FREEDOM, DEMOCRACY, AND NATIONALISM IN THE POLITICAL THOUGHT OF PIERRE ELLIOTT TRUDEAU: A CONVERSATION WITH CANADIANS

by

SONIA ARRISON

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Department of Political Science
The University of British Columbia
Vancouver, Canada

Date Feb 29, 96
Abstract

Pierre Elliott Trudeau's ideas on liberal democracy and political philosophy are relevant to Canadian life. He is a modern liberal democrat with a vision of the 'Good' society - what he terms the *Just Society*. The values of a Just Society are numerous, but perhaps the most important are freedom, equality, and tolerance. These values are core to his theory and are often revealed in his battle against nationalism. Trudeau is radically opposed to notions of ethnic nationalism, such as French Canadian and Aboriginal nationalism, but he supports a type of civic nationalism within a federal, pluralistic system. In his dislike for nationalism, Trudeau is similar to Lord Acton, who has had a major influence on his work. Trudeau also shows thought similar to John Locke, J.S. Mill, I. Berlin, de Tocqueville, Publius, and John Rawls.
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**Introduction**

Pierre Elliott Trudeau is a complex man who over the years has played many roles and worn many masks. In the 1940’s he spent time traveling and studying at such institutions as Harvard and the London School of Economics. In the 1950’s, as a young intellectual with caustic confidence and a good education, Trudeau sported the mask of radical reformer with the purpose of emancipating his province of Quebec from the despotic grip of the Duplessis regime. A more academic persona was donned by Trudeau in the early 1960’s as he taught civil liberties and constitutional law at McGill University. Then in 1968 he secured tightly the mask of the prime minister of Canada, which he wore for 180 months - the equivalent of fifteen years. The ideas, values, and actions of this one man had a tremendous impact on Canada and still continue to influence its future.

The purpose of this work is to explore Trudeau’s ideas on liberal democracy and political philosophy in relation to Canadian life. Chapter one investigates the question “what kind of democrat is Trudeau?” An awareness of his democratic principles and ideas is essential to understanding democracy in Canada, for Trudeau has surely left his mark on the Canadian polity. Connected to ideas concerning democracy are notions of individual freedom and equality. Individual freedom is frequently thought to be at odds with the equality of individuals in society. However, it is not always the case that freedom and equality are conceptualized as competitors. Depending on how the terms are defined, the 'Goods' can be complementary rather than in competition with one another. For example, one can argue, as some authors do, that one concept entails the other. They reason that a person cannot be truly free unless he or she achieves some level of equality with other individuals in
society. How Trudeau views the relationship between freedom and equality and how he finds a balance between these Goods is examined. It is asserted here that the battle for freedom is a constant source of inspiration for his philosophy. Even when he concedes that the fight for freedom is "yesterday's battle" and that equality has become the new "priority", it is apparent that the priority of equality is a strategy to attain greater freedom for Canadians. He asks, "where is justice in a country in which an individual has the freedom to be totally fulfilled, but where inequality denies him the means?"

An attempt to examine Trudeau's "political philosophy" presupposes that he has a political philosophy. Therefore, what can be made of Trudeau's stated policy of "pragmatism"? Does it mean that he is devoid of a political theory and merely does what is practical for the time being? For example, he states,

I am a pragmatist in politics, which does not mean that I do not have ideals. I have some basic principles which I like to see applied in our country... But beyond these ideals, I am a pragmatist, I try to find the solution for the present situation, and I do not find myself bound by any doctrines or any rigid approaches to any of these problems.

It is argued here that Trudeau does in fact have a comprehensive political theory. He is a modern liberal democrat who has a vision of the 'Good' society - what he terms the *Just Society*. The values of a Just Society will be explored throughout this piece, but perhaps the most important of these values are freedom, equality, and tolerance. These values are core to his theory and are often revealed in his battle against nationalism.

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2 Pierre Elliot Trudeau, *Conversation with Canadians (CWC)* (University of Toronto Press, 1972), 11.
Trudeau was particularly concerned with nationalism and its effects. Chapter two probes the question of how adequately Trudeau’s democratic theory comprehends Canadian dilemmas, such as Aboriginal demands for self-government and Quebec nationalism. It is no secret that Trudeau dislikes nationalistic fervor; he has written many essays condemning the nationalist stance. For example, he states of nationalistic governments that they are “by nature intolerant, discriminatory, and, when all is said and done, totalitarian.”\(^3\) What then does he intend to replace or temper nationalism with? The 'rational' institutions of federalism in combination with a Charter of Rights are his answer. Federalism, to Trudeau, works as a tool in achieving the goal of allowing many societies to grow in a single country. Thus, chapter two will briefly examine whether federalism has worked in Canada and also how Trudeau sees the end of federalism as enhancing freedom.

Chapter One: Freedom and Democracy

The Individual

Before examining the question of the kind of democracy Trudeau favors, it is instructive to consider core beliefs the former prime minister holds concerning the individual, liberty, and equality. The individual is a central feature within Trudeau’s value structure. Some analysts have argued, correctly, that Trudeau's emphasis on the inalienable rights of the individual is connected to his religious beliefs. To understand how individualistic ideals stem from his religious beliefs, we should attempt to ascertain where Trudeau fits in the religious spectrum. Since Trudeau attended Catholic school and confirms that he attends the Catholic church\(^1\), it would be easy to simply label him “a devout Catholic” as do Radwanski and Heimstra.\(^2\) However, Trudeau has made it clear that he dislikes the authoritarian nature of the Catholic church and that he ascribes to the more Protestant idea that “religion is basically and essentially a communication between a man and his God”.\(^3\) Trudeau explains: “people who criticized me used to say that I was Protestant more than a Catholic because I like to impose constraints on myself, but I don’t like them to be imposed from the outside.”\(^4\) While it would be erroneous to argue that Trudeau is not Catholic, it is likely true that labeling Trudeau “devout” is too strong. He is by no means an orthodox Catholic and it may be more appropriate to characterize his

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\(^1\) Trudeau, CWC, 8-9.
\(^3\) Trudeau, CWC, 10.
\(^4\) Trudeau, CWC, 9.
religion as a *personal* Christian faith. As Reg Whitaker points out, Trudeau was greatly influenced by the Christian existentialists. Whitaker writes,

> In Trudeau's case, personalism meant that the fundamental datum of the social order is the individual, not a technological Prometheus unbound from the chains of religious tradition, but rather the individual as the personal reflection of humanity's origin as God's creation in His own image.\(^5\)

Religion for Trudeau is therefore connected to considerations of the individual because she or he is thought to have value resulting from her or his status as a servant of God, made in God's image. As Louis Dumont puts it, "the individual soul receives eternal value from its filial relationship to God".\(^6\) Therefore, the value of the individual rests not on some morally weak concept of self-interest, but rather on higher values of likeness and service to God. Dumont brings up a significant accompanying point, that the worth of individuals is "grounded in human fellowship: Christians meet in Christ, whose members they are."\(^7\) In other words, to value the individual is not to be atomistic. Individual worth is inherently connected to society. By fulfilling oneself and serving justice in society, one serves God. Dumont explains that the relationship between justice in society and justice for God is a holistic relationship which can be understood by imagining "two concentric circles". The smaller circle of the "acceptance of worldly necessities, duties, and allegiances" is encompassed by the larger circle of "individualism in relation to God".\(^8\)

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\(^7\) Dumont, 30.

\(^8\) Dumont, 31.
When conceptualizing notions of the individual and justice, the tension between the theories of St. Thomas Aquinas and St. Augustine is significant. Whereas St. Augustine's minimal faith in the rationality of humans leads him to argue that a state cannot be just unless it is also Christian, St. Thomas believes that the state can come to justice through the human faculties of reason. Thomas's faith in the reason of individuals stems from his belief that people "possess not only a bodily nature but also a rational and spiritual soul by virtue of [being] akin to God." Augustine urged for the imposition of faith over reason because he "doubted that men of power would use their reason" but St. Thomas, influenced by Aristotle, argued for the synthesis of the two. Here, Trudeau's strong belief in reason is significant; in his motto "reason over passion" he displays his acceptance of St. Thomas's interpretation over Augustine's. As Whitaker notes, Trudeau's religious beliefs were influenced by his reading of Thomas Aquinas which "convinced him that he could accept certain moral codes and precepts freely as a rational form of self-discipline." Therefore, since we find the importance of the individual and the synthesis of reason and faith in St. Thomas's work, it should be clear that Trudeau's assertion of the rational justification for individual self-fulfillment is in accordance with his religious beliefs.

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10 Sabine, 249.
12 Whitaker, 135.
Conceptions of Freedom

Since the individual holds such an important place in Trudeau's philosophy, it makes sense that both freedom and equality for each individual also carry considerable weight for him. In Trudeau's earlier writings, freedom is the central focus of his mission. He laments in a *Cité libre* article that "hostility to political freedom reigns in Quebec" and in another he asserts that "liberty is a free gift --- a birthright, which distinguishes man from beast." The preoccupation with liberty in his earlier writings is not unexpected as he was living in a society where freedom was severely restricted by the policies of the Duplessis government and a church-dominated community. Or as he puts it, Quebec was "under the heel of a reactionary and authoritarian government, and the politically powerful Catholic clergy in Quebec was theocratic and obscurantist."

There are many notions as to what freedom entails. For example, Joel Feinberg in an essay titled "The Idea of a Free Man" examines five ways to conceptualize freedom. Since Trudeau appears to express more than one of these forms, it is useful to consider them briefly. First, there is the common conception of negative and positive freedoms. Feinberg denies the unconnectedness or distinctiveness of the two freedoms and asserts that they are "logically linked"; he sees these two "types" of freedoms as inseparable, they are "two sides of the same coin". He explains his position by identifying four categories of constraints: external and internal negative constraints and

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14 Trudeau, ATP, 49.
15 Trudeau, TJS, 358.
17 Feinberg, 7.
external and internal positive constraints. An example of an external negative constraint is the lack of money. When a government or any other agency provides money to an individual, that person's positive freedom is said to be enhanced. Therefore, in using Feinberg's model, one can say that positive freedom is enhanced by alleviating the negative constraint. An internal negative constraint, on the other hand, can be something "such as ignorance, weakness, and deficiencies in talent or skill." Once again, one can see that to alleviate the effects of these negative constraints, positive conditions such as education could be offered which could then be viewed as the enhancement of positive freedom. Feinberg's terminology can be quite confusing if one is doubtful about the difference between "constraints" and "freedom". Constraints are connected to notions of freedom because the presence of a constraint prevents an individual from attaining a certain type of freedom. A positive internal constraint, according to Feinberg, could be a "headache" or a "compulsive desire", whereas a positive external constraint could be "locked doors" or "pointed bayonets". The mitigation of positive constraints leads to an enhancement of what is commonly referred to as negative freedom. An example of negative freedom is a situation where one is free from the constraint of government violence and therefore also free to attempt to do whatever she or he wishes depending on other constraints. Since the loosening of any constraint leads to both freedom from and

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18 Feinberg, 6.
20 Feinberg, 6.
21 Feinberg, 6.
freedom to, Feinberg rejects this as a way to distinguish between different kinds of freedom.\(^22\)

A second way to conceptualize freedom is by quantitative measure; that is, in terms of how much a person has "on balance". Since one person's freedom (e.g., to be free from interference from the government) can conflict with another's (e.g., freedom to get an education which requires government funding), we are required to order the freedoms by other moral standards. After this is done, we can compare which individuals are more free "on balance" by referring to our ranking of freedoms. Third, Freedom can simply mean what it meant in Greek times: the legal status of not being a slave.\(^{23}\) Fourth, the term freedom can be used as a descriptor for a certain set of characteristics. "A servile person is alternately fawning and insolent" whereas a free person, according to this fourth definition, is "dignified and deliberate."\(^{24}\) Finally, the fifth of Feinberg's definitions of freedom is freedom as independence - that is, to be autonomous and self-governing.\(^{25}\) This category of freedom can be applied to either states (which Feinberg supposes it originally was) or it can be applied to individuals. When used as a descriptor of states, it means that the government of the state is free from foreign control, such as a colonial power. It should be noted, however, that the condition of a state free from foreign control does not necessarily lead to a situation where the state's citizens are more

\(^{22}\) He argues that there may be "no harm" in using the terms positive and negative freedom as long as it is acknowledged that both are necessary for complete freedom, (7) and he also asserts the arguable position that neither type of freedom should be considered to have more worth than the other. I do not see how freedom can be practically conceived in this holistic way. For example, external positive constraints such as a pointed bayonet are probably necessary to relieve the external negative constraint of lack of money. That is, the government's power of coercion may be necessary for redistribution of wealth. Therefore this theoretical condition of whole freedom is not attainable.

\(^{23}\) Feinberg, 11.

\(^{24}\) Feinberg, 12.

\(^{25}\) Feinberg, 18.
free. For example, there could be a self-governing country with a totalitarian government. When "freedom as independence" is applied to the individual, it refers to the freedom of the individual to self-direction. It is the freedom of the individual to decide on issues or action on his or her own reason, not on the basis of "unexamined traditions or signals from an unmodifyable gyroscope"\(^{26}\) from within.

