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Twenty-first Annual Report of the

FOREWORD

This is the fourth annual Year in Review, published by the Institute of

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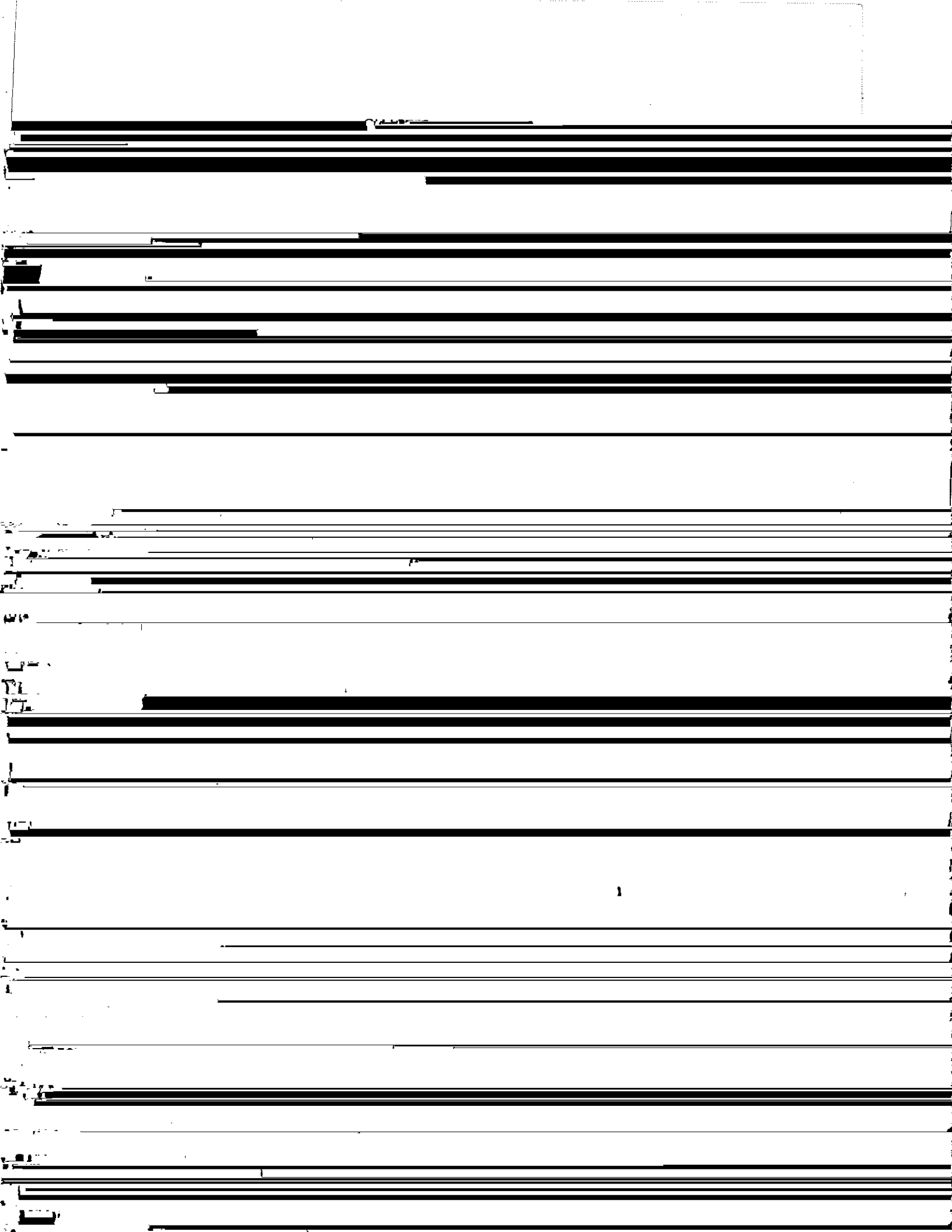
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LIST OF ABBREVIATIONS

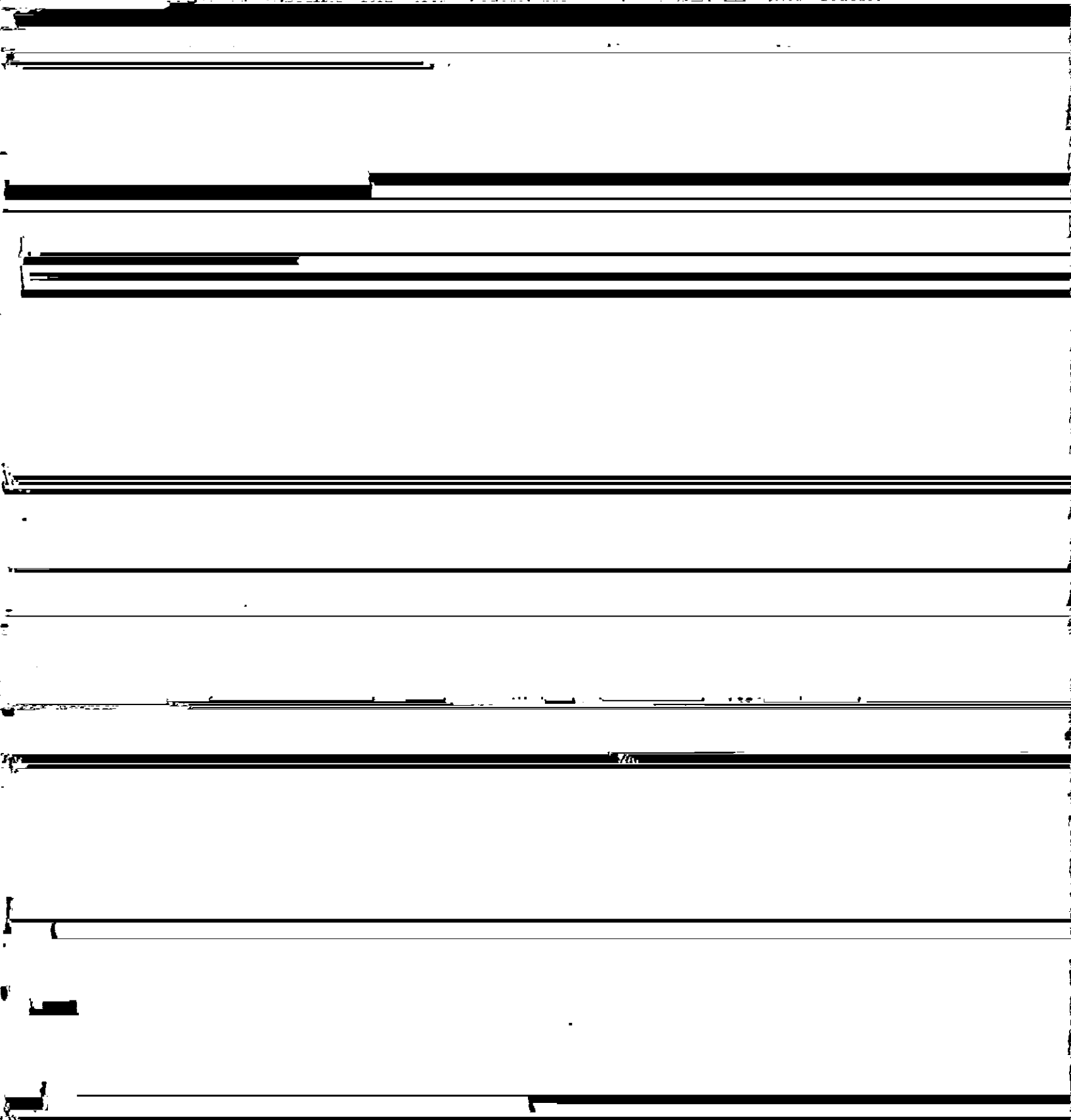
BC British Columbia

CAP Canada Assistance Program

CDC Canada Development Corporation

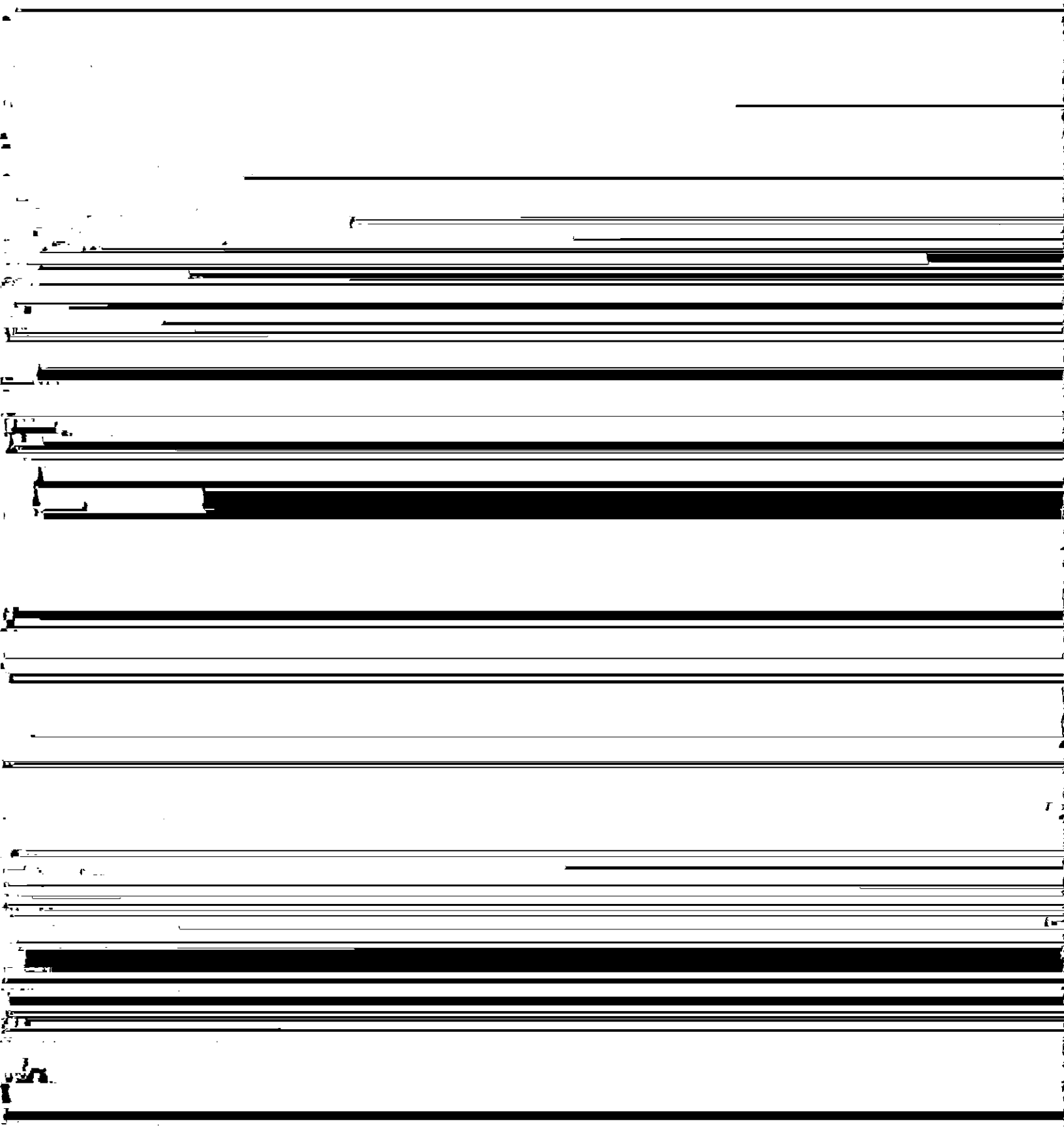


Nor are Canadians likely to escape in 1981 fresh jolts to their commonly held assumptions about the country. The constitutional and energy debates



Footnotes

*The phrase "peaceable Kingdom" is from William Kilbourn ed. Canada: A



CHAPTER II

A YEAR AT THE POLLS

INTRODUCTION

Because they determine who will be the major participants in the policy and politics of the federal system, elections greatly influence how the system works. A case in point this year was the return of a Liberal majority government to Ottawa on February 18, an event critical for the year

It has been suggested that the Conservatives helped engineer their own
defeat. They could have... with...
[The remainder of the page is obscured by heavy horizontal black bars.]

unemployment and encouraging small investors and businessmen. Some of it

Table 2.1

Newfoundland	5	4	2	2	-	1
Nova Scotia	5	2	6	8	-	1
P.E.I.	2	-	2	4	-	-

that he was still a Conservative and would continue to pledge his support to the national party, but his public reaction to the proposed budget combined with the Liberal promise of cheaper oil discredited the federal Conservative

