A large, sepia-toned portrait of Alexander Galt, a man with receding hair, wearing a dark suit and a bow tie, stands in the background. The text is overlaid on the right side of the image.

AN ACT  
OF THE IMPERIAL PARLIAMENT  
FOR THE  
UNION  
OF  
CANADA, NOVA SCOTIA AND  
NEW BRUNSWICK,  
AND THE  
GOVERNMENT THEREOF;  
AND FOR PURPOSES CONNECTED THEREWITH.  
(30 VICTORIA, CAP. 3.)



OTTAWA:  
PRINTED BY HUNTER, ROSE & CO.  
1867.

# ALEXANDER GALT

## *The Federalist*

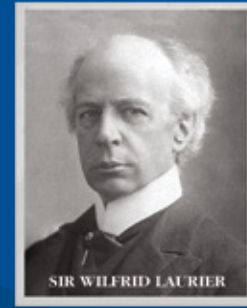
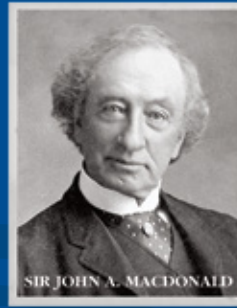


by Alastair C.F. Gillespie  
With a Foreword by the Rt. Hon. Paul Martin





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Charlottetown Conference Delegates, 1864. Library and Archives Canada.

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# Foreword

When I was asked to write the foreword to this paper about Alexander Galt I was more than delighted, for while separated by a century and a half, we share a common background. We both live or lived in Quebec's Eastern Townships and we were both Canada's Finance Minister, albeit he was the first.

A pioneering figure in Canada's railways and the initiator of Canada's first tariff to encourage domestic industry, Galt played a pivotal role in Confederation as Canada's first federalist, every bit a fitting rival of better known Fathers of Confederation. The chapter that follows is a rediscovery of Galt's federalist legacy: ideas and institutions that continue to shape Canadian life today.

Nine years before Confederation, as an independent backbencher, Galt tabled the first resolutions proposing the federal union of all the provinces of British North America. He appealed to Canadian ambitions, calling for the expansion to the Pacific and a great future as one united people. Just months later, he became a government minister, and the Scottish-Canadian businessman from Sherbrooke was on his way to England with his plan to unite the provinces to create a new federation in North America.

As Canadians who are proud of Canada's diversity, the reasons behind Galt's initiative will be of immense interest. Initially what are now known as Ontario and Quebec were united under one government and the distinct wills of the two increasingly came into conflict. Alarmed by the intensifying political battles, fuelled by bitter partisanship and cultural differences, some called for their complete separation from each other. As this paper reveals, Alexander Galt took a completely different tack.

Adding new provinces from sea to sea, Galt argued for more diversity, not less. By enlarging the national stage, by building a national economy with a federal division of powers, Galt saw the way to a new structure. In his words, Canadians could "find in the diversities of race and religion an incentive to honourable rivalry in favour of our common country rather than to leave them, as now, the subjects by which any party leader may build up an evanescent and baneful popularity by arraying one class against another."

All Canadians will recognize Galt's vision that Canada's strength stems from its diversity, but Galt was its first and bravest pioneer. He stood for Confederation at a time when political realities discouraged vision, and when too many took the partisan road. Fortunately Macdonald, Cartier and others saw in Galt's 1858 initiative the origin of a greater country.

Confederation was the coming together of the descendants of European nations often at war with each other, and a scattering of religions that certainly had their differences. Yet, from this, or perhaps because of it, was created a new land that opened its doors to the world and which stands today as a beacon of equality and freedom.

The paradox in all of this is that the First Peoples of this land, the First Nations, the Metis Nation and Inuit whose ancestors had been here since time immemorial, were not invited to the party. Yet they were major players.

Given this, it would have been understandable in both 1864 and 1867 had the representatives of Indigenous Canada asked: Why weren't we invited to your meetings? Just as their descendants a century and a half later are asking with rising impatience – what is our place in Confederation today?

I believe, were Galt alive today, he would answer that question by calling upon us to do justice to the Canadian dream by embodying a new relationship with the Indigenous peoples. This because as we have learned since Confederation, equity and mutual respect among all of us, without exception, are the essential conditions to the unity, strength and community of the whole. ♦♦♦

*Rt. Hon. Paul Martin  
21st Prime Minister of Canada*

## Avant-propos

J'ai été enchanté qu'on me demande de rédiger la préface de ce document à propos d'Alexander Galt, car, bien qu'un siècle et demi nous sépare, nos antécédents sont communs. Les Cantons de l'Est du Québec sont l'endroit où je vis et où il a vécu, tandis que nous avons été nommés tous les deux au poste de ministre des Finances du Canada, même s'il l'a été le premier.

Figure pionnière de l'industrie canadienne des chemins de fer et architecte du premier tarif visant à encourager l'industrie nationale, Alexander Galt a joué un rôle crucial dans la Confédération en tant que premier fédéraliste, fort d'une respectabilité rivalisant en tous points avec celle des Pères de la Confédération les plus connus. Le chapitre qui suit est une redécouverte de l'héritage fédéraliste d'Alexander Galt : des idées et des institutions qui continuent de façonner notre vie d'aujourd'hui au Canada.

