

ORGANIZED LABOUR AND THE CONSTITUTIONAL QUESTION

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ABSTRACT

This dissertation examines Canada's constitutional question through the lens of the labour movements in both English Canada and Quebec. The existence of two distinct labour movements in Canada has meant that political struggles that have typified national politics are also in evidence in labour politics. The sovereignty-association partnership agreement between the Canadian Labour Congress and the Quebec Federation of Labour provides a good example of the pervasiveness of this dynamic and discourse. The dissertation examines this relationship specifically, and the constitutional politics of labour organizations in English Canada and Quebec, more generally, with a view to explaining how Canada's constitutional questions have been reflected in the politics of organized labour.

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Chapter 1

Introduction

Even the briefest account of Canadian labour must immediately identify three themes, which taken together, account for the national uniqueness of the historical experience of our working class. The three are the geographic reality of sharing the North American continent with the United States of America, the deep national and regional identities which fracture the Canadian nation state, and finally, the impact of the Canadian federal system which itself reflects those tensions. Taken together, all three have led to the historical fragmentation of both the Canadian working class and of its labour movement.¹

Federalism, linguistic dualism, and Canada's geo-political and economic relationship with the United States all predate the emergence of an organized Canadian labour movement. These institutional, cultural and geographic realities played their part in shaping the character of organized labour in Canada. Institutions, in particular, do matter, and in the Canadian case, the institution of federalism with its constitutional division of powers has significantly contributed to the fragmentation of the labour movement and, in turn, helped structure the way the labour movement has attempted to mitigate this fragmentation.

It is crucial to recognize that the way in which the labour movement in Canada developed was influenced not simply by the country's uneven economic development, but also by a specific interpretation of the constitutional division of powers which, de facto, divided responsibility for labour relations between both orders of government. The academic literature on Canadian politics and labour has steadily expanded since the 1960s, but one area that continues to be ignored by political scientists and labour

¹ Gregory S. Kealey and Greg Pratomore, *Canadian and Australian Labour History*, (St. John's: Committee on Canadian labour History, 1990), 21.

historians alike is the relationship between organized labour and constitutional politics. Admittedly, when labour politics has intersected with the nationalist aspirations of Quebec, academics in that province have taken note. However, the same is not true in English Canada where the labour movement's take on constitutional issues has been virtually ignored. This fact is odd considering that one of the most obvious impacts of Canada's Constitution on the labour movement is the fracturing of the labour regulatory regime amongst fourteen jurisdictions – an obvious impediment to working class solidarity. Canada's constitutional arrangement tends to emphasize territorial and linguistic cleavages rather than class cleavages. And yet, there is very little written which attempts to explain the Constitution's causal effect on the politics of organized labour. This dissertation attempts to redress this scholarly deficit by examining the role that Canadian federalism and its associated constitutional politics, particularly that generated by the country's linguistic duality, has played in the evolution of Canadian labour.

Despite the establishment of the Canadian Labour Congress (CLC) in 1956, it is impossible to speak of a pan-Canadian labour movement. Canada's regional character and linguistic duality have created one of the most substantial divisions within the labour movement. Indeed Canada is home to two distinct labour movements: one in English Canada and one in Quebec. The vast majority of unions outside of Quebec are affiliated to the confederally organized CLC. However, Quebec unions have gravitated in different directions, affiliating themselves to a host of independent unions and a number of different labour centers including the CLC-affiliated Quebec Federation of Labour

(FTQ), the Confédération des Syndicats Nationaux (CSN) and the Centrale des Syndicats du Québec (CSQ).

Although the FTQ is a provincial federation of the CLC, Tom McIntosh has correctly noted that “only the most formal connections exist across the linguistic divide.”² Carla Lipsig-Mummé has noted that the Quebec labour movement is distinct because of its provincial focus, its collective identity and its shared history and language. The province’s labour movement is also unique in Canada because of the multiple number of competitive trade union federations that exist in the province.³

The de facto existence of two distinct labour movements in Canada has meant that political struggles that have typified national politics are also in evidence in labour politics. At stake at both levels are issues of power, identity and citizenship which overlap and often conflict with one another. The fact that so many political conflicts resolve themselves into constitutional struggles stands as stark testimony to the abiding fractures in the Canadian polity. Constitutional discord is not something that plays out only among formal actors of the state system. The political dynamic that underlies Canada’s constitutional travails, as well as the effects of official constitutional discourse, reverberate throughout civil society. The Canadian trade union movement provides an example of the pervasiveness of this dynamic and discourse. Thus it was that on

² Tom McIntosh, “Organized Labour in a Federal Society: Solidarity, Coalition Building and Canadian Unions,” in Harvey Lazar and Tom McIntosh, eds., *How Canadians Connect*, (Kingston: McGill-Queen’s University Press, 1999), 149.

³ Carla Lipsig-Mummé, “Labour Strategies in the New Social Order: A Political Economy Perspective,” in *Union-Management Relations in Canada*, Morley Gunderson and Allen Ponak, eds., (Don Mills: Addison-Wesley, 1995), 209.

November 25, 1993, during a period of intense constitutional turmoil in Canadian politics, the CLC and the FTQ reached a historic agreement which essentially gave the FTQ the status of a proper trade union central in Quebec. The FTQ would no longer be considered a provincial wing of the CLC like the other provincial Federations of Labour. Instead, the FTQ would be treated as the incarnation of the CLC in Quebec, free to determine its own political priorities and allocate resources accordingly. Due to the sheer amount of power and jurisdictional responsibility transferred from the CLC to the FTQ, officials in both organizations have dubbed the agreement a form of sovereignty-association.

After the CLC and the FTQ negotiated their new partnership agreement in 1993, labour leaders from both Quebec and English Canada showcased their institutional arrangement as a model for Canadian federalism. The FTQ's Clément Godbout told *La Presse* that politicians in Quebec and the Rest of Canada should use the CLC-FTQ model in the event that his province leaves confederation.⁴ Steelworkers President Leo Gerard told *La Presse* "Les politiciens du Canada auraient beaucoup à apprendre du mouvement syndical."⁵ CUPE President Judy Darcy expressed the following view: "Je suis très fière du mouvement ouvrier. Nous venons de montrer que nous sommes capables de faire ce que les politiciens du Canada n'ont pas été capables de faire... Si ce pays avait respecté les droits du Québec comme nous l'avons fait, peut-être qu'il serait capable de rester ensemble."⁶

⁴ *La Presse*, (May 17, 1994).

⁵ *La Presse*, (May 18, 1994).

⁶ *Ibid.*

The sovereignty-association agreement between the CLC and the FTQ is illustrative of how political issues and institutional thinking which engages formal state actors are replayed in the arena of labour politics. The fact that the CLC and FTQ adapted a constitutional discourse drawn from contemporary federal-provincial politics for their own organizational purposes suggests that much can be learned about Canadian labour by examining the relationship between trade unions and the constitutional order in general, and that peculiarly Canadian preoccupation with national unity that has come to be known as the “Constitutional Question”. This dissertation proposes to examine this relationship from two different perspectives. First and foremost, the impact of the Constitutional Question on CLC-FTQ relations will be studied in some detail. Specifically, the dissertation will focus on the issues of national unity and constitutional reform with a view to explaining how Quebec’s nation-building strategy has been reflected in the politics of the CLC and the FTQ. This will be accomplished by examining the parallel evolution of the CLC and the FTQ with particular attention paid to how these two labour organizations, and their leaders, responded to the politics of national unity and the Constitutional Question more generally.

In many ways, the labour movement’s fractured view of Canada’s Constitutional Question reflects the cleavages that exist more generally in Canadian society. In fact, Canada’s constitutional preoccupations came to shape and inform the relationship between the CLC and the FTQ. The most conspicuous manifestation of the Constitutional Question’s influence on the internal politics of the labour movement came in the form of the CLC-FTQ sovereignty-association partnership agreement. Some have

characterized the partnership agreement as the product of strict organizational maintenance⁷, while others, particularly in the labour movement, have claimed that it represented a clear political expression of solidarity with the political aspirations of Quebec. The most plausible explanation exists somewhere in between. While there is no question that the CLC-FTQ sovereignty-association partnership agreement was precipitated by a sudden and major breakdown in relations between the two organizations, there is evidence to suggest that that the leadership of the labour movement in English Canada demonstrated a progressive openness towards Quebec which stemmed from their understanding of the intersection of class and nation in that province. Unable finally to reconcile conflicting visions of Canada's future within the existing structure of the CLC, a decision was eventually reached by the leadership of both the Congress and the FTQ that a sovereignty-association partnership agreement would be adopted. The formalized partnership agreement was later ratified by delegates at the subsequent CLC and FTQ conventions. Indeed, having reproduced some of the spatial and linguistic tensions of Canadian federalism within its own internal organization, the CLC is now experimenting with the kind of asymmetrical structure which some political scientists have advocated for the country as a whole.⁸

The dissertation will draw from two broad bodies of literature in order to explain the emergence of sovereignty-association in the Canadian labour movement: the Canadian constitutional literature, which scarcely considers organized labour; and the

⁷ Esther Déom and Jean Boivin, "Union-Management Relations in Quebec," in *Union-Management Relations in Canada*, Morley Gunderson, Allen Ponak, Daphne G. Taras, eds., (Toronto : Pearson Addison-Wesley, 2005), 505.

⁸ Will Kymlicka (1998), Alain Gagnon (1995), Philip Resnick (1994), and Reg Whitaker (1992), for example, have all advocated asymmetrical federalism.

literature on Canadian labour, which all but ignores the role of constitutional politics. Both bodies of work are key to explaining how Canada's Constitutional Question caused certain patterns of behaviour amongst trade unions – patterns of behaviour which were not only externalized politically, but also internalized organizationally.

Among Canada's leading constitutional scholars only Richard Simeon and Ian Robinson seem to have considered organized labour's role in helping to shape Canadian federalism and vice-versa. In *State, Society, and Canadian Federalism*, Simeon and Robinson address class issues and the role of the labour movement historically with a view to explaining how class, along with gender and ethnicity, have come to represent important cleavages in Canadian constitutional politics.⁹ As such, they give central importance to class as an explanatory factor in the evolution of Canadian federalism. One would be hard pressed to find a single reference to organized labour in the work of other leading constitutional scholars like Peter Russell, Peter Hogg, Alan Cairns, Donald Smiley, or George F.G. Stanley. For his part, Patrick Monahan, passively refers to the labour movement, but only in connection to decisions of the Judicial Committee of the Privy Council which directly impacted the Canadian labour regime.¹⁰

The underdevelopment of class in the literature on constitutional politics has not been rectified by Canada's labour historians. In his preface to the second edition of *The Canadian Labor Movement*, Craig Heron points out that the first edition virtually ignored

⁹ Richard Simeon and Ian Robinson, *State, Society and the Development of Canadian Federalism*, (Toronto: University of Toronto, 1990).

¹⁰ Patrick Monahan, *Constitutional Law*, (Concord: Irwin Law, 1997).

the “distinct experience of Quebec”.¹¹ Canada’s “new” labour historians, guided by E.P Thompson’s focus on working class culture, evidently saw constitutional questions as part of the institutionalist preoccupations of Canada’s traditional labour historians. However, constitutional questions do not seem to figure prominently in the works of this group either. Perhaps most surprising is the absence of the labour movement in the constitutional academic writings of F.R Scott and Eugene Forsey. Both Scott and Forsey are both known for their social democratic political orientations, their shared affinity for the labour movement, and their keen interest in constitutional questions. However, their consideration of constitutional affairs and labour issues are treated, more or less, like two separate vessels. It is as if one area of study has no relationship to the other.

In terms of the political economy literature, Garth Stevenson’s *Unfulfilled Union*, and his earlier essay, “Federalism and the Political Economy of the Canadian State”, offer a comprehensive approach to understanding and studying Canadian federalism and national unity from a critical perspective. As such, class issues do figure prominently in his work. However, the labour movement as an organized expression of class is absent in Stevenson’s analysis. In the same vein, Stephen McBride and John Shields’ *Dismantling a Nation: The Transition to Corporate Rule in Canada*, dedicates two full chapters to constitutional reform.¹² While McBride and Shields make the important connection between constitutional change and neo-liberal restructuring, they too overlook the role of organized labour in contributing to the constitutional debate in Canada. Conversely,

¹¹ Craig Heron, *The Canadian Labour Movement: A Brief History 2nd ed.*, (Toronto: James Lorimer & Company, 1996).

¹² Stephen McBride and John Shields, *Dismantling a Nation: The Transition to Corporate Rule in Canada*, 2nd ed., (Halifax: Fernwood Publishing, 1997).

McBride and Shields also overlook the Constitution's impact on the labour movement's ability to confront neo-liberalism.

Leo Panitch and Donald Swartz demonstrate a keen understanding of organized labour's relationship to wider constitutional questions. In *From Consent to Coercion: The Assault on Trade Union Freedoms*, Panitch and Swartz carefully consider organized labour's approach to patriation of the Constitution and the Charter of Rights and Freedoms.¹³ However, their focus on the judicialized politics of labour tends to overshadow equally important aspects of the constitutional question. The work of Panitch and Swartz is reflective of most contemporary research concerning organized labour and the Constitution in English Canada in that it almost exclusively revolves around the Charter of Rights, the Supreme Court, and the labour movement's poor performance in the judicial arena.¹⁴ However, the Canadian labour movement's experience with constitutional questions has been far more broad. Trade unions in Canada have been pronouncing on constitutional questions since the late 19th century. Although the history of Canadian constitutional reform has never been told from the perspective of the labour movement, there is no question that tensions surrounding national unity, federalism, and constitutional reform have been reflected in the labour movement from its inception.

By far the most comprehensive study of organized labour and its relationship to constitutional questions is Ralph Guntzel's PhD Dissertation, "In

¹³ Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms*, 3rd ed., (Toronto: Garamond Press, 2003).

¹⁴ See for example Panitch and Swartz (2003), Mandel (1994), Bakan (1997), Fudge and Tucker (2001).

Quest of Emotional Gratification and Cognitive Consonance: Organized Labour and Québec Separatist Nationalism, 1960-1980".¹⁵ In a social psychology analysis of the Quebec labour movement and the National Question, Guntzel argues that:

..there are two important psychological processes through which national identification can translate into nationalism: first, the longing on the part of individuals identifying with a nation to improve upon a situation in which their nation's worth is either perceived to be low or perceived to be threatened. In such instance emotional gratification through high group worth is the ultimate goal of nationalist thought and action. A second variant consists in the interpretation of reality through the prism of national identification. Assuming the essentially benign nature of their national group, individuals identifying with a nation opt for nationalist thought and action. For them, nationalist solutions appear to be the most obvious solutions to political problems affecting their national community. In this instance, nationalism is fuelled by the quest for cognitive consonance.¹⁶

Guntzel's dissertation, although an indispensable reference tool, tends to emphasize psychology at the expense of politics. Political considerations, including agency, organizational maintenance, and the intersection of class and nation, are key to understanding the evolution of the CLC-FTQ partnership and the relationship between the Canadian and Quebec labour movements and the Constitutional Question. Although these issues are not altogether ignored by Guntzel, they simply are not emphasized as key explanatory factors.

Kenneth McRoberts' approach to studying constitutional reform and national unity gives a central role to the labour movement as an important political actor. Particularly in *Quebec: Social Change and Political Crisis*, McRoberts uses the

¹⁵ Guntzel, (1997).

¹⁶ Guntzel (1997), 427.

intersection of class and nation in Quebec to explore how the labour movement has both shaped and been shaped by Canada's constitutional crisis.¹⁷ In doing so, McRoberts sets up a framework for understanding how constitutional questions have divided trade unionists in Quebec from their counterparts in English Canada. Thomas McIntosh pursues this division further in a more contemporary article entitled "Organized Labour in a Federal Society: Solidarity, Coalition Building and Canadian Unions".¹⁸ McIntosh argues that the condition of organized labour in a federal society can only be understood by viewing the labour movement through the lens of Canada's federal system.

Except for the work of Simeon, Robinson, McRoberts, McIntosh and Guntzel, which is suggestive but limited in scope, the constitutional question and its relationship to the labour movement have, overall, gone underrepresented in the English Canadian literature.¹⁹ Quebec nationalists, on the other hand, have shown keen interest in organized labour's relationship to the Quebec National Question. When discussing organized labour and nationalist politics, nationalist writers in Quebec have emphasized three broad points. The first proposition is that the PQ played a central role in shaping the Quebec labour movement's position on the National Question.²⁰ The second is that the Quebec labour movement's particular ideological outlook is a manifestation of its unique history and position within the North American labour movement.²¹ The third point, which flows from the second, argues that the unique status of the Quebec labour

¹⁷ Kenneth McRoberts, *Quebec: Social Change and Political Crisis*, 3rd ed., (Toronto: McClelland and Stewart, 1988).

¹⁸ McIntosh (1999).

¹⁹ Guntzel, a German, wrote his dissertation in English at McGill.

²⁰ See for example Cyr and Roy (1981) and Leclerc (1980).

²¹ See for example Bourque and Laurin-Frenette (1972), Tremblay (1972), and Gagnon (1994).

movement, and in particular the special status of the FTQ, is a manifestation of Canada's Constitutional Question.²²

In addition to the wealth of literature offered up by social scientists, Quebec labour organizations have excelled at retelling their own histories.²³ Not surprisingly, the National Question has figured prominently in the work of Quebec labour historians²⁴ and sociologists.²⁵ The work of these scholars has helped make familiar the story of the economic disparities between francophone and anglophone workers and the importance of language in defining the nationalist project in Quebec. Quebec's branch plant economy created a situation wherein francophone workers were forced to labour in English with their English Canadian and American employers. In unionized shops, employers expected their francophone workers to negotiate and administer collective agreements in English. These social realities represent a powerful explanatory factor in the rise of nationalism and separatism within the Quebec labour movement.

Despite the wealth of literature emanating from Quebec, there are gaps in the research which need attention. Foremost is the fact that literature concerning the relationship between the labour movement in English Canada and the Quebec labour movement has come exclusively from one political perspective, namely that of Quebec

²² See for example Piotte (1998).

²³ See for example self publications of the FTQ, CSN, and CSQ. Alfred Charpentier, Louis Laberge and Jean Gérin-Lajoie have been the subject of individual works. For its part, the CLC commissioned Eugene Forsey to write a book on Canadian labour history after his retirement as research director for the CLC. It took Forsey seven years to complete *Trade Unions in Canada 1812-1902*, and CLC officials privately complained that the time it took Forsey to complete his work made it the most expensive book in Canadian history.

²⁴ See for example Rouillard (2004).

²⁵ See for example Bourque and Laurin-Frenette (1972) and Gagnon (1994).

nationalists. Largely absent in Quebec nationalist writings on this relationship is a recognition that a nationalist sentiment was also an important element in the development of the labour movement in English Canada. Left nationalists in particular sought to articulate a basis of solidarity with their Quebec counterparts frequently by invoking an anti-imperialist rhetoric. In 1973, Jim Laxer wrote:

For English Canadians who are concerned with building an anti-imperialist socialist independence movement in English Canada, the struggle in Quebec is enormously significant. In it lies the hope that English Canadians and Quebecois will no longer be victimized by a federal system which has simply handed both parts of the country over to the American corporations. Let us hope that an anti-imperialist alliance is possible.²⁶

However, since the PQ, and more significantly, the Quebec labour movement has, by and large, retreated from an economic critique of continental free trade, the bonds of anti-imperialist solidarity, to the extent that they had united socialist labour activists in both Quebec and English Canada, no longer have the same effect.

In light of this erosion of a dialogue, real or potential, between Quebec and English-Canadian left nationalist trade unionists, the story of the intersection between trade union and constitutional politics has by default been told by only one of the interlocutors to the process. Given the absence of any comprehensive contemporary analysis of the CLC's take on the Constitutional Question, there is a need to examine how the Congress has approached this issue, in a historical context, as a pressure group operating within a federal system.²⁷

²⁶ Jim Laxer, "Quebec in the Canadian Federal State," in Robert M. Laxer, ed., *(Canada) Ltd: The Political Economy of Dependency*, (Toronto: McClelland and Stewart, 1973), 248.

²⁷ The notable exception is Guntzel's dissertation which covers the period from 1960-1980.

This dissertation will focus on peak labour organizations (the CLC and the FTQ) for several reasons. Because the primary research question revolves around how federalism and the constitutional question has impacted organized labour in Canada, it is necessary not only to observe how organized labour evolved federal structures that paralleled those of the state, but also how certain dynamics were created by these institutional features and the way they became implicated in the constitutional debates of recent decades (for a brief description of the federated institutional features of the CLC see Appendix 7). While it is true that federalism and contemporary constitutional developments have had an effect on a whole range of labour organizations from individual unions to national labour bodies, the decision to concentrate on the CLC and the FTQ is dictated by the specific research objective of this dissertation which is to describe and explain the relationship between the national constitutional discourse and organized labour's own constitutional perspectives. The latter, in particular, requires a focus on the CLC and the FTQ because it has been these two peak organizations that have been most directly involved in espousing organized labour's constitutional views, and in the process, have developed a new institutional relationship of their own influenced in no small part by national constitutional discourse. The CLC is one of the two principal actors in this drama by virtue of its position as the official national voice of labour. Because the CLC is responsible for developing a national political agenda for organized labour, regularly submits briefs to parliamentary committees, constantly issues press releases and routinely is sought out for media representation of labour's views on topical political issues, an accurate account of its position on the evolving Canadian constitutional agenda is critical to the subject of this dissertation. The FTQ figures

prominently throughout the dissertation, not only as a partner in the CLC-FTQ relationship, but also as the largest, most diverse, and most representative labour organization in Quebec.²⁸ Given the FTQ's role in helping articulate a distinct Québécois labour position on the constitutional question, it too is an obvious candidate for this study.

Once the CLC and FTQ began to engage the Constitutional Question, linguistic cleavages that either lay dormant or were suppressed in the Congress began to assert themselves, eventually resulting in a new *modus vivendi* being sought to accommodate the FTQ within the CLC. In relating the parallel stories of the evolving constitutional positions of the CLC and FTQ, and of their own institutional transformation, this dissertation focuses on the actions of union leaders. The decision to focus on union elites was undertaken because of the explicitly political nature of the topic which made elite pronouncements so important an ingredient in the national constitutional discourse.

The dissertation borrows from several research traditions in order to provide a historical account of organized labour's experience with the Constitutional Question. Various research traditions have been applied to the subject matter of each chapter where relevant. These research traditions do not compete with one another, but rather complement each other and in some instances, overlap. The complexity and multidimensional character of the Constitutional Question requires an integrated theoretical approach in order to construct a coherent framework to discuss the

²⁸ Jean-Marc Pottle, "Un microcosme du Québec," *La FTQ, ses syndicats et la société québécoise*, Yves Bélanger, Robert Comeau et Céline Métivier, eds., (Québec: Comeau & Nadeau, 2001), 167.

intersection of labour politics and constitutional politics in Canada. As part of such a framework, a hierarchy of explanation is necessary.

Relationships between labour leaders and the policy or strategic decisions that flow from their interactions are primarily explained through elite accommodation. Elite accommodation, although unpopular in contemporary political discourse, has often been prescribed as a tool to preserve national unity in Canada. Canada's regional, linguistic and ethnic cleavages, it is argued, can only be mitigated through elite-driven compromises. Such an approach has fallen out of favour with left wing critics arguing that elite accommodation takes the form of political elites interacting with capitalist elites. As an alternative to this dialogue between friends, citizens' assemblies and even referenda have been touted as useful mechanisms for deriving the true will of the people. However, elite accommodation is not necessarily synonymous with bourgeois domination, as suggested by many left critics. The labour movement in Canada and Quebec have long relied on a relationship of elite accommodation in order to ease political and linguistic divisions between workers. In trade union organizations, where the bonds of class solidarity are so important, elite accommodation has indeed helped to maintain a shared basis of unity.

Although organized labour in Canada is certainly divided linguistically, labour leaders, whether from Quebec or English Canada, do share some core values and personal friendships that enable them to work together and craft solutions that their respective memberships can accept. One cannot explain the constitutional politics of

labour in Canada without understanding the personal allegiances and the personality clashes which existed between various leaders of the CLC, the FTQ, allied political parties, and other major unions. The complexity of CLC-FTQ relations, in particular, hinges on the role of affiliated national and international unions. The power of provincial federations of labour tends to be determined by their respective affiliated memberships. Affiliates have the ability to prioritize their allegiances by funneling attention and resources to multiple different labour organizations. In some cases, an affiliated union may decide to identify first and foremost with its national or international union. Other affiliates may choose to identify primarily with the Congress or one of its provincial wings. There is no question that the FTQ's fight for sovereignty-association was driven by a desire for recognition. A concerted attempt was made to convince its affiliates that allegiance to the FTQ should surpass other allegiances. It is these kinds of inter-union machinations that need to be carefully observed if one hopes to understand the dynamics of the evolving relationship between the CLC and the FTQ.

Elite accommodation can be combined with more traditional institutionalist approaches to better conceptualize Canadian federalism's impact on the cohesion and strategic capacity of organized labour as an interest group. There is no consensus on the impact of federal structures on interest groups in Canada. For instance, one prevailing argument is that interest groups are rendered weak and ineffective by federalism. In order to maintain cohesion, David Truman has proposed that interest groups operating in federal systems have tended to adopt organizational federal structures themselves.²⁹ However, if interest groups establish too many sub-national organizational sections, they

²⁹ David Truman, *The Governmental Process*, (New York: Knopf, 1951).

run the risk of weakening themselves internally by creating various diffuse centers of power.³⁰ This, of course, would make it extremely difficult for the interest group to speak with a single unified voice. The opposite may also be true, namely, that sub-national sections of interest groups, especially in a federal country as regionally diverse as Canada, need to be wary about wielding too little power for fear of being dismissed as merely a pawn of the national interest group.

In contrast to those who regard federalism as an impediment to effective interest group activity, Grodzin's "multiple crack hypothesis" presents a much more sanguine view of interest group activity in federal systems. In Grodzin's view, an interest group's ability to successfully influence policymakers is directly correlated to the interest group's point of access into the political system. Therefore, Grodzin argues that federalism can be beneficial to interest groups in that it creates a greater number of points of entry into government.³¹ Finally, it should be noted that interest group behaviour is not only influenced by the multi-jurisdictional structure of federalism, but also that state actions in a federal system may have a direct influence on interest groups. While it is evident that interest groups will strategically try to use the division of powers to strengthen their own political priorities, what is less evident is government's tendency to enlist the support of interest groups in attempts to expand its jurisdiction at the expense of another order of government.

³⁰ Helen Dawson, "National Pressure Groups and the Federal Government," in *Pressure Group Politics in Canada*, A.P. Pross, ed., (Toronto: McGraw-Hill 1975) 29-58.

³¹ Discussed in Richard Schultz, *Federalism, Bureaucracy and Public Policy: The Politics of Highway Transport Regulation*, (Montreal: McGill-Queen's University Press, 1980).

Ostensibly, the CLC has both benefited and suffered from the constitutional division of powers over labour and employment issues in Canada. On the positive side, for example, the Congress has, through its provincial affiliates, been able to secure anti-scab legislation in several provinces – a policy objective it has never been able to achieve at the federal level. On the negative side, the assault on trade union freedoms since the 1970s has forced the CLC and its affiliates to engage in defensive struggles on multiple fronts – which has made strategic planning more difficult, especially given the Congress' propensity for centralized decision-making.

The relationship between the CLC and the FTQ can be analyzed in terms of the strategic capacity of interest groups to mobilize their political resources in a federal country and, conversely, their propensity to be themselves mobilized by state actors for purposes internal to the federal system. While there is an existing body of interest group literature that addresses these questions, in whole or in part, it should be noted that typically these studies suffer from their limited historical perspective. Thus, their generalizations about interest group behaviour in federal systems often reflect only conjunctural tendencies or patterns. At the very least, a fully historical approach tracking the reciprocal interaction between an interest group and a federal system is necessary if reliable generalizations are to be sought. Moreover, it must be recognized that interest groups are not static entities which act and react according to a simple set of prerogatives. Rather, interest groups tend to be as dynamic as federalism – they change and adjust based on their internal organizational needs, but also in response to important events or other external factors.

In the case of organized labour, one of those external factors is its relationship with political parties in Canada. Canada's Constitutional Question has unquestionably informed union-party relationships and vice versa. The NDP-union relationship, the Parti Québécois (PQ)-union relationship, and to a lesser extent, the Bloc Québécois (BQ)-union relationship, are important explanatory factors in assessing the labour movement's position on constitutional issues in English Canada and Quebec respectively. The NDP played a key role in shaping and influencing the CLC's position on constitutional questions, while the PQ, although not a labour party³², unquestionably influenced the FTQ's attitude towards constitutional questions. Of all labour organizations in Quebec, the FTQ is viewed as having enjoyed the closest relationship with the separatist PQ. The Federation has enthusiastically endorsed the PQ in four of the last seven provincial elections³³ and called for a OUI vote in both the 1980 and 1995 referendum campaigns. The FTQ has endorsed the Bloc Québécois in every federal election since 1993. While other Quebec labour organizations, specifically the CSN and the CSQ, have often found themselves at odds with PQ governments, the FTQ, and in particular its leadership, has been loathe to criticize the party. With the important exception of financial and institutional ties, it could be said that the dynamics of the PQ-FTQ relationship is not dissimilar to the relationship between NDP governments and trade unions in English Canada.

³² The PQ never sought official organizational or financial ties to the trade union movement, preferring instead to remain an independent electoral component of the sovereigntist movement.

³³ Following the PQ's unprecedented attack on the rights of public sector workers in the early 1980s, the FTQ withheld its endorsement in the 1985 provincial election against the wishes of FTQ President Louis Laberge. In 1989 and 1994 the FTQ endorsed the PQ. In 1998, the FTQ declined to endorse the PQ, but did not actively campaign against the party. In 2003, the FTQ once again declined to endorse the PQ, but did run a third party campaign against the ADQ, which over the summer of 2002 had emerged as the PQ's main political rival in Quebec.

National unity debates in Canada have frequently manifested themselves in calls for macro-constitutional reform. The respective constitutional positions of the CLC and the FTQ typically diverged according to their relative understanding of federal politics. The CLC has tended to sponsor or support proposals that would strengthen the national government under the premise that labour needs a strong state capable of supplying uniform social and economic policies. The FTQ has tended to sponsor or support proposals that would strengthen the Quebec government under the assumption that a powerful provincial government is essential to advancing the particular interests of that province's francophone workers. These divergent constitutional outlooks are best characterized as contradictory class wagers. By adopting contradictory class wagers concerning the powerful centripetal and centrifugal economic forces that shape the nature of federal-provincial relations, the labour movement in Quebec and the labour movement in English Canada have attempted to influence the constitutional question in opposite ways. These contradictory class wagers can only be understood within the larger framework of the intersection between class and nation in Quebec. Canadian political economists have, for the most part, demonstrated a deep understanding of the relationship between class and nation.³⁴ The oppression of Quebec's francophones, their cultural and economic vulnerability, and the particular form of Quebec nationalism that erupted in response to a desire for national self-affirmation in the 1960s are essential to understanding the labour movement's approach to constitutional questions and vice versa.

³⁴See for example Ryerson (1972) and Panitch and Swartz (2003).

In terms of a hierarchy of explanation, these class-based factors exist at a macro level where peak labour organizations interact with capital and the state. The value of a political economy approach rests with its ability to combine many economic, cultural, and class-based dimensions of organized labour. In addition to strengthening our understanding of macro-economic change in a historical context, the political economy approach allows us to interpret and analyze economic and political crises and their impact on organized labour. Though economic issues tend to dominate organized labour's potential political power vis-à-vis capital and the state, realization and strategic use of that power depends on the shared values and political priorities of trade union elites. This is why it is important to differentiate political economy's usefulness as a tool to provide macro-level explanations of labour's experience with constitutional questions, from a distinguishable micro level of explanation, where labour leaders interact with one another and party leaders through a very internal process with a view to developing a constitutional strategy which can mitigate serious divisions within labour organizations. At this level, elite accommodation is unquestionably the most important causal factor in a hierarchy of explanation, while institutional issues concerning party-union relations and interest group activity merely correlate this primary causal factor. These latter approaches, which emerged, more or less, from social movement theory, postulate that the existence of resources and structures of political opportunity are the product of timeliness, elite disunity, and a broadened base of political input. However, these approaches tend to focus too narrowly on structural factors, ignoring the role individual actors and their relationships.

Although the dissertation ascribes importance to individual actors within the labour movement, interviews with key actors were eschewed for several reasons. First, many of the key actors, such as former FTQ leader Louis Laberge and former CLC President Dennis McDermott, have passed away. Some labour officials were unwilling to participate in interviews while others had very little to share in terms of personal experiences. As an alternative, the dissertation relies on a strong corpus of primary sources, acquired from the CLC, the CSN, the FTQ archives and the personal files of former CLC President Shirley Carr. These primary sources include not only official union documents, position papers, and submissions, but also personal notes, confidential memos and detailed minutes of meetings. These printed sources provide detailed and reliable accounts of exchanges and divisions between labour leaders. Seeking information concerning internal divisions and elite accommodation through formal interviews likely would have encouraged interviewees to be less than forthcoming for fear of being too critical of close friends, especially given the sensitivity of issues concerning Canada-Quebec relations. Informal interviews also have serious limitations because they rely on interviewees to give accurate and complete answers to open-ended questions. Interviewees may be prone to recount past events incorrectly or less than objectively due to feelings of embarrassment, lack of knowledge or memory loss. These problems are logically compounded when the events under discussion transpired several decades ago.

The dissertation will be structured chronologically. Chapters will be linked through various labour struggles that highlighted divisions related to language and region. This structure will allow us to more easily track the changes in attitude in both the CLC and the FTQ towards Canada's constitutional questions. These shifts in opinion will subsequently be analyzed with a view to explaining how they have shaped the evolving relationship between the CLC and the FTQ.

Chapter 2, "A Short History of the Labour Movement in Canada and Quebec" introduces the major players and events that have led to the establishment of two separate labour movements in Canada, one in English Canada and one in Quebec. The chapter is designed to set the stage for subsequent discussions concerning organized labour's relationship to Canadian constitutional politics.

Chapter 3, "The Constitutional Politics of Labour: A Historical Perspective from Confederation to the Quiet Revolution", will take a critical look at the evolution of the country's constitutional framework through the lens of the labour movement. Repeated calls for a more decentralized federation, aggravated by Quebec's exclusion from the Constitution, lingering Quebec nationalism, unresolved Western alienation, and a highly regionalized party system have all ensured that constitutional politics remain very relevant to the study of Canadian politics. Viewing the evolution of the Canadian state through the lens of the labour movement may help critical scholars reach a better understanding of Canadian constitutional politics and how it affects the politics of labour. Such an understanding requires a historical framework. The objectives of Chapter 3 are:

a) to determine the breadth and depth of the labour movement's participation in the process of constitutional reform and debates concerning Canada's Constitutional Question; and b) to explore how and why the FTQ and CLC began to diverge on constitutional questions.

Of course, one cannot write about nationalist labour politics in Quebec without discussing the CSN and other labour centrals in the province. In terms of the CLC-FTQ relationship, competing labour federations, especially the CSN, inadvertently played a key role in bolstering the FTQ's power vis-à-vis the Congress. The rebirth of the CSN in the 1960s effectively exploited Quebec nationalist sentiment and attracted thousands of workers at the expense of the FTQ – which was dominated by international unions. The FTQ fought back by pleading for more money and autonomy from the CLC in order to effectively combat the CSN. The Congress, worried about the FTQ's shrinking membership, acceded to the Federation's demands. However, after the threat of the CSN was contained, the FTQ continued to ask for more resources and more autonomy from the CLC. This became an irreversible trend, documented by several Québécois scholars, and as shall be argued in this dissertation, eventually led to the current sovereignty-association relationship between the two labour organizations.

Chapter 4, "Special Status: CLC-FTQ relation in the Seventies" documents CLC-FTQ relation in the 1970s and pays particular attention to the intersection of class and nation in Quebec during this period. The radicalization of Quebec's labour movement combined with the reality of union pluralism in Quebec led to the FTQ achieving special

status within the CLC. The objectives of Chapter 4 are a) to identify and explain the political, social and institutional factors which led to the CLC's accommodation of the FTQ's jurisdictional demands; and b) to document the significant divergence in the ideological perspectives (fostered by division over Canada's constitutional questions) of both the CLC and the Quebec labour movement during this period.

Chapter 5, "Nationalist Politics, Quebec Labour and the Parti Québécois" examines the FTQ's relationship with the PQ, the political manifestation of the sovereigntist movement in Quebec. Québécois scholars have written extensively on the relationship between class and nation in trade union politics.³⁵ This lively debate, combined with labour's radical shift in politics will provide a framework for a discussion of the FTQ's particular nationalist outlook during this period. The emergence of the moderately separatist and initially social democratic Parti Québécois, the October crisis, and the progressively more divisive debates concerning language policy, all increased support for sovereignty among union members in Quebec.³⁶ Union leaders argued that sovereignty would allow Quebec to control the important economic levers needed to pursue progressive economic policies. More symbolically, they argued that sovereignty would forever put an end to the linguistic division of labour which characterized the province's system of industrial relations.³⁷

³⁵ See for example Denis (1979), Cyr and Roy (1981), Lamoureux (1977), Bourque and Légaré (1979), Mascotto and Soucy (1979), Fournier (1994), Rouillard (2004), and Piote (1998).

³⁶ Ralph P. Guntzel, "'Rapprocher les lieux du pouvoir': The Québec Labour Movement and Québec Sovereigntism, 1960–2000," *Labour/Le Travail*, 46 (Fall 2000), 374-375.

³⁷ Guntzel (2000), 375-376.

Quebec nationalism, Quebec separatism, and its electoral expression -- the PQ -- have been the subject of much scholarly attention.³⁸ However, very few of these studies have departed from the elite-driven analyses of nationalist leaders and their power struggles at the top. What is missing from the literature is an analysis of those segments of society, like the trade union movement, that provided strong grassroots support for the sovereigntist movement from the 1970s onward. The objectives of Chapter 5 are a) to determine why the FTQ rallied around the PQ's sovereignty-association project; b) to examine the linkages between nation, class and language in Quebec during this period; and c) to scrutinize the Quebec labour movement's participation in the 1980 referendum on sovereignty-association.

Chapter 6, "The Silence of the Canadian Labour Movement: Patriation and the Charter of Rights and Freedoms" assesses the internal dispute between the CLC and the FTQ which led to the CLC's decision to withdraw from the debate surrounding patriation of the Constitution and enactment of the Charter of Rights and Freedoms. Essentially, the Congress avoided a confrontation with the Péquiste leadership of the FTQ by refusing to participate in any of the debates concerning patriation of the Constitution for fear of precipitating a rupture within the CLC. The objectives of Chapter 6 are a) to chronicle the labour movement's non-involvement in the patriation debate; and b) to explore the changing power dynamics within the CLC during this period which would cause the Congress to adopt a neutral position.

³⁸ See for example Saywell (1977), Fraser (1984), Godin (1994), and Coleman (1985).

Subsequent rounds of constitutional reform are considered in Chapter 7 and reconfirm the divergent constitutional interests of both the CLC and the FTQ. The objectives of Chapter 7, “Organized Labour and Constitutional Reform Under Mulroney” are a) to recount the CLC and FTQ positions on the Meech Lake and Charlottetown Accords; and b) to suggest reasons behind these divergent positions on national unity during this period of heightened constitutional crisis. The CLC's decision to not fully participate in the constitutional debate over the Meech Lake Accord was a direct result of the FTQ's stringent opposition to the Accord. The Congress once again preferred to stay neutral rather than risk alienating the FTQ. Although the CLC did “cautiously endorse” the Charlottetown Accord two years later, the Congress certainly did not do so with much enthusiasm. Organized labour's opposition to the Charlottetown Accord in Quebec was far stronger than the CLC's support for the Accord in the Rest of Canada. Various CLC-affiliated labour councils adopted a neutral stand on the Accord, as did the Alberta Federation of Labour. Members of AFL affiliated unions, however, actively organized against Charlottetown along with the Canadian Union of Postal Workers.

A study conducted by political scientist Richard Johnston indicated that union members who were aware of the CLC's position were more likely to vote against the Accord. Organized labour's experience with constitutional reform suggests that the CLC has been far less concerned with securing constitutionally protected rights for workers than with keeping peace within the Canadian labour movement. In fact, there is evidence to suggest that the structure and organization of the Congress prevented it from engaging in effective pressure group activity. Labour's involvement, or lack of involvement, during

Meech Lake and Charlottetown demonstrated that the CLC's structure and internal political struggles prevented the Congress from putting forward strong class-based constitutional positions.

When the Quebec government announced a second referendum on sovereignty in 1995, all segments of the province's labour movement publicly declared support for the OUI forces. This is the main focus of Chapter 8, "Winning the Battle, but Losing the War: The FTQ's Fight for Sovereignty-Association." The CLC, under the leadership of Bob White, and after the establishment of the CLC-FTQ sovereignty association agreement, shifted gears and made strong statements in favour of self-determination. This was a clear departure from the CLC's neutral strategy in previous rounds of constitutional reform. The objectives of Chapter 8 are a) to explain how and why the CLC and the FTQ entered into an asymmetrical sovereignty-association agreement; b) to chronicle the Quebec labour movement's support for the OUI side in the 1995 referendum on sovereignty; and c) to examine the labour movement's view of the constitutional question in the aftermath of the referendum campaign.

Chapter 9, "Asymmetrical Federalism and the Mechanics of CLC-FTQ Sovereignty-Association", will endeavor to explain the details of the sovereignty-association partnership between the CLC and the FTQ. After explaining the content of the agreement, the chapter will examine instances where the FTQ enforced the provisions of the agreement in order to protect its interests. However, unveiling the underlying assumptions and practices that form the basis of the sovereignty-association partnership

between the CLC and the FTQ is the chapter's primary objective. On the surface, there are ostensibly two different explanations for the CLC-FTQ sovereignty-association agreement. The first, which has been subtly advanced by Jean Boivin and Esther Déom, is that the CLC's recognition of special status for the FTQ is the product of simple organizational maintenance.³⁹ A second explanation, which has been trumpeted by the labour movement, is that the agreement is an attempt to accommodate Quebec's cultural and political specificity. The chapter will probe critically into the historic evolution of the partnership in order to determine whether or not the CLC and the FTQ have managed to transcend their own constitutional crisis, or whether they have simply maintained peace in the House of Labour. The objectives of Chapter 9 are a) to describe the mechanics of the CLC-FTQ sovereignty-association partnership with a view to determining the key assumptions and practices that form the basis of the agreement; and b) to determine what impact the agreement has had on the Canadian labour regime.

Chapter 10, the concluding chapter, reviews the evolution of CLC-FTQ relations within the wider context of Canada's constitutional history and demonstrates how inter-union relationships have reflected the constitutional struggles that have dominated Canadian politics. The concluding chapter also assesses the contemporary constitutional visions of both the CLC and the Quebec labour movement in this new political and economic conjuncture known as neo-liberal globalization.

³⁹Déom and Boivin (2005), 464-465.

Chapter 2

A Short History of the Labour Movement in Canada and Quebec

The history of the Canadian labour movement is a history of fragmentation. Anti-union employers, judicial interpretations, geographic realities, uneven regional development, union structures, ideological divisions, and the bi-national character of Canada all posed great obstacles for the development of an independent and cohesive union movement in Canada. In order to understand how the labour movement came to develop in Canada, one must first look at events which unfolded in the United States.

Although a number of small and scattered trade unions existed in pre-industrial Canada, they certainly did not constitute a labour movement. A movement could only emerge after workers had recognized their shared class interests and decided, as a class, to pursue common political and economic causes beyond the narrow confines of their workplaces. Thus, in Canada the emergence of a labour movement coincided with the arrival of the Knights of Labor in 1875. Founded in Philadelphia in 1869, the Knights of Labor, like other trade unions, worked to improve the wages and working conditions of their members, but the Knights also promoted politics and education as tools to transform society in the interests of the working class. The Knights were very successful at recruiting new members in Ontario and Quebec including both skilled and non-skilled workers and women as well. Bryan Palmer and Greg Kealey estimate that the Knights

organized roughly 21,800 workers in Canada.⁴⁰ However, the impressive growth of the Knights of Labour was only matched by its equally precipitous decline. An economic downturn in the late 1880s combined with an internal political crisis over the direction of the organization led to its eventual demise in both Canada and the United States.⁴¹ The Trades and Labour Congress of Canada, which the Knights helped to organize in 1886, would end up replacing the Knights as the dominant trade union central in Canada.

When it was first created, the TLC's purpose was to unite both independent national unions and international union affiliated to the American Federation of Labor and Knights of Labour. The main function of the Congress was to bring together these various unions on a yearly basis to discuss issues of common concern and, in turn, lobby governments to enact legislation to improve the lives of working people. The TLC was fiercely non-partisan and adopted a policy of neutrality in election campaigns. The TLC's decision to eschew electoral politics was offset by the fact that the scarcity of skilled trades people gave both the AFL and TLC impressive economic strength during this period. Both organizations could effectively use their economic clout to achieve a measure of economic justice in the workplace without pressing for greater social and political transformations.

In a protectionist move designed to ensure that American employers could not exploit cheap Canadian labour, the AFL's Samuel Gompers hired a Hamilton carpenter

⁴⁰ Gregory S. Kealey and Bryan Palmer, "The Bonds of Unity: The Knights of Labor in Ontario, 1880-1900," in *Workers and Canadian History*, Gregory S. Kealey ed., (Montreal: Mc-Gill-Queen's University Press, 1995), 257.

⁴¹ Kealey and Palmer (1995), 279.

named John Flett to lead an AFL organizing drive in Canada at the turn of the century. Flett managed to organize no less than one hundred locals by the end of 1902 and was vaulted to the Presidency of the TLC the same year.⁴² Under Flett's leadership, the TLC came to more closely resemble the AFL. At the Berlin Convention where Flett was elected President, for example, the Congress, took its cue from the AFL, and moved to prohibit dual unionism within its ranks. Dual unionism refers to the practice of allowing a national trade union to exist alongside an international union in the same craft or industry. The TLC's decision to dispense with its dual unions led to the expulsion of 20% of the Congress' membership, including all of the assemblies of the Knights of Labour. According to Craig Heron, "Formally, the TLC was the national voice of the Canadian labour movement in approaching the government, but in practice the AFL most often treated it as little more than another state federation of labour."⁴³

The TLC's new direction effectively fragmented Canadian trade unions and hindered the development of an independent and progressive labour movement in Canada. At the time of the Berlin Convention, fully 95% of unionized Canadian workers belonged to international unions. Although the TLC did remain the largest trade union central in Canada throughout its history, the international focus and moderate political approach of the Congress did not go unchallenged by Canadian workers, many of whom preferred alternate courses of action.

⁴² Desmond Morton with Terry Copp, *Working People*, (Ottawa: Deneau & Greenberg, 1980), 77.

⁴³ Heron (1996), 175.

In the early 1900s, the syndicalist Industrial Workers of the World (IWW), or “Wobblies” as they were commonly known, reached out to unskilled and immigrant workers who were excluded from the TLC. The IWW denounced Gompersism, craft unionism, capitalism, and electoral politics. It welcomed all races into its ranks and promoted the general strike as a tool to overthrow the system. However, the transient nature of the IWW’s members in the resource industry made it virtually impossible for the organization to sustain itself. Its greatest impact was felt in British Columbia, but even in that province, the IWW’s influence was marginal.⁴⁴ In 1918, the Western Canadian based and socialist led One Big Union (OBU) was launched with the aim of erasing jurisdictional barriers between craft and industrial workers. However internal power struggles and economic hard times ensured that the OBU would only play a minor role in the development of a Canadian labour movement.

Historically, according to Harold Innis, “labor organizations with English-American traditions were unable to penetrate French Quebec effectively.”⁴⁵ While southern Ontario was experiencing a period of rapid industrialization in the latter half of the 19th century, Montreal, which continued to be dominated by merchant and commercial classes, lagged behind. The rest of Quebec lagged even further behind; it continued to adhere to a quasi-feudal seigneurial structure dominated by a small group of professionals and the Catholic Church. When industrialization finally began to gain momentum in the early to mid 20th century, small-scale craft production and agricultural initiatives in the countryside were replaced with rapid urbanization and the emergence of

⁴⁴ Morton with Copp (1980), 96-97.

⁴⁵ Innis, H.A. *Labor in Canadian-American Relations*, (Toronto: Ryerson Press, 1937), xviii.

a significant wage-earning class of industrial workers.⁴⁶ In a conservative attempt to preserve “traditional” French Canadian values, the Church promoted Catholic trade unions as an alternative to the secular and increasingly militant trade unions which were gaining strength in the province. The Canadian and Catholic Confederation of Labour (CCCL) emerged as the TLC’s main rival in Quebec. Inspired by the social doctrines of the Catholic Church, the CCCL, which was founded in 1921, rejected socialism, communism, and even the idea of class struggle. Instead, the CCCL focused on the “harmony of capital and labour and the right to national autonomy.”⁴⁷ Suspicious of Americans, international unions, and foreign capital, the CCCL in many ways represented a reaction to industrialization’s threat to traditional French Canadian values. The CCCL essentially acted as a branch of the Roman Catholic Church in Quebec and served an important legitimization function in the workplace. In fact, each CCCL union local was run by a Catholic priest who oversaw its daily operations. Workers were discouraged from adopting militant bargaining positions and strikes were only sanctioned in rare instances.

The CCCL’s founding convention, which received the apostolic benediction of the Pope, dealt with several unique resolutions that clearly set the Confederation apart from other trade union organizations. CCCL delegates, for example, called for the preservation of farming and the agricultural character of Quebec; the prohibition of childrens’ attendance at movie theatres; and an amendment to the Lord’s Day Act which, in addition to Christmas, would see the inclusion of the Circumcision, Epiphany,

⁴⁶ CSN, *The History of the Labour Movement in Quebec*, (Montreal: Black Rose Books, 1987), 14.

⁴⁷ Carla Lipsig-Mummé, “Quebec Unions and the State: Conflict and Dependence,” *Studies in Political Economy*, (Spring 1980) no. 3, 127.

Ascension, All Saints, and Immaculate Conception as recognized holidays.⁴⁸ In 1922, a CCCL delegation to the federal government called for bilingual paper money and postage stamps. The CCCL also expressed its desire to prohibit “all foreign immigration during a period of three years, except the immigration of farmers,”⁴⁹ and at its 1923 convention, CCCL delegates voted in favour of a resolution calling on the provincial government “to pay premiums of \$50 for each seventh, eighth and ninth child, and \$100 for all subsequent children, the Federal Government to pay half the amount of the premiums.”⁵⁰ At the CCCL’s founding convention in 1921, a resolution calling on the federal and provincial governments to adopt fixed election dates was “promptly ruled out of order by the presiding officer on the ground that it was of a political nature.”⁵¹ However, the CCCL’s aversion to pronouncing on political issues had certainly withered away by the 1930s. Throughout the decade, the Duplessis government played an active role in procuring collective agreements between the CCCL and employers in industries eager to avoid having to deal with international unions⁵²; and in 1938, the CCCL submitted a memorandum to the federal cabinet which called on the government to “pass all legislation necessary so that the Communist party can no longer exist legally in this Dominion.”⁵³

Also formed in 1921, the Communist Party of Canada, like the CCCL, posed an immediate challenge to the Canadian trade union establishment. However, the

⁴⁸ *Labour Gazette* vol. 21 (1921), 1264-1266.

⁴⁹ *Labour Gazette* vol. 22 (1922), 371.

⁵⁰ *Labour Gazette* vol. 23 (1923), 993.

⁵¹ *Labour Gazette* vol. 21 (1921), 1264.

⁵² Lipsig Mummé (1980), 128.

⁵³ *Labour Gazette* vol. 38 (1938), 156.

similarities end there. After several failed attempts at entry into the TLC, and later the All-Canadian Congress of Labour (ACCL), the Communists set up their own labour federation in 1930, the Workers' Unity League (WUL). The WUL played a very important leadership role in several strikes during the Great Depression, but was ultimately disbanded after five years under orders from the Soviet Union.⁵⁴ Communists, however, remained influential in the Canadian labour movement until the 1950s, especially among immigrant communities.

In 1925, the British Judicial Committee of the Privy Council (JCPC) ruled in *Toronto Electric Power Commission v. Snider et al.* that Mackenzie King's *Industrial Disputes Investigation Act* (IDIA) was unconstitutional because it violated Canada's federal-provincial division of powers. The *Snider* case dealt with the Toronto Electric Power Commission's refusal to recognize a federally-appointed conciliation board to mediate a labour dispute between the Commission and its workers. The conciliation board, which drew its authority from the IDIA, was illegitimate, according to the Commission, because the federal government did not have the constitutional authority to pass laws affecting municipal employers or civil rights.⁵⁵ In its decision, the JCPC wrote, "It is clear that this enactment was one which was competent to the Legislature of a Province under s. 92. In this present case the substance of it was possibly competent, not merely under the head of property and civil rights in the Province, but also under that of municipal institutions in the Provinces."⁵⁶

⁵⁴ Heron (1996), 62-63.

⁵⁵ Alton Craig and Norman Solomon, *The System of Industrial Relations in Canada, 5th ed.*, (Toronto: Prentice Hall, 1996), 206.

⁵⁶ 1925 A.C., pp. 404-405.

