

The 1982 “Coup de Force” of the Federal Government Against Quebec Has Made Quebec a De Facto Domestic Colony

And Why Correctives Are Now Required to Rectify that Injustice

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“There is no core identity, no mainstream in Canada and (...) that makes us the first post-national state.” —**Justin Trudeau** (1971-), in an interview with the New York Times Magazine, Oct. 2015.

“To those fleeing persecution, terror & war, Canadians will welcome you, regardless of your faith. Diversity is our strength -#Welcome to Canada.” —**Justin Trudeau** (1971-). message on Twitter, Jan 28, 2017.

“Under the doctrine of multiculturalism, we have encouraged different cultures to live separate lives, apart from each other and the mainstream... I believe it’s time to turn the page on the failed policies of the past.” —**David Cameron** (1966-), British Prime Minister, in a speech in Munich, Germany, Feb. 5, 2011.

“Official multiculturalism [in Canada]... was a bad idea in the beginning, and in time will probably be seen as one of the gigantic mistakes of recent public policy in Canada.” —**Robert Fulford** (1932-), Canadian editor, in an article in The Globe and Mail, Feb. 19, 1997.

It is important to cast a new look at the referendum held in Quebec on May 20, 1980, and at the subsequent coup by the Canadian federal government to strip the people and the government of Quebec of historic rights and powers.

A plebiscite rather than a true referendum

The referendum held in Quebec in 1980 was more a plebiscite than a true referendum. Indeed, the Quebec government of Premier René Lévesque had put only its own constitutional option on the ballot, excluding all the others. In addition, a plebiscite approach is more risky, geopolitically speaking, than a genuine referendum, in the event of a defeat of the government's request for a mandate.

It was my feeling at the time, as a member of the Quebec National assembly, that in the event of a foreseeable defeat of the plebiscite launched by the government, such a rebuff of the government's option by the electorate could likely place Quebec at the mercy of the Canadian federal government of Prime Minister Pierre Elliott Trudeau.

- **To be truly democratic, the 1980 referendum should have included more than a single constitutional option for Quebec**

To be democratic, a real referendum held in Quebec in 1980 (like the one held in Newfoundland in 1948, which included a choice among three options), should also have included three options, namely:

- A. the option of the Parti Québécois government (a mandate to negotiate the option of **Sovereignty-Association** as explained in a "White Paper");
- B. the option of a **renewed federalism** of Claude Ryan (explained in the 'Beige Book' of the Liberal Party of Quebec); and,
- C. an **autonomous confederal-type state status** for Quebec (with powers as explained in my book 'The Third Option').

If no option had obtained 50% of the votes in the first round, a second round would have been necessary (as was the case in Newfoundland in 1948). The exercise would have been consistent with the democratic principle, because the result would have reflected the majority choice of the people.

- **The referendum defeat on May 20, 1980 opened the door to a repatriation and modification of the Canadian constitution, without the participation of the Government of Quebec and its population**

The referendum defeat of the Lévesque government was unequivocal, with a result of, Yes: 40%; No: 60%. It provided a useful pretext for the federal government of P. E. Trudeau to announce that it could proceed unilaterally with the repatriation of the *British North America Act* of 1867 (BNA) from the British Parliament. Not only that, but it also intended to add new modifications of its own, which would reduce significantly the historic rights and powers of the Parliament of Quebec.

In such circumstances, both the Quebec government and the official opposition would be placed in a very disadvantageous position to prevent the federal government from moving

forward with its unilateral plan.

On the one hand, the leader of the No camp, Claude Ryan, had morally 'won' the 1980 plebiscite, but he was not in power to defend his option in favor of renewed federalism with increased powers for Quebec. On the other hand, federal Prime Minister Pierre Elliott Trudeau was in charge in Ottawa, and he could take advantage of the situation to impose his own constitutional option, which had never been discussed and debated democratically during the Quebec referendum period of 1980.

Even though Premier Lévesque probably showed poor judgment in not resigning after his referendum defeat, this in no way justified the federal government to want to unilaterally modify the Canadian constitution, without the agreement of Quebec, and to forcibly reduce the historical rights and powers of the Quebec Parliament.

The 'Group of Eight' and the role of the federal Supreme Court

The Lévesque Quebec government of the time, in addition to not resigning after its referendum defeat, chose to join seven other provincial governments to form the so-called 'Group of Eight', in a final attempt to prevent the federal government from going ahead with its unilateral constitutional plan.

Such a plan B to counter the visions of the federal government involved great risks for Quebec. Indeed, all it took for the federal government to isolate the Quebec government and rally the nine English-speaking provinces to its cause was to make minor concessions to the latter provinces. This took place on the fateful night of November 4, 1981, at the Château Laurier in Ottawa—an event known in Quebec as the 'Night of the Long Knives', in the absence of representatives of the Quebec government.

This is, in a few words, how Quebec and its population became the victims of a historic constitutional 'coup de force', which paved the way for the adoption of the Constitution Act of 1982, officially ratified on April 17, 1982, by Queen Elizabeth II. This law was imposed upon Quebec, without ever having been signed by the government of Quebec, nor accepted by the Quebec people during a formal constitutional referendum.

This was particularly the case in matters of language, education, culture and secularism, by virtue of the general tradition of the [Civil Code of Quebec](#), which dates back to the Quebec Act of 1774. These are areas which previously fell under its jurisdiction and which are deemed necessary to ensure its survival over time, as the only province with a French-speaking majority in the Canadian federation.

