

ing political sovereignty for the First Nations who choose such a path (the Mohawks and the Crees are likely candidates). Such generosity is highly improbable: the government would never budge on the issue of territorial integrity and the reports of the regional commissions on sovereignty show that the population fully supports that stance.

But more important, the very nature of the Quebec state is not conducive to this kind of "compromise." Quebec is a liberal state. The sovereigntist project is essentially inspired by liberal principles and seeks nothing less than the establishment of a liberal, neo-Jacobine state. Admittedly, such a state can be committed to the protection or promotion of minority identities, but only so long as they willingly fit within a homogenizing, historically loaded, civic culture. Beyond this horizon, the liberal state is no longer available to guarantee the protection or promotion of minority identities, all the more so if they manifest themselves through ethno-nationalist expressions that are not those of the general public culture.

As long as we persist in looking for solutions within the liberal-democratic paradigm, the aboriginal question in Quebec will only continue to fester. Whether Quebec sovereignty ever becomes a reality or not, the aboriginal question stands as a reminder of the inherent limitations of a universalistic sociopolitical project. Today, Quebec is in the throes of a politics of competing identities. It is a game Quebecers know well and at which they are quite adept, but they are no longer playing it alone.

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QUEBEC VERSUS ABORIGINAL RIGHTS TO SELF-DETERMINATION

by Reg Whitaker

Amid the various scenarios surrounding a "yes" vote in the Quebec referendum, there is one that stands out in its potential for conflict: the claim by aboriginal people that they have the right to opt out of an independent Quebec. In the aftermath of a "yes" vote, the aboriginal issue will be front and centre. It is about time for recognition of the aboriginal peoples' national rights. Yet, in this conjuncture, the danger is that aboriginal rights will be cynically manipulated as a kind of club with which to intimidate Quebec sovereigntists. This is a disservice to aboriginal peoples, which also opens the door to potential violence that will be to no one's advantage, whether Canadian, Québécois, or native.

NATIONAL SELF-DETERMINATION: STATES VERSUS PEOPLES

One proposition that has gained some currency in the rest of Canada is that while Quebec, given a clear decision on a clear question, has the "right" to separate, the borders of an independent Quebec are negotiable. And native claims are the key to the borders question because they are expressed in the same language as the separatists' aspirations. These claims are often seen, both by Quebec and by aboriginal spokespersons, as contradictory, antagonistic, and incommensurate. Why should this be so?

There might be some broad consensus that claims to national self-determination have plausibility when the following conditions hold:

- 1) a people have developed clear self-consciousness of themselves as a distinct nation and

- 1a) could potentially form a viable nation-state;
- 2) their identities as members of this nation cannot be realized in their present political and economic conditions of citizenship, because:
- 3) another dominant group has imposed a state structure upon them that expressly denies their identity and/or actively seeks to repress it.

Quebec clearly answers to condition (1), but the argument fails at stages (2) and (3). Aboriginal claims are somewhat weak with regard to (1a), but are much stronger with regard to (2) and (3). We might summarize the differences in this way: aboriginal people have much stronger *moral* claims than the Québécois, but the latter have vastly greater political and economic power and capacity. Quebec's claims are taken seriously because the rest of Canada knows that Quebec could assume sovereign status, given the will of the Quebec people to take the risks associated with such a step.

Quebec's potential power does not diminish the political significance, and certainly not the moral weight, of aboriginal as against Québécois claims for self-determination. To privilege Quebec claims would be to assert that states, or potential *states*, are privileged over *peoples*. If aboriginal peoples cannot, for practical reasons, look to independent national statehood as a viable option, this consideration does not in any way weaken the claim to self-determination.

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"Aboriginal Rights to Self-Determination," continued from page 87.

Nor are Quebec aboriginals lacking in real, measurable, political power. Although there are not that many Cree in northern Quebec (some 12,000), they far outnumber non-native Quebecers on the ground—a ground, moreover, that includes James Bay hydro, an element of Quebec's economic viability. The same Cree have already demonstrated their ability to undermine Quebec's freedom of action on the international stage by appealing successfully to foreign opinion, even forcing the cancellation of the James Bay II mega-project. If they remain determined, they can certainly throw a large wrench into the PQ's sovereignty project. The spectre of Oka should serve as a reminder of what other Quebec aboriginal people can do.

The PQ has tried to placate Aboriginal people by promising them fair and equitable treatment as minorities within a independent Quebec that will be genuinely pluralistic. This misses the point. Aboriginal claims are *national* and not *minoritarian*, and cannot be met by "trust us" assurances.

MORALITY AND POWER POLITICS

Of course, when political debate is couched in the language of rights, there is always a tendency to argue rights as trumps. On closer examination, the language of the right to national self-determination contains two kinds of claims: moral claims derived from a conception of natural justice, and power-political claims derived from a conception of what is possible or realizable. Quebec's right to national self-determination is relatively strongly based on the latter kind of claim, and the aboriginal right to national self-

determination is more strongly based on the former.

It is important to recognize that each contains an admixture of both sorts of claims, in a shifting balance. Morality does not rest with the aboriginals alone. Quebec's claims are not purely power-political. It is above all the legitimacy of a democratic mandate for sovereignty that would give Quebec, following a successful referendum on sovereignty, the power to realize a separate nation state. A democratic mandate is a political form of a moral claim, different from a moral claim based on historic injustice, but powerful nonetheless.

