


The Relations of Canada to the Mother Country.

(*Alumni Prize Essay 1912-13.*)

 F all the political questions that agitate the minds of Canadians at the present day, none deserves a more prominent place than this one under consideration. It is a vast question, of supreme importance to Canada and to the Mother Country, and by no means unimportant to the other units of the British Empire. It is one, also, that foreign nations will follow with interest, for Canada has just begun that century which has been fittingly called "Canada's century." She is young and vigorous ; and the future of the young is always of interest to the old. But above all, from the Canadian point of view, this is a personal question. It is the duty of a government to look after the interests of the governed by making such laws, treaties and agreements as will insure their happiness and prosperity ; and it is the duty of our government to ascertain how these ends can best be achieved in Canada. It therefore should be our aim to apprehend the ideal relations with the Mother Country, and then to endeavor by every legitimate means to establish them. In order to acquire a clear idea of the subject, let us first examine briefly our relations in the past and present ; secondly, from this show in part, why our present relations should be maintained ; and finally, refute the systems of those who oppose our present method of government. But when dealing with a subject so vast, so inspiring to every loyal heart, the only difficulty is to restrain the impulse of the imagination, and

turning from the golden dreams conjured up by just pride and ardent love, to confine oneself to the careful consideration of those facts on which one intends to base the arguments for the proposed relations between Canada and the Mother Country.

For some years after Canada was ceded to Great Britain, and when she was still a crown colony, she was not considered of sufficient importance to require a special department for the administration of her affairs, so that the duty of governing her fell to the Lords of Trade. Later on a Colonial Secretary was appointed, to whom and to whom alone, all the officials in Canada were responsible. It is very probable that the British ministry and the Colonial Secretary were really desirous of governing Canada in a manner satisfactory to the colony and to the mother country; but it is also evident that they failed in this almost impossible task. But let us not blame them too severely, because as Sir Thomas May has said, the system was pernicious and its failure due in part to the personnel of the official staff. In passing judgment on this much-abused body however, let us remember that these were the years succeeding the American Revolution, and that our rulers lacked the historical experience which we possess. It will hardly be denied that many of them had uprightness of character and sincerity of purpose, and that they pursued the course from which they thought the best results would follow.

Through time however this state of affairs was changed. It is unnecessary for our purpose to trace the gradual evolution of Canada from a Crown Colony to her present position, or to mention the names of the illustrious men from Papineau and Mackenzie, to the equally great statesmen of the present day who have been identified with this change. Let us rather proceed to define what our present relations are.

The relations of Canada to the Mother Country may for clearness be considered with respect to law-making, law-enforcing, justice, commerce and defence. The constitution of Canada is a British statute and of course cannot be amended by our legislators. This power belongs to the British parliament and indeed that body, if it so desired, could revoke our whole constitution and send our law-makers home. But this power is purely nominal ; it is somewhat analogous to the power of the governor to veto bills ; no one denies that he has it, but we may be sure that an attempt to use it would prove disastrous to himself. Amendments to the constitution are always made at our request and never without it. At the same time we make our own laws. We have had the British governor for one hundred and fifty years ; at first he was a governor in the full sense of the word ; to-day he is nothing more than the nominal head of our country. Our progress has indeed been great and has now reached the ideal state. We could not gain more freedom or otherwise benefit ourselves by any change in our law-making relations, and therefore we should by every manly effort endeavor to maintain our present position.

It has been said that in England the king reigns but does not rule, and it can be said that in Canada the governor presides but does not govern. He takes no part in the enforcing of our laws. He has only such power as is allowed him by the Canadian parliament ; even his speeches delivered before our legislators are written by our government. It is difficult to see how any change could bring in a more desirable system ; small, indeed, is the number of people in Canada who would wish to return to the days when the governor had all the power.

About the only connection between the judicial

system of Canada and that of Great Britain is the fact that occasionally we submit cases to the Privy Council for decision. It is sometimes argued that this is evidence of impotence on the part of Canadians but such an argument cannot stand because it is without foundation. The cases submitted to the Privy Council are such as can best be decided in England. Thus certain cases which hinge on the British North America Act, ought to be decided by the British courts ; and surely, to allow this is no impotence, but rather is a proof of the good understanding which happily exists between the two countries.

According to the British North America Act the Canadian parliament was given control of the regulation of trade and commerce, and of navigation and shipping. But nevertheless, Canada often found herself in embarrassing situations, because Great Britain in her trade agreements, very often if not always included the colonies. Our diplomats were very much hampered in the discharge of the duties entrusted to them, because all their negotiations had to pass through the hands of the British ambassador. With a view to having this state of affairs remedied, the Canadian parliament addressed a memorial to the late Queen, in which it said, that to include Canada in British commercial treaties was incompatible with the rights and powers subsequently conferred by the British North America Act on the parliament of Canada, and that it tended to produce complications in the empire in which the self-governing colonies were recognized as possessing the rights to define their respective fiscal relations to foreign nations, to the Mother Country and to each other. This looked-for reform is now a living reality. It has been gained without the use of force, without straining those ties of allegiance which bind us to the Mother

Country. To-day we can discriminate in favor of or against any goods entering our ports.

