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Democracy Vs. Liberal Democracy: The Nationalist Conundrum

At the time of Confederation, and for some time thereafter, it could be said without exaggeration that Canada's leading classes, and especially those in Quebec, were not democratic. The Confederation Debates, for example, abound in anti-democratic professions, and the anti-democratic bias of the Church-dominated elites of Quebec during the nineteenth century scarcely requires comment. Those times have passed, however, and today everyone, and especially the *Québécois*, profess an unswerving allegiance to democracy. Within this democratic consensus, however, there exist profound differences concerning the true scope and meaning of democracy. One of these differences turns on the question of whether nationalism, and particularly Quebec nationalism, is democratic. The purpose of this note is to contribute an argument to this debate. The reader is warned at the outset that it is an argument which redounds to the benefit of the anti-nationalists, although I would hasten to add that this is not the last word on the subject, and that I have elsewhere, in a different context, given more sympathetic attention to the arguments on the other side.¹ Considerations of space prevent me from repeating those remarks here.

1

I would begin by asserting that there is a characteristic tension within the nationalist soul between liberal-democratic principles and illiberal objects, a tension which reveals itself in various ways but particularly in the nationalist view of representative government.² Typically, nationalist rhetoric is framed in majoritarian, hence democratic, terms, which upon examination, however, appear to rest on certain illiberal premises which cannot support majoritarianism—indeed, which destroy it. To put it in a nutshell, my argument reduces to this: that while they are democratic indeed, the nationalists are not really *liberal* democratic, and that a democracy which is not liberal is majoritarian only in-

cidentally and not essentially. This I propose to demonstrate by reflecting on 1) the reaction of the *Parti Québécois* to its defeat in the 1970 election, and its present attitude to the referendum; and 2) certain premises of the argument of Claude Morin's book, *Quebec vs. Ottawa*.

2

Interpreted by many to be an obvious victory for the federalist forces, Lévesque considered the rout of 1970 to be caused primarily by the tendency of the electoral system to exaggerate the power of cohesive minorities. Thus, many P.Q. candidates, who had secured a majority of the Francophone vote, had been defeated by a non-French bloc vote. In 1973, therefore, Lévesque "warned of the potentially explosive situation if the Anglophone minority [once again] kept in power a party not supported by a majority of Francophones . . ." ³ Clearly he was invoking the democratic principle of majority rule, which he thought to have been badly served by the unjustified power and control of a minority.

But notice that the minority and majority are not defined in terms of collections of individuals, but by cultural groupings. What this implies is not that the numerical majority ought to rule, but that the majority of *the majority culture*, should rule; which is as much as to claim a right to rule on behalf of a certain group within society, not simply by virtue of its being the majority, but, rather, by virtue of its cultural characteristics, or, its substantive way of life. Thus, the important thing in an election is not to count votes, but to count French votes.

A similar conclusion can be drawn from the P.Q. view of how large a majority would be necessary in the referendum to justify moving ahead with the project of sovereignty-association. Some might argue that on such a fundamental issue, and especially in light of the ambiguities inherent in referenda, a 50% or 55% vote would be simply too close. As Lévesque sees it, however, a 55% vote would mean acceptance by a "huge majority" of Francophones—somewhere in the neighborhood of 65%. ⁴ Lévesque has not carried this line of argument to its logical conclusion—namely, that a vote of less than 50% which nevertheless represented a majority of Francophone votes, would be sufficient—but there seems to be no principled ground on which to deny this conclusion. However that may be, it is clear that Francophone votes are to count for more than the votes of others.

But to suggest that the decisive say ought to be given to the majority of the largest cultural group is to abandon majoritarianism for two related reasons: 1) it could conceivably happen that the majority of the major

culture is a minority of the entire population, and 2) the claim that a particular cultural group ought to rule within a particular society must essentially remain independent of the fact that that group happens to be the majority; or, to put it another way, if the claim of the majority to rule rests on its cultural characteristics, then it ought to rule even if it is a minority.

