

# SOVEREIGNTY POSTPONED: ON THE CANADIAN WAY OF LOSING A REFERENDUM, AND THEN ANOTHER

Claude Denis

## WHO WON?

"The sovereignists won the referendum." The mistaken headline of an over-anxious newspaper editor, along the lines of the Truman/Dewey 1948 presidential election? Or an accurate sociopolitical evaluation of the referendum outcome?

Look past the electoral fact that the No side got 54,288 more votes than did the Yes side (a 1.16% difference)<sup>1</sup> and that, consequently, the Québec government did not secure the mandate to make Québec sovereign. The unexpected tie and the manner in which the campaign produced it guarantee another referendum in the near future, in which a clear majority of Quebecers will vote Yes. In terms of the Québec/Canada sociopolitical dynamic, rather than in terms of a one-day bean-counting exercise, this is what matters. In this perspective, it should be clear that the sovereignists did win the referendum. To say this is not to discount the will of the Québec people, democratically expressed last October 30th; it is, instead, to situate that expression as a moment in the on-going practice of democracy in Québec, and to *interpret* it as the day when the idea of Canada as a desirable political home for Québec died.

Indeed, if we are to *understand* the referendum and its aftermath, it is most helpful to start from the counterintuitive notion that the Yes won. One example will serve to illustrate the notion's heuristic value. After an important electoral *rendez-vous*, the winning side is re-energized and looks to its next task with excited anticipation; at the same time, it typically enjoys a honeymoon with the electorate. The losers, meanwhile, wallow in recriminations, bafflement and finger-pointing. Fitting this pattern to the post-referendum landscape almost is laughably easy. After the initial embarrassment of Premier

Parizeau's bitter speech, the sovereignists moved quickly, and almost giddily, to give themselves a new leader — with Lucien Bouchard, they can already taste the final victory next year. Post-referendum opinion polls show that, even before the crowning of Bouchard, a sovereignist honeymoon was under way, with 54% of respondents to a Canadian Facts poll saying they would now vote Yes against only 27% who would vote No; the *Maclean's/CBC News* year-end poll had a Yes/No distribution of 49%/32%.<sup>2</sup> Federalist leaders, for their part, were visibly shaken even as they boasted about their victory and warned the sovereignists that a further referendum would make a mockery of democracy — as if their non-existent margin of victory was not proof enough that the vote was massively inconclusive. Prime Minister Chrétien and Reform leader Preston Manning quickly blamed each other for the almost-defeat; it emerged later that the Ottawa Liberals were blaming Québec Liberal leader Daniel Johnson who, in turn, attacked the likes of Foreign Affairs Minister André Ouellet, whose vision of federalism has been repudiated by the whole of Québec.<sup>3</sup> As if all this finger-pointing were not a sufficient sign of panic, extravagant statements provided the final proof that federalists had lost their cool: from Manning who called for the Prime Minister's impeachment to Chrétien's threat to block any further referendum.

The point of the federalist in-fighting, of course, is not merely to come up with an accurate post-mortem for October 30th; it is, rather, to organize for the next time, given that they think the game to be far from over, and that the various players cannot afford mistakes. What these politicians cannot bring themselves to see, however, is that they are not playing baseball (in which "it ain't over 'till it's over"): they are playing chess, in which most games are over well before the players reach the endgame. And this is indeed where Canada is at.

## WHAT HAPPENED?

In what sense did the Yes win? Three absolutely important things happened during the last week of the referendum campaign, all of them contributing to making Québec sovereignty not a matter of "if," or even "when," but "how soon." Thus, it is much more than one of those moral victories the Parti Québécois was so used to until 1976. Federalist promises of change that cannot be kept; deepening estrangement between Québec and the rest of the country; unprecedented resolve to leave Canada on the part of fully half the Québec electorate, all lead to an unavoidable conclusion. The tie on October 30th, in these circumstances, is a virtual guarantee that Lucien Bouchard will lead his people into the United Nations before the end of the century. Federalist forces not only lost the 1995 referendum, they already have lost the next one. Let us now look at how this happened, focusing on the campaign's last week.

