
UNIT 10 LANGUAGE, CULTURE AND POLITICS: QUEBEC

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10.1 INTRODUCTION

Canada right from the days of its emergence, as a settler colony in the seventeenth century, has long been a plural society, comprised of a multitude of historical influences, regional patterns and ethnic collectivities, in the words of Leo Driedger, it is a mosaic of histories, regions, cultures; languages, ideologies and communities. Therefore, politics of language and ethnicity has been an important aspect of evolution and working of Federalism in Canada. Within this the Quebec separatism had become a broad based movement, drawing most particularly upon ethnic conflict between Franco-phones and Anglo-phones.

Quebec (founded by **Sammuel** De Charnplain of France in 1608) is one of the ten provinces of Canada which literally means a place where river becomes narrow; it has a different language, culture **and** politics, distinct from the rest of Canada, which is influenced by traditional French Catholic Church, French language and **separatist politics**. From **1960s**, there has emerged a sense of deprivation and marginalisation and a consequent movement for separation from English-speaking Canada. The politics of identity in Quebec, of course, is not new. It has been there since annexation by the British. Its history can be divided into five phases: (a) 1608-1760 (b) 1760-1867 (c) 1867-1960 (d) 1960-1976 and (e) 1976 onwards. While the first and **second** phases were the years of French and British colonialism, the third and fourth phases witnessed industrialisation and cultural modernisation. In the **last** phase **Quebec** moved towards demanding sovereignty which catapulted it into global prominence. Its **plebiscitary** politics leading to referendum in which the demand for separation from Canada was **narrowly** lost in 1995 is the hallmark of contemporary history.

10.2 HISTORY

The history of Quebec goes back when the French founded their first permanent European settlement, Port Royal in Nova Scotia in 1605. Two years later, the English established their first settlement in Virginia. For the next 150 years, as traders, explorers and soldiers, the two sides jostled against each other. The French established their colony in what is now called Quebec, calling it New France. In 1760, the British finally conquered the French colony. It was formally ceded to Britain by the Treaty of Paris in 1763. Once the British sapped its umbilical cord with France (after 1760), the French immigration in Quebec had almost stopped.

In 1763, British Royal proclamation was issued that established civil and criminal laws of England in Canada. The British civil and criminal laws were imposed on the catholic French settlers who were not entitled to vote in spite of being in majority. The English considered themselves superior and detested the catholic Quebecers, subsequent developments either at governmental level or of Anglicised public, strengthened this identity quest of the French. The more the English settlers demanded for application of British laws, the more the French Quebecers repeated their separate identity shell. But in 1774, through the Quebec Act, the British restored the French civil code including the rights of the roman catholic clergy in Quebec. Since then Quebec has maintained its separate identity within Canada. That simultaneously also checked it (Quebec) from joining the American confederation as the 14th state. In 1791, through the Constitutional Act, the colony was granted a nominated council and an elected assembly to every Canadian province by the British. The English settlers reacted against this right provided to the French. Their fear was that once this backward French community gets trained in the art of running modern democracy, they will usurp the power and dominate over them. Numerically being in majority, their dominance may be irrevocable. The grant of representative democracy, however, was less real. The elected assembly had minimal power; the nominated upper council had powers; and it was the governor and his nominees who exercised the real executive power. The members of the legislative council were nominated by the British crown that refueled the mirror image of the House of Lords. The British governors were obviously biased towards the British settlers which were best founded in their acts like granting lands to British protestant clergy and nominating their peers in the legislative council. Such biased acts created discontent among the French Quebecers. Also, the British never trusted those about whom they thought as French extension in Canada in language, religion, manners and attachment in spite of the fact that French catholic Quebecers never sided either with the revolutionary America or revolutionary France. In Quebec, the objective of the British was to overwhelm the French by the British protestant population and side step them from political power. Subsequently the French dominated assembly was dissolved and their newspapers were suppressed. Even after its restoration later on, the political acrimony continued unabated. In 1820, a further attempt was made to bring Roman Catholic Church under the British civil laws and implement English as the language of record and debates in the Quebec legislature. But fortunately it was dropped under the pressure of French Canadian protest and to protect long term British interests visualised by the colonial office and parliament. All these led to rebellion by the French Canadians in 1837. Led by Papineau, they demanded financial control by the elected Assembly and an elected house in the legislative council. This rebellion was quickly suppressed and the constitution itself was suspended for the Quebec. The rebellion led to the formulation of another Act known as The Union Act of 1841.

