

## P. E. Trudeau: 'Say goodbye to the dream' of one Canada.

Former prime minister Pierre Elliott Trudeau, in one of his strongest statements since he left office, has put on paper his views on proposed changes to bring Quebec into the Constitution.

He is totally opposed to the changes. He says they mean "goodbye" to the dream of one Canada. And he says acceptance of the changes would render the Canadian state "totally impotent" and leave the country "to eventually be governed by eunuchs."

The following statement was written by Trudeau himself, and is appearing today exclusively in La Presse in Montreal and in The Toronto Star.

By Pierre Elliott Trudeau

*"We have in our country the patriotism of Ontarians, the patriotism of Quebecers and the patriotism of Westerners; but there is no Canadian patriotism, and there will not be a Canadian nation as long as we do not have a Canadian patriotism."*

The late Henri Bourassa, journalist and politician

The real question to be asked is whether the French Canadians living in Quebec need a provincial government with more powers than the other provinces.

I believe it is insulting to us to claim that we do. The new generation of business executives, scientists, writers, film-makers, and artists of every description has no use for the siege mentality in which the elites of bygone days used to cower. The members of this new generation know that the true opportunities of the future extend beyond the boundaries of Quebec, indeed beyond the boundaries of Canada itself. They don't suffer from any inferiority complex, and they say good riddance to the times when we didn't dare to measure ourselves against "others" without fear or trembling. In short, they need no crutches.

Quite the contrary, they know that Quebecers are capable of playing a leading role within Canada and that -- if we wish it -- the entire country can provide us with a powerful spring-board. In this today's leaders have finally caught up to the rest of population, which never paid much heed to inward-looking nationalism -- that escape from reality in which only the privileged could afford to indulge.

Unfortunately, the politicians are the exception to the rule. And yet one would have thought that those who want to engage in politics in our province would have learned at least one lesson from the history of the last 100 years: Quebecers like strong governments, in Quebec and in Ottawa. And our most recent history seems to establish beyond question that if Quebecers feel well

represented in Ottawa, they have only mistrust for special status, sovereignty-association and other forms of separatism. They know instinctively that they cannot hope to wield more power within their province, without agreeing to wield less in our nation as a whole.

How, then, could 10 provincial premiers and a federal prime minister agree to designate Quebec as a "distinct society?"

It's because they all, each in his own way, saw in it some political advantage to themselves:

**1:** Those who have never wanted a bilingual Canada -- Quebec separatists and western separatists -- get their wish right in the first paragraphs of accord, with recognition of "the existence of French-speaking Canada . . . and English-speaking Canada."

Those Canadians who fought for a single Canada, bilingual and multicultural, can say goodbye to their dream: We are henceforth to have two Canadas, each defined in terms of its language. And because the Meech Lake accord states in the same breath that "Quebec constitutes, within Canada, a distinct society" and that "the role of the legislature and government to preserve and promote (this) distinct society . . . is affirmed," it is easy to predict what future awaits anglophones living in Quebec and what treatment will continue to be accorded to francophones living in provinces where they are fewer in number than Canadians of Ukrainian or German origin.

Indeed, the text of the accord spells it out: In the other provinces, where biligualism still has an enormously long way to go, the only requirement is to "protect" the status quo, while Quebec is to "promote" the distinct character of Quebec society.

In other words, the government of Quebec must take measures and the legislature must pass laws aimed at promoting the uniqueness of Quebec. And the text of the accord specifies at least one aspect of this uniqueness: "French speaking Canada" is "centred" in that province. Thus Quebec acquires a new constitutional jurisdiction that the rest of Canada does not have: promoting the concentration of French in Quebec. It is easy to see the consequences for French and English minorities in the country, as well as in foreign policy, for education, for the economy, for social legislation, and so on.

**2:** Those who never wanted a Charter of Rights entrenched in the constitution can also claim victory. Because "the Constitution of Canada shall be interpreted in a manner consistent with . . . (Quebec's) role to preserve and promote the distinct society" of Quebec society, it follows that the courts will have to interpret the Charter in a way that does not interfere with Quebec's "distinct society" as defined by Quebec laws.

For those Canadians who dreamed of the Charter as a new beginning for Canada, where everyone would be on an equal footing and where citizenship would finally be founded on a set of commonly shared values, there is to be nothing left but tears.

**3:** Those who want to prevent the Canadian nation from being on such a community of values are not content merely to weaken the Charter:

They are getting a constitutionalized -- that is, irreversible -- agreement "which will commit Canada to withdrawing from all services . . . regarding the reception and the integration (including linguistic and cultural integration)" of immigrants. We can guess what ideas of Canada will be conveyed to immigrants in the various provinces, with Canada undertaking to foot the bill for its own balkanization, "such withdrawal to be accompanied by fair compensation."