After the IDIA was declared unconstitutional, the federal government quickly reworked the bill to reflect that it only applied to areas of federal jurisdiction.⁵⁷ Provinces were free to pursue their own distinct regulatory labour regimes. This event served to fragment an already divided labour movement by creating a multitude of jurisdictions relating to labour relations in Canada. This institutional arrangement has, in turn, made it very difficult for the Canadian labour movement to act in a unified or coordinated fashion politically. A dozen years later another JCPC ruling underlined just how difficult it would be to aspire to co-ordinated national labour policies.

In 1937, the JCPC ruled that the federal government did not have the constitutional authority to implement laws regarding basic employment standards that it had agreed to in international treaties. The *Labour Conventions* case required that implementation of international treaties respect the constitutional division of powers – thus preventing the federal government from fulfilling its obligations under international law.⁵⁸ Such judgments only reinforced the preference among many English-Canadian labour leaders for a strong central government – one that could force delinquent provinces into supporting progressive policy initiatives.

However, jurisdictional fragmentation was only one of many obstacles dividing a nascent Canadian labour movement. In 1927, the All-Canadian Congress of Labour (ACCL) was launched as a rival labour federation to the TLC. The fiercely nationalist

⁵⁷ Craig and Solomon (1996), 207.

⁵⁸ Garth Stevenson, *Unfulfilled Union: Canadian Federalism and National Unity*, 4th ed., (Montreal: McGill-Queen's University Press, 2004), 268-269.

ACCL was made up of the former OBU and other smaller national unions, but was primarily controlled by the United Brotherhood of Railroad Employees, which had recently been ousted from the TLC because of its status as a dual union. The ACCL rejected the strict jurisdictional rules of the TLC and opted instead for a strategy of industry-wide, rather than craft-based, organizing. The ACCL posed a particular problem for the TLC in that ACCL's focus on industry-wide organizing was more clearly suited to the changing nature of work in Canada. Unlike the OBU, the IWW or the Communists, the ACCL adopted a social democratic political orientation. Aaron Mosher, the ACCL's first and only President, developed very close ties to the Cooperative Commonwealth Federation (CCF), which held its founding convention in Regina Saskatchewan in 1933.

The CCF was founded by a coalition of farmers, workers, and socialist intellectuals in the midst of the Great Depression. Its eight-point platform called for nationalization of the commanding heights of the economy and the establishment of a comprehensive welfare state. Primarily agrarian in character, the CCF's socialist public policy prescriptions were well received by many trade union activists, particularly in the ACCL. However, the CCF did not prove to be a significant electoral force in Canada's industrial heartland. In the 1935 federal election, the party captured seven seats and just under 10% of the popular vote. The CCF was shut out east of Manitoba and won just 0.6% of the popular vote in Quebec. Andrée Lévesque Olsenn explained the CCF's dismal performance in Quebec as follows:

As a newcomer in 1933, the CCF had to establish itself in a society little acquainted with the traditions of British socialism. Fortunately, at the very beginning some of Montreal's English joined, notably some academics from McGill University...But the CCF failed to win support

from French labor clubs and struggled to keep newly formed CCF French clubs under its authority. Not only did French Canadians find the party uncongenial, when they joined, but the party suffered another disappointment when the international unions withheld their political commitment. Like the CPC, the CCF recognized the importance of winning French-Canadian members but many provincial leaders were often quite ignorant of French Canada. Nor did it help that most of them had little knowledge of French. Related to and partly a consequence of this difficulty in communication was the CCF's reluctance to involve itself in the "day-to-day-struggle" of industrial life...⁵⁹

Meanwhile in the United States, frustration with the conservative AFL model incited internal reform movements such as the Committee for Industrial Organizing (CIO) which was led by John L. Lewis of the United Mine Workers. Lewis and other industrial unionists established the CIO within the AFL in 1935 as a challenge to the Federation's strict craft-based approach to organizing. The CIO was promptly expelled from the AFL in 1937 and renamed itself the Congress of Industrial Organizations (CIO).⁶⁰ The CIO was active in both the United States and Canada and scored one of its most important victories in Oshawa Ontario in 1937 where workers engaged in a sit-down strike to win a list of demands from General Motors. Despite fierce opposition from Ontario Premier Mitch Hepburn, the CIO led sit-down strike helped pave the way for industrial unionism in Ontario and Canada.

While labour militancy increased in Ontario during this period, the same was not true for Quebec. In 1938, the TLC created the Quebec Provincial Federation of Labour (QPFL). The QPFL's founding constitution declared, "La Fédération du travail de la

⁵⁹ Andrée Lévesque Olssen, *The Canadian Left in Quebec During the Great Depression: The Communist Party of Canada and the Co-operative Commonwealth Federation in Quebec, 1929-39*, (PhD dissertation, 1972), 235.

⁶⁰ Heron (1996), 65.

province de Québec est organisée dans le but de promouvoir de la législation sociale tendant à protéger et à améliorer le sort de la classe ouvrière de cette province.”⁶¹

However, the QPFL had a difficult time fulfilling its mandate given its lack of financial resources. This was aggravated further by the fact that affiliation to the Federation was voluntary. The QPFL only ever succeeded in having between 25% and 35% of the TLC affiliated unions in Quebec join the Federation.⁶² As such, the QPFL was never able to develop an ideological orientation. Instead, it simply served as a transmission belt, delivering political and economic messages from its international affiliates to the provincial government. The QPFL, like the TLC, shunned electoral politics and even required its staff members and leadership to resign their positions before seeking elected office.⁶³

The Great Depression had taken its toll on the ACCL. Its reduced membership and dwindling resources pushed the Congress closer to the industrially based CIO during this period. In 1940, the ACCL, which was facing serious economic difficulties, merged with the CIO to create the Canadian Congress of Labour (CCL). It would seem that Mosher’s fierce nationalism was tempered by the CIO’s impressive organizing victories. The new CCL allied itself officially with the CCF in 1945.

⁶¹ *FPTQ Déclaration de principes*, (1938).

⁶² Louis-Marie Tremblay, *Idéologies de la CSN et de la FTQ 1940-1970*, (Montréal: Les Presses de l’Université de Montréal, 1972), 127.

⁶³ Eric Leroux, “Les projets de société de la FPTQ et de la FUIQ, 1938-1957: ressemblances et différences,” *La FTQ, ses syndicats et la société québécoise*, Yves Bélanger, Robert Comeau et Céline Métivier, eds., (Québec: Comeau & Nadeau, 2001), 47.

Although the CCF's initial electoral performance was underwhelming, its political clout grew tremendously during WWII. In February 1942, the CCF's candidate in the York South by-election defeated former Conservative Prime Minister Arthur Meighen, thus preventing him from re-entering Parliament as leader of the Official Opposition. The CCF also shocked the political establishment by topping the other parties in a September 1943 Gallup poll. The party's Ontario section achieved a major breakthrough in the 1943 provincial election by forming the Official Opposition, capturing 32% of the popular vote and well over one third of the seats at Queen's Park. The next year, in Saskatchewan, Tommy Douglas became the country's first ever CCF Premier when his party took 50% of the votes and over 90% of the seats in the Saskatchewan legislature. The CCF's fortunes improved considerably at the federal level as well where the party increased its representation in Parliament from 8 MPs to 28 in the 1945 Federal election.

The war years also proved pivotal for the Canadian labour movement with the introduction of order-in-council PC 1003 in 1944. Concerned about the changing political climate, Mackenzie King's Liberal government enacted PC 1003 to create a framework for collective bargaining in Canada similar to the institutionalized system of labour relations established by the U.S. Wagner Act in 1935. The post-war Keynesian era represented a period of outstanding growth for the labour movement in Canada. While the "post-war compromise" helped consolidate years of labour gains, it also bureaucratized the labour movement by creating a strict legal process to resolve disputes. This post-war compromise thus represented a double-edged sword for unions. Union

leaders in particular now occupied a dual role in labour relations: first as the main rival of management; and second, as formal managers of discontent within their unions.⁶⁴

The management of discontent took on a different meaning with the onset of the Cold War. The anti-communist hysteria of the late 1940s and 1950s manifested itself in both the Canadian and American labour movements in the form of a concerted campaign to rid trade union organizations of communist influence. The successful CCL and TLC-led purges of Communists from within the ranks of labour were carried out with the assistance of the CCF, and set the Canadian labour movement on a clearly social democratic political course.

In Quebec, this period was known as “la grande noirceur” and in the words of Carla Lipsig-Mummé, was characterized as “mature coercive integration larded with simple and devastating repression.”⁶⁵ The Asbestos strike of 1949 best exemplified the Duplessis government’s treatment of the labour movement. In February 1949, Catholic workers in Quebec’s asbestos mines launched a six month strike. The union, which had attempted to negotiate in good faith for union security, pensions, and improved safety measures, were ordered back to work by Premier Duplessis, but resisted. The Company, with the full backing of the Premier, fought back by hiring replacement workers. The picket lines turned violent as provincial police and strikers battered one another. The striking workers quickly gained public sympathy and even enlisted the Catholic Archbishop of Montreal to their cause. When the strike ended through a mediated

⁶⁴ Heron (1996), 76-80.

⁶⁵ Lipsig Mummé, (1980), 129.

settlement, it was unclear whether or not the union's strategy had been successful. Faced with an unprecedented assault on trade union freedoms, trade unionists in Quebec turned to politics as a defensive weapon against an increasingly brutal state apparatus. Violent confrontations between workers and the police at Asbestos, and the series of bitter labour disputes which followed, radicalized Quebec's labour movement and helped to usher in a Quiet Revolution in Quebec.

Social democracy, let alone communism, had long been denounced in Quebec by the clergy and the State, who argued that it was anti-Catholic and alien to French Canadians. However, social democracy did gain a toehold in Quebec with the creation of the CCL-affiliated Quebec Federation of Industrial Unions (QFIU) in 1952. Unlike the QPFL, the QFIU did adopt a clear ideological orientation based on its industrial and nationalist roots and developed an adversarial relationship with Duplessis' Union Nationale Regime.⁶⁶ In 1955, the QFIU adopted its *Manifeste au peuple du Québec* which declared:

Alors que nous vivons dans un monde divisé en deux, soit d'une part les forces capitalistes, soit d'autre part les forces totalitaires, nous refusons de croire que nous avons à choisir entre ces deux régimes. Nous préconisons une sociale-démocratie. Nous voulons un socialisme démocratique qui respectera la propriété personnelle, les traditions et la foi des masses canadiennes-françaises.⁶⁷

In December 1955 the American Federation of Labor (AFL) and the Committee for Industrial Organizing (CIO) held a reunification convention, twenty years after industrial workers and craft workers parted ways. Years of raiding and the changing

⁶⁶ Tremblay (1972), 131.

⁶⁷ QFIU, *Constitution et Manifeste politique*, (Montréal, 1955), 11.

nature of work convinced both labour organizations that the interests of working people would be best served through the establishment of a single labour federation in the United States. Because international unions continued to represent the vast majority of Canadian workers, the merger movement could not help but spill over into Canada. In April 1956, the craft-based Trades and Labor Congress (TLC) and the industrial-based Canadian Congress of Labor (CCL) merged to form the CLC. The Quebec wings of both the TLC and the CCL followed suit less than a year later. The TLC-affiliated Quebec Provincial Federation of Labour (QPFL) and the CCL-affiliated Quebec Federation of Industrial Unions (QFIU) merged to form the FTQ in February 1957.⁶⁸ By 1960, the FTQ claimed roughly 100,000 members, representing 40% of the province's unionized workforce.⁶⁹ Despite the fact that members of the former QPFL outnumbered former members of the QFIU, and despite the fact that Roger Provost of the former QPFL took over the leadership of the newly minted FTQ, the new union organization continued to champion the social democratic political orientation espoused most forcefully by the leadership of the former QFIU. This interesting ideological development was precipitated by the Murdochville strike, which broke out less than a month after the founding convention of the FTQ.

In March 1957, miners in Murdochville Quebec launched a seven month strike against Gaspé Copper Mines, a subsidiary of Noranda. The miners, who had joined the USWA, were striking for union recognition. The provincial government and its police force backed Noranda and the picket line became a bloody battleground between

⁶⁸ CSN (1987), 161.

⁶⁹ Ibid.

workers, the employer and the state. The newly-minted FTQ rallied around the striking miners by organizing a march on Murdochville which brought together trade union activists from every corner of the province. The government's brutal repression politicized the new labour organization and precipitated the adoption of a more militant style of trade union politics favoured by the former QFIU, which had long advocated a social democratic opposition to Duplessis' Union Nationale government. Despite the best efforts of the FTQ and its affiliates, after seven long months, the miners were defeated. The Murdochville strike, although ultimately unsuccessful, represented a pivotal moment in Quebec labour history because it precipitated a progressive ideological shift in the politics of the FTQ. Like the Asbestos strike before it, Murdochville was a rallying point for progressive forces battling the Duplessis regime in Quebec.

Within the context of the Duplessis regime's brutal repression of trade union freedoms and in the midst of an increasing level of government corruption, *Le Devoir's* André Laurendeau developed the "roi nègre" theory in the late 1950s to explain the political situation in Quebec. As opposition mounted to the lack of democracy in Duplessis' government, the Premier had a journalist from *Le Devoir* ousted from a press conference after the newspaper had printed a particularly stinging story about corruption in his government. The francophone press universally condemned the Premier's actions. Interestingly, the anglophone press outside of Quebec joined the francophone press in condemning the Premier while the anglophone press within Quebec avoided the story. This incident encouraged Laurendeau to reflect on the relationship between the Premier and the anglophone community in Quebec. In essence, Laurendeau argued that the

Duplessis regime's impact on Quebec was best understood by comparing it to the colonial status of many African nations ruled by "roi nègres" controlled by the British Empire. As Claude Bélanger has explained, "The British, always pragmatic, did not necessarily destroy and replace the existing political power in the colonies. In fact, they frequently accommodated themselves with local customs and rulers, as long as these petty rulers recognized the superior authority of the imperial power and protected its economic interests. To maintain traditional rulers was useful; the local people were used to them and obeyed them."⁷⁰ Laurendeau unquestionably considered Duplessis to be one of these "roi nègres" who would carry out the policy preferences of the English in return for protection and support for his regime. Laurendeau, referring to the anglophone community in Quebec, wrote "they close their eyes to the abuses of authority, as long as their interests are well served."⁷¹

Also during this period, CCCL members, frustrated with years of paternalism and conservatism, began a process of radicalization and secularization which culminated in the creation of the Confédérations des syndicats nationaux (CSN) in 1961. That year also saw the newly minted CLC develop the New Democratic Party (NDP), a more moderate and union-oriented offspring of the CCF. This event represented a clear break from the TLC's tradition of Gomerism and entrenched the labour movement's support for social democracy and electoral politics as a political strategy. One of the NDP's first major accomplishments was its ability to convince the Liberal minority government of Lester Pearson to pass the Public Sector Staff Relations Act (PSSRA), which extended

⁷⁰ Claude Bélanger, *La théorie du roi nègre*, Department of History, Marianopolis College <http://www2.marianopolis.edu/quebechistory/events/nking.htm>

⁷¹ Laurendeau quoted in Bélanger, *La théorie du roi nègre*.

collective bargaining rights to civil servants. The explosion of union activity in the public sector which followed the passage of the PSSRA in 1967 combined with a nascent sense of Canadian nationalism to bolster the strength of the Canadian labour movement and significantly reduce the influence of international unions in Canada. In 1962, just under 25% of unionized workers in Canada were represented by national unions. That number increased dramatically to nearly 50% by 1978 and again to 64% by 1990.⁷² The Canadian labour movement, after a century of having been controlled by forces outside of Canada, began to chart its own course. And in doing so it moved away from continentalism and embraced a position of economic nationalism in political affairs.⁷³

The turn to economic nationalism happened to coincide with fundamental changes in industrial relations. In the mid 1970s, the post war compromise began to unravel as business and government adopted a more hardline approach to labour relations. Beginning with Trudeau's wage and price controls, federal and provincial governments of every political stripe led an assault on trade union freedoms designed to weaken the collective strength of the labour movement.⁷⁴ This new era of neo-liberal globalization was characterized by massive job losses in manufacturing, an increase in outsourcing and privatization, restrictions on the right to strike, increased use of back-to-work legislation, and the introduction of continental free trade.

⁷² Jon Peirce, *Canadian Industrial Relations 2nd ed.*, (Toronto: Prentice Hall), 146.

⁷³ Miriam Smith, "The Canadian Labour Congress: From Continentalism to Economic Nationalism," *Studies in Political Economy*, (Summer 1992) Vol. 38 pp35-60.

⁷⁴ Panitch and Swartz (2003), Chapter 1.

The CLC's all out war against the Canada-U.S. free trade agreement in the late 1980s, although ultimately unsuccessful, demonstrated the labour movement's strength as an independent, progressive coalition builder. However, the triumph of neo-liberalism over Keynesianism in Canada has left the labour movement at a crossroads. Aware of the contradictions of neo-liberal globalization, but unwilling to challenge them in any serious way, unions in Canada have been unable to develop a coherent strategy for growth, let alone survival. And just as the neo-liberal challenge deepened in the 1980s, Canadian trade unions were compelled to confront constitutional questions in a much more urgent way than ever before.

Chapter 3

The Constitutional Politics of Labour: A Historical Perspective from Confederation to the Quiet Revolution

Constitutional politics has dominated the study of Canadian political science. However, between Confederation and the Quiet Revolution, Canadian citizens generally paid little attention to constitutional questions. According to Peter Russell, “Constitutional politics throughout this period was a relatively low-key affair. There was no sense anywhere that the country needed a new Constitution or that national unity was at issue. Failure to patriate was more of an embarrassment than a practical inconvenience.”⁷⁵ Although most Canadians showed little interest in Canada’s “constitutional odyssey”, trade union leaders were not completely oblivious to the country’s constitutional questions. In fact, in matters where the constitutional division of powers impacted the Canadian labour movement, trade unions consistently made their views known.

Trade Unions and Constitutional Reform

As early as 1887, the Trades and Labour Congress of Canada was urging the federal government to revise the British North America Act.⁷⁶ However, it was the

⁷⁵ Peter H. Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign People?* 3rd ed., (Toronto: University of Toronto Press, 2004), 57.

⁷⁶ *Labour Gazette* vol. 37 (1937), 1082.

British Privy Council's controversial decision in the *Snider* case which renewed the labour movement's interest in Canada's constitutional affairs. At the 1925 TLC convention, delegates were presented with the following executive report recommendation concerning constitutional reform in Canada:

Your executive believes that the time has arrived when amendments to the British North America Act should be secured which would give greater authority to the Dominion Parliament and bring about more centralization of our laws which vitally affect the conditions of wage earners in this country, and that it is only by such a step that any essential social reform can be brought about and made equally applicable to all citizens of Canada.⁷⁷

The report was adopted despite the protest of one delegate who complained "that any request which might come to the Federal Parliament should not be at the expense of the provinces."⁷⁸ The next year, in its brief to the federal cabinet, the TLC delegation enumerated its requests for amendments to the BNA Act:

- (a) Enable necessary steps to be taken to abolish the Senate as a non-elective body and introduce such reform as would prevent the vetoing of legislation passed by the elected representatives of the people.
- (b) Abolish appeals to the Privy Council and establish the Supreme Court of Canada as the highest court of appeal.
- (c) To give the Federal Government the necessary power to effectively administer to the Industrial Disputes Act, 1907, and later amendments.
- (d) To foster "national unity" by giving greater powers to the Federal Government to deal with social and labour legislation and particularly that covered in the recommendations and conventions of the International Labour Conferences (League of Nations).⁷⁹

The TLC made the same request, more or less, to the federal cabinet for the rest of the decade and throughout most of the 1930s. In 1929, the Quebec Provincial Council of Carpenters presented a successful resolution to the TLC's convention which called on the

⁷⁷ *Labour Gazette* vol. 25 (1925), 894.

⁷⁸ *Labour Gazette* vol. 25 (1925), 894.

⁷⁹ *Labour Gazette* vol. 26 (1926), 337.

federal government to request amendments to the BNA Act in order to accommodate the labour movement's demand for an eight-hour work day and a forty-hour work week.⁸⁰

The resolution did not concern itself with the Quebec Question at all.

Soon after its creation in 1927, the All-Canadian Congress of Labour joined the TLC in calling for constitutional changes. In a report to delegates at the 1929 convention, the ACCL executive wrote "The amendment of the British North America Act to enable the Dominion parliament to pass social legislation, such as unemployment insurance, is a reform which all labour organizations should endeavour to secure."⁸¹ The fact that the *Snider* decision had overruled previous decisions by Canadian judges likely gave the labour movement the impression that its call for constitutional reform would find support in Ottawa. Canadian jurist H.E. Smith, for example, commented that "I do not think it is going too far to say that this result is the precise opposite of that which our fathers hoped and endeavoured to attain."⁸² Despite domestic protestations from both the Canadian judiciary and the labour movement, union requests for constitutional change were ignored.

Trade unions renewed their efforts to amend the BNA Act after 1931 when Canada became an autonomous dominion within the British Empire under the terms of the Statute of Westminster. In the new political climate created by the Statute of Westminster there were calls for a new constitutional order that would strengthen the central government. Trade unions were joined in their quest for centralization by the

⁸⁰ *Labour Gazette* vol. 29 (1929), 1014.

⁸¹ *Labour Gazette* vol. 29 (1929), 1365.

⁸² H.E. Smith, "The Residue of Power in Canada," (1926) 4 *Can. Bar Rev.* 432 at 434.

newly formed Cooperative Commonwealth Federation (CCF). Adopted at the CCF's first national convention, the party's socialist "Regina Manifesto" declared that:

The labour code should be uniform throughout the country. But the achievement of this end is difficult so long as jurisdiction over labour legislation under the BNA Act is mainly in the hands of the provinces. It is urgently necessary, therefore, that the BNA Act be amended to make such a national labour code possible.⁸³

The CCF argued that Canada's regional and linguistic divisions, exacerbated by Canada's federal system of government, "are unnecessary and are the result of the inherent contradictions of capitalism."⁸⁴ In 1935, the Royal Commission on Price Spreads, which was appointed in 1934, released its report which called for a "thorough exploration of the constitutional possibility of the enactment of Dominion labour legislation" and "the necessary amendments to the BNA Act" to attain them.⁸⁵ After the Supreme Court of Canada ruled that certain federal social legislation is *ultra vires* under the terms of the BNA Act, the ACCL urged in a memorandum that:

the matter of jurisdiction, as between the Dominion and the provinces, is one which ought to be dealt with at the earliest possible moment. It may be pointed out, without reflection upon the framers of the British North America Act, that they could not possibly have foreseen the developments of modern industry, and the need for legislative control of industry which is interprovincial or national in scope. Not only the workers, but the people of Canada generally have the right to demand that the basic constitutional document of Canada be amended in such a manner as to permit the proper exercise of the will of the people through Parliament.⁸⁶

⁸³ Article 7 of the Regina Manifesto as cited in Edwin Black, *Divided Loyalties: Canadian Concepts of Federalism*, (Montreal: McGill-Queen's University Press, 1975), 47-48.

⁸⁴ Lewis, David and Frank Scott, *Make this your Canada: a review of C.C.F. history and policy*, (Toronto: Central Canada Pub. Co. 1943), 104.

⁸⁵ *Labour Gazette* vol. 35 (1935), 408.

⁸⁶ *Labour Gazette* vol. 37 (1937), 45.

While the Royal Commission on Dominion-Provincial Relations deliberated between 1937 and 1940, the TLC, the ACCL, and the Railway Transportation Brotherhood all pressed, once again, for constitutional reform. The British Columbia Executive Committee of the TLC, in a brief to the provincial government, drew the attention of the provincial cabinet to:

the need of uniform labour and social laws throughout this Dominion. It is impossible to have adequate standards of living in the face of unrestricted inter-provincial competition. The need of uniformity in labour laws must be recognized. Further, we request the Provincial Government co-operate with the Dominion Government to bring about the desired changes in the British North America Act, as exemplified by the need of a Dominion Act governing unemployment and other forms of essential social insurance.⁸⁷

The independent Canadian and Catholic Confederation of Labour (CCCL), in a 1939 memorandum submitted to the Quebec provincial cabinet, argued in favour of a national system of unemployment insurance. The memorandum stated specifically that the CCCL “est en faveur d’un système d’assurance chômage à base contributoire... notamment, en faveur d’une assurance chômage contributoire, établie sur le plan national...”⁸⁸

In its final report, the Royal Commission on Dominion-Provincial Relations declared that “The experience of the last decade is conclusive evidence that unemployment relief should be a Dominion function.”⁸⁹ The findings of the Commission, and the subsequent adoption of federal unemployment insurance

⁸⁷ *Labour Gazette* vol. 37 (1937), 171.

⁸⁸ *Labour Gazette* vol. 40 (1940), 549.

⁸⁹ Royal Commission on Dominion-Provincial Relations recommendations as reprinted in *Labour Gazette*, vol 40 (1940), 545.

legislation, by way of constitutional amendment temporarily calmed the labour movement's demands for amendments to the BNA Act.

Organized Labour and Centralization in Post-War Canada

When the labour friendly CCF swept to power in Saskatchewan in 1944, the Douglas government remained true to the federal CCF's constitutional vision. On issues of federal-provincial relations, Douglas was planted firmly in the centralist camp. According to Edwin Black, "this attitude stemmed from CCF fears that a socialist government at Ottawa might be thwarted in its efforts to inaugurate social reforms by provincial regimes controlled by the 'capitalist' parties."⁹⁰ Black also argued that:

Douglas promoted the advisability of entrenching minority rights in a federal bill or rights and giving Parliament virtual *carte blanche* to amend the rest of the BNA Act. Unable to prevail with this argument, the Saskatchewan Premier sought continuously to reduce the areas in which unanimous provincial consent would be required to make constitutional amendments effective, and to enlarge the number of provisions which would require approval of a simple majority of the provinces.⁹¹

In its 1950 brief to the federal cabinet, the CCL pressed for a National Labour Code which would establish "uniformity in the legislation governing labour relations, particularly with respect to industries of national scope."⁹² In its brief of the same year, the TLC went one step further by urging that "all jurisdiction over matters of health,

⁹⁰ Black (1975), 53.

⁹¹ Black (1975), 53.

⁹² *Labour Gazette* vol. 50 (1950), 639.

social welfare and labour relations be placed under the Federal Government and the Parliament of Canada.”⁹³

Organized labour's strong preference for a centralized federation had been consistent ever since Confederation. However, the labour movement's support of the federal power of disallowance was perhaps the best indication of how strongly it felt about the degree of centralization that was required in Canada. The constitutional power of disallowance enables the executive of the federal government to disallow provincial government laws, even if the province is acting exclusively within its own jurisdiction. Disallowance, which theoretically violates the federal principle of two separate and sovereign orders of government, had become a constitutional relic in Canada by the 1940s, but that had not prevented the Canadian labour movement from urging the federal government to use its outdated and contentious centralizing power. Quebec's anti-communist "Padlock Act" of 1937,⁹⁴ Prince Edward Island's repressive Trade Union Act of 1948,⁹⁵ and Newfoundland's undemocratic decertification of the International Wood Workers of America in 1959,⁹⁶ all prompted the Canadian labour movement to call for the power of disallowance to be used against provincial governments. Needless to say, the federal government consistently declined to use its controversial power to prevent the adoption of anti-union legislation at the provincial level.

⁹³ *Labour Gazette* vol. 50 (1950), 461.

⁹⁴ Eugene Forsey, *Freedom and Order*, (Ottawa: McClelland and Stewart Ltd., 1974), 182.

⁹⁵ J.R. Mallory, *The Structure of Canadian Government*, (Toronto: Gage Publishing Ltd., 1984), 370.

⁹⁶ Richard Gwyn, *Smallwood, the Unlikely Revolutionary*, (Toronto: McClelland and Stewart Ltd., 1968), Chapter 18.

In their 1956 joint submission to the Royal Commission on Canada's Economic Prospects, the Trades and Labor Congress of Canada and the Canadian Congress of Labour, adopted a more nuanced approach to constitutional reform, stating that:

Nothing in the Confederation Debates is clearer than that the Fathers intended and expected that Confederation should benefit all parts of the new nation. They would have repudiated instantly, and with horror, any idea that one province, one region, or one group of provinces or regions, should progress, while the others stood still or fell back.⁹⁷

This statement led to the suggestion that “The British North America Act has been amended to transfer jurisdiction from the provinces to Parliament in the case of unemployment insurance and old age pensions. It might conceivably be amended again if the situation warranted.”⁹⁸

Much of the labour movement’s centralizing tendencies during this period were influenced by Eugene Forsey who worked as research director for the CCL from 1942-1956 and for the CLC from 1956-1966. Forsey, an expert on constitutional affairs, wrote his doctoral dissertation on the King-Byng affair and used his position within the Canadian labour movement to promote his views on Canada’s constitutional questions. J.E. Hodgetts noted “one gets the impression that his colleagues in the CCL sometimes thought he misspent his time chasing constitutional exotica... Forsey, ever the independent, was always more comfortable speaking on his own account, even though he might be signing a letter in one of his many official capacities.”⁹⁹ His view of Canada’s

⁹⁷ Trades and Labor Congress of Canada and the Canadian Congress of Labour, *Joint Submission of the Trades and Labor Congress of Canada and the Canadian Congress of Labour to the Royal Commission on Canada's Economic Prospects*, Ottawa (February 27, 1956), 3.

⁹⁸ Trades and Labor Congress of Canada and the Canadian Congress of Labour (February 27, 1956), 149.

⁹⁹ J.E. Hodgetts, *The Sound of One Voice: Eugene Forsey and his Letters to the Press*, (Toronto: University of Toronto Press, 2000), 6.

constitutional question closely mirrored that of the CCF; both favoured a strong central government in order to promote national economic planning and national social programs. Forsey was a member of the CCF, served as President of the party's Quebec Provincial Council in the 1930s, and ran unsuccessfully for the party several times during his stint as research director for the CCL. Forsey's strong ties to the labour movement and the CCF both inside and outside of Quebec go a long way in explaining why labour federations in both Quebec and English Canada did not diverge in any significant way on constitutional questions during this period. Forsey, for example, pushed for both the CCF and labour movement to advocate use of the power of disallowance, drafted detailed labour memorandums calling for centralization of labour law and social policy, and passionately defended national unity and the British constitutional tradition from the separatists and provincialists who began to make waves towards the end of his career at the CLC.¹⁰⁰

In his last year as CLC research director, Forsey gave a keynote address to the education conference of the Ontario Federation of Labour in which he argued that Quebec separation would lead to an American takeover of English Canada and the establishment of a "chilly banana republic" in Quebec.¹⁰¹ Although Forsey was careful to let delegates know "nothing I say here represents anyone but myself"¹⁰², there is no question that his strong penchant for centralization rubbed off on the CLC. Although

¹⁰⁰ Frank Milligan, *Eugene A. Forsey: An Intellectual Biography*, (Calgary: University of Calgary Press, 2004), Chapters 8, 9.

¹⁰¹ *Toronto Star*, (Feb 14, 1966), 9.

¹⁰² Eugene Forsey "Canada, One Nation or Ten?" OFL Education conference, (Feb 12, 1966), 1.

Forsey played a key role in influencing the labour movement's take on constitutional issues, his influence did not extend to the CSN, or its predecessor, the CCCL.

Divisions Within Quebec Labour

The CCCL offered a unique perspective on constitutional questions in Canada. In its annual report to the federal cabinet in 1950, the CCCL addressed the issue of Dominion-Provincial relations and constitutional reform by asserting that “on no consideration must the constitutional independence of Canada, which we approve, mark the beginning of an encroachment on the rights of French Canadians.” Despite its support for a national system of unemployment insurance a decade earlier, the CCCL stated its firm support for provincial autonomy and also expressed the view that Quebec's attitude toward the issue of constitutional reform was “firmer” and that its resistance was “greater” due to the province's unique “ethnic, linguistic and religious characteristics”.¹⁰³ The Confederation also pressed the federal cabinet to reconsider its ties to the British Empire by requesting the introduction of a new flag which would not include any “foreign emblem.” More controversial was the CCCL's request that the federal government, in the words of the *Labour Gazette*, “proclaim the complete independence of Canada in order to make it an autonomous republic.”¹⁰⁴

The CCCL's perspective on constitutional issues in Canada stood in stark contrast to the TLC-affiliated Quebec Provincial Federation of Labour. A portion of the QPFL's

¹⁰³ *Labour Gazette*, vol. 50 (1950), 476.

¹⁰⁴ *Labour Gazette* vol. 50 (1950), 468.

annual brief to Premier Duplessis in March 1950 concerning Federal-Provincial relations was reprinted in the *Labour Gazette*:

Our political leaders have placed the welfare of Canada above their political interests. We are also pleased to note that the Quebec political leaders have proved themselves to be well-informed statesmen and to be primarily seeking the interests and welfare of the Canadian people.¹⁰⁵

The QPFL's brief reflected the Federation's subordinate position as simply a branch of the TLC made up of American-based affiliates. Unlike the CCCL, which frequently found itself at odds with the TLC and CCL, there is no evidence to suggest that the QPFL ever contradicted the policy preferences of its parent organization. This unquestionably reflected the Federation's weak membership base, its lack of financial resources, and its absence of ideology.

The QFIU's positions on constitutional questions can be situated somewhere in between the fierce French Canadian nationalism of the CCCL and the QPFL's subservience to the TLC's strong centralism. Although the QFIU espoused a social democratic ideology, it did so within the framework of Quebec. The Federation, for example, found itself at odds with the CCL and the CCF by supporting the Quebec government's calls for fiscal decentralization.¹⁰⁶ The QFIU also adopted the "Two Nations" conception of Canada. At the 1955 CCL convention, the QFIU proposed a resolution which would have ensured French Canadian representation on all international missions. However, the resolutions committee rebuffed the Federation by arguing that competency, rather than ethnic origin, should be the only selection criteria. Delegates to

¹⁰⁵ *Labour Gazette* vol. 50 (1950), 474.

¹⁰⁶ Tremblay, (1972), 137.

the CCL convention voted down the proposed resolution after the QFIU's Roméo Mathieu accused the Congress of wanting francophones to be followers and not active participants.¹⁰⁷ The seeds of Quebec nationalism which were taking root in the QFIU were temporarily frustrated by the merger of the Federation with the QPFL in 1957.

The Birth of the Canadian Labour Congress

When the TLC and CCL merged in 1956, the new Canadian Labour Congress opted to maintain a highly centralized confederal structure. However, practically, the CLC's role was restricted to providing a mechanism to resolve disputes between its affiliated unions. In many ways, such a structure makes practical sense since Provincial Federations of Labour and individual unions, which tend to be more homogeneous than the CLC, are in a better position to lobby governments. It has always been the case that some of the larger CLC affiliated unions have had the internal capacity to conduct their own research for presentations to government committees.¹⁰⁸ Many unions have also run parallel lobby campaigns because they view the Congress as ineffective. In spite of this reality, the CLC has been unwilling to relinquish its role as the labour organization which purports to speak for all Canadian workers.¹⁰⁹ This tension between the CLC's practical political influence and its own perception of its role has played an important role in explaining the CLC and its predecessors' positions on constitutional questions in Canada.

¹⁰⁷ Ibid.

¹⁰⁸ David Kwavnick, *Organized Labour and Pressure Politics: The CLC 1956-1968*, (Montreal: McGill-Queen's University Press, 1972), 41.

¹⁰⁹ Kwavnick (1972), 68.

The Canadian labour movement's participation in debates concerning the constitutional division of powers in the immediate post-war era basically consisted of repeated calls for a more centralized federation. With the exception of the CCCL, and to a lesser extent, the QFIU, trade union organizations in Canada preferred a strong national government which could focus on centralized economic planning, national policy frameworks, and the delivery of social programs from coast to coast to coast.

The demise of the Quebec's Union Nationale regime after the death of Premier Maurice Duplessis in 1959 ushered in a new era of Canadian constitutional politics. The election of Jean Lesage's Liberals in 1960 precipitated a Quiet Revolution in Quebec which would forever change the relationship between Quebec and the Rest of Canada. The national unity crises which would eventually emerge from this powerful political transformation would also have a significant impact on organized labour and its perspective on constitutional questions.

Quebec Labour and the Quiet Revolution

The Quiet Revolution represents a period of significant political, social and economic transformation in Quebec. Although the Quiet Revolution lasted for only a brief period between 1960 and 1966, its impact on Quebec society far outlived the Lesage government which gave it life. The Quiet Revolution was a reaction to the Duplessis regime's conservatism and helped to foster a progressive nationalist movement in Quebec. During this period, Quebec distanced itself from the influence of the Catholic

Church by adopting a more secular outlook. The province also embraced industrialization and state intervention. The Quiet Revolution both represented and helped to produce increasingly liberal attitudes and an impressive movement to modernize the province. The establishment of a modern welfare state, regional development, and the proliferation of new public institutions were key to transforming Quebec society and improving the opportunities available to Quebec francophones in a province where the anglophone minority very much controlled the world of business. The Quiet Revolution helped the province shed its image as a backwards, conservative, and agriculturally-based society. Instead, what emerged was a Québécois nation which combined a renewed sense of nationalism with demands for progressive social change.

To understand the roots of this radical transformation, one must look back to the Asbestos Strike of 1949, which has often been referred to as “the first shot of the Quiet Revolution.” The brutal repression of Catholic miners at Asbestos rallied Quebec’s progressive forces against the Duplessis regime and helped frustrate the iron clad relationship between the Church and the State. The Asbestos Strike in 1949 would forever change the relationship between labour, the Church and the State in Quebec. What made the Asbestos Strike so significant to Quebec’s political history is that the CCCL’s break with Duplessis helped set the stage for the Quiet Revolution. As Serge and Roch Denis have explained:

Comme plusieurs études l’ont souligné, la grève de l’amiante aura effectivement constitué une véritable expression du mouvement par lequel la classe ouvrière au Québec se taillait une place en rapport avec son poids social réel. Mais si ce mouvement a été enclenché par les travailleurs industriels, il allait rejoindre, dix ans plus tard, plusieurs autres secteurs clés de la population active. Et le caractère particulièrement spectaculaire

de la vague de syndicalisation et d'action de grève dans les années subséquentes s'expliquerait non seulement par l'éclatement de la contradiction accumulée entre la force collective concentrée sur les lieux de travail et son degré d'inorganisation, mais aussi entre cette force et un ensemble d'institutions et d'idéologies exceptionnellement rétrogrades. Au Québec, la rencontre de ces différents facteurs, auxquels se conjuguent évidemment les aspirations nationales, aura constitué un mélange particulièrement favorable aux transformations sociopolitiques.¹¹⁰

In a keynote address to delegates attending the 1965 provincial convention of the British Columbia NDP, Quebec NDP leader Robert Cliche warned delegates:

If English Canada decides to turn a deaf ear to the new awakening of Quebec, if it remains set in a mould of complacency and bigotry...then the future is black. The nationalism of resentment will build up; French Canadians will have the sense that they have had so many times in the past... that they can only trust themselves, that they have no allies, only enemies outside.¹¹¹

The same could be said of the FTQ's relations' vis-à-vis the CLC. From its formation until the mid 1960s, the FTQ maintained decent relations with the CLC. Although no provincial federation of labour wielded much power or influence due to a lack of resources, the Congress' first President and one of its Vice-Presidents were Quebecers. If the FTQ struggled for anything, it was for the CLC to become an officially bilingual organization. At its 1960 convention, for example, FTQ delegates passed resolutions calling for a French version of the CLC constitution, publication of bilingual CLC documents, and simultaneous translation at CLC conventions.¹¹² Similar language struggles were reflected in Canadian society at large where francophones were demanding more representation in Ottawa, in business, and in other positions of power.

¹¹⁰ Roch Denis et Serge Denis, *Les syndicats face au pouvoir: syndicalisme et politique au Québec de 1960 à 1992*, (Ottawa: Vermillion, 1992), 31.

¹¹¹ Speech delivered by Robert Cliche, Quebec leader, at the provincial convention of the NDP of British Columbia in Vancouver (May 23, 1965), 6.

¹¹² FTQ, *Politique de la FTQ, 1960-1967*, 96.

Although the CLC's first President, Claude Jodoin, was a francophone Quebecer, the FTQ did not enjoy any sort of special status within the CLC until 1974. In fact, throughout the 1960s, the FTQ remained a relatively weak provincial wing of the CLC, much like federations in other provinces, which operated without autonomy or decision-making authority. Policy positions, education and organizing programs were conceived and directed by the CLC, but delivered through provincial federations of labour. As previously stated, the subordination of the provincial federations vis-à-vis the CLC was largely the result of a lack of human and financial resources. In Quebec, for example, the FTQ could hardly be considered a proper trade union central before 1965. On paper, there was no question that the FTQ dominated the Quebec labour movement. However, in reality, the FTQ had fewer than a dozen staff members and neither the President nor the Secretary General worked full-time for the Federation. The subordinate position of provincial federations of labour vis-à-vis the CLC was also apparent in the domain of electoral politics.

The Canadian Labour Congress and the New Democratic Party

The merger of the TLC and CCL into the Canadian Labour Congress (CLC) paved the way for the creation of a new political vision for organized labour in Canada. In 1961, the Co-operative Commonwealth Federation (CCF) and the Canadian Labour Congress came together to create the New Democratic Party (NDP), which was modeled after the British Labour Party. It was hoped that the presence of a social democratic

labour party would realign Canadian politics on a left-right basis, as had occurred in Britain.¹¹³ However, class politics have never been particularly effective in Canada's electoral arena. Divisions among anglophones and francophones, orders of government, and regions have been far more prominent.¹¹⁴ This is partially explained by Canadian federalism's proclivity to reinforce the traditional cleavages of language, region, and culture at the federal level. Despite its lasting presence in Ottawa, the Federal NDP has never been a serious contender in federal elections and has never managed to win much more than 20% of the popular vote. Its dream of forming the Official Opposition, let alone Government, has never been realized and as of late, the NDP has had to concern itself primarily with maintaining official party status in the House of Commons.¹¹⁵

Despite the appearance of a strong link between the CLC and the NDP, union members have certainly not flocked to the party in large numbers. Political scientists Keith Archer and Alan Whitehorn have demonstrated that low rates of direct union affiliation have plagued the NDP since its inception. Specifically, Archer and Whitehorn have noted that "never have more than 15% of union members belonged to NDP-affiliated unions. In fact, the proportions of union members in Canada affiliated with the NDP have consistently declined since the early 1960s."¹¹⁶ Unions most closely aligned with the NDP throughout its history include the United Steelworkers of America, the United Food and Commercial Workers and the Canadian Auto Workers Union. The

¹¹³ Dennis Smith "Prairie Revolt, Federalism and the Party System," in *Party Politics in Canada*, 2nd ed., in Hugh G. Thorburn, ed., (Toronto: Prentice Hall, 1967), 190.

¹¹⁴ Alan C. Cairns "The Governments and Societies of Canadian Federalism," in *Perspectives on Canadian Federalism*, R.D. Olling and M.W. Westmacott, eds., (Toronto: Prentice-Hall, 1988), 114.

¹¹⁵ Ian McLeod, *Under Siege: The Federal NDP in the Nineties*, (Toronto: James Lorimer & Company, 1994), v.

¹¹⁶ Keith Archer and Alan Whitehorn, *Political Activists: The NDP in Convention*, (Toronto: Oxford University Press, 1997), 49-51.

regional imbalance of union affiliation is also noteworthy. In 1987, approximately 75% of union affiliates were based in Ontario, while only 2% were based in Quebec.¹¹⁷

Archer has argued that the party's low rate of direct union affiliation can be explained by a simple cost-benefit analysis. Because the NDP is seen as a perennial third party, the benefits associated with direct affiliation never seem to outweigh the costs associated with affiliation. In terms of the electoral success of the NDP-CLC alliance, there is little evidence to suggest that it has yielded significant results. The institutional and structural failure of the NDP and the CLC to mobilize working people into a dependable voting bloc has long frustrated the leadership of both the party and the Congress. Nevertheless, the modest ties which exist between the CLC and the NDP seem strong compared to the relationship between the NDP and the FTQ.

The New Democrats, the Quebec Federation of Labour, and Quebec Politics

While the CLC helped to create the NDP in 1961, the FTQ passed a resolution endorsing the new party, with only one delegate in opposition. In fact, the FTQ's constitution mandated the Federation to support the NDP in every federal election; until delegates voted to remove that provision in 1971.¹¹⁸ Much to the chagrin of the CLC's Eugene Forsey, the FTQ played a pivotal role at the NDP's founding convention by forcefully pushing for the "Two Nations" conception of Canada.¹¹⁹ Weeks before the NDP convention, the FTQ released its "Déclaration sur la Confédération et les droits

¹¹⁷ Archer and Whitehorn (1997), 51

¹¹⁸ Jacques Rouillard, *Le syndicalisme québécois: Deux siècles d'histoire*, (Montréal: Boréal, 2004), 175.

¹¹⁹ Louis Fournier, *Louis Laberge: La Syndicalisme C'est ma Vie*, (Montréal: Dossiers Document, 1992), 130.

provinciaux”. In it, the FTQ affirmed its support for the “Two Nations” conception of Canada and asserted that Quebec represented the political expression of French Canada. The FTQ declaration also called for self-determination and encouraged the Quebec government to more fully assert its jurisdictional authority with a view to improving Canada’s federal system.¹²⁰ FTQ delegates along with other Quebec delegates to the NDP’s founding convention promoted their “Two Nations” position effectively by convincing the party leadership to replace the word “national” with the word “federal” in all official party documents. The CSN’s Michel Chartrand, speaking on behalf of the Quebec delegation, argued that Quebec represented a nation within Canada, and therefore, use of the word “national” in party documents would not only be confusing, but assimilationist. The position of the Quebec delegation won out and the NDP’s party program was amended to read: “The New Democratic Party declares its belief in federalism, the only system that can assure the joint development of the two nations which originally joined together to create Canadian society, as well as the development of other ethnic groups in Canada.”¹²¹ The NDP’s founding convention also adopted the following statement:

Our pride in Canada as a nation is enhanced by our consciousness of the two national cultures which form the basis of Canadian life. We are indeed aware that those who have had their roots in the French-speaking community frequently and legitimately use the word 'nation' to describe French Canada itself. The New Democratic Party believes that true Canadian unity depends upon equal recognition and respect for both the main cultures of our country.¹²²

¹²⁰ FTQ, *Déclaration sur la Confédération et les droits provinciaux*, 14 juin 1961.

¹²¹ Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity*, (Toronto: Oxford University Press, 1997), 51.

¹²² New Democratic Party, *Federal Programme of the New Democratic Party*, (Ottawa: July 31-August 4, 1961), 20-21.

These statements, in addition to appeasing Quebec nationalist delegates, reflected the strong influence of intellectuals like Charles Taylor and Michael Oliver, but these influences did not last. The party's western base was never really sympathetic to the notion of dualism presented at the party's founding convention. For his part, Eugene Forsey resigned from the party shortly after the founding convention in protest over its "Two Nations" policy. In his memoirs he lamented, "This is probably the only occasion in history when some thousands of people met to form a new national political party and began by resolving that there was no nation to form it in."¹²³ The FTQ and its allies had scored an important victory but the Federation's show of support for the NDP was peculiar given the party's overwhelmingly anglophone character.

During this period, the FTQ seemed to relate to both the NDP and the CLC in the same manner; push for reform from within. The FTQ passed resolutions at its 1963 and 1965 conventions reaffirming its support for the party and encouraging its affiliated locals and individual trade union activists to join the party.¹²⁴ The Steelworkers Union, in particular, was fervently pro-NDP. Six Steelworkers ran for the party in Quebec in the 1962 federal election and five carried the NDP banner in Quebec ridings in the 1963 federal election.¹²⁵ The FTQ worked closely with the Steelworkers and other affiliates to establish a Quebec section of the party which contested federal elections between 1962 and 1988. However, the Quebec labour movement's support for the federal NDP waned significantly in the late 1960s when trade union activists instead turned their attention to provincial politics. The Quiet Revolution had fostered a new sense of progressive

¹²³ Eugene Forsey, *A Life on the Fringe*, (Toronto: Oxford University Press, 1990), 206.

¹²⁴ FTQ, *Politique de la FTQ 1960-1967*, 58.

¹²⁵ Jean Gérin-Lajoie, *Les Métallos 1936-1981*, (Montréal: Boréal Express, 1982), 174.

nationalism among trade union activists in particular, and Quebec City, rather than Ottawa, had become the focal point of social change.¹²⁶

At a 1961 Quebec City symposium, organized by a law student named Brian Mulroney, NDP MP Doug Fisher responded to René Lévesque's assertion that "you [English Canada] need us more than we need you" by stating that, "for us, the greatest impact of French-Canadian culture has been made by Maurice Richard and Lili St. Cyr."¹²⁷ Maurice Richard was a hockey legend and St. Cyr a stripper (she was also an American). Fisher's tasteless statement about French-Canadian culture, although admittedly only symptomatic of much deeper problems, certainly had a lasting impact on the party's fortunes in Quebec. The newly minted provincial section of the NDP in Quebec circulated a press release calling on federal NDP leader Tommy Douglas to discipline Fisher, the MP from Port Arthur, and reaffirm the party's commitment to the "Two Nations" concept.¹²⁸

Despite Fisher's harmful gaffe, the federal NDP has generally tried to meet the political demands of Quebec. The party opposed the implementation of the War Measures Act during the October Crisis of 1970, endorsed the Meech Lake Accord, and recognized Quebec's right to self-determination.¹²⁹ However, it has become abundantly clear that a centralist, Anglophone party like the NDP, despite its occasional overtures to

¹²⁶ Rouillard (2004), 175.

¹²⁷ Doug Fisher and René Lévesque quoted in *Canadian Political Babble*, David Oliver, ed., (Toronto: John Wiley & Sons, 1993), 181.

¹²⁸ NPD Québec "Le NPD du Québec demande: Des mesures disciplinaires contre M. Douglas Fisher," Montréal, 1 décembre, 1961.

¹²⁹ Archer and Whitehorn (1997), 69.

Quebec, could not possibly act as an effective political vehicle for the province's labour movement. Culturally, neither the CCF nor the NDP could effectively relate to Quebec's francophone majority. The party's ethnic composition was, and continues to be, overwhelmingly white and anglo-saxon. This reality not only alienated francophones, but also pockets of progressives in smaller ethnic groups. During WWII, some immigrant communities in Quebec rejected the social democracy of the CCF in favour of the more culturally diverse politics of communism. In a 1943 by-election, the Labour Progressive Party's Fred Rose convincingly defeated the CCF's David Lewis and a host of other candidates in an ethnically diverse Montreal riding. Even after the communists fell off the electoral map in the 1950s, the CCF, and later the NDP, was never able to forge a reliable electoral niche in Quebec. As a result, the party has come to be associated exclusively with English Canada.

The NDP's suspicion of Quebec nationalism has also prevented the party from working closely with the province's labour movement in any meaningful way. In Quebec, where a growing nationalist movement was emerging, the FTQ yearned for more autonomy and an independent voice in Canada and within the Canadian labour movement. The FTQ and the CLC, despite the language barrier, seemed united along class lines. However, the powerful cleavage of language politics and the intertwining forces of class and nation in Quebec did weaken the bonds of class solidarity which kept the two labour bodies together. The growing gap between the politics of the FTQ and the politics of the CLC was first exposed when the CLC made a brief to the Laurendeau Commission in 1965.

Bilingualism, Biculturalism and the Politics of Labour

The CLC was one of the many organizations that submitted a brief to the Royal Commission on Bilingualism and Biculturalism. Surprisingly, however, the Congress did not consult the FTQ before presenting its brief – which made bold pronouncements on the status of English and French in Canada. The CLC addressed the issue of Quebec in economic terms – condemning uneven regional development in Canada. According to the CLC’s brief, “the breeding ground for nationalism in its more extreme forms is exploitation, social and economic inequality, ignorance and insularity.”¹³⁰ As a remedy, the Congress argued in favour of a regional redistribution of wealth and a policy focus on narrowing the economic wage gap between francophone workers and anglophone workers in Canada . The CLC also made known its preference for a policy of official bilingualism in Canada, and trumpeted the fact that the Congress had adopted such a policy within its own organization in 1962. However, what was most interesting about the CLC’s brief to the Laurendeau Commission was what it did not contain. The two nations paradigm, which had won the endorsement of the FTQ and the NDP, did not find its way into the CLC brief. In fact, by characterizing French Canada as a “series of French-speaking islands large and small throughout Canada”¹³¹, the Congress seemed to be rejecting the popularly held notion that Quebec represented a French-Canadian nation within the Canadian state. The CLC was also silent on the issue of constitutional reform, special status for Quebec, and the province’s right to self-determination. These glaring

¹³⁰ Canadian Labour Congress, *Submission to the Royal Commission on Bilingualism and Biculturalism*, (December 13, 1967), 7.

¹³¹ Canadian Labour Congress (1967), 8.

omissions obviously reflected the political bias of the CLC's research director, Eugene Forsey. As a recognized expert on constitutional politics, Forsey used his position within the Canadian labour movement to advance his particular vision of Canada. Forsey's clear distaste for Quebec nationalism did not sit well with the FTQ.

