

BY JOSÉE LEGAULT

Three days before the October 30 Quebec referendum, tens of thousands of Canadians from outside Quebec convened in Montreal for a massive federalist "love-in" demonstration. Although the intentions of those who partook in this event are not to be questioned, one must remember that this was not a spontaneous reaction to polls showing a possible Yes victory. Rather, it was an event planned and organized by the federal government in order to sway the upcoming vote in favour of the No option. No less, no more.

A MAJOR REDEFINITION OF CANADA

So what of this "love" and the explicit — although murky — promises of change that shortly preceded and followed this demonstration of Canadian unity? The question of "What now, my love?" or "What happens next?" speaks to the essence of the uncertainty and political volatility of this post- or inter-referendum period. It begs to know what can best be envisaged as the most probable scenarios following a referendum result that had been considered most improbable.

In his book *Reimagining Canada*, McGill law professor Jeremy Webber begins with this observation:

In 1990 Canada entered the most serious crisis of its 123-year history. The crisis took most Canadians completely by surprise. Its cause seemed absurdly small. The Meech Lake Accord . . . failed to obtain the unanimous provincial approval needed for ratification. . . . [T]he failure of Meech

plunged Canada into its worst constitutional crisis, one that threatened to result in the secession of its second most populous province. . . . The suddenness and seriousness of the breakdown shocked Canadians, unprepared as they were for a collapse of their national debate.

And so, we have just come out of a second referendum on the issue of secession. Canada has yet again been thrown into a major constitutional crisis. And, yet again, it appears that for many Canadians, the causes remain mysterious. They are once more waking up "unprepared." It seems that this unpreparedness is a permanent state for a good part of the rest of the country, whatever we in Quebec may be going through. This problem is one that should be addressed in depth. It constitutes a crucial part of a political equation whose solution remains unattainable.

In the case of this latest referendum, the "shock" came before the final result itself as polls were beginning to show a clear upward trend for sovereignty. As this started to shake the foundations of a deeply entrenched confidence in a clear and decisive federalist victory, many Canadians were once again woken up by the thought of being hung early in the morning. This is reputed to allow one to focus one's mind.

But what was the immediate result of this new shock? At first, public opinion in the rest of Canada (ROC) did not appear overly moved. It was the Quebec Liberal Party that sounded the alarm, at first,

faintly in the voice of a quickly debunked Daniel Johnson. But because the polls were confirming this possible Yes victory, and as the Chrétien government had no intention of making any concrete counter-proposals, a device was found to carry a message similar to Lucien Bouchard's — the message of change and of bargaining power. This was the gigantic Canadian love-in of October

response and restructuring. The negotiation of aboriginal self-government and the setting up of a structure that is best able to address the explosive dossier of land settlements will not be achieved in the laissez-faire atmosphere that has been dominant in Canada since the rejection of the Charlottetown Accord.

As for the Quebec issue, much has been made of the obstacle found in the PQ sovereigntist government. It is said to be impossible to discuss with a government still aiming for all-out sovereignty. But then, why were the promises of change made a few days before October 30?

The answer is simple. It is because the promise was made under false pretenses — there was never any intention of making major changes. There is no plan in Ottawa to address either the aboriginal or Quebec questions in a real and permanent way. Even if there was a plan, the political dynamics in English Canada and Quebec are such that any attempt to address these issues constitutionally is doomed to fail.

But the Quebec-Canada relation still requires a constitutional answer because the contemporary expression of the problematic is of a constitutional nature. The unresolved issue remains the unilateral repatriation of 1982. An entrenched Charter of Rights and Freedoms — the heart of the new supreme law of the land — has worked to diminish the sovereignty of the Quebec government in as crucial a field as language as well as in the provincial jurisdiction of education.

So what of the chances of a new round of constitutional talks, should Prime Minister Chrétien ever convene them?

To best answer this question, one must look at the political actors in place. In Ottawa, the Trudeauite vision of Canadian federalism still governs in the

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27 in Montreal. We may never know the precise impact of this event, but it was intended to carry the vote on October 30. Now, had the prime minister been other than Jean Chrétien, one might also think that the message of change was designed to prepare English Canada for a major redefinition of the Canadian federation and its constant unpreparedness.

But such is not the intention of the present federal government. Nevertheless, let us take this promise seriously and look at the possibility that it may or may not be fulfilled.

MORE BROKEN PROMISES?