Under this Act, two new elements emerged: (a) French and English became the official languages of debates and records in the Assembly council and (b) the council became tenural, i.e., the membership of the council was fixed for 8 years. It no longer remained life-long, as it has earlier, like the House of Lords. But such developments, counter-posed, another kind of reaction from the British. They began to demand representation for themselves in proportion to their population; and the more they demanded, the more the French got alienated from the British resulting in the defeat of the objective of the assimilation of the Union Act. One positive aspect, however, emerged from the Union. The French Canadians learnt the functioning of parliamentary democracy and understood its benefits and maces. This experience paid them later when Canada became a confederation / federation and Quebec became one of its federating units in 1867. In 1867, when Canada became a dominion, Quebec's distinct identity remained. The new federal structure recognised and incorporated the specific provisions of Quebec's language, religion, culture, education and civil laws.

10.2.1 Confederation and the Francophones

In 1867 when Canada acquired dominion states and became federal, it was the pre-1817 Quebec's experience and its principle of representation as per the strength of the population that was adopted as method of electing representatives in legislatures for the entire Canada. Not only that, keeping in mind the uniqueness of Quebec, even the electoral rights and privileges of the minorities (catholic and French nationality) remained protected; the civil laws of the Quebec remained intact whereas the other provinces implemented uniform civil code. In fact, in terms of response to ethnic-cultural differences also, from the very beginning, there had been a gulf in perception between English and French Canada. For the English Fathers of confederation, the descendents of the conquerors of Canada, confederation meant the creation of a strong central government over four provinces; for the French Fathers of confederation, the proud survivors of that conquest, confederation meant the union of two founding nations. According to this perception, confederation confirmed the minority status of French Canadians but in return gave them real powers with the creation of the province of Quebec, their main territory, where government would be dominated by French speaking people. Provinces were then granted exclusive powers over such matters as property and civil law, education, social services and local works. At the same time, the constitution provided for several protective measures for the Anglo protestant minority in Quebec.

The more specific political terms, the confederation settlement permitted the dominant indigenous elite of French-speaking Canada – most decisively the Roman Catholic clergy – to control those elements of the province's cultural and religious life deemed most necessary to the integrity and survival of the French-Canadian community. At the same time, it vastly enhanced the powers of the Anglo-Protestant political leaders and their allies in the business community to create a new transcontinental economic nation.

The prospect of provincial control over such matters, which were then viewed as defining the distinctiveness of French Canada, was welcomed by the French-Canadian clergy. who undoubtedly foresaw that they would be able to exercise considerable influence over Quebec's provincial legislature. Religious minorities whose rights to separate educational system were already assured “by law would be protected from provincial interference with those rights. While this is enough to suggest that the preservation and development of

existing sub-national communities and identities was considered to be important and was also understood to be primarily the responsibility of the provincial governments, there was little to provide guidance on how to reconcile conflicts between the perceived requirements of federal nation-building and provincial community preservation. Nor did it provide for cases in which individuals or minorities within provinces might be subject to the tyranny of provincial majorities." It is this absence which, from the beginning, made the confederation create a gulf in perception between English-Canada and French-Canada as also among natives and other ethnic groups later on. These differences in perceptions have led to the occasional processes of centralisation and decentralisation and ethnic tensions.

Quebec therefore has evolved as a distinct entity neither resembling European French nor Canadian British. Its individuality evolved on the promise of pre-British pattern of cultivation and formation definite mechanism against the British settlers.

At the time of independence, Quebec lagged far behind in comparison with the other provinces of Canada as it was mainly rural and poor. Its real industrialisation begun in between the two world wars period. But interestingly its economy, finance and industries was controlled more by the non-French. The Quebecers controlled mainly agriculture and small-scale retail services and supplied labour power.

10.3 LANGUAGE, CULTURE AND NATIONALISM

As already mentioned Quebec is the only province which predominantly speaks French and is catholic. Rest of Canada speaks English and is largely Protestant. As mentioned above since 1774, this distinctiveness of Quebec and its quest to maintain the same has always been recognised by the federal government though at different stages of history, both colonial and post-colonial, federal government also brought forth means, legislative and executive fiats, to protect the English settlers in Quebec or to anglicise the French. Culturally, Quebec Act outlined one vital issue: Quebec was to be governed by French civil code essentially meaning that (a) French language was officially recognised in legislative governmental /judicial functioning and (b) Roman Catholic Clergy was to be the legal recipient of 1/26 share of the produce which, in turn, granted it control over education, religion, and the cultural production. This arrangement remained in order till 1867 and subsequently till 1960 except for a brief period between 1841-1849 when English became the official language of record, though French remained the language of debate and education. Even in 1867, the French civil code including the property and educational rights of the Roman Catholic Church remained intact. Only in case of infringement of educational rights its appeal had to be heard by the federal parliament. In fact the 1867 confederation left the Quebec's distinctiveness untouched. The confederation granted French the official language status of federal parliament and federal judiciary though it also, simultaneously, recognised English as official language for Quebec's legislature and judiciary along with the rights for English settlers for Protestant school system and English medium education.

