

Republic of Canada?

Eugene Forsey

ON November 8, 1951, the Prime Minister told the House of Commons that "it is the policy of this Government when statutes come up for review or consolidation to replace the word 'Dominion' by 'Canada.'" The bold avowal is new. The policy is not.

Several years ago, the time-honoured heading, "Dominion Government," quietly disappeared from the Ottawa telephone book, making way for "Government of Canada." Then the 1950 *The Canada Year Book* was carefully purged: "Dominion budget" became "federal budget", "Dominion Parliament" "federal Parliament," "Dominion elections" "federal elections," "Dominion Royal Commissions" "federal Royal Commissions," and so on. In a few cases, it was impossible to get rid of the offending word, because it formed part of the statutory title of, for example, the Bureau of Statistics. But the Government did its best. The number of entries under "Dominion" in the index was reduced from twenty-four to eight. In the 1951 edition, it is down to four. In most cases, the distinctively Canadian term "Dominion" is replaced by the American "federal". We are now told that as soon as the Bureau of Statistics moves to its new home in Tunney's Pasture, it will become the "Canadian Bureau of Statistics," and the "Dominion Statistician" will become the "Canadian Statistician."

"Dominion" is not the only word that

has suffered from the Government's iconoclastic zeal. "Royal Mail" has been quietly disappearing from trucks and other property of the Post Office, and the former Postmaster-General has blandly informed us that the term is "obsolete." (Incidentally, it still appears on postal trucks in Toronto. Has Toronto become a separate state? Or has the Government run out of paint there? Or is it a case of "Valour will come and go"?)

II

ALL this raises two questions. First, why? Second, where is it going to stop?

Why is "Royal Mail" "obsolete"? Is this country still a monarchy? If so, the mail is still "Royal." If not, then what about the Royal Canadian Navy, the Royal Canadian Mint, the Royal Canadian Air Force, the Royal Canadian Mounted Police, the Royal Canadian Army Service Corps, the Royal Canadian Army Medical Corps, the Royal Military College, Royal Commissions? Are these also to be disinfected one by one? Will Royal Commissions become "Canadian Commissions," or "Federal Canadian Commissions," or "Public Commissions," or what? What will happen to the Queen's Regulations, the Queen's Printer? If "Royal Mail" is "obsolete", then in logic all these are

“obsolete” too, and the Government must make a clean sweep. The Monarch’s portrait must disappear from the stamps and coins and paper money; Acts of Parliament must cease to be enacted by “Her Majesty, by and with the advice and consent of the Senate and the House of Commons”.

Unless we are committed to proclaiming a republic, all this jiggery-pokery is wholly indefensible. If we are committed to proclaiming a republic, when was this change even submitted to, let alone sanctioned by, the Canadian people?

For jettisoning the word “Royal” the Government has not offered so much as the semblance of a defence. But for eliminating “Dominion” the Prime Minister (*Hansard*, November 8, 1951, pp. 851-52) has given seven reasons, or what he evidently hopes the public will dignify with that title.

FIRST, “There are some people in this country who rather like the name of Canada.” We all do. What has that got to do with it? There are “some people” in France who “rather like” the name of France. But that doesn’t mean they must stop calling France a republic. There are “some people” in Ireland who “rather like” the name Ireland. But, strange as it may seem to Mr. St. Laurent, they also “rather like” to call it a republic. There are “some people” in Great Britain and Northern Ireland who “rather like” the names Great Britain and Northern Ireland. But that doesn’t mean they must abolish “United Kingdom”. Great Britain and Northern Ireland is a United Kingdom. That is its legal designation, by Act of Parliament. Canada is a Dominion. That is its legal designation, by Act of Parliament, the very Act and section which gave it the name the Prime Minister “rather likes.”