**Liberty as Free Thought and the Competition of Ideas: Trudeau and Mill**

Given that there are many definitions of freedom, we should examine closely what Trudeau actually meant when he said in a 1959 interview that "A Just Society is one toward which every citizen must work, and the first condition of such a society is that of respecting the liberty of individuals."\(^{27}\) We know that he places great value on certain freedoms, and regarded democracy as impotent without them. He argues, "certain political rights are inseparable from the very essence of democracy: freedom of thought, speech, expression (in the press, on the radio, etc.), assembly, and association."\(^{28}\) For Trudeau it appears that freedom at least means that individuals should be free from coercion which impedes the formation of self-discovered opinions. He states, "to assume thus that people are incompetent to decide for themselves, is to prepare the ground for dictatorship; for when the people don't make decisions there are always 'chiefs' to do it for them."\(^{29}\) This type of intellectual freedom (i.e., freedom as independence, or anti-

\(^{26}\) Feinberg, 27.

\(^{27}\) Trudeau, CW, 12.

\(^{28}\) Trudeau, ATP, 80.

\(^{29}\) Trudeau, ATP, 67. His use of the word "chiefs" is probably not an accident as many people referred to Duplessis as the chief.
paternalism) does not take place in a vacuum. For this type of freedom to thrive, it needs a certain type of environment; one where ideas are allowed to compete with one another.

Trudeau is a firm believer in the 'competition of ideas': the notion that everyone should advance their point of view to be judged on its own merits. He pledges, "I believe that the way of progress is through the free exchange of ideas and confrontation of values." His attachment to rivalry among ideas closely mirrors the thought of John Stuart Mill. Mill, not unlike Trudeau, responds to those who would advance conformity as a Good. The evil of society, Mill argues, is "that individual spontaneity is hardly recognized by the common modes of thinking, as having any intrinsic worth, or deserving any regard on its own account." Like Trudeau, Mill places individual choice near the top of the list of freedoms.

Further, in comparing Trudeau with Mill, one finds that they both refuse to believe in the infallibility of majorities. Note the similarity between Mill’s reasoning and Trudeau’s. Mill: ""If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind." Trudeau: "Democracy recognizes that one person may be right and ninety-nine wrong. That is why freedom of speech is sacred: the one person must always have the right to proclaim his truth in the hope of persuading the ninety-nine to change their point of view." The underlying assumptions in both Trudeau’s and Mill’s line of thought are,

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30 Trudeau, CWC, 195.
33 Trudeau, ATP, 88.
first, that no group or individual has a monopoly on truth and, second, that the clash of opinions will bring humankind closer to the truth. The "clash of opinions" theory might be conceptualized through an example of colored skirts. Many times a skirt will look black when it is actually navy. Only by holding the dark navy skirt next to a black one does the human eye discover its true color. In the same sense, opinions may be verified by contrasting them with one another. Another point Mill advances (with which Trudeau would most likely concur) is that it is common for opinions to never be either completely true or completely false. Therefore, the more individuals that are allowed to voice and share their opinions, the more likely we are as a society to come to a correct conclusion on important issues.

What is interesting about Trudeau's conception of the free competition of ideas is that he includes in this competition the government of Canada as both an arbiter and a competitor. Many instances exist where Trudeau insists that it is his duty to convince the Canadian people of one thing or another. For example, he states, "[a]nd I find that if we come up with more ideas, it will only be accepted if the people are prepared for them, which means involving them, discussing with them, convincing them."34 (emphasis mine) Trudeau's attitude is in line with the Lockean or Millian notion that liberalism excludes coercion but demands discussion. He quotes Locke, "it is one thing to show a man that he is in error, and another to put him in possession of the truth."35 However, while playing in the game of the competition of ideas, the government simultaneously holds the important role of the arbiter. On this point, Trudeau cites Mornier, "the role of the state is

34 Trudeau, CWC, 47.
35 Trudeau, ATP, 51.
limited to guaranteeing the fundamental rights of the individual, and placing no obstacle in the path of free competition between schools of thought. Therefore, the government is competing with individuals while simultaneously protecting those individuals' rights. Is it really possible for the government to be a neutral arbiter while itself engaged in the game? Perhaps another way of asking the question would be to inquire whether the liberal state is in fact neutral. Is it close to neutral as some philosophers (such as John Rawls) claim, or are there in fact inherent values built into the system? Since it would be impossible to argue that any group of individuals (which is what composes the state) could be completely neutral, the conclusion must be that the liberal state is not neutral. However, although not perfectly neutral, the liberal state does allow for the persistence of a pluralistic society. This is a society in which individuals with different ideals can live together with intellectual freedom to follow their chosen way of life. For example, feminists, right-wing extremists, and atheists can all live in a liberal society together without fear of being persecuted by the state for their ideas.

**Pluralism: Trudeau and Berlin**

The theme of a pluralistic society is one that is woven throughout Trudeau’s many works and speeches. For instance, in a television interview he states, “why am I such an opponent of separatism? I guess I just feel that the challenge of the age is to live together

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36 Trudeau, CWC. 87.
37 In What's the Matter with Liberalism? (University of California Press, 1992), Ronald Beiner argues that the liberal state is not neutral, can never be neutral, and further that it is undesirable for it to be neutral. See especially note 71 on p. 73.
with people who don’t have all the same values as yourself. I believe in pluralistic societies.”

Pluralism, as defined by Isaiah Berlin, is the conception that there are many different ends that [individuals] may seek and still be fully rational, fully [human], capable of understanding each other, and sympathizing and deriving light from each other, as we derive it from reading Plato or the novels of medieval Japan - worlds, outlooks, very remote from our own. Of course, if we did not have any values in common with these distant figures, each civilization would be enclosed in its own impenetrable bubble, and we could not understand them at all.

Why would Trudeau value a pluralistic society? Certainly to do so he had to oppose the notion of the Platonic ideal that many of the great thinkers have ascribed to. The Platonic ideal dictates that all questions can only have one answer, and that the answers to each question cannot be incompatible with one another because they all fit into a larger whole. However, while the Platonic ideal is perhaps tempting, there are important thinkers who dispute it. For example, Machiavelli, Locke and Mill did not believe that one ageless formula could be found to combine all Goods. Likewise, none of these thinkers believed that a 'human created' utopia was possible. Trudeau agrees, he states, “because we are mortal and imperfect, [the Just Society] is a task we will never finish.” And, “On the never-ending road to perfect justice we will, in other words, succeed in creating the most humane and compassionate society possible.”

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38 Trudeau, CWC, 195.
40 Berlin, 6.
41 Trudeau, CWC, 42.
42 Trudeau, CWC, 42.
Not only was Trudeau privileged enough to benefit from an exceptional scholarly education, but he also traveled extensively throughout the world. Clearly both had an impact on his societal outlook. As his biographer Christiano puts it, Trudeau “the graduate student saw at close range the stark human consequences of nations captured by the conflict of competing identities. He saw the dangerous condition of a world in which ideologies raged in wanton disregard for the interests of individuals.”

Trudeau’s experience as revealed by Christiano underscores a significant aspect of Trudeau’s core convictions: his distaste for ideology. Trudeau recalls, “I early realized that ideological systems are the true enemies of freedom.” In fact, Trudeau claims to not have an ideology. He states, “I do not find myself bound by any doctrines or any rigid approaches.” Here, ideology is defined as a system of thought where an individual adheres to a set frame of mind, closed to any other interpretations. This system then spits out answers when fed information about life circumstances. Berlin’s comments on the subject are apt; he remarks, “I can only say that those who rest on such comfortable beds of dogma are victims of forms of self-induced myopia, blinkers that may make for contentment, but not for understanding of what it is to be human.”

Therefore, to respond to the question of why Trudeau favors a pluralistic society, it is hypothesized that he came to the same conclusion as Berlin: that the perfect society cannot be actualized because there exists more than one Good, and those Goods are often not compatible with one another. Berlin writes, “Some among the Great Goods cannot

44 Trudeau, FFC, xxi.
45 Trudeau, CWC, 11.
46 Berlin, 14.
live together. That is a conceptual truth. We are doomed to choose..." When discussing the values of a Just Society, Trudeau mentions this necessity of choice. He accepts that "the paradox is real: freedom for some is detrimental to the equality of others." Therefore, it makes more sense to allow individuals to choose for themselves which values they will place emphasis on. The best atmosphere for freedom of choice is one of pluralism and tolerance because it allows for the competition and progress of ideas to thrive.

The question then arises of how to cope with the inevitable condition of competing Goods; how is order to be assured? Many theorists (such as de Tocqueville, Montesquieu, Berlin, and Madison, Hamilton and Jay in the Federalist papers) have preached the advantages of a system of counterbalancing forces. The tradition of worshipping equilibrium is carried on in Trudeau’s political theory. “My political action, or my theory - insomuch as I can be said to have one” Trudeau explains “can be expressed very simply: create counterweights.” Movement balanced by movement or "ambition pitted against ambition" is a process which works to secure freedom and order. Each movement or actor wishes to gain the favor of the diverse population, thereby ensuring that each party is checked by the other. Danger arises only when one group is able to gain popularity without any serious opposition.

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47 Berlin, 13.  
48 Trudeau, TJS, 369.  
49 Trudeau, FFC, xxiii.
Freedom, Equality, and Government Involvement

What can be said about the relation between freedom and equality in Trudeau’s thought? Should we conclude from the emphasis he places on it that freedom is more important to Trudeau than equality? Is this a fair dichotomy? Would we characterize him as more of a libertarian than a socialist? From his involvement in the Asbestos strike, with leftward leaning organizations, and his views on government involvement, it is safe to assume that he is not libertarian. Libertarians, such as Humboldt or Nozick, prefer a minimum of state involvement in their lives, both economically and socially.\textsuperscript{50}

Trudeau, as the prime minister who told Canadians that the state has no place in the bedrooms of the nation, could be said to be close to the libertarian viewpoint in the respect that he wants the state firmly out of the private (or social) business of individuals. However, when it comes to the economic sphere, he is radically opposed to the libertarian line of thought. Economics for Trudeau is not in the realm of the private, it is planted firmly in the sphere of the public. Therefore, the government has a large part to play in its citizens' economic lives, and Trudeau does not view this as a hindrance to freedom. For instance, he states, “there is not, in my view, an irreconcilable conflict between the individual and freedom on one hand, and government and authority on the other.”\textsuperscript{51}

Further, in arguing that a strong government can enhance freedom, he stresses that “if the citizen wants to avoid being ordered about against his will, he must provide himself with a protector in the form of a state strong enough to subordinate to the public good all the

\textsuperscript{50} Gray, 73.
\textsuperscript{51} Trudeau, \textit{CWC}, 69.
individuals and organisms that go to make up society.” This may lead one to wonder who will be watching the government. If Trudeau does not believe that citizens have the time or capacity to watch big business, why would he believe they have the time and energy to watch big government? Surely he would not argue that those in government are benevolent rulers, absent of prejudice and greed. In response to this, he could possibly assert that it is the opposition’s job to watch the government, and that is therefore one of the reasons he opted for changing the rules of parliament to provide the opposition with a larger budget. However, the opposition is not benevolent and, rather, is frequently ineffective in its attempts to criticize the government.

Here, in considering government involvement, we should return to the question asked above: is the dichotomy between freedom and equality is a fair one? That is, what is the relationship between the two for Trudeau? Perhaps in answering this question it is instructive to discern what Trudeau understands equality to imply. First and foremost, Trudeau believes that all individuals should be equal before the law. He has been steadfast in his attachment to this value, which Whitaker has called “procedural justice”. Section 15 (1), the first part of the equality section in the Charter of Rights and Freedoms, reflects Trudeau's adherence to procedural justice. He states, "section 15 of the Charter leaves no doubt: all are equal before the law and are entitled to the same protection." The equality of individuals before the law can be viewed as an extension of

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52 Trudeau, ATP, 85. Presumably, “the citizen” Trudeau discusses includes the part of the Canadian population that would identify with the label “she”.
53 Trudeau, CWC, 74.
54 Whitaker, 140.
55 Trudeau, TJS, 365.
the rule of law, without which, Trudeau maintains "freedom is impossible."\textsuperscript{56} Freedom is thus enhanced in Trudeau's view by formal equality. The rule of law means that society is governed by laws and not by the arbitrary will of individuals; all individuals are equal, none having any special status or knowledge that would justify the imposition of arbitrary will. Locke came to this conclusion when considering the natural rights of humans. He argued that by using reason, the rights of preservation and freedom can be deduced from the fundamental premise that all individuals are naturally equal as the creations and the property of God. They are equal because they were all created by God with no special authority given to any of them, not even Adam.\textsuperscript{57} Locke explains that,

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another: there being nothing more evident than that creatures of the same species and rank promiscuously born to the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection...\textsuperscript{58}

However, there is another aspect of equality for Trudeau besides the juridical, and that is the equality of opportunity. Settling on a definition of equality of opportunity is not an easy task. Onora Nell has pointed to two ways of understanding this concept. First, there is the "formal interpretation" which she explains is "part and parcel of the classical liberal tradition of political thought".\textsuperscript{59} Formal equality means that everyone is

\textsuperscript{56} Trudeau, CWC, 57.
\textsuperscript{58} Wootton edition, 263.
\textsuperscript{59} Onora Nell, "How do we know when opportunities are equal?" in Women and Philosophy: Toward a Theory of Liberation, eds. Carol Gould and Marx Wartofsky (New York: G.P. Putnam's Sons, 1976), 335.
treated the same according to the law. This definition is equivalent to the procedural equality already discussed; it "does not ensure equal success or equal health or equal status but only the fair application of the rules governing the pursuit of such goods."\(^{60}\) Trudeau supports this understanding of equality, however, this does not seem to be what he had in mind when he used the phrase "equality of opportunity". His understanding of equal opportunities is perhaps more in line with Nell's second definition which she terms "substantive equality of opportunity". In this second sense, equality of opportunity is secured when "the success rates of certain major social groups - such as the two sexes, various ethnic groups and perhaps various age groups - are equalized."\(^{61}\) If both men and women of different ethnic groups are represented in the same ratios relative to their populations, then substantive equality is achieved. Nell is careful to point out that substantive equality of opportunity does not necessarily (and will likely not) lead to equal results for all individuals. Therefore, under substantive equality of opportunity, there may still exist very poor people and very rich people, it is just that within the rich and the poor there is a mixture of groups in roughly the same proportions as they exist in the whole population. This type of equality of opportunity suggests more than a negative or legalistic equality and it involves some sort of redistribution of wealth. The redistribution of wealth, or the welfare state, appears to be necessary for justice in Trudeau's mind. For instance, he asks:

> For where is the justice in a country in which an individual has the freedom to be totally fulfilled, but where inequality denies him the means?