The impact of such developments manifested into a cultural formation that bred a contented life and moral puritanicalism more like rural idyllic, if not vegetative, life seeking prominence in mercantile entrepreneurship or material opportunities was not their prime ambition. Dominated by catholic clergy, the Quebecers were declared as evil. The result of such cultural formation was that even the government of Quebec refused federal subsidies

offered to the province during the Second World War for health, secondary education, vocational training, etc., on the ground that such subsidies would restrict the autonomy of Quebec. But it must be mentioned here that all such welfare measures including the health care were controlled by the church that feared interference in its affairs and culture by the federal government.

In this context, after the Second World War French Canadian nationalism followed a different path. Nationalist leaders then began to see Quebec, rather than Canada, as the true home of French Canadians and to advocate a leadership role for Quebec government in shaping the future of French Canadians. When in April 1949, the federal government appointed the Royal Commission on National Development in the arts, letters and sciences, the Quebec nationalists objected to it as for them any move by Ottawa to involve itself in cultural matters was cause for apprehension. Throughout the 1950s, the Union National (UN) remained in power in spite of the rapid social changes brought about by war and post-war economic expansion. The ideological knitting together of the various elements of Francophone Quebec that supported the UN did not change. Duplessis continued to portray the expanded role of the federal government as morally deplorable and constitutionally invalid, and his party as the most effective defender of the provincial autonomy against federal incursions.

At the same time in the post-war years the federal government was trying to shape a new Canadian nationalism with institutional and cultural features. Such a process had been operating in gradual fashion for many decades, but it went forward more systematically in the post-war era. The decision to end judicial appeals to the privy council and to give the Supreme Court of Canada the ultimate power in all judicial matters as also getting the West Minister approval to make limited amendments in the BNA Act in 1949, were good examples of that trend. During that process of Canadianisation, the federal government tended to present itself as the expression of the nation.

10.3.1 Quiet Revolution

Industrialisation and urbanisation, in the wake of world wars, brought forth new cultural traits. From 1960s under the leadership of intelligentsia of the labour union and modernised urbanisation of the church, there began cultural reformation that subsequently transformed the hitherto existing cultural nationalism into political nationalism. First in 1960, after the death of Duplessis (September 1959) in office and that of his designated successor in early 1960, the twenty three year old reign of the Union National government in Quebec ended. With this the stage was cleared for a renaissance of the Liberal party as a party standing for the economic and cultural modernisation and revitalisation of Quebec. With the election of Jean Lesages, Liberals in 1960 furthered the transformation that came to be called the "Quiet Revolution", carrying out important changes focusing upon the modernisation of education, government planning of industrial development and voluntary secularisation of society. In this period, the prime slogan was 'things must change' that also manifested the quest of the Quebecers to modernise. The provincial government focused on social welfare, economic planning and foreign policy that not only marginalised the church's role in social development but also attacked the economic domination by English speakers in Quebec. In the process, the demography of language and the definition of the political community acquired a much greater salience to many Quebec French-Canadians. The demand to control hydro Quebec, a private company, and the creation of education ministry by the provincial

government symbolised this trend. The government, in a short span, undermined the monopoly of the church by taking control of education and health care resulting into their secularisation. Along with it, the government also enacted a set of language policies that propelled the francisation of education and culture. It declared French to be the only official language of the province and also the language of civic administration and services and of the working places. Business firms which received concessions or subsidies from the government were directed to adopt francisation programmes and to ensure greater intake of French among the personnel and administrations. Permits were to be issued only to such professionals who had a working knowledge of French. All products were to be labeled in French and the public signs were to be drawn up in French or in French and other languages. However, Quebec's (govt.) attempt to restrict the language of the court and the legislature to only French was struck down by the Supreme Court of Quebec and of Canada, along with the restrictions that the government of Quebec had imposed on English as medium of instruction for children whose parents were educated in English.

