

## QUELQUE CHOSE NOUVELLE: QUEBEC POLITICS 2010-AN UPDATE

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As part of the northeastern corner of North America, the Canadian province of Quebec is connected to New England by commerce, migration, cultural exchange, energy complementarity and shared environmental challenges. Unbeknownst to many a NEJPS reader, these linkages go back some 400 years when exploration and settlement created an enduring French presence on this continent as is manifested by a vibrant and distinctive Quebec politics within the Canadian federation.

In this issue, the NEJPS is launching a new series of annual updates on major political developments in “la belle province” as part of a regular feature of this journal, the New England State Reports. The Editorial Foreword to the very first spring 2005 (Vol. I No. 1) edition proclaims that this journal aspires to become a New England publication *in more than just name or strictly geographic location*.. But if a region like New England is essentially what scholars can think or imagine it to be, then why not include observations of what goes on politically in the transborder neighborhood of Quebec? Therefore, in addition to the State reports, Quebec Report will in future try to keep NEJPS readers abreast of political happenings in Canada’s second most populated province of some 7.8 million inhabitants, approximately 80% of whom are French-speaking.

Like Canada’s central government, Quebec adheres to a British-style Westminster model of Parliamentary government. The provincial legislature is, like Canada’s other 9 provinces as well as the state of Nebraska, unicameral-125 seats National Assembly [NA]. The political executive, currently the premier, Jean Charest, and his Quebec Liberal Party [QLP] Cabinet ministers collectively constitute a committee of the most influential MNAs of the political party which holds a majority [2008 election] or plurality [2007 QLP minority government] of seats in the NA. There is no fixed general election date [maximum 5-year mandate]. There is a single-

ballot district plurality electoral system which opens the door to mathematical distortions between the percentage of popular votes parties garner across all 125 electoral ridings and the percentage of seats allotted to each parties' candidates elected to sit in the NA.

There are currently two major parties in the NA. In 2008 the federalist, socially liberal, and moderately pro-business, and want-to-be “catch-all” QLP won 66 out of 125 seats, leading to formation of a QLP majority government. The sovereignist, socially liberal, and soft social democratic want-to-be “catch-all” Parti Quebecois [PQ] won 51 seats replacing the Action Democratique du Quebec [ADQ-see below] as Her Majesty's Loyal Opposition in the NA. In fact, ever since Quebec's 1960s Quiet Revolution, these two major parties, the QLP and PQ, in their election campaign discourse as well as their behavior as provincial governments when elected to power have practiced expensive neo-keynesianism [e.g. deficit financing of \$7 per day public daycare] and strong government interventionism (e.g. language policy). Thus, a kind of inter-parties “Quebec Consensus” emerged, which masked an entrenched federalist versus sovereignist partisan divide.

What are the conditions and trends linked to this “Quebec Consensus” of neo-Keynsianism and strong government interventionism? Due to the sound regulation of Canada's banks and careful management of public finances compared to most other developed countries, Canada and therefore Quebec has had a relatively quick and strong economic recovery from the 2008 recession, even if by 2010 the pace of recovery has slowed. At the same time, Quebec's net debt for fiscal year 2010-2011 is forecast to become \$150 billion, 48.7% of her Gross Domestic Product (GDP) compared to Ontario's \$220 billion, 37% of her GDP. And whereas Ontario's annual budgetary deficit is forecast to become \$19.2 billion, that of Quebec's will be \$4.2 billion. The Quebec budget project a 2012-2013 annual deficit of \$1.2 billion before returning to zero annual deficit the following year. Unlike most U.S. State constitutions, there are no mandatory annual balanced budget requirements which Quebec must adhere to. At the same time, Canada's second most populous province Quebec is facing demographic decline and an aging population. One estimate claims that from 2010 to 2036, her population will decline from 23% to 21% of Canada's total population; immigration into Quebec will increase by 49,000 annually compared to 143,000 into Ontario; by 2036, Ontario's population will be 17.7 million versus Quebec's 9.3 million; and Quebec's percentage of 65+ years of age populace will increase from its present 14.9% to 25.8%. A recent legislative proposal to revise the Canadian federal

electoral map would add 34 new seats to the current (2010) 308: Quebec 0, Ontario 21, Alberta 6, British Columbia 7. Such a new Canadian electoral map would not apply to the very next (possibly 2011?) federal election, but would enhance prospects in the future for voters to be able to elect majority governments in Ottawa despite hypothetical future BQ success among the Quebec electoral in future federal elections.

The gloomy demographic and budgetary context outlined above is both cause and effect of federalist QLP and sovereigntist PQ governments in Quebec City efforts to protect and promote by any legitimate democratic and fiscal deficit means necessary this French political fact in the Canada-U.S. “anglosphere” Joel Garreau calls Quebec one of the nine “nations” of North America; others refer to a distinctive “Quebecois nation” within the Canadian “nation”. Or as a resolution of the federal Parliament adopted in 2006 puts it, “Quebec is a nation within a united Canada.”

