Sovereignty is an old concept in political philosophy. In the age of nation-states, it has been a fundamental concept in international relations and international law. Sovereignty has also acted as a powerful reinforcement of the internal authority of the nation-state and the hegemony of its dominant social forces. In the present era of globalization and transnational corporations, sovereignty as a concept is being increasingly called into question, as is the legitimacy of the nation-state. Ironically, just as sovereignty is revealed as theoretically problematic, it has emerged as the rallying-cry and philosophical justification of the most effective political challenge to the integrity of the existing state structure in Canada: the Quebec sovereignty movement.

This is a paradox. A challenge to old state structures is formulated in language that, even as it inverts, also mirrors the very concept that underpins the structures that are challenged. The political stalemate that results is a confrontation of two sovereignties, Canadian and Québécois, each claiming exclusivity, while contesting the same ground.

It is this paradox I wish to address. I will first examine the limitations of classical sovereignty as applied to Canada, where it has always been a misleading guide. Quebec sovereignty shares with its Canadian antagonist a common contradiction, the abandonment of the economic dimension of sovereignty while insisting on a political definition alone. Quebec’s sovereignty project is not one of economic nationalism but neither is it one of ethnic nationalism. It is, instead,
a liberal conception of territorial sovereignty. Yet, despite its openness to cultural pluralism, its insistence on territorial sovereignty imposes a different form of exclusivity, one that is particularly highlighted in the clash between Québécois sovereignists and the Aboriginal peoples of Quebec. This clash represents a potential flashpoint in the negotiation of any transition to Quebec sovereignty. Yet different conceptions of sovereignty advanced by Aboriginal peoples offer a possible way out of the struggle of mutually irreconcilable sovereignty claims. Ironically, these so-called "traditional" communities may be more in tune with some very contemporary realities than the Canadian and Quebec states. The Cree of Northern Quebec have demonstrated the capacity to network on a global scale in defence of their traditional lands and way of life. I conclude with some observations on Aboriginal pointers towards notions of overlapping sovereignties that may become more the rule in the future than the antiquated pretensions of classical sovereignty still advanced by states and by national claimants to nation-state status like the Quebec sovereignists.

Sovereignty as it has commonly been understood is intimately connected to the compound concept of the nation-state. Sovereignty is an attribute of the state but it is strongest when the state is reinforced by the powerful cultural, ethnic, linguistic, and sometimes even religious identity of the nation. Conversely, sovereignty in binational or multinational states like Canada tends to be more contested. In the late twentieth century, ethnic/religious secessionist movements have erupted in many parts of the Third World and in the post-Communist states. Often these movements seek to establish successor states that more closely fuse national identity with a smaller but more ethnically or culturally "pure" state. In the process of separation, and in the suppression of other minorities that so often accompanies these breakaways, violence and authoritarianism have often been the result. We have heard a great deal in recent years about the dangers of ethnic nationalism (sometimes reformulated by Westerners looking at the Third World as "tribalism") and we have seen the results in the horror stories of ethnic cleansing and genocide, from Bosnia to Rwanda.
Secessionist nationalisms have not been absent from the Western world. Quebec indeed represents the most successful secessionist movement in the West. Some critics assume the worst of Quebec nationalism, superficially equating it with illiberal and authoritarian movements elsewhere. I have no wish, as an English-speaking Canadian, to condemn Quebec nationalism à la Mordecai Richler or William Johnson. Despite the notorious referendum night words of Jacques Parizeau, there is no reason to believe that Quebec nationalism is particularly illiberal or culturally reactionary, and certainly not racist (or at least no more racist than English-speaking North America). Indeed I will argue that the crux of the problem lies precisely in the modernity and the liberalism of current Quebec nationalism, as it indeed has for the past twenty years or more.

My point is not really to attend to nationalism at all, but rather to its current rhetorical guise as a “sovereignty” movement. This is not rhetoric in the popular sense—a deliberately misleading verbal dressing for something else—but actually something more substantive: “sovereignty” is a concept that expresses more authentically than nationalism a contemporary, liberal striving for the recognition of national difference. Unfortunately, it also obscures far more than it illuminates, and threatens to lead us down a path that is doubtful at best and potentially destructive at worst.

It is odd to hear the word “sovereignty” slip so often and so easily from the mouths of those who pride themselves on being modern and up-to-date, proponents of globalization and free trade, of technological innovation and competitiveness. For sovereignty is actually a rather archaic notion in its origins, deriving from the medieval Sovereign, the kingly head of the body politic. This is no doubt ancient baggage, long since discarded; yet there is something important to be noted in the association with the monarch, the condensation into one head of all power and authority. Sovereignty comes down to us from the era of the absolutist European state, from Louis XIV’s memorable “l’état, c’est moi.” In the dominant European tradition, it has gone through many changes from the King to the Nation and the People as sovereign, but it has always retained a distinct monolithic flavour.
Bodin defined sovereignty as the “most high, absolute and perpetual power” that commands but is never itself commanded; thus there could be no lawful resistance even to unjust actions of the sovereign. Hobbes theorized the great Leviathan, the “mortal God” that would, by holding all power in common, reduce the war of all against all to that blessed state when people could contract freely with one another and rest assured that their contracts would be fulfilled and their property protected. Rousseau theorized a state that would perfectly embody the General Will and tolerate no deviation therefrom. Marx theorized a Dictatorship of the Proletariat as a transition towards a post-capitalist society with no need of government. As we know, the transition was in practice prolonged indefinitely, and in the place of promised anarchy came an authoritarian state in which absolute sovereignty was claimed by the Party. I could go on, but the point should be clear: sovereignty is a concept that, irrespective of the question of who or what is the sovereign, is irremediably imperious and intolerant of any rivals.