First, the Ottawa federalists finally responded to Daniel Johnson's pleas and started to promise change, as opposed to their pitiful championing of the "evolving status quo."<sup>4</sup> Given the No vote on October 30th, these promises set the stage for what Quebecers have a right to expect from Canada in the coming months, on the understanding that the minimum that a Québec politician could even contemplate is constitutional change greater than what was in the Meech Lake package. A post-referendum Sondagem poll found that Quebecers expect a lot from Ottawa if they are to remain in the federation: 63% want Québec to control all tax collection, 85% want a transfer of such powers as communications and labour-force training, 78% want recognition of the distinct society status, and 73% want a constitutional veto.<sup>5</sup>

Some hardliners in Ottawa have second-guessed their caving in to Daniel Johnson by promising change, claiming that sticking to the "evolving status quo" story would have gotten better results (and the new Minister of Intergovernmental Affairs Stéphane Dion is on record as agreeing with this analysis).<sup>6</sup> This strikes me as wildly implausible on the basis of, among other things, the polls: the Sondagem poll indicated that 75% of No voters expected new constitutional offers to be made to Québec, while 73% of respondents to a SOM poll wanted the Québec government to participate actively in the renewal of federalism. And 22.6% of Sondagem respondents claimed that Prime Minister's Chrétien's televised address promising change had been important, while

13.7% made their decision at the last minute.<sup>7</sup> We can wonder, as well, how many voters would have been turned off the No side by the promises of change; not enough, one would think, to fill a city bus. Had Prime Minister Chrétien stuck to the status quo strategy, then, it is clear that more people would have voted Yes.

It is good to remember, here, that when the campaign began, the universal expectation was that the sovereignists would be badly beaten. Among the things that intervened to belie that expectation was a federalist campaign that was almost wholly negative, based on fear and self-loathing. A low point was reached when Finance Minister Paul Martin warned that one million jobs would be at risk if the sovereignists won; this was so outlandish and so *misérabiliste* that it may have marked the final turning point, when Quebecers stopped being susceptible to this kind of fear. Another telling moment occurred when Lucienne Robillard, the federal minister responsible for the referendum campaign, appeared on Radio-Canada's "*Le Point*" late in the campaign and was asked why so many Quebecers seemed to dream of sovereignty. She answered, rather wistfully I noted, that she herself sometimes dreamed of a sovereign Québec, but added that she lives in the real world and that Québec is too small, not rich or resourceful enough to survive on its own. Madame Robillard was telling us that, left to themselves, *les Québécois sont nés pour un petit pain*, but that Canada somehow lifts them above their station: you ought to be both foolish and ungrateful to turn your back on such a generous partner. This kind of shameful self-abasement used to work, but no longer as the following days showed.

The apocalyptic numbers thrown by Martin and the emotional markers bandied about by Robillard, Chrétien and Tory leader Jean Charest — especially the dollar and the passport — offered a strangely dispiriting view of why Quebecers might want to stay in Canada: the passport, the dollar, Canada itself, were not valued for their Canadian positivity, as it were, but rather as shields against a dangerous world which Québec would allegedly be ill-equipped to face on its own. Not only is this French-Canadian *misérabilisme* at its most outdated, but the presumed value of such shields is rapidly being undermined by the weakness of the Canadian economy and the unravelling of the Canadian welfare state — Quebecers are very much aware of this. The security provided by the socio-economic status quo, in other words, is no longer an argument likely to make

Quebecers want to stay in Canada. This fact was further underlined by the absence of Canadians-outside-Québec from the debate (until the Montreal rally, of course, on which more below); thus, the economic threats if the Yes won came from within Québec itself (Bombardier perhaps leaving its home) and from international markets (speculation against the dollar and securities, both Québec- and Canada-based), but very little from Canada — as though Canada itself had become irrelevant to the decision Quebecers were about to make.