When the Federation protested that it had neither been asked for input, nor even received a copy of the CLC's submission to the Royal Commission on Bilingualism and Biculturalism, the Congress responded by reminding the FTQ that it was the CLC that had exclusive jurisdiction over making presentations to the federal government. The CLC could not understand why the FTQ was so upset. After all, according to the Congress, the presentation was made on behalf of the Canadian labour movement – a movement which, according to the CLC, included rank-and-file members of the FTQ.¹³² The CLC's unapologetic stand unquestionably raised the ire of the FTQ and reinforced the Quebec labour movement's sense of nationalism.

During the 1960s, the Quebec labour movement could be characterized as both nationalist and federalist. Nationalist because it advocated self-determination and more autonomy for Quebec, and federalist because it rejected independence as a political alternative. The FTQ's Montreal regional council declared in 1961 "Le régime fédéral... doit être maintenu. Il a été un des instruments qui ont permis à la nation canadienne-française de se développer, d'affermir son caractère et de maintenir et répandre sa

¹³² François Cyr et Rémi Roy, *Éléments d'histoire de la FTQ: La FTQ et la question nationale*, (Laval: Editions coopératives Albert St. Martin, 1981), 113-114

culture et sa langue.”¹³³ In 1962, delegates to the CSN convention “prononce contre le séparatisme, à moins qu’on le lui prouve que cette mesure soit nécessaire pour la salut économique, social et culturel de la nation.”¹³⁴ For its part, the CEQ, was the first significant trade union organization in Quebec to adopt a firmly nationalist position on constitutional questions. In 1965, the CEQ was advocating special status, although not sovereignty, for Quebec. The CEQ was unique in that its members were united by a common national community.¹³⁵ In addition, unlike their counterparts in the CSN and FTQ, CEQ members were somewhat shielded from the powerful economic arguments against separatism by virtue of their concentration in the public education sector. These factors allowed the CEQ to advance more developed positions on the National Question.¹³⁶

At the FTQ’s 1963 convention, the Federation’s Vice-President Louis Laberge declared, “le séparatisme serait une catastrophe pour tous ceux qui sont obligés de gagner leur vie.” The delegates agreed and passed a resolution asserting that “la secession risque de provoquer une baisse du niveau de vie.”¹³⁷ In the same year, Laberge wrote the preface to an anti-separatist brochure entitled “Le Travailleur Face au Séparatisme.” In it, he wrote, “La presque totalité des syndiqués de langue française sont opposés au séparatisme.” Laberge continued his assault on Quebec separatism by suggesting that, “Le sort du Québec deviendrait identique à celui de certaines républiques des Antilles.

¹³³ Conseil des travailleuses et travailleures du Montréal Métropolitain, *Cent ans de solidarité: Histoire du CTM 1886-1986*, (Montréal, 1987) 106.

¹³⁴ 1962 CSN convention resolution reprinted in Louis Le Borgne, *La CSN et la question nationale depuis 1960*, (Québec: Les éditions Albert-Martin, 1976), 45.

¹³⁵ Unlike the FTQ or the CSN, the CEQ’s members were exclusively Québécois and worked in the education sector.

¹³⁶ Guntzel (1997), 428-429.

¹³⁷ Fournier (1992), 132.

Ce serait une aventure désastreuses dont les travailleurs feraient les frais.”¹³⁸ Laberge took over the leadership of the FTQ in 1964 and continued in that post until 1991, while also serving as a Vice-President of the CLC during that same period. Laberge first became active in the labour movement as a rank-and-file member of the International Association of Machinists and Aerospace Workers (IAMAW) in the 1940s. In the fifties, Laberge expanded the scope of his activities by participating in the Trades and Labour Council of Montréal (TLCM), where he served as President from 1955 to 1964. Laberge left that post to become organizing director for the United Auto Workers (UAW) in Quebec, a position which he kept despite being appointed to the Presidency of the FTQ after the death of Roger Provost in 1964.

Over the course of his trade union career, Louis Laberge came to symbolize the Quebec labour movement’s gradual conversion to nationalist politics and ultimately, sovereignty. Initially a New Democrat, Laberge eventually came to embrace the péquiste politics of the PQ and the Bloc Québécois (BQ). The intersection of class and nation in Quebec during the 1960s and 1970s transformed Laberge’s attitude towards Canada’s federal system. In 1980, he cautiously endorsed a OUI vote in Quebec’s referendum on sovereignty-association. By the 1990s, Laberge, and indeed the entire Quebec labour movement, was solidly in the sovereignist camp.

However, in the early 1960s, Laberge, like many trade unionists, was concerned about the economic implications of sovereignty. Concerned about the economic well-being of its union affiliates and their members, the FTQ leadership skillfully kept a lid on

¹³⁸ Fournier (1992), 130.

separatism throughout the decade. The second and third largest labour centrals, the CSN and the CEQ, also had reservations about separatism. Separatism, during this period, was viewed solely in economic terms, and the vast majority of workers were not willing to take the economic gamble. However, a significant current of Quebec nationalism was building strength within the Quebec labour movement. The transformation of the CCCL into the secular and more radical CSN is most illustrative of this point.

The Birth of the Confédération des syndicats nationaux

In the post-war period, under the new leadership of President Gérard Picard and General Secretary Jean Marchand, the CCCL adopted a more mainstream approach to labour relations. The Confederation created a strike fund and aggressively began organizing new members (particularly in construction and the metal trades).¹³⁹ In the early 1950s, still reeling from the bitter Asbestos strike, the CCCL broke ranks officially with Duplessis' Union Nationale government and targeted four of the party's incumbents for defeat in the 1956 provincial election. In the riding of St. Maurice, one of the CCCL's lawyers, René Hamel (who went on to become Minister of Labour in the Lesage government) won election as a Liberal. In 1957, CCCL activist Michel Chartrand was elected leader of the CCF in Quebec. Chartrand and Picard went on to participate in the formation of the NDP's Quebec wing in the early 1960s.¹⁴⁰

¹³⁹ CSN (1987), 162.

¹⁴⁰ CSN (1987), 183.

In 1960, the CCCL formally changed its name to the CSN, thereby abandoning its Catholic roots and instead embracing a new form of progressive, secular, Quebec nationalism. Gérard Pelletier, the CSN's Director of Public Relations, explained "if we want to indicate outwardly the changes that have taken place inside our movement, we must change its label."¹⁴¹ During the 1960s, the CSN managed to more than double its membership from 95,000 to 205,000.¹⁴² Most of the CSN's new recruits came from the rapidly expanding public sector, but several thousand more came from a massive raiding campaign of FTQ affiliates in the private sector. Much of the CSN's new organizing success owed itself to an exclusively nationalist discourse. The CSN would routinely remind workers that the international unions affiliated to the FTQ and CLC were headquartered in the United States, and argued these unions neither understood nor cared about the unique needs or demands of francophone workers in Quebec.

CLC-FTQ relations in the sixties

The upstart progressive nationalism which existed in the CSN, also manifested itself, although to a lesser extent, in the FTQ. The Federation's repeated, and often ignored, calls for greater autonomy from the CLC and together with more resources were reflective of a new sense of identity for Quebecers. The FTQ may have agreed with Jodoin's position that separatism was not the answer to the conflict between French and English in Canada, but it did not share the CLC President's conviction that French Canadians and English Canadians are "stronger together than... as separate groups." By

¹⁴¹ Pelletier, as cited in *Labour Gazette* vol 60 (1960), 1265.

¹⁴² CSN (1987), 199.

calling for greater autonomy for the FTQ, the Federation was implicitly arguing that French Canadian workers in Quebec would be better served by a structure which divided CLC services linguistically. The decentralist demands of the FTQ were spelled out in a briefing note entitled “Notes sur la situation actuelle au Québec des unions internationales et nationales”. The briefing note, authored by the FTQ’s executive committee, won widespread support within the FTQ and its affiliates in 1963. It provided an analysis of the political transformations taking place in Quebec and warned that unless the FTQ became a genuinely Québécois trade union central, it would surely be eclipsed by the nationalist CSN. The FTQ had reached the conclusion that any attempt to convince the CLC to provide better services to FTQ members was a dead end strategy. “Notes sur la Situation,” advocated instead for the FTQ to administer its own programs, in French, separately from the Congress.¹⁴³ In short, the FTQ had accepted the view that reforming the CLC was pointless. The release of the document marked a turning point in the relationship between the CLC and the FTQ. No longer would the Federation attempt to reform the CLC by trying to make the Congress more representative of Quebec, more bilingual, and more in tune with the specific needs of the Federation. Instead, the FTQ would concentrate on building the FTQ by simply assuming the role of the CLC in Quebec.

Assuming the role of the CLC in Quebec meant that the FTQ would also be taking responsibility for making its own unique views known on wider social and political issues, like the Fulton-Favreau formula which emerged as an important

¹⁴³ Émile Boudreau et Léo Roback, *L'Histoire de la FTQ, des tout débuts jusqu'en 1965*, (Montréal: FTQ, 1988), 346-347.

constitutional issue in the early 1960s. Fulton-Favreau was a proposal for an amending formula to the Constitution. Developed by Justice Ministers Davie Fulton and Guy Favreau in the early 1960s, the formula called for unanimous provincial consent for constitutional amendments affecting all provinces. Constitutional amendments affecting specific provinces would only require the consent of the provinces involved; and any amendment which did not concern provincial powers, would require support of two thirds of the provinces representing at least 50% of the population.

Previous attempts at reaching an amending formula had failed largely because they threatened Quebec's interests by proposing qualified majorities for the purposes of constitutional reform. The principle of unanimous consent embodied in the Fulton-Favreau formula attempted to rectify this obstacle. However, the Quiet Revolution had raised the stakes considerably and Quebec was no longer willing to accept an amending formula which treated the emerging nation as one of ten equal provinces. In its "Déclaration à l'occasion du débat sur la formule Fulton-Favreau" in April 1965, the FTQ noted "nous aimerions bien que le Québec aille au bout de sa compétence en matière de planification économique et de sécurité sociale..."¹⁴⁴ After having initially supported the formula, Premier Jean Lesage, under pressure from Quebec nationalists, backed off. His government's decision to withdraw its support for Fulton-Favreau effectively killed the formula. Quebec nationalists were thrilled by the result and support for sovereignty, although marginal, was increasing.

Addressing delegates to the 1964 CLC convention, President Claude Jodoin expressed his views on Canada's Constitutional Question: "It is time for us who believe

¹⁴⁴ FTQ, *Déclaration à l'occasion du débat sur la formule*, (15 avril, 1965).

in a strong and in a united Canada to speak out. It is typical of some destructive minorities that they talk with loud voices. We must not let ourselves be fooled by this. It is time to put these narrow-minded pursuers of selfish objectives in their place.”¹⁴⁵

Jodoin’s comments were directed at the new separatist movement emerging in Quebec.

Before being elected to the presidency of the CLC, Jodoin was President of the Montreal Trades and Labour Council, Director of the International Ladies Garment Workers Union (ILGWU), and President of the TLC.¹⁴⁶ Jodoin’s background as director of the ILGWU likely contributed to his views on Quebec as they relate to trade union structures.

Although a Quebecer himself, the ILGWU, for whom he worked, was fiercely opposed to Quebec nationalism and separatism. Unlike the USWA and CUPE, who both attempted to meet the aspirations of their respective Quebec memberships on the levels of “communication, coordination, and representation”, the ILGWU represented the exact opposite view by “favoring a very strongly unified union movement encompassing all of Canada.”¹⁴⁷ In his 1977 study of “Linguistic Tensions in Canadian and Belgian Labor Unions” Albert Verdoodt argued that:

In the ILGWU, bilingualism is reserved for the level of communication. For coordination with the international headquarters (New York), all correspondence is in English. Within Quebec, meetings are generally bilingual, where necessary. Even here, however, coordination is in English due to the fact that management is most often English-speaking...Perhaps one reason for the somewhat passive attitude of the ILGWU... on matters relating to Quebec and the Quebec francophone can be attributed to their considerable membership from other linguistic groups (e.g. Italian, Greek, and Yiddish)...¹⁴⁸

¹⁴⁵ CLC, Proceedings, Constitutional Convention 1964, 2.

¹⁴⁶ CSN (1987), 160.

¹⁴⁷ Albert Verdoodt, *Linguistic Tensions in Canadian and Belgian Labour Unions*, (Québec: Centre International de recherche sur le bilinguisme, 1977), 13.

¹⁴⁸ Verdoodt (1977), 14.

Whether it was the view of the ILGWU that influenced Jodoin, or vice versa, there is no question that Jodoin's particular views on constitutional questions were also reflected in his views on CLC-FTQ relations.

Under Jodoin's leadership, the CLC was hostile to any suggestion that powers or responsibilities be devolved to the FTQ, and the Congress successfully resisted calls for greater autonomy for several years. However, the rise of the CSN in the early to mid 1960s forced a significant change in the way the CLC interacted with the FTQ. In the early 1960s, the FTQ was in crisis in terms of membership retention. Its major rival, the CSN, was expanding at an impressive rate; organizing vigorously in the public sector and aggressively raiding FTQ locals in the private sector. Between 1963 and 1964, the CSN picked up thousands of FTQ members. The CSN, led by Jean Marchand at this point, shared close ties to the Lesage government and effectively tapped into the rising tide of Quebec nationalism which emerged in the 1960s. The irony, of course, is that Marchand along with Pierre Trudeau and the CSN's Gérard Pelletier all ran and won seats as Liberals in the 1965 federal election – their mission was to defeat the rising tide of Quebec nationalism in Canadian politics.

The CLC and the FTQ reacted to the CSN's raiding strategy by mounting a resource-heavy counter-offensive which was finally able to contain the rival trade union central by 1966. In many ways, the CSN's aggressive raiding strategy in the private sector legitimized the FTQ's call for greater autonomy by exposing the Federation as weak and vulnerable. While much has been made of the FTQ's growing nationalist

character in the 1960s, it was actually the increased strength of the CSN that finally forced the CLC to capitulate and permanently concede additional powers to its Quebec section. In 1963, the FTQ had convinced the Congress to temporarily shift jurisdiction over the areas of union education and organizing to the FTQ.¹⁴⁹ However, this decision did not reflect the CLC's attitude toward CLC-FTQ relations during Jodoin's tenure as President. The Congress only agreed to this temporary transfer of power in the context of the FTQ's war with the CSN.

For the latter half of the 1960s the FTQ pressed the Congress for more autonomy as a way of defending itself from the nationalist CSN, but the CLC resisted each time. At its 1965 convention, FTQ delegates passed a resolution asking the CLC to officially recognize that Canada is composed of two founding nations, and pressure the federal government to recognize this principle.¹⁵⁰ At the 1966 CLC convention, future FTQ president Fernand Daoust argued that "the bi-national aspect [of Canada] must be transposed into relations between the QFL and the CLC so that we may see to it that the QFL is not a federation just like the others, that it has particular status within the labour structure of our country."¹⁵¹ The CLC once again rejected the FTQ's calls for reform. However, the Congress did agree to form a special committee to investigate its constitution and structures. The FTQ called on the committee to ensure that all CLC publications and services be offered bilingually; that the CLC be forced to consult the FTQ before nominating delegates to international labour organizations; that the FTQ be granted control over labour councils and CLC regional offices in Quebec; and that the

¹⁴⁹ Boudreau et Roback (1988), 348.

¹⁵⁰ FTQ, *Politique de la FTQ 1960-1967*, 96.

¹⁵¹ CLC, Proceedings, Constitutional Convention, 1966, 88.

Federation be given the appropriate financial resources to undertake these latter initiative.¹⁵²

Because the CLC would not voluntarily devolve powers, the FTQ decided to bypass the Congress and begin acting like its own proper trade union central. In April 1966, the FTQ joined with the CSN and the Union catholique des cultivateurs (UCC) to present a joint submission to the Quebec Legislative Assembly joint committee on the Constitution. The Quebec labour movement argued that the constitutional problem could be resolved by adapting the federal system to the current reality of Quebec. The group of Quebec labour organizations proposed a form of “flexible federalism” which would grant exclusive provincial jurisdiction over education and culture, shared federal-provincial jurisdiction over radio and television, and federal consultation with the provinces over immigration, monetary and fiscal policies, together with equal representation of francophones in federal institutions.¹⁵³ Between 1960 and 1967, the FTQ stepped up its own independent activity as a pressure group by presenting, or co-presenting with the CSN, no less than twenty submissions to government standing committees or commissions looking at pressing political issues.¹⁵⁴ In March 1968, the FTQ overstepped its jurisdictional authority by signing an agreement with the CSN committing both organizations to stop raiding one another. When the Congress pointed out to the leaders of the FTQ that the Federation had violated the CLC Constitution, the FTQ decided to make political hay out of the dispute by asking delegates to the 1968 CLC convention to retroactively approve the negotiations and the agreement with the CSN. In order to avoid

¹⁵² Boudreau et Roback (1988), 350-351.

¹⁵³ Jacques Rouillard, *Histoire de la CSN, 1921-1981*, (Montréal: Boréal express, 1981), 233.

¹⁵⁴ Gérin-Lajoie (1982), 173.

a potentially embarrassing convention fight, the leadership of the CLC brokered a deal with Laberge, and instead delegates were presented with a resolution which would include the CLC in non-raiding talks with the CSN. The resolution was adopted unanimously.¹⁵⁵ At the same convention, the FTQ proposed the decentralization of CLC services to the FTQ. However, when the FTQ leadership went off to plan a strategy for achieving their demands, CLC President Claude Jodoin gained the support of the convention to rule the FTQ's resolutions out of order. Jodoin explained that the FTQ's calls for greater power and autonomy were objectionable because they had only been approved by the Federation's executive without having been approved by its affiliates. FTQ vice-president Jean Gérin-Lajoie complained that the Federations' affiliates were simply "a milking cow for the CLC" because although they paid into the CLC, they could not access most of the CLC's unilingual services.¹⁵⁶ A controversy over the lack of simultaneous translation devices gave the FTQ's Fernand Daoust a further opportunity to chastize the CLC leadership by suggesting that "appeals to national unity are all very fine but let us see our principles applied in the labour movement itself."¹⁵⁷

After the FTQ's attempt to achieve special status was rebuffed, the Federation adopted a new strategy to press for decentralization. Rather than ask for special status for the FTQ, the Federation would instead attempt to win widespread support for the idea of decentralizing CLC services to all provincial federations of labour. The FTQ's strategic maneuver failed miserably. After complaining that CLC President Donald MacDonald had railroaded the decentralization resolution by improperly managing the debate, FTQ

¹⁵⁵ CLC, Proceedings, Constitutional Convention, 1966, 34-35.

¹⁵⁶ *Toronto Daily Star*, (April 23, 1966).

¹⁵⁷ *Toronto Daily Star*, (April 29, 1966).

President Louis Laberge led a large contingent of Quebec delegates out of the convention hall in protest.¹⁵⁸ The next day, Quebec delegates were back in force to support Gérard Rancourt, the FTQ's approved candidate for the position of CLC executive vice-president. Rancourt, who had forcefully defended the FTQ's calls for decentralization, was forced to fend off a challenge from Roméo Mathieu, a Quebecer who enjoyed the official support of the CLC council.¹⁵⁹ After the FTQ's calls for decentralization were rejected by the convention, it was widely assumed that Rancourt would go down to defeat. However, Rancourt's upset victory gave the Federation renewed energy and drive. In a 1968 submission to the Parliamentary Committee on Labour and Employment¹⁶⁰, the FTQ cautioned Members of Parliament that they may "have been deceived by an impression that the Quebec Federation of Labour is only a branch of the CLC, and more its Quebec spokesman than spokesman for Quebec workers... we are well and truly the autonomous spokesman for Quebec workers as we submit this brief to you."¹⁶¹

The Birth of the Parti Québécois

The creation of the Parti Québécois in 1968 from the fragments of smaller sovereignist parties had a significant impact on CLC-FTQ relations. One of those

¹⁵⁸ *Toronto Daily Star*, (May 9, 1968).

¹⁵⁹ *Toronto Daily Star*, (May 10, 1968).

¹⁶⁰ The Committee was looking at a proposal by Manpower Minister Jean Marchand to break up national bargaining units to better reflect the country's linguistic duality. Marchand's proposal enjoyed the support of the CSN, but was being contested by the CLC. Both Marchand and the CSN framed the debate in terms of minority rights for francophone workers. This enraged that FTQ which felt the need to intervene in the debate as the largest trade union central in Quebec. The Fedeartion argued that the CSN, with the help of its former President, Jean Marchand, was simply trying to bolster the union central's membership under false pretenses.

¹⁶¹ FTQ, *Brief on Bill C-186 to the Parliamentary Committee on Labour and Employment*, (1968), 3.

fragments, the Rassemblement pour l'indépendance nationale (RIN), founded in 1960, counted among its members a number of trade union activists. Under the leadership of Pierre Bourgault, the sovereigntist RIN transformed itself into a political party and took a decisive turn to the left. However, this new political direction fractured the new party and precipitated the creation of a dissident right-wing group, which later merged with a sovereigntist dissident group from the Ralliement des créditistes, to form the Ralliement National (RN). Combined, the RIN and the RN captured 8.8% of the popular vote in the 1966 Quebec provincial election, but no seats. The next year, disenchanted with the Quebec Liberal party's stand on the National Question, former Quebec cabinet minister René Lévesque quit his party and established the Mouvement Souveraineté-Association (MSA). According to Garth Stevenson, "The basic purpose of the sovereignty-association concept was to reassure those who were sympathetic to independence in principle but apprehensive about its economic consequences."¹⁶² The RN's poor electoral performance convinced it to merge with Lévesque's MSA, paving the way for the creation of the Parti Québécois (PQ) in 1968. After the establishment of the PQ, Bourgault's RIN disbanded and encouraged its members to join the new sovereigntist party under Lévesque's leadership. Lévesque gave enormous credibility to nationalist forces in Quebec. His experience as a cabinet minister, his nuanced approach to dealing with the National Question, and his pragmatic brand of social democracy all helped to attract an unprecedented level of support for the sovereigntist project. The PQ successfully rallied the province's nationalist forces around three common objectives: asserting Quebec's national identity, upholding the dignity of the Québécois people, and eliminating the economic disparities suffered by generations of francophones in Quebec.

¹⁶² Stevenson (2004), 112.

Not coincidentally, the terms of reference for the Gendron Commission, on the position of the French language and language rights in Quebec, were drafted in the same year that the PQ was launched. The Commission concluded:

We have defined a socio-linguistic structure which proves beyond question that the domain of the French language is particularly characterized by inferior duties, small enterprises, low incomes and low levels of education. The domain of the English language is the exact opposite, that of superior duties involving initiative and command, and large enterprises, and high levels of education and income.¹⁶³

These issues were forefront in the minds of Quebec's labour movement.

Lévesque first met with Quebec's trade union leadership on February 6, 1968. He carefully laid out his vision for sovereignty-association and promoted the Parti Québécois as its vehicle. Although the province's trade unions were initially lukewarm to the PQ's stand on the National Question, they were receptive to Lévesque's favourable policy bias towards organized labour.

The FTQ's suspicion of the sovereignist option was well documented. Anti-separatist forces within the FTQ were led by Laberge who worried that the economic consequences of independence were too great for workers to stomach. Louis Laberge would routinely remind rank-and-file members of the FTQ about the dangers of sovereignty. In 1965, Laberge told delegates to the FTQ convention "Les intellectuels bourgeois nous combattent au nom du nationalisme comme le clergé nous a combattus

¹⁶³ Gendron Commission conclusion as cited in William Coleman, "The Class Bases of Language Policy in Quebec, 1949-1975," in *Studies in Political Economy*, (Spring 1980) no 3, 99.

dans le passé au nom de la religion.”¹⁶⁴ In December 1967, Laberge told reporters “If man cannot live by bread alone, neither can he feed solely on constitutional debate.”¹⁶⁵ He continued, “Constitutional debate is the only intellectual foodstuff being served up to Quebecers at the present time; it is meager nourishment indeed...”¹⁶⁶ One of the intellectuals referred to by Laberge was Pierre Vallières, a founding member of the infamous Front de Libération du Québec (FLQ).

Established in the early 1960s, the FLQ, espoused a revolutionary nationalist discourse and adopted terrorism as a political tool to advance its agenda. Vallières, author of the notorious *Nègres blancs d'Amérique*, acted as an intellectual leader of the organization, which emerged as the popular image of the separatist movement in the minds of English Canadians. Both a product and a reflection of the heightened radicalization of the 1960s, the FLQ's ideology drew its inspiration from anti-imperialist struggles, student uprisings and the more militant factions of the civil rights movement in the United States. Throughout the 1960s, the FLQ carried out dozens of violent acts against symbols of anglo-capitalism and imperialism, including the Montreal Stock Exchange, McGill University, and a number of English-owned businesses. However, the organization's most well-known terrorist act occurred in October 1970 when FLQ members kidnapped James Cross, the British Trade Commissioner, and Quebec's Minister of Labour, Pierre Laporte. In response to the abductions, Prime Minister Pierre Trudeau invoked the War Measures Act, thereby suspending civil liberties and giving the authorities the unlimited right to arrest and take into custody suspected FLQ members

¹⁶⁴ Fournier (1992), 154.

¹⁶⁵ Laberge quoted in the *Montreal Star*, (December 22, 1967).

¹⁶⁶ Ibid.

and sympathizers. The day after Trudeau declared martial law, the FLQ announced that Pierre Laporte had been executed.¹⁶⁷ Both the PQ and the Quebec labour movement strongly condemned the kidnapping and assassination, but had equally harsh words for Premier Bourassa, and Prime Minister Trudeau's decision to invoke the War Measures Act. The day after Laporte was murdered, Quebec's trade union centrals released a joint statement which condemned the use of martial law¹⁶⁸ and argued that "la suppression des libertés civiles menace davantage la démocratie que le terrorisme."¹⁶⁹ The October Crisis profoundly impacted the politics of Quebec labour and helped push the unions closer to the sovereigntist movement. The fact that trade union activists represented between twenty and thirty per cent of all suspects detained under the War Measures Act only aggravated the situation.¹⁷⁰ Jean François Cardin has identified the implementation of the War Measures Act in Quebec as a defining moment in the relations between the PQ and the trade union movement. He argues that their common condemnation of Bourassa and Trudeau solidified their partnership and resulted in an influx of trade union activist into the party.¹⁷¹

While Laberge remained skeptical about sovereignty, other prominent trade union leaders associated with the FTQ were busy building support for the nationalist

¹⁶⁷ In December 1970, the FLQ members responsible for the abduction of James Cross were able to negotiate safe passage to Cuba in exchange for the British Trade Commissioner.

¹⁶⁸ It should be noted that the FTQ's condemnation of the War Measures Act was far from unanimous. Although the unions most closely associated with the nationalist wing of the FTQ (CUPE, Steelworkers, UAW) supported the FTQ's position, the most anti-nationalist unions in the FTQ (Paperworkers, ILGWU, and the Machinists Union) publicly broke ranks with the Federation over the issue.

¹⁶⁹ Louis Fournier, *Histoire de la FTQ 1965-1992 La plus grande centrale syndicale au Québec*, (Montréal: Editions Québec/Amérique, 1994), 63.

¹⁷⁰ Rouillard (2004), 199.

¹⁷¹ Jean François Cardin, *La Crise d'Octobre et le mouvement syndical québécois*, (mémoire de maîtrise en histoire, UQAM, 1985).

cause within their own unions. CUPE's Quebec director, Fernand Daoust, who had run against Laberge for the Presidency of the Federation in 1964 was among the most ardent supporters of the PQ and was very open about his support for the sovereignist option. Over the years, he built a pillar of sovereignist support within the FTQ which acted as a counterbalance to Laberge's support for the federal system. Little by little, Daoust and the nationalist wing of the FTQ were able to pull the Federation closer to the sovereignist camp.

Summary

This chapter has documented the ideological shift of the trade union movement in Quebec from the late 20th century to the end of the Quiet Revolution. For most of this period, the QPFL and QFIU embraced the same type of centralist federalism espoused by their respective parent organizations, the TLC and CCL. Decentralization was perceived as a hindrance to working-class solidarity and national standards. These labour organizations spoke out against any constitutional proposal which would limit the powers of the central government, particularly in the areas of labour law and social welfare. For its part, the Catholic Quebec based CCCL espoused a protectionist form of Quebec nationalism which was closely aligned to the Duplessis regime and its constitutional outlook. When the QPFL and QFIU merged in 1957 to create the FTQ, it coincided with a radical transformation of Quebec society and politics. The Quiet Revolution unleashed a fury of progressive social reforms which primarily benefited the francophone majority. The rapid modernization of Quebec society fostered a new progressive form of

nationalism which all segments of the Quebec labour movement embraced without exception. The CCCL shed its Catholic roots and transformed into the secular and more radical CSN. The CSN effectively harnessed the new sense of nationalism in Quebec and grew tremendously throughout the 1960s, sometimes at the expense of the FTQ. Under threat from the CSN, the FTQ began to adopt a more independent outlook vis-à-vis the CLC and on several occasions requested more resources and autonomy from the Congress to better service and represent its francophone membership base. The CLC's repeated reluctance to devolve powers or responsibilities to the FTQ frustrated the Federation and contributed to the FTQ's own growing sense of nationalism as a distinct provincial federation of labour within the CLC. Although both the FTQ and the CSN officially rejected separatism as a political option during this period, both were increasingly becoming impatient with the constitutional status quo. The chapter concluded by documenting the Quebec labour movement's reaction to the federal government's decision to invoke the War Measures Act to deal with the October Crisis of 1970. The labour movement's principled stand against the War Measures Act solidified its new nationalist orientation and set the stage for a radical ideological shift a few years later. This is the subject of the first part of the next chapter.

Chapter 4

Special Status: CLC-FTQ Relations in the Seventies

At the FTQ's 1969 Convention, nationalist forces within the Federation scored a number of important victories which would only serve to compound the growing discontent between the CLC and the FTQ in the 1970s. The convention delegates passed a resolution in favour of French unilingualism (a direct contravention of the CLC's position in support of official bilingualism in every province). Delegates also rejected, for the first time, an anti-separatist resolution and elected openly sovereigntist PQ activists to three of the seven vice-president positions (Jean Gérin-Lajoie, USWA; Robert Dean, UAW; and Jacques Brûlé, CUPE).¹⁷² The events at the FTQ's 1969 convention foreshadowed the unprecedented intersection of class and nation which would unfold in Quebec during the 1970s. This chapter is concerned with the manner in which trade unions adopted, and subsequently acted upon, nationalist discourse during this period.

Quebec Labour and the Victoria Charter

Constitutional reform re-emerged as a pressing issue in 1971 with the introduction of a set of constitutional proposals known as the Victoria Charter. Spearheaded by Canada's newly elected Prime Minister, Pierre Trudeau, the Victoria Charter sought to patriate the constitution with a Charter of Rights which would primarily protect linguistic and cultural minorities. The Victoria Charter also sought to achieve a new amending

¹⁷² Fournier (1994), 52.

formula. Despite the ambitious programme of constitutional reform proposed by Trudeau, Quebec nationalists dismissed the Victoria Charter as inadequate, arguing that it would do nothing to increase the legislative or fiscal powers of Quebec.

Sandwiched between the newly minted PQ on one hand, and his ambitious campaign promise to achieve a system of federalism which would be profitable for Quebec on the other, Premier Robert Bourassa had difficulty justifying support for the Victoria Charter. For its part, the FTQ released “La Conférence de Victoria: réaction à l’ultimatum fédéral”, in June 1971, which called on Bourassa to reject the Charter. “Si l’avenir des relations Québec-Fédéral a souvents fois été remis en question, jamais il ne l’a été de façon plus dramatique qu’aujourd’hui. Le Québec se doit de faire l’unanimité sacrée devant cette nouvelle menace dramatique du Fédéral.”¹⁷³

In an attempt to satisfy both sides of the debate, Bourassa provided to the First Ministers a minimum demand which would have given the provinces greater control over social affairs like unemployment insurance, family allowances, and old age pensions. Unimpressed by Bourassa’s bottom line, Trudeau refused to budge and the Victoria Charter died. The Quebec labour movement had scored an important constitutional victory which only served to reinforce the growing sense of nationalism among trade union activists.

Separatism and the Quebec Labour Movement

¹⁷³ FTQ, *La Conférence de Victoria: réaction à l’ultimatum fédéral*, (June 22, 1971).

At the October 1972 convention of the Quebec section of the USWA, Jean Gérin-Lajoie, the United Steel Workers of America's Quebec director, presented to delegates a document in support of sovereignty-association. Gérin-Lajoie, the fierce nationalist ally of Fernand Daoust who had been elected to a vice-president position at the FTQ's pivotal 1969 convention, was of course wearing two hats when he made his impassioned plea in favour of sovereignty-association. On one hand, he was doing political outreach for the PQ, which had proposed the idea of sovereignty-association as the mechanism to achieve a new partnership between English Canada and Quebec. On the other hand, Gérin-Lajoie was speaking as a trade union leader which saw first hand the political and social impact of globalization on Quebec workers. He argued that the federal system was no longer workable and that the PQ was the vehicle for workers to achieve social justice and economic equality.¹⁷⁴ Delegates to the convention overwhelmingly endorsed Gérin-Lajoie's position and the Quebec section of the USWA's official support for the PQ and sovereignty-association reverberated throughout the FTQ and the Quebec labour movement. Diane Lamoureux describes the significance of Gérin-Lajoie's address as follows:

Cette constatation reste globalement valable en ce qui concerne les travailleurs de la FTQ, du secteur privé, qui sont quotidiennement aux prises avec les grandes compagnies multinationales. Parmi ces secteurs de classe ouvrière la fusion entre conscience nationale et conscience de classe passé fondamentalement par le biais d'une radicalisation anti-impérialiste qui mêle inextricablement conscience nationale and conscience de classe en privilégiant le premier terme.¹⁷⁵

¹⁷⁴ Cyr et Roy (1981), 142-143.

¹⁷⁵ Diane Lamoureux, "Question nationale et mode de radicalisation de la classe ouvrière au Québec, 1970-1976," (thèse de maîtrise, Département de science politique, UQAM), 150.

The same type of radicalization occurred in Quebec's public sector. Teachers, hospital workers and other public sector workers shared a common employer which facilitated the emergence of a common analysis of the national question in Quebec.¹⁷⁶ This was certainly the case with CSN and CEQ, which represented the bulk of public sector workers in Quebec. However, it was also true in the FTQ, where CUPE represented an important and growing constituency of public sector workers in the FTQ. There is no question that the USWA and CUPE played key roles in pushing the FTQ closer to the PQ and to the sovereigntist option during this period.

The FTQ's growing sympathy for the PQ was the cause of much concern amongst the CLC leadership. If the FTQ was willing to align itself with separatists in order to achieve political gains, what would the Federation be willing to do to win concessions from the CLC? The FTQ and CLC had diverged on several important constitutional questions: separation, self-determination, the two nations concept, unilingualism, and now the arena of electoral politics seemed questionable. The FTQ did not seem too concerned with the growing divergence between the Congress and the Federation. In fact, the FTQ seemed almost pleased with the way that it constantly ignored the concerns of the Congress with relation to the political direction and focus of the FTQ. The CLC did not take too kindly to this approach and dispatched William Dodge to diffuse the FTQ's calls for greater autonomy and the rising tide of separatism in the Quebec labour movement. Dodge had been a member of the CLC Executive since 1958 and Secretary-Treasurer since 1970. He was member of the Canadian Brotherhood of Railway, Transport and General Workers (CBRT&GW) since 1930 and was appointed by his

¹⁷⁶ Denis et Denis, (1992), 33.

union as general representative for Quebec in 1955. Dodge was university educated, a veteran of WWII, and had run several times under the CCF banner in Quebec.¹⁷⁷ His background as an anglophone Quebecer and his previous political affiliation with the CCF unquestionably contributed to his centralist views on Canada's constitutional question.

At the 1973 FTQ convention, Dodge told the Federation that it was making a tactical error by asking for more powers from the CLC. He focused his argument by drawing a parallel between the CLC and Canada's federal system. He argued that Quebec's demands for greater autonomy divide the working class in the same way that the FTQ's demands for greater autonomy weaken the CLC. According to Dodge, replacing English bosses with French bosses would not change the fact that they were bosses. He pleaded with the FTQ to not confuse national oppression with exploitation.¹⁷⁸ Dodge was appealing directly to the class interests of FTQ members, but in doing so, he found himself out of step with many rank-and-file trade unionists who refused to separate the goal of social liberation with the goal of national liberation.

The intersection of class and nation in Quebec

The intersection of class and nation in Quebec during this period spawned various left-wing analyses of nationalism and class struggle. Some, like Jean-Marc Poutineau, argued that a Quebec state, led by a Quebec bourgeoisie, would be no more anti-imperialist than

¹⁷⁷ *Canadian Labour*, (July-August 1986), 7.

¹⁷⁸ Cyr et Roy (1981), 119.

a government led by an English-Canadian bourgeoisie.¹⁷⁹ However, other more influential groups tended to link socialist projects to the goal of achieving sovereignty for Quebec. These organizations, who saw the plight of Quebec's working class as a national liberation struggle, included: Action socialiste pour l'indépendance du Québec, the Mouvement de liberation populaire, the Parti Socialiste, the Front de liberation du Québec, the Caucus de Gauche, the Ligue socialiste ouvrière, and the Rassemblement de l'indépendance nationale.¹⁸⁰ These political organizations were heavily influenced and driven by Marxist intellectuals whose ideas slowly gained credibility within the Quebec trade union movement. Quebec's union centrals adopted a radical, although short-lived, critique of capitalism in the early 1970s that raised the ire of the CLC. The gap between the Quebec labour movement and the Canadian labour movement, in both discourse and in practice, grew tremendously during this period.

Left-wing nationalists in Quebec viewed the province as a colony of wealthy interests in English Canada and the United States. Marxists therefore saw Quebec nationalism as the organized expression of the working class to achieve social liberation through national liberation. In his influential analysis of working class ideology, Régis Debray argued that class consciousness, as an expression of mass consciousness, was impossible outside of the context of a national consciousness. The spatial dimension of nation was important to Debray because it acknowledged that workers exist as real actors within real political communities, and not simply as theoretical abstractions.¹⁸¹ In a

¹⁷⁹ Jean-Marc Potté, "A Question of Strategy," *Canadian Dimension* (March 1975), vol 10, no 7, 33.

¹⁸⁰ CSN (1987), 218.

¹⁸¹ Régis Debray, *A Critique of arms*; translated by Rosemary Sheed, (Harmendsworth England: Penguin Books, 1977).

similar vein Henry Milner argued that “Quebec mass consciousness has reached a point where its national expression can be stifled only at the cost of the evolution of class consciousness and therefore of progress toward socialism from below.”¹⁸² Milner took on the likes of Piotte and Dodge by suggesting, “To those who maintain that Quebec sovereignty divides the Canadian working class, I contend that it is impossible to divide that which has not been united and that further that false unity is more divisive than a possible future alliance of the Canadian and Quebec class movements over common anti-imperialist goals.”¹⁸³

In observing this merging of radical working class and nationalist thought, Kenneth McRoberts has correctly noted that:

Intellectuals who argued that independence is necessary to liberate Francophone workers from cultural oppression always advanced a second (and, for many, more important) reason for Quebec independence: economic oppression. Quebec’s colonial status had resulted not merely in cultural alienation but in the underdevelopment of Quebec’s economy and in discrimination against Francophone workers. For these reasons Quebec workers had a common interest in freeing Quebec from the control of foreign bourgeoisies, whether English-Canadian or American...¹⁸⁴

Thus it was that the heated debates in left-wing academic circles spilled over into union halls and onto the shop floor, in the process helping to convince the trade union leadership to radicalize their positions.¹⁸⁵ The Quiet Revolution could no longer satisfy the needs of the province’s working class. In terms of language rights, the cultural

¹⁸² Henry Milner “Quebec Sovereignty and the Canadian Left,” *Canadian Dimension*, (March 1979), vol 13, no. 6, 34.

¹⁸³ Ibid.

¹⁸⁴ McRoberts (1988), 199.

¹⁸⁵ For example, trade union leaders were among the signatories to the “Déclaration des 16” against the Trudeau government’s decision to invoke the War Measures Act.¹⁸⁵

concerns of francophone Quebecers were not being respected.¹⁸⁶ In terms of federal-provincial relations, the Quiet Revolution strengthened Ottawa's alleged stranglehold on Quebec by making the province more open to and therefore more dependant on federal handouts. In terms of economic performance, Quebec's rate of unemployment remained higher than the national average. Job insecurity remained prevalent and wages remained low compared to other jurisdictions in North America. Although Lesage had preached "Maitre chez nous," American capital's influence on Quebec was at an all time high when the Quiet Revolution came to a close. Studies done for the Royal Commission on Bilingualism and Biculturalism demonstrated the discrimination faced by French-speaking Canadians in the paid labour force. Not only did unilingual anglophone workers earn more than francophones, but they also possessed an economic advantage over bilingual workers.¹⁸⁷

This fact had not been lost on left-wing Quebec nationalists, who became engulfed in a debate about the intersection of class and nation and its implications for the unity of the working class in Quebec and Canada. Organized labour in Quebec had been very supportive of the Quiet Revolution and the initiatives that it produced. However, by the 1970s, many trade unionist activists were wondering whether it had gone far enough. There was a growing sentiment that Quebec could only achieve its true progressive potential as a sovereign state.

¹⁸⁶ Daniel Drache, ed., *Only the Beginning: The Manifestoes of the Common Front*, (Toronto: New Press, 1972), xxi.

¹⁸⁷ Stanley B. Ryerson "An Opening in Quebec," *Canadian Dimension*, (April 1977), Vol 12, no 2, 33.

The Radicalization of Quebec Labour

In the early seventies, Quebec's largest trade union centrals put forward three separate radical political manifestos. In 1971, the FTQ published "The State is Our Exploiter," an explicitly anti-capitalist analysis of the state and economic life in Quebec. The FTQ advanced the notion that "In Quebec, this system [capitalism] bears the additional stamp of colonialism because most of our economy is controlled by American or Anglo-Canadian capital."¹⁸⁸ The CSN and the CEQ followed suit with radical manifestos of their own. In "It's Up to Us," the Central Council of the CSN also concentrated heavily on the topic of imperialism:

Imperialism is capitalism that uses multinational corporations and banks to cross borders looking for yet higher profits. In Quebec, the major exploiters of local labour are American and Canadian bourgeois capitalists. These foreign capitalists set up operations here that are designed to make profits. Part of this profit will be reinvested here in other production, and part will be returned to its American and Canadian capitalist owners. This means a lot of money leaves Quebec and ends up in the hands of foreign capitalists.¹⁸⁹

In "Phase One", the CEQ, for its part, encouraged its members to "move beyond the outmoded concept of collective bargaining. We must create new modes of action, because unionism comes out of social struggle. It must never degenerate into bureaucracy and undergo bourgeoisification."¹⁹⁰

Daniel Drache summarized the importance of the documents as follows:

¹⁸⁸ "The State is Our Exploiter," in Drache (1972), 155.

¹⁸⁹ "It's Up to Us," in Drache (1972), 31.

¹⁹⁰ "Phase One," in Drache (1972), 100.

Taken together they speak of a common objective: in order to build a Quebec free of U.S. control and English-Canadian domination, the working class must create a socialist society based on the needs of the majority of the Quebec people. Their conclusion is that since Quebec nationalism cannot be successful without a fundamental realignment of class forces, the roots of the national struggle and the class struggle are the same. The working class must take power itself.¹⁹¹

Between 1971 and 1976 several bitter strikes were fought over the issue of making French the language of work in Quebec.¹⁹² These struggles set the stage for Quebec labour's new militancy. On November 4, 1971, the *Toronto Star's* lead editorial pointed out that "Quebec unions, it seems, are in the process of a dramatic switch to socialism."¹⁹³ The Common Front strike of 1972 was perhaps the most vivid display of Quebec labour militancy in this period.

The Common Front brought together over 200,000 public sector trade unionists from the FTQ, the CSN and the CEQ whose demands included a minimum wage of \$100 per week for all public sector workers. The Common Front's struggle with the Quebec government led to unprecedented labour unrest, strikes, demonstrations, arrests and eventually occupations. The leaders of the three union centrals were eventually arrested for encouraging their members to defy court injunctions and back-to-work orders. The imprisonment of union leaders, (the FTQ's Louis Laberge, the CSN's Marcel Pépin, and the CEQ's Yvon Charbonneau) sparked a province wide general strike in both the public

¹⁹¹ Drache (1972), xxiii.

¹⁹² Cyr et Roy (1981), 159. Especially United Aircraft in January 1971

¹⁹³ *Toronto Star*, (November 4, 1971).

and private sectors.¹⁹⁴ At least 75,000 workers, mostly in the construction industry, closed schools, hospitals, mines and factories across the province.¹⁹⁵

While Common Front leaders sat in jail, the delegates at the 1972 CLC convention passed a unanimous resolution calling for their release. However, the Quebec delegation complained that the resolution did not go far enough. Some delegates called for a demonstration, others a country-wide general strike. Marcel Perreault of the Montreal Labour Council protested the CLC's refusal to engage in direct action. He blasted the CLC leadership by declaring, "We [the Quebec delegates] believed that more should be done, but you said you had done enough after you passed the resolution. If that's what you want, then we'll continue alone in Québec."¹⁹⁶

The difference in degrees of militancy between trade unionists in English Canada and Quebec was stark. While trade union activists in Quebec continued to reiterate an anti-capitalist discourse, the CLC dedicated an entire issue of *Canadian Labour*, its official magazine, to the benefits of German-style "industrial democracy".¹⁹⁷ The NDP aligned itself with the leadership of the Congress. During the CLC's 1972 convention, NDP leader David Lewis told delegates "I believe that unions and their leaders should take a careful look at this area in collective bargaining to find ways of

¹⁹⁴ After serving four months of a one year sentence, the Presidents of the FTQ, CSN and CEQ were released and shortly thereafter, the Common Front came to an end as Quebec's three largest labour centrals decided to pursue their own parochial interests.

¹⁹⁵ *Toronto Star*, (May 12, 1972).

¹⁹⁶ Perreault quoted in the *Labour Gazette* vol. 72 (1972), 398.

¹⁹⁷ *Canadian Labour*, (February 1972).

persuading the members to limit themselves to demands that can be socially justified.”¹⁹⁸

Lewis’ prescription for labour peace did not sway the trade union leadership in Quebec.

Quebec trade union politics in the early seventies was characterized by increased cooperation between the province’s labour centrals, a radical critique of capitalism and a strong separatist undercurrent. English Canadian labour leaders were shocked by what was taking place in Quebec. In a non-published internal memo to CLC executive members Congress President Donald MacDonald warned his colleagues about the “Marxists” and “separatists” that had taken over the FTQ. In an unpublished speech leaked to the media, MacDonald allegedly launched into a tirade against the “Marxists” of the FTQ. According to the *Toronto Star* “He [MacDonald] said provincial labor federations exist by virtue of a charter from the congress. They should have a policy conforming with that of the national organization.”¹⁹⁹ MacDonald also allegedly told CLC staff members based out of Quebec that they would be fired if they chose not to follow CLC directives. There was no question that the FTQ and the CLC were diverging quite radically during this period. FTQ official Fernand Daoust expressed the following sentiment at the time: “On ne peut pas cacher qu’il y a beaucoup d’inquiétude, beaucoup de nervosité de la part des dirigeants du CTC à l’égard de ce qui se passe au Québec et à la FTQ en particulier... la FTQ pratique un syndicalisme qui n’a plus peur des mots... le CTC est inquiet et peut-être un peu jaloux.”²⁰⁰

¹⁹⁸ David Lewis quoted in the *Labour Gazette* vol. 72 (1972), 401.

¹⁹⁹ Philip Sykes, “CLC battles ‘Marxism’ in Quebec Trade Unions,” *Toronto Star*, (Feb 1, 1972), A1.

²⁰⁰ Cyr et Roy (1981), 169.

Kenneth McRoberts has described the underlying causes of the divisions between the Quebec labour movement and the CLC as follows:

economic development and political modernization led a substantial number of Quebec Francophones to identify with working-class interests and to see these interests as directly opposed both by Anglophone owners and managers and by upper-class Francophones as well. Yet, during the 1960s and 1970s this new class militancy did not serve to integrate the Canadian political system in the way one might expect. It did not lead to a new interest in collaborating with working-class organizations in English-Canada nor did it undermine the salience of Quebec nationalism and the Francophone collectivity for working-class Francophones. Associated with the differences in language and culture that distinguish Francophone workers from other workers in Canada were differences in economic interest, identity and world view, with the result that both radical and moderate elements within the working-class leadership sought to resolve class problems through independent action in Quebec. In many instances, these strategies for economic and political change extended to the disengagement of Quebec from the Canadian political system, so as to secure a Quebec government responsible only to Francophone working-class interests.²⁰¹

The Quebec labour movement's sharp turn to the left did have some significant repercussions for the CSN – repercussions that reverberated throughout the entire movement. The central's civil service union broke away to establish its own independent union during the Common Front struggle, as did CSN affiliates in construction, clothing and mining, which broke away to create the Centrale des Syndicats Démocratiques (CSD). These defections represented roughly one quarter of the CSN's membership. The creation of the CSD also had a deradicalization effect on the FTQ. Several affiliates, and in particular the Steelworkers Union, began to actively challenge the FTQ's sharp turn to the left. The Steelworkers even passed a resolution, supported by 92% of the delegates at their 1972 convention, calling for reform rather than the complete overhaul

²⁰¹ McRoberts (1988), 207.

of the system envisioned in *L'Etat Rouge de Notre Exploitation*.²⁰² Although what remained of the CSN continued to endorse a radical syndicalist approach to politics, it was clear that the Quebec labour movement's anti-capitalist discourse was beginning to wither away. In its place emerged a strong separatist undercurrent within the ranks of organized labour, which eventually became linked to the Parti Québécois' proposal for sovereignty-association.

The FTQ Struggle for Special Status

The FTQ's effort to build the Quebec state coincided with a campaign to increase the Federation's autonomy within the CLC. For example, during the 1970s the FTQ, contrary to the CLC constitution, maintained amongst its affiliates organizations that had severed their affiliation with or refused to join an international union.²⁰³ The Federation also initiated its own union education service, in direct contravention of the CLC's rules. The FTQ reasoned that by asserting its own autonomy without regard for the CLC's jurisdiction, the Congress would be forced to negotiate a special arrangement with the Federation. According to former FTQ President Louis Laberge, "on est mieux de mettre le pied dans le porte et de négocier ensuite. De créer des precedents, comme font les Anglais. La réalité est plus importante que les textes..."²⁰⁴ When the media quizzed Laberge about the FTQ's flagrant disregard for the CLC's constitution, Laberge

²⁰² Gérin-Lajoie (1982), 238.

²⁰³ This type of dual unionism angered the building trades (AFL-CIO) which threatened to leave the CLC if it did not force the FTQ's hand.. McDermott stood by Laberge. In March 1981, the CLC Executive Council suspended 14 international building trades unions with more than 229,700 members for non-payment of dues -- ten of them went on to create the Canadian Federation of Labour. source: Déom and Boivin (2005), 464.

²⁰⁴ Fournier (1992), 244.

dismissively responded, “Ah oui, les status du CTC...ça fait longtemps que je les ai pas lus...”²⁰⁵ In essence, the FTQ was acting like a trade union central without having the authority of a trade union central. One FTQ official confessed “...la constitution, on l’a mise la plus loin possible dans le tiroir. Je n’ose pas le regarder, parce que ça me fait frémir: toutes ces choses qu’on a faites et qu’on n’a pas le droit de faire.”²⁰⁶ In addition to asserting itself vis-à-vis the CLC, the FTQ also took steps to forge a separate identity. The seeds of this strategy can be found in a report from the FTQ’s communications committee. In their report, dated October 5, 1970, the committee stated:

“Nous sommes unanimes à constater que les membres s’identifient très peu à la centrale et davantage à leur union ou syndicat respectif. Ce problème est dû à plusieurs facteurs, dont l’un a trait aux structures très décentralisées. Mais nous croyons que nous sommes pas devant une situation irréversible. On a vu poindre depuis quelques temps à la FTQ, une nouvelle générations de militants... Il y a chez eux un potentiel initulé.”²⁰⁷

The communications committee went on to present a strategy to increase the FTQ’s profile in Quebec society and carve out a leadership position among its affiliates, or as the committee described it, “un sentiment d’appartenance à la FTQ.”²⁰⁸ First, the FTQ would set out to convince the leaders of its affiliates to centralize all political action through the FTQ. Secondly, in an effort to raise the profile of the Federation, the President and Secretary General would be dispatched to attend a greater number of community events in and their itineraries would be given to the media. Thirdly, the committee proposed that the FTQ hold regular press conferences in conjunction with its

²⁰⁵ Ibid.

²⁰⁶ Cyr et Roy (1981), 122.

²⁰⁷ FTQ, *Rapport du Comité des Communications*, Montréal, 5 octobre 1970, 3.

²⁰⁸ Ibid.

affiliates. These proposals, which came to be adopted more or less, were designed to give the FTQ a specifically québécois character. Its decentralized structure had put it at a severe disadvantage compared to the CSN when it came to presenting a united front on contentious issues. For years the CSN had exploited this organizational setup by suggesting that the FTQ's affiliates were the puppets of international and national unions based outside of Quebec. By rallying around the FTQ as a genuinely québécois trade union central which spoke for the majority of unionized workers in Quebec, its affiliates managed to both counter the CSN's criticism and give the Federation a renewed *raison d'être*.

