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Secession and Partition in Yugoslavia, Czechoslovakia, Ireland and the United States of America: Lessons for Canada If Quebec Attempts Secession.

**by
Laurie Nicholson, B.A.**

A thesis submitted to the Faculty of Graduate Studies and Research in partial fulfillment of the requirements for the degree of

(Master of Arts)

Department of Political Science

Carleton University
Ottawa, Ontario
June 1st, 1998
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acceptance of the thesis,

**SECESSION AND PARTITION IN YUGOSLAVIA, CZECHOSLOVAKIA, IRELAND
AND THE UNITED STATES OF AMERICA: LESSONS FOR CANADA
IF QUEBEC ATTEMPTS SECESSION**

submitted by

Laurie Nicholson, B.A.

in partial fulfilment of the requirements
for the degree of Master of Arts

Chair, Department of Political Science

Thesis Supervisor

Carleton University

Abstract

After an examination of various states which have experienced political or territorial rupture due to secession, we will have some guides to what lies ahead for Canada if Quebec chooses to separate. For each nation we regard the roots of conflict, the cultural context, how the secession occurred and what the results of the secession were. Looking at the nations of Yugoslavia, Czechoslovakia, Ireland and the United States of America, we can see that Quebec can expect to have some form of political violence if it does not settle important issues with Canada before attempting to secede. This may result in the form of ethnic conflicts and/or border disputes.

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(1) Introduction, Thesis and Methodology

This paper seeks to examine the political phenomenon known as secession. Secession is a word that brings to mind all sorts of mental images. Some images are positive like the secession and subsequent independence of a country which has been under colonial or repressive control. There are many examples of this occurring such as the Estonian and Latvian countries declaring their independence from the former Soviet Union. As well, many African states also have attained independence in the last thirty years from their colonial overlords of Great Britain and France. When countries in similar circumstances as these achieve independence from their oppressor nation, it is generally seen as beneficial to the inhabitants. It is thought that they can claim a place that they themselves rule and generally seems to imply a more democratic state. However, this is not always the case. Some countries do in fact end up much worse off than they were initially. Secession also brings to mind many negative images of peaceful states being torn apart and thrust into civil unrest and economic uncertainty. The recent civil war in the former nation of Yugoslavia is one such example of secession being a very negative political consequence as the entire nation was at war and a campaign of genocide ensued. As well, the United States of America, considered one of the most democratic and least oppressed states in the world, also experienced a political rupture which led to a bloody civil war that claimed thousands of lives. Secession as a form of political negotiation is not always a beneficial or positive goal of a state. In fact, more often than not, secession puts the state in a more problematic situation than they were before the act occurred.

In our examination of the various countries that have undergone a political rupture, we will attempt to understand why these splits have occurred. Was the secession an inevitable consequence or are people simply refusing to compromise and tolerate one another? We will look

to see if there are common characteristics that these states have that may lead to secessionist movements. Are there similar traits such as ethnicity or language that seem to play significant roles in the creation of new countries? We will also seek to understand how these secessions actually take place. What occurs, how does it happen and who tends to lead these changes are questions that will be examined. And we will also explore the actual political, economic and social consequences of the secession on the new nation and see how the country has either benefitted or lost through the process.

In the next chapter of this paper there is a discussion of the morality of secession. Some arguments are presented as to why secession can be seen as a morally bad or good alternative to remaining in a state. Then the paper will be presented in two separate parts. The first part, entitled, "Secession in Four Nations", will take a very general look at the dynamic of secession as it has occurred in four different countries. The nations of Ireland, Yugoslavia, Czechoslovakia and the United States of America will be used for the analysis. For each country there is a focus on the history of the conflicts, cultural context, how the secession occurred and what were the results of the political secession. After an examination of these four very different examples, we will be able to draw conclusions about secession and know what areas to concentrate on in our examination of Quebec.

Part Two, "Canada in Conflict", concentrates on the secessionist movement in the Canadian province of Quebec. It is set up in a similar format to that of Part 1, but each section goes into much more detail. As well, as secession in Canada has not occurred as of yet, much of the potential results of such a development are only speculative. After an examination of both Canada and of the other four nations, we will be able to draw some final conclusions on secession

as a political alternative.

The thesis of this paper is that after an examination of various nations which have experienced a political or territorial rupture due to secession, in particular, Yugoslavia, Czechoslovakia, Ireland, and the United States of America, we will be able to determine what possibilities lie ahead for Canada if Quebec chooses to separate. Due to the similarities that Canada has with these nations in terms of ethnic composition, we can see that there is a great potential for civil unrest and bloodshed.

The first thing that I needed to determine before I began any detailed research was what countries should be examined. I made a list of various states that had experienced secession and included among them; Yugoslavia, Ireland, Germany, Poland, the United States, India, Israel, Australia, Russia and Czechoslovakia. After some research and examination I narrowed my topic to four nations; Ireland, Czechoslovakia, United States, and Yugoslavia.

I chose these four states by using some broad guidelines. The country, had, first and foremost, to have experienced some kind of secession or attempt at secession that caused some form of political or territorial rupture. These four countries satisfied this requirement. The second guideline that I used was that each of the countries had some similar preconditions or circumstances which led to the secession. Language, religion, ethnic origin, and culture are seen as being the main components in the drive towards a secessionist movement. Again, each of the states in question satisfy this requirement. Another important guideline that I used is that the secession movement or secession itself had to come from within the state. This guideline narrowed down the field immediately, as many places like Israel, Germany, Poland, Russia and India, were partitioned not from within but rather by external forces. The four states that I am

using have primarily internal partition. I also wanted to use cases that had very different outcomes, to have a more balanced look at this issue. Yugoslavia and Ireland have experienced very bad results due to secession, but Czechoslovakia and the United States have survived the negative effects. Using countries that have both avoided and experienced conflict will give us a clearer picture of all possible outcomes.

The methodology regarding secession study is outlined in the book entitled, Secessionist Movements in Comparative Perspective. Ralph R. Premdas, one of the authors, points out that a secessionist movement is characterized by five basic conditions. These are: “(a) an organised struggle, (b) territorial self-government, (c) facilitated by primordial and secondary factors, (d) the doctrine of self-determination as a right, and (e) the state as a unit of international organisation.”¹ Each of the secessionist movements that I am using, including Quebec, seem to portray these characteristics. The methodology that I am going to employ for this paper is called the Phases and Stages school of thought. It focuses on the internal dimensions of a secessionist movement from conception to completion. International or external influences will be kept to a minimum in the analysis, with the focus being on what is occurring in the nation itself. John Wood points out five processual stages which are looked at in this methodology. These are; (1) the preconditions of secession; (2) the rise of secessionist movements; (3) the response of central governments; (4) the direct precipitants of secession; (5) the resolution of secessionist conflicts by armed conflict.²

¹Ralph R. Premdas. “Secessionist Movements in Comparative Perspective”, in Ralph R. Premdas, S. W. E. de A. Samarasinge, and Alan B. Anderson, Eds., Secessionist Movements in Comparative Perspective. (Pinter Publishers, London, 1990), p. 14-16.

²John R. Wood. “Secession: A Comparative Analytical Framework”, in Canadian Journal of Political Science. (XIV: 1, March 1981), p. 109.

The first processual stage regards the preconditions to secession. What this entails is the various characteristics that precede secession such as the existence of territory where the majority of the population lives, common culture, a group feeling it is being denied things by the state, legitimacy in the state is gone and a feeling of threat from outside. In our examination we will pay particular attention to such things as the formation and history of the state, the cultural conflicts and similarities, and the reasons why the need for secession seems to develop.

The second stage is the rise of secessionist movements. This stage looks at such things as ideology, leadership and organization of the secessionist movement. We will regard nationalism within a secessionist group, why it developed and why the secessionist group gains momentum within the population.

The next stage is the response of central governments to the secessionist movement. The central government plays an important role in determining the final outcome of a secessionist attempt. Their reaction to this results in either repressing the movement, making constitutional reforms to appease the secessionists or in providing political propaganda to persuade the secessionists to change their minds. In our examination we will look at the moves that are made by the central government in response to the secessionists demands which seems to encompass all of the aforementioned reactions.

The fourth stage examines the direct precipitants in the secessionist movement. What this means is what things or circumstances drive each side to the point of secession. Examples of this may be the use of referendums to legitimize support for secession, elections, military intervention or threats, and the central government being under attack by the secessionists by ignoring laws or other means of defiance.

The final stage that will be examined is the resolution by armed conflict of secession by internal and external forces. Each side of the conflict is assessed in terms of its viability for armed conflict, as one side may be more prepared to fight than the other side is. The possibility of outside involvement plays an important role as external forces may be instrumental in determining the outcome of an armed conflict. Although not all of the nations we are focusing on have resolution by armed conflict as its end, each of the nations does have external influences that play a large part in the outcome of the secession. As this study concerns itself mainly with internal influences, the external element will not be discussed at length.

This five stage analytical framework that is provided by John R. Wood will be only used as a broad guideline for this paper. That is due to the fact that it is much too detailed to be fully undertaken in a paper of this length and is much too rigid to be able to conform all of our nations into each mold. The four subsections in each chapter dealing with a country that is being examined follow the same pattern that is outlined by Wood. The history or preconditions of secession, the culture and rise of secessionist movements, the reasons why the secession occurs and the results are the broad outlines for each example. It almost must be pointed out that our focus will be essentially political in nature, although we will have to take into account the historical, social and economic matters that arise in our study. This paper will attempt to explain secession in terms of being a political phenomenon and that is where the analysis will end.

(2) The Morality of Secession

It is necessary to define and understand what secession means as a political tool before any examination of secession actually taking place in countries can occur. Secession is a very complex notion. We also need to understand the roots of secession, what it means and what implications this method of political activity implies. Although a detailed discussion of this issue would be very difficult to undertake, some main points and definitions will be regarded. We will define what is meant by the terms secession, sovereignty and self-determination and look at the history and roots of these notions. We will also regard the morality of secession examining why it can be considered both a negative and a positive political development.

The first problem we encounter is in understanding what exactly the word “secession” means. It is often confused or substituted for such words as “separation”, “partition”, and “breakup”, in relation to a nation disintegrating. There are many different definitions of the word secession and I will give a few to help clarify its meaning. Simply put, to secede is defined as, “withdraw formally from membership of a political federation or a religious body.”³ John R. Wood gives us a more detailed definition when he states, “Secession, then, represents an instance of political *disintegration*, wherein political actors in one or more subsystems withdraw their loyalties, expectations, and political activities from a jurisdictional centre and focus them on a centre of their own.”⁴ Secession is essentially an act to alter a country into something different than what it is currently.

³Judy Pearsall and Bill Trumble, Eds., The Oxford English Reference Dictionary. 2nd ed. (Oxford University Press, Oxford, New York, 1996), p. 1307.

⁴John R. Wood. Opt Cit. p. 111.

It is also pointed out that one must distinguish between the definition of secession and of the term “separation”. According to Wood, the difference between the two is “their willingness or unwillingness to recognize the sovereignty of the existing political authority.”⁵ The secessionist movement attempts to achieve its own sovereignty whereas a separatist movement may merely want more recognition within the existing state or more autonomy. Therefore, the main bone of contention between the two terms is that of sovereignty. Hechter argues that secession is also comprised of two separate elements, stating, “First, the population of a given territory must make a collective decision to secede, and second, the leaders of the host state must make a collective decision that the net cost of ceding the territory in question is negative.”⁶ In effect, the desire to secede is not merely enough.

Another problem in defining secession is pointed out by Allen Buchanan. He illustrates how there are various types of secession that can be categorized and help make the definition more concise. These are; group versus individual secession, central versus peripheral secession, national versus local secession, majority versus minority secession, secession by the better off versus secession by the worse off, and secession or more autonomy within the existing state.⁷ Each of these different kinds of secession make it clear that the act of seceding is not an uniform procedure. Secession, as it can be seen, is not an easy term to define. Sovereignty, self-determination and other factors need to be taken into account in order to fully comprehend what

⁵John R. Wood. *Opt Cit.* p. 110.

⁶Michael Hechter. “The Dynamics of Secession”, in *Acta Sociologica*. (35, 1992), p. 267.

⁷Allen Buchanan. Secession: The Morality of Political Divorce from Fort Sumter to Lithuania and Quebec. (Westview Press, Boulder, 1991), p. 13-18.

“secession” means.

The next term that needs to be clarified is self-determination. Self-determination is often invoked as the moral reason for secession. Self-determination is often explained as being the right of peoples to determine their own future, whether they remain in a state or develop their own. There are also many elements to the definition of what constitutes the “self” in the term self-determination. This is generally where the trouble with the term is. However, Saxena makes a clear distinction explaining that, “An essential and indeed indispensable characteristic-a characteristic which is not physical but rather ideological and historical -is: a people begins to exist only when it becomes conscious of its own identity and asserts its will to exist.”⁸ In other words, a people does not become a people until they know they are one. It is not merely sufficient to be an ethnic or cultural group, one must know and assert their identity as such.

Jordan J. Paust states that self-determination is the right of all peoples to freely participate and share values. He states that, “The right to political self-determination involves this broader focus but may be summarized as the collective rights of a peoples to pursue their own political demands, to share power equally, and as the correlative right of the individual to participate freely and fully in the political process.”⁹ Self-determination can be viewed as a collective right of peoples and generally is viewed as an inherent human right by many.

However, it is argued that the right of self-determination is not so much a legal right as it

⁸J. N. Saxena. Self Determination: From Biafra to Bangla Desh. (University of Delhi, Delhi, 1978), p. 2.

⁹Jordan J. Paust. “Self-Determination: A Definitional Focus”, in Yonah Alexander and Robert A. Friedlander. Eds. Self-Determination: National, Regional, and Global Dimensions. (Westview Press, Boulder, Colorado, 1980), p. 13.

is a moral one. Richard T. De George explains this fact when he argues that, “The doctrine of the right of collective self-determination is at best a derived right. It is derived and modelled on the right of individual self-determination. This right is fundamentally a moral right.”¹⁰ Individuals have rights, be they moral or legal, and the collective that asserts these rights derive them from the individuals that make them up. He goes on to further argue how moral rights are irrelevant in international relations stating, “Nations and states are not moral agents and cannot have moral rights, except in some derivative sense. They exercise sovereignty, which is a political right, recognised in the international arena as much out of self-interest as because of any other reason.”¹¹ Morality is deemed to be the root of the right of self-determination and is often invoked in its defense. However, morality is not the basis for international law despite claims to the contrary.

For many years the right of self-determination was considered only within the realm of colonial peoples who were seeking their independence from European powers. In particular, countries in Africa were in mind when the movement of self-determination began in earnest at the beginning of the century. The European colonial holdings were the focus of such action. There are many people today who still believe that only colonial peoples have the right to self-determination. Richard T. De George details this stating that ‘According to the widely adopted, present-day view only peoples under colonial rule have the right to self-determination, which involves accession to independent statehood. The ethnic composition of such a territory is

¹⁰Richard T. De George. “The Myth of the Right of Collective Self-determination”, in William Twining. Ed. Issues of Self-Determination. (Aberdeen University Press, Aberdeen, 1991), p. 4.

¹¹Ibid. p. 5.

irrelevant.”¹² However many other people feel that self-determination as a right is something that should be guaranteed to all peoples regardless of their political situation. These same people feel that the argument over individual and collective rights is also irrelevant. What matters most is that human rights are respected, and self-determination is considered to be a vital aspect of these rights. Jordan J. Paust explains why, “Whether or not collective and individual self-determination are viewed as human rights as such, there is no question that self-determination and human dignity are intricately inter-connected with human rights as well as the only legitimate measure of authority-the ‘will of the people.’”¹³

Like secession there are also many different types of self-determination. In fact, Dov Ronen suggests that there are five manifestations of self-determination that have developed over the last two hundred years. He labels these as; nationalism, Marxism, Wilsonian self-determination, decolonization and ethnonationalism or subnationalism. These are based on the notions of national self-determination, class, minorities, race and ethnicity respectively.¹⁴ The secession and self-determination movements that we see today fall into the category of ethnonationalism as most of these are based on ethnic origin as the unifying factor.

Self-determination is as complicated and layered an issue as is secession. The two are intertwined and many groups attempting secession use the right of self-determination as their moral defense. The morality of secession therefore is dependent on whether or not one believes

¹²Anna Michalska. “Rights of Peoples to Self-determination in International Law”, in William Twining. Ed. Opt Cit. p. 78.

¹³Jordan J. Paust. Opt Cit. p. 13.

¹⁴Dov Ronen. The Quest for Self-Determination. (Yale University Press, New Haven and London, 1979), p. 26.

that self-determination is a right that must always be supreme. It is difficult to argue against secession in most cases and yet uphold the right of self-determination.

The other important term that needs to be defined is sovereignty. Sovereignty can mean many different things depending on the context of its use but for our purposes we will try to confine it to its modern definition. In short, "*Sovereignty* can be conceived as the authority to override all other authorities. Family, employer, church-all social authorities-must yield to the sovereign's power when it is turned in their direction. Concretely, sovereignty is a bundle of powers associated with the highest authority of government."¹⁵ It was first associated with the power that a king or sovereign had over his subjects and in relation to others. It is now associated with the powers of a state or country. In fact, a state cannot exist without sovereignty as this helps to set it apart from being a nation. Dickerson and Flanagan explain, "A state is defined by the united presence of three factors: population, territory and sovereignty. A state exists when a sovereign power rules over a population residing within the boundaries of a fixed territory."¹⁶ Sovereignty is not only a legal consideration but is also a moral one. It upon morality that sovereignty is truly exercised as law has no power without it. This thought is echoed by W. J. Stankiewicz when he states, "...we see that the concept of sovereignty, far from negating moral law, virtually demands it as a condition of its function."¹⁷

There are also many different types of sovereignty. In fact, according to Stanley I. Benn,

¹⁵Mark O. Dickerson and Thomas Flanagan. An Introduction to Government and Politics: A Conceptual Approach. 3rd ed. (Nelson Canada, Scarborough, 1990), p. 35-36.

¹⁶Ibid. p. 39.

¹⁷W. J. Stankiewicz. "In Defense of Sovereignty: A Critique and an Interpretation", in W. J. Stankiewicz. Ed. In Defense of Sovereignty. (Oxford University Press, London, 1969), p. 10.

there is legal sovereignty which concerns itself with the law, legislative sovereignty concerning itself with governance, the sovereignty of the state in its international aspect which has the focus of sovereignty in relation to other sovereigns, sovereignty as “supreme coercive power” and sovereignty as “the strongest political influence”.¹⁸

Now that we have established some sense of what secession and its component parts entail, we will look at the background and history of the notion. Secession, as a political activity, is a relatively modern notion. Although, the actual roots can be traced back to the French Revolution of 1789, the ideas of the self-determination of peoples and similar liberal tenets like sovereignty of nations, began to shape the dominant world discourse in the beginning of the twentieth century. According to Bibo,

The new basis of state-formation and territorial settlements was ‘the principle of the self-determination of the people.’ This had been established through the French revolution, but now, after the First World War, and together with the principle of sovereignty of the people within the state, the idea of self-determination was to become a ruling force, replacing the old ideas of loyalty to the sovereign and to monarchic-feudal legitimacy.¹⁹

There were many reasons why self-determination and secession began to be the dominant notion after the first world war. The leaders of the United States and the Soviet Union were very much opposed to European imperialism which they felt had caused the war. They blamed the secret diplomacy that had gone on preceding and during the war for the tragedy that ensued. Both leaders wanted to pursue a different type of state relations.

¹⁸Stanley I. Benn. “The Uses of ‘Sovereignty’”, in W. J. Stankiewicz. Ed. *Opt Cit.* p. 69-82.

¹⁹István Bibó. The Paralysis of International Institutions and the Remedies: A Study of Self-Determination, Concord among the Major Powers, and Political Arbitration. (The Harvester Press, Sussex, England, 1976), p. 25.

According to Robert Schaeffer this new system had self-determination as a right at its foundation. He explains, “Thus they sought to reshape the existing interstate system, promoting self-determination and collective security as alternatives to colonialism and war. Self-determination would permit oppressed peoples or ‘nations’ to secede from colonial empires.”²⁰ This would lead to the creation of a system of nations that would be considered equals. The League of Nations was created during this period and was the forerunner to the United Nations. The League, like the United Nations, was to be an international forum for discussion where all nations had an equal voice and an equal say in the affairs of the global community.

After the first World War and the creation of the League of Nations, many supporters of the right of peoples to self-determination, in particular United States President Woodrow Wilson, began to shape the political discourse to make this an acceptable political philosophy. Whether or not it is morally legitimate is still a question that remains to be answered. Both Woodrow Wilson and Lenin also had their own personal reasons for following this agenda and they were not all as innocent as they make it appear. According to Robert Schaeffer not all of their intentions were as honourable. He states, “Wilson and Lenin also advanced self-determination as a means of breaking up the imperialist-dominated interstate system, which confined and frustrated U. S. and Soviet interests. Their philosophy thereby served the needs of colonial independence movements and would-be superpowers in the interwar years.”²¹ They didn’t like the current British system of diplomacy and colonialism as it interfered with their aspirations. Naturally the British were

²⁰Robert Schaeffer. Warpaths: The Politics of Partition. (Hill and Wang, New York, 1990), p. 47.

²¹Ibid. p. 47.

opposed to this new system of international relations. This new system would serve to thwart imperial interests, thereby explaining Great Britain's disapproval, to better serve American and Russian ones. This is echoed by Schaeffer who states, "A system based on equal representation would promote the interests not only of small states but also of those large ones-like the United States and Russia-that were denied an equal share of power in the existing system."²² The Americans and Russians favoured this new system because they felt it would rid the world of wars and would serve to promote democracy. But, as we will see, secession and the principle of self-determination of peoples has done much in the way to start wars and has caused civil conflict and millions of deaths in the last eighty years since its formal inception. However, it has also been beneficial in the sense that nations now see each other as equals and communicate through the United Nations. The U.N. and its agencies have also established guidelines that are made and agreed to by the international community providing more order in the world.

There are many reasons that can be considered to support the assumption that secession is a morally justified right. In fact, the notion of self-determination is considered to be a legal right by the United Nations and not just a moral notion. Jordan J. Paust expands,

As the 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation stated: 'all people have the *right* freely to determine, without external interference, their political status and to pursue their political status and to pursue their economic, social and cultural development, and every State has the *duty* to respect this right in accordance with the provisions of the Charter.'²³

According to the United Nations the legal right to secession is a very complicated one, where in one legal decision it is asserted that secession is not legal because of certain conditions and other

²²Ibid. p. 50.

²³Jordan J. Paust. Opt Cit. p. 4.

decisions show how secession is legal. It tends to be evaluated on a case by case basis and is not a universal legal right.

There are many strong and persuasive arguments that support the notion that secession is a morally justified and positive right. According to Allen Buchanan to say that there is a moral right to secede is saying two things, “(1) that *it is morally permissible* for those who have this right *to secede* and (2) that others are *morally obligated not to interfere* with their seceding.”²⁴ He further explains,

Thus to assert that there is a moral right to secede is to imply that preserving the liberty to secede without interference is an extremely high moral priority, that this liberty warrants special protection, and that this protection should not be compromised for the sake of competing interests, except, perhaps, in very extreme circumstances.²⁵

It is of note that Buchanan talks about a “moral” right and not a legal right. If people feel that there is a moral right to secede then this right must be respected and others should not interfere in a secession. Yet, Buchanan qualifies even a moral right when he states that this should not be interfered in except in “extreme circumstances”. It appears as though it can never be said that morally, legally or otherwise that secession is always permissible. There are always exceptions and each case must be judged on its own merits.

The moral right to secede is argued by Buchanan when he cites twelve reasons that can be used to make the case. I will regard some of these and they are; furthering diversity, escaping discriminatory redistribution, self determination, preserving cultures, self defense and rectifying

²⁴Allen Buchanan. Opt Cit. p. 27.

²⁵Ibid. p. 27.

past injustices.²⁶ Furthering diversity is the first case that is argued in favour of the moral right to secession. The argument is that “If diversity is good, then the more the better; and the secession of a group to form its own, different society increases diversity.”²⁷ This first reason, like all the others that will follow, is qualified by Buchanan and diversity is not always a justifiable reason for secession.

Self determination is the second case that we will regard. We have described the principles of this beforehand and are familiar with its moral justifications. Self-determination of peoples is one the main reasons given by seceding groups. Yet, self-determination is not always morally justified and not all groups of people have a right to self-determination. It is also determined according to each individual case.

Preserving cultures is another reason why secession should be considered a moral right. Buchanan explains this stating that, “Its true force lies in the idea that the members of a culture who believe that their culture is threatened with disintegration feel that their very identities are imperiled, that in losing their culture they will in some sense lose themselves, or a significant part of the selves they value most.”²⁸ Many nations or ethnic groups use this as one of the main reasons why they want to secede from a country. They feel that their unique culture is not being adequately protected in the current situation or that they are being oppressed. Yet again we can see that may not need to break up a state in order to reach these goals.

The fifth case that will be considered is that of self defense. “‘Defense’ here implies an

²⁶Ibid. p. 33-67.

²⁷Ibid. p. 32.

²⁸Ibid. p. 52.

effort to protect against a lethal threat, a deadly attack by an aggressor.”²⁹ This is most definitely an understandable reason why a group of people would want to secede. If a collectivity is being discriminated against and are fearing for their actual lives then it would be very difficult to argue why secession would be immoral. It would be easier to argue that it would be immoral to make such a group remain in danger.

And the final case for secession is that of rectifying past injustices. What this really concerns itself with according to Buchanan, is, “It contends that a region has a right to secede if it was unjustly incorporated into the larger unit from which its members wish to separate.”³⁰ This has been done by either annexation or by territory being unjustly acquired. We have seen this in many nations in the former Soviet Union, in particular Estonia and Latvia which were annexed after the second World War. Many people feel that they have a moral right to secede from a state that they did not consent to being a part of. Again this is very hard to argue against especially in cases of annexation. However, acquiring territory by war or other recognized manners is considered to be acceptable.

We can see that there are many arguments which can be made that support the notion that secession should be morally permissible. Yet most of these arguments are very specific instances and are not broad sweeping generalizations. This makes it difficult to declare that secession in general is morally permissible but rather only in certain cases.

Another prominent argument for secession being permissible is written by Harry Beran who argues that secession should be permitted under most circumstances. He argues that the

²⁹Ibid. p. 65.

³⁰Ibid. p. 67.

reasons for this are for freedom, sovereignty and majority rule. He states that “liberal political philosophy requires that secession be permitted if it is effectively desired by a territorially concentrated group within a state and is morally and practically possible.”³¹ Beran argues that secession is morally justified under *freedom* as one's membership within a state is a voluntary decision and should not be forced by will, under *sovereignty* as political sovereignty is only derived from the will of the people, and under *majority rule* as it is a fair and equitable measure for determining the will of the people.

The case of any moral issue concerns itself with not only its positive aspects but also with the negative ones. There are as many, if not more, reasons that are illustrated by various academics to show when secession is not morally justified in all circumstances. The notion of self-determination of peoples or the right of people to secession is not questioned so much as the fact that it is unlimited and always permissible. Advocates against secession suggest that there are many situations in which secession is morally wrong or at the least not always justifiable. Dov Ronen states that, “At present, ethnic self-determination is dominant, and its emergence threatens ‘disintegration’ or breakup of the so-called modern (nation-) state. This trend is deemed negative, because the modern (nation-) state is seen as a positive political achievement; any threat to it is to be resisted.”³²

According to the United Nations at the San Francisco Conference, “one view was that the principle of self-determination conformed to the purposes of the Charter only in so far as it

³¹Harry Beran. “A Liberal Theory of Secession”, in Political Studies. (XXXII, 1984), p. 23.

³²Dov Ronen. Opt Cit. p. 22.

implied the right of self-government of peoples and not the right to secession. The United Nations Charter guarantees the territorial integrity and ‘political independence’ of its member states.”³³

This poses a huge problem, as the United Nations on one hand states that secession is a right and on the other says that territorial integrity is a right. The problem with secession in relation to territorial integrity is that a state tends to define itself in part by its international borders. Territorial integrity is a vital part of a state’s sovereignty. Self-determination of peoples is a concept that seems to be in direct conflict with this integrity. It undermines a state’s sovereignty as self-determination movements almost always make demands for territory. States are in a difficult position when they agree with the right to self-determination of peoples and yet do not want their territorial integrity compromised. Bibó explains, “For social and political communities to be prepared to consider claims to self-determination against their own states, they must have absorbed democratism totally and have become politically mature and sensitive to concepts transcending physical existence.”³⁴ Most states are not as enlightened or democratic as they may suggest. “And claims to self-determination by a group of people with their own national allegiance but living in part of the mother country are hardly ever recognised by even the most democratic societies, except by way of moral and legal condemnation.”³⁵

Beran also points out that there are many examples of situations where secession is not so

³³J. N. Saxena. Opt Cit. p. 11.

³⁴István Bibó. Opt Cit. p. 71.

³⁵Ibid. p. 71.

acceptable. He states that,

The conditions which *may* justify *not* allowing secession could include the following. (1) The group which wishes to secede is not sufficiently large to assume the basic responsibilities of an independent state. (2) It is not prepared to permit sub-groups within itself to secede although such secession is morally and practically possible. (3) It wishes to exploit or oppress a sub-group within itself which cannot secede in turn because of territorial dispersal or other reasons...³⁶

There are also very negative connotations that secession evokes. There are various reasons why many nations in the global community dislike or even fear the notion of secession as a right. Secession or the breakup of a nation is often seen as the last and sometimes most permanent option for resolving national and political conflicts. As a result according to Robert Schaeffer,

The derogation of citizenship and sovereignty created conflicts within and between divided states. The result has been war: irregular and conventional war, civil and interstate war. Since 1945, wars in the divided states have claimed nearly 13 million lives and have directly affected the lives of more than 2 billion people, two-fifths of the world's population.³⁷

The violence and millions of deaths that have resulted due to secession within nations is not a shining virtue of this method of political accommodation. Another problem that is a direct result of secession is that sometimes minority groups become majority groups overnight.

According to Schaeffer,

Once they assumed power, independence movements sought to strengthen their political position and guarantee the rule of the empowered 'majority'. This effort typically restricted, qualified, or abrogated the meaning of citizenship for minority populations, who found they could not participate as full-fledged members of the polity in divided states.³⁸

³⁶Ibid. p. 30.

³⁷Robert Schaeffer. Opt Cit. p. 7.

³⁸Ibid. p. 153.

In order for these minority groups to maintain control over the state that they now lead they sometimes resort to extreme measures which include ,

To maintain political power, officials in many divided states forcibly disenfranchised the citizenry by monopolizing control of the army and the police, restricting the right of opposition populations to bear arms, deploying irregular police forces and militias to control minority populations, and subjecting the country to martial law and military rule.³⁹

Another reason which makes the notion of secession morally problematic is the fear that secession can undermine democracy. Lee C. Buchheit makes this argument very clear when he states,

An international recognition of secession, it is argued, would drastically undermine this system by allowing a disaffected minority to threaten dismemberment if State policies do not reflect their wishes. It is contended that a democracy can function only as long as a further remedy, like secession, is not available to those failing to persuade the majority on a course of conduct.⁴⁰

When many African nations gained their independence after Great Britain and France left the need to create nations served to ensure a more democratic system of government than what was in place before. Nationalism and the right to self-determination were not the main driving forces, but rather the desire for democracy. It is argued that, "Most of today's African nationalism was generated after independence. In short, the driving force behind the wars of liberation was the desire for democratization and a responsive government, not for ethnic self-determination."⁴¹ Furthermore, democracy is not always an easy road to travel and for many regions or nations it

³⁹Ibid. p. 170.

⁴⁰Lee C. Buchheit. Secession: The Legitimacy of Self-Determination. (Yale University Press, New Haven and London, 1978), p. 29.

⁴¹Amitai Etzioni. "The Evils of Self-Determination", in Foreign Policy. (V. 89, 1992-93), p. 23.

would be much easier to secede and form another type of institution. Tolerance and compromise are key elements of democracy. And “Democracy requires tolerance to function because tolerance provides the socio-psychological bases for compromise, such as the willingness to accept the outcome of an election even if it favors a party one opposes.”⁴²

Using the example of the country of Canada as a tool, let us say that if Canada was divided then Quebec would be more “French” and Canada more “English” than it is at present. Therefore this poses a problem for democracy as, “The great intolerance breakaway states tend to display toward minority ethnic groups heightens the polarization. Ethnically based breakaway states generally result in more ethnic homogeneity and less pluralism, meaning that they often lack the deeper sociological foundations of democracy.”⁴³

A final potential problem is the fear of indefinite divisibleness. Meaning “That is, no State, no nation, has a population so homogenous that it cannot be subdivided into smaller groups simply by altering the standard of what constitutes a ‘distinct’ group. Once a right to secession is admitted, there are no clear limits to this process...”⁴⁴ The author goes on to argue that the international system of nations is based on somewhat arbitrary invisible lines and this is a necessary element. He also mentions that a place that secedes is in a bad position to oppose further secession by one of its own groups.

Overall it appears as though secession tends to have more negative traits than positive ones, however that is not to say whether it should be allowed or not. There does appear to be

⁴²Ibid. p. 33.

⁴³Ibid. p. 33.

⁴⁴Lee C. Buchheit. Opt Cit. p. 28.

many good reasons why secession is not a move that should be undertaken lightly or regarded as being a mere nuisance. Secession is a modern political movement which does not seem to answer as many questions as it seems to pose. The issue of the morality of secession seems to be irrelevant in light of the actual secessionist movements that have occurred in the last eighty years. Whether or not it is morally acceptable, nations experience secession. Legal or moral rights aside, when a group of people assert their self-determination and secession is the result, the deed is done. This action may not be approved by the international community or according to moral standards but the community in question has only to answer to the individuals who make up their collective. They are the true moral agents.

PART ONE

(3) Secession in Four Nations

The breakup of states occurs almost as rapidly as the creation of new ones. One merely needs to look at an atlas to see how quickly the names and places change from year to year. The creation of nations is generally seen to be more positive than their disintegration. Each of the nations that I have chosen to examine has experienced some type of rupture due to secession. Although this political phenomenon has occurred in hundreds of nations and in every corner of the globe, the four nations that I have chosen have experienced in some form or another a secessionist movement as opposed to merely a separation movement. Each of the four countries that will be examined share some similar characteristic aside from political or territorial separation. Ireland, Yugoslavia, and Czechoslovakia each have very distinct religious and ethnic populations which have played a key role in the disintegration or changes in the state. As well, the states that will be explored all also have one thing or another in common with Canada, which is our specific case study. For example, the country of Yugoslavia had a population of around 25 million people, with one minority group consisting of 5 million people which separated from the nation and much of it ends partitioned. This compares well with the numerical situation in Canada, substituting Quebec for the minority group.

The first country that will be examined is Yugoslavia. This country seemed to be in a relatively good state of affairs until the beginning of the 1990s when civil wars broke out in many regions. After taking a closer look we will see that these events were only a matter of time. Yugoslavia at first glance seems to share relatively few similarities with Canada aside from the multi-ethnic nature and population size, yet we will see if this is really the case.

The next country that we will look at is Czechoslovakia. This country seems to share many similar characteristics with that of its Eastern European neighbour Yugoslavia, yet the parallels are merely superficial. Czechoslovakia is the sole country that is examined that provides us with a peaceful and satisfactory secession, one in direct opposition to that of Yugoslavia's. This country above all the others can provide Canada with the most important clues and lessons from its breakup, especially how to avoid armed conflict and have a peaceful secession.

