

THE FOUNDATION OF FEDERAL UNITY

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IN every political community there are tendencies which draw men or groups of men together in a unity of interest or sentiment, and opposite tendencies which cause them to break away from the centre and associate in smaller groups along lines of racial affinity, local economic interest, or provincial feeling. No country can escape entirely from the operation of these disruptive influences, but they are especially dangerous in States which are organized under a federal form of government. A federation is a union not only of racial, economic, and religious groups, but also of political groups which have so far a consciousness of independent life that they have refused to be merged in a single political entity. In a unitary State there is one centre of attraction for the loyalty of the people, one set of national institutions, and one source of legislation. In a federal State, on the other hand, there are several centres of political attraction, and the national or federal institutions are compelled to compete with provincial institutions for the loyalty and affection of their citizens. Professor Dicey has pointed out that a federal form of government owes its creation to a peculiar state of opinion in its constituent States. There is a desire for union, but there is not a desire for unity. This peculiar state of opinion is reflected in the federal constitution. Owing to the lack of desire for unity, the national institutions are limited in their operation, and the retention of provincial governments with specified or residuary power reminds the citizen of a province that he has attachments of interest and sentiment to his provincial group as well as to the larger political whole of which it forms a part.

Moreover, the very circumstances out of which federal States have developed quite frequently operate in such a way as to emphasize provincial interests and deprive the national institutions of the vitality engendered by sentimental attachment. A federation is fortunate indeed if it can begin its career with the support of a national consciousness, or some common feeling of patriotism already awakened among the citizens of its constituent States. But this

is the exception rather than the rule. More often the union of neighbouring States is produced not by the impulse of a common sentiment, but by the application of external pressure, or by a recognition of the economic advantages of a united government. The cautious negotiations which precede the adoption of a constitution resemble those of practical business men about to associate for some commercial enterprise. Sentiment plays a minor part in the whole transaction. Each prospective partner in the new firm, being anxious to protect its own interests, is distrustful of any agreement which may hamper its freedom of action in matters which lie outside the immediate purposes of the association. Self-interest is the dominant motive of union; the concession of powers to the federal government is limited by the extent to which such a concession is necessary for union, and at the same time advantageous to the federating provinces. The rock of provincial interest threatened to wreck the Australian Commonwealth when Western Australia insisted on the right to impose intercolonial customs duties for a term of years. The battle-cry of the repeal movement in Nova Scotia was "better terms". These are but illustrations of the spirit in which federal negotiations are generally conducted. Idealism is not entirely lacking, but it sounds only faintly through the discord of conflicting interests. The thought of building a new nationality may appeal powerfully to the few, but the concrete advantages of union recommend it to the many, and the actual negotiations are arranged by men who are instructed to drive as hard a bargain as possible for the provinces they represent. Federal institutions in Canada owed their creation to the support of material interests. It is only necessary to examine the negotiations which secured the adherence of Nova Scotia, Prince Edward Island, and British Columbia to be convinced of the predominance of the economic motive throughout the entire transactions.

Lord Bryce, in writing of the unification of Germany after the Franco-Prussian war, observed that the permanence of institutions depends not merely on the material interests that support them, but on their conformity to the deep-rooted sentiment of the men for whom they are made. The truth of this remark is well illustrated in the history of federal government. A federal constitution may be designed in such a way that it can stand erect for a time through a nice balance of material interests; but unfortunately there is no certainty that this equilibrium can be maintained in the future; and if no other support is added, there is danger that the structure will collapse as soon as the original balance is disturbed. Material interest is notoriously subject to fluctuation in an age of rapid

industrial change. Over such a large territory as is embraced in the United States and in Canada the continuance of the economic motive to union is at least questionable enough to become a subject of frequent controversy. In the United States, the War of 1812 pressing with unequal weight on the shipping and mercantile interests of the New England States caused a sectional agitation which culminated in the Hartford Convention and led to an early assertion of the doctrine of States Rights. The so-called "Tariff of Abominations" in 1828 caused a secessionist movement in South Carolina; and the civil war itself which threatened to disrupt the Union has been traced by some to the conflicting economic interests of a manufacturing North and an agricultural South.