It must be pointed out that the Supreme Court of Canada, an exclusively federal body, played a crucial role in creating the injustice done to Quebec, in 1982. This is unlike what exists in the German federation, where a similar court is composed of judges, half of whom are appointed by the central government and half by the *Länders*, or provinces.

Indeed, the Supreme Court ruled on September 28, 1981, that the *right of veto* traditionally exercised by Quebec in constitutional matters, one of the four provinces signing the Confederative Pact of 1867, (and whose modifications were based on the rule of unanimity until then), did not have a legal basis but only a political one.

That interpretation allowed the Court to conclude that the repatriation of the Canadian

constitution from London and its in-depth modification could be done, provided that a “sufficient number” of provincial government agreed, without taking into account the interests and prerogatives of the only province with a French-speaking majority in Canada, Quebec.

The *Constitution Act of 1982* transferred important political powers to the Supreme Court—which had already benefited enormously from the repatriation of the powers of the Privy Council from London, in 1949—to not only rule on the form of laws adopted democratically by parliaments, but also on their political merits.

Political and legal centralization at the Canadian federal level, unjustly imposed on Quebec since 1982, tends *de facto* to reduce Quebec, the only majority home of French speakers in the Canadian federation, to the status of a domestic colony, politically subject to the dictates of English Canada and its representatives.

Such an increased and forcibly imposed political and legal centralization has set back the historical rights and powers of Quebec and its population by more than 100 years, i.e. since the adoption of the *British North America Act of 1867*.

The result has been a major breach of justice, democracy and the principle of the right of people to self-govern. Indeed, it is a reality that since 1982, Canadian democracy has been placed in a political-legal straitjacket.

The failed policies of state multiculturalism

The political ideology of multiculturalism, which was inserted in the *Constitutional Act of 1982*—never signed by the government of Quebec—has also served as a justification to adopt a federal policy of mass immigration. This has been a central policy of the liberal federal government of Justin Trudeau since 2015.

Canada is the only country in the world that has constitutionalized such a political ideology, intrinsically changing and optional, and this, without a referendum. Over time, such an ideology could pose a threat to the demographic stability of Quebec and, eventually, to the very survival of the French-Canadian nation as a whole, in Canada.

Conclusion. Political Corrections are Necessary

Consequently,

Considering that the *Constitutional Act of 1982* forcibly imposed a reduction in Quebec’s historic rights and powers, particularly in matters of language, education, culture and secularism, all areas that previously fell under its exclusive jurisdiction, and which are required to ensure its survival over time as the only province in Canada with a French-speaking majority;

Considering that Quebec is not a province like the others, because it is the only province with a French-speaking majority in Canada and because it is unacceptable that existential rights and powers were forcibly taken away from it, without its consent;

Considering that such a situation could ultimately lead to the ‘louisianization’ of Quebec and possibly its disappearance as the only French-speaking majority state within the Canadian federation;

Considering that neither the government of Quebec, nor the Quebec population, were directly and democratically consulted on the acceptance or refusal of the *Constitutional Act of 1982*;

It must be concluded that political corrections are necessary before irreparable damage results from the tutelage of the Quebec government and the subjugation of the Quebec population to the Anglo-Canadian majority.

Therefore, the Parliament of Quebec should solemnly declare that it has never ratified the *Constitutional Act of 1982* and proclaim, as soon as possible, that it is an autonomous state within the Canadian federation, with all the historical rights and powers necessary for its survival and development.

Note that this is in no way an unjustified status in the circumstances, in history and in law, since there are such states or autonomous regions in some forty countries in the world, all established to allow important linguistic minorities to survive justly and prosper in peace.

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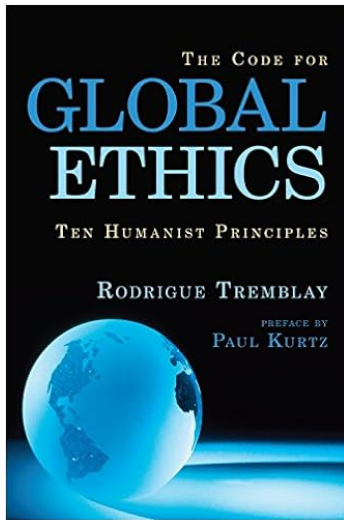
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The Code for Global Ethics: Ten Humanist Principles

by [Rodrigue Tremblay](#), Preface by [Paul Kurtz](#)

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Humanists have long contended that morality is a strictly human concern and should be independent of religious creeds and dogma. This principle was clearly articulated in the two Humanist Manifestos issued in the mid-twentieth century and in Humanist Manifesto 2000, which appeared at the beginning of the twenty-first century. Now this code for global ethics further elaborates ten humanist principles designed for a world community that is growing ever closer together. In the face of the obvious challenges to international stability—from nuclear proliferation, environmental degradation, economic turmoil, and reactionary and sometimes violent religious movements—a code based on the “natural dignity and inherent worth of all human beings” is needed more than ever. In separate chapters the author delves into the issues surrounding these ten humanist principles: preserving individual dignity and equality, respecting life and property, tolerance, sharing, preventing domination of others, eliminating superstition, conserving the natural environment, resolving differences cooperatively without resort to violence or war, political and economic democracy, and providing for universal education. This forward-looking, optimistic, and eminently reasonable discussion of humanist ideals makes an important contribution to laying the foundations for a just and peaceable global community.

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