson escaped, but 12 Patriots were hung and eighty-seven were ordered to be transported to Australia. Fifty-six were eventually deported. Twenty-one Upper Canadian Patriots were hung and many others were deported to Tasmania. William Lyon MacKenzie, who escaped, was only able to return to Toronto in 1849 and was elected to his old seat of Haldimand in 1850, against none other than George Brown.

In 1839, Lord Durham, who had been called upon to look into the cause of the Rebellion, wrote in his Report: **"I find two nations warring within the bosom of a single state ... a struggle not of principles but of races: The national feud forces itself on the very senses, irresistibly and palpably, as the origin or essence of every dispute which divides the community; we discover that dissensions which appear to have another origin are but forms of this constant and all-pervading quarrel; and that every contest is one of French and English in the outset, or becomes so ere it has run its course."**

Durham's solution was threefold: a) to join Lower Canada with Upper Canada in order to submerge French-Canadians into a single province where the English would constitute the majority. b) to assimilate French-Canadians and their language into English society and the English language. (Durham is very insulting in his Report of French Canadians and their language and culture. c) to grant responsible government to the new united colony. The Act of Union 1840, adopted in London, put Lord Durham's recommendations into legislative form.

The principal Patriot leaders in Upper and Lower Canada escaped punishment, for the most part, and eventually returned. Papineau arrived from France in 1845 and sat in the Union



Parliament from 1847 to 1854. Wolfred Nelson was exiled to Bermuda in 1838, but returned. He was elected to the legislature in 1844 and was Mayor of Montreal from 1854-1856. Robert Nelson, alone, did not return to Canada ever again.

### **IX. The ninth major event (The Rebellion Losses Act, 1849)**

In 1849, Lord Elgin gave the speech from the throne in French and English. This is considered an important break-through in Quebec academe and intelligentsia, as witnessed by the following experience. In 1990, a conference concerning Daniel Johnson Sr. took place at the Université du Québec à Montréal (UQAM). Before a packed hall of politicians, historians and others, I suggested that the turning point in Quebec history was when as a result of the Quebec Act of 1774, Quebec did not join the American Revolution in 1775-1776, despite the capture of Montreal by American forces. A distinguished history professor arose and politely disagreed saying the most important point was when Lord Elgin read the speech from the throne in French. This was greeted with loud applause!

On 25 April 1849 Lord Elgin signed the Rebellion Losses Act. It was controversial because some of the claimants were former rebels. According to the Act, even persons convicted of treasonable offences were entitled to an indemnity for the losses sustained during or after the rebellion, provided that they had submitted themselves to the will of Her Majesty, and had been transported.

**The reaction - (The burning of Parliament, the petition of annexation to the United States, 1849)**

On 25 April 1849, the Parliament in Montreal was burned by English-speaking citizens who were enraged by the adoption of the Rebellion Losses Act, which Lord Elgin had signed that day. Twenty-three persons were arrested, including the editor of the Montreal Gazette. No one was convicted for the burning or the riot. Prior to the burning of Parliament, a “tory” mob chased and attacked Elgin’s carriage, as he tried to return from Parliament to Monklands, his official residence. Montreal would never again be the capital of Quebec, or of Canada.

On 20 September 1849, a petition, favouring annexation of Lower Canada to the United States, was signed by 325 members of Montreal’s business and social elite (mostly English-speaking), including John, David, James and J.W. Torrance, Jacob de Witt, John and Peter Redpath, William, John, and Geo. E. Molson, D. Lorn MacDougall, William, Benjamin, and Thomas Workman, L. H. Holton, the future Prime Minister John Abbott, , P.H. Knowlton, John McGill, Antoine-Aimé Dorion, Benjamin Hart, Wilson B., John, and Wilson Allan, A.W. and Edwin Atwater. Even famed artist Cornelius Krieghoff and Alexander T. Galt signed the petition. (See Appendix “T”) The petition was published in The Gazette on 11 October 1849.

## **X. The tenth major event - (The Realization that there must be more independence)**

Eventually it was realized in Quebec, the Rest of Canada (ROC) and London that the colonies, whether separate or united must have a large degree of independence from London and amongst themselves. There must be democratic government and the French and English languages and cultures must also be protected.

## **The reaction - (Legislative reform and the Canadian Confederation)**

In 1866, the Civil Code of Lower Canada was adopted with French and English texts, which had equal authority.

In 1867, the British North America Act, 1867, an imperial statute was adopted in London, in English. It guaranteed educational rights to Catholics and Protestants in Quebec and Ontario at section 93. It guaranteed French and English language rights in the Quebec courts, the legislature of Quebec, and the federal Parliament at section 133. It preserved civil law in Quebec at section 92(13). There was a relatively clear Federal/Provincial division of powers and although such details as tavern and saloon licenses were legislated upon, language and culture were not specifically assigned to the federal government or to the provincial governments.

#### **XI. The eleventh major event - (The Riel Rebellion 1869-1885)**

In 1869, Louis Riel unilaterally established a provisional government for the “**Province of Assiniboia**” and issued a “**Declaration of the People of Rupert’s Land**”, which granted rights to the Métis, but in a speech, he asked the Métis to be loyal to the Crown. Riel and his comrades also defended Crown territory against American military action.

In 1885, Riel’s second Rebellion broke out in the Northwest and he made a second declaration: his “**Revolutionary Bill of Rights**”. (See Appendix “R”).