Even in Canada there have been evidences of the instability of material interests as a support to union. The agrarian movement in the western provinces has served to emphasize the difficulty of reconciling agricultural and industrial differences over a large territory, and more recently there has been a minor secessionist agitation in the Maritime Provinces growing out of economic grievances that have developed since Confederation. The danger of an appeal to provincial loyalty is not serious while the material supports of the federal constitution maintain their strength; but once the economic motive begins to weaken, the existence of provincial groups greatly facilitates the organization of the forces of discontent, and the provincial governments form a rallying point for a sentiment of loyalty which slumbers but does not sleep. Something more durable than economic advantage is needed to form a permanent support for a federal State, and there can be no guarantee of stability until to the legal superstructure of the constitution there is added a consciousness of organic unity among its citizens. It is a peculiar feature of federalism that the erection of the superstructure of government must frequently precede the laying of the foundation upon which the federal institutions must ultimately rest. That foundation is essentially one of sentiment. Without the support of a national sentiment or some common feeling of patriotism, a federation tends to remain a mere collection of provinces, united by the precarious bond of contract, but lacking in that which alone can give permanent vitality to human institutions, the loyalty and affection of the citizens.

Considered merely as a form of government, regardless of its local *habitat*, a federal constitution demands the support of this common sentiment among its citizens in order to counteract a resuscitation of provincial feeling, but the need becomes still more urgent when to the particularist tendencies of provinces and the

inevitable divergence of economic interest there is added the disturbing factor of racial and religious antagonism. It is the existence of this factor, in addition to the problems incident to federalism as a form of government, that gives a peculiar importance to the political experience of Canada since Confederation. In no other country save Switzerland has a federal constitution been faced with such formidable obstacles to success, and the difficulties of the Canadian situation are unique because of the wide area over which racial and religious divisions prevail. Where such divisions are confined to one province of a country, they may be recognized and alleviated to some extent by a federal form of government. This was not only one of the objects, but also the immediate result of the Confederation of the Canadian provinces in 1867. The French in Canada were confined mainly to the province of Quebec, and as Sir E. P. Taché expressed it: "If a federal union were obtained, it would be tantamount to a separation of the provinces, and Lower Canada would thereby preserve its autonomy together with all the institutions it held so dear, and over which they could exercise the watchfulness and surveillance necessary to preserve them unimpaired." But no constitution can effectually set limits to the movements of its citizens. Over a period of fifty years the French Canadians not only maintained their numerical supremacy in the province of Quebec, but migrated into the adjoining provinces, and now form a conspicuous element in the population of Manitoba, Ontario and the Maritime Provinces. The vain delusion of incorporation and assimilation has vanished in the bitter experiences of the past, and to it there has succeeded the sobering conviction that racial and religious divisions are in Canada to stay, and must indeed be recognized as the outstanding fact of our political life. To some, such an admission means frustration of the hope of organic unity upon which our national life must be founded. There are fortunately others to whom the lessons of our past experience have taught the distinction between unity and uniformity, and to these the presence of the French Canadians in our midst is but another conclusive argument for the cultivation of a common sentiment which shall rise above racial origins and lay a new enduring foundation for Confederation in a native Canadian patriotism.

At the present stage of our political development it is well that we should look back over the past half century, and see how far we have been successful in reinforcing the economic motive to union by the cultivation of a sentiment of loyalty which could override provincial and racial feeling and find a response among all the varied elements of our population. It is not too much to say that

the Fathers of Confederation were but the architects of a political edifice. They designed the frame of federal government, but the building of its foundation was necessarily left to their successors. Hon. Christopher Dunkin was doubtless the Jeremiah of Confederation; but if his melancholy prophecy revealed a lack of the faith and courage of MacDonald and Cartier, it showed also a clear perception of the obstacles that lay in the path of those who would develop a Canadian nationality. The following extract from his speech in the Canadian parliament is an interesting testimony to the absence of any common bond of sentiment uniting the inhabitants of the provinces in 1865: "We have a large class whose national feelings turn towards London, whose very heart is there; another large class whose sympathies centre here at Quebec, or in a sentimental way may have some reference to Paris; another large class whose memories are of the Emerald Isle; and yet another whose comparisons are rather with Washington; but have we any class of people who are attached or whose feelings are going to be directed with any earnestness to the city of Ottawa, the centre of the new nationality that is to be created? In the times to come when men shall begin to feel strongly on those questions that appeal to national preferences, prejudices and passions, all talk of your new nationality will sound but strangely. Some other older nationality will then be found to hold first place in most people's hearts." In this striking analysis of the political situation of Canada in 1865, there is foreshadowed the outstanding problem which was to test the faith and tax the ingenuity of Canadian statesmen for the next half century.