I specified a moment ago that this was the case for the “dominant” European tradition. There is another, underground tradition, from Athusius through Proudhon, a tradition of federalism and associationalism, a tradition that has been recently recalled to view by Thomas Hueglin, but about which most contemporary political theorists of both Left and Right seem remarkably unaware. This counter tradition has always questioned the absolutist thrust of sovereignty, and looked instead to multiple or overlapping loyalties within a federated state. I have myself drawn on this second tradition in trying to rethink the relationship between democracy and federalism. Here I want to do no more than note the existence of an opposition within Western political thought to the dominance of sovereignty, and then address the more concrete issue of the concept of sovereignty in Canada.

Situating sovereignty in the specific context of the Canadian historical experience immediately yields a persistent incongruity. The word and the idea have almost always been honoured in theory and rhetoric, but almost never in practice. Lip service has been paid to the dominant tradition of Bodin
and Hobbes, but actual practice has belied the theory. In its external relations, Canada has in a sense never fully qualified as a sovereign state. From colonial origins, Canada moved to “Dominion” status within the British Empire without ever passing through that violent rupture and transfer of sovereignty from imperial power to new nation that characterized American development. At the formal constitutional level, this continuity was so persistent that as late as 1980-81, over a century after Confederation, the bizarre spectacle of the contested “patriation” of the Constitution through passage of a bill through the British parliament was played out: and to top absurdity with absurdity, the new “made-in-Canada” Constitution was duly proclaimed in 1982 with a ceremony in which her Majesty, Queen Elizabeth II of the United Kingdom, graciously granted her sovereign consent. For many decades, in fact well into the twentieth century, dominant schools of thought within Canada could conceive the future of the new nation only through the filter of various wider sovereignties. The Imperial Federation movement saw Canadian nationalism hitched to the star of a wider Imperial framework; others looked to a “moral federation” of the English-speaking peoples; a few to continentalist connection with the rising empire to the south. Few indeed conceived of an autonomous sovereign Canadian nation-state. Even when the linkages with Britain began to fall away, Canada moved into a new subordinate diplomatic, military and economic relationship with the US under the aegis of the Cold War. The end of the Cold War has been marked by an even deeper and more tightly constructed relationship through the FTA and NAFTA under the aegis of trade liberalization and globalization: what Ronald Reagan perceptively called the “economic constitution of North America.” I mention all this history not to rehearse once again the litany of left nationalist complaint, but to make what I hope is a more interesting observation: that in its external dimension, Canada has never provided even a semblance of the kind of pretence toward autonomous sovereign nation-statehood which others, even some very small states, have gone to the wall for.

The weakness of sovereignty in its external dimension has been matched, and indeed is linked to, a corresponding
weakness internally. Even though the British connection implied the hegemony of Anglo-Canadians, the stubborn resistance of French Canadians prevented the formation of a unified national basis and imposed requirements for a limited but nonetheless not unimportant recognition of group difference at the institutional and representational level. With post-World War II immigration, first mainly from northern and then southern Europe, and later more predominantly from outside Europe, the British hegemony has become desperately attenuated, but never has there been the powerful promise or threat of assimilation of newcomers into a unified melting-pot as in the USA. The importance of this is that as Canadian society and politics democratized, sovereignty did not refocus on the people, but rather on competing versions of the people. Most notably, the thrust of nationalism from Quebec, post-1960, cast from the beginning in democratic language and employing notions of constructing a popular will to achieve sovereignty through referenda and other forms of popular expression, not only posed the subversive notion of a Quebec people as distinct and ultimately separate from the rest of the Canadian people, but also encouraged a democratizing thrust in response from outside Quebec. This was indeed provoked further by the witless attempts of the Anglophone political elites to address the challenge by attempting to reassert and rejig the old structures of elite accommodation. The various constitutional exercises, from Victoria to 1981-82 to Meech to Charlottetown were machinations that produced little discernible result other than rousing anti-elitist populist mistrust in English Canada, a distrust projected onto Quebec as a threat, but also helping to shape a more prickly, crotchety, resentful sense of populist Canadian nationalism that tends to exclude Quebec as anything other than one province among equals. When Peter Russell asks the plaintive question “Can Canadians become a sovereign people?”, the answer is now pretty clearly “no.” They may be peoples, either apart or together, but they are not likely to form the unity of a single people that makes sense of the adjective “sovereign.”

But perhaps there is little or no sense in the term “sovereign” whatever it is modifying or referring to. Given the
weakness of sovereign unity or even the pretence thereof, throughout Canadian history, why bother with the idea? Could Canada not serve as an exemplar of the other, underground tradition of federation and association, of multiple and overlapping loyalties? Especially in the current era of globalizing challenges undermining national sovereignties, is Canada not the first postmodern state (to quote some fashionable talk of late), the first to embody in its structures and practices the very ambiguities and discontinuities characteristic of the postmodern era?

Unfortunately we Canadians seem strangely resistant to coming to terms with the recognition that, like Molière’s bourgeois gentilhomme, we have actually been speaking prose all our lives. Instead, we have the spectacle of English Canadians asserting with ever-growing self-assurance that unity lies in absolute equality of individuals, provinces, groups, identities, even nations, and that any recognition of difference, any provision for special status or treatment, even measures to promote equity, as opposed to equality of treatment, are unacceptable. To make matters odder, yet this new Canadian nationalism is apparently quite innocent of any economic program. The idea of economic sovereignty was floated from marginal quarters in the 1970s but has now died. It has been replaced by a residual insistence upon something called “cultural sovereignty” that is dissociated from any economic base, indeed is even written into the continental trade agreements only to be swept away by end runs to the World Trade Organization (WTO). Or it is radically undermined by neo-liberal assaults by both federal and provincial governments on the institutional structures and funding bases of the so-called cultural industries. If the new Canadian nationalism lamely asserts a notion of a superstructural sovereignty without any economic base, the loudest and most insistent voice of sovereignty, which is of course coming from Quebec, is equally oblivious to the material base. Quebec nationalism is predominantly a liberal project, in both senses that liberalism is generally understood: politically liberal in its acceptance of pluralism and its emphasis on procedural justice as the basis of the state, rather than some overarching public Good; and economically
liberal in its acceptance of markets and competitiveness as the fundamental basis for the allocation of resources. Although it has been depicted by unfriendly observers as some kind of atavistic reaction to modernity, no description could be more misleading. That characterization should be stood on its head: Quebec nationalism is a product of modernity, and is quite incomprehensible except in the frame of the familiar anxieties and dilemmas of modernity. One of the great paradoxes of the Quebec-Canada imbroglio is that the quarrel is essentially one within liberalism, or at least between variants of liberalism.