Two of the ever-prevailing issues at hand — the aboriginal and Quebec questions — cannot be fully addressed in what has been presented by a growing number of federalists as some mysterious "non-constitutional way." Both problems call for a clear constitutional re-

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Prime Minister's Office. The diehard opposition to any radical form of asymmetrical federalism is deeply entrenched.

WILL THE FEDERALISTS EVER GET THEIR ACT TOGETHER?

More important, we are facing a prime minister who behaves as if he were the head of a unitary state. Consensus building does not appear to be anywhere near the federal government's agenda. In the House of Commons, chances are Preston Manning's Reform Party is destined to become the Official Opposition. If this happens, one can expect a flamboyant polarization between the Liberals and Reformists. This will serve only to show Quebecers a divided federalist camp united only by its refusal to grant Quebec any real special status.

The political leadership in English Canada is another wild card. The sheer mediocrity of most of these leaders, their utter lack of a sense of Canada, their staggering ignorance of Quebec, and their fascination with their own parochial short-term interests are a recipe for disaster from a federalist point of view. Those whom political scientist Daniel Latouche once branded "Kiwanis Club premiers" are destined to feed into

the implosion of Canada more rapidly than the sovereigntist movement ever could. Chances are they will prove unable to respond to the challenge put to them by the accumulation of decades of constitutional failures and of a growing dissatisfaction of many Quebecers.

Much more than an emotionally driven sense of rejection, it is these failures and this dissatisfaction that feed and strengthen the sovereignty movement. The failure to accommodate Quebec with a special status is what guarantees the continuing progression of the sovereignty option.

In Quebec, other than a revitalized PQ government, the provincial Liberal Party remains under Daniel Johnson a weakening factor for the federalists. Many nationalist federalist francophones could no longer identify with a vision that runs counter to the positions this party has taken for the past 35 years. Johnson's leadership has been gravely shaken by the referendum result and it is only a question of time before it is openly challenged. But if he steps down, he will have to do so quickly in order to allow his party to hunt down an effective Bouchard antidote.

In this, as in other related

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issues, time is of the essence. Hope is possible, many federalists say, because of the constitutional conference of 1997. What of it? The 1982 *Constitution Act* says the following in article 49:

A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada within fifteen years after this Part (V) comes into force to review the provisions of this Part.

Although this obligation has already been fulfilled through the negotiations leading up to Meech and Charlottetown, one could entertain the thought that for expediency, Prime Minister Chrétien might convene such a conference. It should, therefore, be noted that article 49 contains no obligations of a positive result and refers only to Part V, or the amending formula, and to no other part or section of the *Constitution Act*.

But if Jean Chrétien holds such a conference, the most probable outcome is failure. 1997 could reveal itself to be the ultimate proof of the incapacity of Canadian federalism to renew itself in a way satisfactory not only to Quebec, but to the other constituents of the Canadian political equation.

In this event, if none of this takes place and Jean Chrétien eventually decides to do absolutely nothing — which I find to be the most probable scenario — we are sure to be facing another referendum two or three years from now. ❁

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THE NATIONALIST DILEMMA IN QUEBEC *from page 29*

what plausible prediction for the majority, the reciprocal assumption that the minority communities and aboriginal nations will forget is not credible. The practical question, therefore, is simple: Can the means of ethnic nationalism be the instrument for the goal of an independent Quebec whose allegiance is to be based on civic nationalism? At a minimum, this is surely doubtful for a lengthy transition period. It presupposes that forgetting will

be quick and easy and that the passions aroused have been shallow rather than deep, and ephemeral rather than enduring.

CALMING NATIONALIST PASSIONS

On the other hand, if the sovereigntists eschew appeals that are directed primarily at the francophone majority, is it possible to mobilize a heterogeneous majority, drawing reasonable support from nearly all communities around the pro-

ject of creating a superior civil society to the one outside Quebec? This is extremely unlikely. A proposal to leave the coast-to-coast civil society of Canada to gain independence for the civil society of Quebec provides no sustenance for nationalist passion. The attempt to stimulate the latter by injecting social democracy and the defence of the welfare state into a "distinct-society" justification for sovereignty, as in the recent referendum, is to obliterate the

distinction between a referendum to create a new country and destroy an old one, and an election. Are there to be no more elections in an independent Quebec?

To govern is to choose. The necessary resort to nationalism as the means to independence occasions even more difficult choices. ❁

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