

# GRAVITAS

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## Preston Manning and Quebec

by Tom Flanagan

## Lament for Leviathan

How we lost our way in the Constitutional Thicket.

by Brian Lee Crowley

Dissidence and Civil Society in Eastern Europe  
Deconstructing Deconstructionism  
Haiti Stumps the United Nations  
Replacing the GST

# GRAVITAS

A Quarterly Journal of Current Affairs

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# Preston Manning and Quebec

*by Tom Flanagan*

Manning's political sailing style pays close attention to prevailing winds, but he has a destination in mind nonetheless...

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It seems likely that the Parti Québécois will win the coming provincial election in Quebec; so, given the PQ's promise to hold a referendum on sovereignty about ten months after taking power, we may be entering the early stages of what Preston Manning has called Canada's "secession crisis." After a period of maintaining that nothing should be said until after the Quebec provincial election, Manning has recently begun to break his silence on this subject. At the time of writing, it is impossible to say exactly what position he is going to adopt because he is still in the phase of floating trial balloons in Question Period and media scrums. However, one can learn a good deal from the press briefing session of May 25, 1994, in which he elaborated three main points:

1. The prime minister should attract Quebec to remain in Confederation by offering a "new federalism," something "visionary and futuristic." In effect, Manning's "new federalism" consists of the total Reform program. The premise is that a populist party can attract support everywhere on essentially the same program because voters everywhere want the same things. As Manning wrote in *The New Canada*, English Canadians and French Canadians want "more or less the same things for themselves and their children — a safe environment, good jobs with good incomes, high-quality education and health services, respect for their personal values and cultural heritages, and the freedom to live their lives in peace and dignity."

2. The prime minister should also indicate to Quebec that separation would not be easy and costless. He should point out all the difficulties of territory, minority rights, debts and assets, and trade agreements that would have to be resolved.

3. In case of a YES vote for sovereignty in a Quebec referendum, there should be a federal election before proceeding to any negotiations over separation. The Chrétien government would have lost public confidence and would have no mandate to negotiate the departure of Quebec. Hence the prime minister should ask the Governor General to dissolve Parliament and issue the writs for an election.

This threefold position is typical of Manning in several respects. First, it trades heavily on the use of a slogan, "new federalism," which is deliberately ambiguous. "New federalism" is reminiscent of the "renewed federalism" of the 1980s, and hence suggests constitutional change to meet Quebec's demands — the course undertaken, in different ways, by both Pierre Trudeau and Brian Mulroney. Yet, as Manning uses it, the slogan has no constitutional content, and indeed he is on record as calling for a constitutional moratorium. As a whole, the statement also typifies Manning's tendency to synthesize opposing impulses — to offer something positive to Quebec (the "new federalism") while also sending out negative messages about possible future conflicts. (In another context, I once asked Manning

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whether he wanted to be confrontational or reassuring, and he unhesitatingly answered, "Both!")

The statement also relies on techniques that Manning often employs to avoid taking definite positions. One is to raise questions, in this case about the departure of Quebec, without offering any answers. Another might be called vicarious positioning. The statement does not say anything at all about what Manning would do, but it calls upon Jean Chrétien to do a great deal — to offer a "new federalism," to explain to the difficulties of deconfederation, to call an election. On May 31, he suggested that Chrétien might hold a pre-emptive referendum under federal auspices: "If the Prime Minister is concerned that the question is not going to be put properly, or it is the wrong question, it seems to me it is incumbent on him to say what the question should be and how it should be put." While appearing to join the debate, Manning is not actually staking out his own position; rather, he is positioning Chrétien to take the blame if things go wrong.

Trying to make Jean Chrétien personally responsible for the failure of Confederation brings to mind Manning's manoeuvres in 1992. First, he personally challenged Brian Mulroney to get Quebec to agree to the Pearson Accord; then, when Mulroney succeeded to a degree in that endeavour and the Pearson Accord became the Charlottetown Accord, Manning attacked it as the "Mulroney Deal." Although this partisan approach worked badly for him during the referendum, Manning seems determined to repeat it in this phase of the separation debate.