#### **The reaction - (Riel was hung. Strong opposition to using French in Manitoba & Ontario)**

On 16 November 1885, Louis Riel was hung in Regina, after public appeals to the Federal Government for clemency were denied causing increased tensions between French and English Canada.

In 1890, the Manitoba Legislature adopted the Manitoba Official Language Act, and unilaterally declared that French was no longer an official language in Manitoba, despite the guarantees to the French language in the Manitoba Act, 1870. There was no federal action when Manitoba thus flouted the constitution and abolished the use of the French language in the legislature and reduced it effectively in the schools. Nor was there effective federal intervention under paragraphs 3 and 4 of section 93 of the British North America Act (BNA Act) or under paragraphs 2 and 3 of Section 22 of the Manitoba Act. **[RCW explain]**

The Supreme Court of Canada struck down the 1890 Official Language Act, but only 90 years later in 1979. Neither was their effective federal intervention when New Brunswick and Ontario legislated in a way which was offensive to the linguistic and religious aspirations of their French-speaking populations.

The operative word here is “effective”. It will be remembered that Bowell’s government in Ottawa did try to remedy the situation, first by order-in-council, the dispositions of which Manitoba refused to obey, and then by a bill in the House of Commons, which was obstructed by Laurier’s Liberals, who went on to win the 1896 election.

Nationalist Henri Bourassa jostled with Prime Minister of Canada, Wilfrid Laurier over French schooling in the new provinces of Alberta and Saskatchewan, when they entered Confederation in 1905 and also over the Naval Bill in 1910. In every case Bourassa was unsuccessful.

In 1912, the Ontario Ministry of Education adopted Regulation 17, whereby English was to be the only language of instruction in all the Ontario schools, public or separate after two years of elementary schooling. Thereafter, the study of French was to be limited to one hour per day. The Catholic separate schools also had to submit to the authority of English Protestant

inspectors. At the same time, subsidies from Ottawa for separate schools were discontinued. (The Regulation was never abrogated, but in 1944 was dropped from the Revised Regulations of Ontario.)

## **XII. The twelfth major event - (The Conscription Riots of 1918)**

On 24 July 1917, the Military Service Act was adopted in Ottawa. All of the Quebec MPs voted against the adoption of the Act, with the exception of a few Anglophone members. All able-bodied unmarried men between the ages of 20-35 were to be subject to conscription. Protests erupted in Quebec. There were a number of alarming incidents over the next few months, including the bombing of the residence of Lord Atholstan in Cartierville on 9 August 1917. In March and April of 1918, violent riots took place in Quebec City and the police and army were given orders to fire on any suspects in the streets. The worst rioting occurred on Easter weekend of 28 March to 1 April 1918. As a result, on 4 April 1918, the federal cabinet adopted a War Measures Act order-in-council. (In general see Jean Provencher, 1971.)

Many Quebecers saw the war as implicating British interests rather than French interests. They particularly resented that some of their fellow citizens were obliged to join the army.

The conscription riots were almost spontaneous, without leaders, organization or strategy. (Jean Provencher, 1971 at p. 9). This is exactly what the FLQ hoped would happen in 1970, although the FLQ purpose and aims were not what the Quebec workers or public wanted. It is interesting that the FLQ did not seem to know of the Conscription Crisis of 1917-18 or at least do not mention it in their writings. They also knew little of the Patriots of 1837-38, but presumptuously compared themselves to the Patriots.

### **The reaction – (Tensions between English and French)**

Tensions grew between English and French in Quebec and in Canada, which continued to the Second World War. In the spring of 1940, Ottawa adopted a law obliging young men to register in case of conscription. On 2 August 1940, Montreal Mayor Camillien Houde advised against registration. On 5 August 1940, he was arrested and spent four years in prison camp, mostly in New Brunswick, apparently sawing wood. On 18 August 1944, he was released because of public pressure. He was met by 10,000 persons at Windsor station when his train arrived and another 20,000 at his home at 4445 St. Hubert Street. He was elected again and again until he retired. (John Kalbfleisch, Gazette, 15 April 2004).

### **XIII. The thirteenth major event - (The Winnipeg General Strike 1919 and the effect in Quebec)**

In 1910, at a conference in Calgary, members of the Canadian Socialist Party and the Trades and Labour Congress adopted resolutions calling for a number of radical measures and expressing sympathy for the Soviet government. The One Big Union (OBU) was formed out of members of these and other socialist groups.

In May of 1919, an estimated 27,000 workers participated in the Winnipeg General Strike affecting all sectors including basic services and utilities such as power, gas, light, and water. (George Robert F. Troop, 1922, pp. 91-98).

Sympathy strikes took place in other parts of the country, especially in the Western Provinces, but the leaders of the Montreal Trades and Labour Council refused to hold a general

strike. Nevertheless there were still eighty-one walkouts across Quebec affecting ship, textile, meat, glove, railway, trucking, construction, and rubber industries as well as firefighters.

During this period, Catholic unionism, which was based on the social doctrine of the church, was gaining a foothold in the province. Particularly active in organizing the workers were two clerics, Maxime Fortin and Joseph-Papin Archambault. At a conference in Hull in 1921, 220 delegates representing 80 unions voted to have one central syndicate with a permanent executive, creating the Confédération des travailleurs catholiques du Canada (CTCC), today the Confédération des syndicats nationaux (CSN), comprising 45,000 members.

