

CHAPTER 1

1840-1896

*Development of
Canadian federalism*

PART 5

British North America Act

British North America, 1840



The Shape of Canada in 1867

- Ontario
- Quebec
- New Brunswick
- Nova Scotia
- British Possessions



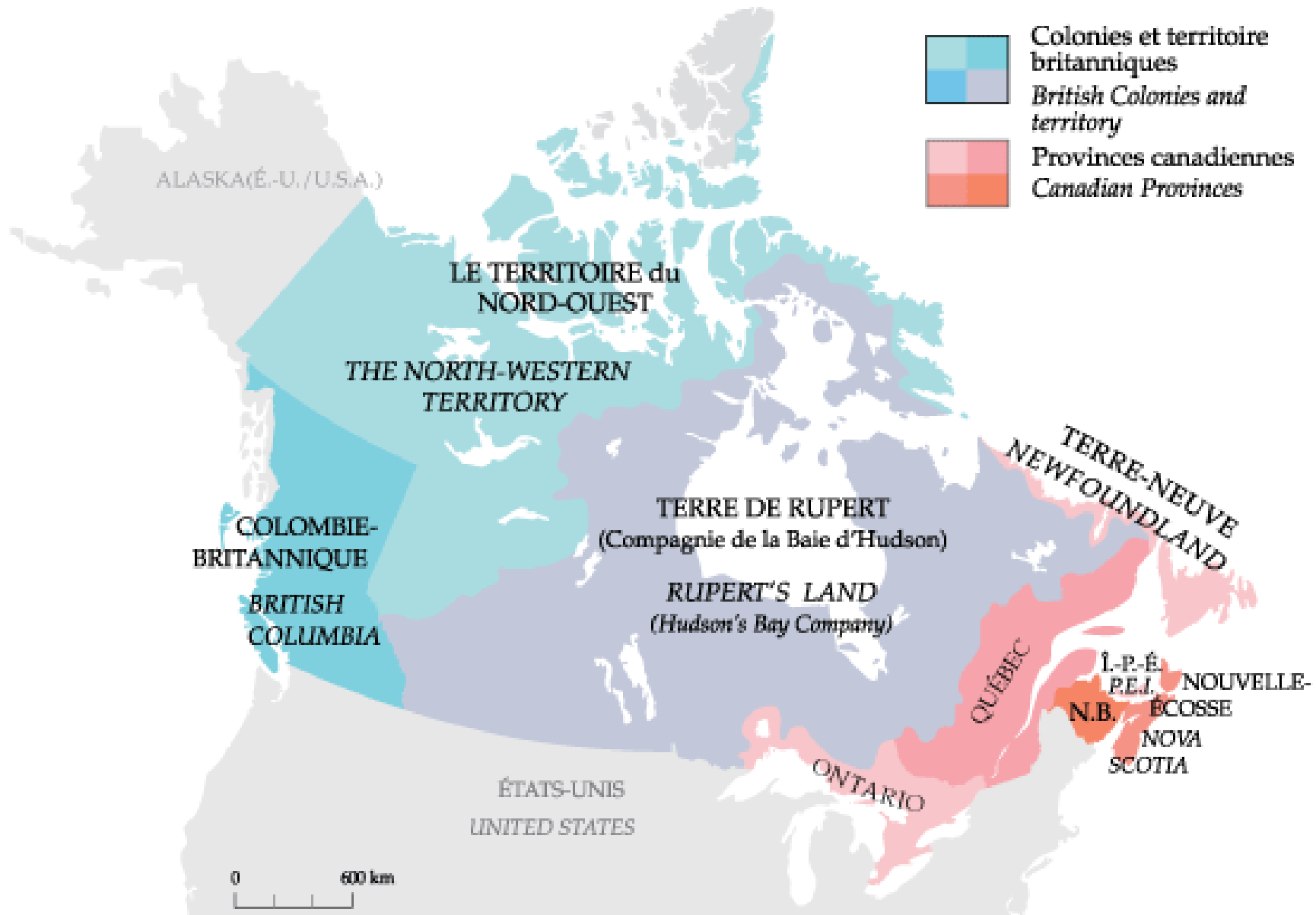
On July 1st 1867, they became the four provinces of the federation called the Dominion of Canada.

