Manifest Destiny

James W.J. Bowden

The *Globe and Mail* prides itself on being the newspaper of record, much as does The Times. It is not an undeserved appellation. The *Globe and Mail*'s archives, including those of its predecessor, *The Globe*, provide an excellent historical resource for the daily goings on of the Province of Canada and Dominion of Canada from 1844 onward. Like almost all newspapers of the 19th century, George Brown founded *The Globe* in order to advance ideas and principles — in this case, Whiggish, or classical liberal, ideas like Responsible Government and Representation by Population. The paper supported the Clear Grits and, later, the Liberal Party, and indeed, George Brown was himself a Liberal M.P.

On the sesquicentennial of Confederation, the *Globe and Mail* released for its subscribers the edition of *The Globe* which appeared on 1 July 1867. George Brown had written a 9,000-word essay on the history of British North America from 1791 to 1867 and what Confederation would achieve. Brown referred to 1 July 1867 — but not 1 July in general — as "Confederation Day." Official recognition for our national day came later, in 1879, when Parliament first enacted "Dominion Day" into statute, after it had already gained popularity informally and by convention.

Brown's Vision

Brown's essay hearkens back to his contributions to the Confederation Debates, particularly in how he articulated an Upper Canadian equivalent to American "Manifest Destiny" and saw the Dominion of Canada as a vehicle for turning British North America into a trans-continental three-ocean country — though perhaps Canada's destiny was slightly less obvious (i.e., manifest) than America's. Brown gave his most prominent and famous speech of the Confederation *Debates* on 8 February 1865, as one part of the tripartite Grand Coalition that also included Sir John A. Macdonald and Sir George-Etienne Cartier. He outlined a grand vision for what a federal union of British North America could achieve, namely a country that could rival the United States in attracting European settlers.

Our scheme is to establish a government that will seek to turn the tide of European emigration into this northern half of the American continent — that will strive to develop its great natural resources — and that will endeavour to maintain liberty, and justice, and Christianity throughout the land.

Knowing what we do about parliamentary debates, we may interpret the interventions of T.C. Wallbridge and George-Etienne Cartier as mockery of Brown's grandiosity. After Wallbridge sarcastically asks Brown, "When?," as in, "when will the object of your grandiose ramblings be achieved?," Brown replied thus:

Sir, the whole great ends of this Confederation may not be realized in the lifetime of many who now hear me. We imagine now that such a structure can be built in a month or in a year. What we propose now is but to lay the foundations of the structure — to set in motion the governmental machinery that will one day, we trust, extend from the Atlantic to the Pacific.

In *The Globe*, Brown reiterates on 1 July 1867, "Confederation Day," his vision of Canada's Manifest Destiny:

> The history of Old Canada, with its contracted bounds and limited divisions of Upper and Lower, West and East, has been completed, and this day a new volume is opened, New Brunswick and Nova Scotia uniting with Ontario and Quebec, to make the history of a greater Canada, already extending from the [Atlantic] ocean to the headwaters of the Great Lakes, and destined ere long to embrace the larger half of this North American Continent from the Atlantic to the Pacific.

But Brown did not content himself with lofty pronouncements. He advocated specific, realistic, achievable policies through which the future federal government could turn the Dominion of Canada into a trans-continental country, namely through building infrastructure, attracting mass immigration, and settling those immigrants in homesteads. And this is precisely what the Macdonald and Laurier governments did: Macdonald fulfilled British Columbia's Terms of Union and shepherded construction of the Canadian Pacific Railway (even after his false start in 1873 and the Pacific Scandal which brought down his penultimate ministry that November), which, in turn, paved the way for the *Dominion Lands Act* of 1872, a direct Canadian equivalent of, and counter-weight to, the American *Homestead Act* of 1862; Laurier continued and perfected these policies, commissioning the construction of two additional trans-continental railways, and, along with his able Minister, Sir Clifford Sifton, attracted hundreds of thousands more immigrants to settle the Prairie Provinces, two of which Parliament created under his watch in 1905.

George Brown himself had clearly set out these policies in this speech in 1865. He pointed out that Canada already boasted public works (what we would today call infrastructure) far superior to that of the United States at its Union, partially, of course, because of technological advances but also because of deliberate policy.

Sadly, one of Brown's predictions did not come to fruition as it should have: free trade between the provinces. "I go heartily for the union," he said, "because it will throw down the barriers of trade and give us control of a market of four millions of people."