Neuf ans avant la Confédération, en tant que député indépendant d'arrière-ban, Alexander Galt présentait les premières résolutions proposant l'union fédérale de toutes les provinces de l'Amérique du Nord britannique. Il avait de grandes ambitions pour le Canada, appuyant l'expansion vers le Pacifique et croyant au brillant avenir du pays en tant que peuple uni. Quelques mois plus tard seulement, l'homme d'affaires sherbrookoise d'ascendance écossaise devenait ministre et s'apprêtait à s'embarquer pour l'Angleterre, armé de son plan visant à unir les provinces afin de créer une nouvelle fédération en Amérique du Nord.

À l'image des Canadiens fiers de la diversité du Canada, Alexander Galt a fait la promotion d'un projet dont les objectifs présentent un immense intérêt. À l'origine, les territoires délimitant les frontières actuelles de l'Ontario et du Québec étaient unis sous un même gouvernement, mais les volontés politiques distinctes des deux entités donnaient lieu à des tensions croissantes. Alarmés par les luttes politiques toujours plus virulentes alimentées par une partisanerie affligeante et les différences au plan culturel, certains ont préconisé une séparation complète entre les deux territoires. Comme ce document le révèle, Alexander Galt s'est engagé sur une tout autre voie.

Ainsi, Alexander Galt a plaidé pour plus, et non moins, de diversité, en recherchant l'adhésion de nouvelles provinces « d'un océan à l'autre ». Il a imaginé les moyens d'édifier une nouvelle structure grâce à une scène nationale qui s'élargissait avec la construction d'une économie à l'échelle du pays et un système de répartition des pouvoirs fédéraux. Selon ses termes, les Canadiens pouvaient trouver dans la diversité de races et de religions un champ honorable de rivalités bénéfiques à notre pays commun ou être abandonnés aux manœuvres de chefs de parti cherchant à exploiter les conflits entre classes de citoyens pour consolider leur popularité évanescence et funeste.

Tous les Canadiens reconnaîtront, comme Alexander Galt, que la force du Canada repose sur sa diversité, mais cet homme a été le premier et le plus valeureux pionnier de cette vision. Il a défendu la Confédération à une époque caractérisée par la myopie politique, moment où ceux qui privilégiaient la voie partisane étaient bien trop nombreux. Heureusement, John A. Macdonald, George Étienne Cartier et d'autres ont compris que l'initiative de cet homme en 1858 semait les germes d'un grand pays.

La Confédération était un appel au rassemblement des descendants des nations européennes, souvent en guerre les unes contre les autres, et à une constellation d'identités religieuses, sources certaines de différends. Pourtant, à partir de cela, ou peut-être même à cause de cela, un nouveau territoire était créé qui a ouvert ses portes au monde et qui se présente aujourd'hui comme un symbole d'égalité et de liberté.

Le paradoxe dans tout cela, c'est que les premiers occupants du territoire canadien, les Premières Nations, les Métis et les Inuits, dont les ancêtres sont ici depuis des temps immémoriaux, n'ont pas reçu d'invitation. Pourtant, ils étaient des joueurs importants.

Cela étant, il aurait été compréhensible que tant en 1864 qu'en 1867, les représentants des peuples autochtones du Canada aient demandé pourquoi ils n'avaient pas été invités aux rencontres. Tout comme leurs descendants un siècle et demi plus tard se demandent avec impatience – quelle est notre place au sein de la Confédération aujourd'hui?

Je crois que si Alexander Galt vivait de nos jours, afin de répondre à cette question, il nous demanderait d'accomplir notre devoir pour réaliser le rêve canadien en renouvelant notre relation avec les peuples autochtones. Cela, parce que nous avons appris depuis la Confédération que l'équité et le respect mutuel entre nous tous, sans exception, sont les conditions essentielles à l'unité, à la force et au bien de la collectivité de l'ensemble. ♦

*Le très honorable Paul Martin  
21e Premier ministre du Canada*



# Introduction



*“When we observe in the neighbouring Republic that they have found under a federal system the means of preserving intact the local interests of the several States, while they secure all the advantages of a United Empire, in whatever concerns the interests of all; we are naturally led to enquire whether the Possessions of the British Crown in North America do not offer a similar basis – alike for preserving our present state of progress, and for enormously augmenting our influence, by a*

*Federal Union of these Provinces. . . . Temporary expedients might be resorted to, concessions might be made to one section, accompanied by checks in favour of the other, but the germ of evil and discontent would remain, ready to break out at any moment. Much better then is it to enquire whether we can finally dispose of all sources of local discontent, and find in the diversities of race and religion an incentive to honourable rivalry in favour of our common country rather than to leave them, as now, the subjects by which any party leader may build up an evanescent and baneful popularity by arraying one class against another. For my own part, I look forward with a sanguine hope to the day when our statesmen will have larger and nobler objects of ambition, and when the care of the extended interests of a confederation embracing the whole British Possessions in North America will obscure these purely sectional views, which unhappily have now too great prominence.”*

Alexander Galt, Address to the Electors of the Town of Sherbrooke, August 17, 1858.