The main intention of the government was to reinvigorate modern cultural nationalism among Quebecers through education and language, and to make it distinctively French, even in appearance in contrast to anglicised Canadians, even new French terms were coined or French dictionary was enriched to replace the English words. French language offices were established and promoted to perform the job. The government ensured better and more career opportunities for Quebecers or promoted business opportunities for Francophones.

10.3.2 Quebec Nationalism

The sub-nationalism, which was under consolidation under expanding capitalism and liberal democracy, took a dramatic turn after 1950s. It was mainly aggravated by the economic division into ethnic segregation. The new labour leaders and the urban, modernised church clerics provided new direction to this existing sub-nationalism whose slogans reflected the desire for changes as well as mastery over Quebec. They criticised the traditional and conservative outlooks which had left the economic decision making to the federal government. The new social and political leadership took the responsibility of economic development, social welfare and external affairs under the command of the provincial government leading to solidarity of an assertive French-Quebec nationality and identity despite becoming more modern in their outlook. There have been series of demands—constitutional and political—since then, that have stretched Canadian federalism to its limit. A new element in it is the demand for provincial ownership (francophone ownership) of Hydro Quebec, a private enterprise of Energy, owned by the English. Another had been to develop international linkages with other countries directly by the provincial Quebec government independent of the federal Canadian government in order to get recognition for Quebecers as a distinct cultural community. The provincial government created an Inter-governmental ministry to develop and monitor its international networks with other countries of the world. No doubt it was within the provincial jurisdiction but it created a flutter within the federal government as well as within the English community.

With the growing awareness of their collective identity, Quebec Francophones began to express that they did not recognise themselves in the central political institutions and indeed in evolving symbolic order of the entire society, leading to the launching of, what Peter M. Leslie described as "nation-building enterprise in which the existing federal structure appeared to many, an unwelcome constraint." Therefore, in 1960s, various manifestations

of political nationalism surfaced in demands of independence or autonomy from Ottawa. Some sought to achieve their goals within the federal system (under a "special status" involving the confederal of powers not exercised by other provincial governments), others aimed to establish a form of confederacy (political sovereignty, but in full economic union with the rest of Canada, an arrangement known as "sovereignty association"), and still others looked toward the creation of a fully independent Quebec state. In 1976, election victory of the **Parti Quebecois (PQ)**, committed to sovereignty-association, brought the independence movement in frontline and posed a significant challenge for Canadian federalism.

All these developments led the federal government to appoint a Royal commission to recommend steps for **better/harmonies** functioning of Canadian federalism which, it declared, was based on two founding races. Earlier, the, federal government had already introduced the Maple Leaf flag and a new official National anthem to assuage the feelings of the French. The commission, in few months time, handed over the report recommending English and French as official languages of Canada which the federal government enacted promptly as the law. It also appointed an official language commissioner to enforce the act which resulted into many **British/English officials** learning the French and the French opting for federal government jobs which, earlier they were reluctant to opt for, due to language barrier. The policy, thus, facilitated, at least for the time being, an assimilation of the French and the British. The political leadership of Quebec, however, remained dissatisfied with this half measure of the federal government and argued that now the only alternative for Quebec was to seek independence. Subsequently, the Quebec government passed laws that, 'step by step, made French the compulsory language in Quebec for everyone, from market products to legislative-judicial functions, and conducted plebiscite for separation from English Canada. Thus from 1872, when **Parti Nationale** was founded which declared Quebec government as the national government of Quebecois, to 1980 Quebec arrived at scene where it became politically active seeking separation at mass scale.

10.3.3 The Referendum

Within this the Quebec separatism had become a broad based movement, drawing most particularly upon ethnic conflict within Quebec, but also upon a growing demand that the government of Quebec meet basic social and economic needs. Culmination of this was the accession of the **Parti Quebecois (PQ)** led by Rene Levesque in **November 1976** with the objective of making Quebec an independent state linked through an economic association with what would remain of Canada.

The PQ, once it had formed the government, moved steadily to try to make secession popular with Quebec voters. First, it sought to gain a reputation for capable administration; secondly, it brought in legislation which catered to the interest of the Francophone constituency; and thirdly, it tried to educate the public regarding the advantages it saw in the "sovereignty-association" option. This option, John R. Wood points out, was to be achieved through a process of "etapisme" (step by step change), the most significant element of which was a commitment to employing referenda to determine popular support in Quebec for sovereignty-association. After three-and-a-half years in power, the PQ held a referendum, on May 20, 1980, asking for a mandate to negotiate sovereignty association with Ottawa. In the referendum the "NO" side won 59.5 per cent to 40.5 per cent, just enough to allow the claim that a majority of all linguistic groups in Quebec had voted against the mandate.

