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Trying for truce without suing for peace

Quebec's new communications

battle plan

Mr. L'Allier's denunciation of the Supreme Court he not only summarized his administration's approach to Confederation but put himself in the lead of this year's mixed metaphor championship when he said: "You have to squeeze the lemon for all it's worth, but you can't kill the goose that lays the golden egg."

Elaborates on theme

Then, in a speech earlier this week, he elaborated on the theme at a thinkers' conference held by the Quebec Liberal Party to consider Quebec's alternatives for the next decade.

"One thing is certain," he said, "Quebec has no veritable future unless it remains a part of the Canadian federation. But if Quebec society is to orient its efforts toward the realization of individual aspirations, a solution must be found to the question of Quebec's cultural identity."

He assured the federal Government that he isn't questioning its good intentions, but he also insisted that for Quebec to retain its traditional cultural identity the province must have a controlling voice in the fields of communication and immigration, which up to now have been the exclusive preserve of the federal Government.

"The repatriation of the Canadian constitution," he said, "can be an occasion for the recognition of these cultural rights. And as head of the Quebec Government, I am convinced that Quebecers will not accept the repatriation of the constitution, desirable as this may be, unless this constitution provides the guarantees necessary for the survival of French culture."

The speech has lent new

the BNA Act home unless this communications thing is settled in Quebec's favor.

In the process, Mr. Bourassa has, to some extent, revived the waning credibility of his "cultural sovereignty" policy, and made it clear that Mr. Trudeau's idea of a quick and uncomplicated transfer to Canada of the power to amend the constitution doesn't take into account current political realities in Quebec.

Before the courts

Up to now most of the action in the cable war has been before the courts and in the little Lower St. Lawrence town of Mont-Joli, where both the federal and provincial governments have licenced cable TV services covering the same area.

In Mont-Joli the conflict has been enlivened by a certain Keystone Cops aspect which has the RCMP running in circles trying to close down the Quebec operation. But every time they bust one transmitter, the sly Quebecers pop

up with another one somewhere else and the chase is on again. Meanwhile residents are getting restless. They want cable and they want it now.

The court fight has lasted 16 months and produced a welter of judgments, appeals, injunctions and more appeals. And until recently, it looked as though it would all come down to a momentous showdown before the Supreme Court.

That prospect now seems remote in light of Mr. L'Allier's parting shot when he handed over his department to Mr. Hardy. The nation's highest court, he charged, is stacked against Quebec, and no matter how legitimate a case the province brings before it it can only lose if a constitutional question is involved.

Instead Quebec wants to go back to bargaining, a proposal made by Mr. Hardy in his first major statement as Communications Minister. "I'm convinced," he said, "that only a political settlement can bring an end to this conflict which pits the federal Government against the province to the detriment of the citizens involved."

His proposal involves a moratorium on court action based on a Quebec Appeal Court judgment rendered last December allowing Raymond d'Auteuil, the Quebec licensee, to operate in Mont-Joli while the politicians work out a lasting settlement.

It was left to Mr. Bourassa, however, to define the political context in which Quebec wants to negotiate, and that context is constitutional reform.

The new Quebec tactic was immediately panned by opposition spokesmen who charged that the Premier has allowed Mr. L'Allier's initiatives to lag in favor of a defensive holding action that favors neither cultural sovereignty nor constitutional reform. But Mr. Bourassa says he's only being realistic.

In a statement shortly after

By HUBERT BAUCH
Globe and Mail Reporter

QUEBEC — The Quebec Government is trying to arrange a truce in the "cable war" without necessarily suing for peace in its dogged fight with Ottawa over control of cable TV distribution.

The latest provincial tactic is the first in this field advanced by Denis Hardy, Quebec's new Communications Minister, who has indicated he intends to pursue the hard line he inherited from his predecessor, Jean Paul L'Allier, now Cultural Affairs Minister. Mr. Hardy and Mr. L'Allier traded posts in the recent Quebec Cabinet shuffle.

At the same time, Mr. Hardy's gambit has been deftly underscored by Premier Robert Bourassa, who has brought the cable confrontation to the forefront of the growing discussion on constitutional reform. His proposition to Prime Minister Pierre Trudeau is simple and direct: Don't even think of bringing

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vigor to the debate surrounding the cultural sovereignty policy that was introduced at a similar thinkers' conference two years ago. Since then it has consistently been maligned as a smokescreen by opposition critics. And when Mr. L'Allier threw up his hands in disgust after his failure to put across Quebec's communications position, both at the bargaining table and in the courts, the Parti Quebecois had a hard time hiding its sheer delight.

Even after the Mont-Gabriel speech, in which Mr. Bourassa held the line while modifying his tactics, PQ parliamentary leader Jacques-Yvan Morin said that all Ottawa has to do now is ignore the repatriation issue if it wants to maintain its powers in the communications field.

Other observers, however, have taken a different view. Michel Roy, a senior editorialist for *Le Devoir*, said the next day that for the first time cultural sovereignty has been expressed in concrete constitutional terms.

"If Mr. Bourassa—who has a precise understanding of the current constitutional context as well as Mr. Trudeau's political convictions—has chosen to risk a confrontation on the constitutional level, it is

surely because he has very good reasons and a definite strategy.

"And before passing judgment on this unexpected confrontation, it remains to be seen just how far Mr. Trudeau is prepared to go in making constitutional concessions without compromising the basic concept of federalism, and to what extent Mr. Bourassa is prepared to retreat without altogether renouncing the principle he has just proclaimed."

Even *Le Jour*, the outspoken daily newspaper founded by the Parti Quebecois, was prepared to give the new strategy a chance to work, for as editorialist Laurent Laplante pointed out Quebec is negotiating from a position of strength in the communications dispute.

Shoe on other foot

In other such confrontations Quebec has usually been in a position where it challenged federal services being provided in Quebec, but in this case, the shoe is on the other foot—a condition that is evident in the situation at Mont-Joli.

There the Quebec cable licence was prepared to go ahead and provide service immediately, while the outfit li-

cenced by the Canadian Radio-Television Commission was lagging behind. As a result, every time the federal Government disrupts the cable service provided by the Quebec operator, the residents of the area get angrier.

The introduction of cable service has been an immensely popular innovation in the Lower St. Lawrence region and Mr. d'Auteuil's cable company is doing a brisk business. Already 900 subscribers have been hooked up and 2,500 are on the waiting list. Local politicians have got into the act with denunciations of the federal interference with the cable service, and Mr. d'Auteuil, an NDP candidate in two federal elections, is rallying popular support with a series of meetings in the area.

"For once," Mr. Laplante wrote, "Ottawa has been caught up playing with principles while Quebec is having fun in the cookie jar. And it is in this context that Mr. Hardy's proposal for a moratorium must be situated.

"If the federal politicians can read what's written in the political skies, they'll understand that Quebec's position is solidly supported by public opinion, and they'll realize that no judicial victory can compensate for an electoral defeat. And they'll negotiate."