The essential similarity of Quebec and English Canadian values has tempted many observers into a mistakenly optimistic view of the prospects for integration. There is a common fallacy that suggests that convergent values will push a divided society toward a shared identity. Quebec offers a case study of why this proposition is mistaken. Values have little to do with identity other than to provide some of the content of an identity already formed. Convergent values have not, after all, led English-speaking Canadians to show any appreciable interest in joining the United States, nor have they reconciled Quebec nationalists to a status as one among ten provinces. If identity politics is really, as Taylor argues, about recognition, then shared values may very well increase the insecurity of those seeking recognition of difference from others who are so very much like them.

It is characteristic of arguments for sovereignty that they are generally not couched overtly in the language of identity and recognition. This too is a product of a liberalism that finds its most facile and acceptable voice in the technocratic language of economics and public policy making. Sovereignists tend to argue in terms of the distribution of powers between Ottawa and Quebec City, and of Quebec's alleged inability to regulate and promote its economic development satisfactorily within the "strait-jacket" of an overly-centralized federalism. Another variant is the claim that Quebec is a net loser in the overall balance sheet of federal-provincial transfers of resources. There is a thinness, an artificiality, to such arguments that suggest that they are not ultimately authentic, that they are standing in, as it were, for the real
arguments. As an aspirant nation-state that wishes to take its place among other states in the global political economy, a sovereignist Quebec is uncomfortable and ambivalent about speaking in tones usually associated with minority complainants. Hence the vocabulary of technocratic liberalism is drawn on to express more emotive striving toward the "imagined community" of a sovereign state when a distinctive identity will be formally recognized in the eyes of others.

Nowhere is this paradox more peculiarly revealed than in the untrammelled enthusiasm shown by the sovereignists for economic globalization and the accompanying retreat of the nation-state. Instead of fearing globalization as a threat to the viability of small states, sovereignists have embraced virtually all its manifestations, including NAFTA and continental free trade. Not only does globalization appeal to the technocratic modernity the sovereignists cultivate, but it has the concrete political advantage of focusing on the increasing irrelevance of the national government in Canada. This is an argument with some force, but it also reveals how profoundly liberal the PQ's idea of sovereignty really is. If it is a fundamental characteristic of liberalism to separate the economic from the political, the PQ has transformed the idea of secession from a liberal federation into an act that itself affirms liberalism. The Quebec sovereignist vision is one that abandons all pretence of national control over economic life, even as it concentrates all its attention on the achievement of the trappings of political independence. The first referendum in 1980 was to seek a mandate to negotiate "sovereignty-association" with the rest of Canada. Association was then understood (these were pre-free trade days) in terms of an elaborate set of joint institutions that would serve to replace the institutions of federalism in regulating economic matters of common interest. Although representation was generally supposed to be equal on these bodies, an exception was made for the monetary commission for joint central banking functions: here a Canadian majority would be accepted. By 1995, formal mechanisms of association were no longer deemed necessary (and in any event had proved unacceptable even in principle to the rest of
Canada); but a putative “partnership” with Canada was posited as a likely result of negotiations arising out of a Yes vote. The PQ now suggests that a sovereign Quebec would simply adopt the Canadian dollar as its official currency, thus abnegating any independent monetary policy.

This raises a troubling question: why the dogged insistence on narrowly constructed technocratic arguments for the allegedly fatal shortcomings of federalism, when independence will not even claim the trappings of economic sovereignty, let alone the substance? We are forced to return to the point that the sovereignists speak a language that masks their meaning. Political sovereignty is what they are really after, and political sovereignty is about the symbolism of recognition. Good liberals, they have separated the economic from the political. Prudently leaving the former field to the competitive forces of global markets, they turn their energies toward conquering the field of symbolic representation. Perhaps this is not so surprising. It is what one might expect from a politics of identity.

In keeping with this restrained nationalist vision, and with a clear eye on the caution and nervousness of the Quebec electorate in the face of what might seem a leap into the dark, the PQ has for years assiduously worked the theme that the transition to sovereignty will be risk free. In this they appear to have been remarkably successful, to judge from the results of the 1995 referendum and the apparent imperviousness of a substantial section of the population to threats of the dire economic consequences of forcing a break emanating from the federal government or from business. In the PQ vision, a Yes vote will open a magic doorway or, to shift the metaphor, it will be the equivalent of the “transporter beam” in the Star Trek television series: Quebec will be instantaneously whisked from federalism to sovereignty intact. Everything—society, economy, culture—will be magically recreated just as they were before sovereignty, except that now they will be topped by the fleur-de-lis national flag. Everything, as the sovereignists tirelessly stress with Freudian insistence, will be “normal.”