The growing divergence between the FTQ and the CLC became quite apparent when the Federation cancelled English language translation services after the 1971 FTQ convention.²⁰⁹ The 1971 FTQ convention also amended the Federation's constitution to drop the section pledging official support for the NDP. Not coincidentally, the Federal New Democrats voted the same year overwhelmingly against a convention resolution affirming Quebec's right to self-determination.²¹⁰ Many Quebec delegates tore up their membership cards in disgust. After the convention, the NDP's new leader, David Lewis told a press conference:

J'ai déjà dit aux Québécois qu'il devront suivre la ligne du parti... Le parti ne doit avoir qu'une seule politique. Il ne peut en posséder une pour une province et une autre pour le reste du pays. Les candidats québécois du NPD aux élections fédérales devront appuyer cette politique, autrement il ne pourront être candidats. J'ai exprimé cette position avec encore plus de force à la délégation du Québec.²¹¹

²⁰⁹ Fournier (1992), 132.

²¹⁰ André Lamoureux, *Le NPD et le Québec 1958-1985*, (Montréal: Editions du Parc, 1985), 153.

²¹¹ *Ibid.*

From this point on, the Quebec labour movement's relationship with the NDP turned permanently sour. Although the FTQ would continue to endorse the party in federal elections until 1988, its effort was only half-hearted. In 1973, party officials begged Fernand Daoust to send out a fundraising letter to FTQ affiliates and labour leaders. Daoust obliged, but the result was worse than disappointing. In a terse response to Daoust's appeal, CUPE's Michel Grant wrote: "Quant à moi, le NPD n'a pas de racines au Québec et n'en aura jamais. Il n'y a qu'une seule alternative actuellement pour les travailleurs au Québec, c'est le PQ et l'appui au NPD est de l'énergie gaspillée. Mon argent, c'est au PQ que je le donne."²¹²

On the provincial scene, the NDP's small Quebec wing, broke and rudderless, decided not to contest the 1973 provincial elections, while the labour movement drew closer to the PQ as a political alternative. During this period, the FTQ also helped many affiliates fight for more autonomy within their own unions by accepting direct affiliations with Quebec or Canadian sections which were in the process of fighting for more autonomy from their international parent unions.²¹³ At the 1974 CUPE National Convention in Montreal, Laberge declared, "we will turn the CLC into an organization that is no longer ruled by Washington and Pittsburgh,"²¹⁴ referring to the influence of international unions on the CLC.

In the late 1970s, CLC Vice-President Shirley Carr, in a confidential report, suggested that the Congress place the FTQ under a form of guardianship as a result of the

²¹² Personal letter from Michel Grant to Fernand Daoust, January 11, 1973.

²¹³ Fournier (1992), 247.

²¹⁴ George Sanderson "CUPE's Challenge to the CLC," *Labour Gazette*, vol 74 (1974), 103.

Federation's non-compliance with CLC regulations. However, Laberge's threat to pull the FTQ out of the Congress convinced CLC President Joe Morris to reclaim all copies of the report and discard them.²¹⁵ The growing influence of the FTQ in Quebec made the Federation's demands for greater autonomy nearly impossible to ignore. Admittedly, during this period, the Federation had fewer than a dozen staff members, but as Marcel Pépin of *La Presse* noted in the *Labour Gazette* "Mr. Laberge worked to such good purpose to make it appear that his central labour body had reached a degree of power and efficiency comparable to that of other central labour bodies that, not only did the public finally believe it, but also the members of the QFL were convinced that it had."²¹⁶

Since 1966, the FTQ had tried to convince delegates to the CLC's national convention to give more autonomy to the Federation. Each time, the CLC leadership would recommend against the FTQ's proposals and the convention would comply with the wishes of the leadership. However, at the May 1974 CLC convention, the FTQ came prepared with a comprehensive proposal and a coalition of allies determined to convince delegates that the FTQ required special status. The FTQ's cause was boosted by the fact that it had aligned itself with the convention reform group, which consisted of CUPE, the British Columbia Government Employees' Union (BCGEU), the Canadian Brotherhood of Railway, Transport and General Workers, the Canadian Union of Postal Workers (CUPW), the Letter Carriers' Union of Canada, and the Public Service Alliance of Canada (PSAC).²¹⁷ The convention reform group was a coalition of national unions pressing the Congress to more strictly enforce autonomy guidelines for Canadian sections

²¹⁵ Fournier (1992), 246.

²¹⁶ *Labour Gazette* vol. 74 (1974), 203.

²¹⁷ *Labour Gazette* vol. 74 (1974), 552.

of affiliated international unions.²¹⁸ The reform group aligned itself with the FTQ and supported its demands for greater autonomy in return for the FTQ's support for its cause, which pitted the Federation against the leadership of the Congress. Ralph Guntzel has characterized the two sides of the special status debate as follows:

CLC unionists were divided over the issue of the FTQ's demands. The majority of the CLC executive officers wanted to thwart any movement towards special status for the FTQ. In fact, MacDonald and many of his fellow officers felt that behind the FTQ's demands lay an ingeniously planned separatist conspiracy. They feared that the demands constituted a springboard for the creation of a separate Quebec trade union movement. Some executive officers such as McDermott, on the other hand, and many junior officers believed that compromise was the key to avoiding trade union separation. Failure to give in the FTQ's demands, they feared, would almost certainly lead to the FTQ's departure. In their view, special status was the price the CLC had to pay to attain the ultimate goal of preserving organized labour's unity and solidarity.²¹⁹

FTQ delegates handed out a bilingual leaflet called "We Appeal to All Canadian Trade Unionists" which enumerated the arguments of the FTQ. The Federation carefully outlined its position while steering clear of the National Question. The FTQ correctly understood that trade unionists in English Canada would not be motivated to grant the Federation more autonomy if the desire for such autonomy was based on Quebec nationalism. Therefore, the FTQ based its demands instead on the specificity of Quebec's system of labour relations. The FTQ relied primarily on three arguments. First, the FTQ argued that the multiplicity of independent unions and trade union centrals in Quebec made it difficult to compete. This situation was unique in Canada since provincial federations of labour in English Canada all enjoyed monopoly status in their respective provinces. The FTQ's Secretary General Fernand Daoust explained,

²¹⁸ Philip Resnick, *Land of Cain: Class and Nation in English Canada*, (Vancouver : New Star Books, 1977), 182.

²¹⁹ Guntzel (1997), 319.

Parce que le Québec est français, et que sa réalité socio-politique ainsi que syndicale (présence d'autres centrales) diffère profondément de celle des autres provinces, nous serons en droit d'avoir un statut particulier. D'autant plus que bien des services, sinon tous, offerts par le CTC ne peuvent nous être utiles à cause des différences linguistiques et sociales. Non seulement le CTC est-il Anglophone, mais encore la nature de ses actions et de ses politiques nous laisse-t-elle très insatisfaits à la FTQ.²²⁰

Secondly, the Federation argued that the existence of the CSN, in particular, posed a serious threat to the existence of the FTQ. The Federation pointed out to delegates that it had a \$450,000 per year budget for 275,000 FTQ members, while the CSN boasted a budget of \$3.5 million for just 175,000 members.²²¹ Laberge later confessed, "Je ne crois pas que nous aurions évolué aussi vite s'il n'y avait pas eu la CSN. On s'en est servi pour aller chercher plus d'autonomie."²²² Thirdly, the FTQ warned that the policies of the Bourassa government were so anti-union, that it required more autonomy in order to craft an effective fight-back strategy. Overall, the FTQ's message was clear: The Federation required more autonomy in order to tackle problems that were specific to Quebec.

Although the CLC's committee on structures recommended against adopting the FTQ's proposals, the Federation's arguments had clearly won over the delegates. Sensing defeat, CLC President Joe Morris proposed adoption of the FTQ's resolution for more autonomy without explanation or amendment.²²³ As a result, the FTQ won jurisdiction over union education and organizing in Quebec; jurisdiction over local and

²²⁰ Cyr et Roy (1981), 175.

²²¹ Cyr et Roy (1981), 178.

²²² Fournier (1992), 243.

²²³ Cyr et Roy (1981), 179.

regional labour councils; and the transfer of both human and financial resources from the CLC to the FTQ equal to the amount that Quebec trade unionists contributed to the CLC.²²⁴ The CLC also agreed to the establishment of a formula which would allow the FTQ to recoup any money for CLC services which do not benefit FTQ members because of linguistic or political differences.²²⁵

Of these successful proposals, François Cyr wrote “Pour la FTQ, cette victoire totale représente bien plus que l’aboutissement de onze années de lutte. C’est un moment clé dans sa définition d’elle-meme comme centrale syndicale.”²²⁶ Ralph Guntzel has expressed the view that “...the 1974 convention decision did not restore the harmony that had reigned during the early 1960s. The sequence of challenge and response between the FTQ and the CLC had created a gap that could not entirely be filled again.”²²⁷ In short, the decision to grant the FTQ special status, did not halt the Federation’s desire to build itself up at the expense of the CLC. Rather, special status empowered the FTQ to continue to ask for more autonomy based on Quebec’s distinct linguistic and cultural status within Canada. This fact was evidently lost on the CLC, as evidenced by the comments delivered by Morris to the 1976 CLC convention on the progress of CLC-FTQ relations.

One only has to look as far as the unity that has been demonstrated with respect to the anti-wage controls programme and particularly the March 22 demonstration [against wage controls] to understand the improved relations between the Congress and the QFL. There is a deep and abiding lesson which unfortunately workers and their organizations must continually relearn or of which they need to be constantly reminded. The

²²⁴ Fournier (1992), 244.

²²⁵ Déom and Boivin (2005), 464.

²²⁶ Cyr et Roy (1981), 179.

²²⁷ Guntzel (1997), 323.

March 22 demonstration was a visible and active reminder that at its most fundamental level there is no difference between workers in Quebec and workers in any other province or region of Canada. On March 22 they marched shoulder to shoulder and spoke with a single voice. Whether that voice spoke in French or English was of little or no importance. The lesson in all of this is that the problems of workers are not those of language, culture or religion but of economics and the workers' position on the economic ladder.²²⁸

Despite having granted the FTQ special status at its 1974 convention, the CLC continued to deny the intersection of class and nation in Quebec. FTQ demands for greater autonomy reflected a strong, progressive nationalist current in Quebec and went hand in hand with the Quebec state's political demands for greater sovereignty within the Canadian federation.

Summary

This chapter described the intersection of class and nation in Quebec during the 1970s, with a view to explaining the Quebec labour movement's ideological shift from nationalism to separatism during this period. The Common Front struggle of 1972 clearly exemplified the radicalization of the Quebec labour movement during this period. The anti-capitalist manifestos of all three labour centrals represented a clear divergence between the politics of Quebec trade unionists and their counterparts in English Canada. However the radicalization of Quebec labour came to an abrupt end with the creation of the breakaway CSD in 1972. The PQ was quick to fill the void on the left with its Scandinavian brand of social democracy. The Quebec labour movement, lacking both the political will and capacity to create its own labour party tended, to varying degrees, to

²²⁸ *Canadian Labour*, (June 1976), 16.

embrace the PQ's left-wing nationalist project. In terms of CLC-FTQ relations, the Federation's increasingly nationalist orientation manifested itself in a special status agreement which gave the FTQ greater autonomy vis-à-vis the Congress along with jurisdiction over labour councils and union education in Quebec. The FTQ's achievement of special status bolstered its credibility as a genuinely québécois labour federation and reinforced its desire to forge a distinct image for itself vis-à-vis the CLC.

Chapter 5

Nationalist Politics, Quebec Labour and the Parti Québécois

The anti-union policies of the Bourassa Liberals, the October Crisis, divisive language debates, the growing support for Quebec nationalism among trade unionists, and the lack of a credible left-wing alternative all moved the FTQ significantly closer to the PQ in the early 1970s. A year after its “special status” victory in 1974 at the CLC convention, the FTQ officially endorsed the Parti Québécois and threw its support behind the party in the 1976 provincial election. The election results stunned Canadians from coast to coast to coast. On November 15, 1976, an openly sovereigntist party won a massive majority government. The PQ took 71 of 110 seats with 41.4% of the popular vote. The sitting Liberal Premier, Robert Bourassa, went down to defeat in his own riding, and the new Premier-elect, René Lévesque declared “j’ai jamais pensé que je pourrais être aussi fier d’être Québécois.”

This chapter examines the Quebec labour movement’s, and more specifically, the FTQ’s relationship with René Lévesque’s PQ government with a view to explaining how that relationship impacted the FTQ’s position on the National Question. The first section of the chapter recounts the FTQ’s early relationship with Lévesque’s PQ. The second section describes the FTQ’s participation in the 1976 provincial election campaign and its close relationship with Lévesque’s government. The third section of the chapter critically assesses the FTQ’s firm conversion to an explicitly nationalist politics in the pre-referendum period.

Labour Politics and the PQ

In a very short period of time the FTQ went from advocating smashing the state in 1972, to arguing that the state could be used, in Gérin-Lajoie's words, as the Quebec labour movement's "instrument of liberation".²²⁹ This shift in direction was spearheaded by the Quebec sections of the USWA and CUPE, which were most firmly rooted in the pro-PQ camp. A delegate to the FTQ's 1973 convention encapsulated the prevailing view among FTQ activists: "The PQ is not a workers' party. But it is the party closest to the workers. Moreover, it is democratic. All of us trade unionists, should work to improve it."²³⁰

In the 1973 provincial election which followed, a dozen labour activists ran under the PQ banner (including future FTQ President Clément Godbout). The CSN did not endorse the PQ, but instead distributed to its members election materials which demonstrated that of all the parties, the PQ's electoral platform most closely coincided with the union's policy preferences.²³¹ Both the Quebec sections of the Steelworkers and CUPE endorsed the PQ, while the FTQ remained officially neutral, largely at the behest of Laberge.²³² The election results were disappointing for the PQ; although the party won over 30% of the popular vote and became the Official Opposition, it won just 5% of the seats in the National Assembly. René Lévesque once again failed to win a seat as a

²²⁹ Michel Lizée, "The Unavoidable Struggle," *Canadian Dimension*, (April 1974), vol 10, no. 1, 11.

²³⁰ Ibid.

²³¹ Denis et Denis (1992), 58.

²³² Fournier (1992), 238.

Péquiuste. However, a poll of delegates at the 1973 FTQ convention revealed that 76% of delegates had voted for the PQ, compared to just 11% who had cast ballots for the Quebec Liberal Party.²³³

In January 1974, UAW members at United Aircraft in Longueuil Quebec walked off the job and onto the picket line after their employer refused to accept the Rand Formula. Several intense rounds of picket line violence, conciliation, and court injunctions followed. When the American leadership of the UAW noticed irregularities in the local union's handling of strike pay, it threatened to pull the plug on the labour dispute. The FTQ came to the defence of the local union, and as a gesture of solidarity, the Federation gave an unexpected boost to the workers when it agreed to provide the striking local a \$90,000 loan. Heightened tensions, aggravated by the use of scab labour and the length of the dispute, prompted a group of striking workers to occupy the plant on May 12, 1975. On May 21, the FTQ called a one day general strike in support of the striking local. The labour dispute had such a significant impact on Quebec society that PQ leader René Lévesque pledged to overhaul the province's labour code to make the Rand Formula mandatory and ban the use of scab labour if elected Premier. The strike finally ended in August 1975 when Premier Robert Bourassa personally intervened in the dispute. The striking UAW members, after twenty months of walking the picket line, had failed to win the Rand Formula. However, the labour dispute solidified the union's support for the FTQ as a trade union central and the strike at United Aircraft demonstrated the FTQ's solid influence within the labour movement and Quebec society.

²³³ Cyr et Roy (1981), 157.

Class struggle in Quebec was most intense during this period. The new militancy of the Common Front and the labour movement's prolonged battle with United Aircraft had raised expectations for workers in Quebec who were furious at the way in which the state was unwilling to accommodate their demands. In the aftermath of the first Common Front, work stoppages became a regular occurrence. In fact, by 1975-76, labour disputes in Quebec accounted for 41% of all strikes and lockouts in Canada.²³⁴ While the province's unions continued to battle both private and public sector employers, the Bourassa government was also faced with a crisis in education as a result of its passage of Bill 22.

Quebec Labour and the Politics of Language

The Bourassa government's Bill 22 was an attempt to reconcile the notion of minority rights with the policy objective of promoting the use of the French language in Quebec, especially in the education sector. The Bill required prospective students to demonstrate proficiency in English in order to win the right to an English education. If students could not demonstrate a certain level of knowledge of English, they would be forced to attend a French language school. Bill 22 replaced the Union Nationale's Bill 63, which had essentially guaranteed to all parents in Quebec the right to choose the language of instruction for their children. Bill 63 was met with heavy opposition from francophone Quebecers who worried that it would result in a rapid integration of allophones into the anglophone community, thus threatening the province's francophone

²³⁴ John Saywell, *The Rise of the Parti Québécois, 1967-1976*, (Toronto: University of Toronto Press, 1977), 123.

character. The political fallout from Bill 63 precipitated the establishment of the Gendron Commission to study the status of the French language in Quebec. Based on the findings of the Gendron Commission, the Liberals enacted Bill 22 in 1974. Bill 22's modified form of choice for the language of instruction in education drew severe criticism from Quebec's anglophone minority and immigrant communities who argued that the Bill went too far in its quest to protect the French language. According to John Saywell:

By the summer of 1976 the entire system was in disarray: families were broken up by the testing, several thousand cases were under appeal; parents were refusing to obey the instructions of the boards; and the principals of the Anglophone schools in heavily Italian St. Leonard directly challenged the government by admitting a thousand students who had failed the English-language test.²³⁵

While the anglophone minority declared war on the Bourassa government, the French majority gravitated towards the PQ, who argued that Bill 22 did not go far enough in the promotion or protection of the French language. The passing of Bill 22 was instrumental in the defeat of Bourassa's Liberal government in the 1976 election just as its predecessor, Bill 63, had been central to the defeat of the Union National in 1970.

By the spring of 1976, public dissatisfaction with Bourassa's Liberal government ballooned to 66% in opinion polls - an all-time high.²³⁶ The government was on the ropes and the PQ was certainly poised to benefit from Bourassa's difficulties in the areas of labour relations and language policy. The intersection of class and nation erupted in June 1976 after a nine day work stoppage by anglophone pilots who were protesting the

²³⁵ Saywell (1977), 125.

²³⁶ Saywell (1977), 124.

Federal government's decision to gradually extend the use of French language at airports. The overwhelmingly anglophone pilots and air traffic controllers argued that because English was the language of the skies, the implementation of bilingualism in the day-to-day work operations of airports was potentially unsafe. In response, the federal government agreed to set up a commission of inquiry. The establishment of the commission which, in effect, delayed the implementation of bilingualism in airports, ignited a political firestorm in Quebec. Former CSN President, Jean Marchand, even resigned from Trudeau's cabinet in protest. Public opinion in the province was solidly behind the L'Association des Gens de l'Air du Québec, a group of francophone pilots and air traffic controllers who formed to fight for the ability to communicate in French at work. The public in English Canada backed the anglophone pilots and air traffic controllers as overwhelmingly as Quebecers supported the French speaking workers.²³⁷ The air traffic control confrontation had a disproportionate impact on the political relationship between French and English in Quebec and across Canada. The politics of language had collided with the politics of labour in a way that raised the collective national consciousness of Quebecers like never before. In the words of John Saywell, "The Parti Québécois could have wished for nothing more."²³⁸

The important events and labour struggles of recent years combined with grassroots political organizing finally paid off for nationalist labour leaders in Quebec when the FTQ voted to officially endorse the PQ in the 1976 provincial election. FTQ

²³⁷ Sandford Borins, *The Language of the Skies: The Bilingual Air Traffic Control Conflict in Canada*, (Montreal: McGill-Queen's University Press, 1983), 1. The Federal government's Commission of inquiry finally reported back in 1979, concluding that bilingualism could be implemented safely. In 1980, the Federal government implemented the commission's recommendation.

²³⁸ Saywell (1977), 127.

President, Louis Laberge, despite his personal reservations about sovereignty, justified the FTQ's endorsement as follows:

Notre appui se base sur diverses raisons: 1) le programme du PQ est celui qui rapproche le plus des revendications du mouvement syndical; 2) c'est la seule formation politique organisée capable de battre l'administration Bourassa à court terme; 3) c'est le parti dont la caisse électorale offre un garantie réelle d'indépendance face aux grands intérêts financiers, et dont les structures démocratiques permettent aux travailleurs de faire entendre leur point de vue”²³⁹

Although the unions recognized that the PQ was not a labour party, they also recognized that the business community was solidly in the Liberal camp. As a result, the FTQ actively encouraged its members to join the party or volunteer for PQ candidates in an effort to turf Bourassa's Liberal government which had gone head to head with the province's unions over the course of its mandate.²⁴⁰ The PQ's social democratic platform and its cautious *étapiste* approach to the National Question resonated with voters. A public opinion poll released midway through the 1976 election campaign indicated that the PQ enjoyed twice as much support as the Liberals among both skilled and unskilled workers.²⁴¹ Among the most jubilant on the evening of November 15, 1976 were Quebec's labour leaders, who had campaigned so hard on behalf of Lévesque and the PQ. Labour lawyers Pierre Marois and Robert Burns were both elected under the PQ banner. Trade union activists Denis Perron of CUPE and Guy Bisailon of the CEQ were also successful in their election bids. A handful of labour allies including Lise Payette, Jacques Couture and Denis Lazure also carried the day for the PQ in their respective

²³⁹ Cyr et Roy (1981), 158.

²⁴⁰ Saywell (1977), 124-125

²⁴¹ McRoberts (1988), 238.

ridings.²⁴² Lévesque's first official appearance as Premier-elect was at the Steelworkers Union's 1976 Quebec assembly.²⁴³ The CSN's President, Norbert Rodrigue, called the PQ majority a "victory for ordinary people over the dark forces of Anglo-Saxon capitalism."²⁴⁴

Organized Labour and the PQ in Power

The FTQ's support for the PQ in the 1976 provincial election was certainly reciprocated once the party was elected to power. In the government's first year in office the PQ put an end to the province's anti-inflation programme, reformed the province's labour code to ban replacement workers, and made it easier for unions to win certification votes. The government also improved health and safety legislation, much to the satisfaction of the province's labour leaders. Lévesque's first government could easily be described as social democratic. Lévesque himself once described the PQ as an adherent of Scandinavian social democracy.²⁴⁵ In addition to its union-friendly labour law reforms, the PQ impressed its allies in organized labour by introducing a system of public automobile insurance, nationalizing the Asbestos Corporation, expanding the public sector, implementing campaign finance reform and introducing the very controversial Bill 101, the Charter of the French Language, which made French the common public language in virtually every facet of Quebec society, including the province's workplaces.

²⁴² Fournier (1994), 130.

²⁴³ Gérin-Lajoie (1982), 239.

²⁴⁴ Quote taken from Brian Tanguay, "An Uneasy Alliance," in *The Challenge of Restructuring : North American Labor Movements*, Jane Jenson and Rianne Mahon eds., (Philadelphia: Temple University Press, 1993), 159.

²⁴⁵ Rouillard (2004), 195.

At an FTQ conference in March 1977, Louis Laberge introduced René Lévesque as “our” Premier.²⁴⁶ In 1978, the PQ adopted a programme which called for the establishment of “an economic system that eliminates all forms of worker exploitation and meets the needs of all of Quebec’s citizens, rather than the demands of a privileged economic minority.”²⁴⁷

The Labour Movement and the Question of Self-Determination

A year after the PQ’s stunning election victory, pan-Canadian unions like the United Steelworkers of America (USWA), the United Auto Workers (UAW), the Canadian Union of Public Employees (CUPE) and the Canadian Union of Postal Workers (CUPW) all endorsed Quebec’s right to self-determination in order to appease their Quebec memberships.²⁴⁸ However, the CLC remained firmly committed to national unity. In November 1977, Donald Montgomery, the CLC’s secretary-general, told delegates to the Ontario Federation of Labour convention that he opposed self-determination for Quebec and that separatism would harm both Quebec and Canada.²⁴⁹ The CLC position was far from universally shared by its affiliates. The UAW’s Dennis McDermott, who also sat on the CLC executive, told the *Globe & Mail*:

If I were a French Canadian living in Quebec, I would probably call myself a Quebecker rather than a Canadian. I most certainly would have voted Parti Québécois because I think that the word separation is in our vocabulary because there has been 100 years of g-dd—n inequity, of real

²⁴⁶ André Leclerc “Québec’s ‘Radical’ Unionists,” *Canadian Dimension*, Vol 13 no. 1, 34

²⁴⁷ Parti Québécois, *Official Program of the Parti Québécois*, Montreal: 1978.

²⁴⁸ Wilfred List, “Self-determination for Quebec? OFL won’t take stand,” *Globe & Mail*, (Nov. 30, 1977), 5.

²⁴⁹ Wilfred List, “CLC Secretary opposes self-determination for Quebec,” *Globe & Mail*, (Nov 29, 1977), 1.

persecution, and certainly of exploitation, economic and otherwise. And I understand what is happening there. I have no problem with the Quebeckers, because they understand instinctively that I am a soul brother.²⁵⁰

On the eve of the CLC's 1978 convention, a backroom deal between leaders of the FTQ and leaders of the Congress was struck in order to ensure the successful passage of the CLC statement on National Solidarity. Laberge, Daoust, and McDermott worked tirelessly with hardline federalist like CLC President Joe Morris and the International Association of Machinists' (IAM) Mike Rygus to craft a statement which would be acceptable to trade unionists both in English Canada and Quebec. After the compromise position was reached, Morris told the media, "If we take an unequivocal position on unity we are in effect destroying the solidarity of the workers. And that solidarity is more important to preserve in framing our document than the question of Canadian unity."²⁵¹ The statement, which in Laberge's words was "negotiated from the first word of the first paragraph to the last word of the last paragraph, including every comma and period"²⁵² contained the following paragraphs about the possibility of Quebec separation:

We, the workers of Quebec, who are members of the Canadian Labour Congress, assert the right to determine our political and constitutional future. This is fundamental; an essential prerequisite to establish the balance for future negotiations. It is an important right, and we have a full appreciation of the importance inherent in our responsibility if we choose to exercise that right.

We, the workers in other parts of Canada, who are members of the Canadian Labour Congress, respect the fundamental right of Quebec workers to exercise that responsibility. In so doing, we express the hope

²⁵⁰ Wilfred List, "McDermott a 'rough diamond with a tough, but open mind,' business report says," *Globe & Mail*, (April 3, 1978), 10.

²⁵¹ Wilfred List, "Morris puts union ahead of unity," *Globe & Mail* (April 3, 1978), 10.

²⁵² Laberge quoted in Evert Hoogers "A Report from Convention," *Canadian Dimension*, (Aug-Sept 1978) Vol 13., 19.

that a continuing dialogue will lead to the restructuring of the relationship between us which will serve the interests of our two communities of people in a vibrant and new Canadian society.

Collectively, we in the Canadian Labour Congress, in making these declarations, embrace the universal principle which guides the democratic structure of our own labour movement. We have confidence that reasoned support for this principle ultimately will serve the best interests of our communities of people...

... Without presuming the outcome of the search for new constitutional and political relationships, we the workers of both French-speaking and English-speaking Canada, reassert our commitment to maintain powerful bonds of solidarity in our unions.²⁵³

The CLC's statement on National Solidarity was an important turning point in CLC-FTQ relations. For the first time since the 1960s, the CLC tackled the issue of self-determination for Quebec without pronouncing on any alternate options for preserving national unity. Attaining widespread support for a particular constitutional option would be virtually impossible given the wide gap between trade union activists in English Canada and their counterparts in Quebec. Torn between respective national attachments to Canada and Quebec on one hand, and the need for self-preservation on the other, the CLC leadership chose the option which would meet the least resistance on the convention floor. The strong attachment to the Canadian state displayed by some individual union members in English Canada was hardly surprising. For Quebecers, it reflected a view which, according to Lévesque, had been a constant theme in Canada-Quebec relations. In 1978, Lévesque noted "La souveraineté provoque dans les milieux d'affaires anglo-canadiens une émotivité certaine. C'est la réaction normale de la majorité dominante, qui s'indigne de cette contestation de ses droits et privilèges

²⁵³ CLC Policy Statement, *Quebec National Solidarity*, 1978.

traditionels.”²⁵⁴ Motivation aside, by endorsing Quebec’s right to self-determination, however indirectly, the CLC showed a new openness toward Quebec.

Much of this new openness was the result of the political views of the CLC’s new President, Dennis McDermott. Unlike his predecessors, McDermott did not see the point of combating separatists in the labour movement. In fact, McDermott viewed the decentralist demands of the FTQ in much the same way that he viewed the province of Quebec’s struggle for more constitutional powers. In both instances, he felt that their demands had to be accommodated in order to maintain solidarity in the House of Labour. McDermott was by no means a champion for Quebec, but he differed significantly from his predecessors in that he did not actively combat Quebec nationalism by promoting a unified pan-Canadian vision on behalf of the CLC. Instead, as President, he preferred to remain silent on constitutional questions in Canada.

René Lévesque and the FTQ

Unlike the CLC, the FTQ was more outspoken than ever before on constitutional questions. Much of the FTQ’s nationalist fervour came as a result of its close relationship with the PQ. Although the 1977 FTQ convention endorsed a strategy of critical cooperation with the government, the FTQ seemed

²⁵⁴ Lévesque quoted in *Paroles pour un Québec libre*, Martine Bouilane, ed., Montréal: Editions trait d’union, 2003), 128.

to move almost in lockstep with the PQ. The close relationship between the FTQ and the PQ government stood in stark contrast to the adversarial approach favoured by the CSN and the CEQ. For example, while the other two labour centrals remained cynical of the PQ's social democratic credentials, the FTQ enthusiastically jumped on the PQ's corporatist bandwagon in 1977 when Premier Lévesque hosted his first economic summit which brought together business, labour and government officials. The CSN, on the other hand, argued that the type of social consensus sought by the PQ, "n'est pas possible dans le cadre de la société capitaliste, puisqu'il implique des intérêts de classes qui sont contradictoires."²⁵⁵ In *René Lévesque & The Parti Québécois in Power*, Graham Fraser recounts the relationship between the government and representatives of organized labour:

Of the three labour centrals represented, two – the CSN and CEQ – took very tough left-wing stands criticizing the government. As a result, Lévesque was able to keep his distance, and show the businessmen that he was having nothing to do with the left-wing labour leaders, calling them “professional Cassandras who are killing themselves trying to predict that the apocalypse is coming tomorrow morning if the entire economic system is not immediately abolished.” On the other hand, Louis Laberge of the FTQ was a bundle of roly-poly charm and diplomacy; businessmen were overheard in the bar marveling at how “sympathique” he was.²⁵⁶

In a few short years, Laberge had gone from espousing a clear anti-capitalist discourse to singing the praises of corporatism. This about-face can only be understood as a product of party-union relations within the larger context of a

²⁵⁵ CSN, procès verbal du congrès, 1978, 164.

²⁵⁶ Graham Fraser, *René Lévesque & The Parti Québécois in Power*, (Montreal: McGill-Queen's University Press, 2001), 117-118.

political deradicalization of Quebec labour. Although the FTQ was never officially affiliated to the PQ, the Federation's close relationship to the Lévesque government is best described as a what Harold Jansen and Lisa Young have termed a "utility-maximizing exchange between rational actors".²⁵⁷ The PQ sought to consolidate the support of Quebec's largest trade union central; and in return, the FTQ sought reforms to the province's labour code which would strengthen the Federation's capacity to grow. The FTQ had never enjoyed the degree of access to government that it did during the PQ's first term in office. There is no question that the relationship enjoyed overwhelming support in the early years and transformed the Federation's discourse significantly. Under the péquistes, the state was no longer seen as the enemy of the trade union movement. Rather, the state was considered a tool of social liberation. Once the PQ was able to demonstrate to Laberge that it could govern responsibly in the interests of the FTQ, the party's position on the National Question rubbed off on the FTQ President. When Lévesque announced that his government would hold a referendum on sovereignty-association, the FTQ organized a series of assemblies devoted to the National Question. The response from the rank-and-file was clear: the overwhelming majority would be voting OUI. Louis Laberge had officially embraced sovereignty-association.

For its part, the CSN, in the run-up to the 1980 referendum on sovereignty-association, did not share the FTQ's enthusiasm for the PQ or its

²⁵⁷ Harold Jansen and Lisa Young, *Solidarity Forever? The NDP, Organized Labour and the Changing Face of Party Finance in Canada*, (Paper presented to the Annual Meeting of the Canadian Political Science Association, University of Western Ontario, 2005), 2.

constitutional vision. After Lévesque was sworn in as Premier, the CSN adopted a strategy of “constructive opposition” to the new government. It criticized the PQ’s first budget, continued to espouse a Marxist analysis of Quebec society, and developed an ultimately unsuccessful plan to create a socialist workers’ party in 1978.²⁵⁸ Unlike the FTQ, the CSN was bitterly divided over the issue of the National Question, with no less than six rival factions adopting competing constitutional visions. Guntzel describes them as follows:

First, adherents of bread-and-butter unionism who opposed any CSN involvement in the public debate on Québec’s political status; second, federalists who objected to a CSN endorsing separation; third péquistes who espoused the PQ’s vision of political sovereignty and economic association; fourth, *étapistes* who supported a CSN in favour of complete independence; fifth, advocates of “independence and socialism” who wanted the CSN to take a stand in favour of complete independence and combine it with a call for the creation of a workers’ party; sixth, Marxist – Leninists who preached Canadian unity as a precondition of working-class unity from coast to coast.²⁵⁹

The membership of the CEQ was also bitterly divided over the National Question. In the winter of 1979, the CEQ held a two-question membership-wide referendum on the Quebec National Question which indicated that almost two-thirds of the membership opposed taking a formal public position. On the second question, which asked if members supported taking a pro-independence position on the National Question, 71.5% of CEQ members voted NON, while only 17.4% voted OUI. Heading into the 1980 Quebec referendum on sovereignty-association, the labour movement was unquestionably divided on Quebec’s future. Although none of the largest trade union centrals in Quebec supported the

²⁵⁸ Guntzel (1997), 395.

²⁵⁹ Guntzel (1997), 398-399.

status quo, it was unclear whether or not they could be counted on to rally around the PQ's specific constitutional option.

Quebec Labour and the 1980 Referendum

René Lévesque's PQ government waited until the fourth year of its mandate to deliver its key campaign commitment to hold a referendum on sovereignty-association. The government only seemed to really focus its attention on the referendum campaign in June 1979, when delegates to the PQ convention endorsed a document entitled *D'égal à égal*, which outlined what an economic partnership between a sovereign Quebec and the Rest of Canada would look like. Shortly thereafter, the Lévesque government elaborated on the convention's resolution by releasing a White Paper entitled *Québec-Canada: A New Partnership*. The White Paper provided specific details of the PQ's proposed political and economic association with the Rest of Canada. Free trade, a common currency, a customs union, and an international role in international relations were all highlighted.²⁶⁰ Essentially, the PQ's sovereignty-association plan would create a new relationship between Canada and Quebec by giving the province constitutional authority over its political, social, and cultural affairs, while maintaining an economic association with the rest of Canada.

Over the course of the next few months, the nationalist forces fine-tuned the PQ's "étapiste" strategy. First, Quebec voters would decide whether or not to give permission to the Quebec government to negotiate a new political and economic partnership with the

²⁶⁰ McRoberts (1988), 301.

Rest of Canada. The exact question put to voters in the 1980 referendum on sovereignty-association was as follows:

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; any change in political status resulting from these negotiations will be effected with approval by the people through another referendum; on these terms, do you give the Government of Quebec the mandate to negotiate the proposed agreement between Quebec and Canada?

If voters opted for the OUI position, the second part of the *étapiste* approach was to have voters approve the new political and economic partnership negotiated between both parties. In short, the nationalist forces would have to win two referendum campaigns in order to win sovereignty-association. This cautious approach was favoured by Lévesque personally, who stressed that achieving sovereignty could be accomplished without any economic or political turbulence. This approach also appealed to soft Quebec nationalists, like Louis Laberge, who had openly expressed reservations about Quebec sovereignty for well over a decade.

Lévesque eventually announced that the referendum would take place on May 20, 1980. The stage was set for one of the most important political votes in Canadian history. The Nationalist forces, who campaigned for a OUI vote, were led by Lévesque, who made the argument that Quebec could only achieve its national aspirations by rejecting the status quo and opting instead for a renewed partnership with English-Canada through the mechanism of sovereignty-association. The federalist forces, who

campaigns for a NON vote, were officially led by Quebec Liberal leader, Claude Ryan, but unofficially led by Prime Minister Pierre Trudeau, who defended Canada's federal system and argued that sovereignty-association was a dangerous economic risk for Quebecers. Tory leader Joe Clark and NDP leader Ed Broadbent also endorsed a NON vote, although NDP federal-provincial relations critic Lorne Nystrom admitted publicly that the majority of New Democrats in Quebec would likely be voting OUI.²⁶¹ To confuse matters further, the parliamentary caucuses of both the Ontario and British Columbia sections of the party voted in favour of government motions affirming support for national unity and opposition to sovereignty.²⁶²

The NDP's position on the referendum was representative of its neurotic attitude toward the Quebec National Question more generally. A week before the referendum, Broadbent told reporters, "If they [Quebecers] vote, which is still their free choice, for the Oui side, the likelihood for quick and significant change is not there."²⁶³ The party had essentially adopted the position that Quebecers had the right to self-determination, but that New Democrats would not recognize that right in the event that Quebecers chose to exert it by voting in favour of sovereignty-association in the referendum. In 1979, the FTQ's Louis Laberge, who once described himself as "un militant zélé du NPD,"²⁶⁴ called Broadbent's position on the Quebec National Question "aussi stupide que celle de Trudeau."²⁶⁵ Much of the criticism directed toward the Federal NDP in Quebec stemmed from its half-hearted approach to dealing with National Question. Since its inception, the

²⁶¹ *Montreal Gazette* (May 12, 1980), 11.

²⁶² Denis et Denis (1992), 109.

²⁶³ *Montreal Gazette*, (May 12, 1980), 11.

²⁶⁴ Laberge as cited in Fournier (1992), 115.

²⁶⁵ Fournier (1992), 289.

NDP had struggled to put forward a consistent progressive vision of Canada's federal system. On paper, the NDP supported self-determination and the "Two Nations" view of Canada. However neither of these policy positions figured prominently in either the 1979 or 1980 federal NDP election platforms, despite the fact that national unity and the Constitutional Question figured prominently on the Canadian political agenda during that period. Instead, Broadbent, consistent with the actions of previous NDP leaders, downplayed the Constitutional Question in favour of traditional "bread and butter" social democratic policy issues. The party's reluctance to confront the Constitutional Question in a meaningful way forced the NDP to the political sidelines. The party's provincial sections in English Canada tend to wield far more power than the Federal caucus within the confederally organized NDP. As such, the Federal party has found it practically impossible to develop an acceptable and meaningful constitutional position, sympathetic to Quebec's demands, that meets with the approval of its most powerful provincial sections in western Canada.

On April 19, 1980, the FTQ convened a special convention to deal with the National Question. In his inaugural address to delegates entitled "Question Nationale, Réponse Syndicale" FTQ President Louis Laberge argued that to ignore the National Question would be to ignore the labour movement's responsibility to represent the interests of its members. In that spirit, Laberge, who asked delegates to endorse the OUI position, linked the deficiencies of the federal system to the oppression felt by Quebec's workers.

C'est sans doute au plan linguistique que s'est manifestée de la façon la plus scandaleuse l'oppression nationale; pour le travailleur québécois

francophone, ne pas être capable de travailler dans sa langue ou être réduit à des postes subalternes à cause de son unilinguisme, c'est être étranger dans son propre pays. Il est d'ailleurs significatif de voir que les salaires les plus bas, les emplois les moins intéressants et le chômage le plus fréquent, sont encore, dans une bonne mesure, le lot des francophones unilingues et, dans une moindre mesure, celui des francophones bilingues.²⁶⁶

The FTQ's official political declaration on the National Question similarly argued that, "les mécanismes d'exploitation donc les travailleurs québécois sont victimes individuellement et collectivement, étaient aggravés par la position politique et économique du Québec à l'intérieur du Canada et du continent nord-américain."²⁶⁷

Laberge also encouraged FTQ members to examine which segments of Quebec society were opposing sovereignty-association and suggested that workers not align themselves with the forces of the status quo.

Il est significatif de retrouver côte à côte le Parti libéral du Québec, le Parti libéral du Canada, le Parti conservateur, le Conseil du patronat du Québec, les principaux porte-parole des milieux financiers, les représentants de Power Corporation, de Bell Canada, de ITT, de l'Alcan, de l'Iron Ore, ... Il est évident que le principal intérêt de ces forces réactionnaires est de maintenir le Québec dans un état de dépendance qui leur a largement profité et d'étouffer tout mouvement vers un changement quel qu'il soit. Il aurait été pour le moins indécent pour le mouvement syndical de penser s'aligner avec ce "club des exploités".²⁶⁸

Clearly, the FTQ's approach to the National Question in 1980 hinged on the organization's class composition and its statements reflected this reality. The FTQ's decision to participate in the referendum campaign relied heavily on its social democratic

²⁶⁶ FTQ, Discours Inaugural de Louis Laberge, Président de la FTQ, *Question Nationale, Réponse Syndicale*, 2ème congrès extraordinaire, Québec (19 avril, 1980), 5.

²⁶⁷ FTQ, *Déclaration de Politique et Recommandation du Conseil Général sur la Question Nationale*, 2ème congrès extraordinaire, Québec (19 avril, 1980), 3.

²⁶⁸ FTQ, Discours Inaugural de Louis Laberge, Président de la FTQ (19 avril, 1980), 7.

tradition. In fact, one of the many “whereas” clauses that preceded the FTQ’s resolution in favour of a OUI vote in the referendum stated that the organization’s left-wing political orientation compelled trade unionists to recognize that the federal system interferes with and frustrates progressive state intervention in economic and social fields. The federal system, according to the FTQ, was detrimental to Quebec’s working class because it was costly, inefficient and exacerbated uneven economic development in Canada.²⁶⁹

Internally, the FTQ effectively rallied its affiliates to the sovereigntist camp by exposing the flaws of the federal system in each sector of the economy. In terms of the automobile industry, the FTQ argued that the federal government’s auto pact agreement favoured Ontario over Quebec. In the clothing and textile industry, the FTQ argued that federal tariff policies were threatening Quebec jobs. The FTQ accused federal crown corporations of hurting the aeronautics industry in Quebec by moving production out west. In the mining industry, the FTQ argued that the federal government had encroached on provincial jurisdiction to the detriment of Quebec and that federal policies have benefited Ontario at Quebec’s expense. In pulp and paper, the FTQ accused the federal government of obstructing the provincial government’s industrial strategy in this sector. Finally, in agriculture, the FTQ argued that the federal government derailed the diversification of Quebec’s agriculture industry by pursuing the contradictory goal of promoting specialization in provincial agriculture.²⁷⁰

In the end, over 90% of the 2,187 delegates present at the special FTQ convention voted in favour of endorsing a OUI vote. However, not all trade unions in Quebec were

²⁶⁹ FTQ, *Déclaration de Politique et Recommandation du Conseil Général* (19 avril, 1980), 9.

²⁷⁰ FTQ, *La FTQ et la question nationale*, 2ème congrès extraordinaire, (19 avril 1980), 14-15.

as outspoken as Laberge and the FTQ. After several rounds of rank-and-file consultations between 1978 and 1980, the CSN finally approved a controversial resolution which in part read “La CSN, dans le respect de l’opinion de chacun de ses membres, et tout en conservant son autonomie, considère qu’il est dans l’intérêt des travailleurs et des couches populaires de voter oui au référendum.”²⁷¹ The more radical CSN explained that it was encouraging its members to vote OUI, but only because voting NON or abstaining from voting would be seen as a tacit endorsement of status quo federalism. Internal ideological divisions within the CSN prevented the central from effectively promoting its position. To complicate matters further, a sudden strike and occupation carried out by the CSN’s own staff members against the labour central in the week before the referendum vote further stifled the CSN’s ability to mobilize its members in support of its position. It is clear that the CSN did not want to appear to be in bed with the government, while other unions were unhappy with the PQ’s performance and withheld their support as a symbolic gesture. The Syndicat de Professionnels du Gouvernement du Québec, for example, ran several ads in Quebec newspapers which read : “Monsieur Lévesque si vous croyez à la négociation, pourquoi avoir rompu nos négociation?” For its part, the CEQ remained officially neutral at the behest of its membership, but in the dying days of the campaign CEQ President Robert Gaulin did send some very strong signals that members of his union would be ill-served by a NON vote. A week before the vote, Gaulin told the media “there aren’t any progressive voices

²⁷¹ CSN, Conseil fédéral, *Résolution générale*, Travail, (avril 1980), Supplément sur la question nationale, 7-8.

in this province who can support a No. It is really up to our members now to decide in favor of a YES, spoiling their ballot or abstaining on May 20.”²⁷²

For the purposes of the referendum campaign, the FTQ went out of its way to separate its support for the PQ from its support for sovereignty. In 1980, Laberge declared,

Même si le PQ et le gouvernement Lévesque sont présentement les véhicules politiques de l’option de changement constitutionnel, l’enjeu du referendum et, plus largement, celui de la question nationale dépassent les parties politiques en cause. L’affirmation nationale du peuple québécois, cela ne concerne pas que les parties politiques; c’est l’affaire de tous les Québécois. Le référendum n’est pas celui du PQ, c’est celui de tous les Québécois.²⁷³

The FTQ also showed its independence from the PQ in the 1980 referendum campaign by refusing to participate in the official OUI committee. The union central explained that running a parallel, but independent campaign would help it to preserve its unique contribution to the debate – the FTQ’s detractors argued that the Federation was simply attempting to sidestep campaign finance rules.²⁷⁴ The FTQ’s unique contribution came in the form of a member-centred campaign which stressed class-based arguments in favour of sovereignty-association. The FTQ even mailed to each of its members a letter from secretary general Fernand Daoust encouraging them to circulate pro-sovereignty petitions in their workplaces.²⁷⁵

²⁷² “Teacher union raps federal system,” *Montreal Gazette*, (May 14, 1980), 15.

²⁷³ Discours Inaugural de Louis Laberge (19 avril, 1980), 11.

²⁷⁴ Claude Ryan quoted in the *Montreal Gazette*, (May 16, 1980), 2.

²⁷⁵ James A. Stewart “QFL attacked by Ryan,” *Montreal Gazette*, (May 16, 1980), 2.

Large segments of Quebec's business community, in an effort to protect their own class interests, allied themselves with the federalist forces in calling for a NON vote. They viewed the nationalist cause as a threat to their economic well-being, despite assurances from the Premier that sovereignty-association could be achieved without any sort of political or economic rupture.

The federalist forces relied primarily on economic arguments as part of their strategy to undermine the credibility of sovereignty-association. The NON side argued that sovereignty-association was simply code language for separation and that it would result in economic chaos for business and workers in the province. The federalist side also argued that the Rest of Canada would never negotiate a sovereignty-association partnership with Quebec, and therefore, a OUI vote would be a vote for a political deadlock. In fact, Saskatchewan's NDP Premier, Allan Blakeney, even visited Quebec in the month before the referendum campaign to declare that his province would never negotiate a sovereignty-association partnership with Lévesque in the event of a OUI vote.²⁷⁶ The consequences of separating, according to the NON side would be catastrophic. Quebecers would risk losing old age pensions, family allowances and business would flee the province. The federalist strategy paid off; public opinion polls conducted throughout the campaign pointed to a decisive victory for the NON side. The FTQ's endorsement of the OUI side was strategically critical for the PQ because it acted as a meaningful counterweight against the NON side's economic argument that

²⁷⁶ Dennis Gruending, *Promises to Keep: A Political Biography of Allan Blakeney*, (Saskatoon: Prairie Books, 1990), 190.

sovereignty-association would result in massive job losses for Quebec workers and economic turmoil for the entire province.

In a last minute attempt to shore up support for the NON side, Prime Minister Trudeau, in a speech to OUI supporters in Montreal uttered the following commitment:

I know that I can make a most solemn commitment that following a NO vote, we will immediately take action to renew the Constitution and we will not stop until we have done that.

And I make a solemn declaration to all Canadians in the other provinces, we, the Québec MPs, are laying ourselves on the line, because we are telling Quebecers to vote NO and telling you in the other provinces that we will not agree to your interpreting a NO vote as an indication that everything is fine and can remain as it was before.

We want change and we are willing to lay our seats in the House on the line to have change.

This would be our attitude in the case of a NO vote.²⁷⁷

When the final votes were counted, the NON forces easily carried the day with 59.6% of the votes, compared to just 40.4% for the OUI side. In his concession speech, a gracious Lévesque told the crowd “If I’ve understood you well, you’re telling me ‘until next time’.” The triumph of the NON side was a bitter pill to swallow for the FTQ, who estimated that roughly two-thirds of its members voted in favour of sovereignty-association.²⁷⁸ The defeat of the OUI side actually strengthened the resolve of trade union activists who had campaigned hard for the nationalist cause. Class division had been unmasked over the course of the referendum campaign. The day after the

²⁷⁷ Trudeau, Speech at the Paul Sauvé Arena, Montreal, Quebec, May 14, 1980.

²⁷⁸ Fournier (1994), 164.

referendum, the FTQ issued a press release which contained the following observation: “Le fait que plus de 40% des Québécois ont opté pour le OUI indique une tendance irréversible. Dans ce sens, le référendum n’a rien réglé, la question nationale se pose toujours avec acuité.”²⁷⁹

Looking back, FTQ senior staff member André Leclerc argued that the labour movement had committed a strategic error between the election of Lévesque in 1976 and the referendum defeat in 1980 by allowing the PQ to bureaucratize the constitutional question and its legislative agenda, thus demobilizing organized labour as a political force. On one hand, Leclerc argued that the FTQ, “fort du sentiment que sa base était sympathique au PQ, a à peu près abandonné tout moyen de pression contre le gouvernement.”²⁸⁰ On the other hand, Leclerc pointed out, “La CSN, soucieuse de rappeler constamment le caractère non ouvrier du PQ à des militants qui auraient pu oublier, a été intransigeante à propos de presque tous les projets de réformes...”²⁸¹ He went on to argue that the CSN’s “absence de dialogue officiel avec le pouvoir <<bourgeois>> n’a cependant pas été compensé par le développement d’un rapport de force politique susceptible d’influencer les décisions du parti au pouvoir.”²⁸² Divided between strategies of capitulation, on one hand, and confrontation on the other, the Quebec labour movement was unable to articulate, despite its rhetoric, a united and strong position in favour of sovereignty. However, the clear defeat of the Quebec

²⁷⁹ FTQ, *Le Monde Ouvrier*, juin 1980.

²⁸⁰ André Leclerc “Les lendemains du lendemain qui n’a pas chanté,” dans *L’Impasse : enjeux et perspectives de l’après-référendum*, Nicole Laurin-Frenette et Jean-François Léonard eds., (Montréal: Les éditions nouvelle optique, 1980), 40.

²⁸¹ Ibid.

²⁸² Ibid.

government's proposal for sovereignty-association in 1980 did not put to rest the nationalist movement in Quebec nor its influence within in the labour movement.

In fact, the national question would come to dominate Canadian politics for the next fifteen years. Trudeau's campaign commitment to negotiate a renewed federalism transformed into a personal crusade to patriate the Constitution with a Charter of Rights and Freedoms. While Trudeau was busy with the process of constitutional reform, Lévesque's PQ government was returned to power in the 1981 Quebec election, having increased its share of the popular vote by roughly eight percentage points. The constitutional question in Canada had certainly not been put to rest.

Summary

This chapter has focused on the close relationship between the PQ and the FTQ in the pre-referendum period. It is clear from the evidence that the FTQ's position on the National Question evolved significantly as a result of the dual role that many labour leaders played as PQ activists. In *Elément d'Histoire de la FTQ: La FTQ et la Question Nationale*, François Cyr and Rémi Roy argue that the FTQ's constitutional outlook was driven by péquistes labour leaders who were able to convince labour activists that a social democratic class analysis needed to be rooted in a nationalist framework in order to be successful and gain widespread credibility in Quebec. The close relationship between the FTQ and the PQ was strengthened once Lévesque was elected Premier in 1976. Once in office, the PQ

solidified its ties to working class voters by passing a series of pro-labour measures in its first term. Although the PQ never presented itself as a labour party, it shared close relations with the labour movement, and in particular the FTQ. The composition of the FTQ in the 1970s, as a labour federation representing primarily private sector union affiliates, facilitated closer party-union relations. Whereas the FTQ could afford to foster close relations with a provincial government run by the PQ, both the CSN and CEQ had to be careful not to align themselves too closely with the péquistes for fear of falling into the dilemma of having to defend, or worse promote, the employer of the vast majority of their members. By 1980, the FTQ adopted much, if not all, of the PQ's positions on the National Question and language policy. The FTQ's social democratic agenda was fused with the PQ's nationalist agenda to create a formidable political alliance. On the eve of the 1980 Quebec referendum on sovereignty-association the FTQ and the PQ shared a basic common analysis of the Constitutional Question in Canada. This close relationship irritated more than a few unions leaders at the CLC, who worried that the FTQ harboured a secret separatist agenda within the ranks of organized labour. In order to avoid a rupture within the CLC, the Congress, in cooperation with the FTQ, adopted a Statement on National Solidarity which recognized Quebec's right to self-determination, but reaffirmed the solidarity of workers in both nations. Two years later, the FTQ and CSN both endorsed a OUI vote in the 1980 referendum on sovereignty-association in Quebec. The Federal NDP, on the other hand, joined the NON camp, thus further straining the relationship between the party and organized

labour in Quebec. Although the sovereignist camp was unsuccessful in the referendum campaign, support for sovereignty within the labour movement did not wane. The referendum campaign had exposed serious class divisions in Quebec society. The labour movement, and in particular the FTQ, worked hard as part of the nationalist coalition which helped to re-elect the PQ with an increased majority in 1981.