The third country that will be regarded is Ireland. Most people in the planet have become quite familiar with the situation in Northern Ireland as the troubles in this nation have continued to be global news. The situation in Ireland is different from the others as it was partitioned not so much from within, but by an act from outside of the area. The country of Ireland was split into two separate states, Northern Ireland which remains part of Great Britain and not an independent country, and Ireland, which became an independent nation in the Commonwealth. Canada has many common traits with Northern Ireland, including the minority group withing the larger minority group which compares well to the Quebec situation, the British influence and institutions, and the religious conflict between the Catholics and the Protestants.

And the final state that will be discussed is the United States of America. The secessionist movement in the Southern states provides us with a good example of how secession can occur. It also shows us how bloody and destructive breaking up a country can be. The American example is very useful to compare to Canada as it is a state that shares many similar traits and culture. The United States also survived its secession and was made stronger as a whole by the event and that too can be a lesson for Canada to learn.

The examination of Yugoslavia, Czechoslovakia, Ireland and the United States of America

will provide us with an understanding of how secessionist movements can differ and how the results of a political secession can be radically different. We will be able to determine why this is the case and be able to avoid the mistakes or problems that have resulted. After we look at the roots of conflict, cultural context, how the secession occurred and the results of secession of Yugoslavia, Czechoslovakia, Ireland and the United States of America we will be able to deduce some valuable lessons for Canada and Quebec.

(4) Yugoslavia

(a) Roots of Conflict

In the early 1990s the entire world suddenly became aware of the problems that were unfolding within the nation of Yugoslavia. Almost overnight this seemingly peaceful federation disintegrated into many new political units and was plunged into civil war. However, those who were familiar with the history of Yugoslavia did not find these violent developments surprising. The creation of Yugoslavia and its short duration was fraught with violence and an uneasy co-existence. We must examine the roots of these conflicts to understand why the events in Yugoslavia took such a bloody turn and why the nation failed to stay united.

The country of Yugoslavia was an artificial creation. Prior to World War I, this country did not even exist. Instead the areas used to create it were parts of other independent empires. Yugoslavia was a creation of many different states into one multi-national unit. Yugoslavia was created in 1918 after World War I. It was pieced together from the remnants of the defeated Ottoman (Turkey) and Austro-Hungarian empires which had lost the war. Its location was in Eastern Europe, surrounded by the nations of Italy, Greece, Romania, Austria, Hungary, and Bulgaria. The new state of Yugoslavia consisted of many regions, some of which had longed for political independence of their own prior to 1918. Yugoslavia was formed by agreement after World War I and it was called the Kingdom of Serbs, Croats and Slovenes. It was made up of six republics: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia. As well in Serbia there were two provinces, Kosovo and Vojvodina.⁴⁵

⁴⁵ "Yugoslavia," in Compton's Interactive Encyclopedia. (Compton's New Media, Inc., 1993, 1994), p. 3.

(1) *Yugoslavia Pre-1918*

(2) *Yugoslavia-1918*

Map 2. The formation of the Yugoslav kingdom.

Note: Bosnia-Hercegovina, Turkish from the fifteenth century, was placed under Austro-Hungarian administration in 1878 and annexed to the Dual Monarchy in 1908.

From the beginning the new nation of Yugoslavia was beset by problems. The Serbs and the Croats first fought over what type of constitution the new nation should have, should it be a centralized or decentralized federation. Things began to get worse when the parliamentary debates began to get bloody. So much so, that according to Gewehr,

Affairs came to a crisis on June 20, 1928, when a Serbian deputy, angered by the taunts of the Croatian opposition, leaped to his feet and on the floor of parliament fired shots at several Croatian delegates. Two were killed on the spot and Raditch (Croatian leader) died of his wounds on August 8.⁴⁶

Although not an ideal existence, the Kingdom of Yugoslavia survived up until World War II. The Serbian population held a royal hegemony until the outbreak of the war. The large mixture of ethnic groups living together under a common flag seemed to be relatively peaceful. It was surprising as some of the groups had been majorities in their regions and nations before the unification and were now one minority group among the many others.

One of the most important historical events that can be seen to directly contribute to the current conflict in Yugoslavia is World War II. During the war, the Nazis occupied most of Croatia, Vokvodina and Macedonia with help from Bulgaria, Romania and Hungary and Italy occupied Slovenia and Dalmatia.⁴⁷ The Nazi plan according to Fred Singleton was,

Hitler had already decided on the destruction of the Yugoslav state and had promised pieces of territory to his allies. He had also settled on the creation of the Independent State of Croatia (Nezavisna Država Hrvatska, or NDH), although the final details were not worked out until after the military occupation was complete.⁴⁸

⁴⁶Wesley M. Gewehr. The Rise of Nationalism in the Balkans, 1800-1930. (Archon Books, Hamden, Conn., 1967), p. 107.

⁴⁷Fred Singleton. A Short History of the Yugoslav Peoples. (Cambridge University Press, Cambridge, 1985), p. 175.

⁴⁸Ibid. p. 175.

The creation of the NDH was one of the most destructive events in Yugoslavia's history. The Croats undertook a program of ethnic cleansing of the region which targeted the Serbian population in particular. At the time the Serbian minority population in this region was fairly substantial. Singleton states that, "Concerning the Serbs, they were to be dealt with in three ways: one-third to be exterminated, one-third to be deported, and the remainder converted to Roman Catholicism."⁴⁹ This attempted genocide was an event that would not be forgotten and would prove to one of the reasons for the breakup of Yugoslavia in the 1990s and the Serbian population being the main instigator of bloodshed.

From the destruction of the second World War rose a military leader who ended up leading Yugoslavia for most of the twentieth century. Josip Broz, better known as Tito, established the Federative People's Republic of Yugoslavia in 1946.⁵⁰ Unlike the other Eastern European communist nations, Yugoslavia would prove to be unique. Although Tito and his party were staunch communists, the Soviet Union expelled Yugoslavia in 1948 and forced a blockade on trade with other Cominform countries. The economy ended up suffering due to this and droughts. Tito's attempts at collectivization failed and he realized that he would need to make ties with the West for trade if he wanted his nation to survive. According to Harold Lydall,

Within the next two years, however, the Yugoslav communists came to recognize that they had been finally excluded from the Soviet Camp, that they now had to search for a new policy, and that they would need to build bridges with the West. Collectivization was abandoned, and in 1950 Tito announced the slogan of 'The factories to the workers'.⁵¹

⁴⁹Ibid. p. 177.

⁵⁰Ibid. p. 209.

⁵¹Harold Lydall. Yugoslavia in Crisis. (Clarendon Press, Oxford, 1989), p. 2.

Tito and his government would end up having a very interesting mix of communism and capitalist policies. Yugoslavia became quite well off as a result and the nation remained relatively united and peaceful until Tito's death in 1980. That is when the communist state began to unravel and the calls for democracy were also calls for national independence for many.

(b) Cultural Context

The nation of Yugoslavia was a composition of many cultures, languages, religions, and ethnic origins. At first glance, there are so many languages, religions and ethnic groups that one assumes they are looking at more than one nation already. This is one of the main reasons for the disintegration of Yugoslavia. The population of Yugoslavia according to the 1991 Census was 23,475,887 inhabitants.⁵² The ethnic composition of the most populous groups in Yugoslavia, according to the 1981 Census, were the Serbs 36.3%, Croats 19.7%, Muslims 8.9%, Slovenes 7.8%, Albanians 7.7%, and Macedonians 6.0% of a population of 22,418,331.⁵³ The regions of Serbia, Croatia and Bosnia-Herzegovina contain the bulk of the total population. Belgrade, the largest city in Yugoslavia, is located in Serbia and contains 1.6 million people and Zagreb has the second largest population of over 930,000 people and it is located in Croatia.⁵⁴ There are other large cities in the nation like Sarajevo (where the 1984 Winter Olympics were held), Skopje and Ljubljana.

The most populous group in Yugoslavia was the Serbians. With 8.1 million inhabitants

⁵²"Yugoslavia", in Compton's Interactive Encyclopedia. Opt Cit. p. 2.

⁵³Sabrian P. Rament. Nationalism and Federalism in Yugoslavia 1962-1991. 2nd ed. (Indiana University Press, Bloomington and Indianapolis, 1992), p. 20.

⁵⁴"Yugoslavia", in Compton's Interactive Encyclopedia. Opt Cit. p. 2.

and 40% of the population (1981), the Serbs are by far the dominant ethnic group. The Serbs practice the Eastern Orthodox religion primarily. The second largest group is that of the Croatians who number around 4.5 million and they tend to be Roman Catholics. Other large ethnic groups are the Slovenes who are around 2 million people and practice Roman Catholicism, the Macedonians and the Montenegrins who total close to 2 million and are Eastern Orthodox, and the Muslims who constitute around 1 million people in the nation. There are also non-Slav peoples, the Albanians who number close to 2 million people and they also are Muslims.

The various ethnic backgrounds, religions, and languages are many and these provide us with a clear basis for understanding how such bloodshed could erupt in this region so often. It also provides us with a reason for the secessionist movements developing in this nation. According to Levine, "Secessionist impulses are conditioned to a very great degree by ethnic geography-whether ethnic groups are concentrated in specific regions or scattered throughout the country. Secessionist demands are more likely to arise when ethnic groups are geographically concentrated."⁵⁵ The ethnic groups in Yugoslavia were not only geographically concentrated in areas of the nation, but had regional governments and powers that made them all the more unified and ready for independence.

The cultural context of the former nation of Yugoslavia seems to show a variety of different languages, ethnic groups and religions seemingly getting along for the last eighty years, at least well enough to stay united. But this is a falsity as the ethnic differences in Yugoslavia are the key reason why it failed to stay a united country and it even may be argued reason why it

⁵⁵Alicia Levine. "Political Accommodation and the Prevention of Secessionist Violence", in Michael Brown, Ed., The International Dimensions of Internal Conflict. (The MIT Press, Cambridge, Mass. and London, 1996), p. 313.

should never have become united to begin with. Many ethnic groups had been fighting before the unification in 1918, during the process and after the nation was created. The events that unfolded during the German and Italian occupation of Yugoslavia during the Second World War which I alluded to earlier were some of the most blatant examples of ethnic hatred one can provide. During the war, 11% of population of Yugoslavia died, around 1,750,000 Yugoslavs, more horrific than that is the fact that over half of that number of people were killed by their fellow Yugoslavs.⁵⁶ The second world war would prove to be one of the darkest points in the history of Yugoslavia. It would also provide the groundwork for the future conflict that would arise between the Croats, Serbs and Muslims in the 1990s.

The Croatian Independent State, which was created with the help of Hitler, was a death camp. The Croats targeting the Serbs unleashed a reign of terror and murdered hundreds of thousands in a policy of ethnic cleansing similar to that of the Nazi extermination plans for the Jewish populations. According to the book entitled Twentieth-Century Yugoslavia, Fred Singleton states that, "The worst fratricidal massacres occurred in the so-called Independent State of Croatia (NDH), where Ante Pavelić ruled as *führer* (*poglavnik*). Some 350,000 Serbs were slaughtered by the *ustasha* during the three-and-a half years of Pavelić's rule."⁵⁷ The large number of Croats murdered does not account for the many that were deported out of the nation or who fled the nation fearing for their lives. The Croats committed crimes against non-Croats as

⁵⁶Fred Singleton. Twentieth-Century Yugoslavia. (The Macmillan Press, London and Basingstoke, 1976), p.86.

⁵⁷Ibid. p. 88.

part of their policy of ethnic cleansing.⁵⁸ This term will later appear in Yugoslavian history in the 90s to describe the actions of the Serbs against the Croats. Overall, it can be seen that the general atmosphere regarding the ethnic situation in the former Yugoslavia was far from being peaceful and helps to explain the current ethnic tensions.

(c) How Secession Occurred

The secession of the nation of Yugoslavia was more than just a breakup of a nation, it was a complete disintegration of one. The reasons for the end of Yugoslavia and the subsequent civil wars in the various regions are many and varied. Many can be traced back to events that happened fifty years earlier during the second world war. One of the few reasons that is hard to dispute as being a contributing factor to the breakup of the nation of Yugoslavia is that of nationalism. In fact, Ivo H. Daalder argues that, "The immediate cause of the breakup of the former Yugoslavia was the rise of virulent nationalism, especially in Serbia, in the late 1980s and early 1990s."⁵⁹ Why did this nationalism develop or make itself seen at this point in time and not earlier if it had always existed? What were the events that unfolded that created the situation for this to occur? There are many reasons that can be suggested and they all in part can be considered reasonable.

The death of Tito in 1980 is one the key factors in the growth of ethnic nationalisms in Yugoslavia. Tito was a dictator who kept Yugoslavia united through communism and quelled the nationalism of ethnic groups through a strong state structure with relatively good economic

⁵⁸Ibid. p. 89.

⁵⁹Ivo H. Daalder, "Fear and Loathing in the Former Yugoslavia," in Michael Brown. Opt Cit. p. 37.

conditions for most of the latter twentieth century. Daalder argues that are three causes for nationalism to finally arise in the late 1980s. He states that, "First, in the 1980s, Yugoslavia witnessed a sharp deterioration in its economic conditions, produced in part by demands from its foreign creditors and Western governments for a transformation of its economy to increased reliance on the market."⁶⁰ The economic condition of the nation was beginning to suffer after the death of Tito and the transformation so quickly from being a communist nation to being a capitalist one. The reliance on state structure was gone leaving a void that was not adequately filled by the market. Economic strain always makes people look for other people to blame, and is usually one of the most convincing arguments of a region to leave a federation and go out on one's own.

The other reasons that Daalder provides are that the transformation into a market economy was performed by a weak state with divisions, within the federal government and the regional governments, and about the direction they wanted the nation to move in. As well, he argues that all this was happening when many other Eastern European communist nations were undertaking the same things, in particular changing to market based economies.⁶¹ The state had become weak with internal division due to the switch over to a democratic system of government, as the old system of totalitarian dictatorship had kept control. This was proving a hard transition as Tito had held the nation together through a strong state structure. The fact that many of Yugoslavia's Eastern neighbours began to change their economies to capitalism was a further blow to the Yugoslav economic situation as it now faced competition from nations that had been

⁶⁰Ibid. p. 38.

⁶¹Ibid. p. 38.

inactive for the last fifty years. The actual running of the Yugoslav economy was also under attack by many authors as also being a problem.

The changed conditions of the 1980s brought into sharp relief the drawbacks of such a pattern for the competitiveness of the Yugoslav economy. The uncompetitive market structure blocked the development of efficient markets and suppressed entrepreneurship. The passage of constitutional and legal amendments in 1989, which, after ten years of ideological struggle, finally allowed the free formation and closing of enterprises of all ownership types, had an immediate impact, but came much too late.⁶²

All of these economic problems led to a developing political nationalism to obscure problems. As is often the case when the economy gets bad, people often look for someone to blame or use it as a reason to for a region to secede as it will do better on its own than remaining in a nation that is suffering. The growing nationalism and political rhetoric got to such a level that compromise was deemed almost impossible. This is explained by Ivan Vejvoda who states,

A pattern of growing ethnic homogenisation around the core nation of each republic emerged, with progressive redefinition of other nationalities (bigger or smaller) within the borders of the republics as minorities with respect to the majority nation (whatever their constitutional status might be, and even if they were 'constituent nations' of Yugoslavia). For Bosnia and Hercegovina, with its ethnic patchwork, this process was redolent of future disaster.⁶³

This nationalism and ethnic rearranging began to show results when in 1991 there was a referendum in Yugoslavia which called for the nation to become a confederation of independent states, and 94 per cent of those who voted supported this proposal which had been made by the

⁶²Slavo Radošević. "The Collapse of Yugoslavia-Between Chance and Necessity", in D.A. Dyker and Ivan Vejvoda. Eds. Yugoslavia and After: A Study in Fragmentation, Despair and Rebirth. (Longman, London and New York, 1996), p. 69-70.

⁶³Ivan Vejvoda. "Yugoslavia 1945-91-from Decentralisation without Democracy to Dissolution," in D.A. Dyker and Ivan Vejvoda. Opt Cit. p. 19.

governments of Croatia and Slovenia.⁶⁴ This and other referenda that were to follow plunged the nation into a civil war. Serbia had its own aspirations regarding parts of the nation and they were not going to let Croatia and Bosnia leave considering they contained large numbers of Serbs.

Norman Cigar argues that the Serbo-Croatian war did not begin due to centuries old hatreds between the two ethnic groups, nor the Croats seeking independence in 1991, but rather he states,

...that the key catalyst for the Serbo-Croatian War, is to be found, rather, in the decision taken in the mid-1980s to seek the establishment of a Greater Serbia (that is, claiming for Serbia, any lands where Serbs have settled, even if only constituting a minority of the population) and in the subsequent attempts to implement that goal.⁶⁵

As well, due to the tragedies that were suffered during World War II, much dwelling was done on this in the early 1990s by the media. This had the effect of making ethnic hatred and nationalism all the more stronger. Both Serbian and Croatian television produced lengthy documentary programs about World War II which dealt with the horrors that were committed during the war and each side blamed the other for its misfortunes.⁶⁶ This helped to stir up emotions that were already simmering leading to civil war and a campaign of ethnic cleansing, this time by the Serbs.

(d) Results of Secession

The break-up of Yugoslavia led to many situations unfolding and most of which were extremely problematic. One of the first situations to develop was that of various parts of

⁶⁴Chuck Sudetic. "Croatia endorses independence referendum", in The Globe and Mail. (Toronto, 20 May, 1991), p. 1.

⁶⁵Norman Cigar. "The Serbo-Croatian War, 1991", in Stjepan Meštrović. Ed. Genocide After Emotion: The Postemotional Balkan War. (Routledge, London and New York, 1996), p. 51.

⁶⁶Sabrina P. Ramet. Opt Cit. p. 255.

Yugoslavia holding referendums and voting in favour of separating from the nation and forming their own national states. Both Slovenia and Croatia had declared themselves to be independent nations, and the federal government did not accept the secessionist declarations. In fact, both Slovenia and Croatia hoped that foreign capitals would acknowledge the new status of their republics but this was also not quick in coming.⁶⁷ The international community was not in a hurry to get involved in these unfolding events as this conflict was a primarily internal matter. When the international community finally did decide to get involved, and it took a few years of war before this occurred, they did so for certain reasons. The reasons according to Daaler are: "International involvement in the conflict was driven by these concerns: to contain the conflict within Yugoslavia proper; to minimize the human costs of war; and to set an example that aggression does not pay."

⁶⁸ The international community was not in Yugoslavia to restore the union or help resolve the issues that began the wars, but rather to contain it from spreading to other regions in Europe. The creation of the nations of Serbia, Croatia and the regions is one of the main results of the war.

Another result of the secession of the various parts of Yugoslavia was a major conflict being fought in the region of Bosnia-Herzegovina. Much of the worst fighting and destruction took place in this region. According to Vesiland, "From a population of 4.3 million Bosnians in 1991, 200,000 are now dead; 200,000 more are injured, including 50,000 children. More than 2.5 million Bosnians have been driven from their homes."⁶⁹ Bosnia was the main region where the -

⁶⁷Associated Press. "Belgrade sends in planes, tanks: 7 killed as Serbian civilians battle Croatian police", in The Gazette. (Montreal, 27 June, 1991), p. 1.

⁶⁸Ivo H. Daalder. Opt Cit. p. 36.

⁶⁹Priit J. Vesiland. "In Focus: Bosnia," in National Geographic. (Vol. 189, No. 6, Washington D.C., June 1996), p. 50.

(3) Yugoslavia Post-1992

fighting took place due to its ethnic composition of Serbs, Muslims and Croats.

Tied to the civil wars occurring in Bosnia was the massive destruction that was done to property and land.

Sixty percent of the houses in Bosnia, half the schools, and a third of the hospitals have been razed or damaged. Power plants, roads, water systems lie in ruins. Fields and vineyards are abandoned, rivers contaminated by toxic wastes from bombed-out industrial plants. The soil is polluted with millions of leg-shattering land mines.⁷⁰

The destruction to the land, the economy, buildings, legal and political institutions, schools, hospitals, and basically the entire infrastructure of many regions in the former Yugoslavia will take years to repair and cost the nation billions. Cities like Sarajevo are shells of their former glory, as the Olympic arena is now used as a graveyard for the thousands of dead.

The wars in Yugoslavia also led to many atrocities taking place. Genocide and rape were among the war crimes taking place during these conflicts. In fact, many of the leaders of the various factions have been charged with war crimes by the International Court of Justice under the Nuremberg laws. An United Nations study of rape in the Balkan war found that,

Patterns of Serb atrocities strongly suggest a systematic rape and sexual policy against Muslim women...The commission confirmed previous reports that all sides have committed grave war crimes, including rape. But it explicitly rejected Serb contentions that all sides are comparably guilty. The vast majority of victims were Muslims, and only Serb nationalists committed rape as part of a comprehensive, countrywide scheme of terrorism known as ethnic cleansing.⁷¹

Thousands of Muslims were targeted for extermination and rape by the Serbians who wanted to rid the nation of all Muslims. Many thousands of Muslims fled the nation in fear for their safety, many lost all of their possessions and many have lost their families just for being of a different

⁷⁰Ibid. p. 54.

⁷¹Stjepan G. Meštrović. "Introduction", in Meštrović. Opt Cit. p. 7.

ethnic group.

Even though it may appear as though the civil troubles in Yugoslavia are over or at least under control, this is not the case. Many argue that the cease-fire and subsequent peace that has swept Yugoslavia in recent years is merely a reprieve. In fact, Misha Glenny argues that there are many more problems that the international community needs to be concerned about. He argues that the wars in the north and centre of the former nation have caused a great influence over the development of the south. He argues that there are four issues that are very significant.

The first concerns the national aspirations of three Albanian communities in Albania proper, in Kosovo, and in western Macedonia. The second is the dreaded Macedonian question. The third concerns the growing rivalry between Greece and the emerging regional giant, Turkey. The final issue focuses on the intense activity of American diplomacy in the southern Balkans.⁷²

Glenny's predictions were made in 1992 and already in the past couple of months we have seen the problems unfolding in Kosovo regarding the massacre of suspected Albanian nationalists and their families. It seems as though the problems facing this region of Europe are not going to end anytime in the near future.

⁷²Misha Glenny. The Fall of Yugoslavia: The Third Balkan War. (Penguin Books, London, 1992), p.180.

(5) Czechoslovakia

(a) Roots of Conflict

The next country that will be examined is that of Czechoslovakia. This country is very unique and stands out in contrast to the other three countries for many important reasons. Although at first glance Czechoslovakia seems to share many similar characteristics with that of Yugoslavia, it will be seen that this is not the case. Both states were created out of the Austro-Hungarian empire after World War I, both were created in 1918, and both nations became communist nations after World War II. That is where the similarities end, as Czechoslovakia was a nation that had a much more peaceful existence and definitely had a more peaceful demise.

Czechoslovakia, like Yugoslavia, was not a nation until after the first World War. The creation of Czechoslovakia came after much petitioning done in Western Europe on behalf of the Czech peoples to be recognized as an independent nation. Before the creation of Czechoslovakia, the lands were called Bohemia, Moravia and Slovakia. It was inhabited by many different ethnic groups, in particular the Czech and the Slovak peoples.

Czechoslovakia was formed in October 1918 after Thomas Masaryk and Edouard Beneš campaigned for this from abroad, particularly in Great Britain. It, like Yugoslavia, was carved out of Austro-Hungary empire. After the creation of the nation there were many Hungarians still living in Slovakia and a large minority population of Germans in the Czech lands. Even though both Masaryk and Beneš, appealed to the world to unite the Czech and Slovak lands by calling on the principles of self-determination, when it came to their minority populations, it was another story. According to Glaser,

Although Masaryk and Benes invoked the principle of self-determination to justify Czech

independence and the separation of Slovakia from Hungary, they did not intend to permit the German population to reduce the territory of Bohemia and Moravia-Silesia by invoking the same principle.⁷³

After the creation of Czechoslovakia, the new state did not hide its disdain for the German minority that lived within its borders. Besides denying them a right to self-determination, they were also prevented from protesting their case. The repression was brutal, according to Kurt Glaser, who states,

On March 4, 1919, the day on which Austria elected its new Constitutional Assembly, demonstrations for self-determination took place in many German cities in Bohemia and Moravia. While the demonstration in Teplitz, addressed by Josef Seliger, was permitted to proceed undisturbed, the Czech army crushed other demonstrations by force, wantonly killing 54 and injuring 107 unarmed demonstrators.⁷⁴

Aside from the occasional violence shown towards protesters of the minority groups, the country of Czechoslovakia was virtually without violence or ethnic hostilities. The formation of the new union was generally regarded in a positive light by both the Czechs and the Slovaks. Things went fairly smoothly until the outbreak of World War II.

When the second World War came, the Germans once again took over the Czech and Slovak lands. This was one of the first areas of Europe to be occupied by the Nazi army and it was also integral in the start of the war altogether. It was after all the Czechoslovakian Sudetenland (part of Moravia and Bohemia) that was ceded to Germany by Chamberlain and the other European powers in order to pacify Hitler's aggressions. Hitler wanted to control these areas of Czechoslovakia because this is where the German minority lived. The Munich Pact of

⁷³Kurt Glaser. Czecho-Slovakia: A Critical History. (The Caxton Printers, Ltd., Caldwell, Idaho, 1961), p. 21.

⁷⁴Ibid. p. 23.

(4) Czechoslovakia Pre-1918

(5) Czechoslovakia 1918

1938, which was an agreement between France, Italy, Germany and Great Britain, basically gave Hitler permission to annex Czechoslovakia.⁷⁵ The German army took apart the nation making the Sudetenland part of Germany, the rest of the Czech lands and part of Slovakia were occupied and the part of Slovakia was given back to Hungary.

After the war, the dominant political ideology turned to that of Communism. When Germany lost the war, the Soviets took over Prague. There was a Czechoslovakian government established under the leadership of Edouard Beneš, the man who helped to get the nation created in 1918. However this government was not to last for very long as the Communists were gaining in popularity. There was a coup d'état by Communists who ended up taking over the nation in February of 1948. The coup was very quick and according to John F. N. Bradley,

The astounding feature of this *coup d'état* was its smoothness: Only one minor clash occurred in Prague and no blood was shed. The final constitutional *dénouement* was equally astounding: even granting the intimidations in the streets, the freely-elected Czechoslovak parliament-the National Assembly-approved the new government overwhelmingly in a secret vote.⁷⁶

The elections that were held following the coup resulted in the Communist Party of Czechoslovakia winning with only 10% of the population attempting to vote against it⁷⁷

It is interesting to investigate why the Czechoslovakian people embraced and desired a communist government. Many nations had communist governments thrust upon them unwillingly whereas the Czech people wanted this political system. There are many good reasons that

⁷⁵“Czechoslovakia”, in Compton's Interactive Encyclopedia. Opt Cit. p. 3.

⁷⁶John F. N. Bradley. Czechoslovakia: A Short History. (Edinburgh University Press, Edinburgh, 1971), p. 178.

⁷⁷Ibid. p. 178.

occurred during the war which led to the Czechs supporting the communist party. In fact, according to author Hans Renner there were three good reasons why the people turned to the Communist Party of Czechoslovakia. They got rid of the Germans in the Sudeten region, one the main causes of the invasion. They also made a point of picking out who were to be the enemies of the Czech people. But the most persuasive argument is Renners' second point,

Second, by means of fierce anti-German campaigning and other nationalistic propaganda the CPCz (Communist Party of Czechoslovakia) gave part of the population the impression of being the most consistent guardian of national interests. The communists presented themselves successfully as champions of national unity and advocates of strong ties with other Slav peoples, above all with their most powerful Slav neighbour, the Soviet Union.⁷⁸

This intense dislike of the German peoples tends to be a very important trait in the national character of the Czech peoples. More will be made about this in the next section. The history of the nation of Czechoslovakia is relatively calm and without much incident from within. It is a safe assumption to say that the nation did not break up over any long-standing conflict from the past. So we must examine the cultural climate of this nation to uncover the real reasons why this nation did not remain united.

(b) Cultural Context

Czechoslovakia was a country that was never really a national unit as such. Although it was a nation, it was an artificially created one. There were no huge calls from the masses for a national homeland, there was no spirit of self determination, but rather it was the work of a small elite working together with external powers to make such a nation. This in itself can be seen as a catalyst for the disintegration of the nation of Czechoslovakia. It seems to be fairly necessary to

⁷⁸Hans Renner. A History of Czechoslovakia Since 1945. (Routledge, London and New York, 1989), p. 7.

have nationalism in order to sustain a nation. That is not to say that there were no similarities between the Czech peoples and the Slovaks but rather they perceived that there were more differences than there actually may have been. One of the founders of the nation of Czechoslovakia argued strongly in favour of the creation of a Checho-Slovak nation. He put forward his case to the world in his book entitled, Bohemia's Case for Independence, where according to Beneš, there was indeed a unity in being a Czech or a Slovak,

The term Czecho-Slovaks, or simply the Czechs, includes two branches of the same nation: seven millions of Czechs living in Bohemia, Moravia, Silesia, and three millions of Slovaks inhabiting the North of Hungary, from the junction of the River Morava and the Danube to the Upper Tisza. These two peoples have the same civilisation, the same language and history: the Slovak dialect hardly differs from the Czech, certainly much less than the Slovene from the Serbo-Croat. The only obstacle to their complete union is one of a political character, the Czechs being under the yoke of Austria, while the Slovaks are under that of Hungary and the Magyars.⁷⁹

The Czech and Slovakian peoples also wanted to distinguish themselves after World War I from the Germans and Hungarians. The Czechs and Slovaks were not on the German or Austrian side of the war despite their being ruled by these nations. They greatly feared a larger German empire and made a point of distancing themselves from that of the German rulers. According to Bradley,

First, the Monarchy was fighting on the German side, and they had no illusions about German power. Secondly, their 'enemies' included Serbia and Russia, fellow Slav nations and traditional ideological allies. Victory in this war would mean the destruction of fellow Slavs and an enormous extension of German hegemony, possibly even over the Austro-Hungarian Monarchy.⁸⁰

A very important cultural trait of both the Slovak people and the Czechs was their mutual extreme dislike of the German peoples. There were many obvious reasons for this hatred. The

⁷⁹Dr. Edouard Beneš. Bohemia's Case for Independence. (George Allen and Unwin Ltd., London, 1917), p. 1.

⁸⁰John F. N. Bradley. Czechoslovakia: A Short History. Opt Cit. p. 140.

Germans had ruled over the Czech peoples and the Austro-Hungarians over the Slovaks for many years and this was resented. They also were not trusted or liked due to the fact that they were not Slavic peoples like them. This distrust and hate of the Germans and almost arrogance of the Czech peoples is reiterated time and time again throughout the literature regarding this issue. One such example of this mentality follows:

We might have followed the German method of violence, and, by calling to our rescue the millions of Eastern Slavs, have thrown off our yoke. But we have always refused to follow this policy. It is in this humanitarian and idealist character, reflected in our history, and represented in each of our great men that we most resemble our brother Slavs, the Russians. If we remain profoundly Czech, we are also profoundly Slavs.⁸¹

Yet despite the apparent and many similar traits that the Slovak and Czech peoples share, there are many differences between the two groups that are often pointed out. These differences, whether real or imagined, are one of the main reasons why the two nations could no longer live together as one country. It is often pointed out that the Slovaks tended to be the lessor of the two groups. The Czechs were seen as being more Western, more industrialized and more educated, which may have been a fact.

The Slovak population was regarded, prior to the unification, as being a very backward, agrarian society with a very religious commitment. The Slovaks were seen by the Czechs as being a Slav population, like themselves, except without the civilization and industrialization, and they needed the Czechs help to modernize and grow. According to Edita Bosák, “The Slovaks tended to be a withdrawn, deeply religious, people, still very much imbued with the values of a feudal, agrarian order. The majority belonged to the Roman Catholic faith and looked to their local

⁸¹Dr. Edouard Beneš. Opt Cit. p. 78-79.

parish priests for guidance in all significant issues, personal, social and political.”⁸²

It is also argued by many that the Czechs were the modern more advanced of the two peoples,

The Czechs, on the other hand, had not been crushed beneath their Austrian-German overlords and had had an opportunity to expand and prosper economically and culturally, and even politically, under Austrian rule. They were free-thinking and socially conscious in the sense that they had long been a highly organized society with many political and cultural associations. Moreover the Czechs, although Catholics in the majority, were strongly marked by the influence of Jan Hus, the Protestant reformer of the fourteenth and fifteenth centuries.⁸³

It had been the Czechs who had pushed for the unification of the Czech lands with Slovakia hoping to become stronger through the ties to a fellow Slav neighbour against the German aggressors. The unification was certainly not do in order to benefit from Slovakia, as it was in a less industrialized situation and would stand to benefit more from the association than the Czechs would. In 1921 both Bohemia and Moravia (Czech lands) were considered to be industrialized with less than 35% of the workforce being employed in the agrarian pursuits, Slovakia was still very much an agriculturally based economy with over 60% of the workforce employed in this sector.⁸⁴

Overall the Czechs and the Slovaks had few cultural differences that seem to make for conflict. There definitely was no ethnic hatred or issues between the two groups and they had both gotten along very well since the unification in 1918. This can be partly attributed to the fact that it was a Communist dictatorship like Yugoslavia, which tends to keep ethnic divisions to a

⁸²Edita Bosák. “Slovaks and Czechs: An Uneasy Coexistence,” in Gordon H. Skilling. Ed. Czechoslovakia 1918-88: Seventy Years of Independence. (Macmillan, London, 1991), p. 66.

⁸³Ibid. p. 67.

⁸⁴Carol Skalnik Leff. National Conflict in Czechoslovakia: The Making and Remaking of a State 1918-1987. (Princeton University Press, Princeton, New Jersey, 1988), p. 13.

minimum. But it can also be to the credit of the people themselves actually cohabiting and tolerating each other. So if all was so great then why did the two nations secede from one another? There are some reasons that are suggested by Carol Skalnik Leff who argues,

Several features of the Czechoslovak relationship sowed seeds of future discord. The first, already mentioned, was the questionable depth of the commitment to unity. Second, and no less irksome, was its amorphousness. Just what was Czechoslovak unity? Characterized as a striving for uniform ties, its operational manifestation was a rescue operation in which the 'western Czech branch would be the giving element and the eastern Slovak the receiving,' a Czech cultural mission to salvage Slovak nation identity from Magyar incursions.⁸⁵

Leff argues that there was no real Czechoslovak national unity or nationalism. This may be the case as it would help to explain why it was so easy to break up the nation and was so smooth and without violence. Nationalism tends to breed violence and civil unrest and the Czechoslovakian experience was entirely void of these evils.

(c) How Secession Occurred

In comparison to Yugoslavia, the break-up of Czechoslovakia went extremely well. Not only was it entirely without violence, it was also generally seen as a favourable event. There was no bloodshed, no destruction of land and not even much dissent. This nation provides us with an example of how secession as a political tool can be a productive move as opposed to the way to begin a war. The secession of Czechoslovakia is almost an exception in the sense that both parts of the nation wanted to secede from each other, there is almost invariably one side that does not want what the other does. However, after coming to the understanding that it was better to agree and arrange the breakup to be as peaceful and fair as possible, Czechoslovakia gives us hope that secession can work.