There is irony here. Quebec separatism began its modern career with a strong sense of social injustice and a vision
of an independent Quebec as a better world. There was a radical, national liberationist wing of the movement in the 1960s, that eventually burnt itself out with rhetorical extremism and violent terrorist tactics, but the longer-term residue was a socialist element in the PQ. The hard experience of government in the late 1970s and early 1980s did much to shrivel radicalism, but as late as the 1995 referendum, the PQ was busy constructing (with some considerable success) a “social coalition” of labour and social movements behind the Yes campaign. Yet when the government in 1994-95 held a series of regional hearings around the province on the theme of sovereignty, they received an unexpected message from many witnesses: sovereignty for what? Why go through the process of separation if the intention is to arrive back in the same place, i.e. in a society in which nothing has changed, except for symbols of national status? In a sense, the means have consumed the ends. Reassurances of continuity finally overwhelm the discontinuity that was, after all, the point of the exercise in the first place. Sovereignty loses its content, but is pursued anyway as an end in itself.

Perhaps this last judgement should be qualified in light of the specific political economic context of the late 1990s. The PQ’s reassurances of stability and continuity, its relentless emphasis on the moderation and safety of its economic liberalism, can be read as the usual behaviour of left-wing movements seeking respectability and an entrée to the corridors of power by gutting their own raison d’être (viz., the well-worn pattern of European socialist and social-democratic parties purchasing a licence for office by renouncing anything in their programs that challenges capitalism). Lucien Bouchard has made it clear that his first priority is to get Quebec’s fiscal house in order. It seems likely that much the same neo-liberal agenda is being adopted in Quebec as in other North American jurisdictions.

There is another reason why “sovereignty” rather than “nationalism” is the word of choice. It stems from a problem inherent in the sovereignist project: what is the nature and composition of an effective majority in a liberal, pluralist society to bring about a fundamental change in the political
community? Despite the professed, and doubtless sincere, liberalism of the PQ, it raises the deeply uncomfortable question of ethnicity and its relation to the composition of an effective majority. The problem was notoriously highlighted on referendum night, when Jacques Parizeau, addressing the party faithful declared: "Let's stop talking about the Francophones of Quebec," he declared. "Let's talk about us. Sixty percent of us voted in favour...It's true we have been defeated, but basically by what? By money and the ethnic vote...in the long run, finally, we will have our own revenge and we will have our own country."

As part of its pervasive liberalism, the PQ has distanced itself from a narrow, exclusionary nationalism based on the core ethnic group. Instead, sovereignist thinkers have formulated a concept of territorial sovereignty. This is an inclusionary, non-ethnic nationalism that recognizes the plurality of groups within the territory. At the abstract level of principles, this is very much to be welcomed. Yet there is an enormous problem. Neither the Anglophone community, nor the Allophone communities, nor Quebec's Aboriginal peoples, have shown the slightest interest in joining forces with this admittedly liberal inclusionary nationalist project of territorial sovereignty. That is why a clear majority of Francophones has not been able to achieve an overall electoral majority for a Yes vote: all the non-Francophone minorities have voted overwhelmingly against.

There is a paradox at the heart of the sovereignty project. Liberal, pluralistic, civic nationalism—the very nationalism that all modern, right-thinking sovereigns prefer—is necessarily territorial rather than ethnic, inclusive rather than exclusionary. Sovereignty based upon a territorial nationalism of course assumes the protection of minority rights. More, it never admits a privileged ethnos or religion or national ideology, and thus a citizenship divided into first and second classes. A territorially sovereign Quebec will never be like Israel with its two distinct levels of citizenship based on ethnicity and religion, nor like the Irish Republic in its earlier days with its privileged entrenchment of Catholicism. But if territorial nationalism possesses solid, respectable pluralistic credentials, it too has its darker, intolerant side.
Sovereignty based on territoriality admits of no violation of territory; the territory of the nation is and must be sacrosanct. In this guise, nationalism can be at one and the same time pluralistic and imperialistic, inclusionary and intolerant. This comes out most decisively in relation to the claims and declarations of intention by Quebec’s national minorities, the Aboriginal peoples. The sovereignists have refused, flatly, bluntly and apparently irremediably, to contemplate the notion that national self-determination is a right of first nations resident on Quebec territory in any way comparable to Quebec’s right to national self-determination. PQ official spokespersons have reiterated tirelessly that Quebec’s borders are non-negotiable under any circumstances. The clear statement of intent from the Cree of northern Quebec not to accept the jurisdiction of a self-proclaimed sovereign Quebec over their ancestral lands has been brusquely rejected by the PQ as having no legal force—as opposed to their own claim to territorial sovereignty which they insist will be recognized internationally as legally valid. Similarly, notions of local community self-determination in the form of democratically-expressed opt-outs in areas contiguous to Ontario and New Brunswick borders have been angrily, even contemptuously, scorned by the PQ. Territorial nationalism, as opposed to ethnically based nationalism, is an idea with a certain dynamic of its own.

Sovereignist professions of liberal intent toward minorities are sincere enough, but they do nothing to reassure those minorities, especially the Indigenous peoples as national minorities, that they are not the victims of an egregious democratic double standard. Why in the world, they ask, should anyone accept the strange assertion that the majority within a particular territorial sub-jurisdiction of the Canadian federation has a unilateral right to national self-determination to the point of definitively rupturing the federation’s territorial and political integrity through secession, while at the same time declaring with an air of utter self-assurance and finality that the boundaries of this new successor state will be inviolable and ironclad proof against any further secessions? How, in short, does this particular majority, itself after all a minority within the larger existing
political community, get to obviate the capacity of minorities within the minority to express their rights as local majorities? And how does this majority, constituted as it is on a territorial basis, get away with the simultaneous assertion of its own national status along with its concomitant non-recognition of the national rights of the First Nations who cohabit the same territory? Ditto for the assertion of the democratic authority of the Quebec minority-as-majority along with the refusal to recognize the democratic force of local minorities-as-majorities. It is but a short step from questions like these to the heated identification of the sovereignist project as imperialistic and authoritarian. When this happens, the sovereignists, secure in their own liberal and democratic credentials, indignantly contest the bona fides of their opponents and hint pointedly that the latter are mere catspaws for reactionary elements outside Quebec who would deny Quebec's democratic right to national self-determination. Debate disappears, to be replaced by something debilitating and hopeless (to borrow a phrase): a dialogue of the deaf. If sovereignty is actually proclaimed at some point in the near future much worse could follow.