This last point may be illustrated and clarified by considering further the implications of the independence referendum. Although it is presented as an essentially majoritarian exercise, this referendum can maintain this democratic aura only on the basis of a decisively flawed qualification; namely, that the majority which gets to decide the issue is the majority, not of Canada as a whole, but rather of Quebec. But why should such an important decision—which, after all, affects the entire country—be left to the citizens of only one part of it? The answer, of course, is that the reason for which independence is sought in the first place is a cultural one, and that Quebec is the homeland of the French nation or culture in North America—i.e., it is the only political unit in which the French are a majority.

Clearly implied in this view is the proposition that it is the peculiar purpose of the Quebec state to represent the interests, not simply of individuals *per se*, but of the French *culture*; and the corollary of this is that it is the French *nation* which has the right to separate, if it thinks that a separate state can best serve its interests. But if it is indeed the nation which has the right to separate, then we are no longer in the presence of a majoritarian claim; for if it is the nation which has the right to self-determination, it has that right even if its members constitute a minority in some wider context. And, indeed, from the perspective of Canada as a whole, the culture which is said to have the right to self-determination is clearly a minority. Moreover, the fact that it happens to be a majority within an already existing political unit—the province of Quebec—is really incidental to the argument. Suppose, for example, that the French formed a part of a unitary state within which they could claim no majority status; would this really alter the nationalist claim to self-determination? Does it destroy the claims of the Scottish, or Basque nationalists? Surely not! One is thus driven inescapably to the conclusion that the separatist argument is not intrinsically majoritarian, or that there is a tension between majoritarianism and nationalism.

A further illustration of this tension may be found in the P.Q. reaction to the argument that the supposed right to national independence cannot, in all logic, be limited to the territory of Quebec; that if Quebec

has the right to separate from Canada on cultural grounds, then those districts within Quebec in which cultural minorities predominate, must have the same right.⁵ When faced with such claims, the P.Q. retorts that the majority must rule. But this argument must be based on the notion that the Quebec state represents not only the Francophone nation but all of the people within it (or, a majority of individuals considered *as* individuals), which amounts to undermining the argument on which the original claim to independence is based. To put it another way: the nationalist position, when pushed to its logical extremity, leads to difficulties which force the nationalists to embrace a majoritarianism which itself entails an abandonment of the fundamental premise of nationalism; namely, that nation and state should be coextensive.

The *Parti Québécois* has attempted to avoid this dilemma by referring not to the Francophone nation, but to the '*Québécois*' nation, which presumably includes all of the citizens of Quebec irrespective of national origin. But in the very act of doing this the party also insists that the distinctive language of this *Québécois* nation is French. The preamble of the original version of the Language Charter, for example, declares that ". . . *the French Language has always been the language of the Quebec people, that it is, indeed, the very instrument by which they have articulated their identity . . .*"⁶ Since the P.Q. does not consider an official language to be simply a culturally neutral tool of communication which allows those of different cultures to engage in a common life, but insists that it is primarily the vehicle of a particular culture,⁷ Quebec's minority groups quite rightly saw in this formulation the establishment of an official culture, with the implication that as members of other cultures they were second-class citizens. In the face of this opposition, the P.Q., probably sensing the element of truth in it, backed down slightly, and when the final version of Bill 101 was produced, the preamble referred to French as ". . . *the distinctive language of a people that is in the majority French-speaking . . . the instrument by which that people has articulated its identity.*"⁸ Needless to say, this awkward formulation does not dispose of the ambiguity. The tension remains evident.

3

Claude Morin's account of the dynamics of federal-provincial relations⁹ provides yet another example of this tension between the nationalist's use of liberal-democratic rhetoric, and his nationalism. The purpose of the book is, in part, to debunk the view that the cooperative federalism of the Pearson years had provided the con-

stitutional flexibility within which Quebec was able to achieve the increases in jurisdictional authority which, since the Quiet Revolution, she had deemed necessary. What is important for our present purposes is not so much the validity of his claim that Quebec had not in fact made significant gains in power, as his argument for the necessity of such an increase in power. To put it in a nutshell, this argument reduces to the formula that self-government is better than good government. Thus, while Morin insists that despite the appearances of cooperative federalism, the federal government still dominates the important policy areas, he does not deny the utility and value to Quebec of many of these federally produced policies.¹⁰ What he finds objectionable is not the content of these policies, but the fact that Quebeckers did not make them for themselves. In a word, what is done is not as important as who does it. It is not by chance that the subtitle of Morin's book is "The Struggle for Self-Government".

