



CANADA WATCH

Practical and Authoritative Analysis of Key National Issues

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THE QUEBEC REFERENDUM: THE LONG VIEW

Part One of a Two-Part Series

by Alan Cairns

After a football game is over, all we need to know is who won and who lost. Referendums are not football games. While winning and losing are obviously vital, the politics leading up to the referendum, and the subsequent interpretations of the outcome, are also formative events in the lives of people.

A referendum on independence is a searing, profoundly divisive process that modifies our understanding of who we are—our civic and national identities are deeply engaged, with the result that social

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A DEMOCRATIC PROCESS FOR A FUNDAMENTAL CHOICE: THE DRAFT BILL ON SOVEREIGNTY AND QUEBEC'S POLITICAL FUTURE

by Daniel Turp

Whether people like it or not, sovereigntists control Quebec's political agenda and fully intend to make use of this situation. This was eloquently demonstrated on December 6, 1994, when the prime minister of Quebec, Jacques Parizeau, in close consultation with the Bloc québécois, tabled a draft bill called *An Act Respecting the Sovereignty of Quebec*, that presents a blueprint for Quebec's political future and unveils the process that allows all

Quebeckers input into the finalizing of the text.

As might have been expected, the main thrust of this agenda is sovereignty, an option that Quebeckers have been debating in one form or another since 1960 and that has come to centre stage since the demise of the Meech Lake accord in 1990. The seventeen articles of the draft bill are,

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fault lines that remain below the surface in more halcyon times are likely to emerge, as in war time. The WWI conscription crisis, and its legacy, underline the long-run repercussions when competing understandings of our civic selves are not only brutally exposed, but are stimulated.

Even if the referendum is defeated we will not be the same people that we were, both within and without Quebec, before this latest bout of constitutional introspection began. This is a two-part article. This month's hints and intimations of what we might expect of the federal and provincial governments after a "yes" vote will be followed in part two by an article on our evolving civic selves: how the prospect of Quebec separation affects the "rest of Canada" (ROC)/ROC's sense of self, and how far Quebec has travelled on the road from ethnic to civic nationalism.

TWO CONSTITUTIONAL GAMES AT ONCE

For various well-known reasons, the governments outside of Quebec cannot publicly prepare for Canada without Quebec. The federal government is especially incapacitated by its role as the coast-to-coast government of all Canadians, and by its clear responsibility to those Québécois who wish to remain in Canada, from simultaneously preparing for Canada without Quebec. Its position is similar to that of the PQ in 1980, whose total commitment to winning support for sovereignty-association left it rudderless and incapacitated when the federalist forces won the referendum.

The PQ could not play and prepare for two constitutional games at the same time, especially when the second game of renewed federalism

contradicted its *raison d'être*. Similarly, for the federal government to play the ROC game while the federalism game is still underway and Canada still exists would contradict its primary responsibility and would produce a paralyzing split identity. It will also be difficult for the federal government to be the voice of the ROC in bargaining the terms of breakup with Quebec, as its credentials would certainly be challenged by some of the provincial governments. Further, its bargaining credibility would be suspect, given the recognition that it would be bargaining away part of itself. This reality adds cogency to the Monahan thesis that a federal government would not automatically accept a "yes" vote, would play for time, and would not quickly or easily give up on Canada (Monahan, *Cooler Heads Shall Prevail*, C.D. Howe Institute).

The natural strategy for the federal government in the buildup to the referendum, therefore, will be to float balloons questioning the constitutionality of Quebec's action, suggesting that 50 percent plus one is not enough (and citing the various polls indicating that more than half of Québécois agree on the need for an extraordinary majority), and underlining the legal case for Aboriginal nations to secede from a seceding Quebec. In brief, the federal government will multiply the legal, political and moral objections to Quebec independence. Such objections are the instruments of its own survival, and sustain a legitimacy it would lose if it tried to don the mantle of the voice of the ROC.

