

REFLECTIONS ON THE 1995 QUÉBEC REFERENDUM: PROBLEMS AND POSSIBILITIES

Allan Tupper

As I write in February 1996, I am slowly coming to realize the significance of the 1995 referendum in Québec. I therefore write humbly and with a growing awareness of the profoundly important events that will occur in Canada in the next two or three years. I again anticipate the intense pressures that social scientists and scholars will face as they consider their roles in the next round of debates about Canada's political future. Should we sit in our offices and think, read, and write? Or should we engage the debate and advocate solutions that may derive credibility from our training and expertise? Do we really broaden the debate and educate citizens by participating in media analysis and by advising governments? More generally, how should universities engage in the debate? At what point does involvement compromise their objectivity?

In this short essay, I advance neither a novel nor a compelling explanation of the results of the 1995 Québec referendum. Nor do I advance a clear prescription for Canada's malaise. The best I can do is borrow heavily from the collected wisdom of those who have carefully probed the Canadian political condition over the last decade.

In early 1996, we remain at a point in the debate where serious consideration of the referendum and its consequences is just beginning. This gives writers some freedom to see the world as they want to see it and to interpret the referendum results without having to confront the firmer, more rigorous analyses that will emerge with time. To this end, it is remarkable how little systematic discussion has occurred about the deeper social, political and economic determinants of the 1995 Québec referendum result. In a way that should worry Canadians, the Government of Canada, some provincial governments and interest groups are advancing political, constitutional and economic

policies to resolve a crisis whose main dimensions have not yet been clearly defined or explicitly articulated. Discussions of such topics as the "partitioning" of Québec in the face of a Yes vote and federal efforts to challenge the legitimacy of future Québec referendums have entered national debate without full explanation or justification. As a result, confusion increases. It is remarkably difficult to put such ideas in a broader context, to place them alongside clear definitions of the problems posed by Québec nationalism or to see where they fit in a planned process of national political renewal.

My objectives are simple and twofold. First, I try to give an overview of the "state of play" in the country in the immediate aftermath of the referendum. Second, I outline and comment briefly on some of the solutions that are commonly thought to be at Canadians' disposal.

THE CRISIS

As many observers have pointed out, the 1995 Québec referendum, with its razor thin No vote, is the third serious setback for Canadian unity in two years. The other two are the electoral success of the Bloc Québécois in the 1993 general election and the electoral victory of the Parti Québécois in the 1994 Québec provincial election.

The success of the Bloc Québécois continues to confuse and often anger many Canadians outside of Québec. Debate continues about the precise set of forces that led to the BQ's startling success in 1993. But most analysts in Québec see the Bloc as a legitimate expression of Québec nationalism that had lost its resonance in federal politics.¹ The BQ cannot be

easily dismissed as an irritating "protest" vote or as a carefully calculated effort to strengthen Québec's "bargaining power" in national affairs. The Bloc's success and presence profoundly challenges the federal Liberal party's fading claim to have unique insights into the Québécois mindset. Its strategic location forces the federal government to confront Québec nationalism in Ottawa and in Québec City.

The second serious setback for Canada is the 1994 provincial election victory of the Parti Québécois, although it did not win a majority of the popular vote. While federalists took short term comfort in the better than expected showing of the Québec Liberal Party, a separatist government was elected and now holds government power during a crucial period. Many factors shape the results of a provincial general election. But there can be little doubt that the Québec electorate who voted for the Parti Québécois did so with an awareness of its commitment to an independent Québec. It is hard to imagine it could be otherwise given Québec's political history over the last twenty-five years. The potential for creative use of government power to foster the sovereignists' cause has increased with the potent Lucien Bouchard installed as Premier of Québec. It remains to be seen how the PQ's commitment to dealing with Québec's troubled public finances will influence its drive toward sovereignty-association.