**H**e had an idea, said Alexander Galt, a mere backbencher, the independent member from Sherbrooke, an Eastern Townships constituency of Lower Canada. The debate on the speech from the throne was degenerating into partisan acrimony, but Galt suggested a way forward. “There was, he felt confident, room to think that in the future of this country they might look for a much better state of things. . . . he contemplated a step in national existence. He looked forward to see the British Provinces of North America federally united.”<sup>1</sup> It was March 3, 1858, and Galt was poised to become the first Canadian politician to take a practical step toward the federation of all of British North America. What happened next is a powerful reminder of the importance of ideas in politics. Inside of six months, Galt became finance minister, federation was made government policy, and delegates were on the way to England to discuss his proposal to unite the provinces and found a new federation in North America.

Galt’s material contributions to Canada have long been understood. He was a Scottish-Canadian businessman, born in Chelsea, England, with interests in settlement and development through the British

American Land Company, starting as a young clerk and rising to become its Canadian head. He was a key player in construction of the pioneering railways of Canada, and a director of the Grand Trunk Railway. Later in life he was Canada's first High Commissioner to London. His resolutions of 1858 are acknowledged as having made federation "practical politics" for the first time, and he is credited with promoting the economic case for union and designing its financial terms. Most accounts rightly applaud Galt for being in the advance guard of the federal movement, but overlook the substance of his case for Canada, the ideas underlying his speeches calling for Canadian union. The traditional focus on the process of Confederation – dispatches, conferences, deals – should give way to an interest in the content of Confederation. After all, Galt was really an "ideas man."

Galt's major speeches in support of Confederation reveal a federalist ideal, turning on the recognizably Canadian belief that by adding to Canada's diversity, by combining larger interests within us, we could assuage and release the bitter partisanship of our politics, and ease the social tensions seething beneath. As leader of Lower Canada's English-speaking minority, Galt worked to secure the rights of his community through a partnership with George-Étienne Cartier, a man who in another country might have been his communal opponent, but in Canada became one of his closest allies. The double courage of Galt and Cartier, the mutual trust that overcame the binary fears of their respective communities, let them take Quebec into Confederation together. Their partnership is a leading fact of Canadian history – showing that an act of faith between the two minority communities of Quebec was required for Canada to come into being, and that the protection of minority rights was at the heart of the Canadian founding. ♦

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“An act of faith between the two minority communities of Quebec was required for Canada to come into being, and that the protection of minority rights was at the heart of the Canadian founding.”

## Giving Voice to the Federal Idea

### A political stalemate

The opening of Parliament in 1858 brought reminders of the conflicted political climate that was the origin of Galt's proposal for federal union. For this was the year George Brown reached the first, fruitless peak in his campaign for constitutional reform, his divisive methods exposing the Union's contradictions, creating the crisis to which Galt proposed a solution. Brown's hand was strengthened in the elections of 1857, and in his first speech of the session, he declared the government had been beaten in Upper Canada.<sup>2</sup> Lengthy debates ensued that canvassed the constitutional question, with Reformers urging the necessity of representation by population if the Union was not to be dissolved. Cartier and the *bleus* resisted, defending the principle of equality under



the Union. Moderates promoted the “double majority,” a quasi-federal idea which would require the government to maintain majority support in both Upper and Lower Canada, not just the House as a whole. Each argument went to the issue of legitimacy: as Brown gained strength in the west, the government’s right to rule was sapped by claims it governed Upper Canada against its will.

All three contending principles – representation by population, equality of Upper and Lower Canada, the double majority – pointed in the direction of a federal solution. It would be an overstatement to say the political system had broken down. Popular elections had just been held, and responsible government had been achieved. However, there was a fundamental constitutional dispute over whether Canadians were one people or two. It was Galt who first gave the voice to the federal idea – that we could be one people for national purposes and several peoples for local purposes, and that a measure of division could supply national unity for all the provinces. The 1858 debates remain interesting today, because they address the balance between national and regional loyalties, an enduring question of Canadian citizenship and politics.

## Limits of sectional politics

In the debate on the speech from the throne, Galt set the scene for his initiative by diagnosing the limits of Brown’s sectional politics, and indicating a federal way forward. Brown’s demands for rep by pop<sup>3</sup> would run into militant resistance from Lower Canada, leading to a sectional standoff: “The members from Upper Canada would be banded together to make paramount their faith and their language. This would lead to a similar coalition on the part of the Lower Canadian members. Thus religion and race would be the cry in both sections. Could it be supposed that either one or the other would submit to such dictation?”<sup>4</sup> Galt saw a better way ahead in federation: “Then the hon. member for Toronto might have representation by population. No appeals would be made to the religious feelings or prejudices of the people, and those general measures on which they should know no race or religion, would be left to the general legislature, instead of periling everything on them, as the House was asked to do now. (Hear, hear.).”<sup>5</sup>

