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Organized Labour and Constitutional Reform Under Mulroney

Larry Savage

Often dismissed as the political preoccupation of the chattering classes, constitutional politics has nonetheless had an immense impact on working people in English Canada and Québec. Constitutional questions have played an important role in dividing workers along regional and linguistic lines, and divisions within the labour movement have closely reflected the common regional and linguistic cleavages in Canadian society more generally. However, in the same way that constitutional questions have helped shape the character of organized labour in Canada, the labour movements of both Québec and English Canada have attempted to reciprocally influence the character of constitutional questions in an effort to improve the economic clout and political power of trade unions. By adopting competing political perspectives concerning the powerful centripetal and centrifugal economic forces that characterize the changing nature of federal-provincial relations, the labour movement in Québec and the labour movement in English Canada have attempted to influence constitutional politics in contradictory ways; the latter by attempting to strengthen the role of the federal government at the expense of the provinces, and the former by attempting to strengthen the power of Québec City *vis-à-vis* Ottawa.

This article is concerned with organized labour's response to Canadian constitutional politics during Brian Mulroney's tenure as prime minister (1984–1993). Specifically, the article argues that the political cleavages surrounding failed attempts at constitutional reform under Mulroney were reflected in the internal politics of the labour movement, eventually leading to the creation of a "sovereignty-association" partnership agreement between the Canadian Labour Congress (clc) and the Québec Federation of Labour (ftq).

Despite the establishment of the clc in 1956, it is impossible to speak of a

Larry Savage, "Organized Labour and Constitutional Reform Under Mulroney," *Labour/Le Travail,* 60 (Fall 2007), 137–170.

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 Québec. The vast majority of unions outside of Québec are affiliated to the CLC. However, Québec unions have gravitated in different directions, affiliating themselves to a host of independent unions and a number of different labour centrals including the CLC-affiliated FTQ, the Confédération des syndicats nationaux (CSN) and the Centrale des syndicats du Québec (CSQ).[1]

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. The fact that so many political conflicts resolve themselves into constitutional struggles stands as stark testimony to the abiding fractures in the Canadian polity and the Canadian trade union movement provides an example of the pervasiveness of this dynamic and discourse. Thus it was that on 25 November 1993, during a period of intense constitutional turmoil in Canadian politics, the CLC and the FTQ reached a historic agreement that essentially gave the FTQ the status of a proper trade union central in Québec. 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 Québec, 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 Québec and English Canada showcased their institutional arrangement as a model for Canadian federalism. The FTQ's Clément Godbout told *La Presse* that politicians in Québec and the rest of Canada should use the CLC-FTQ model in the event that Québec departed confederation.[2] Steelworkers President Leo Gerard told *La Presse* "Les politiciens du Canada auraient beaucoup à apprendre du mouvement syndical."[3] 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

1. Although the FTQ is a provincial federation of the CLC, the Federation enjoys a considerable degree of autonomy from the CLC. The Québec 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. See Appendix I.

2. *La Presse*, 17 mai 1994.

3. *La Presse*, 18 mai 1994.

avait respecté les droits du Québec comme nous l'avons fait, peut-être qu'il serait capable de rester ensemble."[4]

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.[5] A second explanation, which has been trumpeted by the labour movement, is that the agreement is an attempt to accommodate Québec's cultural and political specificity and, as such, represents a clear political expression of solidarity with the political aspirations of Québec. This article argues that although the CLC-FTQ partnership agreement was precipitated by a crisis of representation within the CLC's structure, both the FTQ and the Congress negotiated the partnership agreement with a view to transcending their own constitutional impasses, exacerbated by the Meech Lake and Charlottetown rounds of constitutional reform, in a bid to maintain peace in the House of Labour.

This article focuses on peak labour organizations (the CLC and the FTQ) for several reasons. Federalism and contemporary constitutional developments have of course had an effect on a whole range of labour organizations from individual unions to national labour bodies. My decision to concentrate on the CLC and the FTQ, however, is dictated by the specific research objective of this article, which is to describe and explain the relationship between the national constitutional discourse and organized labour's own constitutional perspectives during Brian Mulroney's tenure as prime minister. This 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. In the process they 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 is routinely 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 article. The FTQ figures prominently throughout the article, not only as a partner in the CLC-FTQ relationship, but also as the largest, most diverse, and most representative labour organization in Québec.[6]

4. *La Presse*, 18 mai 1994.

5. Esther Déom and Jean Boivin, "Union-Management Relations in Québec," in Morley Gunderson, Allen Ponak, Daphne G. Taras, eds., *Union-Management Relations in Canada* (Toronto 2005), 464–465.

6. Jean-Marc Piotte, "Un microcosme du Québec," in Yves Bélanger, Robert Comeau et Céline Métivier, eds., *La FTQ, ses syndicats et la société québécoise* (Québec 2001), 167.

What follows is structured chronologically, beginning with a brief review of the literature followed by a short history of the constitutional question's impact on CLC-FTQ relations. Next, the discussion considers the CLC and FTQ approaches to the Meech Lake Accord, followed by a detailed account of organized labour's approach to dealing with the Charlottetown Accord. In both these sections, the article explores how longstanding party-union relationships complicated the trade union movement's fractured constitutional perspective. Finally, the article concludes with a summary of the findings and reinforces how these failed attempts at constitutional reform provided the necessary political climate for the CLC and FTQ to achieve a sovereignty-association partnership agreement.

