

# **Statement by Alliance Quebec President William Johnson on the judgment on secession**

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**Ottawa, August 20, 1998** -- "Today's judgment of the Supreme Court of Canada ruling that Quebec has no right to secede unilaterally, whether under domestic or international law, opens entirely new perspectives and repudiates the positions of the Parti Québécois government, of the Quebec Liberal Party, of the Federal Liberal Government and of almost all those who claimed to speak for the English-speaking community of Quebec over the past decade.

"Quebec could not, despite a clear referendum result, purport to invoke a right of self-determination to dictate the terms of a proposed secession to the other parties of the federation, the court ruled unanimously. The democratic vote, by however strong a majority, would have no legal effect on its own and could not push aside the principles of federalism and the rule of law, the rights of individuals and minorities, or the operation of democracy in the other provinces or in Canada as a whole. Democratic rights under the Constitution cannot be divorced from constitutional obligations.

"The court ruled that, in addition to the democratic principle, our constitution requires that other principles be taken into account, notably the rule of law, the principle of federalism, the rights of individuals under the 1982 Charter and the rights of minorities. Quebec's English-speaking minority would therefore be a party to any future negotiations on secession.

"The federal government, in arguing its case last February, had ignored the Charter rights of individuals and the rights of minorities. Fortunately, the nine judges showed far more appreciation of the rights of the citizens than did our political leaders, our defenders or our pundits.

"It is consistent with the positions on secession adopted at the May convention of Alliance Quebec, which insisted that the English-speaking community (and the aboriginal peoples of Quebec) had as much right not to secede as any part of French Quebec had to secede. It is also consistent with the determination shown by the convention to resist a unilateral secession by peaceful but effective means, such as withholding taxes from an outlaw government.

"The court denied that a majority vote for secession, even in response to a clear question, would create an automatic right to secede or allow the Quebec government to impose the conditions of secession, such as the territorial integrity of Quebec. This was the claim of the PQ government.

"The Quebec Liberals' constitutional critic, Jean-Marc Fournier, instead of defending this splendid court judgment, pretended that it changed little or nothing, and left everything up to the politicians. He was trying to defend the position taken consistently by Jean Charest to the effect that the reference to the court was a mistake, that it would settle nothing, and that only Quebecers (without reference to the minority peoples of Quebec) have the right to decide their future.

"Mr. Charest heads a party that campaigns (most of the time) as federalist, but has attacked the federation almost as much as it has defended it in recent years. One continues to hope better of Mr. Charest, but he must defend this judgment of the Supreme Court, not trivialize it and misrepresent it, as Mr. Fournier has done. Otherwise, he will be helping undermine the federation as Robert Bourassa, Daniel Johnson and Claude Ryan have done, rather than protecting it."