What's more, this principle of withdrawal accompanied by "fair compensation" is to be applied to all "new shared-cost programs." That will enable the provinces to finish off balkanization of languages and cultures with the balkanization of social services. After all what kind of provincial politician will not insist on distributing in his own way (what remains, really, of "national objectives?") and to the advantage of his constituents, the money he'll be getting painlessly from the federal treasury?

4: For those who -- despite all the Canadian government's largesse with power and with funds -- might still have been hesitant sign the Meech Lake accord, the Prime Minister had two more surprises up his sleeve. From now on, the Canadian government won't be able to appoint anyone to the Supreme Court and Senate except people designated by the provinces! And from now on, any province that doesn't like an important constitutional amendment will have the power to either block the passage of that amendment or to opt out of it, with "reasonable compensation" as a reward!

This second surprise gives each of the provinces a constitutional veto. And the first surprise gives them an absolute right of veto over parliament, since the Senate will eventually be composed of entirely of persons who owe their appointments to the provinces.

It also transfers supreme judicial power to the provinces, since Canada's highest court will eventually be composed entirely of persons put forward by the provinces.

What a magician this Mr. (Brian) Mulroney is, and what a sly fox! Having forced Mr. Bourassa (Quebec Premier Robert Bourassa) to take up his responsibilities on the world stage, having obliged him to sit alongside the Prime Minister of Canada at summit conferences where francophone heads of state and heads of government discuss international economics and politics, he also succeeds in obliging him to pass laws promoting the "distinct character" of Quebec.

Likewise having enjoined Mr. Peckford (Newfoundland Premier Brian Peckford) to preside over the management of Canadian seabeds, having compelled Mr. Getty (Alberta Premier Don Getty) to accept the dismantling of Canadian energy policy, having convinced Mr. Peterson (Ontario Premier David Peterson) to take up his responsibilities in the negotiation of an international free trade treaty, having promised jurisdiction over fisheries to the East and reform of the Senate to the West, Mr. Mulroney also succeeds in imposing on all these fine folks the heavy burden of choosing senators and Supreme Court justices! And all this without even having to take on even the slightest extra task for the Canadian government, be it

the power to strengthen the Canadian common market, be it even the overriding ("notwithstanding") clause of the Charter.

In a single master stroke, this clever negotiator has thus managed to approve the call for Special Status (Jean Lesage and Claude Ryan), the call for Two Nations (Robert Stanfield), the call for a Canadian Board of Directors made up of the 11 first ministers (Allan Blakeney and Marcel Faribeault), and the call for a Community of Communities (Joe Clark).

He has not quite succeeded in achieving sovereignty-association, but he has put Canada on the fast track for getting there. It doesn't take a great thinker to predict that the political dynamic will draw the best people to the provincial capitals, where the real power will reside, while the federal capital will become a backwater for political and bureaucratic rejects.

What a dark day for Canada was this April 30, 1987! In addition to surrendering to the provinces important parts of its jurisdiction (the spending power, immigration), in addition to weakening the Canadian Charter of Rights, the Canadian state made subordinate to the provinces its legislative power (Senate) and its judicial power (Supreme Court); and it did this without hope of ever getting any of it back (a constitutional veto granted to each province). It even committed itself to a constitutional "second round" at which the demands of the provinces will dominate the agenda.

All this was done under the pretext of "permitting Quebec to fully participate in Canada's constitutional evolution." As if Quebec had not, right from the beginning, fully participated in Canada's constitutional evolution!

More than a half-dozen times since 1927, Quebec and the other provinces tried together with the Canadian government to "repatriate" our Constitution and to agree on an amending formula.

"Constitutional evolution" presupposed precisely that Canada would have its Constitution and would be able to amend it. Almost invariably, it was the Quebec provincial government that blocked the process. Thus, in 1965, Mr. Lesage and his minister at the time, Mr. Rene Levesque, withdrew their support from the Fulton-Favreau formula (a plan to amend the British North America Act) after they had accepted and defended it. And Mr. Bourassa, who in Victoria in 1971 had proposed a formula which gave Quebec a right of absolute veto over all constitutional amendments, withdrew his own endorsement 10 days after the conference. In both cases, the reason for backing off were the same: Quebec would "permit" Canada to Canadianize the colonial document we had instead of a Constitution, only if the rest of Canada granted Quebec a certain "special status."

The result was that 10 years later, when the Canadian government tried once again to restart the process of constitutional evolution, it faced the roadblock of 10 provinces which all wanted their own "special status"; inevitably, they had enrolled in the school of blackmail of which Quebec was the founder and top-ranking graduate.