This emphasis on self-government, as opposed to good government, appears to rest on the argument that the 'goods' which make up 'good government', are not limited to the 'good policy' which emerges, but include also the 'good' of participation. In other words, a good policy which is established by an enlightened despot may well remain good, but it does not provide the equally important psychological 'goods' which come with controlling one's own fate. This is surely what is implied in Morin's admonition not to forget ". . . that the Quebec problem is sociological, psychological, and political, as well as economic."¹¹

Whether one can rest the argument for self-government on the presumed psychological benefits of participation is not self-evident however, for one could construct an equally compelling argument that participation is burdensome rather than inherently pleasurable, and that most *political* participation is not psychologically, but *politically* motivated; which is to say that it points toward a particular policy outcome to which the participant is dedicated, and which elicits his participation.¹² Indeed, it is likely that the *Québécois* insist upon participation because they want to ensure that the policy which emerges is of a certain kind: i.e., 'French' policy, or policy compatible with 'French culture'.

That this is so may be seen in the fact that the *Québécois* already 'participate' in the formulation of present policy in two very important respects: first, through the significant Quebec delegation in the federal cabinet, and secondly, through the highly significant influence of Quebec as a province on the formulation of federal policy through the negotiations of 'cooperative' or 'executive' federalism. With respect to

the latter, it might be true, as Morin suggests, that these negotiations represent no real jurisdictional gain for Quebec, but cannot deny—and Morin certainly does not—that they represent a significant input for Quebec into *federal* policy whatever its jurisdictional basis. Why does this not qualify as participation, or self-government? It can only be that it is participation along with the English, which is somehow not participation at all. In order for the participation to be real and meaningful, it must be participation by the French and for the French. But why should one insist on this if not because 'French' participation is likely to lead to 'French' policy? If it were not for the fact that one is concerned above all with the character of the policy outcome, the purely psychological benefits of participation could be gained from activity in the wider federal arena made suitably bilingual. But for Morin this will not do, for Quebeckers "... want to assert themselves, not as French-speaking Canadians, but as Québécois citizens who for the moment, suffer the want of a country that is their own."¹³

Upon closer examination, then, Morin's implicit suggestion that federal control is bad even if it leads to good policy is somewhat misleading. In fact, federal control is bad because it *cannot* lead to good (i.e. 'French') policy. To put it another way, Morin's preference of self-government to good government is not based on a presumed choice between incompatible alternatives. As do most theorists of self-government, he believes it to be the best path to good government, which amounts to a skeptical evaluation of the long term viability of enlightened despotism. Thus, although he suggests that many of the federally imposed policies have been good for Quebec, there is a clear implication that they have been good only by accident, and that in the long run they would be bad for Quebec. It would appear, then, that Morin's demand for self-government rests on the implied claim that what is 'good government' for one culture is not necessarily 'good government' for another—in short, that 'good government' is not culturally neutral—and, therefore, that each culture must exercise self-government independently; or, that self-government (which leads to good government for both cultures), in a culturally divided country, is a contradiction in terms.

To say that 'good government' is not culturally neutral, however—and thus to claim that 'self-government' only makes sense within the confines of a particular culture—is essentially to claim that the French are the natural ruling group within Quebec, which is to relegate the non-French to second-class status. And, once again, a group which rules naturally because of the characteristics which its members hold in com-

mon rules because of those characteristics and not because it is a majority. The fact that it happens to be a majority may be rhetorically useful in an age in which everything must bow before the democratic god, and it may even allow the spokesmen of the group to hide from themselves the non-democratic implications of their arguments, but it is essentially extrinsic to the main objective.