SECOND, “There has been a constant progression that some people in this country have attempted to impede and have resented, but nevertheless that progression culminated in the Statute of Westminster which recognized the equality of all the sister nations of the Commonwealth.” The Statute of West-

minster three times calls this country “the Dominion of Canada,” and uses the term “Dominion” twenty-eight times besides. So the “culmination” of the “progression,” the Statute which “recognized” our equality with “the sister nations of the Commonwealth”, is an Act which uses this horrid word “Dominion” thirty-one times! Yet the Prime Minister suggests this means “Dominion” is incompatible with equality of status!

THIRD, “This policy is quite in line with the policy that was followed in the United Kingdom when they changed the name of the department that deals with the affairs of the sister nations from Dominions Relations Office to Commonwealth Relations Office.” So when the British people decide to change the name of one of their Government departments, we must change the designation of our country? Queer kind of “equality”!

FOURTH, “That development coincided with the coming into being of other sister nations who had not been known as Dominions and who did not wish to be known as Dominions. Those are nations with which we wish to conserve the family relationship which exists among the nations of our Commonwealth.” Does this mean that if India, Pakistan and Ceylon don’t want to be called Dominions, we must stop calling ourselves a Dominion? Why? When the five Australian colonies and one province united, they chose to call their country a Commonwealth, not a Dominion, and its units states, not provinces. Did anybody suggest that we had to follow suit, and that if we didn’t it would somehow disturb “the family relationship”? When the South African colonies united, they chose to call their country a Union. Did anyone suggest that means we must scrap our historic title, or that South Africa would take umbrage if we didn’t? When the Irish, in 1921, called their country a Free State, did anyone in Canada allege that as a reason for changing our designation, or try to make our flesh creep by hinting at dire consequences to Commonwealth relations if we persisted in being ourselves?

Does the Prime Minister mean that unless we stop calling ourselves a Dominion India, Pakistan and Ceylon will leave the Commonwealth? He can hardly expect anyone to swallow that. But if that is not what he means, what does he mean?

FIFTH, "In the official documents that come now from the United Kingdom the word 'Dominion' is gradually being dropped in deference to those other members of the organization who are not Dominions and who have achieved a status with which the word 'Dominion' would be somewhat at variance." If other nations of the Commonwealth object to being called Dominions, that is a very good reason why the British Government, and other Commonwealth Governments, should stop using the word to cover all the Commonwealth nations. It is no reason at all why we should stop using it to describe Canada.

"Dominion" is *our* word, perhaps the only distinctive word we have contributed to political terminology. The other nations of the Commonwealth found it convenient and borrowed it for certain purposes. If they now find it inconvenient and drop it, what is that to us? Have we no individuality, no pride, no self-respect? Must we be continually trailing around after some other country, changing even our historic title to suit the wishes, real or imaginary, of some other nation or nations?

The statement that "the word 'Dominion' would be somewhat at variance" with the status achieved by India, Pakistan and Ceylon, is, on the Prime Minister's own showing, nonsense. The Statute of Westminster, "which recognized the equality of the sister nations of the Commonwealth," called Australia, New Zealand, South Africa, the Irish Free State, Canada and Newfoundland "Dominions". They were equal with the United Kingdom and with each other, and they were all "Dominions." Have India, Pakistan and Ceylon achieved a higher status than that? Are they superior to the United Kingdom and the rest of us? Or is the Prime Minister borrowing his political theory from George Orwell's *Animal Farm*:

"All the nations of the Commonwealth are equal, but India, Pakistan and Ceylon are more equal than the rest"?

SIXTH, the dropping of "Dominion" from British Government documents is "in deference to wishes that were expressed not only by this Government but by others, and in conformity with the wishes of this Government." But even "this Government's" views about what ought to appear in British Government documents have nothing to do with what we call our own country ourselves.

