

WEXIT COMMITTEE

WESMUN 2020



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BACKGROUND GUIDE

BACKGROUND TO THE CRISIS

Secession and Western alienation are no new thing to Canadians. Since BREXIT in 2016, there has been a resurgence of the term 'Wexit', a portmanteau of west and exit to describe the movement to take Alberta, Saskatchewan, Manitoba, and possibly BC out of confederation. Western alienation has been felt throughout history, it was a risk considered as early as 1867 and has only increased in magnitude, as the region's relative weight in the electoral system has decreased, a crisis was averted with difficulty in the 1970's when Pierre Trudeau's National Energy Policy left the West feeling attacked and unrepresented. Sentiments of Western division continued to remain prominent as the West continued to be left behind through a variety of energy shifts, as well as feeling that their moral views were not upheld by the more liberal eastern part of Canada.

Jumping forward to the 2019 election, the Federal government's apparent lack of support for the fossil fuel industry, a key stakeholder in the Western Canadian economy, was reflected in significant Conservative seat victories in the October election. Most notably, in Saskatchewan and Alberta where the Liberal party did not win a single seat. The election resulted in Saskatchewan going fully blue, with Alberta having only one non-Conservative seat. On the wings of polling wherein large fractions of the Western public asserted separatist intentions, the Maverick party, formerly the Exit Canada party, was founded to respond of Albertan separatism. They were officially considered eligible for Federal party registration on January 10th, 2020, presenting their core values are to change the relationship between Alberta and the Federal government. Similar parties have sprung up provincially across the region, some under the direction of known and experienced political figures.



QUEBEC'S HISTORY

Quebec's long history of separatism came to a head in the spring 1980, with the first of two provincial referendums on potential secession from Canada. Sovereignty was rejected by a 59.6% to 40.4% margin. As a result of the referendum, several provinces asked for guidance from the Supreme Court of Canada regarding the amending of the Canadian constitution, which was being viewed as a potential avenue for handling the situation with Quebec. In 1981, in *Reference Re Resolution to amend the Constitution*, [1981] 1 SCR 753, also known as the *Patriation Reference*, the court ruled that amendments to the Constitution require a substantial degree of provincial consent. However, they noted there was no legal barrier stopping the federal from seeking a Constitutional amendment from British Parliament without provincial consent. A few years later, Prime Minister Brian Mulroney attempted on two occasions to accommodate Quebec's objections to the Constitution (in hopes of avoiding future secession movements) via the Meech Lake Accord (1987) and the Charlottetown Accord (1992). Both of these attempts failed. In 1995, Quebec held a second province-wide referendum asking its population if they believed Quebec should be sovereign. The "no" side one by a very small margin of 50.6% to 49.4%. This prompted the federal government to ask the Supreme Court of Canada about the legality of unilateral secession under the Canadian Constitution, resulting in the case of *Reference Re Secession of Quebec* [1998] 2 SCR 217.

The Court, in a landmark ruling, held that unilateral secession would be unconstitutional. However, a clear expression by the people of Quebec of their will to secede from Canada would impose a reciprocal obligation on all parties to Confederation to negotiate constitutional changes to respond to that desire. Quebec's secession attempts have also garnered attention from the international legal community, specifically the International Court of Justice (ICJ), for the peaceful and legal-guided way in which it has been approached. The ICJ has used principles in the *Re Secession of Quebec* decision in other cases involving the right to self-determination. The ICJ has reinforced that, in terms of international law, the right to self-determination and secession from a parent state only generates, at best, a right to external self-determination in the situation of former colonies. This right only applies in situations where a people are oppressed, or where a definable group is denied meaningful access to government to pursue their political, economic, and social and cultural development. While the ICJ and other international bodies have not outright stated that this likely would not apply to the situation with Quebec and Canada, especially in present times, it is the prevailing opinion in the international legal community.



QUESTIONS TO CONSIDER

Breaking up confederation comes at a cost, one which, as shown by Brexit, is largely borne by the seceding party. Secession is a legitimate option in this conference, and the West may choose to take it, what political and economic concessions should either side be willing to make to avoid disaster?

When populism goes too far, reality ensues. Nonetheless, the West's emotions signal an underlying truth. When is a Canadian Prime Minister not the Prime Minister of all Canadians? Is there a need to change the electoral system?

Are the West's economic considerations a sufficient basis for the creation of a separate, independent state, or should culture play more into the question?

