

the "Yes" side dismissed this as bluffing, and voters were urged to assume that something of this kind could indeed be negotiated.

2. Voters had not seen the constitution of the new sovereign Quebec, because it had not been drafted; Bill 1 authorized the preparation of "a draft of a new constitution," but only indicated in very general terms what would go into the new constitution. For example, although Bill 1 said that "the new constitution shall guarantee the English-speaking community that its identity and institutions will be preserved" (s. 8), it was not clear what would actually be the text of the guarantees of English-language rights.

3. Bill 1 expressly affirmed that Quebec would retain its existing boundaries (s. 10);

that Quebec citizenship may be held concurrently with Canadian citizenship (s. 13); that Quebec's currency would continue to be the Canadian dollar (s. 14); and that Quebec would continue to be a party to the NAFTA and other international treaties to which Canada was a party (s. 15). None of these matters lay in the sole power of a sovereign Quebec, and obviously some or all of them were quite unlikely to be achieved.

4. The "Yes" side also made much of the cutbacks in social programs that were being undertaken federally and in the other provinces in order to get public deficits under control, and the assurance was given that social programs would be maintained by a sovereign Quebec. This ignored the

terrible burden of debt that would be assumed by a sovereign Quebec once Quebec's share of the national debt were added to its existing provincial debt (which is the largest per capita of all the provinces).

It seems obvious that many of those who voted "Yes" in the 1995 referendum were not voting for the creation of a separate state with the normal trappings of such an entity, that is to say, a state with its own citizenship, currency, and normal relations with its neighbours. The whole thrust of Bill 1 and the "Yes" campaign was designed to present a soothing picture in which nothing of importance to Quebecers would change after sovereignty. The "No" side inadvertently contributed to this misleading picture.

The Government of Canada had not established and announced policies on the issues that would be presented by the departure of Quebec, and so the "No" side was in no position to give categorical answers to the assertions of the "Yes" side. If the "Yes" side had prevailed, and if the terms of separation turned out to be markedly different from its campaign assertions, then it seems obvious that the Government of Quebec or the Government of Canada would be under a moral duty to consult the wishes of the Quebec people a second time before actually putting in motion the amending procedures to lead to a Quebec separation.

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THE POLITICAL PRICE OF PLAN B

BY JANE JENSON & ANTONIA MAIONI

The effort to invent a Plan B is comforting for many people outside of Quebec. Stunned by the level of support for the "Yes" side revealed by last fall's referendum and dismayed by the manifest lack of leadership displayed by the Chrétien Government, they have vowed never again to abandon the future of their country to Quebec voters and their political leaders. Initiators of the Plan B strategy claim the right to participate in any future referendum, both by setting out basic ground rules and by making it very clear that secession will be painful to all involved, but most particularly to Quebec. Federal strategists call this laying down markers to teach Quebecers that a "Yes" vote

would not be quite the magic wand Lucien Bouchard suggested in the referendum campaign.

The very notion of Plan B implies that Plan A exists. The latter strategy involves initiatives which will make Canada into what the Honourable Stéphane Dion characterizes as the most decentralized federation in the world. Following the lead of the Department of Finance as much as Intergovernmental Affairs, responsibilities are supposed to be devolved to the provinces in a series of "small steps." Areas mentioned include forestry, mining, recreation, tourism, and social housing, although so far the only real movement is on labour force training. At the same

time, the federal government will try to spark new enthusiasm for Canada among francophone Quebecers.

The effect of playing to the most extreme sentiments is to silence those who must effectively deploy arguments in support of Canada between now and the next campaign, that is, the federalists in Quebec.

These two plans are always presented as complementary strategies which can, indeed, be pursued simultaneously.

We argue here that this as-

sumption of complementarity is misguided. Some parts of Plan B, as it is emerging, fundamentally undermine the chances of success of Plan A.

Enthusiastic discussions of Plan B are confined primarily to Canadians outside Quebec, as they prepare themselves for the next referendum. Within Quebec, sovereigntists see it as a provocation. But more damaging are its effects on many federalists in Quebec, for whom some parts of Plan B constitute a serious threat. Especially problematic is legitimization of "partition talk." The effect of playing to the most extreme sentiments is to silence those who must effectively deploy arguments in support of Canada between now and the next campaign, that is, the federalists in Quebec.