The sovereignists do not generally understand the paradox of their own formulation of territorial nationalism, that with the best of liberal intentions, it creates a political space where further debate about nationality is forced into silence, or into the all-too-likely but calamitous consequence of enforced silence, violence. Their critics, on the other hand, do not usually recognize that it is precisely their liberal intentions that have led them to place such extreme reliance on territorial integrity.

Sovereignty as a concept is still a most exacting task-master. It bespeaks paramountcy, superlative strength or efficacy; it disdains all rivals, holds all challenges in contempt. The sovereignists have themselves admitted the inadequacy, if not the anachronism, of this concept in the present age when they speak enthusiastically of Quebec as a prospective partner in NAFTA, a participant in international economic bodies and consortia like the WTO, the IMF and the World Bank, and a generally good citizen of the global world economy. Yet this has not led them to downplay the domestic
power of political sovereignty within a Quebec whose economic borders will bleed and blur into the greater capitalist world outside. Far from it: the untrammeled exercise of internal political sovereignty is their bottom line, as it were, the sole rationale for the entire risky exercise, and one that must be vehemently asserted the more that the economic aspects of sovereignty mock and subvert the very concept itself. And since they have most reasonably defined sovereignty as based not on ethnicity but territory, it is the territorial integrity of the Quebec nation that is infused with the strongest charge of sovereignty in its original imperious guise.

After independence, only the Quebec government will negotiate and sign self-government agreements and financial arrangements with the Aboriginal peoples who reside on Quebec territory. From the point of view of the Aboriginal peoples, this would represent not merely a loss of bargaining leverage, but far more significantly, a fundamental denial of their national rights to self-determination. They can hardly accept being swept out of one political jurisdiction and into another without their consent, without in effect abandoning any claims to national status.

The Cree and the Inuit of northern Quebec are particularly strategically placed to contest the territorial ambitions of an independent Quebec. They are the majority on the ground; they have their own instruments of self-government, and they have demonstrated, by separate referenda held on the eve of the general referendum of 1995 that they are virtually unanimous in opposition. Northern Quebec was not an original part of Quebec territory upon Quebec’s entrance into Confederation in 1867, with parts being added later, the largest and most northerly as recently as 1912 (thus the territory is not part of any putative original confederal bargain, but was transferred from the federal government). The Cree will almost certainly request Canadian military assistance to resist any attempt by Quebec to enforce its jurisdiction over the north after a declaration of sovereignty. Yet, however unenforceable Quebec’s claim might be, it has a huge stake in the north, since it is the site of the vast James Bay
hydroelectric complex, a crucial element in the economic viability of Quebec.

This explosive issue, and the desire of other geographically concentrated minorities to opt out of an independent Quebec, has raised the question of potential partition to accompany independence. The response of the PQ to the tentative suggestion by Ottawa that if Canada is divisible, so is Quebec, is very revealing of a profound contradiction at the heart of the sovereignty project "Canada," Mr. Bouchard said, "is divisible because it is not a real country. There are two peoples, two nations and two territories and this one is ours. It will never, never be partitioned." On the basis of territorial nationalism, the PQ claims that Quebec borders are sacred and indivisible; then they turn about and say Canada is divisible because Quebec is a separate "nation" or "people" that has a right to secede. Both claims cannot logically be made at the same time. If Mr. Bouchard's critique of Canada is correct, then the claim to indivisibility of Quebec fails. The Aboriginal peoples are separate nations or "peoples" as much as Quebec, and therefore they have every right to opt of a secessionist Quebec. If his critique of Canada is incorrect, then Quebec has no right to secede itself. This muddle, of course, does not bother the sovereignists who are eager and insistent upon having it both ways, but it does point to a potentially devastating landmine lying along the road to a peaceful secession à la the Czechs and the Slovaks.13

However civilized the contest has so far been between federalists and secessionists (certainly by comparison with such conflicts in other parts of the world, it has been remarkably restrained and civilized), there is potential for chaos and even violence accompanying a move toward secession. If partition is forced onto the negotiating table—and it will almost certainly come from the Cree in the first instance—a very unstable situation could develop with eerie echoes of the Yugoslav disaster. Partition or negotiable borders inexorably raise the question of minorities within minorities and population transfers. Who is to say where or why the process would stop before something very much like ethnic cleansing under another name might become the
order of the day? Nobody of course wants such an appalling scenario to come about. But great social and political disasters are often the unexpected consequences of rash actions on the basis of earnest but contradictory motives. There are no shortages of the latter.

Yet perhaps it is the Aboriginal challenge that offers a way out of the impasse of sovereignty eating itself. Aboriginal concepts of self-government are not, for the most part, cast in the misleading and dangerous language of the dominant Western sovereignty tradition. The James Bay Cree do not speak of their self-government as a rupture or a territorial secession; it is cast in opposition to such a rupture. On the other hand, their insistence on remaining part of Canada hardly stems from acquiescence to absolutist Canadian sovereignty. Self-governing Aboriginal communities will be both in and out of Canada, a different order of government, both standing alone and sharing at the same time. This suggests more creative solutions than the tedious clash of dinosaur-like sovereignties, Québécois and Canadian.

In fact, closer attention to Aboriginal voices across Canada suggests more fertile concepts of self-determination than could ever be imagined within the stolid confines of the dominant European tradition of constitutional discourse, what James Tully has called "the empire of uniformity." As Aboriginal people have begun spelling out ideas of self-determination and self-government over the past few years they have tended (of course one should not over generalize very diverse thinking) to avoid the sharp dichotomies and rigid boundaries drawn in Western thought.

