

## CHAPTER I

### 1. Historical Background of the Separatist Movement in Quebec

One of the most important goals of any state is to preserve its own existence. Threats to existence may come from external factors, provoked by territorial, economical or power desires of other states, or divisions within its own society caused by cleavages in race, language, religion or class. You can tell that a state has been successful in dealing with these cleavages when no manifestations of unconformity are present. These manifestations can be presented as political violence or peaceful movements who pretend to drastically change the state's institutions or form of government. For most of its history, Canada has not suffered too much of political violence. But in the recent times, it has faced some challenges to its stability and peaceful existence.

The biggest gap in Canadian society comes from its linguistic and cultural differences. Canada has two official languages, English and French. The conflict between these two groups has caused a separatist movement to take place. Anglophones defended a highly centralist form of government, while Francophone saw this as a way to become "subject to the will of a Protestant, Anglophone majority."<sup>1</sup> This fear was enhanced after World War II and the migrations it brought. The Allophones, immigrants whose native language is different than English or French, decided to send their children to English speaking schools and integrate themselves into the English-speaking community. Francophones were already in an unsafe economic position in Montreal. The English

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<sup>1</sup> Kent R. Weaver (ed.), *The Collapse of Canada?* (Washington, D.C.: The Brookings Institution, 1992), p. 18-19.

community received capital and technology from Great Britain, while the French community had to base its economy on agriculture.<sup>2</sup>

Also, the French Catholic elite's opposition to capitalistic means of production and values caused the Francophones to always have an economic disadvantage. In the years when the Church had control, economic growth in Protestant countries was higher than in the Catholic ones by 152 per cent.<sup>3</sup> This difference continued in Catholic countries until secularization took place. Secularization brought the same results in Quebec in the 1950's and more specifically after the death of Maurice Duplessis. Duplessis was the Premier of Quebec from the Union Nationale party in power from 1936 to 1939 and from 1944 to 1959.<sup>4</sup> His period, known as "duplessisme" was a traditional, conservative one, usually rejecting modern values and ideas. For this reason, some analysts consider that with him, Quebec went through "les années noires" or a "Dark Age."<sup>5</sup>

## 1.1 The Quiet Revolution

With the victory of the Liberal Party Jean Lesage, Quebec ended its dark period and entered into one of modernization and economic growth. The provincial power took control of matters such as education, social services, and health care. With his slogan "it's time for a change," Lesage began the period known as the Quiet Revolution from 1960 to 1966. The term "Quiet Revolution" was first used by a Toronto journalist to

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<sup>2</sup> Ibid., p. 22.

<sup>3</sup> Ibid., p. 98.

<sup>4</sup> Claude Bélanger, *Maurice Duplessis (1890-1959)*, Marianopolis College, <http://www2.marianopoli...>

<sup>5</sup> Canadian Broadcasting Corporation, *The "Dark Age" of Quebec*, <http://archives.cbc.ca/IDC-...>

describe the process that was taking place.<sup>6</sup> The major change the Quiet Revolution brought was a rejection of past values, especially the three main components of the French Canadian thought: agriculturalism, anti-statism, and religiosity. Quebec's way of thinking became more secular, replacing its traditionalism with liberal attitudes. The Catholic Church lost its control over education, social, and health services.<sup>7</sup>

Church assistance decreased and it had a recruitment crisis; morals and customs also changed. Changes in the demography of the province associated with its old traditional rural way of life such as marriage, birth and fertility rates took place. The birthrate, which used to be higher in Quebec than in the rest of the country until 1950, decreased until becoming almost the same as that of Ontario in 1975. People were now more interested in economic, political and social factors than in religious matters. This was reflected on the decrease of the birthrates, because now, women were able to control birth through the pill and other contraceptive methods that were banned under the Church's rule.<sup>8</sup>

Before the Quiet Revolution, traditional nationalism was communitarian with the Catholic Church as its center. The Quiet Revolution marked an era of social change. French society demanded democratization of the political system and to create a social safety net for all with an equal access to educational, social, and economic services. Yet, nationalism in the province survived throughout this period of change and modernization. Demands for bilingualism, biculturalism, for the respect of the autonomy of Quebec and for equal status within the Confederation took place.

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<sup>6</sup> Claude Bélanger, *The Quiet Revolution*, Marianopolis College, <http://www2.marianopolis.ed...>

<sup>7</sup> Weaver, *The Collapse*, p. 35.

<sup>8</sup> Herbert F. Quinn, *The Union Nationale: A Study in Quebec Nationalism*, (Toronto: University of Toronto, 1963), p. 18-25.

The concept of French Canadian was replaced by that of the “Quebecois” or “Quebecer” who pledged to become “masters of their destiny,” (“maîtres chez-nous”).<sup>9</sup> The sentiment of rejection and exploitation from the English community as well as the fear to be assimilated that would cause the disappearance of their French culture is what gave rise to a strong nationalism feeling, which would later cause separatism in Quebec to emerge.<sup>10</sup>

### **1.1.1 Economic Outcome**

Many blame the Catholic Church’s control for the province’s economic, social, and political backwardness. After the secularization of the province and thanks to the Quiet Revolution, Quebec enjoyed an enormous economic progress. It was “the triumph of the city over the country.”<sup>11</sup> With this economic growth, the province had the technology, the capital and the knowledge required to emerge as one of the principal zones of the country. But to achieve this, all the sectors had to undergo a process of change and evolution that would take more than a decade.<sup>12</sup>

The differences in income between French and English speakers were reduced: English speakers earned 44.7 per cent more than French speakers in 1970 but that percentage dropped to 16.3 per cent in 1980. Large French-speaking enterprises grew as well as the workers employed by French-owned enterprises.<sup>13</sup> All these improvements brought by the Quiet Revolution, gave the “Quebecois” a feeling of self-confidence and

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<sup>9</sup> Unity, Diversity, Respect, *Get in Touch*, <http://www.uni.ca/history.html>

<sup>10</sup> Dominique Clift, *Quebec Nationalism in Crisis*, (Montreal: Mc-Gill-Queen’s University, 1980), p. 30-36.

<sup>11</sup> Robert Bothwell et. al., *Canada since 1945: Power, Politics, and Provincialism*, (Toronto: University of Toronto, 1981), p. 268.

<sup>12</sup> Quinn, *The Union Nationale*, p. 35-38.

<sup>13</sup> Weaver (ed.), *The Collapse*, p. 98.

this made those in favour of sovereignty to start considering the possibility of a non-costly independence.<sup>14</sup>

Many argued that there would not be deterioration during the transition period and that Quebec could even enjoy an economic improvement. According to this statement, 48.5 per cent of the 500 biggest enterprises in Quebec believed that the independence of Quebec would bring more positive than negative effects. One of the reasons of this optimism is the capitalistic point of view the Quiet Revolution brought to the province changing the way economics was run in the province.<sup>15</sup>

This new capitalistic environment improved international confidence in Quebec, bringing new investments since the economy in the province was considered to be solid enough. Actually, Quebec is the only province within Canada that enjoys a full pension plan, separated from the federal power as well as its own tax collection system. Quebec's Pension Plan is a public program, which provides workers of Quebec with economic protection in case of retirement, disability, or death. The difference between Quebec's Plan and the federal plan is that the Quebec workers who finance the Plan through their contributions. It's the Quebec Ministry of Revenue who collects and distributes these resources; instead of letting the federal government do this.<sup>16</sup>

These improvements made it possible for a French-speaking business class to emerge within Quebec after the Quiet Revolution. Doubtlessly, this Revolution brought many economic benefits that would make it possible for separatism during the 1960s to born. New state-owned corporations were added, such as Hydro-Quebec, The General Society of Financement, the Siderurgy of Quebec, and the Quebec Society of Mineral

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<sup>14</sup> Ibid., p. 99.