Canada's official motto, carried on its coat of arms, is *A Mari usque ad Mare* ("From Sea to Sea").

The phrase began during **Confederation talks** as an aspirational statement, before Canada encompassed enough territory to make it a reality.



British North American territories in 1867



Territory of the Dominion of Canada

- 4 provinces: **Ontario, Québec, New Brunswick and Nova Scotia**
 - Capital city: **Ottawa** (in Ontario)
 - In 1870, Canada purchased Rupert's Land and the North-Western Territory for \$1.5 million from the Hudson's Bay Company:
 - to prevent the Americans from acquiring the land (the US had purchased Alaska from Russia in 1867)
 - to have new land to offer settlers and new immigrants
 - to expand Canada's domestic market and fuel its economic development.
- Canada renamed the land the “**Northwest Territories**”.

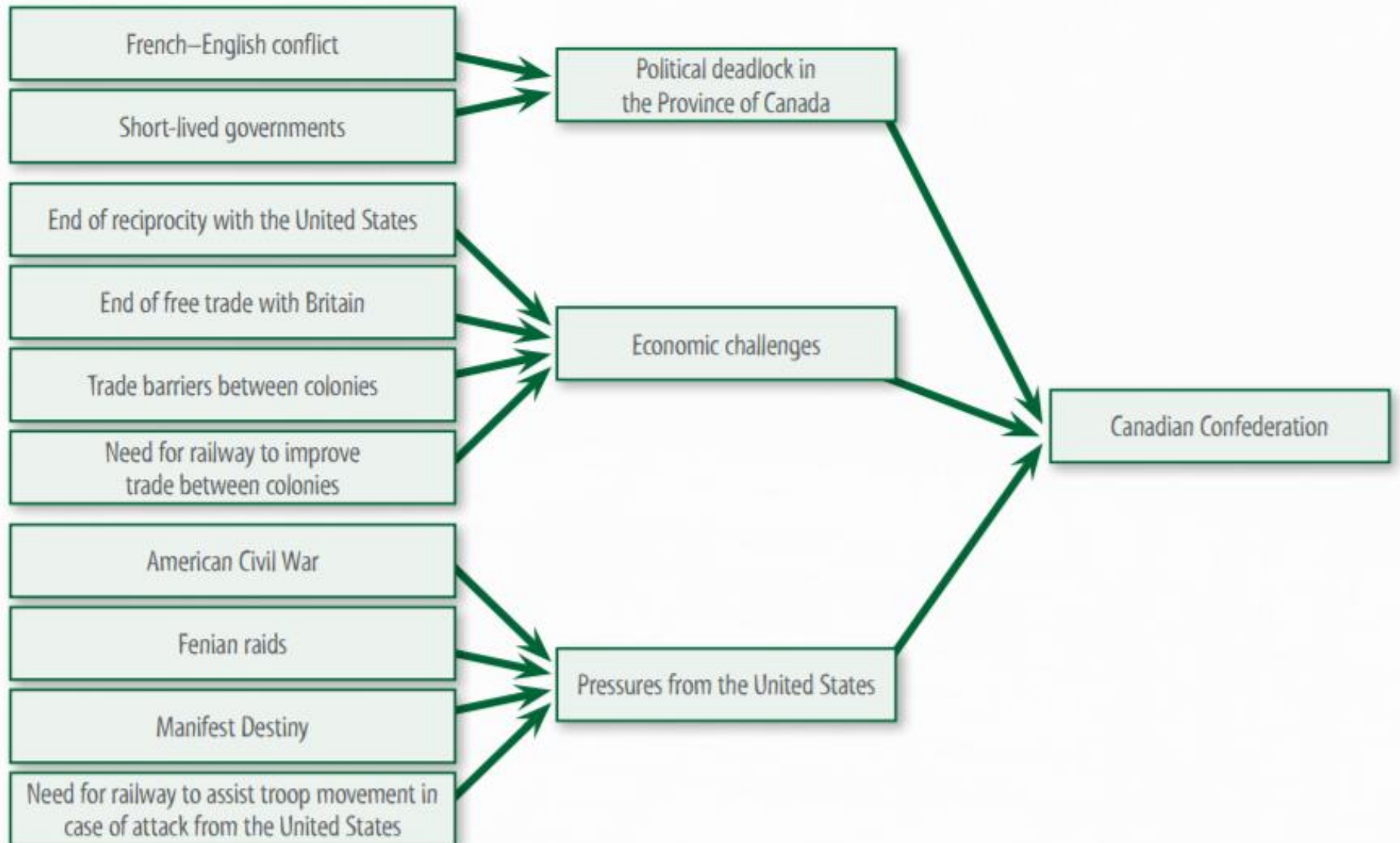
The evolution of the territory of the provinces in Canada



