

# the REFERENDUM papers

ESSAYS ON SECESSION AND NATIONAL UNITY

EDITED BY  
DAVID R. CAMERON

# Referendum Papers Essays On Secession And National Unity

**CL Gary**



## **Referendum Papers Essays On Secession And National Unity:**

**Constitutionalising Secession** David Haljan, 2014-11-01 Constitutionalising Secession proceeds from the question What if anything does the law have to say about a secession crisis But rather than approaching secession through the optic of political or nationalist institutional accommodation this book focuses on the underpinnings to a constitutional order as a law making community underpinnings laid bare by secession pressures Relying on the corrosive effects of secession it explores the deep structure of a constitutional order and the motive forces creating and sustaining that order A core idea is that the normativity of law is best understood through a constitutional optic as an integrative associative force Constitutionalising Secession critically analyses conceptions of constitutional order implicit in the leading models of secession and takes as a leading case study the judicial and legislative response to secession in Canada The book therefore develops a concept of constitutionalism and law making associative constitutionalism to describe their deep structure as a continuing integrative process of association This model of a dynamic process of value formation can address both the association and the disassociation of constitutional systems

**Secession and Self** Gregory Millard, 2008 The possibility of Quebec's departure has long haunted Canadian politics and English speaking Canadians have resisted such a break But why and how does Quebec's membership in the existing constitutional order matter to Canadians outside Quebec Secession and Self goes beyond debates over the economic and institutional effects of Quebec separation to look at the normative dimensions of resistance to secession Drawing from Charles Taylor James Tully and many others Gregory Millard explores the central role Quebec plays in ideas of what makes Canada worthwhile He argues that a break with Quebec would impair Canada's ability to realize ideals such as liberalism fraternity and developmental accounts of citizenship and would undercut attempts to locate Canadian identity in narratives of history and place In lieu of a single argument against the departure of Quebec Millard considers the variety and richness of the affirmations involved in Quebec in Canada as a particular kind of multinational state Taking into account the many efforts to grapple with one of the deepest challenges in Canadian history Secession and Self provides an insightful account of the variegated ties between Canada Quebec and visions of the good

**The Routledge Handbook to Referendums and Direct Democracy** Laurence Morel, Matt Qvortrup, 2017-12-12 Over the last 30 years referendums have played an increasingly important role in determining government policy Recent high profile referendums in Scotland Catalonia and Ukraine have continued the movement towards independence referendums following decolonization and the end of the Cold War The Greek bailout referendum and Britain's vote on membership of the EU reflect a tradition of European states giving their people a direct say in the transfer of sovereign powers to the European Union seen through the ratification of key treaties such as Maastricht Amsterdam Nice and Lisbon This Routledge Handbook covers key aspects and issues of direct democracy and referendums throughout the world including their history when why where how and on which issues referendums are held why some referendums are more democratic than others how referendums are

won whether they produce good policies if referendums increase participation and improve the quality of representative democracies do referendums increase trust in democracy and the political actors the impact of new technology on the possibilities methods and frequency of direct public political participation how they should be regulated Covering other related areas such as recall citizen juries and random selection this compendium is an indispensable guide to referendums and the workings of modern democracy

**The Referendum Papers** C.D. Howe Institute, 1999 The Razor Thin Outcome of the October 1995 Referendum in Quebec was a jarring wake up call for English Canada forcing Canadians outside Quebec to confront the unthinkable This collection of papers by leading academics and analysts offers the most thorough examination yet of the main issues arising for the country out of the October referendum It considers not only what might be done to help the country survive but what should be done if it doesn't The book is divided into two parts the first focussing on ways to improve the social political and economic union of Canada The second confronts head on the possibility of Quebec separation and discusses the terms and processes of Quebec's possible departure As the recent Supreme Court decision made clear the time for reasoned negotiation with a soon to be independent Quebec may come Although committed to keeping the country together all the contributors to this volume share a commitment to democracy and the peaceful resolution of conflict The individual papers go beyond analysis to provide a clear set of proposals for action and change Originally commissioned by the C D Howe Institute the papers provide the first real blueprint for thinking about the unthinkable As such this collection will be of great interest to anyone concerned about the future of Canada and the future of Quebec

