





national unity and progress in Canada.”<sup>6</sup> Once again, Quebec’s demand for classical federalism fell on deaf ears.

The conference collapsed after Duplessis’s departure, but most of the shared cost proposals made by the federal government were realized in a more piecemeal fashion in the quarter century that followed. The government of Quebec forcefully resisted most of these initiatives, and in 1953 it established a Royal Commission of Inquiry on Constitutional Problems, chaired by Thomas Tremblay, to investigate the operation of Canadian federalism. The Commission expressed the view that federalism was still the preferred option of a majority of Quebecers, but it endorsed a quintessentially classical definition of federalism as an “association between states in which the exercise of state power is shared between two orders of government, coordinate but not subordinate one to the other, each enjoying supreme power within the sphere of activity assigned to it by the constitution.”<sup>7</sup>

The Tremblay report, however, had no impact on the government of Canada and its relations with Quebec. On the contrary, the battles between the governments of Canada and Quebec over pension plans, medicare, and other social policies severely strained the federation over the next decade. In 1968, Lester Pearson outlined the federal government’s position in *The Right Honourable L. B. Pearson*. While he was genuinely concerned with linguistic rights, he noted that “the division of powers between orders of government should be guided by principles of functionalism, and not by ethnic considerations” and he proceeded to outline an extensive list of powers he deemed essential for the federal government.<sup>8</sup> This list of powers was excerpted and included as an appendix by René Lévesque in his 1978 autobiography

under the heading “Federal Evangelism.”<sup>9</sup> He offered no additional commentary but his implication was clear: if this was going to be the future of federalism in Canada, Quebec would have no part in it.

For the past forty years, the principal conflict between the governments of Canada and Quebec has been the federal spending power – which empowers to the federal government to spend money on matters that it cannot legislate, primarily matters that fall constitutionally in areas of provincial jurisdiction. Whatever the constitutionality of the spending power may be, it is not compatible with the classical conception of federalism, a point that has been acknowledged by the federal government. In 1969, Pierre Trudeau argued in *The Right Honourable L. B. Pearson* that

It can be argued that the Constitution should be contrived so as to avoid any need for a spending power – that each government ought to have the revenue sources it needs to finance its spending requirements 41(p)10.86h09(ng)10.8696

<sup>6</sup> Ibid., p.356.

<sup>7</sup> *The Right Honourable L. B. Pearson* (Province of Quebec, 1956), p.102.

<sup>8</sup> *The Right Honourable L. B. Pearson* (Ottawa: Government of Canada, 1968), p.36-38. René Lévesque, *Le Québec et moi* (Toronto: Methuen, 1979).

Social Union Framework Agreement, an agreement endorsed by all the governments of Canada save Quebec. So, once again, the English Canadian conception of federalism prevailed.

From the constitutional debates in 1865 through to SUFA, English and French