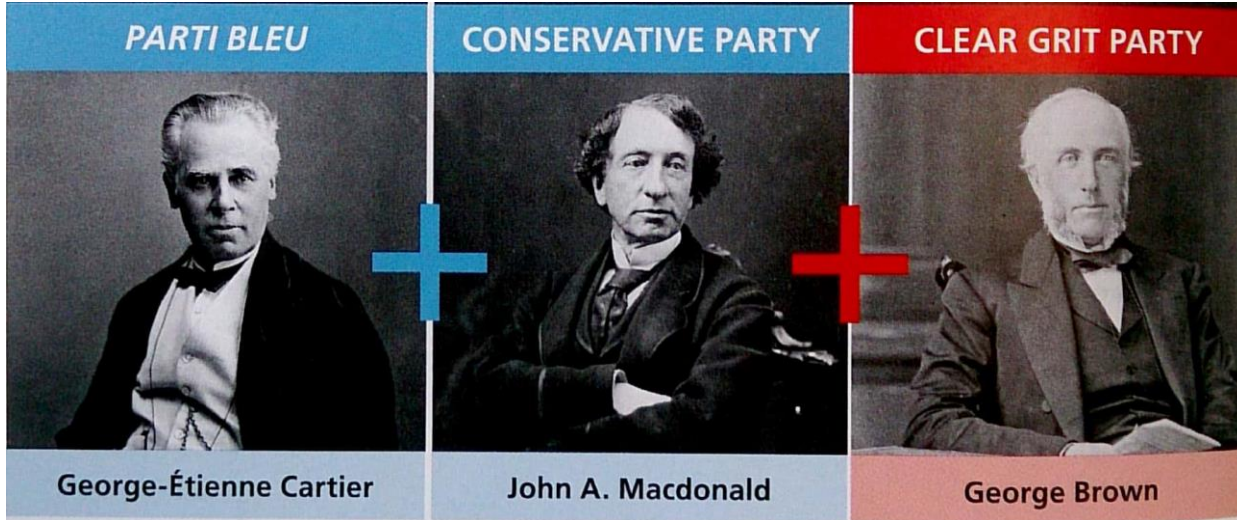


- Ontario (1867)
- Québec (1867)
- New Brunswick (1867)
- Nova Scotia (1867)
- Northwest Territories (1870)
- Manitoba (1870)
- British Columbia (1871)
- Prince Edward Island (1873)
- Yukon Territory (1898)
- Alberta (1905)
- Saskatchewan (1905)
- Newfoundland (1949)
- Nunavut Territory (1999)

Why was the **Dominion of Canada** formed?



Great Coalition (1864)



