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I cannot express the pride I feel today, being given the honour of having my book published in Spanish. I am truly humbled by the thought that this collection of speeches and letters that I wrote in support of Canadian unity in the early years of my political career was deemed to be of interest to a Spanish-speaking public.

I can readily understand why Spanish Canadianists would take an interest in a book that deals with Canada's most important issue: the very unity of the country. I know how many excellent experts your country has on the Canadian political system, people who are very well versed in the context in which these documents were written. They are familiar with the political figures, parties and historical references that appear in this book. Who knows, there may be some experts on our Constitution who will be intrigued by the speeches that I gave to convince parliamentarians to make the constitutional amendments that allowed the secularization of school boards in Quebec and in Newfoundland and Labrador.

However, since this book was considered to be worth translating into Spanish, I suppose that it was seen to have a more universal significance, not limited to just the Canadian context. In fact, the book deals with two issues, which may be expressed in these terms: First, why keep a democratic country united?



Second, if it should come to it, how could a democratic country be broken up in a manner that respects everyone's rights?

When expressed in these terms, these two questions are universal and this is how I dealt with them, fundamentally, going beyond the national context in which I found myself. I did not set one form of nationalism against another: Canadian nationalism versus Quebec nationalism. I did not claim that the solution was to shout "Canada" louder than the others shouted "Quebec." Nor did I claim that some kind of flag war needed to be won at all costs. Instead, I was guided by Albert Camus' splendid expression: [Translation] "I love my country too much to be a nationalist."

1. Why keep a democratic country united?

The fundamental claim that I make is that democracy invites fellow citizens to accept themselves as they are within a State and not to transform themselves into foreigners. The citizens of a democracy are linked by a principle of mutual loyalty or solidarity. They all owe one another their assistance beyond considerations of race, religion or regional belonging. For this reason, all citizens are, so to speak, the owners of the country as a whole, with all its potential for wealth and human solidarity. No group of citizens can take it upon itself to monopolize citizenship over one portion of the national territory, or to take away from fellow citizens, against their will, their right to full belonging to the country in its entirety. All citizens should be able to pass on to their children that right to belong. Ideally, such a right should never be challenged in a democracy. That is probably why so many democracies consider themselves to be indivisible.

This principle of mutual loyalty among citizens is just as valid in a federation as it is in a unitary system. In international law, territorial integrity is recognized in

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both instances. Federalism itself produces a loyalty among constituent entities, a principle that some federations, such as Germany, have formalized in law.

Because loyalty unites all citizens over and above their differences, no group of citizens within a democratic State can assume the right to secession under the pretext that its specific attributes – language, culture or religion – qualify it as a nation or a distinct people within the State.

We are surely touching here on the fundamental reason why international law and State practice alike recognize a right to secession only in situations of colonization or flagrant human rights violations. In extreme circumstances where a State refuses to treat a group of citizens as citizens, where it rides roughshod over their right to citizenship, those citizens in turn have the right to consider it no longer to be their State. They have that right not by virtue of distinctive traits pertaining to race, language or religion, but because, like other human beings, they have a universal right to citizenship.

Thus, the normative foundation of the indivisibility of the States in a democracy is the loyalty of citizens, a principle that guarantees to each citizen full belonging to his or her country. It should be added that this normative foundation is far from being of merely theoretical importance: on the contrary, it must be considered essential to the proper functioning of democracies. Indeed, a philosophy of democracy based on the logic of secession would be unworkable. It would incite groups to separate from one another rather than try to unite or reach agreement. Automatic secession would prevent democracy from absorbing the tensions inherent in differences.

The fact of knowing they will stay together encourages citizens to strive toward sincere and active co-operation, and to see that co-operation as lasting from one generation to the next.



Conversely, recognition of the right to secession on demand would invite breakup as soon as difficulties were experienced along fault lines that are very likely to develop around collective attributes such as religion, language or ethnicity. Moreover, such a right would make the mere threat of break-up a permanent political strategy within a State. In effect, it would give groups a strong incentive to threaten to secede in order to get what they want.