The most accessible source for Aboriginal thinking on these matters is the recent Report of the Royal Commission on Aboriginal Peoples in its comprehensive section on "Governance." According to the Commission, sovereignty in Aboriginal discourse is distinguished from self-government. Sovereignty is the "natural right of all human beings to define, sustain and perpetuate their identities as individuals, communities and nations" or, more simply: "the right to know who and what you are." For Aboriginal people, this is not a secular, political concept, so much as a spiritual one: "as a gift from the Creator, sovereignty can neither be
given nor taken away, nor can its basic terms be negotiated.” While Aboriginal and non-Aboriginal concepts of sovereignty are expressed in very different languages that arise out of differing cultural backgrounds, Aboriginal understandings present a less absolutist notion of sovereignty than European versions. For Aboriginals, sovereignty can be shared among different peoples so long as the right to self-determination (“the power of choice in action”) is recognized. Whereas Quebec sovereignists would simply replicate the Canadian state on a smaller scale but with the same expectations of uniformity, Aboriginal voices generally do not see why many trees cannot grow in a forest, as part of a “complex ecological system.”

Within this context of inherent sovereignty, self-government is one of a “range of voluntary options available to Aboriginal peoples who wish to take advantage of it.” Forms of self-government may vary. The Commission is sensitive to the diversity of Aboriginal cultures and to the range of governmental forms that might be adopted. There is no one model, whether of consensual decision-making or formal written constitutional structures that can, or should, be imposed upon this diversity.

As Canadians contemplate the coming challenge of yet another Quebec referendum on sovereignty, they should consider the intriguing philosophical lesson that Aboriginal thinking poses to the fundamental idea of governance in Canadian society. Sovereignty, Aboriginal voices are telling us, is not an absolute, not a zero-sum of authority; it is something that can, and should, be shared, without one people triumphing over another. Many in the Canada of today would define sovereignty by exclusion: you are either/or, this or that, sovereign or not-sovereign. “Quebec must construct its own exclusive sovereign space through constitutional rupture” assert the sovereignists. “Quebec must submit to being simply one province among equals if it remains in Canada” assert the born-again federalists. Even the conciliators can come up with little more than controversial constitutional clauses recognizing Quebec’s “distinct” or “unique” character. Not only do these ideas (perfectly fine on their own terms) tend to ignore or avoid the recognition
of the rights of First Nations, but more significantly they tend to glide by the fundamental question of redefining sovereignty itself. Instead of exclusivity and uniformity, Aboriginal thinking leads toward inclusivity and diversity.

Some opinion, mainly on the neo-liberal right (with enthusiasm), but some perhaps on the left as well (with dismay), will respond to Aboriginal voices by dismissal: these are old, pre-modern, outdated concepts that will not stand up to the harsh scrutiny of a world of global marketization and relentless technological change. Perhaps. Yet it is actually the "sovereign" nation states that seem particularly incapable of coping with the contemporary changes, and with them the theorists of sovereignty in the traditional European mode.

In the classic Weberian definition of the modern state the key element is the "monopoly over the legitimate exercise of force within a given territory." It is true that contemporary states wield an impressive armoury of coercion in the form of police, security and military forces well-equipped with the more sophisticated technologies of surveillance and intelligence gathering, as well as more than ample capacity for old fashioned brute force. Yet these great leviathans are in retreat, increasingly impotent to control or even influence the flows of capital and commodities, of information and cultural products, of migrants and refugees, of transnational criminal activity and money-laundering, of illegal flows of drugs and arms, and of non-state terrorist actions. Moreover, everywhere large states experience legitimacy crises as national minorities, regional cultures, and various identity groups grow restive about accepting the traditional arrangements of power and wealth distribution that underpin national states. States increasingly appear as empty shells, posturing as sovereign actors on a world stage that has begun to ignore them in favour of the more relevant activities of corporations and international investors, arms merchants, globalized crime syndicates, NGOs, environmental alliances, social movements that transcend borders, etc..

In this context, Aboriginal concepts of sovereignty may not appear so outdated after all. Aboriginals appear to have grasped something that the theorists of state sovereignty have
Studies in Political Economy

failed to apprehend, by and large: governance is being disengaged from territory, at least in the sense of an international order based on sovereign states with territorial monopolies. In the networked world of real-time communication, flows criss-cross territorial boundaries and this brings the global and the local into a very different form of relationship. This does not mean that territory has lost its importance, especially for traditional communities to whom the land is crucial. But in fighting to retain their ancient land and the ways of life the land sustains, new forms of political struggle are being developed that recognize that power flows across national boundaries, that local conflicts require global strategies. Not locked into the straightjacket of classical sovereignty concepts, traditional communities can seize the opportunities offered by the globally networked world—in defence of localism.

Let me take a concrete example of how this works, and how Aboriginal people have demonstrated some aptitude for navigating the exigencies of the contemporary world. The example is the James Bay Two or Great Whale hydroelectric megaproject promoted by the government of Quebec and defeated by the James Bay Cree.

Hydro-Québec is a state corporation created in the early days of the Quiet Revolution of the 1960s. It was a centrepiece of the first, statist, phase of Quebec modernization when a new Francophone technical and professional class sought a beachhead in an economy where the private sector had been dominated by Anglophone capital and management. The James Bay One development was widely seen by Quebec nationalists as a source of great pride for Quebec aspirations: a vast, technologically sophisticated megaproject that connected Quebec with global export markets for hydroelectric power—and was designed, built and run by Québécois engineers, administrators and business professionals. It was a symbol of Quebec’s capacity to construct a modern technocratic state and an efficient economy run by Québécois.