It is significant that campaign fortunes, as tracked by polls and media reporting of the two sides, took an abrupt change when federalist negativism turned most clearly to threats, and was met coincidentally by Lucien Bouchard's taking over the sovereignist campaign with an increasing appeal to national pride. When businessmen Claude Garcia and Roland Beaudoin respectively called upon federalist forces to "crush" the nationalists and threatened to move Bombardier out of Québec, they were expressing a contempt for the aspirations of even moderate nationalists that very few francophone Quebecers could stomach. Premier Parizeau responded angrily, denouncing in particular Beaudoin's class arrogance as "spitting on the people" — a reply that belonged to that strand of contemporary Québec nationalism which rages at the *misérabiliste* discourse that produces elite threats against the little French Canadians, as well as the corresponding Chrétien-Robillard-Charest wonder at Canada's generosity towards those same little French Canadians.

That Lucien Bouchard took over the sovereignist campaign in the wake of the Garcia-Beaudoin-Parizeau blow-up was a coincidence made in heaven for the sovereignists, as he consolidated the move away from a focus on economics and towards national pride. This was a large shift in the sovereignist campaign, which until the businessmen's attacks had itself been driven by fear and *misérabilisme*: the Yes strategists had felt an overwhelming need to *reassure* voters that sovereignty presented no economic risks whatsoever, that Québec could still enjoy Canadian protection against a dangerous world. They had gone so far as to put the loonie on a campaign poster, accompanied by their general slogan "*Oui, et ça devient possible*": it was not only Jean Charest & Co. who brandished Canadian currencies as shield. But Beaudoin and Garcia (and, a little later, Paul Martin), in their extravagance, seemed to cure the sovereignists from their fearful malady. From then on, the contrast between the options was starkest: on

one side, *misérabilisme*, on the other, a pride increasingly embodied by Lucien Bouchard. In this perspective, Jean Chrétien's last minute promise of change amounted to an excruciatingly reluctant recognition that francophone Quebecers could no longer be dealt with as the stereotypical French Canadian *porteurs d'eau*. Just enough of a recognition, perhaps, to squeeze through Monday with the smallest possible No majority.

The second massively important thing that happened during the campaign's last week is not exactly an event — more like an apogee of the misunderstanding, the estrangement, between French Québec and English Canada. It was, however, crystallized by one of the most important media events of the campaign: the large "No" rally in Montreal, with people coming to Québec from all over Canada. What was the effect of that rally? As indicated by the *Maclean's/CBC News* year-end poll, and in a manner consistent with the spin put on it by politicians such as Brian Tobin, the rally has been perceived outside Québec as helping the "No" side, perhaps even saving Canada at the last second. The same poll notes, however, that Quebecers were much less likely than outsiders to believe that. There are reasons to think, in fact, that the rally helped the Yes side — almost putting the sovereignists over the top.<sup>8</sup> Thus, *The Globe and Mail* reported that the No side's own daily polling during the last week indicated increased support after Prime Minister's Chrétien's televised address, followed by a drop after the rally.<sup>9</sup>

Anecdotal evidence drawn from my own conversations with French-speaking Montrealers confirms this notion that the rally helped the sovereignists (several people told me that the rally moved them closer to voting Yes; no one told me that they moved closer to No), and suggests an explanation of how this would have happened. It seems that many francophones were actually put off by the outpouring of loving statements from the crowd descended upon Montreal; in conversation, some spoke of an "invasion," of "unwanted love." Further, the love expressed by those visitors can be understood not so much as love for Québec, but as love for Canada — expressed in a panic at the thought that it may be living its last days, and harbouring an unexpressed threat against those who would dare tamper with it.<sup>10</sup> In this sense, an adaptation of the over-used family metaphor may be in order. The relationship between Québec and Canada is that of two people who want and expect different things from each other: Québec wants to be friends with Canada, with a considerable

degree of affection and solidarity in the face of the rest of the world; Canada wants the relationship to be that of a loving couple, and refuses to take no for an answer — and mere friendship is not an option. Quebecers feel crowded by that unwanted love, the condescending, paternalistic, controlling love of one who cannot see the partner as an equal.<sup>11</sup>