PLAN B: THE RULES OF THE GAME

Plan B has two main components. The first is about the

rules of the game and is well-expressed in, for example, the June 1996 C. D. Howe *Commentary*, "Coming to Terms with Plan B: Ten Principles Governing Secession." The basic stance is that both Canada and Quebec will suffer if they fail to address some procedural matters before the next referendum. While it denies any legitimacy to a UDI, the *Commentary* does acknowledge that a legal secession is possible. If, as Quebec sovereigntists have always maintained, the route to independence must be a democratic one, it is only reasonable for both parties to any post-"Yes" negotiations to agree in advance on how to conduct talks and reach agreement. The *Commentary* is also commendable for its recognition that the time to insist on a majority greater than 50 percent plus one was in 1980, not after the near-loss of October 30, 1995, and that new institutions are needed for "fast-tracking" agreement so as to avoid a repeat of the Meech Lake experience. It is also sensible to reiterate that Quebeckers, not outsiders, must be the ones to ensure that the question put to the voters is unambiguous.

Such procedural proposals are intended to ensure that Canada's interests are recognized in the event of a "Yes" vote. To many people in Quebec, however, this is beside the point because they believe that a "Yes" victory leads to a declaration of independence by a sovereign people. This discrepancy in the very notion of whether we are talking about an act of "secession" (the definition used outside Quebec) or a democratically arrived at "declaration of sovereignty" (used by most Quebeckers) in part explains the silence surrounding the C. D. Howe *Commentary* in Quebec. It also explains the almost

unanimous opposition in Quebec to the Bertrand affair; even Daniel Johnson reaffirmed his party's recognition of Quebec's right to self-determination and warned Guy Bertrand that his actions were counterproductive. Bertrand seeks an injunction against a referendum on sovereignty, as well as a ruling on the legality of a unilateral declaration of independence. As Desmond Morton said in February 1996, this is the option in which Canadians, just "like Guy Bertrand and Stephen Scott, simply turn to the law, ultimately, to force Quebec to stay in Canada." Most Quebeckers, federalists as much as sovereigntists, believe in "the freedom of the Quebec people to determine its constitutional status democratically."

Plan B strategists, who legitimate the claims of those that seek to partition federalist territories around Montreal or in the Outaouais from an independent Quebec, inflame rather than calm the situation.

Despite the difference in framing the problem, however, many people, both inside and outside Quebec, would breathe much more easily if the rules of the game were made clearer for both sides. Plan B's stress on respect for the rule of law is resonant. Adherence to rules implies that there will be tolerance for the legitimacy of each side's grievances and, most importantly, respect for the democratic process. As a result,

such rules would prevent the upsurge of "patriotism, right or wrong," which many politicians used in November 1995 to justify flouting Quebec's electoral law at the Montreal rally. Such law-breaking, so disturbing to those whose goal is the maintenance of respect for law, would not be acceptable.

PLAN B: PARTITION AS THE PRICE OF SOVEREIGNTY

It is the second component of Plan B that has a potentially much more nefarious effect within Quebec. Here we are not referring to the "double-bind" problem, i.e., that in imagining a procedure for separation one is acknowledging its inevitability. Being prepared for fire does not make fire more likely. However, Plan B strategists, who legitimate the claims of those that seek to partition federalist territories around Montreal or in the Outaouais from an independent Quebec, inflame rather than calm the situation. The menacing tone that underpins Plan B effectively denies Quebeckers, particularly francophones, their voice as Canadians. In addition, the patriotic flag-waving masks an inability of many Canadians to come to terms with the essentials that define the country. To the extent that accepting the partitionist logic or a "one Canada" scenario becomes an integral part of federalist strategy, support for federalism becomes more precarious in Quebec. Francophone Quebeckers will not choose Canada over Quebec. Nor do most federalists, whether anglophone or francophone, recognize themselves in any strategy which denies the distinctive nature of Quebec and threatens to undermine its democratic processes.

It has become accepted wisdom outside Quebec that if

Canada is divisible, so is Quebec, even if the arguments for this position are flimsy. They depend in many cases on establishing an equivalence between the rights of Aboriginal peoples living in Quebec, who do have a collective claim to protection from any unilateral revocation of their established aboriginal rights, and disgruntled, primarily anglophone individuals living in southern Quebec whose side may lose in any democratic vote.

Talk of partition has already divided federalists in Quebec and further legitimation of it will create even greater tension and hostility.

The claims are clearly not the same. Aboriginal peoples have collective claims based on their status as peoples. English-speaking Canadians in southern Quebec are a minority living within a territory in which the majority of citizens may one day vote for independence. As such, they have rights as individuals as well as minority rights that deserve vigilant protection. Unlike Aboriginal peoples, they cannot fashion any historic claim to their won territory that would stand up in the court of international opinion.

Nonetheless, calculation among Plan B strategists is that, by maintaining that the borders of an independent Quebec are negotiable, they will invoke sufficient fear among soft "Yes" voters to force them to reconsider their choice. This is part of the "mailed fist" strategy to "con-

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vince Quebecers that separation would not be clean." The benefits of this strategy are yet to be demonstrated. It is not obvious that it will reduce the "Yes" support any more than the scenarios of economic catastrophe did in 1995.