Chapter 6

The Silence of the Canadian Labour Movement: Patriation and the Charter of Rights and Freedoms

"I think we goofed as a labour movement, we should probably have paid a lot more attention to the Charter than we did."²⁸³

The 1980-81 Special Joint Committee on the Canadian Constitution heard submissions from over one thousand individuals and groups concerned about patriation and the future of the proposed Charter of Rights and Freedoms.²⁸⁴ Women's organizations, civil liberties associations, aboriginal organizations, ethno-cultural groups, and the business lobby all made their presence felt; the Committee even heard from a group of British Columbians who wanted the right to use hallucinogenic mushrooms entrenched in the Constitution.²⁸⁵ Neither the CLC nor the FTQ made a formal oral presentation to the Committee.

This chapter examines the CLC and the FTQ positions on patriation of the Constitution and argues that the Congress adopted a neutral position in order to avoid a

²⁸³ Fred Pomeroy, President, Communication and Electrical Workers of Canada, quoted in Pradeep Kumar and Dennis Ryan, eds., *Canadian Union Movement in the 1980's: Perspectives from Union Leaders*, (Kingston: Queen's University Press, 1988), 222.

²⁸⁴ Robert Sheppard and Michael Valpy, *The National Deal: The Fight for a Canadian Constitution*, (Toronto: Fleet, 1982), 137.

²⁸⁵ Ibid.

confrontation with the péquiste FTQ who opposed patriation. It will also be argued that the CLC's non-involvement in the process of patriating the Constitution was influenced by its desire not to exacerbate the internal dissent which already existed within the NDP over the issue of unilateral patriation of the Constitution with a proposed Charter of Rights and Freedoms. The second half of this chapter develops a critique of previously held assumptions about organized labour's decision not to participate in the process of patriating the Constitution, and proposes that CLC's decision to adopt a neutral position represented a significant shift in the relationship between the Congress and the FTQ.

The Aftermath of the 1980 Referendum

After the victory of the federalist forces in the 1980 Quebec referendum on sovereignty-association, Federal Justice Minister Jean Chretien was dispatched to the provincial capitals to test the waters for a new round of constitutional reform. His efforts resulted in the establishment of the 1980-81 Special Joint Committee on the Constitution. The Committee's task was to gather public input regarding patriation of the Constitution with a proposed Charter or Rights and Freedoms. Before the committee began hearing submissions, the CLC did take the time to write a letter in support of aboriginal rights,²⁸⁶ but that is as far as the Congress would go.

In Quebec, the FTQ, in a December 1980 memorandum to the provincial government wrote:

²⁸⁶ CLC Executive Council minutes, December 9-11, 1980.

Nous sommes en conséquence profondément indignés de la forme et contenu de la démarche de M. Pierre Elliot Trudeau. Nous regrettons d'ailleurs vivement qu'un parti social-démocrate comme le NPD s'enlign sur des positions centralisatrices et étroitement économistes cautionnant ainsi un procédé aussi antidémocratique que cette entreprise de repatriement unilatéral de la constitution canadienne.²⁸⁷

The Federation followed up in February 1981 with a detailed brief to the Quebec government criticizing the content of Trudeau's proposed constitutional package. The FTQ argued that unilateral patriation of the constitution was unnecessary, undemocratic and part of a strategy to increase the power of Ontario and the federal government at the expense of Quebec. The Federation also argued that the proposed Charter of Rights and Freedoms threatened the rights of workers and that the proposed amending formula was unacceptable because it did not give a veto to Quebec.²⁸⁸ In terms of labour organizations in English Canada, only the BC Federation of Labour bothered to submit a written brief to the committee which addressed the immediate concerns of the union movement. Its brief complained about the exclusion of social and economic rights from the proposed Charter of Rights:

Nowhere does one find reference to a general right to employment, the right to the enjoyment of just and favourable conditions of work, the right to form trade unions, the right to social security, the right to protection of the family, the right to an adequate standard of living, the right to the enjoyment of the highest attainable standard of physical and mental health, or a general right to education. It is our opinion that the failure of the Charter to make provision for this category of rights is its single most important shortcoming.²⁸⁹

²⁸⁷ FTQ, *Mémoire présenté par la Fédération des travailleurs du Québec au gouvernement de Québec*, (décembre 1980), 2.

²⁸⁸ FTQ, *Mémoire de la FTQ à la commission de la présidence du conseil et de la constitution relativement au projet de résolution du gouvernement fédéral concernant la constitution*, Québec, (5 février, 1981).

²⁸⁹ British Columbia Federation of Labour, *Presentation to the Special Joint Committee on the Constitution of Canada*, (January 8, 1981), 10.

Organized labour's absence from the Special Joint Committee's hearings was odd considering that Canadian unions had historically shown interest in the country's constitutional affairs. About a dozen labour organizations had participated in the Molgat-McGuigan Committee on constitutional reform which sat from 1970-1972. Local 444 of the United Auto Workers led the way by calling on the government to guarantee every Canadian the right to a job.²⁹⁰ At the CLC's 1978 convention, over a dozen labour organizations submitted resolutions on Canada's Constitutional Question. The FTQ, CUPE, and the Saskatchewan Federation of Labour (SFL) all submitted resolutions in favour of the principle of self-determination for Quebec, while the International Woodworkers of America submitted a resolution calling for national unity.²⁹¹ Eleven resolutions calling for patriation of a new constitution or constitutional reform were submitted by various unions locals representing the UAW, the USWA, the Fishermen's Union, the United Electrical, Radio and Machine Workers of America (UE), the Canadian Brotherhood of Rail and Transport Workers (CBRT), and the United Brotherhood of Carpenters and Joiners of America.²⁹² In 1979, a large number of labour organizations in Canada were making their views known to the Task Force on Canadian Unity. The Manitoba Federation of Labour, the Labour Council of Metropolitan Toronto, the USWA, the CSD, the Alberta Federation of Labour, the Nova Scotia Federation of Labour, in their submissions to the Task Force, all stressed the economic dimension of constitutional instability. The Labour Council of Metropolitan Toronto, for example, argued that "the primary source of the present crisis... is the failure of successive federal

²⁹⁰ UAW local 444 presentation to the Special Joint Committee of the Constitution of Canada, Vol 23 (October 12, 1970): 8.

²⁹¹ CLC, convention document, Québec, April 3-7, 1978.

²⁹² Ibid.

governments to meet the economic, social and cultural needs of Canadians.”²⁹³ It was therefore odd that organized labour in English Canada ignored Prime Minister Trudeau's assertion that patriation would result in a new constitution, a renewed federalism, and a new Charter of Rights and Freedoms. Such bold pronouncements ought to have signaled to organized labour that the constitutional talks of the early 1980s deserved unprecedented attention.

Why then did Canadians witness such disinterest on the part of organized labour in English Canada? The labour movement certainly did not "fall asleep at the switch" as some observers have suggested.²⁹⁴ On the contrary, the CLC was certainly attentive to the tension between Quebec and the Rest of Canada over constitutional issues (as evidenced by the internal struggle within the Congress) and acutely aware that the Charter could potentially pose a serious threat to the union movement. At a September 1980 CLC Executive Council meeting, Pat Kerwin, head of the CLC Political Action department, reported that “the Charter of Rights may come up in the next few months which could inevitably threaten collective bargaining rights.”²⁹⁵ The Canadian labour movement's decision to stay away from the constitutional battles on Parliament Hill in the early 1980s, it will be argued, was entirely political and based on a strategy of self-preservation. In order to understand the reasons behind organized labour's policy of non-involvement, one must first reconsider the political relationship between the CLC, the FTQ and the NDP.

²⁹³ Labour Council of Metropolitan Toronto, as cited in Task Force on Canadian Unity, (March 1979), 186.

²⁹⁴ Union lawyers, as cited in Michael Mandel, *The Charter of Rights and the Legalization of Politics*, 2nd ed., (Toronto: Thompson Educational Publishing, 1994), 261.

²⁹⁵ CLC Executive Minutes, September 15, 1980.

Constitutional Paralysis in the Canadian Labour Congress

Although the CLC helped co-found the NDP in 1961, the Congress has never been able to deliver votes to the party in any significant way. Despite the CLC's million dollar campaign contributions, the federal NDP has never been considered a serious contender for office. That said, the party has definitely had a lasting influence in Canadian politics, as evidenced by its ability to push successfully for social reform, especially as the power broker in a minority parliament.

Much of the NDP's electoral difficulties are a result of the party's dismal record in Quebec. The sheer size and strength of the province of Quebec unquestionably makes it a key component of the Canadian political system and the NDP is never likely to govern federally without the support of Quebec's working class. The province's influential trade union movement, which has identified itself with the nationalist cause since the late 1960s, has posed a serious problem for the NDP. The National Question has always been the NDP's Achilles heel in Quebec.²⁹⁶ How do New Democrats balance a belief in strong central government and national social programs with the sovereigntist and devolutionary demands of Quebec's labour movement? The debate over patriation and the Charter of Rights and Freedoms did not offer any new answers.

²⁹⁶ McLeod (1994), 66.

It could certainly be argued that the advent of a Charter of Rights and Freedoms provided organized labour's elected representatives in Parliament with an ideal opportunity to push for workers' rights as part of an overall constitutional package. After all it is widely accepted that the NDP was in a position to win certain concessions from the government in exchange for the party's support.²⁹⁷ Unfortunately for those concerned about entrenching labour rights in the Constitution, union rights were not a priority for the federal NDP. Only NDP MP Svend Robinson took up labour's cause by moving a modest amendment to section 2(d) of the Charter which would have explicitly protected the right to bargain collectively. The amendment was defeated.

It is important to note that constitutionally entrenched collective rights for workers were not of primary importance to any social democratic leader in Canada. After the new Constitution was proclaimed in 1982, Robert Sheppard and Michael Valpy claimed that British Columbia NDP leader Dave Barrett confessed "The constitution on a scale of ten was never more than one and a half to me. The whole debate was a gross waste of time."²⁹⁸ The Ontario and Alberta sections of the NDP both made long, detailed presentations to the Special Joint Committee on the Constitution which dealt with a myriad of different issues, but both neglected to mention the absence of specifically categorized labour rights in the Charter. Garth Stevenson, the Alberta NDP's constitutional advisor, explained that the party supported "the principle of entrenching Human Rights in the Constitution".²⁹⁹ Stevenson went on to express the view that,

²⁹⁷ Sheppard and Valpy (1982), 114.

²⁹⁸ Sheppard and Valpy (1982), 219.

²⁹⁹ Special Joint Committee on the Constitution of Canada, Vol. 33 (January 7, 1981): 110.

Of course, we support very strongly, in addition to the ordinary catalogue of individual human rights, two particular categories of collective rights which, in effect, as Mr. Notley [Alberta NDP Leader] pointed out, are inherent in the whole course of our country's history, the right of our aboriginal peoples and the equal rights of the two official languages right across Canada. We feel very strongly that those rights must be protected as well.³⁰⁰

Although the Alberta NDP opposed extending Charter rights to corporations, it was silent on the prospect of entrenching constitutional collective rights for labour. This oversight would have normally prompted organized labour to act, but instead, Canadian unions remained silent.

In essence, the CLC's neutrality was triangulated between its political loyalties to the federal NDP, its close political connection to powerful provincial sections of the party, and its practical need to retain the allegiance of the FTQ. When Prime Minister Trudeau announced in October 1980 that his government was prepared to move forward with unilateral patriation of the Constitution without provincial consent, Federal NDP leader Ed Broadbent gave his cautious approval, but demanded the inclusion of rights for women, the disabled, and aboriginal peoples as a condition of his party's support.³⁰¹ Content with the government's commitment to consider appropriate amendments, Broadbent enthusiastically endorsed Trudeau's plan to patriate the constitution unilaterally. Although patriation of the constitution was a longstanding policy of the NDP and its forerunner the CCF, Broadbent's lack of consultation within the party raised the ire of NDP provincial sections in western Canada, where Trudeau was *persona non grata*. To complicate matters, Saskatchewan Premier Allan Blakeney, the only NDP

³⁰⁰ Ibid.

³⁰¹ Judy Steed, *Ed Broadbent: The Pursuit of Power*, (Markham: Penguin Books, 1989), 245.

Premier in Canada at the time, opposed entrenching a Charter of Rights in the Constitution because he felt that it would shift power away from democratically elected legislators to unaccountable, potentially right-wing, judges.³⁰² The difference of opinion between Broadbent and Blakeney caused a major rift in the federal caucus and nearly ripped the NDP apart in the early 1980s.³⁰³ Alberta NDP leader Grant Notley sided with Blakeney, arguing that provincial agreement was necessary in order for patriation to take place. The two western NDP leaders were no doubt concerned about maintaining provincial control over resource revenues as well. From within Broadbent's own caucus, a group of four Saskatchewan MPs (Nystrom, de Jong, Anguish, and Hovdebo) publicly broke ranks with their leader and sided with Blakeney instead. Saskatchewan MP, Les Benjamin, who supported Broadbent, described the political tension as follows: "I was as popular as a skunk at a garden party in my own province. Close friends told me they'd never again put my sign on their lawn; they said I was a traitor to Saskatchewan. It was traumatic..."³⁰⁴

In Quebec, PQ Premier René Lévesque vigorously opposed the Charter and the patriated Constitution because of his belief that it did not recognize collective rights for Quebec. His government, along with the governments of Manitoba and Newfoundland, challenged the federal government's authority to proceed with unilateral patriation. Amid the legal deliberations on the constitutionality of unilateral patriation, Lévesque's position was eventually endorsed by the opposition Quebec Liberals, who joined the PQ

³⁰² Charles Campbell "The Canadian Left and the Charter of Rights," *Socialist Studies: A Canadian Annual*, no.2 (1984), 31.

³⁰³ Steed (1989), 242.

³⁰⁴ Benjamin quoted in Steed (1989), 250.

in condemning unilateral patriation of the Constitution.³⁰⁵ The Quebec government's position was also endorsed by the FTQ, the CSN and the CEQ. In fact, the Quebec labour movement's opposition to the patriation process was so intense that the trade union centrals actually toyed with the idea of appealing to the British Trade Union Congress for support in preventing a new constitution from being adopted in London. The FTQ did eventually join a group known as *Solidarité-Québec* which gathered 700,000 signatures on a petition calling on Queen Elizabeth II to protect Quebec from unilateral patriation of the Constitution.³⁰⁶

Caught in the middle of this entire constitutional episode was the CLC. The Congress did not take any sort of position on the Charter. According to CLC Executive Council minutes dated September 5, 1980, "President McDermott explained that he was of the view that we should not get involved in the 'circus' now completed, especially because the nature of our organization would not lend itself to us having a consensus even within our Council."³⁰⁷ After a brief discussion, it was generally agreed that the Congress should "stay out of the issue of the Constitutional Talks as much as possible at this time."³⁰⁸ These two statements are important because they shed light on the CLC's structure, which weakens the cohesiveness of the Congress based on internal cleavages relating to region and language.

³⁰⁵ Denis et Denis, (1992), 131.

³⁰⁶ Ibid.

³⁰⁷ CLC executive Council minutes, September 15, 1980.

³⁰⁸ Ibid.

Specifically in terms of patriation, the CLC was worried by the fact that the NDP was internally divided over the issue and that patriation was threatening to hurt the party electorally. It is also clear that the Congress understood that organized labour in Quebec was very much opposed to Trudeau's package of constitutional reform. The FTQ's growing strength within the CLC (as evidenced by the special status it was granted in 1974) guaranteed that the Federation's position could not be ignored. Furthermore, the CLC President was in an awkward political position personally given his unpopularity in Quebec at the time. McDermott's failure to back CUPW President Jean-Claude Parrot when he encouraged his members to defy a federal back-to-work order during the 1978 postal strike enraged rank-and-file union activists, especially in Quebec. Prior to being confronted with the issue of patriation of the Constitution, McDermott had barely survived a spring CLC convention in 1980 where the FTQ, Quebec locals of CUPE, and the CUPW roundly condemned McDermott for the Parrot incident. These same unions mused openly about finding a replacement for McDermott as CLC President.³⁰⁹ Since Broadbent, Blakeney and the FTQ were adamant about their respective constitutional positions, McDermott decided to duck the issue entirely with the help of his friend³¹⁰, FTQ President Louis Laberge, who was able to successfully pressure CLC executive members to stay away completely from constitutional affairs.

Analysis of CLC minutes confirms that the Congress was forced to make a very important strategic decision over patriation and the Charter of Rights and Freedoms. The CLC had several options, but the most practical intervention would have been to demand

³⁰⁹ "Quebecers ponder CLC restructuring," *Montreal Gazette*, (May 5, 1980), 4.

³¹⁰ Laberge and McDermott had known each other since 1964 when Laberge was hired as the UAW's organizing director for Quebec.

that the federal NDP make the collective rights of workers a condition of support for constitutional patriation. This option would have unquestionably created a bitter conflict between the FTQ, the CLC, and the NDP. The FTQ would have been angered by the fact that the CLC had entered into the Charter debate, thus lending credibility to the patriation process. Moreover, the NDP would potentially have been troubled by the CLC's insistence on creating a new condition for the party's support of Trudeau's constitutional package. A public split between the NDP, the CLC and the FTQ was certainly not in the interest of the Canadian labour movement.

The CLC's September 1980 decision to stay out of the constitutional debate did encounter some internal opposition. At the December 1980 Executive Council meeting, Alberta Federation of Labour President Harry Kostiuk appealed "for support in making representation to the federal government on the question of the patriated constitution and the entrenchment of the workers' rights in that constitution."³¹¹ Kostiuk was immediately supported by British Columbia Federation of Labour President Jim Kinnaird and Dick Martin, President of the Manitoba Federation of Labour: "It was expressed by Brother Martin that in Western Canada there is tremendous pressure being applied by the affiliates to say something about workers' rights, and he would rather see the Congress say something as a body, by reversing the decision made at the last meeting."³¹²

³¹¹ CLC Executive Council minutes, December 9-11, 1980.

³¹² Ibid.

McDermott clearly did not want to reopen the issue. “If Brother Laberge were here he would be speaking very strongly in disagreement of voicing our opinion.”³¹³ The CLC President was supported by his colleague Bob White, “who felt we have no choice at this time to reaffirm our position or we will be opening serious wounds we thought had been solved long ago.”³¹⁴ McDermott's view prevailed and the original position of the September 1980 meeting was upheld.

In early 1981, the highest courts in Quebec and Manitoba upheld the position of the federal government. However, Newfoundland's Court of Appeal ruled that unilateral patriation of the constitution would constitute a violation of constitutional convention. These contradictory rulings prompted the Prime Minister to refer the matter to Supreme Court of Canada.

Constitutional Battles in the New Democratic Party

While the Supreme Court deliberated, the internal battle within the NDP raged on. In an effort to bring both sides of the party back together, David Lewis and Tommy Douglas met with Blakeney and Broadbent and senior NDP staffers in Hull Quebec shortly before Lewis' death in May 1981. The meeting was a dismal failure. NDP federal secretary, Robin Sears, described the meeting as “the most personal, vituperative, unpleasant, unnerving, disillusioning, disheartening, experience I have ever endured in

³¹³ Ibid.

³¹⁴ Ibid.

my political life.”³¹⁵ Douglas and Lewis, who sided with Broadbent, were worried that the dispute over patriation would cause irreparable harm to the party.

The same fears existed in the CLC. One senior CLC official admitted to Judy Steed of the *Globe and Mail* that “many labour staffers were against Ed.”³¹⁶ The unidentified high-ranking union official went on to say that:

Trudeau gave nothing on collective rights, which are political rights and should be dealt with in Parliament by elected people, not appointed judges – but under Trudeau’s package, power was being shifted to the courts, there was nothing about the right to a job... So there was more off-the-record support for Blakeney’s position in the executive council of the CLC. But the CLC didn’t want to start a public war with Ed.³¹⁷

However, internal dissent within the CLC continued to mount. McDermott and Blakeney met in March 1981. According to Robert Sheppard and Michael Valpy, “The strongest message [Blakeney] received from Dennis McDermott was that the CLC president wished the constitution issue would go away so that the politicians could talk about unemployment, inflation and patriation – as he put it – of the economy.”³¹⁸ McDermott opened the March 9, 1981 CLC Executive Committee meeting by expressing his concern over “the continued harassment of Ed Broadbent by the Saskatchewan people with respect to the Constitution”.³¹⁹ The CLC President's message was clear: “Quit attacking the federal Party; they made a political deal and they cannot now walk away from it.”³²⁰ Later that month, at the CLC Executive Council meeting, Nadine Hunt of the

³¹⁵ Robin Sears quoted in *Love & Solidarity: A Pictorial History of the NDP*, Cameron Smith, ed., (Toronto: McClelland & Stewart, 1992), 220.

³¹⁶ Unidentified CLC official quoted in Steed (1989), 253.

³¹⁷ Ibid.

³¹⁸ Sheppard and Valpy (1982), 132.

³¹⁹ CLC Executive Committee minutes, March 9, 1981.

³²⁰ Ibid.

Saskatchewan Federation of Labour (SFL) further frustrated McDermott by urging the CLC to adopt a similar resolution on the Constitution to the one adopted previously by the SFL Executive. The resolution stated:

That the SFL, with respect to the Constitution, campaign for the following:

- a) abolition of the Senate or at least abolishing their veto power
- b) amending formula which recognizes population and regional areas of Canada
- c) the Charter of Rights does not infringe on trade union rights such as compulsory membership in legitimate trade unions, compulsory check-off, and the right workers to organize into the union of their choice.
- d) On other rights, the Constitution should provide an override clause which would give elected legislators, federal or provincial, the ultimate authority to amend/or implement legislation.³²¹

It is interesting to note that three of the SFL's four proposals were eventually adopted by the Federal government. Nevertheless, the CLC President rejected Hunt's resolution by stating that the CLC Council had previously agreed to take a neutral position. The CLC President went on to express his disappointment over the fact that the SFL wanted to enter into the constitutional debate. McDermott "appealed to Sister Hunt to exercise restraint".³²² Hunt's retort that the CLC was "doing a disservice to the workers of this country",³²³ did not sway the head of the CLC. The minutes report that "President McDermott said that whether our remaining quiet turns out to be right or wrong, it was a decision made by this Council."³²⁴ Despite these serious disagreements among leaders of the NDP and internal dissention in the CLC, in the end, delegates to the NDP's 1981 policy convention voted roughly 2-1 in favour of Broadbent's position.

³²¹ CLC Executive Council minutes, March 10-12, 1981.

³²² Ibid.

³²³ Ibid.

³²⁴ Ibid.

In September 1981, the Supreme Court of Canada ruled in split decisions that although the federal government did have the authority to patriate the constitution unilaterally, in doing so, it would be violating a constitutional convention requiring substantive provincial consent. The Supreme Court's decision in the *Patriation Reference* prompted a new round of constitutional consultation between Ottawa and the provinces. In November 1981, the federal government succeeded in gaining the support of every province, except for Quebec. During the "Night of the Long Knives", Lévesque slept while the other Premiers and Trudeau hammered out a final agreement which included a Notwithstanding Clause to allay the worries of people like Allan Blakeney who feared judicial supremacy under the new Charter of Rights and Freedoms. Upon learning that the other Premiers had accepted Trudeau's patriation scheme, Lévesque claimed that Quebec would neither sign, nor recognize the new Constitution.

Disorganized Labour: Alternate Explanations

Left-leaning critics of the Charter of Rights and Freedoms have taken numerous different perspectives on the issue of organized labour and patriation of the constitution. Michael Mandel has argued that labour's non-involvement in the patriation process stemmed from its belief that the Charter was of no consequence to Canadian unions.³²⁵ Mandel's conclusion is partially supported by comments made by legal scholar Joseph Weiler. Weiler contends that:

³²⁵ Mandel (1994), 259-262.

The union movement's refusal to attend the Special Committee hearings was not intended to be seen as a boycott or protest against the process of constitutional reform or the entrenchment of human rights in the Canadian Constitution. Rather, the leadership of the Canadian Labour Congress (CLC) decided that the unemployment rate at the time was so high that the unions could not use their limited resources to appear in front of another panel of politicians who were talking about the arcane issues of constitutional reform and human rights.³²⁶

Weiler's analysis, which was presented in 1985, is an excellent representation of the CLC spin which emerged after legal scholars first began hinting that organized labour had “missed the boat” or “fallen asleep at the switch” when it came to the Charter.

Although Weiler's analysis omitted important information, (he fails to address the tension between the FTQ and the CLC or the internal dissent which existed within the NDP), it did superficially reflect the labour movement's desire to see the government deal with concrete economic problems rather than abstract constitutional issues. However, his analysis does not come close to a full explanation of the CLC's motives. The CLC's decision to not participate in the process of patriating the Constitution was significant for several reasons. Most importantly, the Congress allowed its preference for a strong centralized federal state to be overshadowed by the FTQ's opposition to patriation. In other words, the tables had turned in the relationship between the CLC and the FTQ. For the first time, a provincial federation of labour was giving marching orders to the CLC. The CLC's self-imposed censorship on the issue of patriation and the Charter of Rights and Freedoms left it out of step with its allies in the new social movements and arguably did a disservice to the Canadian labour movement outside of Quebec.

³²⁶ Joseph M. Weiler “The Regulation of Picketing Under the Charter,” in *Litigating the Values of the Nation: The Charter of Rights and Freedoms*, Joseph M. Weiler and Robin M. Elliot, eds., (Toronto: Carswell, 1986), 213.

Admittedly, some members of the Congress were genuinely more concerned with inflation and unemployment than they were about the game of constitutional chess which was being played on Parliament Hill. It should therefore come as no surprise that the CLC Executive so easily acquiesced to Laberge and the FTQ. Labour leaders figured that the stakes were not high enough to merit a severe sovereigntist headache. In general, dissident unions and provincial federations of labour (with the exception of British Columbia) lined up behind the CLC's position as an act of solidarity.

On April 17 1982, Queen Elizabeth II proclaimed Canada's new Constitution Act. A few months later, the Supreme Court of Canada ruled that Quebec did not have a veto over constitutional amendments. In the aftermath of the Supreme Court decision, the FTQ, the CSN and the CEQ joined the Société Saint Jean-Baptiste and released a joint statement asserting "cette Constitution... n'est pas, ne peu pas être et ne sera jamais la nôtre."³²⁷

Summary

This chapter has focused on the CLC's experience with constitutional reform in the early 1980s. The first half of the chapter was devoted to explaining why the labour movement excluded itself from the process of patriating the Constitution. Primary sources strongly suggest that the both the CLC and the NDP were internally divided over the issue of patriation. Whereas CLC executive members argued over strategy and how

³²⁷ FTQ, CSN, CEQ. Déclaration conjointe, 11 décembre, 1982.

best to deal with party-union relations, the NDP was internally divided over both the substance and the process of constitutional reform. The Saskatchewan NDP, in particular, argued that the unilateral patriation of the Constitution with a Charter of Rights and Freedoms violated provincial rights and would give too much power to unelected and unaccountable judges. On the other side, Federal NDP leader Ed Broadbent and the party's establishment argued that support for patriation of the Constitution was a longstanding party policy and that the Charter of Rights would protect the interests of minorities. In the end, Broadbent's position prevailed and Premier Blakeney eventually agreed to a modified patriation scheme. The CLC's position on patriation was shaped by its allies in both the NDP and FTQ. In the eyes of many English Canadian labour leaders, the FTQ's strong opposition to Trudeau's constitutional vision was offset by NDP leader Ed Broadbent's enthusiastic support for a strong Charter of Rights and Freedoms. Reluctant to offend its political allies in either camp, the CLC officially decided to remain a neutral observer as the debate over patriation and the Charter unfolded.

The second part of this chapter was devoted to critiquing alternate explanations for the CLC's silence on patriation. Several scholars have argued that the CLC was either unaware or genuinely disinterested in constitutional issues and therefore did not play an important role in the patriation debate. However, primary sources strongly indicate that these explanations are simply insufficient. Although it is accurate to suggest that the CLC was not an active participant in the process of constitutional reform, inactivity should not be confused with disinterest. The Congress made a strategic

political decision to exclude itself from the patriation debate to avoid an internal battle between its political allies in the NDP and its labour allies in the FTQ.

Patriation of the Constitution with the Charter of Rights and Freedoms, in many ways, represented the triumph of liberalism in Canada. As Reg Whitaker has correctly noted, “That the Charter should reflect an image of liberal rather than social democracy is not particularly surprising given the structure of Canadian society, and the philosophical make-up of the governing party.”³²⁸ Of course, Whitaker recognized that the role of the Left had traditionally been to challenge the limits of liberal democracy. However, in assessing the NDP and CLC approaches to patriation, he has correctly noted that, even among left-wing activists, “democracy in Canada seems well defined by liberal limits.”³²⁹ The NDP’s limited approach to the patriation debate, evidenced by its failure to argue the merits of, let alone demand, the inclusion of social and labour rights into the new constitution, demonstrated the party’s own political limitations.

For its part, the CLC’s hands-off approach to patriation in many ways vindicated the NDP’s weak position on constitutional reform. By refusing to apply any sort of pressure on the NDP to make labour rights a condition of the party’s support for constitutional patriation, the CLC abdicated its responsibility as an organization representing the interests of workers. Rather than participate in the constitutional debate, the CLC simply wanted it to disappear. Although the Constitution was patriated with a

³²⁸ Reginald Whitaker, *A Sovereign Idea: Essays on Canada as a Democratic Community*, (Montreal: McGill-Queen’s University Press, 1992), 223.

³²⁹ Whitaker (1992), 224.

Charter of Rights and Freedoms in 1982, Quebec's exclusion from the political deal that brought forth the new Constitution ensured that Canada's constitutional question had not yet been answered. If the patriation debate taught the CLC anything, it was that the Congress could not afford to sit on the sidelines and ignore constitutional questions while the media and politicians obsessed over them.

Chapter 7

Organized Labour and Constitutional Reform Under Mulroney

“Le Québec sera distinct à l’intérieur du Canada, ou alors il le sera à l’extérieur du Canada.”³³⁰ – Prime Minister Brian Mulroney

The federalist victory in the 1980 Quebec referendum and the PQ's shift to the right in the mid 1980s temporarily calmed separatist forces within the Quebec labour movement –sovereignty was viewed as more of an insurance policy than an immediate priority in this period. René Lévesque’s “beau risque” strategy of supporting Brian Mulroney’s Conservatives in the 1984 federal election in an effort to boost Quebec’s constitutional fortunes alienated hard-line sovereignists in the PQ and prompted the resignation of a handful of cabinet ministers. However, the election of Jacques Parizeau as PQ leader in 1988 and the explosive debate over the Meech Lake Accord reinvigorated nationalist sentiment in the PQ and among Quebec’s working class.³³¹ The FTQ’s renewed support for the sovereignist option once again forced the CLC to confront the issue of constitutional reform.

The CLC's decision-making process on constitutional issues has been based on balancing the competing interests and objectives of the NDP and the FTQ. These organizations form two distinct pillars of strength inside the Canadian labour movement

³³⁰ Brian Mulroney quoted in Bouilane (2003), 20.

³³¹ Guntzel (2000), 387.

and they have very different views of federalism and the country's future. After the 1984 election, which saw Brian Mulroney's Conservatives form an impressive majority government, FTQ President Louis Laberge confessed:

J'ai voté NPD comme je l'ai fait depuis 1962, mais sans illusion. T'as beau fouetter une vieille picouille, ça n'avance pas vite! Et avec le rôle joué par son chef Ed Broadbent dans le camp du NON lors du référendum, le parti n'avait pas aidé sa cause chez nous. Pour aggraver son cas, Ed avait appuyé le coup de force constitutionnel de Trudeau contre le Québec, le Canada bill.³³²

Mulroney's Conservatives, who ran on a campaign promise to bring Quebec back into the constitutional fold, took 58 of 75 seats in that province. The PQ machine, motivated more by a desire to see the federal Liberals go down to defeat, helped put Quebec nationalists running under the Conservative banner over the top in many Quebec ridings. In 1987, Mulroney and the Premiers met at the Prime Minister's cottage on Meech Lake near Gatineau Quebec to hammer out a set of constitutional amendments which became known as the Meech Lake Accord. The Accord contained five major proposals which Quebec Premier Robert Bourassa insisted be accepted in order to secure his government's support for constitutional reform. The Accord committed to recognizing Quebec as a "distinct society" within Canada; renewed Canada's commitment to official bilingualism; increased provincial authority over immigration; expanded the provincial right to a constitutional veto; and gave provincial governments more input into the process of selecting Supreme Court Justices and Senators. Although the First Ministers were all in agreement on the Meech Lake Accord, Canada's new Constitution required that changes to its amending formula be approved by the Federal

³³² Fournier (1992), 325, 326.

Parliament and all ten provinces within three years before it could be proclaimed into law. This three year window provided citizens the opportunity to more closely scrutinize the Accord and suggest amendments.

Patriation of the Constitution had unquestionably divided the CLC, the FTQ and the NDP, and the Meech Lake Accord would only made a bad situation worse. Instead of appealing to class sentiments through a campaign for the entrenchment of constitutional workers' rights, the labour movement in English Canada once again skirted around the issue, while the labour movement in Quebec fell into line with the péquiste argument that the Meech Lake Accord did not deliver enough to Quebec. For its part, the NDP once again aligned itself with the government in order to put the constitutional question to rest.

The CLC, the FTQ and the Meech Lake Accord

The CLC approached the Quebec round of constitutional reform in much the same way that it approached the constitutional debate of the early 1980s -- by making a politically safe statement in support of aboriginal rights. In a March 11, 1987 statement, the CLC declared "There can be no real justice for aboriginal people until their rights to full self-determination are both recognized and respected."³³³

Once the April 30th First Ministers Conference at Meech Lake led to an agreement on amending the Constitution, the CLC's narrow statement on aboriginal rights became unsatisfactory to many trade union activists. The CLC was acutely aware that the prominence of constitutional issues in the early 1980s had effectively reduced the

³³³ CLC, *Statement on behalf of Shirley Carr, President CLC*, (March 11, 1987), 2.

voice of the labour movement. If Meech were the only game in town, organized labour would be forced to play a role. Unions could not afford to be shut out once again. Before the legally worded version of the agreement could be produced, the FTQ leadership, in lockstep with the PQ, was busy denouncing the Accord for its lack of clarity and failure to deliver on Quebec's traditional demand for wider powers and jurisdictional authority over social security, manpower, and international relations.³³⁴ On May 20, 1987, the FTQ came out forcefully against the accord in a twelve-page memorandum to the Quebec government. In it, the Federation explained its opposition to the Accord within the wider context of Canada-Quebec relations.

La FTQ n'est pas, par nature, un mouvement nationaliste. Si, au cours des dernières décennies, on constate une certaine convergence entre ses revendications et celles de regroupements voués à la défense des intérêts nationaux des Québécois, c'est qu'il y a identités de vues entre ceux qui défendent des intérêts des travailleurs et travailleuses québécois et ceux qui travaillent à l'émancipation du peuple québécois.³³⁵

Generally, the Federation condemned the Accord for failing to adequately address the aspirations of Quebecers. More specifically, the FTQ criticized the proposed amending formula and the decentralization provisions of the accord for their lack of asymmetry. As the FTQ put it in its memorandum, "Nous sommes bien conscient en effet que, si le gouvernement fédéral concédait à toutes les provinces les pouvoirs essentiels que le Québec réclame historiquement, il n'y aurait plus de gouvernement fédéral. En donnant à toutes un peu de ce que nous réclamons, il noie le poisson."³³⁶ CLC President Shirley Carr wrote to the Prime Minister in June of 1987 asking for public hearings to be held on the Accord. A month later, the Executive Committee of the Congress approved a

³³⁴ *Toronto Star*, (May 21, 1987), A8.

³³⁵ FTQ, *Position de la FTQ devant la commission des institutions*, (20 mai, 1987), 4.

³³⁶ FTQ (20 mai, 1987), 7.

motion to make a presentation to the Special Joint Committee set up to hear the public's concerns over Meech Lake.

In an August 1987 presentation to the Special Joint Committee on the 1987 Constitutional Accord, written by Ron Lang, the CLC argued that:

The Meech Lake Accord, in our view, clearly represents a devolution of powers from the federal government to the provincial governments. This is a dangerous development in a country which is characterized by great regional differences, mass distances and a decentralized federal system...

... It is not a matter of tinkering with amendments; rather it is a matter of deciding what kind of country we want Canada to be before we take the leap into the abyss. The Accord does not contain the seeds of the Canadian Labour Congress' vision of Canada. We do not want a 'community of communities'.³³⁷

The Congress did, however, go out of its way to point out to the Committee that its vision of Canada was not shared by the FTQ. The submission read:

On this question of opposition to the Accord the Quebec Federation of Labour and the Canadian Labour Congress oppose it for very different reasons. Again, when it comes to the fundamental law of the land this is to be expected. As a Congress we will always support the right of our Quebec Federation to take its own independent position on such issues.³³⁸

With that proviso, the Congress went on to criticize the secretive process of constitutional reform, but barely considered its content. Although the CLC dealt briefly with the spending power, amending procedures, and the equality provisions of the Charter, it once again failed to advocate constitutionally entrenched rights for organized workers. This approach was consistent with the discussion paper on the Charter of Rights which was produced by CLC staff in the Spring of 1987. It is important to note that this

³³⁷ Canadian Labour Congress, *Presentation by the Canadian Labour Congress to the Special Joint Committee on the 1987 Constitutional Accord*, (August 20, 1987), 8.

³³⁸ CLC (August 20, 1987), 3.

discussion paper was prepared less than a month after the Supreme Court's "Labour Trilogy" rulings on April 9, 1987.³³⁹

The CLC's Charter discussion paper, written by Ron Lang, tried to put the labour trilogy loss in the best possible light by suggesting that "the impact of the Court's decision is neutral. We are no worse off now than we were before the Charter came into force."³⁴⁰ This questionable assertion was followed by a number of rhetorical questions aimed at discrediting the Canadian legal system as an avenue to advance the interests of workers. On page 3, for example, the report states that "the Congress needs to make a decision on the fundamental issue of whether, in light of this judgment, it wants to have the right to bargain collectively and the right to strike put in the Charter. Do we as a Congress want to give the Courts power to determine our future, or do we want this to remain a matter for the legislatures?"³⁴¹ The discussion paper goes on to ask: "In light of these decisions by the Supreme Court, is it not better for labour to reaffirm its support for electing NDP governments which will be good employers and which will also protect labour rights through sound labour legislation?"³⁴²

Many trade unionists, especially in the public sector, would ridicule the suggestion that NDP governments make "good employers". The provincial administrations of Bob Rae, Roy Romanow and Michael Harcourt certainly helped to dispel the myth that the NDP is controlled by the labour movement. Even in 1987, when the discussion paper was prepared, it could have been argued that NDP governments had

³³⁹ The "Labour Trilogy" ruling clarified, in a split decision, that the Charter of Rights and Freedoms does not include the right for unions to bargain collectively or to strike.

³⁴⁰ Canadian Labour Congress, *Discussion paper on the Charter of Rights and Freedoms*, (May 6, 1987), 2.

³⁴¹ CLC (May 6, 1987), 3.

³⁴² CLC (May 6, 1987), 4.

a poor track record as employers. Dave Barrett's provincial NDP government put an end to major labour disputes in British Columbia with back-to-work legislation in 1975.³⁴³ As a result, thousands of workers were denied the ability to bargain collectively. British Columbia Federation of Labour President, Len Guy, called the NDP's strike-breaking legislation a complete betrayal of party principles.³⁴⁴ Allan Blakeney's provincial NDP government imposed the "Maintenance of Operations of Saskatchewan Power Corporation Act" on workers in January of 1975.³⁴⁵ The Bill ordered members of the International Brotherhood of Electrical Workers back-to-work in that province. In Manitoba, NDP Premier Ed Schreyer infuriated many rank-and-file trade unionists in the CLC by supporting the Trudeau government's wage and price controls. The NDP governments in British Columbia, Saskatchewan and Manitoba proved that they were willing to use coercive tactics against workers despite the social democratic rhetoric of cooperation and consent. Successive NDP governments have all struggled with their dual responsibility as a public sector employer and as a political ally of organized labour.

The CLC's discussion paper on the Charter concluded as follows: "If we want good employers and good governments which will give labour the legislative protection it needs, we need to stay the course and fight it out in the political arena. We know how to fight for our rights with the politicians, but the Courts have never been an area on which we could rely."³⁴⁶

³⁴³ Dave Barrett and William Miller, *Barrett: A Passionate Political Life*, (Toronto: Douglas & McIntyre, 1995), 101-106.

³⁴⁴ Barrett and Miller (1995), 105.

³⁴⁵ Panitch and Swartz (2003), 248

³⁴⁶ CLC (May 6, 1987), 3.

The Congress was clearly not interested in the Charter or the expensive lawyers that came with it. Instead, it would concentrate on electing NDP governments. However, the fact that the CLC decided to shy away from the constitutional debate did not stop its affiliates from questioning the decision of their labour leaders. The Public Service Alliance of Canada (PSAC), in particular was interested in constitutionalizing rights for workers in the Constitution. However, even the Congress representatives presenting the CLC position on Meech seemed unable to agree on whether the Charter should be amended to protect the collective rights of workers. When asked why the CLC did not mention the recent “Labour Trilogy” decisions in its brief to the Special Committee dealing with the Accord, Dick Martin responded that the Congress “wanted to comment directly on what was in the Meech Lake Accord rather than be here proposing substantial amounts of amendments.”³⁴⁷ Martin added that the CLC would “be most happy to be back if the committee and the government sees fit to start the process over and consider our concerns about the right of association.”³⁴⁸ Martin's answer obviously did not sit well with the CLC's Director of Policy and Planning, Ron Lang, who felt the need to clarify the CLC's position on labour rights in the Charter by suggesting that:

There is a fundamental point on the question of enshrining labour rights in the Charter of Rights. The question is whether they should be enshrined in a Charter of Rights, thereby handing the power to interpret our rights to a court, or whether those rights should remain silent in the Charter. We will fight it out with the politicians provincially and federally on election day.³⁴⁹

³⁴⁷ Dick Martin in the Minutes of the Special Joint Committee on the 1987 Constitutional Accord, (August 20, 1987) 10:12.

³⁴⁸ Ibid, 10:13.

³⁴⁹ Ron Lang in the Minutes of the Special Joint Committee on the 1987 Constitutional Accord, (August 20, 1987) 10:12.

Lang was later supported by Executive Vice-President Nancy Riche, who confirmed the CLC's judicial phobia in a response to a question from NDP MP Pauline Jewett. Riche stated that "as much as we are not crazy about a lot of the politicians who are in power across the country, we would still want to take our chances with the political leaders and the lobby effort and the pressure we could bring to bear on getting change as it affects the trade union movement, as opposed to leaving it to the courts."³⁵⁰

Although the CLC leadership did not want constitutionally entrenched labour rights, many rank-and-file trade unionists were acutely aware of the importance of meaningful participation in constitutional affairs. In fact, several labour organizations sent resolutions to be debated at the 1988 CLC Convention advocating a constitutionally entrenched Bill of Rights for labour. A resolution submitted by the St. Catharines and District Labour Council read as follows:

Whereas the Canadian Constitution has no provision for a Bill of Rights for labour; and

Whereas there is an increased use by the state, of the courts and police to break strikes and thereby weaken the labour movement; and

Whereas governments are increasingly introducing legislation which interferes with workers' rights to organize and bargain collectively;

Therefore be it resolved that the Canadian Labour Congress initiate a coordinated programme to secure a Bill of Rights for labour enshrined in the Constitution; and

³⁵⁰ Nancy Riche in the Minutes of the Special Joint Committee on the 1987 Constitutional Accord, (August 20, 1987) 10:17.

Be it further resolved that included in a Bill of Rights for labour is the guarantee of unfettered right to organize, to bargain collectively, to strike and to picket.³⁵¹

The fact that this resolution, or similar resolutions, did not reach the convention floor did not deter other labour organizations from trying again in future years. In April 1990, PSAC's Daryl Bean brought up the issue of a Workers' Bill of Rights at a CLC Executive committee meeting. The following passage is contained in the official CLC minutes:

Workers' Bill of Rights

Brother Bean explained that the Legislative and Government Employees' Committee has some Resolutions dealing with Workers' Bill of Rights and wondered how the Executive Committee felt about any of these Resolutions reaching the floor. Several members of the committee felt that if possible, it should be avoided.³⁵²

Private sector union leaders, in particular it seemed, had little use for a Bill of Rights which they perceived as a politically naive instrument that would only marginally benefit workers in the public sector, and even that was doubtful.

Between 1987 and 1990, the scope and character of the debate on the Meech Lake Accord changed enormously, but the CLC's position remained constant. Pierre Trudeau emerged as a strong and outspoken opponent of Meech, and helped solidify opposition to the Accord in English Canada. Frank McKenna's New Brunswick Liberals, riding a wave of anti-Meech protest, swept every seat in the provincial legislature, and the NDP government in Manitoba was soundly defeated by Meech Lake skeptics. Subsequent First Ministers Conferences failed adequately to address the concerns of the newest Premiers,

³⁵¹ Canadian Labour Congress, *Position of the CLC on the Meech Lake Accord*, (September 5, 1989), Appendix, 1.

³⁵² CLC Executive Minutes, (April 10, 1990), 4.

and a week before the CLC's convention in May 1988, the House of Commons approved a motion to entrench property rights into the Constitution.

These controversial new developments prompted labour activists to demand that the Congress, once again, take a firm position against the Accord. In March 1988, delegates to the National Union of Provincial Government Employees' convention approved a strongly worded position paper condemning the Meech Lake Accord for its impact on federal social programs and the lack of public input involved in the process of constitutional reform. Unlike most CLC affiliates, NUPGE, Canada's second largest union, did not have official ties to the NDP. NUPGE's secretary-treasurer, Larry Brown, responding to criticism that organized labour has been reluctant to take a firm position on Meech for fear of embarrassing the pro-Meech NDP, told the *Globe & Mail*, "The NDP as a political party has choices to make that are political."³⁵³ Unlike most labour leaders, Brown felt that it was important for organized labour to take strong, principled independent positions on the political, economic and social issues facing Canada. In January 1988, CUPE's national executive board criticized the Accord for being "flawed, inadequate and unacceptable."³⁵⁴ CUPE's position, according to its President, Jeff Rose, reflected the union's multiple, and in some cases, contradictory, arguments against Meech Lake. Rose told the *Globe & Mail*, "All we know is that so many people are leveling so many different kinds of criticism at this that it can't be healthy."³⁵⁵

At the CLC's 1988 convention, four resolutions opposing Meech Lake were submitted. The resolutions were drafted by CUPE local 79, CUPE local 1004, the

³⁵³ Larry Brown quoted in *Globe & Mail*, (March 10, 1988), A14.

³⁵⁴ *Globe & Mail*, (March 10, 1988), A14.

³⁵⁵ Jeff Rose quoted in *Globe & Mail*, (March 10, 1988), A14.

Canadian Brotherhood of Railway, Transportation and General Workers, and the United Fishermen and Allied Workers Union locals 1 through 99, respectively. The four separate resolutions were merged into one composite resolution by the CLC's Legislative Committee and presented to the Convention as follows:

WHEREAS the Meech Lake Accord on the Constitution places additional powers in the hands of the provinces and therefore weakens the ability of the Federal government and undermines the universality of social programmes by allowing provinces to opt out of the universal federal programmes; and

WHEREAS the Congress has developed a sensible credible position on Meech Lake;

THEREFORE be it resolved that this 17th Convention of the Canadian Labour Congress demand appropriate amendments be made to enshrine the status in confederation of Quebec, the meaning and scope of aboriginal title, recognition of women's rights and the opportunity for provincial status for the Territories, if they so choose.³⁵⁶

The Meech Lake resolution was never debated at the 1988 convention because it was immediately referred to the CLC Executive Council once it was introduced. At a September 1988 Council meeting, labour leaders defeated a motion to adopt the Meech Lake resolution. The following exchange took place after the motion was defeated: "In response to a question by Brother Wilson on what position the Congress now takes on Meech Lake, President Carr replied that the position is the same as in the submission made to the Parliamentary Committee."³⁵⁷

While the CLC retreated from the debate over the Meech Lake Accord, the Quebec Question figured prominently at the Federal NDP leadership convention in December 1989. Ed Broadbent was a strong supporter of the Meech Lake Accord, but

³⁵⁶ Canadian Labour Congress, Position of the CLC on the Meech Lake Accord, (September 5, 1989), 3.

³⁵⁷ CLC (September 5, 1989), 4.

the two top contenders to replace him, former B.C. Premier Dave Barrett and rookie Yukon MP Audrey McLaughlin, were both opponents of Meech. Barrett was seen as the candidate who could consolidate the party's base in western Canada, but his inability to communicate in French was seen as a major shortcoming. McLaughlin, on the other hand, lacked experience, but she was a fresh face and showed a strong willingness to reach out to Quebec, despite her opposition to the Accord.³⁵⁸ Future CLC President Ken Georgetti, a Barrett supporter, argued that the former Premier would reiterate a Trudeau-like vision of constitutional affairs, adding "If we pay too much attention to Quebec, we have the real potential of hemorrhaging in the west and losing our base..."³⁵⁹ Ironically, the party had scheduled its convention in conflict with the FTQ convention – thus effectively reducing the size of the overall Quebec delegation. The federal party's associate president from Quebec, Michel Agnaieff, announced that he was boycotting the NDP convention and argued "if any other labour convention, even Newfoundland's had been that weekend, they would have changed it.... This attitude, it's a disease you know, it's like asthma, it keeps flaring up."³⁶⁰ The convention produced a carefully orchestrated compromise resolution on Meech Lake which reconfirmed the party's support for "Distinct Society" status for Quebec, but suggested that the Accord be amended to safeguard rights for women, aboriginals, and minority groups "through direct amendment or another amendment process."³⁶¹ The compromise resolution allowed Broadbent to save face, temporarily calmed the anti-Meech forces within the party, and only slightly

³⁵⁸ Unlike Barrett, who offended most Quebec delegates for calling for a twenty year moratorium on constitutional reform, McLaughlin's opposition to Meech stemmed strictly from the fear that it would prevent the Yukon from achieving the status of a province. Quebec delegates did not seem fazed by what they considered her principled opposition.

³⁵⁹ *Toronto Star*, (November 11, 1989).

³⁶⁰ *Ibid.*

³⁶¹ *Toronto Star*, (December 2, 1989), A17

annoyed the Quebec delegation. McLaughlin defeated Barrett on the fourth ballot, but the NDP's fortunes did not seem to improve in Quebec. In fact, the party's presence in Quebec sunk like a stone over the next few years, largely because of the NDP's characteristically fuzzy stand on the Quebec National Question.

By 1990, the CLC's 1987 submission on Meech Lake had become out-of-date and irrelevant. At an April 1990 CLC Executive meeting, which took place a couple of days after the Newfoundland legislature rescinded its approval of the Accord, "Brother [J.P.] Hunter [of the Canadian Brotherhood of Rail and Transport Workers (CBRT)] pointed out that the issue of Meech Lake was never discussed on the floor of the CLC convention. He stated that his union is against Meech Lake, and went on to say that everyone is discussing Meech Lake except the Congress, which he thinks is wrong."³⁶² In response, "Brother [Jeff] Rose [of CUPE] expressed the view that he would be willing to duck entirely again to avoid a confrontation with Quebec."³⁶³ According to Rose, "Acceptance of Meech Lake has now become a symbol of acceptance of Quebec. If we are against it, it may mean that we drive Quebec out."³⁶⁴

Although Rose favoured keeping silent, many in the labour movement did not. Among those who felt strongly about Meech Lake was Shirley Carr, who was elected CLC President in 1985 after Dennis McDermott's retirement. Carr, a former CUPE Vice-President, was the first woman and the first public sector trade unionist to lead the CLC. Carr felt that the Congress could not afford to ignore the constitutional crisis which was dividing Canadian workers along regional and linguistic lines. The CLC President wanted

³⁶² CLC Executive Minutes, April 10, 1990.

³⁶³ Ibid.

³⁶⁴ Ibid.

the Congress to take a firm stand on Meech Lake. In response to Brother Hunter's concerns, the CLC Executive voted to make a second presentation to the Parliamentary Committee dealing with Meech Lake, but a month later, Carr reported that "the presentation never took place because the Congress could not find a position which incorporated the concerns of most union affiliates without offending others".³⁶⁵

"Caught in the Vices of Federalism"

To borrow a phrase from Richard Schultz, the CLC was "caught in the vices of federalism". In his study of highway transport regulation, Schultz argued that Canada's federal system had a negative impact on interest group cohesion, both internally and externally.³⁶⁶ As was previously stated, the CLC is a highly centralized confederally-structured organization made up of provincial federations of labour, community-based labour councils, and affiliated national and international unions. Canada's historic regional cleavages and split jurisdiction over labour issues practically necessitates this type of organization. In his study of the CLC, David Kwavnick argued that the CLC was an ineffectual pressure group because of its structure. In terms of practical functions, Kwavnick noted that "it is obvious that almost every function now performed by the Congress could be performed by affiliates themselves."³⁶⁷ Kwavnick went on to suggest that "the primary function of the CLC is to police its constitution which, in turn, is an agreement among union leaders to respect the integrity of each other's organizations."³⁶⁸

³⁶⁵ CLC Executive Minutes, May 7, 1990.