<sup>15</sup> Ibid., p. 102.

<sup>16</sup> Régie des Rentes Québec, *The Québec Pension Plan*, <http://www.rrq.gouv.qc.ca/an/rente/11.htm>

Exploitation. The main goal of the provincial government was to accelerate the industrial development in Quebec and to ensure the presence of French-speakers in the economy of Quebec. The most important step taken by the government was the nationalization of the Canadian hydroelectric industry, Hydro Quebec.<sup>17</sup>

Nationalization of the hydroelectric industry began in 1944 with the creation of Hydro Quebec under the government of Jean Lesage and with René Lévesque as the Minister of Natural Resources. The hydroelectric industry was in hands of private owners until 1962, when the provincial government acquired eight major private companies: Shawinigan Water and Power, St. Maurice Power, Quebec Power, Southern Canada Power Ltd., Gatineau Power, Northern Quebec Power, the Power Company of Low Saint Laurent, and the Electric Company of Saguenay, paying \$604 millions.

Nationalization of electricity in the province had important effects on the rest of the Quebec economy. It gave rise to a new generation of French-speaking managers in high-level positions promoting industrial development and economic growth in Quebec. With the creation of Hydro-Quebec, an important symbol of the provincial population and of Quebec's nationalistic elite was born. The government also nationalized a large number of other companies in various fields, such as forestry oil, mining, and natural gas, which gave Quebec total control of its economy, since French-speakers run them.

Before the Quiet Revolution, Quebec's main source of capital was foreign investment, mainly from the United States. This foreign investment was concentrated on natural resources, such as mining and forestry, and later returned to the country as

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<sup>17</sup> Craig Brown (comp.), *La historia ilustrada de Canadá*, (México: Fondo de Cultura Económica, 1994), p. 238-240.

manufactured products. With Duplessis's death, a new economic model was implemented in the province: statism, characterized by a strong State intervention.<sup>18</sup>

### **1.1.2 Political Outcome**

The election of Jean Lesage, in 1960, was the political event that started the Quiet Revolution. His supporters were intellectuals, academics, the bureaucracy, and members of the labourist party. In this period of modernization of Quebec, the institution that underwent the most profound change was the Roman Catholic Church. The State established a new educational system, highly centralized and secular. With the state's assistance, Quebec created many junior colleges and high schools where kids learned from the benefits of this modernization.<sup>19</sup>

Before the Quiet Revolution, nationalism in Quebec was centered on ideas of respect for the Catholic Church, communitarism, and anti-statism. But after the Quiet Revolution, the whole political ideology changed. After the Revolution, a quasi state was formed in Quebec. This new "state" had control over issues such as education, health, welfare, natural resources, housing, culture, energy, immigration, industry, and very importantly, taxes. Starting in the 1960's, Quebec formed its own bureaucracy, which received very high salaries. Its number of public servants started to grow. This was very convenient for the Quebec government since this new bureaucracy strongly supported nationalism.<sup>20</sup>

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<sup>18</sup> Ibid., p. 142.

<sup>19</sup> Quinn, *The Union Nationale*, p. 50-52.

<sup>20</sup> Ibid., p. 44-48.

Thanks to this new defence of the Quebec State, relations between the federal and the provincial government were tense. On many occasions, Lesage refused federal initiatives and implemented his own mainly because French Canadians now wanted to be recognized as equals in the Confederation. This last factor provoked many difficulties in federal-provincial relations during the years of the Quiet Revolution.

Under Lesage's regime, the government of Quebec was the government of French Canadians, who started referring to themselves as the Quebecois. This group considered Quebec as the fatherland of all French Canadians. Under the Lesage government, French Canadians did not accept centralization since it would mean a reduction of the amount of self-government that the community enjoyed and which would lead to a total domination of English speakers. Those who desired sovereignty for Quebec thought of the Canadian federal system as an oppressive government, which gave preferences to the English-speaking community.<sup>21</sup>

### **1.1.3 Political Parties' Influence after the Quiet Revolution**

After the Quiet Revolution, Quebec's main political parties have been the Liberals, the Parti Quebecois, and the Union Nationale. These parties have alternated the power of the province, though some minority parties have recently started to gain force within the province's voters.

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<sup>21</sup> Claude Bélanger, *Jean Lesage and the Quiet Revolution (1960-1966)*, <http://www2.marianopolis.edu/...>

### 1.1.3.1 The Liberal Party

The Quiet Revolution brought changes in the leading political party. Jean Lesage's victory in the federal elections of 1960 represented the most important Liberal's victory with his declaration that things had to change. Jean Lesage's liberal and modern program was based on industrial development, economic planning, more social services, and educational reforms. The Liberal Party of Quebec supports federalism, instead of the radical separatism suggested by the Parti Quebecois, as well as intervention of the federal government on economy. Liberals wanted to lead the country to a social welfare state.<sup>22</sup>

With Lesage as Premier of Quebec, the leader of the province during the Quiet Revolution was a man who knew how to run an efficient administration and who was good at business and politics, contrary to Duplessis, whom many considered as vulgar. Even the English press considered Lesage as a good politician, who would finally bring the modernization that Quebec needed.<sup>23</sup>

Lesage made people dream that Canadian unity would finally come thanks to the end of Quebec's traditional nationalism and the modernizing ideas, brought by the Liberal Party, which were more similar to the ones shared by the rest of the country. Most of Lesage's electoral support came from the English and French speaking middle class. Jean Lesage, as well as René Levesque, won votes thanks to their charismatic and leader personalities. Specially Levesque, who many times declared that policies could and should "be explained in a 30 min spot on TV."<sup>24</sup> Intellectuals began to get involved in politics, and getting the mass media's attention, using the television to give an image of strength and intellectual ability to attract the voter's attention.

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> René Levesque, *An Option for Quebec*, (Toronto: McClelland and Stewart. 1971), p. 32.

### **1.1.3.2 The Union Nationale**

Domination of the Union Nationale (Duplessis' Party) ended with victory of the Liberal Party in 1960. But all the changes brought by the Liberal's Quiet Revolution were too fast for the society to accept. Quebecers felt that the Lesage government tried to achieve too much too fast. This feeling brought as consequence the revival of the Union Nationale under Daniel Johnson who continued, in a slower way, with the Quiet Revolution. The Union Nationale is a party that supports French Canadian nationalism. It was especially strong from 1944 to 1960, in which it governed the province uninterruptedly under Maurice Duplessis, former leader of the provincial Conservative Party. The Union Nationale defeated the Liberals in 1966 with Daniel Johnson. It remained federalist, but with special emphasis on the importance of remaining Quebecois and claiming for greater provincial power.<sup>25</sup> Daniel Johnson remained in power for two more years, with his slogan "equality or independence".<sup>26</sup> In 1968, Jean Jacques Bertrand, also from the Union Nationale came to power, until 1970.