⁸⁵Ibid. p. 37.

It is interesting to note that the both the Slovaks and the Czechs were not even really considering secession until it began to be discussed in earnest in the early 1990s. In fact after the June 1990 election, a poll found that only 6 percent of the population, being 5 percent of Czechs and 8 percent of Slovaks actually favoured dividing the nation into two independent states.⁸⁶ The issue of constitutional revision was on the government's table in 1990 after the fall of the Communist regime in 1989. Lots of constitutional negotiations then took place after the 1990 election trying to see what type of arrangement the country should have for the years to come. The talk of revision and changes made many political leaders and people alike to begin to consider the possibility of Slovakia and Czech becoming their own separate national states.

The strongest talk came from the Slovaks who began to consider this and the notion began to garner public support. John F. N. Bradley points out this fact by stating, "Clearly the Slovaks have had enough in the way of political arrangements in Czechoslovakia, though they did reap undoubted economic benefits from them. By August 1990 there occurred public demonstrations in Bratislava and elsewhere in support of Slovak autonomy."⁸⁷ In fact it was indeed the Slovaks who were the first to call for a separation of the two nations with growing Slovak nationalism as its impetus. This is supported by Robert A. Young who argues,

The separatist initiative undoubtedly came first from the Slovak leaders, but their moves were tentative. There was no authoritative declaration of an intent to secede until the full constitution was effective in October 1992. There were, instead, many near-declarations,

⁸⁶Robert A. Young. The Breakup of Czechoslovakia. Research Paper No. 32, (Queen's University, Institute of Intergovernmental Affairs, Kingston, 1994), p. 11.

⁸⁷John F. N. Bradley. Czechoslovakia's Velvet Revolution: A Political Analysis. (Columbia University Press, New York, 1992), p. 134.

and these were used as threats to win concessions in the constitutional negotiations.⁸⁸

Beside the Slovakian calls for independence and action, there were various protests, demonstrations, strikes, petitions and other forms of civil disobedience regarding the secession of the nation. The talk of the leaders and the rhetoric began to resonate with the average man and by 1992 over 80 per cent of both Czechs and Slovaks agreed that separation was inevitable.⁸⁹ There was also a growing political polarization of the two sides at this point in time and once this is achieved it is very difficult to go back. As Robert A. Young explains,

This is a process of growing mutual hostility between the two communities, accompanied by a sense among members of each that their interests are distinct and can only be met through separation. This phenomenon was driven largely by politicians, but it was manifest in public opinion.⁹⁰

However, before the nation of Czechoslovakia was to break up there were various meetings and negotiations. These were to regard the issues at hand that needed to be decided before the secession was to occur. The meetings were held over just four months in 1992 and all decisions were made by a few Cabinet members. One such treaty that was passed dealt with the joint use of the police and Ministry of Internal Affairs archives; cooperation in communications; health-care services; cooperation in environmental protection; and cooperation in education.⁹¹ They also dealt with many other issues beforehand like such potentially dangerous areas as citizenship rights, visas, the national debt, capital property, national assets and the establishment

⁸⁸Robert A. Young. The Secession of Quebec and the Future of Canada. (McGill-Queen's University Press, Montreal and Kingston, 1995), p. 158.

⁸⁹Ibid. p. 148.

⁹⁰Ibid. p. 147-148.

⁹¹Robert A. Young. The Breakup of Czechoslovakia. Opt Cit. p. 46.

of a customs union.

(d) Results of Secession

The results of the breakup of the nation of Czechoslovakia were decided before the event even occurred, which helps to explain why it happened so smoothly and without many problems. The secession was seen as a positive development and the national ties that Czechs and Slovaks once had to each other were to no longer remain. This to some degree illustrates a lack of national unity to begin with, as it seemed so easy and painless to see a nation just cease to exist so rapidly. The secession of Czechoslovakia occurred on December 31st, 1992 at midnight when Slovakia and the Czech lands withdrew to become independent nations.⁹² There were no discussions or agreements after this point as all the important decisions regarding the separation were made months prior to the split. The two nations share many common institutions and are linked in a customs union.

One of the only problematic issues that resulted from the secession was that of economic development. Both nations experienced a drop in their economic well-being as a result of the secession. As it had always been the dominant of the two, the Czech Republic continued to be the more economically developed of the two. "Difficult problems remained in the Czech Republic. But the economic situation was superior. Hard-currency reserves had grown since the separation, so much that the koruna could be made convertible, and the government was running a budgetary surplus."⁹³ The economy is slowly improving as the transition from the communist economy to a market based one has proved difficult.

⁹²Ibid. p. 1.

⁹³Ibid. p. 63.

Overall, Czechoslovakia had a peaceful creation and disintegration. Both the Czechs and the Slovaks agreed to come together and agreed to break apart. The results of the secession still remains to be proven as it only happened five years ago. However, the secession itself was ideal and can be used as a guide for nations pondering the same fate.

(6) Czech Republic and Slovakia 1993

(6) Ireland

(a) Roots of Conflict

The partition of Northern Ireland from Great Britain is one of the more violent and unproductive political situations in the twentieth century. It compares with Yugoslavia for the amount of bloodshed, deaths, destruction and misery this event has caused, yet even more so as it has been going on since the 1920s. The political situation in Northern Ireland is fairly well known globally as the fighting has gone on in this part of the world for the past eighty years. The situation in Ireland is not as new a phenomenon as many might think, but rather the conflict between Great Britain and Ireland has been going on for many centuries. Although the British had a presence in Ireland since the 12th century, they did not exert any real influence until the late 1500s.

When Henry VIII wanted a divorce from his wife, he broke with the Roman Catholic Church and appointed himself head of the Church of England. That is when the nation of Ireland became a threat to the Church in England after the Reformation due to the fact that Ireland retained the Catholic Church and its loyalty to the Pope in Rome. Great Britain also began to not trust Ireland further when they supported Spain in 1588, when they helped Charles I in the English Civil War, and supported James I in the Glorious Revolution in 1688. According to Thomas Hachey, "On each of these three occasions, Catholic Ireland's treachery, or involvement in British domestic rivalries, succeeded in convincing both the English government and the Protestant ascendancy in Ireland that the country's majority was a threat to the security of the

realm.”⁹⁴ The Irish were seen by the British as being a threat which was a little too close for comfort.

The conflict between England and Ireland was just beginning with these events as a plan to covert Ireland into a British colony was undertaken by means of establishing plantations on Irish soil. The plantation plan was the granting of land in Ireland to British settlers who were willing to go and farm them. The lands being stolen from the Irish did not go over well and many of the powerful Irish land owners fled the country leaving behind the peasants. The British settlers took over the land and established the Church of England in Ireland. The many Protestant settlers did not get along with the Catholic Irish as they feared reprisals for having taken their land. This situation was to colour future relations between the two groups, according to Michael Hughes who argues,

By 1622 some 21,000 English, Scottish and Welsh immigrants were in place. An Anglican aristocracy was installed, but a majority of the settlers were members of the Nonconformist Dissenter sects. They had to keep the native Irish as a labour force to work the land, but from the first the settlers were frightened of the people whose land they had stolen. They expressed this fear in mistrust and repression, and a siege mentality quickly grew up among them.⁹⁵

There were many battles between the Catholics and the Protestants for supremacy of the area and the final battle was that of the Battle of the Boyne in 1690. In this one, the Roman Catholics lost to Protestants. After this the Protestants took over the rule of Ireland in the era referred to as the Age of the Ascendancy, which lasted from 1695 to 1829. The Penal Laws were

⁹⁴Thomas Hachey. “A Hostage of History: Northern Ireland and the Issue of Integration Versus Unification”, in Ray Edward Johnston. Ed. The Politics of Division, Partition, and Unification. (Praeger Publishers, New York, 1976), p. 2.

⁹⁵Michael Hughes. Ireland Divided: The Roots of the Modern Irish Problem. (St. Martin’s Press, New York, 1994), p. 7.

passed, called the Williamite Settlement, in which the native Irish were stripped of their estates, could not own land or become tradesman or professionals, their children could not go to Catholic schools and the Catholic religion was banned. Although never strictly enforced it still had tremendous effects. Richard Ned Lebow argues this stating,

These acts, collectively referred to as the Penal Laws, helped to reduce the native population to a poor and illiterate peasantry outside the writ of the constitution and thus even more resentful of British rule. By the first part of the nineteenth century the most onerous aspects of the Penal Laws had been repealed; however, the mass of the Irish peasantry were generally conceded to be still the most destitute in all of Europe.⁹⁶

One event more than any other that had its effect on Ireland was the potato famine of the 1840s. The failure of potato crop in 1845 had left south and south west Ireland without food for a few years, and as this was a staple in the Irish diet the results were devastating. Not only did many people die from starvation and malnutrition but the population of Ireland was further effected by a large migration of people to other nations, the United States in particular. In fact, by 1847, 250,000 people were emigrating a year⁹⁷ Before the Famine in the late 1840s, the population of Ireland was over 8 million people but fell to 5.5 million by 1871.⁹⁸ This loss of population would prove to have far-reaching effects. For one, the majority of the populations that were migrating were from the south and the west, areas that were Roman Catholic. Further to this was the fact that many of the Irish who were emigrating were going to the United States.

⁹⁶Richard Ned Lebow. "Ireland", in Gregory Henderson, Richard Ned Lebow and John G. Stoessinger. Divided Nations in a Divided World. (David McKay Company Inc., New York, 1974), p. 198.

⁹⁷R. F. Foster. Ed. The Oxford Illustrated History of Ireland. (Oxford University Press, Oxford and New York, 1989), p. 203.

⁹⁸J. C. Beckett. A Short History of Ireland. (The Cresset Library, London, 1986), p. 137.

Their strong numbers in the US would prove to be of tremendous influence over Great Britain's policy towards Ireland. They also supported their brethren with money and weapons. This is articulated by Beckett who states,

The steady stream of emigration, which persisted for decades, also affected the political position. It established in the United States a huge Irish population whose sense of national solidarity was based mainly on hatred of Britain, and it was among the American Irish that the tradition of violent revolution was most active.⁹⁹

The Irish also resented the British for another reason aside from the occupation of their homeland but also for being among the poorest people in all of Europe and being exploited by Britain for their gain.

The rise of nationalist movements in Northern Ireland, although it was occurring before the partition, that event only proved to strengthen it. When Great Britain took over Ulster, Irish nationalism had a new focus and enemy. This was due to the fact that Great Britain was being so repressive and gave into so few demands of the Irish. It also led to the formation of organized nationalist movements according to Richard Ned Lebow who argues that,

It helped to foster the development of revolutionary nationalism characterized by such groups as Young Ireland (1840s), the Fenians (1860s) and later, Sinn Fein (literally, 'We Ourselves'). These organizations rejected any form of assimilation into British culture or political life and espoused national independence to be achieved by revolution if necessary.¹⁰⁰

These Irish nationalist movements were not the only ones in Ireland, as the Protestant populations also formed similar groups to represent their cause. These movements would start as mainly political expressions but many would later have ties to militant and violent groups fighting for

⁹⁹Ibid. Opt Cit. p. 137.

¹⁰⁰Richard Ned Lebow. Opt Cit. p. 200.

independence from England like the Irish Republican Army.

Judging by the past relationship between the Irish and the British and Protestant settlers, it is not hard to see how this plays an important role in the current conflict. The problems between the Irish and the British have been going on for hundreds of years and have caused a situation in which compromise by either side is almost impossible. The roots of conflict in Ireland are so deeply ingrained in the minds of the people of Ireland and Britain that moving ahead is difficult.

(b) Cultural Context

The social and cultural conditions that apply to Northern Ireland and the Irish Free State are the most influential reasons for much of the conflict past and present. The main conflict has been over religion, that of the Protestant and Roman Catholic religions. It is ironic because at one point all of Great Britain and Ireland shared the same religion, Roman Catholicism and it was only the whim of Henry VIII to become head of the Church that led to much of this conflict. The ruling class was the Protestant English descendants who lived primarily in the North of Ireland whereas the remainder of the population were the Irish born Roman Catholics. The majority of the population of Ireland was Catholic and the Protestant minority held power over the masses using Penal Laws from England and the taking of Irish plantations.

The religious affiliations of both the Roman Catholics and the Protestants in Ireland went beyond merely being a Sunday activity or religious order. Each religious order formed nationalist movements under the guise of their respective religions. The Protestant group was called the Orange Order. The Orangemen were originally an underground old boys group called the Peep O' Day Boys and that was formed in the 1790s.¹⁰¹ Not to be outdone, the Catholics had similar

¹⁰¹Thomas Hachey. Opt Cit. p. 4.

(7) *Ireland-Protestants*

organizations, yet the Orange Order would prove to be the most problematic. According to Thomas Hachey, its influence was immense, "Comparable to Anglo-Saxon nationalist movements in both England and America, Orangeism remains today a vital force in the power structure in Northern Ireland: a divisive, irrational, hate movement in Irish life."¹⁰² The Orange Order still carries on its annual march celebrating the Battle of the Boyne each year. This often instigates violence as the Irish Catholics do not like being reminded of their loss.

The history and past is very important to both the Roman Catholics and the Protestants in terms of defining who they are and how they are different from each other. The Protestants are very proud of being English descendants and consider themselves to be even if they have lived in Ireland for hundreds of years. The majority of Protestants in Ireland do not consider themselves Irish, and in fact,

Most Protestants when questioned about their identity, proclaimed themselves as indubitably British, but preferred not to discuss how this tied in with the fact that they lived on the island of Ireland. Some clung to the old title of Ulster-Scot, but others when pressed described their nationality as 'Ulster'. Thus Catholics, even if they wanted to, could not hope to be accepted as properly British. They had been born an inferior people and must remain that way.¹⁰³

This attitude is part of the reason why the Northern part of Ireland remained with Great Britain. The majority of its inhabitants were Protestants who wanted to remain linked with the motherland, even if it was so hundreds of years before.

The Roman Catholics tended to turn to the past before the Scots and English invaded and settled Ireland, to a time long ago when things were much simpler. They began to develop Irish

¹⁰²Thomas Hachey. Opt Cit. p. 4.

¹⁰³Flann Campbell. The Dissenting Voice: Protestant Democracy in Ulster from Plantation to Partition. (The Blackstaff Press, Dublin, 1991), p. 425.

history and culture as an antithesis to the British influence and further strengthen their own nationalism. This is supported by Michael Hughes when he states,

The Roman Catholic religion replaced language as the most obvious badge of Irishness. A major element in the consciousness of this community has been a desire to recreate a lost Ireland of the past, an idealized version of Gaelic Christian culture, something pure and uncontaminated, long protected by the sea against the Romans, Dark Age barbarism, and the horrors of industrialization.¹⁰⁴

The Irish tended to romanticize the past where they were not bothered by the British settlers.

Their resentment of the Protestant community is understandable in light of much of the discrimination that was aimed at them. After the partition of Ireland, Ulster became almost completely Protestant controlled. This situation made it very difficult for Roman Catholic inhabitants according to J. C. Beckett,

What was new, since 1920, was that the protestants now had continuous control of the organs of administration; and they used this control, together with the influence they derived from their economic superiority, to make sure that their own predominance and their majority position should continue indefinitely. A Roman Catholic seeking employment, or housing, or advancement in his career, generally found himself at a heavy disadvantage in competition with protestants; and for many the only escape lay in emigration...¹⁰⁵

There are many obvious reasons why Ulster or Northern Ireland Protestants did not want to join with Southern Ireland in becoming one Irish Free State. One of the main reasons why the Protestant majority did not want to be united in one Ireland was that in Ulster they constituted the majority, and as such they had the many privileges that being in such a position affords. By joining with the south of Ireland, they would become a minority group losing their special status. Another reason that they did not want unification was that in Ulster they were protected under the

¹⁰⁴Michael Hughes. Opt Cit. p. 2.

¹⁰⁵J. C. Beckett. Opt Cit. p. 160.

British Crown. They were still a part of the United Kingdom where the majority of people were of the Protestant faith as well. This was a guarantee of their religious rights being protected against infringement by the Catholics. This is pointed out by Scott Reid when he writes,

Home rule was finally guaranteed in 1914 by the *Government of Ireland Act*. However, Northern Ireland's 820,000 Protestants considered themselves to be loyal British subjects. Fearing that their rights would not be respected in a Catholic-dominated Irish state, they requested a partition based on religious affiliation.¹⁰⁶

They also did not want to join with Southern Ireland due to its Catholic and Gaelic nature which increased after independence. After the creation of the Free State, the nation broke almost all of its ties with Great Britain, instituted Roman Catholicism as not only the state religion, but relegated it to a status of that of a ruling class. This was also followed by a series of laws enacted to promote the Catholic ideals and ensure that the state and church were indeed one.

The religious differences between the Irish and the British settlers have been one of, if the not the most, important reasons for the current conflict in Northern Ireland. These differences have been fought over now for hundreds of years and do not seem to be going away.

(c) How Secession Occurred

The secession of Ireland was decided not by the actual people of the country of Ireland, but rather was decided by the government of Great Britain. The Protestant minority, particularly in the North of Ireland, did support the actions by Great Britain and in fact were instrumental in their implementation. The events surrounding the partition of Ireland are great in both number and detail and only the most salient facts will be outlined here.

There were problems unfolding within Ireland at the end of the nineteenth century.

¹⁰⁶Scott Reid. Canada Remapped: How the Partition of Quebec Will Reshape the Nation. (Pulp Press, Vancouver, 1992), p. 8.

There were many calls for self rule for the Irish at the end of the 1800s. The first of the many Home Rule Bills were created at this time but none managed to stay in force. The outbreak of the first World War caused many problems for Great Britain in its dealings with Ireland. In order to gain Ireland's support during the war, it once again granted Ireland home rule at the beginning of the war. This decision may have also been swayed by the Americans who had not yet joined the war effort. The many Irish Americans made their opinion on the Home Rule matter known to their elected representatives who too made their notions clear to the British. Robert Schaeffer tells us that, "President Wilson, responding to congressional demands for Irish self-determination, had ambassadors tell Lloyd George that Britain's failure to advance Irish self-government prevented the United States from lending assistance to the British."¹⁰⁷ However Home Rule was not to remain and this changed during the war. In fact, the partition of Ireland was even being discussed and apparently decided at this time if we are to believe the following statement made by Denis Gywnn,

The decision to exclude 'Northern Ireland' from the jurisdiction of the Irish Parliament was taken not in 1920 but in 1914, when war in Europe was actually impending after the assassination of the Austrian Archduke at Sarajevo. It was a compromise reached in haste, under overwhelming pressure of events in Europe; and there was the widest difference of opinion as to what area of Ireland should be excluded.¹⁰⁸

Events in Ireland during the war were numerous. The Easter uprising occurred in 1916 when a citizen army attempted a rebellion in Dublin. The rebellion was quashed and the British government killed many of the uprisings leaders. In doing this, the support for Irish independence

¹⁰⁷Robert Schaeffer. Opt Cit. p. 96.

¹⁰⁸Denis Gywnn. A History of Partition (1912-1925). (The Richview Press, Dublin, 1950), p. 11-12.

went up dramatically. The following elections saw the Sinn Fein party win most of the seats and set up a provisional government in Dublin. This is when relations between England and Ireland began to get violent.

The new provisional government and the British troops began to fight and a civil war broke out in 1919. This war put tremendous pressure on the British government to solve this volatile issue. The war ended up lasting for three years, 1919-1921. This war resulted from the divisions in the twenty-six counties of the south and west of Ireland over the Anglo-Irish treaty of Dec 1921. The causes were rapid changes in Irish nationalism and Anglo-Irish relations between 1912-1921¹⁰⁹

The passage of the Government of Ireland Bill in 1921 was the law that partitioned Ireland as we know it today. Called the Anglo-Irish Treaty it partitioned Ireland into Southern Ireland- the Irish Free State with twenty-six counties, and Northern Ireland with remaining six.¹¹⁰ This split was considered at the time to be a temporary measure to quell the fighting. However, despite attempts to alter it there has never been a consensus on how to change this border to the satisfaction of both sides. All of the changes that have been suggested have been minor and the establishment of a Boundary Commission in 1924 had little effect. Their recommendations were to give more land to Northern Ireland and for Ireland to give back land to Great Britain. This was never acted upon as it was probably assumed that this would not serve to solve any issues but rather create more of them.

¹⁰⁹Michael Hopkinson. Green Against Green: The Irish Civil War. (Gill and Macmillan, Dublin, 1988), p.1.

¹¹⁰Scott Reid. Opt Cit. p. 9.

(8) Ireland-After Partition

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(d) Results of Secession

The secession of Northern Ireland from Ireland has produced many years of violence and mistrust in both Ireland and Great Britain. Aside from the many terrorists acts of bombings and murder that still occur on a yearly basis, the progress towards peace has been slow at best. There are constant cease-fires, peace talks and conferences, yet little has actually been achieved over the years. The partition of Ireland has had many results and most of these have had large consequences for the Irish people.

The most obvious result of secession was the splitting of the nation of Ireland into two separate parts, Northern Ireland which remained a part of Great Britain and the creation of the Irish Free State, an independent nation. The majority of the conflict stems from the creation of Northern Ireland. Northern Ireland was created to assail the fears of the Ulster Protestant population who feared being assimilated into the Irish culture and religion. The population of Ulster in 1926 was 1.25 million ,60 percent were Protestant and 40 percent Catholic.¹¹³ This close split has caused years of civil unrest and bloodshed.

Another result was the creation of the Irish Free State. The nation of Ireland became a very Catholic nation after the partition, where the majority of the population was Roman Catholic. With the creation of the nation of Ireland the leaders undertook many measures to make Ireland a distinctly Irish nation.

The oath of allegiance was abolished in 1933; the governor-general was removed in 1936; and finally, the secular constitution of 1920 was abandoned in 1937 for a constitution acknowledging the 'special position of the Catholic Church,' incorporating Catholic social

¹¹³Michael Hughes. Opt Cit. p.70.

teaching, and forbidding divorce.¹¹⁴

With the creation of the primarily Catholic state, the result has been the practical assimilation and even elimination of the Protestant element in the South. Padraig O'Malley illustrates this by pointing out that, "The *Ne Temere* decree has taken a heavy toll: a mixed marriage in one generation almost invariably means a Catholic marriage in the next; ultimately assimilation means extinction."¹¹⁵ This Catholic decree made it so that Protestants had to agree to raise their children as Catholics, they couldn't get married in Protestant churches, had to be baptized twice if they became members of the Catholic Church and could not be married in the Catholic Church. This sheds light on why the Northern Protestants had strong fears of Ireland being made into one nation that would all be Catholic. This is explained by O'Malley when he states,

Hence the intensity of Protestant fears: the Catholic Church's claim to be the One, True, Universal, and Apostolic Church is no idle boast. Rather, its actions to back up its claim have decimated the ranks of Protestantism in the South. A united Ireland, Northern Protestants believe, would accelerate the process, opening the way to absorption."¹¹⁶

Another result of the partition of the nation of Ireland was migration of citizens. Although Ireland had suffered its worst populations losses during the potato famine, the partition also contributed to many moving from Northern Ireland to the South and vice versa. According to Schaeffer,

Some 25,000 Catholics fled Northern Ireland between 1922 and 1924, and in roughly the same period, 1920 to 1926, 12,000 Protestants left Southern Ireland. The larger Catholic migration was due to anti-Catholic violence in the North, while there was little comparable

¹¹⁴Padraig O'Malley. The Uncivil Wars: Ireland Today. (Houghton Mifflin Company, Boston, 1983), p. 63.

¹¹⁵Ibid. p. 67.

¹¹⁶Ibid. p. 69.

violence directed at Southern Protestants after the Anglo-Irish Treaty was concluded.¹¹⁷

The Protestant and Catholic tensions that were in existence before the partition of Northern Ireland have only intensified since the split. Much of the violence is aimed specifically at members of the opposing religions. If one Protestant is killed by a IRA bomb, then a Catholic must die in retribution. One of the most saddening and most publicized results of the partition of Ireland has been the tremendous amount of political violence that has ensued in Northern Ireland. The Irish Republican Army and other para-military organizations have been responsible for many bombings and political assassinations over the last eighty years. At first the Irish aimed their anger at the Protestant settlers, however over the years this would be directed at the British government.

The 'Provisional' faction of the IRA, which has dominated the fractured networks of militant republicanism since December 1969, adroitly exploited military insensitivity in order to redirect Catholic's indignation from their Protestant neighbours towards Britain and its 'army of occupation'. Anglophobia was intensified after 'Bloody Sunday' (30 January 1972) when thirteen people were killed by soldiers in Derry.¹¹⁸

One of the most disturbing results of the partition of Ireland has been violence in both Northern Ireland and Great Britain. The bombing and assassination deaths that have happened in Northern Ireland have been the most on a per capita basis than most nations in the world for domestic terrorism. According to O'Leary and McGarry the situation is grim,

Since 1969 nearly 3,000 people have died because of political violence in Northern Ireland. Political murders, sectarian assassinations, tit-for-tat shootings, car-bombings, petrol-bombings, and 'human bombs' have made Northern Ireland infamous, as have armed robberies, 'tarring-and feathering', knee-cappings, and other forms of communal

¹¹⁷Robert Schaeffer. Opt Cit. p. 154-55.

¹¹⁸R. F. Foster. Opt Cit. p. 273.

intimidation associated with the actions of local paramilitaries.¹¹⁹

The violence and terror which has become a constant part of the Irish landscape does not seem to be abating much in recent years. Although there continues to be peace talks, the situation in Northern Ireland remains much the same. There is potential for there to be a cease-fire but only if Northern Ireland is united with the rest of Ireland. Until this happens, there is a great possibility that this violence will continue.

¹¹⁹Brendan O'Leary and John McGarry. The Politics of Antagonism: Understanding Northern Ireland. 2nd ed. (The Athlone Press, London and Atlantic Highlands, NJ, 1996), p. 9.

(7) United States of America

(a) Roots of Conflict

The United States of America did not have the same kind of long-standing ethnic or cultural friction that Ireland or Yugoslavia possessed. The nation of America was a country that was founded upon ideals and grand sweeping statements that all its inhabitants shared and embraced. There was very much a nationalism to the United States and the nation had seen almost one hundred years of peaceful existence, with the exception of the genocide of the Native American populations. The United States did not seem to have many problems until the middle of the nineteenth century. Then there appeared to be a conflict between the Southern section and the Northern section of the nation. Although they had issues with many different areas, the main bone of contention between the Northern states and the Southern states was that of the institution of slavery. Slavery had not always been a part of the American landscape and it was not unique to this nation, it had come from the West Indies where the trade had been established. It did, however, seem to catch on quickly, and the majority of the slave trade was being done in the Southern United States. The North did have slaves as well, but after industrialization the need for slave labour was deemed unnecessary. The institution of slavery was not always as strongly supported in the South and it even was once seen to be an evil that would eventually be gotten rid of. However, this attitude changed in the 1800s into one that was extremely supportive of slavery as an institution.

There were many reasons why the South began to cling to slavery as being an integral and needed part of their culture. One of the main reasons for this change in attitude was economic in nature. The Southern plantation owners used slave labourers who were stolen from their

homelands in Africa, to work their various large crop fields, in particular, cotton. In the 1800s, cotton became a huge cash crop for the South and was the basis for their economy. The unpaid labour of the slaves helped this industry to grow quickly. The Southerners who were in support of slavery often argued that it needed to remain in place because it was beneficial to both the workers and to the slaves themselves. This notion is illustrated by Nevins and Commager when they state,

Defenders extolled it because it protected the worker in unemployment, sickness, and old age, because it freed the South from strikes and labor clashes, because it Christianized a heathen people and gradually elevated them, because (they said) it made masters chivalrous and servants loyal.¹²⁰

The Southerners were quick to argue for the support of slavery as an economic institution.

“Poverty, it was pointed out, was not only less prevalent under slavery than in the Northern states, but where present it constituted less of a stigma; for race, not money, conferred honor.”¹²¹

Again and again the argument of the economic benefit of slavery was offered by its proponents

Aside from the economic reasons for supporting slavery, many proponents in the South pointed to another argument. The whites who had been exploiting, harming and keeping these people prisoners had many reasons to believe that the abolition of slavery and the freeing of the slaves would lead to violence. The whites feared retaliation from the blacks for having kept them as slaves. This is argued by Nevins and Commager who state,

Moreover, wide-spread fears that had been aroused in the South by a number of slave insurrections in which some whites had been massacred. If the Negro were freed, it was

¹²⁰Allan Nevins and Henry Steele Commager. A Short History of the United States. 6th ed. Revised and enlarged. (Alfred A. Knopf, New York, 1976), p. 225.

¹²¹J. G. Randall and David Donald. The Civil War and Reconstruction. 2nd ed. (D.C. Heath and Company, Boston, 1961), p.72.

asked, would a white man's life be safe? or, to press the question more closely home, a white woman's honour?¹²²

One of the main events that occurred that led to the Southern states seceding from the Union was that of the Missouri Compromise. The 1850 compromise had the proposition that California be admitted to the U.S. as a free state, "that New Mexico and Utah be organized as territories without legislation either for or against slavery, that a more efficient machinery be set up for returning fugitive slaves to their masters, that the slave trade be abolished in the District of Columbia; and that Texas be compensated for some territory ceded to New Mexico."¹²³ This compromise seemed to keep both sides happy for a while but this was not to last. There were many reasons why this compromise led to such problems and why it was so important to have free states and slave states. The Missouri Compromise's aim was to maintain a balance to keep both the South and the North happy. Randall and Donald explain,

In 1812 there were nine slave and nine free states. As the years passed, the admission of six more states in the North had been balanced, state by state, with six in the South; so that in 1850 there were fifteen states on each side of the line. With the probable admission of California, however, the free states would have a majority; and the South saw no clear prospect of restoring the balance.¹²⁴

The Southern states feared that more and more of the new admissions to the Union would be free states and that the South would lose its equality and in effect its power to maintain slavery in the nation. The fact that the Northern states were increasingly becoming the home to hundreds of thousands of new immigrants each year made the Southerners feel this threat was very realistic.

¹²²Winston S. Churchill. The American Civil War. (Corgi Books, London, 1958), p. 32.

¹²³Allan Nevins and Henry Steele Commager. Opt Cit. p. 230.

¹²⁴J. G. Randall and David Donald. Opt Cit. p. 85.

(9) United States of America-Pre-Secession

The population of the North was growing at a very fast rate, one that the South could not even hope to match.

The issue of slavery can be seen as being tied to many other problems as well, the idea of states rights versus the federal government, the admission of new states, what to do with the Territories and the balance of power in the Union. This problem was not going to go away easily and not without great conflict on either side as each had a vested interest holding their position.

(b) Cultural Context

The cultural context of the United States of America is very difficult to understand in light of the current relations between the Northern and Southern States. Today there appears to be relatively few discernable differences between people who live in the North or the South of the United States. However, in the middle 1800s, there were many differences that could be pointed out that can help to explain why the two sides ended up coming to blows and fighting a war against one another. One of more questionable differences that is often referred to when attempting to explain the differences between the two is the allusions to the respective climates of the two parts of the nation. The South was hot and made the people who lived there lazier therefore that is why they relied on slave labour, and the North was cold and people who lived there worked harder. Although this argument was used much more in the past and it is fairly racist, it is still an important consideration in making a difference between the North and South as many people believed this at the time.

Another important difference that is relatively unknown is that the North and the South came from radically different religious backgrounds. The Northern populations were Puritans who had escaped persecution in the Old World. The Southern populations were descended from

the Cavaliers, who were supporters of Charles I in the English Civil War. The Puritans were a religious group who had been suppressed by Charles I.¹²⁵ These two groups clashed in England and the differences that made them fight in the Old World were carried with them to the United States. This hatred is illustrated by Daniel Wait Howe when he states,

In the Southern colonies there were few Puritans. In Virginia and in South Carolina the Cavalier element and the doctrines of the Church of England predominated, and in those sections, notwithstanding all that has been said about the bigotry of the New England Puritan, the Puritans were as unwelcome and as unpopular and as rigorously persecuted as the believers in the Church of England were in Massachusetts.¹²⁶

These religious differences are more than merely a difference in faiths, but rather a difference in upbringing, history and common institutions. The Puritans because they had been persecuted, came to America hoping to find tolerance and freedom, and kept with them these ideals as part of the new nation. The Cavaliers, on the other hand, had been aristocrats who did not want an elected parliament and favoured the status quo. They were ingrained with a class superiority over most certainly the blacks, but also the Puritans.

One more important difference between the two regions was that of the rural versus urban in the North and South. The South was considered to be very rural, with its economy almost entirely based on agriculture with very little manufacturing. The North had become increasingly urban and industrialized as opposed to the rurally based economy of the south. The North was a growing part of the nation which manufactured and exported many products.

¹²⁵“Cavalier”, “Puritan”, in Judy Pearsall and Bill Trumble. Eds., The Oxford English Reference Dictionary. Opt Cit. p. 233,1172.

¹²⁶Howe. The Puritan Republic. p.261 as quoted in Daniel Wait Howe. Political History of Secession: To the Beginning of the American Civil War. (Negro Universities Press, New York, 1914), p. 2.

Tied to the notion of the North being more industrialized and urban was that of the increased immigration in the North. Many of the nations in Europe were undergoing large upheavals and major disasters at this time, and many people sought refuge in the United States of America, known for its religious tolerance and opportunity. Malone and Rauch point out that, "Immigrants numbered fewer than 10,000 per year prior to 1825. By 1832, over 50,000 began to arrive every year, by 1842, over 100,000, and by 1850, almost 400,000."¹²⁷ These numbers are staggering and must not be underestimated in terms of the tremendous influence these large numbers of newcomers were having on the economy and the politics of the United States. Many of these new immigrants came from Ireland where they had experienced the potato famine. They came from a land where they were treated very badly by the British and Protestants and came with attitudes of tolerance for people, and that can be said for most of the newcomers. They helped to shape the attitude of the North at this time not to mention its booming economy.

A major difference between the North and the South of the United States at this time is that the North was much more democratic overall. The new immigrants and the Puritans, many of whom have experienced prejudice, were much more tolerant and democratic than their Southern counterparts. As well many of the new immigrants came to the U.S. after the French Revolution having grown up with the notions of equality of individuals and freedom for all. And the South was also seen as being less democratic for the way it ran its economy. The Southern plantation owners were few in number and constituted an aristocracy where the majority of the people were relatively poor in comparison. Nevins and Commager explain, "Socially the North,

¹²⁷Dumas Malone and Basil Rauch. Crisis of the Union 1841-1877. (Appleton-Century-Crofts, New York, 1960), p. 68.

despite growing extremes of wealth and poverty in the large cities, was more democratic than the South, where the slaveholding oligarchy held most of the wealth and the power.”¹²⁸ This could help to explain why the South, or primarily the Southern plantation owners, did not want to see slavery abolished. It would mean the end of their great fortunes.

The South also felt that they were superior to the North in terms of class. The North looked at the Southern plantation owners as something from a time gone past. Winston Churchill sums this up,

The slave-owning aristocracy in much of the South felt a class-superiority to the business, manufacturing, and financial society of the North. The Puritan stock of the North regarded the elegant gentry of the South with something of the wrath and censure of Cromwell’s Ironsides for Rupert’s Cavaliers.¹²⁹

Each of the cultures felt a superiority to the other, the North felt more advanced and therefore more civilized because they did not practice slavery, the South because it was more of an aristocracy from days long ago with some class and culture. This aristocratic nature led to the Southerners being much less progressive than the North as change was something to be feared rather than welcomed. Churchill explains why stating,

The determination of the dominant whites-which long outlasted the life of slavery as a legal institution-to keep the Negroes as a subject deeply colored their political philosophy and created a general attitude of hostility to social change. As Americans went, Southerners were conservative in spirit and defensive in attitude.¹³⁰

As we can see many of the cultural differences between the North and the South can help to account for the difference in opinion over the slave issue.