(See in particular: Geoffrey Ewen, *International Unions and The Worker's Revolt in Québec, 1914-1925*, Thesis (Rh.D), York University, 1998; Jacques Rouillard, *Le Syndicalisme québécois: deux siècles d'histoire*, Montréal, Boréal, 2004; and Confédération des syndicats nationaux, *The History of the Labour Movement in Québec (the Education Committees of Confédération des syndicats nationaux (CSN) and Centrale de l'enseignement du Québec (CEQ)*, translated by Arnold Bennett, Montréal, Black Rose Books, 1987.)

### **The reaction – (A backlash against labour unions)**

As a result of the Winnipeg strike, which lasted from 15 May to 26 June 1919, there was a backlash against the union movement. Open shops and blacklists became more common, and civic employees were asked to sign no-strike pledges. The federal government, through legislation, broadened the definition of sedition in the Criminal Code and undertook other defensive measures to prevent strikes in the future.

In 1921, W. Irvine of Calgary and J.S. Woodsworth of Winnipeg were elected to Parliament. A decade later, they found the Co-operative Commonwealth Federation (CCF). (A. Ross McCormack, 1977 at p. 165-171).

In Quebec, troops were called in on two occasions during the strike movement in 1919 to help maintain order: during the thirty-two hour strike in Montreal and when 1100 textile workers of Montmorency walked-out in support of 6000 of their striking counterparts in Montreal and Magog.

The mass strike movement in support of better working conditions declined in the summer of 1920 with the beginning of the post-war recession as unemployment soared, wages were reduced and anti-union offensives were launched by employers. Employers found ways to renounce contracts signed in the previous years, rolling back gains in working conditions and opening up closed shops. Companies also began locking out their employees for unauthorized strikes. The number of strikes declined dramatically and there were fewer attempts to organize new unions until the recession lifted after the Second World War. (See in particular: Geoffrey Ewen, 1998, *The International Unions and The Worker's Revolt in Quebec, 1914-1925*"; Jacques Rouillard, 2004, "Le Syndicalisme québécois" and CSN & CEQ, 1987, "The History of the Labour Movement in Quebec).

#### **XIV. The fourteenth major event - (The Statute of Westminster, 1931)**

In 1931 the Statute of Westminster was adopted, creating the British Commonwealth of Nations and giving the British Dominions legislative autonomy and control over their own actions overseas.



### **The reaction - (Constitutional stagnation)**

Although the other Dominions acquired the right to amend their own constitutions, the Canadian federal and provincial governments did not agree on a formula for future amendments. Thus, the Statute of Westminster did not give Canada and/or its provinces the power to amend the BNA Act, 1867. Accordingly, in the future, application had to be made to Westminster for major modifications to the constitution. This of course was to be of particular importance to Quebec.

### **XV. The fifteenth major event - (The formation of a Canadian Socialist Party)**

At a convention in Calgary on 1 August 1932, the Co-operative Commonwealth Federation (CCF) was founded with James S. Woodsworth as its first President. It soon adopted the provisional **“Calgary Programme”** promoting a socialist society.

The League for Social Reconstruction, the intellectual arm of the CCF and considered to be a Canadian version of the Fabian Society, was headed by Prof. Frank Scott of McGill University and Frank H. Underhill of Toronto. The League advocated the creation of **“a social order in which the basic principle regulating production, distribution, and service will be the common good rather than private profit.”** In 1933, the leaders of the League for Social Reconstruction write the CCF Party’s founding **“Regina Manifesto”**, adopted in Regina in July 1933, which was based on the Calgary Programme. (Walter D. Young, “The Anatomy of a Party: The National CCF 1932-61”, Toronto: University of Toronto Press, 1969.) Professor Frank B. Scott later became Chairman of the CCF.

### **The reaction - (“Big Business” and the Federal and Provincial governments are opposed)**

The socialist movement was opposed by a “gentleman’s agreement” amongst the governments in Ottawa and Quebec and Anglophone big business. In 1936, the corrupt Taschereau Liberal government in Quebec was replaced by the corrupt Union Nationale government of Maurice Duplessis,. In 1937, Duplessis adopted the Padlock Law against “communist activities”, which, in the eyes of many, meant labour unions. Social democracy and the CCF Party were weakest in Quebec and had little visible effect in the 1930s. (Duplessis, in his way, was responsible for many reforms including a Quebec Flag (1948), Quebec income tax (1954), the Tremblay Commission on the Constitution (1956), Rural Electrification and the creation of the Ministry of Youth and Welfare.)

### **XVI. The sixteenth major event - (Prisme d’Yeux” & “Le Refus Global” 1948)**

In February 1948, abstract artists Alfred Pellan (1906-1988), Jacques de Tonnancour (1917-2005) and others started a new movement called Prisme d’Yeux. The association was a reaction against groups and movements, and was in favour of freer art and appreciation of all art. The short manifesto written by de Tonnacour proclaimed, in part:

**“Prisme d’Yeux belongs to the oldest aesthetic, the most tried, the most contemporary today as in prehistoric times: that which opens all roads, often opposed but equally possible and true as day and night, fire and water...thus, the most revolutionary.**

**Prisme d’Yeux is open to all painting of traditional inspiration and expression. We think of painting that obeys only its deepest spiritual needs in its respect of the material capacities of the pictorial plastic.**

**Prisme d'Yeux is not organized against one group or another. It is added to all other organizations who are looking for the affirmation of independent art and by no means excludes the privilege of also belonging to these groups.**" (My translation; Guy Robert, "Pellan", Editions du Centre de Psychologie et de Pédagogie, 1963 at p.53-54).