If only that were so! Then we would not need the Agreement on Internal Trade of 1995, the Canada New West Partnership (originally the TILMA of 2003), or the Canadian Free Trade Agreement of 2017. Nor would the Supreme Court contrive a ruling in *R. v Comeau* against the plain meaning of section 121 of the *Constitution Act, 1867* that, "All Articles of the Growth, Produce, or Manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces" and declare instead that provinces can impose bans on importation of alcohol against each other. And nor would the Government of Canada abdicate its authority over inter-provincial commerce and allow British Columbia to veto the infrastructural projects and investments of Alberta.

Expansion and Hegemony

The fourth clause of the preamble of the *British North America Act, 1867* says, "And whereas it is expedient that Provision be made for the eventual Admission into the Union of other Parts of British North America." Section 146 then provides for the eventual admission of Newfoundland, Prince Edward Island, Rupert's Land, the North-western Territory, and British Columbia into the Union. Imperial Orders-in-Council transferred British Columbia and Prince Edward Island to the Dominion of Canada in 1871 and 1873, respectively. An Imperial Order-in-Council in 1870 transferred both Rupert's Land and the North-western Territory to the Dominion of Canada, and another Imperial Order-in-Council from 1880 then completed the annexation of all other "British possessions and Territories in North America and islands adjacent thereto" (i.e., the Arctic Archipelago) to the Dominion of Canada. These territories gave rise to the northern parts of Quebec and Ontario, as well as all of Manitoba, Saskatchewan, Alberta, Yukon, the Northwest Territories, and Nunavut. The Parliament of Canada legislated Manitoba into existence in 1870, and it also carved Saskatchewan and Alberta out of the Northwest Territories in 1905. Newfoundland and Labrador then joined the Union in 1949 in accordance with an amendment to the *British North America Act* passed by the Westminster Parliament.

All of the aforesaid Imperial Orders-in-Council and statutes and Canadian statutes ultimately flowed from the authority of section 146; they now form part of the Constitution of Canada and are enumerated in the schedule to the *Constitution Acts*.

This Canadian Manifest Destiny meant not only that the Dominion of Canada would become a trans-continental, three-ocean country; it also involved an ideological principle and promoting a common form of government across British North America, analogous to the

Guarantee Clause of the U.S. Constitution by which "The United States shall guarantee to every State in this Union a Republican Form of Government." Section 90 of the *British North America Act* extended the principle that all money bills must be introduced in the elective lower house and the Royal Recommendation (codified in sections 53 and 54 for the Parliament of Canada) to the provincial legislatures. The principles contained in sections 53 and 54 are necessary conditions for Responsible Government itself: money bills must be introduced by the people's elected representatives in the House of Commons and that the Ministry must take responsibility for, and therefore give sanction to, all money bills through Royal Recommendation.

The Royal Recommendation ensures that Ministers of the Crown (the executive) take responsibility for all proposed spending and that Parliament (the legislature), which must ultimately approve any proposed spending, controls the purse. In other words, only the people's elected representatives can introduce bills that would levy tax or grant expenditures, and that bill can only proceed if the executive wishes to take responsibility for it.

In his famous (or infamous) *Report*, Durham recommended adopting the Royal Recommendation as the antidote to what he called "tacking," the practice through which individual MPs proposed capital expenditures which benefited mostly or solely their own constituencies. If that sounds like a standard critique of pork-barrelling or log-rolling in the United States Congress, that is no coincidence. Lord Durham referred to the Origination Principle and Royal Recommendation as "the real protection of the people" because this tandem ensures that Parliament only approves appropriations which have the support of a majority of elected MPs, and thus those who represent the majority of the people. The Royal Recommendation also ties neatly into George Brown's crusade for Representation by Population within the House of Commons: the most populous provinces which contribute the most tax revenue would exert the most influence over expenditure. Finally, the Royal Recommendation also enshrines the Whiggish principles of good government by inextricably linking taxation, representation, and expenditure together.

By entrenching the elected lower house's control of the purse and the executive's control over Royal Recommendation, section 90 of the *British North America Act, 1867* guarantees that all prospective provinces of the Dominion will operate under Responsible Government. In fact, Sir John A. Macdonald himself left no doubt that this is precisely what section 90 means; on 6 February 1865, he explained:

> We have introduced all those provisions which are necessary in order to [allow] the full working out of the British Constitution in these provinces. We provide that there shall be no money votes, unless those votes are introduced in the popular branch of the legislature on the authority of the responsible advisors to the Crown [...].

Section 90 of the *British North America Act*, 1867 says:

> 90. The following Provisions of this Act respecting the Parliament of Canada, namely, — the Provisions relating to Appropriation and Tax Bills, the Recommendation of Money Votes, the Assent to Bills, the Disallowance of Acts, and the Signification of Pleasure on Bills reserved, — shall extend and apply to the Legislatures of the several Provinces [...].