The rest of the story is well known. The Canadian government declared that it would bypass the provinces and present its constitutional resolution to London. The Supreme Court acknowledged that this would be legal but that it wouldn't be nice. The Canadian government made an effort at niceness that won the support of nine provinces out of 10. Mr. Levesque, knowing that a constitutional deal would interfere with the progress of separatism, played for broke, refused to negotiate and turned again to the Supreme Court to block "the process of constitutional evolution." He lost his gamble: The court declared not only that Quebec had no right of veto (Mr. Bourassa had in any event rejected it in Victoria, and Mr. Levesque had lost it somewhere in the west of the country), but also that Quebec was fully a party to "Canada's constitutional evolution."

A gamble lost, a gamble won -- big deal! Quebec public opinion, with its usual maturity, applauded the players and then, yawning, turned to other matters.

But not the nationalists! Imagine: They tried to blackmail once again, but Canada had refused to pay. It was more than a lost gamble, it was "an attack in force" (law professor Leon Dion and many others), it was "an affront to Quebec" (Paul-Andre Comeau, assistant editor of *Le Devoir*). Because in addition to being perpetual losers, the nationalists are sore losers. For example, they didn't lose the 1980 referendum: The people made a mistake, or were fooled by the federal government. Likewise, after Robert Bourassa and Rene Levesque had foolishly passed up the right of veto for Quebec, it was necessary to somehow blame it on the federal government: attack in force, affront!

The provincialist politicians, whether they sit in Ottawa or in Quebec, are also perpetual losers; they don't have the stature or the vision to dominate the Canadian stage, so they need a Quebec ghetto as their lair. If they didn't have the sacred rights of French Canadians to defend against the rest of the world, if we could count on the Charter and the courts for that, they would lose their reason for being. That is why they are making common cause with the nationalists to demand special status for Quebec.

That bunch of snivelers should simply have been sent packing and been told to stop having tantrums like spoiled adolescents. But our current political leaders lack courage. By rushing to the rescue of the unhappy losers, they hope to gain votes in Quebec; in reality, they are only flaunting their political stupidity and their ignorance of the demographic data regarding nationalism.

It would be difficult to imagine a more total bungle.

Mr. Bourassa, who had been elected to improve the economic and political climate in the province, chose to flail around the one battlefield where the Pequistes have the advantage: that of the nationalist bidding war. Instead of turning the page on Mr. Levesque's misadventures, he wanted to make them his own. Instead of explaining to people that, thanks to the ineptitude of the Pequistes we were fully bound by the Constitution of 1982, Mr. Bourassa preferred to espouse the cause of the "moderate" nationalists.

A lot of good it does him now! The Pequistes will never stop demonstrating that the Meech Lake accord enshrines the betrayal of

Quebec's interests. And a person as well-informed as (newspaper columnist) Lysianne Gagnon was able to twit Mr. Bourassa thus: "Quebec didn't achieve even a shadow of special status . . . the other provinces fought tooth and nail for the sacrosanct principle of equality. And they to will have everything Quebec asked for!" (La Press, May 2, 1987). Does not the very nature of immaturity require that "the others" not get the same "trinkets" as we?

The possibility exists, moreover, that in the end Mr. Bourassa, true to form, will wind up repudiating the Meech Lake accord, because Quebec will still not have gotten enough. And that would inevitably clear the way for the real saviours: the separatists.

As for Mr. Mulroney, he had inherited a winning hand.

During the earlier attempts to Canadianize the Constitution, prime ministers MacKenzie King, Saint-Laurent, Diefenbaker, Pearson and Trudeau had acted as if it couldn't be done without the unanimous consent of the provinces. That gave the provinces a considerable advantage in the negotiations and accounted for the concessions that the Canadian prime ministers had to contemplate in each round of negotiations. It is likely, for instance, that if King had been prepared to accept unanimity (Mulroney-style) as the amending formula, the Constitution could have been repatriated as early as 1927.

But since 1982, Canada had its Constitution, including a Charter which was binding on the provinces as well as the federal government. From then on, the advantage was on the Canadian government's side; it no longer had anything very urgent to seek from the provinces; it was they who had become the supplicants. From then on, "Canada's constitutional evolution" could have taken place without preconditions and without blackmail, on the basis of give and take among equals. Even a united front of the 10 provinces could not have forced the federal government to give ground: With the assurance of a creative equilibrium between the provinces and the central government, the federation was set to last a thousand years!

Alas, only one eventuality hadn't been foreseen: that one day the government of Canada might fall into the hands of a weakling. It has now happened. And the Right Honourable Brian Mulroney, PC, MP, with the complicity of 10 provincial premiers, has already entered into history as the author of a constitutional document which -- if it is accepted by the people and their legislators -- will render the Canadian state totally impotent. That would destine it, given the dynamics of power, to eventually be governed by eunuchs.

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