But no matter how critical one might be of Manning's style, he may be right that a federal election should be called in case of a YES vote. The point is not that Jean Chrétien, being from Quebec, cannot be trusted to negotiate with Quebec. It is that there is no agreement in Canada about what would constitute acceptable terms of separation; indeed, the question has hardly been discussed. Given that matters have been allowed to slide so long, holding a single-issue election in a crisis atmosphere would be one way for Canadians to grapple with all the difficult questions involved with the separation of Quebec. Of course, it is not the only way, and

Manning has also suggested that a referendum in Quebec would have to be followed by a national referendum.

Be that as it may, the call for an election and/or national referendum is the most substantial part of Manning's recent statements; the rest is most charitably characterized as an attempt to appear in the debate while actually saying very little. The reasons for his reticence are best understood in historical perspective.

Manning has repeatedly used two metaphors to describe the importance of timing in leading a populist party: he is "waiting for the wave" to carry the party higher up onto the beach, and "waiting for the wind" to loft the kite that he wants to fly. Timing is always Manning's chief consideration as a politician. It drives him to take advantage of opportunities as they arise, as he did, for example, with the GST. It also leads him to say little or nothing, to leave as many options open as possible, on issues where the wind and waves are not yet clearly moving in one direction — paddling around between the waves, one might call it. With this mind, let us review the positions he has taken over the years towards Quebec.

In Manning's Vancouver speech of May 31, 1987, which first expounded his conception of a new political party, he criticized the dominance of "Central Canada" over the West, but he did not single out Quebec for criticism. Calling for a "truly national party with its roots in the resource-producing regions" and insisting that the new party had to have "room to grow," he signalled that he wanted to avoid positions that might permanently alienate large blocs of voters in Quebec. Significantly, the Vancouver conference was officially opened in French as well as English; it was another signal of eventual expansion to "truly national" status.

However, the press of events made it almost inevitable that Reform would oppose demands for constitutional change coming from Quebec. The Meech Lake Accord embodied all sorts of ideas, such as executive federalism, group rights, and special status for Quebec, that were antithetical to Reform's individualist and populist worldview. Thus the first Blue Book, the party's platform for the 1988 election campaign,

rejected the Meech Lake Accord as "detrimental to the West and to the country as a whole." But this opposition, though strong, was not particularly aimed at Quebec. Of the fifteen reasons given for opposing Meech Lake, only three even mentioned the word Quebec.

In early 1989, Manning considered reviving the party's constitutional task force "in order to help us arrive at a more definitive position on the Meech Lake Accord and the appropriate way to link the passage of a modified Meech Lake Accord with a Senate Amendment." This illustrates that his opposition to the Meech Lake Accord, as to the Charlottetown Accord, was never more than partial and was always open to compromise. He repeatedly said that he welcomed the constitutional ferment in Quebec because it also opened the door to satisfying the demands of West. But at the Edmonton Assembly in October 1989, against a backdrop of rising tension over Meech Lake and pressure within the Reform Party to take a tough stand, he unveiled a qualitatively different and much more controversial approach. Using Abraham Lincoln's metaphor of the "house divided," which of course has deeper roots in the New Testament, Manning said:

"If Canada is to be maintained as one undivided house, the government of Canada must ask the people of Quebec to commit to three foundational principles of Confederation:

- That the demands and aspirations of all regions of the country are entitled to equal status in constitutional and political negotiations.
- That freedom of expression is fully accepted as the basis of any language policy.
- That every citizen is entitled to equality of treatment by governments, without regard to race, language, or culture.