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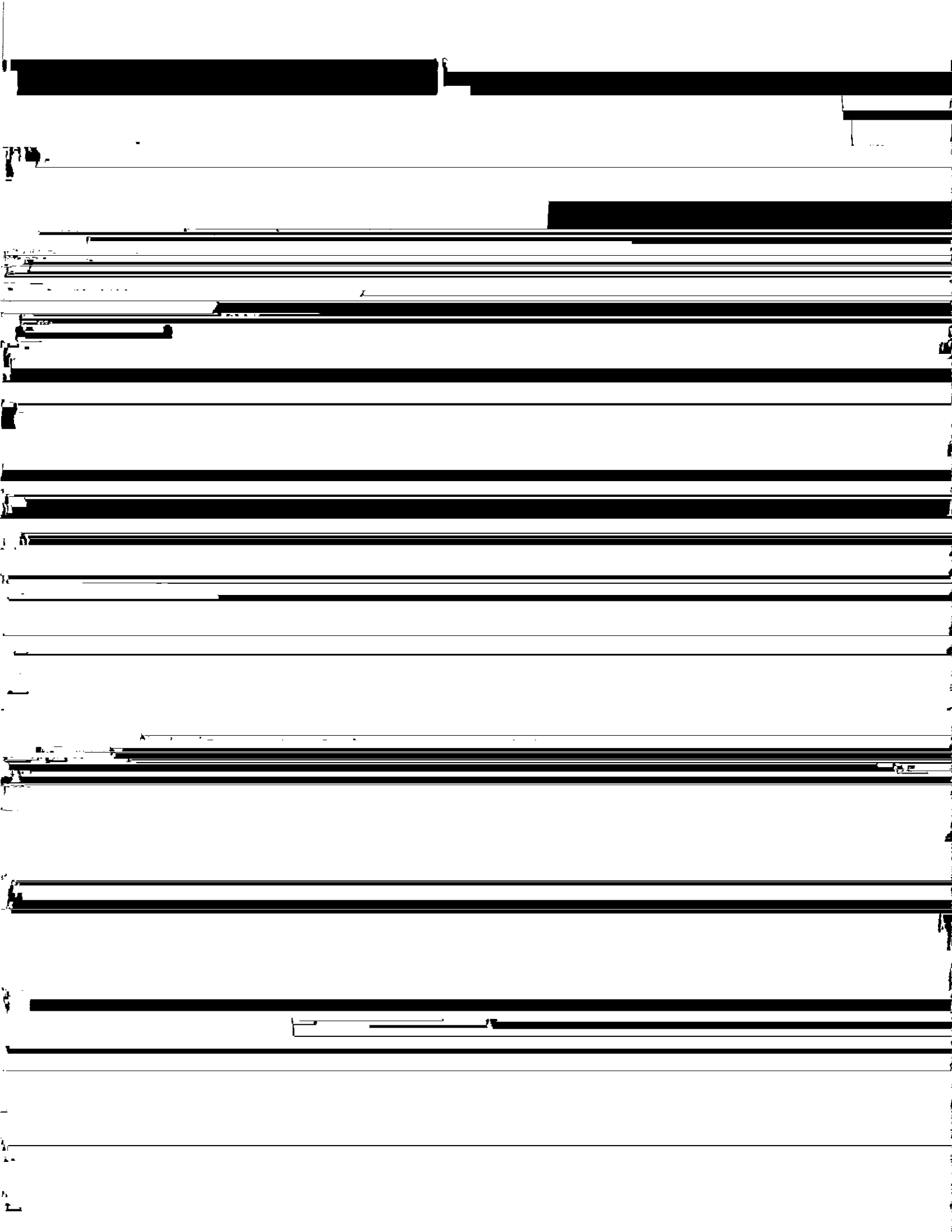
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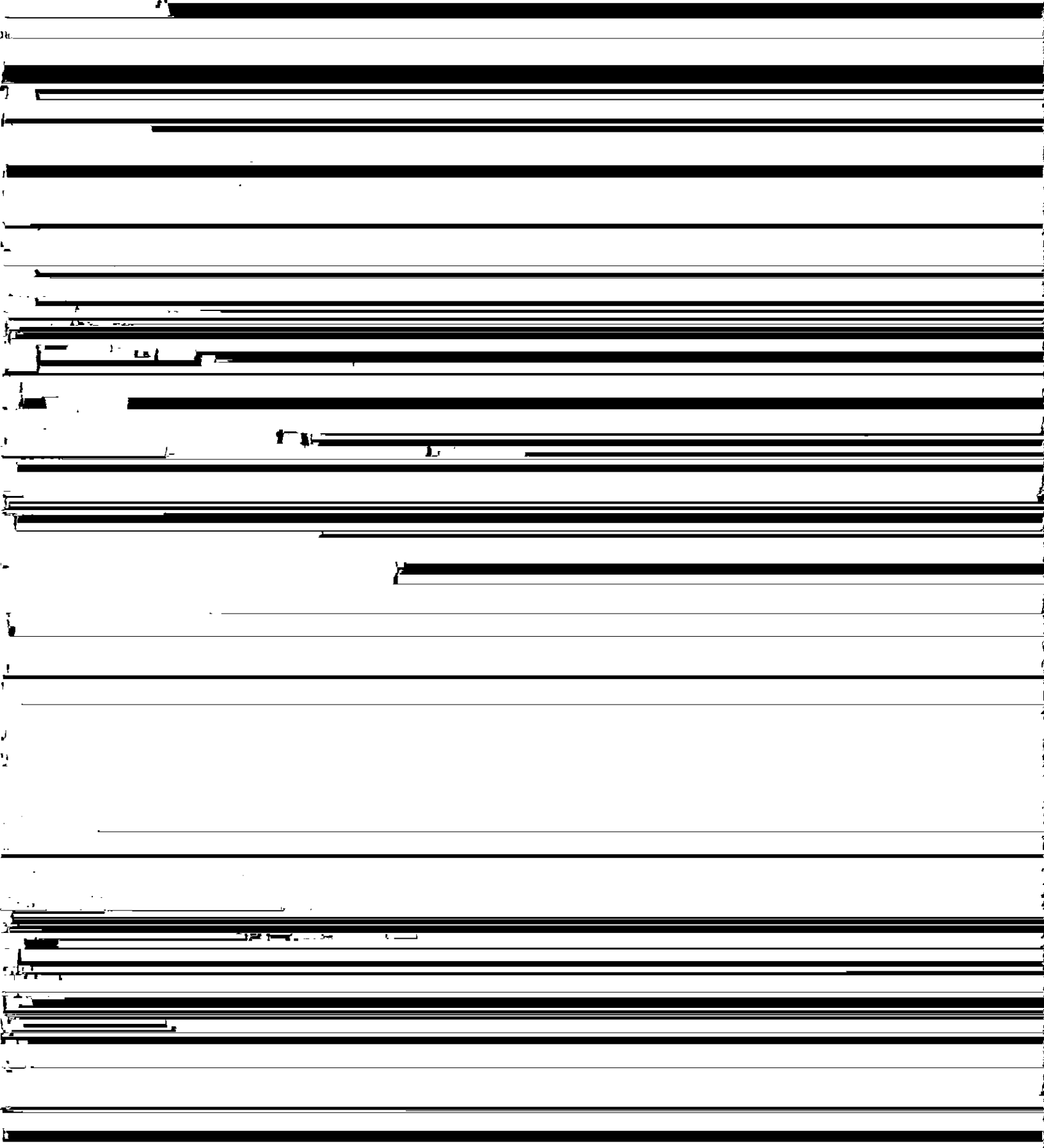
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but because of the small numbers of seats involved, the need of national parties to woo and win Atlantic support is not nearly as pressing as it is in Ontario.

proposed may lead to more minority governments, parties cannot rely on
"exaggerated swings in seats" to either delay or force an election. (C)



Prince Edward Island

Angus Maclean's Conservatives still form the government with standings in the Assembly at the end of 1980 being: Conservatives 21, Liberals 10, with one vacancy.

New Brunswick

Manitoba

Sterling Lyon's Conservatives continue to hold a majority government with standings at the end of 1980 being: Conservatives 32, NDP 22, Liberals 1, Independent 1, Independent New Democrat 1.

Saskatchewan

Three by-elections were held in Saskatchewan. Two were the result of

Yukon Territory

In October 1979 Inge Christensen resigned as Commissioner of the Yukon



CHAPTER III

GOVERNMENT ECONOMIC POLICY AND FISCAL FEDERALISM

INTRODUCTION: THE ECONOMY IN 1980

finally hit the country in 1980. Predictions at the beginning of the year had foreseen real growth in GNP of less than 1 per cent in 1980, but they were revised steadily downwards. By the middle of the Conference Board was

Table 3.1

Economic Statistics, 1980

	1980 Unemployment Rate (Seasonally Adjusted)	Consumer Price Index (Year to Year % Change)	U.S. dollar in Canadian dol- lars, average noon spot rate	Security Yield Averages %, Treasury Bills, 91 day
	(1)	(2)	(3)	(4)
January	7.4	9.5	1.1639	13.54
February	7.4	9.4	1.1560	13.56
March	7.4	9.3	1.731	14.35
April	7.5	9.2	1.1856	15.76
May	7.8	9.4	1.1731	13.06
June	7.8	10.1	1.1515	10.85
July	7.6	10.1	1.1519	10.10
August	7.7	10.7	1.1591	10.21
September	7.5	10.7	1.1646	10.63
October	7.6	10.9	1.1690	11.57
November	7.3	n/a	1.1860	12.87
December	7.4	n/a	1.1968	16.31

Source: Table 1: Major Financial and Economic Indicators, Bank of Canada Review, January 1981.

allowed them to continue to lay the economic and social foundations for the future. In part, however, their dynamism was constrained by financial limits on the federal government's ability to aid them in their plans for development in a time of anti-communism.

While many commended the government for its attempt to reduce the federal deficit, others questioned its timing -- politically and economically. Le Devoir suggested that with a "languishing economy aggravated by an American recession," the hardest hit would have been small enterprises and those on medium or low incomes and there was no guarantee

Opposition Reaction

The reactions which counted most for the Conservatives were those of the two opposition parties. The Liberals condemned the budget for placing an unfair and unnecessary burden of high taxation upon higher earners.

[REDACTED]

For most independent observers, the "mini-budget" confirmed that the
liberals would not be as committed to

Actions, The Budgets of December 11, 1979 and October 28, 1980-
 lic Accounts Basis of Accounting

1979-80 Oct. 28 Budget	1980-81 Dec. 11 Budget (\$ millions)	1980-81 Oct. 28 Budget	1983-84 Dec. 11 Budget	1983-84 Oct. 28 Budget
0,159 15.4	46,835 (16.1)	45,200 (15.9)	66,640 (15.4)	69,420 (17.2)
1,534 (19.8)	-57,350 (19.7)	-59,350 (20.9)	-75,700 (17.5)	-81,215 (20.1)
1,375 4.4	-10,465 (3.6)	-14,150 (5.0)	- 9,060 (2.1)	-11,795 (2.9)
0,445 4.0	- 8,200 (2.8)	-12,155 (4.3)	- 4,790 (1.1)	- 7,155 (1.8)
5,300	290,700	283.5	431.400	404.7

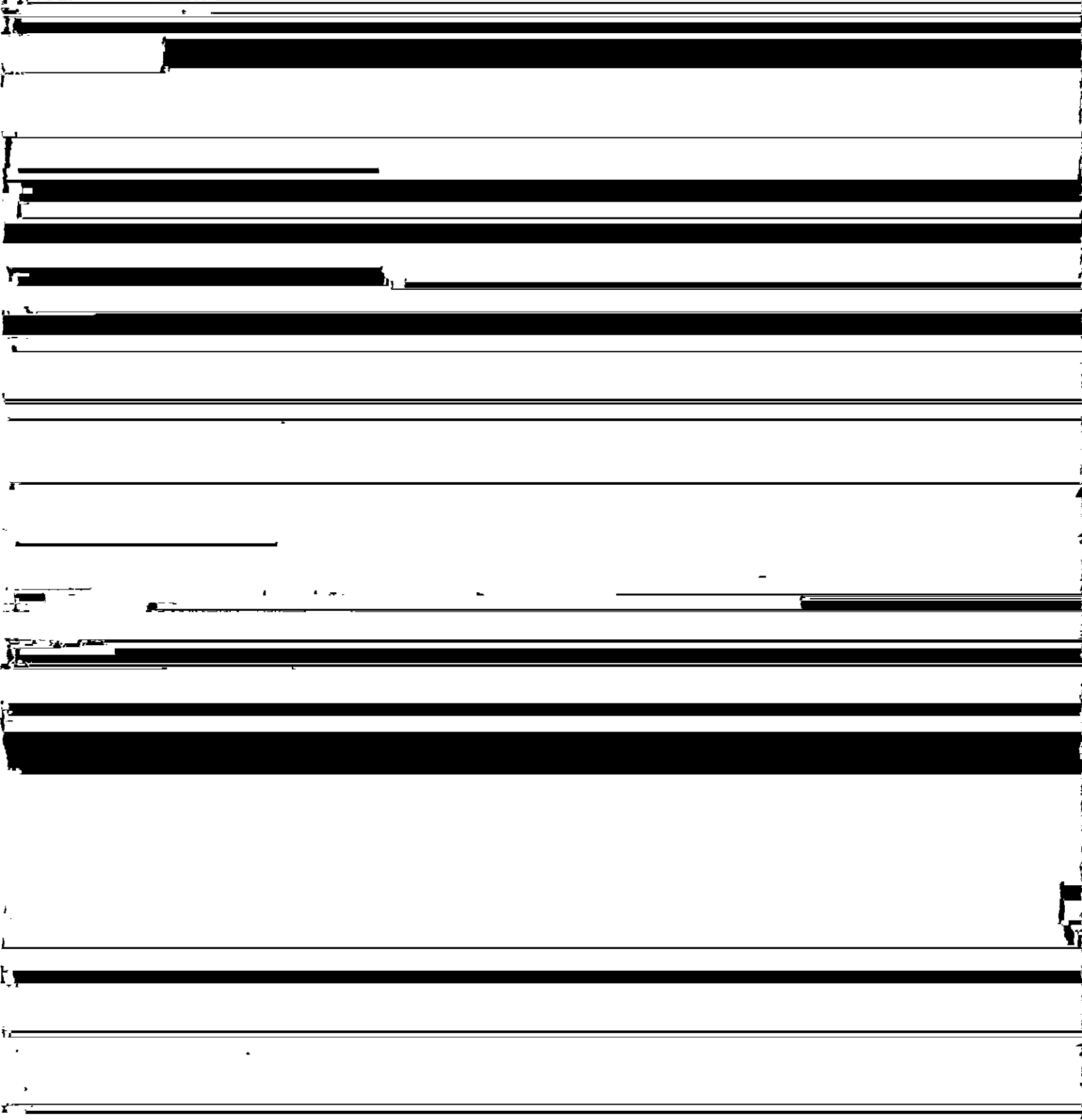
Department of Finance, Table 1, p. 21.
 able on Federal Government Deficits and Financial Requirements, 1972-73

Department of Finance, Table 4.3, p. 41.

as midpoints of ranges of estimates.
 October 28 budget mean that the figures from budgets not completely
 use the budgetary deficit and financial requirements of the October 1980
 budget by relatively small amounts.
 ing 3 months before the end of the corresponding fiscal year e.g.,
 as to 1979.
 ants exclude foreign exchange transactions.

Energy Policy

Part and parcel of budgetary projections were assumptions about energy revenues and expenditures. The National Energy Program was presented with the budget and outlined federal



Reaction to the p...

[The remainder of the page is obscured by heavy horizontal black bars, likely representing redaction or severe scanning artifacts.]

rates of divorce, personal bankruptcies and greater social unrest (Le Devoir, November 4, 1980, p. 2).

Rising interest rates were one of the issues which toppled the Clark

871

Administrative Organization

101

DREE

Pierre de Bané (Matapedia-Matane) replaced Elmer MacKay (Central Nova) as the Minister of the Department of Regional Economic Expansion. The new minister took over a department whose credibility has been declining and whose continued existence had been questioned (see for example, Ian McAllister in *Baltic Quarterly*, March 1988).

well into a comprehensive self examination of its role in regional development in Canada. In June, the department released a series of reports which emphasized the need for new policy directions and strategies regarding

Table 3.3 : New DREE Subsidiary Agreements, September 1, 1980

Province/Agreement	Maximum Total Spending (\$)	Federal Share (\$)	Provincial Share (\$)	Signed	Terminating
<u>Nova Scotia</u>					
Halifax Panamox Dry Dock	43,500,000	34,800,000	8,700,000	22/01/80	21/03/95
Michelin Tires	56,000,000	42,000,000	14,000,000	07/06/80	31/12/87
<u>New Brunswick</u>					
Pulp and Paper	42,250,000	33,800,000	8,450,000	27/08/80	31/03/84
<u>Quebec</u>					
Establishment of Newsprint Factory at Amos, Quebec	42,500,000	25,500,000	17,000,000	24/07/80	31/03/83
<u>Yukon</u>					
Interim Tourism Development	6,000,000	5,100,000	900,000	14/02/80	31/03/82

Table 3.4 Lapsed DREE Subsidiary Agreements, October 1, 1980

	Signed	Terminated
<u>Newfoundland</u>		
Ocean Research and Development (NORDCO)	23/05/75	31/03/80
St. John's Urban Region	23/07/75	31/03/80
<u>Nova Scotia</u>		

August, a report from the federal Textile and Clothing Inquiry recommended extending the quota system to 1990. Coming as the report did within the context of more general efforts by the government to comply with its commitments to trade liberalization and GATT...