Federalism and Territorial Cleavages Ugo M. Amoretti, Nancy Gina Bermeo, Professor of Politics Nancy Bermeo, 2004 One of the biggest problems facing developing countries is the integration of regions with different traditions and minority groups into a larger sovereignty This book analyses successes and failures of federalism in advanced industrial countries developing countries and post Communist regimes

**Constitutional Odyssey** Peter H. Russell, 2004-09-13 Constitutional Odyssey is an account of the politics of making and changing Canada's constitution from Confederation to the present day Peter H Russell frames his analysis around two contrasting constitutional philosophies Edmund Burke's conception of the constitution as a set of laws and practices incrementally adapting to changing needs and societal differences and John Locke's ideal of a Constitution as a single document expressing the will of a sovereign people as to how they are to be governed The first and second editions of Constitutional Odyssey published in 1992 and 1993 respectively received wide ranging praise for their ability to inform the public debate This third edition continues in that tradition Russell adds a new preface and a new chapter on constitutional politics since the defeat of the Charlottetown Accord in 1993 He also looks at the 1995 Quebec Referendum and its fallout the federal Clarity Act Quebec's Self Determination Act the Agreement on Internal Trade the Social Union Framework Agreement and the Council of the Federation progress in Aboriginal self determination such as Nunavut and the Nisga'a Agreement and the movement to reduce the democratic deficit in parliamentary government Comprehensive and eminently

readable Constitutional Odyssey is as important as ever      *Constitutional Politics in Multinational Democracies* André Lecours, Nikola Brassard-Dion, Guy Laforest, 2021-07-15 Constitutional politics is exceptionally intense and unpredictable It involves negotiations over the very nature of the state and the implications of self determination Multinational democracies face pressing challenges to the existing order because they are composed of communities with distinct cultures histories and aspirations striving to coexist under mutually agreed upon terms Conflict over the recognition of these multiple identities and the distribution of power and resources is inevitable and indeed part of what defines democratic life in multinational societies In *Constitutional Politics in Multinational Democracies* Andr Lecours Nikola Brassard Dion and Guy Laforest bring together experts on multinational democracies to analyze the claims of minority nations about their political future and the responses they elicit through constitutional politics Essays focus on the nature of these states and the actors and political process within them This framework allows for a multidimensional examination of crucial political periods in these democracies by assessing what constitutional politics is who is involved in it and how it happens Case studies include Catalonia and Spain Puerto Rico and the United States Scotland and the United Kingdom Belgium Bosnia and Herzegovina and Quebec and the M tis People in Canada Theoretically significant and empirically rich *Constitutional Politics in Multinational Democracies* is a necessary read for any student of multinationalism      Why Canadian Unity Matters and why Americans Care Charles F. Doran, 2001-01-01 Charles Doran examines why Canadian unity is important what drives Quebec separatism in the American view and the nature of the historical era that has shaped and conditioned secessionist impulse      *The Daily Plebiscite* David R. Cameron, 2021-11-01 From the mid 1960s through the mid 1990s Canada was in a state of ongoing political crisis Within this thirty year period David R Cameron was an active participant and observer of Canada s crisis of national unity As a political scientist and former senior public servant Cameron remains one of the most astute and respected analysts of Canadian federalism This volume assembles some of Cameron s best works on federalism nationalism and the constitution including journal articles book chapters speeches newspaper op eds and unpublished opinion pieces spanning nearly fifty years of engagement In addition *The Daily Plebiscite* includes a conversation between Cameron and Robert C Vipond on the long decade of the 1980s in Canadian constitutional politics a brief history of the mega constitutional era and concluding reflections on the broader lessons that other divided societies might take from the Canadian experience Providing rich fare for anyone interested in questions of federalism nationalism and constitutionalism *The Daily Plebiscite* offers an informed insider s perspective on the national unity question and considers the challenges faced by a federal multinational and multicultural country like Canada      **Do Think Tanks Matter?** Donald E. Abelson, 2009 Assessing the evolution and influence of public policy institutes      The Paradox of Federalism Jan Erk, Lawrence M. Anderson, 2013-09-13 The paradox of federalism is about whether self rule accommodates or exacerbates ethnic divisions A federal arrangement which formally recognizes ethno linguistic diversity to help manage divisions can also pave the way for eventual disintegration The case