### **1.1.3.3 Parti Quebecois**

A minority in Montreal considered independence as a first step to social change. This made the Quebecois Party to emerge with a platform of secession from confederation. Rene Levesque founded the Parti Quebecois in 1968. This provincial party's main goal was to gain political and economic independence for Quebec, a doctrine that helped it become a strong opposition force in Quebec electoral system during the 1960's. The Parti

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<sup>25</sup> Wikipedia, *Union Nationale*, [http://en.wikipedia.org/wiki/Union\\_Nationale](http://en.wikipedia.org/wiki/Union_Nationale)

<sup>26</sup> Unity, Diversity, Respect, *Get in Touch*, <http://www.uni.ca/history.html>

Quebecois took control of the provincial assembly for the first time in 1976 with René Lévesque and his promise of a referendum on sovereign-association.<sup>27</sup>

The party's idea of this sovereign association is to combine political sovereignty with economic association with the rest of Canada. This would include a common market with mobility of goods, capital, people, and services as well as a monetary union. René Lévesque adopted the strategy known as "beau risqué", an idea stating that a political reconciliation with the rest of Canada is possible.<sup>28</sup> The Quebecois Party currently defends the idea of the Quebec government to participate and negotiate in international forums like a separate state but continuing the treaties and agreements already signed by Canada. The Party Quebecois defends Quebec's desire to become a member of international organizations. For this reason, a ministry of intergovernmental affairs was created to coordinate Quebec's relations with foreign governments.<sup>29</sup>

France has always supported the Party on the province's independence issue. This support was specially strong and public after Charles de Gaulle's declaration in Montreal in 1960. De Gaulle was on a state visit celebrating Canada's centennial year, and while in Montreal's City Hall, he shouted "Vive le Québec libre,"<sup>30</sup> slogan of the separatist groups. The current French president, Jacques Chirac has followed a softer policy, only declaring that France will support Quebec on any decision it takes.<sup>31</sup>

Most of the Parti Quebecois' legislation has been controversial, such as the passage of Bill 101 and the 1980 and 1995 referendums to achieve sovereignty for Quebec from

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<sup>27</sup> Lévesque, *An Option*, (Toronto: McClelland and Stewart, 1971), p. 18-25.

<sup>28</sup> Molly Alexander and Pierre Dostie, *Decline and Renewal of Quebec's Sovereignist Movement*, September/October 2003, <http://www.canadiandimension.mb.ca...> (accessed October 23, 2003).

<sup>29</sup> Philip Resnick, *Toward a Canada-Quebec Union*, (Montreal: Mc.Gill-Queen's University, 1991), p. 57-62.

<sup>30</sup> Canadian Broadcasting Corporation, *Vive le Québec Libre*, <http://archives.cbc.ca/400d.asp?id=...> (accessed November 1, 2003).

<sup>31</sup> *Ibid.*, p. 57-62.

the rest of Canada. The rejection of these two referendums led to a weakening of the party's force causing Lévesque to resign as party leader in 1985. The next party leaders Pierre-Marc Johnson and Jacques Parizeau have been unable to return the Parti Québécois to its earlier political strength.<sup>32</sup>

#### **1.1.3.4 Emerging Parties**

In 1944, the Liberal Party underwent a division and Mario Dumont and Jean Allaire founded the Democratic Action of Quebec. Even though this party supported independence for Quebec, it currently looks for a partnership with the rest of the country but without economic intervention from the federal powers. There are several more parties in Quebec since the 2002 elections, minority parties such as the Creditiste Party, the Equality Party, or the Independent Party have been gaining more support but they have never represented a strong opposition to the three main parties.<sup>33</sup>

#### **1.1.4 Social Outcome**

The French speaking society underwent a crucial change with the Quiet Revolution. The Catholic Church lost most of its influence and control over the society. Quebec changed from being a rural to an urban society. This was mainly because now, the government enjoyed full control on issues such as education, health care, and taxes. After being the most traditionalists and religious province of Canada, Quebec's Quiet Revolution brought new values and ideas to its population. Populations became aware of the need to defend their French culture from the English domination that had characterized their history.

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<sup>32</sup> John Mahoney, *A Sigh of Relief*, <http://www.tomifobia.com/wrapup.html>

<sup>33</sup> Mapleleafweb, *Political Parties and Leaders*, <http://www.mapleleafweb.com/education/sp...> (accessed November 1, 2003).

French Canadians have always felt certain rejection from the English society and that they have been treated as citizens of second class within their own country. With the new modern ideas, they became aware of their rights and began demanding respect for their French culture and language.<sup>34</sup>

Women, during the Church's control of the province, were relegated to being housewives. Having twelve to fifteen children was a common practice. This condition was known as the "revenge of the cradle," a term expressing a desire from the Church to make the French-speaking population a majority in the province. After the Revolution, birth rates began to decrease. Quebec, having the highest birth rate in Canada during the 1950's, moved to having the lowest in early 1970's.<sup>35</sup>

In early 70's women got the right of abortion and the family model was lowered to two children per family. Mothers started leaving their homes and enter the work force of Quebec. Women suffered a lot of discrimination in Quebec, mainly in the political sector. They obtained the right to vote in provincial elections in 1941, more than 20 years later than in the rest of the country.<sup>36</sup> It was until 1961 that women occupied important offices, like the provincial parliament. Marie-Claire Kirkland-Casgrain, from the Liberal Party, was the first woman to become a member of the Parliament of Quebec as well as the first woman cabinet minister; she was a minister for transport and communications, hunting and fishing, and minister for the cultural affairs. After this, women started obtaining more legal rights like Bill 16, which in 1964 gave married women legal capacity.<sup>37</sup>

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<sup>34</sup> Quinn, *The Union Nationale*, p. 15-32.

<sup>35</sup> Ibid. 15-32.

<sup>36</sup> *Women's Right to Vote*, <http://www.niagara.com/~merrwill/vote.html>

<sup>37</sup> National Library of Canada and National Archives of Canada, *First Women in Provincial and Territorial Legislatures*, <http://www.nlc-bnc.ca...>

#### 1.1.4.1 Educational Reforms

During the Church's control period, Quebec's scholar system was not integrated and it was specialized in agriculture. Enrolment in Quebec rose during the 1930's, but then declined by 11.6 per cent at the end of the decade.<sup>38</sup> The most important educational institution was the "classical college" open only to French Catholics. Classical colleges were independent from the government, receiving no funds from it. Their financial support came mainly from religious orders. In those colleges, students learned about theology, philosophy, farming techniques, but almost nothing about sciences. So classical colleges were just another mean to secure the Catholic Church's control over the society. Its main objective was to prepare high-class students for higher degrees of education. There were about 30 classical colleges in Quebec at the time of Confederation in 1867.<sup>39</sup>

But after the Quiet Revolution teachers began to be more qualified and started receiving new ideas from the outside. A majority of them went away, especially to the United States to receive new knowledge. Some then came back to Quebec, applying different educational techniques. Now, schools were committed to developing its students' personality and new, more useful subjects, such as sciences, were taught. Enrolment rates increased, transforming both French and English educational systems.<sup>40</sup>

In the early 1960s, trends in Quebec society such as high population growth, industrialization, and urbanization, made it necessary to create a high number of institutions to absorb the increasing number of students and to provide them with the technical training that the new modernizing times demanded. Colleges were built all over

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<sup>38</sup> Bothwell et al., *Canada since*, p. 105.

<sup>39</sup> *Ibid.*, p. 105-110.

<sup>40</sup> *Ibid.*, p. 105-110.

the province to satisfy this society's demand to obtain the modern knowledge that was now needed to overcome the new challenges.<sup>41</sup>

The Royal Commission of Inquiry on Education was created in 1961 and on its 1964 Report it recommended to reform the educational system. Because of this, the Ministry of Education was created. Regional school boards were established. A new level of education between secondary education and university was established. A bigger number of secular universities were created. In 1968, the first public university, the University of Quebec, was established followed by the Concordia University in 1974 where French culture was high-ranking.<sup>42</sup>

The Lesage government created the Ministry of Cultural Affairs to defend the French Canadian culture. This new ministry wanted to form strong links with other French speaking communities to assure the survival of the French culture. A large number of academic exchanges with France, especially within the Francophone, began to take place. The Francophone is the French-speaking Commonwealth. It prevents conflict within the francophone area and promotes cultural diversity as well as economic development.<sup>43</sup>

In fact, the Quebec government signed a cultural agreement with France in 1965 for students and professors exchange program. The ideas learned in these new universities and exchanges helped for the creation of the intellectual class of Quebec, who defended the survival of the French culture in the province. With the new freedom of expression

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<sup>41</sup> Ibid., p. 105-110.

