



Practical and Authoritative Analysis of Key National Issues

THE SEPTEMBER 12, 1994 ELECTION: ANOTHER STEP TOWARD SOVEREIGNTY

by Daniel Turp

The celebrations after the election of the Parti québécois on the evening of September 12 in Quebec City were modest, but the impact of the victory of the sovereigntist forces was nonetheless significant. After a very long and strenuous campaign, and in spite of systematic attacks on the main element of its program — sovereignty — Quebeckers had given the Parti québécois a mandate to govern Quebec and had accepted that a process be set in motion to allow Quebeckers to decide on their political future. Thus, on September 12, sovereigntists won a third consecutive battle against federalist forces in less than three years, demonstrating an ongoing coherent pattern of political behaviour among

Quebeckers since the demise of the Meech Lake Accord in June 1990.

This pattern should have had some sobering effect on the federalist forces, but the triumphant attitude of the federal and Quebec Liberal parties and their leaders sheds some light on how they perceive the issue of Quebec's political future. There seems to be a strong and overwhelming belief that Quebeckers are planning to reject sovereignty in the forthcoming referendum; a conviction that they, as other Canadians, want to get the national unity issue behind them as quickly as possible. There seems to be a prevailing sentiment among

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DÉJÀ VU ALL OVER?

by Daniel Latouche

The 1994 Quebec referendum campaign is barely a month old and there is still hope for a democratic, enlightening, and civilized debate on paper, at least, but only if we get rid of a number of clichés. Clichés, it would seem, never die, they just accumulate. They also move around faster today as a result of the electronic highway.

THE MOTHER OF ALL CLICHÉS

If a prize were to be awarded to the most pernicious of all clichés, one candidate stands in a class by itself. It usually runs like this: "The only way Mr. Parizeau and his separatists can win their referendum is through

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VOLUME 3, NUMBER 1
SEPTEMBER 1994

Single Copy \$5.00

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Canada Watch is a publication of the York University Centre for Public Law and Public Policy and the Robarts Centre for Canadian Studies of York University.

ANNOUNCING VOLUME 3 OF CANADA WATCH

This special issue on the Quebec election inaugurates Volume 3 of *Canada Watch*. We are pleased to announce that Daniel Drache has succeeded Kenneth McRoberts as Director of the Robarts Centre for Canadian Studies, and as co-editor of *Canada Watch* (along with Jamie Cameron of Osgoode Hall Law School).

Our objectives this year are to provide focussed commentary on issues of national debate and to make *Canada Watch* more accessible to a wider range of readers. To achieve these objectives, we have instituted the following changes. In place of the regular feature reports we have published in the past, each issue will offer diverse commentaries on critical questions of political and public debate. Thus, our first issue addresses the Quebec election; future editions will focus on other questions that include social policy reform, aboriginal self-government, and criminal justice.

Canada Watch will be published this year by the Centre for Public Law and Public Policy and the Robarts Centre for Canadian Studies. As part of that change in our production process, we are pleased to announce the following new subscription rates:

Institutions	\$75.00/year
Individuals	\$35.00/year
Students	\$20.00/year
Outside Canada add	\$10.00/year

Current subscribers should note that subscriptions in progress will be extended to reflect this change in pricing.

"Déjà Vu All Over?" *continued from page 1.*

an emotional appeal to Quebecers following some dreadful manifestations of hostility by disgruntled Canadians." Based on this in-depth analysis, the conclusion seems inescapable: "If Canadians from the other provinces can refrain from jumping on the Quebec flag, federalism is a sure winner." Consequently, the federal government should refrain from putting any set of constitutional reform proposals on the table, lest they arouse the animosity of Canadians and thus, indirectly, contribute to the separatist cause.

Such a vision seems to imply that nationalist Quebecers are exclusively motivated by some exacerbated sense of revenge, one which needs to be reactivated once in a while, lest it lose its edge. This vision of Quebec as a primitive tribe in

desperate need of an outside enemy — if it is, indeed, the prevalent vision in English Canada — tells us a great deal about the kind of country Canada has become. It only serves to increase Quebecers' suspicions about the need to belong to such a country.