Despite the rejection of the Parti Quebecois primary objective, the Quebec voters one year later, in April 1981, returned it to office for another term, with a larger majority. In that election, Levesque promised not to hold another referendum during the new period of office, though the party remained committed to eventual independence, perhaps without economic association if necessary. It means that the defeat of the PQ's referendum in 1980 did not remove the very real concerns many people in Quebec and even throughout Canada had for the protection of cultural and language rights. Even the federalist forces accepted that a "No" to sovereignty-association was not a vote for the status quo; rather it was a vote for "a renewed federalism".

10.4 PROCESS OF ACCOMMODATION

While ethno-nationalism in Quebec and regionalism in western provinces had been growing, there had also been emerging proposals for constitutional reforms. In fact in 1960s itself there developed among supporters of the federal system, both English-speaking and French-speaking, the judgement that under the new circumstances the survival of confederation dictated a much-enhanced and more explicit recognition of French-English duality and decentralisation of powers. Accordingly, apart from ideological definitions were developing other responses to the new circumstances. These, according to D.V. Smiley, were:

- 1) *Accessions to Quebec's demands for an enhanced scope of fiscal and administrative autonomy:* On several occasions Ottawa was willing to respond positively to Quebec's demands for a wider scope of fiscal and administrative discretion. From 1971 onwards there have been agreements between the federal government and Quebec permitting a more extensive Quebec role in relation to immigration than wished by the other provinces.
- 2) *Constitutional review and reform:* The process of constitutional review began by the 1967 "Confederation for Tomorrow Conference" was a direct response to the emergent circumstances of Quebec. While the negotiations leading up to the November 1981 agreement between Ottawa and nine provinces with English-speaking majorities isolated Quebec, the impetus for the renewal of the constitutional review process was a direct result of the federal liberals promise in the referendum campaign earlier.
- 3) *Reform in the federal public service:* In April 1966 Prime Minister Pearson announced a new linguistic regime in Federal Public Service. In June 1973, Parliament confirmed the general principles of the 1966 policies by a resolution which directed the government to identify the official language requirements of all positions in the departmental civil service and to ensure a greater use of French at all levels in the service.
- 4) *The legal and constitutional recognition of the official languages:* The Official Languages Act 1969 and important changes in the constitution which came into effect in 1982 gave increased recognition to the equality of French and English in the operations of the federal government. Earlier in 1967, the Royal Commission on Bilingualism and Biculturalism published its Report on the Official Languages. Article 2 of the Official Languages Act declares that the English and French languages are the official languages of Canada for all purposes of the Parliament and Government of Canada, and possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada. The

reforms which came into effect in 1982 gave the two languages a much more extensive constitutional recognition than had been contained in the provision of Section 133 of the BNA Act of 1867.

- 5) **French power at the senior levels of political decision making:** Francophones were accommodated in senior and important positions in the Cabinet.

Towards language equality on the recommendations of Royal Commission the **Official Language Act** of 1968 was passed to bring equality of English and French into reality on a day-to-day basis. A language programme branch was also established to promote, facilitate and encourage the acquisition and use of the two **official** languages in the Canadian society.

However, in spite of these measures ~~the~~ position of the Francophones was not much different. As McConnell observes, "The institutional bilingualism written into the Official Language Act, simply cannot sustain the vitality of French communities outside Quebec". The rate of absorption in English community did not decline, the overall enrolment in French education in English-dominated provinces was not improved and the use of French language in federal administration was not increased.

In the meantime, as mentioned in an earlier unit, process for patriation of Constitution was also going on. There were differences between the federal government and some provinces. Ultimately a compromise was reached.

The agreement represented a compromise between nine provinces and the federal government. These provinces accepted Ottawa's proposal for a Charter of Rights in exchange for both the right to override certain portions of the Charter by means of the notwithstanding clause, and the inclusion of an amending formula devised by the provinces.

10.4.1 The Meech Lake Accord, 1987

Following the April 17 proclamation of the Constitution Act, 1982, the Supreme Court of Canada ruled that Quebec had no veto in law or practice over patriation of the Constitution. Quebec, in consequence, was legally bound by the Constitution Act, 1982.