From the perspective of the Aboriginal people of Quebec’s north, the James Bay development appears very differently. It is an aggressive, imperialistic thrust of capitalist European “civilization” into the very heart of Aboriginal land and the
native economy. Hydroelectric dams radically transform the landscape itself, flooding ancient lands, re-routing rivers and streams, slicing and severing the migration paths of wildlife and disrupting the hunting and trapping patterns. Entire communities have to be uprooted and "relocated." At first glance, this process appears as the very paradigm of modernity impinging upon traditional ways of life. The hydro grid advances relentlessly across the primeval landscape subduing all, man and beast, tree and river, who fall under its commanding spell. Nature is transformed by technological alchemy into power which turns the engines of capitalist industry. Particularities, traditions and irregularities are forced into the straight rigid lines of empire that transport this power to foreign markets, thus connecting and subordinating the ancient lands to the networks of the global economy.

An illustrative vignette of hydroelectric imperialism: in the summer of 1997 it became known that a bureau of the Quebec state that bestows an official imprimatur on Quebec place names had decided to name 101 islands created by the flooding caused by James Bay One in honour of Bill 101, the French language law passed by the first PQ government in 1977. Names have been chosen from the titles of Québécois literature, leading the former editor of Le Devoir, herself one of the favoured authors, to gush that the names read like a "poem." No Quebec officials thought it worth their trouble to consult the Inuit, upon whose ancient lands these names were being bestowed, and who were outraged when they learned about it. The Quebec government's excuse for ignoring the Aboriginal people and their language is that the islands are "new," created by the hydro flooding. In other words, Hydro-Québec as a by-product of its power production swamped Inuit lands. The technologically transformed landscape produces "new" features which the Quebec state feels itself entitled to name (naming itself of course being an act of immense symbolic power) by imposing a Québécois cultural map upon the land. The power grid is followed by the cultural grid.

So far the image is a familiar one of capitalism and colonialism, of conquerors and victims, of traditional peoples
being subordinated to the demands of modernity. Only the special twist of Quebec nationalism—its fight against the hegemony of Anglophone North America—appearing in the role of colonialism, slightly complicates the picture. James Bay One followed a familiar script in which Indigenous peoples were alternately bullied and conned into an acquiescence which the intruders scarcely even required to complete work, except for the sake of appearances and a “legality” that in the past was honoured far more in the breach. They were not ready for the onslaught in the 1970s, but by the time that the malign spectre of the Great Whale emerged on Hydro-Québec’s horizon in the 1980s, the picture had changed.

The James Bay Cree in particular mobilized a major resistance movement to the plans for stage two. This was not just another forlorn last-ditch stand by an endangered people. The Cree mounted a sophisticated international publicity campaign to capture world opinion. Grand Chief Matthew Coon-Come enlisted US political personality Robert Kennedy, Jr. and a leading American publicity firm. The Cree networked, building on international environmental groups with experience and expertise in gaining access to global communications systems. Publicity highly unfavourable to the Quebec government was generated in American and Western European media. The New York legislature (that state being the primary export market for Quebec hydroelectric power) was persuaded to refuse to purchase power generated by the Great Whale. The Quebec government, faced with hearings in Washington where the Cree confronted Quebec spokespersons in an atmosphere generally hostile to Quebec, finally backed down and shelved the Great Whale project. It is true that economics played a part in the American decision. It is also true that the PQ government had never been as committed to the megaproject as its Liberal predecessor. Yet the point is that the Cree skillfully exploited these weaknesses.

Nor is this all. In any upcoming territorial confrontation after a Yes vote in a future sovereignty referendum, the Indigenous people of northern Quebec have gone a long way toward winning the battle of world opinion. Much of the
media in the US and Europe have been persuaded that the Aboriginal people have a strong case. NGOs and social movements which in the early 1980s might have been expected to sympathize with Quebec's sovereignist aspirations, are more likely now to sympathize with Aboriginal objections. With public opinion hostile, few states, apart perhaps from France, will likely side with Quebec on unilaterally imposing Quebec jurisdiction in the north—unless the Canadian government agrees to accept this at the outset, which is implausible, given that the threat of partition will be a useful bargaining chip in the hands of the federal government.

The péquistes, so confident of winning international legitimacy for their fledgling national state, hardly seem to have understood what has hit them. The Great Whale fiasco was not perhaps in and of itself a great defeat for the PQ. What was more significant was what the effectiveness of the Cree struggle against the project portends for a sovereign Quebec's ability to gain external support, if they cannot first resolve Aboriginal objections.

The point is this: threatened by the enclosing networks of global capitalism (the power grid), the Aboriginal people of northern Quebec fought back by their own networking, this time networks that utilized international environmental groups and global communications. To be sure, the battle for Aboriginal rights has hardly been won in this one successful skirmish, but the strategy of resistance is interesting and offers a model for how resistance can be carried in the information age or what Manuel Castells has called the "rise of the network society." Castells has written of the Mexican Zapatista movement that it is the first "informational guerrilla movement." The Zapatista struggle is quite different from that of the Aboriginal people of northern Quebec, but the model of a movement that understands and utilizes global information networks on behalf of local resistance against globalization does apply.

Whose is the more "modern" concept of sovereignty? Is it the Quebec sovereignist movement fixated on replicating national political but not economic-sovereignty over Quebec's "sacred" and indivisible territory? Or is it
the Aboriginal people who speak of the self-determination of peoples, not states or territories, who network across borders to build support alliances, and who can imagine shared jurisdiction between themselves, Canada, Quebec and the wider world? I think the answer is self-evident, and is embodied in the political defeats already suffered by the péquistes at the hands of those they refuse to see as other than one more cultural minority in a Francophone nation-state, but who have shown conclusively that they are much more than that and can be politically effective operating in the real world at the end of the twentieth century.