4

All of this supports my initial assertion that the nationalist argument, to the extent that it presents itself as democratic, is not merely democratic; or, to the extent that it is democratic, it is not *liberal-democratic*. For liberal-democracy is, above all, limited democracy—i.e., a democracy which limits itself to securing the rights of all to the pursuit of 'life, liberty, and happiness', without decreeing a particular mode of exercising those rights.¹⁴ It is, in other words, a democracy which rests on the notion of the equality of all men, and hence, on the denial of any natural or divine right to rule. Because it denies such a right to *rule* liberal-democracy is said to be *representative*. But in order to remain representative, the government must limit itself to representing what is common to all—i.e. the common interest of all in securing the means to life—rather than ruling on behalf of a particular way of life. But, as we have seen, the nationalists conceive of themselves as representing not the natural rights of all, but rather a particular mode of the exercise of those rights characteristic of a part of the Quebec community, albeit the major part. To represent not what is common, but rather what is peculiar to a part, however, is no longer to *represent* but to *rule* on behalf of that part.

However, only when a democracy agrees to limit itself to representing the common interest in the means to life—or in the security of rights, the exercise of which is left up to the individual—can majority rule be justified in principle. For in such a democracy the only partisan division which is permitted arises over the question of how best to secure rights; a question the answer to which does not imply a right to rule on behalf of any particular way of life since the rights which all agree are to be protected leave open the possibility of all substantive ways of life which do not endanger peace. Since no particular type has the right to rule, the only practical way of solving such a partisan disagreement is by majority rule. Such a majority, moreover, does not rule because it has the correct view of the issue—for this would imply that it ought to rule even if it were a minority, thereby reintroducing a claim to rule on behalf of the

intelligent—but merely because it is a majority among equals. When, on the other hand, a majority rules on behalf of the particular way of life it represents—as a nationalist majority evidently does—that majority rules, not so much because it is the majority, but because the way of life which ought to rule happens to be that of the majority; which, of course, implies that there is a natural right to rule which is independent of the majority-minority division. It is for this reason that I began with the assertion that a “democracy which is not liberal is majoritarian only incidentally and not essentially”. Nationalist democracy appears to be this sort of ‘undemocratic’ democracy.

5

In conclusion, I would like to repeat that although this argument appears to support the anti-nationalists, it is not the last word on the subject. It is conclusive only to the extent that the standards of liberal-democracy (with which nationalism clearly conflicts) constitute the agreed upon court of last resort for all, including the nationalists (who are therefore placed in an untenable position). But this does not settle the debate between liberal-democracy and its opponents—particularly those classical opponents for whom a claim to rule made on behalf of a particular way of life is not self-evidently absurd. And to the extent that this debate remains a philosophically live one (as I think it does), the case against nationalism which I have presented must remain tentative.¹⁵

NOTES

1. Rainer Knopff, “Language and Culture in the Canadian Debate: The Battle of the White Papers”, forthcoming in the *Canadian Review of Studies in Nationalism*.
2. I have explored in detail some of the other ways in which this tension manifests itself in *ibid*.
3. John Saywell, *The Rise of the Parti Québécois, 1967-1976* (Toronto: University of Toronto Press, 1977), p. 97. For Lévesque’s reactions to the 1970 results see p. 47.
4. “Independence Strategy Changes with Lévesque’s Appeal”, *Calgary Herald* (September 9, 1978), p. A16.
5. Cf. P.E. Trudeau, *Federalism and the French Canadians* (Macmillan, 1968), pp. 152-154.
6. Emphasis added.
7. I have demonstrated and discussed this in “Language and Culture . . .” *op. cit*.
8. Emphasis added.
9. Claude Morin, *Quebec vs. Ottawa* (Toronto: University of Toronto Press, 1976).
10. *Ibid.*, p. 77.
11. *Ibid.*, p. 5.
12. I am indebted for this insight to an unpublished paper by Clifford Orwin, “Representation and its Discontents”, presented to the *Conference on Representation*, held at the University of Saskatchewan, in March 1977. For an account of both the attractions and the burdens of the

participatory view of democracy, as seen through the eyes of Montesquieu, see Thomas Pangle, *Montesquieu's Philosophy of Liberalism* (Chicago: University of Chicago Press, 1973), chapter 4.

13. Morin, *op. cit.*, p. 5.
14. Cf. Harvey J. Mansfield Jr., "Party Government and the Settlement of 1689", *APSR* (1968); "Hobbes and the Science of Indirect Government", *APSR* (1971); and "Impartial Representation", in R. Goldwin (ed.), *Representation and Misrepresentation*. The discussion which follows draws heavily on these articles.
15. Cf. my "Language and Culture . . .", *op. cit.*