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FEEDBACK / Instead of scheming to take territory away from Quebec, concerned Canadians would do better to concentrate on how their unbalanced country will function if the province actually secedes

The folly of taking the axe to Quebec

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LIKE Quebec, Canada has its share of narrow-minded nationalists and "armchair leftists," to borrow a term from Globe columnist Jeffrey Simpson. And faced with the prospect that Quebec will break with Canada, some of them have proposed what they consider a suitable response: carve up the province.

This idea has been set out in such recent books as *Deconfederation*, by University of Calgary professors David Bercuson and Barry Cooper; and *English Canada Speaks Out*, a collection of essays, as well as an article on this page by Toronto lawyer E. James Arnett (*The Québécois Can't Take It All With Them* — Oct. 10).

Given its belligerence and rage against Quebecers, some of this writing, borders on hate literature. But that's far from the only problem. Not only is the notion of stripping an independent Quebec of some of its territory unfounded in law; even discussing it clouds the true issues that will face Canada in the event that Quebec proclaims its sovereignty.

The partition of an independent Quebec simply has no legal foundation. Quite the contrary; by granting Quebec additional territories in 1898 and again in 1912, the federal government recognized that the province was thenceforth to hold jurisdiction over these regions. And the constitutional laws passed in Canada stipulate that the boundaries of a province cannot be modified without its consent.

But most important, common law recognizes the right to property of any individual — even a squatter — who establishes himself on a given piece of land for a certain number of years, in the absence of any opposition. Quebec qualifies — it has occupied the north, has built there and has signed the James Bay and Northern Quebec agreements with the Cree and Inuit. Obviously it holds sovereignty over that territory.

Has Canada become so Americanized that we have forgotten the elementary rules inherited from British law? Our legal tradition is still important.

If the would-be partitioners of Quebec propose to turn back the clock, how far will they go? To the borders of New France in 1763? This, curiously, would include Ottawa in a future sovereign Quebec, and Sault Ste. Marie, Ont., that modern bastion of unilingualism.

Indeed, if we are going to indulge in absurdities, why not ask France to reopen the Treaty of Paris, which ceded Canada to England in the first place?

Those who propose splitting up Quebec also invoke aboriginal rights. If Quebec becomes sovereign, it will undoubtedly be able to negotiate agreements with the Amerindians dispersed in its territory.

It certainly has nothing to learn from the federal government about native people. Ottawa, responsible for native questions under the Constitution, has been unable to

move forward in the matter of land claims. Perhaps the shock of Quebec's sovereignty would be the perfect time for its aboriginal people to change negotiating partners.

But let us leave aside for the moment the legal and historical arguments and hypotheses and look instead at the state of mind of those who call Quebec's borders into question. How, given this state of mind, might eventual agreements be negotiated between Quebec and Canada?

Those who propose partitioning an independent Quebec, amputating the North, the Outaouais, West Montreal and the Eastern Townships, are behaving like fanatic Americans in quest of their "manifest destiny" by redrawing existing borders. Now that the Berlin Wall has fallen, it is paradoxical and disappointing to see radicals, of the right and left, proposing to build a new wall in Montreal (somewhere between Saint-Laurent and Crescent?).

And what can one say about the proposal to maintain a vital corridor to link the Maritimes to Ontario and the rest of the country? Why? Isn't Alaska a full member of the United States without such a link?

IN the end, the new radicalism of the partitioners is based on intolerance, even though the celebration of Canadian values contained in Ottawa's latest constitutional proposals, *Shaping Canada's Future Together*, puts tolerance at the top of the list. It is curious that serious Canadian intellectuals should consider measures rooted in something so different.

Even so, this approach misses the point and only muddles the reflection of Canadians on the one real question that will be raised by secession: what will be the future of Canada-without-Quebec? If anything, the unfounded debate about the borders of an independent Quebec shows that harmonious relations can deteriorate.

Instead of thinking about carving up Quebec, cutting Montreal in two, taking revenge or going through a bitter divorce, Canadian intellectuals should be concentrating on how their unbalanced country will function.

For example, considering that all-powerful Ontario will produce more than 60 per cent of Canada's gross domestic product, what will the provincial balance of power be? Who will pay the share of the enormous farm-income shortfall in the West, currently provided by Quebec (about 25 per cent), since Quebec now gives to Ottawa almost the same amount of money it receives?

The list goes on: What will be the status and recognition of francophones in Canada, who will in fact be more numerous than the anglophones in Quebec? Will they be given the same rights that a sovereign Quebec proposes to give to its anglophone minority?

What will Canada's trade policies with Quebec be, considering the close interdependence of the two? How will the federal debt be divided? How will the environment

be managed? How will jurisdiction over the St. Lawrence be shared? How will public assets be divided?

On the Quebec side, the framework for the sovereignty option is beginning to be set out. Even the federalist government now in power is examining sovereignty; it has established a *Commission d'études des questions afférentes à l'accession du Québec à la souveraineté*. When will similar steps be taken outside Quebec?

The three major federal political parties have no policy on what Canada would be without Quebec, a concept they continue to consider hypothetical. These are the parties in favour of Canada-with-Quebec, two of which are in fact led by Quebecers.

Only the new regional groups — the Reform Party in the West, the Bloc Québécois in Quebec and the Confederation of Regions in the Maritimes — officially contemplate either separation or, barring that, a Canada that would put Quebec back in its place (by radically altering the bilingualism policy, for example). But their thinking is embryonic, and it is limited to specific regions of the country.

And relying on the reflective powers of the nine provincial premiers is hardly enough — they are buried more than ever in their provincialism and unable to see the higher interests of the country. Even Ontario's Bob Rae, whose political program is close to the Quebec left's ideas, is unable to form a national vision of relations between Quebec and Canada. Nor can he provide strong leadership at the national level. He has not attained the vantage point of such predecessors as David Peterson and John Roberts.

The result is a vacuum. Not only is there no articulated reflection by the political authorities to prepare for an eventual Canada-without-Quebec, there is no one to prepare public opinion for this idea, no one to calmly weigh the possible options. In short, Canada is very poorly prepared for the eventuality of a sovereign Quebec.

And if Quebec does choose sovereignty, it will be in Canada's interests to negotiate, in good faith, solutions to the real problems that will arise. These will be Canada's problems as well as Quebec's.

The day after a majority endorsement of sovereignty, Canadian stocks and the dollar are bound to drop on the Montreal Stock Exchange. But they will drop in Toronto and in Vancouver, too. If Hydro-Quebec bonds lose value, Ontario Hydro's also will suffer. It will be necessary to find ways to solve such real difficulties, and quickly.

Given all this, it would be irresponsible, indeed dangerous, for Canada to turn to the partition-minded intellectuals who are taking advantage of the present vacuum to inflame the situation.

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