Galt and other members of Lower Canada’s English-speaking minority had resisted any temptation to ally with Brown, instead making common cause with French-Canadians to resist him. One minority supporting another, this Lower Canadian alliance allowed French-Canadians to resist rep by pop for years, underpinned by Cartier’s tolerant approach to minority education rights. Solicitor General John Rose, another English-speaking member from Lower Canada who was to become Galt’s ally in the federation movement, exemplified this alliance in his own remarks. He condemned Brown’s political methods, warning they could never meet success in a country like Canada: “That hon. member must be aware that no man holding such extreme views could succeed in public life. (Hear, hear.) Any man like him going through the country bearing the torch of religious incendiarism could not expect his efforts to be seconded by any body of men having the interests of the country at heart.”<sup>6</sup> Rose claimed living alongside French-Canadians encouraged his English-speaking community to pursue a different course in politics. “The people of Lower Canada considered religion too sacred to be dragged into the political arena – (hear, hear) – and consequently religion was not made subservient to political purposes. (Hear.) But in Upper Canada the state of matters was sadly different.”<sup>7</sup>

## Reforming the system

Federation was not a new idea – schemes of colonial union had attracted attention before and after American independence. All were premature, and many tainted with the motive of surrounding French-Canadians with a dominant English-speaking majority,<sup>8</sup> like the Union of 1840 that led to the political impasse of 1858. While Galt’s was the first formal proposal, other politicians already acknowledged that federal union was “only a matter of time.”<sup>9</sup> Similar to Brown, Galt had made the strategic choice to reform the system, rather than to work it as it was. His initiative laid him open to

charges both of being an impractical dreamer, and of adopting a hobbyhorse to further his own political ambitions or line his own pockets (because of his railroad interests).

There is a better view on Galt's motives. Standing astride the struggle between the two majorities of Upper and Lower Canada, keen to preserve the opportunities of a wider union, it was no accident that Galt became Canada's federalist in chief. Galt harnessed a moderate current in Canadian politics, his community encouraged by Cartier's liberal approach to minority education rights. Recognizably Canadian values, and an instinct for national unity, would underpin both Galt and Cartier's contributions to Confederation. ✦✦

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## Making the Case for Federation

Galt drew up three resolutions, introducing them to the Assembly in two speeches on July 5 and 7, 1858, making the first comprehensive case for federation of all of British North America. Summaries survive in the “*Scrapbook Debates*,” a collection of newspaper clippings gathered by the Library of Parliament, though these reports compress remarks of three hours' length into just a few columns of text. A recent search at Library and Archives Canada revealed in microfilm records a long-hidden report of the *Sherbrooke Gazette*, which supplements the account given here. In terms of the *idea* of Confederation, Galt's speeches have life today, both for their intrinsic interest as the first comprehensive case for federation, but also because of their federalist arguments illuminating the structure of Canada today.

### Partisanship and personal attacks

Galt began by reminding the House of its recent climate of bitter partisanship, urging federation as a reform to cure the province of its regional divisions that had led too frequently to bitter partisan scenes. During the whole parliamentary session, he said, a “most painful state of things” had arisen, in which “sectional and local feelings had been appealed to,” and in which issues were not settled on their merits, but in relation to regional interests in the divided province. Public questions should not be decided on such narrow terms, said Galt: “He desired to see a broader view taken and the great future interests of this country considered, and he did not desire to see a shipwreck made of all that was valuable and deserving of our support, and honourable to our country.” Partisanship was making it impossible for the legislature to do its work: “there was scarcely a public man in the country . . . whose motives were not traduced, whose actions were not misrepresented, and who was not denied that fair play and consideration which every man was entitled to.”

He had been the object of such personal attacks, pointed out Galt, launching into a defence of his recent change in party allegiance, and his motives for proposing structural changes to the Union. Previously liberal-leaning, in the 1857 elections Galt announced he would support the Macdonald-Cartier government as an independent. He felt he stood “alone,” treading a solitary reforming path. He knew about the charges made behind his back, the whispers that circulated round the House, condemning him as a railway speculator and a “blackleg,” nineteenth-century vernacular for a swindler or a cheating gambler. But he had no aspiration for a cabinet post, he said, only to do his duty to the country: “All he sought, all he desired, was that the country should prosper, and that that policy should be pursued which would enable them to overcome the difficult position in which they now stood, and he should willingly give his support to any set of men, he cared not who they were, who would carry out what he believed to be right and just.”

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“ *In the 1857 elections, Galt announced he would support the Macdonald-Cartier government as an independent. He felt he stood “alone,” treading a solitary reforming path.* ”

## A cure for sectional divisions

Federation was the “real cure,” Galt declared, and he hoped that “hereafter” it might come to be supported by a majority of the House as a remedy to the sectional divisions plaguing the country. Representation by population wasn’t sufficient, he argued, because the country’s divided population simply could not support it. As a mere theoretical point he admitted its justice, and that the demands of Upper Canada could not be resisted forever: “He, as a Lower Canadian, could not say he was prepared to force Upper Canada – with a larger population, paying more taxes than Lower Canada – to meet her sister Province in all time to come in Parliament with no more than an equal number of representatives.” Yet Galt balanced that demand against Lower Canada’s imperative that its language, laws and institutions be protected against a shift in the balance of power. He saw two valid principles colliding, Lower Canada’s resistance to rep by pop rooted in “certain feelings or sentiments which were regarded as sacred, and which were just as worthy of respect as the other principle [rep by pop] to which he had referred.”