<sup>42</sup> Education Quebec, *History*, <http://www.meq.gouv.qc.ca/rens/brochu/anglais...>

<sup>43</sup> Canadian International Development Agency, *What is La Francophonie?*, <http://www.acdi-cida.gc.ca/francophonie>

brought by the Quiet Revolution the French culture was developed and enhanced in Quebec through plays, books, music, paintings, and other means.<sup>44</sup>

## **1.2 Terrorism in Quebec**

### **1.2.1 The Face for the Liberation of Quebec**

All this political, economical, and ideological progress brought by the Quiet Revolution woke up a feeling of self-confidence in some Quebecers, making them believe that the province could survive as an independent state.<sup>45</sup> Quebec's nationalism has been a pacific movement through most of its history. But during the late 1960's and early 1970's, it lived a series of terrorist attacks from the Face for the Liberation of Quebec (FLQ). The FLQ is a clandestine movement founded in February of 1963 by militants of the Resistance Network (R.R.) who wanted the independence of Quebec.

Similar movements taking place in other countries, such as France, Belgium, Algeria, and Cuba, inspired the FLQ. Many of its followers were young people who, according to Gustave Morf's in *Terror in Quebec*, were revolting against the discrimination they have always suffered from the English. It was a way to say that they, and not the Church, could take their fate in their own hands and to free themselves from the stereotypes the rest of the country had about them. Pierre Vallieres and Charles Gagnon were the intellectual leaders of the FLQ.<sup>46</sup>

Vallieres, in his book *White Niggers of America*, describes Luis H. Lafontaine, Jacques Cartier and Wilfred Laurier, historical heroes of the country, as "traitors" and he states that the Canadian Pact of Confederation was never concluded by French Canadians

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<sup>44</sup> Bothwell, *Canada Since*, p. 107.

<sup>45</sup> Ibid., p. 110.

<sup>46</sup> Gustave Morf, *Terror in Quebec*, (Montreal: Clarke, Irwin and Company, 1970), p. 18-23.

and that they were never consulted.<sup>47</sup> Vallieres declared that the promises made by Jean Lesage and the Liberal Party were never accomplished and that these needs and desires for equality and respect are what gave birth to the separatist movement “among the most disadvantaged layers of the population,”<sup>48</sup> being this feeling of abuse from the Liberal and English elites the reason for their protests. Though, the Vallieres-Gagnon network had a short life. In 1966, they were captured by the police of New York in front of the building of the United Nations and taken to prison for almost four years. Vallieres wrote his famous book *White Niggers of America* while he was a prisoner at the Manhattan House of Detention for Men during the fall and winter of 1966. In 1971, he announced that he had left the FLQ, and renounced the use of terrorism.<sup>49</sup>

The FLQ acted for the first time during the campaign period for federal elections of 1963, on the night of March 7. Members of this group attacked three military barracks with incendiary bombs starting a series of terrorist acts that would mark Quebec’s nationalism with violence and fear. On April 20 a watchman, Wilfred O' Neil, was killed by a bomb put in a center of recruitment of the Canadian army, in Sherbrooke, Quebec, an act that ended with the arrest of 23 members of the FLQ. There were other violent confrontations, such as the one between the police and the revolutionists on August 29, 1964 that ended with the death of the clerk Alfred Pinish, who was accidentally shot by the police.<sup>50</sup>

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<sup>47</sup> Pierre Vallieres, *The White Niggers of America*, (New York: Monthly Review. 1971), p.48.

<sup>48</sup> Ibid., p. 52.

<sup>49</sup> Freedom to Read, *Bannings and Burnings in History*, [http://www.freedomtoread.ca/links\\_a...](http://www.freedomtoread.ca/links_a...)

<sup>50</sup> Claude Bélanger, *Chronology of the October Crisis, 1970, and It's Aftermath*, Marianopolis College, <http://www2.marianopolis.edu/quebechistory...>

### 1.2.2 The October Crisis

Protests continued through the 1960's and until the 1970's. The most decisive moment of this terrorism era was the October Crisis, which took place during the last months of 1970, while Robert Bourassa was the Premier of Quebec. On October 5 of that year, the British Trade Commissioner, James Cross, was kidnapped by the Liberation cell of the Face for the Liberation of Quebec, who presented a set of demands in order to set him free. Within the next days, notes from the FLQ were received by the radio station CKAC with death threats to Cross if the demands were not met. These demands were to end the police search, to rehire the Lapalme employees and to be able to safely leave the country. The FLQ demanded the re-hiring of more than 600 employees of a postal company who had been fired, according to them, unfairly. In an effort to slow the tensions, the FLQ manifesto was read on the French national radio network Radio Canada. On October 10, members of the Chénier cell also kidnapped the Minister of Labour and Manpower, Pierre Laporte.<sup>51</sup>

In a letter from the Liberation cell, the FLQ offered to free both Cross and Laporte if the government released the 23 political prisoners that were being held and if they were taken out of the country safely. On October 15, 1970 the Canadian army was sent to Quebec; letters were sent to the federal government by influent politicians like Robert Bourassa and Jacques Parizeau to ask the federal government to invoke emergency powers. Robert Demers, Treasurer for the Liberal Party of Quebec, was appointed to negotiate with Robert Lemieux, the representative of the FLQ.<sup>52</sup>

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<sup>51</sup> Claude Bélanger, *October*, Marianopolis College, <http://www2.marianopolis.edu/quebechis...>

<sup>52</sup> Bélanger, *Chronology*, <http://www2.marianopolis.edu/quebechistory/chronos/october.htm>

The federal government declared a state of war and, on October 16, the Parliament adopted the War Measures Act. Prime Minister Pierre Elliot Trudeau had declared a few days earlier that any decision about the demands of the FLQ would be taken together by the federal and the provincial governments. Under this Act, the Face was declared an unlawful group and members or supporters of it could be sentenced to spend a maximum of five years in jail.<sup>53</sup> By the end of the year, around 468 people were arrested, including labour leaders, intellectuals, and members of the Parti Quebecois. Later, 408 were released without charges being laid and only two were sentenced. Eventually Pierre Laporte was murdered, apparently on October 17, as a measure used by the FLQ to condemn the War Measures Act.<sup>54</sup>

Finally, on December 3, 1970 James Cross was freed after the police negotiated with the kidnappers, who in exchange, were exiled to Cuba. Troops were taken out of Quebec in January of the next year. In 1971, Bernard Lortie was sentenced to 20 years in jail and Paul Rose and Francis Simard were sentenced for life, all accused for the murder of Pierre Laporte. Paul Rose was exonerated on 1982.<sup>55</sup>

### **1.3 Constitutional Conflict**

Quebec has always considered that it is at a disadvantage compared to the rest of the Canadian provinces, which, with their English-speaking majority, have always undermined their rights. Troy Q. Riddell and F. L. Morton argue that:

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<sup>53</sup> Ibid.

<sup>54</sup> Bélanger, *Chronology*, <http://www2.marianopolis.edu/quebechistory...>

<sup>55</sup> Ibid.