³⁶⁶ Schultz (1980), Chapter 7.

³⁶⁷ Kwavnick (1972), 38.

³⁶⁸ Kwavnick, (1972), 45.

Kwavnick's key argument that the Congress acts as a referee rather than as a leader is helpful in understanding the powerful undercurrent which has informed the CLC's position on issues of constitutional reform.

This institutional reality aside, Shirley Carr's personal style of leadership during the pivotal period when constitutional questions came to dominate national politics faced some hefty criticism from several sections of the labour movement. In his monthly labour column in *Canadian Dimension*, Geoff Bickerton lamented that "during recent years the CLC has come under sharp criticism for its inability to provide effective leadership on matters of national importance."³⁶⁹ He went on to note that "increasingly the Congress has been overshadowed by its larger affiliates and the larger federations which have assumed greater prominence within the labour movement and have played a significant role in the political affairs of the country."³⁷⁰

During this period, the NDP's Quebec section adopted an increasingly nationalist character. It condemned the 1982 Constitution Act as illegitimate, opposed the Meech Lake Accord for not adequately addressing the aspirations of Quebec, and defended the content of the controversial language law, Bill 101. In 1989, its relationship with the federal NDP was dissolved when it adopted a pro-sovereignty position.³⁷¹ In other words, as the politics of the Quebec NDP converged with those of the Quebec labour movement, the relationship between the Federal NDP and its Quebec section became increasingly strained, finally resulting in an official split.

³⁶⁹ Bickerton, "Carr vs. White: Battling over the presidency of the CLC, the standoff continues," *Canadian Dimension*, (March 1990), 32.

³⁷⁰ Ibid.

³⁷¹ Denis et Denis (1992), 140.

In a January 30, 1991 memo to President Carr, a senior CLC staff member wrote:

For the nation as a whole, recent experience with constitutional reform has been painful. The labour movement is nothing more (in this context) than a microcosm of the nation with all the same internal conflicts – regional, linguistic, cultural, etc. Consequently, it would be unreasonable to expect that our dealing with the Constitution would be any simpler than it has been for the nation. Our Anglo and Franco members are divided. Affiliate leadership is forced to be sensitive to the competing concerns of both groups. Federation of Labour leadership has to be mindful of provincial and regional priorities. The Anglo membership, on this issue, is probably not nearly as homogeneous as its Franco counterpart. In sum, no matter what course the CLC pursues, it will have to contend with all these familiar tensions.³⁷²

The CLC's non-involvement in the Quebec round frustrated some members of the CLC Executive Council. “For the record, Brother Hunter voiced his disappointment, and stated that it was a sad commentary on the Congress and on the Canadian labour movement that it had not faced this issue.”³⁷³ The CLC's May 1990 convention provided the Canadian labour movement with one last opportunity to take a stand on the Meech Lake Accord, but the debate over Meech was cancelled after FTQ President Louis Laberge privately threatened to pull the Quebec Federation out of the Congress. According to CLC minutes, “Brother Laberge reported that the [FTQ] caucus had met, and that as a result, he was strongly urging the Council not to bring the resolution on Meech Lake before the convention.”³⁷⁴ The resolution, Laberge argued, “was considered to be in direct contradiction to the one adopted by the FTQ at their convention in Quebec, in violation of their good faith, and an insult to their common sense. He added that the

³⁷² Canadian Labour Congress, *Memo re: the Canadian Constitution and Quebec – Considering the CLC's Approach*, (January 30, 1991), 10.

³⁷³ CLC Executive Minutes, May 7, 1990.

³⁷⁴ CLC Executive Minutes, May 16, 1990.

delegation would not only be walking out, but would not be coming back.”³⁷⁵ Later that day, the CLC Executive Council decided to appease Laberge by arranging for the controversial resolution to be withdrawn. The minutes read as follows:

Meech Lake Resolution

Brother Laberge advised he had met with his Executive Committee and that they were quite agreeable to the presentation of a straightforward statement to the delegates asking for their support [to withdraw the resolution]. Following discussions, the Council agreed Brother Laberge would make a statement Thursday morning before the Report of the Legislative and Government Employees Committee. This would allow some time for the Council to talk with their caucuses. It was also agreed that the resolution be referred immediately to the Executive Council and that Brother Holder move the referral. It was suggested that the referral be prepared in advance, and the convention start 10 minutes late to have time to reach delegates on the floor.³⁷⁶

Laberge told delegates on the convention floor that the Accord “can only divide us at a time when we need so much to be united and fight together... This is not a political issue - this is a politician's issue.”³⁷⁷ Laberge's passionate plea for solidarity earned him a standing ovation from convention delegates, but the CLC's failure to confront the issues surrounding the Meech Lake Accord was hardly cause for celebration. On June 22, 1990, Meech failed and the Congress once again demonstrated its ineffectiveness as a pressure group. The CLC's unwillingness to provide any sort of concrete economic analysis of the Meech Lake Accord was compounded by the unique conjunctural problem of finding a comfortable middle ground between the anti-Meech Quebec labour movement and the pro-Meech NDP. Instead, the Congress pretended that Meech Lake was some obscure and unimportant issue which was distracting the Canadian public. The FTQ President's

³⁷⁵ CLC Executive Minutes, May 16, 1990.

³⁷⁶ CLC Executive Minutes, May 16, 1990.

³⁷⁷ Laberge quoted in Jennifer Lanthier, “Cautious CLC re-elects Carr and avoids Meech Lake debate,” *Financial Post*, (May 18, 1990) v.3 (62) p.4.

rhetoric blinded CLC delegates to the fact that Meech Lake was an extremely important political issue that merited a strong political response from the Canadian labour movement. Instead, the CLC's refusal to participate in the debate simply alienated the organization and showed the ineffectiveness of the Congress as a political pressure group.

Quebec Labour: Post-Meech

Although it is difficult to prove empirically, the surge in support for separation which occurred after the death of the Meech Lake Accord in 1990 can likely be attributed to the anger and frustration that citizens of Quebec felt towards English Canada. The same emotional response penetrated the labour movement as well. Quebec's working class, like other segments of Quebec society, resented the fact that the rest of Canada would not accept Quebec's demands for jurisdictional powers and status as a "Distinct Society." In May 1990, the CSN convention declared "le moment est venu pour le Québec de choisir son avenir, d'exercer sa pleine autonomie et son indépendance à travers des structures politiques et organisationnelles à déterminer collectivement."³⁷⁸ On June 23 1990, Laberge and Fernand Daoust released a statement which read as follows: "La souveraineté du Québec, pour la FTQ, est une condition indispensable à la construction d'un pays et d'institutions qui répondent aux besoins et priorités de la majorité du peuple québécois."³⁷⁹ When Daoust took over the Presidency of the FTQ from Laberge in 1991, he was a permanent fixture at independence rallies in Quebec and frequent commentator on Canadian constitutional affairs in Quebec. Daoust consistently

³⁷⁸ *La Presse*, (9 mai 1990), A4.

³⁷⁹ *La Presse*, (23 juin 1990), A8.

espoused the view that Canadian federalism constituted an “economic failure” for Quebecers.³⁸⁰

In the summer of 1990, support for separatism was at an all-time high. With the rejection of the Meech Lake Accord still lingering, Lucien Bouchard and a handful of Conservative and Liberal MPs left their respective parties to create the separatist Bloc Québécois. Shortly after the party’s creation, a federal by-election was called in the Montreal riding of Laurier-Ste. Marie. The FTQ, CEQ and CSN rallied around the candidacy of a sovereigntist CSN staff member named Gilles Duceppe. Running under the BQ banner, Duceppe took nearly 67% of the popular vote. Duceppe’s election drew the province’s trade union movement closer to the upstart BQ and the renewed prominence of the National Question in Quebec signaled an unprecedented era of close relations between the unions and the PQ. The Constitutional Committee of the Quebec Liberal Party issued the Allaire Report, which called for a massive transfer of power to Quebec and a referendum on the province’s constitutional future. Due to the political and constitutional uncertainty, both the governing Quebec Liberals and the opposition PQ supported the establishment of a Commission to advise the government on the province’s future.

The Bélanger-Campeau Commission, named after its co-chairs, included representatives from the FTQ, CSN and CEQ. The Commission received submissions from numerous organizations, including trade unions. The FTQ’s submission called for “full and complete independence”, while the CEQ explained to the Commission that delegates to the union’s June 1990 convention had directed the CEQ and its affiliates to

³⁸⁰ *Toronto Star*, (November 20, 1990), A3

work for Quebec's "National Independence". The CSN, for its part, unequivocally endorsed independence as a political goal. A poll of CSN members conducted in 1991 revealed that nearly 80% supported sovereignty.³⁸¹ It was clear that the Quebec labour movement no longer expressed any fears about the prospect of outright separation. In a colourful exchange between commission member, Gil Remillard, Quebec's Minister of Justice, and fellow commission member Louis Laberge, Remillard suggested that the labour movement's support for outright independence over sovereignty-association meant "tearing the whole house down."³⁸² Laberge, referring to the failure of Meech Lake and the unilateral patriation of the Constitution, replied "There are perhaps parts of the house we would like to keep, but they kicked us out of the house."³⁸³

Constitutional Reform in the Rest of Canada

After the death of the Meech Lake Accord, the Mulroney government, determined to overcome the constitutional impasse, committed itself to developing a new constitutional proposal through a more open and participatory process. While Quebec's Bélanger-Campeau Commission deliberated, the Federal government's *Citizens Forum on the Future of Canada* was being launched in the Rest of Canada. The Forum held a series of unstructured public consultations across the country in an attempt to involve ordinary Canadians in the process of constitutional reform. At the same time, a Special Joint Committee of the House and Senate reviewed the process for amending the Constitution. Several provinces in English-Canada launched their own initiatives. The

³⁸¹ *La Presse*, (17 mars, 1991).

³⁸² *Toronto Star*, (November 9, 1990), A16

³⁸³ *Toronto Star*, (November 9, 1990), A16

Nova Scotia Working Committee on the Constitution, The New Brunswick Commission on Canadian Federalism, the Select Committee on Ontario in Confederation, the Manitoba Constitutional Task Force, and the Constitutional Reform Task Force of Alberta collected the views of thousands of organizations and individuals interested in constitutional reform.

In the winter of 1991, the Bélanger-Campeau Commission issued a report calling for “ a new relationship between Quebec and the rest of Canada, based on the recognition and respect for the identity of Quebecers and their right to be different.”³⁸⁴ Labour leaders sitting on Quebec's Bélanger-Campeau Commission issued a joint statement which read: “nous aurions apprécié que le rapport fasse mention d'un autre consensus tout aussi important: une adhésion claire et massive des Québécoises et Québécois en faveur d'un Québec souverain, un pays moderne, dynamique, pluraliste et ouvert sur le monde.”³⁸⁵ The Commission officially recommended a deadline of October 1992 for achieving constitutional renewal. If a renewed federalism could not be agreed to upon by then, Quebecers would have no choice but seriously ponder the sovereigntist option.

In an effort to reverse the rising tide of separation in Quebec, the First Ministers in English Canada began meeting to hammer out a new proposal. The details of the Bélanger-Campeau Commission's findings and the Allaire Report kept constitutional issues firmly in the media spotlight in the early 1990s. The CLC resisted the role of helping rebuild Canadian federalism by deciding not to participate in the Citizens Forum

³⁸⁴ Quebec, *Report of the Commission on the Political and Constitutional Future of Quebec*, (Quebec: National Assembly, 1991), 48.

³⁸⁵ Fournier (1992), 366.

on Canada's Future.³⁸⁶ However individual affiliates decided to participate and, once they began making contradictory statements about the vision of organized labour, the CLC was again forced to enter into the constitutional debate. The following passage is contained in the CLC minutes:

The Question of Canadian Unity and the Question of Quebec

Sister Carr opened this discussion by saying this was a sensitive issue to all of us, but this should be a discussion on where we, the Labour Movement are going. The position of the Congress essentially has been to stay out of the debate. Now the Labour Movement must develop a firm position on the future of Canada.³⁸⁷

The long discussion which followed produced a successful resolution which established a sub-committee to establish "points of discussion in cooperation with the NDP".³⁸⁸ The FTQ's Louis Laberge, who was obviously annoyed by the discussion, concluded the meeting by warning the CLC executive "to be very careful when getting into this."³⁸⁹ When asked by the media about the CLC's decision to wade into the constitutional debate, Laberge responded, "I suggested to them that any outsider trying to interfere with the right of Quebecers to decide their own future would not be welcome."³⁹⁰

The CLC, the NDP and the Charlottetown Accord

³⁸⁶ CLC Executive Minutes, December 4, 1990.

³⁸⁷ CLC Executive Minutes, April 4, 1991.

³⁸⁸ Ibid.

³⁸⁹ Ibid.

³⁹⁰ *Toronto Star*, (April 5, 1991), A13.

There was not a single NDP Premier in Canada when Meech died, but the Charlottetown Accord offered organized labour in English-Canada a promising new reality - three NDP provincial governments representing over half the Canadian population in Ontario, British Columbia and Saskatchewan, and a Territorial government in the Yukon. The NDP's new strength convinced the Congress that alienating the FTQ was a political risk worth taking.

On February 4, 1992, the CLC presented its position on the Constitution to the Special Joint Committee on a Renewed Canada. The centerpiece of the CLC submission was its proposal to include a Social Charter in the Constitution. The Social Charter, which was originally proposed by the Ontario NDP government, soon became the constitutional crusade of the CLC. The popular Social Charter would have constitutionalized a statement of political and social objectives designed to protect workers' rights, universal healthcare, access to education and housing, and other social programs. Unlike the Charter of Rights and Freedoms, the Social Charter would have promoted the notion of positive economic and social rights. The Social Charter clause, however, would have been non-justiciable because a number of Premiers were worried about the increased strength that would be given to the judiciary. Nevertheless, supporters of the Social Charter argued that the clause would still play an important role in Canadian political life because it would act as the social conscience of future provincial and federal governments. The CLC's embrace of the Social Charter concept reversed a longstanding tradition of judicial phobia within the labour movement-- it was no coincidence that the Congress' conversion brought it in line with the main constitutional policy objective of both the Federal NDP and the Ontario NDP government.

In addition to the Social Charter, the CLC's submission to the Special Committee on a Renewed Canada included prescriptions for the country's traditional regional and linguistic woes. The Congress, like the NDP, conceded the idea of an elected Senate, opposed the government's neo-liberal economic union proposal, defended the Notwithstanding Clause, and stated its opposition to entrenching property rights in the Charter. In terms of workers' rights, the CLC made the following statement:

We would like to see a statement that recognizes the presence and value of the trade union movement and of the working people of Canada, as well as a recognition of some basic labour principles regarding union organizing and free collective bargaining. However, such statements must not replace the defining of concrete labour rights in a social charter.³⁹¹

While the CLC was busy crafting a constitutional position, the FTQ went on the road to promote sovereignty in the Rest of Canada. Fernand Daoust, the fiercely nationalist President of the FTQ who took over from Laberge in 1991, visited forums organized by the Alberta Federation of Labour and the Ontario Federation of Labour in Edmonton and Hamilton respectively. "Le Canada anglais doit entendre un discours clair sur nos positions constitutionnelles"³⁹² explained Daoust, who shocked many rank-and-file trade union activists in English Canada with his firm support for the sovereigntist option. Daoust was joined by CSN Secretary General Pierre Paquette and CEQ Vice-President Raymond Johnston who told the forum in Edmonton "Ne vous demandez pas: comment faire pour retenir le Québec; discutons plutôt ensemble des liens de coopération et de solidarité à développer."³⁹³ Most trade union activists in English Canada could not understand why Quebec would simply leave Canada instead of attempting to negotiate an

³⁹¹ CLC, *Presentation to the Special Joint Committee on a Renewed Canada*, (February 4, 1992), 10.

³⁹² *Le Monde Ouvrier*, "La FTQ et la souveraineté," (avril 1992) no. 4, 2.

³⁹³ *Ibid.*

agreement acceptable to both parties – after all, they reasoned, bargaining agreements are what trade unions are all about. Daoust concluded: “L’expérience des deux forums nous indique que les syndicalistes du Canada-anglais n’avaient pas encore conscience du sérieux des aspirations souverainistes du mouvement syndical québécois.”³⁹⁴

In the spring of 1992, Carr announced that she would not be running for re-election as CLC President. Her successor, Bob White, of the CAW, was elected in June 1992. White was well known for his key role in forming the CAW in 1984 and had been a high-profile opponent of the Free Trade Agreement during the 1988 Federal election. In an interview after his election, White identified the Constitution as one of the key issues facing the labour movement and expressed the view that “we have to debate on these issues from a perspective of a national labour central.”³⁹⁵ However, in the same interview, White touched on the CLC's special relationship with the FTQ by stating that, “they do currently have a lot of autonomy. They really represent the CLC in educational matters in Quebec. On political matters they support the Parti Québécois, they support the Bloc Québécois, they don't support the NDP in large numbers. On social issues they've taken their own positions.”³⁹⁶ The relationship between the CLC and the FTQ was particularly strained in the period before the referendum on the Charlottetown Accord because the FTQ's candidate for Executive Vice-President of the CLC was defeated at the Congress convention, leaving the FTQ without any top Executive positions within the CLC.³⁹⁷ This episode caused a major rift within the labour movement and the FTQ

³⁹⁴ *Le Monde Ouvrier*, “Le syndicalisme canadien, précurseur des nouvelles relations Québec-Canada,” (juin 1992) no. 6, 9.

³⁹⁵ Bob White as cited in George Manz “Bob White,” *Briarpatch* Vol 21 no. 8, (October 1992), 43.

³⁹⁶ Bob White as cited in Manz (October 1992), 44.

³⁹⁷ Glen Makahonuk “The CLC,” *Briarpatch*, Vol. 21 no.7 (September 1992), 16.

announced that it was seriously considering severing its ties to the CLC. The CLC's reluctance to accommodate the FTQ was compared to English Canada's inability to accommodate Quebec.

After months of public consultation and inter-governmental negotiations, former Prime Minister Joe Clark, now Minister of Constitutional Affairs, presented the final draft of the Charlottetown Accord on August 28, 1992. The Accord enjoyed the support of the Prime Minister, every provincial Premier, both territorial leaders, and the Assembly of First Nations. The Charlottetown Accord included several controversial proposals: distinct society status for Quebec; an elected Senate; a guarantee that Quebec would retain at least 25% of the seats in the House of Commons; an ambiguous reference to aboriginal self-government; exclusive provincial jurisdiction over culture, forestry, mining and natural resources; shared jurisdiction over telecommunications, training, regional development, and immigration; stricter control over the federal spending authority; a non-justiciable social charter; and reduced barriers to inter-provincial trade.

On August 30, 1992, the NDP federal council voted unanimously in favour of endorsing the Charlottetown Accord.³⁹⁸ The next day, the CLC's Executive Council met with Lorne Nystrom, the NDP member who sat on the Beaudoin-Dobbie unity committee. According to CLC minutes:

Mr. Nystrom's remarks were brief. He felt that because of the input by the NDP and the labour movement on the Constitution, significant gains had been made since last September and these gains would continue because of the four NDP Premiers. He felt from an NDP viewpoint that this agreement, although not perfect, was the best possible compromise that

³⁹⁸ Graham Fraser "NDP federal council votes unanimous support for deal," *The Globe & Mail*, (August 31, 1992), A1.

could be reached and, therefore, the decision of the NDP would be to endorse this accord.³⁹⁹

When White opened the floor to questions, “several concerns were raised regarding various issues such as equality on the Senate; training; section 26 regarding the 5-year maximum; immigration; section I A-3, linguistic communities in New Brunswick, etc.”⁴⁰⁰ Although several unidentified members of the Executive Council “felt that more time should be given to examine the document more thoroughly,” the minutes indicate that “most felt that now was the time to make a decision and to put this issue behind us.”⁴⁰¹ The Executive Council subsequently passed a successful motion “that the Canadian Labour Congress cautiously endorse the Constitutional Package put forward by Canada's First Ministers.”⁴⁰²

The same day, the CLC publicly declared “cautious endorsement” of the Accord in a press release, but stopped short of indicating whether or not the Congress would actively campaign for a YES vote. White indicated to the media that the CLC executive had mixed feelings. “Some thought we should campaign hard for this, others felt we should just sit back and let it happen.”⁴⁰³

Quebec Labour Says “NON” to Charlottetown

³⁹⁹ CLC Executive Council Minutes, August 31, 1992

⁴⁰⁰ Ibid..

⁴⁰¹ Ibid.

⁴⁰² Ibid.

⁴⁰³ White quoted in the *Montreal Gazette*, (September 1, 1992).

Less than three weeks later, all three major Quebec labour federations, including the CLC-affiliated FTQ, officially came out against Charlottetown.⁴⁰⁴ Quebec labour's commitment to independence grew tremendously between 1980 and 1995. Unions no longer worried about internal divisions around the National Question. Their position was clear and presented without apology – Quebec separatism was both desirable and inevitable.⁴⁰⁵ In its November 1990 submission to the Commission on the Political and Constitutional Future of Quebec, the FTQ explicitly stated that its support for sovereignty was entirely separate from its preference for social democracy. The labour central explained that “one must not confuse constitutional status with societal plan. The FTQ will always work to create a social-democratic society, regardless of what constitutional framework is in place. But that does not constitute a condition of our support for sovereignty.”⁴⁰⁶ In the summer of 1992, the new FTQ President, Fernand Daoust, publicly indicated that the FTQ was in the process of reassessing its position within the CLC,⁴⁰⁷ and former President Louis Laberge appeared in a series of anti-Charlottetown television advertisements with other prominent Québécois leaders supporting the NON side in the Charlottetown referendum.⁴⁰⁸ In a publication entitled “Pourquoi la FTQ dit NON a l'entente du 28 Aout 1992”, Daoust wrote, “Comme en 1980, la FTQ ne peut rester muette. En tant que centrale syndicale representative, nous avons la responsabilité de nous impliqué dans le débat, de prendre une position claire et surtout, de tout mettre en

⁴⁰⁴ Richard Johnston, *The Challenge of Direct Democracy: The 1992 Canadian Referendum* (Montreal: McGill-Queen's University Press, 1996), 62.

⁴⁰⁵ FTQ, *Brief Presented by the Quebec Federation of Labour to the Commission on the Political and Constitutional Future of Quebec*, November 1990.

⁴⁰⁶ FTQ, (November 1990), 4.

⁴⁰⁷ Makahonuk (September 1992), 16.

⁴⁰⁸ “Quebec No Committee launches tough as campaign,” *Globe & Mail*, (September 29, 1992), A4.

oeuvre que ces offres soient rejetées.”⁴⁰⁹ The Federation argued that the Charlottetown Accord was too vague, too weak, and did not come close to meeting the aspirations of Quebec society. The FTQ mounted an impressive internal campaign which called for the establishment of “NON” committees in each organized workplace and encouraged strategic alliances between labour, social movements and Quebec nationalists.⁴¹⁰ Lorraine Pagé, President of the CEQ, also rallied her members in opposition to the deal. CSN President Gérald Larose denounced the Accord and pledged to mobilize his membership of 245,000 to help defeat it. Larose told the media “it’s impossible to renew the Constitution without sovereignty first” and referred to the Accord as a “Federal Trusteeship”.⁴¹¹ The Quebec labour movement's militant and resolute stance stood in stark contrast to the weak and indecisive position taken by the CLC.⁴¹²

Constitutional Dissent Within the CLC

On September 29, 1992, the Canadian Union of Postal Workers (CUPW) broke ranks with the CLC and declared that it would advise its 45,000 members to vote NO in the referendum on the Charlottetown Accord. CUPW objected to the Accord because the union felt that Charlottetown would limit the federal spending power and jeopardize equality rights for aboriginal women.⁴¹³ The Congress was unquestionably divided over

⁴⁰⁹ FTQ, *Pourquoi la FTQ dit NON a l'entente du 28 Aout 1992*, 5ème Congrès extraordinaire, Saint-Hyacinthe, 2 Octobre, 1992. p. 3.

⁴¹⁰ After the referendum campaign the FTQ was fined \$2000 for violating Quebec’s electoral law for publishing 225,000 copies of a union magazine denouncing the Accord.

⁴¹¹ Larose quote in the *Montreal Gazette*, (September 20, 1992), A5.

⁴¹² Only the 6000 member Provincial Association of Protestant Teachers of Quebec endorsed the YES side. *Globe & Mail*, September 24, 1992.

⁴¹³ Virginia Galt, “Postal Workers against accord despite CLC’s YES position,” *Globe & Mail*, (September 29, 1992), A4.

the Charlottetown Accord and its provisions. Especially problematic was the fact that the National Action Committee on the Status of Women (NAC), traditionally a strong ally of the CLC, endorsed a NO vote. In addition, a general membership meeting of the Labour Council of Metropolitan Toronto and York Region endorsed a resolution from its Political Education Committee which appealed to the CLC “not to actively campaign in support of Mulroney’s Unity package.”⁴¹⁴ Some affiliates of the Alberta Federation of Labour mounted a left-wing opposition campaign to the Charlottetown Accord in that province. In response to the flurry of labour defections, CLC President Bob White told *The Globe & Mail* “I would hope that most of the affiliates will stay the course. I didn’t make this decision on my own.”⁴¹⁵

Two weeks earlier, White had stated that “the CLC believes that the current constitutional debate has dragged on far too long and has diverted national energies from restoring a shattered economy and broadening our social safety net.”⁴¹⁶ This statement infuriated the labour-friendly editorial board of *Canadian Dimension* magazine, which wrote,

However much the NDP and others try to sugarcoat the recent constitutional accord, we don't buy it... On August 28, 1992, corporate Canada won a substantial victory... The inability and unwillingness of the NDP to unite the three provinces and one territory where it holds power in promoting an alternative, progressive vision for Canada shows, once again, the political bankruptcy of the social democratic movement in Canada. The NDP has run out of ideas and seems more suited to arrange deck chairs on the Titanic than governing our provinces or leading our country. More disturbing is the endorsement of the accord by the Canadian Labour Congress. Bob White...misses the point. The constitutional debate

⁴¹⁴ Toronto & District Labour Council, Correspondence from President Linda Torney to Bob White dated September 8, 1992.

⁴¹⁵ Bob White quoted in the *Globe & Mail*, (September 29, 1992), A4.

⁴¹⁶ CLC, *CLC and the Constitutional package*, (August 31, 1992).

is not diverting us from dealing with the economy - it is fundamentally a debate about whether democratically elected governments are to be allowed to manage the economy...Is it possible that organized labour does not yet see that the constitutional proposals are part of the corporate agenda?⁴¹⁷

Despite all the criticism, White soldiered on. In the weeks before the Accord was rejected he wrote in the *Globe & Mail* that “Originally, the Tories and their corporate friends tried to entrench an unfettered, free trade and competitiveness into our Constitution. Instead, labour and social partners made sure that didn't happen and they were successful in replacing it with a social charter.”⁴¹⁸

In a press release announcing that the CLC would indeed actively participate in the referendum campaign by encouraging its members to support the Accord, White offered an olive branch to opponents of the deal.

We respect those who have decided to vote no and it is not our view that such persons are against Canada. However, the question that has to be asked and answered is ‘If the accord fails, where will the new progressive political leadership come from, that will bring us an even better constitutional deal?’ Our conclusion is that the defeat of the accord will not result in a more progressive alternative.⁴¹⁹

Despite White’s position, many on the left of the political spectrum could not accept what they perceived as the Accord’s neo-liberal character. In particular, the CLC’s assertion that the Accord represented a victory, however small, for progressive Canadians, was challenged by new social movements. In *Imagine Democracy*, Judy Rebick, who served as NAC’s president during the Charlottetown Accord referendum,

⁴¹⁷ Editorial “We’re Voting NO,” *Canadian Dimension* Vol. 26 no. 7, (October 1992), 3.

⁴¹⁸ Bob White quoted in *The Globe & Mail*, (October 21, 1992), B2.

⁴¹⁹ CLC Press Release, September 16, 1992.

recounts a conversation she had with White concerning the CLC's position on the

Accord:

'Imagine the impact in the country if the women's movement and the labour movement joined forces to present a left-wing No,' I had said to Bob White, the President of the Canadian Labour Congress (CLC). 'Unfortunately, the NDP is part of the left,' he answered. Although he agreed with my criticisms of the accord, he felt that his organization had to say Yes. With three NDP premiers and the aboriginal chiefs among those at the negotiating table, he believed it was the best deal we could get.⁴²⁰

Despite White's brave words, it is clear that the Congress was unenthusiastic and torn about the deal. White's response to Rebick is illustrative of this point. On one hand, White seemed to be complaining that the NDP had already agreed to the Accord, and as a result, the CLC was also tied to supporting it. However, on the other hand, he seemed to be arguing that the party, through three provincial governments, had effectively represented the left's interests and achieved the "best deal we could get." The CLC was acutely aware that the Accord had not addressed important issues concerning gender, racial, and ethnic equality. Outstanding questions remained about public sector job transfers, changes to federal spending powers, and a definition of "objectives" and "standards".

There is evidence to suggest that Bob White personally wanted no part of Canada's constitutional crisis. During the debate over patriation, White had supported the CLC's neutral position because he felt that patriation might divide the labour movement. White adopted a similar stance when the Congress was faced with the Meech Lake Accord. According to *The Financial Post*, White told reporters that debating the merits of the Meech Lake Accord "would have served no purpose" and "could have created rifts in

⁴²⁰ Judy Rebick, *Imagine Democracy*, (Toronto: Stoddart, 2000), 11.

the labour movement”.⁴²¹ The Charlottetown Accord was different for White because he was President and the political stakes were much higher. However, his interventions in the constitutional debate were awkward and erratic. For instance, after the Royal Bank predicted a gloomy economic future for an independent Quebec during the course of the campaign, White joined Quebec nationalists who dismissed the financial report as “economic blackmail.”⁴²² White also publicly rebuked the leader of the YES campaign, Prime Minister Mulroney, for referring to opponents of the Accord as the “enemies of Canada.”⁴²³ He also admonished leaders of the YES campaign for arguing that a NO vote would mean the end of Canada. “I don’t see the country falling apart here,”⁴²⁴ White told the media, and added that voters should not be expected to cast a ballot “with a gun to their head.”⁴²⁵

The CLC's support for constitutional reform in 1992 was not driven by a desire to see the constitutional debate end or to see workers' rights enshrined in the Constitution. Rather, the CLC's “cautious endorsement” of the Charlottetown Accord was more a product of pressure from the provincial NDP administrations in Ontario, British Columbia and Saskatchewan. The majority of Canadians were governed by these NDP provincial governments who contributed to the process of negotiating the Accord and who were solidly behind its content.⁴²⁶ The CLC had also helped convince the First Ministers to jettison the Economic Union proposal advanced by the business elite. But most importantly, the CLC understood that failed constitutional negotiations would hurt

⁴²¹ Jennifer Lanthier, “Cautious CLC re-elects Carr and avoids Meech Lake debate,” *Financial Post* (May 18, 1990), 4.

⁴²² *Montreal Gazette*, (October 1, 1992).

⁴²³ Ibid.

⁴²⁴ *Toronto Star*, (September 1, 1992), A9.

⁴²⁵ Ibid.

⁴²⁶ During the patriation debates and the Meech Lake Accord, the NDP's influence was marginal at best.

its provincial NDP allies and the Congress was determined to see the party re-elected in as many provinces as possible. This viewpoint is supported by comments made by labour leaders at a CLC Executive Council meeting in Regina. The CLC's task at that meeting was to decide if and how to participate in the upcoming referendum on the constitutional package. White opened the discussion with a brief overview:

With the new Constitution we should remember where we are, what we have gained, i.e., equal senate, social clause, sharing of powers, recommendation of distinct society, aboriginal rights, free collective bargaining, right of workers to join a union, etc. He continued by stating we had a role to play in forming this package, now we have to decide what role to play in the referendum.⁴²⁷

Executive Vice-President Nancy Riche, who also served as President of the Federal NDP, suggested that the CLC officially join the Canada Committee, which was also dubbed the YES Committee. However, "discussion followed where it was felt that the Congress should not participate in the Canada Committee."⁴²⁸ The majority of labour leaders felt that associating themselves with a national campaign "would complicate the problems, confuse the membership and put the Congress in conflict with various organizations."⁴²⁹ However, "it was agreed that support must be given to the provinces, especially those with NDP governments. The national and provincial/territorial campaigns are different."⁴³⁰ Bob White and Nancy Riche were among the strongest NDP supporters at the CLC. Ontario Federation of Labour President Gord Wilson was also a key figure and co-chaired the YES committee's Ontario campaign in order to assist the provincial New Democrats. Their influence within the party and within the Congress was

⁴²⁷ CLC Executive Council Minutes, September 15-16, 1992.

⁴²⁸ Ibid.

⁴²⁹ Ibid.

⁴³⁰ Ibid.

sufficient to convince the Canadian labour movement that supporting the Charlottetown Accord was a political risk worth taking.

Bob White hit the campaign trail late in the referendum campaign as it became clear that the Accord was losing popular support. He traveled the country promoting the Social Charter concept and also appeared in the television ads for the YES side in an attempt to convince union members that the Accord was worth supporting.⁴³¹ Despite White's rhetoric, and despite the fact that former B.C. Premier Bill Vander Zalm called the Accord "socialist doctrine,"⁴³² it has been widely acknowledged that the non-justiciable social charter in the Charlottetown Accord was symbolic rather than substantive. The right to organize and bargain collectively were included in the Accord, but there was no mechanism in place to force governments to comply with Social Charter commitments. To be fair, it must once again be emphasized that White's attempt to rally labour votes was mostly the product of pressure from the NDP, which had sacrificed much of its core social democratic philosophy during the constitutional talks. Canadian feminists and the country's left-wing political intelligentsia, which both operate at the electoral periphery, did not have the same pressure to support the Accord because they had no direct affiliation or stake in the NDP as a political organization vying for power.

The Canadian labour movement's endorsement of the YES position was "strategically critical" according to political scientist Richard Johnston because the union movement was traditionally viewed as a clear opponent of the Mulroney government. If labour were able to accept the government's economic union proposals and the Accord's

⁴³¹ Barry Wilson, "Mixed views on Social Charter," *Western Producer*, Vol. 70. issue 12, (October 22, 1992), 16.

⁴³² Bill Vander Zalm quoted in the *Globe & Mail*, (October 3, 1992), A4.

decentralizing features, it would indicate that “the compromise was honourable, as the crisis was grave.”⁴³³ However, the CLC's intervention had the opposite impact. Although the YES side had built an impressive left-right coalition, which included support from both business and labour, “the union movement was utterly ineffectual in overcoming its allies' natural aversion to the Accord. Indeed, there is a hint that awareness of the union movement's position increased resistance to it.”⁴³⁴ This is likely because of the contradictory messages being sent out by labour organizations. Organized labour's opposition to the Accord in Quebec was far stronger than the CLC's support for the Accord in the rest of Canada. Various CLC-affiliated labour councils adopted a neutral stand on the Accord, as did the Alberta Federation of Labour (AFL). Members of AFL affiliated unions, however, actively organized against Charlottetown along with the Canadian Union of Postal Workers (CUPW) and the Public Service Alliance of Canada (PSAC).

The Charlottetown Accord offered a new reality for social democrats in Canada - three provincial NDP governments representing over half the country's population and a strong contingent of federal MPs in Ottawa. The New Democrats found themselves in a powerful bargaining position. The NDP governments of Ontario, British Columbia, and Saskatchewan had ample opportunity to structure the constitutional debate around class-based issues. However, the class interests which united the NDP Premiers were apparently not as strong as the parochial electoral considerations of each provincial section. B.C. Premier Mike Harcourt, for example, rejected the Ontario government's proposal for a justiciable Social Charter which would have bestowed positive rights upon

⁴³³ Johnston (1996), 64.

⁴³⁴ Johnston (1996), 139.

citizens in order to protect social programs, labour rights, and the environment.⁴³⁵ Instead, Harcourt, who felt that the courts would use their powers to undermine social democratic policies, advocated more legislative powers at the provincial level.⁴³⁶ Federal NDP leader Audrey McLaughlin, a strong centralist, was suspicious about the B.C. Premier's proposal for the devolution of powers. The Saskatchewan government's support for an elected Senate also made McLaughlin uneasy - the NDP had long advocated abolition of the second chamber.⁴³⁷ The process of executive federalism had forced the federal NDP leader, potentially the next Prime Minister of Canada, to sit on the sidelines while her provincial counterparts shaped the NDP message on constitutional issues.

Driven by considerations of regional self-interest and specific political calculations, NDP administrations in Ontario, B.C., and Saskatchewan took the lead and dragged their allies in the Canadian labour movement into an unholy alliance with the Mulroney Conservatives and the business community. The political pressure was simply too much to bear for the internally weak CLC.⁴³⁸

Charlottetown was defeated on October 26, 1992. Quebec rejected the Accord with 56.7% voting NON, while the Rest of Canada voted 54.3% against Charlottetown. English Canada felt, among other things, that the Accord had given too much to Quebec, while Quebecers felt that the Accord had not delivered enough. The next day, the CLC

⁴³⁵ Thomas Walkom, *Rae Days*, (Toronto: Key Porter Books, 1994), 230.

⁴³⁶ Terry Morley "Federalism and the New Democratic Party," in *Parties and Federalism in Australia and Canada*, (Canberra: Federalism Research Centre, Australian National University, 1994), 46.

⁴³⁷ Ibid.

⁴³⁸ A British Columbia NDP Cabinet Minister admitted publicly that "an agreement that is attached to him [Mulroney] visually creates suspicions and doubts in the minds of a lot of people." *Montreal Gazette*, (October 17, 1992), B1.

issued a short press release. “The Canadian Labour Congress urges all Canadians, especially the politicians and the analysts, not to spend valuable time and energy dissecting every aspect of the process which brought us to this point in history. There is no time for 'what if's' or for laying blame...”⁴³⁹ However, in subsequent interviews with the media, OFL President Gord Wilson and Congress President Bob White both pointed the finger squarely at Mulroney. “There was an enormous amount of frustration over what Canadians considered to be a disregard for their feelings... You had the GST, you had free trade... People felt they were being ignored and that this was pay-back time,”⁴⁴⁰ said Wilson. A more sanguine White pondered the country’s future saying “we have to accept some reality... Maybe there has to be a new vision of Quebec.”⁴⁴¹

In the ensuing 1993 federal election campaign, Jean Chrétien’s Liberals swept to power and the FTQ-backed Bloc Québécois took 54 of Quebec's 74 seats, forming the Official Opposition.⁴⁴² The populist Reform Party continued to ride the wave of anti-Charlottetown sentiment and established itself as the dominant party in western Canada, while the NDP's vote share plummeted from 20% in 1988 to just 7% in 1993 (in Quebec NDP support fell from 14% in 1988 to a hopeless 1.5% in 1993). The New Democrats lost official party status along with the Conservatives, who were nearly wiped off the electoral map, holding onto just two seats.

Summary

⁴³⁹ CLC, *CLC statement on the failure of the 1992 Charlottetown referendum*, October 27, 1992.

⁴⁴⁰ *Toronto Star*, (October 27, 1992), B6.

⁴⁴¹ *Ibid.*

⁴⁴² Although neither the CSN nor the CEQ officially endorsed the BQ, many CSN and CEQ activists worked for the party or ran under the BQ banner.

The Meech Lake and Charlottetown Accords, although unsuccessful, were two of the most important constitutional documents in Canadian history. Proposed macro constitutional change dominated Canadian politics throughout the 1980s and 1990s, and as a result, pressure groups were given an unprecedented opportunity to affect change. Feminist organizations, aboriginal groups, and a host of new social movements used the process of constitutional reform to advance their specific agendas. Even groups who could not conceivably alter the content of constitutional proposals saw the process as an opportunity to shine the spotlight on their particular issue. Conspicuously absent from the debate surrounding Meech Lake was the CLC. Rank-and-file CUPE activist Reuel Amdur criticized the labour movement's inaction on Meech Lake by asking rhetorically, "If you make an announcement in the closet and close the door, who's going to know? We should be joining together with women's groups and others screaming about this, like we do on free trade; and we should be denouncing the NDP for its stand."⁴⁴³ Although the Congress did participate in the process of crafting Charlottetown Accord, it did so in a fractured, schizophrenic and redundant manner – allowing its affiliates, provincial federations of labour and labour councils to contradict the leadership throughout the referendum campaign. Party-union relations are key to explaining the divergent positions of the CLC leadership and the Quebec labour movement. The NDP's influence over the CLC on constitutional issues was as evident as the Quebec labour movement's desire to close ranks around the sovereigntist nation-building strategies of both the PQ and the BQ. The CLC's involvement, or lack of involvement, during Meech Lake and Charlottetown Accords demonstrated that the Congress' structure and internal political struggles

⁴⁴³ Reuel Amdur quoted in *Globe & Mail*, (March 10, 1988), A14.

prevented the organizations from putting forward strong class-based constitutional positions.

Admittedly, the CLC has seldom articulated a well-developed class analysis of any federal initiative, constitutional or otherwise, and therefore its silence on Meech Lake and its erratic take on the Charlottetown Accord are not all that surprising. It is clear that the Congress and the FTQ have developed competing class analyses—one emanating from Quebec where organized labour has taken a class wager that its constituency is best served by a strong or even sovereign government in Quebec, while in the rest of Canada the CLC and other unions have taken the class wager that a strong central government serves the best interests of Canadian workers. Since these class wagers cannot help but be antagonistic, the CLC has been forced into soft-pedaling its position for fear of avoiding a rupture between itself and the FTQ.

Chapter 8

Winning the Battle, but Losing the War: The FTQ's Fight for Sovereignty-Association

Buoyed by its victory in the 1992 referendum on the Charlottetown Accord, Quebec's labour movement began mobilizing like never before in support of a sovereign Quebec. At the same time trade unionists in the FTQ would attempt to achieve sovereignty-association with the Canadian labour movement. This chapter is divided into three sections. The first section documents the FTQ's struggle to obtain a form of organizational sovereignty-association with the CLC. The second section is concerned with the labour movement's participation in the 1995 referendum on Quebec sovereignty. The way in which unions approached the campaign, intervened in the debate, and mobilized their members are described in detail with a view to demonstrating how the labour movement influenced the referendum campaign and the strategy of the nationalist forces. Organized labour's perception of the Constitutional Question in the aftermath of the referendum is the subject of the third section, which chronicles the labour movement's response to the federal government's Plan B.

The Disintegration of CLC-FTQ Relations

The CLC's 1992 convention was significant for several reasons. First, it was a leadership convention, and although no one doubted that Bob White would be elected to the top spot, there was sense of optimism that the labour movement would be rejuvenated

under his leadership. Second, the Congress had decided to abandon the slate system for electing officers at the 1992 convention. The slate system, which saw delegates rubber-stamping the executive council's choice of candidates had been used in the past to broker compromises among the labour leadership. Over the years, more militant factions of the labour movement denounced the system as anti-democratic and called for free elections instead. The CLC finally obliged in time for the 1992 convention. However, the break from tradition would prove to have an enormous impact on the relationship between the CLC and the FTQ.

Under the slate system, there was a strong tradition of electing the FTQ's preferred candidate to a vice-president position. However, under the new system of free elections, no such guarantees were in place. Incumbent executive vice-president Nancy Riche ran against Jean-Claude Parrot, a francophone postal union leader from Ottawa, and the FTQ's preferred candidate, Guy Cousineau. The three candidates were vying for two positions on the executive. When the ballots were counted, Riche was easily re-elected and Parrot managed to edge out Cousineau, despite the fact that the FTQ's candidate had won the endorsement of Bob White.

The FTQ reacted angrily to the vote. FTQ President Fernand Daoust told delegates that he was "saddened and humiliated" by the result, and Parrot was booed by FTQ delegates when he suggested that his election should not be perceived as anti-Quebec. Five hundred Quebec delegates left the convention in protest and refused to return the next day.

The next morning, newspapers from all across the country reported that the FTQ had quit the CLC.⁴⁴⁴ This, of course, was a logical interpretation of Daoust's statements to the media after the defeat of Guy Cousineau. After the close of the CLC policy convention, Daoust told the *Globe & Mail* "They [CLC delegates] have said to us: 'The door is open. Why don't you take it?' We are going to take it."⁴⁴⁵ Daoust also resigned his seat on the CLC executive and told *La Presse* "C'est comme la question constitutionnelle entre le Québec et le Canada, une rupture du Canada syndical."⁴⁴⁶ Daoust continued, "Nous mettrons en place une structure autonome au Québec... Nous n'avons plus notre place au sein du CTC."⁴⁴⁷ However, FTQ insiders suggested that Daoust did not necessarily have the full support of the Federation when he led the media to believe that a split was imminent. In fact, over the course of the next week, Daoust was forced to scale down the rhetoric considerably and instead began talking about sovereignty-association rather than outright separation. On June 16, 1992, Daoust told the *Gazette* "a decision like this can't be taken by one man only, and I have no mandate, we don't want to rush."⁴⁴⁸

A few days after the close of the CLC convention, *Le Soleil* wrote:

Le divorce entre la FTQ et le Congrès du travail du Canada (CTC) est loin d'être prononcé. Même si certains dirigeants syndicaux québécois déplorent que les délégués au congrès du CTC aient préféré à la vice-présidence Jean-Claude Parrot au candidat de la FTQ, Guy Cousineau, ils

⁴⁴⁴ The *Globe & Mail* suggested that the "Quebec affiliate may split from CLC,"; Le Devior announced "Le divorce est consommé,"; The *Montreal Gazette's* headline read: "Quebec workers quit CLC,"; while *La Presse* wrote "la FTQ quitte le CTC en claquant la porte."

⁴⁴⁵ Daoust quoted in *Globe & Mail*, (June 13, 1992).

⁴⁴⁶ Daoust quoted in *La Presse*, (June 13, 1992).

⁴⁴⁷ Ibid.

⁴⁴⁸ Daoust quoted in *The Gazette*, (June 16, 1992).

estiment néanmoins que dans le contexte actuel, des liens doivent être maintenus avec le centrale syndicale canadienne.⁴⁴⁹

CUPE's Quebec director, and future FTQ President, Henri Massé, told *Le Soleil* "Nous ne claquons pas la porte."⁴⁵⁰ Instead he advocated a sovereignty-association relationship similar to the one used in his own union. In the same article, Marcel Tremblay, Vice-President of UFCW Canada admitted "Je ne suis pas très favorable à une désaffiliation."⁴⁵¹ It was clear that Daoust's initial statements did not match the political will of the FTQ's affiliates.

Bob White's reaction to the situation was conciliatory. Immediately after Cousineau was defeated, White told the *Globe & Mail* "whatever internal problems we face, we will overcome them."⁴⁵² In an interview with *Briarpatch Magazine*, White was more candid about the strained relationship between the FTQ and the CLC. He described in detail his perspective on what had happened at the 1992 convention.

...there was a high-profile candidate from outside Quebec, Jean-Claude Parrot, who had built a lot of bridges and support among the labour movement for many years, and Quebec had a candidate, Guy Cousineau, who wasn't known outside of Quebec and really had a low profile in Quebec itself. The decision by the delegates was that while they understood the right of Quebec to make their choice, they bought the argument that you can't have a slate, that Jean-Claude Parrot can represent Quebec workers, and therefore voted in favour of him. The Quebec Federation of Labour (FTQ) at that point took a position that was really a rejection of what has really been an historical acceptance of an executive position. I think they're right on that. Without getting into the merits of it, I think they're right in terms of how that was seen.⁴⁵³

⁴⁴⁹ Brigitte Breton, "FTQ et CTC: le divorce est loin d'être prononcé," *Le Soleil*, (16 juin, 1992).

⁴⁵⁰ Massé quoted in *Le Soleil*, (June 16, 1992).

⁴⁵¹ Tremblay quoted in *Le Soleil*, (June 16, 1992).

⁴⁵² White quoted in *Globe & Mail*, (June 12, 1992).

⁴⁵³ White as cited in George Manz "Bob White," *Briarpatch*, Vol 21. no 8 (October 1992), 43.

White also considered the impact of Cousineau's defeat on FTQ-CLC relations:

At some point in the next few weeks we expect to get a formalized proposal from them [FTQ] as to what I guess I would call their wish list. We have to see what that means for the central labour body in the rest of the country. I think, as we've recognized for many years, because of the uniqueness of Quebec, we have to be able to sit around the table and find a structure in which we both feel comfortable.⁴⁵⁴

Sovereignty-Association in the House of Labour

On June 22, 1992, the FTQ's Executive Committee initiated a move toward formal sovereignty-association by unanimously agreeing to establish a committee to review the Federation's relationship with the CLC. The Committee's mandate was:

To define a comprehensive proposal for the purposes on consultation with the various levels of the FTQ and its affiliated unions and with a view to subsequent negotiation with the CLC on a plan for an autonomous structure for the FTQ, with full powers;

The Committee shall also define the links of solidarity that should be maintained with the CLC, together with a workplan and a timetable.⁴⁵⁵

At a press conference announcing the FTQ's move toward sovereignty-association, Daoust and the FTQ's Secretary-General Clément Godbout told the media, "We are at a historic turning point, we are initiating a process which will determine the character of Québec trade unionism in the twenty-first century."⁴⁵⁶

⁴⁵⁴ White as cited in Manz (October 1992), 43.

⁴⁵⁵ FTQ Press Release, June 26, 1992.

⁴⁵⁶ Ibid.

The FTQ's formal proposal to the CLC was the result of many meetings and a long consultation process between the Federation and its affiliates. The sovereignty-association proposal, which eventually emerged, won the enthusiastic support of both the FTQ's Executive Committee and Council. On January 5, 1993, the CLC Executive voted to form a sub-committee to consider the FTQ's proposals. Over the course of the year, both sides met to consider the proposals more closely and on December 6, 1993, the CLC's Executive Committee unanimously recommended to the CLC Council adoption of a sovereignty-association document. The proposed sovereignty-association partnership agreement guaranteed the FTQ a spot on the CLC Executive Committee and Council, a spot on the CLC International Affairs Committee, a spot on every CLC standing committee, full jurisdiction over raiding disputes in Quebec, and continued jurisdiction over labour education and labour councils in Quebec. In essence, the FTQ would become the total and complete incarnation of the CLC in Quebec. The CLC Council rubber-stamped the Executive's recommendation and the agreement was later ratified unanimously by delegates through a standing vote at the CLC convention in 1994.⁴⁵⁷ FTQ President Clément Godbout explained, "L'entente FTQ-CTC traduit une réalité évidente, à savoir qu'au Québec, nous avons une façon de faire du syndicalisme et de concevoir notre rôle politique."⁴⁵⁸ Sovereignty-association in the labour movement was now officially in place. One year later, Quebecers would once again be asked if they wanted a sovereignty-association partnership with the rest of Canada.

⁴⁵⁷ The only controversy arose when John McLennan of the Newspaper Guild union took the microphone during the debate to chastize the Congress for wading into the debate over the Charlottetown Accord, arguing that the absence of an FTQ representative on the the CLC Executive Committee caused the Congress to ignore the debate from a Quebec perspective.

⁴⁵⁸ FTQ press release, December 14, 1993.

Organized Labour and the 1995 Referendum

Public support for sovereignty surged in the post Meech period. The newly formed Bloc Québécois became the country's official opposition in the 1993 federal election and Jacques Parizeau's PQ won a strong majority government in the Quebec provincial election of September 12, 1994. In both cases, organized labour endorsed and worked hard to elect these parties, who were running on clear sovereigntist platforms. At the provincial level, the PQ wasted no time putting in place its plan for a referendum. On December 6, 1994, the government presented a draft bill which, if enacted, would declare Quebec a sovereign state on the first anniversary of a referendum win. Parizeau's aggressive approach differed from René Lévesque's more cautious "étapiste" approach in that it did not require the government of Quebec and the government of Canada to negotiate a settlement in the case of a OUI victory. According to Kenneth McRoberts, "under the Parizeau government's definition of sovereignty, Quebec was to assume all powers normally held by a sovereign state. At the same time, it was not at all clear what kind of economic association Quebec would offer the rest of Canada."⁴⁵⁹

In the 1980 referendum campaign, the federalist forces had effectively exploited the public's insecurity over economic issues. Many nationalists, like BQ leader Lucien Bouchard and Action Démocratique du Québec (ADQ) leader Mario Dumont⁴⁶⁰, felt that an economic and political association with Canada was a necessary ingredient in any

⁴⁵⁹ McRoberts (1997), 224.

⁴⁶⁰ Dumont, former President of the Quebec Liberal Party's youth wing, broke ranks with the party over its opposition to Quebec sovereignty. He went on to help form the right-wing ADQ in 1994 and was elected as its first MLA.

proposal for sovereignty in order to inoculate the voting public against the doomsday economic scenarios put forward by the federalist camp. As Dumont explained, his tongue planted firmly in his cheek, “Voter non (à la souveraineté avec partenariat), c’est avoir peur d’avoir peur.”⁴⁶¹ Parizeau agreed to water down the bill according to the wishes of Dumont, Bouchard and soft nationalists. His dream of a sovereign Quebec was redefined into a radical Quebec-Canada partnership and Lucien Bouchard would emerge as its most passionate proponent.