The significance of this trilogy of setbacks for Canada — a razor thin referendum win for the No forces, the remarkable success of the Bloc Québécois in the 1993 federal election, and the electoral victory of the Parti Québécois — cannot be underestimated. They are sobering even to those Canadians who remain optimistic about Canada's future. Indeed, the most optimistic possible interpretation of these events is that many francophone Quebecers have deep concerns about Canada as it is presently organized. The pessimistic conclusion is that an independent Québec is inevitable and that events will move with astonishing speed. Many interpretations fall between these two extremes and, as noted earlier, federalists have not yet advanced a clear assessment.

As Québec changes, so too does the mood of Canada outside of Québec. As the possibility of an independent Québec slowly deepens in the Canadian consciousness, so too does the need and inclination to consider the possibility of "Canada without Québec." As Alan Cairns has often noted, public debate about "Canada without Québec" was once taboo lest dis-

cussion of the topic lead to the unwanted outcome.² Such concerns are still expressed. But they are joined in 1996 by a quickly discovered self-interest and the realization that the country was not remotely prepared to cope with the Yes vote that nearly occurred in 1995. Among many English-Canadian intellectuals, it is now fashionable to speak of the need for two "plans," one to retain Québec as part of Canada and the other to establish the terms and procedures under which separation might occur.

In a related but different vein, no current of political thought in Canada is sympathetic to Québec nationalism. Analysts often link this "hardening" of attitudes to the rise of the Reform Party. But that is superficial. The Reform Party reflects, as well as forms, public attitudes. As Andrew Stark has argued, social democrats and other influential political movements in English-Canada have become less sympathetic to Québec nationalism in recent years for a variety of reasons.³

These points having been made, it is also fair to say that public opinion outside of Québec is diverse, complex and to a degree malleable. Several months after the trauma of the 1995 Québec referendum, it is hard to ascertain the state of public opinion in the country. We do not really know if Canadians' attitudes about their country, about the place of Québec in their visions and about the need for political renewal have changed. A key question is whether Canadians outside of Québec grasp that many Quebecers see *intrinsic* virtues in independence. Do Canadians outside of Québec now see nationalism as "real" or merely as a strategic calculation that increases provincial bargaining power? Or is it still seen as a flirtation with a romantic concept whose "real world" consequences are not really understood by Quebecers who support it? Whatever the precise answer to these questions, it is difficult to believe that attitudes have hardened to the extent that national renewal is impossible. In such circumstances, heavy burdens are placed on political leadership whose words and actions must be carefully weighed under difficult circumstances and in the face of volatile public opinion.

The Prime Minister of Canada and his government clearly are shaken by the close vote in the 1995 Québec referendum. The federal government argued throughout the campaign that the No forces would prevail handily, that Canada was not in question and that an independent Québec was not possible. The Québec agenda was said to be about the economy.

Nationalism was portrayed as an anachronism in the age of globalization. Ottawa's grasp of forces within Québec now looks weak and its arguments for Canada suspect in light of the vote. In all of this we see an irony — the federal government is said by analysts to be in disarray and lacking legitimacy while at the same time it remains very popular, at least in public opinion polls.

The federal government is more battle worn from its restraint initiatives than is generally acknowledged. As well as confronting Québec nationalism, it has aggressively undertaken controversial deficit reduction policies and significant changes to federal-provincial financial relations. Such measures have taken a toll on its political resources. The federal government must now operate on three fronts simultaneously. It must manage the national economy and be a lead participant in the operation of a complex federation whose activities must be seen to be "efficient." In light of the 1995 referendum results, it must also proceed with an agenda of political reform. In early 1996 it is not clear whether such an agenda will involve explicit constitutional change. Finally, it must now prepare for another referendum in Québec and for the possibility of a Yes vote. Even casual observers of public affairs will note that each of these activities is complex in its own right and intertwined in complex ways with the other elements. Positive action on one front may make action difficult on one or both of the others. The political resources of the most robust government will be strained in their pursuit.