It also increases the chances that Mr. Parizeau will win his referendum, and Canada could well find itself in the Czechoslovakian situation — that is, an unexpected win at a referendum with no alternative but full and complete sovereignty for Quebec. True, the chances of a sovereignty victory are not particularly high at this moment, but one should also recognize that even the most reassuring of polls put support for sovereignty at a 10 to 15 percent higher level than it was 10 months before the last referendum. True, the level of electoral support for the

Parti québécois was only 45 percent, but even this "low" level is four points higher than that of the PQ in 1976. The level of commitment of the PQ electorate to sovereignty is also light years ahead of what it was in 1976.

Furthermore, one should also remember that in 1980 sovereignty was only defeated because of a solemn promise of Mr. Trudeau to reform the federal system, and the expectation that such a reform would follow the lines of the beige book of Claude Ryan and of the Quebec Liberal party. If Canada refuses to put anything on the table before the referendum, it could well find itself overtaken by events the morning after. Imagine for a moment a PQ defeat with 46 or 47 percent of the vote. How long would it take for Mr.

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Parizeau to organize a second referendum if there is no sign of life on the constitutional front? Can Canada afford to take the chance of saying nothing? Is this in the best of Canadian tradition?

THE 1867 COMPROMISE

As required reading before taking, once more, the Referendum 101 course, all journalists, pundits, and analysts should re-read — or just plainly read — the Confederation Debates of 1865–1867. They might learn a thing or two on the principles on which this country was founded and on the dynamics that led very ordinary politicians to embark on such a grandiose plan, one for which no name had yet been invented. Eventually, they called it a "Dominion," but in 1865 the best they could come up with was a "new nationality." Fortunately, "political correctness" had yet to strike.

Colonial politicians of the day were not afraid to make new ground. They wanted to create a new kind of country, different from the dominant model of the day, the United States. With no help from a royal commission, and even less advice from any federal-provincial office, they came out with a hybrid solution that clearly made no sense anywhere else in the world and that only they could understand. It was a sort of multi-level sovereignty formula with most of the powers of what is now known as a national government residing either in London or in the provincial capitals.

Read the speeches of 1865. You will soon realize that in those days there was no equation between Canada and federalism. The idea that only federally elected politicians could speak for Canada because of their location in Ottawa would have been received with much

incredulity. Canada was first and foremost a number of intersecting partnerships — English–French, East–West, Catholic–Protestant — and all of the partners could speak in the name of the "firm." Canada was everywhere.

You will also learn that in 1867, the Canadian government was not simply a collection of departments and commissions located in Ottawa and under the jurisdiction of the House of Commons, but was more to be conceived as an unbroken chain of command that included officials and institutions located in London and in the provinces. In fact, in 1867,

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the "new" Canadian government had probably fewer instruments of sovereign power at its disposal than your average Canadian province in 1994. Clearly, the fathers of Confederation were not afraid of precedents and of breaking new ground.

What is so striking about the 1867 compromise? Certainly not the sophisticated way in which legislative powers were allocated between the central and provincial governments. Any political science major of 1994 could probably do better. The Supreme Court and the Charter of Rights? They never made it to the final text. No, in retrospect, what strikes us the most about this compromise is the very open-ended nature of the deal that was struck. Even the voices and the ideas of those who opposed federalism found their way into the final document. Imagine: in Quebec, George-Étienne

Cartier, the celebrated French Canadian father of Confederation, sold the *BNA Act* as the consecration of Quebec's independence from Upper Canada. What has made Canada such a lasting and interesting proposition is that it has always been able to incorporate within its political fabric some of the ideas and concerns of even the most disillusioned of its members. Americans have done the same. They have never stopped inspiring themselves from their own anti-federalist papers. Why then should Canadians insist in completely ignoring an ideological streak that is as Canadian as French on the corn flakes boxes?

Monsieur Parizeau is proposing that Canada should move into the supranational gear, the first country to do so. Why refuse to even discuss his proposal because any such discussion might bring comfort to his cause? Why insist that constitutional fatigue prevents the rest of the country from imagining a different kind of political arrangement with Quebec? Such a refusal not only pushes Mr. Parizeau to a more radical stand, but also suggests that his approach might be the correct one.

The Canada-Quebec issues will not go away, even with a referendum defeat of the Péquistes. Why? Simply because there is nowhere for this problem to go.

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