World Geography
Quebec Devolution

Name:
Section:
Score: _____/5

Directions: Read the following article about the issue of devolution in Quebec and answer the thought question at the end.

Devolution definition: The transfer or delegation of power to a lower level, especially by central government to local or regional administration.

Quebec Sovereignty: Devolution the Solution

by Elaine Bernard

This article is based on a talk presented at the Campaign for Peace and Democracy seminar, "Nationalism, Self-Determination, and Democracy" which was held at Yale University September 9-11, 1994.

As general background and context to a discussion of the Quebecois nationalist movement in Canada, it's useful to begin with some general comments on Canadian society, the Anglophone (English-speaking) Canadian identity, and the Canadian federal state. Canada, like the U.S., was established as a colonial settler state by European colonial powers. England and France fought over the territory for many years with the British finally winning in 1759 in the battle of the Plains of Abraham (Quebec City). This rather obscure battle between two imperial powers over possession of the northernmost colonies in North America has lived on in popular culture as an epithet flung at Quebecois whenever Quebec seeks rights or recognition of its unique character. "Don't they know they lost the battle of the Plains of Abraham?"

Beyond the historic imperial battles, there is a clear recognition that Canada as an emerging state has always had to tread very carefully, surviving first as a colony of Britain, the greatest imperial power of the last century, and then coming of age next door to the new major imperial power, the U.S. Never far from the mind of Canadians was the threat to their existence by the giant to the South, though this threat played out somewhat differently for each nationality.

Quebecois, as a Francophone nation within North America, have been concerned with preserving their language and culture against the pressure of English language and cultural dominance in both the U.S. and Canada. Historically, the fear of assimilation has generally pushed the Francophones into an uneasy alliance with English Canada as a weaker assimilationist force. For example, when the British permitted Quebec to maintain its religion, language and civil code—this fact was listed as a grievance by the rebellious 13 colonies in their Declaration of Independence. As is so often the case when dealing with issues of nationalism—one nation's liberty was another's grievance. Britain's policy towards Quebec assured the loyalty of the newly conquered colony during the American revolution.

Anglophone Canadians take great pride in their national identity and see themselves as quite distinct from Americans—in culture, political institutions and community. But lacking the barrier of a separate language, Anglophone Canadians often find themselves on the defensive, being required to explain how they are "different" from Americans, as if the U.S. constituted the norm and all others are required to explain deviations. Accordingly many Canadians engage in humorous quips about their society by referencing U.S. themes—for example, Canada is the "kinder, gentler nation" evoked by President George Bush, or Canadians are simply "Minnesotans with universal health care," or "Americans without guns."

> Quebec has a right to independence if it chooses, but Canadians should negotiate constitutional changes to incorporate Quebec's sovereignty goals within a unified federal state.

Countries and nations are, of course, conscious socially constructed communities. A limited but sharp contrast of the different beliefs and goals of Canadian society in comparison to the U.S. can be found in the values outlined in the founding documents of the two countries. While the U.S. founders proclaimed a country dedicated to "life, liberty and the pursuit of happiness," Canadians united under the promise of "peace, order and good government."

Countless history books describe the development of the Canadian state as the peaceful passage from "colony to nation," though since the adoption of the Canada/U.S. Free Trade Agreement with its continentalist framework, some have suggested it might better be characterized as "colony to nation to colony." While the "peaceful" characterization of the development of the Canadian state is somewhat exaggerated—the settlement of Canada was hardly a peaceful process when viewed from the perspective of indigenous people—in contrast to the U.S., however, there was no revolutionary break from the colonial power, no civil war, and few battles with the indigenous people.

Canada's founding document, the British North America Act of 1867, was an act of the British Parliament which unified British North America into a single federal state and set out the division of power between the federal state and the provincial governments. In contrast to the U.S., Canadian provinces are relatively strong with considerable legislative power and have been innovators in public policy. Most social policy areas, including education, health care, labor law, and welfare, are provincial responsibilities. The federal government is in charge of "peace, order and good government," but the residual powers go to the provinces. The Canadian federal government has been able to establish national programs through the use of its considerable financial power, even in instances where the constitutional division of powers denied it authority. Canada's universal health care system, for example, was brokered by the federal government agreeing to pay the provinces dollar for dollar matching funds for the cost of the service provided participating provinces followed the federally developed guidelines. With only 10 provinces, and two sparsely populated territories, such negotiated consensus is usually possible.

"Accords" Rejected

The current constitutional crisis in Canada

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was brought on by the failure of the Federal government to achieve consensus on the patriation of the Canadian Constitution in 1982. (In the British tradition, Canada did not have a written constitution but was merely established by an act of The British Parliament—the British North American Act. Patriation is the term given to the process of bringing home this act and establishing it as the Canadian constitution with a domestic amending formula.) Over Quebec's objections, Prime Minister Pierre Trudeau patriated the constitution with the addition of a Charter of Rights and Freedoms. The nationalist Parti Quebecois provincial government was excluded from the final negotiations of the legislation because of its demand for recognition of Quebec's special character and role as the home of French nation within Canada. Following the adoption of the Constitution, there have been a number of attempts to adopt amendments which would satisfy Quebec's concerns but these "accords" (the Meech Lake Accord and the Charlottetown Accord) have been rejected either by Quebec or in the rest of Canada.

