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Presidential Address

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BROAD HORIZONS

Presidential Address by A. L. BURT
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FORTY years ago the University of Toronto turned me out with an honours degree in Modern History and an unquestioning belief that Toronto was the best Canadian university. I do not know how I got that belief, but I do know that I got that degree without taking a course in Canadian history, for in my day Toronto offered none. All I knew about the subject was what I had learned in school, and it seemed to be one of the childish things that I had put away when I became a man.

On proceeding to Oxford, I was surprised to find that one of the special subjects offered by the School of Modern History was a rather intensive study of a short period of Canadian history. I did not choose it. My tutor chose it for me, and I still remember a smothered feeling of resentment at the thought of having to learn about the history of my own country from a man who had never lived in it. That feeling, of course, was an unconscious reaction of nationalism. But I was soon grateful to my tutor for sending me to sit at the feet of that ripe scholar, the late Professor Egerton, who introduced me to the source materials of Canadian history. He also made me look at the history of other parts of the British Empire, but I confess that on leaving Oxford I fell from grace and lost this wider view that he would have his students take.

Soon afterward the First World War burst upon us, intensifying national feeling in Canada as in other lands; and the rising tide of Canadian nationalism quickly made Canadian history an important study in all Canadian universities, including Toronto. Research in Canadian history became academically fashionable, perhaps too fashionable for the balanced development of some departments of history. It might have been healthier even for Canadian history if there had been equal encouragement of research in other fields of history, for the besetting sin of national history in every country is too exclusive a concern with what has happened within its own borders. The penalty is a squint-eyed view.

The writing of Canadian history has not been free of this besetting sin. Sometimes the consequent distortion has been conscious, to serve a real or a supposed national interest. But commonly it has been a more or less unconscious effect of nationalism, which by its very nature is introspective and is given to self-glorification and self-pity. It may be said in self-defence, and I believe it is true, that many other national histories have been written with a narrower outlook. This, however, does not mean that those of us who have dabbled or wallowed in Canadian history have possessed any distinctive virtue other than what has been forced upon us.

Canadian historians have had to take a wider view simply because Canada was the child of France and Great Britain, because it grew up within the British imperial fold, and because it has been indissolubly married to the American giant. French history, English history, imperial

history, and American history thrust themselves into Canadian history, giving it broad horizons. Scanning these broad horizons enlarges the vision and deepens the insight.

It has been urged that more English history should be studied in French Canada, French history in English Canada, and American history in both parts of Canada. But the need for more study of imperial history in Canada seems to have been neglected. This, I think, is unfortunate if only because Canadian history, when examined in the light of the history of the Empire, gains much in perspective and in depth of meaning. As penance for my fall from grace when I "went down" from Oxford, I would now draw attention to a few features, taken at random, of the imperial background of Canadian history.

On the morrow of the American Revolution, the British colonial empire was still confined to the North American continent and the adjacent islands. Most of its population was black, and of its white inhabitants the French outnumbered the English. Relatively speaking, Canada was then a much more important part of the Empire than it was a generation later.

From the long French war that intervened, the Empire emerged with conquests that profoundly changed its size and character. It was now a world empire, demographically as well as geographically. The problem presented by the acquisition of Canada in 1763, that of incorporating a foreign body, was thus multiplied manifold; and this gave rise to a new form of British colonial government, that of the crown colonies. It was borrowed from the despoiled empires, and under it the concentration of control in London was greatly accentuated. The only quarter where the Empire had gained new territory by settlement instead of conquest was in Australia, but because of the peculiar nature of this colony it was given the new type of rule. Now also, but for a different reason, imperial authority had begun to be more of a reality in the oldest parts of the colonial Empire which, from almost their very foundation in the seventeenth century, had enjoyed self-government. There, in the West Indies, the abuse of self-government by the whites was leading to growing interference by the home government to protect the blacks. Since the commencement of the long war with France in 1793, not a single British colony had been invested with representative institutions; and in 1815, when peace was at last secure, the British government had not the slightest intention of introducing them anywhere. It was a far cry from the age when it was taken for granted that every British colony should have a government modelled after that of the mother country.