On the other hand, provincial governments, notably in Alberta, Newfoundland, Ontario, Saskatchewan and New Brunswick, are governed by administrations who combine, in differing degrees, strong leadership, recent electoral mandates or considerable public support, governing vigour and an agenda for action. British Columbia may soon join that club. Canadians will sort their futures out through the prism of strong provincial governments and a wounded federal government that is waging intense political struggles on many fronts.

ALTERNATIVES AND POSSIBILITIES

Canada's options for political renewal are few. They are quite easily discerned. Formal constitutional change is an obvious avenue for reform. This

approach will return Canadians to further debate about the idea of Québec as a "distinct society," about alterations to federal institutions and about possible changes to the division of constitutional powers. But as a host of social scientists, politicians and citizens now attest, "mega"-constitutional reform is a complex, uncertain and perilous route.⁴ Canada now has a "constitutional culture" that demands citizen participation, the full involvement of aboriginal peoples and sophisticated interest groups. The constitution is now a forum for resolving divisive questions of political identity and public policy. Change is slow and deeply unpredictable. Once under way, constitutional discussions cannot be "managed" by elites and the agenda expands. Canadian expectations and passions have been raised and dashed twice in the last decade. The painful lessons of the Meech Lake and Charlottetown Accord failures are clear to many Canadians. Whether the country and its leadership has the commitment to one more try at this route remains to be seen.

In early 1996, the need for "decentralization" in Canadian federalism is widely asserted. The underlying presumptions of reformers are that the country is too "centralized," that better government will flow from strengthening provincial governments, and that "decentralization" is one of the few areas where common cause is possible between élites and where "soft nationalists" in Québec may see some hope. To my mind, such presumptions are dubious. More importantly, the "salvation through decentralization" crusade misreads the strong desire of Canadians outside of Québec to have a national government that matters. Such sentiments will make difficult efforts to transfer formally powers to the provincial governments, an approach that has, anyway, yielded few returns in the past.

An interesting variation on these themes is the current advocacy of administrative agreements between governments whose purpose is both to prove and improve the flexibility and adaptability of federalism. The underpinning ideas are more derivative of new theories of public management than of traditional Canadian approaches to intergovernmental relations. The key idea is that North American capitalism has "reinvented" itself in the face of sweeping change but reform in government has lagged. Flexible new administrative systems must be found that generate efficiencies, that prove governments are alert to the need for change and that better serve citizens (or "clients" as they are now called). Such tenets of "new public management" provide solution-thirsty govern-

ments with ideas that serve various political purposes. Administrative agreements of the sort now envisioned allow governments to give evidence of their quest to eliminate "duplication" in federal-provincial arrangements. Under the rubric of partnerships, they allow for greater provincial or even private sector involvement in the delivery of federal programs. They can be called "decentralizing" initiatives. "New public management" ideas can also be used to portray federalism, in contrast to Parti Québécois rhetoric, as a dynamic form of government well-suited to the challenges of a changing world. Through new administrative arrangements that pool the resources of different levels of government, citizens' needs, not the status and policy concerns of governments, are paramount concerns.

The key question is whether administrative arrangements that allow for intergovernmental "partnerships" in service and program delivery can really overcome deeper conflicts of interest within Canadian federalism.⁵ How much of contemporary Québec nationalism or political discontent outside of Québec is really rooted in concerns about the quality of public management or the "inflexibility" of federalism?

Another major option is "asymmetrical federalism," a complex and controversial term. Like many aspects of Canada's constitutional parlance, "asymmetrical federalism" is a term that now suffers an identity crisis. In its pure form, it refers to a flexible constitutional system wherein Québec would wield greater powers than the other provinces. The option has the great virtue of allowing Quebecers to have a provincial government that is genuinely "*pas comme les autres*." At the same time, Canadians outside of Québec could enjoy a federal government strong enough to meet their aspirations in a flexible federalism. As Reg Whitaker has effectively argued, asymmetrical federalism was not advanced during the Charlottetown negotiations because political élites did not then see an independent Québec as a genuine possibility.⁶ But after the 1995 Québec referendum and the 1993 federal election, Canadian politics have changed greatly. Asymmetrical federalism will and should appear again as an important option for political renewal. If asymmetrical federalism is seriously advanced as a solution, it will confront strong opposition from those who have elevated the slogan of equality of the provinces to constitutional sanctity and from those fearful of "special status" for Québec. How these dynamics will play out is unclear. A deeper concern is that asymmetry, far from being

a long term solution, is simply the final constitutional reordering of Canada prior to independence for Québec.