Coalition government

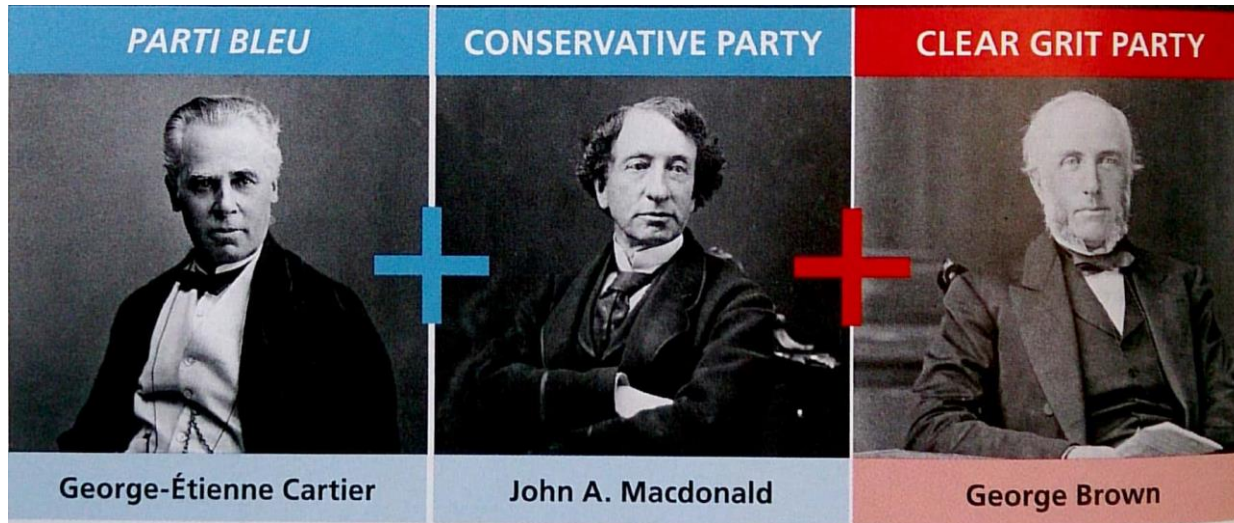
An alliance formed by members of different political parties to work toward a common goal or cause.

- **George Brown** (leader of the Clear Grits) proposed the creation of a **coalition government** with **John A. Macdonald** (leader of the Conservatives in Canada West) and **George-Étienne Cartier** (leader of the *Parti bleu* in Canada East).
- **George Brown** hoped to:
 - 1) put an end to the political deadlock
 - 2) establish a federal union of the two regions of the Province of Canada, Canada East and Canada West.

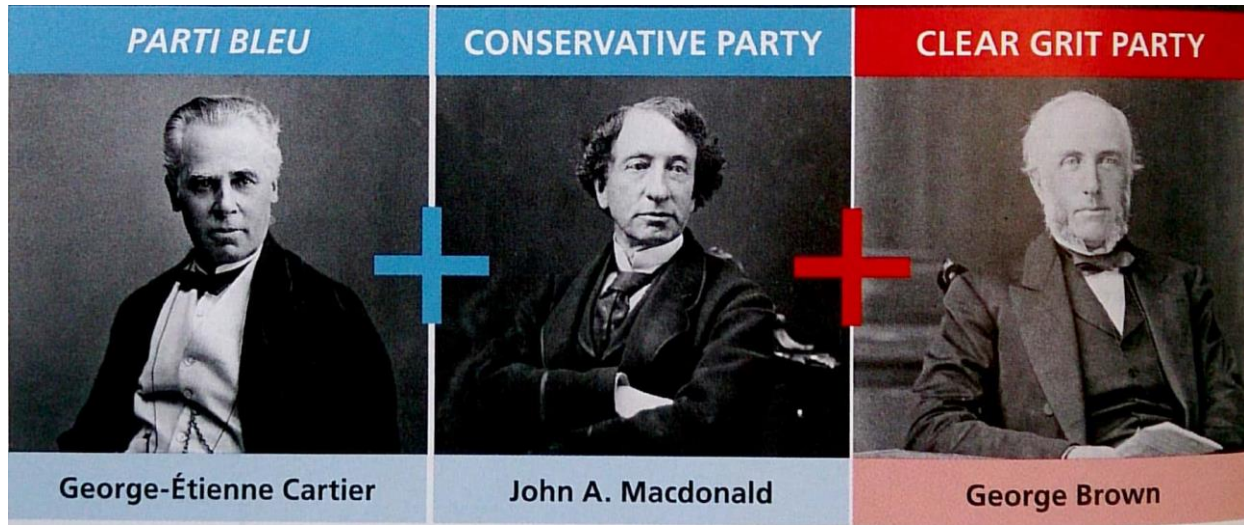
Great Coalition (1864)

The 3 leaders came to an agreement known as the **Great Coalition**:

- 1) **"Rep by pop"**, meaning that the number of elected representatives would be proportional to the population
- 2) **Increased power for the federal (or central) government**
- 3) **A provincial government with the power to legislate education** so that French Canadians could protect their language and religion.



Great Coalition (1864)



The coalition government introduced the idea of a **confederation** of all the British North American colonies to:

- 1) create a large economic unit
- 2) improve their defense against the USA.

But first, they would have to convince the governments of the other colonies...