*Governments and organized social interests compete with and among themselves for constitutional advantage and conflicts over the distinct society (1987) and Canada Clause (1992) are best understood as government attempts to regain constitutional power lost.*<sup>56</sup>

### **1.3.1 Patriation of the Constitution**

Canada became a self-governing dominion in 1867 after the Act of the Parliament, at Westminster, established the Canadian federation. The British North America Act (BNA Act) was passed by the British Parliament in 1867 uniting the colonies of Nova Scotia, New Brunswick, and Canada into one political entity. The former Upper and Lower Canada became Ontario and Quebec. The Act was drafted at the Quebec Conference of 1864. It also declared the Senate and House of Commons the important elements of the provincial constitutions. Canadian governments had to ask for permission to the British authorities to change Canada's Constitution, but the final decision was taken by the British government.<sup>57</sup>

In the early 1980's, feelings of independence arose and Canadians wanted their own independent Constitution, so they started pledging for its patriation. Patriation is a term used by Canadians to describe the process of bringing the Canadian Constitution under their independent control. In 1949, in an act to calm the Canadian independence feelings, the British government amended the Canadian Constitution to allow the federal Parliament to take control of some of its internal affairs.<sup>58</sup>

Canadians wanted the power to amend their own Constitution, since that function was in hands of the Parliament of the United Kingdom, the Canadian Parliament, and the

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<sup>56</sup> Bélanger, *Chronology*, <http://www2.marianopolis.edu/quebechistory...>

<sup>57</sup> Rod Macleod, *British North America Act. (Renamed the Constitution Act, 1867 in 1982)*, Constitutional Keywords, [http://www.law.ualberta.ca/ccskeywords/bna\\_act.html](http://www.law.ualberta.ca/ccskeywords/bna_act.html)

<sup>58</sup> Tom Bateman, *Patriation*, Constitutional Keywords, <http://www.law.ualberta.ca/ccskeywords/patriation.html>

provincial legislatures. Also, the Supreme Court of Canada would not have to appeal to the Judicial Committee of the Privy Council (JCPC) any more. From 1867 until 1949 the JCPC, a British institution, served as Canada's highest court of appeal. Until then, the Supreme Court of Canada was subordinated to it.<sup>59</sup>

In 1980, negotiations between the federal and the provincial governments for the patriation began, with an agenda that included issues such as the need of a Charter of Rights and Freedoms, to consider Quebec as a distinct society, a reform of the electing way of the Senate and the Supreme Court and to increase provincial authority over natural resources, communications, family law, an amending formula for the patriated Constitution and to increase the federal authority over economy.<sup>60</sup>

They could not reach a unanimous agreement so Prime Minister Trudeau sought a unilateral patriation, which could be achieved if both Houses of the Parliament requested the Parliament of the United Kingdom, through a Joint Address, to finish its jurisdiction over Canada's legislation and if the Queen authorized Canada to make its own changes to the Constitution. Most of the provinces, except for Ontario and New Brunswick, opposed this unilateral proposal.<sup>61</sup>

In a First Minister's Conference, the federal government sought the province's support. In November 1981, the provincial governments, except for the Quebec's Premier Rene Levesque, were called by Prime Minister Trudeau to a meeting known as the "Night of the Long Knives." In it, the federal government imposed the Constitution to

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<sup>59</sup> Ian Urquhart, *Judicial Committee of the Privy Council*, Constitutional Keywords, <http://www.law.ualberta.ca/ccskeywords>

<sup>60</sup> Peter H. Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign People?* (Toronto: University of Toronto, 1992), p. 58-63.

<sup>61</sup> *Ibid.*, p. 58-65.

Quebec. Prime Minister Pierre Trudeau and the rest of the Premiers agreed on the amending formula and a notwithstanding clause.<sup>62</sup>

The notwithstanding clause allows the Parliament or a provincial legislature to stop a law from acting for a maximum of 5 years. If after these five years the objection stops, the law may proceed.<sup>63</sup> The patriation of the Constitution formally took place on April 17, 1982, document that became known as the Constitution Act of 1982. Quebec province refused to sign the Act because its government considered that it did not respect the 1980 commitment made by the federal government to recognize Quebec as a distinct society. Gil Rémillard described the Constitution Act of 1982 as an incomplete, unfinished, and fundamentally unacceptable document.<sup>64</sup> He was a member of the National Assembly (1985 – 1994), Minister of International Relations, Public Security, Justice, Attorney General and Minister Responsible for Canadian Intergovernmental Affairs, as well as chairman of the Legislative Committee of the Government of Quebec.<sup>65</sup>

### **1.3.2 The Meech Lake Accord**

Quebec wanted to obtain the right to veto and for these reason, the Quebec government suggested a package of proposals that would make them feel integrated and respected by the rest of the country, known as “The Meech Lake Accord” of 1987. On April 30, 1987 Prime Minister Brian Mulroney and the ten Premiers agreed to reform the Canadian Constitution, proposing a new amending formula, different from the 1982 and the

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<sup>62</sup> Ibid., p. 58-65.

<sup>63</sup> Tsvi Kahana, *Nothwithstanding Clause*, <http://www.law.ualberta.ca/ccskeywords/notwithstandi...>

<sup>64</sup> Michael D. Behiels (ed.), *The Meech Lake Premier*, (Ottawa: University of Ottawa, 1989), p. 29.

<sup>65</sup> Gil Rémillard *Chairman and Founder, La Conférence de Montréal Canada*, <http://www1.oecd.org/F...>

Victoria formula. The Victoria Formula needed the acceptance of Ottawa and a majority of the provinces, including Ontario, Quebec, at least two of the Atlantic Provinces, and at least two of the Western provinces. The 1982 formula defended provincial equality since no province had the power to veto changes in the Constitution.<sup>66</sup>

Also, for the 1982 amending formula to work, some issues, such as any major change to the Senate and the House of Commons, issues related to languages and accepting or creating new countries to the federation, required unanimous agreement of the federal and provincial governments. Quebec proposed the seven-fifty formula in The Meech Lake Accord. This formula required the approval of the federal government plus seven provinces, representing fifty percent of the country's total population.<sup>67</sup>

The Meech Lake Accord included five conditions that had to be met in order for Quebec to support the Constitution Act of 1982.<sup>68</sup> These conditions were:

First, to recognize Quebec as a distinct society. This was the first time that the term would be accepted in the Canadian Constitution. It would allow the Quebec government to protect the elements that make it a distinct society, specially the French language. With this, the linguistic duality of the country would be finally accepted and gave Quebec the power to rule over linguistic matters.<sup>69</sup>

Second, increased power on immigration issues. This way, the provincial power would be able to select and control the number and type of immigrants the province would accept, according to its own needs. With this power, Quebec will receive a number

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<sup>66</sup> Canadian Broadcasting Corporation. *The Victoria Formula*, <http://archives.cbc.ca/400d.asp?id=...>

<sup>67</sup> Tom Bateman, *Amending Formula*, [http://www.law.ualberta.ca/ccskeywords/amending\\_for...](http://www.law.ualberta.ca/ccskeywords/amending_for...)