In August 1948, Paul-Emile Borduas (1905 -1960) wrote "**Le Refus Global**", in part as a reaction to "Prisme d'Yeux" and to Pellan, whom he saw as his rival and whom he believed had appropriated his ideas. Le Refus Global went much further than the Prisme d'Yeux and was a very political statement. The manifesto was signed by Paul-Emile Borduas, Madeleine Arbour, Marcel Barbeau, Bruno Cormier, Claude Gauvreau, Muriel Guilbault, Marcel Ferron-Hamelin, Fernand Leduc, Thérèse Leduc, Jean-Paul Mousseau, Maurice Perron, Louise Renaud, Françoise Riopelle, Jean-Paul Riopelle, and Françoise Sullivan. Their rejection of rigidities in art was also total, but was more strident and political than that of Prismes d'Yeux. The manifesto was very long and states amongst other things:

**"Descendants of modest French Canadian families, labourers or petit-bourgeois, from our arrival on this soil up to the present day kept French and Catholic by resistance to the conqueror, by an irrational attachment to the past, by self-indulgence and sentimental pride and other compulsions..."**

**"A little people, huddled to the skirts of a priesthood viewed as sole trustee of faith, knowledge, truth and national wealth..."**

**"Our destiny seems harshly fixed..."**

**"To hell with the goupillon and the tuque. They have seized back a thousand times what once they gave..."**

**“The limits of our dreams become no longer what they were...**

**“End the cascade of blows from the past which annihilates both present and future....**

**“Friends of the present regime suspect us of supporting the “Revolution.” Friends of the “Revolution” call us merely rebels, saying we “protest against what now exists but only to transform it, not to displace it.” As delicately as this is put, we think we understand.**

**“It is a question of class.**

**“We are credited with the naïve intention of wanting to “transform” society by exchanging the men in power with others of the same kind – and of ignoring the friends of the “Revolution!”**

**“But the only distinction between these “friends” and those presently in power is that they belong to different classes – as if a change of class implied a change of civilization, a change of desires, a change of hope!**

**“They would devote themselves at a fixed salary (plus a cost-of-living bonus) to the organizing of the proletariat. So far, so good: the trouble is that, once in power, besides low wages they will foist on the same proletariat always, and always in the same manner, a renewable levy of supplementary charges, without discussion.”**

(See Paul-Emile Borduas, *Ecrits/Writings 1942-1958* translated and edited by François-Marc Gagnon and Dennis Young (Halifax, 1978), at pp. 45-54, as cited on the website [http://www.mta.ca/faculty/arts/canadian\\_studies/english/about/study\\_guide/artists/refus\\_global.html](http://www.mta.ca/faculty/arts/canadian_studies/english/about/study_guide/artists/refus_global.html)).

**The reaction – (The signatories of the Prisme d’Yeux and Refus Global are denigrated)**

Borduas was fired from his teaching position and exiled himself to France. Pellan went to France from 1952 to 1963 and was cold-shouldered by the Ecole des Beaux-Arts, when he briefly returned in 1955.

It is interesting that the first real liberation manifestos in Quebec, after World War II, are by artists. Is this perhaps the real beginning of the Quiet Revolution?

**XVII. The seventeenth event - (The Asbestos Strike, the Quiet Revolution began in earnest)**

By the 1940s the Roman Catholic Church in Quebec had recognized its social role and had formed relatively strong Catholic unions of workers, farmers and intellectuals. In this it was far ahead of the English Catholic and Protestant churches in Quebec. Organized labour had a long uneven history in Quebec, but new impetus came in the 40s. The asbestos strike at Thetford and Asbestos can be considered as the symbolic, official beginning of the Quiet Revolution in Quebec. (See Fernand Dumont, “Histoire du syndicalisme dans l’industrie de l’amiante”, in Pierre Elliott Trudeau, Ed., 1956 at p.123).

In December 1948, negotiations between the asbestos workers and Canadian Johns-Manville commenced. On 14 February 1949 the bitter asbestos strike began in Quebec over wages and terrible working conditions. The workers were aided by the Roman Catholic Church of Quebec and this was a cause of the eventual victory, along with the courage and determination of the workers, their families and their union leaders. The procès-verbal of the 28th session of the Congress of the C.T.C.C. (1949) read at pp. 263-264: **“This strike, which lasted 114 working days at Thetford and 120 working days at Asbestos, was marked by events which are unique**

**in the history of the trade union movement in the Province of Quebec: ... the Church played an invaluable part through the statement of the Sacerdotal Commission of Social Studies; the categorical statement of Mgr. Charbonneau of Montréal in favour of the miners; the collections taken up for the strikers at the doors of the churches through the province, on the recommendation of the bishops of each diocese; the personal intervention in the strike settlement of His Excellency Mgr. Roy, Archbishop of Quebec, and of Mgr. C.O. Garant, Auxiliary Bishop of Quebec City.”** (Gérard Dion in Pierre Elliott Trudeau, Ed. (English), 1974 at p. 213).