Charlottetown Conference (September 1864)



Québec Conference (October 1864)



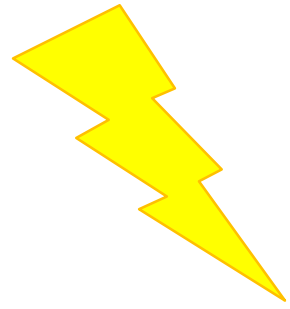
[VIDEO](#)

The Fathers of Confederation. This painting by Rex Woods was completed in 1969. It is inspired by the 1883 Robert Harris work, which was destroyed in the 1916 Parliament Hill fire.

	CHARLOTTETOWN CONFERENCE	QUÉBEC CONFERENCE
When was it held?	September 1864	October 1864
How long did it last?	3 days	3 weeks
Which colonies were represented?	<ul style="list-style-type: none"> - Nova Scotia - New Brunswick 	<ul style="list-style-type: none"> - P.E.I. * - United Canada
What was its main purpose?	Discuss a maritime union.	Negotiate a larger federal union and lay out a framework for the country's future constitution.
What was decided?	<p><u>The conference delegates:</u></p> <ul style="list-style-type: none"> - agreed to consider a centralized federation, in which the federal government would hold the most important powers - agreed to meet again at Québec. 	<p><u>72 RESOLUTIONS:</u></p> <ul style="list-style-type: none"> - Legislative power made up of 2 bodies: <ol style="list-style-type: none"> 1) House of Commons ("rep by pop") 2) Senate (72 appointed members) - Federal union with a strong central government (unlimited powers of taxation) - Construction of the Intercolonial Railway to strengthen economic and political ties.

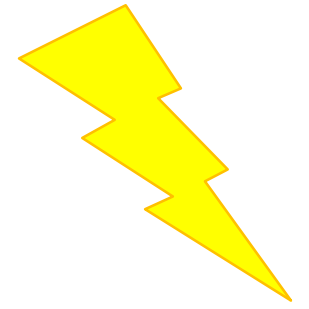
London Conference (Dec. 1866 – March 1867)

- In 1866, delegates from United Canada, NB and NS travelled to London to finalize the project of confederation with their 72 Resolutions in hand.
- London had been worried about the cost of defending the colonies against a potential US aggression. Confederation meant that Canada would have to pay for their own military.



London Conference

(Dec. 1866 – March 1867)



- British Parliament passed our 5th constitution, the ***British North America Act (BNA Act)***, signed by Queen Victoria.
- The *BNA Act* established the **Canadian federation** under the name **Dominion of Canada** with 4 provinces: **Ontario, Québec, New Brunswick and Nova Scotia**.
- The *BNA Act* set the framework of the operation of the Government of Canada.
- The *BNA Act* was proclaimed into law on **July 1, 1867** (Canada Day).

London Conference (Dec. 1866 – March 1867)



*John David
Kelly,
circa 1889*

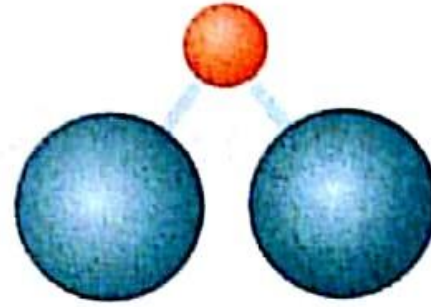
Federation OR Confederation?

- Although the men who negotiated the union of British North American colonies are referred to as the “Fathers of Confederation”, since 1867, Canada has in fact been a **FEDERATION** (like Germany and the USA)!!!
- Power is shared between 2 levels of government:
 - **Federal government**
 - **Provincial governments** --> they generally hold **less power**

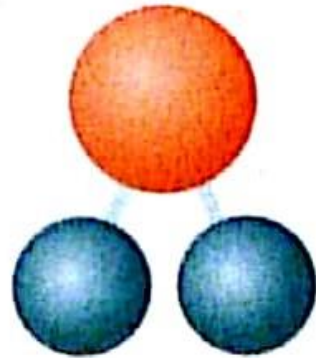
Legislative union
or unitary state



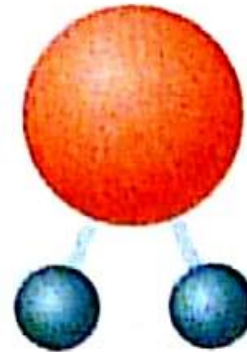
Confederation




Decentralized federation




Centralized federation



Legend

 Unitary or federal power

 Regional or provincial power

Colonies' reactions

After the Québec Conference, the delegates tried to get the 72 Resolutions approved by their respective parliaments.

