

Kenneth McRoberts

The John P. Robarts Professor
Of Canadian Studies

SIXTH ANNUAL ROBARTS LECTURE
5 March 1991

York University, Toronto, Ontario

A member of the York University Political Science Department since 1969, Professor McRoberts is the author of Quebec: Social Change and Political Crisis, Third Edition (1988) and numerous articles and book chapters. For his Robarts Lecture, delivered 5 March 1991, Professor McRoberts drew upon material which will be further developed in a monograph to be published by McClelland & Stewart.

English Canada and Quebec: Avoiding the Issue

Introduction

Ever since the summer of 1965, when I found myself in Ottawa as a research assistant with the Royal Commission on Bilingualism and Biculturalism, I have closely followed the great Canadian national unity debate. In fact, it has been a primary focus of my professional career. For most Canadians, who find the national unity question a crashing bore, such a preoccupation could only reflect the highest order of selfless devotion to professional obligation. The fact that my particular obligations involve the national unity debate must stem from some unfortunate luck of the draw. Yet, bizarre as this may seem, I have been continually fascinated by the debate. Among other things, I have been intrigued by how people can sustain a debate over such a long period of time without ever actually hearing, let alone understanding, what the other side is saying. The very sterility of the national unity debate has itself a certain fascination.

As many of you well know, academics in such disciplines as political science love to uncover ironies in the subject at hand. If nothing else, this provides a certain smug satisfaction. Academics can claim to see forces and processes at work which mere mortals cannot. Thus, it may come as no surprise that after three decades of examining English Canada and Quebec, I have uncovered a series of ironies -- in fact, at least four. There may well be more.

First, it is surely ironic that in the late 1960s many English Canadians, their Centennial euphoria jarred by the mounting threat of Quebec separatism, should turn to Pierre Elliott Trudeau to save the Canadian nation. Little did they know that he was the quintessential anti-nationalist, a man who had spent his adult life writing and lecturing

about the evils of nationalism. Then, under Trudeau's leadership Ottawa pursues a series of policies, such as the Charter of Rights and Freedoms, whose primary purpose is to transform the way Quebecois see Canada, leading them to feel more fully a part of it. Yet, these initiatives have relatively little impact on Quebecois. Instead it is English Canada which is transformed by them -- for most English Canadians they become the new principles of Canadian nationhood. Also, determination to maintain the fiction that Quebec is simply a province like the others leads some English Canadians to view all the provinces as if they are like Quebec. In effect, all the provinces become pseudo-nations or, at least, "distinct societies."¹ Canada becomes a "community of [undifferentiated] communities." Recently, it was even dubbed "a Community of the Canadas"² -- rather than the sum of its parts Canada becomes the parts themselves. Finally, the greatest irony of all, policies that were designed to avert the prospect of Quebec independence, by systematically avoiding any recognition of Quebec's specificity, may well prove to have had precisely the opposite effect -- heightening the chances if not ensuring that Quebec will finally choose independence.

Linking these several ironies is a common theme: the determination of English Canada to avoid confronting directly the Quebec issue. In fact, this determination has deepened over the last two decades, thanks in large part to the policies of the Trudeau era. Because of this, accommodation of Quebec within the federal system has become problematic indeed; the accession of Quebec to independence is now a real possibility. The Quebec question is no longer avoidable, but it is now presented in a form which makes its resolution exceedingly difficult. To make matters worse, English Canada is now forced to confront an even more difficult issue: that of English Canada. In its effort to deny Quebec's distinctiveness, English Canada has been led to deny, and perhaps fatally undermine, its own.

Before developing these various arguments, I need to clarify terms. First, "English Canada" and "Quebec." Obviously, I am using them as short hand. By English Canada, I really mean English-speaking Canada and I am roughly equating it with the territory of Canada outside Quebec. I am well aware that the Canadian population outside Quebec is not entirely English-speaking: 4% use French at home and twice as many (8%) use a language other than English or French.³ And I know that as much as 5% of English-speaking Canadians live in Quebec.⁴ Other more precise terms are beginning to gain currency, producing some new acronyms. Thus, commentators are beginning to refer to ROC or TROC for "The Rest of Canada"; CWQ for "Canada Without Quebec"; COQ for "Canada Outside Quebec." But these terms are not yet in public usage. Nor do they offer a term to denote the populations themselves. As for Quebec, I am very much aware that French is not the first language of all its residents: as much as 17% does not speak French at home: 12% use English and 5% another language.⁵ I will endeavour to use the qualifier French Quebec where appropriate. In some cases, the context may make this unnecessary.

Turning to the "issue" which English Canada has generally avoided, it stems from the presence, primarily in Quebec, of a French-speaking population with a centuries old history of seeing itself as a people, even a nation, and which in fact meets many of the

conventional definitions of a nation -- notoriously slippery as that concept may be. Out of this enduring fact, from the early 1960s onward there arose two basic demands for change in the Canadian constitutional order. First, the formal recognition that Canada is composed of two peoples or nations, whether they be seen as French Canada and English Canada or Quebec and the rest of Canada, or at least of two cultural groups, as in the notion of a Canadian duality. Second, that the government of Quebec should be afforded a particular status since not only do its residents constitute over four-fifths of Canada's French-speakers but it is the only provincial government whose electorate is primarily French-speaking. The formulations of this status have been many -- special status, distinct status, statut particulier -- but the rationale has always been the same.

To be sure, the emphasis given to each of these two themes has varied over time, as it has varied among different segments of French Quebec society. Moreover, within some formulations the themes are mutually exclusive. Some notions of a French-Canadian nation stretching across Canada deny any specificity to Quebec. Conversely, projects of outright independence for Quebec might exclude any relationship whatsoever with the rest of Canada. Nonetheless, both themes have displayed remarkable durability over the last 30 years, reappearing time and time again.

Moreover, among Quebec francophones as a whole, the commitment to these demands has steadily deepened and broadened over the last three decades. This is dramatically revealed in support for the most radical formulation of them: Quebec sovereignty. By most measures, support for sovereignty grew steadily over the 1960s and 1970s, from 8% in 1965 to close to 40% at the time of the 1980 Quebec referendum. Not surprisingly, it levelled off in the wake of the referendum defeat but apparently it did not slip. In autumn of 1989, as the collapse of the Meech Lake Accord became probable, support for sovereignty began to climb once more: by the end of 1990 it had reached over 60%. Subsequently, it seems to have fallen from this all-time high: by April, 1991, it apparently was below 50%. In the coming months, as the constitutional debate intensifies, support for sovereignty is bound to continue to fluctuate.⁶ Clearly, some Quebecois who have recently been attracted to sovereignty see it as a "default" option, to be exercised if they cannot secure accommodation of their demands within a federal framework. Yet, at the heart of their demands is one fundamental condition: recognition of Quebec's specificity as a society, and even a nation.

English-Canadian Responses In The 1960s

During the 1960s, there were some serious attempts among English Canadian political and intellectual leaders to grapple with these issues. First, the notion that Canada is composed of two founding peoples or nations was endorsed by all three federal parties. In 1963 the Liberal government of Lester B. Pearson created a Royal Commission on Bilingualism and Biculturalism whose mandate included recommending "what steps should be taken to develop the Canadian Confederation on the basis of an equal partnership between the two founding races, taking into account the contribution made by other ethnic groups to the cultural enrichment of Canada." Moreover, the composition of the Commission itself was closely wedded to this notion of "two founding races": four

French Canadians (three from Quebec) and four Anglo-Saxons (three from Central Canada) along with only two representatives of the "other ethnic groups."⁷

For their part, the Conservatives struggled with the notion of "two nations." In 1967, a thinkers conference at Maison Montmorency in Quebec adopted the position that Canada is composed of "deux nations," which was rendered "two founding peoples" in English. At the subsequent leadership convention, John Diefenbaker led a vigorous charge against the proposition but none of the other leadership candidates supported him, and the motion was "tabled."⁸

The New Democratic Party had already confronted the issue at its founding convention in 1961. On prodding from the Quebec delegates, it agreed that its programme should include the statement that Canada was created by the association of two nations and that throughout the document the term "federal" should be used in place of "national."⁹

As for the status of Quebec itself, during the early 1960s Prime Minister Pearson openly recognized Quebec's distinctiveness with such statements as:

While Quebec is a province in the national confederation, it is more than a province because it is the heartland of a people: in a very real sense it is a nation within a nation.¹⁰

Moreover, during this period the Pearson government allowed Quebec to exercise a de facto particular status by opting out of a large number of joint federal-provincial cost-shared programmes and even exclusively federal programmes. In doing so, it was simply building on past precedents. In 1954, Maurice Duplessis had reestablished Quebec's own personal income tax, using tax room to be vacated by Ottawa.¹¹ In 1959, the Diefenbaker government had agreed to vacate corporate income tax room in Quebec so as to allow Quebec City to recover funds which, in the rest of Canada, were paid directly to universities.¹²

With its commitment to state intervention, the New Democratic Party recognized that the federal government could not assume its proper role unless Quebec were to be excluded from its initiatives. Thus, it forthrightly adopted special status for Quebec at its 1967 convention. Drafted by Charles Taylor, the NDP position declared that:

In fields of government which touch a community's way of life -- fields such as social security, town planning, education and community development -- Quebec must have the right and the fiscal resources to adopt its own programmes and policies in place of those designed and financed by the federal government. At the same time, the federal government must be able to play an increased role in these fields where this is desired by the people of other provinces.¹³

During the 1968 election campaign, Tommy Douglas vigorously defended this position against Pierre Trudeau's onslaught, declaring:

The NDP takes the position that we must have a strong federal government. It must have power it has never had before to grapple with modern problems that are conspicuously beyond the grasp of the provincial and municipal governments. . . . Thus, it may mean that in any area such as education and housing, where Quebec feels that a strong federal power may erode provincial rights, it may be necessary to have two programs one for English-speaking Canada and for Quebec.¹⁴

And he bitterly decried the fact that "Anyone who talks about particular status for Quebec or any negotiation is automatically called a separatist" by the new Liberal leader, Pierre Elliott Trudeau.¹⁵

For their part, the Progressive Conservatives apparently did not take an explicit position on the question of Quebec's status, although party leader Robert Stanfield evoked sufficient openness to the notion to receive the support of *le Devoir* editor, Claude Ryan, during the 1968 federal election in opposition to Quebec's ostensible favourite son, Pierre Trudeau.¹⁶

Probably, neither of these positions commanded clear majority support among English-Canadian political and intellectual elites. In all three parties, each was vigorously challenged. John Diefenbaker's final act as Conservative Party leader was to lead the charge against the "two nation" thesis. The NDP's evocation of "two nations" precipitated Eugene Forsey's departure and its endorsement of special status for Quebec caused Ramsay Cook and Kenneth McNaught to break with it.¹⁷ But at least the "two nations" thesis and special status for Quebec were viewed as legitimate positions for discussion, and had advocates in English Canada.

By 1990, this was no longer the case. The Meech Lake Accord was a very pale reflection of these notions, presenting them simply in the form of interpretative clauses. Duality was framed in terms not of two peoples or nations, let alone races, but of two aggregations: English-speaking Canadians and French-speaking Canadians. The "distinct society" clause was bound by a clause designed to ensure that Quebec could not use it to secure additional powers. Even then, these provisions were clearly unacceptable to most English-speaking Canadians.

To some extent, the disaffection from two nations or distinct status for Quebec was spurred by concerns over concrete difficulties that serious application of them might entail. For instance, there has been concern about the effect which special status for Quebec might have on the functioning of the Canadian parliament. Can Members of Parliament from Quebec be allowed to debate and vote on measures which will not be applied in their province? But, as we shall later, the problems are not insurmountable.

In part, the explanation lies with social and economic changes that have occurred over the last two decades. For instance, there have been changes in the demographic composition of Canada which run counter to the two nations thesis, although in the aggregate they appear not to be as significant as often is presumed (the effect is primarily in metropolitan areas). The proportion of Canadians of French origin declined from 30.4% in 1961 to 28.7% in 1971. There was further decline in the 1970s and 1980s, although changes in the Census classifications make it difficult to produce a precise figure. But the British-origin proportion of the population has not declined to the same degree. In fact, by one estimate the two charter groups combined still represent 75% of the population. The real change in the relative dominance of the two charter groups came before 1961: from 83% in 1921 to 80% in 1941 to 74% in 1961.¹⁸

More dramatic are the changes which have occurred in the spatial distribution of economic power within English Canada, thanks to the heightened importance of Western-Canadian oil and gas reserves. As the economic importance of Alberta and British Columbia grew over the 1970s, so their provincial governments became more insistent on having the same status as all other provinces: there could be no distinct status for Quebec.

The New Federal Strategy

However, the growth in English-Canadian resistance to duality and distinct status for Quebec was primarily a function of the policies of governments, most notably that of Pierre Elliott Trudeau. In effect, during the middle and late 1960s English Canada was presented with a very clearly-defined strategy, and a quite credible promise that through it the Quebec question could be avoided. Not surprisingly, many English Canadians embraced the Trudeau strategy, albeit with varying degrees of enthusiasm.

The message of Trudeau and his colleagues was one that most English Canadians very much wanted to hear: Quebec could be fully integrated within Canada as a whole. To be sure, many English Canadians reinterpreted this message in their own simpler terms: Quebec would be "put in its place." Nor did many realize that Trudeau's personal mission was less one of saving Canada than one of saving French Quebec from itself, or from the dangers of nationalism. In fact, he had relatively little prior knowledge of the rest of Canada before his entry into federal politics, a fact which he demonstrated repeatedly.¹⁹ And many English Canadians resented Trudeau's republican tendencies, and the systematic downgrading of all symbols of the British connection. Nonetheless, he at least provided a credible route for avoiding and ultimately eliminating the Quebec question.