¹²⁸Allan Nevins and Henry Steele Commager. Opt Cit. p. 240.

¹²⁹Winston Churchill. Opt Cit. p. 34.

¹³⁰Dumas Malone and Basil Rauch. Opt Cit. p. 98.

(c) How Secession Occurred

The tensions between the Southern states and the Northern states were aggravated by various factors. Not one specific event can be pointed out as the sole cause for the secession of the nation, yet there are a few things in particular that are often cited as the main causes. The economic argument is given as playing a key role in the South's decision to secede from the Union. Howe argues that, "Although slavery was the chief, it was not the only factor in causing the secession of the Southern States. From the formation of the government, the North had continually gained while the South had lost in commercial prosperity."¹³¹

Abraham Lincoln was another main impetus to the secession of the Southern States. Although he was a popular politician in the North, he was hated in the South. His stance on slavery was the main cause for this disdain in the South. Lincoln had made it clear that not only did he not support slavery, but that he wanted to see it abolished. And he was defiant about compromise or pandering to the Southern vote. In a speech Lincoln made in Illinois on June 16, 1858, he states his case arguing why compromise cannot happen.

In *my* opinion, it *will* not cease, until a *crisis* shall have been reached, and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure, permanently half *slave* and half *free*. I do not expect the Union to be *dissolved*-I do not expect the house to *fall*-but I *do* expect it will cease to be divided. It will become *all* one thing, or *all* the other. Either the *opponents* of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its *advocates* will push it forward, till it shall become alike lawful in *all* the states, *old* as well as *new-North* as well as *South*.¹³²

During the early to middle 1800s a great number of anti-slavery organizations began to be

¹³¹Daniel Wait Howe. Opt Cit. p. 15.

¹³²Abraham Lincoln. "A House Divided," in Kenneth M. Stampp. Ed., The Causes of the Civil War. (Prentice-Hall, Inc., Englewood Cliffs, New Jersey, 1965), p. 137.

formed. As well, many anti-slavery newspapers and books were also being published in great numbers in the Northern United States. There began to be a large opposition to the institution of slavery in the South by the North and many began to demand the end of it. Their development is explained by Howe,

About that time (1830) anti-slavery societies began to be organized in the North, which led to the formation of the New England Anti-Slavery Society in 1832, of the New York Society in October, 1833, and of the national organization called the American Anti-Slavery Society in December, 1833. In its declaration of principles adopted by the national society in Philadelphia on December 4, 1833, it condemned slavery in strong terms and asserted ' that the slaves ought instantly to be set free and brought under the protection of the law.'¹³³

However, the opponents of slavery were quick to point out that each state had the exclusive jurisdiction to make laws in this area and that this right should not be interfered with. They wanted it see slavery abolished in Washington D.C. and in the new territories.

Another major issue at this time which was connected to the growing anti-slavery movement in the North was the problem of slaves escaping from the South into the North. Because so many of the Northern citizens hated slavery, many encouraged slaves to escape their masters in the South and flee to the North where they could be free and protected from slavery. At this time, many slaves began to escape as a direct result. This caused many problems for the slave holders in the South who felt that they were being undermined, considering slavery was still a legal institution at the time. The many slave holders that were angered by this, petitioned the various state legislatures and the federal government to enforce the law in order to aid in the recapture of slaves by their owners. The law in question was called the Federal Fugitive Slave Law. As described by Howe,

¹³³Daniel Wait Howe. Opt Cit. p. 63.

The original Federal Fugitive Slave Law was passed in 1793. It authorized the owner of the fugitive to seize or arrest him and take him 'before any judge of the Circuit or District Courts of the United States, residing or being within the State, or before any magistrate of a county, State, or town corporate, wherein such seizure or arrest shall be made', and, upon making the proof required, to get a certificate from such judge or magistrate authorizing the removal of the fugitive to the State from which he fled.¹³⁴

This law was upheld by the Supreme Court of the United States as constitutional but State legislatures could pass legislation that forbid it, and people did not have to follow the law if there was already legislation in place that was in contradiction with the law. People in the Northern states did not really care about this law until it began to be enforced. When the slaves began to escape in larger numbers to the North in the 1830s, the Southern slave owners began to use this law in earnest. The Northerners then came to realize the effect that this law would have on their communities. And,

Of these the one that aroused the bitterest antagonism was that which imposed upon the people of the community where the fugitive might be found the duty of assisting the slave-catcher to capture him and return him to his master. A few in the North, but very few, voluntarily obeyed this provision.¹³⁵

Although the issue was slavery, the South was quick to point out any other reasons that fit in order to justify their stance. They often used the argument of state rights as their rallying call, and both sides to this debate thought they were the ones being "democratic". Kenneth Stampp outlines the argument,

Southern secessionists maintained that democracy failed because Northerners did not understand its true nature. They affirmed that rule by an absolute majority free to trample upon the rights of minorities is not democracy but tyranny. Northerners, on the other hand, argued that the South, in effect, demanded that a minority be given the right to dictate to the majority. To them Southern secession represented a refusal to abide by the

¹³⁴Ibid. p. 217.

¹³⁵Ibid. p. 218.

results of a democratic election and a repudiation of a fundamental principle upon which democracy is based.¹³⁶

When Lincoln was elected in 1860 this was the beginning to secession in the Southern States. The results were Lincoln 1,866,452 votes, Douglas 1,376,957, Breckinridge 849,781, and John Bell of Tennessee, 588,879. Even though Lincoln had a minority of the popular vote he won the electoral college.¹³⁷ The secession of the South was begun by the state of South Carolina which seceded first in 1860 before Lincoln was even inaugurated. Following behind were the states of Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas seceded between January 9th and February 4th, 1861.¹³⁸ They became the Confederate States of America and elected their own President. The secession of the South from the Union had begun. It would not be let go easily as Lincoln had made it quite clear during the election.

(d) Results of Secession

One of the main results of the secession of the American Southern States from the United States Government was that of the American civil war. The war lasted for years and caused great destruction and took many lives. The North had an advantage right from the beginning as they were industrially advanced and had more than twice the human population than that of the South.

¹³⁶Kenneth M. Stamp. "Majority Rule and Minority Rights," in Kenneth M. Stamp. Opt Cit. p. 153.

¹³⁷Allen Nevins and Henry Steele Commager. Opt Cit. p. 244-5

¹³⁸Dumas Malone and Basil Rauch. Opt Cit. p. 158.

(10) United States of America-Secession

SECESSION

The North had 22,000,000 people and the South had 9,000,000 and of that 3,500,000 were slaves.¹³⁹ The North had the support of large industry to develop weapons and mass produce them, whereas the South had to depend on arms from abroad in particular from Great Britain and these had to pass through blockades. The war was started when the Southern Confederate Army opened fire on Fort Sumter, a federal army base. The war lasted for four years and 2,213,363 people served in the effort with 140,414 dead in battle, 224,097 other deaths and 281,881 were wounded.¹⁴⁰

At the end of the war another tragic event occurred that deeply affected the American people. President Lincoln was assassinated on April 14th, 1865, while attending the Ford Theatre by an actor named John Wilkes Booth. He had turned out to be a Confederate patriot who like many other Southerners hated Lincoln for abolishing slavery.

There was actually one very positive result of the civil war and secession of the Southern United States and that was the abolition of slavery and the emancipation of the slaves. The Emancipation Proclamation was made in the course of the Civil War by Lincoln. He essentially made the war about freeing the slaves. According to Malone and Rauch, "The essence of the document was that on January 1, 1863, the slaves in areas that were in rebellion against the Union should be free."¹⁴¹ The black Americans who were freed by the Civil War were guaranteed their new found rights in a series of Constitutional amendments to the Bill of Rights. In 1865 the 13th

¹³⁹Dumas Malone and Basil Rauch. Opt Cit. p. 176.

¹⁴⁰John W. Wright. Ed., The Universal Almanac 1993. (Andrews and McMeel, Kansas City, 1992), p. 121.

¹⁴¹Dumas Malone and Basil Rauch. Opt Cit. p. 209.

Amendment was passed which freed the slaves, in 1868 the 14th Amendment granted black Americans full citizenship rights and in 1870, the 15th Amendment was passed giving blacks the right to vote.¹⁴²

The end of the civil war also led to the formation of the Ku Klux Klan and the creation of the racist Jim Crow laws in the South. The Ku Klux Klan was founded in 1866 in Tennessee as a young men's social club and as a force against the Reconstruction regime of leaders.¹⁴³

The Jim Crow laws were a series of repressive laws that were passed in the Southern state legislatures making segregation of the blacks legal. Starting in 1870 with Tennessee, most of the states passed laws making it so blacks were segregated from whites in all public places. Black Americans could not go to the same schools, sit in the same seats, or even use the same restaurants as white Americans could. Interracial marriage was also banned and blacks right to vote was not enforced at all. These repressive laws stayed in effect up until the 1960s when they were constitutionally challenged and millions began to protest their use.

The secession of the southern states and subsequent civil war led to the reunification of the United States after the North won the war and restored the union. So in the end the country of the United States of America remained intact as a state unit, albeit with much bloodshed and destruction. After the war there was a massive reconstruction effort that needed to be undertaken to fix the Southern destruction from the war. The South had been physically ruined during the war as most of the major battles were fought on its soil.

¹⁴²“Black Americans, or African Americans,” in Compton's Interactive Encyclopedia. (Compton's New Media Inc., 1993, 1994), p. 3.

¹⁴³“American Civil War”, in Compton's Interactive Encyclopedia. Opt Cit. p. 290.

(11) United States of America-Reconstruction Era

Emancipation and Reorganization of the Southern States

Bridges were down, roads neglected, hundreds of miles of railroad track torn up, rolling stock was destroyed, quays and docks were rotted. Normal economic life was almost paralyzed. Confederate money was worthless, and the only specie was that which had been hoarded in which the Union army brought into the conquered country. Banks had closed their doors...Civil government had all but disappeared, and there was no effective authority to collect taxes, run the schools, maintain the roads, or enforce the laws against marauders and guerilla bands who harried the countryside. Churches had been burned and congregations dispersed; the endowments of colleges lost, their libraries and laboratories destroyed...¹⁴⁴

The destruction of lives and property in the South was to plague that region of the nation for years to follow. The economy was ruined and for many years the North had to support and aid in the rebuilding of the area.

The secession of the Southern states from the Union of the United States did not lead to the creation of a new national unit as the South had wanted. The South had wanted to form a new nation where slavery was legal whereas the North had other ideas. They did not want the Southern states to leave the Union and a ensuing war between the two sides resulted in much destruction, deaths and misery for all involved. Although the end result can be deemed to be a positive one as the nation was restored and slavery was abolished, the road to get there was not an easy one.

¹⁴⁴Allan Nevins and Henry Steele Commager. Opt Cit. p. 272.

(8) Conclusions

After an examination of the four countries we can draw some interesting conclusions that can be useful as a guide for Quebec. Many of these nations have similar circumstances to that of Canada and surprisingly some parallels can be drawn with nations and situations that before examination seemed relatively minor. We can learn from the experiences of these nations in not only avoiding the mistakes that they made, but also learning from the good decisions that were carried through. Political and territorial secession is a very extreme and potentially dangerous move by most nations and any lessons that can be learned to lessen the blows are invaluable.

The first country that was examined was that of the former Yugoslavia. It is a good example to use in the fact it is a current situation which is still unfolding. Although it would appear that Yugoslavia as an Eastern European communist nation would have little in common with Quebec or Canada, the results are surprising. Yugoslavia is a nation that was constituted of different ethnic groups speaking different languages and so too is Canada. The potential for ethnic cleansing may be less in Canada but the ethnic tensions are certainly palpable and civil unrest certain. Yugoslavia was a nation that was artificial from the beginning as it was a creation of many nations into one unit. This is where the trouble began. There was no overarching concern or goal of the union and the many different nationalities and ethnic groups remained divided. When the second world war came about, Yugoslavia was plunged into chaos with the genocide that was directed at the Serbians. This would prove to have long range effects. After the war, Yugoslavia was only held together peacefully due to the establishment of a communist dictatorship under Tito. This, matched with relative economic stability, kept Yugoslavs from

fighting. However, after Tito's death and the fall of the communist state, the unrest that had occurred before world war I and during world war II, plagued Yugoslavia again. Serbian nationalism and revenge for the atrocities that were done to them during the war helped to begin a civil war in the region. Many parts seceded, each claiming the right to self-determination. This led to war, genocide and destruction. Although a cease-fire is now in effect, the peace in this area is fragile. The Canadian case compares to the Yugoslav example in the fact that both nation seem to be uneasy marriages of ethnic groups. As well, there is a feeling of injustice that the French feel towards the English for past events, and this may lead to violence.

The second country that was regarded was that of the former Czechoslovakia. This example is unique in many ways particularly in the fact that it had a peaceful secession. Czechoslovakia, like Yugoslavia, was an artificial creation. Yet unlike the various Yugoslav ethnic groups, the Slovaks and the Czechs had a relatively peaceful coexistence. After the second world war, Czechoslovakia became communist and remained a dictatorship in the Eastern Bloc until 1989. That is when the calls for separation of the two regions began in earnest. However, there was no violence or bloodshed in these declarations. The secession was done by democratic means such a referenda and polls. There are many lessons that can be learned from the Czechoslovakian situation that are very positive and can help Canada in avoiding any conflict or violence if Quebec chooses to secede from Canada. Robert Young points out a very telling conclusion from the Czechoslovakian case when he states that, "...the advantage in negotiations lies with the side that is least prepared to compromise. Simply enough, leaders who are willing to accept the consequences of negotiations breaking down are able to extract concessions for their

partner-opponents.”¹⁴⁵ Czechoslovakians decided the terms of secession before hand and this made the transition smooth, this is something Canada has to consider. Czechoslovakia also seemed to break up so easily probably due to a lack of nationalism which often causes secession to be problematic. This could be the characteristic that prevents Canada from achieving the same result. Despite discussion to the contrary, there is a nationalism for Canada that exists in both Quebec and the rest of the nation, and this may prove the main stumbling block in the road to peaceful secession.

Ireland and Quebec probably have the most in common of the four nations that I have chosen to study. That does not seem to bode well for Canada in light of the experiences that have been faced by the populations of both Northern Ireland and Great Britain. Ireland has had a long history of conflict with Great Britain before the secession of Ireland and the partition of Northern Ireland. Ireland was invaded and colonized in the 1500s. The discrimination and exploitation by the British of the Irish inhabitants was brutal and had far reaching repercussions. Not only did the Irish become poor and illiterate as a result of prejudicial laws, but millions left due to the harsh environment and famine. The Protestant settlers from England that came to rule the island were instrumental in the operation of the plantation projects. The mutual dislike and distrust of the Roman Catholic Irish and the Protestant English carries on to this day. When at the turn of the century the Irish began to call for the secession of Ireland, the Protestants of the North feared the result. Discrimination by the Catholics towards the Protestant minority was just as harsh and the Protestants did not want to be a part of the new Irish state. Their cries were heard in London, and the result was the partitioning of Ireland into two parts, Northern Ireland and Ireland. This was

¹⁴⁵Robert A. Young. The Breakup of Czechoslovakia. Opt Cit. p. 64.

meant to be a temporary measure, but attempts to change this were futile. The result has been war, bloodshed and terror in this region of the nation for the last eighty years. The Catholic minority living in the region are opposed to the partition and have formed paramilitary organizations that aim at destroying the arrangement. Although in recent weeks there appears to be progress in the peace process, it will remain to be seen if any real change can occur.

Canada, like Ireland, has a long standing cultural conflict. Unlike Ireland, the conflict is not over religion, although it was in the past, but rather over language and nationalism. The conflict between the French and the English greatly mirrors the Irish situation in many ways. The French in Canada were mistreated and exploited for hundreds of years and the resentment that they harbor towards the English is real. The nationalisms of the two groups is also a problem, as each group has different visions of what Canada should be.

The partition of Northern Ireland is similar to discussions in Canada regarding the partition of regions of Quebec to appease the Native and Anglophone populations. The English and Natives, like the English Protestants, are a minority group within the region, yet part of the larger majority in the nation. Like Great Britain, it would be hard for Canada to ignore the calls for partition of regions of Quebec, whether or not Quebec agrees. The violence that resulted from this move has been devastating and is a consequence that may have to be faced in Canada.

Finally, the last nation that was studied was the United States of America. The U.S. example can be seen to have the least in common with the Canadian experience, which is ironic considering it probably has the most background in common with Canada. Although both nations are North American, democratic, settled by Western European immigrants and share common beliefs, the American secession case is unique. That is not to say that there are not any similarities or

that we cannot learn from this devastating secession attempt. The U.S. example shows Canada that civil war can be the result in a democratic nation and that no one is immune from violence. The American secession resulted from one part of the nation having a different vision than the other region. It can be argued that the South seceded because they did not get their way on the slavery issue and left so that they could maintain this institution. Secession often occurs when a section of a nation feels that it is not being heard. The nation ended up being reunited after the seceding South lost the civil war and slavery ended up being abolished. The American secession occurred in the 1800s before the notion of self-determination of peoples was an accepted moral norm of the international community.

Canada, like the U.S., could be plunged into a civil war if Quebec attempts to secede. Quebec is seen by many as not having the moral or legal right to secede from Canada, and many Canadians are bent on not letting this occur without a fight. As we have seen with the four nations that we have studied, secession is not an event that should be underestimated in its destructive and powerful impact. It takes many forms and occurs for many reasons, and secession in Canada is a real possibility. Canada can learn from these nations to avoid the terrible fates that they have undergone. Czechoslovakia shows us that peaceful secession is also a possibility and we must attempt to model any secession in Canada on this example. Otherwise, secession in Canada will be no different than that in Yugoslavia, Ireland and the United States.

PART TWO

(9) Canada in Conflict

The political activity known as secession was examined in the first part of this paper by looking at four nations that have experienced it firsthand. The country of Canada shares many of the same characteristics as the four countries that we examined in Part 1. Canada is a country that has different ethnic groups, languages, religions and it is considered to be a multicultural nation. Canada is also a country that is a marriage between two very different linguistic and cultural groups, namely the French and the English. Canada has also experienced a fairly turbulent history when it comes to relations between the French, English and Native populations.

National unity is the most important issue facing Canada today. In the last twenty years Canadians have witnessed two Quebec referendums on sovereignty, the 1982 repatriation of the Constitution, and the two constitutional amendment packages, Meech Lake and Charlottetown Accords. Many English Canadians posed the eternal question, "What does Quebec want?" not being able to comprehend the desire of some Quebecers to opt for secession. After the years of constitutional wrangling and various attempts to appease the Quebec populace it appears as though this issue is far from being resolved as the last vote on secession was only lost by 1%. The main issue that needs to be understood and dealt with is that the constitutional agenda that Quebec is now pursuing is incompatible with the current form of Canadian nationalism. Not only is the vision of Quebec's future, in its many incarnations, totally incompatible with the current federal system and with the Canadian constitution, it is also at odds with the nationalism that the rest of Canada has developed. In particular, the Canadian Charter of Rights and Freedoms poses one of the largest problems for the Quebec agenda and its prominence in the Canadian political

discourse threatens to undermine many of the powers that Quebec is seeking to strengthen.

Canadian nationalism and federalism in its present form are not working to accommodate the challenges that are coming from the province of Quebec. This will be illustrated by examining the various problems it poses, such as the notion of provincial equality, the “two founding nations” theory and the failure of federalism to meet this agenda. Also the threat of the secession of Quebec will be considered as further support to the notion that current federalism is not satisfying Quebec’s constitutional demands and needs.

Much has been made of the various attempts of the federal government to accommodate Quebec in the federal system over the years; however, these have remained unsatisfactory to the majority of people in Quebec. Small changes to the constitution, and subsequently, the federal system of government, may be too much for the rest of Canada, especially the “distinct society” clause, but these have not been enough for Quebec. There are many reasons why these situations are not being resolved. At this point in history, things have gone beyond a simple recognition or guarantee of special status to Quebec to make its citizens feel that their goals are being met in Canada. Much larger concerns are now at work and an entire revamping of the perspective from which these demands are coming must be made by the rest of Canada in order to understand why the goals of Quebec and Canada are not compatible.

We will look at the roots of the conflict between the people of Quebec and the rest of Canada, the cultural context that applies to this situation, regard the attempts that have been made towards secession and look at the implications and potential results that such a drastic move may result in. Using the lessons we have learned in Part 1, we will know what areas to concentrate on and can give suggestions to help avoid the mistakes that these other secessions had.

Quebec

(10) Roots of Conflict

The conflict between the English and French in Canada is older than the country itself. The historical context to the current problems that are being faced in Canada is extremely important and must be examined and understood before we can proceed any further. There is a long and complex history of relations between the French and English in Canada and much of the current unity crisis can be traced back to events that happened even before Confederation. We will examine in chronological order the Conquest of Quebec, the Quebec Act of 1774, the Constitution Act of 1791, the rebellions of 1837-38, Lord Durham's report, the Union Act of 1840, Confederation in 1867, the conscription crises of World Wars I and II, the Constitution Act of 1982, the Meech Lake Accord and the Charlottetown Accord. After looking at these important constitutional developments we will see where the conflicts between the French of Quebec and the rest of Canada have had their roots.

The province of Quebec is now considered by some to be the homeland for French-speaking Canadians. Although many francophones live in other parts of Canada, primarily Ontario, New Brunswick and Manitoba, the population of Quebec is predominantly French-speaking. The population of the province is 7.3 million people, with 81.1% citing French as their mother tongue. The other 20% is composed of English-speaking Canadians (anglophones) making up 8.7 %, allophones (people whose first language is neither English nor French) at 7.5% and 2.6% is made up of people who have more than one mother tongue.¹⁴⁶ However, aside from

¹⁴⁶Daniel Drolet and Tony Atherton. "A Guide to Watching the Referendum", in The Citizen. (Ottawa, 30 October, 1995), p. A 7.

(12) *Quebec-General Map*

Newfoundland, Quebec has the most culturally and linguistically homogenous province in Canada. Many people often cite how the province of Quebec is different or distinct from the other Canadian provinces. This has a lot to do with its linguistic majority speaking a different language than the rest of North America where the majority of citizens speak the English language.

Many other differences stem from Quebec aside from the use of the French language. The French also have a very different culture and history when compared to the rest of Canada. What is now called the province of Quebec was once New France, the first part of Canada to be settled by Europeans, specifically people from France. France brought its customs, religion, language, laws and culture to New France and many of these elements are still in Quebec to this day. These customs and practices helped to shape not only the society of Quebec but also the nationalism that was to follow. The French ethnic background still serves as one of the main tenets of Quebec nationalism as one has to be French to be considered as a legitimate part of this movement.

For many French-speaking Quebec residents, history has played a very important role in the formation of, not only the distinct culture it encompasses but also the nationalism that followed. Most of the French Canadian heroes are drawn from the past and the French often refer to the past as the glory of the Quebec people considering it to be a time when they had their own nation. The past is also where much of the current situation in Canada had its roots and we must undertake an examination of these events and beliefs to fully appreciate the present secessionist debate.

The first group of Europeans that settled parts of Canada were from France. Settlement began in 1608 with the establishment of Quebec City by Champlain and soon after Montreal was settled. The French were very active in the fur trade and other trapping pursuits. Settlement of

New France was sparse as many did not want to emigrate to such a harsh climate. In fact only 10,000 people migrated to New France between 1608 and the Conquest in 1760.¹⁴⁷ Settlement was not the goal of France in this area, it was interested in the fur trade which required individuals to be mobile. Those people who did settle in New France developed a society and a culture that was unique to that of France. This is explained by McRoberts,

Physical isolation from France and the common experience of facing the hardships of life in the colony led the population to develop a certain sense of identity. The terms *Canadien* and *habitant* were developed to distinguish the colony's established residents from metropolitan Frenchmen. Reinforcing this sense of difference was the emergence of a new dialect particular to New France, an amalgam of various regional dialects that immigrants had brought to the colony.¹⁴⁸

The inhabitants of New France were not to remain alone in their surroundings for very long.

Great Britain and France had been fighting for many years in both Europe and in their colonies.

The conflict between these two states would end up having lasting repercussions on the people of Canada.

The first event that occurred which caused friction between the French and English of Canada was that of the British Conquest of the French in New France. The Conquest of 1759 was and remains a very traumatic event for many French-speaking Quebecers. For obvious reasons the Conquest was a major problem for the French. They had lost the war against the English on the Plains of Abraham in Quebec City and Great Britain took over New France and eventually all of North America. The French were scared of losing their language and culture and fears of assimilation were great. The Conquest also left the French-speaking peoples with an

¹⁴⁷Kenneth McRoberts. Quebec: Social Change and Political Crisis. 3rd ed. (McClelland and Stewart Limited, Toronto, 1988), p. 40.

¹⁴⁸Ibid. p. 41.

inferiority complex which led to an insular personality. This is supported by Dickinson and Young who state,

Because of the Conquest, the French, who had been the dominant power, became a conquered people. While generations of English Canadians have been taught to perceive the Conquest in the same light as American historian Francis Parkman, who declared, "A happier calamity never befell a people than the conquest of Canada by British arms," it is seen by French-Canadian nationalists as a major catastrophe. The French regime became a golden age; the period after the Conquest a long struggle for survival.¹⁴⁹

Further to this is, "That is the central event in French-Canadian history, and the one that each successive generation of French Canadians attempts to come to terms with. Conquest implies subordination and inferiority. The cure to conquest, to subordination and inferiority, is equality."¹⁵⁰ This event can in part help to explain the great desire of many French-speaking Canadians to separate from Canada and be a sovereign nation thereby becoming an equal.

During this early period of French-English relations it can already be seen that the two sides had very opposing viewpoints and different goals. One of the major results of the Conquest was the entrenchment of the power of the Roman Catholic Church over most aspects of French Canadian society which was immense and many of its leaders helped shape Quebec nationalism. After the Conquest, the English recognized that they could not control or assimilate the French inhabitants, primarily due to the fact that the French greatly outnumbered the English settlers at the time. The British were also having problems with their other New World settlement in the Thirteen Colonies. The Colonies were rebelling and the British did not want another rebellion on

¹⁴⁹John A. Dickinson and Brian Young. A Short History of Quebec. 2nd ed. (Copp Clark Pitman Ltd., Toronto, 1993), p. 51.

¹⁵⁰Ramsay Cook. The Maple Leaf Forever: Essays on Nationalism and Politics in Canada. (Macmillan, Toronto, 1977), p. 71.

their hands in New France where the potential was even greater due to the different culture. In order to placate the French in Canada, the British passed the Quebec Act. The Quebec Act of 1774 was an attempt by the British to win the hearts of French colonists who were in greater number than the British. The Act stipulate many beneficial terms for Quebec including the entrenchment of the civil code of France as their provincial law, while establishing common law as the criminal law of British North America. It also gave religious freedom to Catholics in Quebec, yet in Great Britain at this time Catholics had no rights whatsoever as we have seen in our examination of Ireland. The Quebec Act also confirmed the loyalty of the French clergy and aristocracy to the British Crown during the American Revolution.¹⁵¹ It continued the antiquated seigneurial system and gave the Church power to collect tithes. The Act also barred the establishment of an elected legislative assembly in the colony which ensured that the handful of English colonists who had settled in Quebec could not dominate the French as they could not vote for assembly members.¹⁵² In effect, the Quebec Act basically reverted New France back to the situation it was in when France had ruled it. The Quebec Act provided the French colonists with the powers they had before the Conquest and ensured the English avoided another revolution.

The next major constitutional development to occur was the Constitution of 1791 which “divided Upper and Lower Canada (Ontario and Quebec) into two separate British colonies, each

¹⁵¹Donald J. Riseborough. Canada and the French. (Facts on File Inc., New York, 1975), p. 3.

¹⁵²David J. Bercuson and Barry Cooper. Deconfederation: Canada Without Quebec. (Key Porter Books, Toronto, 1991), p. 70.

with a Governor, an appointed Executive and Legislative Council and an elected Assembly.”¹⁵³

The Assembly in Lower Canada was comprised of mostly French Canadians but the English executive could overrule them because the principle of responsible government had not been established yet. According to Ressor, the Act,

Paradoxically, although the Constitutional Act was apparently intended to persuade the French Canadians of the superiority of British institutions and therefore to assimilate British culture, it had the opposite effect. By the time Upper Canada and Lower Canada were united in 1841, assimilation was no longer a possibility.¹⁵⁴

The Constitution Act of 1791 led to many situations unfolding in Quebec. When the English moved into Quebec and took control over the economic and political means in the region, many problems were created from the beginning. This inequity between the English and the French first found a voice in the rebellion uprisings of 1837 led by Patriote leader Joseph Papineau.¹⁵⁵ The Patriotes seemed to have wanted responsible government in the colony of Lower Canada, however, according to Kenneth McRoberts,

Within some readings, the *Patriote* movement and the uprising were really a reflection of the traditional values that had always characterized the *Canadiens*. Allegedly, their reaction was less to the British than to capitalist values the British bore and upon which their plans for the colony’s future were based.¹⁵⁶

After the rebellions that were happening in 1838 in Upper and Lower Canada, Great Britain sent Lord Durham to make a report on the situation. His report is one of the more familiar aspects of

¹⁵³Rand Dyck. Provincial Politics in Canada. (Prentice-Hall Canada Inc., Scarborough, 1991), p. 223.

¹⁵⁴Bayard William Ressor. The Canadian Constitution in Historical Perspective. (Prentice-Hall Canada Inc., Scarborough, Ont., 1992), p. 16.

¹⁵⁵Kenneth McRoberts. Quebec: Social Change and Political Crisis. Opt Cit. p. 49.

¹⁵⁶Ibid. p. 49.

Canadian political history. The infamous report of Lord Durham was released which, “concluded that the way to resolve the situation of ‘two nations warring within the bosom of a single state’ was to extinguish the French nation by means of assimilation.”¹⁵⁷ Durham also called for a union of the two colonies and the introduction of responsible government.¹⁵⁸ This report had a great impact on the consciousness of the French Canadians as it contributed to the growing nationalism that was developing.

The next major development was the passage of the Union Act of 1840. This act was passed in large part as a response to the armed rebellions that had occurred in Ontario and Quebec. After this Canada East and Canada West were granted equal representation in the Assembly and English was made the only language of record. The attempt at assimilation of the French with the Act of Union of 1840 did not succeed and the French began, “to develop a conservative defensive nationalism and a siege mentality that set in shortly after confederation (1867) and remained until the end of the Duplessis era (1936-1959).”¹⁵⁹

On July 1st, 1867 the Confederation of Canada was proclaimed with the Constitution Act, better known as the British North America Act of 1867. Nova Scotia, New Brunswick, Quebec and Ontario were joined into the Dominion of Canada with one federal government and four provinces. There were many benefits for the French in Confederation as Quebec would be a separate province with a “large degree of autonomy in linguistic, cultural and religious matters.

¹⁵⁷Ibid. p. 51.

¹⁵⁸Rand Dyck. Opt Cit. p. 223.

¹⁵⁹Guy Lachapelle, Gérald Bernier, Daniel Salée and Luc Bernier, Eds., The Québec Democracy: Structures, Processes and Policies. (McGraw-Hill Ryerson Limited, Toronto, 1993), p. 12.

Quebec would retain its civil law system and provincial jurisdiction would include property and civil rights, health and welfare, municipal institutions, public lands, local works, education and the administration of justice.”¹⁶⁰

In the British North America Act of 1867 there were separate powers given to the federal government and the provincial governments. One important power given to the provinces was the jurisdiction over education. Section 93 extended rights of the province to establish school systems and the federal government could not interfere in this area. The section also established the right of denominational schools for both the English in Quebec and the French in Ontario. Section 133 of the BNA Act cited French and English as the official languages of the courts and legislature of the province.

Confederation was greeted warmly by the majority of French Canadians. According to A. R. M. Lower “the major group of French speaking Canadians...accepted the scheme, and without their acceptance there could have been no Confederation.” The author goes on to explain why they accepted this stating, “...Cartier was able to assure them that the guarantees found in the resolutions for their language and religion were adequate.”¹⁶¹ Confederation was accepted mainly due to the fact that concessions were made to Quebec in order to satisfy her desire for recognition. This theory is supported by Kenneth McRoberts who argues that, “it meant that the province of Quebec could serve as a concrete political unit, protected by the Constitution, in which the French-Canadian community could be clearly dominant and thus have a chance to

¹⁶⁰Rand Dyck. *Opt Cit.* p. 223.

¹⁶¹A. R. M. Lower. Evolving Canadian Federalism. (Duke University Press, Durham, 1958), p. 16.

survive on its own terms.”¹⁶²

One of the major conflicting historical events between the French and English is that of the confederation of Canada in 1867. According to the theory of dualism or the “two founding nations” theory, Canada and Confederation was a result of a pact between the two founding nations, the French and the English. It is argued by the dualists that Canada, as we know it, would not have existed if the French Canadian population had not accepted the terms of Confederation. It would not have been accepted, they argue, unless it rested on a notion of equality. According to Rocher and Smith, “The fact that Canada adopted a federal system is explained by the presence of two cultural, linguistic groups, demographically unequal but still geographically concentrated.”¹⁶³ The federal system is argued to have been the only choice that would have been accepted by the French-Canadian leaders of the day. The Maritime provinces were also more receptive to this type of system, for they too feared losing control over integral parts of their societies.

The other view of the Confederation of Canada is referred to as the contract of the provinces theory. Often referred to as the Compact theory, it holds that Canadian confederation was the result of a pact between each of the provinces, founding and new. Each of the provinces of Canada is to be seen as equal to one another regardless of size, population, or prosperity. The theory also holds that the federal and provincial levels of government are to be treated as equals.

¹⁶²Kenneth McRoberts and Dale Posgate. Quebec: Social Change and Political Crisis. (McClelland and Stewart Limited, Toronto, 1980), p. 25.

¹⁶³François Rocher and Miriam Smith. “Four Dimensions of the Canadian Constitutional Debate”, in François Rocher and Miriam Smith, Eds., New Trends in Canadian Federalism. (Broadview Press, Peterborough, 1995), p. 51.

And further to these arguments is the notion that Canada would not exist without the express consent of the provinces. Rocher and Smith point out that,

Besides the representatives of Canada (present-day Ontario and Québec) as created by the Act of Union 1841, there were delegates from the colonial provinces of the Maritimes, who wanted to protect the rights they had acquired from Great Britain. Hence, the very existence of the federal government itself could be attributed to the provinces.¹⁶⁴

The provincial rights concept can also be seen as a result of the many demands that Quebec has made towards the federal government over the years. The equality of provinces vision of the formation of Canada is similar that of the dualist vision in so much as they both think the federal system is a result of their respective compromises. The dualist argument is that Canada is a federal state due to the accommodation of the French Canadian populations' demands and expectations which resulted in a contract between the English and the French, where no side could alter the arrangement without the other side's consent. The provincial argument is that Canada is a federal state due to a contract between existing provinces or fairly autonomous states after an accommodation of their demands for joining into a single unit. These two visions of Canada's founding and subsequent federal system and constitution help to explain where much of the conflict in Canada emanates from.