SEVENTH, "This Government believes that the majority of the Canadian people feel that it is a privilege to be described as a Canadian citizen and are quite satisfied to be described as such instead of being described as citizens of a Dominion." So might Mr. Truman say, "This Government believe that the majority of the American people feel that it is a privilege to be described as an American citizen and are quite satisfied to be described as such instead of being described as citizens of a republic." One statement has just a much sense as the other, that is, none. No one is proposing to call us "citizens of a Dominion" instead of "Canadian citizens". The simple legal fact is that we *are* citizens of a Dominion, just as Americans are citizens of a republic and Englishmen are citizens of a kingdom. The British North America Act says twice that we are a Dominion, and the Government has not yet even proposed an amendment to strike out the word. That would be the logical conclusion of its present policy: to strike out "Dominion" and leave a blank. For it could hardly make the Act read: "one Canada under the name of Canada," and it has not suggested anything else. As *Le Droit* says, "Canada deprives itself deliberately of the title which qualified it, which claimed to determine its national personality. And it isn't replacing this title by any other." That, presumably, is the real "culmination" of the "progression." That gives us real equality. That enhances our status. Now, at last, we achieve our destiny: neither kingdom, nor republic, nor any-

thing else known to political terminology; just a nameless Something, a sublime Blank!

III

EVERY one of the reasons the Prime Minister has given for abolishing the term "Dominion" is fatuously irrelevant, an affront to the intelligence of the public; and he adds to the affront by hinting that those who disagree with him dislike the name "Canada", "resent" our achievement of equality with the United Kingdom, and are not good Canadians.

The Prime Minister's efforts to justify his policy have been ably seconded by a troop of scribblers who have contributed to a recent newspaper discussion of the subject.

One great mind says he can't find that any of our stamps have ever "carried the words 'Royal Mail' or 'Royal Postage' or 'Dominion'." Who said they had? He goes on to ask whether those who oppose elimination of "Dominion" would "change the CBC to DBC? The CNE to DNE? The CPR to DPR?, the CNR to the DNR? 'O Canada' to 'O Dominion', and so on?" Nobody except the Government has proposed to change anything.

Next comes a genius who pontifically declares that "any one who wants to be fair about it will admit that Dominion means, at best, a top-drawer colony. In a recent editorial *The Saturday Evening Post* refers to Canada's 'dominion status' and 'her degree of autonomy.' How does this square with the arguments of Mr. Forsey and his friends who say in one breath that we are a sovereign country and in the next that it is shameful to drop 'Dominion'? Regarding the word 'Royal' I, personally, do not object strongly to its use. However, it also has colonial connotations."

In this production one hardly knows which to admire most: the assumption that anyone who disagrees with its author is not only wrong but not "fair," the elevation of *The Saturday Evening Post* to the rank of a constitutional authority, or

the breath-taking announcement that "Royal" "has colonial connotations". Alas for the Statute of Westminster! *The Saturday Evening Post* says it's wrong, and on such subjects that journal speaks with an authority more than papal. "'Royal' has colonial connotations." Royal Navy, Royal Mint, Royal Society, Astronomer Royal, Royal Family. Poor old England! All this time she has been a colony, without knowing it!

A third supporter of the Government gives us a few masterly variations on the theme that those who object to dropping "Royal" and "Dominion" are bad Canadians. They "would like to see Canada as a colony rather than a nation . . . Such people always criticize others who dare to talk about a Canadian flag or anthem . . . Well, Canadian people have earned the right of full nationhood, and, in my opinion, this nationhood is going to be achieved sooner or later." The first statement is just untrue. The second is at best irrelevant: dropping "Royal" and "Dominion" has nothing to do with a Canadian flag or anthem. Even a province can have a flag of its own: Nova Scotia and Quebec both have. Even a colony can have an anthem of its own: Newfoundland had, half a century and more ago. The third is Rip Van Winkle nonsense: we achieved "full nationhood" long ago, even on the Prime Minister's showing at least twenty years ago.