Canadian federal party politics in Quebec are also pertinent. There are 75 out of a total of 308 House of Commons [H] seats allocated to Quebec. The Bloc Quebecois [BQ], “branch-plant” junior partner of the PQ in Ottawa is currently the third largest out of 4 parties represented in the H having won 49 of Quebec’s 75 seats with only 38.1% of the popular votes cast in Quebec-[the BQ is a separatist Quebec-only federal party] at the last 2008 Canadian election. In contrast, the current Conservative minority government led by Prime Minister Stephen Harper was only able to win 10 of those Quebec seats. The sovereigntist BQ, the most popular federal political party in Quebec led by Gilles Duceppe is the self-styled best defender of Quebec’s interests in Ottawa whose MPs since its founding in 1990 energetically wait and work for the political independence of Quebec at the expense of all Canadian (including Quebec) payers of federal taxes. The BQ discourse of sovereignty and social democracy enables it to successfully mobilize diverse Quebec electoral clienteles ranging from organized labor to well-educated urbanites and suburbanites to conservative rural voters. A Quebec provincial party counterpart to Harper’s federal Tories has not existed since 1936.

The year 2010 finds Quebec public opinion neither poised to irrevocably free itself from the Canadian federal embrace in the immediate future, nor ready to unequivocally endorse the current Canadian federal set-up. Consider the findings of a June 2009 Angus Reid Poll: 32% of these Quebec respondents believed that the province of Quebec had enough “sovereignty” and should therefore remain part of Canada; 28% that Quebec should separate; 30% that Quebec

needs more “sovereignty” (powers?), but should remain part of Canada; and over 79% say that they desire more powers [Quebec provincial autonomy] in the areas of culture (34%), the economy (32%), taxation (26%), immigration and the environment (15% each). To the hard-line question “Do you believe that Quebec should become a country separate from Canada?”-Yes 34%; No 54%; Unsure 13%. However, to a less clear question like the 1995 Quebec referendum, “Do you agree that Quebec should become sovereign after having made a formal offer to Canada for a new economic and political partnership within the scope of the bill respecting the future of Quebec?”-Yes 40%; No 41%; Unsure 19%. Only 20% of those respondents believe that Quebec would ever separate from Canada. Soft francophone Quebecois nationalist voters are therefore crucial; they sway towards sovereignty when they see rejection by the rest of Canada or conversely, they lean towards revised federalism when considerations of economic and political stability become paramount. Moreover, for many soft nationalists, the threat of separation is construed as a potentially useful means to extract more autonomy for Quebec within a reconfigured Canadian federation [confederation?].

Whereas winning conditions for the Quebec sovereignty movement are not present, electoral prospects in 2010 for the BQ and PQ are not hopeless. All indications are that should the Harper Conservative minority government lose the confidence of the H leading to a federal general election in 2011, the BQ will capture a substantial plurality of Quebecers’ votes as well as a majority of the 75 Quebec seats. Perhaps yet again, the BQ will help to prevent formation of a majority government in Ottawa by depriving either the federal Liberals or Conservatives of a sufficient number of seats from Quebec as was the case after 2004 (minority Liberal), 2006 as well as 2008 [minority Conservative] federal general elections. A December 2010 Angus Reid poll of Quebec voters indicates 39% intend to vote BQ; 18% Conservative; 5% Green Party; 19% Liberal; and 17% NDP should such an election occur the next day.

In the Quebec political arena, the year 2010 finds Premier Jean Charest after three consecutive electoral victories [2003, 2007, 2008] at the helm of a government on the defensive. Thus far, it has been unable to effectively defend itself against allegations of Mafia corruption in the Construction industry [e.g. rigging of contract bids for large-scale public works and for possible illegal contributions of funds to the QLP. The November 29, 2010 QLP by-election defeat in the riding previously held by former QLP cabinet minister Claude Bechard [at different times Environment, Agriculture, Natural Resources Intergovernmental Affairs] is one indicator

of the declining popularity of the Charest government-i.e. the by-election results were: 38.85% PQ [+15.7% above the 2008 general election result], 35.85% QLP [-17.85% below the 2008 result]. In response, the Premier called for creation of a permanent government body to investigate construction industry corruption, but perhaps too little, too late. Charest continues to stonewall persistent calls in the NA by the PQ “government-in-waiting” Loyal Opposition and the two minor parties [ADQ 2008 election 7 seats and Quebec Solidaire (QS) 1 seat] to hold public parliamentary hearings on the issue. On November 24, 2010, the PQ presented a motion of non-confidence in the Charest government; on the very first day of a launch on the NA portal of an E-mail petition along somewhat similar lines, 100,000+ signatures were obtained, 400,000+ after 2 weeks on-line [instant e-mail plebiscitary democracy or political ploy] Charest should resign, the non-confidence motion stated because he refuses to call a public inquiry construction industry corruption charges; 2. he refuses to impose a moratorium on shale gas development; 3. he refuses to negotiate spending cuts in the 2010 budget.