YES TO A FEDERAL UNION

- **United Canada** (although the *Parti rouge* in Canada East strongly opposed it, fearing a French Canadian minority)
- **New Brunswick**
- **Nova Scotia**

NO TO A FEDERAL UNION

- **Newfoundland**
 - They didn't want to pay for an Intercolonial Railway that would not benefit them
- **Prince Edward Island**
 - They didn't want to pay for an Intercolonial Railway that would not benefit them

Fathers of our federation



WHAT GROUPS OF PEOPLE IN BRITISH NORTH AMERICA ARE NOT REPRESENTED IN THIS PAINTING?

Fathers of our federation

- The 36 men who represented British North American colonies at one or more of the conferences like George Brown, George-Étienne Cartier and John A. Macdonald.
- Men instrumental in:
 - the creation of Manitoba like Louis Riel
 - bringing British Columbia (Amor de Cosmos) and Newfoundland and Labrador (Joey Smallwood) into the Canadian federation
 - the creation of Nunavut like Tagak Curley.

Mothers of our federation?

- Women at this time were not considered persons under the law. They did not have rights of their own. They belonged to their fathers until they got married and then became the property of their husbands.
- Women were taught that they did not have a place in government despite the important segment of the population they represented.
- **Therefore, they were excluded from any of the discussions.**

Mothers of our federation?

- The wives and daughters of the original 36 men. Their role in the social gatherings were a vital part of the Charlottetown, Québec and London Conferences like Mercy Coles, the daughter of PEI Premier George Coles.



*Province Hall Ball
1864 by contemporary
artist Dusan Kadlec.*

Indigenous perspectives on federation

- Most delegates did not see them as important partners. They believed that Indigenous peoples were going to become extinct.
- Despite their relationship with the British Crown since 1763 and their rights to land, Indigenous peoples' interests were not taken into account.
- **Therefore, the voices of First Nations, Métis, and Inuit peoples were not represented at the Conferences.**
- **They became the responsibility of the federal government under the *BNA Act* of 1867.**