As Galt argued, the current system could not continue with equal votes in the House given to Upper and Lower Canada, despite Upper Canada’s growing population. The structural flaw in the Union, one legislature for two historically-separate provinces with distinct popular wills, meant that either East or West must rule. Even if Brown managed to seize power, reasoned Galt, he could only rule Lower Canada with the strength of an Upper Canada majority, an exact reversal of the circumstances he now decried. “There would be the same outcry, only reversed, that Lower Canada was governed by Upper Canada votes, and another proof bearing out the conclusion at which he had arrived, that our present system could not work any longer.” Brown interrupted – “Now for the remedy” – one reformer causing the Union’s crisis goading on the other to propose its solution.

## Dividing Canada to unite it

Galt came to the first of his three resolutions. It asked the House to agree that “the Union of Upper with Lower Canada should be changed from a legislative to a federal union, by the sub-division of

the Provinces into two or more divisions, each governing itself in local and sectional matters, with a general legislature and government for subjects of national and common interest.” Here was a principle that could underpin a federal division of powers. It was necessary to divide Canada to unite it.

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“ *Here was a principle that could underpin a federal division of powers. It was necessary to divide Canada to unite it.* ”

Galt’s logic was to push the most divisive issues down to the provincial level, opening up a clear field for a new national politics: “There was a certain class of subjects which caused the most difficulty in our legislation, and he believed it would be very easy to show that the adoption of the Federal principle would remove those exciting subjects from this arena, and that they would no longer have to oppose each other on the floor of this House with that bitterness which now characterized too many of their debates.” Acrimony was caused by our differences of religion and national origin, said Galt, particularly on the sensitive subject of education. With federation, each portion of the country could choose its own way: “In Lower Canada they might make any arrangement they pleased in reference to education in Lower Canada. And in Upper Canada they might make any arrangements they pleased in reference to education in Upper Canada. And so with other subjects.” If only the government had adopted this principle, argued Galt, they would not now be in a position of such paralyzing weakness.

## Assuming control of the western continent

Canada needed federation to seize control of the Great North-West, Galt declared, the vast western territory still privately owned by the Hudson’s Bay Company. Petty squabbles were crowding out a fundamental national interest. The question, Galt said, was whether Canada should “assume the control of a country which he might describe as the whole western continent.” Structural reform was needed to govern the West, an argument taken up in Galt’s second resolution: “That considering the claims possessed by this Province on the North Western and Hudson’s Bay Territories, and the necessity of making provision for the government of the said districts, it is the opinion of this House that in the adoption of a Federal Constitution for Canada, means should be provided for the local government of the said Territories under the general government until the population and settlement may, from time to time, entitle them, to be admitted into the Canadian Confederacy.”

Galt appealed to Canadian ambition. Unless Parliament assumed “the responsibility of accepting that great empire,” it would “sacrifice the largest interests.” The Americans were marching west, and Galt feared that without action, the territory would “fall into the arms of the great confederacy to the southward.” This was not a “mere bagatelle to be disposed of like a township on the Ottawa,” Galt declared. Ten times as large as the settled part of Canada, the prairies might support a population of thirty million souls. “Such a thing had never yet occurred to any people as to have the offer of half a continent to be handed over to the control of its Legislature; and if the management of such an inheritance did cost a little money, was that a consideration that should for one moment stand in the way? Certainly not, for such an acquisition was not a thing to be bought any day in the market. The door should be opened for the young men of Canada to go into that country, otherwise the Americans would certainly go there first.”



## Uniting the country

Placing the question on national grounds, Galt called for federation of all of British North America: “He believed that the people aspired to be a nation.” A single Parliament would unify Canadians, placing our people under a single set of laws, and our resources under common control. This was the subject of Galt’s final resolution, which claimed federalism was the surest way to unite the country. Confederation would promote the “several and united interests” of all the provinces, but preserve to each the “uncontrolled management of its peculiar institutions and of those internal affairs respecting which differences of opinion might arise with other members of the confederacy.”

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“ *A single Parliament would unify Canadians, placing our people under a single set of laws, and our resources under common control. This was the subject of Galt’s final resolution.* ”

Fragmentation meant insularity and weakness, Galt continued, extending his argument into a demand for recognition and national standing. He reviewed the resources, trade, and people of the maritime colonies, explaining we would be stronger together “by getting a union of people and interests.” Canada was too “absorbed within herself,” and the remaining provinces isolated from one another, ignorant of each other’s needs and wants. It was “the old story of the bundle of sticks” said Galt. Disunited, our interests could be broken and sacrificed one by one. But no one would defy a Parliament representing 3,500,000 souls. If Canada expanded to the Pacific – “from the Ocean to Vancouver’s Island” – there was no telling the future influence we would hold.