> And how can we call a society just unless it is organized in such a way as

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\(^{60}\) Nell, 337.

\(^{61}\) Nell, 339.
to give each his due, regardless of his state of birth, his means or his health?\textsuperscript{62}

His point is that freedom is not really accessible or valuable unless one reaches a basic level of material wealth. Perhaps a simple way of explaining his concept of justice is that it means sharing with one another, albeit government coerced sharing. He states, “In our political thought, wealth should not be confined, nor should poverty be segregated.”\textsuperscript{63}

\textbf{The Welfare State: Trudeau and Plant Against Hayek}

Raymond Plant offers a convincing and similar argument to Trudeau's for the welfare state. Plant argues against classical liberal theorists such as Hayek who both conceive of freedom in the negative sense and deny that injustice is done by market outcomes.\textsuperscript{64} First, Plant tackles the libertarian belief that individuals have no 'right' to welfare on the basis of freedom because freedom does not entail having "powers, capacities, or abilities." Liberty is worthless, Plant argues, if it is without positive attributes such as education and money, or in Feinberg's terms, if strong internal and external negative constraints are present. He states "I value liberty because freedom enables me to advance my ends and purposes and it is surely the case that to do this means that I need resources, powers and opportunities."\textsuperscript{65} However, he inevitably encounters and admits to what he calls the "neo-liberal critique" that "because the claims

\textsuperscript{62} Trudeau, VJS, 358.
\textsuperscript{63} Trudeau, CWC, 118.
of welfare are indeterminate, the welfare state has an inbuilt tendency to grow.\textsuperscript{66} In other words, the financial boundary, or the point up to where the state is willing to enhance people's positive liberty, is dynamic mainly in one direction - it keeps on growing. The "poverty line" is an arbitrary measure around which pressure groups and expectations multiply. Some scholars, such as Neil MacCormick, attempt to render the "neo-liberal critique" less potent by contending that taxation and redistribution is not so arbitrary because "at any given time there is some threshold beyond which our schemes for redistribution become self-defeating."\textsuperscript{67} However, even with this qualification, there is no real explanation for why taxes should be at sixty percent rather than at sixty-two or thirty-two percent, other than Plant's observance of an arbitrary point.

In his second critique of Hayek's arguments, Plant concentrates on justice. He takes issue with Hayek's belief that market outcomes (e.g., individuals who find themselves destitute because of economic or motive forces) are not unjust because they are not intentional.\textsuperscript{68} Trade in a market environment, according to Hayek, is not personal. Individuals either will trade with X, or they will not. If they do not and X winds up poor because she cannot sell her wares, Hayek views this as unfortunate, but not unjust. Market forces \textit{unintentionally} distributed this individual with less than others, therefore, in this sense the market is not coercive. Plant refuses to accept Hayek's position and asserts that the market \textit{is} coercive because individuals operating in the market environment know that some people will be deprived of economic benefits (that Plant

\textsuperscript{66} Plant, 312.
sees as vital to the exercise of liberty) and they also know the consequences could be alleviated with a redistributive state. He further argues that injustice is not only about "how a particular outcome came about or arose, but rather is as much a matter of our response to the outcome." Injustice arises if the government ignores the less fortunate. Plant's argument, like Trudeau's, directly clashes with the classical liberal claim: that a state should not impose a vision of redistribution such as the "Just Society" because, first, it is not necessary for justice, and second, in doing so it violates the citizen's rights to equality of respect. That is, "in a liberal society the state should not pursue some particular view of the good life, because people will disagree about what the good life consists in." The good life that Trudeau pursues is one in which it makes less sense to discuss a dichotomy between freedom and equality because, in his view, a measure of one is needed for a measure of the other.

**Democracy**

In the introduction to Pierre Trudeau's *Approaches to Politics*, Ramsay Cook recalls that "'democracy first' became Trudeau's rallying cry." Trudeau and his friends in the *Cité libre* group were responding to the corruption and authoritarianism of the Duplessis government in Quebec. They demanded change for the Quebecois people. What they sought was a more free and democratic regime. However, we must ask

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69 Plant, 311.

70 Note, however, Plant assumes the arguable position that if the government will not take care of the less fortunate, then no one will.

71 Plant, 304.

72 Trudeau, ATP, 13.
ourselves what Trudeau really meant by democracy and freedom. In essence, what kind of democrat is (or was) Mr. Trudeau?

At first glance, Trudeau appears to have a populist streak to him. For instance, he asserts that “democracy becomes a system in which all citizens participate in government: the laws, in a sense, reflect the wishes of the citizens and thus turn to account the special wisdom of each one; the social order to some extent embodies all the wealth of human experience that the citizens possess.” The above statement shows faith in the human population; that each person has a “special wisdom”. Likewise, Trudeau appears to support an especially responsive government. He states, “I am preaching the doctrine of the servant state.” Do these statements indicate that Trudeau would be willing to support populist measures such as recall and citizens initiatives? Although some of his statements might lead one to assume he would embrace populist devices; it is unlikely. Trudeau has at times echoed populist rhetoric, but it is much more plausible that in those instances he was reacting to particular situations or circumstances (i.e., the Duplessis regime), and that his genuine views deny notions of populism. For example, he maintains that majority rule is merely a convention and convenience and that “parliamentary democracy does not require a decision from its subjects on each of the technical problems presented by the complicated art of government in the modern world.”

In other words, people should participate in government at election times, but in terms of the real decisions involving education and skill, the common sense of the common people

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73 Trudeau, ATP, 78.
74 Trudeau, ATP, 44.
75 Trudeau, ATP, 88.
76 Trudeau, ATP, 89.
takes a back seat to the “experts” employed by government and its bureaucrats. If one were to place Trudeau on a line where one end was extreme populism and the other elitism, he would surely be nearer the elitist point. This view is shared by Philip Resnick who, in describing the process involved in the patriation of Canada’s constitution, states “the legitimacy of their actions derives from a Burkean-type notion of the privileged knowledge, judgment, and power that legislators, unlike the mere mortals who elect them, enjoy.”

This conclusion does not, however, insinuate that Trudeau was not at all sympathetic toward the populist perspective. Considering how he views the actions of the political elite in pre-1960 Quebec, it would make sense if Trudeau, though not a populist, was wary of a particular type of elite - and that is the catch. Populism is defined as “optimism about people's ability to make decisions about their lives” and the inverse of this definition is that “populism implies pessimism about an elite's ability to make decisions for the people affected.” There was no reason for Trudeau, let alone the masses in pre-1960 Quebec, to be confident that the political elite were willing or able to make decisions for them. However, that was a certain species of elite: corrupt and incorrigible. Trudeau is a fervent believer in science and technology and therefore, it is

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79 Bell, 3.
perhaps fair to say that he agreed with J.S. Mill in terms of his choice of elites. That is, the only elites that should be making decisions are *educated* elites.

Possibly, then, Trudeau falls prey to similar criticisms which are aimed at Mill. Mill's elitist tendencies are highlighted in *Considerations on Representative Government* when he specifies that representative bodies are better off hiring a skilled bureaucracy to work out the details of each law, while the representative body *debates* issues. Trudeau's stance, as noted above, parallels this argument. Although this attitude held by both Mill and Trudeau is intuitively elitist, some authors have attempted to argue that it is exempt from elitist attributes. For example, Dennis Thompson argues that, strictly speaking, Mill is not an elitist because he does not support the idea of a benevolent dictatorship. Thompson writes, "unlike many contemporary elitist theorists of democracy, Mill does not justify the influence of the competent minority solely on the grounds of its superior ability to govern." However, this argument is not very convincing because one does not have to be in favor of a dictatorship in order to be elitist; one only needs to express the view that the few are somehow better equipped than the many.

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80 See "An Appeal for Realism in Politics" in *Canadian Political Thought*, edited by H.D. Forbes, (Oxford University Press, 1985), 342. In this manifesto which Trudeau and six others signed it reads, "the growth of an individual's income, or even of a family's income is largely determined by ability to adapt to new technologies, new jobs, new products, and new ways of life."
81 This is not to say that educated elites cannot be corrupt, but rather that elites should be chosen on the basis of merit (i.e., their policy-making skills).
83 See note 79 of this work.
Since Trudeau is not a populist, one may inquire if that prevents him from being allied with the cause of representative democracy? In other words, what makes representative democracy representative? Does representative democracy require citizens to choose people to work in parliament not only to articulate their views, but to literally represent (i.e., mirror) them? Or is representative democracy the system whereby the people elect legislators to worry about the business of politics for them? This is a debate that goes back at least to the Federalist Papers when the federalists (Hamilton, Madison, and Jay) supported a system where the governing body was relatively separated from "the interests and circumstances of [the] constituents."\(^85\) Put differently, representatives in this system would make decisions based on their expertise and judgment, decisions which were (by design) not necessarily identical to the preferences of the passionate masses. This position rivaled the stance of the anti-federalists who supported a regime where it was accepted that the representative body "ought to be as like the whole body as possible."\(^86\) The anti-federalists were more literal in their understanding of representation. Their system (based on a smaller state) would allow for the direct expression of the passion and interests of the people. In the end, the American people voted in favor of the system that the Federalists supported, and it is evident that Trudeau would approve of the outcome.

While neither of the definitions advanced by the federalists and the anti-federalists can be proclaimed as the definition of representative democracy, it is argued here that the term has been somewhat defined by history (i.e., the American and Canadian

experiences). Representative democracy, for the purposes of this study, is defined as the system by which the people elect representatives to do the greater part of the work of governing for them. The temporary passions of the people are not guaranteed to prevail,\(^87\) representative democracy is the system where people really do speak the loudest at election time.\(^88\)

Trudeau clearly ascribes to the idea that if the constituents do not approve of the actions of their representatives, then it is the voters' prerogative to remove those individuals and replace them with someone new. In 1970 at the Australian National University, he bluntly stated that the government “has to, on balance, make what it believes is the best choice and then it’s up to the citizens including young people to throw it out if the choices are not satisfactory.”\(^89\) Here, Trudeau reveals to us another of his democratic principles - that sovereignty lies with the people. However, support of popular sovereignty is hardly a surprising aspect of Trudeau's belief system considering that he was the one to advocate the "people's Charter", the Charter of Rights and Freedoms, which will be discussed in greater detail.

Echoes of Trudeau's perspective concerning representative democracy are manifest in statements issued by Trudeau’s former justice minister, Jean Chretien, now the prime minister. In 1994, Chretien described Preston Manning's zeal for greater direct democracy as "revolting."\(^90\) Chretien rejects the idea that "MPs should be replaced by polling"\(^91\) and

\(^{87}\) This point was made especially clear in Canada when the majority of Canadians opposed the GST, yet it remains in law today.

\(^{88}\) Since the definition of representative democracy is based in large part by history, it is reasonable to assume that the definition can change over time.

\(^{89}\) Trudeau, CWC, 49.


\(^{91}\) Ibid.
instead maintains that members of parliament are "elected to use their best judgment." If their best judgment is not good enough, the MPs can be replaced at election time.

Why would Chretien and Trudeau be opposed to the populist idea of ‘rule by polling’? Perhaps the explanation lies in the reality that we live in a society that wishes to avoid the tyranny of the majority. Minority rights are an important part of the Canada Trudeau envisions; they are part of the Just Society. Trudeau states, “a democratic society and system of government, while among the grandest of human concepts, are among the most difficult to implement. In a democracy it is all too easy for the majority to forget the rights of the minority.” Living under the Duplessis government gave Trudeau ample evidence for the ability of the majority elites (e.g., Catholics and non-communists) to abuse minority (e.g., Jehovah's witnesses and communists) rights. One is immediately reminded of the infamous “padlock laws” which allowed the government to “empty without notice and lock for a year premises in which meetings of sundry subversives were rumored to have occurred.” (emphasis mine) Gerard Pelletier, a friend of Trudeau's, comments on the Duplessis years, “[i]n the name of nationalism and religion, Duplessis inflicted upon us a twenty-year reign of lies, injustice and corruption.”