If these principles are accepted, our goal of one united Canada is achievable. But if these principles of Confederation are rejected by Quebec, if the house cannot be united on such a basis, then Quebec and the rest of Canada should openly examine the feasibility of establishing a better but more separate relationship between them, on equitable and mutually acceptable terms."

"Manning calls Quebec's bluff," was the headline in *Alberta Report*, and he had done so in a highly provocative way with his reference to Lincoln, with

all its overtones of secession and civil war. His speech electrified party members and, with its confrontational tone, laid the foundations for Reform's rise to national prominence. Manning effectively tapped into the unease about Meech Lake that was building in the country. Three provinces had announced varying degrees of opposition, Pierre Trudeau had come out against it, and Robert Bourassa had aroused the country by using the notwithstanding clause to immunize Quebec's language legislation against Charter challenge, yet the Mulroney government was still insisting that everything was fine and the Accord would pass.

Based on Manning's speech, the Edmonton Assembly adopted the following resolution, which was added in bold type to the Blue Book:

The Reform Party supports the position that Confederation should be maintained, but that it can only be maintained by a clear commitment to Canada as one nation, in which the demands and aspirations of all regions are entitled to equal status in constitutional negotiations and political debate, and in which freedom of expression is fully accepted as the basis for language policy across the country. Should these principles of Confederation be rejected, Quebec and the rest of Canada should consider whether there exists a better political arrangement which will enrich our friendship, respect our common defence requirements, and ensure a free interchange of commerce and people, by mutual consent and for our mutual benefit.

It was not quite "love it or leave it," but it was close to an ultimatum, signalling that keeping Quebec in Canada was not in itself the most important consideration for Reformers.

In April 1991, Manning intensified this theme with his nationally televised address to the Saskatoon Assembly, entitled "The Road to New Canada." Evoking connotations of secession and civil war, he opened with a long reference to the Lincoln-Douglas debates and went on to characterize "Old Canada" as "a house divided" by adherence to the doctrine of "equal partnership between two founding races, languages and cultures, the English and French." In a quick review of Canadian history, Manning tried to show that "the equal partnership model leads to a constitutional cul de sac":

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1. It has been attempts to more tightly integrate the institutions, languages, and cultures of the French and the English by political and constitutional means which have been the greatest cause of political disunity in the Northern half of the North American continent over the past two hundred years.

2. In each instance where these efforts have produced a political crisis, that crisis has been resolved, not by pursuing a more intimate relationship between the two but by the establishment of a more separate relationship within a broader political framework....

Now, said Manning, it was necessary to define a "New Canada" as well as a "New Quebec": "First of all, let me say charitably but clearly that I do not look to Quebec or Quebec politicians to define New Canada. New Canada cannot simply be a reaction to Quebec's demands and aspirations. New Canada must be open and big enough to include a New Quebec, but it must be more than viable without Quebec." He also called for constitutional conventions — one in Quebec, and a set of regional conventions elsewhere — leading to a "National Constitutional Convention" and a "Great Constitutional Negotiation" to "see if the vision of the New Quebec can be reconciled with the vision of a New Canada within a broader constitutional framework." Manning thus tried to launch the Reform Party into the national political fray as the only party that could really speak for the New Canada (i.e., Canada outside Quebec) without being compromised by also trying to represent Quebec. Hence the logic of his decision not to organize in Quebec prior to the 1993 federal election — it was to avoid a conflict of interest in the impending showdown.

All of this sounds very polarizing, but it is only part of the story. Although Manning may be able to contemplate the departure of Quebec from Canada, that is not what he fundamentally wants. He sees himself as becoming the leader of a pan-Canadian Reform Party including a strong contingent of francophones from Quebec. An unstated but important reason for not contesting the 1993 election in Quebec was the virtual certainty that any expansion effort at that time would have become an English-rights movement forever precluding francophone support. His long-term goal of securing support in Quebec ties together many facts that seem strange when viewed in isolation:

— In 1991-92, the party spent what was, by Reform standards, an appreciable amount of money to translate the Blue Book, the 56 Reasons pamphlet, and several of Manning's speeches into French.