And the public opinion standing of the QLP government has further been tarnished in spite of Premier Charest’s appointment of former Supreme Court of Canada Justice Bastarache to investigate wrong-doing in the matter of attempts by QLP “bagmen” to improperly influence judicial appointments to provincial courts. Justice Bastarache noted problems with the current process used to appoint judges. In additions, Charest himself has renounced an annual stipend of \$75 thousand paid to him for years by the QLP as their leader in addition to his regular government salary, but only after it became public knowledge. But notwithstanding the issue of corruption as well as others ranging from a possible PQ proposal to extend Law 101 language of education provisions to CEGEPs (community colleges) to reasonable accommodation of minority cultural communities [e.g. Sikh kirpans and Muslim hijabs] to short-comings (e.g. waiting lines and shortages of general practitioners) of Quebec’s Comprehensive universal single-payer health care system to the also financially expensive need to refurbish and expand Quebec’s lagging transportation and mass transit infrastructure, Charest can still recover before the next Quebec election in 2012 or 2013, since as leader of a majority government he will ultimately determine the date of the next Quebec election.

In addition to the existence of a left sovereigntist altermondialiste QS minor party to potentially divide the separatist vote, Charest’s control of the timing of the next Quebec election (possibly 2013), PQ leader Pauline Marois’ low personal popularity among the electorate and

having to submit to a very public but politically divisive party leadership review process in 2011, and the possibility of a favorable economic climate when an election is called, yet another factor that prevents slam-dunk predictions about an easy PQ election victory in 2012 or 2013 are rumors of the possible creation of a new right-of center Quebecois nationalist non-sovereignist party. This initiative comes from Fernand Legault, a former businessman and PQ cabinet colleague (e.g. Education, Industry) of the aforementioned Pauline Marois. An October 2010 Leger Marketing Poll indicated that this no-name Legault phantom party would win if an election were held the next day-30% new Legault phantom party; 27% PQ; 25% QLP; 7% ADQ; Q 5.6%; Green party 4%; other 6%; and the PQ would lose 12%, the QLP 6% of their respective electoral bases to this Legault hypothetical party. The rumors have morphed into an as yet non-political party Coalition pour l’Avenir du Quebec. “Former” sovereignist Legault and his colleague former federalist businessman [Canadian Imperial Bank of Commerce] Charles Sirois believe that Quebecers need to confront tremendous economic and social challenges that ought transcend the federalist versus sovereignist fault line and unite Quebecers of both stripes around issues like education reform, decentralization of public services, Quebec economic nationalism, and culture. In other words, for the time being, the sovereignty option-working towards referendum winning conditions should be taken off the table. There is also speculation about a merger or take-over of the populist, socially conservative, pro-free enterprise and more Quebec autonomy ADQ, whose current leader Gerard Deltell is none too pleased.

To conclude this 2010 Quebec Report on a democratic-rule of law-egalitarian note, l’Association pour la revendication des droits democratiques [Democratic Rights Association] is seeking by judicial means to invalidate the present single-ballot district plurality system by judicial means, since all prior legislative attempts at electoral reform in Quebec as well as citizens’ initiatives in Ontario and British Columbia have failed. So far, the Quebec Court of Appeals has upheld a 2009 Quebec Superior Court ruling that the issue is not a justiciable matter, but a legislative one to be dealt with by the NA. That decision will be ultimately appealed to the Supreme Court of Canada on the basis of violations of equality provisions of Canada’s 1982 Charter of Rights and Freedoms with moral and financial support from minor political parties-namely the QS and the ADQ as well as the Green Party of Canada. Surely, these organizations contend, the present first-past-the-post Quebec provincial electoral system undermines voters’ rights of those Quebecers’, and by implication Canadians, who vote for third parties: specifically

women and members of ethno-cultural communities. The current electoral system, the plaintiffs contend, allows neither significant participation nor effective representation of such categories of voters. The court challenge outlined above goes far beyond the 1-person 1-vote adjudication in the United States based on denial of Fourteenth Amendment Equal Protection of the Law [in 14<sup>th</sup> Amendment] as per Baker v. Carr [1962, state legislatures] and Westberry v. Sanders[1964, U.S. House of Representatives]. What is the appropriate remedy-Proportional Representation [PR] Run-off (2<sup>nd</sup>) ballot? Mixed PR and District System?