It was not without reason that Mr. Dunkin then despaired of national unity. At Confederation, Canada was a country of scattered communities and divided loyalties. Of provincial pride there was a little, but of Canadian patriotism there was none. D'Arcy McGee, MacDonald, and Cartier in the enthusiasm of a great moment might pay verbal homage to a new Canadian nationality, but as yet there was hardly a common sentiment binding together the inhabitants of Upper and Lower Canada, and still less a bond with the people of the Maritime Provinces who formed a remote community beyond a wilderness of forest. And even when the vacant places were peopled and transportation had done its great work in making the nation a neighbourhood, it might still be too soon to say "The Pyrenees are no more." The strongest barrier to a common sentiment in Canada was not the fact of distance, but the fact of different racial origins, each with its corresponding sentiment of loyalty. In the province of Upper Canada and in the Maritime Provinces

there was a compact British population leavened for almost a century by Loyalist stock, and nurtured in a patriotism of fervent loyalty to the British Crown and Empire. Between these two communities of British antecedents and patriotism was the ancient province of Quebec. Here too it might be said, as Cartier declared, that the inhabitants were loyal subjects of the Crown, but their loyalty was exhausted in the legal bond of allegiance, and their sentiment of patriotism was attached to their own province and nationality. They spoke a different language, worshipped at different shrines, and were attached to different institutions from those of their neighbours. In addition to the English and French there were other racial elements in the Canadian population at Confederation, but destiny had committed the future of Canada to the two dominant races which opposed each other on the Plains of Abraham, and the task of building a common sentiment of patriotism was in the main the problem of discovering a common standpoint for Canadians of French and British origin. A Canadian nationality did not demand uniformity in race, language, or religion. In demanding a common patriotism, it insisted on the indispensable condition of its existence.

Fifty years have passed since Canada began its career as a federal State; and although it must be confessed that we are still a people of divided patriotisms, there has been a significant movement in the direction of unity. When Mr. Dunkin predicted such a gloomy future for a Canadian nationality in its competition with other loyalties, he forgot that while Ottawa at Confederation was far behind London and Quebec in its hold on the affections of the Canadian people, it provided the only centre of attraction which could make an appeal that would not be sectional in the response it was capable of evoking. Moreover, it was the centre of the only national feeling that might be expected to invite a response in new settlers from other lands. Canada was their adopted country; and as affection for the land of their origin gradually diminished, it was natural that their patriotism should be transferred to the land of their adoption rather than to that of any racial element in its population. As a result, Canadian national feeling developed steadily if unobtrusively, and in the course of half a century has materially strengthened its position in relation to the other loyalties with which it had to compete.

Not only has this been true, but a significant change has taken place in the patriotic sentiment of the French Canadians. In 1867 they were self-centred. Their patriotism expressed itself in a determination to preserve intact their language, laws and in-

stitutions against the encroachments of the English population. As one of their members in the Canadian parliament of 1865 explained it: "Their aspirations centred in one point, the maintenance of their nationality as a shield destined for the protection of the institutions they held most dear." For a whole century this had been the aim of the French-Canadians; in the long years of adversity they had never for a moment lost sight of it. But Confederation removed the barriers which had confined the patriotism of French Canada within the narrow boundaries of defensive isolation. The fundamental liberties granted by the Quebec Act in 1774 were once more confirmed by the provisions of the Act of Union of 1867. Federation gave Quebec an unfettered control of the controversial questions of race and religion by placing them under the authority of the provincial legislature. At the same time its representatives were to sit in the Dominion parliament with those from the other provinces, and unite with them in guiding the destiny of a new nation which was soon to cover half a continent. In the making of this new nation their leaders Cartier, Taché, and Langevin had already played a conspicuous part. Confederation first widened the political horizon of French Canada; and with the passing of the years its self-regarding patriotism, bred in an atmosphere of distrust and antagonism, developed into a sentiment of Canadian nationalism which was strong enough to ignore provincial frontiers and add a new support to the structure of federal government. Some day we shall be better able than now to recognize the enduring character of the influence of Cartier and Laurier upon this phase of our development. It was in a large measure due to them that Quebec became less introspective as the years passed. Their leadership covered critical periods of our national life. The crucial question was whether we should continue to be French and English in matters of general concern, or gradually sink these differences in our common devotion to a Canadian nationality. The question was not answered at once. In the nature of things such problems require time and patience for their solution. There have been occasional outbursts of Quebec nationalism in quite recent years, but they were sporadic and did not reflect the general feeling. On the contrary, they have served to show that the general tendency was against sectionalism and in the direction of a truly national perspective. Nationalism has received a new meaning and a new orientation. Papineau did not address Canada. He addressed French Canada. But Cartier and Laurier had a wider and more statesmanlike view which embraced Canada as a whole. This is the view which has been inherited by the leaders of French Canadian thought to-day.