The short- and long-term costs are very high, however. Talk of partition has already divided federalists in Quebec and further legitimation of it will create even greater tension and hostility. Suzanne Roche, press aide to former Liberal Quebec Cabinet Minister John Caccia, reported her reaction to attending a meeting of the Special Committee for Canadian Unity, one of the myriad small partitionist groups: "I've never been so uncomfortable in my life. I'm a federalist and a francophone, but there it was as if we didn't exist. The message was if you were a francophone, you were definitely a separatist and you were a threat." Indeed, she "told her boss that if it weren't for him she would have joined the Parti Québécois that night."

The most heated public debates about partition are most often *between* federalists, when Julius Gray faces off against Keith Henderson or Robert Bourassa against Ron Irwin. Groups of anglophones appalled by the notion of partition have organized to put their opposition on record. After Lucien Bouchard's speech to the anglophone community in March 1966, many opinion leaders publicly congratulated the Premier for taking as his theme that Quebec is home to anglophones as much as to anyone else, while others simply dismissed it out of hand. What chance of success will

Plan B have when alienation and divisions within the federalist camp are this widespread?

If Plan B were to make a commitment to negotiable borders, the litmus test for all good federalists, it would make it harder for Quebecers to support federalism.

The partition discourse has great potential to provoke linguistic strife and instability; we have seen with what speed radical movements take form, find leaders, develop claim-making strategies, and gain purchase in politically unstable situations in other parts of the world. When proponents of Plan B insist on the legitimacy of partition, they feed such movements. From being a small collection of isolated "groupuscules" in Montreal's western suburbs, partitionists have been propelled to the centre of attention. Emboldened by supportive statements from federal politicians, and cloaked in patriotism, the leaders of this movement claim for themselves all the rights of an oppressed linguistic minority.

The fact remains, however, that partitionists would not carry even their own federalist areas in any referendum on breaking away. Despite what people living outside Quebec may believe, Montreal and its suburbs do not neatly divide into francophone and anglophone neighbourhoods. Many municipalities on the West Island, the South Shore,

and elsewhere, voted "No" because francophones in that area are disproportionately federalist. The result is that even in the West Island, the home of the partitionist movement, only a slight majority (55 percent) of voters support the idea of altering the province's borders. Any vote on partition, even in the one locale where the idea has set down some roots, would simply create new problems. It would generate a large new francophone minority isolated from Quebec.

Such outcomes are, of course, hypothetical. More to the immediate point are the consequences for federalists in Quebec of legitimizing partition talk. If Plan B were to make a commitment to negotiable borders, the litmus test for all good federalists, it would make it harder for Quebecers to support federalism. One of the most visible francophone federalists, Alain Dubuc of *La Press*, says it would never occur to him to leave Quebec, and that stance makes all the difference in the world. Another federalist, Bruno Roy, who is leader of the Groupe des Cent, says that he is "turned off" by Chrétien government's threats of a Plan B to discourage Quebec from separating. Roy says he has more in common with his best friend, who is a sovereigntist, than with Chrétien. But it is not only francophones who call Quebec home; many anglophones accept the legitimacy of a democratically arrived at decision about Quebec's future. None of these federalists signed on to defending Canada in order to participate in threatening to dismantle Quebec.

The costs of partition talk are already visible in the very

real complaints of many francophone and anglophone federalists from Quebec that their views get little publicity. Outside Quebec, partitionists are now seen to speak for all anglophones, and even for all federalists. While divergent opinions within the anglophone community are reasonably well-covered by the Montreal press, the same is not true elsewhere. The result generates feelings like those of Louise Robic, former Minister of Cultural Communities and Immigration in the Bourassa government and president of Citoyens et Citoyennes Ensemble, a pan-Canadian grouping of municipalities. She deplores the fact that, when Montreal is discussed, "Hélas! On entend surtout les extrémistes."

In a situation of such limited political resources, those deploying Plan B might calculate more carefully what they gain by a strategy that results in silencing their own supporters, those who will have to conduct the next referendum on the ground.

Nor are there credible francophone federalist voices in the federal government. Three of every four Quebecers express no confidence that Jean Chrétien can settle the constitutional question, with almost half of

those (49 percent) having no confidence whatsoever in his capacities. Even in the West Island, only one-third (35 percent) have confidence in the Prime Minister of Canada. The Liberal Party of Canada as a whole seems to have lost touch with the realities of the province, if the uproar over defining Quebec as the

“principal foyer” of the French language is any indication. Recall that it resulted in the provincial Liberals voting with the PQ to make unanimous the resolution of the National Assembly rejecting this replacement for “distinct society.”

In a situation of such limited political resources,

those deploying Plan B might calculate more carefully what they gain by a strategy that results in silencing their own supporters, those who will have to conduct the next referendum on the ground. Who will be left to transmit Plan A’s message about the achievements of a decentralized federalism and

the advantages of being Canadian?