— Manning has always agreed that the prime minister of Canada should be bilingual and said he would learn French when he gets closer to that position (he began taking French lessons in spring 1994).

— Although he has few contacts in Quebec, he has visited the province off and on and held consultative meetings on a small scale; he has also tried to maintain mailing and information lists. The first draft of The New Canada contained a promise to carry out a fact-finding tour of Quebec in the summer of 1992 (others thought the idea untimely and dissuaded him).

— Although he adhered intellectually to the rationale for staying out of Quebec prior to the 1993 election, he wished emotionally that he were involved in the province. He stunned many Reformers by musing in public in February 1993 about nominating candidates in Quebec in time for the next election. This was not an isolated occurrence; he once asked rhetorically in a meeting in 1992, "Wouldn't it be something if we produced 75 candidates in Quebec just before the next election?" During the 1993 campaign, he promised that Reform would be in Quebec for the next election.

— Manning only agreed to lead a NO campaign against the Charlottetown Accord after it was clear that the members of the Reform Party were overwhelmingly against it; initially, he acted as if he preferred to stay out of the fray. During the referendum campaign, he said relatively little about Quebec and shaped the Reform Party's critique of the Accord so that opposition to Quebec's "distinct society" and 25% share of House of Commons seats was far down the list of talking points.

Not surprisingly, in view of the above, Manning's post-referendum actions form a consistent pattern of getting beyond his confrontational stand towards Quebec and preparing for the Reform Party's entry into the province. Beginning with his address to the Winnipeg Assembly on the eve of the referendum,

he began to speak of a "new federalism," a "better federalism," that would re-unite the country by appealing to "discontented federalists" in all provinces, including Quebec. There was no further talk of a "more separate relationship." After the Assembly, when he reprinted the Blue Book as the Blue Sheet, he deleted the take-it-or-leave-it paragraph aimed at Quebec, even though there had been no resolution on the subject at Winnipeg. Meanwhile, he carefully rehabilitated his Montreal-born key adviser, the ex-Liberal Rick Anderson, whose reputation within the party had gone into eclipse for having publicly taken the YES side during the referendum, and eventually appointed him campaign director for the 1993 election.

In July he wrote an "Open Letter to the Electors of Quebec" in an endeavour (as Manning expressed to Reform Party candidates) "to lay to rest the charge that 'the Reform Party's Canada does not include Quebec.'" The draft touched upon the Reform Party's history and some of its policies on language and federalism, but it was silent about Reform's history of opposing special status, distinct society, and other Quebec demands. Instead, it tried to strike an inclusive note: "Those who tell you that Reform's vision of a new Canada does not include Quebec are particularly misguided and malicious." With his penchant for historical references, Manning even evoked the memory of Baldwin and Lafontaine:

"I am reminded that in the days prior to Confederation, it was Reformers from Lower Canada (Canada East) under Louis Lafontaine, who eventually joined together with Reformers from Upper Canada (Canada West) to end colonial rule, to bring about representative and responsible government, and to lay the foundations for the new Canada of Confederation. Perhaps history will repeat itself, as history sometimes does, and you will be able to assist me in identifying who are the contemporary equivalents of Lafontaine and his supporters in your province."

The original "Open Letter to Quebec" received little circulation because the party had no money to get it printed as an advertisement and Quebec newspapers would not run it as a letter to the editor or op-ed piece. However, Rick Anderson and Cliff Fryers (the chairman of the Reform Party's executive council) worked hard to get Manning a cameo appearance on the French-language leaders' television debate so

that he could read a shorter, simpler, but similar message to the people of Quebec.