The ability of provinces to pursue growth policies varies, of course.
BC Alberta and Saskatchewan are in the strongest position due to their

The budget speech recognized the increasing importance of federal-provincial relations in the budget and emphasized BC interests in

Alberta

Fiscal and Budgetary Policy

Independent analysts at the start of the new year forecast another year

of above national average growth in the economy

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Trade and Development Policy

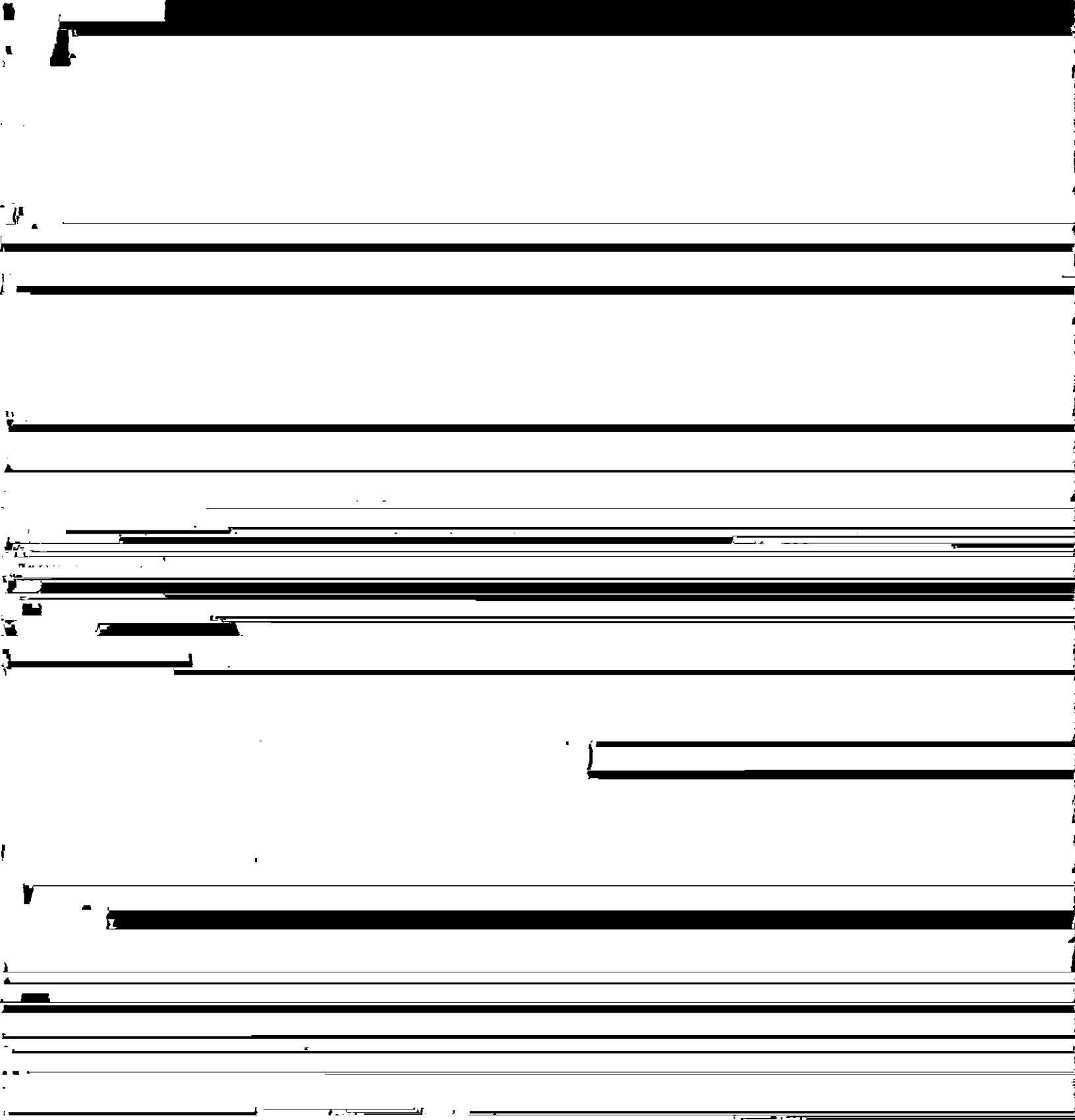
Ironically, by the end of the year, Alberta's most important economic policy decisions aimed not to

In its April Throne Speech, the government had announced it would consider establishing a multi-million dollar island conservation fund.

The budget speech repeated the government's dissatisfaction with the federal energy policy. It called for lower interest rates and national

Manitoba

Although concerned about net out-migration from the province and the need to revitalize the province's economic base, the May budget was optimistic that strong growth in manufacturing and mining sectors would



support services for private enterprise and employees' financial well-being.

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Ontario

Fiscal and Budgetary Policy

Although this year's budget might be termed unspectacular it did avoid

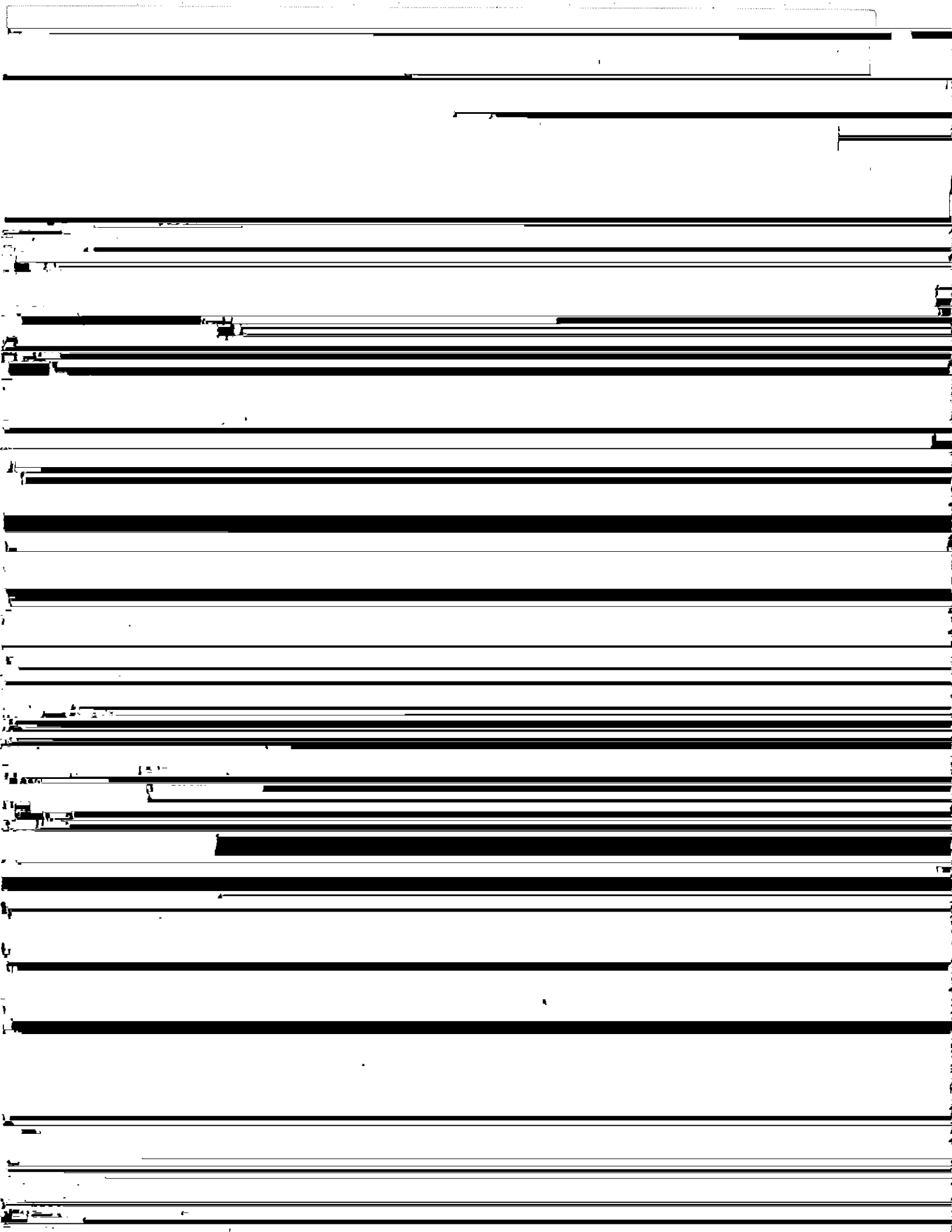
Trade and Development Policy

Throughout the year, opposition parties and labour spokesmen pressed the government about manufacturing plant closings and the stagnation of the province's economy. They argued that Ontario was "de-industrializing" and in danger of losing its pre-eminence in the Canadian economy.

Despite the sensitivity of the provincial economy to high interest rates, to oil pricing policy and to recent downturns in the level of economic activity in the U.S. Treasurer Miller rejected the idea that Ontario

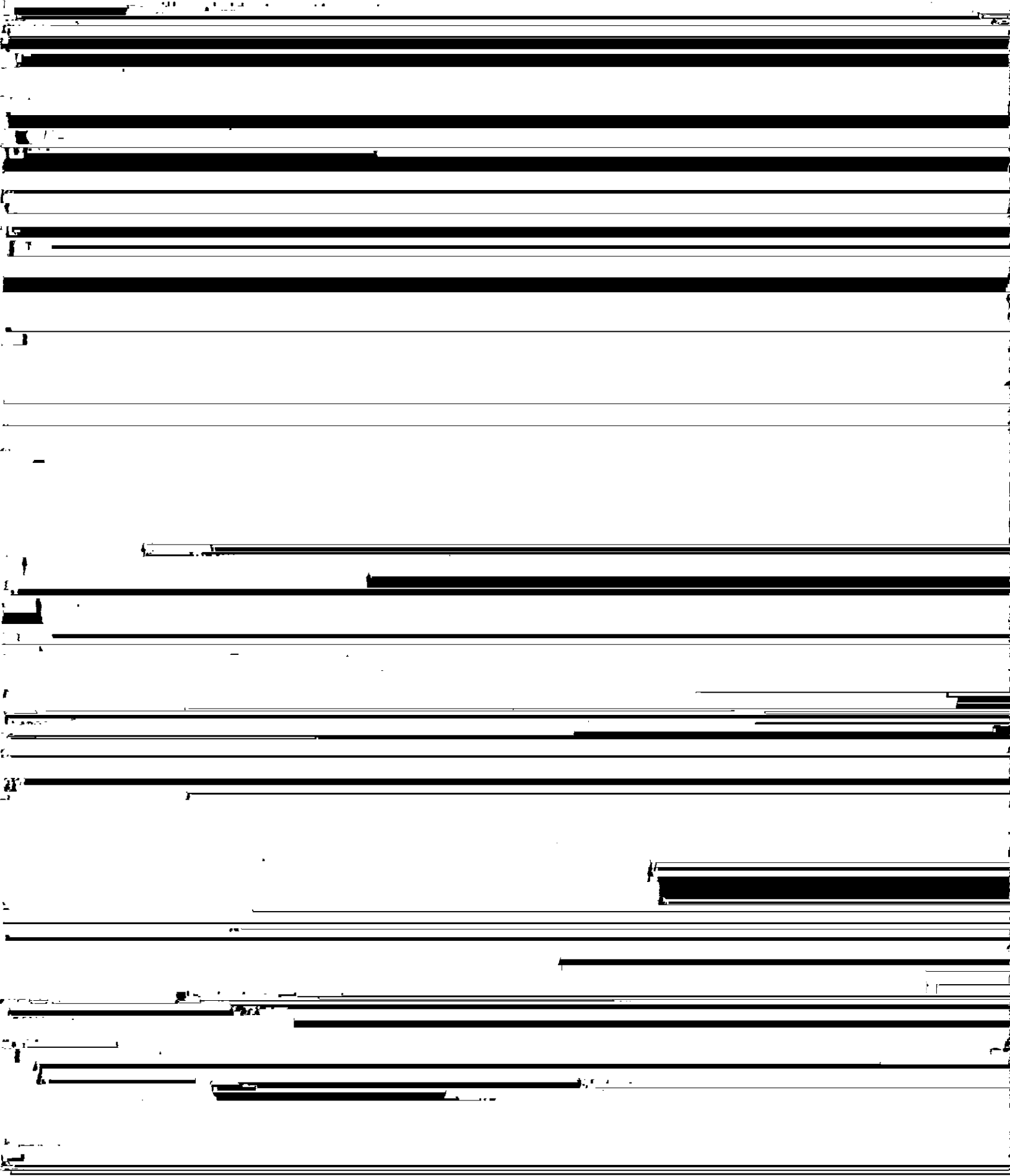
jointly with DREE funds. Funds were also made available for modernization of Ontario's textile industry and notice was served to the federal government that Ontario would continue to support quotas on imports of textiles and textile products (Financial Post, March 15, 1980).