Scholars in both Québec[7] and English Canada[8] have shown keen interest in organized labour's relationship to Québec's National Question, focusing on the ways in which the labour movement has both shaped and been shaped by Canada's constitutional crisis. In doing so, previous scholarship sets up a framework for understanding how constitutional questions have divided trade unionists in Québec from their counterparts in English Canada by focusing on the intersection of class and nation. 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 Québec. In a historical context, Québec's branch plant economy created a situation wherein francophone workers were forced

7. See for example Louis-Marie Trembly, *Idéologies de la CSN et de la* FTQ *1940–1970* (Montréal 1972); Roch Denis, *Luttes de classes et question nationale au Québec, 1948–1968* (Montréal 1979); François Cyr and Rémi Roy, *Elément d'Histoire de la* FTQ*: La* FTQ *et la Question Nationale* (Laval 1981); Diane Lamoureux, *Question nationale et mode de radicalisation de la classe ouvrière au Québec* (1970–1976), thèse de maitrise, Department de Science politique, UQAM 1977; Gilles Bourque and Anne Légaré, *Le Québec: la question nationale* (Paris 1979); Jacques Mascotto and Pierre-Yves Soucy, *Sociologie politique de la question nationale* (Montréal 1979); Louis Fournier, *Louis Laberge: La Syndicalisme C'est ma Vie* (Montréal 1994); Jacques Rouillard, *Le syndicalisme québécois: Deux siècles d'histoire* (Montréal 2004); Jean-Marc Piotte, *Du combat au partenariat: Interventions critiques sur le syndicalisme québécois* (Québec 1998); Gilles Bourque and Nicole Laurin-Frenette, "Social Classes and Nationalist Ideologies in Québec, 1760–1970," in Gary Teeple, ed. *Capitalism and the National Question in Canada* (Toronto 1972), 185–210; Mona-Josée Gagnon, *Le syndicalisme: état des lieux et enjeux* (Québec 1994); and Ralph P. Guntzel, "'Rapprocher les lieux du pouvoir': The Québec Labour Movement and Québec Sovereigntism, 1960–2000," *Labour/Le Travail,* 46 (Fall 2000), 369–395.

8. Jim Laxer, "Québec in the Canadian Federal State," in Robert M. Laxer, ed., *(Canada) Ltd: The Political Economy of Dependency* (Toronto 1973); Carla Lipsig-Mummé, "Québec Unions and the State: Conflict and Dependence," *Studies in Political Economy,* 3 (Spring 1980), 119–146; 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 1999), 148–178; Kenneth McRoberts, *Québec: Social Change and Political Crisis* (Toronto 1988); Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity* (Toronto 1999); and Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms* (Toronto 2003).

to labour in English for their English Canadian and American employers. In unionized shops, employers expected their francophone workers to negotiate and administer collective agreements in the language of business, which was English. These social realities represent a powerful explanatory factor in the rise of nationalism and separatism within the Québec labour movement in the 1960s.

The Constitutional Question's Impact on CLC-FTQ Relations

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. 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 federal government's ability to pursue egalitarian policies is generally met with hostility by organized labour outside of Québec.

To be sure, this view was even shared, to a lesser extent, by labour organizations in Québec during the Duplessis regime. It was only after the Quiet Revolution that the Québec 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 francophones 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 their interests. Beginning in 1966, the FTQ adopted the Québec government's constitutional strategy vis-à-vis the federal government by asking the CLC for greater authority and jurisdiction over union affairs in Québec.

Québécois scholars have written extensively on the relationship between class and nation in trade union politics.[9] The emergence of the moderately separatist and initially social democratic Parti Québécois, the October crisis, and the progressively more divisive debates concerning language policy in the 1970s, all increased support for sovereignty among union members in Québec.[10] Growing nationalist sentiment in Québec was also reflected in the

9. See for example Denis, *Luttes de classes et question nationale au Québec, 1948–1968*; Cyr and Roy, *Elément d'Histoire de la FTQ: La FTQ et la Question Nationale*; Lamoureux, *Question nationale et mode de radicalisation de la classe ouvrière au Québec (1970–1976)*; Bourque and Légaré, *Le Québec: la question nationale;* Mascotto and Soucy, *Sociologie politique de la question nationale*; Fournier, *Louis Laberge: La Syndicalisme C'est ma Vie*; Rouillard, *Le syndicalisme québécois: Deux siècles d'histoire*; and Piotte, *Du combat au partenariat: Interventions critiques sur le syndicalisme québécois*.

10. Guntzel, "'Rapprocher les lieux du pouvoir': The Québec Labour Movement and Québec Sovereigntism, 1960–2000," 374–375.

FTQ's attitude towards the CLC. In a bid to counter the dramatic rise of the CSN at the FTQ's expense, the Federation managed to secure a limited degree of autonomy from the Congress in 1974, thus achieving special status for the FTQ. The CLC, initially reluctant to devolve powers to a provincial federation of labour, was forced to do so as a form of organizational maintenance.[11]

The FTQ's new special status, which gave it responsibility for labour councils and labour education, reinforced nationalist sentiment within the organization. Many union leaders in Québec began to actively support sovereignty, arguing that it would allow the province to control the important economic levers needed to pursue progressive economic policies.[12] More symbolically, they argued that sovereignty would forever put an end to the linguistic division of labour that characterized the province's system of industrial relations.[13] The CLC's preference for centralization naturally aligned the organization with the federal government, while the FTQ's penchant for decentralization brought the Federation closer to the Québec government. This divergence was initially detected within the affiliates of both organizations, where unions like the United Autoworkers Union (UAW), Canadian Union of Public Employees (CUPE), and the United Steelworkers of America (USWA) amended their structures to accommodate the aspirations of their respective Québec wings. These unions acted as pioneers and were at the forefront of the struggle to achieve greater autonomy for the FTQ within the CLC. In 1975, the FTQ officially endorsed the separatist PQ, which went on to win a majority government in the 1976 provincial election. The FTQ's strong support for the sovereignist option forced the CLC to recognize Québec's right to self-determination in its 1978 Statement on National Solidarity. In April 1980, the FTQ called on its members to vote OUI in Québec'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. Despite the support of both the FTQ and the CSN, Québec sovereignists suffered a crushing defeat in the 1980 referendum, losing 60 percent to 40 percent. In the post 1980 referendum period, the Québec labour movement did not hesitate to take strong positions on divisive constitutional issues. Organized labour in Québec actively opposed the patriation of the Constitution while the CLC continued to struggle with developing a concrete constitutional position that enjoyed pan-Canadian labour support from both inside and outside Québec.