As a matter of fact Britain was not the mother country of most of the lands now under her sway. She had not given birth to their people. She had conquered them from other empires, and she ruled them. She had once peopled her colonies with her own sons and daughters, and she was to do it again on a grander scale. But at this time her policy was opposed to emigration. She was a great imperial power, the only one left in the world; and the authority she wielded over her far-flung Empire was many times greater than it had ever been in any preceding age.

How could London handle the burden of managing an empire in which control was so centralized and whose character was so diversified? The answer came out of the war that raised the question. It was the Colonial Office, which began to take shape in 1812 and was fairly well formed by the middle twenties. At first the ministry was strongly reluctant to consult Parliament on colonial affairs, and Parliament was little disposed to pry into them, except in so far as they touched the sensitive subject of slavery. What was the reason for this mutual shyness, which favoured imperial autocracy? It was partly, but not wholly, the normal desire of a specialized government agency to conduct its business without interference from uninformed legislators, combined with the fact that most members of Parliament knew little and cared less about this business. It was also constitutional. The Colonial Office was little beholden to Parliament for authority to govern. The legal authority exercised by the Secretary of State over the colonies was that of the royal prerogative, which was unlimited in the crown colonies and very considerable in the others. Though Parliament could at will pare down the royal prerogative, it was chary of doing so lest it impair the efficiency of colonial administration in the future.

It was Australia that began to bring the Colonial Office and Parliament closer together on the management of the colonies, and what forced the change was the discovery that there was something constitutionally wrong "down under." Autocratic power had been quite properly conferred upon the Governor to rule a society of convicts and their guardians, but no provision had been made for the government of free settlers. Now the latter were becoming an important element in the population, and the Governor, without knowing he had no authority to do so, was ruling them too, even levying taxes upon them. By allowing this strange situation to develop, the Colonial Office exposed the ministry to a withering attack in 1819. Parliament promptly passed an act legalizing the illegal taxes, and the government promised to prepare an Australian constitution as soon as sufficient information could be gathered, for which purpose a royal commissioner was sent to Australia. From this time forth the relations between the Colonial Office and Parliament were the opposite of what they had been. The ministers had learned a wholesome lesson. Never again would the Colonial Office shelter itself behind the royal prerogative, much less stretch the prerogative beyond the legal limits. The department would rather look to Parliament for support in administering the colonies, and to this end it undertook the education of Parliament. Therefore in 1822 the Secretary of State inaugurated the policy of publishing an annual "blue book" for each colony.

The first Australian constitution, based on the voluminous reports of the royal commissioner, was enacted by Parliament in 1823. Van Diemen's Land was separated from New South Wales, and each was provided with a governor and a council. The omission of an assembly is in marked contrast with what had been done for Canada a generation previously, when Pitt's government had felt bound by the Declaratory Act of 1778 to establish an assembly as the only remaining means of rais-

ing the necessary colonial revenue. But the times had changed, there had been no popular demand in Australia for an assembly, and there was no pressing need to levy new taxes there. The old ones sufficed and they were no longer unconstitutional, Parliament having clothed them with its own authority. As for the Canadian precedent of 1791, Canadian experience had robbed it of much of its value in English eyes. The Colonial Office was out of patience with the French-Canadian Assembly for its obstructionist tactics. Indeed, both in and out of Parliament there was a growing desire, in that age of mounting anti-imperialism, to get rid of the troubles of Canada by getting rid of Canada. This feeling reached such a pitch by 1828 that Huskisson, then Colonial Secretary, publicly rebuked those who harboured it.

Colonial self-government in the West Indies was also incurring the increasing displeasure of the British government and public. The Barbadian Assembly balked at making murder of a slave a felony, as required by the Colonial Office, until a special message was sent in the King's name; and in another island, martial law was proclaimed to bring about the execution of a Council member who delighted in torturing negroes to death. In the spring of 1823, the House of Commons unanimously adopted a government resolution for gradual emancipation by the progressive amelioration of slavery, and the government promised to enforce it upon the crown colonies and to press it upon the assemblies of the other colonies.