On 1 May 1949, H.E. Mgr. Charbonneau, Chairman of the Episcopal committee on Social Issues and Archbishop of Montréal, delivered a Mother’s Day sermon in which he said: **“The working class is a victim of a conspiracy which seeks to crush it, and when there is a conspiracy to crush the working class, the Church has a duty to intervene.**

**We want to have peace in our society, but we do not want to see the working class crushed. We are more attached to man than to capital. This is why the clergy decided to intervene. They want to see that justice and charity are respected, and it is their wish that more attention be paid to human beings than to the interests of money.”**

Gérard Dion in Pierre Elliott Trudeau, Ed., (English) 1974 at p. 211 quoting from *Le Devoir* of 2 May 1949).

Certain future politicians took part, including Pierre Trudeau, Gerard Pelletier and Jean Marchand who was a very effective leader of the strike. Trudeau himself was travelling in Europe when the strike began. When he returned from Europe later, he delivered a speech to the miners and was arrested along with Pelletier and Michel Chartrand. (Gérard Pelletier, “Les Années d’Impatience: 1950-1960”, Montreal: Les Editions Alain Stanké, 1983 at p. 32-34) The

Anglo population and the Anglo/French Canadian bourgeoisie were generally on the side of the companies, with such exceptions as Professor F.R. Scott. The strike finally ended on 21 February 1950, with the signing of a collective agreement with Johns-Manville, brokered through the services of Msgr. Roy, Archbishop of Quebec.

**The reaction - (The Asbestos Strike is a long term victory and Quebec turns outward)**

Labour became truly organized, won its first real general victory and the Quebec Catholic Church was fully on the side of industrial workers.

In the short-term, however, the fight continued. The Quebec Ministers of Labour and Health, under the instructions of Premier Maurice Duplessis, went to Rome on 28 December 1949 to attend the 1950 Holy Year inauguration along with many bishops. The ministers had a Papal audience and on 2 January 1950, Msgr Charbonneau received a letter from the Papal Secretary of State ordering him to resign. He was sent ignominiously into retirement in Victoria B.C, with the title of Archbishop of an ancient no longer, extant Arch-Diocese and the sole role of “aumonier” to a congregation of nuns. The drama is especially well described in 1968 in the play “Charbonneau & Le Chef” written by Father John Thomas McDonough.

André Laurendeau, Pierre Elliott Trudeau, Claude Ryan and the asbestos strike

*“A remarkable personality has been revealed.” André Laurendeau (Le Devoir 1956)*

In the long-term, the asbestos strike, although bitter and cruel, was a symbolic victory for Quebec labour and Quebec society as a whole.

It is not generally known that in 1955 Trudeau wrote a series of remarkable essays in *Cité Libre* on the strike and the essays formed the preface and epilogue to the seminal text on the Asbestos Strike, “La Grève de l’Amiante”, published the next year. André Laurendeau, the Director

of Le Devoir, who was the most respected Quebec nationalist leader of his time, wrote three editorials in Le Devoir entitled “One Hundred Pages by Pierre Elliott Trudeau” criticizing and commending Trudeau’s preface and epilogue. Laurendeau opened with these words:

**“In the preface and epilogue he has written...Mr. Pierre Elliott Trudeau provides us with a hundred pages that will be talked about for a long time to come.”**

Trudeau had been particularly harsh on Quebec nationalists for turning their backs on Canada, the world and modern industry, commerce, business and education. Instead they looked to the land, to Quebec and the Church to protect their language and culture. Trudeau saw the Asbestos strike, where the Catholic Church of Quebec joined in, as a turning point in Quebec history.

Laurendeau was very critical of Trudeau on some points, but nevertheless ended with a wonderful commendation: **“The best part of Trudeau, besides his technical competence, is his love of liberty: he is prepared to run risks as well as claim its advantages. A remarkable personality has been revealed.”**

In 1965 Trudeau, along with Marchand and Pelletier, joined the Federal Liberal Party and were elected two months later. They believed they could make their greatest contribution to French Canada in the Canadian Parliament, but Trudeau especially, was never forgiven by French-Canadian nationalists. Yet when Laurendeau’s best writings entitled “Witness for Quebec” were published in 1973, they contained *in toto*, the three editorials on Trudeau. Claude Ryan, a lifetime protagonist of Trudeau, wrote an incisive, eight-page preface to the Laurendeau text and spent two of those pages on Laurendeau’s editorials on Trudeau. Ryan, to his credit, also ended his remarks on Trudeau with Laurendeau’s tribute: **“A remarkable personality has been revealed.”**



**XVIII. The eighteenth major event - (The Quiet Legislative Revolution, 1960 to the October Crisis, 1970)**

Many laws adopted in Quebec and Ottawa can be identified as part of Quebec's Quiet Revolution, which laws should really be called the "The Quiet Legislative Revolution".

Trudeau's 100 pages (described above) pointed out the road to be followed, that Quebec must retain its great moral values, but at the same embrace the scientific, industrial and commercial world as well. Marcel Rioux put it succinctly:

**"When French Canadians began to see themselves as an industrial society rather than an ethnic community, they initiated all the difficulties which were to appear in the traditional relationship between Quebec and Canada."** (Marcel Rioux, English, 1971 at p. 78).

**"Let us recognize clearly, here in Quebec, that when the members of any group – nation or class – are subjugated to another group, and see that they are considerably weaker than their masters, they ask only for equality. When the dominated group becomes more and more aware of its strength and the balance of power seems to shift in its favour, it demands all the power and all the culture for itself. This is plainly what is happening in Quebec today."** (Marcel Rioux (English), 1971 at p. 84).