However, both the government and the **National Assembly** of Quebec refused to accept the terms of repatriation agreed by the Prime Minister and nine Premiers on November 5, 1981, and denounced the political legitimacy of the Constitution Act, 1982, which, by virtue of the Charter, curtailed the powers of the National Assembly without its consent. To underline its rejection of the political legitimacy of the Act, Quebec began to invoke the notwithstanding (or override) clause of the charter automatically and systematically in all legislation.

In May 1985, the **Parti Quebecois** government published a **Project d'accord constitutionnel**, which set out 22 conditions for accepting the legitimacy of the Constitution Act, 1982. Those conditions would have radically altered the constitutional distribution of powers and would have removed Quebec from the application of most of the **Canadian Charter of Rights and Freedoms**. No intergovernmental discussions were held on this proposal.

In December 1985, the Liberal Party of Quebec came to power and, a few months later, made known its wish to seek a return to the constitutional fold on the basis of five points set out in *Maitriser l'avenir*, its political platform. The new Quebec government also ceased to invoke the notwithstanding clause automatically in all new Quebec legislation.

Quebec's return became the priority of all the Premiers at their annual conference in August 1986, and all First Ministers agreed to **intensify** discussions in November 1986. Agreement in principle was reached on a package of amendments at Meech Lake on April 30, 1987, and on a legal text at the Langevin Building on June 3 of that year. The five key elements of the agreement related to a constitutional interpretative clause respecting Canada's linguistic duality and Quebec's distinct society, a constitutional veto for all provinces on certain institutional matter, provincial participation in the nomination of Supreme Court judges, compensation for provinces opting out of new national shared-cost programmes under certain conditions, and a strengthening of provincial powers over immigration.

Since the Meech Lake agreement contained amendments requiring unanimous legislative approval – for which there was no time limit for ratification – and amendments requiring the consent of Parliament and two-thirds of the legislative assemblies representing at least 50 per cent of the population – for which a three-year time limit existed – it was held that:

- the constitutional resolution enacting the Accord would have to be adopted by all legislative assemblies and Parliament; and
- unanimous ratification would have to be achieved within three years.

However, the Meech Lake Accord ultimately failed to be ratified within the three-year deadline and died on June 23, 1990.

10.4.2 The Charlottetown Accord

The Meech Lake Accord failed to pass because it was not adopted by the legislative assemblies of Newfoundland and Manitoba within the three-year deadline. Although it had been adopted by the House of Commons – twice – and by all of the other provincial legislative assemblies, there was a popular perception among French-speaking Quebecers that Quebec had been "rejected" by English-speaking Canada. Nationalist sentiments ran high and on June 24 – Saint-Jean Baptiste day – the streets of Montreal teemed with blue and white provincial flags.

Polls suggested that more than 60 percent of Quebecers would have supported sovereignty if a referendum were held at that time. Indeed, sovereignty called for an immediate referendum.

Throughout the rest of Canada, feelings were also running high. In some quarter, there was a call for Quebec to become a province like all the others or to depart – and not necessarily on the most generous terms. There was anger also among those who had felt excluded from the Quebec Round and who wanted to see their constitutional goals realised.

All governments responded to this situation by setting up consultative mechanisms to dialogue with the people, to broaden the debate to deal with the concerns of all Canadians, and to restore calm. The federal government set up the Citizens' Forum on Canada's Future to enquire into the values Canadians share and the Beaudoin Edwards Special Joint Committee on the amendment procedure. A Royal Commission on Aboriginal Peoples was also established.

The Charlottetown Accord included the **inherent** right to Aboriginal self-government, recognition of Quebec's **distinct** society, a **Canada clause**, an equal Senate, a veto for all

provinces over subsequent institutional reforms except the creation of new provinces in the territories, strengthened legislative jurisdiction of the provinces, a better reflection of representation by population in the House of Commons and a *guarantee* in perpetuity of at least 25 per cent of the Commons seats for Quebec.

With respect to ratification of the agreement, First Ministers agreed at Charlottetown to hold two referendums on October 26: one in all of Canada, except Quebec, under federal auspices and one in Quebec under that province's jurisdiction. As a political matter, it was **further** agreed among leaders that the referendum would have to be supported in all provinces in order to pass, although this was not legally required. On October 26, a majority of Canadians in a majority of provinces, including a majority of Quebecers and a majority of Indians living on reserves, voted "no".