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92 Ibid.
93 Trudeau, CWC, 46.
94 Christiano, Pierre Elliott Trudeau: Reason before Passion, 38.
95 Pelletier cited in Christiano, Pierre Elliott Trudeau: Reason before Passion, 35.
Participatory Democracy

Trudeau often claimed to be in favor of participatory democracy. Therefore it is useful to define participatory democracy and distinguish between the concepts of participatory democracy and representative democracy. For instance, are participatory and representative democracy compatible, or does one preclude the other? From studying Trudeau’s works, participatory democracy appears to mean that since sovereignty lies with the people, they should be involved in debating and questioning government action. However, from the above discussion on populism, we know that Trudeau did not intend for the people to be directly involved in decision-making. Therefore, what he meant by participatory democracy is that the citizens should participate more in the political debates, even though government experts need not necessarily take their advice (except, of course, at election time). This is the most plausible definition, particularly when we consider what Mill had to say about the educating effects of participation.

According to Mill, there are three “educative” reasons for the participation of the masses in government, and it is useful to consider them in understanding Trudeau’s view of participatory democracy. First, participation increases the "political efficacy" of the population; that is, citizens will feel that change is possible through the current system. They will have confidence in it and will be less likely to resort to violence. This was an important detail for Trudeau. When examining his ideas on democracy, one is struck by the amount of attention Trudeau focuses on the power of democratic regimes to change in peaceful manners. In a democracy like Canada, Trudeau argues that there is no need for violence because “there are a variety of safeguards - freedom of speech, freedom of
assembly, free elections, to name a few.”

He remains faithful to the belief that “the merit of democracy is precisely that it makes peaceful changes possible.”

When violence does occur in Canada, for example during the 1970 FLQ crisis in Quebec, Trudeau claims it is nothing but irresponsible. The individuals involved in terrorizing the citizens of Quebec in October 1970 are in Trudeau’s opinion, people “incapable of employing the opportunities made available to them by society in order to bring about changes through persuasion.”

This brings into view an important point in Trudeau's version of participatory democracy: that the people can 'revolt' and exercise their sovereignty by participating. While acknowledging Trudeau's distaste for the frequent use of referenda, one could argue that in terms of utility as a peaceful apparatus for revolt, referenda are important to his theory. When government goes awry, referenda may represent a stage in between good government and violent revolt. For instance he states, "and it is precisely to avoid the necessity of such violence that most civilized peoples provide mechanisms whereby citizens can fight against laws they disapprove of without going outside the law or becoming conscientious objectors or political martyrs."

Referenda could act as one of these mechanisms; especially in terms of constitutional issues. Perhaps this is why Trudeau hopes "the idea of a referendum to decide major constitutional issues will eventually become entrenched in the constitution."

The second of Mill’s educative purposes of participation in political debate is that activity increases one's knowledge of the issues of the day. In other words, active

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96 Trudeau, CWC, 70.
97 Trudeau, ATP, 50.
98 Trudeau, CWC, 70.
99 Trudeau, ATP, 39.
participants are "likely to have more sophisticated opinions, to be better informed about politics, and to be better able to perceive differences between parties and candidates than are less active citizens."\textsuperscript{101} Certainly this is an important consideration if the society wishes to progress instead of regress. Progress is another theme which holds much significance for Trudeau. Perhaps this is true because progress is closely connected to the common good. At a meeting of the Coopérative Fédérée de Québec, Trudeau expresses this connection when he states, "the common good requires sustained economic progress accompanied by a gradual sharing of the national wealth."\textsuperscript{102} It would be difficult to distribute wealth if none was being produced.

Third, and this is probably the most important of Mill's three reasons for Trudeau, political activity creates a commitment to the general interest. If people do not regularly participate in public affairs, they are less likely to care about general things that do not concern themselves. Mill asserts that, one's "neighbor, not being an ally or an associate, since he is never engaged in any common undertaking for joint benefit, is therefore only a rival."\textsuperscript{103} The idea of the common interest or the general interest is of immense worth to Trudeau. The general interest is intimately tied to two primary values in Trudeau's thought: Canadian unity and social justice. If people are involved in working together towards a national goal, then regional and ethnic differences may gradually fade away. Trudeau warns Canadians that disunity will be our fate "if we do not face problems together, if we are not willing to consider that we are our brother's keeper in all of

\begin{footnotes}
\item[101] Thompson, 40.
\item[102] Trudeau, CWC, 118.
\item[103] Shields edition, 55.
\end{footnotes}
Canada. Likewise, if one has a stake in the general interest, then one is less likely to resist paying taxes into the public purse, the purse that Trudeau hoped in the long run would diminish economic and social inequity.

Now, to return to a question posed earlier: "are participatory and representative democracy compatible, or does one preclude the other?" It should be evident that, as defined here, they are compatible. If we take participatory democracy to mean that voters will be involved in political debate and representative government to mean that elected representatives will listen to voter's opinions but not necessarily act on every piece of advice, no incongruity appears. An incongruity would exist if participatory democracy meant that "the people's" wishes (i.e., the majority) should rule on every decision while representative democracy meant that legislators will make decisions based on their own views, not necessarily those of their constituents. For some authors, this is the case. In his book, The Masks of Proteus, Phil Resnick appears to hold this different view of what participatory democracy entails. Resnick criticizes what he sees as the "narrow definition of democratic rights under sections 3-5" in the Canadian Charter of Rights and Freedoms which Trudeau played such a large role in creating. Resnick is dismayed because the outline of democratic rights does not fit with his expectations of a participatory democracy. He states, "no echoes of participatory democracy or face-to-face community here, but a soberly instrumental substitution of parliamentary for popular sovereignty."105 For Resnick, it appears that participatory democracy is more closely related to (though not equal to) populism than it is to Trudeau's "parliamentary" vision.

104 Trudeau, CWC, 208.
105 Resnick, 94.
Democrat of Which Persuasion?

A question that repeatedly comes to mind when considering Trudeau's democratic values is the question of which category Trudeau falls into: is he a liberal democrat or a social democrat? Attempting to define these terms puts one on a rather slippery slope. What is the difference between a liberal democrat and a social democrat? After careful consideration, one comes to the conclusion that these categories are perhaps not such watertight compartments.

The term 'liberal democrat' has been used to refer to both classical and modern liberal democrats. The possibility of Trudeau being a classical liberal has already been discussed and it is apparent that Trudeau is not a classical liberal. This is because he supports the coercive redistribution of wealth by the government which libertarians (classical liberals) oppose on the basis of the freedom of the individual defined as the right to choose what to do with his or her earnings (the absence of external positive constraints in Feinberg's terminology). Thus, since Trudeau is willing to sacrifice some negative individual freedom (i.e., non-interference by the government) to the cause of equality of opportunity he might be placed in the social democratic sphere. However, this depends on how the term is defined.

In Legal Right and Social Democracy, Neil MacCormick defines social democracy as "the philosophy of the moderate left, or even the centre, of the political spectrum."\(^{106}\) To MacCormick, this centre-left philosophy is characterized by four core beliefs: that the free market is not sufficient for the attainment of social justice, the government must therefore

\(^{106}\) MacCormick, 1.
play an active role in economic affairs, civil rights are of fundamental importance, and the acceptance of the significance of private property because of its connection to civil rights.\textsuperscript{107} Clearly, Trudeau would agree with at least the first three assertions. However, the last specification, that private property is significant because civil rights require it, is questionable as to whether it is a sentiment that Trudeau would express. For example, in the 1982 constitution, which Trudeau strongly influenced, property rights are notably missing. This could be the result of a number of factors, and among them are the possibility that Trudeau does not hold property rights as essential to civil rights. Another possibility is that the omission reflects Trudeau's view of property rights and the American experience. Perhaps he was dissatisfied with how the courts used the concept of property rights (until the "switch in time that saved nine" in 1936) to oppose Roosevelt's New Deal legislation for more government involvement in the economy.\textsuperscript{108} Redistribution of wealth in Canada is part and parcel of Trudeau's vision of the Just Society, therefore he would not wish to create a situation in which the courts stand as an obstacle to creating this society.

Setting aside the issue of property rights, it is clear that under MacCormick's definition, Trudeau is a social democrat. Trudeau is not a socialist or a classical liberal, rather, he fits in the middle ground which MacCormick has labeled social democracy. MacCormick defends this middle ground against socialism and libertarianism. First, he critiques the socialist for always placing equality of individuals above their freedom. This line of thought frequently leads to embarrassing logical outcomes such as the one MacCormick points out. He uses an analogy of electric cookers. All citizens are given

\begin{footnotesize}
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\item[\textsuperscript{107}] MacCormick, 1.
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electric cookers "but this equally distributed boon" does not lead to "equal beatitude if one-tenth of the recipients are too young to cook, three-tenths have no access to electric supplies, and a further three-tenths no food to cook." The point of the analogy is that self-regulation is necessary. The outcome after the cookers were distributed did not show that cookers were "not good to have," it showed that individuals must be able to determine if they need one. Therefore MacCormick argues that civil liberties are "at least instrumentally good." Borrowing from Anatole France, he also uses an analogy against the classical liberals by charging that "equal freedom to sleep under bridges" is an absurd notion. Freedom from the law's coercion does not, on its own, magically provide for the person who is starving and homeless.

Trudeau believes too strongly in individual freedom to allow for the wholesale takeover of freedoms by the pursuit of equality. Yet, he is more committed to some sort of "substantive" equality than a classical liberal would allow. Therefore, it seems apparent that he fits into MacCormick's definition of a social democrat, a definition that could also bear the name "modern liberal". The modern liberal is someone like John Rawls who believes that "a debt of justice" is "owed by the haves to the have-nots" but also argues that "there are practical limits on such distribution, bounded by the moral imperative against schemes productive of tyranny." Trudeau is someone like this, and therefore it is maintained here that he is a modern liberal democrat, or what MacCormick calls a social democrat. In other

109 MacCormick, 11.
110 MacCormick, 11.
111 MacCormick, 10.
112 MacCormick, 15.
words, as 'social democrat' is described by MacCormick, there appears to be no significant
difference between a modern liberal democrat and a social democrat.

Perhaps the Charter of Rights and Freedoms is the ultimate statement of Trudeau's
modern liberal tendencies. As one of the major accomplishments of his career, the Charter
reflects many of his core values and is a statement from the modern liberal perspective. It
places sovereignty firmly in the hands of the people. For example, Trudeau states that "in
the grand tradition of the 1789 Declaration of the Rights of Man and the Citizen", the
Charter "implicitly established the primacy of the individual over the state and all
government institutions, and in so doing, recognized that all sovereignty resides in the
people."\cite{113}

It protects certain inalienable individual rights that classical liberals would
agree with; section 2 of the Charter affirms the freedoms of conscience and religion,
thought, belief, opinion and expression, and the freedom of association. Trudeau makes it
clear that he believes the Charter to be a liberal document. He explains that "the very
adoption of a constitutional charter is in keeping with the purest liberalism, according to
which all members of a civil society enjoy certain fundamental inalienable rights and cannot
be deprived of them by any collectivity (state or government) or on behalf of any
collectivity (nation, ethnic group, religious group or other)."\cite{114}

He also argues that rights
can only be held by individuals, and not by groups. This is because people are "free and
equal among themselves" and because "they transcend the accidents of place and time and
partake in the essence of universal humanity".\cite{115}

However, while the Charter does
concentrate on individual rights, it also contains provisions for collective rights. Although

\begin{footnotes}
\item 113 Trudeau, TJS, 363.
\item 114 Trudeau, TJS, 363.
\item 115 Trudeau, TJS, 364.
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the existence of group rights are contradictory to his theory, Trudeau rationalizes that this modern liberal mix of individual with groups rights is sometimes necessary "to protect certain minority collectivities whose interests could be overlooked in the conduct of the business of the state; this is what sections 25 and 35 do for the [A]boriginal peoples of Canada."116 Another way in which the Charter is marked as a modern liberal document is that it concedes affirmative action programs (in s.15 (2)). Section 15 (2) is a direct expression of the modern liberal's concern with substantive equality of opportunity as discussed by Onora Nell and as endorsed by Trudeau.

Rights

One of the things that distinguishes Trudeau's modern liberal stance from the classical liberal perspective is that he holds a looser definition of a right. He argues that each individual is a holder not just of civil rights, but also of a larger category of entitlements which he calls human rights. He states, "lawyers were reminded that civil rights were only one aspect of human rights, and that they were living in times when they could ill afford to neglect that other aspect, called economic rights."117 According to Trudeau, there are two types of "economic rights": consumer rights and producer rights. Consumer rights, Trudeau asserts, "imply that no one in society should be entitled to superfluous or luxury goods until the essentials of life are made available to everyone."118 However, it is unclear what he takes to be the "essentials" of life. Would a television or a computer be considered essential? He cites the Toronto welfare council as the single

116 Trudeau, TJS, 365.
authority dictating where the poverty line is drawn. However, it is known that these figures
go up every year. Trudeau is therefore subject to the "neo-liberal critique" acknowledged by
Plant and discussed earlier in this work. The problem he faces is that "the essentials of life"
are defined in Canada by arbitrary means. The poverty line in Canada, as drawn by the
Toronto welfare council, would be equivalent to a good standard of living in many
countries, as Trudeau himself admits. He states, "of course the concepts of 'essential' and
'superfluous' will be defined variously in different countries and at different times; and even
in one country at any given time they will be defined according to each person's social
philosophy." 119

The second type of economic right, according to Trudeau, is the right to produce.
This right might also be described as the right for every individual to be guaranteed a job.
Trudeau is disturbed because he is worried that "this society has no plan for supplying
alternate employment to men whose past occupations no longer exist, or have been fraught
with the risk of sudden death." 120 However, one wonders how "society", this vague
concept, is equipped to "supply" people jobs. To be fair, Trudeau's acceptance of state
responsibility does not signify a blind belief on his part that the government can magically
provide jobs. He appreciates that the economy and state of technology are restrictions on
social policy. For example he states, "it is a rare state that can disregard economic or
 technological laws with impunity. A government trying to do so, even though for excellent
social motives, would so impoverish its economy that its social goals became
unattainable." 121

119 Trudeau, FFC, 25.
120 Trudeau, "Economic Rights," 123.
Trudeau’s view of rights is of further interest as he argues that rights are not fixed, but rather that they evolve. New rights can always be created. He professes, “society cannot deny the necessity for new remedies, or for the creation of new rights adequate to the needs of the individual in the urban, technological society of today.” He looks forward to a day when “many economic necessities would acquire the dignity and authority of rights.” This is in accord with the fact that he views laws as catalysts in societal evolution. In this he is true to the liberal values of progress and change, elements that he views as essential to the Just Society. Trudeau makes it clear that he regards thoughtful change as "the very expression of freedom". Liberals who ignore opportunities to change society and guide it in its evolution are as worthless as conservatives in Trudeau's view. In his typical caustic form he states, "a passive liberal reclining on the cushions of the liberal tradition is as worthless and ineffective as any spiritless conservative."