If, however, the reconstitution of Canada-without-Quebec moves from idle fancies to practical constitutional politics, the provincial and territorial governments will be key players. They will survive the exit of Quebec as the advocates of the provincial and territorial communities

that constitute one half of the divided identity of a federal people.

THE KEY PLAYERS IN A CANADA-WITHOUT-QUEBEC

At a time when a demoralized and beaten federal government is in serious disarray, when the battle for Canada is clearly lost, the capacity of provincial governments to speak for their people will be relatively unimpaired. In the buildup to the referendum, especially if a "yes" vote appears plausible, trial balloons and unguarded comments by provincial political leaders will reveal some of the centrifugal pressures that will powerfully influence the future shape of the one or more "Canadas" that will survive Quebec's departure. Accordingly, would-be futurists should be on the alert for hints on how those centrifugal provincial pressures will manifest themselves. Even if the No forces triumph, the simple possibility that the country might fragment will stimulate provincially based interpretations and anticipations of various futures.

The information to be garnered on what provincial and territorial governments are thinking about their future if Quebec departs will probably be indirect and fragmentary because of the constraints on public, official discussion of this possibility by governments. The requisite skills of outside analysts will have to be those that Kremlinologists formerly applied to Soviet politics.

Should any provincial elections occur before the Quebec referendum, the veil of official silence on the subject of Canada without Quebec may be shattered, and this may have spillover consequences throughout the country. The opening up of the Meech Lake constitutional discussions by the changes of government in Manitoba, New Brunswick, and Newfoundland is a useful, if imperfect, parallel.

CRACKS IN THE INTERGOVERNMENTAL CONSENSUS?

Those searching for cracks in the official intergovernmental consensus to keep Quebec in Canada should remember (1) that provincial governments are more likely to break ranks than the federal government, whose very essence is challenged by the Quebec independence movement, and (2) the most likely provincial candidates are the three "have provinces": Ontario, British Columbia, and Alberta. The latter two combine wealth with distance from Quebec, and a more Pacific orientation, especially British Columbia. Ontario, in certain circumstances, might consider a separate deal with Quebec for two reasons: (1) its tight economic relationships with Quebec and (2) an appreciation that in a Canada without Quebec, its economic strength and population numbers will have to be significantly underweighted to induce some of the less populous provinces to join Ontario in a new founding.

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in this respect, a very able synthesis of positions taken by key actors in the recent debate relating to the sovereigntist option, as well as of studies conducted under the auspices of both the Bélanger-Campeau Commission (1991) and the Commission of the National Assembly established to examine matters relating to Quebec's accession to sovereignty (1992). The proposed process of consultation of the draft bill resembles that which was used for Bélanger-Campeau, and reflects a sincere desire to have Quebecers of all regions partake in the definition of a sovereign Quebec. This will be accomplished through the drafting of a solemn declaration of sovereignty that will serve as a preamble to the Act and a review of the blueprint for Quebec's political future contained in the body of the draft bill.

The draft bill comes as no surprise to those who have followed the contemporary process of determination of Quebec's political and constitutional future. This process has led Quebecers to believe that "should a final attempt to renew federalism fail, sovereignty would be the only course remaining" (Bélanger-Campeau Commission

Report, p. 73). For Quebecers, the failure of the Charlottetown accord now justifies a focus on sovereignty and its definition, rather than on federalism and its renewal.

Yet, such a course of action seems to have provoked an emotional response among the federalists in Quebec and the rest of Canada. They obviously have been shaken by the firm commitment of the Parizeau government to have the debate centre principally on its option, and have expressed great frustration at the fact that the main emphasis will be put on sovereignty rather than on federalism during the forthcoming consultations on Quebec's political future. This reaction is somewhat puzzling because the same voices a few short months ago refused to define a new federalist option for Quebec, saying simply that the burden of proof lies with the sovereigntists. The leader of the official opposition in Quebec and the prime minister of Canada have been very much on the defensive and have used loaded words such as "illegitimate" and "undemocratic" to qualify both the substance and the process of the Quebec government's plan. It seems, however, that these arguments have not had

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