However, it could not be alleged that Quebecers had been rejected by the rest of Canada, or the rest of Canada had been rejected by Quebec, or Aboriginal peoples had been rejected by non-Aboriginal peoples. This led to a generalised calm following the referendum, unlike the mood following the failure to ratify the Meech Lake Accord.

10.4.3 Referendum 1995

In addition to the **formal** constitutional amendments, the Canadian federation has developed and evolved through a step-by-step process of non-constitutional reform. Some of these changes sought to respond to commitments Prime Minister Jean Chretien made to Quebecers in a speech at Verdun on October 24, 1995, towards the end of the Quebec referendum campaign on sovereignty. The Prime Minister promised: to recognise Quebec as a distinct society within Canada; to make no constitutional changes **affecting** Quebec without its consent; and to bring decisions and services closer to citizens.

In the mean time the Quebec government held another referendum. The Quebec referendum was held on October 30, 1995, and the sovereignty mandate was defeated by a vote of 50.6 per cent "No" to 49.4 per cent "Yes."

Following the referendum, in December 1995, the House of Commons and the Senate passed a resolution recognising Quebec as a distinct society within Canada. In particular, the resolution proclaims the distinct character of Quebec's unique culture, civil law tradition and French-speaking majority. Under the terms of the resolution, the House of Commons and Senate "undertake to be guided by this reality" and "encourage all components [of the legislative and executive branches of the federal government] to take note of this recognition and be guided in their conduct accordingly."

In addition, a form of veto for Quebec over constitutional change was also adopted. On February 2, 1996, Bill C-110, the regional vetoes law, came into force. The Bill requires the consent of Quebec, Ontario, British Columbia, the prairies and the Atlantic region before the Government of Canada can propose a constitutional amendment to the Parliament.

In another development the federal government, without the consent of Quebec, referred the case of separation to the Supreme Court seeking advice on the matter whether Quebec has the constitutional right to secede without prior approval of the federal government. The Supreme Court unanimously ruled that the Quebec had no right to **recede** unless Quebec votes with clear majority on a clear question of separation with the prior consent of the federal government.

10.5 IDEOLOGICAL AND SOCIAL BASIS OF SEPARATIST MOVEMENT

Various attempts by the Federal government have not resulted in any substantial decline in Quebec nationalism. After 1995 referendum, both the P.Q. and the Bloc Québécois had renewed their commitments to achieve sovereignty for Quebec. While the referendum results suggest that the separatist movement still does not have a majority support in the province, the election results in the Quebec point towards the other direction. Reasons both for support for Quebec nationalism and yet for failures in referendum lie in the ideological and social basis.

One reason for failures at referendums and otherwise is that while the PQ is a rainbow coalition with members spanning from far right to far left, from moderate to fanatical, the new nationalism is mainly a middle class phenomenon, largely the creation of the intelligentsia. As Charles Taylor points out, its roots were to be found in the situation of this class, competing for promotion and careers in a modern economy that was in origin and stamp largely Anglo-Saxon, and partly in this class's perception of the way in which French-Canadian society compared with Anglo-Saxon North America.

One of the most popular arguments among independentists is to the effect that the majority in federal Canada has favoured the economic development of Ontario over Quebec and that the requirements of economic realisation must, therefore, include an independent Quebec government with the major responsibility for the economic management of the province's economy. The argument, according to Taylor, could go that Quebec needs an independent political instrument in order to ensure participation in economic direction, because of the overwhelming force of neighbouring Anglo-Saxon culture of 250 million, the richest and strongest economy in the world, or because of the greater political clout that the English-Canadian majority inevitably exercises in Canada; or for both reasons.

The fear of gradually becoming anglicised, if nothing is done to strengthen Quebec's political status, is a fundamental concern that has led many Quebecers to support independence. It is easy to believe that the future of the French language in Quebec would be consolidated if the Canadian province became a French-speaking republic. In particular, it may become easier to integrate immigrants into the French-speaking community. Opinion polls confirm the relationship between Francophones linguistic expectations and their support for sovereigntist goals. The French language is not, of course, the whole of Quebec culture, but it is the most reliable sign of its originality and vitality. Language is a fundamental concern because it is a matter of personal interest and because it represents a powerful collective symbol.

