(*March 12th, 1917.*)

Fifty Years of Confederation

By Mr. John Lewis.*

AT a regular meeting of the Club held on the 12th March, Mr. Lewis said:

Mr. President and Gentlemen,—I have been somewhat embarrassed since entering this hall by the presence of so many gentlemen who are really well acquainted with the history and the constitution of Canada. I shall have to repeat a good many things which to them will be quite an old story but will be necessary for the presentation of the subject. I must also make the explanation that I can cover only a small portion of the ground. The reward which I hope for is that some one will hear me and think how much better he could have done it, and will act upon that and address some gathering and so help in the celebration of the anniversary of Confederation. I hope, too, that my imperfect presentation will produce an immense run upon Mr. Locke's Library and add to the troubles of him and his staff.

The particular part of the history of Canada which I shall discuss is the history of that union of the Canadas,—or Ontario and Quebec, as I shall call them for convenience—which preceded Confederation. Confederation, of course, was not the beginning of the free institutions of Canada; and without going back as far as Magna Charta I may say that before Confederation we had achieved a very great measure of reform, namely, self-government in Canada. I am not going to tell of the long controversy and struggle for that reform; but everyone admits that self-government has worked well. I shall take the liberty of quoting from a little book, by Woodward, on "The Expansion of the British Empire," which says: "It is possibly the most important service which Canada has rendered to the Empire, that from her constitutional struggles arose that form of complete self-government under which the unity of the Empire is reconciled with the practical independence of its daughter communities."

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That having been done, self-government having been achieved, and our relations to the British Empire at that time at least being perfectly satisfactory, the Fathers of Confederation had to deal not with relations between Canada and Great Britain, but with the relations between one Canadian Province and another. That leads me to a part of the Union not so satisfactory as that which conferred self-government. Before Union the Provinces were all absolutely separated, having no connection except their connection with the British Crown. Lord Durham proposed a union of the two Canadas, leaving the other parts of British North America untouched. Against Lord Durham's protest, Canada was gerrymandered. Quebec had then a much larger population than Ontario; but in spite of that the representation was artificially arranged so as to give the same representation to each part of Canada. Lord Durham said that this was unjust, and that the time would come when Upper Canada would complain, because, "by immigration Upper Canada would have the greater population, and would insist upon representation by population." Well, that happened, and that was the basis of George Brown's famous demand for representation by population, known to your fathers, and perhaps to some of you, as "Rep. by Pop."

Brown was right, but, to be frank and fair, this must be said: We made the rules of the game, and when the rules began to work against us we kicked and insisted on changing them. However, the old system was wrong, and the reform was needed.

A Legislative Union, as distinct from a Federal Union, was peculiarly unsuited to Ontario and Quebec, with their different races, religions, general customs, and ideals. The politicians and statesmen of that time have been accused of being small-minded factious men. I for my part have a good deal of sympathy with them in their efforts to work a wrong system. Sir John Macdonald in the Confederation debate said that the Union, though legislative in name, was Federal in practice.

There was an Attorney-General East and an Attorney-General West; there were separate volumes of statutes for each Province; and as the two Provinces were unable to agree on Sabbath observance the stricter law was enacted for Ontario alone. They also at one time adopted another device, called the double majority, by which certain Government measures required a majority not only of the whole Legislature, but of each part.

However, in spite of these compromises the Union went on from bad to worse. The two parts of Canada were equally

matched; the two parties were equally matched; the leaders, George Brown and John Macdonald, were personal enemies. At last a deadlock ensued, which Goldwin Smith says was the real Father of Confederation; and that is partly true.

There were some humorous incidents. A government having a majority of only one or two members was said to have a "drinking majority"; for if two members went out to indulge in a drink, the Government might be defeated in their absence. At a later and more enlightened period the device was adopted of sending out a page to bring in a glass of something that looked like water. Another story is told by Hon. James Young, in a book entitled "Public Life and Public Men in Canada": Two members of the Opposition invited two supporters of the Government to go out for a drive into the country. Any suspicion that they might have as to the good faith of their entertainers was lulled by beverages obtained at the various roadhouses on the way; after partaking of a number of these beverages they found that they had been betrayed by false friends—they were gone, the carriage was gone, and the victims were ten miles from the Parliament Buildings, where their votes were urgently needed. Anxious and footsore, they turned up just in time to save the Government!

In 1864, just at the time when the sky was darkest, light broke. The Government, one of the numerous ephemeral governments, some of which lasted only a few months, had fallen, and that same day the report came in from a committee headed by Mr. Brown, favoring Confederation as a solution of the difficulties arising out of Union. Long negotiations followed, and finally Brown and his Conservative opponents co-operated, and Brown joined a coalition Government.