11. 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.

12. FTQ President Louis Laberge was the most notable exception. However, Laberge eventually came to embrace the sovereigntist option when the Federation endorsed a OUI vote in the 1980 referendum.

13. Guntzel, "'Rapprocher les lieux du pouvoir': The Québec Labour Movement and Québec Sovereigntism, 1960–2000," 375–376.

Meech Lake

The federalist victory in the 1980 Québec referendum and the PQ's shift to the right in the mid 1980s temporarily calmed separatist forces within the Québec labour movement – sovereignty was viewed as more of an insurance policy than an immediate priority in this period. In the 1984 federal election, Brian Mulroney's Conservatives, who ran on a campaign promise to bring Québec back into the constitutional fold, took 58 of 75 seats in that province and formed an impressive majority government. The PQ machine, motivated more by a desire to see the federal Liberals go down to defeat, helped put Québec nationalists running under the Conservative banner over the top in many Québec ridings. René Lévesque's "beau risque" strategy of supporting Mulroney's Conservatives in the 1984 federal election in an effort to boost Québec'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 Québec's working class.[14]

In early 1987, Mulroney and the ten premiers met at the Prime Minister's cottage on Meech Lake near Gatineau, Québec to hammer out a set of constitutional amendments that became known as the Meech Lake Accord. The Accord contained five major proposals that Québec Premier Robert Bourassa insisted be accepted in order to secure his government's support for constitutional reform. It committed to recognizing Québec 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 the Federal Parliament and all ten provinces approve changes to its amending formula 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.

Before the legally worded version of the First Ministers' 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 Québec's traditional demand for wider powers and jurisdictional authority over social security, manpower, and international relations.[15] On 20 May 1987, the FTQ came out forcefully against the accord in a twelve-page memorandum to the Québec

14. Guntzel, "'Rapprocher les lieux du pouvoir': The Québec Labour Movement and Québec Sovereigntism, 1960–2000," 387.

15. *Toronto Star*, 21 May 1987.

government. In it, the Federation explained its opposition to the Accord within the wider context of Canada-Québec 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.[16]

Generally, the Federation condemned the Accord for failing to adequately address the aspirations of Québecers. 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."[17]

The FTQ's renewed support for the sovereignist option forced the CLC to confront the issue of constitutional reform. The CLC's approach to dealing with the constitutional initiatives of the Mulroney government was based on balancing the competing interests and objectives of the FTQ and New Democratic Party (NDP) – the party most closely aligned with organized labour in Canada. The NDP, in particular party leader Ed Broadbent, strongly supported the Meech Lake Accord as a way of ending the constitutional impasse by bringing Québec into the Constitution.

CLC President Shirley Carr wrote to the Prime Minister in June 1987 asking for public hearings to be held on the Accord. A month later, the Executive Committee of the Congress approved a 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 the CLC's Director of Policy and Planning, Ron Lang, the Congress 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'.[18]

16. FTQ, "Position de la FTQ devant la commission des institutions," FTQ centre de documentation, 20 mai 1987, 4.

17. FTQ, "Position de la FTQ devant la commission des institutions," 20 mai 1987, 7.

18. CLC, "Presentation by the Canadian Labour Congress to the Special Joint Committee on the 1987 Constitutional Accord," CLC library, 20 August 1987, 8.

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 Québec 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 expected. As a Congress we will always support the right of our Québec Federation to take its own independent position on such issues.[19]

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 did not advocate constitutionally entrenched rights for organized workers. This omission concerned several affiliates given recent Supreme Court decisions[20] that ruled that unions did not have a constitutionally protected right to strike or bargain collectively. The Public Service Alliance of Canada (PSAC), in particular, was interested in enshrining 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, CLC official 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."[21] 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." [22] Ron Lang followed upon Martin's answer by clarifying 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.[23]

Executive Vice-President Nancy Riche confirmed the CLC's reservations

19. CLC, "Presentation by the Canadian Labour Congress to the Special Joint Committee on the 1987 Constitutional Accord," 20 August 1987, 3.

20. Reference Re Public Service Employee Relations Act (Alta.), [1987] 1 S.C.R. 313 (the Alberta Reference); PSAC v. Canada, [1987] 1 S.C.R. 424; and RWDSU v. Saskatchewan, [1987] 1 S.C.R. 460.

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

22. Dick Martin quoted in *Minutes of the Special Joint Committee on the 1987 Constitutional Accord,* 10 (20 August 1987), 13.

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

concerning constitutional rights for labour in 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."[24] Although the CLC leadership did not want constitutionally entrenched labour rights, many rank-and-file trade unionists continued to press for them. In fact, several labour organizations sent resolutions to be debated at the 1988 CLC Convention advocating a constitutionally entrenched Bill of Rights for labour.

The fact that these resolutions failed to 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, but "several members of the committee felt that if possible, it should be avoided."[25] Despite the overwhelming support for a workers bill of rights from public sector unions, private sector union leaders, in particular, had little use for a Workers' Bill of Rights. For these unions, such tactics were perceived as politically naive and would only marginally benefit workers in the public sector.

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 Meech Lake skeptics soundly defeated the NDP government in Manitoba. Subsequent First Ministers Conferences failed adequately to address the concerns of the newest premiers, and a week before the CLC's convention in May 1988, the House of Commons approved a motion to entrench property rights in 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' (NUPGE) 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 into the process of constitutional reform. NUPGE's secretary-treasurer, Larry Brown, responding to criticism that organized labour had 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."[26] Brown felt that it was important for orga-

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

25. CLC Executive Minutes, CLC library, 10 April 1990.

26. Larry Brown as quoted in *Globe & Mail,* 10 March 1988.

nized 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."[27] 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."[28]

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 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 Québec, 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.[29]

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 that had been referred from the convention.