122 Trudeau, CWC, 42.
124 Trudeau, CWC, 87.
125 Trudeau, CWC, 87.
Chapter Two: Nationalism

Nationalism Verses the Civil Religion

The phenomena of nationalism has been a matter of intense interest for many Canadians. Great amounts of emotion, effort and time have been poured into the debate over the merits of what Charles Taylor describes as "a modern form of group identification". Pierre Elliott Trudeau has been an active participant in the debate and has identified himself as an ardent opponent to nationalism. He opposes nationalism because he believes it to be incommensurable with the great values that Canadians hold dear (e.g., freedom, equality, and tolerance). Trudeau maintains the position that nationalism is an enemy of democracy, and that it is therefore inimical towards freedom; that is, democracy is a necessary condition for freedom. For most of his career, Trudeau has been intensely concerned with the effects and control of nationalism. He stands so firm in his anti-nationalistic position that he denies the value of a pan-Canadian nationalism. Therefore, reasons for his dislike of nationalism will be examined along with the idea of federalism - his substitute for the nationalistic vision. How does federalism accommodate differing groups, and is Trudeau's analysis appropriate in both the cases of Quebeckers and Aboriginal nationalists?

Although Trudeau is anti-nationalistic (even in the pan-Canadian sense), this should not be taken to mean that he is loath to accept a pan-Canadian identity, the glue of unity. Canadian unity is a cause he worked for with much diligence. For instance, Trudeau hoped that the 1982 Constitution and the Charter of Rights and Freedoms would, as legalistic expressions of shared

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2 Trudeau, FFC, 103.
3 Trudeau, FFC, 155.
values, serve to reinforce and positively shape the Canadian identity within the structure of federalism. However, not everyone views unity as the likely result of the Charter and constitution. Some scholars, such as Guy Laforest, have argued that the purpose of Trudeau's "immense efforts at institutional restructuring" have been mainly expended "to fight Quebec nationalism rather than to build anything positive." While Trudeau certainly fought relentlessly against the nationalists, one wonders how accurate Laforest's description really is. Could it be true that the values of the Just Society were a mere facade to the real purpose: the war against nationalism? Is it true that nothing positive was gained by formally recognizing "Goods" such as the rights to freedom of expression and religion, the equality of all citizens and the recognition that sovereignty lies with the people? It is argued here that, contrary to Laforest's assertion, Trudeau did have something positive to build in Canada. He had a vision of a free and pluralistic society, where the equality of opportunity would be greater than before and where people would be tolerant towards the many different groups that society holds. This vision and the "great values" associated with it might be termed the civil religion - a phenomenon which will be discussed in further detail at the end of this chapter.

Nationalism Defined

In the introduction to this chapter it was asserted that Trudeau is anti-nationalistic. However, the assertion is not very useful unless one also specifies what one means by 'nationalism'. Certainly there are many ways to understand the word. As Trudeau himself pointed out, nationalism has at least two key senses: the juristic and the sociological. By juristic, he means that the nation "is no more and no less than the entire population of a

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sovereign state." In other words, it is the legal conception of the state. The sociological sense, on the other hand, refers to a type of ethnic nationalism such as the "Scottish nation or the Jewish nation." These two definitions are similar to the two types of nationalism outlined by Raymond Breton. Breton's labels are different from Trudeau's, but his ideas are essentially the same. The first type of nationalism which Trudeau calls juristic, Breton aptly labels 'civic' nationalism. In this kind of nationalism, "the cultural is dissociated from the political." The second type, what Trudeau calls sociological, is termed 'ethnic' by Breton. This is the nationalism that is "socio-emotional rather than pragmatic or utilitarian"; it is this nationalism that Trudeau is against.

Therefore, the confusion surrounding the question of whether Trudeau is nationalistic or anti-nationalistic can be solved by being clear about the type of nationalism one is discussing. For instance, confusion arises when Heimstra notes that some "critics" have wondered if policies such as the national energy program and the federal investment review agency point to a "switch in Trudeau's thinking towards Canadian nationalism." Heimstra does not identify the difference between the two nationalisms, but he nevertheless concludes correctly that "there is no evidence that such a conversion has occurred." While Heimstra argues that Trudeau is anti-nationalist, Reg Whitaker contends the opposite. He states, "despite what so many nationalists have argued, there is little direct justification for labeling Trudeau as an "anti-nationalist" who is ideologically incapable of standing up for Canada in relation to the outside

5 Trudeau, FFC, 187.
6 Trudeau, FFC, 188.
7 Raymond Breton, "From ethnic to civic nationalism: English Canada and Quebec", Ethnic and Racial Studies, 11, no. 1, (January 1988).
8 Breton, 87.
9 Breton, 86.
10 Heimstra, 60.
11 Heimstra, 60.
world, especially the Americans.\textsuperscript{12} What Whitaker is touching on is that Trudeau is not anti-nationalistic in the civic sense, and his suspicion is quite right. Both Whitaker and Heimstra are correct, it is just that each is focusing on a different kind of nationalism. Here is what Trudeau understands to be the nationalism he supports; he states: "Canada’s nationalism if you will - is not marked or identified by a sense of eighteenth-century territorial grandeur or nineteenth- and early twentieth-century economic ferocity. Canada is known to its inhabitants and to others as a human place, a sanctuary of sanity in an increasingly troubled world."\textsuperscript{13}

**Trudeau's Case Against Ethnic Nationalism**

A reading of Trudeau's essays in *Federalism and the French Canadians* alerts one to the degree of opposition he feels towards ethnic nationalists. To say that Trudeau is strongly opposed to an ethnic-national conception of society is an understatement. His hostility is fueled by his realization that ethnic nationalism is a force that works against his core values of reason, individual freedom and equality, a tolerant and pluralistic society, peace, progress, and the general welfare of all individuals in society.

An important flaw of nationalism\$ according to Trudeau, is that it is based on emotion rather than reason. Nationalists advance the idea that after they rip themselves from the clutches of their oppressors, they will find a new and wonderful society that is free of the problems they face today. Lord Acton, who had great influence on Trudeau's ideas concerning nationalism, asserts the "absurdity" of the nationalist dream. He states, "nationality does not aim at either liberty or prosperity, both of which it sacrifices to the imperative necessity of

\textsuperscript{12} Whitaker, 153.
\textsuperscript{13} Trudeau, *CWC*, 201.
making the nation the mould and measure of the State. Its course will be marked by material as well as moral ruin."\(^\text{14}\) Therefore, Trudeau implies that nationalism is a deception; it promises things it cannot logically deliver. He recites his version of the nationalist myth, that "there is supposed to be some sort of creative energy that will bestow genius on people who have none and give courage and learning to a lazy and ignorant nation."\(^\text{15}\) Not only is nationalism a deception for Trudeau, but he also maintains that the Quebec nationalists would sacrifice freedom for French Canadians if they succeeded in convincing Quebeckers to separate. This is because he expects that in terms of language, culture, and opportunities for progress, French Canadians have a better chance of being protected within the larger state of Canada than in a small state which would surely be dominated by external influences (i.e., by the basic need to trade with and accommodate the United States to survive). In "separatist counter-revolutionaries", a particularly caustic article, Trudeau charges that the separatists plan to "make the whole tribe return to the wigwams by declaring its independence" in order to take over as "kings and sorcerers".\(^\text{16}\) He argues that while these plans may serve to temporarily ameliorate their fears of "being left behind by the twentieth-century revolution"\(^\text{17}\), they will not provide a cure. This is because their actions will not be able to "prevent the world outside from progressing by giant strides; it will not change the rules and the facts of history, nor the real power relationship in North America."\(^\text{18}\) Trudeau's point is that personal freedom, which is the "very purpose of a collective system"\(^\text{19}\), is not necessarily enhanced by independence. By separating, Quebeckers would be sacrificing freedom and good government for "self-

\(^\text{15}\) Trudeau, FFC, 173.
\(^\text{16}\) Trudeau, FFC, 211.
\(^\text{17}\) Trudeau, FFC, 211.
"determination" defined by Trudeau as "the right of ethnic and linguistic groups to their own absolute sovereignty.\(^{20}\)

Trudeau is ardent in his desire that people understand the difference between self-determination and self-government. He explains that self-government is "based on reason and proposed to introduce liberal forms of government", whereas self-determination is "based on will and proposed to challenge the legitimacy and very existence of territorial states [the precursor to nationalistic states].\(^{21}\) Clearly, he favors self-government over self-determination, and he cautions that promoting self-determination or independence "amounts to embroiling the world in a pretty pickle indeed.\(^{22}\) For groups like the Quebecois in Canada or the Bengalis in India, Trudeau believes it is better to spend time and energy working to enhance freedom and promoting progress than it is to worry about independence. He admits that nationalism is an easy way to get votes, but he maintains it is the wrong way. A society cannot advance if emotion trumps reason. Hence his motto, "reason over passion."

Trudeau predicts that a primary challenge facing the world in the future will be to learn how to live peacefully with other, culturally different, people. The population will grow but the earth will remain the same size; globalization and technology will create dramatic changes. People will eventually be forced to live closer and interact more frequently with people different from themselves. Therefore, his values of pluralism and tolerance will be significant in the future. A tolerant, pluralistic society seems to him to be the most humane and peaceful way to meet the challenge. As Acton argues, "the most perfect" societies are those which "include

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18 Trudeau, FFC, 211.
19 Trudeau, FFC, 209.
20 Trudeau, FFC, 154.
21 Trudeau, FFC, 185.
22 Trudeau, FFC, 154.
various distinct nationalities without oppressing them. 23 However, both Trudeau and Acton believe that the virtues of tolerance and pluralism are threatened by nationalism. This is because nationalistic governments place the common good of the ethnic group above the common good of the entirety of the people over which they are governing. Trudeau states that nationalists "are led to a definition of the common good as a function of an ethnic group, rather than all the people, regardless of characteristics." 24 This type of action is not only unsavory for Trudeau, but it is morally wrong because it violates the principle of equality of all individuals. According to Trudeau, every individual is equal regardless of race, national or ethnic origin, color, religion, sex, age or mental or physical disability. 25 Equality is an important aspect of the liberal line of thought. The inherent connection between equality and freedom dictates that everyone must be equal, at least in the procedural sense, in order to fulfill her or himself in society. However, equality for Trudeau is limited to individuals and it is not extended to groups.

Trudeau dislikes the nationalist tendency toward "group rights". He states, "only the individual is the possessor of rights." 26 Ramsay Cook regards the battle of individual rights verses "the group will to survive" as one of Locke verses Rousseau. 27 However, Cook then points out that there is a compromise which can be reached between Locke and Rousseau, and that is Acton's multi-national state. This is the state in which groups "collaborate" in order to live a better life. 28 Trudeau, being the pragmatist he is, has opted for Acton's multi-national

23 Acton, 168.
24 Trudeau, FFC, 169.
25 Trudeau, TJS, 365.
26 Trudeau, TJS, 365.
27 Ramsay Cook, Canada and the French Canadian Question, (Toronto: Macmillan of Canada, 1966), 159.
28 Cook, 166.
state, and he plans to achieve it through the tools of federalism and the Charter of Rights and Freedoms. Federalism allows for group differences to flourish at the local level while allowing the different groups to reap the benefits of being part of a larger, tolerant, and "Just Society". The Charter complements federalism in that it is a statement of the general rules that have been agreed upon by everyone in the federation. Within the bounds of these rules, people are free to practice and enhance their culture and selves. A federal system is the "ideal" system for a state like Canada because it is "one with different sizes for different purposes." Not only is federalism ideal in Trudeau's view, but he believes that federalism was inevitable. He states:

Federalism was an inescapable product of an age which recognized the principle of self-determination. For on the one hand, a sense of national identity and singularity was bound to be generated in a great many groups of people, who would insist on their right to distinct statehood. But on the other hand, the insuperable difficulties of living alone and the practical necessity of sharing the state with neighboring groups were in many cases such as to make distinct statehood unattractive or unattainable.

