

At the moment, any future referendum is not expected before the year 1999 or 2000, after both the next provincial and federal elections, and not before a significant improvement in Quebec's public finances. The indépendantistes want this three-to-four-year hiatus in order to build better bridges toward Quebec's ethnic communities. But that breathing period also provides the federalists an opportunity. Moving on these two fronts, explicit recognition and decentralization, could take significant steam out of the sovereigntist locomotive. Such movement would make Canadian reality conform closer to the Québécois perception of *le pacte canadien*. And, by making a sovereigntist victory less likely, it could dissuade the sovereigntists from actually conducting a third referendum.

I doubt very much that Canada will ac-

cept a grand accord, à la Meech. I also tend to be sceptical of constitutional convention proposals. We are too unruly a country to succeed at that. Indeed, most countries are not good at such exercises. My political experience makes me a great believer in inertial resistance. Political inertia means that any successful strategy is comprised of persistent small steps, not a grand accord.

Finally, like Milner and Richards, I am wary of "Plan B" strategies which call for a planned divorce on pre-specified terms acceptable to "Canada." There are no divorce courts for nations in trouble. Any Plan B is likely to be counterproductive; it is more likely to exacerbate radical opinions on both sides of the linguistic divide than to induce Québécois to back down, or even to divorce.

Let us forget about playing cowboys. It's not the Canadian way!

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## Playing Constitutional Games

by Tom Flanagan

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Because game theory and rational choice are part of my academic specialization, I was intrigued by the quasi-game-theory approach that Richards and Milner employ in their article. Much of their model is quite valuable, but I start with one crucial problem, namely the use of cardinal numbers

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(ranging from -2 to +2) to represent the utilities (i.e. benefits) derived by the various groups from the various constitutional options. There are two objections. First, the values are arbitrary; and yet the authors' choice of these cardinal values, and subsequent arithmetic with them, determine the outcome of the game. Second, cardinal numbers, which might be interpreted as intensity of preferences, are irrelevant to voting. When we vote in a Canadian election or referendum, we choose among or between alternatives according to our preferences, but we have no way to register the intensity of our preferences. These two difficulties recommend against the use of cardinal pay-offs in the game. Fortunately, much of the game can be saved, or at least made into a scaffolding for future analysis, by substituting ordinal preferences (i.e. ranked preferences) in place of cardinal utilities.

Consider an example for clarification. The authors deal with four constitutional alternatives, hereafter designated by the letters in parentheses: (A) Quebec independence; (B) radical decentralization; (C) limited decentralization with linguistic special status for Quebec; and (D) the *status quo*. According to Richards and Milner, Populist Decentralizers assign the following values to these outcomes: A: -1, B: +2, C: 0, and D: -1. Using the symbols > to mean "is preferred to" and = to mean "is equivalent to," one would convert to ordinal preferences as follows:  $B > C > A = D$ . This preserves the quite reasonable relative ranking among alternatives presumed by the authors, but abandons arbitrary specification of cardinal benefits.

Using this approach, the preferences of all groups are summarized in Table 1.

**Table 1**  
Preference Orderings of the Four Alternatives

in Rest of Canada (ROC)	
(30%) Centralizers	$D > A = B = C$
(15%) Asymmetric Federalists	$C > D > A = B$
(15%) Renewed Federalists	$C > B > D > A$
(40%) Populist Decentralizers	$B > C > A = D$
in Quebec	
(30%) Indépendantistes	$A > C > B = D$
(20%) Soft Nationalists	$A = C > B > D$
(20%) Renewed Federalists	$C > B > A = D$
(30%) Centralizers	$D > B = C > A$

The question to ask next is whether there is in ROC a "Condorcet winner" among the alternatives. A Condorcet winner is defined in rational choice as an alternative that beats all other alternatives in a series of paired comparisons (Brams 1985, 210). A Condorcet winner may or may not command a majority against all other alternatives simultaneously: but, if it exists, it is the best bet for attempting to construct a consensus, because by definition it cannot be defeated in public opinion by any other alternative taken singly. If there is no Condorcet winner (and often there is not), the situation is a voting cycle, in which any alternative can be defeated by at least one other alternative.

Table 2 borrows a simple methodology from William Riker (1982/1988, 68) to determine if a Condorcet winner exists in ROC.

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The table pairs each alternative against every other one. The number in each cell represents the percentage of the whole population that would choose the row alternative in a pairwise comparison with the column alternative. If that number is over 50, the row alternative would win; if it is less than 50, the column alternative would win; and if it is exactly 50, the two would tie.

Take the contest between A and B as an illustration. According to Table 1, the Centralizers (30%) and Asymmetric Federalists (15%) are indifferent between A and B, whereas the Renewed Federalists (15%) and Populist Decentralizers (40%) prefer B over A. Since the first two groups are indifferent as between A and B, let us assign half their votes to each alternative, i.e., 22.5% for A and 22.5% for B. Summing these preferences yields a total of 22.5% for A and 77.5% for B. In other words, in a choice between these two alternatives, B would handily defeat A.

**Table 2**  
Pairwise Contests between Alternatives in ROC\*

	A	B	C	D
A	—	22.5	15	20
B	77.5	—	55	55
C	85	45	—	70
D	80	45	30	—

\*Figures show percentage in support of the row alternative if pitted against the column alternative.