There has been much controversy about who the Fathers, the chief Fathers, of Confederation were. As to that, I am not much concerned; I am content that each of you should pick out your own,—select some man in that famous picture "on whose brow deliberation sits and public care" and take him for your "Father." Confining ourselves to two men about whom controversy rages, perhaps it would not be unfair to say that Brown was the driving force and Macdonald the directing force, Brown was the engine of the ship of State, and Macdonald the rudder. The country was astonished to see these two old enemies sitting together in the same Government. Sir Richard Cartwright relates this story:

"On that memorable afternoon when Mr. Brown, not without emotion, made his statement to a hushed and expectant

House, and declared that he was about to ally himself with Sir George Cartier and his friends for the purpose of carrying out Confederation, I saw an excitable elderly little French member rush across the floor, climb upon Mr. Brown, who, as you know, was of a stature approaching the gigantic, fling his arms about his neck, and hang several seconds there suspended, to the infinite joy of all beholders, Pit, Gallery, and Box included."

Public men and historians have approached the question from two different angles, one Federalizing the Union, getting rid of a cumbersome system of government; and the other territorial expansion, the bringing in of the Provinces on the Atlantic and the Provinces on the Pacific. These two questions were related, because if Ontario and Quebec could not live under one Legislature, still less would one Parliament serve for all the Provinces. Federalizing was necessary to expansion. Perhaps one might lay down the principle, that the larger and more scattered the area the looser must be the organization. The organization of the British Empire must be looser than that of Canada, and if there is a World Federation its organization would have to be still more elastic, and would have to make still greater allowance for different forms of government.

There were other conditions, pointing to the necessity for Confederation. The need of defence was emphasized by the coming withdrawal of British soldiers from Canada, and by certain differences with the United States, arising out of incidents in the Civil War to which I need not now refer. I take the liberty of repeating here a passage from the life of George Brown:

"Canada was also about to lose a large part of its trade. For ten years that trade had been built up largely on the basis of reciprocity with the United States, and the war had largely increased the American demand for Canadian products. It was generally expected, and that expectation was fulfilled, that the treaty would be abrogated by the United States. It was feared that the policy of commercial non-intercourse would be carried even farther, the bonding system abolished, and Canada cut off from access to the seaboard during the winter.

"If we add to these difficulties the domestic dissensions of Canada, we must recognize that the outlook was dark. Canada was then a fringe of settlement, extending from the Detroit River to the Gulf of St. Lawrence, having no independent access to the Atlantic except during the summer.

She had been depending largely upon Great Britain for defence, and upon the United States for trade. She had received warning that both these supports were to be weakened, and that she must rely more on her own resources, find new channels of trade and new means of defence. The country lay in the midst of the continent, isolated from the west, isolated in part from the east, with a powerful and not too friendly neighbor to the south. Upper and Lower Canada, with their racial differences as sharply defined as in the days of Lord Durham, regarded each other with distrust; one political combination after another had failed to obtain a working majority of the Legislature, and domestic government was paralyzed. Such a combination of danger and difficulty, within and without, might well arouse alarm, rebuke faction, and stimulate patriotism."

I won't take time to go over the history of the next three years, and the various difficulties that were overcome, but I will summarize by saying that Confederation was achieved. Its results have far exceeded expectations. It has given us access to the Atlantic and the Pacific. It has opened up the prairie lands of the West. It has more than doubled the population. Railway mileage has been increased sixteen times, trade ten times, manufactures five times.

Confederation has stood the test of peace and of war. A country lacking defence at Confederation has sent 300,000 men to take part in a war in Europe, something not anticipated by anyone at the time of Confederation. Sir John Macdonald did express the hope that Canada would add to the strength of the Empire, but he was evidently thinking of some danger upon this continent. During the present war large Parliamentary grants have been voted without dissent. Taxes are paid cheerfully. Patriotic funds are raised with ease, and war loans are over-subscribed. All these are the results of co-operation, not of compulsion.

There is, however, much work yet to be done. We must unify Canada. At the time of Confederation our Canada was compared by an unkind critic to a combination of fishing rods tied together at one end, and in that there was an element of truth. There is still a great gap between Old Ontario and the West. A still more serious condition is the gap between Ontario and Quebec, caused very largely by the barrier of different languages. We don't read Quebec newspapers regularly, or hear the speeches of Quebec public men. Usually only sensational things are reported. Firebrands in each Province excite each other. The fires are kept burning, and the witches' caldron is kept boiling. The only remedy for that,

in my view, is not a change in the constitution, but the very simple one of greater knowledge and understanding. That, it may be said, would not at once solve such a question as bilingualism; but even in the case of bilingualism, the trouble is very greatly aggravated by suspicion. We approach each other in an atmosphere of suspicion. We regard the French coming into Ontario as if they were invaders, and they suspect us of a desire to suppress their language.

We must find some way of living amicably together. We are both here to stay. In Quebec there are more than two millions, and in process of time there will be twenty millions. We, in Ontario, will number twenty-five millions. We are like man and wife, without the possibility of divorce. We have got to live together, and might just as well agree to live in peace and friendship.

We are told, in this day of growth of Imperialistic ideas, that we shall be consulted in Canada as to very intricate racial questions arising in other parts of the Empire and in Europe. Imagine ourselves consulted upon such a question, and asked for the results of our Canadian experience. "Here," it would be said, "is a difficult racial question. How did you settle the relations between the French and English in Canada." Imagine our being compelled to reply "we did not settle it. We are still quarreling."