Through reason people would come to realize that federalism was the best method of governing they could choose. Perhaps it is useful here to attempt to define what Trudeau means by reason. Heimstra has argued that "Trudeau defines reason as calculative self-interest." This type of definition makes it sound as though Trudeau takes reason to be a utilitarian type of process; that reason is just a method to acquire whatever one desires or deems to be Good. Therefore, if someone desires to be a nationalist, reason would entail attempting to create a nation state. However, it is clear that Trudeau has a conception of the Good life, or the Just

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29 Trudeau, FFC, 35.
30 Trudeau, FFC, 192.
31 Heimstra, 68.
Society, and it is also clear that he sees anything that deviates from the path to the Good life as irrational. Therefore, it would not be rational in Trudeau's mind to be a nationalist because that is a path that leads to "self-destruction"\(^{32}\), "discrimination"\(^{33}\), and "war"\(^{34}\).

**Quebecois and Aboriginal Nationalists**

How accurate are Trudeau's views concerning the nationalist psyche? Is it true, for example, that nationalist governments or groups are by nature "intolerant, discriminatory, and when all is said and done, totalitarian."\(^{35}\) By focusing on two key nationalist groups in Canada, the Quebecois and Aboriginal peoples, it is anticipated that the answer will come into clear view. During this discussion it is important to keep in mind that the views of the Quebecois and Aboriginal nationalists are not the views of their entire respective populations. Trudeau directed a good part of his scathing critiques towards the nationalists, therefore this section focuses on the *nationalists* only.

An interesting way to assess the beliefs of the Quebecois and Aboriginal nationalists is to examine the interactions between the two in the province of Quebec.\(^{36}\) Now that Quebeckers have gone through the quiet revolution, gained extensive power in Canada, and have had the French language and culture entrenched in a national constitution, are the nationalists capable of showing tolerance towards minorities in their own midst? Are they willing to accommodate the Aboriginal groups in their province who are less secure in their cultural survival?

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\(^{32}\) Trudeau, FFC, 158.

\(^{33}\) Trudeau, FFC, 169.

\(^{34}\) Trudeau, FFC, 157.

\(^{35}\) Trudeau, FFC, 169.

\(^{36}\) I have written on this topic elsewhere in more detail. See Sonia Arrison and Elizabeth Keller, "First Nations and the Quebecois: Clashes and Compromises in Quebec," an unpublished paper presented at the annual meeting of the Canadian Political Science Association, June 4, 1995.
Within Quebec there are two main Aboriginal groups: the Cree and the Mohawk. If the nationalists were at all sympathetic towards the Aboriginals, it could be argued that Trudeau may be wrong in asserting the intolerance and corruption of the nationalists. It appears, however, that Trudeau's characterization of the nationalists and his predictions concerning their behavior are valid, at least as far as French Canadian nationalists are concerned. The Parti Québécois government in Quebec, a nationalist party, has been candid about the fact that it is not willing to grant Aboriginal peoples the same rights that the Québécois nationalists themselves demand. In February of 1995, before Quebec's second referendum on sovereignty, David Cliche (Jacques Parizeau's parliamentary assistant for Aboriginal affairs) stated that "the Inuit can hold their own referendum if they want to and so can the Cree. But where we disagree is on the impact of such a referendum ... We cannot accept that the territory of Quebec be taken apart." 37 The Quebec government has communicated to the country and to Aboriginal people that democracy is reserved exclusively for the Québécois; and that it will not be extended to others any time in the near future. The nationalists have not only put emotion above reason, but they appear to have lost it altogether. It is curious that the Quebec government, presiding over a liberal democratic society, would openly state that the Québécois have a right to hold a referendum and decide to separate, but the Aboriginals cannot do the same. This attitude has led to moral outrage for many. Mohawk editor Kenneth Deer states "why do the people of Quebec have this right to self-determination if people who've lived here for hundreds of years don't have that right ... is it a right only white people have?" 38 This is exactly what Trudeau had warned people about in his writings and speeches. The nationalist ideology is not

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democratic and it is self-centered. It is important to understand, however, that these problems are not limited to the Quebecois nationalism. Trudeau finds fault in all nationalisms and points out that the English Canadians have also been guilty of these wrongs. He states, "the English-speaking majority used its size and wealth to impose a set of social rules humiliating to French Canadians." 

The nationalist's actions in Quebec are perhaps met with bewilderment from many observers because people have a tendency to assume that most people follow the "do unto others as you would have done unto you" rule. French Canadians have known what it is like to be a victim of another group's nationalism, therefore one could reasonably expect that they would be more careful to avoid nationalism's harmful effects. Undoubtedly some French Canadians think this way, but none of them are allied with the nationalists. An explanation which might be advanced to explain the behavior of the nationalists is that the French culture is still threatened by English nationalism, and that it simultaneously faces the threat of the cultural intrusion of the United States on the air waves and other media sources. However, this argument does not carry much weight. As Raymond Breton has aptly concluded, English nationalism has faded. He states, the "shift from an ethnic to a civic nationalism can be observed [in English Canada]; a shift from a culturally exclusive to an inclusive conception of the collectivity is slowly taking place." Therefore, 'English Canada' is a dying threat in terms of a competing 'nation'. This perhaps explains why Canadians living outside of Quebec are often confused when they are lumped together as the enemy "English Canada". "English Canada" is now composed of many ethnic groups who simply use English as a method of

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39 Trudeau, EFC, 48.
40 Breton, 93.
communication; a better descriptor of the group is the common phrase "the rest of Canada" or ROC. As for the second part of the argument (that the French face cultural intrusion from the United States), it is argued here that the 'intrusion' is now a way of life in our ever-increasingly globalized world. The only way the Quebecois could avoid the 'intrusion' would be to cut themselves off from American, and perhaps global, communications. It is not unthinkable that the nationalists would resort to this type of action. In fact, Trudeau considers this a possibility and posits that 'ghettoizing' Quebec would do as much, if not more, damage as the intrusion because the culture would become stagnant and non-progressive. If Quebec becomes a "closed society", he argues, it "could only spell extinction for French Canadians living outside Quebec and the development of a ghetto mentality for those living within it."

Another part of Trudeau's characterization of the French nationalists is their lack of integrity and honesty. Exemplary of this aspect is Jean-Paul Desbiens, also known as Frere Untel, who authored a document for the Quebec government titled "How can one be a Native person?". In it, he challenges the assumption that Aboriginals are an oppressed minority, and even asserts that Aboriginals have a higher standard of living than Quebeckers on average. The Aboriginals, Desbiens would like Quebeckers to believe, are treated better than any other minority "under the sun". Unfortunately, since it is not the case that Aboriginals are a privileged minority in Quebec it is disturbing to find polls reporting that 52% of Quebeckers really believe that Aboriginals have a higher standard of living.

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41 Trudeau, FFC, 42.
42 Jean-Paul Desbiens, "How can one be a Native person?" (Microforms Div., Main Library, UBC; Quebec: Secrétariat aux Affaires Autochtones, 1993, text-fiche).
43 Desbiens, 9.
A corollary to Trudeau's accusation that the nationalists are dishonest is the notion that they are strongly suspicious of other groups. Instances of this suspicion are found in their reaction to Aboriginal nationalism. Since the nationalist claims of the Aboriginal peoples undermine the Quebec nationalist's vision of themselves as the victim, they attempt to rationalize that the Aboriginals are really in league with the enemy (English Canada). For instance, Mohawks have had the unfortunate experience of being called "anglophones with feathers". It is this type of mentality which drives people like Desbiens to suggest assimilationist strategies to guarantee that the "weak don't derail the strong". Trudeau may not be so far off in suggesting that the nationalists are "totalitarian".

Up to this point, only the Quebec nationalists have been examined. Aboriginals thus far have been portrayed as innocent victims at the hands of the baneful nationalists. While it is true that the Quebec nationalists tend to treat the Aboriginal minority with less respect than they deserve, this is not to imply that Aboriginals do not have their own share of nationalist spokespeople singing the same familiar nationalist tune. However, ethnic nationalists in Aboriginal society are not yet in a position to oppress others outside of their group. They are not powerful enough, therefore it is difficult (though not impossible) to predict if they will follow the road of intolerance and enclosure that the French Canadian nationalists have attempted to tread, if they will make the transition from ethnic to civic nationalism, or if they will find a middle position where they agree to a pluralistic society but do not give up their ethic type of thinking. To discern which road they will follow, one may consider both their

46 Desbiens, 32.
traditional philosophy and how they currently treat minority groups within their own communities (for example, Bill C-31 Indians). In studying traditional philosophy, one finds that Aboriginal culture and customs are diverse. There are many different Aboriginal "nations" (as opposed to one French Canadian nation), and therefore, the first scenario of a desire for complete enclosure is improbable. More likely, Aboriginals would agree to live with all others in common. Expressing this sentiment is Bill Namagoose, a Cree leader who has recently stated "a country can have 10 nations if they agree to be politically associated."47

Accepting diversity is not something foreign or repulsive to Aboriginal tradition.48 In fact, some scholars believe that the Iroquois Indians were the first to invent confederation. The Native Women's Association of Canada (NWAC) explains that "the Iroquois Confederacy was a political system of Six Indian Nations: the Mohawk, Oneida, Onondaga, Cayuga, Seneca and Tuscarora."49 However, the Native women are more concerned with explaining the existence of a Iroquois constitution. They argue that the Iroquois constitution "organized society by large kinship groups or clans" where "decision making power was exercised equally by both the male and female councils in each clan."50 This is significant because many Native women are subject to oppression from Aboriginal nationalists. It is rather unusual that a group of 'nationalists' would punish 'some of their own'. However, many women involved in NWAC are not considered to be 'included' in the group. They lead to a quandary for those nationalists worried about blood quantum, the ability to define their own community, and funding from the

48 Some authors have argued that native tradition as it is explained in the literature is false. However, for the purposes of this paper I will go with what is commonly assumed. For a rebuttal of the common understanding of native literature see James A. Clifton ed. The Invented Indian. (New Brunswick, USA: Transaction Publishers, 1990).
50 NWAC, p. 3.
government. To be more specific then, the women facing oppression are Bill C-31 Aboriginals.\textsuperscript{51} Passed in 1985, Bill C-31 made it legally possible for women and children who had lost their Indian status under the Indian act (for example through a marriage to a person who did not hold Indian status) to regain membership.\textsuperscript{52} However, the practical possibility of regaining de facto status (i.e., the ability to move on to the reserve) is another matter. The figures are telling; "only 2\% of reinstated displaced Native women have been able to return to their reserves since the 1985 amendments, due in large part to the political and tactical opposition by band governments."\textsuperscript{53}

Therefore, we find that Aboriginal communities are not exempt from the harmful nationalistic ills Trudeau discussed. Within their community is an anti-democratic group (and, it should be noted that Aboriginals groups boast of the effectiveness of their past participatory democracies)\textsuperscript{54} that is concerned only with the well being of their particular ethnic group. Anti-democratic because many bands on reservations will not allow C-31 women a voice in their communities, even after they have been granted membership, and ethnocentric in that they are concerned only with the welfare of Indians who have a certain status (i.e., they have never lost their Indian status) and amount of Indian blood in them. Although Trudeau mainly focused on French Canadian nationalism, his comments on Indian policy, particularly the 1969 White paper, show a "similarity of thought" on both nationalisms.\textsuperscript{55}

\textsuperscript{51} It should be noted that not all Bill C-31 Aboriginals are women, although the majority are.
Of course the argument could be advanced that the reason for poor treatment of Bill C-31 Aboriginals is not nationalism, but sexism - that European evil Aboriginal men were taught in residential schools. Certainly it is not claimed here that sexism is not at work, but nationalism must be considered a significant factor. For one thing, not all Bill C-31 Indians are women (i.e., some of their children, Indian men, are finding it difficult to gain inclusion in the group). If sexism were the only reason, then C-31 men would be welcomed. Further, nationalist sentiment is found throughout the Assembly of First Nations (AFN) document To The Source.\(^{56}\) For instance, the AFN explains that it would like to "create an entirely new relationship, a sound and healthy partnership, among the three peoples of this country."\(^{57}\) Likewise, as Thomas Flanagan has pointed out, one finds evidence of nationalism in the fact that the AFN changed their name in 1982 from the National Indian Brotherhood (NIB) to the Assembly of First Nations. The change in name reveals a psychological break with the 'nation' of Canada. In the name NIB, "the nation in the title ... was Canada"\(^{58}\), whereas now it is clear by their name that they are a separate group: the First Nations.

Native women are not only concerned with gaining inclusion in the group, but they are worried about women already in the group. Perennial problems of violence against women has led NWAC to seek protection for women through the Charter of Rights and Freedoms. Unlike NWAC, the nationalist Aboriginals see a conflict between the Canadian Charter and Aboriginal self-government, even though it has been pointed out to them that the Charter has a protective Aboriginal clause. Still, the AFN remains true to the typically nationalist response that

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\(^{57}\) AFN, 80.

although the Charter might protect some individuals in the group, the collective cause is at risk and the collectivity is more important. They state, "the Charter could easily stand in the way of, or even prevent, the re-establishment of traditional values." This response is strikingly reminiscent of the French Canadian nationalists and the Bill 101 affair.