Ontario finally received approval of its long-planned Convention and



Trade and Development Policy

Although the outcome of the Quebec referendum settled, for the medium



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The presentation of budget statements and estimates is expected to be

[REDACTED]

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Newfoundland and Labrador

Fiscal and Budgetary Policy

Finance Minister John Collins produced a cautious budget. Until hoped-for oil revenues from offshore wells become a reality, "live within your means" and "hold the line" are the watchwords.

harsh words for the Economic Council's report on Newfoundland (Newfoundland:
From Dependence to Self-reliance. Economic Council of Canada, Ottawa, 1988)

h

Total Long-Term Debt to Capital Expenditures \$200 million or 0.2 per cent

As with Bill C-26, Bill C-24

- phases out by April 1, 1980 the use of revenues from the sale of Crown leases and reservations on oil and natural gas lands in calculating equalization payments; and
- prevents any province where per capita income is above the national

Table 3.5

Federal Transfer Payments to the Provinces, 1980-81 to 1983-84

<u>Item</u>	1980-81	1981-82	1982-83	1983-84
	(\$ million)			
1. Equalization	3,481	3,855	4,331	4,819
2. % Change	(4.8)	(10.7)	(12.3)	(11.3)
3. % Total Transfers	(27.2)	(27.2)	(29.0)	(30.3)
4. Established Programs Financing (incl. Extended Health Care)	5 709	6 404	6 939	7 590
5. % Change	(6.1)	(12.2)	(8.3)	(9.4)
6. % Total Transfers	(44.7)	(45.3)	(46.5)	(47.7)
7. Canada Assistance Program	1,802	1,971	2,123	2,294
8. % Change	(9.0)	(9.4)	(7.7)	(8.1)
9. % of Total Transfers	(14.1)	(13.9)	(14.2)	(14.4)
10. Established Programs Financing	10 000	10 000	10 000	10 000

	N.W.T.	Yukon	Total
.1	-	-	34.1
.7	-	-	3,313.7
.5	.3	.4	107.3
	-	-	65.0
	-	-	-161.6
	-	-	150.0
.3	0.3	.4	3,533.5
.2	5.1	2.2	2,589.4
.7	1.7	.8	889.1
.2	3.1	1.4	1,625.5
.9	1.2	.6	641.2
	-	-	38.0
.0	11.1	5.0	5,783.2
.9	1.6	8.7	1,802.3
.2	-	-	17.3
.3	1.2	.4	103.4
.2	.1	.1	178.6
.7	3.8	2.0	367.9
.8	-	-	76.0
	215.5	52.3	267.8
.7	1.3	1.0	156.0
.8	223.5	64.5	2,969.3
.1	234.9	69.9	12,306.0
.7	6.5	4.5	3,396.5
.5	.9	.3	290.2
	-	-	476.2
	-	-	268.0
	-	-	161.6
.2	7.4	4.8	4,592.5
.3	242.3	76.7	16,898.5

Background Paper

The commissioner's inquiries gained added significance as a result of the February general election. With the return of the Liberal government came the return of Monique Bégin to the Health and Welfare portfolio. While in opposition, she had repeatedly claimed that some provincial governments

Other Developments

Bill C-24 also revived the federal government's proposal to amend the **Public Utilities Income Tax Transfer Act**. Under the current Act, the federal government returns 95 per cent of the federal corporate taxes paid by

CHAPTER IV

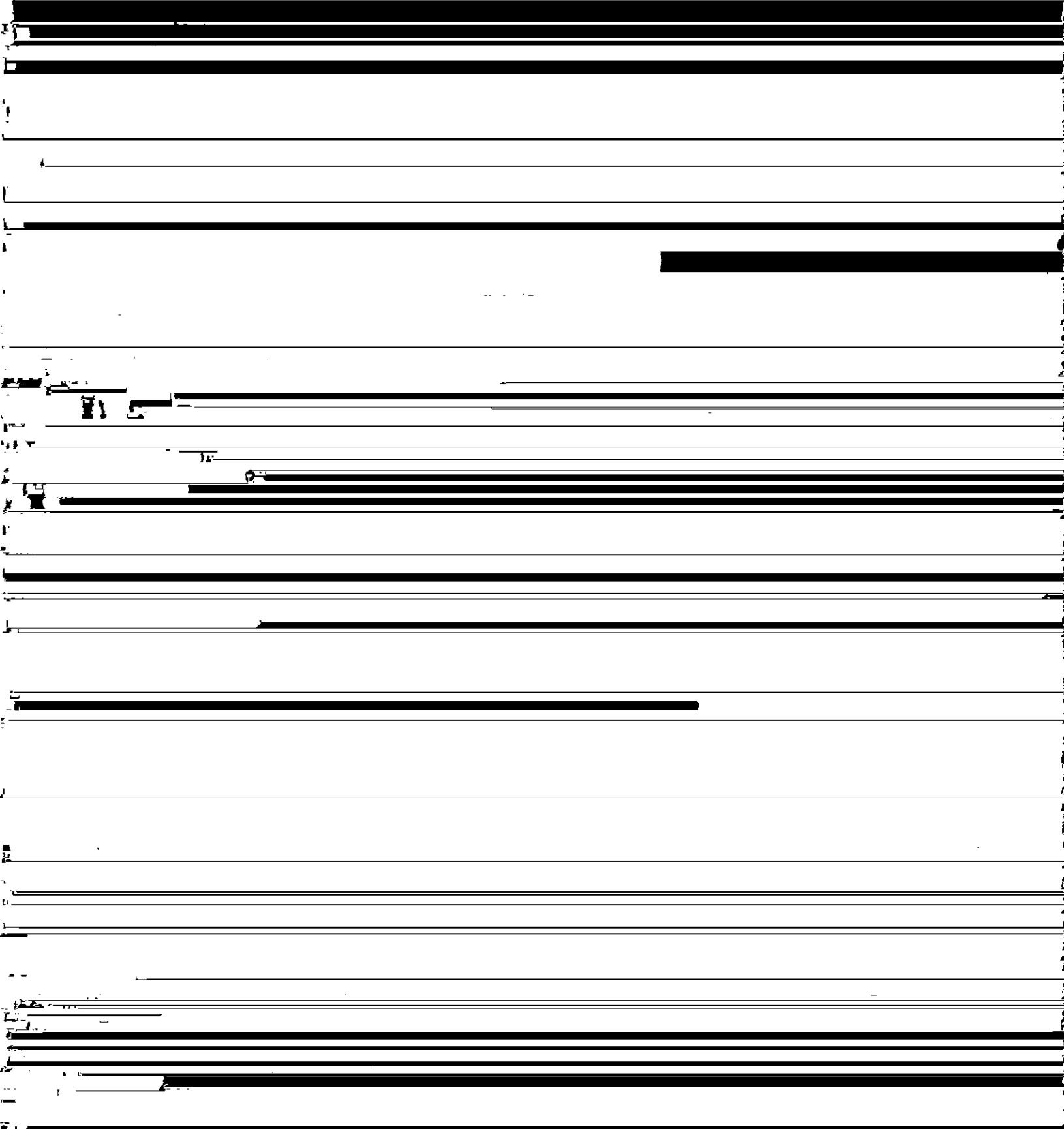
ENERGY POLICY

INTRODUCTION

There is one thing Canadians should know

The Setting

As 1979 drew to a close, the Conservative government announced with confidence that an oil-pricing agreement was within reach. Compared to the previous Liberal government, the Conservatives were much more willing



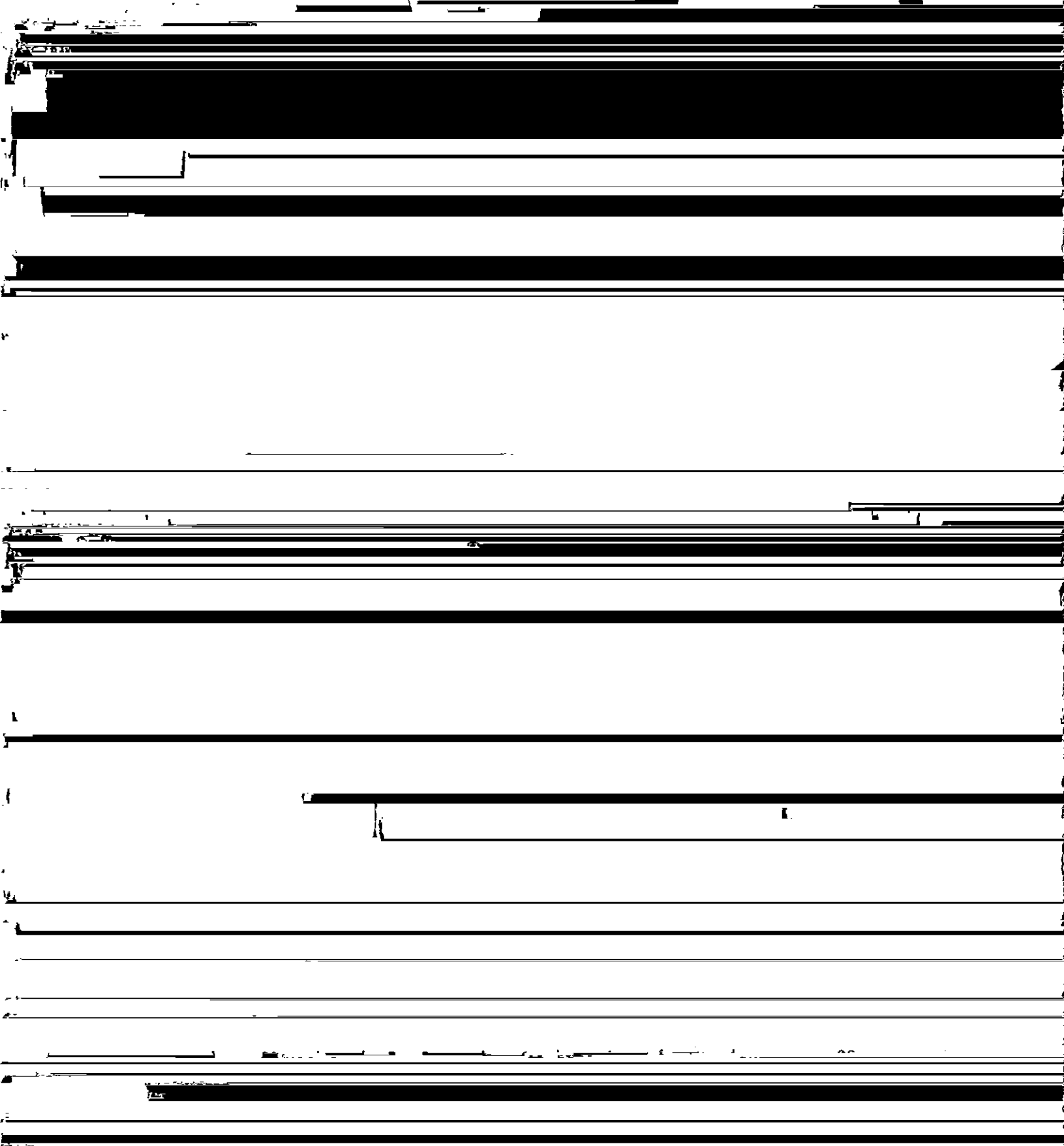
meeting amounted to little more than a "get acquainted" session. At the end of March, the federal government invoked a force majeure clause in its 1976 taxation and pricing agreements with Canada's 14th and 15th provinces.

allowed them to receive world prices for their products. Ottawa froze the

as intrusions on provincial jurisdiction. The Alberta government also requested that federal taxes on the oil and gas industries not be so heavy as to stifle exploration and development within the province.

The federal government rejected the Alberta proposal, stating that although it believed that prices must

Despite the lack of a long term package agreement on energy pricing the Alberta and Saskatchewan governments were able to raise oil prices



principles of "fairness", the new pricing regime in the budget was seen to be an incentive to substitute alternative energy sources for fossil fuels.

The blended price system detailed in the budget...

1. Price Changes
 (Proposals
 : Wellhead)

Federal Proposal National Energy Program
 July 25, 1980 October 1980

\$ -	\$ -
2.00	2.00
-	-
1.00	1.00
1.00	1.00
1.00	1.00
1.00	1.00
2.25	1.00
2.25	1.00
2.25	2.25

\$12.75 \$10.25

government budget of December, 1979, the price of
 > 75% and 85% of the lower of the landed import price
 , 1983 and January 1, 1984 respectively.

Montreal was \$38.25 Cdn/barrel on July, 1980. It is
 (U.S.) will rise over the next four years by the U.S.
 :ing this price to Canadian dollars, it is forecast that
 U.S. by 1984.

the price of domestic crude oil at Toronto would be
 average North American crude oil price. On January 1, 1984
 average North American crude oil price.

ation Proposals, Alberta Energy and Natural Resources,
 L. Energy, Mines and Resources Canada, October 1980. p. 27.

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provinces pursuant to Section 22 of the Act.

Revenue Distribution

The previous formula for distributing revenues from oil and gas

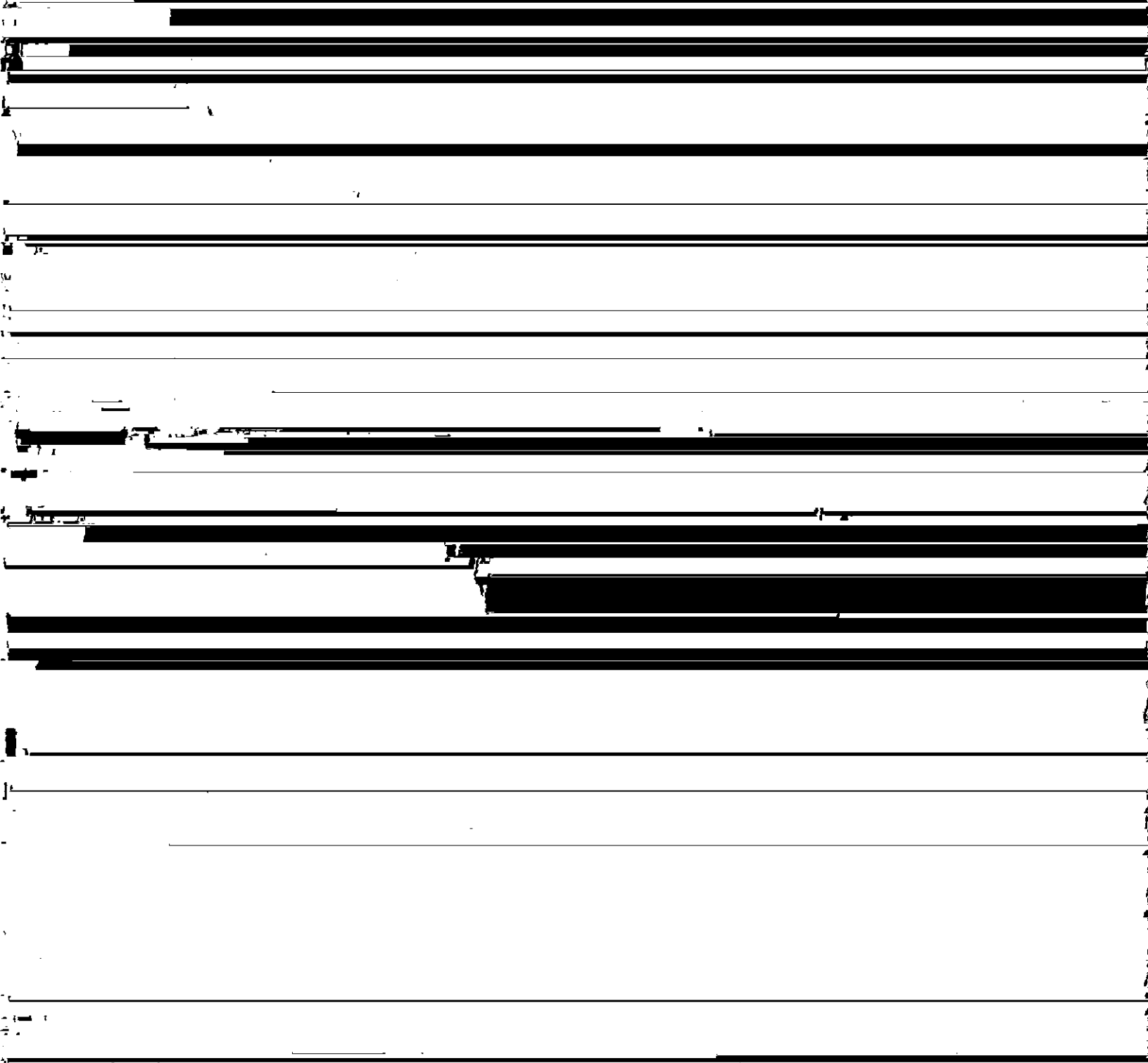
taxes, 45 per cent to the producers and 10 per cent to the federal

Opportunity

In the new federal energy policy, opportunity denotes Canadianization of the oil and gas industry. There are two thrusts to this strategy - a Petroleum Incentives System to encourage increased Canadian private sector participation, and a plan to expand public sector involvement.