The Trudeau strategy proceeded from the assumption that Quebec nationalism, like any other nationalism, cannot and should not be accommodated within political institutions: the only result would be to legitimize demands for the creation of an independent Quebec state. What was needed was an alternative vision which would incorporate Quebec within a broader pan-Canadian experience -- or at least a French-Canadian experience which was integral to all of Canada.²⁰

The centrepiece in the Trudeau strategy was official bilingualism. It promised to nullify Quebec's claim to distinctiveness on the basis of language by making all of Canada like Quebec. In effect, the Quebec question could be supplanted by a more congenial one: the French-Canadian question. As Trudeau declared in 1968, if minority language rights are entrenched throughout Canada:

The French Canadian nation would then stretch from Maillardville in British Columbia to the Acadian community on the Atlantic Coast. . . . Quebec cannot say it alone speaks for French Canadians. . . Mr. Robarts will be speaking for French Canadians in Ontario. Mr. Robichaud will be speaking for French Canadians in New Brunswick, Mr. Thatcher will speak for French Canadians in Saskatchewan, and Mr. Pearson will be speaking for all French-Canadians. Nobody will be able to say, "I need more power because I speak for the French-Canadian nation."²¹

Reinforcement of language rights was, in turn, the central purpose of the second element of the Trudeau strategy: an entrenched bill of rights. The Charter of Rights and Freedoms does, of course, deal with many other matters. But language rights clearly were its *raison d'être*. Trudeau said as much when in the fall of 1980, after having released his constitutional project, he addressed the Quebec City Chambre de commerce. He explained that in order to avoid the English-Canadian cries of "French Power" which would have accompanied the entrenchment of language rights alone, the government felt it had to add other rights to the project.²² For that matter, federal priorities are clearly reflected in the fact that the provision for minority-language education rights is the only section of the Charter not to be subject to the notwithstanding clause, along with the mobility provision, and, thankfully, the requirement of elections every five years (along with the various interpretive clauses). At the same time, there also was the hope that Quebecois, like English Canadians, would come to see the Charter as a statement of their common rights as Canadian citizens, and on this basis as well become more firmly attached to the Canadian political community.²³

Concern with Quebec separatism also lay behind a third federal initiative: the policy of multiculturalism. Typically, multiculturalism is seen as a direct response to demands of the non-charter groups. Excluded by the concept of biculturalism, they began to mobilize in reaction to the activities of the B&B Commission. But Ottawa clearly had an additional purpose: by recognizing a multitude of cultures, multiculturalism could rein in the notion of duality and nullify Quebec's claim to distinctiveness on the basis of culture.

From the moment the B&B Commission was created, Trudeau and other Quebec anti-nationalists had been deeply suspicious of the notion of biculturalism. Their reasoning can be seen in a *Cite' libre* assessment of the B&B Commission's Preliminary Report.

[the government and the Commission] voluntarily abandon the linguistic dimension (which provides some concepts which are nonetheless applicable) so as to slip into "biculturalism" and to talk of equality of citizens in as much as they participate in one of two cultures. . . And what

is the meaning in practice of a Confederation which "develops according to the principle of equality between the two cultures"?

Once again, political science is very familiar with the idea of equality between individuals within the same state, but the idea of equality between peoples underlies the concept of national sovereignty, and it would have been interesting to see how the Commission intends to interpret its mandate without being led necessarily to propose the division of Canada into two national states.²⁴

As Raymond Breton, brother of one of the co-authors, has recently noted:

multiculturalism turned out to be instrumental to the Trudeau government's political agenda. Indeed, the terms of the royal commission could be interpreted as lending support to the "two nations" view of Canada. A policy of cultural pluralism would help to undermine a notion that was seen as dangerously consistent with the Quebec independence movement.²⁵

The final element of Trudeau's strategy in responding to Quebec was more straightforward: a strict adherence to a uniform federalism in which all provinces would have precisely the same status and role. Insisting that "federalism cannot work unless all the provinces are in basically the same relation toward the central government,"²⁶ Trudeau declared on one occasion that, "I think particular status for Quebec is the biggest intellectual hoax ever foisted on the people of Quebec and the people of Canada."²⁷ On another occasion, he used a vulgar French term to express his position more pithily.²⁸ Coupled with this insistence on a uniform federalism was a determination that the federal government play a significant role in the lives of all Canadians (Quebecois included), whether it be through programmes of transfer payments, such as Family Allowances, or major national undertakings, such as the National Energy Program.

This four-pronged strategy constituted a rare degree of coherence in governance. To be sure, the Trudeau government could not always act in full consistency with it. At times, even it was forced to make concessions to Quebec's specificity. Thus, in order to make Canadian federalism function, the Trudeau administration was led, like governments before it, to enter into special administrative arrangements with the Quebec government. In the case of immigration, the Trudeau government entered into a series of administrative agreements with Quebec which afforded that government a far greater role in the selection of immigrants than is played by any other province.²⁹ In 1973, responding to the concerns of the Quebec government, and only the Quebec government, Ottawa agreed to allow provincial governments to determine, within limits, the levels of benefits to be granted to their residents. Only one other province, Alberta, subsequently took advantage of this opportunity.³⁰ Also so as to make the Charter of Rights and Freedoms less provocative to Quebec nationalists, Trudeau agreed to a special provision by which children of English-language immigrants would not be guaranteed access to English-language schools until the Quebec Assemblee nationale has proclaimed its consent.³¹

Nonetheless, the overall direction was clear, and was pursued with remarkable consistency. In the process, the Trudeau government accomplished a monumental shift both in the form of Canadian institutions, as with constitutional patriation and the entrenchment of rights, and in the image and functioning of the federal government and the federal political arena, as with the establishment of official bilingualism.

Yet, far-reaching as these changes may have been, clearly they did not have the intended impact in Quebec. In particular, they did not cause the Quebec issue to disappear as promised, by leading Quebec francophones to incorporate themselves within a Canadian identity and experience. A 1977 opinion survey told it all. Quebec respondents were asked: "If French-speaking Canadians were treated as equals to English-speaking Canadians outside Quebec would this affect your attitude toward independence for Quebec?" Only 17% said it would; 81% said it would not.³²

Official Bilingualism

The centrepiece of the federal strategy for confronting Quebec nationalism was to establish official bilingualism as broadly as possible. One focus of these efforts, federal institutions in Ottawa, clearly had to be on any agenda to respond to Quebec. To be at all credible in the eyes of Quebec francophones, Ottawa had to expand the role of French and of francophones in its own operations.

Substantial progress has been made. Personal bilingualism is now the norm for federal party leaders. Francophones have assumed Cabinet portfolios which they had never occupied before. Francophone participation has grown in the upper levels of the bureaucracy, although at 22.1% for the Management category and 22.8% for Scientific and Professional it still falls short of proportionality³³ and there is reason to believe that this growth has not drawn proportionately from Quebec.³⁴ At the same time, less progress has been made in making French a language of work in the federal bureaucracy. As the Official Languages Commissioner declared in his 1990 report, "French still does not have its rightful place in the federal administration." He claimed that the situation has not improved since a 1984 Treasury Board study of official languages in the workplace which:

showed that French was used only approximately 30% of the time in bilingual regions. The Prime Minister himself deplored the fact in 1985 that language of work was often pure 'folklore.'³⁵

However, much more was involved than just official bilingualism in Ottawa. Coupled with this was a drive to strengthen the presence of the French language and of francophones within Canada as a whole, as in the notion of a French-Canadian nation that would stretch from "coast to coast." This entailed a concerted effort to make federal services available in French in as much of the country as possible. The Official Languages Act was passed in 1969 giving all Canadians the right to use either language in communications with government offices and requiring that both languages be used in public documents and court judgements. The 1960s and 1970s saw a major expansion of

Radio-Canada television and radio services beyond Quebec. Through the Secretary of State financial support was given to the organizational infrastructure of official language minorities, growing (in nominal dollars) from \$1.9 million in 1972 to \$26 million in 1987.³⁶

In addition, Ottawa launched a vigorous campaign to get provincial governments to afford official status to French and provide French-language services (recognizing the fact that the provinces are much more important than Ottawa in providing services to the public). In the end, only New Brunswick formally adopted official bilingualism, although Ontario has now given official status to French for many purposes, especially as a result of Bill 8. Finally, Ottawa has made extensive transfer payments to provincial governments under the Official Languages in Education Program. Spending rose (in nominal dollars) from \$57.5 million in 1970 to \$201 million in 1986-87.³⁷

Largely as a result of these latter efforts, bilingualism has indeed increased substantially among English Canadians outside Quebec. Among people of English mother tongue outside Quebec, bilingualism rose by 78% between 1961 and 1981, reaching 5%. Among those in the 15-29 age group, 10% are bilingual.³⁸

Nonetheless, the fundamental objective of the federal government's activities, strengthening the presence of francophones throughout Canada, has not been achieved. In fact, this presence has weakened. In effect, at the very time that some English Canadians began to embrace the notion of a French Canada, it was in rapid decline.

By the late 1960s, the francophone presence was already marginal in most parts of Canada. While it stood at 31% in New Brunswick, it was around 4% in three other provinces (Ontario - 4.6%, Manitoba - 4.0%, and Prince Edward Island - 3.9%), at 3.5% in Nova Scotia, and far lower in the remaining provinces: Newfoundland (0.4%); Saskatchewan (1.7%); Alberta (1.4%); and British Columbia (0.5%).³⁹ Even then the idea of a French-Canadian nation from sea to sea was totally unrealistic. French Canada never had stretched from coast to coast, and it certainly could not be made to do so.⁴⁰

Over the subsequent fifteen years, the situation has worsened. In all provinces but Quebec and New Brunswick, the proportions of French-speakers have declined significantly. The proportions of residents using French at home are now below 3% in all these provinces but Ontario, where it stands at 3.8%.⁴¹ By the year 2,001 no more than 3% of the population outside Quebec will be French-speaking.⁴² Given this marginality of the French-speaking population in most provinces, it is not surprising that official bilingualism has become one more target for populist attacks on government. In a recent survey, only 14% of anglophones outside Quebec reported hearing French daily; most claimed they never heard it.⁴³

Thus, in many parts of Canada official bilingualism has become a discourse which has little relationship to social reality. For instance, two years ago there was a national debate over whether Saskatchewan should give French official status in its legislature: translate its laws into French, record debates in French as well as English, and even

provide for simultaneous translation. The Supreme Court had determined that provisions of the Northwest Territories Act of 1886 still applied, giving French the same legal status as English: it could be used in the legislature and courts and all provincial statutes should have been enacted and printed in French as well as English. The Court declared that the Saskatchewan government had two options: comply fully with these provisions or repeal them. The government chose what amounted to a middle ground: repealing the provisions but enacting a new law which provided for the translation into French of statutes to be selected by Cabinet and affirmed the right to use French and English in the legislature and courts (in criminal cases).⁴⁴

The measure was widely denounced by Saskatchewan francophone groups who insisted on a commitment to translate all statutes.⁴⁵ Taking their cue from this, some Central Canadian politicians and opinion leaders were quick to denounce this abandonment of Saskatchewan francophones. Condemning the Devine government's refusal to translate all the statutes, Ontario premier David Peterson declared that "This puts pressure on the kinds of things that many of us believe in, in terms of nation-building, which requires respect for the minorities."⁴⁶ Opposition Leader Bob Rae declared that "I think it's a sad day for the country when governments take away from individual rights as they have been expressed by the Supreme Court of Canada," and proclaimed that Ontario should declare itself to be officially bilingual.⁴⁷

Yet, in invoking a pan-Canadian vision of language equality, critics tended to overlook the reality of language use in contemporary Saskatchewan. According to the 1986 census, within the province as a whole only 9,000 people, less than 1%, spoke French at home.⁴⁸ On this basis, formal equality of French with English could only be very problematic. For that matter, it is exceedingly difficult to see how the francophone community's bleak prospects for survival would be at all affected by the translation of laws into French. By the same token, condemnations of Saskatchewan's failure to undertake immediately the preparation of a French-language record of legislative debates, let alone establish simultaneous translation, glossed over the fact that at the time no one in the Saskatchewan legislature was fluent in French.⁴⁹

Even in Manitoba, where there has been an intense struggle to make French an official language, expand French-language services and entrench language rights, only 29,765, less than 3% of the population, spoke French at home in 1986.⁵⁰ Even there the future of French, as a social reality, may already be a moot point. One would not know this from the public debate.

More fundamentally, whatever impact expansion of French-language services might have had on the francophone minorities it would have had no direct impact upon the francophones of Quebec. By the late 1960s, they had become concerned about the status of French not in the other provinces but in Quebec itself. This concern was in reaction not to the unsatisfactory treatment of the francophone minorities (after all, this had been a longstanding phenomenon) but to new conditions within Quebec.

First, the 1960S saw a new demographic vulnerability of francophones within Quebec. In the past, a high birth rate among Quebec francophones had always compensated for the tendency of immigrants to integrate with Quebec's anglophone population. But with the 1960s the francophone birth rate declined rapidly. Second, the 1960s saw the impact of ongoing changes in the social structure of French Quebec. During the 1950s there had emerged a francophone new middle class of salaried professionals whose work consisted of the creation or dissemination and application of knowledge. Typically, they could best perform these functions in their first language, French. Often their professional mobility was blocked by the preeminence of English as a language of work in the upper levels of the Quebec economy. Thus, they had a natural concern for the quality of French and its general status in Quebec.⁵¹

These concerns placed in question the de facto equality between French and English which prevailed in Quebec, and which had provided the model that the B&B Commission and Ottawa had wanted to generalize to the other provinces. If the Quebec state were to intervene to address these problems, it would be difficult to do so under a regime of formal equality of English with French. Not surprisingly then, pressure grew upon the Quebec government to replace linguistic equality with the preeminence of French. This was accomplished, moreover, not with the famous (or infamous) Bill 101, which the Parti québécois government passed in 1977, but with Bill 22 which the staunchly federalist government of Robert Bourassa passed in 1974. It was Bill 22 which made French the sole official language of Quebec.