Although the British parliament is supreme over the Canadian, our troops are governed and regulated by ourselves ; for at the Conference in 1911 it was agreed : "That the forces of Canada be exclusively under her own control." There is at present no specific agreement between Canada and the Mother Country with respect to defence. We claim the right to take part in, or refrain from British wars ; but it is almost impossible to imagine Great Britain at war, and Canada refusing to take part ; our historical experience goes to prove that such a condition will never exist. At the same time we enjoy the protection afforded by the British flag. This is our present position with respect to defence. It is not one of hard and fast agreement—as is sometimes made between separate nations—a thing to be misinterpreted, a cause of suspicion and contention. Ours is rather an unwritten agreement founded on mutual esteem.

These, then, are our relations to the Mother Country ; relations—the outcome of one hundred and fifty years of steady and unswerving progress ; relations—the result of civil resistance to what we believed pernicious and at the same time an unquestionable loyalty to Great Britain ; relations—a grand and imperishable monument to the statemanship of those to whom we are indebted for them ; relations—which are indeed "The Victories of Peace." There is hardly anyone in Canada who would deny that our present relations are good, but nevertheless there are some and perhaps many who say a change should be made, as they think, for the better. Of these the most important are those who desire annexation with the United

States, those who desire the independence of Canada, and those who desire imperial federation.

At one time in our history there was a considerable number who believed that the only solution to the problem facing our country was annexation ; now the number is comparatively small. This doctrine has been steadily losing ground in Canada, so that at the present day it is mentioned, not on account of its popularity, but on account of its unpopularity. From the days of the United Empire Loyalists to the present time, the population of Canada has been considerably augmented by immigration from the United States ; still we can say to-day, that there never was at any time in our history a more prevalent and pronounced feeling of unity among the different peoples of Canada. We realize that at the beginning of this "Canada's Century" our gains by annexation would be incommensurate to our loss.

Independence is another doctrine which, although seldom advocated, has probably more adherents than annexation. Its supporters tell us that there is a large party in England who desire to get rid of the colonies. It is very improbable that this will ever become the avowed policy of any government in the Mother Country ; it seems more reasonable to suppose that as our population increases, the bond of union will grow stronger. We do not desire independence. The stronger the enemies of our mother country grow, the stronger will we be attached to the British flag. Others argue that since we are part of the British Empire we must necessarily be in a state of subjugation, and consequently should declare our independence and gain our freedom. To this we can reply that the meanings of words are often misleading. "Empire" may have contained in the past the idea of subjugation, but its

meaning in the future as far as the British Empire is concerned, will be—partnership. Separation has never been the policy of a Canadian government. Its motto has always been and may it ever remain: "One king, one flag, one empire."

But by far the greatest number of those who oppose our present system of government style themselves "Imperialists." Their plan is to have an imperial parliament—"a great council of the Empire"—which have charge of all the matters of common interest. Such a parliament is neither necessary nor feasible. That it is unnecessary or rather that the present relations are satisfactory has been declared by the colonial prime ministers assembled in Conference in 1897. In order that it be feasible the jurisdiction of the imperial and local parliaments would have to be clearly defined. This, in itself, would present insurmountable difficulties. Then, again, before federation is possible there must be a uniform development throughout the empire, otherwise any attempt at closer union will end in greater separation. By directing our attention from our Canadian nationality, federation will tend to destroy Canadian sentiment,—an agency that has as much to do with the development and well-being of our country. We would think less on it and naturally soon come to think less of it. The true essential of any real step forward is not federation but co-operation. It appears to be a better preparation for our needs in the time to come.

But no man can foretell the future. As time goes on conditions change, and what is good policy today, may be disastrous tomorrow. In the knowledge of this and with the welfare of Canada in view, they build for the future best who build for the present best. The ties of love and loyalty which bind us to the Mother Country should be maintained. May Canada always

be as she is today : the foremost among the nations which uphold the British throne. May the different flags of the daughter nations forever be symbols of happiness and prosperity to mankind ; may they always be united to the Union Jack, draped together, fold within fold, and may

“ Their varying tints unite,
And form in heaven's light
One arch of peace. ”

RAY C. MCCARVILLE, '14



He must be a dull fellow indeed, whom neither Love, Malice nor Necessity can inspire with wit.

The morning of life is like the dawn of day, full of purity, of imagery and harmony.

Never let your zeal outrun your charity; the former is but human, the latter divine.

It is the Christmas time,
And up and down 'twixt heaven and earth.
In the glorious grief and solemn mirth
The shining angels climb.

There is no harm in being stupid so long as a man does not think himself clever; no good in being clever if a man thinks himself so, for that is a short way to the worst stupidity.