Production Incentives

The most salient production incentive to date has been the



The level of the charge and its initiation will be determined as prospects

To counteract federal moves, Lougheed announced a plan to cut back oil production by 15 per cent over nine months to a maximum of 180 000 barrels

1980, p. A-1). The federal government responded that BC's withholding of tax revenues was "consistent with the law established under the Energy Act."

In December, 1980, the ministers responsible for energy matters in

The Independent Petroleum Association of Canada, consisting mostly of smaller, Canadian oil and gas companies, placed full page advertisements in major newspapers which detailed their objections to the National Energy Program. IPAC claimed that the government's plans would make Canadians more -- not less -- dependent on imported oil; the development of frontier areas, oil sands and heavy oil would be delayed; and thousands of jobs which could be created by the oil industry would be lost.

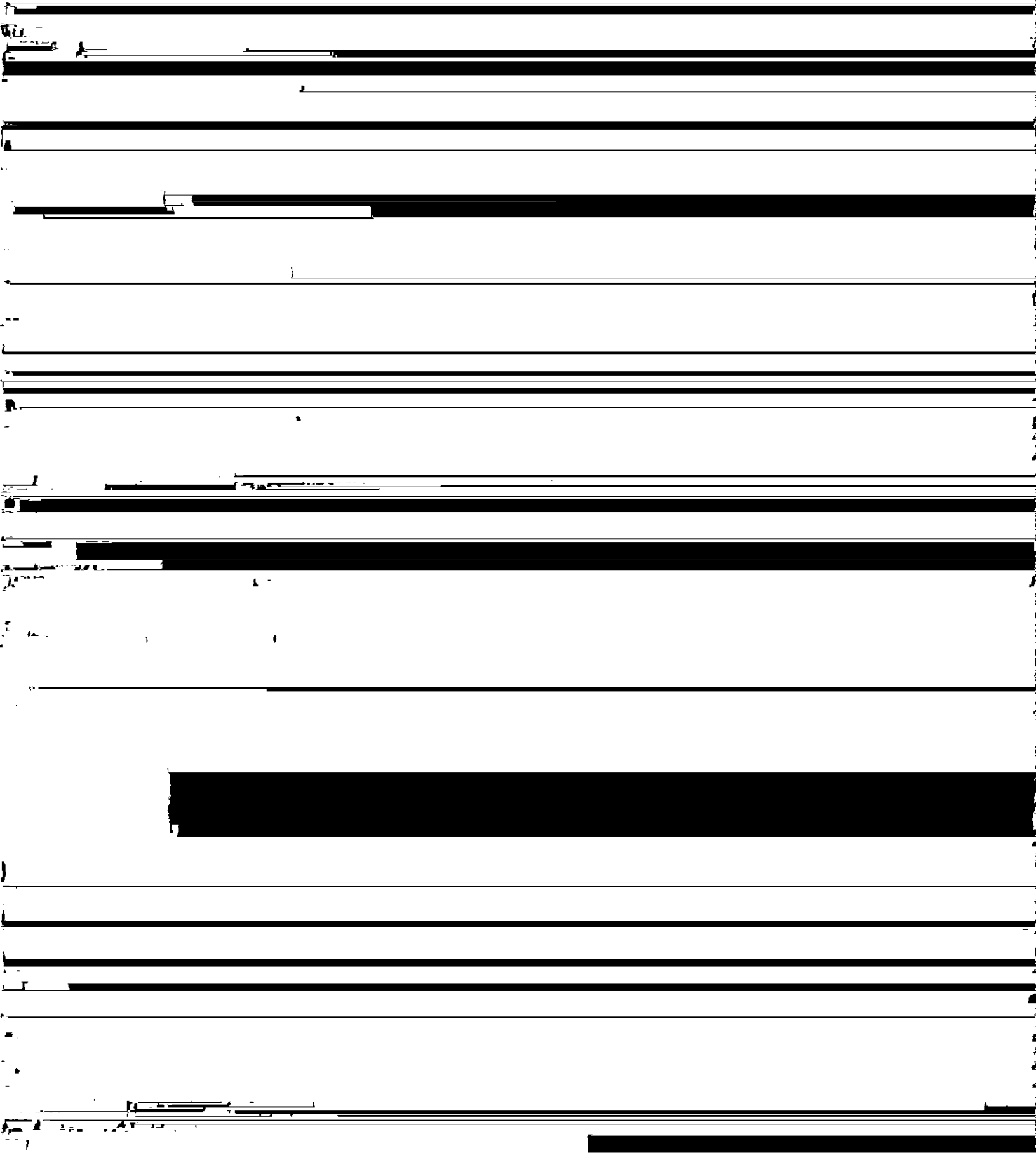
Post-Budget Federal Policy

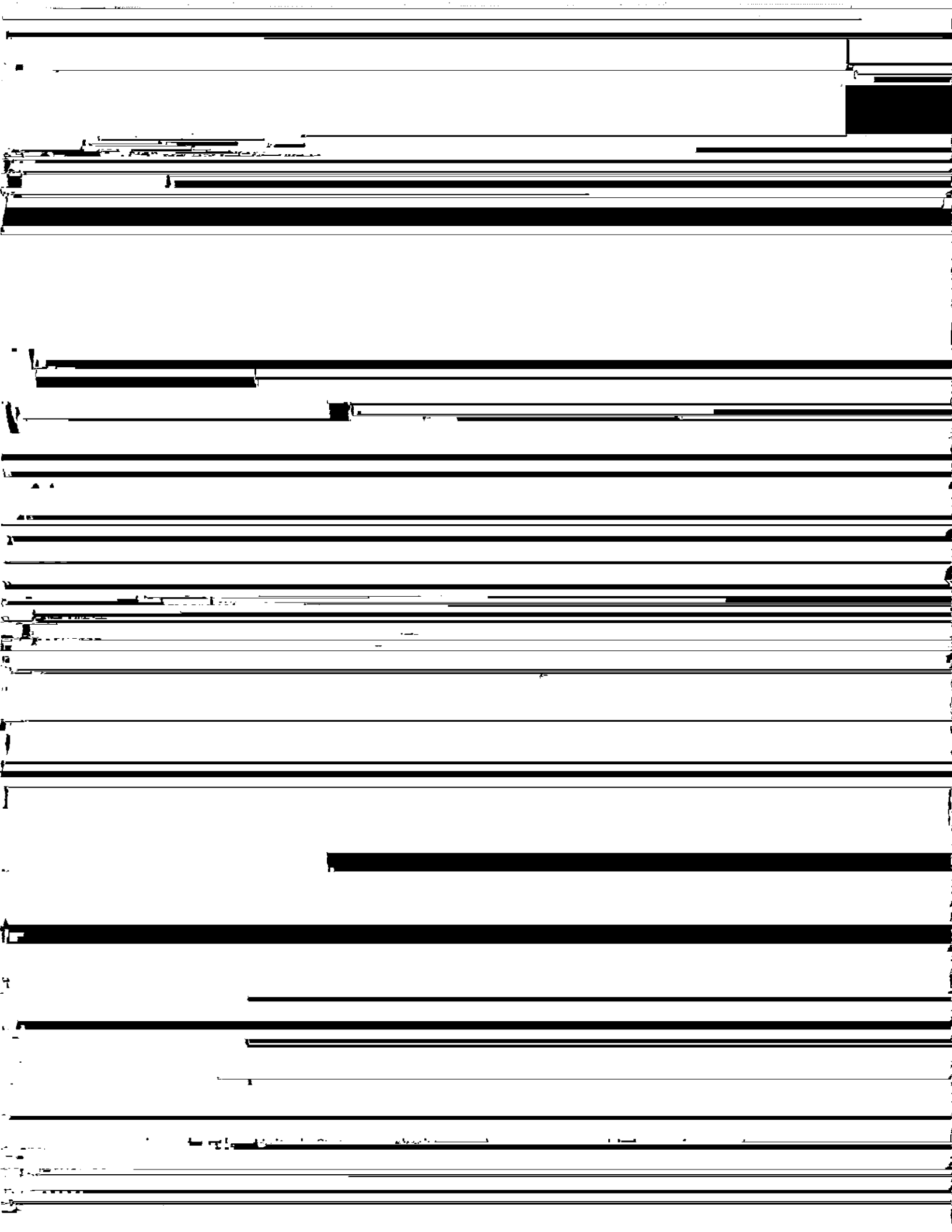
The federal government stood firm in the face of criticism of its budget. Nevertheless it took opportunities to demonstrate that its position

Act which he hoped would further the claim by asserting control over production and development of offshore resources. The Act also favored preferential hiring of Nova Scotians for jobs offshore. Federal Energy Minister Lalonde said the bill was unconstitutional. Unlike Newfoundland

[REDACTED]

Caught in the middle of the dispute have been the oil companies
operating in the area. Companies like Amoco, Exxon, Shell, BP, British





ELECTRICITY

The table is almost completely obscured by heavy black redaction bars. Only faint outlines of the table structure are visible, showing multiple rows and columns. The redaction bars are thick and black, covering the vast majority of the page's content.

Falls Water Rights Reversion Act which would recover the rights to the power now held by Churchill Falls (Labrador) Corp. Ltd. The Act comes into force

time, the Ontario Royal Commission on Electric Power Planning concluded that

[REDACTED]