Much work remains to be done. Canada is nearly as large as Europe; its population is less than eight millions, about the same as Belgium; but it is destined some day to contain at least fifty million people. Grave problems will tax our highest statesmanship,—immigration, the relation of the various races, social problems, problems of city and country, and tasks arising out of the war.

The development of a country nearly as large as Europe is a great work. We are told that as a result of this war we are to undertake other duties. We are to help to govern India and Egypt and to guide the policy of Europe. It is well to broaden our outlook and our sympathies. But let us make sure of two things. First, that we really seriously mean to undertake our share of the work of governing India and governing Europe, and second, that in the pursuit of a shadow of new power we do not give up the substance of liberty.

Take the case of India. Are we really prepared to undertake our share of the duty of governing India and influencing the life of its three hundred million people? It is not sufficient to construct new machinery of government. It is not enough to send some so-called representatives of Canada to an Imperial Council charged with the government of India. These

representatives may go to London and hear the stereotyped globe-trotter's view of India—what fine fellows the Indian officials are, and what a trial the three hundred million native Indians are—always bothering the officials. But that will not broaden our outlook or deepen our sympathies. No, if we are really ready to take up this duty, we must think not of India but of Indians. At present India to us is a mere abstraction, a red patch on the map, and so it would remain, no matter how much creaking machinery we create, unless we have a genuine human sympathy with every man, woman and child in India, and a burning zeal for their welfare and advancement.

The great Indian poet says: "But we who are governed are not a mere abstraction; we on our side are individuals, with living sensibilities. What comes to us in the shape of a mere bloodless policy, may pierce into the core of our very life." So I say, if you are really filled with that missionary zeal for Indians as creatures of flesh and blood and soul, by all means go into that field. But do not imagine that you can help Indians by merely making Canada a wheel in some new-fangled machinery of government.

Now consider the case of Europe. Do we really intend after this war to study Europe, its various races, its intricate politics, and try to exercise a real influence upon its destinies? I will give you a test. Mr. Flavelle and others who have visited Europe and come back to Canada, express wonder at our apathy. They say we live our lives, take our pleasures, ride about in automobiles, much as if no war were going on. Professor Leacock says, "We pause a moment in our sympathy and pass on. We go about our business. We eat, drink, and are merry, or at least not sad, professing a new philosophy of life, as our sympathies grow dull to the pain and suffering that we do not share."

I ask you if that indifference, that failure to realize the perils and calamities of Europe, if that exists during the greatest war in history, what will be the mental attitude of Canada after the war is over and we cease to read the war news and study the war map? Is it likely that our people, far from the scene, and busied in the work of developing a continent, will keep up such a continuous interest, such a careful study, of European affairs as will enable them to make intelligent decisions as to European policy or help to guide wisely the destinies of Europe. If we are not prepared to do that, we had better not pretend to do it, or play with it.

That is one test that I would apply to these schemes of Imperial reconstruction, namely, that we have a serious intention of doing the work and doing it thoroughly. The other

condition is that we shall not, in pursuing the shadow of power and responsibility, give up the substance of liberty. We must not arrest the national development which under Confederation has been attained. We must not substitute coercion and compulsion for that free and voluntary co-operation which has achieved such magnificent results in peace and war. We must not, as Mr. Peter McArthur says, substitute the hand-cuff for the hand-clasp.

We must not destroy or undermine our free parliaments, whether in Canada or in England. These parliaments are the bulwark of our liberties. As an old journalist, I say frankly that the press can never take the place of parliament as a forum of free discussion, as a place where all kinds of opinions can be heard, as a gathering place for men representing all shades of thought and sentiment. I am inclined to regard with great jealousy any effort to place such matters as defence and taxation in the hands of a council freed from real parliamentary control. That control should be maintained in Canada, and it should be maintained in England. It would be a calamity and a blow to liberty, if the greatest deliberative body in the world, the parliament that has defied kings, the parliament of Pym and Hampden, Fox and Pitt, Gladstone and Disraeli, should become a mere instrument for registering the decrees of a dictator or a council. In time of war it is inevitable that parliament should be subordinated to the executive, and the imperious demands of war may lead men to submit to a dictatorship. But that system should not be prolonged one moment after the emergency has passed. Still less should it be hardened into a new constitution for the permanent government of the British Empire. A free parliament is the very life of our free institutions.

Our watchwords in this great war are Freedom and Democracy. We have urged men to enlist in that cause, and under that banner men have fought and died. We must keep faith with them, and if we are not vigilant in safeguarding liberty, we break faith with the living and the dead.

We are pledged to the defence of liberty, not only by our own words, but by our alliance with the most democratic nation in Europe. Those gallant Frenchmen who in a hundred Waterloos rolled back the tide of invasion at Verdun, fought and died under the watchwards of Liberty, Equality, and Fraternity. That motto is as good for nations as for men. It may serve to remind us of the true and ideal British union, a brotherhood of free and equal nations, under free parliaments, bound together not by new and irksome legal bonds, but by a common resolve to enlarge the bounds of liberty.