Instead of generous co-operation, the Colonial Secretary encountered bitter obstruction in the colonies, crown and chartered alike; and they were soon in an angrier uproar than that with which the continental colonies had begun the American Revolution. In January, 1831, a public meeting of planters and merchants in Grenada called for a West India congress; and two months later it met in Barbados, comprising members of the several legislatures who had been chosen by public meetings for this purpose. The congress passed some vigorous resolutions on the grievances of the Caribbean colonies, particularly the imperial interference with their property. Never before had anything like this occurred in the British West Indies. Angrier outbursts followed. In Jamaica at the end of the year, there was wild talk of hoisting the American flag and appealing to the United States for protection. The storm subsided with the final passage of the Reform Bill in Britain, for the planters then knew they had lost the battle to preserve slavery.

Nor was this all that they lost. Emancipation by act of Parliament was an exercise of imperial power that struck self-government in the West Indies a more crushing blow than any that had provoked the American Revolution. Yet no corresponding revolution followed, nor even an attempt at one, for the Caribbean colonies were helpless. They were individually too weak, collectively too scattered, and sociologically too unstable to think of forcible resistance by themselves; and they were geographically too cut off from the United States for them to think seriously of getting any outside aid. Had they lain as close as the British North American colonies to the great republic, there would probably have been a different story to tell.

Though emancipation did not produce a revolution, it brought on a political and constitutional crisis in the West Indies that, to the embarrassment of the home government, happened to coincide with the crisis in Canada. The strain that abolition imposed on the relations between the mother country and the colonies whose economy had rested on slave labour was aggravated by the colonial enactment and imperial disallowance of legislation touching negroes, and by the presence of the magistrates whom London introduced to protect the blacks. The feelings of these colonies toward London were very much like those of the Southern States toward Washington in the era of the Civil War, and London reciprocated.

The official protest of the Jamaican Assembly in 1838 reads like the envenomed charge of an oppressed nation against its oppressor. Parliament had "usurped the legitimate powers of the Assembly" with "monstrous pretexts" supported by "falsehoods and slander"; and was guilty "either of imbecility and cowardice," if yielding to popular pressure, "or of fraud and malice, and a thirst for omnipotent power, if the injustice was the result of deliberation and design." According to this hysterical document, Jamaica would never consent to be ruled by men who had failed to give England decent government, were responsible for Ireland's woes, and had just stirred up rebellion in Canada. The Assembly went on strike; and the home government, following its own recent precedent in dealing with Lower Canada, introduced into Parliament a bill to suspend the Jamaican constitution for five years. This threat, which was made only three months after the publication of Durham's *Report*, was not carried out. But the political troubles of the West Indies increased with their economic troubles, particularly after the British adoption of free trade; and the third quarter of the century saw Jamaica along with most of the other old British sugar colonies reduced to crown colony status.

The winning of self-government by the British North American colonies is a bright contrast to its contemporary decline and fall in the Caribbean colonies; and the legacy of slavery, which hung like a millstone round the neck of the latter, does not account for all the difference. The mere juxtaposition of the United States profoundly affected the constitutional struggle in British North America. The people living right next door in the former colonies were fully self-governing, and this ever present, contagious example greatly stimulated political discontent among their cousins in British North America. It could not be otherwise, particularly in that age of exuberant Jacksonian democracy. This is worth emphasizing because the British tradition in Canada and the rise of Canadian nationalism have since conspired to cover up the infection of British North America by Jacksonian democracy—just as nationalism in the United States has drawn a veil over the fact that Jacksonian democracy was an American expression of a general movement stirring in Western civilization.