Post-referendum reactions by politicians and "ordinary Canadians" confirmed that the estrangement has reached enormous proportions, and included not only disagreement but incomprehension. On referendum night, both Jean Chrétien and Alberta Premier Ralph Klein (unknowingly?) echoed Charles de Gaulle's famous "*Je vous ai compris*," claiming that "We have heard you, Quebecers."<sup>12</sup> Almost in the same breath, however, Klein argued that now was not the time to re-open the constitution and that, in any case, Québec would get no special treatment. A few days later, in Edmonton, I participated in a CBC-Radio open-line show, in which seven out of ten callers were against recognizing Québec as a distinct society. These callers, like their Premier, were unable to see why Canada could not just go on as if Quebecers had given a vote of confidence to the status quo.<sup>13</sup> Out of this context emerged Jean Chrétien's non-constitutional/constitutional proposals (more on this below), an obviously doomed attempt at dancing around the irreconcilable differences between most Quebecers and most Canadians.

More than the disagreement, perhaps, is the incomprehension that is destroying Canada as we know it — for good and for bad. Most of all, it is an incomprehension that is rooted in identities. Because of their own *Canadian* identity, most Canadians can neither comprehend nor accept the notion that Quebecers are Quebecer first and Canadian second — or, put differently, that Quebecers are not merely Canadians residing in Québec. In theory, of course, this is not at all hard to comprehend: Canadians do not consider themselves North Americans merely residing in Canada, and the same basic logic applies to Quebecers' feelings about Québec/Canada. To recognize this, however, would be to recognize Québec's status as a separate nation within Canada, and it would require a transformation of their own Canadian identity, their conception of belonging to this country. And it is no more reasonable to expect Canadians to do this than it is to expect Quebecers to become Canadians first and foremost. The diverging understandings of the Montreal rally dramatize this estrangement born of nationalisms in conflict.

The third capital thing of the last days of the campaign is also not exactly an event: it is the fact that, after it became clear to everyone that the Yes could very well win, a lot of "soft" or "strategic" Yes voters could have backed down. But this did not happen: the Yes vote did not collapse over the last weekend — so few soft nationalists backed down that 49.4% of the electorate took the leap and voted Yes. This resolve is hugely important for what comes next, and in particular for assessing the reception that federal "offers" are likely to get from the Québec electorate. In the second half of the referendum campaign, a large number of Quebecers became radicalized, at a time when it counted (as opposed to the surge in pro-sovereignty sentiments in 1990, when Robert Bourassa was Premier). Each one of these Yes voters had to know, as October 30th approached, that they were quite possibly *personally* taking Québec on a one-way trip toward sovereignty.<sup>14</sup> Now that these people have taken the leap, how likely are they to reconcile themselves to half-hearted, manipulative, and unimpressive quasi-constitutional offers from Ottawa?<sup>15</sup> Not very, I should think — and the consolidation of pro-sovereignty sentiments visible in post-referendum polls suggests that not only are Yes voters sticking to their guns, but a number of No voters may be ready to make the leap next time.

## WHAT NEXT?

If Canada was able to plan its future without Québec, it would not have to (because by this very ability, it would see the wisdom of accommodating Québec); but because it cannot, it will have to, but only after the next referendum. There is no historical necessity to Québec becoming sovereign. But the only reason why a second sovereignty referendum was held in 1995, fifteen years after the first one, is that opportunities were missed in between to re-form Canada in a manner acceptable to Quebecers. Along the way, a number of Quebecers lost faith in Canada, in the face of what are widely perceived as broken federalist promises and Canadian rejection of Québec's distinctiveness. The third sovereignty referendum will happen — and there will be a majority of Yes — only because more federalist opportunities will be missed, more promises will go unfulfilled, causing more Quebecers to lose faith in Canada.<sup>16</sup>

What is Canada to do now? Sadly, for Canada's own sake, passivity and resignation in the face of Québec's assertiveness are the best things one can hope for in the present circumstances. The only other course of action that Canadians are likely to take would be destructive, for themselves as well as for Québec. But if one is seriously interested in minimizing the inevitable hardships that, for both sides, will accompany Québec's accession to sovereignty, the following facts should be considered.

