

COMMENT: SIMEON ON SOVEREIGNTY

Phil Ryan

In David Mamet's grim play *Oleanna*, the hapless professor refers at one point to the "accusations" against him. Carol, his student nemesis, corrects him: "Excuse me, but those are not accusations. They have been proved. They are facts." The professor, like so many in our profession, is good at discovering ambiguity. But such skills are of no use once a university authority has pronounced on the matter. *Roma locuta est; causa finita est*, as Augustine put it. ("Rome has spoken; the case is closed.")

The lesson is an important one: While ambiguity can appear to exist between two parties' understanding of a situation or concept, external authority can eliminate the ambiguity rather quickly. This potential resolution must be kept in mind when considering Richard Simeon's claims regarding the ambiguity of the concept of sovereignty ("Let's get at the basic question indirectly," *Policy Options*, January-February 2000).

English-Canadians, Simeon argues, "tend to interpret sovereignty in its classical sense of a fully independent state." For "many" Quebecers, on the other hand, "sovereignty is not either/or; rather it is fluid, flexible and variable." This is why many believe that, even should sovereignty be attained, they "will still carry Canadian passports, and even send MPs to Ottawa." An attitude that many outside Quebec attribute to carelessness or Parti Québécois duplicity reflects instead "a quite different conception of the very meaning of the term" sovereignty.

By Simeon's account, the Parti Québécois must be "English-Canadian," for it holds a very "classical" definition of sovereignty. As its party programme states: "Pour un État, la souveraineté c'est la juridiction totale et exclusive sur les pouvoirs législatifs, exécutif et judiciaire exercés sur son territoire." Should this not be clear enough, the programme goes on to note that a sovereign state of Quebec will have exclusive jurisdiction over all taxes, all laws, and all international treaties.

Thus, if a divide exists over the term sovereignty, the PQ and Simeon's "English-Canadians" are on one side of it, while the "many" Quebecers who view the concept as "fluid, flexible and variable" stand on the other. Nor is it entirely clear whether the term "sovereignty" itself is at the root of the confusion. Recall that Maurice Pinard's sobering study of Quebec opinion ("Que veulent les 'NON ambivalents'?" *Policy Options*, March 1999) probed Quebecers' views of the implications, not of sovereignty as such, but of "souveraineté-partie-

nariat." The PQ well knows that such a term makes it all too easy to believe that one is voting for a combined project, both elements of which must be achieved jointly. Once again, however, the PQ platform is clear. A successful referendum will be taken as a mandate to proclaim sovereignty, and to offer a partnership to Canada. The sovereignty proclamation will take effect when the partnership negotiations succeed. Or when they fail. If referendum questions were subject to truth-in-advertising laws, this project would have to be called "sovereignty-and-maybe-partnership."

In the wake of a successful referendum, we can expect the PQ, like Mamet's fictional student, to attempt to dispel ambiguity by appealing to an external authority, in this case the international community. The PQ will seek international recognition as a fully-independent nation, *not* as some sort of "fluid, flexible and variable" hybrid. It will argue that the meaning of the sovereignty mandate it sought from its citizens was spelled out quite clearly in party documents, which is true. Some Quebecers may have been confused, the PQ will allow, but the referendum followed upon a fairly-fought campaign, and if the anti-sovereignty movement failed to get its message across, surely the sovereigntists should not have to pay the price for their opponents' ineptitude.

What happens then is anyone's guess, but it does seem humiliating to have the country's destiny decided in Paris and Ouagadougou. Is there some less arbitrary way to resolve the ambiguity between the PQ government and the citizens it claims to represent? The "clarity" bill ostensibly seeks to do this, but it is not obvious that a federal government, let alone a Chrétien government, is the most appropriate arbiter in this matter. A more satisfactory route would have Quebec opposition parties demand *institutionalized* mechanisms guaranteeing clarity in any future referendum, in exchange for support of a suitably amended Bill 99 (the Quebec government's response to the federal "clarity" bill). These mechanisms would not be hard to develop, and the opposition could argue that they would make it very difficult for the federal government to ignore the results of any future referendum. Were the PQ foolish enough to reject the opposition demand, that in itself would add much "clarity" to the political landscape of Quebec.

Phil Ryan is an associate professor in the School of Public Administration, Carleton University.