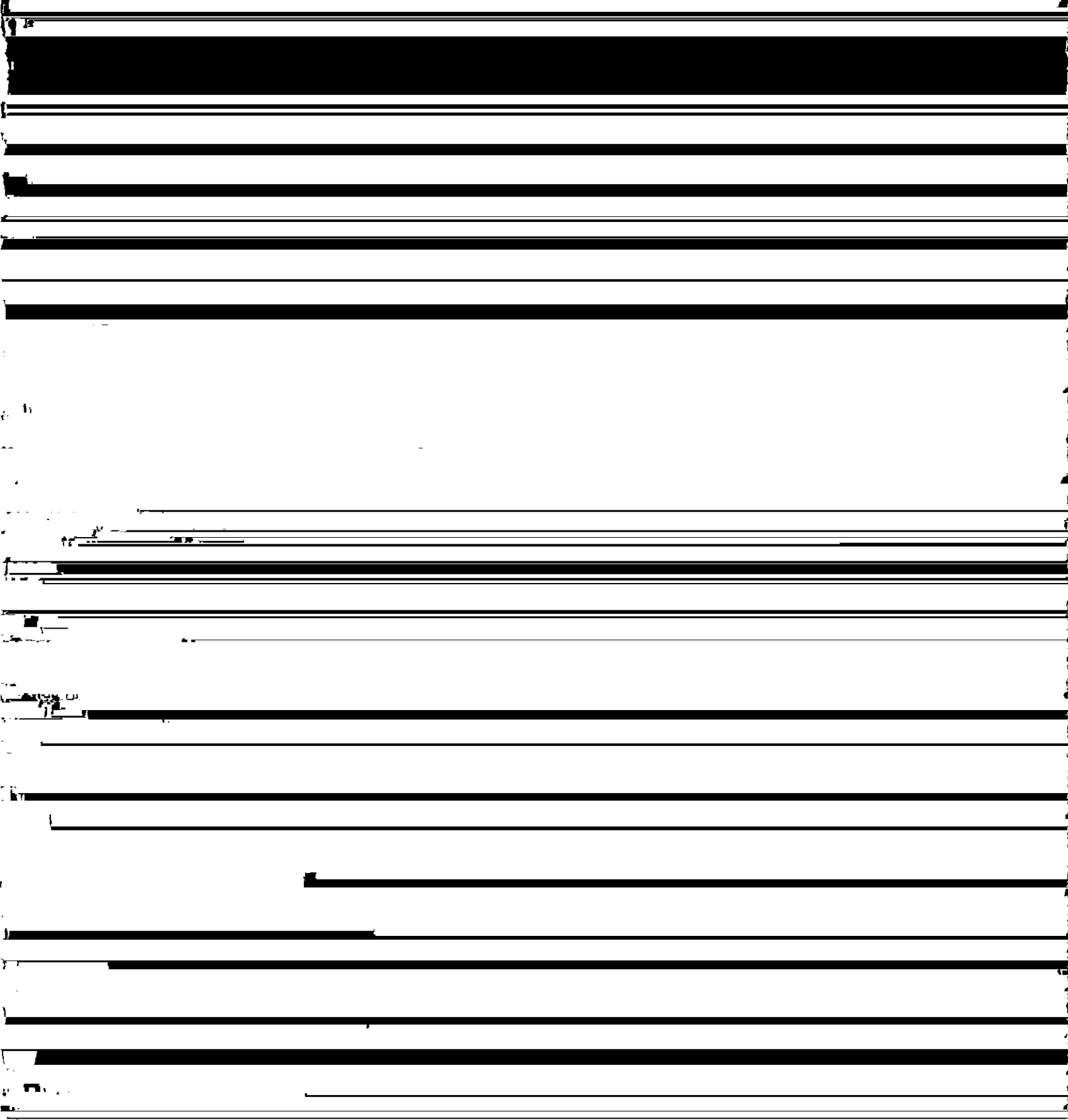
CHAPTER V
GENERAL POLICY AREAS

INTRODUCTION

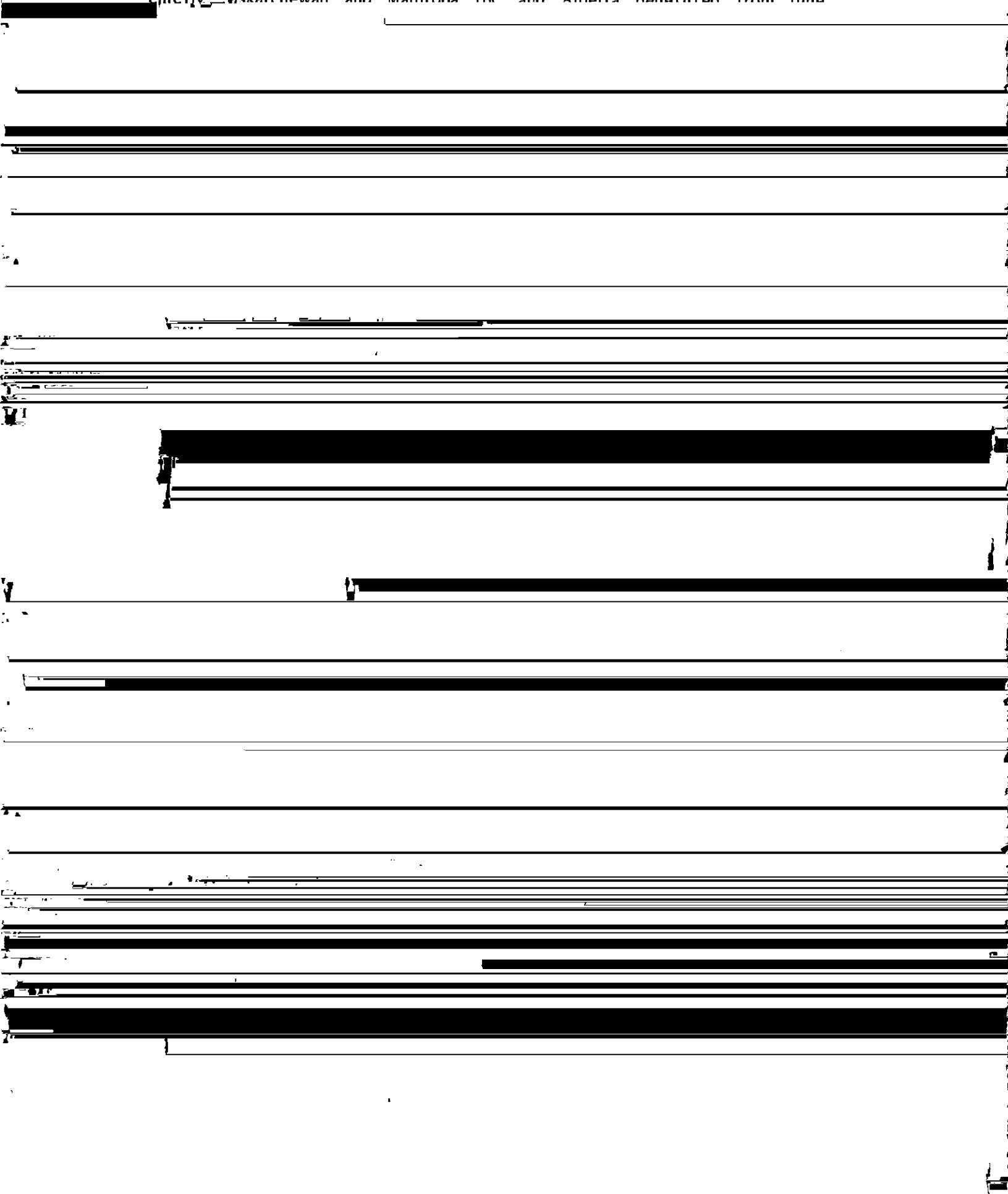
Federal-provincial relations involve much more than debate on

proposals raised at the meeting was not acted upon.

Stabilization and marketing systems also presented Federal



chiefly Saskatchewan and Manitoba (BC and Alberta benefitted from June



Ontario criticized the CRTC decision to allow Bell Telephone subscribers

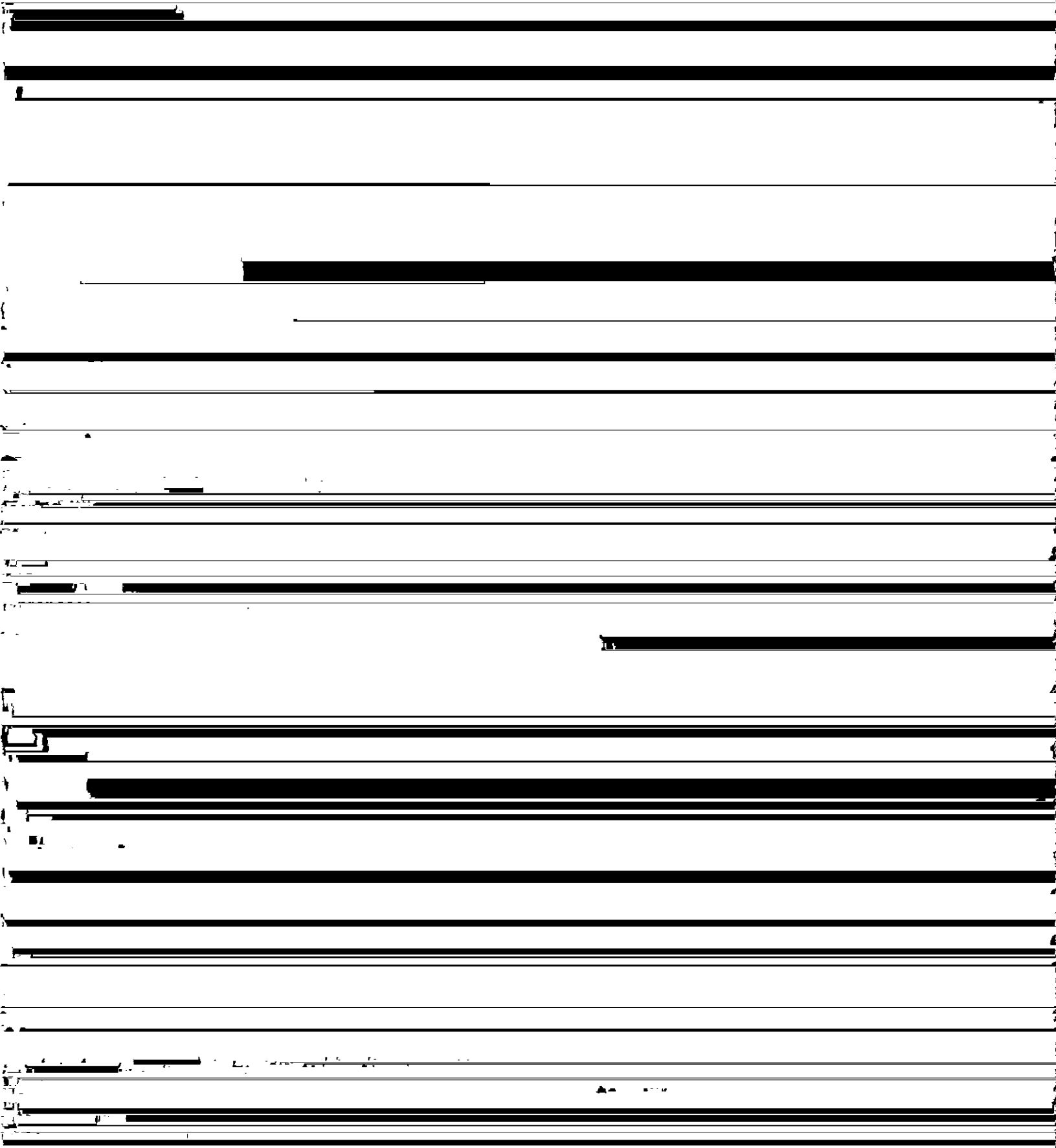
those governments and the ...

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FISHERIES

Romeo Leblanc returned as federal Fisheries and Oceans minister to preside over a turbulent year in the fisheries sector. On the east coast, by the end of the year Nova Scotia trawlermen were protesting federal fishing quotas for 1981. Processors were objecting to "over the side" sales by

middle range fishermen in the exploitation of northern cod stocks. This has not sat too well with Nova Scotia, home of most long range trawlers; nor have Newfoundland's attempts to route fish caught off its shores to fish processors located in Newfoundland. Newfoundland also objected to fish...



In Quebec, demand for modernization funds exceeded original estimates and the Quebec government pressed for an expanded program. The original allocation to the province of \$150 million was cost shared between federal and provincial governments on a 60:40 basis. However, the federal government

in Vancouver's new transit system (to be built by Ontario's Urban Transit Development Corporation).

INTERNATIONAL RELATIONS

Ontario's program of translation of its statutes into French bogged down. Only about 40 Ontario laws were translated between January 1970 and

In March, the tenth meeting of the Quebec-New Brunswick Permanent
Commission was held in

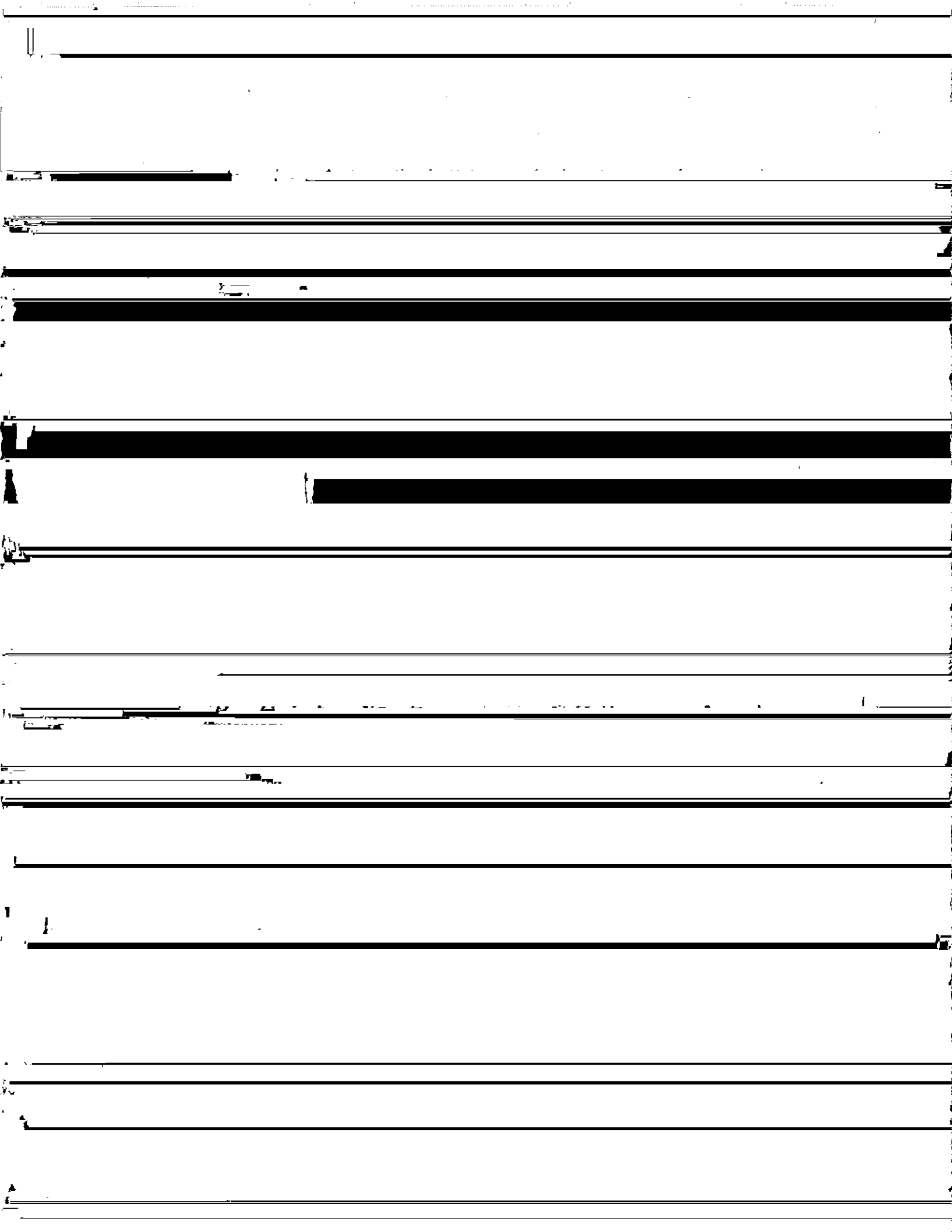
the other hand, it is

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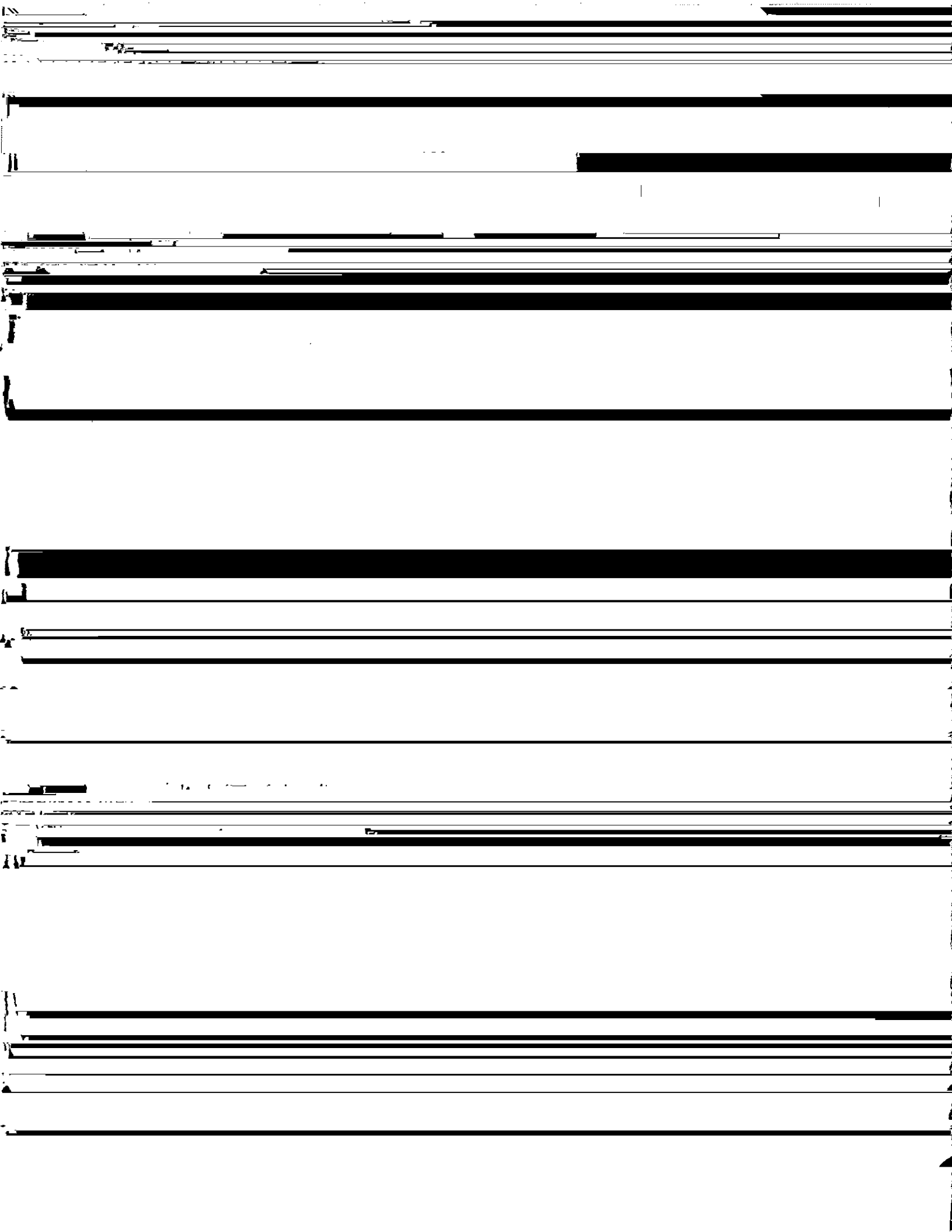
structures. The development of grain terminals and handling facilities are



CHAPTER VI
INTERPROVINCIAL RELATIONS

INTRODUCTION

In this chapter, interprovincial relations are discussed chiefly as they occur at the level of provincial government.