However, by the 1970s language regimes and constitutional regimes had become closely linked in the minds of many English Canadians. In actual fact there is no reason why, under federalism, a country's official languages must all enjoy formal equality at the provincial or state level. There are many instances where they do not, including that model of political and linguistic harmony -- Switzerland.⁵² But in Canada the notion had become established during the 1960s that federalism could be based only upon official bilingualism. Quebec's movement to French preeminence inevitably was interpreted as a rejection of the Canadian federal order -- in fact, nothing less than separation itself. Thus, rather than helping to bring English Canada and Quebec together, Ottawa's campaign to secure official bilingualism at the provincial level served to drive them apart.

The Charter of Rights and Freedoms

The second element in the federal government's strategy, an entrenched bill of rights, was of course achieved in 1982 with the Charter of Rights and Freedoms. Commentators have ascribed a variety of far-reaching effects to the Charter. Beyond heightening public sensitivity to conventional individual rights, the Charter is presumed to have established or strengthened the notion that a wide variety of groups are entitled to rights: groups based on physical handicap, race, ethnic origin, culture, or religion. (Of course, one of the most prominent such entities, women, is not really a "group" at all.) In the process, it is alleged, the Charter has served to mobilize these groups both to defend their rights under the Charter and to defend the Charter itself from any threat to its effectiveness.

More generally, it is presumed that the Charter has led people to conceive of Canadian society itself as a composite of groups, whose relative status is delineated in the Charter. As a result, Canadians will be less inclined to define themselves in territorial terms, as with their provinces, as opposed to groups or categories which exist throughout the country. Indirectly, then, the Charter should be weakening provincial identities to the benefit of a pan-Canadian identity, precisely the effect which it had been presumed would spring from official bilingualism.⁵³ Finally, through entrenching both individual and group rights the Charter is supposed to have expanded the meaning of Canadian citizenship, in the process providing a new focus for Canadian nationalism.⁵⁴

While some of these claims may have been overstated, clearly they do have some basis with respect to English Canada. But, these effects have not been nearly as present in French Quebec. There may have been a certain heightening of attention to individual rights. Certainly, it is an error to presume that Quebecois are less supportive of individual rights in general than are English Canadians. Recent studies have amply demonstrated that Quebec francophones are just as supportive of most forms of individual rights.⁵⁵ Moreover, on some such issues Quebec francophones have been prepared even to follow the Supreme Court's lead. For instance, in the wake of the Court's decision that Criminal Code provisions dealing with abortion violated the Charter, support for freedom of choice apparently increased significantly among Quebec francophones.⁵⁶

However, on issues which have been explicitly linked to the survival of the collectivity there clearly is less deference to individual rights, the Charter, and the Supreme Court's leadership in interpreting the Charter. This essentially boils down to the question of language. Thus, in the case of the Court's ruling on outdoor signs, there was a radicalization of opinion against the Court's ruling.⁵⁷

All the same, it must be said that the issue of outdoor advertising is only in the loosest of senses one of fundamental liberties. While the Charter incorporates rights for various groups within Canadian society it allows little room for the pursuit of collective goals. To that extent, as Charles Taylor has recently argued, it is very much wedded to a version of liberalism, originated in the United States, which focuses upon procedure, unlike the liberalism that characterizes many European societies as well as Quebec.⁵⁸

In the case of Quebec there is no evidence that through entrenching notions of group rights the Charter has strengthened group solidarity at the expense of territorially-defined solidarities -- in other words, at the expense of identification with Quebec. The clearest test of this possibility was the readiness of francophone women in Quebec to see the "distinct society" clause of Meech Lake as a threat to Section 28 of the Charter. After all Section 28 is perhaps the strongest instance of a Charter provision to which a group, if one can refer to women as such, is very strongly attached. In effect, it is only because of the mobilization of women's groups that the provision was inserted in the first place. English-Canadian leaders in the women's movement were quick to see the distinct society clause as a threat to Section 28 and to mobilize against it. Yet, their concerns had little echo in Quebec, where most women's groups simply saw no conflict between

constitutional recognition of Quebec's distinctness and the existing constitutional provisions regarding women.

In testimony before the joint parliamentary committee on the Meech Lake Accord, Francine C. McKenzie, President of the Conseil du statut de la femme du Quebec, declared:

There is no doubt that the concept [of distinct society] covers basic elements such as the aim of ensuring equality between men and women, which is already recognized in Quebec. Over the past 25 years Quebec policies have reflected this principle to such an extent that it can be said that they are an inherent part of the distinct society of Quebec. Thus it would be most odd if the recognition of this distinct society were to be seen as justifying fears of legislation undermining the rights already obtained by Quebec women as part of such society.⁵⁹

And Ginette Busque, President, Federatian des femme: du Quebec, maintained that:

In Quebec the respect of women's rights is more and more a part of the political culture. As a matter of fact, the progress which we have made with regard to the status of women is not unrelated to this quality of distinct society.⁶⁰

For our purposes, it is beside the point whether Quebec women were correct in their interpretation of the potential impact of the "distinct society" clause. Our point is simply that identification with Quebec and its distinctness was not seen as in contradiction with identification with the interests of women, including their constitutional interests -- quite the contrary. Over the last 25 years, Quebec women have in fact been very active in securing a variety of government measures, but the focus has been on the Quebec government. And when looking to legal action, they have tended to rely upon Quebec's own Charte des droits et libertes de la personne, passed in 1975, rather than the Canadian Charter. The Charter has not broken down this long established focus upon Quebec's own institutions.

Finally, there is little indication that the Charter has itself become the strong object of loyalty that it now is in English Canada. There is evidence to suggest that Quebec francophones are just as likely as other Canadians to see the Charter positively, although significantly less likely to know of its existence. There is even evidence that Parti quebecois members of the National Assembly are inclined to see the Charter as a "good thing."⁶¹ But when, in the case of outdoor advertising, the Charter or interpretation of it by the Court was seen as threatening the preeminence of French within Quebec, there was strong support for the Bourassa government's use of the notwithstanding clause to prevent this from happening.⁶²

The other two aspects of Ottawa's response to the Quebec question were direct denials of its very premises: the proclamation of multiculturalism and the insistence upon

formal equality among the provinces. Especially since neither official bilingualism nor the Charter of Rights and Freedoms had succeeded in undermining the bases of Quebec nationalism, these second two measures were bound to be very provocative to many Quebec francophones.

Multiculturalism

In pronouncing its new policy of multiculturalism in 1971, the federal government was explicit in its rejection of biculturalism. Prime Minister Trudeau declared that:

The very title of the Royal Commission whose recommendations we are now in the process of implementing seems to suggest that bilingualism and biculturalism are inseparable. But the term biculturalism does not accurately depict our society; the word multiculturalism is more precise in this respect.⁶³

In effect, then, French Canada's language may be one of two official languages but its culture is only one of a vast multitude of "cultures," many of which have at best a very nebulous existence.

The scope of this "multiculturalism" was clearly revealed in the basic elements of the federal policy. The federal government committed itself to:

1. Support all of Canada's cultures, and will seek to assist, resources permitting, the development of those cultural groups which have demonstrated a desire and effort to continue to develop, a capacity to grow and contribute to Canada, as well as a clear need for assistance.
2. Assist members of all cultural groups to overcome cultural barriers to full participation in Canadian society.
3. Promote creative encounters and interchange among all Canadian cultural groups in the interest of national unity.
4. Assist immigrants to acquire at least one of Canada's official languages in order to become full participants in Canadian society.⁶⁴

Clearly, there is a contradiction between the first proposition and the fourth one: all of Canada's cultures will be supported, along with cultural groups with a demonstrated will to develop, but their languages will not. One could legitimately ask why only French Canadians and English Canadians should receive support for their languages. For that matter, can a government meaningfully support a culture without supporting its language? As a consequence, both Ottawa and many of the provincial governments have been drawn into providing support for non-official languages as well.

The Canadian Multiculturalism Act, passed in 1988, contains within its preamble the declaration that "whereas the Constitution of Canada and the Official Languages Act provide that English and French are the official languages of Canada and neither abrogates nor derogates from any rights or privileges acquired or enjoyed with respect to any other language" and on that basis commits the government to "preserve and enhance the use of languages other than English and French, while strengthening the status and use of the official languages of Canada."⁶⁵ As a matter of fact, Ottawa has long been engaged in providing financial support for instruction in non-official languages. In 1977, it introduced a Cultural Enrichment Program, to support supplementary heritage language schools. By 1989, there were 129,000 students studying 60 languages in supplementary schools. In addition, it has established a Canadian Heritage Languages Institute in Edmonton.⁶⁶

Most provinces now maintain programmes through which children of non-English and non-French origin can receive some training in their ancestral language. Under Ontario's Heritage Language programme provincial funding is provided for children to receive this training either after the regular school day or during an extended school day. In most other provinces supplementary heritage language programs are supported through federal funds alone.

To be sure, such programmes of supplementary instruction in "heritage languages" do not mean that these languages have assumed "official" status. After all even Quebec, which has explicitly reserved official status to French alone, supports supplementary instruction in heritage languages, whether within the regular public school system (for approximately 100 hours per year) or in programmes of instruction maintained by ethnic groups themselves.⁶⁷ But the basic language of instruction in public schools remains French or, under the terms of Bill 101, English.

However, in parts of Canada where the francophone presence is marginal to begin with, such recognition of non-official languages may well serve to place all languages other than English, French included, on the same plane. After all, in each of the four Western Canadian provinces, people of French-origin are outnumbered by two or three non-British groups.⁶⁸ Thus, it is not surprising that on the Prairies non-official languages have assumed the status that francophone minorities have claimed for their language: language of instruction. In 1971, Alberta legally sanctioned the use of non-official languages as the means of instruction in public schools. Saskatchewan followed suit in 1978 and Manitoba did so in 1979. Now all three provincial governments are financially supporting bilingual programs through which Ukrainian or German are the languages of instruction up to 100% of the time at the kindergarten level and up to 50% thereafter. Alberta has other programs of instruction in English and another language - namely, Yiddish, Arabic, Polish, and Chinese.⁶⁹

By the same token, when the Saskatchewan government's Bill 2 was presented before the provincial legislature opposition attacks on it were framed in terms of, not linguistic duality, but Saskatchewan's multi-cultural heritage. The major opposition spokesman declared:

In his remarks yesterday in this Assembly, the minister spoke about a bilingual Canada and a unilingual Saskatchewan. He spoke of Saskatchewan's history as though the only culture, the only language, the only reality, had always been English, and English alone. But I submit to you, the minister's view is at variance with the multicultural heritage and multicultural history of Saskatchewan. His view is at variance with the multicultural nature of Saskatchewan today, for that view fails to acknowledge the hundreds of thousands of men and women of wide and varying ethnic backgrounds who came from the four corners of the globe to settle Saskatchewan, and who have contributed so much to this province.⁷⁰

In effect, then, not only has biculturalism become multiculturalism but, in the minds of some English Canadians bilingualism has become multilingualism. The interment of the old notion of two founding peoples could not be more complete.

Not surprisingly, multiculturalism was denounced in Quebec from the very outset -- even by people who at the time were clearly federalist in their sympathies. In November, 1971, Premier Bourassa wrote to Prime Minister Trudeau protesting the federal government's new policy of multiculturalism, claiming that it contradicted the guiding principle of the B&B Commission's mandate, "equality of the two founding peoples," as well as introducing a dubious dissociation of culture and language.⁷¹ For his part, Claude Ryan, then editor of *le Devoir*, declared:

In separating, as he has, language and culture, M. Trudeau minimizes the intimate connection which so vitally links one to the other. He omits a central fact: the two official languages of Canada, far from existing in the abstract as juridical definitions, are the expression of two cultures, two peoples, two societies which give Canada its distinctive shape.⁷²

Uniform Federalism

As for the final element in Ottawa's strategy for dealing with Quebec nationalism, maintaining a uniform federalism, the story is familiar to many. Through its insistence that Quebec be restricted to precisely the same status as all other provinces, the Trudeau government alienated a broad cross-section of federalists in French Quebec.

In 1966, thanks in part to the influence of Lester Pearson's new Parliamentary Secretary, Pierre Trudeau, the federal government began to undercut the de facto special status which Quebec had secured during the early 1960s.⁷³ Ottawa simply eliminated most of the cost-shared and exclusively federal programs from which Quebec had succeeded in opting out.

In 1968, outgoing Prime Minister Pearson outlined a blueprint for constitutional reform which heavily bore Trudeau's influence, and was reiterated by Trudeau himself, as Prime Minister, the following year.⁷⁴ The strategy attached first priority to patriation and

the entrenchment of rights. The second priority was reform of federal-level institutions. The issue which was Quebec's primary concern, the division of powers, was to be addressed only after these prior matters had been resolved. In effect, this strategy disregarded most federalist opinion leaders in Quebec, who insisted that modifying the division of powers was the key to resolving the Quebec question.

Two years later, at the Victoria constitutional conference, the federal government refused to accede to Quebec's demand that it, and any other province, be allowed to exercise paramountcy over areas of social policy.⁷⁵ Ottawa insisted that it must play the same role in all provinces. On this basis, the Charter was unacceptable to leading federalists in Quebec, including Claude Ryan who contended that the "the Charter tends to consolidate the preponderance of the central government over the affairs of Canada and to reduce Quebec to the rank of a province like the others, without regard to its problems and priorities." Ryan argued that the Charter had engendered opposition from such a wide variety of milieu in Quebec that its acceptance by the Quebec government would amount to a "tragic fraud."⁷⁶ Under such pressure, Bourassa was forced to refuse his consent and the process of constitutional revision ground to a halt.