Shortly after the election, Manning announced his "Countdown to Victory" plan for the Reform Party, the centrepiece of which was expansion into Quebec and nomination of a full slate of 75 candidates in that province in the next federal election. Underlying the plan is the goal of winning enough seats to form a majority government. Long gone are the days when Manning's objective was simply to elect enough Reform MPs to hold "the balance of power for the West and the North." His new stated goal (undoubtedly always his real goal) is to be the next prime minister of Canada. He can count as well as anyone, and so he realizes that he is unlikely to fulfill that ambition without winning some seats in Quebec, as long as Quebec remains in Canada with 75 of 295 seats in the House of Commons.

Building a majority outside Quebec is mathematically possible but extremely difficult because it requires winning 150 out of 220 seats. The only majority government ever formed without significant support in Quebec was Robert Borden's 1917 National Union government, which won 153 of 235 seats, with only three in Quebec, and this was an unprecedented wartime situation in which most of the Liberal Party outside Quebec had made an alliance with the Conservatives. Apart from that unique case, Jean Chrétien's current government, with only 19 seats in Quebec, is the majority government with the lowest level of support from that province. Joe Clark formed a minority government in 1979 with 136 out of 282 seats, only four of which were in Quebec, but it lasted less than a year.

Manning's perceived need to develop political support in Quebec in time for the next election presents him with a strategic challenge. As leader of a national party, he has to have something relevant to say in the public discussion; but he does not want to say things that will make it impossible to win votes in Quebec, unless it becomes clear that Quebec votes won't matter because Quebec is leaving Confederation. In other words, Manning is now in the conflict-of-interest trap that he originally invoked as a reason not to organize in Quebec in the early 1990s.

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At this stage, Manning is seeking to resolve his dilemma by staying on the fringes of the debate, saying little and leaving all options open. He is not raising controversial issues such as the territory of Quebec, the protection of minorities, or the partition of the national debt. Rather, he is referring in vague terms to the "new federalism" that Reform will implement if the voters give it the chance.

One can understand why Manning is tempted to play it safe at this juncture, but it is a departure for Reform. The party has prospered since 1987 precisely by opening up issues on which the three "old line" parties have coalesced: Meech Lake, Charlottetown, bilingualism, multiculturalism, immigration, criminal justice, universality in social programs, and so on. The creative role of the Reform Party has been to force onto the national agenda issues on which a large segment of public opinion is strongly at variance from the conventional wisdom of the political class. Precisely this sort of situation has existed vis-à-vis Quebec separatism for the last twenty years. The conventional wisdom of the political class has been that one never should discuss processes and terms for separation. It was fine to offer Quebec inducements to stay in Confederation (Pierre Trudeau's "renewed federalism," Brian Mulroney's attempts at constitutional change), but it was taboo to ask questions related to separation, of which the following list is only a sample:

1. Would Canada accept a YES vote in a single Quebec provincial referendum as a necessary and sufficient requirement to begin negotiating the sovereignty of Quebec? Would other requirements be imposed? Or, indeed, would Canada refuse altogether to negotiate the division of the country, as it refused in 1868 and 1886 to deal with Nova Scotia governments elected on a pledge to repeal Confederation?
2. Since the constitution is silent on separation, what would be the legal process by which Quebec could assume sovereignty? Would it fall under the unanimity rule or the "7/50" rule for constitutional amendment, or under some other procedure not yet created? Would there be a military response to a unilateral declaration of independence?

3. Would Quebec retain those portions of Rupert's Land given to it by Canada in 1898 and 1912? Would Quebec abandon its claim to Labrador?
4. Would the present boundaries of Quebec be modified in order to take account of linguistic and aboriginal minorities?
5. If Canada were to become a geographically divided state, what provision would be made for guaranteed land, air and water transportation corridors across Quebec?
6. By what formula would the national debt and national assets be partitioned?
7. Could Quebec continue to use the Canadian dollar? If so, would it have any say in running the Bank of Canada?
8. What would happen to Quebec's protectionist and statist economic arrangements if it sought entry to NAFTA and GATT as a sovereign state?