The fact that three significant political parties (PQ, BQ, ADQ) were backing sovereignty-association bolstered the sovereignist campaign. On June 12, 1995, Parizeau, Bouchard, and Dumont signed an agreement pledging the Quebec government to negotiate, after a successful referendum, a new political and economic partnership with the Rest of Canada. The agreement called for significant alterations to Canada’s political system. Issues related to trade, monetary policy, labour mobility, citizenship, international representation, defence, and environmental protection were all singled out as areas where a new political and economic partnership may come into play.

Months earlier, in February, delegates at a special FTQ convention voted overwhelmingly in favour of endorsing a OUI vote. The special convention was the first of many strategic events launched by the Federation as part of its elaborate campaign to deliver the votes of FTQ members to the OUI side. One delegate who took to the microphone in favour sovereignty drew an analogy between trade unionism and the National Question:

⁴⁶¹ Dumont quoted in Bouilane (2003), 69.

“Ne sommes-nous pas en effet habitués aux <non> des patrons, aux hésitations sinon aux craintes de nos members? Et ne savons-nous pas que, si ceux et celles qui nous ont précédés s’étaient abstenus de foncer quand ils n’étaient pas sûrs de gagner... eh bien! Nous ne serions pas là. Des syndicats, il n’y en aurait pas. Le syndicalisme, ce fut un coup de dé au départ, l’élan de quelques-uns et quelques-unes qui s’est transformé en mouvement populaire.”⁴⁶²

CLC President Bob White, who was invited to address the delegates, made several strong statements in favour of the principle of self-determination and even suggested that, in the event of a OUI victory, the government of Canada should respect the democratic will of Quebecers and calmly negotiate the terms of separation with a sovereign Quebec. According to White: “A decision for sovereignty has certain economic implications but economic blackmail and doomsday scenarios must be seen for what they are – blatant attempts to interfere with and influence the course of democratic decision-making...”⁴⁶³ White continued, “If the referendum results in a Yes vote... it would mean serious, undoubtedly tough negotiations on a multiplicity of issues. But those negotiations would have to proceed on the basis of mutual respect and recognition of the new reality.”⁴⁶⁴ FTQ officials were ecstatic with White’s bold statements and the CLC Executive officially adopted White’s position a few weeks later.⁴⁶⁵ For its part, the NDP, and its new leader, Alexa McDonough, were invisible during the referendum campaign. However, maverick NDP MP Svend Robinson did manage to irritate the party establishment by publicly stating, “Si une majorité de Québécois décidaient de se séparer,

⁴⁶² Unidentified delegate, *Le Monde Ouvrier*, (mars 1995) p 3-4.

⁴⁶³ *Toronto Star*, (February 22, 1995), A12.

⁴⁶⁴ Ibid.

⁴⁶⁵ FTQ Press Release, March 8, 1995.

il est clair pour moi que le reste du Canada devrait répondre en s'engageant dans un dialogue respectueux."⁴⁶⁶

Months before the actual referendum campaign, the FTQ was hosting, on the fourteenth floor of its headquarters, a OUI co-ordination team made up of staff representatives and officials of affiliated unions. The Federation directed its staff representatives to make the referendum their number one work priority and presented its members with no less than six information leaflets on sovereignty over the course of the year. In March 1995, the FTQ toured the province and held fourteen regional forums to promote its position in favour of sovereignty.⁴⁶⁷ The FTQ's campaign slogan, "Plus qu'un OUI, un Pays!" encouraged trade unionists to embrace the exciting possibility of creating a new country. Union leaders were given speaking notes, shop stewards were given discussion guides, and local labour councils were directed to hold press conferences in order to declare their support for the OUI forces. FTQ affiliates were asked to release as many trade union activists as possible to help out the OUI forces on the day of the referendum.

Unlike the 1980 referendum, all union centrals in Quebec were officially encouraging their members to vote OUI in 1995. Throughout the summer of 1995, support for sovereignty climbed as nationalist organizations and federalist organizations continued to recruit volunteers and plot strategy for the impending referendum campaign. On September 7, 1995, Parizeau presented an amended version of the government's

⁴⁶⁶ Svend Robinson as quoted in Bouilane (2003), 178.

⁴⁶⁷ *Le Monde Ouvrier*, (mars 1995), 6.

original bill. The new Bill 1, *An Act Respecting the Future of Quebec*, would give Quebec's National Assembly the right to declare sovereignty, but only after the government of Quebec made and negotiated a proposal for a new political and economic partnership. Bill 1 set October 30, 1995 as the date for the referendum. Voters would be asked to accept or reject the Bill and the agreement signed on June 12, 1995 by Parizeau, Bouchard and Dumont.

The OUI forces, which were unofficially led by Bouchard, successfully built support for sovereignty over the course of the campaign while the NON forces scrambled to counter Bouchard's effective rhetoric. The NON forces were particularly ill-equipped to deal with sovereigntist arguments which stressed collective identity – an issue, which in many ways, had gained the same status as the economic consequences of separation.

The strategy of the NON side was simple: convince voters that separation would lead to job losses and economic turmoil. Two weeks before the vote, Federal Liberal Finance Minister Paul Martin hinted that one million jobs could be jeopardized by separation.⁴⁶⁸ The Conseil du Patronat, representing the province's business community, also chimed in, warning voters and their employees that separation would have dangerous economic repercussions. The owner of a large electronics company in Quebec even threatened to move a planned \$75 million expansion out of the province in the event of a OUI vote.⁴⁶⁹ Parizeau accused big business in Quebec of having become a “menacing,

⁴⁶⁸ *Montreal Gazette*, (October 19, 1995), A12.

⁴⁶⁹ The day after the referendum, the company decided to move half of the planned expansion out of province despite the victory of the NON side. The *Montreal Gazette*, (November 1, 1995), A11.

arrogant, billionaire's club, with the superiority of the jet set, who think they can control and manipulate and spit on Quebecers."⁴⁷⁰ According to Garth Stevenson:

The fact that NAFTA made the American market more important to Quebec's economy than the markets of other Canadian provinces was used with some success by sovereignists in 1995 to argue that sovereignty no longer posed the same economic risks that it had in 1980. Federalists, on the other hand, had few credible economic arguments to make in the 1995 referendum campaign and their very narrow margin of victory was partly a consequence of this fact.⁴⁷¹

In perhaps the strongest display of party-union solidarity, the FTQ abandoned its longstanding opposition to continental free trade during the 1995 referendum debate and declared "un Québec souverain demeura une économie ouverte sur le monde, un marché de consommateurs et de consommatrice profitable à nos partenaires économique."⁴⁷² In a pamphlet entitled "Quelques enjeux économiques d'un Québec souverain," the FTQ explained to its members that "Les détracteurs de la souveraineté qui appréhendent un retour au protectionnisme se trompent lourdement. Comme tout État moderne, un Québec souverain poursuivra son insertion dans l'économie mondiale et continuera à s'ouvrir aux marchés internationaux."⁴⁷³ The FTQ went on to argue, "Le Québec et les États-Unis ont tout intérêt à maintenir les échanges économiques. Le Québec, dans le contexte de globalisation, aura avantage à participer pleinement au bloc formé par l'Amérique du Nord, et bientôt avec plusieurs pays de l'Amérique latine, tout en préservant son identité nationale."⁴⁷⁴

⁴⁷⁰ Parizeau quoted in the *Montreal Gazette*, (October 14, 1995), C3.

⁴⁷¹ Stevenson (2004), xxi.

⁴⁷² FTQ, *Plus qu'un OUI, Un pays! Quelques enjeux économiques d'un Québec souverain*, (1995), 6.

⁴⁷³ Ibid.

⁴⁷⁴ Ibid.

Despite the FTQ's confusing embrace of continental free trade, union leaders characterized the campaign as a class struggle. FTQ president Clément Godbout, for instance, told delegates to the CUPE national convention in Montreal that the referendum had become a "class debate".⁴⁷⁵ He later told a *Gazette* reporter, "For the first time, it's the rich against the poor," arguing that big business was driving the agenda of the NON forces.⁴⁷⁶ He also joked in 1994, "On veut un Québec souverain pas seulement pour avoir plus d'ambassades ou moins de faute de français dans nos conventions collectives!"⁴⁷⁷ Lorraine Pagé of the CEQ described the NON forces as "the banks, the big companies, the financial elite who speak for neo-liberalism," while characterizing the OUI forces as "popular groups, community groups defending human rights, the women's movement, artists, writers and the young." Pagé continued, "On one side, the power of money, on the other, more than a million people committed to sovereignty as an instrument of social change."⁴⁷⁸ She insisted, that despite the outcome of the referendum, "On est souverainistes avant, pendant et après"⁴⁷⁹ The CSN's Gérald Larose was more blunt. He argued that, in confronting the NON forces, "we are unmasking the true face of capitalism in Quebec."⁴⁸⁰

The FTQ's internal campaign targeted women voters, attempted to diffuse economic arguments against sovereignty, and assured workers in the federal public service that they would not suffer job losses in the event that Quebec voters opted for

⁴⁷⁵ Godbout quoted in the *Montreal Gazette*, (October 25, 1995), A5.

⁴⁷⁶ Ibid.

⁴⁷⁷ Godbout quoted in Bouilane (2003), 61-62.

⁴⁷⁸ Pagé quoted in the *Montreal Gazette*, (October 7, 1995), A1.

⁴⁷⁹ Pagé quoted in Bouilane (2003), 86.

⁴⁸⁰ Larose quoted in the *Montreal Gazette*, (October 7, 1995), A1.

sovereignty. In a pamphlet entitled *La souveraineté et notre projet de société*, the FTQ argued that a link existed between Quebec's constitutional status and the Federation's desire to build a social democratic Quebec. Specifically, the FTQ argued that by tackling the National Question, the government of Quebec could devote more time to pursuing a policy of full employment, developing a coherent industrial strategy, and building a regionally-balanced economy. According to the FTQ, these objectives could not adequately be addressed within the federal system. In a sovereign Quebec, however, progressive forces could be more easily consolidated to achieve social democratic objectives in all political, economic and social spheres.⁴⁸¹

Trade unionists did not limit their interventions to issues related to labour relations. Larose, for instance, came to the defence of Quebec nationalists over accusations that a OUI vote would alienate Anglophone and ethnic minorities. He told a CSN meeting that: "there are fewer racist acts in Quebec than in Ontario. There is less anti-Semitism in Quebec than in Ontario. There is less racism in Quebec by francophones toward anglophones than there is by anglophones toward francophones in the Rest of Canada... Francophones in the Rest of Canada are not only discriminated against, but assimilated."⁴⁸² Several anglophone trade union members active in the FTQ and the CSN participated in the Network of English-speaking Quebecers for the YES, a group which stressed that a YES vote "will enable Quebec to continue to resist the wave of right wing politics which is sweeping the rest of Canada and the US."⁴⁸³

⁴⁸¹ FTQ (1995), *Plus qu'un OUI, Un pays! La souveraineté et notre projet de société*, (1995).

⁴⁸² Larose quote in the *Montreal Gazette*, (September 14, 1995), A9.

⁴⁸³ Network of English-speaking Quebecers for the YES, Press Release, (October 14, 1995).

When it became clear in the final week of the campaign that the OUI forces might be headed toward victory, Prime Minister Jean Chrétien, under enormous pressure from federalist forces, promised that after a NON vote his government would restore Quebec's constitutional veto power, recognize Quebec as a distinct society, and transfer responsibility for labour market training to the province. Chrétien's desperate televised plea to "preserve the economic and political union we already enjoy,"⁴⁸⁴ helped deliver the narrowest of victories to the NON forces. When all the ballots were counted, 49.4% voted OUI; 50.6% voted NON. Parizeau resigned as Premier and the province's labour movement expressed bitter disappointment at the result.

Organized Labour and the Referendum Aftermath

Shortly after the referendum, the Chrétien government moved quickly to honour the commitments that the Prime Minister had made on the campaign trail by having the House of Commons recognize Quebec as a "distinct society." In 1996, the government passed the Constitutional Amendment Act, which added five regional vetoes (including one for Quebec) to the 7/50 amendment rule in the Constitution. In the same year, the Chrétien government also shifted responsibility for labour market training to the provinces. Lucien Bouchard, who left the leadership of the BQ to become Quebec Premier shortly after the referendum, continued to assert throughout this period that Chrétien's constitutional tinkering would not appease Quebec and that another referendum on sovereignty would take place as soon as his government experienced "winning conditions." Frustrated with the Quebec government's hard-line stand,

⁴⁸⁴ "Chrétien: Why Destroy Canada?" *Globe & Mail* October 26, 1996.

Chrétien began to promote a get-tough approach with Quebec separatists which became known as “plan B.”

Determined to frustrate any attempt to hold another referendum on sovereignty, the federal government referred the question of the legality of unilateral secession to the Supreme Court of Canada. The Court was asked to answer the following three questions:

1. Under the Constitution of Canada, can the National Assembly, legislature, or government of Quebec effect the secession of Quebec from Canada unilaterally?
2. Does international law give the National Assembly, legislature, or government of Quebec the right to effect the secession of Quebec from Canada unilaterally?
3. In the event of a conflict between domestic and international law... which would take precedence?

The PQ government was outraged by the Supreme Court reference. As Peter Russell has noted:

For the sovereignists, Quebec’s right to issue a declaration of independence on the basis of a majority vote of its people was an exercise of Quebecers’ right to self-determination and rested on a higher law than Canada’s Constitution. Besides, the official line in Quebec was to regard the Supreme Court as hopelessly biased – a virtual leaning tower of Pisa – in favour of the government which unilaterally appoints its judges.⁴⁸⁵

The Quebec labour movement responded with similar outrage. In particular, the CSQ’s Lorraine Pagé declared “Le Premier Ministre Chrétien affirme clairement qu’il ne respecterait pas le choix majoritaire du peuple québécois en faveur de la souveraineté, même s’il formulait lui-même la question, ce qui en dit long sur sa conception de la

⁴⁸⁵ Russell (2004), 242.

démocratique.”⁴⁸⁶ In an effort to bolster the credibility of the sovereigntist argument, the FTQ asked the CLC executive to pass a strongly worded resolution reaffirming its support for self-determination in Quebec. The CLC communicated its position through a press release in which CLC President Bob White argued that “The Supreme Court has been stuck with a misguided reference – and it must do what it has done in many prior cases – that is turn back a fundamentally political question to the political arena.”⁴⁸⁷ White went on to express the view that “There is a growing sense which cuts across political lines, that this use of the Supreme Court is simply wrong. Inside Québec itself, the reference has galvanized opposition from both sovereigntists and federalists alike.”⁴⁸⁸ White concluded by stating “This is a decision for the people of Quebec to make”.⁴⁸⁹

On August 20, 1998, the Supreme Court of Canada released a unanimous judgment which stated clearly that Quebec did not have the right to unilaterally secede from Canada. However, the Court did note that the Rest of Canada would have an obligation to negotiate with Quebec should its citizens ever choose to democratically secede based on the results of a clear referendum question.

Unfazed by the Court’s somewhat ambiguous decision, the Chrétien government introduced the Clarity Bill in order to exert more influence over the wording of any future referendum question on sovereignty. Essentially, the Clarity Bill gave the House of Commons the task of determining whether the referendum question “would result in a

⁴⁸⁶ Pagé quoted in Bouilane (2003), 209.

⁴⁸⁷ CLC Press Release, February 17, 1998.

⁴⁸⁸ Ibid.

⁴⁸⁹ Ibid.

clear expression of the will of the population of a province on whether the province should cease to be part of Canada and become an independent state.”⁴⁹⁰ If the citizens of a province were to choose sovereignty based on a clear question approved by the House of Commons, Members of Parliament would be called upon once more to determine whether or not the size of the victory was large enough to begin the process of negotiating the terms of separation.

Joining the BQ in opposition to the Clarity Act in the House of Commons was the Progressive Conservative party, but conspicuously silent was the NDP. Despite the fact that the party’s federal council had passed a resolution opposing the bill, all but two members of the party’s small parliamentary caucus supported Chrétien’s Clarity Act.

In an open letter, NAC, CUPW and a host of rank-and-file union leaders, left-wing political activists and academics charged that the Clarity Act is “cause for alarm for all supporters of democratic rights.”⁴⁹¹ The letter continued:

Parliament is taking away the historically recognized rights of the people of Quebec to make these decisions. In the two previous referendums, the federal government accepted that the Quebec government could draft its own question without federal interference. By requiring federal approval of the question in future referendums, the federal government is denying the right to self-determination for the people of Quebec.⁴⁹²

In Quebec, FTQ President Henri Massé argued : “Dans l’éventualité d’un prochain référendum sur la souveraineté du Québec, c’est l’Assemblée nationale qui doit fixer démocratiquement les règles du jeu, comme ce fut le cas lors des référendums de

⁴⁹⁰ 2000 Statutes of Canada, chap 26 section 1 (1)

⁴⁹¹ Various individuals and organizations, *Open letter in support of the democratic right to self-determination for Quebec*, 1998.

⁴⁹² *Ibid.*

1980 et de 1995.”⁴⁹³ A few days later, all three Quebec labour centrals joined Quebec student organizations in issuing a joint press release which stated that the Clarity Act “n’est qu’une course à obstacles, vise à déposséder le Québec de son droit fondamental et constitutionnel d’établir les règles et conditions d’un référendum.”⁴⁹⁴

CLC-FTQ Relations Under Georgetti

By the time the Clarity Act became law, Bob White had left his post as CLC President. His successor, Ken Georgetti, was not perceived as friendly toward Quebec, and the CLC’s silence on the Clarity Act seemed to confirm that assumption. Georgetti, a Steelworker, served thirteen years as President of the British Columbia Federation of Labour before being elected to lead the CLC in 1999. With the NDP caucus divided over the Clarity Act, Georgetti did not feel the need to wade into the divisive debate. After all, shortly before leaving his post as CLC President, Bob White had strongly condemned the federal government’s direction on this issue. The Congress, under Georgetti’s leadership, had reverted back to the role of being a spokesperson for workers in English-Canada. This shift in direction was not particularly upsetting to the FTQ. After all, the sovereignty-association partnership agreement was designed to allow both the Congress and the FTQ to take competing political positions. Georgetti’s unwillingness to take a strong progressive position on a contentious political issue in Quebec would only have the effect of entrenching the belief among sovereigntist sympathizers that Quebec and Canada were irreconcilable. That said, Georgetti’s background and personal style of leadership meshed well with the FTQ’s strategic approach to politics. The fact that

⁴⁹³ FTQ Press Release December 10, 1999.

⁴⁹⁴ CSN – CEQ – FTQ – FEUQ et FECQ Press Release, December 12, 1999.

Georgetti was the first ever President of the CLC who had led a provincial federation of labour gave him a unique outlook within the Canadian labour movement. As a British Columbian, Georgetti was intensely aware of western alienation and the mistrust of the federal government which also existed in Quebec. Georgetti's non-partisan approach to dealing with the federal government was also attractive to the FTQ. The 2004 campaign finance legislation limiting corporate and union donations to federal political parties, which precipitated Georgetti's strategic shift in dealing with the federal government, had long been a fact of life in Quebec, where unions fiercely guarded their political independence from parties. By distancing itself from the NDP, the CLC was more closely mimicking the type of political lobbying favoured by the FTQ. Finally, Georgetti signaled a more open attitude towards Quebec by inviting Bloc Québécois leader Gilles Duceppe to address delegates to the CLC's 2005 Convention. Despite the howls of protest from certain delegates who waved Canadian flags during Duceppe's speech, and sang "Oh, Canada" at him while he left the hall, Georgetti unapologetically explained to the delegates that the Canadian labour movement had to accept the fact that there were now two entrenched social democratic parties in Canadian politics: the NDP in English Canada and the Bloc Québécois in Quebec.

Summary

The first section of this chapter documented the FTQ's struggle to achieve sovereignty-association with the CLC. This achievement, which came about after several months of intense negotiation, greatly bolstered the confidence of the FTQ, which

showcased its sovereignty-association partnership agreement with the Congress as a model for Canada. This FTQ victory dovetailed perfectly with the Quebec government's proposal to establish a new political and economic partnership with the Rest of Canada. The Quebec labour movement's participation in the 1995 Quebec referendum on sovereignty was the subject of the second section of this chapter. All segments of the Quebec labour movement campaigned for the OUI forces in an unprecedented fashion. The FTQ, CSN and CSQ employed sophisticated internal campaigns to get out the vote and funded public campaigns designed to convince workers that their aspirations could be fulfilled in a sovereign Quebec. Despite the best efforts of the province's labour movement, the nationalist camp came up just short. The fallout from the referendum campaign was the subject of the third section of this chapter. The federal government's aggressive approach toward combating Quebec separatism was met with hostility from Quebec's labour leaders, who remained firmly planted in the sovereignist camp after the referendum loss.

Finally, Bob White's important role in bridging the gap between the CLC and the FTQ on the Constitutional Question was a central theme of this chapter. It is clear that Bob White played a pivotal role in transforming CLC-FTQ relations. In particular, he was responsible for modifying the CLC's traditional role as a spokesperson for workers in English Canada in the period between the failure of the Charlottetown Accord and the defeat of the 1995 referendum on Quebec sovereignty. During this period, White continued to advocate a more or less centralist view on constitutional questions. However, White simultaneously opened the lines of communication with the FTQ by

openly discussing how organized labour would continue to be strong and unified in the event that Quebec opts for sovereignty. In doing so, White ran the real risk of alienating rank-and-file workers in English Canada by engaging in discussions which took as their frame of reference an outcome beyond what the CLC had traditionally advocated.

Somewhat surprisingly, no such backlash ever emerged and the CLC-FTQ sovereignty-association partnership was achieved without much controversy.

Chapter 9

Asymmetrical Federalism and the Mechanics of CLC-FTQ Sovereignty-Association

“Progressives in English Canada need to state clearly and firmly that we, too, want a new relationship between English Canada and Quebec. The labour movement has a strong record of practicing what it preaches in this regard: meaningfully recognizing Quebec’s self-determination, while seeking routes for effective partnership and cooperation. And so labour can play a crucial role in cementing a new recognition of the importance of a better relationship between English Canada and Quebec.”⁴⁹⁵

In August 2004, Canadian Auto Workers’ President Buzz Hargrove made headlines by suggesting that the NDP abandon fielding candidates in Quebec. Hargrove argued that a party like the NDP, so deeply rooted in English Canada, could never make significant inroads in a francophone province. He therefore advocated having the federalist NDP form a parliamentary alliance with the separatist Bloc Québécois. The partnership, according to Hargrove, would be based on a common progressive vision of social policy, labour rights, and international affairs. Hargrove’s comments were based on a discussion paper which was unanimously adopted by over 800 delegates attending a CAW meeting in Montreal. His own union purports to practice what it preaches in terms of recognizing the specific cultural and political interests of workers in Quebec.

The CAW operates with a dual council structure. CAW Quebec council meets separately twice a year and jointly with the CAW council every three years. The dual structure was put in place to recognize the specificity of the CAW in Quebec, including

⁴⁹⁵ CAW discussion paper, *New Energy of the Left*, 2004.

the union's unique history in that province and its distinct political orientation.

Historically, UAW activists in Quebec complained that the Canadian section of the union focused on southern Ontario at the expense of Quebec. In September 1981, the UAW's Canadian director, Bob White, in his address to the union's Canadian council, conveyed the frustration of Quebec UAW members:

Currently the facts are that very few of our Quebec locals participate in this Council. The distance for travel is great, the debate is conducted in English, and a majority of the issues discussed relate mainly to our activities in Ontario. I don't want to totally lose the impact that we have at this Council from Quebec – but I also want them to have a properly structured vehicle where they elect an executive and resolutions committee, discuss issues and make recommendations to my office in a more formalized way. They also need an avenue where they can take positions on important legislative matters in Quebec.⁴⁹⁶

The Quebec Council held its founding meeting in March 1983 and maintained its separate structure when the CAW was born out of the UAW in 1984. Other unions like the Canadian Union of Public Employees and the United Steel Workers of America have long functioned with similar structures. For its part, the Steelworkers established a separate district for its Quebec members as early as 1961.⁴⁹⁷ In 1965, Jean Gérin Lajoie was elected Director of the Quebec district on an explicitly nationalist platform. He went on to pursue the establishment of an annual Quebec Steelworkers assembly, much to dismay of hardline federalists in the USWA.⁴⁹⁸ When the regions of Quebec and Atlantic Canada were merged by the executive of the international union in 1968 (due strictly to a

⁴⁹⁶ UAW, *Report of the UAW Director for Canada and International Vice-President, Robert White to Canadian UAW Council*, September 12th and 13th, 1981, Port Elgin Ontario, 14-15.

⁴⁹⁷ Gérin-Lajoie (1982), 159.

⁴⁹⁸ Gérin-Lajoie (1982), 164.

lack of membership growth in the Maritime provinces), the Quebec assembly remained intact to provide a distinct voice for Québécois members.⁴⁹⁹

The dual union structures in the CAW, USWA and CUPE were all established for similar reasons – to provide a forum where Québécois union members could meet and debate political, social and economic questions specific to Quebec. Unions like the CAW, the USWA, and CUPE recognized that the aspirations of their Québécois members could not be achieved within the larger framework of a highly centralized international, or even pan-Canadian national union. This important realization, which manifested itself in a principled stand on self-determination, combined with the more practical fear of losing Quebec members to rival trade union centrals, convinced these particular unions to adopt dual structures. It is therefore no surprise that the CAW, USWA and CUPE all endorsed the CLC-FTQ sovereignty-association partnership agreement in 1993.

This chapter seeks to explain the details of the CLC-FTQ agreement. The circumstances under which the agreement was reached is the subject of the first half of the chapter, while the second half is devoted to understanding and describing the partnership agreement's practical application.

The CLC-FTQ Sovereignty-Association Partnership Agreement

On November 25, 1993, the CLC and the FTQ reached a historic agreement which transferred jurisdictional powers from the CLC to the FTQ, entrenched certain past

⁴⁹⁹ Gérin-Lajoie (1982), 167.

practices, and confirmed other recent changes. The agreement guaranteed the FTQ President a spot on the CLC Executive Committee as well as the Executive Council. In addition, the FTQ was guaranteed representation on all CLC standing committees, a position on the CLC International Affairs committee and representation at the ICFTU, the ILO Annual Conference and any other International Conference. In terms of presentations to ad hoc Federal government committees, the CLC confirmed the longstanding practice of allowing the FTQ to make separate presentations. In addition to transferring staff and resources to the FTQ on a per capita basis, the CLC agreed that disputes arising from its affiliates in Quebec would be resolved using FTQ protocol. The agreement states explicitly that “CLC affiliates will not have recourse to the CLC internal dispute procedure for internal disputes inside Quebec.” Although the document is padded with motherhood statements concerning mutual solidarity and recognition of Quebec’s distinct role within the Canadian federation, it is significant in that it gives the FTQ the tools necessary to become the incarnation of the CLC in Quebec. Due to the sheer amount of power and jurisdictional responsibility transferred from the CLC to the FTQ, officials in both organizations have dubbed the agreement a form of sovereignty-association. The CLC and the FTQ have both showcased their partnership as a model for asymmetrical federalism in Canada. However, no one it seems took these claims very seriously. Even organized labour’s allies in the NDP wondered how such a model could work on a constitutional level in practical terms.

Transcending the Constitutional Question or Maintaining the Membership?

In 1998, the NDP launched the Social Democratic Forum on Canada's Future. The Forum's mandate was to travel the country and gather input from progressive organizations with a view to producing recommendations for a renewed federalism. The Forum sought to develop a social democratic approach to Canadian federalism, but seemed to struggle with the task of creating a concrete model. In its final report adopted at the party's 1999 Federal convention, the panelists on the Forum wrote:

The labour movement provided us with perhaps the clearest articulation of the possibilities for an asymmetrical model. Both the Fédération des travailleuses et des travailleurs du Québec and the Canadian Labour Congress suggested that we might look to their relationship as an example of the kind of partnership that could be established between Québec and the rest of Canada. This relationship is based on the principle that what the CLC negotiates with Québec, it doesn't negotiate with other provincial federations of labour. The CLC-FTQ agreement sets out clear roles and responsibilities as well as fiscal arrangements which allow the FTQ to finance the additional functions. The relationship is, according to the CLC, based on mutual respect and the reality that "we are in two different worlds". This relationship, however, is also based upon shared values and common goals. Can this really be extended to apply to a country as diverse as ours, where the political players have not shared the same commitment to social justice and equity?⁵⁰⁰

It is difficult to understand the true substance of the CLC-FTQ arrangement. Organized labour presents the institutional agreement as a model for asymmetrical federalism in Canada and argues that it was achieved based on "mutual respect" and respect for the principles of recognition and self-determination. The CLC-FTQ partnership agreement has allowed both parties to redefine their respective constitutional positions to better correspond to the working class interests of their particular constituencies. In Quebec, this nationalist "projet de société" emerged as early as the 1970s. In English Canada, the labour movement did not effectively harness nationalism

⁵⁰⁰ New Democratic Party, *Social Democratic Forum on Canada's Future: Final Report Presented to the National Convention of the NDP of Canada*, August 1999.

as a political tool to promote its interests until the late 1980s. Even then, English-Canadian nationalism took the shape of “resistance to Americanization” rather than a coherent expression of political or cultural unity.⁵⁰¹ Nevertheless, the notion of duality, in both theory and practice, has been embraced by CLC.

In a somewhat more cynical view, Jean-Marc Pottie has argued that the CLC-FTQ sovereignty-association partnership agreement was only achievable because the CLC and the FTQ shared a common enemy in the CSN.⁵⁰² However, Pottie likely overstates the importance of the CSN in achieving the CLC-FTQ sovereignty-association agreement. After all, in this period, there was no real evidence or threat that FTQ affiliates would switch to CSN in the event that the Federation broke away completely from the CLC.

Others have argued that organized labour’s asymmetrical arrangement was simply the product of damage control among labour leaders, and that it is better understood as a form of organizational maintenance. In *Organized Labour and Pressure Politics*, David Kwavnick wrote: “The pursuit of organizational maintenance and enhancement induces group leaders to seek stability and predictability in their relations with the leaders of other groups...”⁵⁰³ Esther Déom and Jean Boivin seem to rely on this view of group dynamics when they argue that the CLC-FTQ agreement was drafted in response to Guy Cousineau’s defeat at the CLC convention in June 1992. Although there is little question

⁵⁰¹ Paul Nesbitt-Larking “Canadian Political Culture: The Problem of Americanization,” in *Contemporary Political Issues*, Mark Charlton and Paul Barker, eds., (Toronto: Thomson Nelson, 2002), 12.

⁵⁰² Pottie (2001), 181.

⁵⁰³ Kwavnick (1972), 2.

that Cousineau's defeat prompted "a deterioration of relations"⁵⁰⁴ between both organizations, it is likely better to identify that event as the culminating incident, rather than a root cause of the tensions that existed between the FTQ and the CLC. Rather, the asymmetrical arrangement is best understood as the product of elite accommodation designed to repair the longstanding grievances and general malaise that existed between the Federation and the Congress. This process relied heavily on agency, but was, of course, limited by structural constraints.

Independent of one another, neither structure, nor agency can explain how the CLC-FTQ agreement came to be. The human agents involved in the development of the CLC-FTQ proposal for sovereignty-association were indeed key to its successful adoption. CLC President Bob White was instrumental in making the partnership agreement happen. White's experience of leading the effort to break away from the UAW to create the CAW in the 1980s gained him the admiration of many Quebec nationalists. The FTQ's Clément Godbout explained "avec un gars comme Bob White à la tête du CTC, on n'a pas eu trop de mal à se faire comprendre lorsqu'on parlait d'autonomie."⁵⁰⁵ In fact, had another trade unionist been President of the CLC at the time, it is conceivable that the CLC-FTQ agreement would not exist. White's openness to Quebec, his previous experience with asymmetrical structures within the CAW, and his respect for the Quebec leadership ensured that the Congress would cooperate with, rather than resist, the FTQ and its demands for greater autonomy within the CLC.

⁵⁰⁴ Déom and Boivin (2005), 505.

⁵⁰⁵ *La Presse*, (May 17, 1994).

That said, individual agency, on its own, cannot sufficiently explain how the agreement came to be.

One must not forget that the FTQ's initial proposal was to break away from the CLC and form its own independent trade union central (much like the CSN), but keep fraternal ties with the CLC. However, structural barriers forced the FTQ's President to reconsider that option. Provincial Federations of Labour are made up entirely of affiliates. Within the FTQ, a multiplicity of affiliates exist with their own agendas, their own structures, and their own ideological orientations. Many of these affiliates are international unions and were cold to the idea of breaking away from the CLC. The FTQ could not confidently forge ahead with a plan to break away from the Congress without the overwhelming support of its affiliates. This structural constraint made the asymmetrical option more attractive to a larger number of affiliates because it would keep the FTQ within the CLC while at the same time giving the FTQ recognition as a distinct federation within the Congress.

In a *Le Devoir* editorial entitled "Un Syndicalisme asymétrique," Jean Francoeur offered a similar perspective:

Pour la FTQ, sortir du CTC c'est d'abord persuader ses affiliés – une majorité de syndicats donc le siège social est situé hors du Québec – d'étendre jusqu'à l'extrême limite l'autonomie qu'ils ont déjà consentie à leurs <<succursales>> québécoises. C'est beaucoup tirer sur l'élastique. D'autre part, selon certaines hypothèses qui sont cours, il pourrait s'agir, moins de <<sortir du CTC>>, que d'aménager avec la centrale canadienne de nouveaux rapports, d'égal à égal, qui s'apparenteraient à la souveraineté-association de René Lévesque ou à la superstructure de Robert Bourassa, autrement dit de continuer de partager la maison

commune tout en repoussant les frontières du syndicalisme asymétrique vécu jusqu'ici.⁵⁰⁶

Asymmetrical federalism is a constitutional arrangement in which an uneven division of powers exists between sub-units in a federal state. In the Canadian context, asymmetrical federalism usually refers to a special federal-provincial arrangement negotiated between the federal government and Quebec. Simply put, asymmetrical federalism allows Quebec to wield certain powers which are not available to the other provinces. For example, Quebec has its own civil code, a separate pension plan, some degree of control over immigration, and other unique tools at its disposal to protect the French language. As recently as September 2004, Quebec successfully negotiated an asymmetrical side deal on healthcare with the federal government. This uneven division of powers between provincial governments is highly controversial because it challenges the commonly held view that all provinces ought to be treated equally.

Although the concept of asymmetrical federalism enjoys little support from the general public, it has been a constitutional preoccupation for Canadian political scientists. In federalism literature there is a significant body of theoretical work which holds out asymmetrical federalism as a normative model for integrating deeply divided societies. Reg Whitaker's case for asymmetrical federalism is typical of the academic literature. "The case for asymmetrical federalism would be that everyone wins and no one loses: Quebec gets exclusive powers that no other province wants or needs, while the rest of

⁵⁰⁶ Jen Francoeur, "Un syndicalisme asymétrique," *Le Devoir*, (July 27, 1992), 12.

Canada gains an effective national government that is not rejected by Quebec.”⁵⁰⁷

Asymmetrical federalism, in other words, is seen as a strength of Canadian federalism because it acknowledges that Quebec is unique in both history and circumstance. However, reluctance to embrace asymmetrical federalism in English-Canada has polarized debates on national unity and constitutional reform in Canada. With no middle ground, Quebecers concerned about achieving recognition see the federal system and its supporters in English-Canada as obstructing Quebec’s potential.

In many ways, the CLC-FTQ agreement came to be precisely to address the FTQ’s desire for recognition. For years, informal arrangements between the FTQ and the CLC existed in the areas of education and political action. Formalizing them was not so much practical as it was symbolic. By recognizing the FTQ’s special status within the CLC, the Congress crystallized past practices in such a way that recognized the FTQ’s unique contribution to the labour movement. Admittedly, recognition did also entail granting the FTQ some new powers, but by and large, the CLC and the FTQ simply formalized, in writing, practices which had been in place for years.

Esther Déom and Jean Boivin are likely correct when they argue that formal recognition of the FTQ, in the form of a sovereignty-association agreement, was only achieved out of crisis. However, as previously stated, they miss their target when they point to the 1992 convention defeat of FTQ-backed candidate Guy Cousineau as the reason for the agreement. Rather, that important event acted as a trigger mechanism for

⁵⁰⁷ Reg Whitaker, “The Dog That Never Barked: Who Killed Asymmetrical Federalism?” in *The Charlottetown Accord, the Referendum, and the Future of Canada*, Kenneth McRoberts and Patrick J. Monahan, eds., (Toronto: University of Toronto Press, 1993), 108.

years of built up nationalist sentiment. The early 1990s saw a maelstrom of constitutional activity in Canada. The death of Meech, the Allaire Report and increased support for separatism dominated political debates. Sovereignty was no longer viewed as a threat, but rather an inevitability.

In order to address this difficult debate, the trade union movement as a whole replicated in its internal governance structures a system of asymmetry in order to deal with the problems typically associated with federalism, and specifically the problems associated with Canadian federalism. There is no question that the struggle over national unity informed the FTQ's position as a Québécois Federation of Labour within the anglo-dominated CLC. However, the opposite is also true, namely that the Federation's relationship with the CLC informed its position on important constitutional questions. Former PQ Premier Jacques Parizeau made the following assertion about former FTQ President Louis Laberge: "Il a toujours eu des contacts étroits avec les syndicalistes du Canada anglais et il a vu les limites de ce qu'on pouvait faire au niveau canadien."⁵⁰⁸ In other words, Laberge's rocky relationship with the CLC contributed to his changing views on the National Question in Quebec.

Like Parizeau and Laberge, many Quebec intellectuals have rejected asymmetrical models at the federal level as a solution to Quebec's National Question. Philosopher Laurent-Michel Vacher, for example, has even argued that sovereignty-association represents a "schizoid variant of neo-federalist autonomism disguised as

⁵⁰⁸ As cited in Fournier (1992), 366.

drawing-room nationalism”.⁵⁰⁹ Jocelyn Maclure has labeled scholars like Vacher

“melancholy nationalists”. In his own words:

...melancholia is an elusive, diffuse, latent feeling of grief. From generation to generation, Quebec intellectuals and writers have attempted to follow the thread of this melancholia, in the belief that they can work back to the origins of Quebec’s modern-day ills. The causes of our mourning are variously asserted to be the defeat on the Plains of Abraham and the British Conquest, the abandonment of New France by the motherland, the conqueror’s domination and the persistent threats of assimilation (of which the Durham Report was the most glaring manifestation), the repeated failures to refound the country (1837-38, 1980, 1995), the constitutional ‘humiliation’ of Quebec (unilateral repatriation of the Constitution in 1982, failure of Meech Lake in 1990), U.S. economic and cultural neo-imperialism, and the North American and global hegemony of the English language. The thinkers who have probed the past for an explanation of the allegedly morose mindset of the Québécois all share a characteristic relationship to history. They implicitly or explicitly embrace the postulate that certain traumatic events in our history have been repressed and internalized within the Québécois collective unconscious. For these ‘melancholy writers,’... these events have come to alter the self-consciousness of the Québécois.⁵¹⁰

While “melancholy” Quebec nationalists may have dismissed asymmetrical models as half-measures, staunch federalists, on the other hand, have argued that such models are incompatible with liberal democratic notions of equality. Pierre Trudeau best exemplified this line of thinking in his academic writings and later as Prime Minister of Canada. Trudeau sought to replace the dualist notion of Canada with a single, bilingual and multicultural political community which stretched from coast to coast to coast. Trudeau reasoned that this new political community would curtail Quebec nationalism and bring about a new pan-Canadian nationalism. The key to his nation-building strategy was the patriation of the Canadian Constitution with a Charter of Rights and Freedoms.

⁵⁰⁹ Laurent-Michel Vacher, *Un Canabec libre: L’illusion souverainiste*, (Montreal: Liber, 1991), 16.

⁵¹⁰ Jocelyn Maclure, *Quebec Identity: the challenge of pluralism*, (Montreal: McGill-Queen’s University Press, 2003), 20.

Although patriation was successful in 1982, Quebec's refusal to sign the new Constitution delivered a major blow to Trudeau's national unity strategy. Even after his retirement, Trudeau intervened in the constitutional debates surrounding Meech Lake and Charlottetown. He argued that such constitutional reforms should be rejected because they allow Quebec to negotiate side deals with Ottawa or opt out of federal programs all together – conveniently forgetting that his own government had not only tolerated, but signed similar asymmetrical side deals with the Quebec government. Trudeau and his intellectual successors have been roundly criticized for deepening Canada's constitutional crisis by refusing to recognize the unique character of Quebec society. In *Misconceiving Canada: The Struggle for National Unity*, Kenneth McRoberts argued that the Trudeau vision “was successful – but with the wrong population.”⁵¹¹ McRoberts elaborated on his argument by suggesting that Trudeau's unity strategy was severely flawed.

It had the effect of widening the gulf between English Canadians and Quebec francophones. More specifically, it greatly strengthened English-Canadian resistance to any demands for recognition of Quebec's distinctiveness. Indeed, it left English-Canadians ill-equipped even to understand Quebec's claims, which made little sense within a vision of Canada that had, in fact, been constructed to deny the uniqueness of Quebec.⁵¹²

The Trudeau government's patriation of the Constitution in 1982 was the last successful attempt at mega constitutional reform in Canada. Meech and Charlottetown were both concerted attempts to bring Quebec into the Constitution, but the new amending formula and the public's demand for popular participation in the process of constitutional reform ensured that these proposals would be defeated. Peter Russell laments:

⁵¹¹ McRoberts (1997), 186.

⁵¹² Ibid.

...the Canadian people could say 'no' to all manner of constitutional proposals, but they could not say 'yes' to anything that touched those matters of national identity and constitutional vision on which they were so profoundly divided. Canadians were now a sovereign people in only a negative sense. They could and would insist on direct approval of constitutional proposals that changed the fundamentals of their constitution. But they can use their constitutional power only to reject, not to approve, changes in anything fundamental. If this lesson sunk in, the country might well eschew the crisis-ridden politics of mega-constitutional change and return to constitutional normalcy.⁵¹³

Political Scientist Michael Lusztig supports Russell's conclusion. In

Constitutional Paralysis: Why Canadian Constitutional Initiatives Are Doomed to Fail,

Lusztig argues that mega constitutional reform is structurally limited because mass legitimization of such reform undermines the type of elite accommodation required to forge new constitutional arrangements. Both Russell and Lusztig have a point.

However, from the point of view of the labour movement, constitutional fatigue was not seen as an impediment to finding a solution.

The CLC has certainly not experienced the constitutional paralysis experienced by the Canadian state. This is evidenced by the fact that the FTQ-CLC agreement was negotiated and approved without much debate or controversy at a time when constitutional issues dominated national politics. The proposal, which was cobbled together through a process of elite accommodation, easily passed the test of mass legitimization at the CLC's 1994 convention, where the document sailed through and was approved, without amendment, by the overwhelming majority of delegates. In doing so, rank-and-file trade unionists positively asserted a progressive vision of Canadian society based on the recognition of Quebec as a distinct society.

⁵¹³ Russell (2004), 228.

Despite this important achievement, it is worth noting that the practical application of the CLC-FTQ agreement, beyond its strict administrative function, has been limited. In fact, since 1994, there have only been a few occasions where the agreement has emerged as an important factor in CLC-FTQ relations. The SEIU's raiding dispute with the CAW and the Quebec Superior Court's decision on maternity leave are two such instances.

CAW-SEIU Raiding Dispute

In June 2000 the CLC expelled the CAW from its ranks after an independent umpire, appointed under the Constitution of the Congress, found the Auto Workers union guilty of raiding eight locals of the Service Employees International Union (SEIU) in Ontario.

The locals in question, which primarily represented hospital workers, had longstanding grievances concerning the lack of Canadian autonomy within the American-based SEIU. Disgruntled SEIU members contacted the CAW to plead their case. In February 2000 the leadership of the eight locals publicly declared their intention to disaffiliate from the SEIU and join the CAW. In turn, the Auto Workers union, which had traditionally not been associated with the health care sector, raided the SEIU locals with overwhelming support from their rank-and-file members.

The SEIU responded by launching a formal complaint against the CAW at the CLC. The Congress' main function had always been to police its affiliates – and the CAW had clearly violated the protocols of the CLC by raiding the SEIU. CAW President Buzz Hargrove did not see it that way. He suggested that the real issue was one of union democracy. "It's about Canadian leadership, Canadian workers making a decision that they believe is in the best interest of their membership and that has to be respected by the labour movements throughout the world."⁵¹⁴ Unable to broker a compromise between the unions, the CLC executive made a decision to pursue sanctions against the CAW and formally expel the union from the Congress. In return, the CAW subtly threatened to create a rival labour central to compete with the CLC. Eventually, the dispute was resolved in May 2001 when both unions, with the help of the Congress, agreed to and ratified a process which would put an end to the sanctions.

The stand-off between the CAW, the SEIU and the CLC received an impressive amount of media attention, but one important aspect of the dispute which was virtually ignored was the fact that the CAW's Quebec section had never been expelled – despite the fact that in July 2000, the CLC's sanctions against the CAW included barring the union from participating in any Congress body (including provincial Federations of Labour and local labour councils).

The FTQ refused the CLC's directive and allowed the CAW to continue participating in the affairs of the federation. TCA-Quebec had historically enjoyed a strong relationship with the FTQ. The Federation invoked the CLC-FTQ sovereignty-

⁵¹⁴ http://www.caw.ca/news/videonews/recent/CAW_SEIU_Merger_Decision.asp

association agreement in order to justify its refusal to expel TCA-Quebec from its ranks. The FTQ's decision did not prove controversial in the least, mainly because the dispute had little to do with the TCA. However, provincial Federations of Labour in other Canadian provinces all complied with the CLC's directives and expelled the CAW from their respective bodies.

The Struggle Over Maternity Leave

On January 27, 2004 the Quebec Court of Appeal ruled that Employment Insurance maternity and parental benefits were a social program, and thus fell under provincial jurisdiction. The FTQ, a staunch defender of provincial rights, praised the ruling and asked the federal government not to appeal the decision to the Supreme Court of Canada. In a press release, FTQ Secretary-General René Roy argued, "le nouveau gouvernement Martin devrait en profiter pour régler une fois pour toutes ce litige avec le Québec, ce qui permettrait de lancer une véritable politique familiale qui profiterait à tous les acteurs de la société québécoise."⁵¹⁵ The Quebec labour movement may have been impressed with the judicial decision, but it rubbed the CLC the wrong way. In accordance with its longstanding support for universal social programs and strong national standards, the Congress denounced the ruling and encouraged its members to contact the Prime Minister and convince him that the federal government should file an appeal to the Supreme Court. In a letter to the Prime Minister dated January 29, 2004 CLC President Ken Georgetti wrote:

⁵¹⁵ <http://ftq.qc.ca/communiques/suite.asp?aid=2859>

The Quebec judgment has the flawed reasoning similar to that used by the British Privy Council of the 1930's when they struck down federal government's unemployment insurance legislation. The Privy Council failed to grasp the distinction between "social insurance" and commercial insurance. In their judgment, insurance came under property rights, an area of provincial jurisdiction.

We also do not accept the narrow definition in the Quebec judgment that would limit the federal government's unemployment insurance responsibility and obligations to insure workers only against the loss of earning due to economic reasons.

In a second letter dated February 10, 2004 Georgetti pleaded his case once again arguing that, "the Canadian Labour Congress (CLC) is extremely concerned about the devastating consequences for all workers if the Quebec Court decision is allowed to stand."⁵¹⁶

The FTQ reacted angrily to Georgetti's letters and rebuked the CLC for not consulting the Federation before making such strong public statements regarding a Quebec court decision. In a counter-letter to Paul Martin dated February 12, 2004, the FTQ praised the court's ruling and asked the Prime Minister to respect the decision by not launching an appeal. FTQ President Henri Massé argued, "ce jugement consitute l'aboutissement de sept années d'efforts concertés pour mettre en place un régime d'assurance parentale conforme aux objectifs de développement socioéconomique du Québec reflétant un large consensus social."⁵¹⁷ Massé also could not help but point out the obvious:

Comme vous pouvez le constater par notre demande, notre position diverge grandement de celle que le Congrès du travail du Canada énonçait dans une letter que vous faisait parvenir son president M. Kenneth Georgetti, le 29 janvier dernier. En vertu des ententes négociées entre nos

⁵¹⁶ http://www.clc-ctc.ca/web/menu/english/en_index.htm

⁵¹⁷ Letter from Henri Massé to Paul Martin, February 12, 2004

deux centrales, en cas de vues divergentes – ce qui ne se produit que très occasionnellement, notamment sur le rôle du gouvernement fédéral dans le champs de compétence provinciale -, chacune fait ses représentations séparément.

After being raked over the coals by the FTQ, the CLC issued another press release once again encouraging the federal government to appeal the decision. Georgetti reiterated the CLC's position that "the January 27 decision will have devastating consequences for all workers if it is allowed to stand."⁵¹⁸ However the Congress also included the following sentence in its newest communiqué: "In the province of Quebec, these public policy issues have historically evolved differently and the FTQ, the Quebec Federation of Labour, position reflects that."⁵¹⁹

On October 25, 2005, the Supreme Court of Canada upheld the federal government's right to offer maternity and parental benefits through the Employment Insurance program. The Congress, which appeared as an intervener in the case, heralded the decision as a victory for working families. The FTQ, for its part, did not comment on the court's decision.

Sovereignty-Association of the House of Labour: A Model for Canada?

Although the CAW-SEIU dispute and the CLC-FTQ struggle over maternity leave present interesting case studies for those who seek to understand how the CLC-FTQ agreement is administered, they also demonstrate that jurisdictional disputes arising between the CLC and the FTQ hardly carry the political weight of disputes between

⁵¹⁸ http://www.clc-ctc.ca/web/menu/english/en_index.htm

⁵¹⁹ Ibid.

Ottawa and the provinces. CLC-FTQ disputes seem insignificant in comparison because they impact a smaller number of people, involve a smaller amount of money, and command only a tiny fraction of the public's or the media's attention.

That said, it would be a mistake to downplay the significance of the CLC-FTQ agreement as a political achievement for organized labour. In interest groups where popular opinion is sharply divided between the national organization and one of its largest constituent parts, an asymmetrical organizational model does unquestionably help to ease internal tensions. However, by allowing a contradictory voice to be heard, the organization may run the risk of confusing its members and those it seeks to influence. For the CLC, it appears as though achieving peace in the House of Labour was a more important goal than presenting a united front as an interest group. Rather than attempt to muzzle obvious differences between the national organization and its Quebec wing, the CLC has simply acknowledged that such differences do indeed exist, and further, justifies these differences based on a politics of recognition which is fostered by the organization's asymmetrical structure. It should be noted that part of the elite accommodation process which created the sovereignty-association partnership agreement was heavily influenced by the dynamics of the sovereignty-association partnership document. Although it is difficult to assess precisely how much weight can be afforded to official documents, there is no question that the influence of the sovereignty-association partnership agreement was far greater among rank-and-file trade unionists in Quebec than it was among trade unionists in English-Canada. In fact, the sovereignty-association partnership agreement was, by and large, a non-issue among English-

Canadian trade union activists. In Quebec however, the document played an important legitimization role in that it put forward a particular position, appealed a specific constituency, and most importantly, created a culture and a particular understanding of Quebec's specificity and need for recognition.

In short, the politics of recognition in the Canadian labour movement was achieved through a careful process of elite accommodation. While such a process can effectively be discharged at the highest levels of the labour union bureaucracy, without much backlash from the rank-and-file, it would be naïve to suggest that such a process could easily be replicated in negotiations between the province of Quebec and the Rest of Canada. It is widely acknowledged that it has become practically impossible to impose macro constitutional change in Canadian politics without a popular input and ratification process. To be sure, both the Canadian state and the Canadian labour movement are concerned with organizational maintenance, but the power dynamic and the political stakes in both instances are very different.

The Canadian state operates with two separate and distinct orders of government responsible for different, although often overlapping, areas of public policy. Provincial governments in Canada, therefore, should not be viewed as subordinate to the federal government. The opposite is true in the CLC, where the national labour body dominates its provincial federations (with the exception of the FTQ). Local labour councils in English Canada are guided by the CLC, not their provincial federations of labour – which are made up entirely of affiliates. In some instances, unions do not even bother affiliating

with provincial federations because they are seen as weak and ineffective. Many of the services offered by provincial federations are duplicated by the country's largest unions and are therefore viewed as redundant. Furthermore, the Canadian labour movement is not saddled with a complex formula for amending its constitution. A simple two-thirds vote of delegates at a CLC convention can change the organization's constitution, whereas macro constitutional change in Canadian politics must meet the formal approval of at least two thirds of the provinces representing a majority of Canadians, and in some instances, must have unanimous consent. Besides requiring a high level of consensus among political elites, it has now become inconceivable that macro-constitutional change could be achieved without the public ratifying such an accord through a referendum. Without question, the possibility of constitutional change is far more realistic in the labour movement than it is for the Canadian state. Because it is difficult to compare the structure of the Canadian labour movement to the structure of the Canadian state, it is equally difficult to imagine how the CLC-FTQ agreement could be used as a serious model for asymmetrical federalism in Canada.