On 23 October 1959 Jean-Paul Desbiens wrote his first letter under the pseudonym of Frère Untel to André Laurendeau of Le Devoir and the "Les Insolences de Frère Untel" (1960) were born, along with a new general interest and pride in the French language in Quebec.

**The Reaction – (English Quebec and the ROC opposed the French language and cultural policies but there were some accommodations)**

The English-speaking population of Quebec and much of the Rest of Canada (ROC) opposed the language and cultural policies of the Quiet Revolution, but there were successes and accommodations, such as the following examples (admittedly chosen very subjectively):

In July 1963 The Federal Government appointed a Commission to look into Bilingualism and Biculturalism of which André Laurendeau and A. Davidson Dunton were the Commissioners. In 1965 the Bilingualism & Biculturalism Commission Report, Volume 1 on Languages, declared: **“Canada without being fully conscious of the fact is passing through its greatest crisis in history.”**

On 27 July 1968, the St-Léonard school board in Montreal adopted a regulation **“That in all classes of grade one ...as of September 1968, the language of instruction shall be French.”** (Marcel Rioux (English), 1971 at p.145).

In 1968 Ontario restored public education in French, where the number of students warranted it.

In the autumn of 1969, Bill 85 (concerning the freedom of parents to choose the language of education of their children in Quebec) was withdrawn and Bill 63 was tabled. The “Law to Promote the French Language” was opposed by French Canadian linguists and nationalists and the Montreal Protestant School Board. Bill 63 aimed at **“assuring that the English-speaking children of Quebec acquire a knowledge of the French language and that the persons who immigrate to Quebec acquire a knowledge of the French language and have their children instructed in this language”**. On the other hand, it gave everyone the liberty of attending

school in the language of his choice, and it obliged the school commissions to establish schools in accordance with the choices of the students. (Marcel Rioux, (English), 1971 at p. 145).

In 1969, New Brunswick recognized the official character of English and French in the legislature, in the public service, in education and, where feasible, in the courts.

In 1970, Manitoba restored French education and legislative rights after 90 years of illegality.

## **XX. Conclusion – The place of the October Crisis in the Saga of French Canadian Nationalism**

1) The October Crisis was an important separatist, nationalistic, almost anarchist moment in Quebec and Canadian history. The FLQ, however, were not patriots such as the Patriots of Upper and Lower Canada in 1837 and 1838 or at the time of Riel in 1885. The FLQ fought clandestinely, with bombs, letter bombs, bank robberies, kidnappings and “executed” a hostage. They rarely put themselves in physical danger.

2) The FLQ had no plan for a democratic government. Just the opposite, they opposed the democratically elected governments of Quebec and Canada. They had no social bill of rights for which they were fighting, unlike Papineau’s 12 Resolutions at St- Ours-Sur-Richelieu on 7 May 1837 or Robert Nelson’s Declaration of Independence of 28 February 1838 or Riel’s “Revolutionary Bill of Rights” of 1885.

3) Nor did the FLQ raise spontaneous sympathy and support as did the Conscription Riots of 1918, the Winnipeg General Strike of 1919 and the Asbestos Strike of 1948-49.

4) The FLQ were in some ways similar to the irrational, mostly English-speaking mob, which rioted on 25 April 1849 and in their rage burned down the Parliament building in Montreal. Both groups did great harm to the society on whose behalf they were supposedly acting, with little harm to themselves.

5) Similarly the 16 eminent personalities who signed the petition of 14 October 1970, were not unlike those mostly English-speaking merchants, who signed the petition of 20 September 1849 calling for annexation to the United States. Neither group of petitioners represented the population in general, but were in good part, promoting their own interests.

6) During the October Crisis, the Parti Québécois, a fledgling political party in its understandably enthusiastic desire to separate Quebec from Canada, indirectly, supported terrorist separatists, to the detriment of its own cause and to that of Quebec and Canada. This lesson has still not been learned by many federalist and separatist leaders, governments and opposition parties.

### ADDENDUM

#### **Since the October Crisis 1970 The Federalist/Separatist Pushing and Pulling**

With the emergence of the René Lévesque's Parti Souveraineté Association Québécois in 1970 and its baptism of fire in the Crisis, it is the separatist/federalist dichotomy which has dominated Quebec as well as federal legislation and administration from 1970 to this day. The separatist/federalist pushing and pulling has been the constant ominous presence lurking over the shoulder of Quebec and Federal governments since 1970 to the present.

1) In 1971, Robert Bourassa negotiated the Victoria Constitutional Agreement giving Quebec a veto as well as several other linguistic and legal benefits. The Canadian government

under Trudeau convinced the premiers of the other provinces to accept the agreement. A few days later, our Quebec government announced that we no longer wished to sign the agreement. (We were pressed by nationalistic pressures from within our cabinet and by separatist pressures from without.) This, in my opinion, was an error on the part of we Quebec federalists, which I deeply regret. We tried to negotiate more and ended up with less.

(When I lunched with Trudeau on 29 August 1999, I noted: **“We discussed the Victoria Agreement of 1971 and he gave it as his view that the Agreement, which we turned down, was the best deal Quebec could have ever received.”** as published in the Toronto Star, Friday, 28 September 2001 see Appendix “R”.)