Taking all in all, why keep a democratic State united? Because the principle of loyalty between fellow citizens is essential to democracy. In my opinion, this is the most universal and most valid response that can be given in favour of national unity, over and above nationalist considerations. Of course, I love Canada and I am proud to be Canadian. I'm overjoyed when our national team wins a world ice hockey championship. I'm even happier when it is a Quebecker who scores the winning goal! But it is this universal principle of loyalty between fellow citizens that provides the fundamental inspiration underlying my fight for Canadian unity, which appears throughout my book.

Some might argue that, in a political fight, it's more difficult to glorify this universal principle than a nationalist argument such as the beauty of the Rocky Mountains. I don't think so. If you want to fill a Quebecker's heart with Canadian pride, make him value Canada's universal contribution as a good world citizen, always ready to defend peace and democracy. Tell him that what we are trying to build with other Canadians is a country where the utmost respect will be shown for the universal values of tolerance, openness and sharing, values sought by all human beings of good will.

In other words, talk to him less about the Rockies and more about the need for Vancouver to join Montreal and Toronto in the winning circle of the great multicultural cities.

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Then he might agree that he is lucky to have 31 million fellow citizens and that

there is no valid reason to make him want to transform 23 million of them into

foreigners.

2. <u>Under what circumstances is secession acceptable in a democracy?</u>

In a democracy, how should one respond to a secessionist request when it is

expressed in a peaceable manner? Violent separatism is, of course, to be

rejected and condemned.

My book sets out the following response: while secession is not a right in a

democracy, it remains a possibility to which the existing State may agree in the

face of a clearly affirmed will for peaceable separation. The negotiation of

secession might perhaps appear to be the least harmful solution possible in the

event that one part of the population clearly demonstrates its will no longer to be

part of the country.

However, it is precisely because secession - the transformation of fellow

citizens into foreigners - is a serious and probably irreversible phenomenon

binding future generations that it should not be negotiated in the absence of

clear support for secession. And it is precisely because secession would be

extremely complex to negotiate, involving enormous risks, that it could not be

done unilaterally, outside the law.

No democratic State could abdicate its constitutional responsibilities toward one

part of its population without having the assurance that this is what they clearly

want. This unequivocal will to secede should be expressed by a clear majority

in support of a question clearly pertaining to secession, rather than a question

on some vague proposal for political partnership.

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If a secessionist government is irresponsible enough to try to secede

unilaterally, outside the law, the existing State must peacefully maintain the

constitutional order and continue to honour its responsibilities to the affected

population, which shall continue to be part of the existing country and to enjoy

its citizenship. The fact is that a unilateral secession is unworkable in a

democracy.

Negotiation on secession would be undertaken within the constitutional

framework and should be guided by a genuine quest for justice for all. For

example, in the event that territorially concentrated populations within the region

in question clearly ask to stay attached to the existing State, the divisibility of

the region's territory would have to be contemplated within the same spirit of

openness that led to accepting the divisibility of the existing State's territory.

Conclusion

If I had to find a single proposition to summarize my book, it would be this: a

country gives itself the best chances of improving if all its citizens adhere to the

principle of loyalty. That principle may be expressed as follows: "Come what

may, we shall choose to stay together."

This assurance gives rise to greater mutual trust, a stronger and more sincere

desire genuinely to look out for one another and an enhanced capacity for frank

discussion and for finding solutions when disagreements arise. For it is normal

for disagreements to occur in a democracy. But the search for new solutions

that results from this clash of ideas will be much more productive if it is based

on unfailing loyalty rather than on calling into question the very unity of the

country.

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Democracy unites all citizens through a principle of loyalty that confers on each a right to his or her country. Such a right should never be called into question, except in cases where the will to secede is clearly and peaceably expressed.

If such clear support for secession has never occurred in a well-established democracy, it is mainly because a regime founded on the loyalty of citizens creates very strong human ties that would be difficult to break. It is not the vocation of citizens in a democracy to transform themselves into foreigners.

Zaragoza, 10 de noviembre de 2005.