Nevertheless, both the CLC and the FTQ have showcased their "sovereignty-association" relationship as a model for Canada. In essence, the CLC is arguing that it has internally transcended the constitutional question by recognizing and accommodating the distinctiveness of the FTQ through a form of organizational sovereignty-association. However, the basis of the CLC-FTQ agreement goes beyond the mere recognition of difference. What allows the agreement to work in practice are shared social and economic values. The CLC and the FTQ share values that are not necessarily shared by

Canada's political elites: namely, a commitment to social justice and economic equality. It is this progressive commitment that makes the CLC –FTQ agreement unique in terms of asymmetrical models. Without this left-wing social dimension, there would be little to hold these two organizations together. It is difficult, therefore, to understand how such a model could succeed at a national political level where neo-liberal discourse remains firm.

Summary

This chapter has served several purposes. It sought to explain both the content and the existence of the CLC-FTQ agreement. Secondly, it argued that the partnership agreement was achieved through shared values and a careful process of elite accommodation. Lastly, the chapter concluded by arguing that although the CLC-FTQ agreement represents a strong political statement in support of Quebec's special status, it does not practically represent a model for asymmetrical federalism in Canada.

The experiences of the Quebec sections of the UAW, USWA and CUPE unquestionably contributed to the CLC's eventual embrace of special status and later sovereignty-association within its structure. These unions pioneered organizational accommodations for Québécois members and pressed the Congress to do the same. The case studies of the CAW-SEIU raiding dispute and the CLC and FTQ's contradictory positions on maternity leave highlighted some of the practical applications of the CLC-FTQ sovereignty-association partnership agreement. However, the suggestion that this

model could be used to forge a new partnership between Quebec and the Rest of Canada is questionable. Asymmetrical federalism has been an academic preoccupation of several Canadian political scientists. Although the CLC-FTQ sovereignty-association partnership agreement adds a brand new dimension to this academic debate by suggesting that shared social and economic values are invaluable in terms of achieving such an organizational structure, the exercise of adequately comparing asymmetry within the CLC to asymmetry in Canadian political institutions produces more questions than answers. However, to be sure, a combination of agency, ideology, and a specific hierarchical union structure allowed the labour movement to achieve what has so far escaped the Canadian state.

Chapter 10

Conclusion

“L’histoire le démontre [...] suffisamment: le reste du Canada n’a cédé aux revendications du Québec que lorsqu’il s’est senti obligé de le faire.”⁵²⁰

After several decades of constitutional accords, referendums, conferences and commissions, Canadians and Quebecers are suffering from constitutional fatigue. However, the answer to Canada’s Constitutional Question is not likely to be found by simply ignoring the Constitution altogether. At best, this is a short-term strategy. The resilience and dynamism of Quebec’s sovereignist movement will ensure that it continues to play an important role in Quebec politics and keep issues of federalism and national unity on the Canadian political agenda. The contemporary Quebec labour movement’s embrace of the sovereignist option hinges on four important dimensions of the National Question. The first is that Quebec needs to achieve sovereignty in order to protect and make its unique linguistic and cultural identity thrive in North America. The second dimension, which social democrats in the labour movement find particularly attractive, is that Quebec must be equipped with the appropriate economic levers, now in the hands of the federal government, to develop fully its economic and social potential. The third, which speaks to the international openness of the Quebec labour movement, is that the Quebec nation must achieve sovereignty in order to participate fully in the international

⁵²⁰ René Lévesque, quoted in Bouilane (2003), 173.

community and to defend and promote its interests internationally. Finally, sovereignists argue that a nation such as Quebec can only reach its full potential if it first achieves true political freedom. The CSN, CSQ and the FTQ, despite its ties to the CLC, are deeply rooted in Quebec society. Fernand Daoust has described the FTQ's position as follows:

La FTQ telle qu'on la connaît aujourd'hui est devenue sans conteste, au fil des ans, une centrale syndicale puissante, active, présente au Québec et, surtout, marquée du sceau de l'indépendance dans ses moyens d'action, ses orientations et ses initiatives. Nul ne peut plus lui contester qu'elle est une authentique centrale syndicale québécoise.⁵²¹

The Quebec labour movement's support for the sovereignist option has, in the aftermath of both referendum campaigns, been tested by the decidedly anti-labour austerity policies of Parti Québécois governments. In both instances, although party-union relations were strained, the labour movement's support for sovereignty remained firm. After the 1995 referendum, successive Quebec Premiers led a renewed assault on trade union freedoms which included privatization, back-to-work legislation, limits on the right to strike, hospital closures, and deep cuts in social spending.⁵²² If Quebec was not as "neo-liberal" as other provinces in the early 1990s, it certainly made up for lost time under Premier Lucien Bouchard. The Quebec state's strong commitment to neo-liberalism under the Quebec Liberal Party, and to a lesser extent under the PQ, has been met with strong opposition from the trade union movement. However, the union movement has not jettisoned its support for an independent Quebec – even though its traditional allies in the PQ have abandoned social democracy. Ralph Guntzel has argued that:

⁵²¹ Fernand Daoust, "Une organisation d'une originalité exceptionnelle," *La FTQ, ses syndicats et la société québécoise*, Yves Bélanger, Robert Comeau et Céline Métivier, eds., (Québec: Comeau & Nadeau, 2001), 111.

⁵²² Panitch and Swartz (2003), Chapter 9.

As long as labour continues to be inspired by its analysis of the fundamental differences between Québec and English-speaking Canada, it will pursue its sovereigntist orientation. Only a fundamental change in Québec's political culture may put this analysis into question. The PQ's recent cutbacks did not constitute such a change, especially if viewed in the context of the austere policies pursued by various governments in English-speaking Canada. Yet, even if Québec's social values and political culture, as well as the PQ's programme, were to take a turn to the right, Québec labour might hesitate to embrace federalism. After all, the political influence of the three centrals is limited to Québec. Since extension of this influence to Ottawa does not constitute a viable option, it is a much more rational strategy to demand increased powers for the government that Québec labour *can* influence. Thus, there are good reasons to expect that Québec labour will continue to support sovereigntism for some time to come.⁵²³

Recall also that in its November 1990 submission to the Commission on the Political and Constitutional Future of Quebec the FTQ affirmed that its support for sovereignty was not contingent upon its vision of a social democratic Quebec. In other words, social justice and economic equality no longer represent prerequisites for union support of the sovereigntist project.

This dissertation has attempted to gain a different understanding of national unity and constitutional reform in Canada by viewing these complex issues through the lens of organized labour. The dissertation focused on several interconnected themes. Each theme will be considered in turn with a view to summarizing the dissertation's findings as well as providing directions for future research.

Organized labour and the Constitutional Question

⁵²³ Guntzel (2000), 394-395.

The dissertation's first goal was to determine what role, if any, organized labour played in shaping Canada's constitutional debates. As Richard Simeon and Ian Robinson have noted, "The evolution of the Canadian state has always been shaped by the changing balance of class power."⁵²⁴ In the case of English Canada, organized labour's preference for comprehensive national standards and central economic planning has always underwritten its centralist view of the state and the federal system.⁵²⁵ This view is based on the notion that a government requires control over all major economic levers in order to achieve progressive redistributive policies traditionally favoured by the labour movement. Any division of powers that frustrate the national state's ability to pursue egalitarian policies is generally met with hostility by organized labour outside of Quebec.

To be sure, this view was even shared, to a lesser extent, by labour organizations in Quebec during the Duplessis regime. It was only after the Quiet Revolution that the Quebec labour movement began to diverge significantly from the labour movement in English-Canada on questions of federalism and central economic planning. The combination of a progressive nationalist self-realization, and the dominance of Keynesian-inspired economic expansion facilitated this divergence as Quebecers came to see that their provincial state, which had been used to oppress workers for so long, could be used as a progressive tool to advance the interests of francophone Quebecers.

⁵²⁴ Simeon and Robinson (1990), 159.

⁵²⁵ Admittedly, the CLC's support for the provinces in the dispute over federal wage and price controls and its support for the Charlottetown Accord compromised the English-Canadian labour movement's historical commitment towards centralist policies, but these two examples should only be viewed as a temporary tactical abandonment of centralist principles. In May of 2000, CLC President Ken Georgetti reaffirmed the labour movement's preference for strong centralist policies by unsuccessfully urging the federal government to use the power of disallowance to prevent the Alberta government from passing Bill 11, a law which allowed for the creation of private hospitals.

Beginning in 1966, the FTQ adopted the Quebec government's constitutional strategy vis-à-vis the federal government by asking the CLC for greater authority and jurisdiction over union affairs in Quebec. The FTQ finally managed to secure greater powers from the Congress in 1974, thus achieving special status for the FTQ – it was no longer simply a provincial federation of labour, “comme les autres”.

In 1975 the FTQ officially endorsed the PQ and, in April 1980, the Federation called on its members to vote OUI in Quebec's referendum on sovereignty-association. The CSN joined the FTQ in support of a OUI vote, while the CEQ campaigned against federalism without officially taking a position on the referendum question. The FTQ's strong support for the sovereigntist option forced the CLC to recognize Quebec's right to self-determination in its 1978 Statement on National Solidarity. The defeat of the OUI forces in 1980 resulted in a temporary setback for sovereigntist forces in Quebec, but the Quebec labour movement continued to actively oppose attempts by the federal government to renew Canadian federalism through constitutional reform. Quebec's trade union movement opposed patriation of the Constitution, denounced the Meech Lake Accord, and successfully campaigned against the Charlottetown Accord. The FTQ was successful at convincing the CLC to remain neutral on the issue of patriation in the early 1980s, and persuaded the Congress to back off from taking a firm position on the Meech Lake Accord in the late 1980s.

In the summer of 1990, the CSN, the CSQ, and the FTQ all endorsed the independence option for Quebec and aggressively began promoting sovereignty among

their members. After the failure of the Charlottetown Accord in 1992, the FTQ and the CLC entered into formal negotiations which resulted in a sovereignty-association partnership agreement between the two organizations. The partnership agreement transferred resources and jurisdictional powers from the CLC to the FTQ in order to establish the FTQ as the independent incarnation of the CLC in Quebec. With this development, constitutional political divisions have largely been addressed within the CLC. The asymmetrical status of the FTQ within the Congress and the CLC's recognition of Quebec's right to self-determination have helped to ease internal disputes over the Constitutional Question.⁵²⁶

Quebec's trade union centrals closed ranks around the PQ's nation-building strategy when Jacques Parizeau swept to power in 1994. The FTQ, the CSN, and the CEQ all endorsed a OUI vote and actively encouraged their members to support the OUI side in the 1995 referendum on sovereignty-association. The defeat of the OUI forces in the 1995 referendum has not reversed the Quebec labour movement's support for sovereignty. In fact, the labour movement emerged from the referendum campaign as one of the most ardent supporters of self-determination and Quebec independence. At the same time, the CLC has shown greater openness to Quebec in the aftermath of the 1995 referendum. For instance, it joined the Quebec labour movement in denouncing the federal government's attack on self-determination in Quebec and the Congress invited BQ leader Gilles Duceppe to address delegates at its 2005 convention.

⁵²⁶ McIntosh (1999), 149.

The impact of the Constitutional Question on CLC-FTQ relations

The dissertation also sought to determine what impact constitutional politics had on the relationship between the CLC and its Quebec wing, the FTQ. The relationship between the FTQ and the CLC was considered from a historical perspective, and significant events in Canada's constitutional history were used as a framework for analysis. There is no question that Canada's contemporary constitutional history has been reflected in CLC-FTQ relations. In fact, the CLC and FTQ have experienced their own constitutional crises. From its inception until the mid 1970s, the CLC regarded the FTQ as a subordinate provincial federation of labour, "comme les autres". Throughout the 1960s, the FTQ demanded greater autonomy and jurisdiction vis-à-vis the Congress regarding union affairs in Quebec, but was rebuffed each time. The battle over centralization and decentralization within the CLC reflected larger debates concerning federal-provincial relations in Canadian politics. The CLC's preference for centralization naturally aligns the organization with the federal government, while the FTQ's penchant for decentralization brings the Federation closer to the Quebec government. This divergence was initially detected within the affiliates of both organizations, where unions like the UAW, CUPE and the USWA amended their structures to accommodate the aspirations of their respective Quebec wings. These unions acted as pioneers and were at the forefront of the struggle to achieve special status for the FTQ within the CLC. After years of fighting for greater autonomy and jurisdiction within the CLC, the FTQ was able to secure jurisdiction over labour education and labour councils from a reluctant Congress leadership in 1974. This form

of special status within the CLC gave the FTQ a unique role and both represented and reflected the growing influence of Quebec nationalism in Canadian politics. There is no question that the FTQ is unlike any other provincial federation of labour. Beyond the clear linguistic and political differences, the FTQ is unique among labour federations in that its affiliates truly look to the FTQ to provide leadership on pressing economic and political issues. This historic reality is related to the fact that the union locals affiliated to the FTQ often received a better reception from the Federation than from their own international and pan-Canadian unions. The FTQ led the charge in 1978 to convince delegates to the CLC convention to adopt a Statement on National Solidarity which affirmed the Canadian labour movement's support for self-determination in Quebec. The English Canadian labour movement's accommodation of Quebec nationalism within the House of Labour was initially a product of necessity – the Congress feared the FTQ would initiate a split if it were not given more autonomy. However, that initial uneasiness evolved into a partnership of mutual respect throughout the 1980s. While the FTQ did not hesitate to take strong positions on divisive constitutional issues, the CLC continued to struggle with developing a concrete constitutional position which enjoyed pan-Canadian labour support from both inside and outside Quebec.

Bob White's election to the presidency of the Congress signaled an end to the constitutional paralysis that characterized the CLC's position on constitutional issues throughout the 1980s. When the Charlottetown Accord was put in front of voters in a 1992 referendum, the CLC, rather than attempt to develop a compromise position, allowed the FTQ to aggressively oppose the deal, while the Congress supported it.

Admittedly, the CLC's support for the deal was much weaker and less focused than the FTQ's opposition. However, for the first time, mutual respect rather than fear dictated CLC-FTQ relations on constitutional issues.

The CLC-FTQ partnership agreement as a model for asymmetrical federalism

The FTQ's special status within the CLC developed into what the FTQ called "sovereignty association" in 1994 when the CLC agreed to grant the Quebec section even more jurisdictional powers. The sovereignty-association agreement gives special jurisdictional powers (which are not granted to any other provincial federation) over labour education, labour councils, and political action in Quebec. This includes the freedom to make submissions to parliamentary committees – even if they contradict the policy preferences of the CLC. In addition, the FTQ retains its representation on the CLC executive council. The arrangement also includes a funding formula that ensures the FTQ receives a significant share of the CLC's resources. The CLC-FTQ sovereignty-association partnership agreement is unquestionably the product of Canada's constitutional question. The political context in which the sovereignty-association agreement emerged was key to securing the deal. In addition to the immediate trigger mechanism, the defeat of the FTQ approved candidate for the Vice-Presidency of the CLC in 1992, the recent failure of the Charlottetown Accord, which pitted the CLC against the FTQ, the lingering question of Quebec sovereignty, heightened support for self-determination in Quebec, and the rise of the Bloc Québécois, all fed into the sense that a split between the CLC and the FTQ was imminent. Only an unprecedented

asymmetrical devolution of powers and resources from the CLC to the FTQ could salvage the relationship between the two organizations. The FTQ was so satisfied with what it had accomplished that it touted the CLC-FTQ sovereignty-association partnership agreement as a model for Canada and Quebec in the event that Quebec chooses sovereignty. Once again, a relationship born out of crisis transformed into a partnership based on mutual respect. This was brilliantly displayed during the 1995 Quebec referendum when Bob White publicly declared that Quebec had the right to self-determination and that, in the event that Quebec did choose sovereignty, the rest of Canada would be obliged to calmly and reasonably negotiate the terms of secession.

The dissertation considered the labour movement's claim that the CLC-FTQ sovereignty-association partnership agreement could and should be used as a model for asymmetrical federalism in Canada. Obvious difficulties arise when comparing the organization of the Canadian labour movement to the decidedly more complex Canadian State. However, what we can draw from the limited experience of asymmetry in the Canadian labour movement is that the politics of recognition was only achieved through a careful process of elite accommodation which involved a shared commitment to social and economic equality. That same process of elite accommodation continues to govern CLC-FTQ relations despite the existence of a formalized constitutional document.

Federalism's impact on interest group and social movement cohesion

Constitutional questions have played an important role in determining the direction, scope and organization of the labour movement in Canada. In fact, constitutional questions have created two separate labour movements in Canada: one in Quebec and one in the Rest of Canada. Although constitutional questions undoubtedly produced this division, political economy has helped to sustain it. It makes perfect sense that the labour movement, as a social phenomenon primarily concerned with material interests, would be preoccupied with the economic dimension of federalism, constitutional reform and national unity. Garth Stevenson has argued that the political economy of Canada has “both produced conflicts between different classes and class fractions and at the same time caused these contending forces to identify their interests with different levels of government, and vice versa.”⁵²⁷ This has clearly been the case with the labour movements as organized expressions of working class interests in Canada and Quebec. These increasingly divergent constitutional outlooks can only be understood in the context of contradictory class wagers. The FTQ, in addition to a strong emotional attachment to Quebec society has a vested economic interest in empowering Quebec City vis-à-vis Ottawa. The opposite is true for the CLC.

It is generally argued that interest groups are rendered weak and ineffective by federalism. To counteract federalism’s negative impact of social movement cohesion, interest groups operating in federal systems have tended to adopt federal organizational structures themselves. This is the case with the CLC, which has operated with a highly centralized federal organizational structure since its inception. This type of structure, while recognizing the fact of federalism in Canada, facilitated the Congress’ ability to

⁵²⁷ Stevenson (2004), 73-74.

speaking with a single unified voice on behalf of a pan-Canadian labour movement. However, over time it became obvious that the subordinate and weakened position of the FTQ in a province as culturally and linguistically distinct as Quebec was detrimental to the CLC in that province. The upstart Quebec-based CSN effectively criticized the FTQ for being little more than a puppet of the CLC and its affiliated national and international unions located outside of Quebec. Conscious of the fact that it wielded too little power to be an effective force in Quebec society, the Federation demanded greater powers and more autonomy from the CLC. The CLC, initially reluctant to devolve powers to a provincial federation of labour, was forced to do so as a form of organizational maintenance. The same scenario more or less repeated itself a few decades later when it became obvious that the existing structure could no longer accommodate the deeper nationalist aspirations of the FTQ.

These divergent aspirations caused constitutional paralysis within the CLC during the patriation round of constitutional reform when the Congress refused to endorse the NDP's position in favour of unilateral patriation for fear of alienating the nationalist FTQ. The CLC once again found itself caught in "the vices of federalism" over the controversial Meech Lake Accord. With the FTQ and NDP adopting contradictory positions, the Congress felt compelled to steer clear of the constitutional debate. When it became evident that constitutional reform would continue to dominate the political arena with the negotiation of the Charlottetown Accord in 1992, the CLC rolled the dice and aligned itself with the pro-Charlottetown NDP, largely because the party's three provincial and one territorial government had played an important role in shaping the

content of the Accord. The FTQ joined the rest of the Quebec labour movement in opposition to the Accord and managed to help defeat it in a 1992 referendum, and went on to agitate for Quebec independence. Determined to put an end to the constitutional impasse in the CLC, President Bob White negotiated a sovereignty-association partnership with the FTQ which in effect gave the Federation exclusive jurisdiction over CLC affairs in Quebec along with guaranteed representation in various levels of the Congress structure. This accommodation helped ease internal tensions within the Congress, while ensuring the CLC's continued existence as a pan-Canadian labour body.

The Constitutional Question and party-union relations

The relationship between the FTQ and various political parties (NDP, BQ, PQ) was also considered with a view to determining how these respective political relationships impacted CLC-FTQ relations. Both the FTQ and the NDP act as key components of the CLC and their often contradictory roles raise serious doubts about organized labour's effectiveness as a pressure group operating in Canada's federal system.

On the one hand, the FTQ provides the Congress with pan-Canadian credentials as the voice of working families across the country. However, on the other hand, the CLC has had to make political and organizational concessions to the FTQ in order to ensure that Quebec trade unionists feel comfortable within the confederally structured CLC. The political and structural concessions to the FTQ often conflict with the centralist policy agenda of the NDP, which acts as the electoral arm of the CLC. Although on paper, both the NDP and CLC advocate asymmetry in Canadian constitutional matters, in practice,

the New Democrats tend to sway with the political winds on this issue while the Congress is bound by an asymmetrical outlook through a form of organizational maintenance. Organized labour in Quebec has had difficulty in embracing the NDP because of fundamental ideological and philosophical differences which exist as a result of constitutional issues. The Quebec labour movement's strong support of decentralization and limits on the federal spending power stands in sharp contrast to the NDP's economic nationalism and preference for a strong central government to set national standards. These contradictory policy preferences were slightly blurred during the Charlottetown Accord talks when the NDP negotiated away many of its core centralizing policy positions, but the NDP compromise did not come close to fulfilling the aspirations of the Quebec working class.

The FTQ's 2004 convention, in a policy paper entitled "Présents sur tous les Fronts", reaffirmed its commitment to operating with complete political independence in the realm of electoral politics. After amending its constitution to sever its official ties to the NDP in 1971, the FTQ has chosen to endorse parties in elections on a case-by-case basis. Since 1988, the FTQ has required a special convention resolution in order to endorse a political party in a provincial election campaign. In the 2003 Quebec provincial election, for example, the FTQ chose not to endorse a party and instead ran a third party campaign against the upstart ADQ. The FTQ, along with all labour centrals in Quebec, has been loathe to identify or associate too closely with a party for fear of jeopardizing its independence in political affairs. However, there is no question that the Quebec labour movement, and in particular the FTQ, has been known to scale down its

economic demands if such demands are perceived as hindering the PQ's push for sovereignty. As Brian Tanguay has noted, "PQ leaders were certainly not above exploiting the workers' favourable prejudice towards their nationalist project..."⁵²⁸ However, the labour movement's divided loyalties are not specific to Quebec. In English Canada, the CLC's support for the Charlottetown Accord, for example, was clearly influenced by powerful provincial sections of the New Democratic Party despite the fact that the Accord was roundly criticized on the left as representing the constitutionalization of neo-liberalism.

The argument is often made that labour parties like the NDP and unions are united through a common ideological commitment to social democracy. In Quebec, the common ideological commitment between unions and parties revolves around the national question, not social democracy. Whereas the PQ and BQ see sovereignty as the ultimate goal, the labour movement in Quebec views sovereignty as a means to an end, namely, social democracy.

Two years after the failed referendum on sovereignty-association, the FTQ's Clément Godbout, responding to questions about the Bouchard government's austerity programme, stated that: "Si la souveraineté veut dire qu'il faut s'appauvrir collectivement, se placer dans les situations où il n'a a même plus de programmes de santé et d'éducation qui ont du bons sens et désosser la fonction publique, je n'en veux

⁵²⁸ Brian Tanguay "Radicals, Technocrats and Traditionalists: Interest aggregation in two provincial social democratic parties in Canada," in *How Political Parties Respond: Interest aggregation revisited*, Kay Lawson and Thomas Poguntke, eds., (New York: Routledge, 2004), 153.

pas.”⁵²⁹ The Conseil Centrale du Montréal Métropolitain CSN (CCMM), in a position paper entitled “Question nationale et stratégie syndicale,” explained organized labour’s dilemma in prioritizing its politics under a PQ government as follows:

Disons-le clairement, nous avons parfois de la difficulté à développer et à articuler nos stratégies quand l’État québécois est gouverné par des souverainistes. Nos positions sur la question nationale et l’importance que nous y accordons pour régler la question sociale pose, à l’occasion des problèmes d’ordre stratégique. Bien entendu, loin de nous l’idée de remettre en question nos orientations sur la souveraineté du Québec. Cependant nous croyons qu’il existe un problème réel dans nos rangs quand le PQ est au pouvoir. Pas dans le discours mais dans la pratique.⁵³⁰

With regard to organized labour’s position on the Quebec National Question, there are essentially three potential paths which have emerged in the post-referendum era: independent political action, cooperation with the PQ, or the creation of a left-wing alternative to the PQ. All three strategies have their adherents, but none have abandoned sovereignty as a political objective.

Those trade unionists who oppose cooperation with, or organizing within, the PQ point to the party’s neo-liberal orientation in the post-referendum era. They also argue that, despite its early social democratic orientation under Lévesque, any attempt to transform the PQ from within would be an exercise in futility. Instead, these trade unionists argue for the creation of a new left-wing party. The establishment of a provincial labour party in Quebec is not a novel idea. Throughout the 1960s, 1970s and 1980s, both the FTQ and the CSN mused about creating such a party, but marginal

⁵²⁹ *Le Soleil*, (22 février 1997).

⁵³⁰ Conseil Central du Montréal Métropolitain CSN, *Question nationale et stratégie syndicale*, <http://www.cmmm-csn.qc.ca>

support and internal divisions have always prevented its emergence. The leadership of the Quebec labour movement has historically cited a low level of political consciousness among the rank-and-file as the major obstacle to creating a labour party. Thus, rather than tackle the problem of building working class capacities, the labour movement has continued to rely on the PQ as the political party that most closely represents the interests of the working class in Quebec. Although the prospect of building a formidable left-wing alternative to the PQ are bleak without the participation of the Quebec labour movement, the broader left managed to cobble together two marginal political entities in the post-referendum period.

Founded in June 2002, the Union des forces progressistes (UFP), was essentially an amalgamation of smaller left wing parties (Greens, Communists and New Democrats) disenchanted with the PQ's shift to the right. The UFP positioned itself to the left of the PQ by aggressively denouncing neo-liberal globalization. The UFP had very little impact on electoral politics in Quebec and failed to attract any influential labour leaders to its cause. To be sure, rank-and-file trade unionists made up an important constituency within the party, but in no way could the UFP be described as a "labour party". In addition, the party's tepid position on the National Question (sovereignty if necessary, but not necessarily sovereignty) was somewhat at odds with organized labour's longstanding support for Quebec sovereignty.

The UFP recently joined forces with another upstart political movement named Option Citoyenne. This organization, founded in May 2004, was the political project of

former Fédération des Femmes Quebec (FFQ) President Françoise David. Like the UFP, Option Citoyenne was made up of disenchanted progressives upset by the political direction of Quebec's mainstream parties.

In February 2006, members of the UFP and Option Citoyenne met to found a new political party – Québec Solidaire. The new party labels itself as progressive, feminist, environmentalist, and sovereigntist. Although Québec Solidaire has its supporters, its growth has largely been stunted by the actions of some of the trade union leadership in Quebec, who are actively, but unofficially supporting the development of a strong left-wing contingent within the PQ. This strategy is being spearheaded by a group called Syndicalistes et progressistes pour un Québec libre (SPQ-Libre) which won official recognition as a group within the PQ in 2004. Leaders of SPQ-Libre include former CSN President Marc Laviolette, TCA director Luc Desnoyers, and former CSQ Presidents Vivian Barbort and Monique Richard. The goal of SPQ-Libre is to create a permanent left-wing bloc within the PQ. The PQ has welcomed members of SPQ-Libre into its ranks with open arms. When the group attended a PQ council meeting in August 2004, PQ leader Bernard Landry gleefully told the Canadian Press: “La gauche articulée, pas ceux qui rêvent de la gauche, mais ceux qui vivent la gauche et qui veulent qu’elle soit au pouvoir, sont avec nous.”⁵³¹

Many of the anti-PQ arguments put forward by supporters of Québec Solidaire are shared by those trade unionists who advocate independent political action. However, unlike those who support building a new party, trade unionists

⁵³¹ “Des syndicalistes de gauche donnent leur appui au PQ,” *Canadian Press*, August 29, 2004.

who favour independent political action argue that the labour movement has both the power and the capacity to take strong and credible stands on important political issues without having to attach itself to a political party. They see the relationship between parties and unions as counterproductive and resist any attempt to have the labour movement's perspective undermined by a political party. This perspective is articulated most often by the trade union establishment which sees itself as a powerful force within Quebec society. The FTQ is unique in this regard in that it has better and consistent access to its provincial government, and even Parliament, than any other provincial labour federation. Much of this political clout stems from the existence of the FTQ's Fonds de Solidarité, which has given the Federation much economic credibility. As former FTQ President Clément Godbout has explained "La FTQ n'a pas besoin maintenant, avec la force qu'elle possède, de toujours crier au loup. Sa voix porte, elle est écoutée et on l'entend surtout à cause de son sens pratique, de sa capacité à dénouer les impasses et de son sens des responsabilités."⁵³²

Organized labour's impact on the Constitutional Question

Constitutional questions in Canada are no less clear than they were ten or even twenty years ago. Arguments over the appropriate balance of powers between Ottawa and the provinces, lingering concerns over national unity, and the flexibility of Canadian federalism remain constant themes in Canadian political

⁵³² Clément Godbout, "Une centrale qui n'a pas peur d'oser," *La FTQ, ses syndicats et la société québécoise*, Yves Bélanger, Robert Comeau et Céline Métivier, eds., (Québec: Comeau & Nadeau, 2001), 153.

science. Although often dismissed as the political preoccupation of the chattering classes and the economic and political elite, the constitutional question has had an immense impact on working people in Canada and Quebec. There is no question that Canada's constitutional question has helped to shape the specific character of the trade union movement in Canada. To be sure, constitutional questions have played an important role in dividing workers along regional and linguistic lines. Divisions within the labour movement closely reflect the common regional and linguistic cleavages in Canadian society more generally. The most obvious impact of the constitutional question has been the emergence of two distinct labour movements: one in Quebec and one in English Canada.

However, in the same way that the constitutional question has helped shape the character of organized labour in Canada, the labour movements of both Quebec and English Canada have attempted historically to reciprocally influence the character of the constitutional question in an effort to improve the economic clout and political power of trade unions. By adopting competing class wagers concerning the powerful centripetal and centrifugal economic forces that characterize the changing nature of federal-provincial relations, the labour movement in Quebec and the labour movement in English Canada have attempted to influence the constitutional question in contradictory ways. However, this significant divergence on the constitutional question has not come at the expense of labour unity. In fact, the very essence of the sovereignty-association

partnership agreement between the CLC and the FTQ is about maintaining worker solidarity in the face of lingering questions about national unity.

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Acronyms of Labour Organizations, Political Parties, and other organizations

ADQ	Action Démocratique du Québec
AFL	American Federation of Labor
AFL-CIO	American Federation of Labor-Congress of Industrial Organizations
BCFL	British Columbia Federation of Labour
BCGEU	British Columbia Government Employees' Union
BQ	Bloc Québécois
CAW	Canadian Autoworkers Union
CIO	Congress of Industrial Organizations
CBRT	Canadian Brotherhood of Railway and Transport Workers
CCCL	Canadian and Catholic Confederation of Labour
CCF	Cooperative Commonwealth Federation
CCL	Canadian Congress of Labour
CEQ	Centrale de l'enseignement du Québec
CFL	Canadian Federation of Labour
CLC	Canadian Labour Congress
CP	Communist Party
CSD	Centrale des syndicats démocratiques
CSN	Confédérations des syndicats nationaux / Confederation of National Trade Unions
CSQ	Centrale des syndicats du Québec
CUPE	Canadian Union of Public Employees
CUPW	Canadian Union of Postal Workers
FTQ	Fédération des travailleurs and travailleuses du Québec / Quebec Federation of Labour
IWA	International Woodworkers of America
IWW	Industrial Workers of the World (Wobblies)
JCPC	Judicial Committee of the Privy Council
QFIU	Quebec Federation of Industrial Unions
QPFL	Quebec Provincial Federation of Labour
LPP	Labour Progressive Party
MSA	Mouvement Souveraineté-Association
NAFTA	North American Free Trade Agreement
NDP	New Democratic Party
OBU	One Big Union
PSAC	Public Service Alliance of Canada
PQ	Parti Québécois
RIN	Rassemblement pour l'indépendance nationale
RN	Ralliement National
SEIU	Service Employees International Union
SFL	Saskatchewan Federation of Labour
SPQ-Libre	Syndicalistes et progressistes pour un Québec libre
TLC	Trades and Labour Congress of Canada

UAW	United Auto Workers
UE	United Electrical, Radio and Machine Workers of America
UFCW	United Food and Commercial Workers
UFP	Union des forces progressistes
USWA	United Steelworkers of America
WUL	Workers' Unity League

CLC-QFL RELATIONSHIP

November 25, 1993

1. Preamble

The CLC and the QFL are closely linked by their history, their structure and the content of their constitutions. Together, they agree to search for ways to reaffirm their solidarity by defining new relations based on our ongoing mutual respect. In the past, CLC-FTQ relations have grown because of the fundamental interests they defend. This evolution has taken into consideration the social and cultural realities which union activities are a part in Quebec and in the rest of Canada. The QFL must work in a particular context, facing a union pluralism unique in this country, within a society having linguistic characteristics, where the cultural and political aspirations are different from those of the other regions. It is in this context that through the years, the QFL has come to play a role which differs from the other provincial federations. In fact, the QFL has long been the incarnation of the CLC in Quebec.

The following changes are a continuity to this evolution and are put forward to serve the best interest of affiliates and the development and strengthening of the Canadian labour movement.

Any changes or agreements will need to be approved by the CLC Executive Council and General Council of the QFL.

2. QFL Participation Within CLC Structures, CLC Executive Committee and Executive Council

In addition to occupying a seat on the CLC Executive Council, the QFL president shall be a full voting member of the CLC Executive Committee.

3. CLC INTERNATIONAL AFFAIRS COMMITTEE

As a member of the CLC Executive Committee, the QFL President will also sit on the International Affairs Committee.

4. PARTICIPATION AT CLC CONVENTION

The QFL will continue to be entitled to send two representatives to CLC conventions and the affiliated members in Quebec will continue to be entitled to their full representation.

Any delegate from Quebec at a CLC convention will still have the right to be a candidate for any Officer's position of the CLC. However, the practice of the QFL choosing one of the CLC elected Officers is no longer in force.

5. CLC STANDING COMMITTEES

The QFL shall be entitled to a representative on all CLC Standing Committees and should notify the CLC President's office of nominees taking into account gender and minority representation.

6. ADVISORY BODIES AND AD HOC GOVERNMENT COMMITTEES

The QFL will be entitled to representation on all advisory bodies and ad hoc government committees established in cooperation between the CLC and the federal government. In the case of presentations to Parliamentary Committees where the CLC and the QFL may have differing views on issues under federal jurisdiction, preliminary meeting will be arranged between us with a view of working out those differences. In certain circumstances, the QFL will make a separate presentation, as it has been the practice for many years.

7. QFL PROTOCOL

The CLC and the QFL agree that jurisdictional disputes arising from differences between unions affiliated to the CLC in Quebec will be resolved through the utilization of QFL protocol. CLC affiliates will not have recourse to the CLC internal dispute procedure for internal disputes inside Quebec. The QFL agrees that its current protocol will be amended to ensure that the leaders of its affiliates, wherever they reside in Canada, are advised of potential disputes and afforded an opportunity to resolve such disputes within the guidelines of said protocol. The CLC agrees, at its next Constitutional Convention in 1994, to seek a constitutional amendment to give effect to the above.

Due to the fact that Building Trades unions are currently both inside and outside the CLC and the QFL and have different structures inside and outside Quebec, a new arrangement will have to be worked out. Until this new arrangement is worked out, internal disputes involving the Building Trades unions will be covered by the CLC internal dispute procedure.

8. INTERNATIONAL AFFAIRS REPRESENTATION

The CLC retains the jurisdiction with regard to the representation of affiliate members at the international level and to the Government of Canada with respect to international affairs. As it was the case in the past, the QFL will continue to express the duality of Canadian culture by its influence at the international level. To do so, it is important that the CLC systematically associate the QFL in its international representation, by inviting

the QFL to designate Officers or representatives to participate in activities or organizations such as:

- The ICFTU Executive Board, either voting or observer status;
- The ICTFU Conferences and meetings, particularly those associated with Francophone countries;
- The ILO Annual Conference;
- CLC delegations on bilateral missions;
- International conferences;

9. PROGRAM COOPERATION – FINANCES

The QFL performs many of the program responsibilities of the CLC within Quebec. Some of these programs are financed by federal funds, and the CLC will continue to generally be responsible for fundraising at the federal level. The QFL agrees to keep the CLC informed of other steps the QFL has initiated to obtain certain funds or secondment from the federal departments. The following arrangements will be undertaken to ensure that this shared programme responsibility achieves maximum effectiveness.

- Education – The CLC Labour Studies grant has suffered massive cutbacks. Therefore it will be impossible to increase the allocation to the QFL unless we can once again obtain adequate financing levels. If those levels are achieved, the CLC will transfer to the QFL, an amount of the Education grant proportionate to the number of CLC members in Quebec.
- Campaign – Special Fund/Administration & Service – The unique political reality of Quebec means that the QFL conducts independent campaigns within that province. Furthermore, the QFL in its role as CLC representative in Quebec, incurs administrative and servicing costs not borne by other federations of labour within the CLC structure.

In recognition that a change in the current financial arrangement between the QFL and the CLC is necessary, both in its amount and structure, we propose the following:

- A) That the current arrangement whereby the Canadian Labour Congress assumes certain staff and office costs in Quebec be changed to one based on a per capita. This will require a transfer of current senior and support staff to QFL payroll with the agreement of both staff unions.
- B) The current cost of the above-mentioned arrangement would translate into the CLC reimbursing the QFL an amount equal to 20 cents per affiliated member per month.
- C) This amount would be increased by 5 cents as of March 1, 1994 and by a further 3 cents on March 1, 1995 and another 2 cents on

March 1, 1996. The initial five cents of these amounts would be taken from the CLC political and national campaign fund.

- D) Each year, the CLC and QFL leaders will meet to determine the number of CLC Quebec members on which to base the calculations for the transfer of a portion of the per capita.
- E) Each month, the CLC would forward to the QFL, an amount based on the appropriate per capita and on the per capita received from CLC affiliates on behalf of the Quebec members.
- F) The proportion of CLC per capita remitted to the QFL will be maintained in the case of any future increase in the CLC per capita.
- G) The CLC will continue to transfer to the QFL the appropriate monies for labour council activities.

10. INTERNATIONAL SOLIDARITY PROGRAM

Through the years, QFL representatives have brought a unique expertise to the CLC international programs, particularly those which have been carried out within the Francophone countries. The QFL has an organizational obligation to portray its international work to its membership in Quebec in a direct and concrete manner. We agree, to undertake the following specific arrangements with a view of strengthening the QFL participation within the overall CLC international Solidarity Program:

- A) The CLC will reimburse the QFL for the total cost of ½ person-year from the Development Education program in order to allow the QFL to carry out development education programs in Quebec. As of 1994-1995 program-year, the members of the QFL personnel responsible for the development education in Quebec will submit a budget to the CLC for inclusion in the CIDA grant application.
- B) Commencing in the 1994-1995 program year, the parties agree that the CLC will allocate to the QFL an amount equivalent to 1/5 of the funds it receives from CIDA for development education field activities. The QFL is free to manage the development education programs, financed by CIDA, that are transferred to same by the CLC. The QFL will manage these programs in line with the agreed upon terms of the funding application.
- C) The CLC retains the responsibility for public fundraising at the federal level for overseas projects, for the handling of all funds and for the accounting of all such funds. In the event that the QFL has access to federal funds other than the regular funds

transferred to the CLC by CIDA, joint applications would be prepared and submitted by the QFL and the CLC. The QFL will be kept informed and, if agreed, included, in CLC public fundraising initiatives for overseas project work.

- D) Under memoranda of understanding between the CLC and the QFL, the responsibility for the execution of overseas projects with particular emphasis but not exclusively in francophone countries may be borne by the QFL. Reimbursement for infrastructure and administration costs for a project may be charged by the QFL or CLC depending upon their respective involvement. In all cases where the QFL takes the responsibility for the execution of an overseas project for the CLC, a project agreement will be signed between the CLC and the QFL.

11. NON-QUEBEC FRANCOPHONE MEMBERS

Nothing in this document is meant to take away from the participation of and service of Francophone members in other parts of Canada.

12. SOLIDARITY

Through this document, the CLC and QFL are more clearly defining their respective roles. We both understand, in our desire to further improve the lives of working people, the need for solidarity and support for each other. In this spirit, we commit to cooperate in sharing information on our respective ongoing and planned activities.

Signed in Montreal as of this __ day of __ 1993

The QFL Fernand Daoust, President ; Clement Godbout, General Secretary

The CLC Robert White President; Dick Martin, Secretary-Treasurer

Distribution of unionized workers in Quebec according to
trade union central affiliation (%), 1961-2001⁵³³

	1961	1966	1971	1976	1981	1985	1990	1995	2001
<i>Union Central</i>									
FTQ/CLC	57	48	50	52	48	46	42	44	46
CSN	26	31	25	19	22	22	19	22	24
CSQ (CEQ)	-	9	10	10	9	9	9	11	11
CSD	-	-	-	5	6	4	5	4	6
Others	18	13	15	14	15	19	25	16	13

*columns may not add up to 100 due to rounding

⁵³³ Table adapted from the following sources: Bernard Dionne, *Le Syndicalisme au Québec*, (Montreal: Boréal, 1991), 66; Jacques Rouillard, *Le syndicalisme québécois: Deux siècles d'histoire*, (Montréal: Boréal, 2004), 220.

Distribution of Workers According to Union Affiliation and Sector 1997 (% of workers)

UNION	PUBLIC PROVINCIAL CIVIL SERVICE	PARAPUBLIC HEALTH AND EDUCATION	QUASI-PUBLIC UTILITIES & GOVERNMENT ENTERPRISES	PRIVATE	MUNICIPAL
CSQ	-	28.1	1.4	0.6	9.9
CSD	-	1.3	0.4	6.8	3.8
CSN	0.3	38.6	22.9	18.5	23.9
FTQ	0.6	9.0	49.8	59.3	37.3
Ind.	99.1	23.0	25.5	12.4	24.0
Other	-	-	0.1	2.4	1.1
All unions	100	100	100	100	100

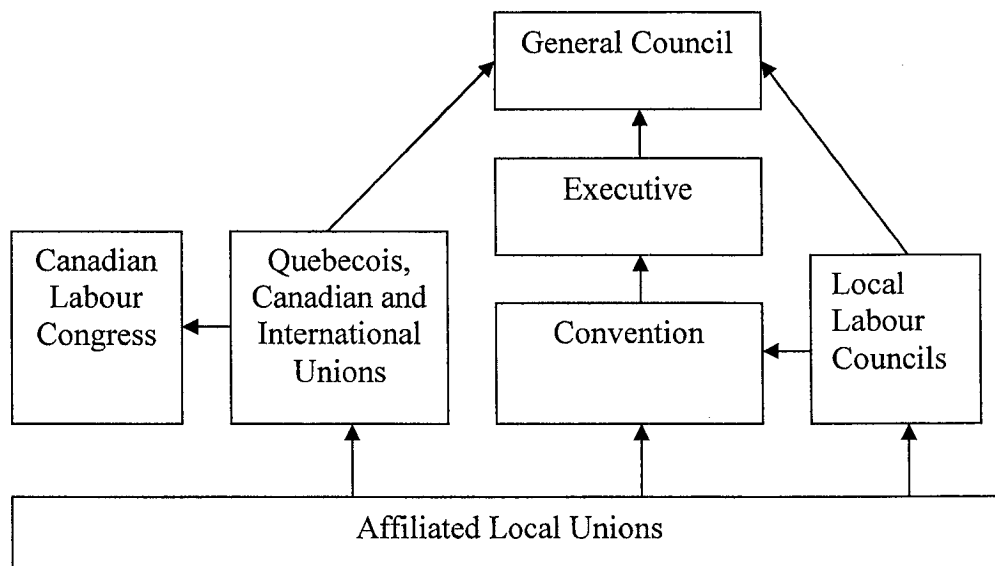
Source: Boivin and Déom, 2001

Distribution of Workers According to Union Affiliation and Sector 1993 (% of workers)

UNION	PUBLIC PROVINCIAL CIVIL SERVICE	PARAPUBLIC HEALTH AND EDUCATION	QUASI-PUBLIC UTILITIES & GOVERNMENT ENTERPRISES	PRIVATE	MUNICIPAL
CSQ	-	26.6	1.5	0.5	-
CSD	-	1.1	0.3	6.5	2.7
CSN	-	39.4	18.7	18.6	11.0
FTQ	-	12.2	54.0	54.8	51.0
Ind.	100	20.7	25.3	17.1	35.3
Other	-	-	0.1	2.9	-
All unions	100	100	100	100	100

Source: Boivin and Déom, 1995

Quebec Federation of Labour Structure



The FTQ convention, held every three years since 1995, is the supreme decision-making body of the Federation. All affiliated locals and local Labour Councils are represented at convention.

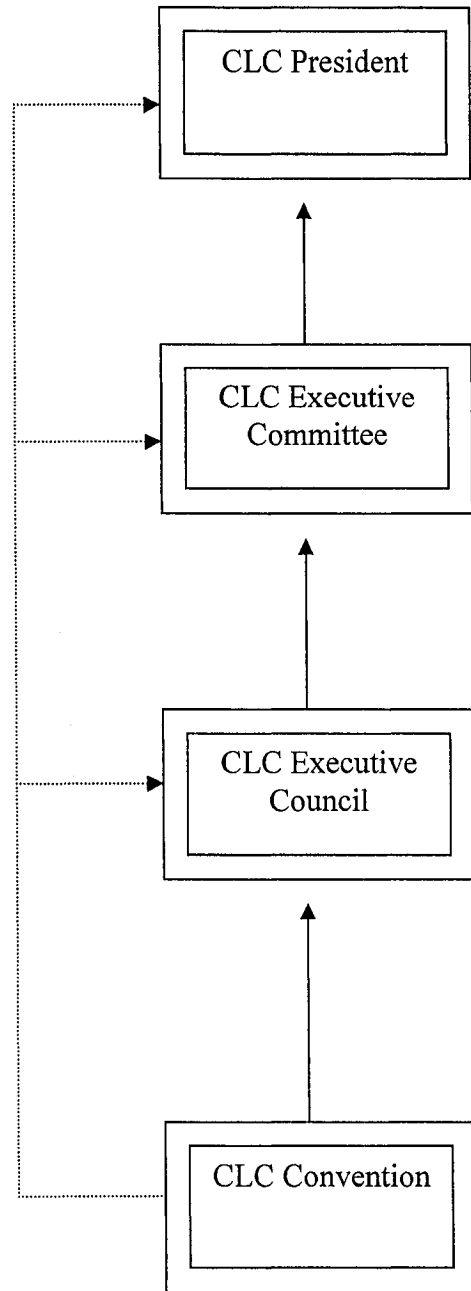
Between conventions, the Federation is run by the General Council, which meets at least three times per year. The 150 member General Council is composed of the Executive and delegates representing affiliated locals and local Labour Councils. Its role is to implement the strategic direction of the FTQ convention.

The FTQ Executive meets monthly to oversee the day-to-day affairs of the Federation. The Executive is composed of 19 elected officials occupying the following positions: President, Secretary-General, 17 Vice-Presidents (13 of which come from affiliated unions, 1 position to collectively represent local Labour Councils and 3 positions reserved for women).

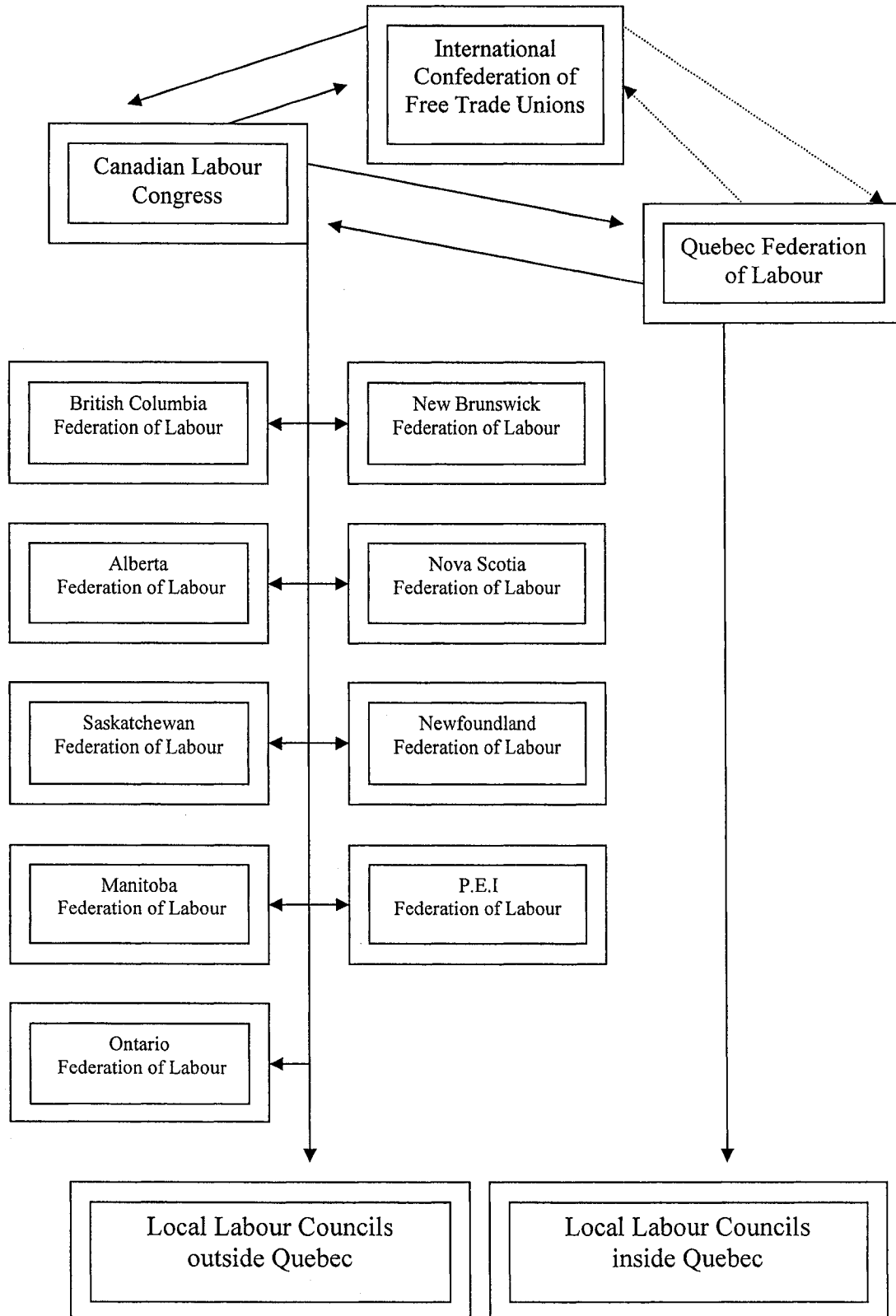
The Federation's 13 local Labour Councils act as the Federation's voice in the regions and coordinate activities between affiliated unions at the local level.

There are over 20 unions affiliated to the FTQ representing over 40% of all unionized workers in Quebec. Its largest affiliated unions are CUPE, FTQ-Construction and the CEP. The USW and the CAW, although still major players in the FTQ, have declined in importance in the last few decades as a result of deindustrialization.

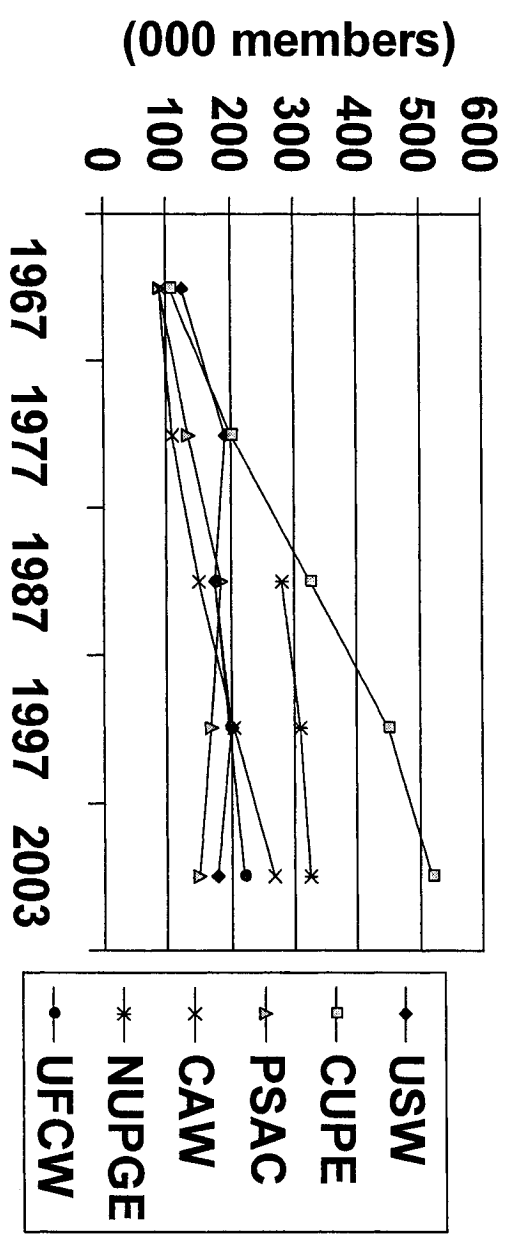
Canadian Labour Congress Structure I



Canadian Labour Congress Structure II



Canada's largest unions (all CLC affiliates)



source: Morton 1998, Peirce 2003, Godard 2006