But in spite of the fact that a Canadian national sentiment is stronger to-day than at any other period of our history, it needs to be recognized that there is still a formidable barrier to be surmounted before the foundation of our federal institutions is well and truly laid. The main stream of French Canadian patriotism has been turned towards Ottawa, but for many Canadians of British origin London continues to be the centre of a form of patriotic feeling which can never become the basis of a Canadian nationality. In 1869 Hon. Lucius Huntington had the courage to say that "Foremost among the barriers to our progress towards a nationality is that noble sentiment of loyalty to the British Crown which has so generally and so happily subsisted among the great mass of our people. But it might not be wise to jeopardize the great future of our young country for the sake of even so noble a sentiment." A few years ago Henri Bourassa declared that "the imperialistic disease had embittered relations between both races in Canada. The only sure way to avoid fatal misunderstanding lies in a determination that we shall both of us, French and English alike, look at all constitutional and political questions from a purely Canadian standpoint." To many these opinions of Huntington and Bourassa will appear dangerous if not revolutionary, and yet they contain a truth which has been emphasized repeatedly in our progress towards a national stature. Sooner or later we must face the fact that an imperial loyalty can never provide spiritual force for a Canadian nationality. No country can thrive without a patriotic sentiment, and no patriotic sentiment can thrive unless it can make a common appeal to all sections of a people. The decisive argument against imperialism as a sentiment is that it is incapable of this common appeal. It has had its trial, and it has failed to unite the two great branches of the Canadian population in a common loyalty and a common political ideal. It is sometimes assumed that patriotism should follow sovereignty; in other words that because Canada is subject to the British Crown, its inhabitants must all feel the same sense of loyalty to the Crown as the symbol of imperial sovereignty. But this confuses the obligation of patriotism with that of allegiance. The one is based on sentiment, the other on law. Generally they coincide, but such a coincidence requires that sovereignty should be coterminous with nationality, and this condition is not always fulfilled. An imperial patriotism cannot be presumed to touch more than half of the Canadian population. For this reason it must continue to have a sectional appeal. To attempt to build a Canadian nationality on an imperial patriotism is like trying to construct a temple of stone with only

enough cement to hold two of its walls together. No sentiment based on racial origin can meet the demand for a patriotic feeling capable of appealing to all the varied elements of our population.

What is urgently needed in Canada to-day is the cultivation of a spirit of patriotism which will give its people a strong sense of organic unity. It is needless to labour the point that a national sentiment provides the only common bond of union for a population which has slowly developed in a new land from the intermingling of a number of racial elements. The spontaneous growth of such a national sentiment since Confederation is the best assurance of its survival in the struggle of group loyalties based ultimately on racial origins. There are devoted imperialists who regard any admission of Canadian nationality as a humiliating capitulation to the forces of disunion. But surely such a view is obstinate and ill-founded. A Canadian nationality may be incompatible with the old conception of the British Empire, but it is eminently in accord with the equality of status implied in the conception of a British Commonwealth. The truth of the matter is that the Empire is the common achievement of the British peoples. It is no more the heritage of this generation of Englishmen than it is of this generation of Australians, South Africans and Canadians. And there is no reason why it should make greater demands on the national independence and sentiment of these countries than of England itself. It is secondary to national considerations in England, and it should equally subserve the national development of the Dominions. There is no objection to imperialism provided it is put in its proper relation to nationalism. We must first be true to ourselves—that is the challenge of nationalism. Imperialism may be a projection of nationalism, but can never become a substitute for it. The task of completing the foundation of Confederation rests now with Canadians of British origin. Organic unity is the indispensable condition of federal stability and prosperity. It is determined by our historical evolution and the facts of our situation that this organic unity can be obtained only by the full acceptance of national development, and the cultivation of a national patriotism which shall effectually triumph over provincial and racial feeling and breathe a new vitality into our federal institutions.