R. Simeon, “Debating Secession Peacefully and Democratically: The Case of Canada,” in A. Stepan, ed., *Democracies in Danger* (Baltimore, 2009)

**Overview**

Simeon is of the view that Canada has done the accommodation and management of difference well. Chapter focuses specifically on Quebec-Canada division. Success is measured – really – by whether Canada remains as a single political entity

**Background**

* Cdn democracy faces the task of managing three distinct dimensions of deep diversity:
  + First and most important in the sense that only it has the potential of breaking the Cdn union is **language**
  + Second, Canada – like Australia, New Zealand, and many Latin American countries, has an indigenous **Aboriginal population** that has been historically exploited and marginalized
  + Third, Canada is a **multicultural** country
* In 1995 – Quebec voters came close to choosing to opt for a sovereign nation. Following the referendum, the federal govt became convinced that it was essential to clarify the rules of the game that should accompany the debate on secession. In particular, it believed that the question that had been put to Quebecers was unfairly stacked by offering the accompanying promise of partnership (a partnership that would hwr require the consent of the ROC)
* English-speaking Quebecers and immigrant groups, as well as Quebec Aboriginals remained deeply hostile to independence
* Put the question to the SCC
* The SCC concluded that neither the Cdn constitution, nor international law governing self-determination provided a right to unilateral secession (Cdn constitution is silent on the matter, and international law sets forth the right to self-determination on whether the claimant nation suffered from oppression from the majority).
* Court went on to say that in the event that Quebec were to vote for secession by a clear majority, and on a clear question, then the ROC would have a constitutional obligation to negotiate the matter
* Status of debate remains uncertain. In 2003, sovereigntist movement appeared to be on the decline. Harper minority govt in 2008 sought to strengthen its support in Quebec by espousing a decentralist *Open Federalism* that included major fiscal transfers to the provinces, and a parliamentary resolution that for the first time affirmed that Quebec constituted a nation within Canada
* Given the frequency with which such movements in other countries descend into violence and civil war, it is worth asking what it is about the Cdn case that permitted such a democratic debate on such a vital issue. Simeon distinguishes 4 factors:
  + Cultures and Values:
    - Democratic values
    - Predominantly “civic” nationalisms
  + Historical legacies
    - Canada as a “negotiated country”, and logic of federalism can provide a broad framework for accommodation
  + Institutional factors:
    - A multi-unit federation
    - Provincial autonomy – building out: greater decentralization, asymmetrical federalism
    - Integration of the centre – building in: integrating multiculturalism policies, official languages act, etc
    - Role of an independent court
  + Contextual factors
    - Distinct but interdependent societies
    - Presence of the US

**Conclusions**

Canadians have not invented any magical formula that can easily be transferred. Indeed, many aspects of the story are highly dependent on Canada’s hx and particular context. Canada’s historical legacy as a negotiated country cannot be replicated; nor can democratic, civil, and tolerant political cultures be created overnight. Yet Cdn case also demonstrates some lessons that can be useful: the importance of general agreement on rules of the game; the importance of independent third parties to medicate the conflict; the importance of institutions that combine autonomy for sub-state nations with their full representation at the centre. All these can facilitate democratic debate.