Some of these questions have been addressed in the publications of scholars and research groups, but they have not been taken up by Canada's political parties. Consequently, Canadian public opinion is largely unformed. In contrast, these questions have been discussed at length in Quebec, both by scholars and by politicians, leading to well-developed positions such as the following:

— Quebeckers are a "people" in the sense of international law and have a right to exercise self-determination. Quebec's aboriginal and anglophone minorities are not "peoples" in the same sense and do not have a right of self-determination (Daniel Turp, chairman of the BQ's policy commission and an authority on international law, would grant Indians the status of "peoples" while denying it to anglophones). That the anglophone "minority" in Quebec is part of a larger, self-determining Canadian people is not so much denied as simply ignored.

— Although the Canadian constitution is silent on secession, a constitutional convention has emerged guaranteeing Quebec's right to secede with its territory intact. Evidence for existence of this conven-



tion comes from the statements of Canadian political leaders plus their participation in the 1980 referendum.

— As a successor state, Quebec would take over ownership of all federal assets on its territory. It would also have a right to a share of federal assets elsewhere to the extent that they were acquired with revenue from Quebec.

— As a successor state, Quebec would be responsible for its own provincial debt but not for any of Canada's federal debt. However, it would be equitable and expedient for Quebec to assume a share of the federal debt (the Bélanger-Campeau Commission suggested 18.5%).

These self-serving positions, undergirded by extensive scholarly research and political consensus, have no equivalent in Canada. It is a dangerous situation for the economic and political interests of Canadians living outside Quebec. Negotiations between one side which knows exactly what it wants and has done its homework and another side which does not know what it wants and has not done any preparatory work are bound to end badly for the latter.

What would happen if Manning and the Reform Party were to start asking the questions relating to Quebec's sovereignty — and not only ask them, but offer some answers? Would it make Quebec's separation more likely by inflaming opinion in that province, by creating the impression that other Canadians want Quebec to leave? No doubt that charge will be made, but how seriously should it be taken? After years of Canadians' avoiding these matters, we teeter on the edge of a separation crisis. Could frank discussion make things worse?

In fact, it might even work against the probability of separation. Lucien Bouchard and other leaders of the separatist parties are telling Quebec voters that they can leave Canada painlessly: their territory will be intact, they will get a minimal share of the national

debt, they can continue using the Canadian dollar, they will get automatic entry into NAFTA, Canada will continue to be officially bilingual so they do not have to feel guilty about abandoning their French Canadian relatives, and so on. These statements are plausible in the absence of any informed public discussion in the rest of the country, but they might be much less plausible if we began to find out what Canadians really think about them. A more realistic assessment of the terms of separation might cause at least some Quebec voters to decide against taking the risk.

Finally, discussion might head off rash and ill-considered surges in Canadian public opinion following a YES vote in a Quebec referendum. For example, I think that, whatever the historical merits of Canada's case for recovering Ungava from Quebec, it is not worth pursuing and is precisely the dangerous sort of claim that could lead to civil war. Similarly, attempts to pose as the defender of native peoples in Quebec could lead to disaster, since native issues are intrinsically territorial. Reckless, heavily armed groups like the Mohawks could provoke violent incidents and drag Canada into confrontations not in our own best interest. It would better to start discussing the issues now than to have territorial and aboriginal rights suddenly transformed into a sacred cause in the aftermath of a referendum.

In the end, and probably sooner rather than later, I suspect that Manning will revert to his 1989-1991 role of articulating and defending the interests of the rest of the country against demands from Quebec. It is the most logical role for Reform to play since no other party is willing or able to do it. Also, with every trial balloon that Manning floats, he will get applause from Reform members, who expect him to defend their interests, and condemnation from observers in Quebec, who will ignore rhetorical devices such as vicarious positioning. Manning usually gets where he is going, but the path of populist leadership is seldom a straight line.

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