
DOCUMENT 1

Correspondence between W. L. Mackenzie King, Prime Minister of Canada, and Adélard Godbout, Prime Minister of Québec, regarding the Constitutional amendment on unemployment insurance, 1940.

C O P Y

Ottawa, January 16, 1940.

Honourable Adélard Godbout,
Premier of Quebec,
Quebec, Quebec.

My dear Premier:

On November the 5th, 1937, I wrote to the Premiers of the several Provinces to enquire whether their governments would be agreeable to an amendment being made to the British North America Act, empowering the Federal Parliament to enact unemployment insurance legislation.

I pointed out, at that time, that my colleagues and I were convinced that a national system of unemployment insurance would contribute materially to individual security and industrial stability, and that it would assist in mitigating the distress incident to any recurrence of widespread unemployment.

The government takes the view that the need for unemployment insurance has been greatly enhanced by war-time conditions. We may reasonably anticipate a period of increasing employment during the actual progress of the conflict; indeed actual employment in Canada at the present time has reached an all-time high. At the same time we cannot fail to realize that much of our labour and productive capacity is necessarily engaged in the production of arms and other war supplies, and that employment of this character will increase as the struggle progresses, with the result that, at the close of hostilities, we shall inevitably be faced with the problem of adjusting our economy to production for peace-time needs. This readjustment will necessarily be accompanied by changes in employment for many of our citizens, and can scarcely fail to involve temporary unemployment in many instances. My colleagues and I feel that it is our clear duty to take every possible step to be prepared to meet these conditions when they arise.

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We consider that a system of national unemployment insurance, if established now, will go far to prevent much of the insecurity and industrial dislocation which might otherwise be the aftermath of war. Authorities in the field of unemployment insurance are generally agreed that the most favourable time for its establishment is a period of rising employment, during which a fund can be built up out of which benefits can subsequently be paid. We may look forward to such a period in the immediate future.

My colleagues and I are deeply sensible of the great contribution already made to the national well-being of Canada, by the present administration of the Province of Quebec. We have equally appreciated your concern for the well-being of the wage-earners of your province. We are confident that we may count upon your co-operation in our effort to effect a social reform which will contribute greatly to the security and welfare of thousands of the citizens of your province and of the nation as a whole. We have decided, therefore, to enquire whether the government of Quebec would be agreeable to an amendment being made to the British North America Act, which would empower the Federal Parliament to enact unemployment insurance legislation on a national scale.

In asking for the view of the Quebec government, at your early convenience, I should perhaps add that the establishment of a national scheme of unemployment insurance should, it is anticipated, have the effect, once the scheme is in full operation, of reducing substantially the financial burden which now falls on the provinces for the provision of unemployment relief.

Yours sincerely,

"W. L. Mackenzie King"

QUÉBEC'S POSITIONS ON CONSTITUTIONAL
AND INTERGOVERNMENTAL ISSUES

FROM 1936 TO MARCH 2001



OFFICE OF THE PRIME MINISTER

PROVINCE OF QUEBEC

Quebec, February 24th, 1940.

Right Honourable W.-L. Mackenzie King, K.C., P.C.,
Prime Minister of Canada,
Laurier House,
Ottawa, Ont.

My dear Mr. King,

I have your letter of January 16th, inquiring whether my government would assent to an amendment being made to the B.N.A. Act, empowering the Federal Parliament to enact unemployment insurance legislation.

I infer from previous correspondence you exchanged with the Premier of Quebec, before my coming into office, that it was suggested then that the same goal could be attained by way of concurrent legislation from all the provinces, as a means to preserve their autonomy. On November 26th, 1937, you expressed the opinion that the procedure of concurrent legislation would be uncertain and unstable.

I would be pleased to know if you still share with your advisers the definite opinion that such a method would be inapplicable.

May I be permitted to add, my dear Prime Minister, that your answer will be given the most careful and immediate attention by my colleagues and myself, and we will co-operate to the fullest extent towards the establishment of any working scheme whose purpose would be to reduce or relieve the burden of unemployment from this province.