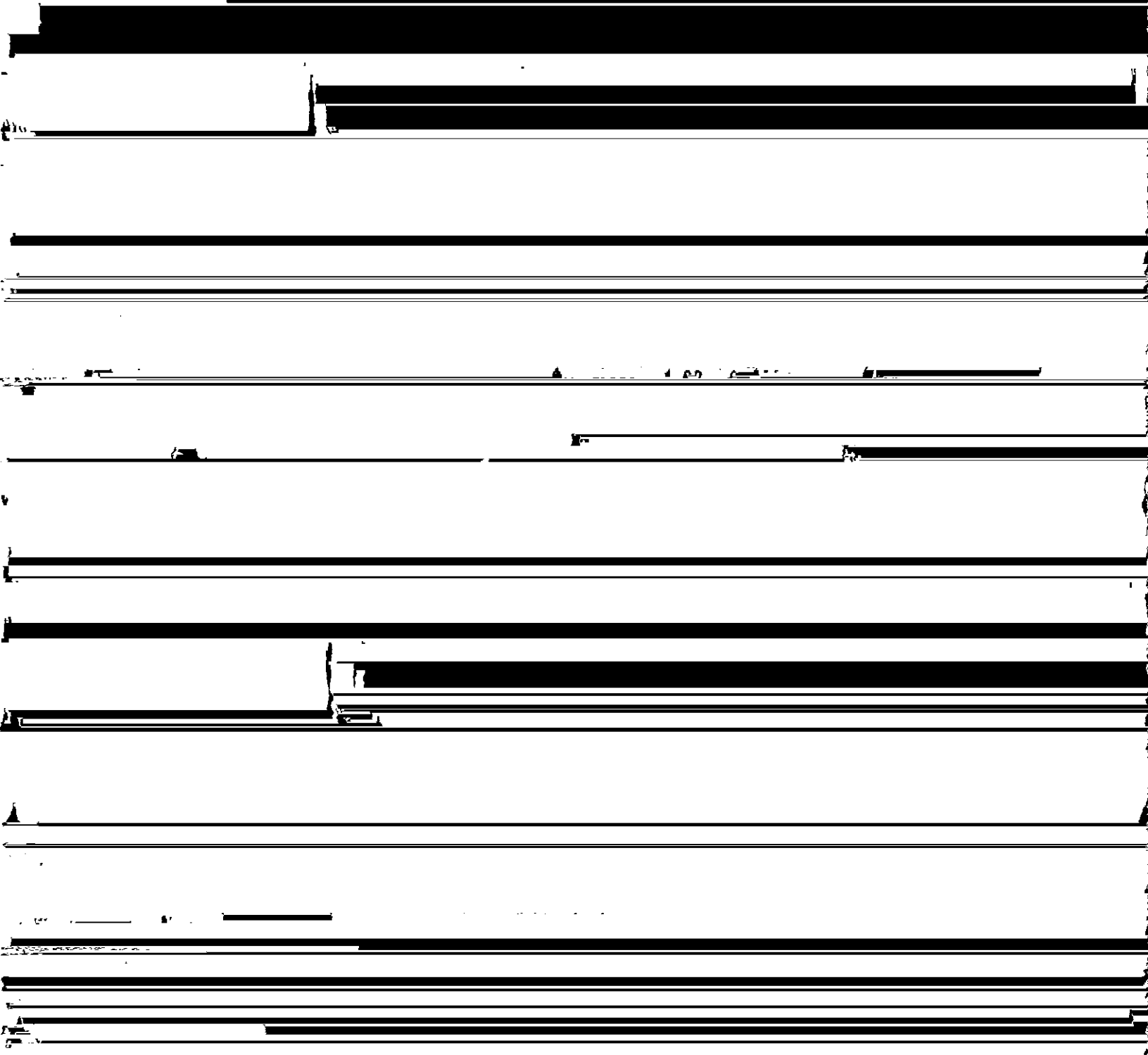
the Canadian constitution." Alone among the provinces, Ontario argued that
the constitution allowed for the



WESTERN CANADA

Western Premiers' Conference

The seventh annual Western Premiers' Conference was held in Lethbridge



- incentives to encourage Canadian participation in corporations active in Canada;
- coordinated federal-provincial planning of foreign borrowing by governments in Canada;

"Beige Paper"). Although the Premiers declared greater philosophical support for Ryan's proposals than for Levesque's concept of co-operative associations

CHAPTER VII
JUDICIAL REVIEW

INTRODUCTION

1990. Generalized access to the courts was a significant development.

[REDACTED]

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In a split decision on May 1, 1977, the Court held that the

[REDACTED]

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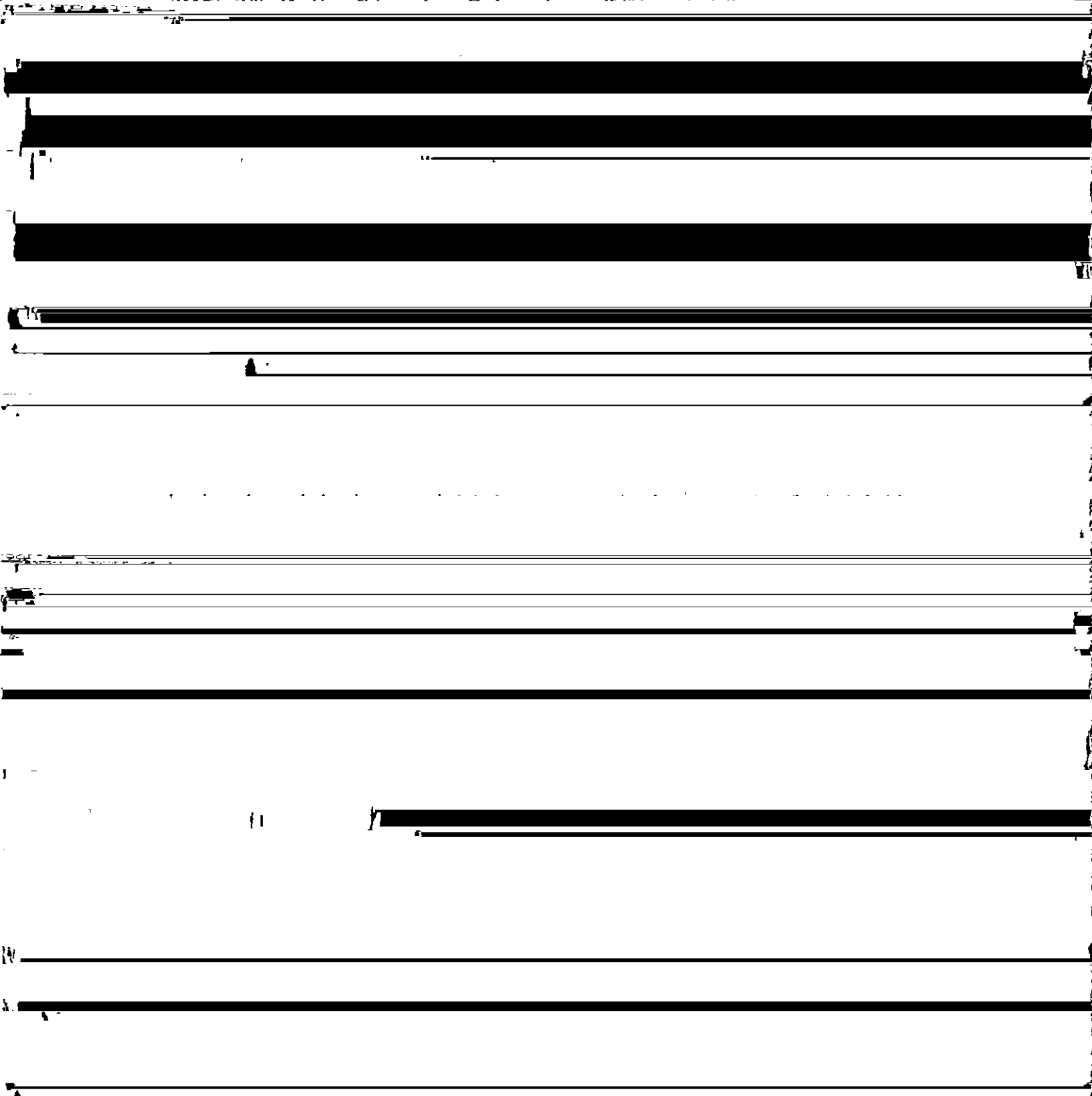
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[REDACTED]

The effect of Section 96 was also felt at other levels of the court system in 1980. Sections of the Residential Tenancies Act (Nova Scotia) were declared *ultra vires* because they offended s. 96 of the Constitution Act, 1870.

clearly not of a local or private nature and which is of serious national concern" (pp. 164-5, Ontario Reports, 29 [2d]).

However, on December 4, 1979, in *Rocois Construction Inc. v. Quebec*



subsection 33(2) of the Fisheries Act. Subsection 33(2) reads:

(2) Subject to subsection (4) no person shall deposit or permit

He accordingly issued an injunction ordering Alcan to increase the flow and said the order may be renewed if necessary. Alcan has not appealed the

decision, but instead announced a review of its plans to triple its aluminum smelting capacity in BC and create 5,000 jobs over a 12-15 year period. The

However, by the end of 1980, the case had not been heard.

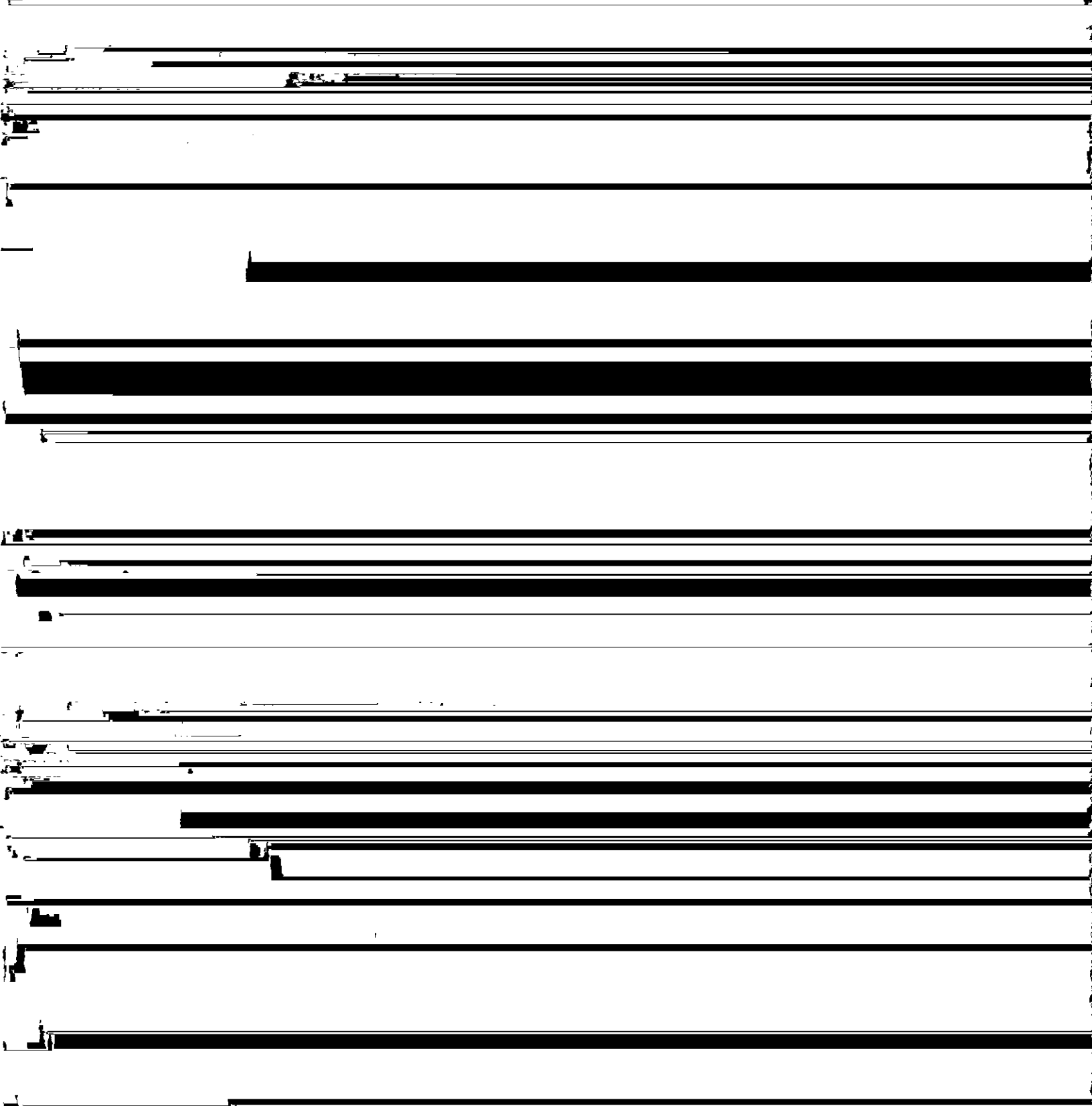
The constitutional validity of Sections 50, 53-61 of the National Energy Board Act has been challenged in Saskatchewan Power Corporation et al vs. Trans Canada Pipelines, the National Energy Board, et al.

a local undertaking in Ontario Divisional Court (September 2, 1980) and hence the Labour Relations Board of Ontario had jurisdiction over it.