While all of the examples given here concerning Aboriginal nationalism are fairly recent, nationalism is not really all that new in Aboriginal circles. Even before NWAC was formed and before the AFN changed its name, the seeds of ethnic nationalism were in the soil. Note the clearly ethno-nationalistic bent in a circular distributed by the International Committee of Mohawk Arts and Traditions at St. Regis when Aboriginals were extended the franchise in 1960:

The REDMAN is morally obliged not to vote in the federal and provincial elections...It is to be deplored that a covey of irresponsible Redmen, sick with racial inferiority complex, shall flock to the polls and give up their National Identity and Sovereignty forever!\(^\text{60}\)

Likewise, in 1969 when the Trudeau government came out with a White Paper proposing that the Indian Act be scrapped and Aboriginals be integrated into Canadian society, Aboriginal nationalists (along with others who were worried about losing the meager material benefits they received from the government) fought back. The fear was that the government was attempting to "assimilate" the Natives which would result in the loss of their culture. This was perhaps a more legitimate fear for the Aboriginals than it is for French Canadians because they are more

\(^{59}\) AFN, 62.
\(^{60}\) Kathleen Jamieson, Indian Women and Law in Canada: Citizens Minus, (Supply and Services Canada, 1978), 75.
spread out around the country, and are plagued by more social problems. However, Trudeau's 1969 policy initiative does not appear to be an evil plot to crush the Aboriginal culture - cultural genocide - as the nationalist dogma teaches. It is clear that Trudeau was worried about the health and vibrancy of the group, and in a way, it could be argued that by trying to save the individuals, he was, de facto, attempting to save their culture. If the people who practice the culture do not survive, or are not healthy, their culture will not survive or remain healthy either. Trudeau calls attention to one, perhaps overlooked, route to culturally "disappearing". Influenced by Lord Acton's reasoning, he argues that a group can lock itself "up in a ghetto behind walls and sort of stand fast", but to do this is to "risk some chance that the caravan of humanity will not attack you in your fortress but will walk on to the plains of time and they will be on somewhere in the future." 

Did Trudeau comprehend fully Quebecois and Aboriginal nationalisms? He certainly understood that they wished to protect their culture, and that there are many reasons for protecting one's culture, but he also understood the harmful effects of the ethno-nationalist agenda. From the above discussion of the French Canadian and Aboriginal nationalists, it does appear that Trudeau provided accurate predictions about their course. Not only have Canadians witnessed gross disregard for democracy, equality, and freedom at the hands of the nationalists, but they have also seen another aspect which is inevitable when ethnic nations clash: war. The 'wars' were not full fledged civil wars, but they were wars on the people nevertheless. First

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61 See Will Kymlicka, "Liberalism, Individualism, and Minority Rights," Law and the Community: The End of Individualism, ed. Allan Hutchinson and Leslie Green (Toronto: Carswell, 1989), 198. He argues that, in the current situation, collective rights for Aboriginals are more legitimate on the liberal basis of equality rights than collective rights for French Canadians. This is because "The English and French in Canada rarely have to worry about the fate of their cultural structure. They get for free what Aboriginal peoples have to pay for; security of their cultural structure."

62 Trudeau, CWC, 15.
there was the 1970 FLQ crisis where French Canadian nationalists claimed it was just to kill Pierre Laporte for their cause. They used terror as an attempt to get what they wanted. Next there was the Oka crisis where the Mohawks were fighting against the Quebec government. People were shot at and roadblocks were set up. This was a clash between the French Canadian and Aboriginal nationalisms. The point is that nationalism in both cases has led, as Trudeau predicted, to violence and injustice.

Is Federalism a Solution?

Obviously not all Quebeckers and Aboriginals are nationalists. There are many individuals and groups in those communities who want to keep Canada together but also want to be able to protect their values - especially those values they consider to be inherently tied to their culture. To what extent is Trudeau's federalist, pluralist conception of society a solution for Canada? Perhaps one could argue that federalism is not a perfect form of government, but it is the best Canadians can find at the moment. This is because federalism allows for many communities to grow under the protection and benefit of a larger state. Trudeau, like Acton, believed that the combination of different groups in one state would lead to a flourishing and enhancement of all the groups. Acton states his case:

Exhausted and decaying nations are revived by the contact of a younger vitality. Nations in which the elements of organization and the capacity of government have been lost...are restored and educated anew under the discipline of a stronger and less corrupted race. This fertilizing and regenerating process can only be obtained by living under one government. It is the caldron of the State
that the fusion takes place by which the vigor, the knowledge, and the capacity of one portion of mankind may be communicated to another.\textsuperscript{63}

Just as an elderly woman might be revitalized by the energy and creativity of her grandchildren, so might an older nation or culture be enhanced through contact with a newer one. It should be noted here that it is \textit{contact}, not any sort of \textit{force} which enhances a culture. By exchanging views and ideas, every group benefits. Trudeau aims at communicating this point to the French and Aboriginal communities in Canada, as well as to ROC. He states, "we have countless opportunities to benefit from the richness and variety of a Canadian life which is the result of this broad mix....It is a multi-cultural society; it offers to every Canadian the opportunity to fulfill [their] own cultural instincts and to \textit{share} those from other sources."\textsuperscript{64} (emphasis mine)

In order to obtain the greatest benefit from interaction with other cultures, each culture must have equal citizenship and must not close itself off. In the case of Aboriginals, Trudeau favors alteration of the law to allow them equal citizenship; in the case of the Quebecois, Trudeau urges them not to close themselves off. The 1969 White Paper can be seen as an expression of Trudeau's goal of cultural exchange and pluralism. In it, the government asserts that unless the "Indian people's role of dependence"\textsuperscript{65} is "replaced by a role of equal status, opportunity, and responsibility"\textsuperscript{66} they will continue to walk the road "which has led to a blind alley of deprivation and frustration."\textsuperscript{67} Trudeau wants Natives to be "full members of Canadian society."\textsuperscript{68} In announcing this aspiration, the White Paper also communicates an essential

\begin{footnotes}
\item[63] Acton, 161.
\item[64] Trudeau, CWC, 32.
\item[66] Ibid.
\item[67] Ibid.
\item[68] Ibid.
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aspect of Trudeau's federal, pluralist society: the need for tolerance and recognition. Unless people are tolerant of each other and accept as part of Canada "every group with its distinctive traits without prejudice," the Canadian society will not be able to remain together and benefit from the union. Likewise, without recognition, a people's dignity is crushed, rendering them unable or ineffective in contributing to positive dialogue. Trudeau's White Paper states, "the principle of equality and all that goes with it demands that all of us recognize each other's cultural heritage as a source of personal strength."70

Trudeau is clear that he believes the Canadian federation can work as a system for all Canadians who are willing to "exorcise" myths that are "outdated", and to work to "promote and preserve diversity".71 Since governing powers are split between two levels of government, people in various regions can do things differently from other regions in the areas of provincial jurisdiction (e.g., education), yet they also experience the benefits (e.g., economical and international) of being part of a larger union. Federalism, for Trudeau, is the best, most rational, way to bring people with some common values together without forcing them to give up the things that make them diverse. As a system, federalism uses diversity to experiment and create better ways of doing things. Saskatchewan's experiments with universal health care, for example, led to the federal version which, at least up until recently, was considered by many to

69 The Government of Canada, 8.
70 Ibid. In emphasizing the importance of equal recognition, it is unlikely that Trudeau meant to argue, as Charles Taylor does, that we should acknowledge both the "equal value" of cultures and the "equal worth" of each group. That is, if every group was already of "equal worth", then it would be impossible to argue for the improvement of stagnant cultures by the interaction with vibrant ones because no distinction could be made on this basis. It is more likely that Trudeau argues for the right of each culture to recognition so that it can become a part of the community and thereby add to the enrichment of itself and others. See Taylor's essay "The Politics of Recognition" in Multiculturalism and The Politics of Recognition. With commentary by Amy Gutmann et al. (New Jersey: Princeton University Press, 1992), 64.
be one of the best systems in the world. Trudeau explains the virtues of provincial diversity by stating that "in a sense, governments in Canada have a special advantage over citizens in unitary states - to the benefit of the citizen. When a government acts or plans to act here, there are often 10 other governments ready to praise or criticize..."72

The character of Trudeau's federalism is shaped not only by the Constitution which defines the division of powers between governments, but also by a Charter of Rights and Freedoms. The division of powers fosters diversity while the Charter's design, according to Trudeau, expresses the "set of values common to all."73 His hope was that the Charter would have the effect of emphasizing "what all Canadian citizens shared in common: a set of rights and freedoms beyond the reach of governments."74 If governments are limited by a Charter, it is less likely that regional pluralism will degenerate into intolerance because citizens will have the courts as a means of protection. However, Trudeau was careful to point out that federalism and its institutions will only work if effort is spent to make them work; that is, its success is not guaranteed. To make federalism work, he argues that the "compromise of federalism" must constantly be re-negotiated. He states, "this national consensus - to be lasting - must be a living thing. There is no greater pitfall for federal nations than to take a consensus for granted, as though it were reached once and for all."75

Has Trudeau's experiment been successful? This is a difficult, and perhaps impossible, question to answer. Certainly Trudeau appears to believe it has been successful. According to him, many of the goals which he sought through the tool of federalism have been to some

73 Trudeau, TJS, 363.
75 Trudeau, FFC, 193.
extent realized. For example, in his Memoirs he states that "we were able to make the Canadian ideal of a truly pluralistic society that much more real, and in the process to demonstrate our evolving maturity as a nation." As evidence of this, he notes that before he became prime minister "a woman never sat in the Speaker's chair of the House of Commons", "there had never been a Jew in the Canadian Cabinet", "no Aboriginal Canadian had ever been a member of the federal cabinet nor lieutenant-governor of a province" and "no French Canadian had ever been minister of finance, or been minister of trade." Even the failure of the Meech Lake and the Charlottetown Accords, can be viewed by Trudeau as lasting success of his vision of Canada. He spoke out vigorously against both accords and both failed, perhaps not because he had spoken, but because of the society he had helped to shape earlier. For instance, because of the Charter many Canadians now recognize and value the concept of equal citizenship for all Canadians. The Charlottetown Accord stood opposed to this concept of citizenship and was seen by many people, including Trudeau, as an invitation to create "a hierarchy of categories of citizens." The Canadian people, including Quebeckers, voted against the Accord in a referendum. Trudeau believes that the result of the referendum "augurs very well for the future, if Canadians retain the determination and the confidence to insist that it must be the broad public will, not anyone's narrower political agenda, that shapes our future."

76 Trudeau, Memoirs, 358.
77 Trudeau, Memoirs, 357.
79 Trudeau: "A mess that deserves a big NO", 13.
80 Trudeau, Memoirs, 365-366.
Civil Religion

It was asserted at the beginning of this chapter that Trudeau did in fact have something positive (in the contributory sense) to give to Canada. His conception of civil society and the "great values" inherent in it give rise to the civil religion. In Canada, the church and state are separate, therefore one may argue that there exists no national or "Canadian" religion. However, when one considers the possibility of a civil religion, such as the type articulated by Robert Bellah, the form of the "Canadian faith" begins to come into bold relief. Bellah focuses on American civil religion, but one can understand that his method of illustrating religious tendencies in the United States can be applied in Canada, and more particularly, in examining Pierre Trudeau's thought. This claim does not pass without some criticism. Some authors, such as Kevin Christiano, charge that Trudeau does not have a civil religion, rather, he has a civic rationalism.\(^1\) Christiano's argument rests on his assertion that religion cannot be rational.\(^2\) Since reason is more important to Trudeau than passion, and since Trudeau criticizes the nationalistic "faith", Christiano comes to the conclusion that Trudeau is incapable of having a true civil religion. It is true that Trudeau both loathes the ethnic nationalist faith and values reason over passion, however these premises do not directly lead to the conclusion that civil religion is absent in Trudeau's thought or that Trudeau "does not have at his disposal a legitimate set of evocative national symbols."\(^3\) Trudeau, probably through his understanding of Aquinas but definitely through his belief in personalism and civic nationalism, effectively synthesizes reason and faith to make them compatible.

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\(^2\) Christiano, "Federalism as a Canadian National Ideal", 250.
\(^3\) Christiano, "Federalism as a Canadian National Ideal", 256.
Bellah explains that the idea of civil religion originally comes from Rousseau and he outlines some of the main "dogmas" of the civil religion. Included are "the existence of God, the life to come, the reward of virtue and the punishment of vice, and the exclusion of religious intolerance." These are characteristics which can be pointed to in Trudeau's actions and thought. First, since Trudeau is a Catholic, his belief in the existence of God is expected. His views further fit with Bellah's description of civil religion because he maintains that everyone can have their own God. He states, "what happens in private, once again, is a matter of your relations with your own God and your own internal values." Although God is personal, it is important to note that the idea of God remains relevant in the public political sphere. It is just that the God which is referred to in public, or in the civil religion, is more "related to order, law, and right than to salvation and love." For instance, Trudeau informs Canadians that the prime minister is not like "God - you know - who makes great laws."