While the CLC retreated from the debate over the Meech Lake Accord, the Québec Question figured prominently at the Federal NDP leadership convention in December 1989. Ed Broadbent was a strong supporter of the Meech Lake Accord, but the two top contenders to replace him, former British Columbia (BC) 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 lacked experience, but she was a fresh face and showed a strong willingness to reach out to Québec, despite her opposition to the Accord.[30] Future CLC President Ken Georgetti, a

27. *Globe & Mail,* 10 March 1988.

28. Jeff Rose as quoted in *Globe & Mail,* 10 March 1988.

29. CLC, "Position of the CLC on the Meech Lake Accord," CLC Library, 5 September 1989, 3.

30. Unlike Barrett, who offended most Québec delegates by calling for a twenty-year morato-

Barrett supporter, argued that the former premier would reiterate a Trudeau-like vision of constitutional affairs, adding that "If we pay too much attention to Québec, we have the real potential of hemorrhaging in the west and losing our base...."[31] Ironically, the party had scheduled its convention in conflict with the FTQ convention – thus effectively reducing the size of the overall Québec delegation. The federal party's associate president from Québec, 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."[32] The convention produced a carefully orchestrated compromise resolution on Meech Lake that reconfirmed the party's support for "Distinct Society" status for Québec, also suggesting that the Accord be amended to safeguard rights for women, aboriginals, and minority groups "through direct amendment or another amendment process."[33] The compromise resolution allowed Broadbent to save face, temporarily calmed the anti-Meech forces within the party, and only slightly annoyed the Québec delegation. McLaughin defeated Barrett on the fourth ballot, but the NDP's fortunes did not seem to improve in Québec. In fact, the party's presence in Québec sunk like a stone over the next few years, largely because of the NDP's characteristically fuzzy stand on Québec independence.

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."[34] In response, "Brother [Jeff] Rose [of CUPE] expressed the view that he would be willing to duck entirely again to avoid a confrontation with Québec."[35] According to Rose, "Acceptance of Meech Lake has now become a symbol of acceptance of Québec. If we are against it, it may mean that we drive Québec out."[36]

Although Rose favoured keeping silent, many in the labour movement did

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rium 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. Québec delegates did not seem fazed by what they considered her principled opposition.

31. *Toronto Star,* 11 November, 1989.

32. *Toronto Star,* 11 November, 1989.

33. *Toronto Star,* 2 December 1989.

34. CLC Executive Minutes, 10 April 1990.

35. CLC Executive Minutes, 10 April 1990.

36. CLC Executive Minutes, 10 April 1990.

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 that was dividing Canadian workers along regional and linguistic lines. The CLC president wanted the Congress to take a firm stand on Meech Lake. In response to Hunter's concerns, the CLC Executive voted to make a second presentation to the Parliamentary Committee dealing with Meech Lake. However, a month later, Carr reported "the presentation never took place because the Congress could not find a position which incorporated the concerns of most union affiliates without offending others."[37]

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, he noted, "it is obvious that almost every function now performed by the Congress could be performed by affiliates themselves."[38] 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."[39] His key argument that the Congress acts as a referee rather than as a leader is helpful in understanding the powerful undercurrent that has informed the CLC's position on issues of constitutional reform. In the midst of the Meech Lake debate, labour commentator Geoff Bickerton commented, "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."[40]

During this period, the NDP's Québec section adopted increasingly nationalist positions. It condemned the 1982 Constitution Act as illegitimate, opposed the Meech Lake Accord for not adequately addressing the aspirations of Québec, and defended the content of Québec's controversial language law, Bill 101. In 1989, its relationship with the federal NDP was dissolved when it adopted a pro-sovereignty position.[41] As the politics of the Québec NDP con-

37. CLC Executive Minutes, 7 May 1990.

38. David Kwavnick, *Organized Labour and Pressure Politics: The CLC 1956–1968* (Montreal 1972), 38.

39. Kwavnick, *Organized Labour and Pressure Politics,* 45.

40. Geoff Bickerton, "Carr vs. White: Battling over the presidency of the CLC, the standoff continues," *Canadian Dimension*, 24 (March 1990), 32.

41. Roch Denis et Serge Denis, *Les syndicats face au pouvoir: syndicalisme et politique au québec de 1960 à 1992* (Ottawa 1992), 140.

verged with those of the Québec labour movement, the relationship between the Federal NDP and its Québec section became increasingly strained, finally resulting in an official split.

In a 30 January 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) then 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.[42]

The CLC's lack of involvement in the Meech Lake 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."[43] 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 Québec 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."[44] The resolution, Laberge argued, "was considered to be in direct contradiction to the one adopted by the FTQ at their convention in Québec, in violation of their good faith, and an insult to their common sense. He added that the delegation would not only be walking out, but would not be coming back."[45] 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:

> 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

42. CLC, "Memo re: the Canadian Constitution and Québec – Considering the CLC's Approach," personal files of Shirley Carr, 30 January 1991, 10.

43. CLC Executive Minutes, 7 May 1990.

44. CLC Executive Minutes, 16 May 1990.

45. CLC Executive Minutes, 16 May 1990.

referral be prepared in advance, and the convention start 10 minutes late to have time to reach delegates on the floor.[46]

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."[47] Laberge's passionate plea for solidarity earned him a standing ovation from convention delegates. On 22 June 1990, Meech died after the provincial legislatures in Manitoba and Newfoundland failed to ratify the accord.