IV

WHERE did all this business start? As far as "Dominion" is concerned, the answer seems to be a pamphlet issued in January 1944 by M. Emile Vaillancourt, now Her Majesty's Canadian Ambassador to Peru. This concoction, a handsome cream-coloured affair, with a cover showing a palm-tree and a serpent and monkeys and cocoanuts and black men, bore the arresting title, "Is Canada a Plantation?" After pointing out that "Australia is a Commonwealth, South Africa is a Union, Ireland is a Republic; Canada is a Dominion. Such are the official indications

of their status," it proceeded: "According to some constitutional and legal authorities, the word 'Dominion' is synonymous with colony, possession or plantation. Not the least among them is a unanimous judgement of the Court of King's Bench (Campbell vs. Hall, English Reports, vol. 98, pp. 848, 1045, A.D. 1774) delivered by Lord Chief Justice Mansfield. The same appears in article XXXVII of the Articles of Religion of the Church of England (Book of Common Prayer, Canadian edition revised 1918, p. 674). According to Leonard LeMarchant Minty, 'the term "British dominion" essentially means a country which is not only under British jurisdiction, but is also British territory made so by settlement or by conquest.' (Page 3, Constitutional Laws of the British Empire. London, 1928). Historically this word is associated with colony, possession or plantation.

"CANADA IS NOT A PLANTATION. And it is high time that the practice of referring to it as a dominion ceased."

His Excellency the Ambassador is correct in saying "Canada is a Dominion." He is also correct in saying that is "the official indication of its status." His quotation from Mr. Minty also is presumably correct; I have not checked it. But the rest of his remarks are, to say the least, very dubious.

The citation from Lord Mansfield's judgment is misleading. The nearest thing to a relevant passage appears at p. 1047: "A country conquered by the British arms becomes a dominion of the King in the right of his Crown; and, therefore, necessarily subject to the Legislature, the Parliament of Great Britain." This is a simple statement of the law as it stood in 1774. It says nothing about "colony, possession or plantation," and its relevance to the matter in hand is not obvious. It has evidently never struck the Ambassador that there has been a "progression" since 1774, not only in the status of Canada but in the word "Dominion", a progression which in both cases "culminated" in the Statute of Westminster.

His Excellency's second authority, the Anglican Prayer Book, does not support his position at all. Article XXXVII

says: "The King's Majesty hath the chief power in this realm of England, and his other Dominions." So, on this showing, England is a "Dominion" and, if the Ambassador is right, by the same token a "colony, possession or plantation." (Incidentally, if His Excellency had been familiar with the Anglican service, he would have known that the phrase customarily used after the sermon is: "And now to God the Father, God the Son, and God the "Holy Ghost, we ascribe all might, majesty, dominion and power, henceforth and forevermore, Amen.")

Mr. Minty also says nothing about "colony, possession or plantation," and since the Statute of Westminster, his work is, on this point, plainly out of date.

V

CANADA is not a "plantation." Nobody ever said it was. And historically our title is not "associated with colony, possession or plantation." Sir John A. MacDonald wanted to call the country the Kingdom of Canada. The British Government jibbed, because it was afraid the Americans would be offended. Sir Leonard Tilley then proposed "Dominion" as a synonym which could not wound American sensibilities, and this was adopted. The proposal came from Canada, not from Britain; and it was substituted for "Kingdom" not to please the British but to avoid stirring up the Americans. The official French translation at the time was "Puissance," which by no stretch of the imagination can be taken to mean "colony, possession or plantation," nor to imply subordination to anyone or anything. It appears also to have escaped the Ambassador's notice that we have two official languages, and that the French term is as authoritative as the English.

Undoubtedly, in 1867, Canada, by whatever title it might have been designated, was, as Sir John A. MacDonald said, "a subordinate, but still a powerful nation;" subordinate to Great Britain. If we had been called a Kingdom, we should still have been subordinate. India was an

Empire, but it was most definitely subordinate. The subordination was in the legal and constitutional facts of the time, not in the title. Anyhow, Canada has grown since 1867, and the word "Dominion" has grown with it. To say that it means now what it did eighty years ago is just to blind one's eyes to history.