<sup>68</sup> For detailed information about the Meech Lake Accord see Appendix 2 *The Meech Lake Accord* available at <http://www.solon.org/Constitutions/Canada/English/Proposals/MeechLake.html>

<sup>69</sup> Gordon Robertson, *A House Divided: Meech Lake, Senate Reform, and a Canadian Union*, (Halifax, N.S.: Institute for Research on Foreign Policy, 1989), p. 38-50.

of immigrants, between twenty five and thirty percent, out of the total amount of immigrants that the whole country receives.<sup>70</sup>

Third, to limit the federal government's spending power. The acceptance of Quebec's distinct society character also implied that its government has the right to implement its own plans, according to the province's own needs. By limiting the spending power of the federal government, Quebec would be able to refuse federal programs without being penalized by it and to drop out of those programs that did not meet its needs or interests.<sup>71</sup>

Fourth, right to veto. If the province regained its right to veto for amending the Constitution, lost in the Constitution Act of 1982, Quebec's consent would be necessary in order to accept or create new territories to the federation, change elements of the federal structure, such as the Senate, the Supreme Court, the House of Commons and the right to opt out, with refinance compensation, of federal programs.<sup>72</sup>

Fifth, to participate in the appointment of Judges of the Supreme Court of Canada. Through this principle, Quebec wanted to guarantee that the province's needs and rights would be represented and defended in the Supreme Court's decisions. The judges would be elected from a list of candidates proposed by the provincial governments, including Quebec.<sup>73</sup>

The province saw The Meech Lake Accord as its last chance to defend itself from what Stefan Dupré called a "symbolic monstrosity"<sup>74</sup> referring to the Constitution Act of 1982, since it was imposed without Quebec's approval, reducing its power and leaving

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<sup>70</sup> Ibid., p. 38-50.

<sup>71</sup> Ibid., p. 38-50.

<sup>72</sup> Ibid., p. 38-50.

<sup>73</sup> Ibid., p. 38-50.

<sup>74</sup> Stephan Dupré quoted in Ibid., p. 52.

Quebec out of the country's political life. Although the Meech Lake Accord had been signed, it still needed to be passed by the federal and all provincial governments by June of 1990, according to a three year limit that Quebec demanded for all the provinces to ratify the agreement.<sup>75</sup>

Before the deadline, negotiations took place to try to convince its opponents of ratifying it, such as the promise of an amendment for the implementation of a "Triple E Senate." The three E's stand for the proposal of an elected, equal, and effective Senate.<sup>76</sup> This type of Senate would control the power of the House of Commons, and therefore, of the government, and to improve the provincial representation. But during these three years, new governments were elected in Manitoba, Newfoundland, and New Brunswick, all of them opposing to this ratification. Newfoundland cancelled its ratification and Manitoba was still discussing the Meech Lake Accord after the time limit. People, such as Elijah Harper, felt that the Accord had only consulted the leaders, not respecting the public opinion or the minorities, so the Accord was defeated in 1990.<sup>77</sup>

After the failure of The Meech Lake Accord in 1990, debates kept taking place about what the future of Quebec within the Confederation should be. In Quebec, Robert Bourassa stated that Quebec had the right to decide about its own issues and future. Robert Bourassa was Quebec's Liberal Premier from 1970-1976 and 1986-1994. He supported Federalism, as well as the Meech Lake Accord.<sup>78</sup> Bourassa created the Allaire Committee, headed by Jean Allaire, which presented the Allaire Report with proposals to reform the Constitution. During the Liberal Party Convention in 1991, the Allaire Report

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<sup>75</sup> Ibid., p. 55.

<sup>76</sup> Wikipedia, *Canadian Senate*, [http://en.wikipedia.org/wiki/Canadian\\_Senate#Senate\\_reform\\_an...](http://en.wikipedia.org/wiki/Canadian_Senate#Senate_reform_an...)

<sup>77</sup> Indian and Northern Affairs Canada, *Elijah Harper-Politician*, [http://www.ainc-inac.gc.ca/ks/3111\\_e.html](http://www.ainc-inac.gc.ca/ks/3111_e.html)

<sup>78</sup> Wikipedia, *Robert Bourassa*, [http://en.wikipedia.org/wiki/Robert\\_Bourassa](http://en.wikipedia.org/wiki/Robert_Bourassa)).

proposed that the National Parliament should reduce its jurisdiction to issues of defence, currency, public debt, and tariffs.<sup>79</sup>

Both provincial and the federal governments would decide aboriginals, foreign policy, communications, postal services, and fisheries jointly. In the institutional area, the Report proposed to eliminate the Senate and to replace the Supreme Court of Canada with a community tribunal. It also defended economic integration. Even though the Party accepted the Report, Premier Bourassa didn't support its proposals. Jean Allaire left the Liberal party in 1992 and formed the Democratic Action of Quebec Party.<sup>80</sup>

### **1.3.3 The Charlottetown Accord**

Brian Mulroney was elected Prime Minister and negotiated the Free Trade Agreement with the United States and in 1992, signed the NAFTA. He resigned in 1993, when the country was going through a recession.<sup>81</sup> Prime Minister Brian Mulroney, the provincial and territorial governments, and some Native groups such as the Inuit's and the Metis tried once more to achieve a constitutional reform and got together to create a new Accord. Joe Clark was named First Minister of Constitutional Affairs to direct the negotiations between the federal government and the provinces. Mulroney was the Prime Minister of the Progressive Conservative Party from 1984 to 1993.<sup>82</sup>

Since one of the strongest critics to the Meech Lake Accord had been that it had been done without consulting the citizens, Clark called the society to participate in the reform through written letters. Also, a special committee of the House of Commons and

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<sup>79</sup> Gerald Gall, *The Charlottetown Accord*, <http://www.law.ualberta.ca/ccskeywords/charlottetown.html>

<sup>80</sup> Mapleleafweb, *Political Parties*, <http://www.mapleleafweb.com/education/spotlight/i...>

<sup>81</sup> Susan Munroe, *Prime Minister Brian Mulroney*, <http://canadaonline.about.com/cs/primeminister...>

<sup>82</sup> Ibid.

the Senate heard public suggestions and opinions. From the results of these negotiations and public participation, the Charlottetown Accord was signed on August 28, 1992.<sup>83</sup>

### **1.3.3.1 Political Reform Proposals**

The Accord dealt with the division of legislative powers, leaving for provincial jurisdiction forestry, mining, and some other areas like culture. The Accord also proposed institutional changes. For example, the Supreme Court's composition and appointment process would be established in the Constitution. The Senate would be changed into a Triple-E Senate. Each province would have an equal number of senators, elected by the legislature of each province so they would all have equal representation. The Accord reduced the powers of the Senate and, in some cases, required a double majority, the majority of all the senators and of the Francophone senators. For the House of Commons, changes would include increasing the number of seats. But even with this increased number, no province could have more seats than another province with a smaller population and Quebec must always occupy more than one quarter of all the seats in the House.<sup>84</sup>

### **1.3.3.2 Social Reforms Proposals**

One of the main objectives of the Accord was to create a social union in which all the citizens of all the provinces could enjoy the same rights, by providing them all with health care, welfare, education, and environmental protection. The Accord included a right to aboriginal self-government, promising them equality. The agreement would be a

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<sup>83</sup> Gall, *The Charlottetown*, <http://www.law.ualberta.ca/ccskeywords/charlottetown.html>.

<sup>84</sup> H.H. Herstein et al, *Challenge and Survival: The History of Canada*. (Scarborough: Prentice Hall, 1970), p. 143

partnership with Canada. This aboriginal self-government meant that Aboriginals could rule and decide about their lands and its members. But before this term could be legally recognized, three years had to pass by.<sup>85</sup> It also recognized that Aboriginals have the right to be represented in the Parliament of Canada.