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 Québec labour movement and the pro-Meech NDP. Instead, the Congress treated Meech Lake as some obscure and unimportant issue which was distracting Canadian workers. However, in the end, the CLC's refusal to participate in the debate alienated the organization from the process of constitutional reform and demonstrated the ineffectiveness of the Congress as a political force on constitutional issues.

Québec Labour Post-Meech

The surge in support for separation that occurred after the death of the Meech Lake Accord in 1990 can likely be attributed to the anger and frustration that citizens of Québec felt towards English Canada. The same emotional response penetrated the labour movement. Québec's working class, like other segments of Québec society, resented the fact that the rest of Canada would not accept what they perceived as Québec's minimal 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."[48] On 23 June 1990, the FTQ's Louis 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."[49] When Daoust took over the presidency of the FTQ from Laberge in 1991, he was a permanent fixture at independence rallies in Québec and a frequent commentator on Canadian constitutional affairs in Québec. Daoust consistently espoused the view that Canadian fed-

46. CLC Executive Minutes, 16 May 1990.

47. Laberge quoted in Jennifer Lanthier, "Cautious CLC re-elects Carr and avoids Meech Lake debate," *Financial Post,* 3 (18 May 1990), 62.

48. *La Presse,* 9 mai 1990.

49. *La Presse,* 23 juin 1990.

eralism constituted an "economic failure" for Québécois workers.[50]

In the summer of 1990, nationalist forces in Québec were gaining momentum. 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 sovereignist CSN staff member named Gilles Duceppe. Running under the BQ banner, Duceppe took nearly 67 percent 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 Québec signaled an unprecedented era of close relations between the unions and the PQ. The Constitutional Committee of the Québec Liberal Party issued the Allaire Report, which called for a massive transfer of power to Québec and a referendum on the province's constitutional future. Due to the political and constitutional uncertainty, both the governing Québec 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 work for Québec'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 four-fifths supported sovereignty.[51] It was clear that the Québec labour movement no longer expressed any fears about the prospect of outright separation. In a colourful exchange between commission member, Gil Remillard, Québec'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."[52] 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."[53]

50. *Toronto Star,* 20 November 1990.

51. *La Presse,* 17 mars 1991.

52. *Toronto Star,* 9 November 1990.

53. *Toronto Star,* 9 November 1990.

Constitutional Reform in English Canada

After the death of the Meech Lake Accord, the Mulroney government committed itself to developing a new constitutional proposal through a more open and participatory process. While Québec's Bélanger-Campeau Commission deliberated, the Federal government's *Citizens Forum on the Future of Canada* was being launched across Canada. The Forum held a series of unstructured public consultations throughout 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 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 Québec and the rest of Canada, based on the recognition and respect for the identity of Québecers and their right to be different."[54] Labour leaders sitting on Québec'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."[55] 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, Québecers would have no choice but to seriously ponder the sovereignist option.

In an effort to reverse the rising tide of separation in Québec, 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 on Canada's Future.[56] However individual affiliates did participate and, once they began making competing statements about the vision of organized labour, the CLC was forced to enter into the constitutional debate. The following passage is contained in the CLC Executive minutes of 4 April 1991:

54. Québec, *Report of the Commission on the Political and Constitutional Future of Québec* (Québec 1991), 48.

55. Fournier, *Louis Laberge: La Syndicalisme C'est ma Vie,* 366.

56. CLC Executive Minutes, 4 December 1990.

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.[57]

The long discussion that followed produced a successful resolution that established a sub-committee to elaborate "points of discussion in cooperation with the NDP".[58] 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."[59] 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 Québecers to decide their own future would not be welcome."[60]

Charlottetown Accord

There was not a single NDP premier in Canada when the Meech Lake Accord 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 4 February 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

57. CLC Executive Minutes, 4 April 1991.

58. CLC Executive Minutes, 4 April 1991.

59. CLC Executive Minutes, 4 April 1991.

60. *Toronto Star,* 5 April 1991.

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[61], 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.[62]

While the CLC was busy crafting a constitutional position, the FTQ went on the road to promote sovereignty in English 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 (AFL) and the Ontario Federation of Labour (OFL) in Edmonton and Hamilton respectively. "Le Canada anglais doit entendre un discours clair sur nos positions constitutionnelles"[63] explained Daoust, who surprised many rank-and-file trade union activists in English Canada with his firm support for the sovereignist 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 cooperation et de solidarité à developper."[64] Some trade union activists in English Canada could not understand why Québec would simply leave Canada instead of attempting to negotiate an 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."[65]

61. The Notwithstanding Clause, section 33 of the *Canadian Charter of Rights and Freedoms,* allows the federal government to override most fundamental freedoms contained in the Constitution. Though rarely used, the CLC shared the view of many provincial premiers that the provision acted as an important democratic check on judicial power.

62. CLC, "Presentation to the Special Joint Committee on a Renewed Canada," CLC Library, 4 February 1992, 10.

63. "La FTQ et la souveraineté," *Le Monde Ouvrier,* 4 (avril 1992), 2.

64. "La FTQ et la souveraineté," *Le Monde Ouvrier,* 4 (avril 1992), 2.

65. "Le syndicalisme canadien, précurseur des nouvelles relations Québec-Canada," *Le Monde Ouvrier, 6* (juin 1992), 9.

The Disintegration of CLC-FTQ Relations

In the spring of 1992, Carr announced that she would not be running for re-election as CLC president. The subsequent CLC 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 a sense of optimism that the labour movement would be rejuvenated under his leadership. White was well known for his key role in forming the Canadian Autoworkers Union (CAW) in 1984 and had been a high-profile opponent of the Free Trade Agreement during the 1988 Federal election. White's election as president coincided with a Congress decision 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-presidential 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 FTQ delegates booed Parrot when he suggested that his election should not be perceived as anti-Québec. Five hundred Québec delegates left the convention in protest and refused to return the next day.