In other cases, however, provincial statutes did not fare as well. In *Canadian Pacific Ltd. v. Attorney General of Alberta*, [1985] 1 S.C.R. 137, the

NATIVE PEOPLES

No attempt to deal with the many cases involving native rights and the status of Indians will be made here. It can be briefly noted that the scope



In deciding the case on these grounds the Chief Justice avoided

[REDACTED]

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125 of the DNA Act

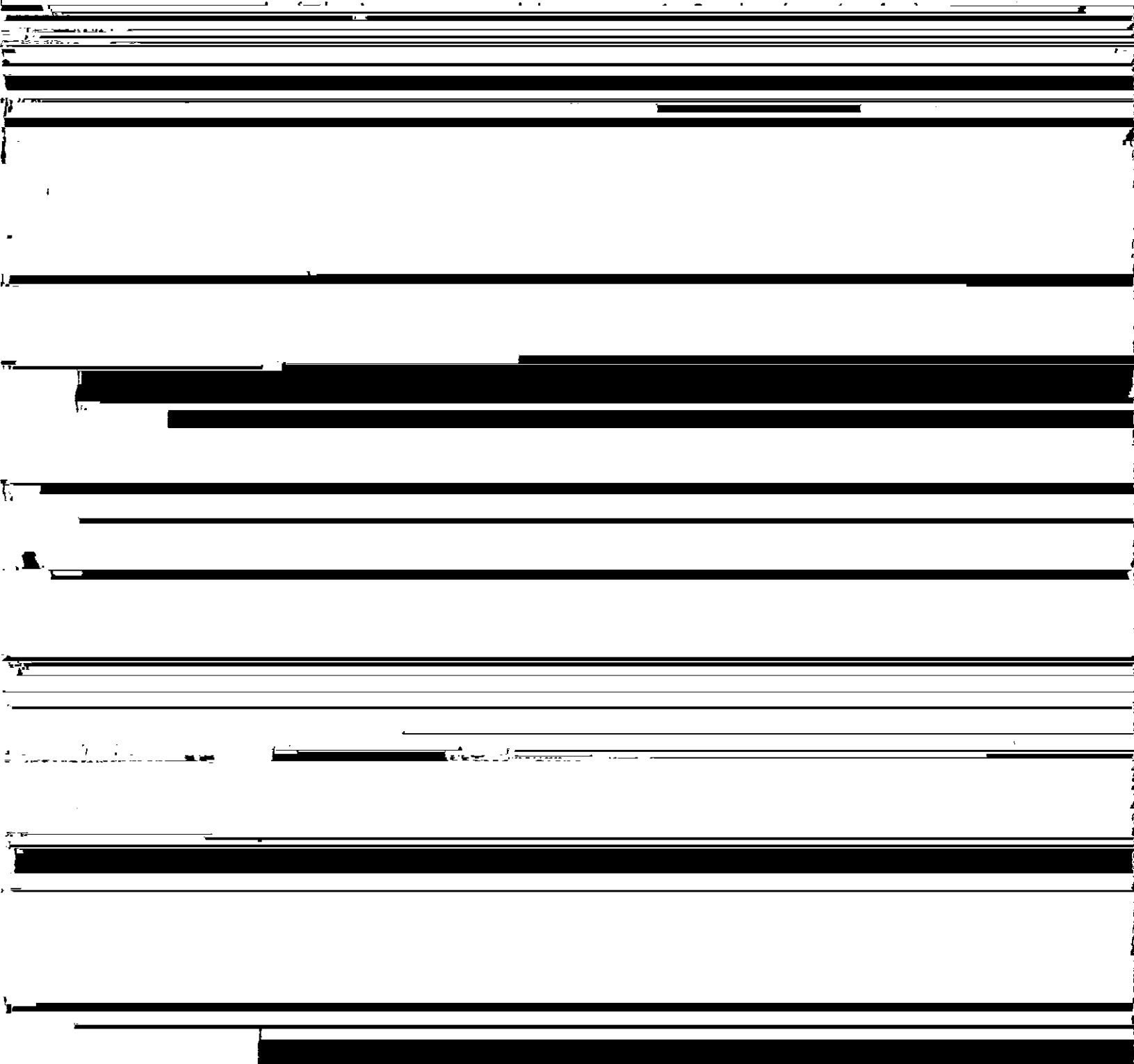
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CHAPTER VIII

NOTES ON THE INTERGOVERNMENTAL BUREAUCRACY

INTRODUCTION

The following notes highlight recent changes to the organization and



ALBERTA

Alberta has had an Ottawa office since 1943. However in June 1980 the

[REDACTED]

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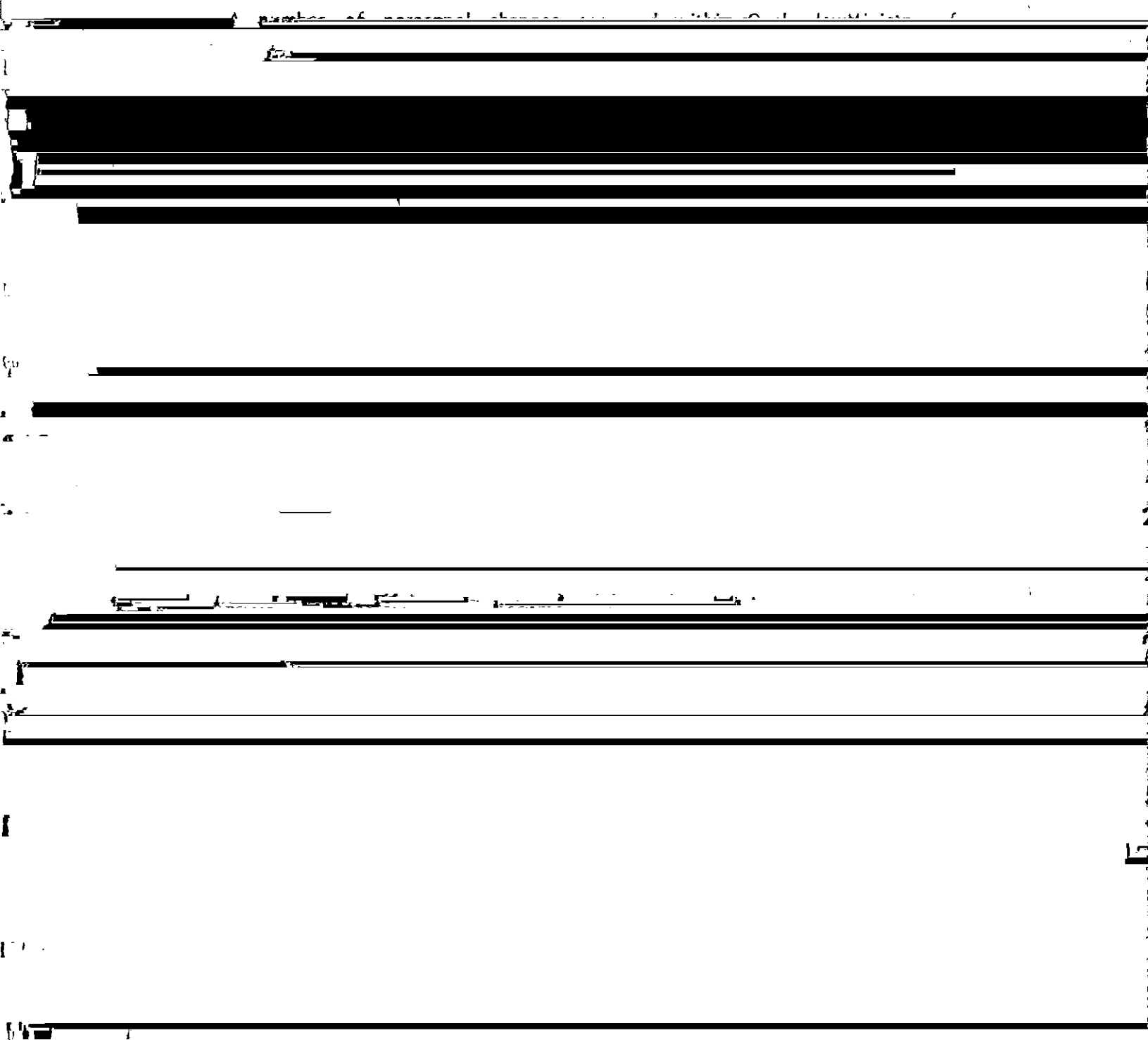
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handles liaison with the French media concerning federal-provincial and interprovincial affairs, and the ministry's operations. Thomas Wells remained the Minister of Intergovernmental Affairs and his Deputy minister is Donald Stevenson. Ed Greathead continued as Executive Director, Office of Intergovernmental Affairs and Gary Posen as Director, Federal and Interprovincial Secretariat.

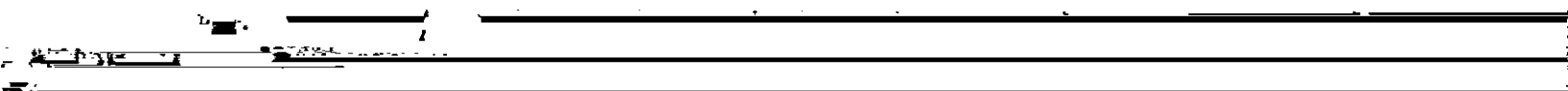
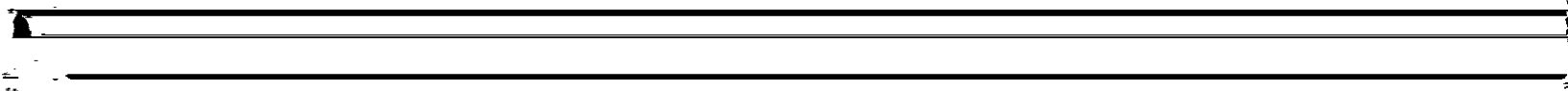
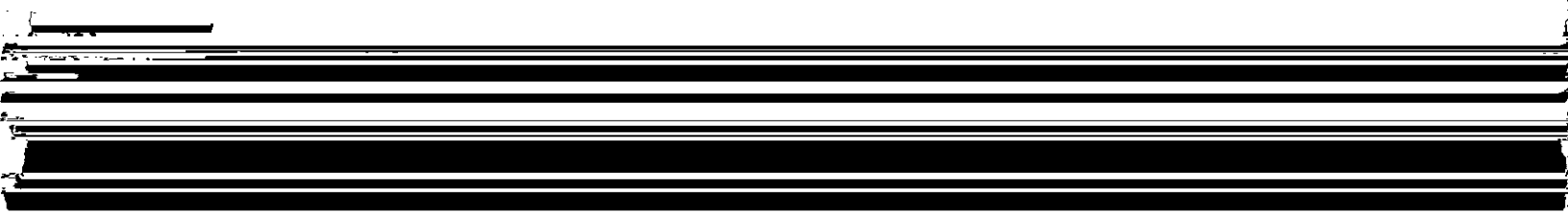
QUEBEC



Secretary, to the Cabinet for Intergovernmental Affairs, Mr. MacGillivray

THE FEDERAL GOVERNMENT

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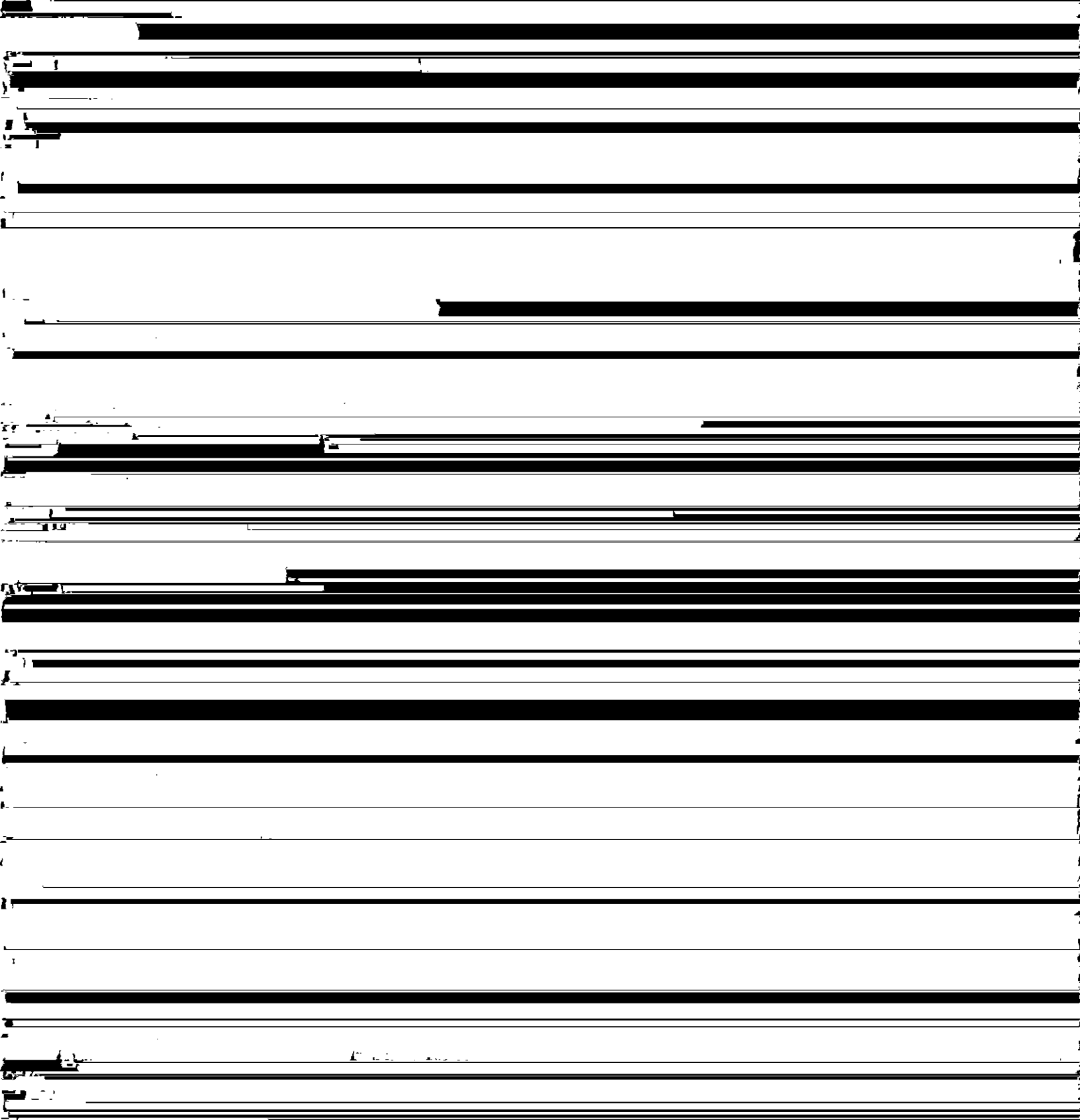
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