Quebec's demand for recognition of its "distinct" character as a nation and its special role in preserving a French culture in North America, have placed Canadian federalism under considerable strain in spite of the fact that Quebec's "special status" within Canada has been a fact of life for most of Canadian history. In recent years, for example, many national organizations have granted "special status" or "autonomy" to their Quebec wings, as in the case of the Canadian Labour Congress which recognizes the provincial Quebec Federation of Labour as a separate and fully autonomous labor federation—a right not extended to any other provincial labor federation.

Growing Animosity

In recent years there has been increased animosity towards Quebec and Francophones in Canada. While the country adopted an official policy of bilingualism and biculturalism in the 1960s, beyond certain federal government services, most of the country has remained unilingual English. The bilingual policy of the federal government, as well as Quebec's actions to protect and promote the French language within the province, has lead to an English Canadian backlash denouncing the government's attempt to "force French down peoples' throats." Quebec, the most bilingual of provinces, in the 1970s and 1980s passed strong language legislation to establish French as the "official" language of the province, further fueling animosity over the language issue in the country.

Quebec's demand for special status—and possibly even independence—has brought to a head contradictions within Canadian federalism and has challenged Canadians to examine both the myths and the realities of their state. Legally, within the Canadian constitution, Quebec is just another province—one of ten. However, Quebec is, and always has been, more than just another province in Canada. If the term "nation" has any meaning, Quebec is a nation within Canada. It has a separate language, culture, heritage and territorial integrity. Even its civil law is distinct—a civil law code going back to its French heritage—as opposed to the common law found in the other provinces. Through the powers of a provincial state Quebec has been able to develop its own state institutions and has gained practical experience in self-governance. The issue that Canadians and Quebecois must face now is whether their existing federalist structure can and should be transformed to accommodate both the national aspirations of the Quebecois and the national aspirations of the rest of Canada.

The strains that Quebec nationalist demands are placing on Canada are exacerbating a crisis for the Canadian state brought on by the neo-liberal undermining of national social institutions through privatization, deregulation and free trade. As the federal government loosens the ties that bind Canadian society, including the social safety net, replacing social, national institutions with market forces and private institutions, Quebecois confidence grows in their ability to prosper in the new economic environment and English Canadians question the value of their centralized federal state.

Opinion over Quebec's growing demand for sovereignty tends to fall into three general categories. The first is "Get on with life—the current nationalist movement in Quebec will eventually disappear if it is ignored." Nationalism and issues of Quebec independence or sovereignty are a diversion (or false consciousness). What really matters in people's lives are the economy, jobs, social programs, all of which have nothing to do with the national struggle. At best nationalism is a quaint diversion and a historical anachronism—at worst it's chauvinist and xenophobic.

The second sentiment is "Leave, if you must, but be prepared for some tough bargaining!" The country has bent over backwards to accommodate a constantly demanding Quebec. No more! If Quebec chooses "sovereignty" or "independence" then Canada will bargain hard the terms of departure. On the negotiation table are Quebec's share of the countries' debt, the question of what the borders of the new Quebec will be, repayment for federally financed infrastructures and federal buildings built in Quebec, and trade, economic and currency issues. The rest of Canada will bargain hard, and has considerable power to penalize Quebec as its largest trading partner.

Finally, the third opinion, which is very much shared by the vast majority of progressives in Canada, including myself, is that while Quebec has a right to self-determination, up to and including independence if it so chooses, Canadians should negotiate constitutional changes to incorporate Quebec's sovereignty goals while maintaining a unified federal state.

Asymmetrical Federalism

There are three models offered to achieve this balancing act—special status for the province of Quebec within the existing constitutional framework; devolution of many of the federal powers to all the provinces; and asymmetrical federalism that recognizes Quebec as a separate nation with special rights with a new form of federalism. Two of these three options have been attempted and rejected by Canadians. Special status for Quebec was part of the rejected Meech Lake Accord, and devolution of considerable federal powers to the provinces was part of the defeated Charlottetown Accord. So today, most of the progressive community in Canada is focused on the option of asymmetrical federalism—and what a single state which recognizes the national rights of nations within it might look like. This is a challenge which will have the whole world watching. This spring the Quebec government will be holding a provincial referendum on sovereignty. While most expect the referendum to be defeated, the issue of Quebec's national aspiration could not so easily be set aside. □

Thought Question

1. After reading the article summarize the main issues that Quebec is concerned with which is leading them to call for devolution and why Ms. Bernard is saying that Devolution is the best solution.