Newspapers from all across the country reported that the FTQ had quit the CLC.[66] This, of course, was a logical interpretation of Daoust's statements to the media after the defeat of Guy Cousineau. At 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."[67] Daoust also resigned his seat on the CLC executive and told *La Presse,* "C'est comme la

66. The *Globe & Mail* suggested that the "Québec affiliate may split from CLC"; *Le Devoir* announced "Le divorce est consommé"; the *Montreal Gazette's* headline read: "Québec workers quit CLC"; while *La Presse* announced "la FTQ quitte le CTC en claquant la porte." All newspapers dated 12 June 1992.

67. Daoust as quoted in *Globe & Mail,* 13 June 1992.

question constitutionelle entre le Québec et le Canada, une rupture du Canada syndical."[68] Daoust continued, "Nous mettrons en place une structure autonome au Québec… Nous n'avons plus notre place au sein du CTC."[69] 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 16 June 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."[70]

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. Méme 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 estiment néamoins que dans le contexte actuel, des liens doivent être maintenus avec le centrale syndicale canadienne.[71]

CUPE's Québec director, and future FTQ president, Henri Massé, told *Le Soleil* "Nous ne claquons pas la porte."[72] 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 the United Food & Commercial Workers (UFCW) Canada admitted: "Je ne suis pas très favorable à une désaffiliation."[73] 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* that "whatever internal problems we face, we will overcome them."[74] 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 Québec, Jean-Claude Parrot, who had built a lot of bridges and support among the labour movement for many years, and Québec had a candidate, Guy Cousineau, who wasn't known outside of Québec and really had a low profile in Québec itself. The decision by the delegates was that while they understood the right of Québec to make their choice, they bought the argument that you can't have a slate, that Jean-Claude Parrot can represent Québec workers, and therefore voted in favour of

68. Daoust as quoted in *La Presse,* 13 juin 1992.

69. Daoust as quoted in *La Presse,* 13 juin 1992.

70. Daoust as quoted in *The Gazette,* 16 June 1992.

71. *Le Soleil,* 16 juin 1992.

72. Massé as quoted in *Le Soleil,* 16 juin 1992.

73. Tremblay as quoted in *Le Soleil,* 16 juin 1992.

74. White as quoted in *Globe & Mail,* 12 June 1992.

him. The Québec 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.[75]

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 Québec, we have to be able to sit around the table and find a structure in which we both feel comfortable.[76]

On 22 June 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.[77]

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."[78]

While the FTQ worked out its plan for autonomy vis-à-vis the CLC, Mulroney's Minister of Constitutional Affairs, Joe Clark, after months of public consultation and inter-governmental negotiations, presented the final draft of the Charlottetown Accord on 28 August 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 Québec; an elected Senate; a guarantee that Québec would retain at least 25 percent 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

75. White as quoted in George Manz "Bob White," *Briarpatch,* 21 (October 1992), 43.

76. White as quoted in Manz, "Bob White," 43.

77. FTQ Press Release, 26 June 1992.

78. FTQ Press Release, 26 June 1992.

authority; a non-justiciable social charter; and reduced barriers to inter-provincial trade.

On 30 August 1992, the NDP federal council voted unanimously in favour of endorsing the Charlottetown Accord.[79] 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 could be reached and, therefore, the decision of the NDP would be to endorse this accord.[80]

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."[81] 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."[82] 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."[83]

The same day, the CLC publicly declared "cautious endorsement" of the Accord. Yet it 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."[84]

Québec Labour Says "NON" to Charlottetown

Less than three weeks after the CLC endorsed the Accord, all three major Québec labour federations, (including the CLC-affiliated FTQ) officially came out against Charlottetown.[85] Québec labour's commitment to independence grew tremendously between the 1980 and 1995 Québec referendums. Unions no longer worried about internal divisions around the National Question.

79. *Globe & Mail,* 31 August 1992.

80. CLC Executive Council Minutes, CLC library, 31 August 1992.

81. CLC Executive Council Minutes, 31 August 1992.

82. CLC Executive Council Minutes, 31 August 1992.

83. CLC Executive Council Minutes, 31 August 1992.

84. White as quoted in *Montreal Gazette,* 1 September 1992.

85. Richard Johnston, *The Challenge of Direct Democracy: The 1992 Canadian Referendum (Montreal 1996), 62.*

Their position was clear and presented without apology: Québec separatism was both desirable and inevitable.[86] In its November 1990 submission to the Commission on the Political and Constitutional Future of Québec, 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."[87] During the course of the campaign, former FTQ 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.[88] 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 oeuvre que ces offres soient rejetées."[89] The Federation argued that the Charlottetown Accord was too vague, too weak, and did not come close to meeting the aspirations of Québec society. The FTQ mounted an impressive internal campaign that called for the establishment of "NON" committees in each organized workplace and encouraged strategic alliances between labour, social movements and Québec nationalists.[90] 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."[91] The Québec labour movement's militant and resolute stance stood in stark contrast to the weak and indecisive position taken by the CLC.[92]

86. FTQ, "Brief Presented by the Québec Federation of Labour to the Commission on the Political and Constitutional Future of Québec," personal files of Shirley Carr, November 1990.

87. FTQ, November 1990, 4.

88. *Globe & Mail,* 29 September 1992.

89. FTQ, "Pourquoi la FTQ dit NON a l'entente du 28 Aout 1992," FTQ centre de documentation, 2 octobre 1992, 3.

90. After the referendum campaign the FTQ was fined $2000 for violating Québec's electoral law for publishing 225,000 copies of a union magazine denouncing the Accord.