Alongside these arguments is the still popular solution, especially in Canada outside of Québec, of a "constituent assembly." As expressed with varying degrees of sophistication and vigour, the idea is that citizens, organized into a proper democratic forum, can find political solutions more readily than governments by themselves or than governments operating within the existing constitutional culture. For example, it is sometimes argued that "asymmetrical federalism" would be more likely to be advanced and adopted by an assembly than by political leaders. After the 1995 Québec referendum, constituent assemblies are sometimes also seen as vehicles for preparing and possibly negotiating terms of separation. For advocates of constituent assemblies, the problem is as much the process and procedures of change as its content.

Many details plague this idea — would delegates be elected and by what procedures? How long would the process take? How would other citizens be involved? What would constitute a recommendation and how would governments who must ultimately consent to change be involved? The deeper question is whether and why a constituent assembly would itself be free from deep conflicts about the nature of Canada.

Efforts at Canadian political renewal prior to the next Québec referendum will undoubtedly embrace elements of these options. As well, the Government of Canada, some provincial governments, interest groups and citizens will simply argue to Quebecers that Canada merits their support and that they can flourish as Quebecers within Canada. Counterpoised against such actions will be the option, relentlessly championed by the formidable Lucien Bouchard, of a sovereign Québec with some links with Canada. The next referendum may simply be a choice between the "status quo" with some fine-tuning and the sovereigntists' grand design.

My greatest personal concern is the emergence outside of Québec of the view that Québec independence may occur, that it can be achieved relatively easily and that both Canada and Québec would soon thrive. I am perhaps creating a strawman, but I think not. To my mind, there is yet no clear recognition in the Canadian consciousness of the complexity, pain and challenges of national disintegration. The view of

"let them go, separation will be *both* easy and mutually beneficial" is deeply worrisome. Canadians who assert such claims seriously underestimate the economic, sociological and psychological costs of breakup. In the event of a Yes vote and a drive to independence for Québec, a shattered country would have to establish new linkages with Québec while *simultaneously* reconstituting itself from scratch. Few realize that there is no such thing as "Canada without Québec." Through unspecified processes, a new country would have to be built in difficult circumstances.

GLOBALIZATION, QUÉBEC NATIONALISM, AND CANADA'S FUTURE

The Canadian political landscape is dominated by images of global economic change. These forces apparently reduce and redefine the capacity and importance of democratic governments. They demand the restructuring and downsizing of governments in an era of reduced expectations. As Charles Taylor has noted, such ideas as globalization impress on citizens their limited capacity to control their destinies and to share functioning political communities.⁷

Despite the enormous efforts of social scientists to understand Québec nationalism, surprisingly little attention or creative thought has been applied to the links between Canadian domestic events and international changes. Québec nationalism and possible Canadian disintegration are seldom situated on the broader stage of change. Benjamin R. Barber has provocatively captured the little understood links in the modern world between the homogenizing impact of economic and technological change and the simultaneous resurgence of often violent nationalism.⁸ In his vivid words, Jihad confronts McWorld. This sort of analysis is seldom applied to Québec nationalism, which is seen as a special case.

