

*"Parizeau's Legal Arguments Backfire," continued from page 121.*

Section 41 of the amending formula describes those constitutional amendments that require the unanimous consent of the provincial legislatures and the Parliament of Canada. Included in this list are constitutional amendments in relation to "the office of the Lieutenant Governor of a province."

Provincial secession would seem to fall clearly within this category. It would eliminate entirely the office of the lieutenant governor of the province of Quebec, since Quebec would no longer be subject to the authority of the British Crown. Therefore, the Canadian constitution would permit the secession of Quebec only with the consent of all the other provinces as well as the Senate and House of Commons. Each legislature and the two federal houses would have to pass identical resolutions approving the terms of secession.

#### **PARIZEAU CAUGHT IN QUICKSAND ON BORDERS ISSUE**

It's easy to understand Parizeau's motivation in attempting to invoke legal arguments in support of his claims about the borders of an independent Quebec. Parizeau needs to convince Quebecers that separation will be accomplished cleanly and painlessly. He also wants to create the impression that separation is inevitable. Who wants to be left off the bandwagon of history?

Yet all that his questionable references to legal authority have accomplished is to reveal just how complicated the issue of Quebec's borders would prove in the event that Quebec attempted to secede from Canada. The more Parizeau talks about the issue, the more unresolved it appears. And, despite the protestations from Quebec media

commentators that this kind of discussion helps the sovereignty cause, one suspects that the Quebec people will draw rather a different conclusion from this unfolding controversy.

*Patrick J. Monahan is an Associate Professor at Osgoode Hall Law School, York University. National Affairs Report is a regular feature of Canada Watch.*



## **QUEBEC REPORT**

### **THE WORST OF ENEMIES**

*by Alain Noël*

#### **IMPOSSIBLE TASK**

Among political scientists interested in public opinion, the dominant impression is that the Parti Québécois will win the next election, but lose its referendum on sovereignty. Given current public opinion, the task at hand for sovereigntists seems almost impossible. They still have a chance; however, public opinion remains mobile and with the right conditions a winning majority could emerge at the decisive moment. Indeed, if what happened the week Lucien Bouchard went to Paris indicates what is to come should the Parti Québécois form a government, anything appears possible.

Reduced to the essential, the facts about Quebec public opinion are quite simple. Although a large number of voters remain undecided, the Parti Québécois leads the Liberals in public support and appears likely to take power in a fall election. The May budget presented by Finance Minister André Bourbeau did not reverse this trend. On the contrary, support for the Parti Québécois increased after it was presented. At the same time, support for sovereignty remains relatively stable, below the 50 percent threshold. If we assume that the Parti Québécois will win the next election, the key objective for sovereigntists will be to move public opinion on sovereignty.

#### **CLUSTERS OF VOTERS**

Experience teaches us that, however difficult, such an objective is

not beyond reach. Before the failure of the Meech Lake Accord in June 1990, support for Quebec sovereignty began to climb, to peak above 60 percent in the fall of the same year. This shift in public opinion started before the formal rejection of the Accord and probably had as much to do with the debate as with its outcome. In the months that followed, new support for sovereignty diminished. At least at one point in time, a strong majority of Quebecers were sovereigntists.

What governs such movements in public opinion? What could bring the temporary sovereigntists of 1990 back to sovereignty, or keep them away from it? It is important to "state the facts," argued a *Globe and Mail* editorial recently, because "the battle of Quebec has already begun." These are not "times for pulling punches," concluded the same editorial, and Michael Harcourt and Roy Romanow were right to denounce separatists.

While it may sound sensible, this type of reasoning assumes a negotiation is about to begin between two calculating actors pondering the respective advantages of their different options. In fact, public opinion on sovereignty has little to do with such a clear-minded, purposeful process. First, a good proportion of the Quebec electorate has already decided, one way or the other, and is unlikely to be swayed by last minute arguments, promises, or threats. Second, the voters that became sovereigntists in 1990, and that could make a difference in 1995, are precisely the least consistent, least informed voters. These individuals tend to be less interested in politics, less anchored in clear positions, and, probably, less likely to make the type of calculation assumed by *Globe and Mail* editorialists.

In a presentation at the May 1994 meeting of the Quebec Political Sci-

ence Association, Jean H. Guay, professor at the Université de Sherbrooke, summarized the results of a new analysis that confirms a clear distinction between what could be called coherent and undecided voters. There are, in fact, three clusters of voters in Quebec. First, the sovereigntists, who identify themselves as Quebecers, support the PQ and the Bloc Québécois, and voted "No" in 1992. Second, the federalists, who see themselves primarily as Canadians, support the Liberals in Quebec and Ottawa, and

---

---

*"A coast-to-coast emotional debate on the place of Quebec in Canada could move one-time sovereigntists back to sovereignty, and create the majority the Parti Québécois needs."*

---

---

voted "Yes" in 1992. Third, the undecided, who tend to identify themselves as French-Canadians, have fewer years of formal education, are less informed, and more easily change their position. This third group of voters, the primary target of political strategists, seems to be moved by two types of considerations: first, a sense of identity as Quebecers that will be more or less affirmed according to the circumstances, and second, an evaluation of the costs of the two basic options: the status quo and sovereignty.

#### STATING THE FACTS

Now, what did Harcourt, Romanow, Irwin, and others do when they "stated the facts" about separatism? Consider Harcourt's statement, by far the most revealing. If Quebec separates, predicted the B.C. premier, we will become "the worst of enemies." Such a statement is neither fact nor prediction; it establishes what amounts to a highly

conditional "friendship," and can only reinforce Quebecers' sense of identity. The slogans Jacques Parizeau is considering for a referendum are not factual either. Like the "worst of enemies" statement, they deal with identity and emotions and, in so doing, open up possibilities for sovereigntists.

For all sides, the complex interplay of emotions and cost evaluations that could influence the decisions of the less committed voters appears tricky. A threat meant to raise concerns about costs may end up triggering an emotional reaction anchored in identity. An affirmation of identity could just as well increase the awareness of the costs associated with change. What is certain, however, is that only sovereigntists need a movement in public opinion. In the light of current polling, it is unclear why politicians outside Quebec would want to stir up controversy, except to influence the provincial election.

If the emotional fuss that accompanies every step Lucien Bouchard takes out of Quebec or Ottawa is an indication of what is to come following the probable election of a PQ government, the chances of sovereigntists are not insignificant. A coast-to-coast emotional debate on the place of Quebec in Canada could move one-time sovereigntists back to sovereignty, and create the majority the Parti Québécois needs. Given the state of public opinion in Canada, such a debate will probably take place. We just do not know how acrimonious it will become.

*Alain Noël is Assistant Professor, Département de science politique, Université de Montréal. Quebec Report is a regular feature of Canada Watch.*