Soon after, Ottawa's opposition to any particular status for Quebec was seconded by an even more rigorous opposition in Western Canada.⁷⁷ Under the Victoria Charter's amendment formula Quebec, and Ontario, would have been guaranteed a veto over constitutional change. But by the mid-1970s this was no longer acceptable. Alberta, as well as B.C. and Saskatchewan, had a new-found interest in constitutional issues: especially in light of unfavourable Supreme Court decisions, they sought to strengthen provincial jurisdiction over resources. B.C. declared that as a fifth region it should have a veto too. Alberta proposed that all provinces should have a veto. The principle of equality among the provinces was reiterated at an interprovincial meeting in Edmonton.

With the election of the Parti quebecois in 1976, federalist forces produced a variety of documents which proposed to modify the division of powers in ways that responded to Quebec's demands. Typically, they assigned these powers to all other provinces as well, with some possibility of delegating them back to Ottawa. Such changes were central elements of not only the Quebec Liberal Party's Beige Paper, but also the report of the Pepin-Robarts Task Force on National Unity which had been established by the federal government itself.⁷⁸

Nonetheless, the Trudeau government dismissed all such proposals out of hand as deviations from the one true course. Instead, it proceeded with its own package of constitutional reforms which followed precisely the agenda set out back in 1968. The essence of the package was constitutional patriation plus an entrenched bill of rights. The only respecification of the division of powers lay in an area that concerned Saskatchewan and Alberta, not Quebec.⁷⁹ The final constitutional package, which ultimately the PQ government refused to sign, was opposed not just by independantiste forces in Quebec but by a broad cross-section of federalist forces as well. Federalist forces in Quebec have never recovered from the embitterment which ensued.

In sum, the predominant strategy for responding to Quebec nationalism, conceived and orchestrated by Ottawa during the Trudeau years but enjoying substantial support among English-Canadian opinion leaders, clearly has failed. After 25 years of official bilingualism and nine years of a Charter of Rights and Freedoms, coupled with the celebration of multiculturalism and insistence upon the equality among all provinces, Quebec included, Quebec nationalism, and support for Quebec sovereignty, has reached unprecedented heights. The Quebec question is now posed with far greater urgency than ever before.

Trudeau's ability to win massive electoral victories in Quebec, time and time again, had created the impression in English Canada that Quebecois had rallied to his policies and adopted his vision of Canada, and of Quebec. Yet, this may have been an illusion: for most Quebec francophones federal elections had offered a choice between a fellow Quehecois whose party had deep roots in French Quebec and two English-Canadian leaders of primarily English-Canadian parties.⁸⁰ The choice could not have been simpler.

Contemporary English-Canadian Attitudes About Quebec

Yet, ironically, while not having led Quebecois to incorporate Quebec within a pan-Canadian experience, these very same policies have profoundly affected the way in which English Canadians see their country. With varying degrees of enthusiasm English Canadians have embraced all four notions -- official bilingualism, the Charter of Rights and Freedoms, multiculturalism, and equality among the provinces as central principles of Canadian nationhood. By the same token, these principles have left English Canadians ill-equipped to confront, or in many cases even comprehend, the Quebec question on its own terms.

Many English Canadians are unable to understand the linguistic dimension of the Quebec question since, thanks to official bilingualism, French is seen as enjoying privileged status throughout Canada, robbing Quebec of any distinctiveness. To make matters worse, expansion of French-language services outside Quebec is understood by many English Canadians to be a concession to Quebec, a very expensive one at that. Thus, there has been understandable anger when, thanks to such measures as Bill 22, Bill 101, and most recently, Bill 178, English Canadians learn that the Quebec government has all the while proceeded to establish the preeminence of French within its own territory. In effect, Quebec appears to have been acting in bad faith, insisting on linguistic equality in the rest of Canada but refusing to recognize it within its own territory. Rather than taking measures needed to correct the historical disadvantage of French in Quebec, Quebec is seen to be violating a contract which it had made with English Canada whereby official bilingualism would be the rule throughout the country. The problem, of course, is that few Quebecois had called for, let alone agreed to, such an undertaking despite representations made on their behalf by Ottawa. The misunderstanding could not have been more complete.

Thanks to multiculturalism, it is now difficult for many English Canadians to comprehend the cultural dimension of the Quebec question. Canada is now seen as

composed of a multiplicity of cultural groups. Neither French Canada nor Quebec can have any special claim. Moreover, a myriad of groups have been organized around these other cultures, forming a vigilant defense of multiculturalism and a fierce opposition to biculturalism. Thus, two Liberal MPs, Charles Caccia and Sergio Marchi, chose these terms to condemn the Meech Lake Accord's references to Canadian duality. The Accord constitutes:

A rear-view mirror vision which may have been valid two generations ago, an outdated [definition of Canada] . . . primarily satisfied with only depicting our people's past and our country's history. . . . Millions of Canadians are left out who do not identify with either English or French. They have no place in the Accord, and they are outside the Constitution.⁸¹

Finally, it is now very difficult to comprehend the political dimension of the Quebec issue thanks in large part to the Trudeau government's approach to federal-provincial relations, but also to the reconfiguration of power in English Canada towards the west. English Canadians are now firmly wedded to the idea that all provinces must have equal status. Measures such as the Victoria Charter amendment formula, which were acceptable twenty years ago, are no longer so.

The effects of these three policies, linguistic equality in provincial affairs, multiculturalism and uniform federalism, have each been reinforced by the Charter. The Charter reinforced linguistic equality by entrenching a limited form of minority language rights, within Quebec as well as rest of Canada. It reinforced the effect of multiculturalism by giving constitutional status to a wide range of non-official language groups. And it has reinforced uniform federalism by specifying that rights must be the same in all parts of Canada. All provincial governments are to be bound by exactly the same constraints and obligations in dealing with their citizens.

These effects were dramatically demonstrated in the English-Canadian reaction to Bill 178. It had been at the insistence of English Canadians, not Quebecois, that the notwithstanding clause had been incorporated into the Charter in the first place. But over time the Charter had acquired such legitimacy in English Canada that it became unacceptable for Quebec, or any other government, to use the notwithstanding clause. The Quebec government could contend that its action was necessary to preserve Quebec's cultural distinctiveness. But such an objective was itself problematic to many English Canadians. Minority rights were absolute. Languages had to have equal status.

To be sure, for the architects of the Trudeau government's strategy these changes in English Canada's political culture are an enduring accomplishment. Such mechanisms as the Charter ensure that long after Trudeau's departure from the political scene English Canada will continue to be shaped by his vision of Canada and can be counted upon to reject the types of accommodations of Quebec which he had so fiercely fought. In this sense, the strategy has been remarkably effective.

Moreover, on their own terms, many of these measures can be seen to constitute real progress. In two provinces, New Brunswick and Ontario, francophone minorities now receive a broad range of services in French; together these two minorities represent the overwhelming majority (83.3%) of French-speakers outside Quebec.⁸² Without Ottawa's leadership this probably would not have happened. And the Charter has indeed served to strengthen some forms of individual rights and to bestow recognition upon a wide variety of social groups. Multiculturalism at least has helped non-charter groups to feel more fully part of the Canadian political community and has placed a clear obligation upon governments to combat ethnic prejudice and racism.

However, in terms of their original purpose, which was to resolve the challenge to Canadian unity posed by Quebec, these measures have been quite detrimental. Not only have they not produced the anticipated effects in Quebec, but they have made far more difficult the task of resolving the Canadian crisis. While Quebec francophones have become much more inclined to see Quebec as a distinct entity, if not a nation, requiring formal recognition, English Canada has become much more resistant to any recognition of Quebec's specificity.

The Meech Lake Debacle

This state of affairs was dramatically demonstrated by the Meech Lake debacle. The original purpose of the Accord was manifest: to address finally the Quebec issue. More precisely, it was intended to resolve the deficiency of the 1982 constitutional revision: Canada had patriated its constitution but without Quebec's signature. By any reasonable standard this was a major problem which, at some point down the road, could have disastrous consequences.

To be sure, in the mid-1980s the forces of Quebec nationalism, and especially souverainisme, were at a low ebb. Severely demoralized by the 1980 referendum, many Quebec souverainistes had abandoned political action altogether. For its part, the Parti québécois had been torn apart by René Lévesque's decision in 1984 to embark on "un beau risque" of negotiating Quebec's adhesion to the constitution. Thus, at the time many observers concluded that separatism had finally died; Pierre Trudeau, and his policies, had indeed won the war.

Yet, beneath the surface were signs that Quebec francophones were just as inclined as ever to identify with Quebec and its government. For that matter, surveys suggested that support for Quebec independence had remained stable.⁸³ And in many Quebec milieu, federalist as well as souverainiste, there was a lingering bitterness over the way the Trudeau government and the nine English-Canadian premiers had proceeded to revise the constitution without Quebec's approval. Thus, the danger clearly existed that if and when the forces of souverainisme should rally they could capitalize on a major grievance shared by many Quebec francophones: Quebec's "exclusion" from the constitution.

The Mulroney government clearly had partisan incentives to address this matter; since its new Quebec base derived in large part from a broad coalition of Quebe

nationalists united in their antipathy to Trudeau's constitutional "coup." But this can hardly explain the readiness of Liberal premiers David Peterson and Joe Ghiz or NDPer Howard Pawley to enter into serious negotiations to secure Quebec's adhesion to the constitution. Clearly, there were compelling reasons of a higher order.

Yet, if the premiers and Prime Minister could accept the terms necessary to Quebec's adhesion, English-Canadian public opinion clearly could not. Certainly, there was unhappiness over the procedures through which the Accord was reached: the time-honoured practice of closed-door First Ministers Meetings. And for many English Canadians the Accord was heavily tainted by antipathy they felt towards Brian Mulroney and his government. Yet, these were not the primary bases of opposition.

First, the very notion that there should be a "Quebec" round of constitutional negotiations troubled many English Canadians -- after all, many thought, the Quebec question had been settled with the 1980 referendum and the 1982 constitutional revision. And the declaration that Quebec constituted a "distinct society," however carefully hedged in by other provisions, offended a great many English Canadians. Of all the provisions of the Accord, this one aroused the strongest opposition.⁸⁴

In part, this opposition may have reflected hostility to the very notion of constitutionally recognizing Quebec's specificity, borne of twenty years of conditioning to the Trudeau vision. This hostility could only have been reinforced by the English-Canadian backlash against Bill 178 as well as the tendency of the English-Canadian left to blame Quebec for the loss of the 1988 "free-trade" election.

In other cases, however, opposition to the "distinct society" clause was articulated in terms of overriding principles – also legacies of the Trudeau regime. Opponents of the Accord would declare that they agree wholeheartedly with the objective of addressing Quebec's legitimate concerns but only if some superior principle is upheld whether it be: unimpeded preeminence of the Charter; absolute equality in the status of provinces; multiculturalism; or formal equality between English and French. In effect, thanks to these new principles of Canadian political life, there was no room left to address the Quebec question. This is not to question the depth of commitment these individuals felt to such principles. But commitment or not, the result was the same: once again the Quebec question was side-stepped.

In this fashion, English-Canadian opposition to Meech Lake's recognition of Quebec's specificity emerges quite clearly as a result of the policies of the Trudeau government. But, of course, the linkage can be revealed more directly: through his personal intervention Trudeau provided indispensable leadership to the opposition forces.

During most of the last three decades, there were precious few references, both in English Canada and Quebec, to the obvious fact that the two charter groups formula ignored the native peoples. Rare were the English Canadians who rejected duality on this basis. Ironically, of course, it was the aboriginal question which finished off Meech -- with Elijah Harper's use of procedural measures to prolong debate of the Accord in the

Manitoba legislature. And in the wake of this, the summer was dominated by the Mohawk crisis which pitted aborigines against Quebec's provincial police, as well as groups of area residents who at times behaved in a very nasty manner.

The aboriginal question does indeed raise fundamental questions about any vision of Canada as composed of just two nations, and maybe even about the proper boundaries of a sovereign Quebec. Among all of Canada's historical injustices, the treatment of aborigines surely ranks as the worst. Yet, concern about the aboriginal question appears to have played only a minor role in English-Canadian resistance to duality or the recognition of Quebec's specificity -- at least, until very recently.

Looking back over the last 25 years in Canada one cannot avoid the temptation to suggest, however unfairly, that: the policies which were designed to avert the prospect of Quebec independence, by systematically avoiding any recognition of Quebec's specificity, had precisely the opposite effect, heightening the chances if not ensuring that Quebec would finally choose independence. But then hindsight is always easier. The real challenge is to address the future -- especially the immediate future.

Where Do We Go From Here?

Clearly, there can be no going back. Opportunities have been lost. Approaches to resolving the crisis which might have been effective just a short while ago are no longer sufficient. Despite the quite limited scope of the changes which it offered, the Meech Lake Accord enjoyed very broad support in Quebec. It enjoyed such support primarily because of the "distinct society" clause. However minimal may have been the clause's concrete significance, at least it explicitly recognized Quebec's specificity. It was the very first time, in thirty years of constitutional discussion, that Ottawa and the other provincial governments had been prepared to do so.

Now such a minimalist approach would no longer win Quebec support: the Meech Lake debacle appears to have radicalized the feelings and attitudes of many Quebecois. Until two or three years ago, most Quebecois had only a vague sense of English Canada and its views on constitutional change. Even during the 1980 referendum debate, English-Canadian involvement had been minimal; the debate had been essentially among Quebecois. If there had been disappointments in the past, they always could be blamed upon strategical errors of the Quebec government or upon the influence and machinations of Pierre Trudeau. There had persisted in Quebec the hope that maybe with the right approach English Canada could be persuaded to meet Quebec's aspirations.