The next major conflicts between the English and French in Canada were regarding conscription during World War I and II. In the first World War, there were very high casualties and extremely low rates of enrollment. There was a great need to impose conscription or "draft" men into the army to serve in Europe on behalf of Great Britain. French Canadians were greatly opposed to conscription as many did not want to fight a war in Europe for England. Despite the

¹⁶⁴Ibid. p. 47.

calls against conscription in Quebec, the bill passed in spite of this. This caused a major rift in the country. This is argued by John Robert Colombo,

In Quebec, Henri Bourassa rallied anti-conscription supporters and argued that Canada had done enough. In Ontario, Borden's supporters condemned French-Canadian anti-conscriptionists as traitors...Conscription created a deep division between Quebec and the rest of Canada and once in practice, it had little impact on the course of the war.¹⁶⁵

This same conflict was to be reignited some twenty years later during World War II. The conscription crisis of 1942 was made worse by the fact that this had already occurred, and that Prime Minister King had promised not to enact such provisions. Circumstances were not in his favour and he pleaded with the people of Canada to let him impose this law,

The promises that had been made to Quebec in 1939 and 1940 were seen initially to have been broken in the plebiscite of 1942 when Mackenzie King, pressed by the Conservatives, felt obliged to ask the Canadian people as a whole to relieve him of the promises made to the province of Quebec. The Canadian people as a whole said yes, he could be released. The problem was in Quebec, where probably 90 per cent of the French Canadians voting said no. Quebec thought that was the ultimate betrayal.¹⁶⁶

The next event that would prove to cause conflict between Quebec and the rest of Canada was one of the most important constitutional changes since Confederation which was the repatriation of the Canadian constitution from Great Britain in 1982. The constitution included a new amending formula, as well as an entrenched human rights document entitled the Charter of Rights and Freedoms. The process that led to the new constitution was not without its problems, the main one being that Quebec refused to sign the document. The Quebec provincial government, under the leadership of Premier René Lévesque, refused to sign the agreement after

¹⁶⁵John Robert Colombo. Ed., The 1996 Canadian Global Almanac. (Macmillan Canada, Toronto, 1996), p. 97-98.

¹⁶⁶Robert Bothwell. Canada and Quebec: One Country, Two Histories. (University of British Columbia Press, Vancouver, 1995), p. 75.

the other Premiers had met without him and decided the main contents of the document. He opposed its passage mainly because there were none of the traditional demands that the province of Quebec had been seeking and John F. Conway points out, "There was not a crumb for Quebec. None of Quebec's concerns had been addressed. Indeed, the opposite was the case-the whole package seemed anti-Quebec"¹⁶⁷ Further, Dufour points out that, "The Constitution of 1982 adopted an amending formula preferred by all four Western governments. It was based on the principle of provincial equality, with no Quebec right of veto and no reference to the concept of regions."¹⁶⁸ The Constitution Act 1982 actually went as far as to entrench the notion of provincial equality into the document, further discounting the dualist vision and insulting the people of Quebec.

The Charter of Rights and Freedoms would prove to be problematic for the majority of French-speaking Quebecers. Quebec opposed the Charter due to the fact that it gave the federal government more powers, in the form of the Supreme Court of Canada. It is also seen as a problem as it was passed into law without the consent of the Quebec legislature. Quebec was clearly opposed to the Constitution and this only made matters worse. According to Robert Vandycke,

The political reaction in Québec was clear and unequivocal: in the National Assembly, with a few exceptions, the members of the government and the opposition joined forces to condemn what was viewed as the illegitimate imposition of a new constitutional regime on

¹⁶⁷John F. Conway. Debts to Pay: English Canada and Quebec from the Conquest to the Referendum. (James Lorimer and Company, Toronto, 1992), p. 121.

¹⁶⁸Christian Dufour. A Canadian Challenge Le défi québécois. (Oolichan Books and The Insitute for Research on Public Policy, Lantville, B.C. and Halifax, 1990), p. 133.

Québec without its consent.¹⁶⁹

As a result the PQ government applied Section 33 of the Charter, the notwithstanding clause, to every provincial law to avoid the impact of the Charter. This document and the new Canadian constitution were seen as a betrayal of Quebec's historical veto. This in turn gave credence to the belief that Quebec needed to achieve a special status within the nation for its voice to be heard.

The Charter also does not mesh with Quebec's ambitions in Confederation because the Charter interferes with the power of the Quebec legislature to make laws that protect its language and culture. As Robert Vandyke puts it, "In Québec, the reaction to the 1982 changes has been dominated by the political question of the legitimacy of a constitutional amendment that reduced the powers of the National Assembly without its consent."¹⁷⁰ Part of Quebec's constitutional agenda from the start has been to get more powers for its provincial government and the Charter works directly against this aim. The Court takes power and prominence away from the Quebec provincial government to determine laws that they feel are necessary to protect the francophone minority. Although these laws may be seen as discriminatory in the context of the Charter, they have overarching concerns and feel that these violations are necessary for the protection of the French culture.

Another reason that the Charter is problematic for Quebecers that is more central to the debate is that Quebec has tended to be a supporter of the notion of collective rights over individual rights. This works to its advantage in helping to protect its minority. Because although

¹⁶⁹Robert Vandyke. "The 1982 Constitution and the Charter of Rights: A View from Québec", in François Rocher and Miriam Smith. *Opt Cit.* p. 134.

¹⁷⁰*Ibid.* p. 135.

French are the majority in the province of Quebec, they are a minority group in the rest of the continent. The driving force behind the Charter was Prime Minister Pierre Trudeau who wanted the document to emphasize individual rights over collective rights. He wanted to put all Canadians on the same level when it came to certain rights and freedoms. This was hoped to be a nationalizing force for Canada to help rid of its cleavages, in particular Quebec's calls for distinctiveness. This did not work in Quebec and the calls for this have only increased. This collective vision of society cannot be easily resolved when the majority of Canadians hold the individualistic view. This stems from the fact that the majority of the nation speaks English and feels comfortable being dealt with on an individual basis knowing that they make up part of a larger group that is not threatened.

The next major constitutional agreement occurred after Brian Mulroney was elected in 1984 when he gained the largest number of seats in Quebec by a Progressive Conservative in history. He was elected on the promise that he would bring Quebec back into the Canadian family with "dignity and enthusiasm". He went right to work and was mainly responsible for the constitutional amendment package of 1987 called the Meech Lake Accord. The contents of the package were basically the recommendations of a report which was commissioned by the Quebec Liberal Party. These recommendations were presented as being the minimum requirements to get Quebec to recognize the constitution as valid. These were:

1. The explicit, constitutional recognition of Quebec as a "distinct society" and homeland of the francophone element of Canada's duality,
2. Solid guarantees for Quebec's cultural security by increasing Quebec's constitutional right to a critical role in the recruitment and selection of immigrants to that province,
3. A key role for Quebec in the appointment of the three Supreme Court judges who were to have expertise in Quebec civil law,
4. A limit to the federal government's spending in areas of provincial jurisdiction, and,

5. A full veto on constitutional reform entrenched in the amending formula.¹⁷¹

These provisions were initially agreed to by all of the Premiers in a hope that this would bring Quebec into the Canadian constitution. However, during the deliberations of the Meech Lake Accord, Quebec's language law Bill 101 went before the Supreme Court of Canada as it was being challenged as unconstitutional. Many English business owners argued that the law violated their rights to freedom of expression guaranteed by the Charter and the Quebec Charter of Rights. In December of 1988 the Court ruled Article 58 of the Bill, the section dealing with the exclusive use of French of commercial signs, was unconstitutional and struck it down.¹⁷² In response to this ruling, Robert Bourassa, then Premier of Quebec, used Section 33 of the Charter. Section 33 allowed the government of Quebec to create a new law, Bill 178, to be in effect regardless of the fact it violated the Charter. The Bill would operate notwithstanding the Charter provisions or the Court's decisions. Needless to say, this move angered many English Canadians and French Canadians alike. Russell et al explain,

The new law, Bill 178, cost Bourassa the services of three of his Anglophone Ministers and aroused the ire of English-speaking Quebecers. From the other side it was attacked by the opposition PQ Party and by many Quebec francophones who resented compromising the French-only program of Bill 101.¹⁷³

This had the effect of seriously compromising the delicate agreement that had been on the wane. A Manitoba MPP, Native Canadian Elijah Harper effectively killed the passage of the Accord with his refusal to give unanimous support in the legislature. He did this because he felt the Accord did

¹⁷¹Guy Lachapelle et al. Eds. *Opt Cit.* p. 48.

¹⁷²*Ibid.* p. 343.

¹⁷³Peter Russell, Rainer Knopff and F. L. Morton. Eds., Federalism and the Charter. (Carleton University Press, Ottawa, 1989), p. 559.

not give any protections to Native Canadians. The failure of the Meech Lake Accord led directly to the negotiations for the Charlottetown Accord which began immediately afterwards.

According to François Rocher,

Although only two provinces (representing 7 percent of the Canadian population) refused to sign the agreement, the polls demonstrated that a substantial majority of Canadians (between 60 and 70 percent) were opposed to the Meech Lake Accord. It therefore came up against two contradictory visions of Canada, pitting the principle of the equality of provinces against the principle of asymmetry-special powers for Québec.¹⁷⁴

The last attempt that was made to settle the problems between Canada and Quebec was made in the form of the Charlottetown Accord. This accord was meant to amend the Constitution of 1982. It was an agreement that made concessions to both Quebec and the rest of Canada. In effect it had so many things in it that there was something that everyone could object to. As, “Rather than a mutual accommodation of the two projects we have a mutual frustration of them. As a result, neither Quebec nor English Canada (at least outside Ontario) was left with a clear reason to support the project.”¹⁷⁵ The Accord was put to a referendum in 1992 which was defeated in both Quebec and Canada.

In conclusion, the main reason why Canadian federalism is not compatible with Quebec’s constitutional demands is the notion of provincial equality. Federalism has moved away from the accommodation of Quebec in the federal framework to the idea that all provinces including Quebec are considered equal and are to be treated the same in all federal negotiations. This vision

¹⁷⁴François Rocher. “Québec’s Historical Agenda”, in Duncan Cameron and Miriam Smith. Eds., Constitutional Politics. (Lorimer, Toronto, 1993), p. 35-36.

¹⁷⁵Kenneth McRoberts. “Disagreeing on Fundamentals: English Canada and Quebec”, in Kenneth McRoberts and Patrick J. Monahan. Eds. The Charlottetown Accord, the Referendum and the Future of Canada. (University of Toronto Press, Toronto, 1993), p. 254.

has led to many problems in the attempt to get Quebec into the constitutional deal because its objectives are seen to be in direct opposition to those of the other provinces. Some provincial forces do not want to see Quebec achieve any kind of special or distinct status because they like to think that would move Quebec up a notch on them and then the ideal of provincial equality would be eroded. That is not to say that Quebec would actually get more power, as Jeremy Webber points out that;

Quebec would gain no new powers over citizens of other provinces. The change would simply mean that the exercise of authority *with respect to Quebecers* would be divided differently. Instead of being shared between the federal and provincial levels of government, powers over that particular matter would be exercised by Quebec alone.¹⁷⁶

Despite these claims the rest of Canada has not seemed to want to give to Quebec any type of constitutional recognition or special status. To do so would go against the current political discourse in English Canada. This presents itself as a large obstacle to be overcome if Canadians hope to keep Quebec from seceding. They cannot expect Quebec to remain in Canada and at the same time not give French-speaking Canadians any incentive to stay.

¹⁷⁶Jeremy Webber. "An Asymmetrical Constitution", in Jeremy Webber, Ed., Reimagining Canada. (McGill-Queen's University Press, Montreal and Kingston, 1994), p. 230.

(11) Cultural Context

There are many cultural considerations that can not be overlooked in terms of their importance and their influence on these two groups. Aspects such as religion and language have such great implications for the way a group sees themselves and others. These two areas alone account for some of the most important and obvious differences that these two groups face. These factors are not ones that can be easily overcome, if at all, and are things that people hold as part of their identity as a person and as part of a community. The cultural differences between the anglophone and francophone communities also help to explain where many of the other differences come from. We will examine language, religion, the impact of the Church, the perceptions that each group has of one another, economic traits and the nationalism of the French and English in Canada. Each of these cultural elements will underline the conflicts that have been happening between the two groups for hundreds of years.

There are many reasons that can be cited to explain why the residents of Quebec have their own distinct brand of nationalism separate from the Canadian one. The people of the province of Quebec are predominately French-speaking as compared to the majority of Canadians who speak the English language. Although the French-speaking residents of Quebec constitute a majority in the province, they are a minority group in comparison with the rest of the country. The pressures of being such a large group in one case and such a small group in the other has led to a national feeling within Quebec where francophones constitute the majority and feel they are most at home. As well as being unique in its language and subsequently culture, Quebec has various institutions that are different when compared to the rest of Canada. For example, Quebec

uses the civil law system as opposed to the common law practice that is in place in the rest of Canada. These and other attributes contribute to a feeling of being different and distinct from the rest of Canada and help to explain why the nationalism that Quebec has developed is so different when compared to Canadian nationalism. When we look at the language of these two groups we see that it has to be one of the most important factors. The simple notion that we identify these communities on the basis of the language that each group speaks tells us a lot about the importance of this trait. The main difference in Quebec is that the francophone majority is French speaking and the anglophone minority is English speaking, whereas the majority of Canadians outside of Quebec speak English. Both groups speak entirely different languages, using their own unique words to communicate with. The impact of language exceeds merely the use of it in conversation with close friends but rather it extends to more important areas of socialization and learning. Each group learns and is educated in their language, is informed vis-a-vis the media in separate languages, reads different authors and in turn has a different view of the world. As so eloquently put by Léon Dion in the article, "The Mystery of Quebec", "Language expresses not only a person's identity but also that of the collectivity to which he or she belongs. In short, a language is inextricably linked with the particularity of a culture."¹⁷⁷

According to the book, The English Fact in Quebec, it is contended that the language conflict is a relatively new one within the Quebec community. The authors state, "In the past the main differences between the two groups were social and economic rather than linguistic."¹⁷⁸

¹⁷⁷Léon Dion, "The Mystery of Quebec", in Stephen R. Graubard, Ed., In Search of Canada. (Transaction Books, New Brunswick, N.J., 1989), p. 289.

¹⁷⁸Dominique Clift and Sheila McLeod Arnopoulos. The English Fact in Quebec. (McGill-Queen's University Press, Montreal and Kingston, 1980), p.51.

They further explain this by stating, “It was only after 1960, when the French had absorbed the values of industrial urban society, that language became the main characteristic distinguishing the two groups and the central point of conflict.”¹⁷⁹ Because many of the other problems have been overcome like economic and social inequity, the groups have been divided over a different issue—language.

Religion is also a very important characteristic that tends to distinguish these two groups, especially in the province of Quebec. Traditionally French-speaking Quebecers have been Roman-Catholic and the English-speaking citizens have been Protestant, particularly Anglican and the United Church. In Quebec, religion was and still is to a lesser degree, tied to education, with Protestant and Roman Catholic school boards, each representing the language tied to it. Anglophones have been educated in the Protestant system and francophones in the Roman-Catholic one. In recent years, the Quebec government has eliminated the religious aspect of these school systems and now they are mostly based on linguistic considerations.

Although both of these religions are parts of the larger belief of Christianity, the differences in the two are great. The Roman Catholic Church in Quebec was more than just a religious activity, it was a major force in the political, social and cultural development of many Quebecers. Until only recently, the Church had a huge influence over the French-speaking people of Quebec. In the province before the 1960s, “education, health and welfare institutions were the responsibility of the Church.”¹⁸⁰ The Roman Catholic Church in Quebec fostered an ideology called “survivance”. The Church discouraged people from involving themselves in commerce

¹⁷⁹Ibid. p. 51.

¹⁸⁰Guy Lachapelle et al. Eds., *Opt Cit.* p. 16.

and business and told French Canadians that they would lose their language and culture if they participated. The Protestants, on the other hand, were encouraged to go into commerce. Tenets of the Protestant religion are the ideas of individualism, a strong work ethic and entrepreneurship. In the article, "The Protestant Churches", Nathan Mair states,

The Protestant immigrants to the Province brought precisely those ambitions and values which were often discouraged by Quebec-Catholic morality, but which were needed to exploit the opportunities of the new country and to raise a modern industrial nation. The English, therefore, took economic control of Quebec, leaving the French to dominate in provincial politics where their numbers made this logical.¹⁸¹

Religion and language are large parts of the French and English communities. They separate the two along very clear lines, ones that are very difficult to cross. Although religion as a force in people's lives is waning in relation to the past, language as an issue is stronger than ever. The cultural implications of the different linguistic groups goes much deeper than merely specific traits particular to that group.

The power of the Catholic Church in Quebec would prove to be very influential in the development of French Canadian nationalism. In fact, it was the Church itself which held dominance over the acceptable ideologies in which French Canadians could partake. The Catholic Church frowned on industrialization and urbanization and viewed agriculture as the only acceptable activity to pursue. The ideology of survivance was the mission of the Church and this meant that the language and culture of the French people would be kept alive by being exclusionary and sheltered from outside influences. In fact the Church allied with the English minority,

¹⁸¹Nathan H. Mair, "The Protestant Churches", in Gary Caldwell and Éric Waddell, Eds., The English of Québec: From Majority to Minority Status. (Institut Québécois de Recherche sur la Culture, Québec, 1982), p. 216.

When the British were thanked, as they were in Thomas Chapais' *Cours d'histoire du Canada*, it was, paradoxically, for their pre-liberalism which along with God "providentially" saved French Canada "from the horrors of the French Revolution, the anti-clericalism, and materialism of modern France," the infidel. French Canada's clergy, the leading political class, opposed rather than endorsed the rebellion of 1837.¹⁸²

The role that the Church had was stronger in Quebec than in other Catholic communities largely due to "its close association with the struggle for cultural survival", and its influence extended beyond strictly religious matters to all aspects of, 'intellectual, professional, economic and social life.'¹⁸³ The Roman Catholic Church controlled the medical system, educational system and was very active in provincial politics until the 1960s. In fact, the Church was so prevalent in all aspects of society that according to Ramsay Cook it was society,

The Church, the parish, and the family were its essential institutions. The state, the very idea of which implied secularism, played only a marginal role in this conception of the nation, for the society's civilizing mission was much more intimately related to the religious state: the Church.¹⁸⁴

The Church told the French people to pay no attention to the state of Quebec because it was not where they would find their salvation. That would come from the Church and only it would help to protect and foster French Canadians' distinct culture.

The Roman Catholic Church in the province of Quebec had been established in the time before the French Revolution in France, in a time of absolutism and monarchies. The notions of democracy or a secular state were foreign concepts that did not resonate within the old

¹⁸²Nelson Wiseman. "A Note on 'Hartz-Horowitz at Twenty': The Case of French Canada", in Canadian Journal of Political Science. (21:4 December, 1988), p. 800.

¹⁸³Rand Dyck. Opt Cit. p. 216.

¹⁸⁴Ramsay Cook. Canada, Québec and the uses of Nationalism. 2nd ed. (McClelland and Stewart Inc., Toronto, 1995), p. 121.

established religious order. In fact, according to Mason Wade, the French Canadian leaders subscribed to various notions that actually rejected democracy and people who were not Catholic:

Among the bases of this integral nationalism are the cult of the homeland and of the French language, folk hero-worship, Catholicism as a national unifying force, Caesarism or monarchism, and corporatism. As developed by Maurras, this nationalism is a breeder of hatreds of alien influences: Protestant, Jewish, Masonic, liberal, republican, communist- and even papal, after the condemnation by Rome in 1926. It inculcates the myth of "Latin" cultural dominance, and bitter opposition to the democratic system of government.¹⁸⁵

Democracy and alien influences were seen by the Church as a way that their culture and religion could effectively be eroded. Protection against these and other "evil" influences was paramount.

In fact around the 1870s,

The Catholic Church became aggressively ultramontanist: intercourse with an infidel became prohibited; Freemasonry became the arch-enemy and somehow became identified with the Jews, even in Canada. The trauma of the domestic French condition was imported into Canada; Quebec awareness became a hatred and fear of <<les autres>>; the old and the new institutions of the church, not least the pulpit and the press, were frequently put at the service of extremism.¹⁸⁶

The socialization that the Church provided through the medical, educational and parish system taught the French to reject these democratic notions and ascribe to the tenets of the traditional Catholic faith. This notion is supported by Rand Dyck who states that,

French Canadians tolerated the anti-democratic laws and practices of the Duplessis government-the Padlock law, the persecution of Jehovah Witnesses and other violations of civil liberties, corruption and the rural overrepresentation in the legislature-and faithfully followed the political and social edicts of the parish priest: be fruitful, multiply, and vote

¹⁸⁵Mason Wade. The French-Canadian Outlook: A Brief Account of the Unknown North Americans. (The Viking Press, New York, 1947), p. 125.

¹⁸⁶David Rome. "Jews in Anglophone Québec", in Gary Caldwell and Éric Waddell. Eds. *Opt Cit.* p. 164.

Liberal in federal elections and Union Nationale in provincial elections.¹⁸⁷

Another cultural difference between the English and the French of Canada is that of their perceptions of one another. Each group has certain notions or ideals of what the other group is like. This imagination comes from the fact that the language barrier between the two groups makes it difficult for them to interact. Edouard Cloutier discusses a report in which perceptions of English and French Canadians of themselves and of each other are illustrated and states some conclusions. It seems as though Francos (French-speaking Canadians) agree on their collective name and recognize it and it is seen as more territorial than ethnic in designation. Anglos (English-speaking Canadians) don't agree on their collective name, it is not as cohesive and the ethnic-linguistic component seems to be of more importance.

Thirdly, there is general agreement as to the way Francos of Quebec designate Anglos of Quebec, by putting the accent on the ethnic/linguistic component of the designation. Thus, the Francos are generally seen as underlining this Anglos' component more than the Anglos' themselves do.¹⁸⁸

It appears from this report that there are some problems in the way both English and French people in the province of Quebec perceive not only each other but also themselves. Problems with group identity can lead to alienation and exclusion, especially when Quebec nationalism tends to be based on group identification. As well E. M. Bjorklund tells us that it is not just language, religion or ethnic origin that contributes to a sense of nationalism and subsequent separatism but rather, "It is absence of acknowledgement by acceptance of them on the part of others, and the absence of ways of making effective use of them in structuring a national unity that promotes

¹⁸⁷Rand Dyck. Opt Cit. p. 216.

¹⁸⁸Edouard Cloutier, "What's in a Name? Problems in Group Identity in Québec," in Gary Caldwell and Éric Waddell. Eds., Opt Cit. p. 141.

separatism.”¹⁸⁹ Many French-speaking Canadians and the provincial governments of Quebec have for years been pleading with the rest of Canada to merely recognize Quebec’s distinctiveness through such things as the “distinct society” clause to no avail.

One of the most influential cultural differences between the English and the French was that of economic status. Although not the case today, up to the 1970, the French were among the poorest people in Canada and this can help to explain why they harbor so much resentment towards the rest of Canada. It began after the Conquest of Quebec by the English. At the time the French colony of New France was not a booming economy, rather most of the population consisted of subsistence farmers. The farming system in New France was based on the same one that was in effect in France at the time. Called the seigneurial system, this was a feudal model “in which a huge tract of land was granted by the King to a *seigneur*, who in turn granted plots to virtually anyone who asked. These individuals, called *censitaires*, and their heirs, had to pay in perpetuity annual fees known as *cens et rentes* to the seigneur.”¹⁹⁰ This system was agriculturally based for subsistence farming and there was no economic benefit to the farmers. The policy of New France, which was carried over by the Church, did not involve capitalism. In fact, New France was based on a mercantile system until the Conquest. The French were then told by the Church to leave economic matters to the English.

The Church’s influence over the population of Quebec can also help to explain how the French were sheltered and excluded from the economic activities of the province. The Church

¹⁸⁹E. M. Bjorklund. “Cultural Federation or Sub-Cultural Autonomy: Some Spatial Aspects of Canadian Separatism”, in Colin H. Williams and Eleonore Kofman. Eds. Community, Conflict, Partition and Nationalism. (Routledge, London and New York, 1989), p. 90.

¹⁹⁰Guy Lachapelle et al. Eds., Opt Cit. p. 5.

frowned upon the French getting involved in any economic activity and this in turn led to the anglophone minority taking control over business in the province. They were later resented and criticized for having control over the economy and for not letting francophones take a place in it. French Canadians were second-class citizens in the province where they constituted the majority. It was in the 1960s, when the Church's influence began to wane, that francophones began to demand changes in the economy. It was as much their own leaders and institutions that held them back as it was the English, a fact that is never fully given credit. The disparity in incomes and jobs for French-speaking Quebecers was not well known until the beginning of the 1960s after the release of a government sponsored report. The Royal Commission on Biculturalism and Bilingualism released its findings about French Canada and they were very disturbing. For example, in relation to income,

A study for the Royal Commission on Bilingualism and Biculturalism (B&B Commission) found that in 1961 *unilingual* anglophones had the highest average incomes in Quebec (\$6,049). They were followed by bilingual anglophones (\$5,929), bilingual francophones (\$4,523), and, at the bottom, unilingual francophones (\$3,106).¹⁹¹

Income was greatly influenced by the language one spoke but that was not the only problem facing French Canadians. The economy overall in the province of Quebec was not exactly booming. Shaw and Albert point this fact out,

A typical statistical contrast can be seen in average Retail Merchandise trade per capita, 1941, for some selected localities:

French Localities

Drummondville, P.Q....\$433

Three Rivers, P.Q.....\$321

English Localities

Truro, N.S.....\$840

Kitchener, Ont..\$505¹⁹²

¹⁹¹Jeremy Webber. *Opt Cit.* p. 45.

¹⁹²William F. Shaw and Lionel Albert. Partition: The Price of Quebec's Independence. (Thornhill Publishing, Montreal, 1980), p. 171.

As well, the health care system, educational system and other social systems were outdated and were proving to be inadequate in a changing world. In fact, "Before 1950, French-Canadians had very high rates of diseases such as tuberculosis, extremely low levels of dental care and were of very low average height."¹⁹³ These huge economic differences between the French and English of Quebec were one reason why many French Canadians felt resentment towards English Canada. Yet most of this inequity was overcome in the 1960s and 1970s through massive government involvement on behalf of the francophone majority.

The final and perhaps most important cultural difference between the English-speaking and French-speaking inhabitants of Canada is that of their respective nationalisms. Although both groups live in the same nation, they exhibit very different nationalisms. There are many reasons for this diversity in national sentiment. One of the first differences is that each collective group has a differing view of the other. This view also tends to differ from the way that group perceives itself and generally tends to be stereotypical. According to David Bell,

To many French, the English (their conquerors) have seemed the perpetrators of historic injustices. They had, after all, deported the Acadians and beaten down the 1837 Patriotes...Aggressive, godless, and obsessed with commercialism, *les maudits Anglais* were to be feared and hated. To many English, on the other hand, the French appeared backward, ignorant ('a nation lacking entirely literature and the arts,' as Lord Durham put it), the docile mass in a priest-ridden society.¹⁹⁴

Another difference that distinguishes French Canadian nationalism from English Canadian nationalism is that of their reactions to the different parts of Canada.

John Deutsch writes: "Among English-speaking Canadians, the attachment to a united

¹⁹³Ibid. p. 172.

¹⁹⁴David V. J. Bell. The Roots of Disunity: A Study of Canadian Political Culture. Revised Edition. (Oxford University Press, Toronto, 1992), p. 99.

Canada is primarily emotional; the discontents and fears are largely economic. Among French-speaking Canadians, the attachment to a united Canada is primarily economic; the discontents and fears are largely emotional.”¹⁹⁵

There are many characteristics that define French Canadian nationalism from that of English Canadian nationalism. Nationalism in Quebec can be seen in the period before the Quiet Revolution (1760-1960) and in the period following it (1960-present) as sharing a common theme. Rather than dissolve after the Quiet Revolution it merely changed, as explained by Rand Dyck when he states,

The only feature apparently common to the two periods, the importance of nationalism, has even changed in nature. Rather than nationalism of survival (survivance), it has become, after a catching up phase (rattrapage), one of expansion and growth (épanouissement) which is outward-looking and aggressive.¹⁹⁶

Nationalism in Quebec can be broken down into three main periods or stages: traditional nationalism (survivance), non-traditional nationalism (rattrapage) and sovereignty-association and separation and the formation of a distinct sovereign nation (épanouissement). Traditional Quebec nationalism was prevalent from the time of the Conquest until the Quiet Revolution of the 1960s. This nationalism was characterized by many traits including the emphasis on the Roman Catholic Church and an agrarian lifestyle. In the article entitled, “The Faces of Québec Nationalism”, author Louis Balthazar describes what he calls “traditional” nationalism in Quebec. This nationalism began with the Patriotes and the Church and was the dominant ideology in Quebec until the 1960s. He lists the various characteristics that this nationalism was constituted of,

¹⁹⁵Léon Dion. Québec: The Unfinished Revolution. (McGill-Queen’s University Press, Montreal and London, 1976), p. 172.

¹⁹⁶Rand Dyck. Opt Cit. p. 215.

stating that, "First, it was predominately cultural, not political."¹⁹⁷ He then articulates the next characteristic of traditional nationalism which was its lack of concern with the economic dimension.¹⁹⁸ He tells us that religion was on the nationalist agenda much more than the economy. The fact that French-Canadian identity was closely linked to Catholicism can be considered a third feature of traditional nationalism in Quebec. In fact, the Roman Catholic Church was very instrumental in the development of French Canadian nationalism.

In the article "The Mystery of Quebec", by Léon Dion, the author examines the identity of the French in Canada. Dion writes a very lengthy and passionate tribute to Quebec nationalism and proposes that it is the only true nationalism in Canada. For Dion, French nationalism and Quebec are intertwined and the reality of francophones outside of the province is not a consideration. When he examines what Quebec nationalism is he concentrates on very different elements. He highlights such things as geography, history, common experiences, language and sentiment. History is the most important contributor to nationalism and he states, "We Quebecers are uncertain of our identity and haunted by the fear of a tragic destiny. The brutal separation of Quebec from France after the British Conquest of 1760 left a painful scar on our society whose aftereffects we still feel today."¹⁹⁹ The Conquest and other events in the history of Canada have played a key role in fostering support for Quebec nationalism.

Premier Maurice Duplessis held control over the province of Quebec for most of the

¹⁹⁷Louis Balthazar. "The Faces of Québec Nationalism", in Alain-G. Gagnon. Ed., Québec: State and Society. (Nelson Canada, Scarborough, 1993), p. 5.

¹⁹⁸Ibid. p. 5.

¹⁹⁹Léon Dion. "The Mystery of Quebec", in Stephen R. Graubard. Ed., *Opt Cit.* p. 286.

twentieth century from 1936 to 1959. Duplessis continued with the traditional nationalism of the Church mainly because much of his support came from the Church and to upset it was to throw away his political strength over the rural areas of Quebec. It was not until Duplessis' death in 1959 and the election of the Liberals in 1960 that Quebec nationalism began to change. With the election Jean Lesage and the Liberals, radical changes began to take place. The "Quiet Revolution" was a period of "rattrapage" or catching up, developing the province, modernizing the economy, the government and social services like education and health care. It was in this period that the Church began to lose control over the population with its hold over social services being replaced by state operations. A new form of nationalism began to unfold in the province, a more confident and aggressive one. French Canadians began to take control of the economy that for so long had been dominated by the English minority. French Canadians also became much more politically active and integral in the province, employed in the public service sector in large numbers.

The Quiet Revolution changed the face of the province of Quebec quite quickly from one of a traditional society to one where the state took an active role in the development of Quebec as a modern province. "For most francophone Quebecers, the state was now the focus of nationalist sentiment. It was the guardian of their culture, the vehicle that would establish the conditions necessary for the flourishing of French language and culture in Quebec."²⁰⁰ French-speaking Quebecers began to take real control of their institutions and according to the book, The Quebec Democracy, "there was a political consensus that the State and various state-owned enterprises created through the years should play a fundamental role in developing all sectors of Quebec

²⁰⁰Jeremy Webber. Opt Cit. p. 46.

society.”²⁰¹ The state began to develop many organizations that were unique to Quebec including the establishment of a separate pension plan. With the increased state building came a new wave of nationalism in the province, one of confidence, and many Quebec citizens began to see that Quebec could have the potential to become a viable nation without Canada.

Relations with the federal government were relatively good until the 1970s. Quebec and Canada did have some large disagreements over certain issues, with conscription being a very volatile one. Yet the growing French-Canadian nationalism in Quebec was not perceived as a threat until the October Crisis of 1970 and the murder of Pierre Laporte. The election of the Parti Québécois in 1976 also sent out many shock waves in the rest of Canada and many began to realize that Quebec nationalism and the option of sovereignty may have some real support in the province. With this development the federal government began to work on national unity and the patriation of the Canadian constitution became a central strategy in uniting all Canadians. Needless to say, this plan backfired and further divided French Quebec from the rest of Canada. The French Canadian nationalism of 1995 is radically different than the nationalism of the early 1900s. The province of Quebec and its national sentiment has also changed a great deal since the Quiet Revolution of the 1960s. Quebec, which once had the highest birth rate in the Western world, is now the leader in Canada for common law marriages and unwed mothers. Many argue that the massive rejection of the Church after so many years of influence has left a void in the Quebec people. And that void is being filled by nationalism more and more. This is supported by E. J. Hobsbawm when he states,

Whatever lies behind such a startling transformation in Québécois mores could hardly fail

²⁰¹Guy Lachapelle et al. Eds., *Opt Cit.* p. 23.

to create a disoriented generation hungry for new certitudes to replace collapsing old ones. It has even been argued that the rise of militant separatism was a surrogate for the lost traditional Catholicism.²⁰²

Nonetheless it still maintains some notions that are unwavering throughout the years of change.

It is based on the belief that French Canadians constitute a *nation*, but a nation which does not control all of the economic and political institutions operating in its territory. It is also based on the belief that the French-Canadian nation is threatened by “outsiders” who control those institutions which, although they operate in French-Canadian territory, are not French-Canadian.²⁰³

English Canadian nationalism is much harder to define than French Canadian nationalism.

Many even argue that the rest of Canada defines themselves in relation to Quebec. According to

Phillip Resnick, English nationalism is weaker because it lacks a large rupture. He states,

Because we lacked the dramatic break with empire that the United States came to experience, or with the *ancien régime* that France went through in 1789, we have a much weaker sense of national identity...Our incomplete sense of nationhood may be coloured by the absence of a powerful founding myth.²⁰⁴

Aside from the problem of having no myth to cling to for a collective history, the rest of Canada has had problems even defining its name. The terms English Canada and Rest of Canada (ROC) are two of the most commonly employed. Yet there is an argument over the validity of these terms. Philip Resnick in the book Thinking English Canada discusses the problems of defining people purely on the basis of language, which seems to contribute to a sense of separateness and incompatibility. Resnick makes many points before attempting to defend the use of the term

²⁰²E. J. Hobsbawm. Nations and Nationalism Since 1780: Programme, Myth, Reality. 2nd ed. (Cambridge University Press, Cambridge, 1990), p. 172.

²⁰³Andre Bernard. What Does Quebec Want? (James Lorimer and Company, Toronto, 1978), p. 42-43.