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MAKING CANADA WORK BETTER

BY JOHN McCALLUM

As far as national unity is concerned, Canada today is in a state of remission. Immediate pre-referendum patriotism was followed by the shock of the referendum vote and then by a few days of conciliatory thinking in English-speaking Canada. Quickly, however, these positive sentiments gave way to hard-edged talk about terms of secession, frustration with the apparent lack of any solution, and denial that there was any problem at all.

Kierans, Thomas E. Kierans, John McCallum, Peter Meekison, David Milne, Desmond Morton, Sylvia Ostry, Gilles Paquet, John Richards, Peter Russell, Daniel Schwanen, Richard Simeon, Charles Taylor, and Robert Young. Copies are available from the C. D. Howe Institute, the Canada West Foundation, the John Deutsch Institute, and the McGill Institute for the Study of Canada, as well as from the

both to governments and the thousands of Canadians who are now engaged in rethinking the country. While our plan was presented in a spirit of modesty, it is also quite specific. Better, we thought, to stick our necks out a bit than resort to generalities that would do little to advance the debate.

This article outlines the substance and process of our plan, as well as specific recommendations. The concluding section comments on progress and setbacks in adopting such a plan.

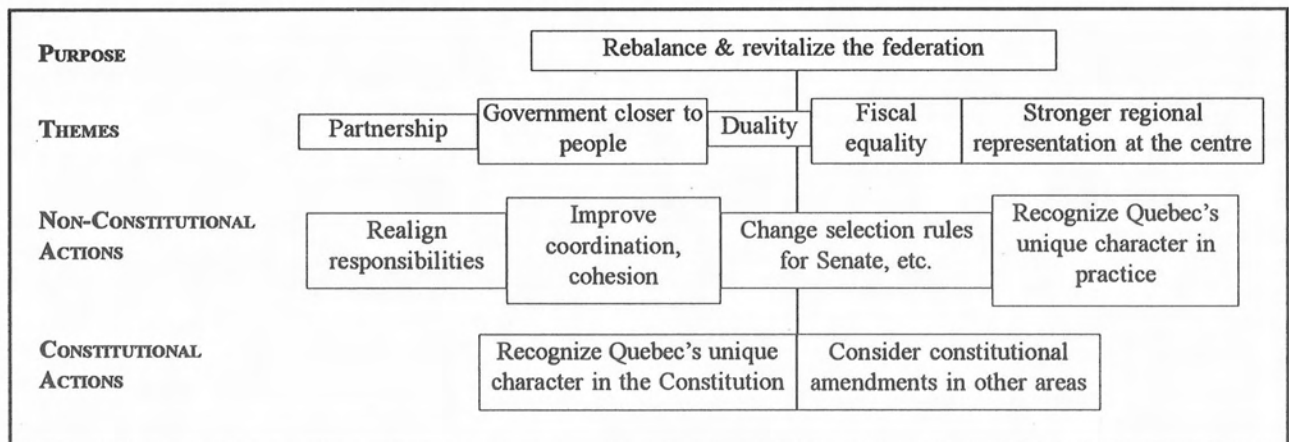
SUBSTANCE OF THE PLAN

Our plan is illustrated in the

To achieve these purposes, actions should be governed by five principles, or themes:

PARTNERSHIP means an end to unilateral behaviour by federal and provincial governments. It means a concerted and co-ordinated effort by all levels of government to preserve and promote our social and economic union and to manage interdependence.

GOVERNMENT CLOSER TO PEOPLE, or “subsidiarity,” imparts a bias to decentralization, but it is also consistent with moving responsibilities “upwards” when there is good reason to do so. The principle may also be applied asymmetrically



It was against this backdrop that a group of 22 individuals, mainly academics, released a study in early May. [Group of 22, “Making Canada Work Better,” May 1, 1996. The authors are Alan Cairns, David Cameron, Gretta Chambers, Thomas J. Courchene, Wendy Dobson, David Elton, Angela Ferrante, John F. Helliwell, Kenneth

author of this paper.] It was our belief that substantial majorities of Canadians want to rethink the country and make it work better. Canadians from all parts of the country are looking for a vision of Canada that will carry them into the next century. We sought to contribute to this vision by proposing an action plan that might prove useful

accompanying chart. The purpose is to rebalance and revitalize the federation. Rebalancing speaks to realigning powers and enhancing overall cohesion and co-ordination. Revitalizing speaks to citizen commitment by creating a system that reflects the values, aspirations, and self-images of Canadians in all parts of the country.

since different provinces are likely to have different tastes, resources, and needs.

DUALITY means that actions should be informed by a recognition and celebration of Canada’s duality. Quebec, as the centre of the French language and culture on a continent that is overwhelmingly

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