91. Larose quote in *Montreal Gazette,* 20 September 1992.

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

Constitutional Dissent Within the CLC

On 29 September 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 federal spending power and jeopardize equality rights for aboriginal women.[93] The Congress was unquestionably divided over 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 that appealed to the CLC "not to actively campaign in support of Mulroney's Unity package."[94] Some affiliates of the Alberta Federation of Labour (AFL) 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."[95]

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."[96]

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.[97]

Despite White's position, many on the left of the political spectrum could not accept what they perceived to be the Accord's neo-liberal character. In particular, social movements challenged the CLC's assertion that the Accord

93. *Globe & Mail,* 29 September 1992.

94. Toronto & District Labour Council, correspondence from President Linda Torney to Bob White, CLC library, 8 September 1992.

95. Bob White as quoted in *Globe & Mail,* 29 September 1992.

96. Bob White as quoted in *Globe & Mail,* 21 October 1992.

97. CLC press release, 16 September 1992.

represented a victory, however small, for progressive Canadians. In *Imagine Democracy,* Judy Rebick, who served as NAC's president during the Charlottetown Accord referendum, 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.[98]

White's brave words could not mask the extent to which the Congress was unenthusiastic and torn about the deal. His 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. 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 also 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 reform. During the debate over patriation of the Constitution in the early 1980s, 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 the labour movement."[99] The Charlottetown Accord was different for White because he was CLC president and the political stakes were much higher. However, his interventions in the constitutional debate were less partisan than one might expect. For instance, after the Royal Bank predicted a gloomy economic future for an independent Québec during the course of the campaign, White joined Québec nationalists who dismissed the financial report as "economic blackmail."[100] White also publicly rebuked the leader of the YES campaign, Prime Minister Mulroney, for referring to opponents of the Accord as "enemies of Canada."[101] He also admonished leaders of the YES cam-

98. Judy Rebick, *Imagine Democracy* (Toronto 2000), 11.

99. Jennifer Lanthier, "Cautious CLC re-elects Carr and avoids Meech Lake debate," *Financial Post*, 18 May 1990.

100. *Montreal Gazette,* 1 October 1992.

101. *Montreal Gazette,* 1 October 1992.

paign for arguing that a NO vote would mean the end of Canada. "I don't see the country falling apart here,"[102] White told the media, and added that voters should not be expected to cast a ballot "with a gun to their head."[103]

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. These NDP provincial governments contributed to the process of negotiating the Accord and were solidly behind its content; they governed the majority of Canadians.[104] 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 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.[105]

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."[106] 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."[107] 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."[108] Bob White, and to a greater extent, Nancy Riche, were

102. *Toronto Star,* 1 September 1992.

103. *Toronto Star,* 1 September 1992.

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

105. CLC Executive Council Minutes, 15–16 September 1992.

106. CLC Executive Council Minutes, 15–16 September 1992.

107. CLC Executive Council Minutes, 15–16 September 1992.

108. CLC Executive Council Minutes, 15–16 September 1992.

strong NDP supporters. OFL President Gord Wilson was also a key figure in the NDP 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 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 travelled 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.[109] Despite White's words of support for the concept of a Social Charter, and despite the fact that former BC Premier Bill Vander Zalm called the Accord "socialist doctrine,"[110] it has been widely acknowledged that the non-justiciable social charter in the Charlottetown Accord was symbolic rather than substantive. The rights 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 (in particular, the NDP jettisoned its support for abolishing the Senate and agreed to greater decentralization). 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 was able to accept the government's economic union proposals and the Accord's decentralizing features, it would indicate that "the compromise was honourable, as the crisis was grave."[111] 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."[112] This is likely because of the contradictory messages being sent out by labour organizations. Trade union opposition to the Accord in Québec was far stronger than the CLC's support in the rest of Canada. Various CLC-affiliated labour councils

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

110. Bill Vander Zalm as quoted in *Globe & Mail,* 3 October 1992.

111. Johnston, *The Challenge of Direct Democracy: The 1992 Canadian Referendum,* 64.

112. Johnston, *The Challenge of Direct Democracy: The 1992 Canadian Referendum,* 139.

adopted a neutral stand on the Accord, as did the AFL. Members of AFL affiliated unions, however, actively organized against Charlottetown along with CUPW and PSAC.

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 supposedly united the NDP premiers were apparently not as strong as the parochial electoral considerations of each provincial section. BC Premier Mike Harcourt, for example, rejected the Ontario government's proposal for a justiciable Social Charter, which would have bestowed positive rights upon citizens in order to protect social programs, labour rights, and the environment.[113] Harcourt felt that the courts would use their powers to undermine social democratic policies and thus advocated more legislative powers at the provincial level.[114] Federal NDP leader Audrey McLaughlin, a strong centralist, was suspicious about the BC premier's proposal for the devolution of powers. The Saskatchewan government's support for an elected Senate also made McLaughlin uneasy because the NDP had long advocated abolition of the second chamber.[115] The reality of executive federalism had forced the federal NDP leader 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, BC, and Saskatchewan took the lead and dragged their allies in the Canadian labour movement into a political alliance with the Mulroney Conservatives and the business community. The political pressure was simply too much to bear for the internally weak CLC.[116]

Charlottetown was defeated on 26 October 1992. Québec rejected the Accord with 56.7 percent voting NON, while the rest of Canada voted 54.3 percent against Charlottetown. A slim majority of English Canada apparently felt, among other things, that the Accord had given too much to Québec, while many Québecers obviously felt the Accord had not delivered enough. The next day, the CLC 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 ..."[117] However, in subsequent interviews with the media, OFL

113. Thomas Walkom, *Rae Days: The Rise and Follies of the NDP* (Toronto 1994), 230.

114. Terry Morley "Federalism and the New Democratic Party," in Campbell Sharman, ed., *Parties and Federalism in Australia and Canada* (Canberra 1994), 46.

115. Morley, "Federalism and the New Democratic Party," 46.

116. 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,* 17 October 1992.

