Professor Alain-G. Gagnon has been studying and writing on minority nations within federal states for over thirty years. He is one of the leading and most-respected authorities on Quebec, Scotland, and Catalonia as minority nations within their respective federal states. He is a Quebec political scientist, a comparative political scientist, and a political theorist of nationalism and federalism. His research, teaching, support for graduate students, and public activities have deeply shaped the academic and public discourse in Quebec and the rest of Canada. Moreover, his comparative work has been influential internationally, especially in Scotland and Catalonia.

Minority Nations in the Age of Uncertainty: New Paths to National Emancipation and Empowerment was originally published in French. Gagnon has translated and edited it for this English edition. The main objective of this important and timely study is to suggest new paths by which members of minority nations may work towards emancipating and empowering themselves within the federations in which they coexist with other nations and partners of various kinds. He calls these federations “multinational federations” – a concept that he has helped to establish as a distinct type of federation. His argument is that members of minority nations should consider two complementary new paths towards multinational federalism in the contemporary context. First, they should work towards national emancipation – in the form of internal self-determination within the federation – by means of transforming the federation through negotiation so that it accommodates and helps to empower national emancipation. Second, they should work within the minority nation towards national self-empowerment by exercising
their powers of self-determination through new modes of civic and intercultural participation in the public life of their nation.

Gagnon points out that this proposal of a dual strategy has little public support at the moment. The nationalist parties in Quebec, Scotland, and Catalonia are oriented to independence and the formation of new, non-federal nation states. They do not support efforts to renew federalism because they often fail and, if successful, they undermine support for independence. The main federalist parties turn away from federal reform and towards economic competitiveness in the global economy, austerity, and debt reduction – policies that tend to homogenize diverse federations and subordinate them to transnational trade law. They do not support such reform because they are opposed to it or because they think it is a slippery slope to independence, whether it succeeds or fails. Despite these trends, Gagnon acknowledges that there have been some steps towards multinational federalism in practice and towards an appreciation of multinational federalism as a just and stable form of political association in political theory and public discourse over the last couple of decades. However, he argues that these steps in practice and theory are a long way from full-fledged multinational federalism: that is, federations that recognize and accommodate national emancipation of minority nations and minority nations that exercise self-determining empowerment. The two strategies of this text are designed to set out new paths towards full-fledged multinational federalism in practice and theory in these uncertain circumstances.

Gagnon sets out several new paths for consideration and discussion. I will mention three very briefly. To move forward on transforming federations so they recognize and accommodate their member nations, he recommends reviving the idea that federations are constituted by pacts among their constituent members. In the Canadian case, there is a long history of conceiving Canada as a “compact federation.” The provinces are said to have created the federation by means of a compact between the provinces and the federal government in 1867, and this way of thinking continues to inform several basic relations among provinces and the federal government. Gagnon suggests working on an analogous partnership compact between Quebec, as a minority nation, and the rest of Canada, as a majority nation. This is a fruitful idea. However, the question commonly raised against a two-nation formulation of the partners as the starting point is that it appears pre-emptively to misrecognize and homogenize the federal diversity of provinces, territories, First Nations, and minority communities that constitute the
rest of Canada (and Quebec), as well as overriding the original compact among provinces. This concern is based on the principles of diverse multinational federalism that Gagnon presents and defends: all members subject to and affected by the compact should have an effective say in the negotiation. This basic requirement does not preclude such a pact, but, rather, renders it legitimate. As the Supreme Court of Canada argued in the Reference re the Secession of Quebec (1998), the participants of the federation first have to work up the forms of recognition and representation they entrust to carry out the negotiations and ratification of such a compact for it to be democratically and federally legitimate. It is a key insight of this kind of diverse federalism that all members of a federation are as attached to their communities (provinces, minority communities, first nations, etc.) as members of minority nations are to theirs.

Moreover, the Supreme Court also argued, in the spirit of the compact tradition, that all participants of a diverse federation have the right to initiate changes to the federation and other partners have the duty to listen and to enter into negotiations if certain conditions are met. This right and its correlative duty are based on the court’s view of a federal constitution as a global system of laws for the continual reconciliation of diversity with unity by means of nonviolent negotiation and compromise by its members over time. This seems very similar to the kind of federalism Gagnon recommends. He also sees the tradition of treaty federalism between the First Nations and the Crown, while sui generis, as analogous to the tradition of compact federalism.

In addition, Gagnon suggests that the members of minority nations consider exercising fully the powers of internal self-determination they have under international law as the means of self-empowerment and positive autonomy within federalism. Among the ways he recommends is the empowerment of individuals and groups to engage in the public life of their nation through new citizenship regimes and expanded forms of intercultural dialogue and cooperation among religiously, culturally, and linguistically diverse citizens. Some of these activities are promoted by the minority nation governments and their regional and municipal governments. Many others are self-generated and self-organized community-based organizations, cooperatives, and networks organized around public goods: the environment, local food, indigenous-settler partnerships, overcoming racism, sexism, and discrimination against religious minorities and immigrants in everyday life, Idle No More, popular assemblies in Spain, and so on. These civil
society networks of community-based organizations and grass-roots federalism are rapidly expanding features of Quebec, Scotland, and Catalonia, and of the federations of which they are members.

In a rarely discussed section of the *Reference re the Secession of Quebec*, the Supreme Court went out of its way to say that the Quebec people, and any other peoples within Canada, have the right to exercise fully their powers of internal self-determination and that Canada has the duty to recognize and accommodate it within its constitutional system of laws. Thus, this path of empowerment of a diverse people also supports the path of renewed federalism. The path of self-empowerment has also been taken up by indigenous peoples, whose right of internal self-determination was fought for and recognized in the United Nations Declaration of the Rights of Indigenous Peoples (2007), which Canada ratified in 2010, thereby contributing to the enhancement of multinational federalism around the world.

Another path Gagnon recommends is to foster a diverse, multinational “federal culture” throughout existing federations with multiple nations. This is the most important path since, as we have seen, the major impasse is that the dominant parties seek to avoid or escape the norms of diverse federalism. Gagnon discusses a number of principles, norms, practices, and ways of relating to one another in everyday life that, if enacted, bring a shared federal culture into being. The resulting convivial informal federal relationships, based on the principles of moderation, dignity, and hospitality, are the ground of healthy formal federal relationships.

I know of no one who has done more to foster such a federal culture in their research, teaching, and public engagement than Alain Gagnon.1

James Tully
Distinguished Professor of Political Science, Law, Indigenous Governance, and Philosophy, University of Victoria

---