2) The Official Language Act 1974 (Bill 22)

a) On 31 July 1974: Bill 22, (Bourassa’s Official Language Act) was adopted.

It was opposed, however by the Protestant School Board of Greater Montreal (P.S.B.G.M.), who relied on an opinion of four leading Montreal lawyers – Jean Martineau QC, Professor Frank R. Scott, QC, Peter Lang QC and T.P. Howard QC. These pillars of Anglo-Protestant society were concerned, of all things that the Montreal Protestant School Board in teaching some subjects in French, might give up its rights to teach in English.

b) A petition was also organized against Bill 22, by Liberal MNA’s George Springate and John Ciaccia against the Bill. 600,000 persons signed the petition and paid 50¢ each to send it to the Quebec and Federal governments.

**“We, the undersigned, Canadians in the Province of Quebec, urgently demand that you use the power vested in you by the electorate to abolish the (sic) Bill 22 and restore our**

**fundamental rights as Canadians, to work and to educate our children in the language of our choice.**

**We feel Bill 22 violates and is in direct contravention with the Federal Government's clear and emphatic official stand on bilingualism.”**(Emphasis added).

The petition, on study, did not hold water and was in error in fact and in law. It was rejected, has been ignored and forgotten ever since. Years later, when Ciaccia, then a cabinet minister in Bourassa's second government, voted in favour Bill 178, regarding language of commercial signs, he wrote me a letter apologizing for the position that he had taken over Bill 22. (Thank you John.)

c) Reaction from the other side - the Parti Québécois

The Parti Québécois, upset that it was possible to legislate provincially on language in a federal state, filibustered most of the summer of 1974 against the Quebec Liberal Party language law, known famously in English as “Bill 22”. The law was an enormous, courageous step forward by Bourassa, because it supported and furthered the French language but maintained minority rights. That the Liberals could legislate on language within Canadian Federalism infuriated and dismayed the PQ. Instead of promoting the French language, they ignominiously chose “dog in the major tactics”. (Let history record this perfidy of the PQ against the French Language and Quebec.) For days and weeks the seven PQ members, to their great shame discussed only article one of Bill 22. They made no attempt to improve the law, which is the role and duty of the Opposition. As François Cloutier, the Liberal Minister who presented Bill 22, was to say two years later:

The PQ strategy consisted of refusing the law in its entirety and in holding what one calls in parliamentary language, a “filibuster”. I believed at one point that the PQ was going to seriously discuss the different articles, in order to propose amendments. I was mistaken. That would have signified a partial acceptance of the law and this party frustrated by the Liberal legislative action, which it did not believe was possible and which it wanted to keep for itself for in a certain way, had arranged to examine no other article than “Article 1”, the article, which made French “the official language of Quebec.” Jacques-Yvan Morin spent approximately ten hours in quibbling and fallacies so that the text would state “the only” official language rather than “the” official language. It was the limit of absurdity. Incidentally, the PQ seems to have forgotten that this stand was so important for it at the time. In law 101 which replaced law 22, reference is made only to “the” official language. (Emphasis added, my translation; François Cloutier, “L’Enjeu”, 1978 at p. 91).

d) Cloutier added with justifiable bitterness towards his own party, that the Parti Libéral du Québec (PLQ) was apparently willing to renounce the credit for its language law:

**“It was a simple juggling act to assure the credit of an historical step which apparently the Liberal Party was not very anxious to claim! In my opinion, this kind of tacit denial was a mistake.”** (My translation; François Cloutier, 1995 at p. 139).

e) In 1977 the Parti Québécois’ Charter of the French Language (Bill 101) was adopted and was little more than Bourassa’s Language legislation Bill 22 of 1974, warmed up. Bill 101 added

little of consequence to Bill 22, so that François Cloutier, Minister of Education in 1972-76 was to write in his memoirs:

**“When the Parti Québécois came to power, it repealed this law (Law 22) in order to present its own, law 101, which repeated the same provisions adding some more administrative complications and some articles which appeared to be unconstitutional and consequently could not be applied.”** (My translation; Francois Cloutier, 1995 at p. 139).

**“Law 101 constitutes a true intellectual swindle and clearly demonstrates firstly that the PQ did not forgive the Liberal Party for having dared to intervene, and, also, that it placed its partisan interests above the interest of the community. If it had been otherwise, it would not have repealed law 22 being satisfied to amend the articles which did not go far enough in its opinion or which did not correspond to its requirements. In proceeding the way that it did, in denying the past, in presenting itself as the only upholder of the truth, the PQ divided Quebeckers even more. Law 101 is a clumsy and dangerous version of law 22, a forgery. They used again the same administrative structures while making them more cumbersome, complicating them and naming them differently. They kept the ‘francisation’ programs although making them more rigid, thus compromising their objectives, through ignorance of economic realities. As for the language of instruction, they did not dare to take away freedom of choice, contrary to their commitments taken, to their innumerable statements and stands (they only spoke about it at the parliamentary committee! They did not dare to maintain this freedom either, which meant going less far than the Liberal party (nevertheless!): It invented another criterion which was just as**



**artificial to replace the criterion of sufficient knowledge: that of the language of instruction of the parents.**”(Emphasis added, my translation; Francois Cloutier, 1995 at p. 92).

f) Jacques Parizeau, in 1998, acknowledges the importance of Bill 22

To his credit, Jacques Parizeau, in his tiny text (46 pages, 6 ½” x 4 ½”) entitled “Le Québec et la Mondialisation – Une Bouteille à la Mer”, 1998, noted to his credit, albeit 34 years late, that it was Bill 22, the Quebec Liberal Party language law, that was revolutionary: **“Quebec only really launched itself into a cultural exception at the time when Robert Bourassa had a bill which proclaimed French the official language of Quebec adopted by the National Assembly. I still do not understand why in Quebec so little attention is paid to this law. It is nevertheless revolutionary.”** (My translation; Jacques Parizeau, 1998 at pp. 30-31) (Thank you Jacques.)

