

Democracy and self-determination mean nothing without the rule of law

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Democracy. Self-determination.

The words resonate with significance and power. And, rightly so. They are concepts whose strength and immutability are the lifeblood of our modern society. Democracy and self-determination are too important to be held hostage to reckless rhetoric and indulgent partisanship.

Premier Lucien Bouchard is orchestrating a partisan campaign of misrepresentation against the Supreme Court of Canada reference case on the issue of Quebec's unilateral separation from Canada. The fact that this campaign is being aided by a number of federalist voices only further defies reason and responsibility. It is surely cause for much smug laughter in separatist cocktail circles.

There is a major problem, however. The case against the Court reference is false. The Premier is attempting to discredit the reference case by invoking "democracy". Democracy's most basic building block is the rule of law. The great good sense of the Quebecers - among the world's most sophisticated voters - will come to that conclusion in the end.

It is proper to ask why the government of all Quebecers, elected and sworn to uphold the law, would use public funds to attack the supreme instrument of legal authority. The simple answer is: the Bouchard government is not prepared to clutter discussion on its option with common sense or civilized discourse. Instead, it seeks refuge behind tired accusations about federal ingérence, dishonest depiction of the Supreme Court as a political instrument and misleading defenses of Quebecer's right to self-determination.

Make no mistake, there is an all-out campaign afoot to eliminate logic from the federal-provincial discourse. This has nothing to do with democracy, less to do with self-determination. Both are concepts equally embraced by sovereignists and federalists alike. But, facts be damned, the PQ game plan is moving forward. Let's look at the game plan: it seems to be swallowing up some insecure federalists along the way.

It's a good yarn ! Total fiction, but what a plan ! First, you denigrate the Supreme Court as a non-elected, politicized body dominated by non-Quebecers, thus ignoring the fact that your own government - not to mention the founder of the Parti Québécois, M. René Lévesque and Quebec's big-tree union leaders - relied upon Canada's Supreme Court to make landmark judgments on the democratic rights and privileges of Quebecers under Canada's Constitution.

Then, you embellish the conspiracy by setting in motion the major myth that federalist forces are looking to deny the right of Quebecers to determine our own future. An elementary reading of the reference questions, of course, shows this allegation to be groundless.

Next, you co-opt some of your federalist adversaries by painting any opposition to your stand as an affront to the solidarity and confidence of Quebecers, then huff and puff before enough partisan audiences to stifle any hope of constructive discussion on the real issues of democracy at hand.

The truth is that the Supreme Court has arbitrated fairly on issues of importance to Quebec. More significantly, successive Quebec governments have recognized and implemented those decisions. Most recently, the Court was asked to throw out several portions of the Quebec law that governs the holding of referendums. As a result, the government has already accepted amendments to the law from a task force it appointed. By doing so, it has recognized the eminently obvious: the rule of law applies in Quebec.

Quebecers have grown accustomed to - not to mention weary of - the never-ending and often-existential discussions of our constitutional status. That said, we Quebecers like to separate the rhetoric from the reality. Playing by the rules, encouraging public debate, governing ourselves on the basis of facts - these are not federalist principles. They are democratic principles. They are important and fundamental conditions of a modern Quebec society, whatever its constitutional future.

The time has come for some common-sense questions about Premier Bouchard's attacks on the rule of law, on democracy. This is not about posturing, it's about people. All Quebecers deserve better.

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