An important issue of the Charlottetown Accord was the Canada Clause. This Clause defines a series of values that define the Canadian character. One of those values was the recognition of Quebec as a distinct society within Canada, with its own language, ideas, culture, etc. Other values that define what is “Canadian” included equality and cultural diversity.<sup>86</sup>

### **1.3.3.3 Economical Reforms Proposals**

Economically, the Charlottetown Accord supported an internal free trade among the provinces with no barriers to the flow of goods, services, labour, and capital in an economic union.<sup>87</sup> Even though this union was unsuccessful, in 1994, the federal government and the provinces signed the Agreement on Internal Trade (AIT) to improve economic mobility within the provinces. The AIT came into force in 1995 and was based on the benefits resulting from inter-provincial economic activity. The AIT focused on eliminating discriminating treatment to factors of production from different provinces. This would be done through intergovernmental negotiations and integration.<sup>88</sup>

It included a dispute settlement system to deal with violations to its rules, applying only to trade barriers that took place after 1995. The Charlottetown Accord also

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<sup>85</sup> Gall, *The Charlottetown*, <http://www.law.ualberta.ca/ccskeywords/charlottetown.html>.

<sup>86</sup> Ibid.

<sup>87</sup> Russell, *Constitutional Odyssey*, p. 65-67.

<sup>88</sup> Internal Trade Secretariat, *Overview of the Agreement on Internal Trade*, <http://www.intrasec.mb.ca/eng/overview.htm>

intended to limit the federal spending power. The provinces, especially Quebec, pledged for more financial autonomy. Since the Parliament has a bigger taxation power than the provinces, it has also enjoyed more resources that were used by the federal government to finance programs such as Medicare, social services, and education, obligating the provinces to follow its rules and respect its conditions.

#### **1.3.3.4 Deciding On the Charlottetown Accord**

But still, for the Charlottetown Accord to be ratified, a national referendum was necessary. Two Referendums were held, one in Quebec with its own legislation, and another one in the rest of the country, both taking place on October 26, 1992. The question was “Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?”<sup>89</sup>

As a result of this Referendum, fifty-four percent of the national votes were against the ratification of the Charlottetown Accord. However, it was approved, in New Brunswick, Newfoundland, Prince Edward Island, the Northwest Territories, and Ontario. In Quebec, 56.6 percent of the population voted “No”, 43.3 percent voted “Yes”, with 82.7 per cent of the total population of the province voting. The province that rejected the proposal with the highest percent was British Columbia, with 68.3 percent of its population against the Referendum and 31.7 percent supporting it. In total, 54.3 percent of Canadians rejected the Accord and 45.7 percent supported it. National participation

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<sup>89</sup> Department of Justice Canada, *Proclamation Directing a Referendum Relating to the Constitution of Canada*, <http://laws.justice.gc.ca/en/R-4.7/SI...>

was of 71.8 percent. This included a majority of Quebecers and Aboriginals living in reservations.<sup>90</sup>

A majority of Quebecers voted against the Accord because they believed that the "distinct society" clause was meaningless and because the powers that Quebec would obtain from it were not enough to satisfy their demands. The rest of the country rejected it for different reasons. Some considered that their individual rights, protected by the Charter, were endangered by the Accord. A very controversial and opposed point was the fact that Quebec could obtain one quarter of the House of Commons seats.<sup>91</sup>

On the other hand, most of the chiefs in the Assembly of First Nations considered that the Accord did not do enough to recognize their right to govern themselves, although non-status Metis and Inuit's did support it; but in contrast many Canadians felt that it was going too far and that it was endangering the country's unity since the "distinct society" term was too divisive. Feeling that their petitions were not accomplished or respected by the federal government made the Canadians reject this new attempt of giving Quebec a special treatment.<sup>92</sup>

#### **1.4 The Referendums**

Referendums have been an important political tool used by the federal government to legitimize its decisions about Quebec's possible independence and to know how the Canadian population feels towards this possibility. A Referendum is an election in which

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<sup>90</sup> The Center for Research and Information on Canada, *Charlottetown Referendum*, [http://www.cric.ca/en\\_html/guide...](http://www.cric.ca/en_html/guide...)

<sup>91</sup> Ibid.

<sup>92</sup> Phill C. and Hussein B., *The Charlottetown Accord*, <http://members.tripod.com/~pc9899/cc/charlo...>

voters are voting not to elect a person but they vote as a whole on an issue by answering a question made by the government.

#### **1.4.1 The First Referendum of 1980**

The Charlottetown Accord Referendum was not the first time Canadians had the opportunity to vote on deciding if Quebec should separate to form its own independent country. In 1980, the Government of Quebec, with the Parti Quebecois Premier Rene Levesque, wanted to negotiate a new agreement with the rest of Canada that would give Quebec its sovereignty. If the Referendum was to be approved, the federal government would accept some decentralization and formally recognize the special status of Quebec in the constitution. The question asked by the federal government of Pierre Trudeau in the 1980 Referendum was:

The Government of Quebec has made public its proposal to negotiate a new agreement with the rest of Canada, based on the equality of nations; this agreement would enable Quebec to acquire the exclusive power to make its laws, levy its taxes and establish relations abroad - in other words, sovereignty and at the same time to maintain with Canada an economic association including a common currency; no change in political status resulting from these negotiations will be effected without approval by the people through another referendum; on these terms, do you give the Government of Quebec the mandate to negotiate the proposed agreement between Quebec and Canada?<sup>93</sup>

The process took place on May 20 of the same year, obtaining the following results: of the total Canadian population, 59.56 percent voted against and 40.44 percent in favour Quebec's independence with a participation rate of 85.60 percent.<sup>94</sup> These results were

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<sup>93</sup> Political Database of the Americas, *1980- Quebec Sovereignty-Association*, <http://www.georgetown.edu/pdba/Elecdata/Canada/Canad...>

<sup>94</sup> The Center for Research and Information on Canada, *Quebec 1980: The First Referendum*, [http://www.cric.ca/en\\_html/guide/referendum/refe...](http://www.cric.ca/en_html/guide/referendum/refe...)

Levesque's worst political defeat since his main goal had always been to obtain Quebec's independence. Levesque sadly accepted the voter's decision as his statement about the defeat of the Referendum shows: "The people of Quebec have voted clearly to give the federalists another chance" even though he described the federalist's actions as "scandalously immoral."<sup>95</sup> Lévesque considered that if it was the people's decision to maintain Quebec united with the rest of Canada, his duty from now would be to bring reforms to the Canadian federalism, softening the position of the Parti Québécois, a period known as "the beautiful risqué."

#### **1.4.2 The Second Referendum of 1995.**

In 1994 the Parti Québécois was in power in Quebec with Premier Jacques Parizeau. Parizeau had always desired of Quebec's sovereignty so in June of 1995, his government accepted a new proposal to obtain Quebec's independence. The date for the new Referendum would be October 30, 1995. The question asked in the Referendum this time was different. The Parti Québécois was asking if Quebecers wanted to change their relationship with the rest of the country. The issue was not if Quebec should separate from Canada, but the government of the province wanted to negotiate a different political relationship between Quebec and the rest of Canada. If the provincial and federal government were unable to reach an agreement after one year, then it would be able to declare its independence. Specifically, the Parti Québécois' question for the Referendum was:

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<sup>95</sup> The Center for Research and Information on Canada, *Quebec 1980*, [http://www.cric.ca/en\\_html/guide/referendum...](http://www.cric.ca/en_html/guide/referendum...)