The debate surrounding the Meech Lake Accord dispelled all illusions on that score. English Canadians made their views on constitutional change known in a way they never had before. And a good many of them opposed the Accord precisely because it recognized Quebec's specificity. This, in turn, provoked a strong sense of rejection and spite in French Quebec which has greatly radicalized options. In terms of the Accord's objective, national reconciliation, passage of the Accord quickly became a moot point.

Quebec knew that if the Accord were to be passed, thanks to some eleventh hour manoeuvring, it would be over the objection of a great many English Canadians.

In effect, English Canada and Quebec at last have listened to what each other has been saying, but the result has been polarization rather than a coming to terms. Attitudes in both English Canada and Quebec have now hardened to the point that no middle ground is left.

Options For The Future

English Canadians and Quebecois are now more firmly wedded than ever to radically different conceptions of the Canadian political community. Typically, English Canadians steadfastly insist that Canada is a single nation whose members may be divided by two languages and a multitude of cultures but share a primary loyalty to national institutions in Ottawa. Most Quebec francophones not only claim that Canada is composed of two nations but have come to see the French-speaking nation as rooted in the government and social structures of Quebec -- to which they owe primary loyalty.

Not surprisingly then, English-Canadian and Quebecois objectives for constitutional change are totally different. For English Canadians reform of central institutions, rather than the division of powers, is at the heart of the constitutional agenda. Highest on their agenda is an elected Senate which will both make Parliament more democratic and make the federal government more fully representative of all the regions of the Canadian nation. Also high on the agenda is reinforcement of the Charter whether through the introduction of new provisions or the elimination of the notwithstanding clause, so as to make it even more effective as a fundamental element of Canadian nationhood.

However, for Quebecois the primary focus of constitutional revision can only be, as it has been for over thirty years, reform of the division of powers so as to enhance the jurisdictions and status of the Quebec government, as a national government. Reform of institutions in Ottawa, whether they be the Supreme Court or Senate, arouses little interest. Thus, in its original version the Allaire Report of the Quebec Liberal Party's Constitutional Committee not only called for the outright abolition of the Senate but openly recommended that the Supreme Court no longer have jurisdiction over Quebec. Appeals of cases, including Charter cases, beyond Quebec's own courts would be eliminated.⁸⁵ Moreover, Quebec's own Charte des droits et libertes de la personne would be given heightened status through entrenchment in a new Quebec constitution.⁸⁶ (Only as a result of a last-minute stand by party federalists was the first provision, Senate abolition, modified at the Party convention.⁸⁷

Clearly, to restrict discussion of constitutional revision to the essential English-Canadian agenda, central institutions and the Charter, is to ensure that the discussions will fail. Quebec's agenda, the division of powers, can no longer be avoided. If this agenda should be seriously addressed, it may still be possible to devise a formula through which Quebecois' concerns can be met within a federal framework. Certainly, many Quebec francophones would welcome such an effort. In a recent survey, 52% of Quebec

respondents chose federalism over Quebec sovereignty and 71% agreed with the statement that "the rest of Canada should try to negotiate a new constitutional deal with Quebec." At the same time, 58% declared that they would vote in favour of sovereignty in a referendum if no agreement for a revised federal order should be reached.⁸⁸

There are basically four approaches to addressing Quebec's concerns:

1. A radical decentralization of powers to all provinces, essentially to meet Quebec's concerns.
2. Asymmetrical federalism in which some of the federal government's functions would, in the case of Quebec, be exercised by the Quebec government.
3. A bifurcated federalism in which the present federal government would have jurisdiction only in the rest of Canada. The federal government of the Rest of Canada and the Quebec government would enjoy a large set of jurisdictions. A new level of government would have limited jurisdictions over both Quebec and the rest of Canada.
4. Quebec sovereignty -- with or without an economic association.

(To be sure, any concrete strategy for renewing the federal system might well draw on more than one of the first three approaches.)

Radical Decentralization

Within the established parameters of English-Canadian thought, radical decentralization might appear to be the preferred option. It has the promise of keeping Canada together but without any "concessions" to Quebec. Quebec would secure a large set of additional powers, but so would all the other provinces.

Moreover, global decentralization has a strong affinity with the neo-liberal critique of the state which has gained prominence in some quarters. There is every reason to believe that if functions are transferred to the provincial or local level not only will standards in services to citizens vary from jurisdiction to jurisdiction but, given business pressures to maintain competitiveness, there will be a levelling down towards the lower standards of service offered by some jurisdictions. Decentralization is bound to facilitate experimentation in downscaling services and heightening "efficiency of delivery."

Not surprisingly, then, radical decentralization appears to be the plan of the Mulroney government which is presently pursuing a major in-house exercise in which senior civil servants are asked to imagine a massive restructuring of Canadian federalism. And decentralization has become the majority view among academics and constitutional experts.⁸⁹

Yet, attractive as it might be, a massive across-the-board decentralization would be the worst possible choice for English Canada since it would destroy any remaining basis for cohesion. It would undermine Canada's, and English Canada's, central government at a time when, thanks to the free trade agreement among other things, English Canada's cultural institutions and distinctive social programs are under serious threat.

Moreover, it would not respond to any clear demand from within English Canada. As in the past, the primary thrust towards decentralization has come from Quebec's demands -- which have had to be generalised to all provinces given English Canada's insistence that any powers devolved to Quebec must be granted to all.

This point was recently made abundantly clear by the leading spokesman for Western-Canadian discontent, Preston Manning, leader of the Reform Party. During a tour of Quebec, he declared that Western Canada's wish list would not resemble the Allaire Report's vision of a radically decentralized Canada. Manning contended that Western Canadians still believe in a strong central government, but one that is more responsive to them. They do not believe that items such as the environment or unemployment insurance or manpower training should become exclusively provincial matters. "Our whole theme is that the west wants into Confederation as a more equal partner, not out."⁹⁰

By the same token, a recent survey of English-Canadian attitudes found an overwhelming rejection of decentralization. In point of fact 60% of anglophones outside Quebec preferred a greater centralization. Typically, they wanted this centralization to be combined with a Senate elected on the basis of regions. Only 18% opted for a Canada decentralized into four or five regions.⁹¹

Finally, not only does radical decentralization of powers not respond to a clear demand from within English Canada, it may not be even be a sufficient response to Quebec's demands. After all, even with vastly heightened powers Quebec would still be simply "a province like the others."

To be sure, some limited enhancement of provincial jurisdictions might be useful as an element of constitutional revision. And a strong argument can be made for freeing the provinces from constitutional obligations with respect to language policy. But, radical decentralization of powers is clearly not the formula to resolve the present crisis.

The problems which decentralization would pose for English Canada are not really avoided through schemes under which any province would be entitled to assume a function otherwise exercised by Ottawa, by exercising paramountcy, or to defer a function assigned to it, by delegating it to Ottawa. (In constitutional terms Section 94A would be generalized to facilitate the first route; a delegation clause would be inserted to facilitate the second.⁹²) There is no assurance that in each case Quebec would be the only province to opt out or that all other provinces would opt in -- leaders of some other provincial governments might see electoral advantage in taking over a program from Ottawa. The probability is great that the infamous "Checkerboard Canada" would result,

in which the role of provincial governments would vary dramatically from province to province. With no clear pattern of federal and provincial responsibility, how could the average citizen possibly hope to know which government to hold accountable for a given policy area? How could English Canada retain any sense of itself as a political community if its national government should be reduced to such a confusing and uncertain role?

Finally, the issue cannot be finessed by concocting a "rebalancing" of policy roles in which some powers would be centralized and others would be decentralized. There is no evident formula by which English Canada and Quebec could agree on such a scheme. Quebec will not agree to centralization of the powers that English Canada might want to see assumed by Ottawa. The most probable English-Canadian candidate for centralization would be post-secondary education, precisely the jurisdiction which Quebec would guard the most ferociously.⁹³ Nor, as Preston Manning avowed, is there much English-Canadian interest in the powers which Quebec would most likely wish to assume, such as cultural policy, manpower, and unemployment insurance.

In sum, the fragmentation of English Canada, with attendant risks, is simply too high a price to pay in order to be able to avoid the Quebec issue. In its effort to avoid being consumed by Quebec's agenda, English Canada would be allowing precisely that to happen. English Canada has an interest in finally facing the Quebec issue directly and adopting political institutions which delegate powers to Quebec alone. The big question is whether, in light of the radicalization of Quebec opinion over the last year, this still can be accomplished within a federal framework. Basically, there are two approaches to restricting the delegation of powers to Quebec alone: "asymmetrical federalism" and what might be termed "bifurcated federalism."

Asymmetrical Federalism

Under asymmetrical federalism some of Ottawa's functions would, in the case of Quebec, be exercised by the Quebec government. Ottawa would continue to exercise these functions in the rest of the country.

This type of asymmetry could result in several manners. The constitutional designation of powers might explicitly assign to Quebec powers not held by the other provinces. Quebec could enjoy exclusive control over these jurisdictions or they might remain shared with Ottawa but subject to Quebec's paramountcy. To be sure, such an asymmetry also could result not from the granting of new powers to Quebec but from the decision of all the other provincial governments to transfer an existing provincial jurisdiction to Ottawa, using sections 38 and 40 as well as section 94 (Constitution Act, 1982).

Rather than from the constitutional specification of jurisdictions, asymmetry might also emerge from intergovernmental agreements under which Ottawa allows Quebec to assume full responsibility for programmes which elsewhere the federal government operates exclusively or in collaboration with the provinces. This type of "opting out,"

derived from intergovernmental agreement, has a lengthy history. Clearly, however, it would not have the same appeal to Quebec as would a constitutionally based asymmetry since the "opting out" provisions of federal-provincial agreements would be subject to changing attitudes in Ottawa. This was precisely the fate of many of the opting out arrangements which Quebec secured during the early Pearson years but lost as the Trudeau vision of federalism gained sway in Ottawa. (To be sure, in its provisions dealing with immigration the ill-fated Meech Lake Accord did introduce the notion that federal-provincial agreements might be afforded constitutional status.⁹⁴)

However they may be derived, there is an oft-noted institutional difficulty with asymmetrical arrangements under which federal or federal-provincial programmes do not apply to Quebec. (For Pierre Elliott Trudeau and his supporters the difficulty was of capital importance, sufficient to render asymmetry inoperable.) What is to be the role of Quebec MPs when bills are placed before the House to establish or modify such programmes? Are they to be allowed to vote on such bills? Historically, Quebec MPs have in fact done so. Moreover, two Quebec MPs, Monique Begin and Marc Lalonde, even assumed responsibility, as Minister of Health and Welfare, for administration of the Canada Pension Plan, even though it did not apply in Quebec which had its own Quebec Pension Plan. There appear to have been no objections to these instances. Perhaps, as David Milne argues, no objections arose because this asymmetry had not been formalized in the constitution.⁹⁵ Also, objections might have arisen if the scope of Quebec's non-participation had been much more extensive. But so far Canada's limited experience with Quebec's non-participation in federal programmes seems to have been satisfactory.

On the presumption that any future application of asymmetry would have to be very extensive, some commentators have suggested ways to avoid difficulty. One remedy would be that Quebec's MPs simply would not vote on measures which do not affect their province.⁹⁶ Presumably, in these instances a government would fall only if it did not secure majority support among the remaining MPs. Alternatively, the proportion of MPs from Quebec might be reduced, although experience elsewhere suggests caution in following this route.⁹⁷

The real challenge to asymmetrical arrangements for Quebec is not institutional but political. After thirty years of conditioning into the Trudeau vision of Quebec and Canada could English Canada possibly accept that Quebec assume functions not shared by the other provinces, in effect enjoying a "special status"? A recent survey clearly suggests otherwise. Respondents were asked: "Do you prefer that Quebec be given the powers it demands to stay in Canada or should the federal government refuse Quebec's demands even at the risk of seeing Quebec separate?" An overwhelming majority, 75%, of English-speaking Canadians declared that Ottawa should refuse.⁹⁸

Recently, Allan Cairns has suggested that English-Canadian resistance is to Quebec, as a province, assuming additional powers. If Quebec were to be reclassified, so that it is no longer a province, then the principle of equality among the provinces would no longer apply.⁹⁹ Whether English-Canadian public opinion would appreciate such a subtlety is far from certain.

Bifurcated Federalism

In order to avoid the complications which asymmetrical arrangements for Quebec might pose for the functioning of Parliament, some analysts have argued for schemes which we have arbitrarily labelled "bifurcated federalism." Under these schemes, Quebec and English Canada each would have governments with the same set of extensive powers. In addition, a new government would exercise a certain number of powers over Quebec and English Canada together.

The most recent formulation of such a scheme is in Philip Resnick's proposal for a new Canada-Quebec union.¹⁰⁰ Here, the present federal government would have its jurisdiction scaled down to English Canada (or The Rest of Canada) alone. Its powers would, in the case of Quebec, be exercised by the government of Quebec. In effect, the two governments would be "national" governments with coequal powers. A new government of the Canada-Quebec union would assume a very limited set of powers: foreign policy, defence, international trade, finance, citizenship.¹⁰¹

This arrangement would indeed avoid the institutional difficulty associated with asymmetry. However, it may well introduce institutional difficulties of its own. English Canadians would then have three levels of government to contend with and hold accountable (along with local government). The few functions discharged by the new Canada-Quebec Union would be bound to receive less scrutiny than now.

To be sure, Resnick does propose that the English-Canadian members of the Canada-Quebec Parliament would be elected. However, they would have been elected for a different purpose: they would be the members of an elected Senate. (With an elected Senate direct election for the Canada- Quebec Parliament would result in four sets of elections, which he acknowledges would be unmanageable.) Can electors effectively hold them accountable for actions in two different bodies? In all likelihood, Senate issues would prevail at their election. By the same token, within Resnick's scheme the Senate would overrepresent peripheral areas to offset Central-Canadian dominance of the House. This same bias would be injected in the Canada-Quebec Parliament. Finally, the government of the Canada-Quebec Union would need a vote of confidence to take office. If it should lose this confidence, how can the Parliament be dissolved and a new Parliament elected? The Canadian members would be Senators who, as such, hold office until the next Senatorial election.