Section 90 guarantees all provinces the blessings of Responsible Government, without which no province could exercise its jurisdiction and heads of legislative power contained in section 92 of the *British North America Act*; instead, they would be reduced to a territory administered by a Commissioner appointed by the federal government. While the federal executive and the Parliament of Canada can and have granted the three modern territories heads of legislative power and Responsible Government or Consensus Government, these are devolved authorities akin to the devolved assemblies in Scotland and Wales and are neither constitutionally entrenched nor guaranteed like the authority and heads of power of the provinces. This principle, whereby the *British North America Act* spread an *ideological* guarantee to all British North America, is most readily demonstrated in the Terms

of Union of British Columbia and Newfoundland and Labrador. Since British Columbia had not been granted Responsible Government by the Colonial Office before Confederation, its Terms of Union specified that it should achieve Responsible Government soon after Confederation in 1871. The Macdonald government then reiterated and operationalized this pledge in the letters and instructions issued to the first Lieutenant-Governor of British Columbia. Similarly, Newfoundland and Labrador's Terms of Union restored Responsible Government, which had been in abeyance since 1934, as a condition of joining Confederation in 1949.

One could be forgiven for mistaking Brown's speech for that of an American politician of the same era extolling the virtues of what Americans call their "Manifest Destiny." George Brown even sounded like John O'Sullivan, the American newspaper editor who first coined the term in 1845. O'Sullivan promoted the annexation of Texas and Oregon (territories which corresponded not merely to the borders of those states by the same names, but rather to the western third of the Continental United States) and argued:

And that claim is by the right of our manifest destiny to overspread and to possess the whole of the continent which Providence has given us for the development of the great experiment of liberty and federated self-government entrusted to us.

Like O'Sullivan, of whom he had likely heard, Brown was a newspaper editor and proprietor; he followed American politics keenly. However, it seems that neither O'Sullivan nor Brown originated the concept.

Americans tend to think of their history of settlement as unique — dare I say, exceptional? — but it is not. American Manifest Destiny is more likely a sub-set of an over-arching Imperial ethos — "the civilizing mission" as the British and French then called it, and the "muscular Christianity," as it was often called, of the era — shared by white settler populations in all European empires throughout the 19th century. The brand of manifest destiny that O'Sullivan and Brown expressed corresponds to the Second Great Awakening in the United States and a broader evangelical Protestant revivalism throughout the English-speaking world during the Victorian Era. America was and is no different. This mid-19th century trend was spurred by the Industrial Revolution and Stephenson's steam-locomotive and railway in particular, which provided a means of opening up and settling North America and Australia at rates unthinkable in the pre-industrial 18th century. Brown championed this trend and wanted to secure Canada's Dominion as against America's. Sadly, Canada's destiny was not so obvious as that of the United States; even in 2018, we still have not achieved Brown's vision of internal free trade and a proper economic union.

Notes

1. James W.J. Bowden, "'Dominion': A Lament," *The Dorchester Review* 5:2 (Autumn-Winter 2015): 58-64.
2 Ajzenstat, et al., *Canada's Founding Debates*, 133.
3. Ibid.
4. George Brown, "Confederation Day: The Dominion of Canada — Historical Notes, How Confederation Has Been Brought About, Statistics of the United Provinces," *The Globe*, vol. 24, no. 156, 1 July 1867.
5. Ajzenstat et al. 2003,134-136.
6. Ibid., 134.
7. Ibid.
8. Peter Hogg, *Constitutional Law of Canada*, 2nd ed. (Toronto: Carswell, 1985), 31.
9. Schedule to the *Constitution Act, 1982*.
10. United States Constitution, Article IV, Section 4. And by "United States," the section means the federal order of government in Washington, D.C.
11. Ajzenstat, *The Once and Future Canadian Democracy*, 65-67; Dennis Baker, "'The Real Protection of the People': The Royal Recommendation and Responsible Government," *Journal of Parliamentary and Political Law* 4 (2010).
12. Durham Report (Ridgways 1839 edition), 211.
13. Ajzenstat et al., 71.
14. Ibid., 32-35, 32n., 35n.
15. Maurice Ollivier, "British Columbia's Terms of Union," in *British North America Acts and Selected Statutes, 1867-1962* (Ottawa: Parliament of Canada, 1962), 178.
16. Hogg, 33.
17. Hogg, 35; Ollivier, 247.
18. Shane Mountjoy, *Manifest Destiny: Westward Expansion* (New York: Chelsea House, 2009), 9-10.