Given that the status quo is unacceptable to Quebecers,<sup>17</sup> and that a minute shift of voters to the Yes side next time will tip the balance; and given that no acceptable "offers" will be forthcoming from the rest of Canada (because this would require Canadians to reinvent themselves); Canadians should be preparing right now for a post-Québec Canada. But this also would require Canadians to re-invent themselves, in advance of the next referendum. Not only that, but it would also involve coming to the realization that Canada's self-interest will be best served by minimizing the disruption to the country's economy and social fabric. Canadians would, in other words, have to overcome the powerful temptation to punish Québec for breaking the country — because punishing Québec would be enormously costly to Canada (as well as Québec, of course). Indeed, if Canadians were able to grapple with this *now*, they would likely find the will to accommodate Québec within Canada by recognizing its nationhood and embracing the limited degree of constitutional asymmetry that would satisfy Quebecers. These courses of re-invention are the two versions of what a constructive path would be for Canada — clearly, at this point, a path not taken. Canada, then, is a country partly paralyzed — unable to positively shape its own future but capable of pushing Québec over the brink, it is reduced to *either* wait for Québec to draw its own conclusions from the paralysis *or* actually drive it out.<sup>18</sup>

Being paralyzed is not equivalent to being in a coma: unable to move, Canadians are quite capable of being frustrated, angry, resigned. We have seen various combinations of these reactions since the Meech Lake Accord ran into trouble in 1988, but *denial* has been the dominant feeling between the election of Jean Chrétien's Liberals in the fall of 1993 and referendum week.<sup>19</sup> It is unlikely that, on October 30, Canadians would have been able to jump straight from denial to resigned acceptance, had the percentages been reversed. A very narrow Yes majority would have only compounded the

overwhelming anger, born of unpreparedness, that would have made Canadians insist on punishing Québec ... and themselves in the process. Yes next time will not come as a surprise. It will force Canadians to react — either constructively or destructively. Canadians cannot be expected to be constructive about their relationship with Québec unless they are quite forced to — this is one effect among others of never entirely overcoming the colonialist legacy of the conquest of New France. But Canadians now have two years or so to accept the imminence of Québec's sovereignty and the necessity to then negotiate in a spirit of self-interested moderation. Yes next time may have a better chance of being received outside Québec with a sense of resignation, and an acceptance of a new partnership. How ironic: the more Quebecers get what they want — a new partnership between equals, a soft break-up, a friendship — the more Canada is likely to survive as a political-economic and cultural entity; conversely, the more Canadians insist on the "you're in or you're out" punitive logic, the more they will destroy their own community.

What are, in fact, the prospects that *self-interested moderation* will inform the positioning of Canada in the months before and after the next referendum? Not very good, I am afraid, because of the propensities of the government led by Jean Chrétien and of the leading role it is bound to play in the developing political dynamics. Three things need to be looked at to substantiate this admittedly *highly speculative* evaluation: the federal government's quasi-constitutional package unveiled on November 27, 1995; the January cabinet shuffle by Prime Minister Chrétien; and Ottawa's emerging next-campaign strategy.

First, the November package is so inadequate as to confirm the expectations of the majority of Quebecers who deeply distrust the Prime Minister. Without going into details, it is worth noting a few of its dominant traits. Once again, Québec's claims are assimilated to a form of provincialism, the solution being to offer the same thing to all provinces or regions (powers and veto); this would deal with "the needs of Canada as a whole," as Justice Minister Alan Rock had announced in early November.<sup>20</sup> In the process, the specificity of Québec's claims would remain unrecognized, waiting for the next occasion to resurface in the form of a crisis. Secondly, recognizing the unwillingness of Canadians to amend the Constitution, the federal government is proceeding para-constitutionally, with a minimal

amount of consultation; this results in a democratic deficit that many had thought a thing of the past after the Charlottetown process. As with the Meech Lake process, then, the federal government is trying to finesse its way around public opinion by burying the Québec issue as much as it can and by limiting democratic debate. Experience (and principle, as if that mattered) shows that this is no way to produce a lasting accommodation between Québec and the rest of Canada.<sup>21</sup>