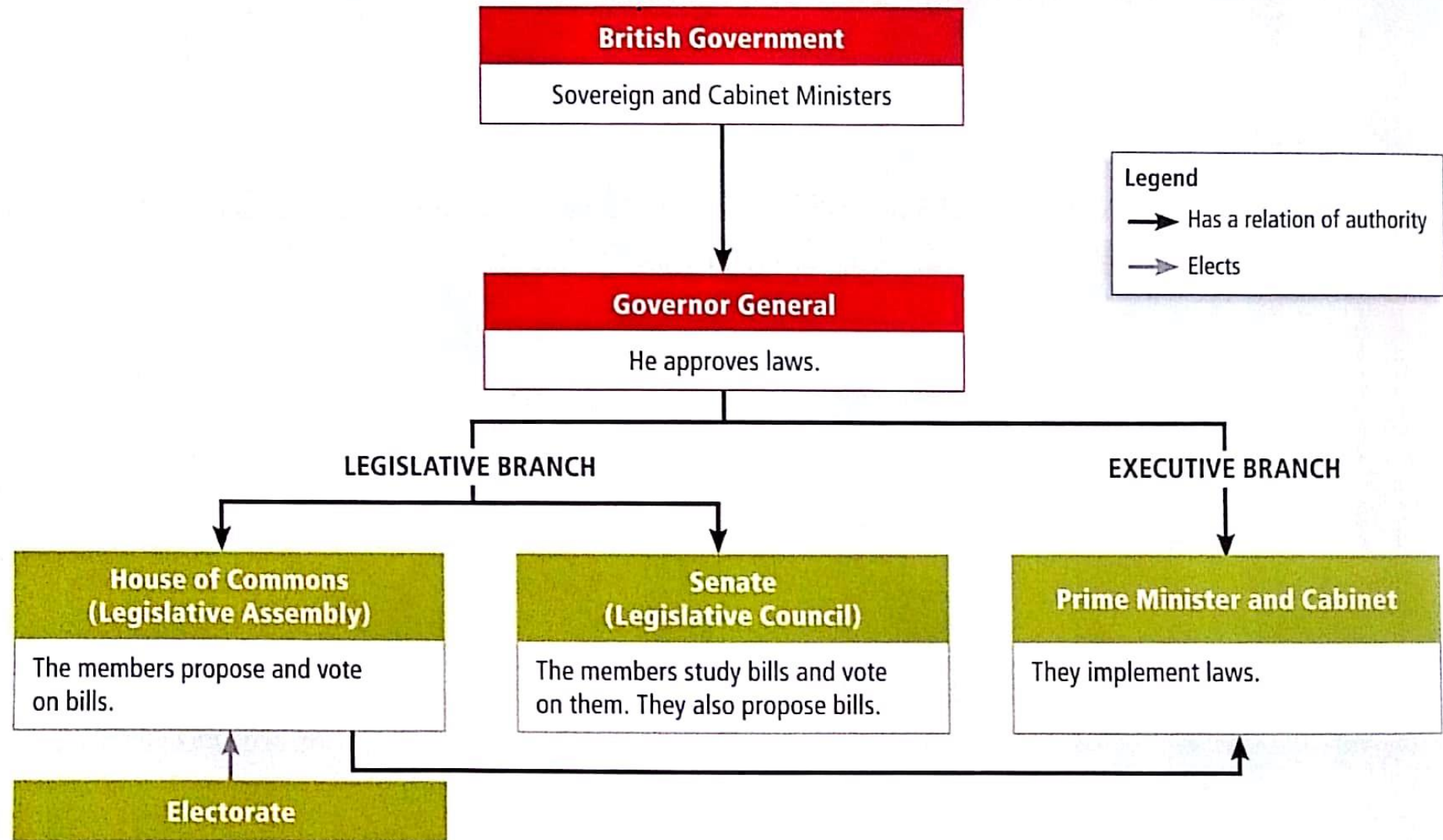
Structure of Canadian federalism

Under the *BNA Act* of 1867:

- “Dominion of Canada”
- Constitutional monarchy
 - Canada was still under the authority of the British monarch and the British Parliament
 - Canada managed its own finances and internal affairs
 - The United Kingdom controlled Canada’s external relations.
- The 4 provinces (ON, QC, NB and NS) had a similar but smaller government structure as Canada.

UNITED KINGDOM

CANADA



The title of head of state held by the British sovereign was symbolic. Within the Dominion, the prime minister and the Cabinet held most of the power.

In 2019, Canada is a **federal state** with:

- one central **federal government**, the Government of Canada, with a Prime Minister as the head of government
- ten **provincial governments** (e.g. Québec Government) and three **territorial governments** (e.g. Yukon Government) with Premiers as heads of government. The responsibilities of territorial governments are given to them by the federal government
- there are also **municipal governments** based in cities, towns or districts (e.g. Montréal) with Mayors as leaders, and **band councils** which govern First Nations communities (e.g. Mohawk Council of Kahnawà:ke) with Grands Chiefs as leaders.

The **British monarch** (Queen or King of the UK) is represented in Canada by the **Governor General** who is chosen by the Prime Minister of Canada and appointed by the monarch



Queen Elizabeth II (for 66 years)



Julie Payette, Governor General (29th)



**Justin Trudeau,
Prime Minister
(PM) of Canada
(23rd)**

Elected in 2015
(majority gov.)

Re-elected in 2019
(minority gov.)



François
LEGAULT
L'ASSOMPTION

AGENTE OFFICIELLE ROXANNE RINFRET

**François Legault,
Premier of
Québec (32nd)**

**Elected in 2018
(majority gov.)**



**Valérie Plante,
Mayor of
Montréal (45th)**

Elected in 2017

The Canadian Reg Ensign (1868-1965)



The flag of the Dominion of Canada was composed of the Red Ensign (the flag of the British navy), and Canada's coat of arms. In the upper left corner is the Union Jack, the flag of the United Kingdom.



**First Prime Minister of Canada: John A. Macdonald, Conservative Party
(1867-1873, 1878-1891 – died in office)**