As for the idea of the life to come, Trudeau has a clear vision of what is in store for Canada. Canadians, by working towards the Just Society, will establish a new social order which will enlighten the rest of the world. Canada is an experiment and the challenge is for different types of people to live together in harmony. Trudeau professes, "Canadian federalism is an experiment of major proportions; it could become a brilliant prototype for the molding of tomorrow's civilization." The life to come consists of a society where virtues such as tolerance, plurality, democracy, freedom, equality, individual choice, human dignity, and a fair distribution of wealth reign. Put differently, vices such as intolerance, uniformity, dictatorship,

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85 Trudeau, CWC, 86.
86 Bellah, 7.
87 Trudeau, CWC, 46.
88 Trudeau, FFC, 179.
inequality, collective tyranny, and class differences will be minimized or eradicated for Canadian citizens. Connected to the idea of the land to come is that citizens involved in the civil religion are in some sense the 'chosen ones' searching for the promised land. Trudeau demonstrates this type of thought:

Every human being realizes this, but perhaps it is for Canada - the land of space, of youth, of spring - to take the lead, to depart from the insane course on which mankind has embarked and to return to the point where we and our children can say without hesitation God's in His Heaven, all's right with the world.\(^9^9\)

However, while Canadians may be the chosen ones, the civil religion and virtues are not particular to Canadians. Rather, they are universal. Here it might be useful to note that Trudeau has always demonstrated that he wishes to be known for what is universal about him rather than for what is particular. In Somerville's biography of Trudeau, the reader is told that on Trudeau's dormitory door at Harvard there was a sign that read "Pierre Elliott Trudeau - Citizen of the World."\(^9^0\) This theme is also prevalent within the civil faith in the United States. Bellah explains, "the civil religion at its best is a genuine apprehension of universal and transcendent religious reality as seen in or, one could almost say, as revealed through the experience of the American people."\(^9^1\) Universality, as a significant characteristic of the civil religion, directly confronts Christiano's claim that "as the basis for a potential civil religion, then, the commandments of liberalism are fatally universalistic."\(^9^2\) Since none of Trudeau's core values are "distinctly Canadian", Christiano assumes they are exterior to the realm of the religious. This conclusion does not make much sense, however, especially when one

\(^9^9\) Trudeau, CWC, 127.
\(^9^0\) David Somerville, Trudeau Revealed: By His Actions and Words, (BMG publishing, 1978), 19.
\(^9^1\) Bellah, 12.
\(^9^2\) Christiano, "Federalism as a Canadian National Ideal", 260.
remembers that the word "catholic" means universal. Surely Christiano is not willing to argue that since the Catholic faith could be universal - that is, any group of people could adopt its values - it is not a religion.

There are other beliefs, symbols, and rituals involved in the civil faith. These include solemn ecclesiastic words, ritualistic gestures, and an air of reverence for institutions and ideas. There is plenty of evidence (as articulated by Trudeau and others) for all these things in Trudeau's Canada. For instance, observe the religious tones evident during question period after Trudeau's so-called "eggroll speech". Mike Duffy of CTV news asks Trudeau if there is "a sacred duty...as a privy councilor"93 to speak out extensively about Charlottetown. (emphasis mine) Likewise, Trudeau's reverence for Canada's institution of representative government is underscored in Federalism and the French Canadians where he describes representative government as a 'sanctuary'.94 Further, the religion would not be complete without ceremonies and ritualistic events. For the Americans, "the inauguration of a president is an important ceremonial event."95 For Canadians, the swearing in of new members of parliament (or the legislatures) and the Speech from the Throne, delivered at "the opening of each session of parliament or provincial legislature,"96 are significant rituals. The Canadian calendar provides even more evidence for ritualistic days. Remembrance day, like Memorial day in the United States, is a day in which Canadians take time to think about the people who died and fought for their freedom. This means that Canadians remember that individual rights and freedoms, the

93 Trudeau: "A mess that deserves a big NO", 67.
94 Trudeau, FFC, 116.
95 Bellah, 4.
values inherent in the promised land (the Just Society), would not be possible without the efforts of those who fought in the war.
Chapter Three: Conclusion

Trudeau and the Liberal Tradition Meet

This work has been an attempt to explore Trudeau's views on liberty, democracy and nationalism. Trudeau, the self-described "pragmatist", is a modern liberal with a comprehensive theory of the good life. Influences on his conception of the good life and his similarity of thought to other great scholars have been touched upon throughout this work and can be summarized. First, Trudeau's views on the status of the individual derive from a mix of classical liberal theory and Catholic personalism. Trudeau is reminiscent of classical liberals such as John Locke in his insistence that it is reason which leads one to the acceptance of equal rights and freedoms for all individuals. For instance, Locke argues that "the law of nature be plain and intelligible to all rational creatures."1 Since everyone is equipped with the faculties of reason, it is just a matter of putting them to work. Although Trudeau is sometimes depicted as an arrogant intellectual, he is committed to the notion that all normal individuals are capable of exercising their reason. Radwanski notes that Trudeau "assumes that other minds function like his - and, indeed, have comparable intelligence."2 Using reason, the rights of preservation and freedom can be deduced from the fundamental premise that all individuals are naturally equal as the creations of God. Trudeau's belief in God, veering from traditional Catholicism, is characterized by personalism, the philosophy which "reconciles the individual and society."3 As Clarkson and McCall point out, an important part of Trudeau's reconciliation was the belief that "lay Catholics could interpret Christian ideals for themselves in their own

1 Wootton edition, 325.
2 Radwanski, 121.
3 Trudeau, Memoirs, 40.
lives without having to kowtow to the Church hierarchy." In this way, his belief in freedom of the individual is reconciled with his Catholic faith.

There are many ways to conceptualize freedom, and Trudeau does not adhere to merely one notion. In his strong attachment to freedom of speech and conscience, Trudeau is similar to J.S. Mill. Trudeau argues for the competition of ideas and understands that no one has a monopoly on the truth. Likewise, Trudeau adheres to Mill's harm principle: that people should be able to live as they choose so long as they harm no one in the process. It is this principle which is at the root of his statement that 'the government has no business in the bedrooms of the nation.' As pointed to in this work, Trudeau is also similar to Mill in other aspects of his thinking besides individual freedom of choice and conscience. His views on elitism, representative democracy, and public participation in government make Trudeau comparable to Mill. Both thinkers are elitist in that they maintain that the details of public policy are best made by experts, not by the people referenda-style. While both conceive of representative democracy as entailing consultation with the people, they imply that the public's participation is designed more for the purpose of increasing the public's education and connection to the community than it is for influencing the government's actions. Trudeau states, "much of my consultation and participation is done in the hopes that people will come in the end to see things as I do."

A pluralistic society is a favorable environment for the competition of ideas. In favoring a pluralistic society, Trudeau is doing more than expressing his will that differing views be presented. He is confronting what he believes to be "the challenge of the age"

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5 Radwanski, 127.
which is to live with people who hold values different from ourselves. It is asserted in this work that Trudeau has come to much the same conclusion as Isaiah Berlin; that there exists more than one type of Good, and that Goods frequently conflict with one another. Therefore, Trudeau opts to allow individuals to choose for themselves which values they will place emphasis on. The best atmosphere for freedom of choice is an atmosphere of liberty and tolerance: the pluralistic society. In grappling with the inevitable question of how to maintain a free and pluralistic society, Trudeau emulates theorists such as de Tocqueville, Montesquieu, Berlin, and Publius (Madison, Hamilton and Jay in the Federalist papers); all these theorists assert the advantages of a system of counterbalancing forces. As Radwanski puts it, just "as a man in a light canoe must shift his weight in the opposite direction from the pressure of a wave, so too government can only keep a stable social order from capsizing by constantly shifting its weight and direction to counterbalance changing excesses and pressures."\(^6\)

Trudeau's Just Society is one in which individual freedom is enhanced through the equality of opportunity. Onora Nell has defined the equality of opportunity in two ways: as procedural equality and as substantive equality. While Trudeau believes in the classical liberal notion of procedural equality (as demonstrated by the dominance of those notions in the Charter of Rights and Freedoms), he also agrees with the principle of substantive equality of opportunity (as demonstrated by section 15 (2) of the Charter). That is, Trudeau argues that the Just Society requires "promoting equality of opportunity

\(^6\) Radwanski, 136.
and giving the most help to those who were the most disadvantaged." Here, Trudeau's views are similar to John Rawls's.

Rawls theorizes that if individuals were to design a society without knowing what positions or skills they would hold in it, they would opt for one based on two core principles: equal liberties and the difference principle. Like Trudeau, Rawls believes that both procedural and substantive equality are important. Rawls argues that people should have equal rights "to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all". However, at the same time "social and economic inequalities" should "be arranged so that they are both: a) to the greatest benefit of the least advantaged, consistent with the just savings principle, [difference principle] and b) attached to the offices and positions open to all under conditions of fair equality of opportunity." Society is conceived so that people's civil liberties are equal, but also that the haves share with the have-nots. Redistribution of wealth is therefore an important part of the modern liberal state. Along with calls for redistribution comes the "neo-liberal critique"; that since poverty lines are arbitrary, there is an inbuilt tendency for the welfare state to grow. Trudeau recognizes this critique, but doesn't seem to mind the arbitrary character until the demands of the welfare state cross the threshold that McCormick discusses. That is, Trudeau recognizes that Canadians cannot have health care "if the economic structure is incapable of bearing the cost."

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7 Trudeau, Memoirs, 87.
9 Rawls, 302.
10 Rawls, 302.
11 Trudeau, FFC, 25-26
In his disagreement with the nationalists, Trudeau makes it clear that he agrees with the liberal premise that the purpose of society is to benefit the individual, not the other way around. Here again, he might be likened to Locke who argues that individuals enter into society for the protection of their rights and their property. However, there is another thinker that demands mention here: Lord Acton. At the beginning of his article "The Practice and Theory of Federalism", Trudeau cites Acton: "a great democracy must either sacrifice self-government to unity or preserve it by federalism." Acton appears to have had a tremendous impact on Trudeau's thought concerning nationalism and federalism. Perhaps Trudeau's strong belief in pluralism, aside from being a recognition of various Goods in society, comes from Acton's persuasion that the pluralism of nations in society is "as necessary a condition of civilized life as the combination of men in society." The competition and friendly exchange among nations living together in the same state encourages progress (and it is progress which aids in advancing social and economic justice). Conversely, "where political and national boundaries coincide, society ceases to advance, and nations relapse into a condition corresponding to that of men who renounce intercourse with their fellow men." This sentiment, as expressed by Acton, is strikingly similar to the opinion expressed by Trudeau that when nations close themselves off they regress, tribalize, and literally turn themselves into ghettos.

Trudeau's assertion that nationalistic states inevitably lose sight of popular sovereignty, and therefore place the interests of the state above the interests of the

12 Wootton edition, 325.
13 Trudeau, FFC, 124.
14 Acton, 161.
15 Ibid.
individual, is also found in Acton. He states, "the man who prefers his country before every other duty shows the same spirit as the man who surrenders every right to the state. They both deny that right is superior to authority." Acton, like Trudeau, attacks the nationalists for what he considers their anti-democratic, anti-liberal, anti-progress, and arbitrary ways. However, this attack on nationalism should not be taken as a denial of nationalism in the sociological sense. For instance, Guy Laforest accuses Trudeau of the denial of the Quebec nation. He states, "in Mr. Trudeau's view of things, there is no Quebec nation or people." But Trudeau, like Acton, does not deny the existence of different nations, he simply contends that the nation should not correspond with the state. Trudeau states, "I have never denied the existence of the French-Canadian nation; nor do I deny the [A]boriginals led today by Ovide Mercredi the status of a nation in the sociological sense." In addition, Acton asserts that "the denial of nationality...implies the denial of political liberty." Surely Trudeau agrees with this principle; he wants people to cherish their differing nationalities, but he also maintains that all must live together out of necessity (as the world's population grows), and to enhance progress and freedom.

In the final analysis, Trudeau's understanding of democracy and nationalism are tempered by his desire for freedom. However, freedom is not the goal in itself, rather it is a means to the end of individual self-fulfillment. It is asserted here that Trudeau has been somewhat misunderstood by the public and scholars alike. He is not a thinker who favors

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16 Acton, 164.
17 Acton, 169.
18 Laforest, 185.
19 Trudeau, Memoirs, 73.
20 Acton, 168.
the idea of grand assimilation, despite what many have written about him. The idea of the American melting pot where everyone forgets their past to become the same does not appeal to him. On the contrary, with Acton, he believes in the necessity of pluralism and difference for freedom and civil society. He is a man concerned with freedom, in terms of civil liberties (such as free speech) but also with freedom as opportunity (such as affirmative action).

Perhaps one reason he has been misunderstood is a result of his insistence on public debate and participation: his conversation with Canadians. That is, Trudeau is interested in the free debate of ideas, and in that debate he is a full participant, not a mere spectator. He frequently plays the part of devil's advocate, and, as Radwanski points out, "Trudeau the social critic" was often mistaken for "Trudeau the legislator" when he was in office. Since he values the balance of ideas, Trudeau often shifts to the side of debate which appears weak. This can confuse people because it may appear, falsely, that he has no theory, and is instead arbitrarily and unreasonably picking sides. The caustic character of Trudeau's remarks can likewise serve to put people on the defensive - possibly to the point where they miss his true intentions. Those who assert that his theory of nationalism is atomistic or devoid of a social aspect have perhaps been misled or distracted from his real point by the tone of his speech. Through his affirmation of the primacy of the individual, Trudeau implies a need for society and cultural development. Like the "spirit of modern individualism" Trudeau "aims at developing human personality in the greatest

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21 Note that he has named a book composed of his quotes Conversation With Canadians.
22 Radwanski, 139.
possible richness and variety of faculties, not reducing it to undifferentiated atoms.  

Without society, the individual is without a context, without freedom, and without the means for self-fulfillment.

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