The cabinet shuffle in late January 1996 that saw the appointment of Stéphane Dion as Minister of Intergovernmental Affairs is not going to do the trick either. To begin with, it will be found rather quickly that Dion's views are unacceptable to both a majority of Canadians and a majority of Quebecers. Thus, no sooner was he appointed than he was making rather strong claims for the "distinct society" concept *and* arguing that a sovereign Québec could very well be partitioned so that aboriginal lands and "municipalities" may stay with Canada<sup>22</sup> — all this with a veneer of high-intellectual seriousness that appears to be his chief recommendation to the Prime Minister. As well, chances are that Dion does not have anything like the political acumen needed to handle this file — the single most vexing one in all of Canadian twentieth century history — at the most difficult time possible. It is an indication of the desperation of federalist forces, and of Jean Chrétien himself, that the Prime Minister would give this responsibility, at this time, to an intellectual with no political experience whatsoever, no political "coat-tails," and indeed next to no potential constituency in francophone Québec (his federalism being much more of an Ottawa kind than of a Québec City kind). It could be, in fact, that the Prime Minister intends to drive that file himself, with especial input from Dion, both as trusted adviser and next-generation pitch-man: not an altogether promising prospect for a federalist camp that has justifiably lost a degree of confidence in the sharpness of their leader.

The repositioning of Lucienne Robillard at Citizenship and of Sheila Copps at Heritage, plus the arrival of Pierre Pettigrew at International Trade, are no more promising for the federalist camp, and this is where we arrive to the third element of this evaluation: the emerging Ottawa strategy.<sup>23</sup> Copps and Robillard will work at boosting a kind of Canadian patriotism that is as popular in English Canada as it is foreign to contemporary Québec. As this oh-so-belated campaign to win hearts and minds is bound to fail pathetically (aimed as it is at turning

Quebecers into Canadian-first Trudeauites), the real thrust of the Chrétien strategy will show itself to be another attempt at crushing sovereignists with a whole battery of threats: Pettigrew will play the "economic deterrent" card, Justice Minister Alan Rock will challenge the legality of whatever follows a sovereignist victory, Dion will continue talking about the partition of Québec, Robillard will talk about denying dual citizenship — with the Prime Minister topping the whole attack with soothing words to the effect that, these are unpleasant things to think about but Quebecers have to apply their minds to them because they are unavoidable consequences of voting Yes. This campaign of threats has, in fact, already heated up to a surprising degree, with Chrétien publicly endorsing Dion's partition claims: "If Canada is divisible, Québec is divisible too."<sup>24</sup> Why the federal cabinet has decided to raise the temperature so much, so early in the pre-next referendum campaign, is hard to understand — unless this is mainly geared at shoring up the Prime Minister's damaged credibility in English Canada, which would be a remarkably short-sighted tactic.<sup>25</sup> Meanwhile, it is far from clear that Chrétien will be able to remain the calm and dignified statesman, in the face of the likelihood of a sovereignist victory.

What will be the result of all this? Disaster for Canada, and for Québec of course. The combination of misguided patriotism and hard line politics will consolidate the intransigence of public opinion outside Québec at the same time that it will outrage a good majority of francophone Quebecers: more Quebecers will be likely to vote Yes as more Canadians will move to immoderation. Thus, today more than ever, Canada needs to be saved from its Prime Minister and his brand of federalism. Unfortunately for all concerned, including hard-line sovereignists whose Québec will pay dearly for the realization of their hard-separation dream, it won't happen. □

### Claude Denis.

Faculté Saint-Jean, University of Alberta.