If Quebec does separate, the challenge posed by the Aboriginal peoples of northern Quebec will demand innovative answers from all the players in the crisis. A possible way out of the impasse/catastrophe occasioned by demands for partition would be for Canada and Quebec to enter into a condominium arrangement for joint sovereignty in the north, with each government holding specified functions of sovereignty as understood presently in international law but with a much wider arrangement for Aboriginal self-government and Aboriginal jurisdiction over land and resources than exists at present. A condominium would be a distinct innovation (but one that could give flesh to the PQ's idea of a post-secession "partnership" between Canada and Quebec).

The idea of a condominium of overlapping sovereignties has one intriguing recent international precedent in the Northern Ireland Peace Agreement. This remarkable agreement, brokered between the British and Irish governments and the Unionist and Republican antagonists in Northern Ireland, offers a way out of what had seemed an intractable clash of old-style sovereignties. Loyalists have doggedly insisted upon the continued inclusion of Ulster in the United Kingdom; nationalists passionately demand unification with the Irish Republic. The peace agreement, carefully spelling out its intentions not in abstract declarations but in the details of proposed institutions of governance, foresees [a] a continuation of British sovereignty; [b] a North/South ministerial council that will involve the Irish government in all-island cross-border concerns; [c] a self-governing assembly in the North that can only function with the concurrent support

92
and participation of both communities; and [d] an eventual
"Council of the Isles" that will comprise representatives of
the British and Irish governments, along with Northern Ire-
land and representatives from the new devolved assemblies
in Scotland and Wales that are in the process of construction.
In short, what had been a zero-sum game has been shifted
to a terrain in which each party can be a partial winner, and
neither a total loser. Moreover, devolution within the UK
alongside the new arrangements in Ireland north and south
offer a displacement of the sovereignty problem from the
centre of the stage. These ideas make no sense at all in
traditional terms of national sovereignty and seem unwork-
able according to old models. In the real world of political
conundrums that cry out for creative solutions, they make
all the sense in the world. To be sure, the process could
still be derailed by intransigent elements on one or both
sides. Yet it is hard to see how any eventual resolution of
this ancient conflict can be on any other terms than those
spelled out in this most innovative plan.

In the event of Quebec moving toward sovereignty, the
Northern Irish model offers a concept of overlapping sov-
ereignties that could satisfy: [a] Aboriginal peoples that Can-
ada was not abandoning its fiduciary obligations to them;
[b] Quebec that "its" territory would not be partitioned in
the sense that Quebec would not be expelled from the north;
and [c] Canada that a secessionist Quebec could not depart
except by agreement honouring Canada's existing rights and
obligations as well as Quebec demands. I must reiterate that
such an unusual arrangement will only work if it compre-
hends a very large degree of Aboriginal autonomy, but one
that grants the inevitability of a continuing interest and pres-
ence of both Canada and Quebec. None of this however can
easily apply to the Aboriginal peoples in the south of Quebec,
where geographical separation is hardly possible, and where
history does not as readily distinguish Aboriginal lands from
original Quebec territory. Here it may well be necessary to
establish a joint constitutional protocol between Canada,
Quebec and the Aboriginal peoples in both jurisdictions guar-
anteeing the same rights of self-government, making borders
irrelevant to Aboriginal rights. This arrangement too would
be an innovation in terms of limiting traditional national sovereignty, although it might well not satisfy some of the bands in southern Quebec.

If Quebec does not separate, Aboriginal thinking might encourage greater creativity in conceptualizing more innovative forms of relationship between Quebec and the rest of Canada that need not bow to antiquated notions of sovereign state unity. The apparently discredited notion of asymmetrical federalism, the never realized idea of a distinct society clause or a clause recognizing Quebec's unique character, or other ways of accommodating diversity and difference within the political community, could be reconsidered in the context of a "Three Nations" model of federalism in which Canada, Quebec and the original peoples all find (to resurrect an old phrase) "unity in diversity."

If the rest of us would try listening to Aboriginal voices, perhaps we might recall that our actual historical experience has more closely resembled the underground, alternative tradition that has questioned the pretensions of sovereignty. And we might be jolted into action by the realization that the real word at the end of the twentieth century fits the underground tradition rather better than it fits the Jurassic Park of old sovereignties.

Notes

5. Thomas Hueglin, "Federalism, subsidiarity and the European tradition: some clarifications," Telos 100 (Summer 1994), pp. 37-55; "Have we studied the wrong authors? On the relevance of Johannes
Whitaker/Aboriginal People


7. The oddity of the spectacle was captured in the title of a major scholarly collection on the patriation debate: Keith Banting and Richard Simeon (eds.), And No One Cheered: Federalism, Democracy and the Constitution Act (Toronto: Methuen, 1983).


13. This intellectual mystification (both self-mystification and mystification of others) continues to be rampant in the ranks of péquistes officials, as evidenced in Quebec Intergovernmental Affairs minister Bernard Landry’s hysterical response to the open letter from his federal counterpart, Stéphane Dion, to Lucien Bouchard in the summer of 1997. When Dion questioned the PQ’s absolute guarantee of Quebec’s present boundaries post-secession, Landry accused him of “turning his back on democratic principles” and imposing a “terrible injustice” on Quebec presumably for simply applying the same logic to Quebec as the PQ applies to Canada! See Stéphane Dion, “These grave questions cannot be avoided,” The Globe & Mail, (12 Aug., 1997) A17; Bernard Landry, “Ottawa’s line is anti-democratic,” The Globe & Mail (14 Aug., 1997), A23.

14. Reg Whitaker, “Quebec’s self-determination and Aboriginal self-government: conflict and reconciliation?” in Carens, Is Quebec Nationalism Just?, pp. 193-220. Since writing this article I have come to more pessimistic conclusions regarding the possibility of a three-way compromise between Canada, an independent Quebec and Aboriginal
peoples that would avoid the opening of the partition issue. I would now argue, as later in this essay, that some kind of Canada-Quebec condominium arrangement in Northern Quebec, with a high degree of Aboriginal autonomy, may be the only route to avoiding bloodshed and/or injustice.