studies in this book cover a wide geographical basis Canada Scotland Spain Belgium Bosnia Kosovo Russia India and Iraq and seek to outline under what conditions federalism can deliver its promise of resolving ethnic conflict The book aims to bridge those who study federalism and decentralization in the developed world and those who study the politics of ethnic divisions in the developing world We also wanted to bridge the scholarship from the two sides of the Atlantic as well as the subfields of Comparative Politics International Relations and Constitutional Politics Furthermore the volume has a number of high profile senior scholars with name recognition from both sides of the Atlantic The scope of the volume is wide historically methodologically and geographically and has relevance for the applied side as well as the theoretical literature Consequently we believe this is a timely collection on the high profile topic of Ethnic Conflict Conflict Resolution This book was based on a special issue of Regional and Federal Studies

### **The Canadian Contribution to a Comparative Law of Secession**

Giacomo Delledonne, Giuseppe Martinico, 2018-12-11 This edited collection gathers together Canadian and non Canadian scholars to reflect on and celebrate the 20th anniversary of the Quebec Secession Reference delivered by the Canadian Supreme Court in 1998 It opens with two Canadian scholars exchanging thoughts on the legacy of the reference from a domestic perspective as one of the most questioned decisions of the Canadian Supreme Court To follow non Canadian scholars discuss the impact of this reference abroad reflecting upon its influence in European and non European contexts Spain Scotland the EU after Brexit Eastern European Countries Ethiopia and Asia Two final chapters one by a lawyer and one by a political scientist explore the democratic theory behind that reference

### Constitutional Design for Divided Societies

Sujit Choudhry, 2008 How should constitutions respond to the challenges raised by ethnic linguistic religious and cultural differences In this volume leading scholars of constitutional law comparative politics and political theory address this debate at a conceptual level as well as through numerous country case studies

*Do Think Tanks Matter?, Second Edition* Donald E. Abelson, 2009-09-01 It is often assumed that think tanks carry enormous weight with lawmakers In *Do Think Tanks Matter* Donald Abelson argues that the basic question of how think tanks have evolved and under what conditions they can and do have an effect is consistently ignored Think tank directors often credit their institutes with influencing major policy debates and government legislation and many journalists and scholars believe the explosion of think tanks in the latter part of the twentieth century indicates their growing importance in the policy making process Abelson goes beyond assumptions identifying the influence and relevance of public policy institutes in today's political arena in the United States where they have become an integral feature of the political landscape and in Canada where despite recent growth in numbers they enjoy less prominence than their US counterparts By focusing on the policy cycle issue articulation policy formation and implementation Abelson argues that individual think tanks have sometimes played an important role in shaping the political dialogue and the policy preferences and choices of decision makers but often in different ways and at different stages of the policy cycle This revised and updated edition of the book includes up to date data 2000-08 on the growing visibility and policy