Table 2 contains six statements ( $B > A$ ,  $C > A$ ,  $D > A$ ,  $B > C$ ,  $B > D$ ,  $C > D$ ), which may be consolidated into one unambiguous preference ordering for ROC:  $B > C > D > A$ . Thus B, the policy of radical decentralization, is a Condorcet winner. It would defeat C, the policy of special status for Quebec, 55 to 45; D, maintenance of the status quo, also 55 to 45; and A, the independence of Quebec, 77.5 to 22.5.

**Table 3**  
Pairwise Contests between Alternatives in Quebec\*

	A	B	C	D
A	—	50	40	60
B	50	—	15	55
C	60	85	—	70
D	40	45	30	—

\*Figures show percentage in support of the row alternative if pitted against the column alternative.

Table 3 contains the corresponding pairwise comparisons for the Quebec population. It implies another set of six statements ( $A = B$ ,  $C > A$ ,  $A > D$ ,  $C > B$ ,  $B > D$ ,  $C > D$ ). D, the status quo, is a Condorcet loser because it would be defeated by all three alternatives. C is a Condorcet winner because it beats A, B and D. However, A and B are tied so, unlike ROC, there is no unambiguous preference ordering. This does not

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really matter because, as the authors note, "It is now ROC's move." The question is not so much "What do Quebecers want?" as "How will Quebecers react to the position taken by ROC?"

The fact that B, radical decentralization, is the Condorcet winner in ROC does not mean that it will automatically be adopted. Rather, D, the status quo, has a huge advantage precisely because it is the status quo. It prevails by default, whereas B and C require positive action to be adopted. Moreover, the Centralizers who have D as their first preference are influential, and perhaps dominant, in the Liberal government of the day. They will see that opening the question up to any reasonably open process of public consultation would lead to the triumph of B, which they detest as much as they do A, the separation of Quebec.

In Quebec's preference profile, A, B, and C all beat D but, in practice, with separatists in control of the Quebec provincial government, it will come down to a choice between A and D, which A will win handily, 60 to 40. If, by some chance, ROC should settle upon B, the outcome will be too close to call because, in the Quebec profile, A ties B, 50 - 50. If ROC should settle upon C, then, and only then, separation loses, 40 to 60.

This analysis, using ordinal preferences rather than cardinal utilities, leads to conclusions that differ somewhat from those of the authors. The ordinal analysis predicts, as does theirs, that ROC's continuation of the status quo will lead to a victory for Quebec independence in the next referendum. Both approaches also predict that either radical decentralization (B) or decentralization with

special status for Quebec (C) would do better than D in a contest against A in Quebec. However, the ordinal analysis does not agree with the authors that C is a better alternative than B. B is the sole Condorcet winner in ROC; so any attempt to move from the status quo (D) to special status for Quebec (C) will founder on the fact that public opinion in ROC prefers B over C. However, it must be admitted that C, if it could somehow be chosen by ROC, would do better against separation in Quebec (60 - 40) than would B (50 - 50).

This arcane analysis translates into a very practical real-world question: should we try yet again to "save Canada" by proposing a package of constitutional amendments designed to guarantee to Quebec powers that no other province has? Or should we get our overextended federal government out of provincial jurisdictions because it will be better for everyone, including, but not limited to, Quebec? If the authors are even close to correct in their assumptions about public opinion, the latter option is the only one that can achieve popular support in ROC, and hence the only one that can be offered with credibility to Quebec.

The conclusion is that ROC should say to Quebec, "Here's the way we want the country to go. If you stay in, you will be able to achieve many, perhaps most, of your political objectives. If that's not enough for you, we will negotiate a reasonable separation." Given the option of B (radical decentralization), Quebec might (although there are no guarantees) decide to stay in. But this optimistic scenario is unlikely to materialize because the Centralizers who control the

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government of Canada will probably be unwilling to make more than cosmetic changes to D.

Elementary prudence, therefore, dictates that those who live in ROC begin discussing the terms of separation and the process by which it could occur. The worst of all outcomes would be to arrive at a full-fledged crisis of national unity in which Quebec

knows exactly what it wants while ROC has no consensus on its own objectives. If feathers are ruffled in Quebec by outsiders discussing the province's departure, so be it. Little else has been discussed inside Quebec for the last thirty years; one can hardly expect Canada to go on indefinitely without preparing for the now very probable outcome of separation.

References

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## Someone Has Lost Touch with

by Tom Kent

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Richards and Milner require me to consider whether I may have lost touch with political reality. For if I have not, they have. ¶ They claim to be prescribing the next move for Canada outside Quebec. But their game makes sense if, but only if, for all the players *including Quebec*, it is a game about how to renew federalism.

For such a situation, they make a perceptive analysis of the forces in play. Suppose, for example, that Premier Bouchard comes to think, and admit, that a sovereignty referendum cannot be won and, making another turn, seeks to join the federal government and the other provinces in negotia-

tion of a renewed Canadian Constitution. While it might come to nothing, like many negotiations before, one could reasonably hope that the likeliest outcome would approximate the third, by a small margin the highest ranked, of the Richards-Milner options.