The awakening of political democracy in British North America also derived some inspiration from contemporary developments in the Old World, especially from British radicalism; but the inspiration from across

the ocean was much less than that from across the border. Though immigrants from the mother country began to pour into British North America about 1825, the motives that impelled them were economic and social rather than political, and as a rule they became politically conscious only after they had spent a generation establishing themselves in the new land, by which time responsible government was already in operation. Yet it would be a mistake to suppose that the constitutional struggle in these colonies was chiefly the product of the Jacksonian ferment. The spirit of democracy was fostered by conditions that were North American, not just American in the narrow sense of the word; and as these British colonies approached what might be called the adolescent stage, the ancient traditions of political liberty that they had inherited from the mother country urged them to demand self-government.

That the constitutional struggle in British North America should become focused upon securing the cabinet system of government evolved in the mother country has been taken too much for granted. In French Canada, where the struggle broke out long before it did in any other part of British North America, the leaders knew enough about English constitutional history to draw from that armoury the old weapon of impeachment and the newer one of supply; and they cried out for an elected upper chamber, an American institution, in the belief that it would duplicate the Assembly instead of being a check upon it, a belief which was not American but just naïve. Why did they not go straight to the point and demand the adoption of the cabinet system? Why did not William Lyon Mackenzie do it, instead of becoming hypnotized by the American system with its election of the executive as well as of both houses of the legislature, its separation of powers, and its checks and balances? If there was less fumbling in the Maritime Provinces, this may be ascribed not to their superior intelligence but rather to the fact that they were slower to face the problem.

The real solution was first grasped in Upper Canada, by the Baldwins, and this was a remarkable feat when viewed in the light of developments in the mother country. As late as 1832 the House of Lords could and did claim to share with the House of Commons the right to control the Cabinet. Moreover the cabinet system, being an unconscious growth shaped by necessity rather than a conscious creation based on recognized principle, was little understood in England itself until long afterward. To quote Dicey: "Bagehot was the first author who explained in accordance with actual fact the true nature of the Cabinet and its real relation to the Crown and to Parliament. He is, in short, one of those rare teachers who have explained intricate matters with such complete clearness, as to make the public forget what is now so clear ever needed explanation." Bagehot's classic exposition, which came as such a revelation, was published in 1867. How, then, could colonials of the previous generation be expected to have such insight? Yet this is what they had.

A glance at another part of the British Empire—Ireland—throws into bold relief the unwitting influence of the United States in the concession of responsible government. When Grey became Colonial Secretary in

1846, he had imbibed the faith of his brother-in-law Durham, but the other members of the ministry apparently had not. They realized that continued resistance to the colonial demand would sooner or later drive the colonies into revolt, and that no imperial force could then hold them within the Empire because they lay too close to the United States. Haunted by the ghost of the American Revolution, these men believed that the colonies were destined to leave the Empire, and they preferred a peaceful and friendly parting to a violent and bitter one. Very different was their attitude toward Ireland, where a rising demand for self-government paralleled that of the British North American colonies.

On the morrow of O'Connell's triumph in 1829, he started the cry for the repeal of the Union, and in 1832 forty Irish members of the House of Commons were avowed Repealers. By 1840 the Irish leader was losing patience with the British government, and younger Irish politicians were losing patience with him and his moderate methods. Thereupon he revived his tactics of the twenties, organizing a Repeal Association on the model of his earlier Catholic Association, and its almost immediate success restored his ascendancy. In 1843 he seemed to be on the point of winning another great triumph for Ireland, when he planned a huge national demonstration that would impress Peel as he had once impressed Wellington. But Peel, unlike his predecessor, did not wait to be caught. He prohibited the meeting, sent troops to occupy the place where it was to be held, and dispatched ships to guard the Irish coast. This time it was O'Connell who was caught, for to go on with his plan meant committing himself and his followers to open rebellion. He called off the demonstration and thereby lost control of political agitation in Ireland, which then turned to violence as its only hope. It had recently done so in Lower and Upper Canada also, but the 1848 effort to stage a revolution in Ireland had a very different result. The hoped-for aid from France did not come. Ireland was crushed and helpless. No power, European or American, could do for Ireland what the United States had unconsciously done, and was still doing, for British North America.