*Do you agree that Quebec 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 Quebec and of the agreement signed on June 12, 1995.*<sup>96</sup>

At the beginning of the campaign and according to early polls, it seemed that separatists were destined to lose the Referendum. The "No" campaigners argued that independence would result in economic harm for the province, with hundreds of thousands of jobs lost, as well as higher government deficits and spending cuts since Quebec would now have to compete with other nations that would harm the society. One of their strongest arguments was calling for national unity and exhorted citizens to not divide Canada. They organized public activities such as the Montreal Rally on October 27 only four days before the Referendum took place.<sup>97</sup>

At this rally, citizens from all over the country, even from the farthest province of British Columbia, supported the "No" side, including important politicians such as Prime Minister Jean Chrétien, Daniel Johnson from the Quebec Liberal party, and Premiers from Ontario, New Brunswick, Nova Scotia, and Prince Edward Island. About 60,000 Canadians attended the political meeting. Even some Canadian phone companies such as BC Tel and New Brunswick Telephone Co. Ltd. tried to keep Canada together by letting their customers to make free long-distance calls to Quebec. President Bill Clinton also supported a united Canada.<sup>98</sup>

But the confidence the federalists had, at the beginning of the campaign, began to decrease when Lucien Bouchard, Leader of the Bloc Québécois, a very charismatic

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<sup>96</sup> Government of Canada Privy Council Office, *Questions and Results 1980 and 1995 Referenda*, <http://www.pco-bcp.gc.ca/aia/default.asp?Language=E&Page=consfile&Sub=ReferendaQuestionsandRes>

<sup>97</sup> Unity, Diversity, Respect, *Montreal Rally*, [http://www.uni.ca/mont\\_rally.html](http://www.uni.ca/mont_rally.html)

<sup>98</sup> Ibid.

politician, took control of the campaign. Bouchard convinced the "Yes" supporters and many undecided voters with strong and firm speeches in which he reminded French-Canadians of all the abuse and discrimination they have been victims of from the English-speaking Canadians. Only a few days before the voting, polls showed that the "Yes" side did have a chance to win the election. The President of France, Jacques Chirac said that he would recognize the independence of Quebec.<sup>99</sup>

Finally the Referendum date arrived and on October 30 almost 5 million Canadians voted to decide the province's destiny. The results showed that the "No" side won by a minimal difference: 50.6 percent voted "No" and 49.4 percent voted "Yes" with only 53,498 more votes for the Federalism supporters. About 90 percent of English-speaking and immigrant citizens in Quebec voted "No" and 60 percent of French-speakers voted "Yes."<sup>100</sup> Parizeau did not accept the results. He affirmed that they had lost to "money and the ethnic vote."<sup>101</sup>

These statements provoked many critics that obligated Parizeau to resign. Lucien Bouchard became the new Quebec Premier from January of 1996 until 2001. As Premier of the province, Bouchard wasn't too radical in supporting separatism. According to Bouchard, another Referendum would only take place if separatists had the proper conditions to win it, and during that period the conditions he wanted to call for a new referendum never came, so it never took place. Bouchard focused on the economy of the province making cuts to spending, such as health care.

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<sup>99</sup> Paul Wells, *Why Quebec Can't Leave: The Real Revelation in Parizeau's Recent Book Is That Separatists Need Ottawa to Open the Door*, <http://www.law.mcgill.ca/coursenotes/scott/satnight/wells.htm>

<sup>100</sup> Canadian Broadcasting Corporation, *Quebec Referendum*, <http://www.newsworld.cbc.ca/flashback/>

<sup>101</sup> *Ibid.*

On December 26, 1996 the federal government, specifically Allan Rock, Minister of Justice and Attorney General of Canada, and the provincial governments met and since they have not been able to reach an agreement, asked the Supreme Court of Canada three questions concerning Quebec's independence issue since the province was seeking a unilateral declaration of independence. These are the questions:

1. Under the Constitution of Canada, can the National Assembly, legislature, or Government of Quebec effect the secession of Quebec from Canada unilaterally?
2. Does international law give the National Assembly, legislature or Government of Quebec the right to effect the secession of Quebec from Canada unilaterally? In this regard, is there a right to self-determination under international law that would give the National Assembly, legislature or Government of Quebec the right to effect the secession of Quebec from Canada unilaterally?
3. In the event of a conflict between domestic and international law on the right of the National Assembly, legislature or Government of Quebec to effect the secession of Quebec from Canada unilaterally, which would take precedence in Canada? <sup>102</sup>

Different groups intervened in the Courts decision. Among the most important were Aboriginal groups, federalist lawyers, representatives of minority groups, and Yves Michaud, a separatist supporter of the Parti Quebecois, who later dropped the case. Finally, on August 20, 1998 the Supreme Court of Canada made its decision. Its rule was

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<sup>102</sup> Thomson Nelson, *Quebec Sovereignty and Canadian National Unity*, <http://polisci.nelson.com/quebec.html>

that if Quebec wanted its independence, it would have to negotiate the secession with the federal government and the provinces and that an absolute majority would be needed to accept it. About the second question, if international law gave the National Assembly the right to declare its unilateral independence, the Supreme Court of Canada decided that it had no jurisdiction on international matters.<sup>103</sup>

Bouchard, resigned as Premier of Quebec on January 11, 2001. Even though he was the most popular politician in Quebec, he had been criticized for not being firm enough about the independence issue and for not calling for another referendum. He was also affected after he asked Yves Michaud, a popular Parti Quebecois member, to retract of some negative comments he made about the Jews in Quebec, and Michaud refused to. A Jewish organization accused Michaud of making anti-Semitic comments after he declared that Jews don't understand sovereignty and that this sovereignty desire is as legitimate as Jewish desire for a homeland of their own.

Michaud stated that Jewish believe that they are the only victims, accusing them of being extremists and blamed them for the 1995 defeat.<sup>104</sup> Also, Bouchard was facing many conflicts with hardliners in his Party about the language issue because he believed that the French-protecting laws were too tough. In those days, proposals for making French the official language of the province were starting to gain support.

On March 8, 2001 Bernard Landry became Quebec's Premier and leader of the Parti Quebecois. During his political career, Landry was very interested in Quebec's economic development, focusing on technological development. He had been Minister of

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<sup>103</sup> Department of Justice Canada, *The Quebec Secession Reference*, <http://canada.justice.gc.ca/en/ps/const/boston.html>

<sup>104</sup> Mike Fox, *Quebecois Crisis Over "Anti- Semitism,"* British Broadcasting Corporation, December 21, 2000, <http://news.bbc.co.uk/2/hi/americas/1080790.stm>

Revenue, Minister of State for the Economy and Finance, Minister of Industry and Trade, Minister of Finance and deputy Prime Minister during Parizeau and Bouchard's governments.<sup>105</sup>

In October 2001, the majority of Quebecers did not support sovereignty. People in Quebec now want their politicians to focus more on social and economic issues instead of separating Quebec from Canada.<sup>106</sup> Due to new opposition to Quebec's secession, Jean Charest from the Liberal Party became the new Premier of the province in April of 2003. Landry's Parti Quebecois lost to the Liberal Party in the provincial elections.

This victory may mean the beginning of another era in Quebec's history. Charest said that his government will be "the government of all Quebecers, a government of respect, integrity, and transparency."<sup>107</sup> This election was also a victory for Prime Minister Jean Chrétien who has always fought against Quebec's separation of Canada. To him, "it's a confirmation that the threat of separation has disappeared. This is very, very good for Canada."<sup>108</sup>

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<sup>105</sup> Canadian Broadcasting Corporation, *Bernard Landry*,

[http://www.cbc.ca/news/indepth/background/bernard\\_landry.html](http://www.cbc.ca/news/indepth/background/bernard_landry.html)

<sup>106</sup> Alexander and Dostie, *Decline and Renewal*, [http://www.canadiandimension.mb.ca/v37/v37\\_5ad.htm](http://www.canadiandimension.mb.ca/v37/v37_5ad.htm) (accessed November 16, 2003).

<sup>107</sup> British Broadcasting Corporation, *Quebec Separatists Defeated*, <http://news.bbc.co.uk/2/hi/americas/2948401.stm>

<sup>108</sup> *Ibid.*