There may well be remedies to each of these difficulties or the difficulties themselves maybe supportable. Since the prevailing orthodoxy has not supported discussion of such alternatives to a uniform federalism, we have had little opportunity to work through fully their various implications.

Once again, the primary obstacle is at the political level. Would "bifurcated federalism" be any less objectionable to English-Canadian opinion than asymmetry? Would it not be viewed as special treatment for Quebec? To be sure, Quebec would no longer be a province. But would not English-Canadian opinion insist that to be part of

Canada Quebec must be a province, like the others? Would not granting Quebec "national" status simply be provocative?

Thirty years ago such arrangements as formal asymmetry or bifurcated federalism may well have been politically attainable. Certainly, English-Canadian intellectual and political elites felt free to discuss and debate them, as legitimate options for Canada. The hour is late indeed to begin anew such a discussion.

Sovereignty

The remaining alternative is, of course, sovereignty for Quebec and for what remains of Canada. Sovereignty does have the compelling promise of resolving the Quebec question once and for all. English Canadians can avoid having to grant Quebec any distinct status within Canada. Quebec francophones will secure recognition by the international community, including what remains of Canada, of their claims to nationhood. Four sets of objections have been commonly raised to Quebec sovereignty.

First, a wide range of observers have credibly argued that Quebec could not expect to enjoy a comprehensive economic association with Canada, comparable to the common market and monetary union outlined in the 1970s proposal of the Parti québécois government, with its elaborate scheme of jointly run structures.¹⁰² The difference in demographic and economic weight (roughly 3:1) between English Canada and Quebec would be bound to render such a regime problematic. English Canada would have trouble accepting the principle of parity; Quebec would have difficulty accepting the subordination of economic policy to English-Canadian interests which would result if parity were relaxed.

However, free movement of goods in an arrangement patterned after the Canada-U.S. Free Trade Agreement might well be mutually advantageous. In fact, it is difficult to imagine that Washington would countenance the erection of tariff barriers along the Ottawa River given its own commitment to Hemispheric economic integration.

Second, a few students have contended that Quebec's accession to sovereignty would necessarily lead to English Canada's disintegration, unleashing centrifugal forces linked to the steadily increasing trade linkages between most provinces and the United States. For instance, Peter Leslie has argued that, especially in the face of a unilateral declaration of independence by Quebec, the "default" position for the rest of Canada becomes that of a set of "independent successor-states." Canada Without Quebec would be torn apart by regional conflict. Western Canada would not tolerate the ability which Ontario would now enjoy, as half of Canada Without Quebec's population, to impose its economic interests; for its part, Ontario would have no incentive to accept such devices as a reformed Senate which would subordinate its interests to those of the rest of the country. And with Quebec gone "the political coalition supporting interregional redistribution would probably disappear," to the detriment of Atlantic Canada.¹⁰³

Yet, in its focus upon regional interests such an analysis seems to be overly economicistic and to underestimate the bases of cohesion within English Canada, especially if it were to receive strong leadership from national institutions. After all, the rest of Canada (by and large) has shared common political institutions for over 125 years. There is no reason why, if Quebec should secede, English Canadians should cease to think of themselves as Canadians or to feel less attached to their national government in Ottawa. (This alone would create a strong pressure on Ontario to accept the institutional adjustments needed to maintain this new Canada and, in conjunction with the other prosperous provinces, to maintain equalization.) In fact, I will argue below that over the last two decades English Canada has acquired a new sense of political community, thanks in particular to the initiatives of the Trudeau years.

Third, it has been commonly argued that the accession of Quebec to sovereignty would vastly increase the vulnerability of Quebec, and English Canada, to American economic and political domination.¹⁰⁴ Among other things, Washington and American-based multinationals would be able to play one entity off against the other. Yet, it is also possible that freed of their mutually-frustrating wrangling and clearly confirmed in their respective nationhoods, English Canada and Quebec would be better disposed to stand off American influence.

The fourth objection, that the process of arranging Quebec's sovereignty would itself entail horrendous costs, is a much more formidable contention. It is indeed conceivable that English Canadians and Quebecois could be consumed by their longstanding antagonisms. Negotiation of the divisions of federal assets and debt could become bogged down in bitterness and recrimination. Finally, if English Canada should decide to challenge the boundaries of a sovereign Quebec, claiming for Canada some of the present territory of the province, then the potential for conflict and even violence is indeed great. Yet, none of these eventualities need to occur. If Quebec residents should decide in a properly conducted referendum, perhaps under international supervision, that they wish to accede to sovereignty then English Canada would have every interest in joining Quebec in a rapid and expeditious negotiation of the issues.¹⁰⁵ It would be especially likely to do so if, having squarely faced the Quebec issue and having assessed the available options for accommodating Quebec within federalism, it should decide that sovereignty is preferable.

Negotiating A New Regime: Defining English Canada's Interests

Now that English Canada is fully confronted with the Quebec question, it desperately needs to assess properly the available responses. English Canada needs to determine which option it really does prefer -- and which are genuinely unacceptable. In particular, any possibility that the crisis might be resolved through regimes such as asymmetrical federalism or bifurcated federalism, to which much of English-Canadian opinion is instinctively hostile, depends upon their first being approved by an authoritative spokesman for English-Canadian interests.

To be sure, many English Canadians will resist the notion they should themselves define a position on constitutional change. To do so without the active participation of Quebecois might appear to be "playing the separatist game," building independentiste logic right into the constitutional deliberations and thus increasing the likelihood that they will culminate in Quebec independence. Yet, this question has already been foreclosed by the Quebec government.

After the failure of the Meech Lake Accord the Quebec government declared that it would attend no more First Ministers Conferences on the constitution. And it has refrained from advancing a set of propositions of its own. Instead, in line with the recommendation of the Belanger-Campeau Commission, it has declared that it is simply awaiting "offers" from the rest of Canada. Moreover, if a satisfactory "offer" should not arrive, then (following Belanger-Campeau's recommendation) the Quebec government is to call a referendum on Quebec sovereignty by October 26, 1992, at the latest. It is entirely possible that this referendum would pass (just as it is possible that the Parti quebecois could win the next provincial election). Thus, while English Canadians may well resent the imposition of a deadline and resist formulating an "offer" to Quebec, it is very much in their interest to determine whether in fact they do prefer Quebec sovereignty to an accommodation of Quebec within a federal framework.

English Canada's position can only be determined within an explicitly English-Canadian institution. The federal government has neither the mandate nor, at least at the moment, the credibility to do so. And the nine provincial governments alone cannot claim to speak for the common interest of English Canada as a whole. A new institution needs to be created for English Canada: a constituent assembly.

In order to succeed in its task, such a constituent assembly would need to possess two somewhat contradictory characteristics: (1) authority in the eyes of governments and legislatures, and (2) legitimacy in the eyes of the English-Canadian public. First, any offer to Quebec must be a credible one, especially after the Meech Lake debacle. Thus, it must have the necessary approval of Parliament and provincial legislatures. (In the words of the Belanger-Campeau commission: "seule une offre liant le gouvernement du Canada et les provinces pourra etre examinee"¹⁰⁶ by a committee of the Assemblee nationale charged with assessing all offers from the rest of Canada.) Thus, Parliament and provincial legislatures must be morally, if not legally, bound to adopt its proposals. This would militate in favour of an assembly composed solely of Members of Parliament and members of provincial legislatures.¹⁰⁷

However, there is a serious danger that such a body composed solely of elected politicians would not seem legitimate in the eyes of many English Canadians. Even if participation is extended beyond governments to opposition parties, the result may still be too reminiscent of the First Ministers Conference which was so roundly attacked during the Meech Lake saga. The people, it was argued, must themselves assume responsibility for revising their constitution. On this basis, legitimacy could be best attained by making a constituent assembly directly elected. Yet, the circumstances of this constituent assembly would be quite extraordinary: its deliberations must result in the presentation of

an "offer" to Quebec within a relatively short period of time. Not only would direct election of the assembly take considerable time, it would reduce the likelihood that an agreement would be formally adopted by the necessary governments in which case all would be for naught. On this basis, the most appropriate model might well be the Belanger-Campeau Commission. Although it was appointed by the Quebec Assemblee nationale after elaborate inter-party negotiations, it included not only elected politicians but a substantial number of non-elected representatives of different elements of Quebec society.¹⁰⁸

In practice, these questions would be answered by the various governments which would have to create the new English-Canadian constituent assembly: the federal government, nine provincial governments and the two territories. Different governments might follow different formulae. For its part, the Quebec government has already declared that it would not participate in such a constituent assembly. Thus, even if for form the assembly should be defined as pan-Canadian, in practice it would be based on English Canada (with perhaps the participation of some Quebec MPs). One way or another, the result would be an assembly of English Canada charged with defining English Canada's response to the present constitutional crisis.

The English-Canadian Question

In defining their response to Quebec, English Canadians also will for the first time be led to address the fundamental question of what kind of a country they want for themselves. Whether the crisis is resolved through asymmetrical federalism, bifurcated federalism or Quebec sovereignty, English Canada will emerge with political institutions which are largely or totally its own. For thirty years now a certain number of Quebecois have been debating the kind of country they want Quebec to be; English Canada has only begun think of the kind of country the rest of Canada should be. In its effort to deny the validity of Quebec's claims, English Canada has been driven to deny its own existence and has almost succeeded in doing so. Yet, even now, there is a certain coherence to English Canada.

Ironically, some elements of English Canada's present identity reside in initiatives which were really aimed at Quebec. First and foremost is the Charter. Its primary purpose may have been to entrench language rights but for many English Canadians it has assumed central importance both as a global statement of their rights and as an essential element of Canadian citizenship. A second component of English Canada's identity is the principle of equality among the provinces. The principle may have gained prominence in response to Quebec's demands for special status, but it now has been turned on Ontario as well as in the demand for a triple E Senate. And the principle of multiculturalism may also have become a part of the English-Canadian political culture.

In addition, there are more deeply rooted bases for cohesion within English Canada: namely, symbols and institutions which have been undermined or weakened, whether because they conflicted with the manufactured bilingual pan-Canadian identity of the Trudeau government or because they were victims of the Mulroney government's neo-

liberal campaign to downscale the Canadian state. Some may be lost for good, despite their past emotional appeal to many English Canadians, simply because they were too rooted in the British tie. As with the Red Ensign, they may have been replaced because they were offensive to Quebec. But they would also be unacceptable to the new multicultural English Canada.

Other symbols and institutions could have a great deal of importance to Canada without Quebec if they were allowed to fulfil their original mandate. A classic case is the CBC. Not only was it created largely through English-Canadian efforts, its English-language component has always functioned essentially as an English-Canadian institution. But it has been gutted by the present government. One also thinks of the National Film Board, The Canada Council, and Via Rail.

Beyond that, the federal government itself might be able to fulfil its potential role if it no longer had to frame initiatives so as to be acceptable to both Quebec and English Canada. It might even become the focus of national cohesion that it was decades ago before the Quebec question came to the fore. This is especially so if it is reformed so as to ensure adequate representation from all parts of Canada. If Quebec were actually to depart, such reform would be an unavoidable necessity given the overwhelming economic and demographic weight which Ontario would wield within Canada without Quebec. Perhaps, if the institutions of the new Canada were much more fully representative, there might even be a disposition to transfer jurisdictions to them. Post-secondary education is a leading candidate. In the last analysis, it is only because of Quebec that Ottawa has been unable to play a more direct role.

Finally, the very resolution of the Quebec question would itself bring considerable benefits to English Canada. We, and Quebec, would be freed from a sterile debate which has consumed enormous amounts of time and energy. The agenda facing Ottawa would be considerably reduced. With the Quebec question off the table, we could have the kind of constitutional debate which many English Canadians have been desperately seeking to stimulate, going beyond such issues as relations among governments and the codification of rights to the basic relationship between citizens and their governments. We could have a debate about democracy. For many English Canadians this was the real issue raised by the Meech Lake debacle, and the process of executive federalism surrounding it.

In short, all sorts of possibilities open up once the Quebec issue is finally faced. It is just possible that in doing so, English Canada will discover itself. In the last analysis, this is the real challenge that was posed so many years ago by the Quebec issue.

Endnotes

I am very much indebted to a large number of colleagues for comments on the initial version of this lecture: David Cameron, Stephen Clarkson, Ramsay Cook, Jean Daigneault, Daniel Latouche, Neil Morrison, David McQueen, Robert O'Brien, Philip Resnick, Francois Rocher, Francois Vaillancourt, Yves Vaillancourt, William Westfall, and Reg Whitaker.

¹ In his recent proposal for a "Community of the Canadas," Thomas Courchene actually refers to "the five nations of the community: Eastern Canada, Quebec, Ontario, Western Canada and the first nations /

territories" (Thomas J. Courchene, "La Communauté des Canadiens," mémoire soumis à l'invitation de la Commission sur l'avenir politique et constitutionnel du Québec, le 15 janvier 1991, 33 -- my translation).

² Ibid.

³ Calculated from Statistics Canada, "Adjusted Language Data, Special Document, April (1988), 6 & 11.

⁴ Ibid.

⁵ Ibid, 11.