The feeling of rejection arises from a perception of Ottawa and the Anglophone provinces insensitivity to the conditions of existence for Quebec in North America. Quebec is unique in that its population is 80.2 percent (1991 consensus) Francophone, of Catholic background, and influenced by a civil law tradition while the rest of Canada is mostly Anglophone, tending to have a Protestant background and having a common law tradition. The dominant interpretation of federalism in the rest of Canada, it is felt, builds on a twentieth century vision, a vision that largely ignores the need to respect deep diversity. J.A. Carry explains that Quebec's objections about them (federal priorities and patterns built into shared programmes) have not been primarily the distribution of powers under sections 91 and 92

but rather the stamp of the English Canadian preferences and outlook on most of what the federal government does.

In fine, the case for independence of Quebec, as Charles Taylor puts it, can be made *grasso modo* in three ways. One can distinguish three discourses. One is about powers: the jurisdiction that Quebec actually needs in order to preserve and promote the distinct society. Independentists claim that these include the full monopoly to sovereign powers. A second is about dangers: the threats to Quebec within the existing federal structures, the chances that a pan-Canadian majority power could be used to restrict the development of Quebec society. The third is about recognition. All people want to be recognised for what they are, but this need takes on a peculiar importance in modern society, where our sense of identity – what we want to be recognised as – is being defined in new and often **original terms**.

Over the last 30 years various manifestations of Quebec nationalism have **surfaced** in demands of independence or autonomy from Ottawa; establishment of a form of confederacy (an arrangement known as sovereignty association); and the creation of a fully independent Quebec state. The question this has raised before Canada is how to work a federation, symmetrical at least in legal form, where the national minority community is so heavily concentrated in one particular province? The search for a lasting, binding basis of **state-nation** identity has occupied the public debate for most of the last three decades. During these years, the conflicts of identity, equality and nation had been focused **through** the prism of constitutional reforms. But these initiatives have not succeeded so far and contemporary Canada is facing a serious challenge to its unity from a reinvigorated Quebecois nationalism. At the most general level, contemporary Quebec nationalism, according to Alan Cairns, is a product of the modernisation and secularisation of Quebec society. The resultant displacement of religious by political elite has weakened the allegiance of French-speaking **Quebecois** to a pan-Canadian conception of French Canada and gives the resultant Quebecois nationalism a specific politician and territorial dimension focusing on the government and the boundaries of the province. This has coincided with the growth of many such movements in other parts of the world at a time of the increased permeability of state boundaries to flows of capital, goods and people. Many French Canadians now see themselves as being economically discriminated against and colonised by the English speaking businessmen and settlers, with federal power **as** a brake on their own development. The political parties in the province are playing an important role not only in consolidating these sentiments but also in many ways articulating and mobilising the public opinion according to their **own** perceptions. But as results of elections and referendums show, people support or reject parties and not just ethnic or cultural issues. Their concerns are multifarious. Voters of Quebec, as such, continue to participate in the Canadian democratic process both as conscious Quebecers as well **as** Canadian citizens.

10.6 SUMMARY

Cultures, language and religion have remained significant factors in the evolution and development of Canada's federal process. From the very beginning Franco-phones, particularly in Quebec where they constitute a majority and happen to be Catholics in faith, have remained concerned about recognition of their identity and co-founders of Canada. During colonial period there had been policies both for assimilation and recognition. The formation of federation in 1867 was also interpreted differently. In 1960s there emerged

a new awareness among middle classes of Quebec, in the light of what is popularly known as Quiet revolution.

In the past 35 years, people have witnessed heightened tension within Quebec and between Canada and Quebec. The sovereignty of Quebec occupied the prime political space within Quebec and across federal Canada, two referendum have been conducted for sovereignty but both were defeated. Nonetheless, the per **centage** of population-noting for sovereignty has increased by almost 10 per cent. The separate movement is supported primarily by the middle classes and a section of intellectuals and is based on concerns for their economic interests and fears about the future of French language and culture. After 2004 federal election, once again the momentum for sovereignty and referendum has been gaining ground **which** had subdued after 1995, to determine the destiny of Quebec. The demand for the conduct of referendum for the third time may be decided in future Party Conventions of Bloc Quebecois.

10.7 EXERCISES

- 1) Why was the Quebec Act, 1774 enacted by the British and how was it different from the Royal Proclamation of 1763?
- 2) What major changes occurred in Quebec during the two world wars and subsequently in 1960s? How were these different from the period since 1774?
- 3) What do you understand by Quiet Revolution? How has this encouraged the process of Quebec Nationalism?
- 4) Evaluate the efforts made by Canada's Federal Government to accommodate Quebec's demands.
- 5) Analyse the ideological and social basis and nature of Quebec separatist movement.