#### Endnotes

1. For referendum result data, both aggregate and by region, see Denis Monière and Roch Côté, eds., *Québec 1996. Toute l'année politique, économique, sociale et culturelle* (Montreal: Fides / Le Devoir, 1995) with a 32 page insert on the referendum.

2. Hugh Winsor, "Sovereignty surge seen in Quebec" *The Globe and Mail* (22 December 1995) A3; and "Taking the Pulse" *Maclean's* (25 December 1995) 32-3. A poll published on 27 January 1996 in *The Globe and Mail* gives a Yes / No distribution of 52.4 % / 47.6% among decided voters; the distribution of all voters, including "discrete" respondents, is not mentioned, which makes comparison with other polls difficult. It is probably the case, however, that the Yes margin has narrowed. The meaning of these short-term variations is an open question, of course, beyond the basic fact that it is the Yes rather than the No that has been benefitting from a post-referendum glow.
3. André Picard, "Johnson comes out swinging at Ouellet" *Globe and Mail* (6 January 1996) A3.
4. See Claude Denis and David Schneiderman, "Towards the Referendum: Campaign Contradictions" (1995) 6 Const. Forum 126.
5. On the Sondagem poll, see Pierre O'Neill, "Sondage Le Devoir-Sondagem sur l'avenir du Québec" *Le Devoir* (11 November 1995) A1. This poll was conducted by political scientists Guy Lachapelle and Pierre Noreau.
6. See Jeffrey Simpson, "Dion now point man in battle for unity" *The Globe and Mail* (27 January 1996) A1, A4.
7. O'Neill, "Sondage Le Devoir-Sondagem"; and Pierre Noreau, "Le miroir aux électeurs" *Le Devoir* (14 November 1995) A7. On the SOM poll, see "Sondage Québec-Canada" *Agence Presse Canadienne* (3 November 1995) # 012787.
8. The Sondagem poll published in *Le Devoir* confirms that many Quebecers thought the rally to have been important. From this, reporter Pierre O'Neill hastily concludes that the rally had the intended effect — helping the No side (see note 4 above). But this inference is not necessarily warranted, as we will see presently.
9. See Hugh Winsor, "Poll disputes No rally's success" *Globe and Mail* (11 November 1995) A1.
10. This last element is consistent with the overwhelming evidence in the last several years of "hardening attitudes" in English Canada towards Quebec. On further "hardening" after the referendum, see Winsor, "Sovereignty surge seen in Quebec," *supra* note 2.
11. Note that in this version of the metaphor, although ROC's stance is associated with a typically male bullying attitude, there are no necessary gender associations to either side here. Indeed, there is nothing to keep us from thinking that the two individuals involved could be of the same sex, either male or female.
12. Anne McLroy, "NO: 50.6% No, 49.4% Yes; Slim win gives Canada hope" *The Edmonton Journal* (31 October 1995) A1.
13. Graham Thompson, "Vote for change must be heeded, insists Klein" *The Edmonton Journal* (31 October 1995) A4.
14. Not that anybody thought that their single individual vote would make the difference, but voting — and voting Yes especially — was an enormous responsibility now that, for the first time, the sovereignists were about as likely to win as were the federalists.
15. Half-hearted, because everyone knows that the Chrétien government is now being pushed onto a course that it has wanted to avoid; manipulative, because to go towards what Quebec wants, Ottawa must go against the self-concept and aspirations of the rest of the country — and vice versa and without appearing to do either of these things; unimpressive, because the November 27th package contains less than what Quebecers rejected in the Charlottetown Accord; quasi-constitutional, because the changes contemplated have a constitutional vocation without having the force of constitutional law (which takes us back to the package's manipulative and unimpressive character).
16. At this point, it seems that the best hope of federalists everywhere in Canada — I have heard the story in Quebec, Ontario, Alberta and British Columbia — is that Premier Bouchard will lose his appeal in the process of trying to reduce the Quebec government's deficit, and that therefore he will be unable to win the next referendum. While possible, this scenario ignores the fact that the other provinces' premiers who have adopted drastic deficit-cutting programmes have all remained remarkably popular. Quebecers, like other Canadians, have become convinced that such an exercise is necessary, and are just as likely to reward the premier who bites the bullet. Indeed, Lucien Bouchard, with his uncanny ability to be both ruthless and compassionate, is just the man to bite it successfully.
17. A large portion of the constituency that voted No this time had voted Yes at Charlottetown: they wanted change. When they are added to the 49.4% who voted Yes to sovereignty, very few people are left in Quebec who favour the status quo.
18. This became evident as soon as Ottawa's strategy called on Canadians outside Quebec to remain quiet, uninvolved, in the year leading to the referendum, on the (correct) assumption that whatever provincial leaders such as Ralph Klein and Clyde Wells were likely to say would hurt the federalist cause: if, that is, Quebecers knew what Canadians were thinking, they would definitely want out!
19. This familiar psycho-medical analogy is borrowed from Elisabeth Kubler-Ross, *Death: The Final Stage of Growth*, Englewood Cliffs (N.J.), Prentice-Hall, 1975. William Thorsell has also used the analogy in this connection in "Let us come to the aid of our most inconvenient Prime Minister" *The Globe and Mail* (27 January 1996) D6.
20. See Jean Dion, "Ottawa s'attaque aux problèmes de tout le Canada" *Le Devoir* (9 November 1995) A1.
21. On the November 27 package, see also note 15 above.
22. On the "distinct society" statement, see Susan Delacourt, "New cabinet shows unity-tactic shift" *The Globe and Mail* (27 January 1996) A1. I heard the