²⁰⁴Phillip Resnick. Toward a Canada-Quebec Union. (McGill-Queen's University Press, Montreal and Kingston, 1991), p. 25.

“English Canada”. He states that,

Does the word *English* refer to ethnic origin or to country of origin? If so, less than 40 percent of the population of Canada as a whole and less than 50 percent of the population of Canada outside Quebec would qualify. The term would exclude ten million or more Canadians of non-British background and threaten to establish a hierarchy of first-class versus second-class citizens.²⁰⁵

Resnick and others point out the problems of using this expression as it not only does not include millions of Canadians but it also reinforces this “British” ideal that Quebec nationalists cling to in their identity as a nation. Due to the identity that Quebec nationalists hold, the rest of Canadians feel that they need to define themselves as well. In the late 1960s and early 1970s Canadians outside of Quebec made attempts to define and foster a nationalism within Canada. Part of this was in response to the growth in French Canadian nationalism in Quebec and part was in response to the growing number of non-British immigrants moving to Canada. Canadian nationalism can be seen as being in conflict with Quebec nationalism as it negates many of the tenets of French identity such as the notion of dualism and the myth of English Canada. Prime Minister Pierre Trudeau, a French Canadian himself, wanted to define Canadians in such a way that would help rid the nation of ethnic cleavages like the one in Quebec. He passed legislation making Canada a “multicultural” nation rather than just a bicultural one. This emphasis on more cultures than just French and English served to anger many French nationalists as it gave their claims less clout.

According to Rocher and Smith:

Multiculturalism was, from the beginning, at odds with ‘two nations’ because it played on the ambiguous sense of national identity of English Canadians; the program attempted to define anglophone Canada in ways that moved beyond ‘English’ and yet to do this under the rubric of a program that was designed to foster official language minority communities

²⁰⁵Phillip Resnick. Thinking English Canada. (Stoddart Publishing, Toronto, 1994), p. 21.

across the country.²⁰⁶

Andrew Stark argues that there are four English-Canadian ideologies that are incompatible with Quebec nationalism. He outlines these as Trudeau's policies and politics, western Canadian alienation, Charter politics, and social democratic Canadian nationalism. The policies of former Prime Minister Pierre Trudeau are also linked to the notion of Charter politics. Trudeau passed legislation, the Official Languages Act, in 1969 making Canada an officially bilingual nation, with French and English being the main national languages. He also passed the Multiculturalism Act of Canada.

These two aspects of Trudeau's language policy-official bilingualism and the protection of linguistic minorities-flow directly from his desire to submerge Quebec nationalism within a strong, uncompromised federal state and national community. If the French language were being protected nationwide and at the federal level, then there would be no need to give Quebec the constitutional power to preserve and protect its "distinct society."²⁰⁷

Other aspects of English Canadian nationalism include both western Canadian alienation and the desire for a social democratic nation. Western provinces have felt ignored and exploited for years and resent any concessions that are given to Quebec. We see this aspect of Canadian nationalism becoming stronger as we see the rise in strength in political parties like the Reform Party which is western based and rejects the notion of special status for Quebec. The social democratic nation is something that is not in complete contradiction with French nationalism as the Quebec state and government has generally been more socially democratic than the rest of Canada. Most

²⁰⁶François Rocher and Miriam Smith. The New Boundaries of the Canadian Political Culture. Paper delivered at the Conference organized by the Centre of Canadian Studies, (University of Edinburgh, Edinburgh, U.K., May 1996), p. 13.

²⁰⁷Andrew Stark. "English-Canadian Opposition to Quebec Nationalism", in R. K. Weaver. Ed., The Collapse of Canada? (Brookings Institute, Washington D.C., 1992), p. 129.

Canadians, both French and English, agree with the notions of universal medicare, education, and equal living standards, the difference is that Quebec government wants to administer it as opposed to having to listen to Ottawa. This is what poses the problem for English Canadian nationalists who feel that this decentralization will threaten to undermine the introduction of programs with real national standards.²⁰⁸

And the last defining characteristic of English Canadian nationalism is that of the Charter groups and their politics. The Canadian Charter of Rights and Freedoms which was a part of the Constitution Act 1982 had the effect of giving groups in Canadian society more of a vested interest in the nation by entrenching their rights. People like minority ethnic and language groups, women, the handicapped and disabled and other minority groups began to assert rights that they were denied. Quebec nationalism was seen as a threat to these new found rights. This is supported by Stark,

French Quebecers, charter groups urged, should not be given any constitutional provision, such as the distinct-society clause, that would accord them special or superior constitutional status; rather they should take their place alongside all other group-affiliated citizens. Consequently, the charter's entrenchment of the group-affiliated citizen has "had the negative side effect of antagonizing Francophone Quebecers," who see it as depreciating their stature as a "founding people."²⁰⁹

Overall, it can be argued that English Canadian nationalism seems to exist but it is not as cohesive and defined as French Canadian nationalism. It seems to be newer and less rigid and it has many different aspects involved like multiculturalism and the British tradition to western alienation and the Charter. However, the one theme all these traits share is their opposition to French Canadian

²⁰⁸Ibid. p. 140.

²⁰⁹Ibid. p. 156.

nationalism and this is problematic.

After looking at both the respective nationalisms of French Canadians and the rest of Canada and the other cultural differences they have, we can see that there is a lot of potential for conflict. In general, common heritage and institutions are what help to hold a nation together. Without these common things then the nation can run into problems as Thomas M. Franck states, “On the other hand, the absence of a positive political or ideological commitment to the *primary* goal of federation *as an end in itself* among the leaders and people of each of the federating units did in all four instances, make success improbable, if not impossible.”²¹⁰ Canada is in need of real arguments and reasons which outline why the Canadian federation is needed by all of Canada. The main philosophical dilemma facing Canada is so eloquently put by Leon Dion who states,

For Canada the danger of being torn apart by the interplay of internal contradictions is probably greater than it is for most Western liberal societies...Francophones begin with a dualist conception of the Canadian political system which, in their opinion, is made up of Québec on the one hand and the rest of the country on the other. Anglophones, for all their good will, are still bound by a unitary vision of Canada as a country stretching from the Atlantic to the Pacific, with a special enclave called Québec.²¹¹

Once again the notion of these conflicting theories of Canada are seen as the root of most of the nations troubles. This is the one area that seems to be in the need of the most attention and discussion. It also appears to be the one issue that is the most difficult to overcome.

²¹⁰Thomas M. Franck. “Why Federations Fail” in Thomas M. Franck, Ed., Why Federations Fail: An Inquiry into the Requisites for Successful Federalism. (New York University Press, New York, 1968), p. 173.

²¹¹Léon Dion. Opt Cit. p. 180.

(12) Attempts at Secession

The province of Quebec and its people have not always wanted to be a separate nation from Canada but they have always fought to be recognized as being a unique part of the country. From the days of the settlement of New France, the “Canadiens” felt that they were different and should be treated that way. Although actual attempts at secession have only really taken place in the past thirty years, Quebec has a history of nationalist movements with the end of secession in mind. We will examine the beginnings of French separatism in Quebec by looking at the Patriote uprisings of 1837, the first nationalist groups of the nineteenth century, regard the Quiet Revolution, the FLQ movement, the October Crisis of 1970, the formation of the Parti Québécois, the formation of the Bloc Québécois, and the various provincial referendums on sovereignty. We will also look at the other moves made by the Quebec people to achieve independence through the formation of separate institutions from that of Canada. We will finish with a look at the issue of legality in relation to Quebec separation and also the international aspects that may be involved in any attempt of secession that is made by Quebec.

One of the first signs of unrest among the French Canadians began with the uprisings of the 1830s. With the passage of the Constitutional Act of 1791 French Canadians for the first time had a say in the government of Lower Canada or Quebec. The Parti Patriote was formed in 1828 and its leader was Louis-Joseph Papineau. The Patriotes were upset with many economic and social different issues. The main grievance that they and their Upper Canadian counterparts had was the lack of responsible government in the colonies. According to Fernard Ouellet, the violence and rebellions that followed were not the initial plan of the Patriotes, “This plan contained two main aspects: a phase of agitation which would remain within legal limits and

another, in the event that England refused to yield to *Patriote* pressures, of a revolutionary character.”²¹² However, Ouellet goes on to argue that many of the Patriotes had violence and revolution on their minds from the beginning. The rebellions events are described by Andre Bernard,

Emboldened by its large majority of seats in the Legislative Assembly and by the numerical superiority of French-speaking Canadians in Quebec (then known as Lower Canada), the Parti Patriote tried to achieve its objectives through rebellion. In 1836 and 1837 the party leaders organized groups of armed rebels, who started to harass British officials and soldiers who ventured outside the cities.²¹³

The Patriotes ended up being disbanded and eventually being outlawed. These rebellions also led to the authorities forbidding the use of French in Assembly.

The second nationalist party was the Parti National which took office in 1886. One of its biggest supporters was Jules-Paul Tardivel, who happened to be an editor of a newspaper. The Parti National favoured secession from Canada and its leader was Honoré Mercier. After the election the nationalist government had problems borrowing money “...Canadian banks refused to award new loans to the nationalist government of Quebec on the grounds that the public debt of the province was six times as large as its annual revenue.”²¹⁴ One could also interpret the Canadian banks reluctance to support this government fearing a nationalist rebellion or secession. At this time in history many French-speaking Canadians were spread out around Canada and were not only concentrated in Quebec. During this period thousands of French Canadians left the

²¹²Fernard Ouellet. Economic and Social History of Quebec 1760-1850. (Institute of Canadian Studies, Carleton University, Ottawa, 1980), p. 434.

²¹³Andre Bernard. Opt Cit. p. 11.

²¹⁴ Ibid. p. 13.

province of Quebec in order to find jobs or land. Many thousands went to the United States during this time. Therefore, the support for a territorially based nationalism was difficult to advocate in light of these factors.

The next nationalist development in the government of Quebec came with the 1936 election of the Union Nationale which was a splinter group from the Liberal Party of Quebec. Its leader Maurice Duplessis would have a tremendous effect on the province of Quebec. Maurice Duplessis was the Premier of Quebec from 1936-40 and 1944-59, ruling for almost twenty years.²¹⁵ According to Riseborough, "He upheld the traditional Roman Catholic society within Quebec, defended provincial jurisdiction against federal government interference and kept Quebec predominately rural and agricultural."²¹⁶ Duplessis fostered his own brand of nationalism in Quebec, one that was extremely traditional in its outlook and was also extremely exclusive. Duplessis began the Quebec provincial tradition of federal-provincial conflict and help the Church continue its dominance over the French Canadian people. Duplessis also worked together with the Americans and English Canadians to foster business and economic growth in the province instead of getting the French Canadians involved. His brand of nationalism did not even mention the notion of secession or political independence for Quebec but did focus on getting everything he could from the federal government that would benefit Quebec.

The death of Duplessis in 1959 led to the election of Jean Lesage and the Quebec Liberal Party in 1960. The event that heralded the creation of modern day Quebec was called the Quiet Revolution. This term is used to describe the many economic, social, political and philosophical

²¹⁵Rand Dyck. Opt Cit. p. 628.

²¹⁶Donald J. Riseborough. Opt Cit. p. 6.

changes that were occurring in the province during the 1960s. Quebec underwent sweeping reforms to the entire structure of the province. These changes would prove to have far reaching consequences. Although this new nationalism retained some of the elements of the traditional nationalism such as ethnic homogeneity and a cultural base, it rejected most of the ideology of the past. The Church was rejected and taken out of its role as the ideological leader of the people of Quebec. The dominant ideology and nationalism of the province began to be dictated by politicians and the government instead. This was reflected in the fact that the government involved itself in all aspects of Quebec society including the economy, replacing the Church in this role. According to Guy Lachapelle and others,

In the Quiet Revolution various Quebec governments nationalized hydroelectric power, democratized political institutions, modernized the public sector, created numerous state-owned enterprises, reformed the educational system and secularized educational, health and welfare institutions.²¹⁷

Much of the current nationalism in Quebec that is shared by French Canadians can be directly attributed to the events and ideals of the Quiet Revolution. This event helped to foster the secessionist desires of Quebec nationalists today.

The growing nationalism that happened in the 1960s during the Quiet Revolution led to many unfortunate events. There was a growth in extremist groups which wanted change to occur more rapidly in Quebec. One such group was the Front de libération du Québec (FLQ) which was formed in 1963. In the late 60s, 90 of 176 violent events were bombings and nine deaths were linked to this violence.²¹⁸ Many of these bombings were done by the FLQ and other Quebec

²¹⁷Guy Lachapelle et al. Eds. *Opt Cit.* p. 61.

²¹⁸*Ibid.* p. 157.

nationalist groups and they targeted among other items mailboxes in the English community of Westmount and the English universities in Montreal. The FLQ aims were to destroy,

- a) all colonial symbols and institutions, in particular the RCMP and the armed forces;
- b) all the information media in the colonial language that hold Québécois in contempt;
- c) all commercial establishments and enterprises that practise discrimination against Québécois and that do not use French;
- d) all plants and factories that discriminate against francophone workers.²¹⁹

The FLQ was not to be limited in just bombing and in 1970 they kidnaped the British trade commissioner James Cross and Quebec government Labour Minister Pierre Laporte.²²⁰ They released a manifesto that was printed by the major French language newspapers demanding a nation for Quebec among other things. They began to negotiate with the Quebec government through the media but after a few short days Premier Bourassa was under pressure to resolve the crisis and maintain order at the same time. Bourassa asked the federal government and Prime Minister Trudeau to enact the War Measures Act in the province of Quebec. This Act had the effect of suspending civil liberties and over 450 people were arrested and detained without warrants or writs of habeas corpus.²²¹ These events showed Quebecers and Canadians the ugly side of nationalism and the conflict that can result.

One of the most important results of the Quiet Revolution in the province of Quebec and its new form of nationalism was the beginning of the independence movement. These changes in Quebec society, along with the increased confidence in Quebecers own abilities, led to a greater

²¹⁹John A. Dickinson and Brian Young. Opt Cit. p. 312.

²²⁰Rand Dyck. Opt Cit. p. 248.

²²¹Guy Lachapelle et al. Eds., Opt Cit. p. 157.

number of individuals believing that they could exist as a nation separate from Canada. This nationalism was different from past incarnations because it was characterized by having a strong interest in the economy of Quebec and by being politically based rather than culturally. The major changes that occurred in Quebec during this period gave the people of the province a new pride in themselves. They begin to think in terms like “nation” in this period after they witnessed the grand accomplishments that the state had made in such a short period of time. Kenneth McRoberts explains this phenomenon by stating,

This reformation of the dominant French-Canadian ideology also involved a narrowing of the boundaries of the “nation”. In the past, nationalists had been ready to see the French-Canadian nation as existing throughout much of Canada, and perhaps even extending into areas of the northeastern United States. In fact, the very term “Québécois was not in general usage, except to refer to the residents of Quebec City. With the 1960s, nationalists became increasingly focused on Quebec alone.²²²

The most influential part of this movement occurred as a result of a split in the Quebec Liberal Party toward the end of the 1960s. According to Lachapelle et al.,

At its 1967 convention, the party split into two factions: one favouring a redefinition of powers between the federal and provincial levels of government within the Canadian political system, and the other, headed by René Lévesque, then Minister of Social Affairs, proposing that Quebec seek political sovereignty while maintaining economic ties with the rest of Canada.²²³

This movement which was headed by Lévesque was a political incarnation of this new type of Quebec nationalism. When his proposal was put to a vote it failed and he and his followers left the party and formed a new party called the *Mouvement souveraineté-association* (MSA).²²⁴ Its

²²²Kenneth McRoberts. Quebec: Social Change and Political Crisis. Opt Cit. p. 130.

²²³Guy Lachapelle et al. Eds., Opt Cit. p. 99.

²²⁴Ibid. p. 99.

main goal was,

to propagate the notion that Quebec, both for its own and Canada's good, should become a sovereign political entity while maintaining close economic ties with the rest of Canada through some form of association which remained to be defined. (e.g. customs union, common market, free trade zone).²²⁵

This independence party was not unique nor alone. Many similar parties and movements erupted during the period of the late 1960s. With the failure of the Union Nationale to secure any type of popular support or gain a modern leader to replace Duplessis, a political vacuum was created making way for the development of new political parties to replace it. The popular support for the UN decreased dramatically over the 1960s with its ultimate demise in the mid 1970s, mainly as a result of the various independence parties gaining support in the electorate.

The beginning phases of the formation of different political parties which had Quebec nationalism as a major plank in their platforms occurred in the 1960s. During the era of the Quiet Revolution many parties began to form around the notion of a separate Quebec nation. This movement did not begin with the MSA, René Lévesques' first sojourn into the sovereignty arena, but rather it started years earlier in 1960, at the very beginning of the Quiet Revolution. According to the article, "Nationalism in Québec: An Incomplete Secular Revolution", "The Rassemblement pour l'indépendance Nationale, created in 1960, was the first distinct organizational vehicle for modern Québec nationalism. At the outset it advocated a form of nationalism which favoured no specific socioeconomic group or political doctrine."²²⁶

²²⁵Ibid. p. 100.

²²⁶François-Pierre Gingras and Neil Nevitte, "Nationalism in Québec: An Incomplete Secular Revolution", in Paul W. Fox and Graham White. Eds., Politics: Canada. (McGraw-Hill Ryerson Limited, Toronto, 1991), p. 198.

The RIN ran 73 candidates in the 1966 election receiving 5.4% of the popular vote without gaining a single seat in the National Assembly.²²⁷ The RIN was the first of many separatist groups that presented themselves on the political scene in the early 1960s. Another party was an outgrowth of the RIN called the *Ralliement national* (RN) which was a reaction to the left wing stance that the RIN had on socioeconomic issues. It was a combination of the right wing portion of the RN and the *Le Ralliement créditiste*, the Quebec branch of the Social Credit Party. This party ran 90 candidates in the 1966 election and got 3.1% of the popular vote.²²⁸

The leader of the MSA party René Lévesque decided it was a waste for these various parties to vie for the same constituents and thereby split the vote. Talks began to fuse the various parties into one main party. In the fall of 1968 the RN agreed to join with the MSA to form a new party, the Parti Québécois. The RIN decided not to join and soon fizzled out as a political party. The PQ part became the main party which was dedicated to the notion of political separation from Canada. However, this trend was being followed by all of the main political parties in Quebec at this time. Lachapelle points out, "Quebec now had three major parties, committed to varying degrees of nationalism: all or nothing in the case of the PQ, moderate within the UN and the Liberal Party."²²⁹

The nationalism of these various political parties which advocated breaking ties with the nation of Canada was quite similar to the nationalism of the Quiet Revolution. Keeping in line with the idea of masters in our own house, these parties wanted to achieve this by becoming an

²²⁷Guy Lachapelle et al. Eds., *Opt Cit.* p. 100.

²²⁸*Ibid.* p. 102.

²²⁹*Ibid.* p. 102.

independent nation, or at least politically independent from the nation of Canada. The idea that French-speaking Canadians could only be safe from assimilation by remaining in Quebec and that it was up to the people of Quebec to safeguard against the threat of English North America became the rallying cries of these groups. The calls for a totally independent nation were discussed but rarely considered feasible at the time. This period of Quebec nationalism and politics is characterized more by the organization and rally behind the idea that Quebecers were in charge of their own destiny than with any serious movements to form their own nation. That would follow in the years to come with the rise in the popular support for the PQ and the rise in Quebec nationalism to new heights in the 1970s.

The Parti Québécois was formed in 1968 by René Lévesque and others by a combination of the MSA party and the RN party, both sovereignist parties. The PQ party had moderate success with the electorate for the first years of its existence. In the 1970 election the PQ received 23% of the popular vote and gained only seven seats coming in second to the winning Liberal Party. Party leader René Lévesque was not elected to a seat.²³⁰ The next provincial election occurred in 1973 and the PQ ran again. They lost again to the Liberals but gained 30% of the popular vote. It was the next provincial election that was to change the history of Quebec provincial politics. In the 1976 election the PQ party won the election with 41% of the popular vote and took 71 seats.²³¹ Yet most voters did not vote for the PQ because they were devoted separatists or advocated independence for the province but rather the PQ was the only alternative to the Liberal Party. This fact remains to this day and is seen as very problematic for federalists.

²³⁰Rand Dyck. *Opt Cit.* p. 248.

²³¹ *Ibid.* p. 252.

Without any alternative second or third party in Quebec, voters must decide to replace the Liberals with the PQ party whether or not one is a separatist, but when one merely wants a change of government.

The Parti Québécois went to work as the government of Quebec. In its first term in office the first item on the agenda was not separation but rather to prove to the public that they were capable of running the province. For almost the entire four year term the PQ government concentrated on providing good government and attempted to work with the Canadian federal system. However this is not to say that the PQ did not act on their promises to make Quebec a province that was sovereign. The year after the election the PQ passed one of most controversial laws ever in Canada. It was one of most nationalistic motions that was undertaken by the PQ government or any government of Quebec. Bill 101 or the Charter of the French Language was made into law in 1977. This Bill was all-encompassing and its main purpose was to reinforce the status of French as the official language of the province. It's preamble states,

Whereas the National Assembly of Québec recognizes that Quebecers wish to see the quality and influence of the French language assured, and is resolved therefore to make of French the language of Government and the Law, as well as the normal and everyday language of work, instruction, communication, commerce and business.²³²

Some of its provisions included restricted access to English language schools, measures to make French the official language of commerce, business, and the province, external and internal communication by businesses and institutions had to be in French and French language

²³²Québec. Charter of the French Language. (Éditeur officiel du Québec, Québec, 1977), p. 1.

requirements of firms with more than fifty employees.²³³ Other contents included the right of workers to carry on their activities in French, the right of consumers of goods and services to be informed and served in French and the right of every person eligible for instruction to receive that instruction in French.²³⁴ Along with the various rights and requirements that were set out in Bill 101 were the means for enforcing these rights. Three boards were created to enforce these laws, the *Office de la langue française*, which administered French tests, the *Conseil de la langue française* which dealt with language planning, and the *Commission de surveillance et des enquêtes*, the enforcement board of the Bill.²³⁵

This law was introduced to help French-speaking Quebecers achieve an advantage over their English-speaking counterparts and to help them claim the province in which they constituted the majority. According to the Bills' mastermind Camille Laurin his aim was "to end economic inferiority of French-speaking Quebecers, to promote the assimilation of immigrants with the francophone community and to create a 'symbolic affirmation of Quebec as a French-speaking place.'"²³⁶ Bill 101 has been considered very influential in the achievements that many French-speaking people in Quebec have made as a result of its being in place. It has also isolated the English population in Quebec and many have left since the election of the first PQ government due to this increase in French nationalism.

²³³Alain-G. Gagnon and Mary Beth Montcalm. Quebec Beyond the Quiet Revolution. (Nelson Canada, Scarborough, 1990), p. 184.

²³⁴Guy Lachapelle et al. Eds., Opt Cit. p. 338.

²³⁵Ibid. p. 339-340.

²³⁶Rand Dyck. Opt Cit. p. 254.

The PQ finally had their promised referendum on the issue of sovereignty association in 1980. The question was not if Quebecers wanted to completely separate from Canada, but rather separate politically and maintain an economic union with Canada. Regardless of the question the resolution failed to pass with the No side getting 59.6 % of the vote. The federal victory was partly due to Prime Minister Pierre Trudeau's promise to renew Canadian federalism and find a place for Quebec within it. The calls for separatism abated for awhile and the PQ party remained in office until 1985.

In 1993 the PQ party was elected again under the leadership of Jacques Parizeau, former member of René Lévesque's Cabinet. They promised to hold another referendum on the separation issue. Yet this vote differed from the first vote for many reasons with the main one being that this proposed vote was much more serious. It was not to be merely a vote on sovereignty but rather total secession from the Canadian federation. Many events occurred in the period between the first vote and the election of the second PQ government. Meech Lake and Charlottetown Accords had both failed to achieve anything for Quebec and many people felt that they had been done in by English Canada. Although this vote was to fail as well, the margin was extremely close with only 1% separating the two sides.

The nationalism of the PQ and the people of Quebec has gone from being relatively non-threatening to the rest of the country to becoming the most important issue in the entire nation. Throughout the years the PQ has gone from being soft separatists to hard core separatists advocating separation from Canada if a Yes vote wins. This nationalism has grown so strong in the last twenty years that calls for an independent nation seem to be a natural progression. And that moves that have been undertaken to achieve this goal should come as no surprise to

observers.

The 1993 federal election also proved to be a victory for Quebec nationalists. The newly formed Bloc Québécois Party became the Official Opposition Party in the House of Commons. The BQ was created specifically for the election and ran candidates only in the province of Quebec where it was elected with almost 75% of the seats. Its first leader was Lucien Bouchard, a former Progressive Conservative, who became a PQ and Premier of Quebec after Jacques Parizeau resigned. He is considered a very charismatic leader. This overwhelming support for the federal version of the PQ should be seen as alarming to the federal government. It is almost as if the main purpose of this party is not so much to help govern Canada but to help negotiate its breakup.

The Quebec government led by the Parti Québécois and Premier Jacques Parizeau called for a referendum on sovereignty to be held on October 30th, 1995. The question that was posed stated, "Do you agree that Québec should become sovereign, after having made a formal offer to Canada for a new Economic and Political Partnership, within the scope of the Bill respecting the future of Québec and of the agreement signed on June 2, 1995? Yes or No"²³⁷ The results of the referendum were very close with the No side getting 50.6% of the vote and the Yes side with 49.4% of the vote with only 52,000 votes separating the two sides.²³⁸ Some of the ridings in which allophones, anglophones and Jewish Quebecers live in showed very clear convictions. In the riding of Notre-Dame-de-Grace, a multicultural Montreal neighbourhood the results were

²³⁷Daniel Drolet and Tony Atherton. Opt Cit. p. A 7.

²³⁸Anne McIlroy. "Divided We Stand", in The Citizen. (Ottawa, 31 October, 1995), p. A 1.

27,684 voting No and only 4,289 voting Yes. D'Arcy-McGee results were the most striking with 30,503 votes for the No side and only 1,031 for the Yes. There is not one riding which voted Yes with such a solid answer as was given in D'Arcy McGee, the closest being the separatist stronghold of Lac-Saint-Jean, Bouchard's federal riding, which had 25,858 yes vote and 9,541 No votes.²³⁹

Many argue that referenda are not always the best way of deciding a nation's future. As we have seen in Yugoslavia, Czechoslovakia and Ireland referenda were used to determine people's wishes in relation to secession. Yet there are many problems in using this form of political participation. One such problem is determining what amount constitutes a sufficient majority. Is 51% enough to break up a nation? Or is 75% a more reliable amount? The 51% rule in Quebec comes from the Newfoundland referendum to join Canada which took place in 1948 and the results were, Confederation 52.34%, Responsible Government 47.66%.²⁴⁰ If a Quebec referendum is won with 51% or a bare majority it is quite possible that Canada will say that they need a bigger majority to be convincing to the rest of Canada. In relation to Quebec, "They consider a 50 per cent plus one vote sufficient to justify secession, while democratic conventions hold that critical decisions, those that cannot be reviewed without high costs, must be taken by qualified majorities."²⁴¹ Already we can see the problems referenda start. In relation to referenda,

²³⁹Canadian Press. "Poll-by-Poll Referendum Results", in The Globe and Mail. (Toronto, 31 October, 1995), p. A 13.

²⁴⁰George Rawlyk. "Québec's Separation and the Atlantic Provinces", in Richard Simeon, Ed., Must Canada Fail? (McGill-Queen's University Press, Montreal and London, 1977), p. 88.

²⁴¹Stéphane Dion. "The Dynamic of Secessions: Scenarios after a Pro-Separatist Vote in a Quebec Referendum", in Canadian Journal of Political Science. (XXVIII: 3 September, 1995), p. 537.

(13) Quebec-1995 Referendum Results

First of all, some authority must define the problem and how the question should be formulated, which requires caution, political judgement and good faith. If the questions are formulated in bad faith, then self-determination and the smooth process of nation-formation may be impeded.²⁴²

The author points out one large problem with using plebiscites. He states, "One is that the impartial procedure is hardly ever concerned with the basic issue: the formulation of the questions. At best it is usually confined to the actual conduct of the referendum and perhaps to interpretation of the result and the decisions following it."²⁴³

There is an example of the use of a referendum to determine secession that we will regard. Western Australia voted in a referendum to secede from Australia and join back with Great Britain as a colony. The facts are as follows,

The referendum was taken on 8th April 1933, concurrently with the Legislative Assembly general elections. Some 90 per cent of the electors attended the polling booths, as voting for the referendum was made compulsory. The referendum resulted in a very large majority in favour of secession-138,653 to 70,706.²⁴⁴

The supporters of the secession brought their case to Imperial Parliament in London. They argued that they wanted Western Australia to be restored to its former status as a colony in the British empire. They were unsuccessful when the Committee ruled that it was against constitutional practice.²⁴⁵ This was due to the fact that they should not interfere in the affairs of the government of any state unless it requested by not only a minority group but by the

²⁴²István Bibó, *Opt Cit.* p. 100-101.

²⁴³*Ibid.* p.102.

²⁴⁴F. K. Crowley. Australia's Western Third. (Macmillan and Co, Ltd., London, 1960), p. 274.

²⁴⁵*Ibid.* p. 275.

entire nation.²⁴⁶ It is interesting to note that if Quebec won the 1980 referendum this decision would have applied to Canada. Needless to say, even an overwhelming majority voting in favour of secession does not guarantee anything. Legal and constitutional conventions will often stand in the way of secessionists who chose to follow the laws of the nation from which they are attempting to leave.

Yet aside from holding referenda on sovereignty in Quebec, there are a lot of other ways in which the provincial government has exerted itself as unique and attempted to present itself as a nation. The great strides that were made during the Quiet Revolution in Quebec state-building included not only a foreign policy direction but a bureaucracy to administer it. The desire for international relations was strong and the provincial government began to sink millions of dollars and manpower hours into its creation. The main impetus to this development was French-Canadian nationalism. This sentiment is argued in the article entitled, "Québec: An Expanding Foreign Policy", where it is stated,

From a symbolic viewpoint, international relations have also helped consolidate the "reserves of legitimacy" binding the state to civil society. Affirming Québec's international role has allowed the government to confirm the singularity of the province's interests and to highlight its status as a distinct society.²⁴⁷

Quebec has also developed many other separate state systems that are unique in Canada. Quebec established its own provincial pension plan system that is separate from that of the Canadian Pension Plan. The Quebec government also established a separate income tax system, whereas most of the nation does one united tax form, Quebecers have two to fill out.

²⁴⁶William F. Shaw and Lionel Albert. Opt Cit. p. 37.

²⁴⁷Jean-Phillipe Thérien, Louis Bélanger and Guy Gosselin. "Québec: An Expanding Foreign Policy", in Alain-G. Gagnon Ed., Québec State and Society. Opt Cit. p. 261.

The creation of Hydro Quebec by the Quebec government has also been very beneficial in the attempt to have a sovereign nation. The provincial government has been very active since the 1960s in making the province of Quebec much more independent from Canada through separate yet equally efficient programs and services.

One of the most controversial issues that has been discussed more frequently is whether or not the secession of Quebec from Canada is legal or not. The Supreme Court of Canada is presently hearing a case regarding this issue. It appears as though most Canadians are opposed to Quebec secession feeling that it is an illegal act and most Quebec nationalists feel that this is irrelevant and that international law is more important. One such English Canadian opinion according to Gairdner is, "Senator Eugene Forsey stated repeatedly in his last years that *no province of Canada has the right to leave Confederation without the unanimous approval of all the other provinces*. This is easily verifiable by other legal experts."²⁴⁸ Another argument that is commonly used to support this is that consent was required by all the provinces at Confederation and therefore any changes to this agreement requires consent of all.²⁴⁹ However, others point out that if consent is given and amendments are made there is nothing in the Canadian constitution that prevents the secession of Quebec. This is explained by Finkelstein and Vegh,

With respect to constitutional amendment, there appears to be neither explicit no implicit limitations on what constitutional relationship may be formed between Québec and Canada. In other words, separation is not precluded by the existing constitution. However, separation through amendment will require the unanimous consent of the two houses of Parliament, and the provincial legislatures in accordance with Part V of the

²⁴⁸William D. Gairdner. Constitutional Crack-up: Canada and the Coming Showdown with Quebec. (Stoddart Publishing Co. Limited, Toronto, 1994), p. 100.

²⁴⁹Ibid. p. 101.

*Constitution Act 1982.*²⁵⁰

But these scholars also point out that agreement and consent are necessary items for Quebec to leave Confederation. Even the threat of a unilateral declaration of independence would not automatically result in the independence of Quebec. Finkelstein and Vegh argue that it does amend the constitution and that the federal government would be limited in its dealings with the secessionist province.²⁵¹ The government of Quebec after a close Yes victory may attempt a unilateral declaration of independence failing the support of Canada. But unlike a legally sanctioned secession, a UDI is a much riskier political manoeuvre. Gordon Gibson makes some very good points in regards to the feasibility of a UDI. First, he points out that a UDI is not a legal process but rather a political one and that survival means success. He also states that it is not the international community that is the jury in the case of a UDI. He argues that this community is not as morally concerned as people may think and as long as Quebec can effectively control and maintain its territory it will be recognized. He argues that the real jury is the people of Quebec,

The true jury is purely and simply the population of Quebec. This is also the *toughest* jury, and the greatest worry for any separatist government that would contemplate a UDI, for a successful UDI requires quite massive citizen support, in a modern technological state. That is the true test that must be passed.²⁵²

He further argues that for a UDI to be successful it must satisfy all of the following conditions;

²⁵⁰Neil Finkelstein and George Vegh. The Separation of Quebec and the Constitution of Canada. Study no. 2, Background Studies of the York University Constitutional Reform Project. (York University Centre for Public Law and Public Policy, North York, 1992), p. 2.

²⁵¹Ibid. p. 2.

²⁵²Gordon Gibson, Plan B The Future of the Rest of Canada. (Vancouver, Fraser Institute, 1994), p.214.

the government has effective control of its territory externally and within, that any armed forces that are deployed against them are weaker than their own and that the economy is in good shape.²⁵³

The Canadian citizens that are left in Quebec who are opposed to secession may ask for Canadian military assistance. This compares with the United States civil war situation. Many people have already shown support for intervention in any secession attempt in Quebec.

The Parliament of Canada is legally bound to defend and protect the territorial integrity of the nation against all invaders or enemies, within or without our borders, and any force used to dismember Canada constitutes a treasonous and criminal action. So by this same reasoning, and very likely same rationalizations, we can expect federal intervention and force. We could get civil war.²⁵⁴

Yet these apparent discrepancies in the constitution regarding secession do not seem to sway many Canadians confidence in settling issues through legal means. One such legal method of attempting to curtail secession is through the use of federal law. An example follows,

The Quebec government could not prevent the collection of Federal taxes. Without a legally clear constitutional mandate from the Parliament of Canada any action to inhibit the collection of these taxes would be illegal. The courts would back taxpayers who would not wish to lay themselves open to Federal charges of tax evasion.²⁵⁵

This would only work assuming that the federal government undertook such an action and that the Quebec government could not prevent it. Legal issues are very problematic when it comes to secessionist movements as they do not hold much ground if one side disregards the law. It is also difficult to enforce such laws in these cases due to the complete void in constitutions and laws to

²⁵³Ibid. p. 214.

²⁵⁴William D. Gairdner. Opt Cit. p. 103-104.