The 1995 referendum debates suggest that the No forces assumed that references to "global" economic change would strengthen their hand. Without reading too much between the lines, several controversial, implicit propositions can be seen in their arguments. First, federalism, not independence, is Quebecers' best protection against global change. Second, the principal concerns of modern democratic citizens are narrowly economic. They cannot easily be engaged in

emotional, social or psychological terms. Third, nationalism, far from being a complex, subtle and dynamic force, is an anachronism in the modern world. Fourth and finally, the creative use of state power has no real role in the rewinning of the Québécois' allegiance to Canada. To the contrary, evidence must be advanced that governments' role is changing and that market forces will play a much greater role in the future.

In the immediate aftermath of the 1995 Québec referendum, little public debate has occurred about these propositions. Other than acknowledging Mr. Bouchard's oratorical power, the chastened No camp has said little about the logic and weaknesses of its campaign. But as has been hinted at, the surprising vigour of the Yes vote upsets many conventional wisdoms about democracy in the 1990s. The Yes vote is arguably a genuine expression of a people's desire to control their futures and to challenge the forces of change rather than be swept along by them. The Yes campaign also offered the Québécois a sense of excitement, a commitment to common cause and an opportunity to avoid the dreary pan-Canadian agenda of fiscal restraint, cut-backs and calls for reduced citizen expectations. For many Canadians outside of Québec, the passions raised by the 1995 referendum in Québec were the source of concern, anger and probably also silent envy as they watched a powerful political engagement.

CONCLUSIONS

In this brief essay, I advance three concerns. First, I worry that the Government of Canada is moving too quickly in its response to the chastening outcome of the 1995 referendum in Québec. Plans for political renewal and for rewinning the allegiance of Quebecers are moving ahead quickly. Yet federal pronouncements seem unrelated to a clear view of the future or to a precise analysis of the strength of the Yes vote in the context of modern Québec nationalism. Second, despite the ambitions of reformers, the next referendum may be a straightforward contest between the Parti Québécois' vision of "sovereignty-association" and Canada more or less as presently constituted. It is unlikely that "mega"-constitutional reform is possible given events of the past decade. Finally, I speculate about the Yes vote as an effort by a political community to control its destiny in an era of sweeping change and to avoid North America's dreary "cut-back" politics. □

Allan Tupper

Department of Political Science, University of Alberta.

Endnotes

1. Alain Noël, "Distinct in the House of Commons: The Bloc Québécois as Official Opposition" in D. Brown and J. Hiebert, eds., *Canada: The State of the Federation: 1994* (Kingston, Ont.: Institute of Intergovernmental Relations, Queen's University, 1994) at 19-36.
2. See for example, Alan C. Cairns, "Ritual, Taboo and Bias in Constitutional Controversies in Canada, or Constitutional Talk Canadian Style" in D. Williams, ed., *Disruptions: Constitutional Struggles from the Charter to Meech Lake* (Toronto: McLelland and Stewart, 1991) at 199-222.
3. Andrew Stark, "English Canadian Opposition to Québec Nationalism" in R. Kent Weaver, ed., *The Collapse of Canada* (Washington, DC: The Brookings Institution, 1992) at 123-158.
4. Peter H. Russell, *Constitutional Odyssey: Can Canadians be a Sovereign People?* (Toronto: University of Toronto Press, 1992).
5. Allan Tupper, "Intergovernmental Canada: Towards a Redefinition" in A. Armit and J. Bourgault, eds., *Hard Choices or No Choices* (Toronto: Institute of Public Administration of Canada and Canadian Plains Research Centre, 1996) at 121-129.
6. Reg Whitaker, "The Dog that Never Barked: Who Killed Asymmetrical Federalism" in Kenneth McRoberts and Patrick Monahan, eds., *The Charlottetown Accord, the Referendum and the Future of Canada* (Toronto: University of Toronto Press, 1993) at 107-14 and Whitaker, "Thinking About the Unthinkable: Planning for a Possible Secession" (1996) 7 *Constitutional Forum* 58.
7. Charles Taylor, *The Malaise of Modernity* (Concord, Ont.: The House of Anansi Press, 1991).
8. Benjamin R. Barber, "Jihad vs. McWorld" *The Atlantic Monthly* (March 1992) at 53-63.

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