statement on the partition of Quebec on a CBC Radio News bulletin on the evening of January 27; the substance of this report had first been stated by Dion at a *Cité Libre* dinner last year (see Jeffrey Simpson, "Dion now point man in battle for unity" *supra* note 6).

23. On the emergence of this strategy, see Susan Delacourt, "Liberals ponder the unthinkable" *The Globe and Mail* (29 January 1996) A1, A3.
24. Ross Howard, "Québec divisible, Chrétien says" *Globe and Mail* (30 January 1996) A1.
25. The unavoidable flaw in the partitionist "same logic" argument has to do with what a nation is, and how it occupies a territory. Peoples, or nations, have a right to self-determination on the territory they control and in almost all extant cases across the world, such national territory contains minorities (that is, groups that for any number of reasons do not consider themselves or are not considered part of the nation). With the notable exception of indigenous peoples, minorities in Québec do not

constitute a nation — they are part of the Canadian people (this is how they see themselves and, therefore, to the extent that they are not members of the Québec nation, their exclusion is in good part self-made); as such, they constitute a national minority in Québec's national territory. They, then, have no right to self-determination; but they do have minority rights within Québec. All this should be fairly obvious, were it not for the climate of hate that is quickly developing in Canada against Québec nationalism and its main representatives — and that expresses itself, for instance, in this lust to dismember Québec's national territory.

## Explorations in Difference: Law, Culture and Politics

Edited by Jonathan Hart and Richard Bauman

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How do current debates over identity and difference come into play within the workings of our cultural, legal, and political institutions? *Explorations in Difference* addresses this question, gathering together a range of perspectives on the meanings and implications of difference in the context of postmodern theory.

Richard W. Bauman  
Faculty of Law, University of Alberta

Ross Chambers  
Departments of French & Comparative  
Literature, University of Michigan

Claude Denis  
Department of Sociology,  
University of Alberta

Richard F. Devlin  
Faculty of Law, Dalhousie University

Jonathan Hart  
Departments of English & Comparative  
Literature, University of Alberta

Pamela McCallum  
Department of English,  
University of Calgary

Jennifer Nedelsky  
Department of Political Science and  
Faculty of Law, University of Toronto

Sheila Noonan  
Faculty of Law, Queen's University

Christopher Norris  
School of English Studies,  
Communication and Philosophy,  
University of Wales at Cardiff

Christine Sypnowich  
Department of Philosophy,  
Queen's University

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