⁶ The growth of support for independence during the 1960s and 1970s is traced in Maurice Pinard and Richard Hamilton, "The Parti québécois Comes to Power: 1976 Election," Canadian Journal of Political Science, XI: 4 (December, 1978), 742-743, and Pinard and Hamilton, "The Independence Issue and the Quebec Electorate," Canadian Journal of Political Science, X: 2 (June, 1977), 243-249. They show that support for "the separation of Quebec from the rest of Canada" grew from 8% in 1965-66 to 24% in 1976. (Questions which referred to terms such as "independence or sovereignty," as opposed to "separation," tended to secure higher positive responses.) From 1978 onward, Quebec's Centre de la recherche sur l'opinion publique has regularly tracked support for "la souveraineté du Québec." In September, 1978, 33% of respondents said they were "very" or "rather" favourable to sovereignty. By May, 1980, the proportion in favour had risen to about 37%. It appears to have remained at that level in the subsequent years: an autumn, 1985, survey produced over 35% in favour of sovereignty-association (Louis Balthazar, Bilan du nationalisme au Québec [l'Hexagone, 1986], 197) and a November, 1987, survey produced 44% (La Presse, November 30, 1987, B1). CROP places support for sovereignty at about the same level in September, 1989 (the CROP report does not provide data for the intervening years), but traces a spectacular rise since then, reaching the unprecedented level of 64% in November, 1990 (with 30% opposed and 6% without opinion). "Portrait des Québécois," l'Actualité, janvier, 1991, 13-16. However, an April Globe & Mail / CBC poll placed support for sovereignty among Quebec respondents at 47% (The Globe & Mail, "Quebec and Canada," April 22, 1991, A6. A downward trend in support had already been revealed (down to 54%) in a February survey conducted by Multi-Reso and le Devoir (Le Devoir, February 18, 1991).

⁷ Royal Commission on Bilingualism and Biculturalism, Preliminary Report (Ottawa: Queen's (Printer, 1965), 151. This contrasts dramatically with the Citizens' Forum on Canada's Future (better known as the Spicer commission). Among the twelve original appointees, there were only three francophones, all from Quebec. Six of the anglophones appear to be of British origin. (Based on biographies in "Cross-Canada Checkup" Maclean's, November 12, 1990, 18-19. It also might be noted that the supporting structure of the B&B Commission was rigorously dualist: just as there were two co-Secretaries – one anglophone and one francophone -- so there was an anglophone Director of Research and a francophone Special Consultant on Research. (This was pointed out to me by Mr. Neil Morrison, the first anglophone Co-Secretary.)

⁸ See the account in The Canadian Annual Review, 1967, 32-38.

⁹ Desmond Morton, The New Democrats, 1961-1986: The Politics of Change (Copp Clark Pitman, 1986), 25.

¹⁰ This was contained in a 1963 statement to a meeting of the Canadian French-Language Weekly Newspapers Association at Murray Bay, Quebec. It is similar to a 1964 statement made to English Canada, on CBC television, that Quebec is "in some respects not a province like the others but the homeland of a people." Both are quoted in Peter C. Newman, The Distemper of Our Times (Toronto: McClelland & Stewart, 1968), 320.

¹¹ In the process, Duplessis forced the federal government to yield 10% of its tax -- twice the amount of room it had originally intended to vacate. This episode is described, among other places, in Kenneth McRoberts, Quebec: Social Change and Political Crisis, Third Edition (Toronto: McClelland & Stewart, 1988), 124.

¹² Ibid., 141.

¹³ Morton, The New Democrats, 77.

¹⁴ Canadian Annual Review, 1968, 60.

¹⁵ "PM Creating Great Division, Douglas Says," The Globe & Mail, June 21, 1968, 10.

¹⁶ See Canadian Annual Review, 1968, 37-38. On the other hand, Simeon and Robinson claim that he personally disliked the idea, Richard Simeon & Ian Robinson, State, Society and the Development of Canadian Federalism, Vol. 71, Collected Research Studies, Royal Commission on the Economic Union and Development Prospects for Canada (Toronto: University of Toronto Press, 1990), 190. Indeed during the election campaign Stanfield not only refused to endorse either two nations or special status, but bitterly

complained about a Liberal advertisement that associated him with the two concepts ("Stanfield Continues Feud with PM on PC constitutional position," *The Globe & Mail*, June 21, 1968).

¹⁷ Morton, *The New Democrats*, 77-78. See also Andre Lamoureux, *le NPD et le Quebec, 1958-1985* (Montreal: Editions du Parc, 1985), 97. Forsey's opposition is elaborated in Eugene Forsey, "Canada: two nations or one?," *Canadian Journal of Economics and Political Science*, XXVII: 4, November, 1962.

¹⁸ The introduction of multiple origins as a possible response in the 1981 Census has greatly complicated comparison over time. Kalbach derives the combined charter group estimate of 75% from 1986 Census data. To do this, he combines respondents who identify a single origin of English or French with all respondents identifying "multiple" origins which include either English or French. Warren E. Kalbach, "A Demographic Overview of Racial and Ethnic Groups in Canada," in Peter S. Li (ed.), *Race and Ethnic Relations in Canada* (Toronto: Oxford University Press, 1990), 23-28.

¹⁹ To be sure, he had spent a period of time in Ottawa with the Privy Council Office, but apparently he had not travelled widely in the rest of Canada.

²⁰ As Trudeau wrote in 1962: "we must separate once and for all the concepts of state and of nation, and make Canada a truly pluralistic and polyethnic society" (Pierre Elliott Trudeau, "New Treason of the Intellectuals," as reproduced in Trudeau, *Federalism and the French Canadians* (Toronto: Macmillan, 1968), 177).

²¹ Speech to Quebec Liberal Convention, January 28, 1968, reported in *Ottawa Citizen*, January 29, 1968 (as quoted in George Radawski, *Trudeau* (Scarborough: Macmillan NAL Publishing Ltd., 1978), 286).

²² "Des provinces ont prie Ottawa de leur imposer le respect du français," *le Devoir*, October 23, 1980, 1. In their biography of Trudeau, which is closely informed by interviews with Trudeau and his colleagues, Clarkson and McCall state of the Charter that its "bitter core -- the minority-language education rights that were to be imposed on Quebec for anglophones and on the other provinces where numbers warranted for francophones -- was to be coated with layer upon layer of sweetener. . . . With all these favourable aspects of the package diverting attention, the "constitutionalization" of the official languages law and the entrenchment of minority-language education rights would be camouflaged" (Stephen Clarkson and Christina McCall, *Trudeau and Our Times*, Vol. 1 [Toronto: McClelland & Stewart, 1990], 292 & 293).

²³ See Peter H. Russell, "The Political Purposes of the Canadian Charter of Rights and Freedoms," *The Canadian Bar Review*, Vol. 61 (1983), 33, and Rainer Knopff and F.L. Morton, "Nation-Building and the Canadian Charter of Rights and Freedoms," in Alan Cairns and Cynthia Williams (eds.), *Constitutionalism, Citizenship and Society in Canada*, Vol. 33, *Collected Research Studies*, Royal Commission on the Economic Union and Development Prospects for Canada (Toronto: University of Toronto Press, 1985), 143-5.

²⁴ Comité pour une politique fonctionnelle, "Bizarre algèbre," *Cité libre*, XX: 82 (décembre, 1965) Albert Breton, Claude Bruneau, Yvon Gauthier, Marc Lalonde, Maurice Pinard, p.14.

²⁵ Raymond Breton, "Multiculturalism and Nation-Building," Alan Cairns and Cynthia Williams (eds.) *The Politics of Gender; Ethnicity and Language in Canada*, Vol. 34, *Collected Research Studies*, Royal Commission on the Economic Union and Development Prospects for Canada (Toronto: University of Toronto Press, 1986), 47. This is also the thrust of Ralph Heintzman's analysis at the time the policy was announced. He declares that Trudeau's: rejection of a collective view of society and of culture [as contained in the concept of biculturalism] arises, at least in part, from a fear of the implications which such a view might have for the constitutional status of Quebec (Ralph Heintzman, "In the Bosom of a Single State," *Journal of Canadian Studies*, November, 1971, 63.)

²⁶ Peter Newman, *The Toronto Star*, April 2, 1966, as quoted in Richard Simeon, *Federal-Provincial Diplomacy: The Making of Recent Policy in Canada* (Toronto: University of Toronto Press, 1972), 68.

²⁷ Don Peacock, *Journey to Power: The Story of a Canadian Election* (Toronto: 1968), as quoted in Simeon, *Federal-Provincial Diplomacy*, 90.

²⁸ He declared special status to be a "une connerie." See the account in Clarkson & McCall, *Trudeau and Our Times*, 106.

²⁹ The agreements are detailed in Kenneth McRoberts, "Unilateralism, Bilateralism and Multilateralism: Approaches to Canadian Federalism," in Richard Simeon (ed.), *Intergovernmental Relations*, Vol. 63, *Collected Research Studies*, Royal Commission on the Economic Union and Development Prospects for Canada (Toronto: University of Toronto Press, 1985), 86-87.

³⁰ Donald V. Smiley, *The Federal Condition in Canada* (Toronto: McGraw-Hill Ryerson, 1987), 134, and Garth Stevenson, *Unfilled Union*, Third Edition (Toronto: Gage, 1989), 168.

³¹ Charter of Rights and Freedoms, Section 59.

³² The Toronto Star, May 17, 1977.

³³ Commissioner of Official Languages, Annual Report, 1990 (Minister of Supply and Services Canada, 1991), 126.

³⁴ See the discussion in Kenneth McRoberts, "Making Canada Bilingual: Illusions and Delusions of Federal Language Policy," David Shugarman and Reg Whitaker (eds.), *Federalism and Political Community: Essays in Honour of Donald Smiley* (Peterborough: Broadview Press, 1989), 165.

³⁵ *Ibid.*, x.

³⁶ Data cited in Wilfrid B. Denis, "The Politics of language," Peter S. Li (ed.), *Race and Ethnic Relations in Canada* (Toronto: Oxford University Press, 1990), 157.

³⁷ *Ibid.*, 170.

³⁸ Statistics Canada, *Languages in Canada* (Hull: Minister of Supply & Services, 1985).

³⁹ Calculated from Census of Canada, 1971, Vol. I, Part 3 (#92-726).

⁴⁰ In fact, this bleak prognosis had already been clearly established in 1967 by Richard J. Joy in his *Languages in Conflict*. Originally printed by the author himself the book was published in 1972 by McClelland and Stewart.

⁴¹ Calculated from Statistics Canada, Adjusted Language Data, April, 1988.

⁴² Rejean Lachapelle et Jacques Henripin, *La Situation demolinguistique au Canada: Evolution passe et prospectives* (Montreal: Institut de recherches politiques, 1980, Table 8.2). To be precise, they produce four percentages (based upon different economic and linguistic conditions) ranging from 2.2% to 3.5%. Their prediction of 3.2% is supported by Marc Termote, "L'evolution demolinguistique du Quebec et du Canada," *Elements d'analyse institutionnelle, juridique et demolinguistique pertinents a la revision du statut politique et constitutionnel du Quebec*, Document de travail, numero 2, Commission sur l'avenir politique et constitutionnel du Quebec, 1991, 266.

⁴³ 1985 Canadian Facts survey cited in Michael O'Keefe, *An Analysis of Attitudes towards Official Languages Policy among Anglophones*, (Office of the Commissioner of Official Languages, Policy Analysis Branch, October 1980), 8.

⁴⁴ Bill 2 does not require that records of legislative debates be kept in both languages; it left this matter for the legislative assembly to resolve. Also, the right to use French in Courts is restricted to criminal cases.

⁴⁵ "Francophones urge PM to protect their rights," *The Globe & Mail*, April 5, 1988. When the Supreme Court reached a similar decision in Manitoba, francophone groups there instead sought to negotiate a package of French-language services in substitution for the translation of statutes.

⁴⁶ "Peterson disappointed by decision on new act," *The Globe & Mail*, April 6, 1988.

⁴⁷ *Ibid.*

⁴⁸ Statistics Canada, Adjusted Language Data.

⁴⁹ Robert Andrew, the Saskatchewan Justice Minister was reported to have asserted that none of the MLAs were functionally bilingual (*The Globe & Mail*, April 5, 1988, A10). I have found no evidence to the contrary. In examining the record of Saskatchewan legislative debates between March 28, 1988 and June 28, 1988 (which straddles the introduction and debate of Bill 2) I found no objection by the opposition party to Andrew's statement. The record did contain three instances of French-language paragraphs within what appeared to be prepared statements. Two of them involved members of Mr. Andrew's party. The third was the first three sentences of a Statement by Roy Romanow calling attention to the presence in the gallery of students from a French language school in Saskatoon. For that matter, the whole debate over Bill 2 took place entirely in English.

⁵⁰ Statistics Canada, Adjusted Language Data.

⁵¹ These changes in French Quebec are detailed in McRoberts, *Quebec. Social Change and Political Crisis*, Chapters 4 & 5.

⁵² A discussion of alternative linguistic regimes appears in McRoberts, "Making Canada Bilingual," 143-47.

⁵³ This line of analysis has been developed, in particular, by Allan Cairns in "Citizens (Outsiders) and Governments (Insiders) in Constitution-Making: The Case of Meech Lake," *Canadian Public Policy*, XIV, September, 1988, 121-145, and "Political Science, Ethnicity and the Canadian Constitution, in Shugarman and Whitaker, *Federalism and Political Community*, 113-140.

⁵⁴ See Russell, "The Political Purposes of the Canadian Charter," and Knopff and Morton, "Nation-Building and the Canadian Charter."

⁵⁵ After a careful examination of data on public attitudes, four students conclude:

Our findings, though not conclusive, are suggestive. Very briefly, with respect to ideas about basic rights and freedoms, the attitudes of French Canadians and English Canadians are virtually indistinguishable. This is the more impressive considering the social and economic differences between anglophones and francophones -- for example, in years of formal schooling -- that might misleadingly give the impression their cultures differ, (Paul M. Sniderman, Joseph F. Fletcher, Peter H. Russell and Philip F. Tetlock, "Liberty, Authority and Community: Civil Liberties and the Canadian Political Culture," paper presented at the annual meeting of the Canadian Political Science Association, Windsor, 1988, p. 31.)