It is also enlightening to the Canadian historian to look at what was happening in Australia in this period. When Grey took over the Colonial Office a deadlock between executive and legislature had been reached in Sydney, but he was not willing to make in Australia a surrender that seemed inevitable in America. The executive in New South Wales possessed a financial independence that had been lost in Canada, and there was no neighbouring United States on the other side of the world. In 1850 Grey fathered the important Australian Colonies Government Act, which extended representative government to the Australian colonies generally and permitted them to draft new constitutions for themselves. The Act evoked loud and bitter protests from New South Wales because it did not give responsible government. To the end of his term of office, Grey refused to yield the power of the purse to the Australian colonies, because he believed it would make them independent states. It was not until after the fall of his government that the principle of responsible government was conceded in Australia, to come into force with the

launching of the new constitutions. Meanwhile gold was transforming Australia, multiplying its population and democratizing its government.

The gold rush, which began in 1851, also produced Australia's only armed revolt. It occurred toward the end of 1854 in the mining camp of Ballarat over the exaction of a licence fee of thirty shillings a month from every digger. Determined to pay no longer, the miners made a grand bonfire of their licences; and, threatened by a "digger hunt" in which they would be ordered to show their licences, they stockaded themselves, hoisted a blue flag bearing the Southern Cross, proclaimed the Republic of Victoria, and took pot shots at a nearby military camp. Soldiers and police stormed the stockade, losing four men and killing thirty rebels. That was the end of the revolt, and of the hated licences.

But more interesting and significant was a peaceful preliminary to this rising. It was the formation of the Ballarat Reform League which, in addition to insisting on the withdrawal of the licences, demanded manhood suffrage, the abolition of property qualifications for members of the legislature, the payment of members, and frequent elections. It was no mere coincidence that these were four of the six reforms in the programme of the English Chartists. There is also a connection between the abortive Republic of Victoria and the pathetic attempt of 1848 to set up a republic in Ireland. The Ballarat insurgents were led by an Irishman and they included many other sturdy sons of Erin. Though the great majority of the immigrants came from the British Isles, they were no more a cross-section of the society that they left behind than were the British immigrants who built up British North America. These new Australians were largely representative of those sections of the population in their homeland whose spell of revolutionary fever, whether Chartist or Irish, had collapsed in 1848.

Political discontent strongly coloured the migration from the British Isles during these years. Then Irish republicanism took root and flourished in the United States, where the atmosphere was more congenial to it than in any of the British colonies. Chartism, on the other hand, was not anti-British, and what was left of it migrated to Australia. One may wonder why it did not turn up in British North America too, but the explanation is simple. Here democratic freedom was already established, whereas in Australia it was not.

By a coincidence that was quite fortuitous, the gold rush to Australia occurred at the very time when the Australian colonies were drafting their new constitutions, and the squatter aristocracy were using their control of the legislatures to perpetuate their own political power. It was a crucial turning-point in the history of the continent. The constitutions that emerged from the squatter mould had no time to harden before the lure of gold swamped the country with a population that was strongly imbued with Chartist principles. The introduction of this democratic force quickly altered the shape of the new constitutions. By 1890 all the Australian colonies had enacted most of the Chartist programme.

Another Australian contrast that deserves Canadian attention was the attempt of the Australians to launch responsible government with a

statutory definition of the distinction between reserved imperial powers and transferred colonial powers. This question had not been raised when the British North American colonies achieved responsible government, for they were then not concerned with preparing written constitutions and there was no need to discuss the issue. But the first draft constitutions that London received from Australia all contained clauses that would divide sovereignty and make the colonial legislatures absolutely supreme in their own spheres. The Colonial Office was inclined to accept these clauses and to have Parliament adopt the drafts as they stood. It was not until the law officers of the Crown pointed out that such parliamentary action would mean "a total abandonment by the Home Government of any right to interfere directly or indirectly with any colonial legislation whatever, except within the narrow circle" of the reserved imperial powers, that the Colonial Office drew back and decided that the novel clauses must go. These clauses would have inserted into the constitutional relations between the colonies and the mother country a legal rigidity that would have cramped the growth of colonial autonomy, which was then conceived quite narrowly. The adverse decision, in which the Australians acquiesced, was made in the interests of the imperial government, but it operated in favour of colonial governments generally.