relevance of think tanks in Canada and the United States      **Do Think Tanks Matter?, First Edition** Donald E. Abelson, 2002-03-08 *Do Think Tanks Matter* evaluates the influence and relevance of public policy institutes in today's political arena. Many journalists and scholars believe the explosion of think tanks in the latter part of the twentieth century indicates their growing importance in the policy making process. This perception has been reinforced by directors of think tanks who often credit their institutes with influencing major policy debates and government legislation. Yet the basic question of how and in what way they influence public policy has frequently been ignored. Abelson studies the experiences of think tanks in the United States where they have become an integral feature of the political landscape and in Canada where their numbers have grown considerably in recent years but where compared to their U.S. counterparts they enjoy less prominence in policy making. By focusing on the policy cycle issue articulation that is getting issues on the political agenda and policy formation and implementation actually affecting the outcome of policies already on the political agenda, he argues that think tanks have sometimes played an important role in shaping the political dialogue and the policy preferences and choices of decision makers but often in different ways and at different stages of the policy cycle.

*David Laidler's Contributions to Economics* R. Leeson, 2010-02-03 This book provides a collection of essays by leading economists in honour of David Laidler's contributions to the field of macroeconomics with important essays on central banking, monetary policy, implementation, inflation targeting, monetary theory, monetary framework, debates and the mathematical theory of banking.

*Constitutional Politics in Canada and the United States* Stephen L. Newman, 2012-02-01 The Canadian constitutional reforms of 1982 which included a Charter of Rights and Freedoms analogous to the American Bill of Rights brought about a convergence with American constitutional law. As in the U.S., Canadian courts have shown themselves highly protective of individual rights and they have not been shy about assuming a leading and sometimes controversial political role in striking down legislation. In clear and easy to understand language, the contributors not only chart but also explore the reasons for areas of similarity and difference in the constitutional politics of Canada and the United States.

**Canada's Indigenous Constitution** John Borrows, 2010-03-06 Canada's Indigenous Constitution reflects on the nature and sources of law in Canada beginning with the conviction that the Canadian legal system has helped to engender the high level of wealth and security enjoyed by people across the country. However, longstanding disputes about the origins, legitimacy and applicability of certain aspects of the legal system have led John Borrows to argue that Canada's constitution is incomplete without a broader acceptance of Indigenous legal traditions. With characteristic richness and eloquence, John Borrows explores legal traditions, the role of governments and courts and the prospect of a multi-juridical legal culture all with a view to understanding and improving legal processes in Canada. He discusses the place of individuals, families and communities in recovering and extending the role of Indigenous law within both Indigenous communities and Canadian society more broadly. This is a major work by one of Canada's leading legal scholars and an essential companion to *Drawing*

Out Law A Spirit s Guide      *Ethnonationalism in the Contemporary World* Daniele Conversi,2004 Essential reading for anyone interested in problems associated with ethnicity and nationalism it offers a guide to understanding the ethnonational forces that underpin much of recent terrorist activity      **Sovereignty and Diversity** Miodrag Jovanović,Kristin Henrard,2008 Disputes about sovereignty mainly arise in those cases where fundamental rights are infringed or democratic participation denied on account of the citizens membership in certain ethno cultural minority groups Moreover the fact that serious challenges to sovereignty can be detected even in ethno culturally diverse polities which by all standards qualify as fairly just liberal democracies can only mean that the complex relationship between sovereignty and the diversity challenge is in need of serious consideration and analysis By observing sovereignty and diversity through the lens of a broader liberal democratic doctrine this book sets out plausible strategies to cope with the problems that evolve from this issue Sovereignty and Diversity is divided into three parts In Part I various normative theories of secession are evaluated both in relation to philosophy and to political science Furthermore the value and possible role of the uti possidetis principle is discussed Part II addresses the value of various other methods to accommodate population diversity as means to solve disputes over sovereignty namely multiculturalism federalism and decentralization as well as minority rights Finally Part III groups together three case studies the first two dealing with the secession and partition theme while the last one shows the potential of other less controversial means to address tensions about sovereignty This volume is a collection of updated papers presented at the University of Belgrade in July 2005 at the international conference Legal and Political Solution to Disputes over Sovereignty From Kosovo to Quebec



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