Galt then sketched the principles underlying his proposed division of powers, previewing the pattern of 1867. At the federal level, there should be a “general government for the management of subjects of a common character, and that therefore would affect no one’s religion, or prejudices.” Then there would be local legislatures, with local objects in view. There should be no wholesale adoption of the American system, he urged, voicing a theme that persisted until Confederation. We should take what had worked south of the border, but avoid the causes of weakness and disunion in the American constitution: “We had an opportunity of going into the matter deliberately, and reflecting upon it for years not having it forced upon us suddenly, as it was forced upon the United States. We could thus prepare a constitution, which, while providing against any sudden or impetuous changes, might yet have that flexibility which had proved the safeguard of the British Constitution.”

## National greatness

Drawing to his conclusion, Galt made a final appeal to national greatness, reviewing the resources of the Confederation to come: “was it not known to everyone, that we had or were likely to have the control of half a continent – the only reason why we did not now possess that control being, that we kept on quarrelling about little trifling matters, and lost sight of what interested us most.” He wished our country to extend its liberty, he said. We would have full civil and religious liberty in Canada, with no “canker” of slavery like the United States, which might yet prove the “shipwreck” of their constitution, Galt claimed – portentous words coming before the Civil War.

Though the federation resolutions aroused little debate, Galt had planted the seeds of an idea with extraordinary consequences. Weeks later, in August 1858, Galt's course in politics intersected fatefully with Brown's two-day bid for power, one reformer's path crossing the other. After the collapse of Brown's short-lived government, Governor General Edmund Walker Head asked Galt to form government, an extraordinary step for a man who had no real following in Parliament. Galt had clearly caught the eye of the governor general, a colonial union enthusiast who had authored a secret memorandum on the subject in 1851 (C. Martin 1929a). The unexpected invitation must have been intended to confer legitimacy on Galt's federal project. Not destined to be premier, and declining his pro forma task, Galt was appointed to cabinet, at the price of a crucial change in policy. ♦♦♦

## The Double Shuffle of 1858

Galt joined the Cartier-Macdonald cabinet as inspector general, the title then given to the minister of finance, with a crucial and momentous proviso: pursuit of the federation of British North America as official government policy. As seen previously in *George-Étienne Cartier: The Canadian*, Cartier had been persuaded of the merits of federation, securing a provincial government for Quebec in exchange for meeting Upper Canada's demand for representation by population. Galt is often credited with persuading Cartier to this view, though one searches in vain for documentary evidence (Boyd 1914, 175) (Skelton 1920, 238). Galt was 41 years of age, and just weeks had passed since his great speech on the future. Suddenly, the former independent was catapulted into power. He must have been astonished at his change in circumstances, and we could forgive him if he were also pleased.

### Grit outrage

In the legislature, federation took a back seat to Grit outrage at their ejection from power in the double shuffle of August 1858. Many assumed the government's federation initiative was insincere, setting the tone for a lukewarm reception in the country. Thomas D'Arcy McGee alleged the governor general abetted Macdonald and Cartier in an orchestrated plan to chuck Brown overboard.<sup>10</sup> The ancient William Lyon Mackenzie shouted Canadians would not be cheated out of their liberty, and McGee said he was glad to hear it from "the oldest sentinel of the public in Canada."<sup>11</sup> The Irishman from Montreal West declared the double shuffle was the act of men determined to perpetuate their own power, drawing the picture of a happy scene: "When they went through the petty comedy on Thursday morning they were full of glee and mirth; never had they appeared in such excellent humour. (Hear and laughter.) . . . The whole policy was arranged beforehand. (Order.) The jibes and the jests about changing seats and offering keys was all a farce."<sup>12</sup>

When Cartier announced the formation of his government and its federation policy, he was repeatedly interrupted by sarcastic laughter. A few selections demonstrate the almost Shakespearean temper of the House on that tumultuous day:

Cartier: "As I have said, the course followed in the appointments was to meet the requirements of the law, and, at the same time, with a view to prevent any unnecessary election (*Cries of "Hear, hear" from the Opposition.*) . . . at the same time, we are ready to submit to the opinion of the House. (*Cries of – "No doubt of that."*)"

Rymal: "Not of the country, though. (*Hear, hear.*)"

Cartier: “I will add, as the hon. gentleman has mentioned the country – of the country too.”

Mackenzie: “By not going to the country. A most excellent way of submitting to the opinion of the country, I must say. (*Hear, hear.*)”

Cartier: “In the formation of the new government, the members of this House ought to see that the Hon. Mr. Galt is appointed Inspector General of the Province.”