By the same token, French Canadians seem to be no more disposed to collective rights than are English Canadians when it comes to supporting the collective rights of other groups. For instance, on questions of native rights English-Canadian and French-Canadian attitudes are quite similar. (Paul M. Sniderman, Joseph F. Fletcher, Peter H. Russell and Philip F. Tetlock, "Reply: Strategic Calculation and Political Values -- The Dynamics of Language Rights," Canadian Journal of Political Science, XXIII: 3 (September, 1990), 541). Relying upon data collected in 1981, Richard Johnston and Andre Blais found that when compared with other Canadians Quebec francophones were more supportive of political and legal rights and of equality rights. Conversely, they were less sympathetic to the claims of Quebec anglophones as well as the position of immigrants. (Richard Johnston and Andre Blais, "Meech lake and Mass Politics: The 'Distinct Society' Clause," Canadian Public Policy, XIV: supplement [September, 1988], S29-S33).

⁵⁶ J.-H. Guay, R. Nadeau and F. Cloutier, "Etude du mouvement de l'opinion cause par le jugement de la Cour supreme sur l'avortement," Politique, 15, hiver, 1989, 53-77.

⁵⁷ Jean-H. Guay, Richard Nadeau et Edouard Cloutier, "La crise linguistique au Quebec: une etude du mouvement de l'opinion publique engendre par le jugement de la Cour supreme sur l'affichage commercial," paper delivered to annual meetings of the Canadian Political Science Association, May, 1990. In their sample of university students, the authors found support for a proposition on commercial signs which was framed explicitly in terms of collective rights: "Dans le domaine de la langue d'affichage, les droits collectifs de la majorite francophone doivent avoir la priorite sur les droits individuels." Before the Supreme Court Judgement on the issue, 46% of the sample supported this proposition; afterwards, 57% did (*ibid.*, 17).

⁵⁸ Charles Taylor, "Shared and Divergent Values," Paper prepared for Business Council on National Issues Symposium on Canada's Constitutional Options, Toronto, January 16, 1991, 22-28.

⁵⁹ Special Joint Committee on the 1987 Constitutional Accord, 15: 82.

⁶⁰ *Ibid.*, 15: 82. (In the interests of clarity, I have slightly modified the official translation.)

⁶¹ Joseph Fletcher, "What Do Canadians Think About Civil Liberties? The Politics of the Canadian Charter." Paper presented to the Association for Canadian Studies in Australia and New Zealand, Canberra, June 23, 1988. The study even finds that 52.4% of PQ members of the Assemblee nationale agreed that the Charter will strengthen Canadian national identity (p.19) --presumably, they agreed that this was the intent of the Charter.

⁶² For instance, a January, 1989, survey found that 69% of francophone respondents agreed that "le gouvernement du Quebec a raison de restreindre le droit d'afficher en anglais ou dans une autre langue pour assurer la protection du francais"; 26% disagreed. Among non-francophones the percentages were 8 1% and 15%, respectively. ("Francophones et anglophones sont insatisfaits de la loi 178," La Presse, January 23, 1989, A1.)

⁶³ This constitutes a translation of extracts from the French text, as reproduced in *le Devoir*, October 13, 1971.

⁶⁴ These passages are drawn from a document tabled by Prime Minister Trudeau on October 8, 1971, as reproduced in Minister of State, Multiculturalism, Multiculturalism and the Government of Canada, 1978, 50-51.

⁶⁵ Canadian Multiculturalism Act, July 1988, as reproduced in Jean Leonard Elliott and Augie Fleras, "Immigration and the Canadian Ethnic Mosaic," in Peter S. Li (ed.), *Race and Ethnic Relations in Canada* (Toronto: Oxford University Press, 1990), 69-71.

⁶⁶ These data are drawn from Jim Cummins and Marcel Danesi, *Heritage Languages: The Development and Denial of Canada's Linguistic Resources* (Toronto: Our Schools / Our Selves Foundation, 1990), 26.

⁶⁷ Ibid., 31-33. In addition, "there are close to 30 full-time ethnic schools (mainly Jewish but also Greek and Armenian) which are subsidized for approximately 80% of their operating costs by the provincial government" (*ibid.*, 30).

⁶⁸ Among "single" ethnic origins, French is outnumbered by German and Ukrainian in Manitoba, Alberta and (along with Aboriginal) Saskatchewan, and by German, Chinese and South Asian in B.C. (Pamela M. White, *Ethnic Diversity in Canada, 1986 Census of Canada, Catalogue 98-132, Table 1*).

⁶⁹ This discussion of provincial programmes is drawn from Cummins and Danesi, 33-49.

⁷⁰ Legislature of Saskatchewan, *Record of Debates*, April 25, 1988, 809.

⁷¹ The text of Bourassa's statement is reproduced in *Le Devoir*, November 17, 1971, 2.

⁷² Claude Ryan, "L'aide aux groupes ethniques exige-t-elle l'abandon du biculturalisme?", *le Devoir*, October 9, 1971, 4.

⁷³ On Trudeau's influence see Newman, *The Distemper of Our Times*, 325.

⁷⁴ Government of Canada, *Federalism for the Future*, Queen's Printer, 1968. Trudeau reiterated this strategy in: *The Government of Canada, The Constitution and the People of Canada*, 1969.

⁷⁵ Under the proposal, provinces could set up their own programmes and receive federal compensation in three areas: family allowances, manpower training allowances and old-age supplements. In addition, provinces could preclude federal programmes in: youth and social allowances, unemployment insurance, old-age pensions and survivors benefits.

⁷⁶ Claude Ryan, "Le dilemme de M. Bourassa," *le Devoir*, June 22, 1971.

⁷⁷ Nonetheless, as David Milne notes, Trudeau was first to articulate the principle of equality among provinces (David Milne, "Equality or Asymmetry: Why Choose?", Prepared for the Business Council of National Issues Symposium on Canada's Constitutional Options, January 16, 1991, 2).

⁷⁸ La Commission constitutionnelle du Parti liberal du Quebec, *Une nouvelle federation canadienne* (Montreal: le Parti liberal du Quebec, 1980) and *The Task Force on Canadian Unity, A Future Together* (Ottawa: Supply and Services, 1979).

⁷⁹ This is found in section 92A of the *Constitution Act, 1867*.

⁸⁰ To be sure, in some elections there was also the possibility of voting for the Creditistes -- an essentially Quebecois formation which showed surprising tenacity.

⁸¹ Allan Cairns, "Citizens (Outsiders) and Governments (Insiders) in Constitution-Making," 124.

⁸² As calculated from 1986 census data contained in *Commissioner of Official languages, Annual Report, 1990* (Minister of Supply and Services Canada, 1991), 312.

⁸³ For instance, in a May, 1987, survey respondents were asked whether they would prefer a strong national government or "strong provincial governments and not as strong a national government." Among Quebec respondents (anglophones included), 57% opted for a strong provincial government; only 40% opted for a strong national government. In the other regions of Canada overwhelming majorities chose the latter option (ranging from 64% to 75%). ("Meech lake Accord Gains General Support Polls Show," *The Toronto Star*, June 1, 1987.) By the same token, a fall 1985 survey showed 35% among Quebec respondents supported sovereignty-association; in the fall of 1987 it was 44% (the sources are, respectively, Louis Balthazar, *Bilan du nationalisme* [Montreal, l'Hexagone, 1986], 197, and *La Presse*, November 390, 1987, B1).

⁸⁴ For instance, see "Meech lake Accord," *The Toronto Star*, and "Voice of the People," *Maclean's*, June 15, 1987, 12-13.

⁸⁵ Rapport du Comite constitutionnel du Parti liberal du Quebec, *Un Quebec libre de ses choix*, 28 janvier 1991, 47-49. The provision with respect to appeals from Quebec courts reads: "Les decisions des tribunaux superieurs du Quebec ne feront plus l'objet d'appels aupres de la Cour Supreme du Canada mais plutot aupres d'une nouvelle instance ultime completement quebecoise" (*ibid.*, 49). There is no suggestion that this elimination of appeals would be restricted to cases involving Quebec law, as opposed to federal law.

⁸⁶ Rapport du Comite constitutionnel, *Un Quebec libre de ses choix*, 36.

⁸⁷ An amendment specified that it is only the Senate ("dans sa forme actuelle") which would be abolished. Another stipulated that the Charter of Rights and Freedoms would continue to apply in Quebec ("Bourassa choisit d'abord le Canada," *le Devoir*, March 11, 1981.)

⁸⁸ The responses to the first question (sovereignty vs. federalism) were: a sovereign country -- 10%; a sovereign country with economic association -- 37%; a province with greater powers -- 36%; and a

province with the same powers -- 16% ("The Globe & Mail / CBC News Poll," *The Globe & Mail*, April 22, 1991, A6.

⁸⁹ Susan Delacourt, "Is Idea of Centralism Over the Hill?" *The Globe & Mail*, March 1, 1991, A5.

⁹⁰ "Quebec Can Help West Get What it Wants, Manning Says," *Gazette*, February 1, 1991.

⁹¹ The survey was conducted by CROP for l'Actualite and TVA over January 18-23, 1991. Conceivably some respondents may have rejected the option of decentralization since it was linked to satisfying Quebec: "A Canada decentralized into four or five regions, which would satisfy Quebec." Nonetheless, the status quo was also available as an option -- only 11% selected it. ("Le refus global," *L'Actualite*, March 15, 1991, 25.

⁹² David Milne argues for concurrency with provincial paramountcy as the principal approach to resolving the present crisis, Milne, "Equality or Asymmetry," 27-30. Constitutionalizing delegation is discussed in Peter Meekison, "Distribution of Functions and Jurisdiction: a political scientist's analysis," Prepared for the Business Council on National Issues Symposium on Canada's Constitutional Options, January 16, 1991, 42-43.

⁹³ The Allaire Report does call for reinforcement of the Canadian market, through the elimination of non-tariff barriers to trade, but the proposed mechanism for achieving this is not reinforcement of the appropriate federal powers but intergovernmental agreements between Quebec and Canada. (*Rapport du Comite constitutionnel, Un Quebec libre de ses choix*, 45-46.)

⁹⁴ Section 95C provided a procedure through which a federal-provincial agreement on immigration could be "constitutionalized." See the discussion in Peter Hogg, *Meech Lake Constitutional Accord: Annotated* (Toronto: Carswell, 1988), 22-23.

⁹⁵ David Milne, "Equality or Asymmetry," 29.

⁹⁶ This is one of the premises of Alan C. Cairns, "Constitutional Change and the Three Equalities: Citizens, Provinces, Two Nations," prepared for the Business Council on National Issues Symposium on Canada's Constitutional Options, Toronto, January 16, 1991.

⁹⁷ Ronald L. Watts, "The Federative Superstructure," Prepared for the Business Council on National Issues Symposium on Canada's Constitutional Options, January 16, 1991, 21.

⁹⁸ Administered by Gallup over January 2-5, 1991, the survey involved 1,026 respondents. The regional breakdown of "no" responses was: Ontario -- 70%; Atlantic Canada -- 63%; Prairies -- 78%; British Columbia -- 79% (*The Toronto Star*, January 25, 1991; *The Globe & Mail*, January 26, 1991, D2; and *The Globe & Mail*, January 28, 1991, A10).

⁹⁹ Cairns, "Constitutional Change and the Three Equalities," 8.

¹⁰⁰ Philip Resnick, *Towards a Canada-Quebec Union*, forthcoming through McGill-Queen's University Press. Earlier formulations of such a scheme are Hugh Thorburn, "Needed! A New Look at the Two-Nations Theory," *LXXX, Queen's Quarterly*, Summer, 1974, 268-273 and Gerard Bergeron, *L'independance: oui, mai... (Montreal: Editions Quinze, 1977)*.

For his part, Resnick dubs his scheme "confederalist" rather than federalist. Nonetheless, since sovereignty apparently would reside with the Canada-Quebec Union (it would have exclusive jurisdiction over foreign relations) rather than either Quebec or English Canada, it does not meet the normal usage of the term "confederation." For that matter, the members of the Canada-Quebec Parliament would be free agents, not formally bound to instructions by the governments of English Canada or Quebec.

¹⁰¹ In a chart outlining his scheme, Resnick also assigns environment to the Canada-Quebec government.

¹⁰² The PQ government's White Paper and the major criticisms of it are summarized in McRoberts, *Quebec: Social Change and Political Crisis*, 300-320. See also, Resnick, *Towards a Canada-Quebec Union*, Chapter Five.

¹⁰³ Most recently, this argument has been made by Peter Leslie in "Options for the Future of Canada: the Good, the Bad and the Fantastic," prepared for the Business Council on National Issues Symposium on Canada's Constitutional Options, January 16, 1991.

¹⁰⁴ Resnick, "Towards a Canada-Quebec Union," Chapter Six.

¹⁰⁵ Rare as they may be, an instance of peaceful secession lies in Norway's secession from Sweden in 1905. Here, the process was conditioned by the overwhelming support which independence secured in a referendum conducted in Norway. See the account in Jane Jacobs, *The Question of Separatism: Quebec and the Struggle Over Sovereignty* (New York: Random House, 1980).

¹⁰⁶ *Rapport de la Commission sur l'avenir politique et constitutionnel du Quebec*, Mars, 1991, 92.

¹⁰⁷ This is the proposal of Peter H. Russell, "Towards a New Constitutional Process," Prepared for the Business Council on National Issues Symposium, on Canada's Constitutional Options, January 16, 1991. Along with delegations from the federal and provincial legislatures, Russell's proposed assembly would also include representatives from the northern territories and aboriginal nations should they wish to send them.

¹⁰⁸ This model has recently been proposed for English Canada by Professor Reg Whitaker.