I thank you for your generous dispositions towards the government of the Province of Quebec, and I wish to assure you of my firm intention to maintain, with the Federal Government, the best possible co-operation, in such a way to assure to our Province and to the whole of Canada the prudent and progressive administration of which your Government has set an example since many years.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Adélard Godbout'.

Adélard Godbout.

lpl.

QUÉBEC'S POSITIONS ON CONSTITUTIONAL
AND INTERGOVERNMENTAL ISSUES

FROM 1936 TO MARCH 2001

Ottawa, April 10, 1940.

Honourable Adelard Godbout, M.L.A.,
Premier of Quebec,
Quebec, Que.

My dear Premier:

I wish to acknowledge your letter of February the 24th in reply to my letter of January the 16th, enquiring whether the government of Quebec would be agreeable to an amendment being made to the British North America Act, which would empower the Federal Parliament to enact unemployment insurance legislation on a national scale.

You enquire as to whether the Federal government adheres to the view that it would be impracticable to establish a national system of unemployment insurance by means of concurrent legislation. May I say in reply that the question has been considered carefully by the government's legal advisers. I have pleasure in enclosing, for your information, a copy of their opinion. You will observe that our legal advisers are of opinion that, even if it were possible by concurrent action to establish a national system of unemployment insurance, the validity of the legislation would be open to question, and the system itself unstable.

My colleagues and I adhere to the view that on both constitutional and practical grounds, until the legislative competence of the Federal Parliament to enact the legislation is established beyond question, it would not be feasible to attempt to establish a national system of unemployment insurance.

May I say that my colleagues and I warmly appreciate your offer to give early consideration to the matter, and the willingness expressed in your

letter to co-operate to the fullest extent towards the establishment of a working scheme, the effect of which, amongst other advantages, would be to reduce the burden of unemployment relief now resting on the provinces.

As it is our desire to be in a position to take the necessary steps to proceed with unemployment insurance legislation at the forthcoming Session of Parliament, may I express the hope that, in the circumstances, the government of Quebec will be agreeable to the necessary amendment to the British North America Act being sought forthwith.

It is our belief that a national system of unemployment insurance, established at the present time, is necessary to enable Canada to meet effectively some of the industrial problems which will face our country at the close of hostilities. We earnestly hope we may have the co-operation of the government of Quebec to that important national end.

Yours sincerely,

W. L. Mackenzie King

or before

QUÉBEC'S POSITIONS ON CONSTITUTIONAL
AND INTERGOVERNMENTAL ISSUES

FROM 1936 TO MARCH 2001



OFFICE OF THE PRIME MINISTER

PROVINCE OF QUEBEC

Quebec, May 13th, 1940.

Right Honourable W.L. Mackenzie King, K.C., P.C.,
Prime Minister of Canada,
Ottawa, Ont.

My dear Mr. King,

My colleagues and I have given our best consideration to your letter of April 10th., in which you informed me that you felt it would not be feasible to attempt to establish a national system of unemployment insurance until the legislative competence of the Federal Parliament to enact the legislation was established beyond question.

We fully share the view that a national system of unemployment insurance established at the present time is necessary to enable our country to meet effectively some of the social problems which are presently facing it, and some even more serious problems which must be expected to arise at the end of the present conflict. We are also convinced that some stable system must be devised to replace, in the largest possible measure, the makeshift provisions for direct relief which had to be resorted to in order to alleviate the last unemployment crisis and have unfortunately proved to be a very serious burden on municipal, as well as federal and provincial administrations.

With all this in mind, we do not think we could rightly withhold our assent to the suggested amendment to the British North America Act and we feel that in giving it, we are doing nothing but our plain duty towards our province and our country as well.

May your Government obtain throughout our country, and from every citizen and authority, the full and entire cooperation which ought to be expected to overcome every difficulty in this great national endeavour.

Yours' sincerely,

Adelard Godbout.

lpl.