Mackenzie: “And the Grand Trunk besides. It is a shame and a disgrace.” [ . . . ]

Cartier: “The policy of the present government is the same as was announced in the speech from the throne. (*Derisive laughter, and cries of “A sell! A swindle!”*) . . . We can afford that hon. members should laugh. (*Hear, hear.*) But there is a contrast. Though they laugh, we laugh also.”[ . . . ]

Cartier: “The expediency of a Federal Union of the British North American Provinces will be anxiously considered, and communications with the Home Government and the Lower Provinces entered into forthwith. The result of these communications will be submitted to Parliament at its next session” [ . . . ]

Mackenzie: “Is that all? (*Laughter.*)”<sup>13</sup> ♦

## Address to the Electors of Sherbrooke

The government prorogued the House on August 13, and announced its intention to open discussions with the British government and the sister provinces on a federal union of British North America. Obligated to seek re-election as a newly minted minister, Galt returned to a hero's welcome in his constituency, a crowd turning out at the Sherbrooke train depot to congratulate him on his appointment to cabinet (*Sherbrooke Canadian Times*, August 16, 1858). The mayor read an address expressing the hope Galt would promote the interests not only of Sherbrooke but the whole province, with a passing remark that the reasons that led him to decline to form a government were “doubtless such as led you to adopt the course taken by you.” Galt's reply to this hanging question came the next day, with the printing of his *Address to the Electors of the Town of Sherbrooke*, a document that deserves a place among the constitutional papers of Canada. It was an election address, yet it rose to the constitutional, developing his fundamental case for federation.<sup>14</sup>

### A duty to decline

Galt acknowledged he had been requested by the governor general to form a government, but found it his duty to decline, considering a prominent party leader better suited to form a strong government. As leader of the largest party in the House, Cartier formed that government, and Galt consented to serve as a minister. Galt then set forth his case for federation, working back from this fundamental proposition: “The object of all government is to promote the peace, happiness and prosperity of the people – first, by directly encouraging their industry, and fostering their trade; and secondly, by removing those antagonistic elements in the body politic, which produce discord and dissention, thereby paralyzing the energies of the country. If, in the latter case, the remedy for existing evils can be made the means of augmenting the power and consideration of the nation, and extending its beneficial influence, then a still greater good is attained.”

## The need for fundamental change

Galt extended his case that federation would ease the sectional tensions plaguing a divided Canada. The state of affairs required fundamental change: “The depressed state of the country, and the embittered tone of feeling between its various sections, has forced on all thinking men the necessity of seeking, not a mere palliative – a political anodyne – but for a thorough and perfect investigation of, and cure of, the disease which has lately shown itself in our political system.” The government had recognized the problem, and proposed federation as its solution. Existing political evils, he wrote, “by their vehemence and the intensity of the feelings they have called forth between the two sections of the Province, threaten to make shipwreck of the prosperity which has hitherto marked the Union of Upper with Lower Canada.” Under these conditions, people naturally sought a remedy, and saw the example of a solution in the neighbouring United States. There, federation was “the means of preserving intact the local interests of the several States,” while securing “all the advantages of a United Empire, in whatever concerns the interests of all.” Seeing this, Canadians asked whether British North America offered “a similar basis” for federal union.

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“Galt extended his case that federation would ease the sectional tensions plaguing a divided Canada. The state of affairs required fundamental change.”

## Union of diverse interests to release Canada’s sectional conflict

Then came a startling idea, an amplification of his earlier claims, that through the union of diverse interests, Canada’s sectional conflict – this “germ of evil and discontent” – could be relieved at once and forever. Our differences were causing disunion, but our federation would be stronger because of our differences. Under federation, Canadians might “find in the diversities of race and religion an incentive to honourable rivalry in favour of our common country, rather than to leave them, as now, the subjects by which any party leader may build up an evanescent and baneful popularity by arraying one class against another.”

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This was an idea of great importance, a Canadian application of James Madison's compound republic, explained in the *Federalist Papers* as the policy of "supplying by opposite and rival interests, the defect of better motives." The American founding father had also argued (in *Federalist* 51) that stable government could be secured "by comprehending in the society so many separate descriptions of citizens, as will render an unjust combination of a majority of the whole, very improbable, if not impracticable" (Madison, Hamilton and Jay 1982, 218). Proposing to extend Confederation to the other provinces, Galt also followed Alexander Hamilton's *Federalist* 10: "Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens" (ibid., 57).

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“ Our differences were causing disunion, but our federation would be stronger because of our differences. ”

Similar ideas surfaced among Galt's Canadian contemporaries. In a book discussing union of the provinces, MP Joseph Cauchon claimed that "by enlarging the ground, and in creating, by the union of the whole of British America, other interests, as distinct as those which are in antagonism with each other today, we may hope to soften the asperities of the struggle by turning them aside from their object, by dispersing them, and by directing them upon other points less fraught with danger and evil consequences" (Cauchon 1865, 74). It was an attractive idea, one to which Galt and others would return.

## Nobler objects of ambition

As the "most considerable" province, it was the duty of Canada to initiate talks on federation, wrote Galt, and he looked forward to a better day when Canadian public life would be elevated by a wider stage for politicians with "nobler objects of ambition." The government would make preliminary enquiries with the other provinces and the imperial government, and the results would be submitted to Parliament at its next session. He was confident the people of Canada would approve a federal union. Galt concluded with a claim of altruistic motives, which some modern eyes may discount. Galt wrote he joined the government not from "personal motives, nor by a sacrifice of principle; but honestly and sincerely in the hope that my services may be of some value to the country, in securing that which I have uniformly desired – the remedy of existing political evils, the extension of the power and influence of Canada, a sound commercial policy, both in Trade and Finance, with a reform of the various departments of the government."