²⁵⁵William F. Shaw and Lionel Albert. Opt Cit. p. 38.

deal with such a situation.

The secessionists in Quebec tend to point to international instruments and relations in supporting their claims for independence rather than looking to the Canadian constitution. The separatists often refer to United Nations definitions of sovereignty, nation and self-determination of peoples to support their claims to nationhood. This is one of the main cries of the secessionist movement in Quebec. However, it is argued that this right may be harder to apply to place such as Quebec. E. James Arnett explains,

First is the so-called right of self-determination. The Constitution does not recognize it, and even in international law it is highly unlikely that there is any such right, except for colonial peoples or previously sovereign states. The United Nations' historical opposition to breakaway provinces such as Katanga and Biafra attests to this.²⁵⁶

Reliance on international law may be easier to defend secession as it has no enforcement or real preventative effects but it is also less reliable than domestic law. The international community does not like, as a general rule, to get involved in domestic disputes. It especially avoids secessionist attempts and the disintegration of nations. One only has to look at Ireland and Yugoslavia to see how long it takes for the international community to get involved. Its track record is not exactly stellar and it usually steps in around the time a genocide is occurring.

External actors, besides the United Nations, may also be involved in any breakup or attempted breakup of Canada. The Canadian federal government and the Quebec government may call upon other nations to support their position and help them assert their claims over territory. The United States of America is one nation that will most definitely get involved. The U.S. has some vested interests in not only Canada but in the province of Quebec as well. This

²⁵⁶E. James Arnett. "The Québécois Can't Take It All With Them", in The Globe and Mail. (Toronto: 10 October, 1991), p. A 21.

intervention is probable as John R. Wood tells us, "If a secessionist attempt occurs in a country which is clearly within the sphere of influence of a superpower, the latter is likely to intervene, if it has to, to ensure the outcome it wants."²⁵⁷ One such reason for this involvement may be the fact that Hydro-Quebec has a lot of its debt in American dollars, around 9 billion dollars Canadian.²⁵⁸ Quebec is also the state government that owes the most in foreign currency in North America. In fact, the debt of Quebec that is repayable in foreign currencies is more than the rest of North America's combined.²⁵⁹ This debt is problematic for Quebec as,

Borrowing in foreign currencies always carries a taint: the investors aren't confident enough in your currency. They want you, the borrower, to take the currency risk. Investors insisting on the US\$ for Hydro's debt have always been tuned in to the danger of Quebec's taking outrageous political measures outside the North American family context.²⁶⁰

Aside from the large amount of American funded debt in Quebec there is also the concern for the welfare and operation of the hydro lines in the Northern United States, which gets much of its power from Northern Quebec. Any threats to power lines are seen as part of American national interest, and as we have seen before, the U.S. will invade any nation to ensure their interests are protected.

The province of Quebec has shown increasing support and moves towards the achievement of an independent nation for its French-speaking peoples. However, the desire for

²⁵⁷John R. Wood. *Opt Cit.* p. 131.

²⁵⁸Robert Blohm. "Quebec leads way in foreign borrowing: Currency exposure the highest in North America", in The Financial Post. (Toronto: 8 March, 1991), p. 10.

²⁵⁹*Ibid.* p. 10.

²⁶⁰*Ibid.* p. 10.

secession and a nation separate from that of Canada is not as definite a conviction for a majority of Quebecers, English and French alike. The problems in attempting to accommodate the French Canadian populace through constitutional and federal initiatives seems to have been ineffective and other methods of accommodation will have to be considered. If Quebec does attempt to win another referendum on secession in the near future which is almost assured, Canada must consider the real possibility that this time Quebec will leave. The next chapter considers the potential results in the case of Quebec winning a referendum on secession and the attempts to leave Canada.

(13) Potential Results of Secession

There are many potential results that may occur in the case of the province of Quebec separating from Canada. After our examination of Yugoslavia, Ireland and the United States of America we see that there are many terrible and destructive results which are possibilities when a nation is split apart. However, Canada is not destined to be ruptured by secession. There are many ways that this fate can be avoided. In the past we have seen the various attempts by the federal government to accommodate Quebec by trying to find a special place for it within the Canadian constitution. We have seen these attempts fail as a majority of Canadians outside of Quebec do not seem to be willing to grant Quebec what is perceived to be any kind of special status. These failures are seen in Quebec as a rejection by English Canada of French Canadians aspirations and serve to further drive Quebec nationalism to secession. However, Quebec nationalists have also tried to avoid secession by attempting to achieve their goals within a united Canada. Before the first referendum on sovereignty in 1980, leader René Lévesque proposed the notion of “sovereignty-association,” a system in which Quebec would be a sovereign state yet maintain close economic with Canada. There were two reports issued on this notion, one was called the White Paper or Quebec-Canada: A New Deal and the other entitled D’égal à égal. Both of these documents outlined the Parti Québécois’ plan for a sovereign Quebec within Canada. The idea of outright secession or separation was not on the minds of a majority of PQ members. Kenneth McRoberts explains,

As it appeared in these two documents, the proposed association closely reflected the conviction of the PQ leadership that Quebec’s accession to independence should not constitute radical change or “rupture.” In fact, the preamble of *D’égal à égal* declared that the good of Quebec, as well as the interest of Canada, doubtlessly necessitates that “in the measure compatible with our collective interests, the nation accede to sovereignty

in a perspective of economic continuity.”²⁶¹

The PQ party and many Quebec nationalists have attempted numerous times to have Quebec and Canada come to some new kind of political arrangement. Yet a majority of Canadians appear to oppose any rearrangement of the current federal system, almost preferring Quebec to secede. Many Canadians opinions about such a rearrangement of the federal system may be misrepresented by the politicians who oppose such new measures which may directly impede on their powers. As well many English and French Canadians alike may not be aware of the dangers of secession and the possibilities of violence if Quebec secedes. There is a chance that Canada and Quebec can come to an understanding and compromise if each side, especially the rest of Canada realizes the importance and necessity of doing so. By downplaying or ignoring the reality of the threat of secession, the unhappiness of French Canada and the need to develop a new political system, Canadians are leading themselves down a dangerous road that many nations wish they hadn't traveled.

We will now examine the opinions and thoughts of various academics regarding the possibility of Quebec seceding from Canada and what kinds of results may ensue. There are many areas that are pointed out in the literature as being paramount and we will examine these issues showing both the federalist and secessionist views. One of the first and most important issues that we are told that must be considered is that of violence within Quebec. The average citizen often dismisses this notion stating that the people of Canada are too peaceful and tolerant to ever be involved in conflict against one another. Even political columnists argue that violence is not a

²⁶¹Kenneth McRoberts. Ed. Quebec: Social Change and Political Crisis 3rd ed. Opt Cit. p. 300-301.

realistic possibility. David Frum states in relation to this that, "The answer can be found in the dreary bulletins of Statistics Canada. Young men like to fight; old people do not. And Canada and Quebec are rapidly becoming societies of the old."²⁶²

Kenneth McNaught suggests that Canadians do have a history of violence and that

I suggested at the outset that our own history evidences an almost knee-jerk readiness to endorse quick military action to suppress "illegal" challenges to "constituted authority. Moreover, this apparent devotion the rule of law and of existing constitutional structures is shared by anglophones and francophone -as shown, for example by the 1970 October Crisis in Montreal, and the Oka-Mercier Bridge mess in 1990.²⁶³

However, after looking at the situations in the various nations that we examined in Part 1, we can see that violence tends to erupt in places where there are ethnic groups at odds or accordingly, "Violence is also more likely if a secessionist region contains ethnic minorities opposed to new political arrangements."²⁶⁴ This statement can easily be applied to the province of Quebec which contains anglophone, Native and allophone minority groups who are almost 100% opposed to secession. This statement is further explained by Alicia Levine when she states,

The problem is compounded by the fact that leaders of secessionist movements almost always invoke highly nationalist and exclusivist arguments for self-government. This incendiary language is naturally threatening to minority groups living in the secessionist region, and often leads them to oppose the secessionist campaign. If the campaign is nonetheless successful, it often leads regional minorities to seek alternative political arrangements: independence; affiliation with another neighboring state; or reaffiliation with the former central government. Violence is often common in these situations, especially if there is a history of discrimination and repression among the groups in

²⁶²David Frum. "Separatists want a revolution without risk", in The Sun. (Ottawa, 11 October, 1997), p. 12.

²⁶³Kenneth McNaught, "A Ghost at the Banquet: Could Quebec Secede Peacefully?" in J. L. Granatstein and Kenneth McNaught. Eds., "English Canada" Speaks Out. (Doubleday Canada, Toronto, 1991), p. 86.

²⁶⁴Alicia Levine. Opt Cit. p. 322.

question.²⁶⁵

This argument can easily be applied to Quebec as there are some extremists at work within the secessionist movement in Quebec and there have already been threats and discrimination against the anglophone and Native populations in the province. As well there are many anglophone groups which have also made it clear that they want parts of Quebec to remain in Canada using partition or military force. This conflict over the future of Quebec could lead to violence as each side feels that their position is justified. In fact much of the literature from English Canada points to violence as being a definite possibility in the event of an attempt by Quebec to secede.

However it is also pointed out that much of the potential for violence and conflict can be avoided if moves are undertaken before secession to help settle explosive issues calmly and in a fair manner. Although the thought of discussing these issues seems strange, Robert Young points out that the nation of Czechoslovakia can attribute much of its peaceful secession to this very factor. It was the only nation in Part 1 that undertook such measures and the only one to have a peaceful secession and that warrants note. Scott Reid also argues that this type of arrangement is necessary to ensure peace,

First and most critically, the federal government should have adopted some form of secession legislation in advance. It may seem self-destructive to adopt laws governing the splitting up of a country, since doing so gives legitimacy to the notion of separatism. However, this is better than the alternative, which is to have separation occur anyway, and turn violent due to the absence of any governing legislation.²⁶⁶

Many argue that the federal government of Canada needs to pass legislation regarding secession and partition of the province of Quebec. Whether or not this seems overly zealous is irrelevant as

²⁶⁵Ibid. p. 324.

²⁶⁶Scott Reid. Opt Cit. p. 18.

it has the effect of establishing a peaceful and orderly framework for any discussions on secession. The government of Quebec has already passed legislation during the last referendum regarding their stance on specific issues related to the secession of the province from Canada. Before the actual vote on secession, the Quebec government introduced secession legislation in September of 1995. Called Bill 1 it contained five major provisions,

(a) Quebec's declaration of sovereignty; (b) sovereign Quebec's political-economic partnership with the rest of Canada (ROC); (c) Quebec's territorial, citizenship, currency and international treaties; (d) the continuity of existing laws, pensions, benefits, contracts and jobs for federal employees; and (e) drafting a new constitution and an interim constitution, and their operationalization.²⁶⁷

The legislation outlined the Quebec government's position vis-a-vis the federal government of key issues that may be subject to debate. If the Quebec government has already outlined its stance regarding these important considerations is it not time for the federal government to state its case so that both the people of Canada and of Quebec know where these issues stand. There also must be some type of negotiation apparatus set up for both the federal government and people of Canada and provincial government of Quebec. I say people of Canada because we can assume that all of the provincial governments will want to be involved in something this important, and they would be hard to deny after the precedent that was set in Meech Lake. As well, Quebec Aboriginal, anglophones, allophones, and francophone groups will want a seat at any negotiating table. In fact, it may become like the last constitutional round of talks with many groups wanting a say as, "Demands for inclusion might come from a wide range of other groups representing women, ethnic minorities, gays, lesbians and all other whose heightened political activity has

²⁶⁷M. V. Naidu. Québec Separatism, Canadian Unity: Issues, Opinions. (Multidisciplinary Investigative and Teaching Association Press, 1995, Oakville, Ont., 1995), p. 234.

transformed recent Canadian politics.”²⁶⁸ The involvement of so many groups deems it necessary to establish some type of framework if people expect things to actually get accomplished.

There is also the chance that a peaceful secession could occur. Yet there are some very specific conditions that need to be met for this to happen. Robert A. Young argues that peaceful secessions do occur, and that there tends to be a pattern of politics that provides for this. They seem to follow a set of general rules which are,

(1) secession follows protracted constitutional and political disputes, (2) the secessor state declares its intent to withdraw, (3) the predecessor state accepts the principle of secession: negotiations follow, (4) the negotiations involve few participants and (5) the settlement is made quickly.²⁶⁹

The nation of Czechoslovakia is used as the model for an ideal and peaceful secession as it satisfied all of the requirements that are aforementioned. They seem like relatively easy rules to comply with but if that was the case than every secession would be peaceful. Regardless, it is of great interest in which Canada and Quebec should regard these suggestions. The contents of the following Chapter outline some of the most controversial and important issues that may be on the table in any negotiations between Quebec and Canada.

Quebec's Aboriginal Populations

The various newspaper, magazine, journal articles and books that discuss Quebec secession almost invariably discuss the Aboriginal populations of Quebec. The argument that is presented is that the Native peoples who live in Quebec have one of the most legitimate claims

²⁶⁸David Bell. “Getting to the Table: the Prenegotiation of Deconfederation”, in Daniel Drache and Roberto Perin. Eds., Negotiating with a Sovereign Quebec. (James Lorimer and Company, Publishers, Toronto, 1992), p. 56.

²⁶⁹Robert A. Young. “How Do Peaceful Secessions Happen?”, in Canadian Journal of Political Science. (XXVII: 4, December 1994), p. 773-792.

against the sovereignty movement. The Natives are not only a distinct group of people, but have also lived on the land of Quebec long before the French claimed it for France. The Native question in relation to Quebec sovereignty has posed a major obstacle. Yet, the leaders of the separatist cause do not seem to have any regard for the Native population or their desires. The Aboriginal populations of the province of Quebec as of 1996 numbered 67,146, with 49,247 residents and 17,899 non-residents, with the largest groups being the Montagnais and the Crees.²⁷⁰ There are over forty bands, reserves and settlements in the province of Quebec. Some of the larger reserve lands include; the Oka reserve with 7335.7 hectares, Maniwaki with 17,370.7 hectares, Betsiamites 3 with 25,536.2 hectares, and Restigouche 1 with 3294.3 hectares.²⁷¹ It is interesting to note that in the areas surrounding Montreal there are over 30,000 hectares of reserves with almost 10,000 Native inhabitants.²⁷² This is one of the largest concentrations of Native populations in Canada.

There should be no argument about the ownership of Native reserve land which are the federal government's property. In fact, historical rights to these lands as far back as the Royal Proclamation of 1763. The BNA Act of 1867 sets out the reserve and Native populations relationship with the federal government in Section 91. However, many Quebec separatists point to the 1975 James Bay and Northern Quebec Agreement in which Natives ceded their historical rights to land claims in return for cash. There were 6,000 Crees and they came together to fight

²⁷⁰Canada. Les/The Nations. (Indian and Northern Affairs Canada, Ottawa, 1997), p.2.

²⁷¹Canada. Schedule of Indian Bands, Reserves and Settlements Including-Membership and Population Location and Area in Hectares. (Department of Indian and Northern Affairs, Ottawa, 1987), p. 17,21,23.

²⁷²Ibid. p. 17.

and won a land-claim settlement of \$135 million and the Inuit received a further \$90 million.²⁷³

But the Native leaders do not buy this argument stating that the James Bay agreement would no longer be in effect in Quebec separated from Canada. Billy Diamond explains,

“The agreement was entered into with Quebec in Canada,” says Billy Diamond, chief of the Waskaganish Cree and a member of the Quebec Cree Grand Council’s constitutional committee. “We did not sign an agreement with an *independent* Quebec. If that happens, the agreement would become null and void-and that would certainly jeopardize the boundaries of Quebec.”²⁷⁴

But the Parti Québécois government is at odds with this reasoning and in relation to Native partition, Parizeau’s response was ridicule and total disagreement,

He dismissed the idea as absurd.... ‘One cannot parcel out pieces of Quebec,’ he said. ‘Those who think that they could have a special province of their own in the Eastern Townships or take part of the West Island (of Montreal) and bring it to Ontario, that sort of thing is just humbug from a constitutional point of view.’²⁷⁵

In response to this comment, William Watson states that,

Parizeau can talk tough about natives if he wants, but as a past master of realpolitik, he must realize they hold a very strong hand. The power lines from the north are very long and very vulnerable and account for a dangerously high share of Quebec’s credit rating. Native militants have already shown ample willingness to employ violence to attain their ends. The U.S. air force would have trouble preventing terrorism against the Hydro lines, let alone the Sûreté du Québec.²⁷⁶

When asked about Natives in the province, Premier Bouchard shares the same view as Parizeau.

²⁷³André Picard. “The Cree of Quebec: When The Bough Breaks”, in The Globe and Mail. (Toronto: 31 August, 1991), p. D 2.

²⁷⁴Barry Came, E. Kaye Fulton and Brian Bergman. “Drawing Lines In The Sand: Separation Carries High Stakes”, in Macleans. (Toronto: 25 November, 1991), p. 23.

²⁷⁵Sue Montgomery. “‘Get On With It’ Parizeau Tells Sovereignty Committee”, in The Citizen. (Ottawa, 3 August, 1991), p. 3.

²⁷⁶William Watson. “Quebec Separatists Ignore Logic”, in The Financial Post. (Toronto: 9 August, 1991), p. 9.

For him, “The natives of Quebec don’t have a right of self-determination. It doesn’t belong to them.”²⁷⁷ Further he said, “There is no way that any Quebecker would accept that a square inch of territory be extracted from Quebec”, and he added that the partition of Quebec as a result of aboriginal or federalist claims, “would be the beginning of very nasty things”.²⁷⁸ Those insulting and threatening types of statements from the leader of the province only serve to further alienate the Native people from Quebec’s nationalist aspirations, which may prove to be very unwise to do. After all, the Native populations have many powerful organizations on their side like the Canadian government and the United Nations. The Cree and other aboriginal groups in Quebec have already been talking to various UN committees on this issue with the foresight that this may be necessary to protect their interests. They have been putting their case forward for many years.

Moses (Cree Chief) warned the committee (United Nations Working Group on Indigenous Peoples) that if Quebec unilaterally declares sovereignty, “it is not likely that the indigenous peoples will passively surrender their lands and rights to the new state.” ‘A conflict will occur,” Moses said, “that will, like it or not, involve the most fundamental issues of international law.”²⁷⁹

As well, “The Cree leader also denounced the federal government as racist for recognizing Quebec as a distinct society while refusing to acknowledge that the first nations are distinct societies in their own right.”²⁸⁰ The Native populations of Quebec have showed their influence

²⁷⁷Robert Lecker. “The Writing’s On The Wall”, in Saturday Night. (Toronto: August 1996), p. 16.

²⁷⁸Ibid. p. 16.

²⁷⁹Alexander Norris. “Cree to Debate option of Seceding from Quebec”, in The Citizen. (Ottawa: 1 August, 1991), p. A 5.

²⁸⁰André Picard. “Creeds Vow to Seize Land if Quebec Separates”, in The Globe and Mail. (Toronto: 31 August, 1991), p. 1.

before in Quebec dealings with the failed James Bay 2 project. The populations in the areas to be effected did not want the dam and Natives had enough power to stop its construction with legal action and media support. The Crees fought James Bay 2 by launching court cases against Hydro Quebec and the federal and provincial governments based on that title to natural resources that they say they did not give up. They also launched cases in US and Canada regarding environmental issues and spent 2\$ million on these cases.²⁸¹

Many Native leaders argue that separation will not only change their land claims but will also end the James Bay treaty. They also are quick to point out that they want to remain in Canada and the land that they live on is going to go with them. The Natives of Quebec have made it quite clear that they will use violence to fight for their rights and seem to have the support of a majority of Canadians and Quebecers for that matter. Chief Diamond predicts a major battle would ensue with his people over the boundaries of Quebec after secession. According to Peggy Curran, "Quebec's 10,000 Cree are claiming supremacy over 150,000 square miles of terrain- a land mass roughly the size of France."²⁸²

The Native Canadians desire to remain in Canada is as clear a pronouncement as they get. In fact most of the Native populations in Quebec have passed their own referenda with overwhelming (over 95%) majorities choosing to remain in Canada if Quebec tries to separate. Aside from that, the Inuit of the North are asserting their own independence from Quebec, as they recently voted by 85% per cent to create their own regional government called Nunavik, and

²⁸¹Jack Branswell. "Crees Wage David-Goliath Battle to Halt Hydro Dam", in The Citizen. (Ottawa: 21 May, 1991), p. A 4.

²⁸²Peggy Curran. "Listen To Our Sovereignty Demands: Natives", in The Gazette. (Montreal, 23 March, 1991), p. B 4.

would include an elected assembly, local courts and justice system.²⁸³ It is clear that the Native populations are striving for their own governments and do not want to be made part of another state without their consent. Former Chief Ovide Mercredi states that if Quebec chooses to separate than,

“The aboriginal people of Quebec should not be forced to be part of a new state that they have not consented to.” he said. “If Quebec natives decide to stay with Canada if Quebec secedes, aboriginal leaders would “force the federal government to ensure the aboriginal people remain part of Canada, he added.”²⁸⁴

The position of the Parti Québécois government regarding Native lands and the right of the Native populations to self-determination is very different from that of the Native leaders. As we have seen beforehand in the statements made by both PQ Premiers Bouchard and Parizeau who feel that the Native populations of Quebec do not have a right to either land or self governance, the position of the Quebec government is opposite to that of the Natives. The government has made it clear that nothing will change regarding the status of either the land in the North of the province or the citizenship of Natives after Quebec secedes from Canada. There are three issues that are considered to be the most important by the Quebec government regarding Natives and these are the integrity of Northern Quebec, safeguarding Hydro Quebec and ensuring that Quebec’s Native populations do not attempt to secede from Quebec after secession from Canada. We will regard each of these issues examining the stance of the Quebec government.

²⁸³Norman Delisle. “Quebec Inuit Vote For Own Constitution”, in The Citizen. (Ottawa, 20 April, 1991), p. A 8.

²⁸⁴Alexander Norris. “Most Indians Would Choose Canada if Quebec Splits: First Nations Leader: No Wish To Be Unwilling Subjects of New State”, in The Gazette. (Montreal: 11 August, 1991), p. A 5.

The Northern territory of the province of Quebec is the area of land that is most commonly referred to by both English Canadians and Natives as part of Quebec that will most certainly remain in Canada. There are many reasons given for this such as it is traditional Native lands and that much of the land was given to the province of Quebec by the federal government. Native Canadians who live in this area have already stated that they want to remain in Canada and that they want to take these lands with them. Many English Canadian scholars often point to Rupert's Land (as it was once known) as being the one part of Quebec that will remain Canadian. Yet, it is interesting to note that the Northern territory of Quebec is actually over 80 percent French-speaking and contains more French Canadian inhabitants than Natives.²⁸⁵ This fact is not well known and gives credence to the Quebec government's claims over this area of land.

The second but no less important issue for the Quebec government is the retention of ownership of the Northern territories where the James Bay Project and other Hydro Quebec electrical dams are in operation. The importance of Hydro Quebec in a sovereign nation of Quebec is not to be underestimated. Scott Reid explains,

English Canadians-and probably the Cree as well-are mostly unaware of the almost mythological status that hydroelectricity in general, and James Bay in particular, have in the Québécois national self-image. As far back as the pre-Duplessis era of the 1920s, hydro was the one area in which rural, semi-literate Quebec could pride itself on leading the world.²⁸⁶

The author goes on to further articulate the importance of this to Quebecers when he states, "Quebec will not part willingly with James Bay, and attempts to seize it will arouse the whole

²⁸⁵Scott Reid. *Opt Cit.* p. 134.

²⁸⁶*Ibid.* p. 134.

province.”²⁸⁷ The fact that most English Canadians do not realize the national importance and significance of James Bay to the French Canadian people is indeed a problem, as many feel that Northern Quebec would be the one area of Quebec that may have been ceded to Canada fairly peacefully. Assuming that Quebec actually did give up this part of the province, or at least the part with James Bay in it, how could Canada possibly afford to compensate Quebec for Hydro Quebec? As we have discussed in Chapter 12, Hydro Quebec is a very debt ridden corporation. As Scott Reid points out,

Canadian ownership of some large percentage of Hydro-Québec’s assets would necessitate the assumption by Canada of a large share of this debt, which is something that Canada can ill afford in its present economic circumstances. It would be far more sage to leave the burden of owning the James Bay project to the Québécois, even in the unlikely event that they express a willingness to part with it.²⁸⁸

Hydro-Quebec and the James Bay project are two aspects of the Quebec North that many English Canadians do not factor in their assessment of Quebec’s attachment to the North. The willingness of Quebec to part with these lands is not a realistic possibility and there needs to be a dialogue set up between Canada, Quebec and the Aboriginals on this very issue.

The third and probably most contentious issue that the Quebec government has taken a stance on is that of Native self-determination. The Quebec government argues that the Natives of Northern Quebec have no rights to claim land as they gave up such rights in the James Bay agreement of 1975 where they received 135 million dollars in return. “Under Section 8 of Bill (1) the separatists are willing to recognize ‘the right of the aboriginal nations to self-government,’ but

²⁸⁷Ibid. p. 135.

²⁸⁸Scott Reid. Opt Cit. p. 138.

not their right to self-determination.”²⁸⁹ As well, “The separatist hard line is laid down in Section 8 of the Bill which proclaims that the Indian rights ‘shall be exercised in a manner consistent with the territorial integrity of Quebec.’”²⁹⁰ It has been articulated by not only reports and government sponsored brochures, but also by the Quebec premiers that Natives do not have a right to self-determination. This serves as a potential for violence as the Natives and many English Canadians feel that the Natives do have this right as much as French Canadians do.

In order to avoid the conflict and potential outbreaks of violence and civil unrest, Scott Reid tells us that there are various things that can be done before the secession of Quebec occurs. He suggests that Canada should legislate a legal apparatus for mediation between the two sides, and that Canada should take an important role in arbitration. He states, “If Quebec refuses to discuss partition with regard to its native peoples, Canada must take the initiative and negotiate self-government treaties with the aboriginal nations of Quebec.”²⁹¹ Talks about the land and sovereignty of the Aboriginal populations of Quebec, in particular Northern Quebec, must be discussed in earnest before any attempt at secession as we have already seen the potential for Native violence when it comes to their rights being violated. As well the international community may have an interest in the affairs of the Natives as they too have rights to self-determination under United Nations agreements.

Federal Land and Federal Institutions

In almost all of the literature on Quebec secession that is written by English Canadians

²⁸⁹M. V. Naidu. Opt Cit. p. 243.

²⁹⁰Ibid. p. 243.

²⁹¹Scott Reid. Opt Cit. p. 145.

there is a large focus on federal land and institutions. Bercuson and Cooper, William Shaw, Lionel Albert, Scott Reid, Robert Young and Philip Resnick, M. V. Naidu count among the various academics that make mention of the importance of federal land in future negotiations. In any future negotiations with an independent Quebec, the federal government will most certainly be interested in discussing the future of various federal institutions and land that are situated in the territory of Quebec. At least that is the impression one gets when we see the literature coming from English Canada on this issue. Aside from the obvious financial costs involved with such properties and land, there are more difficult things to be decided. Although due to the constraints of space we cannot discuss every issue at hand, a few will be looked at in particular. These are land, national parks, St. Lawrence Seaway, Transport Canada, the National Capital Commission, the Canadian military and Atlantic Canada.

(a) Land

It is a certainty that any negotiations regarding secession will deal with the distribution of territory in Quebec. The federal government owns and lays claim to a great deal of land in the province and either its sale or possession will need to be decided before Quebec secedes from Canada. When Quebec joined Canada in 1867 the British North America Act dealt with the transfer of land to the federal level from the provinces. This is outlined in Section 108 of the Act and property is listed as Schedule III. Bercuson and Cooper argue that another list could be made regarding secession,

A similar enumeration of public property could be drawn up with comparative ease. The difference between then and now is that now Quebec is seceding from Canada, not joining it. Accordingly, Quebec has no claim on any federal property outside Quebec. Canada, has however, clear title to and claim on all improvements made to federal property inside

Quebec since Confederation.²⁹²

There are many issues that will have to be addressed regarding the land in Quebec. Many authors point to the fact that a lot of the territory of Quebec was granted to the province after 1867. This means that it is not considered to be part of Quebec's traditional lands but rather as a result of federal legislation. The upper two-thirds of Quebec which was called Rupert's Land, the area where the majority population are Natives, wasn't even part of Canada in 1867. It was given to Canada by Great Britain in 1870.²⁹³ Quebec ended up receiving this land in two parts, the first in 1898 and the other in 1912.²⁹⁴ This land is the one area that seems to be the most contentious area for most English Canadians. They feel that because this land was given to Quebec by Canada and that the Native populations live there, it should remain in Canada. The argument goes that, "It was in 1912 that Ottawa transferred the northern territory to the province of Quebec, and some constitutional experts argue there's no reason Quebec should be able to keep the land if it becomes an independent state."²⁹⁵

Another area of Quebec that the federal government and many Canadians may attempt to maintain is the areas of Quebec in the Gaspé. Shaw and Albert point out that this too was not part of traditional French lands,

Since the part of Quebec south of the St. Lawrence River was never acknowledged as part of New France before the Conquest, and since most of the part of the province is English

²⁹² David J. Bercuson and Barry Cooper. *Opt Cit.* p. 148.

²⁹³ William F. Shaw and Lionel Albert. *Opt Cit.* p. 23.

²⁹⁴ *Ibid.* p. 55.

²⁹⁵ Graeme Hamilton. "Separation Would Kill James Bay Treaty: Cree", in The Gazette. (Montreal: 11 March, 1991), p. A 4.

by early grants, and by treaties with Indian chiefs, and by the Treaty of Utrecht, of 1713, signed by France, as well as by priority of settlement, the Canadian negotiations would be in a much stronger position diplomatically and juridically than the separatist negotiators.²⁹⁶

This area is considered to be an important consideration for Canada as it could arrange a land corridor to run through this area to keep the Maritimes connected to the rest of Canada. As well a great number of federalists live in this region of the province.

One lawyer, David Varty, makes a good point when discussing these federal land grants that occurred after Confederation. He states that, 'These acts can be revoked at any time. All it takes is the will of the majority of the members of Parliament.'²⁹⁷ Lawyer Henri Brun argues three points in regards to this. He states that it is not possession of the land but rather the power to legislate over it that counts. The donation of Rupert's Land to Quebec is a false notion, arguing that Canada and federal government are not same thing. And his final argument is that as long as Natives who live there are treated right then it is hard for the federal government to object. Brun also argues that not only is all of the land in Quebec to remain intact after a separation from Canada, but that there may even be just cause for Quebec to claim more land. He states, '...there is no case for reducing the territories of an independent Quebec. Indeed, its territories may actually be extended, under the principles of international law, to include parts of Hudson Bay and the Gulf of St. Lawrence.'²⁹⁸ This could also lead to Quebec demanding Canada return Labrador to its territory. Any land that is taken away from Quebec by Canada will most

²⁹⁶William F. Shaw and Lionel Albert. Opt Cit. p. 25.

²⁹⁷David Varty. "A Separate Quebec Will Lose Northern Territories", in The Financial Post. (17 February, 1992), p. S 4.

²⁹⁸Henri Brun. "Quebec Will Remain Intact if it Chooses to Separate", in The Financial Post. (17 February, 1992), p. S 4.

(14) Quebec-1774-1927

1774: The Quebec Act

1791: Act constituting Upper and Lower Canada

1898: Federal acts on territory annexed to Quebec

1912: Federal and Quebec acts on enlargement of boundaries

*Province of Quebec

Disputed territory attributed to Newfoundland by decision of the Privy Council of London, 1927

1927: Decision of the Privy Council of London on the subject of Labrador

certainly increase the odds of Quebec demanding Labrador.

The stance of the Quebec government on the issue of land in the province of Quebec is quite clear. A report was commissioned by the government entitled “The territorial integrity of Quebec in the event of the attainment of sovereignty”, in which five international experts regard the borders of Quebec and other issues like federal property in Quebec. In this report it is stated that “The fundamental principles of the territorial integrity of States and the stability of frontiers would ensure that an independent Quebec would maintain its boundaries and that the present situation would not be called into question, at least not negatively, merely on the grounds that independence has occurred.”²⁹⁹ As well the Quebec government passed legislation Bill 1 for the separation of Quebec from Canada. In this Bill, Section 10 states that when Quebec declares independence, “Quebec shall retain its boundaries as they exist within the Canadian federation...”³⁰⁰ It also touches on the issue of land that is owned by Natives and “Under Section 8 of the Bill (1), Quebec is willing to ‘recognize’ the existence of ‘land over which they have full ownership...’ But this statement does not acknowledge or spell out how this ownership has come about.”³⁰¹ It appears as though the issue of land in Quebec will be a very contentious one. It has been shown through many English Canadians writings that they want to retain a large portion of the province that was granted after 1867. The Quebec government has been quite clear in its

²⁹⁹Thomas M. Franck, Rosalyn Higgins, Alain Pellet, Malcolm N. Shaw and Christian Tomuschat. The Territorial Integrity of Quebec in the Event of the Attainment of Sovereignty. (Québec, The Committee to examine matters relating to the accession of Québec to sovereignty, 1996), p. 16.

³⁰⁰M. V. Naidu. Opt Cit. p. 240.

³⁰¹Ibid. p. 241.

assertion that this land is staying in a sovereign Quebec. These issues could lead to major violence especially among the Natives and Quebec secessionists if left until after secession occurs. Talks must occur ahead of time to ensure a fair and reasonable settlement.

(b) National Parks

The National Parks system is a co-operative one that is run by both the federal government and the various provincial governments. There are numerous national parks in Canada and quite a number of these are situated in the province of Quebec. These include not only national parks but protected regions and marine areas. The three national parks in Quebec are; La Mauricie National Park which is 536 square km, Forillon National Park which is 240 square km and Mingan Archipelago National Park Reserve which is 151 square km.³⁰²

In addition to the various national parks and protected regions there are many national historic sites. These are sites within Canada that have been singled out for their contribution to Canadian history and heritage. There are over 750 of these such sites in Canada with 1 in 6 being managed by Parks Canada.³⁰³ There are twenty six sites in the province of Quebec that are administered by Parks Canada, including sixteen of these in the Montreal area alone. These sites include among them; the Lachine Canal, Grosse Île, Fortifications of Québec, and Pointe-au-Père Lighthouse.³⁰⁴ That is not including the various other national sites that are not administered by Parks Canada. In the report on territorial integrity commissioned by the PQ government the

³⁰²Canada. Parks Canada Canadian Heritage. National Parks System Plan. (Minister of Supply and Services Canada, Ottawa, 1995), p. 55,79,81

³⁰³Canada. Parks Canada Canadian Heritage. State of the Parks 1994 Report. (Minister of Supply and Services Canada, Ottawa, 1995), p. 49.

³⁰⁴Ibid. p. 51.

issue of federal lands and property is briefly mentioned. The report stated that according to the Vienna Convention of April 8, 1983 Article 15 (1) states; “immovable State property of the predecessor State situated in the territory to which the succession of the State relates shall pass to the successor State.”³⁰⁵ The report goes on to qualify this statement saying that this is merely custom and that this can be changed according to the will of the parties. If Quebec chooses to separate from Canada what happens to these sites? As a part of both Canadian and Quebec heritage, which is more entitled to them? Could arrangements be made to transfer the ownership and administration of these sites to Quebec government? These are important issues that must be discussed and decided ahead of time to avoid future conflicts.