117. CLC press release, 27 October 1992.

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,"[118] 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 Québec."[119]

A new vision of Québec was exactly what was being crafted by CLC officials busy responding to the FTQ's demands for more autonomy *vis-à-vis* the Congress. The FTQ's most powerful affiliates had lots of experience dealing with dual union structures and their experiences informed the FTQ's decision-making process. Years earlier, the CAW, USWA and CUPE had all established dual structures to provide a forum where Québécois union members could meet and debate political, social and economic questions specific to Québec. These unions 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 Québec 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 enthusiastically endorsed the CLC-FTQ sovereignty-association partnership agreement that eventually emerged in 1993.

The proposal won the enthusiastic support of both the FTQ's Executive Committee and Council. On 5 January 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 6 December 1993, the CLC's Executive Committee unanimously recommended to the CLC Council adoption of the sovereignty-association document. The proposed sovereignty-association partnership agreement guaranteed the FTQ a position on the CLC Executive Committee and Council, representation on the CLC International Affairs Committee and on every CLC standing committee, full jurisdiction over raiding disputes in Québec, and continued jurisdiction over labour education and labour councils in Québec. In essence, the FTQ would become the total and complete incarnation of the CLC in Québec. 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.[120] FTQ President Clément Godbout explained, "L'entente

118. *Toronto Star,* 27 October 1992.

119. *Toronto Star,* 27 October 1992

120. 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 CLC Executive Committee caused the Congress to ignore the debate from a Québec perspective.

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."[121] Sovereignty-association in the labour movement was now officially in place.

Shortly after the defeat of the Charlottetown Accord, Brian Mulroney announced that he would be retiring from politics. Canada's political landscape was altered dramatically as a result of the 1993 federal election campaign that followed. Jean Chrétien's Liberals swept to power and the FTQ-backed Bloc Québécois took 54 of Québec's 74 seats, forming the Official Opposition.[122] 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 percent in 1988 to just 7 percent in 1993 (in Québec NDP support fell from 14 percent in 1988 to a hopeless 1.5 percent 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. The constitutional turmoil of the early 1990s had turned Canadian politics on its head.

Conclusion

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 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."[123] Although the Congress did participate in the process of crafting the 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 national leadership throughout the referendum campaign.

The CLC's approach to constitutional reform under Mulroney was reflected

121. FTQ press release, 14 December 1993.

122. 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.

123. Reuel Amdur as quoted in *Globe & Mail,* 10 March 1988.

in CLC-FTQ relations at the time. The Congress' internal strife was finally resolved when the CLC and the FTQ negotiated a sovereignty-association partnership agreement. The sovereignty-association agreement gave special jurisdictional powers (which are not granted to any other provincial federation) over labour education, labour councils, and political action in Québec. This included the freedom to make submissions to parliamentary committees – even if they contradicted the policy preferences of the CLC. In addition, the FTQ retained its representation on the CLC executive council. The arrangement also included a funding formula that ensured the FTQ received a significant share of the CLC's resources. The CLC-FTQ sovereignty-association partnership agreement was unquestionably the product of Canada's constitutional crisis. The political context in which it 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 Meech Lake and Charlottetown Accords, which pitted the CLC against the FTQ, the lingering question of Québec sovereignty, heightened support for self-determination in Québec, 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 Québec in the event that Québec opted for sovereignty.

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 Accord 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. White's approach to the Charlottetown Accord foreshadowed the creation of the CLC-FTQ partnership agreement, which guaranteed that a significant divergence on the constitutional question would 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. In other words, a relationship born out of an impasse transformed into a partnership based on mutual respect. This was brilliantly displayed during the ensuing 1995 Québec referendum when Bob White publicly declared that Québec had the right to self-determination and that, in the event that Québec did choose sovereignty, the rest of Canada would be obliged to calmly and reasonably negotiate the terms of secession. In the post 1995 referendum period, the CLC has continued to respect the FTQ's unique perspective on constitu-

tional matters and, in some, instances, has attempted to foster an atmosphere of greater openness towards Québec. In breaking ranks with the majority of the Federal NDP caucus by taking a principled stand in opposition to the Clarity Act[124], the CLC demonstrated that its support for self-determination in Québec was genuine. Finally, the Congress signaled a more open attitude towards Québec by inviting Bloc Québécois leader Gilles Duceppe to address delegates to the CLC's 2005 Convention. Despite 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 Québec.

These recent events cast doubt on the proposition that the CLC-FTQ sovereignty-association is simply the product of strict organizational maintenance.[125] While there is no question that the 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 has demonstrated a progressive openness towards Québec that stems from its understanding of the intersection of class and nation in that province. Unable to reconcile conflicting visions of Canada's future within the existing structure of the CLC, these trade union leaders negotiated a sovereignty-association partnership agreement that remains in place today. Indeed, having reproduced some of the spatial and linguistic tensions of Canadian federalism within its own internal organization, the CLC achieved the kind of asymmetrical structure that eluded Canada's first ministers in both the Meech Lake and Charlottetown rounds of constitutional reform.

124. In the wake of the 1995 Québec referendum, the Clarity Act established vague conditions under which the federal government would enter into negotiations with a province seeking independence. Most importantly, it stipulated that a referendum on sovereignty would have to include a 'clear' question and produce a 'clear' result before the Government of Canada would be obligated to negotiate the terms of secession with a province. The Clarity Act was particularly controversial because it gave the federal government the power to interpret what constituted a 'clear' question and a 'clear' result.

125. Déom and Boivin, "Union-Management Relations in Québec," 505.

Appendix I
Distribution of unionized workers in Québec according to trade union central affiliation (%), 1961–2001[126]

Union Central	1961	1966	1971	1976	1981	1985	1990	1995	2001
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

126. Table adapted from the following sources: Bernard Dionne, *Le Syndicalisme au Québéc,* (Montréal 1991), 66; Rouillard, *Le syndicalisme québécois: Deux siècle d'histoire*, 220. Columns may not add up to 100 due to rounding.