It should also be interesting to students of Canadian development to observe that, shortly after the gold rush, Australian society became set in a pattern very different from that of contemporary North America. The swollen population of the gold fields shrank in the late fifties, as the surface deposits were being worked out. The stranded diggers turned to make a living by tilling the soil. But when they looked around for land, they found that most of it was locked up by leases held by the squatters, the big ranchers. Then began a powerful political drive to throw open the land for agricultural settlement on such easy terms that any man might there establish his own independence—as on this continent. The squatters lost the initial round of the battle over the land because they had lost the political battle of the fifties. Democratic legislation overrode their leases and gave anyone who wanted to farm the right to select his own land.

This legislation precipitated a conflict similar to that which was later fought between the cattlemen and the dirt farmers of the semi-arid American West. There seems to have been less violence but more fraud in the Australian struggle. The fraud was notorious, and the government did little or nothing to check it, because too many people were interested in it. Strangers wandered at will over squatters' holdings and picked choice patches, the selection of which would ruin flock-masters by depriving sheep of access to scarce water. Too often the intruders did it merely to force the squatters to buy them out. To checkmate this racket, known as "peacocking," and also to defeat honest selectors, the squatters developed a racket of their own, called "dummying," which turned the selection laws upside down. Using hired dummies as well as their own families, including two-year-old children, the squatters picked the eyes of their own runs and thus acquired outright ownership of the vital parts

of their own holdings. The impetus of the struggle also carried many squatters on to take advantage of an earlier law that permitted them to purchase what they were renting from the government. So it came to pass that the land was locked up more securely than ever.

The price of the ultimate squatter victory was heavy. As the contest dragged on through the sixties and seventies, the pastoral industry had to pay out a great deal of cash in order to buy security, which meant that it had to find much additional capital. This the banks supplied, and, as a result, the industry emerged with a debt that has burdened it to our own day. Another legacy of those unhappy years was the practical exclusion from public life of the most substantial class of men in the country.

Australia has missed the balancing influence that the small independent farmer gave to society on this continent. The population of Australia, unlike that of North America, has been predominantly urban since the early sixties. The failure to spread the people over the land forced the development of native manufactures for domestic consumption. Thus the cleavage between labour and capital was much more pronounced in Australia than in North America. Even farming was more capitalist, while the grazing, mining, and manufacturing industries were wholly capitalist. The average Australian was not his own economic boss. He was a wage-earner, like the average native of Britain, whence he had recently come. It was therefore doubly natural that the labour movement of the mother country should project itself bodily into Australian society. Before the gold rush there was very little trade unionism in Australia. When the rush subsided there was much of it.

The reason for this Australian pattern of life lies deeper than any squatter villainy or governmental laxity, and it may teach us a wholesome lesson in humility, with which I shall close these rambling remarks. Even the strictest enforcement of the conditions that the selection laws prescribed could not have made Australia a land of democratic agriculture. Heaven had decreed otherwise, by withholding the necessary rainfall. What the squatters prevented was really an attempt to break up their great pastoral estates for the sake of planting a few small farmers on the occasional pieces that could grow crops, which would have been more wasteful than the extravagant slaughter of the buffalo on our plains for the sake of their delicious tongues. It was not for lack of trying that Australians failed to build a society founded on democratic agriculture. Our forbears, on the other hand, did it almost unconsciously. They could hardly help it, sharing as they did in the development of the largest and richest and solidest agricultural region of the world. A little knowledge of contrasting Australian experience thus brings out the fact that the pattern of life which we inherited, and which has been a source of no little pride, was shaped more by nature and less by man than we have been wont to admit.