"Borders must be rendered irrelevant to the question of aboriginal self-government. A joint constitutional protocol would set the question of Quebec sovereignty aside from the aboriginal question."

Refusal by Quebec to recognize the claims of the Aboriginal peoples would not be merely morally obtuse—it would be politically stupid. Whatever the response of the Canadian government to a plea by the Cree for intervention, the uncertainty and risk that such a scenario would pose for the economic climate for an independent Quebec would be disastrous. On the other hand, whatever provocations have been posed by the arrogance of Quebec nationalists toward their rights, the aboriginal peoples should not shut their eyes to the moral core of the Quebec claim. To assert in advance that the legitimacy of the democratically expressed will of the Quebec people for national self-determination is of lesser dignity and significance than the equivalent will of the aboriginal peoples is hardly helpful.

BOUNDARIES AND ETHNIC SELF-DETERMINATION

Some English Canadians have already shown an alarming tendency to project aggressive assertions about shrinking Quebec borders following independence, which are sometimes, although not always, couched in terms of democratic self-determination for minorities. Despite the superficial attraction of a "democratic" opt-out option for minorities, once borders are placed on the table, the secession process becomes inherently unstable and volatile.

The problem is that redrawing boundaries to accommodate some concept of minority ethnic self-determination opens the door to a process that cannot easily be controlled. If, for instance, the anglophones of the Eastern Townships opt to withdraw those parts of Quebec where they form local majorities, what is to prevent the Acadians of northern New Brunswick from opting for inclusion within Quebec? Are we not soon talking of population transfers? How long can such a process remain voluntary, and how soon will it begin to take on compulsory features? "Ethnic cleansing," after all, is an attempt to sanctify redrawing of boundaries on ethnically exclusivist lines by forcibly redrawing the human geography. Clearly, no one in the Canadian debate wants to see ethnic cleansing. There is an underlying *logic* that seems to drive events from redrawing boundaries to an exercise that looks very much like ethnic cleansing, even if such an outcome was never sought by any of the parties.

If Quebec does intend to move toward sovereignty, there must be negotiations that precede rather than follow the achievement of sovereignty. These negotiations would have to be three-way, involving Quebec, the rest of Canada, and aboriginal groups both within and

outside Quebec. They would look to a joint protocol, agreed upon by both Quebec and Canada, recognizing the same constitutional rights of aboriginal self-government and self-determination on both territories. There are possible variations on this process: a "best offer" approach along labour negotiation lines might be one. Another would be a solemn declaration by Quebec to match any Aboriginal rights recognized in the rest of Canada. (The latter is not so farfetched, given that the PQ has already declared its intention to use the Canadian dollar, thus abrogating any power over monetary policy.)

Borders must be rendered irrelevant to the question of aboriginal self-government. A joint constitutional protocol would set the question of Quebec sovereignty aside from the aboriginal question. Negotiating such a joint protocol broadly acceptable to Quebec and Canada as well as to all the key aboriginal parties would be a very complex and difficult process, especially in the volatile context of the secession of Quebec and the inevitable redrawing of relations within Canada between the regions and provinces. Yet, however difficult, it may be the only way to avoid a potentially fatal nexus of conflicting rights claims.

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WHERE ARE THE ETHNIC COMMUNITIES IN THE DEBATE?

by Marie McAndrew

Where will the ethnic vote go in the '95 referendum? The answers of various ethnocultural organizations offer a range of possibilities, but few to comfort the PQ.

Ethnocultural organizations appeared before the Montreal Commission régionale sur l'Avenir du Québec. The briefs of these organizations demonstrated a basic cleavage between the so-called pre-1977 (that is, Jewish, Italian, Portuguese, and Greek) communities and post-1977 (that is, Haitian, Southeast Asian, South American, and Lebanese) communities. The cleavage is not of a "no/yes" variety. It reflects, rather, a range of perspectives about arguments for and against Quebec independence.

The briefs from pre-1977 communities usually come from larger umbrella organizations, seemingly representative of a wide percentage of the community. They almost unanimously reject the PQ project and sometimes question the legitimacy of the consultation using "classical" non-ethnic federalist arguments. These concerns overshadow any stated fear of Quebec nationalism, despite the focus placed on this issue by the media. Only a minority of individuals who have integrated into the French milieu, such as writer Marco Micone, or an alternative leadership, more "to the left," support the PQ project.

The briefs from post-1977 communities present much more variety, both in terms of the type of organization involved and their contents. These organizations ac-

knowledge the divisions in their communities, but also support the PQ project in some cases. They unanimously declare that the consultation is a testimony to the democratic nature of Quebec society. Some of these briefs take a clear

"The communities that have integrated into the anglophone milieu have been socialized to adopt a position on Quebec's future that resembles closely that of the anglophone community ... [whereas] the newly arrived are more integrated into the French milieu and react warily, as any first-generation immigrant would, in a country divided by a conflict over political loyalty."

"no" or a clear "yes" position, generally depending on their interpretation of the impact of independence on the future of ethnic relations in Quebec. Thus, the "insecurity theme" of some ("the state of confusion following independence would be favourable to more intolerance and scapegoating of immigrants") is opposed to the "security thesis" of others ("when the francophones are secure, a pluralistic Quebec, already in development, will be more easily fostered"). But the majority adopts a

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