(c) St. Lawrence Seaway System and Transport Canada

The St. Lawrence Seaway system is a very extensive water way system that stretches from the Atlantic Ocean to the Great Lakes of North America. The Seaway system which runs between Canada and the United States is 2,300 miles long and has over 65 ports.³⁰⁶ The Seaway is of great economic and military importance to both Canada and the U.S. and also to the province of Quebec. It can be guaranteed that any negotiations before or after secession will include discussion of the use and control of the Seaway. In any negotiations Canada will hold the upper hand as F. J. E. Jordan points out that,

In the first place, Canada would remain the upper and lower riparian state on the St. Lawrence system and consequently would be in a position to impede or prevent commercial or naval navigation by Quebec or its partners both to and from the ocean and

³⁰⁵Thomas M. Franck et al. Opt Cit. p. 22.

³⁰⁶ The St. Lawrence Seaway Authority and Saint Lawrence Seaway Development Corporation. The Great Lakes St. Lawrence Seaway System Handbook and Directory 1997. (Mediafine, Liverpool, U.K., 1997), p. 9.

between Montreal and the upper lakes.³⁰⁷

Aside from the issue of effective control over the Seaway, international law may also be applied. The Seaway is a jointly shared system with the United States government and they will most certainly get involved.

Another transportation issue facing a sovereign Quebec is the fact that there are a great number of airports in Quebec that are federally owned and or operated. In fact both Montreal airports, Mirabel and Dorval, are owned and or operated by Transport Canada. In fact there are 45 airports in Quebec that are either owned, operated or federally subsidized by Canada. There are over 34 that are owned outright by the federal government.³⁰⁸ This leads to another area of discussion that needs to be undertaken by the federal and provincial governments. Who will own these airports? If Quebec wants them shouldn't they give compensation to the federal government in return? These issues need to be addressed before secession. The Quebec government does not address these issues in Bill 1 or its report on territorial integrity.

(d) National Capital Commission

The National Capital Commission is a federally funded organization which concerns itself with maintaining and developing the National Capital Region. The region includes all areas in and around the Ottawa area as well as cities and regions on the Quebec side of the border. It includes the cities of Aylmer, Hull, Gatineau, Masson and Buckingham, and the regions of Cantley,

³⁰⁷F. J. E. Jordan. "Sharing the Seaway System", in R. M. Burns, Ed., One Country or Two? (McGill-Queen's University Press, Montreal and London, 1971), p. 113.

³⁰⁸Ron Hirshhorn. The Ownership and Organization of Transportation Infrastructure-Roads and Airports. Research Division Royal Commission on National Passenger Transportation. (Minister of Supply and Services Canada, Ottawa, 1992), p. 38.

Chelsea, Pontiac, l'Ange Gardien, La Pêche, Notre-Dame de la Salette et Val-des-Monts.³⁰⁹

There are also a great number of properties and parks that are under the ownership or are maintained by the National Capital Commission. These include the Champlain Bridge, MacDonald Cartier Bridge, Taché Boulevard in Hull, Leamy Lake Park, Brewery Creek Park and Gatineau Park.³¹⁰ The status of NCC lands and objects is not mentioned in Bill 1 of the Quebec government and the PQ's stance on this issue is not known. If Quebec secedes from Canada does the NCC lose its properties in Quebec? Is there any special status accorded to towns like Hull and Aylmer which are in Quebec but also considered part of the National Capital Region? Many of the properties that the NCC owns or operates are considered vital to both sides of the river like the bridges across the Ottawa River, would their operation be joint or separate? These questions are very vital to the people who live in Ottawa and the towns on the Quebec side.

(e) Canadian Military

The Canadian military in Quebec is one very potentially volatile issue. In the last referendum there were attempts at sedition by the leaders of PQ government. The military presence in Quebec is substantial. There are a number of Canadian armed forces bases in the province of Quebec; Base Bagotville in Alouette with 1349 personnel, Base Montreal in Richelieu with 2269 personnel and Base Valcartier in Courcellette with 5696 personnel. Of the 61,640 members of the armed forces of Canada, there are 16,583 from the province of Quebec, second

³⁰⁹National Capital Commission. National Capital Region. December 1996.

³¹⁰National Capital Commission. The National Capital Commission Annual Report 1995-1996. (National Capital Commission, Ottawa, 1996), p.47-48.

only to Ontario with 1000 more.³¹¹ There are also a great number of armories and weapons in Quebec, as well as aircraft and other equipment. Canada may be concerned about their use by Quebec in the case of conflict after secession.

Aside from the actual fears of military insurrection aside, there is also disagreement on the role of the Canadian military in Quebec if it secedes from Canada. Peter Maser explains,

Within Quebec, 33 per cent said the province should have its own army after independence, but almost twice as many -59 per cent-said there should be a shared military with Canada. Outside Quebec, opinions were almost totally reversed. While about one-third supported a common defence structure, two-thirds said an independent Quebec should have its own military.³¹²

This is an interesting development and is something that warrants discussion ahead of time. Both parts of the country have very differing views on the future of the military in Quebec and this needs to be addressed.

Finally in regards to the military in Quebec, many argue that if Quebec secedes from Canada that the Canadian military should be used to restore peace or ensure partition. Talk of military intervention in order to stop secession altogether is also another suggestion. This notion is echoed by Jack Aubry who states that, "The partition of Quebec and the use of the military to defend federal territory were discussed by the Trudeau cabinet only two months after the first separatist government was elected in 1976."³¹³ The people of Canada may want to have a say in

³¹¹Canadian Armed Forces. Canadian Forces Base Addresses Canadian Forces Stations. August 1997.p. 3,7,9,10,12.

³¹²Peter Maser. "Divorce, If It Must Come, Could Be Nasty Or Civilized-Poll Finds Potential For Both", in The Gazette. (Montreal, 7 June, 1991), p. A 8.

³¹³Jack Aubry. "Trudeau's Secret Quebec Plan: Classified Documents Show 1976 Cabinet Discussed Partition, Use Of Army", in The Citizen. (Ottawa, 16 June, 1997), p. A 1.

any threatened use of military force against Quebec.

The Quebec government in Bill 1 does not even discuss these important issues. It is an area that warrants discussion by the Quebec and Canadian government. Agreements may be made to have shared military force like Czechoslovakia did.

(f) Atlantic Canada

The area of Canada outside of Quebec that has the most to fear about Quebec secession is the Maritime provinces. The provinces of Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island would become completely cut off from the rest of the nation of Canada. They would have to travel through a foreign nation in order to get to the other side of Canada. They already feel alienated and ignored by Canada at the present time and this will only make things worse.

There are many speculations about what would happen to this part of Canada if Quebec were to separate with its current territory intact. Many fear that the Maritimes could be annexed by the United States of America. However, this speculation does not seem to be very realistic as not only do the Maritime provinces have no desire to leave Canada, but the United States have showed absolutely no interest in taking over this part of Canada. Another possibility is the creation of a Atlantic regional alliance or a federation of the four provinces into one nation. This is also another improbable scenario as the attempts to unify this part of Canada have been going on for a great number of years with very limited success. Another option is called the "East Pakistan" arrangement. This in effect means that the Maritimes would still be considered a part of Canada with the same political arrangements. Like East Pakistan or Alaska this area of Canada will be physically isolated from the rest of the nation. George Rawlyk argues that,

In an "East Pakistan" arrangement the Maritime provinces would have to be concerned with the creation of a safe and direct communications corridor through New England and New York to Ontario or else through Quebec. Such a route would have to be open throughout the year, but especially during the winter months. It would be expensive to operate and would underscore the isolation and vulnerability of the Maritime provinces.³¹⁴

The notion of the land corridor will be the one area in any negotiations that will be the most important to the Maritime provinces. Many have suggested bypassing Quebec altogether and establishing a route through the Northern United States. The American option sounds easy enough but it would not necessarily be the most reliable route.

In the First World War, everything for our Canadian troops fighting in Flanders had to go through Maritime ports. Until the middle of 1917, when the U.S. entered the war, there was only one route available, the Canadian National through Lévis. The Canadian Pacific line to Saint John, New Brunswick, via Vermont and Maine, could not be used because the U.S. was neutral and its laws forbid the carriage of foreign troops and military supplies.³¹⁵

That is why the American route is unrealistic, as it not only would be in a foreign territory and at the mercy of its whims and laws, but it may cost Canadians millions to maintain and operate.

Therefore it appears as if the only realistic option is that of a land corridor through the province of Quebec. This puts the separatists in a strategic advantage in relation to separation. Canadians are going to have to come up with reasonable concessions if we want Quebec to give up part of its territory peacefully. Many have suggested the land corridor should run through the bottom half of the province below the St. Lawrence River in the Gaspé. Brent Tyler explains, "One very effective way is to point out that the entire South Shore of the St. Lawrence River may arguably be shown to be, to the satisfaction of the international community, an area of territory

³¹⁴George Rawlyk. *Opt Cit.* p. 92.

³¹⁵Lionel Albert. "Grappling With New Geography: Canada Will Not Allow Itself To Be Cut In Two", in The Citizen. (Ottawa, 4 April, 1991), p. A 13.

necessary to satisfy Canada's sovereign interests, regardless of the vote in that area in a referendum."³¹⁶

In order to receive this land Canada may be asked to part with a section of the province of Newfoundland, in particular the region of Labrador. This area of Canada was a part of Quebec territory for many years (see map 14) and still holds Quebec's interest despite claims to the contrary. For years the Quebec government has been publishing items such as maps and provincial drivers licenses showing Labrador as part of Quebec.³¹⁷ The threat to annex Labrador is not a possibility according to Parizeau and other PQ leaders when he states that, "Since 1927, successive Quebec governments have de facto recognized the border with Labrador," he said, adding that if Quebec contends its borders cannot be changed without its agreement, it follows logically that the Labrador border could not be modified without the approval of Newfoundland."

³¹⁸ That is not to say that if Quebec's borders are altered than so can Labrador's.

Many others point out that Quebec may actually attempt to claim Labrador as part of the province. As Mary Janigan points out, "Most Quebec separatists, for one, maintain that an independent Quebec should lay claim to Labrador: they reject a 1927 British Privy Council decision which confirmed Newfoundland's ownership of territory traditionally claimed by

³¹⁶Brent D. Tyler. "Keeping Canada whole: Ottawa should tell Yes voters it would demand east-west land link", in The Gazette. (Montreal, 14 April, 1997), p. B 3.

³¹⁷William F. Shaw and Lionel Albert. Opt Cit. p. 138.

³¹⁸Patricia Poirier. "Can't Carve Up Quebec Nation: PQ Leader Says", in The Globe and Mail. (Toronto: 3 August, 1991), p. A 3.

Quebec.”³¹⁹ There could be problems for Canada and Newfoundland if after secession Quebec lays claim to this part of Canada.

And finally, in the case that is going before the Supreme Court of Canada at present which has been spearheaded by lawyer Guy Bertrand, an interesting point about the Maritime provinces has been articulated in the legal submission. He argues that Newfoundland, New Brunswick, and Ontario each have a right of veto against Quebec separating from Canada. He argues this is due to the fact that each of the provinces share a border with Quebec and “These interprovincial borders would become international borders. So if the Court concludes that the secession of Quebec may be accomplished under the (amending) formula, the intervenor submits that it would require the compulsory consent of Newfoundland, New Brunswick, and Ontario.”³²⁰ This and the other issues that have been articulated before are very important areas that need to be discussed and rationally worked out before or after secession in Canada occurs.

The position of the Quebec government on the issue of an Atlantic Canadian land corridor is another area that is not well articulated. According to Naidu, “...Bill 1, or the tripartite agreement of the Quebec leaders, do not concede the seriousness and do not even refer to the problem of possible territorial adjustment to provide corridors to Atlantic provinces.”³²¹ This is more than likely due to the fact that Quebec does not want to give concessions that impinge upon its sovereignty.

³¹⁹Mary Janigan. “The Roots of the Struggle: A Turbulent Past Haunts Quebec”, in Maclean's. (Toronto: 27 November, 1991), p. 26.

³²⁰Campbell Morrison. “A Stumbling Block to Secession: ‘N.B. Has The Power’”, in The Daily Gleaner. (Fredericton, 15 April, 1997), p. 1.

³²¹M. V. Naidu. *Opt Cit.* p. 244.

In relation to the Atlantic Canada question, many academics are quick to point out that this discussion may be in haste. Many English and French writers alike feel that Canada and Quebec will not be completely isolated from each other. They feel that there will be a customs union or a free trade zone. As such, the borders of Quebec may be very open and Atlantic Canada will have the same access to the rest of Canada as it does now.

Anglophones and Other Minority Groups

The area that is given the most attention in English Canadian writings on Quebec secession is that of the situation of anglophones and other minority groups Quebec. Anglophones or the English-speaking minority in the province of Quebec are another one of the targets of French Canadian anger and frustration. In the past the English minority held the bulk of economic and political power over the French majority. For many years the French were indeed second class citizens in a province where they constituted the majority. Many blamed and still continue to blame the English minority for all of these problems. Although the English were in part responsible, it was also many French Canadian institutions and leaders that were equally responsible for this situation. The Church told the French not to partake in economic matters and leave these to the English which they did. However, in the years following the Quiet Revolution Quebec society changed dramatically, especially in terms of the economy. The French-speaking citizens of the province now dominate the economy and many companies are Quebec owned. This was accomplished in part by using language legislation which helped to make French more dominant in business, thereby giving French-speakers an advantage over English-speakers. Despite all the gains that have been made, many Québécois still feel a great resentment towards the English. They feel that the English and other minority groups are thwarting the attempts at

sovereignty which a majority of French-speakers support.

The ethnic composition of the anglophone and ethnic minority is varied. Although there are over 700,000 English speakers in Quebec, the majority of the community is not Anglo-Saxon.

Reed Scowen explains,

But Anglo-Saxons make up less than 60 percent of the community, and this percentage is dropping steadily. Most of the 90,000 Jews in Quebec are English-speaking, and over 200,000 Quebecers whose origins are in Europe, Africa, and Asia (including 100,000 whose ethnic roots are in France!) use English as their principal language. Some of these have immigrated twice, first to the Caribbean or the United States, and then to Quebec. An increasing proportion of English-speakers do not have white skin.³²²

According to Mordecai Richler the province of Quebec is not only composed of ethnic French Canadians. He states that the population of Montreal in 1965 was 2,109,509 and, 'Far from being a uniform society this figure included 101,466 of Italian origin, 73,062 Jews, 377,625 from the British Isles, 26,347 Polish, 27,873 Germans and 11,849 Asians, not to mention 462,260 anglophones.'³²³

The Quebec secessionist movement has been shown to have some unpleasant elements within it particularly a distrust and even hate of ethnic Quebecers who do not support secession. There have been many inflammatory remarks made by very influential members of the separatist movement. Former Premier Parizeau, Premier Bouchard and Cabinet Minister Bernard Landry all made offensive remarks towards Quebec citizens during the 1995 referendum campaign. These types of comments have been said by a very influential businessmen and newspaper publisher who

³²²Reed Scowen. A Different Vision: The English in Quebec in the 1990s. (Maxwell Macmillan Canada, Inc., Don Mills, Ont., 1991), p. 61.

³²³Mordecai Richler. "A Clear and Present Danger", in Saturday Night. (February, 1996), p. 54.

according to Mordecai Richler,

In April 1990 Pierre Péladeau, bumptious publisher of the tabloid *Journal de Montréal* and something of a folk hero here, a regular on television talk shows, was accused by an interviewer from *L'actualité* magazine of rebuking his newspaper's staff when it ran articles praising Jews. He was quoted as saying, 'I have a lot respect for Jews, but they take up too much space. I want to help our people first, we need it more.'³²⁴

Another such example occurred after the defeat of the referendum while speaking to a pro-sovereignty crowd, Quebec Premier Jacques Parizeau stated, "It's true we have been defeated but, basically, by what? By money and the ethnic vote. That's it. Let's talk about us. Sixty per cent of us voted in favour. We want a country and we shall have it."³²⁵ These comments angered not only anti-racism groups and communities of ethnic minorities but also the entire English Canadian public who were disturbed to see this side of Quebec nationalism. "Parizeau won't be the Yes leader if there's another independence referendum but his comment about ethnics could be damaging to the sovereigntist cause in the long term. 'A lot of people feel the way he feels,' said Dan Philip, president of the Black Coalition of Quebec. 'He's supposed to help defuse this kind of talk but when, as premier, he promulgates this stuff, it legitimizes the view.'"³²⁶

The English and other minority groups in Quebec have many reasons to fear Quebec secession aside from the loss of Canada as their nation. Many fear repercussions for supporting federalism from the secessionists and many will leave the province upon secession. However,

³²⁴Mordecai Richler. Oh Canada! Oh Quebec! Requiem For A Divided Country. (Penguin Books, Toronto, 1992), p. 111.

³²⁵Anne McIlroy. Opt Cit. p. A 1.

³²⁶Donald McKenzie. "Parizeau's Blunder Reinforces View of PQ as Ethnocentric", in The Chronicle-Herald. (Halifax: 1 November, 1995), p. C 15.

many will be forced to remain due to economic circumstances and face life in a nation as the minority. As well have seen in Yugoslavia and Ireland, this does not tend to bode well for these groups.

Partition

Partition is another potential problem in any new referendum discussion or vote. The many authors that have written on this issue included William Shaw, Lionel Albert and Scott Reid, as well the Minister of Intergovernmental Affairs for the federal government, Stéphane Dion. Defined, "Partition can be said to have occurred when two or more new states are created out of what had previously been a single entity and when at least one of the new units claims a direct link with the prior state, as in the cases of Germany, India, Ireland and Palestine."³²⁷ After the last vote on sovereignty, many people in Canada and in Quebec began discussing the notion of partitioning up the province of Quebec if it voted to separate from Canada. Support for the legitimacy of this option seems to be growing especially in Canada outside of Quebec. A Southam News/Compas poll done during the election campaign of 1997 "...found that up to 78 per cent of Canadians outside of Quebec, but just less than half of Quebecers expect the province to lose land as part of the price of independence."³²⁸ And that, "Fully 92 per cent of Canadians living outside Quebec believe the province's northern Aboriginal Peoples have the right to stay with Canada in the event of a vote for independence, a view that, perhaps surprisingly, is shared

³²⁷Stanley Waterman. "Partition and Modern Nationalism", in Colin H. Williams and Eleonore Kofman. Eds. *Opt Cit.* p. 117.

³²⁸Giles Gherson. "Splitting up Quebec: Partition of Province Likely After Separation, Poll Shows", in The Citizen. (Ottawa, 15 May, 1997), p.1.

by three-quarters of Quebecers themselves.”³²⁹ This is interesting in light of the fact that the secessionist government of Quebec seems very much opposed to giving the Natives Northern Quebec.

The issue of the borders of Quebec is also troublesome. The decision to keep what it has now or whether it should return territory received after Confederation is something Quebecers need to consider. Most Quebecers seem to want to keep all of Quebec’s land, as “By an overwhelming majority-82 per cent-Quebecers said they should keep what they have. In the other provinces, however, opinion was evenly divided, with 45 per cent favoring Quebec’s current boundaries and 46 per cent saying it should give land back.”³³⁰ It is no surprise that almost half of Canadians support partition as many live on the border of Quebec in Ontario and New Brunswick. It is surprising that such a huge majority of Quebecers said they should keep their borders the same, yet also said that Natives and regions have the right to leave. This is obviously an issue that needs further talk and explanation to allay any confusion.

Partition would effect such places as Montreal, the Pontiac, the Laurentians and all of Northern Quebec where the Aboriginal peoples live. These are all areas in which the overwhelming majority of citizens rejected separation and who want to remain in Canada even if Quebec chooses to separate. They propose splitting the province up into enclaves so that parts of the province that want to remain in Canada would be able to do so. Of course, this type of discussion has angered many of the separatist leaders. Premier Lucien Bouchard stated in relation to the secession of Canada that, “Canada is divisible because Canada is not a real country. There

³²⁹Ibid. p. 1.

³³⁰Peter Maser. Opt Cit. p. A 8.

(15) *Quebec-Partition*

The Partition of Quebec

are two people, two nations, and two territories-and this one is ours.”³³¹ As mentioned earlier many secessionists dismiss or get angry at the suggestion that Quebec could be divisible as well. The reason why the mention of partition upsets separatists so much is that,

“Separatists are finally seeing how Canadians feel when they see that their country might be torn apart,” said Anthony Housefather, a city councillor and one of the organizers of the municipal-referendum initiative. “They can never envisage how Canadians feel when (separatists) talk about taking Quebec out of Canada. When you talk about tearing apart the territory of Quebec, they’re finally feeling emotionally what all of us feel.”³³²

The Quebec government’s response to these partitionist claims has been less than tolerant. In a Parti Québécois government-funded brochure entitled, Québec And Its Territory, that was released in the fall of 1997, the Minister for Intergovernmental Affairs makes it quite clear that this is the one area where there will be no negotiation. He states in regards to partition that,

Now, suddenly, a strange debate has erupted over carving up or dividing the territory of a sovereign Québec. Québec’s borders would no longer be based on geography but rather on ethnic or linguistic considerations. This is what the ‘partitionists’ are proposing. What first appeared a ludicrous idea, a sort of utopia of the desperate, has spread like wild fire, fed by misinformation and exaggeration.³³³

It also is pointed out that neither the anglophone population nor the aboriginal population will have any rights to sovereignty or territorial claims. The brochure cites a report by international experts however, in relation to the questions posed, they conclude,

If Quebec were to attain independence, the borders of a sovereign Quebec would be its present boundaries and would include the territories attributed to Quebec by the federal

³³¹Paul Wells. “Partition: When is a People a People?” in The Citizen. (Ottawa, 15 February, 1997), B 3.

³³²Hubert Bauch. “Widening the Great Divide”, in The Citizen. (Ottawa, 15 February, 1997), p. B 3.

³³³Québec. Québec And Its Territory. (Ministère du Conseil exécutif, Québec, 1997), p. 2.

government legislation of 1898 and 1912, unless otherwise agreed to by the provinces before independence, or as between the two States thereafter.³³⁴

This statement by the report does not seem to say anything as concrete as is claimed in the brochure. These types of claims against partition are contradicted by William D. O' Grady when he states,

The political units (the countries, states and provinces) that exist in the world today were not created in accordance with any moral principles and there is simply no ethical basis for the view that they are indivisible. The same holds true for Quebec. Not only were Quebec's boundaries determined in an essentially arbitrary way, it acquired the northern three-quarters of its territory only because of a series of unilateral decisions taken by the federal government without the consent of the people living in those regions.³³⁵

Also responding to Brassard's anti-partitionist brochure Canadian Intergovernmental Affairs Minister Stéphane Dion "said that Mr. Brassard's suggestion that partitionists are anti-democratic is inappropriate, particularly coming from someone who has warned in the past of using force to 'keep populations against their will' in a separate Quebec."³³⁶

There have been many moves undertaken in relation to partition in Quebec. There have been Canadian unity resolutions adopted in 36 Quebec towns since the 1995 referendum.³³⁷ These municipalities represent more than 370,000 people in Quebec who want to remain in

³³⁴Thomas M. Franck, Rosalyn Higgins, Alain Pellet, Malcolm N. Shaw and Christian Tomuschat. *Opt Cit.* p. 63.

³³⁵William D. O' Grady. The Quebec Problem: An Inquiry into the Ethics of Sovereignty and Secession. (Borealis Press, Ottawa, 1981), p. 35-36.

³³⁶Joan Bryden. "Quebec Attacks Partitionist Movement", in The Citizen. (Ottawa, 13 November, 1997), p. A 4.

³³⁷Ann Carroll. "Unity Activists on a Roll: Federalists to Pack Council Meeting on Election Night", in The Gazette. (Montreal, 1 June, 1997), p A 7.

Canada.³³⁸ Yet Minister Dion said that the Quebec government is right when it says municipal referendums on partition have no legal bearing, but said neither would a provincial referendum on separation. He stated that,

“A municipality may consult its population for what the municipality wants, as the government of Quebec may consult its population for anything.” Dion said. “In Canada, in our law, a referendum is a consultation-you cannot decide by a referendum, you consult people.”³³⁹

Moves such as the unity resolutions are relatively tame compared to other things that have been attempted or suggested by Quebec federalists. There was a thing called Option Canada which was the establishment of an 11th province of Canada. Its leader said it would “contain about 750,000 anglophones, 500,000 francophones, and 400,000 whose mother tongue is neither English nor French.”³⁴⁰ Obviously this movement did not get far, but that is not to say after secession it would not be attempted. Another example is that of the town of Shawville in Western Quebec wanted to separate from province and join Ontario. This debate occurred in 1980 after the first referendum on sovereignty.³⁴¹ In the early 1970s there was a poll after the passage of Bill 22, one of the first language laws in Quebec which showed that 95 per cent of the respondents wanted to get out of Quebec and join Ontario.³⁴² There has also been a great deal of support to

³³⁸Ibid. p. A 7.

³³⁹Sean Durkan. “Feds Say Quebec Partition as Legal as Separation”, in The Sun. (Ottawa, January 29, 1997), p. 4.

³⁴⁰Claude Arpin. “Option Canada Ripe For Big League”, in The Gazette. (Montréal, 29 April, 1991), p. A2.

³⁴¹The Globe and Mail. “Quebec Town Wants To Separate”, in The Globe and Mail. (Toronto, 24 January, 1981), p. A 11.

³⁴²Ibid., p. A 11.

be found among the many business owners and merchants in Quebec regarding the idea of partitioned English communities in Quebec. Many like the idea due to the various aspects of the French language law that they believe interferes with their businesses. However, the politicians in the Pontiac area disagree and in particular, Jean-Paul Servant of the PQ in Hull, states, "It's completely far-fetched," he says, "Quebec would be like a piece of Swiss cheese."³⁴³ There have even been suggestions as daring as the one that Montreal could become an independent city-state like Hong Kong or Monaco.³⁴⁴ Despite all these seemingly problematic solutions to secession, economist William Watson published a study which argues that electoral ridings who vote against sovereignty in referenda should be allowed to join other provinces or create new entities separate from Quebec. The reason for this is that, "The political life of post-independence Quebec would be much more peaceful if dissident regions were permitted to opt out of the secession."³⁴⁵

Scott Reid recommends having the act of partition occur before Quebec separates from Canada. This sounds like a radical notion but Reid gives a convincing argument to why this should occur. He states that, "The accession to sovereignty cements a country's hold on its territory-to partition it afterwards in the absence of its government's consent is both in law and in fact an act of war."³⁴⁶ The odds of this actually happening are rare but it is a very good point that should at least be considered and talked about by both sides of this debate. Much bloodshed can

³⁴³The Citizen. "Merchants Back Idea of English Enclaves in Sovereign Quebec", in the Citizen. (Ottawa, 30 March, 1991), p. A 5.

³⁴⁴Alison Uncles. "Montreal Could Go it Alone: City Has What it Takes to Become a City-State", in The Citizen. (Ottawa, 15 May, 1997), p. 1.

³⁴⁵Barry Came, E. Kaye Fulton and Brian Bergman. Opt Cit. p. 24.

³⁴⁶Scott Reid. Opt Cit. p. 20.

erupt over something as divisive as partition.

(14) Final Conclusions

Secession is a very complex moral and legal issue that seems to be unique in every case. In the beginning of this paper the morality of secession is outlined discussing the reasons why or why not secession should be allowed to occur. Each of the nations that we have examined can make valid arguments why their secession was justified, either morally or legally. But being able to morally justify the reasons or actions of secession does not make the act any less painful or dangerous. It is also hard to morally justify actions that lead to results like the type of bloodshed we have seen in Northern Ireland to the ethnic cleansing that occurred in Bosnia during the Yugoslavian conflict. It is difficult to argue that these secessionist movements did not have moral grounds to secede but that doesn't make the act any smoother. The results of the act of secession are what counts and more attention should be focused on what will happen if a nation secedes and not whether or not it should be allowed to do so.

In the countries that we chose as our case studies for comparison, Yugoslavia, Czechoslovakia, Ireland and the United States of America, we see through examining the roots of conflict that all of these nations had some type of ethnic unrest and historical conflict. Secessionist movements do not appear out of the blue, but rather they stem from long held grievances. Many of these grievances are completely legitimate and many groups that become secessionists have very strong moral foundations for their convictions. These historical conflicts are often based on cultural and ethnic differences and as we have seen with Yugoslavia and Ireland, and these ethnic differences play an instrumental role in secessionist movements. Secession is also generally attempted by secessionist movements after other attempts at concession and political arrangements fail, usually as a last resort. The results of secession seem

to be fairly negative in scope with the exception of Czechoslovakia. Although the various ethnic and nationalist groups may have achieved some form of political independence the price that is paid for this is very high, sometimes outweighing the benefits altogether. Most of the activity is internal and the moves towards secession are thwarted or accelerated by the people that it directly affects. Overall the act of secession in these four nations that have been studied can be seen as being fairly negative in terms of the results that occurred, namely a civil war in the United States, a civil war in Yugoslavia, and a civil war in Ireland. The end of these wars did not stop the violence as Ireland and Yugoslavia still are experiencing unrest to this day. Yet despite the fact that secession appears to be a dangerous and violent act, many nations want and demand the right to do so. Many peoples feel oppressed and want a nation of their own whatever the cost. However, the consequences should be understood by all the people who will be effected so that informed and consensual decisions can be made regarding the future of a nation.

After looking at the nations of Yugoslavia, Czechoslovakia, Ireland, the United States of America, we can see that secession is not an issue that is easy to settle. When we turn to our examination of Canada we see that the situation in this nation shares many similarities with Ireland and Yugoslavia. Like the nations in question, Quebec can claim to be morally justified in any attempts at secession from Canada. There is a long history of conflict in Canada between the English majority and the French minority. As well, many constitutional and historical events have only served to further alienate these two groups from one another. The cultural differences between the English and the French, particularly language, have helped to develop two separate national identities in Canada. In the French Canadian nationalism there has been a drive by some towards secession from Canada as the ultimate goal. There have been various attempts in Canada

to thwart these ambitions by trying to find constitutional arrangements that would serve to benefit French Canada. The Constitution Act 1982, the Meech Lake Accord, and the Charlottetown Accord have all been constitutional amendments which a majority of Canadian Premiers forwarded as the answer to the crisis in national unity. Yet these attempts have failed. Presently the provincial premiers have been attempting to pass the Calgary Declaration which may be made into a constitutional amendment package if it can even pass the provincial level. This Declaration is yet another attempt at solving the constitutional crisis in Canada and its contents and future are still quite unclear. The secessionist movement in Quebec has attempted to secede from Canada twice in the last fifteen years through the use of a referendum. These have failed albeit by small margins. These moves made by Canada and Quebec have not seemed to solve anything but rather have made things worse as each side views the other with mistrust.

Yet the various attempts at secession and federal constitutional arrangements are not the only answers to Canada's impasse. The Quebec government has attempted many times over to establish some type of new arrangement with the government of Canada. Since the late 1970s, successive Quebec governments, in particular Parti Québécois governments, have tried to avoid secession and wanted to make a new arrangement with Canada. The idea of a partnership between Canada and Quebec in which Quebec would have political sovereignty and share economic means with Canada has been suggested for years. Many Quebecers seem to favour a relationship with Canada and do not want to sever ties completely. This option has never been fully understood by the rest of Canada and the failure to recognize its compromise may be the demise of Canada.

Another suggestion that has been made more in recent years is that an entirely new arrangement of the federal system is needed. Many people feel that the current system of

federalism is outdated. We need to develop a new arrangement, a new contract, one that will satisfy both Canada and Quebec. Phillip Resnick gives some suggestions on how this can be achieved stating that it might be easier for everyone, French and English alike, to live apart rather than stay together. He gives an analogy of a married couple who wants to rearrange the living space that they share. He states that,

They may still be living in the same contiguous space and share common expenses (e.g. heat, light, mortgage payments, and taxes) as well as a common property line with the neighbour, but each partner will be out of the other's kitchen, living room, and bedroom. Each will have much greater autonomy than before.³⁴⁷

Although this option is not one most Canadians seem willing to accept, it may be the only way to keep Quebec from leaving Canada altogether. However, most Canadians seem to be prepared for Quebec to separate and for Canada to remain much the same as it is now just without it. Many Canadians seem very opposed to the notion of asymmetrical federalism or anything that makes the federal government less powerful. Resnick points out that,

They are not, however, amenable to a wholesale dilution of federal power, whatever popular sentiment in Quebec may argue. Indeed, rather than ceding this point, they would probably prefer a wholly different set of arrangements with Quebec, one that would preserve the type of federalism within English Canada that they have known.³⁴⁸

The future of Canada as the federal country it is presently may not be a realistic option. Unless there are radical changes in the structure and content of the federal system, Canada as we now know it will not exist. The threats of secession that are emanating from the province of Quebec are not idle ones. Unless huge gestures are made by English Canada towards the people of Quebec we can be assured that the province of Quebec will attempt to secede from the

³⁴⁷Phillip Resnick. Toward a Canada-Quebec Union. Opt Cit. p. 115.

³⁴⁸Ibid. p. 48.

country. How secession takes place and what results are matters that can be decided beforehand. Leaving such things unanswered leads to violence and bloodshed and it would be ignorant for the people of Canada not to think the same could occur here. Discussing these matters before they happen will lead to rational and calm decisions being made that are fair and reasonable to all the sides that are involved. Secession is not a simple act but rather it is the disintegration of a national unit into something new. This severity must be recognized and appreciated by both Quebecers and the rest of Canada before things ever get to the point where secession actually occurs.

The nation of Canada can learn from the experiences of Ireland and Yugoslavia in regards to secession. What happened in these countries is not something most Canadians want to see occurring here. But the potential for violence is there and Canadians must not be naive in thinking that turning a blind eye to this issue will make it go away. It will only serve to make it worse. People must be informed and realize that secession of Quebec from Canada is not only a definite possibility but that it also could be an ugly affair.

The calls for secession in Quebec and French Canadian nationalism have continued to grow and become stronger over the years. In part it has been due to the non-recognition and sometimes rejection that English Canada has shown Quebec. Many English Canadians do not understand Quebec, not realizing that the pride and patriotism that people feel for the country of Canada can be felt by French Quebecers for the province of Quebec, or the fact that is deemed by many to be superior to that of Canadian nationalism. English Canadians also fear this nationalism because they realize what a powerful force it is and how the future of Canada rests upon the growth or extinction of it. The need for both French and English Canadians to define themselves

is a dangerous road as it shows that we cannot be one nation and have differences. Canadians in this debate show many common characteristics that cross language barriers. We all question who we are, where we fit in, and if we are legitimate. We have exhibited tolerance, for trying for so long to resolve these debates peacefully, we have exhibited compassion, for trying to understand each side and the grievances we hold, and we showed that we in fact have an identity, one in which we aren't even sure if it exists. How many nations in the world can claim the same dilemma? Canada is unique in this fashion and that is an important part of our identity.

Nationalism, the failure to compromise and the use of labels like English and French Canada do not help to solve the problems facing Canada as a country. Instead they serve to further confuse, alienate and propagate conflict. Their unwavering emphasis on definitions based only on our differences serve to aid the sides with reasons to why we are incompatible and have no common future. Instead of pointing out the similar traits and goals all Canadians share, instead it is seen as never having the potential to be one cohesive unit where all members can contribute equally. Until all of these notions are recognized, the future of a united Canada is bleak.

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