"Province" doesn't mean what it did in 1867. The provinces have powers far beyond what they had, or were intended to have, then. Must we scrap "province" too?

"Dominion" was good enough for the Fathers of Confederation: for Cartier and Macdonald, for Langevin and Tilley, for Chapais and Tupper, for Taché and Brown, for Galt and McGee. It was good enough for Mackenzie, Blake, Laurier and Borden." It was good enough for Mr. King till 1947. Then, suddenly it wasn't. He took it out of the Letters Patent constituting the office of Governor-General. He took it out of the Proclamations summoning and proroguing Parliament. He made M. Vaillancourt Minister to Cuba (1945) and then to Jugoslavia (1948). It was Mr. St. Laurent who set to work on the *Canada Year Book* and the Statutes, who promoted M. Vaillancourt to an Ambassadorship, and who finally under prodding from two Conservative M.P.'s, Mr. Brooks and Mr. Fulton, avowed the policy. *Finis coronat opus.*

"Dominion" is a fine old word, with a long and honourable history. In the United States, for example, Virginians delight to refer to their State as "the old Dominion." Anyone who thinks this means they consider Virginia inferior to other States knows very little of Virginians, and had better steer clear of Virginia!

In Canada, eighty years of usage had given the word a special, distinctively Canadian connotation and flavour. Moreover, it was a very useful word, highly convenient for distinguishing between the central authority and its institutions and property, and the provinces and theirs. "Canadian" has a much broader, and for these purposes less precise, meaning: the provinces also are "Canadian." "National" has the disadvantage that in Quebec it is often used, even sometimes officially, to mean French-Canadian. "Federal" is an importation.

VI

THE abolition of "Dominion" is going to have some ridiculous by-products. "CBS" will mean either Canadian Bureau of Statistics" or "Columbia Broadcasting System." The CBC will presumably have to change its "Dominion network" to "Canadian network" which people will find it hard to distinguish from the Trans-Canada network. "Canadian Statistician" "Canadian Archivist" and "Canadian Astronomer" will all sound a little presumptuous, as if there were only one of each species in the country! What is going to happen to the central pillar in the Hall of Fame in the Parliament Buildings, whose inscription only recently finished, uses the dreadful word "Dominion" in both English and French? Will Mr. St. Laurent take up his chisel and cut away this degrading relic of our past? Or is it to remain at the very centre of our national life, mocking every citizen, and misleading every tourist?

What does the Government propose to do with "British Dominions beyond the Seas" in the King's title? Is British Columbia to become "Canadian Columbia?" Will Mr. St. Laurent, Mr. Gardiner and Mr. Howe renounce their British Privy Councillorships? If they are consistent, they must; membership in the United Kingdom Privy Council is immeasurably more a mark of subordination than the word "Dominion."

On the face of it, the whole business is childish, and the "reasons" given for it more so. What lies behind it? Is it an attempt to root out, little by little, familiar and distinctive terms which bind us to our past? If it is, we should be told so, frankly; given the real reasons, if any; and allowed to say whether we want it done or not. The most objectionable feature of the performance so far has been its surreptitiousness. The Government has acted as if it hoped that if it were quiet and cautious enough, no one would notice what was happening till it was too late.

Where it is all going to end? Are we going to wake up some morning and find ourselves citizens of the Republic of Cana-

da? It looks like it. This whole thing so far has been thrust upon us, without even a pretence of consultation, let alone approval. It is time to call a halt. If the people of Canada want to throw overboard a large part of their national tradition, they have a right to do it. If they

want to copy the United States, or Ireland, or India, or any other country, they have a right to do it. But no Government has a right to do it for them, piecemeal, darkly at dead of night, without their knowledge or consent. This is not democracy. It is usurpation. It is theft.

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