Trudeau perhaps had the last word on language: **”No doubt, had English-speaking Canadians applied themselves to learning French with a quarter the diligence they have shown in refusing to do so, Canada would have been effectively bilingual long ago. For here is demonstrated one of the laws of nationalism, whereby more energy is consumed in combating disagreeable but irrevocable realities than in contriving some satisfactory compromise. It stands to reason that this law works to greatest ill effect in respect to minority nationalisms: namely, us.”** (Pierre Elliott Trudeau, 1996 at p.167).

3) Examples of other Parti Québécois rewriting of history, equivalent to the USSR in the 1950s declaring that it had invented basketball and the telephone.

a) In 1971, I was the Minister of Financial Institutions, Cooperatives and Consumer Protection and steered the first Consumer Protection Act through the National Assembly. The Act created the Office of Consumer Protection, opened the first consumer protection offices in Quebec,

created the Consumer Protection Council and the first publication of the consumer protection magazine “Protégez-Vous”, amongst other things.

In 1978, the PQ government refurbished and rearranged the above Consumer Protection Act, 1971. In 2003 the Parti Québécois government celebrated the 25<sup>th</sup> anniversary of consumer protection in Quebec, but the PQ celebrations and publicity did not mention that anything had happened before 1978, nor was anyone active before 1978 invited to attend the celebrations. Not mentioned, in particular, during the celebrations was the fact that the 1971 Act was one of the first laws in Quebec to protect the French language, insisting that all consumer contracts had to be in French, but could also be in English, if the consumer requested. The formula was repeated in Bill 22 and Bill 101.

b) In 1975 Jérôme Choquette, Minister of Justice in the Bourassa Cabinet, drafted, presented and had the Quebec Charter of Human Rights and Freedoms adopted. When in power in 1977, the Parti Québécois started up the Charter and distributed it across the Quebec. This time it was signed by René Lévesque.

4) In 1979, the Supreme Court finally ruled that Manitoba’s abrogation in 1890 of French, as an official language, was unconstitutional. It was 90 years late, but necessary. It was a 90 year stain on Canada’s concept of fairplay. It also was a tragedy for the French language in Manitoba, which had been the majority language in 1870, when Manitoba joined the Canadian Confederation.

#### 5) The Unilateral Repatriation of the Constitution (1982)

In 1982, the Constitution was “repatriated” with the consent of all provinces, except Quebec. This, in my view, was an extremely unfortunate federalist error and an example of Pierre Elliott Trudeau acting outside of his federalist authority under the constitution. To this day “indépendantistes” use the unilateral repatriation as a main argument of their cause to this day.

6) The Meech Lake Accord (1990) was defeated by misguided federalists, including Alliance Québec and Trudeau (in retirement) who openly opposed the accord. Jean Chrétien, as Leader of the Opposition, opposed secretly. The defeat of the Accord was very unfortunate in my view. The opposition was in part a “dog in the manger” reaction.

7) The defeat of the Charlottetown Accord (1992)

The process, by which the content of the Charlottetown Accord was put together, made for an incoherent, patchwork proposal that in truth satisfied very few people because each of the interest groups involved found a different aspect of the document very objectionable. Despite tremendous public support from the elite across the country, the Accord was defeated. Most Canadians were tired of the country’s leadership at the time and unfortunately did not feel obliged to follow the establishment on this issue.

8) When in power, the Parti Québécois on occasion expended considerable political energy, directly or indirectly, in promoting separation, that social reform was hampered, while unwise projects were entered into. Examples are the Parti Québécois purchase of Johns-Manville, the bankrupt asbestos company, for nostalgic reasons: investment in Quebec Air for reasons of grandeur; and similar investments by the Caisse de Dépôt et de Placement du Québec.

9) One of the most horrendous examples of an unacceptable action was the Federal Liberal Party Sponsorship Programme, of 1999-2003, which in the name of Canadian federalism permitted Liberal Party of Canada members and friends, with the connivance of members of the Federal Liberal Government to steal apparently 100 million dollars from a questionable 250 million dollar Canadian Government federalism programme.

10) A last unfortunate example is the declaration of a Quebec judge in a private interview to the Montreal Gazette (Gazette, 27 April 2005). Robert said that “I do not believe that people

who hold or have held, views that are in favour of Quebec sovereignty should be able to hold office as federally or provincially appointed judges.” Presumably, he would hold that federalists should not have certain offices in a separatist state, should such a state be created in Quebec. The Justice, a decent and ordinarily level-headed person, is like all of us is subject to error. He subsequently recanted in a “letter of explanation” to the Canadian Judicial Council.

The lesson for us all that although everyone may have personal political views, we also have rights and duties under our federal constitution as it now exists. Federalists, separatists, politicians, professors and judges, have the right to participate fully in Canada and Quebec, but also have the duty to act within the Canadian constitution, until it has been modified democratically.