Galt's appeal was not in vain. Sherbrooke returned him to Parliament by acclamation. ✦✦✦

# Taking the Case for Federation to Britain

On September 4, cabinet adopted a report instructing the governor general to request the British government to convene delegates from each province “for the purpose of considering the subject of such federative union and reporting on the principles on which the same could properly be based.”<sup>15</sup> The delegates’ report was to be laid before each provincial legislature, an indication that any union would have to secure the consent of the people through their elected representatives. As is well known, the Canadian initiative met with surprise and not a little disbelief in London. Authorities regarded colonial union as a subject necessarily of “Imperial character, involving the future government of the other North American Colonies,” and a matter which “properly belongs to the executive authority of the Empire, and not that of any separate Province, to initiate.”<sup>16</sup> There was little enthusiasm this side of the Atlantic either: the New Brunswick government indicated it considered the Canadian proposal premature.<sup>17</sup>

Governor Head found himself on the defensive for announcing the new Canadian policy without first seeking approval of the British government; a change in administration in Britain meant the new colonial secretary was not aware of discussions Head had had with his predecessor, and dispatches were exchanged to mollify the view the Canadian governor general had overstepped the mark. One note contains Head’s impressions of Galt: “I found him and several of the gentlemen about to assume office deeply impressed with the idea that in some such union alone could be found the ultimate solution of the great question which had been made a ground of agitation by Mr. Brown and his friends at the general election *viz*: – the existing equality of representation of Upper and Lower Canada, and the alleged injustice inflicted on the former by such equality. This question is one, I need not say, which threatened to touch the root of the present Union of the two sections of Canada as by law established, and might imperil its existence by reviving all the old antagonism of race and religion.”<sup>18</sup> Head argued he had been in no position to refuse to make the announcement his new government requested.<sup>19</sup>

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“It is our duty to state that very grave difficulties now present themselves in conducting the government of Canada in such a manner as to show due regard to the wishes of its numerous population.”

Alexander Galt

## Federation memorandum of 1858: grave difficulties in government

Cartier, Galt and the president of the executive council, John Ross, were appointed delegates to take the case for federation to Britain, sailing in early October. After arrival in London, a formal memorandum was delivered to the colonial secretary, Edward Bulwer-Lytton. This document was later made public and tabled in the Canadian legislature, clearly composed for public consumption. Like Galt’s *Address to the Electors of Sherbrooke*, the federation memorandum of 1858 also rises to the

constitutional plane, diagnosing the problems of the Canada and suggesting the federal solution. We know Galt composed it: a draft in his handwriting exists (Skelton 1920, 239). “It is our duty to state that very grave difficulties now present themselves in conducting the government of Canada in such a manner as to show due regard to the wishes of its numerous population.”<sup>20</sup> This was a serious admission by a sitting government, and an acute federalist diagnosis: Canada did have an elected government, but “due regard” could not be shown to the opposing interests of its varied population so long as Canada remained under a single legislature. This admission cut across Cartier’s denials that change was necessary, and went a long way to accepting George Brown’s case for constitutional reform. The Canadian ministers must have weighed the risk this declaration would be cast in their teeth, against the urgency of their case.

The fundamental problem was the Union’s scheme of equal representation, combined with its divided population: “The Union of Lower with Upper Canada was based upon perfect equality being preserved between these Provinces – a condition the more necessary from the differences in their respective language, law, and religion, and although there is now a large English population in Lower Canada, still these differences exist to an extent which prevents any perfect and complete assimilation of the views of the two sections.” This was a deepening of the federalist diagnosis – a powerful argument in favour of federal union. The population was divided such that the differing views of the two sections could not be combined in a single government for all national purposes: implicit in the statement is the assertion that these differences still deserved recognition and political expression. The argument followed the reasoning of Galt’s speech in July. Two deserving principles had come into collision: Upper Canada’s demand for a fair representation, and Lower Canada’s claim to equality, founded in her distinct language, laws and religion.

The situation was getting worse, wrote the Canadian delegates. Upper Canada was pressing claims for representation by population involving “a most serious interference with the principles upon which the Union was based,” a demand that was “strenuously resisted by Lower Canada.” It was necessary to seek a remedy that would settle these problems forever. The clash between Upper and Lower Canada had caused “an agitation fraught with great danger to the peaceful and harmonious working of our constitutional system, and consequently detrimental to the progress of the Province.” The time had come, wrote the delegates, “for a constitutional discussion of all means whereby the evils of internal dissension may be avoided in such an important dependency of the Empire as Canada.”

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“ *The population was divided such that the differing views of the two sections could not be combined in a single government for all national purposes.* ”

## A new federal system

The remedy was federation, not just of Canada, but of all of British North America, they continued. As explained in *George-Étienne Cartier: The Canadian*, federation made it possible for Cartier to put his name behind constitutional change: Canada would be expanded, but only in exchange for a separate legislature for Quebec, with additional provinces as potential allies and counterweights in the working of the new federal system. Confederation, the delegates argued, would raise up an important new ally for Great Britain, “valuable in time of peace, and powerful in the event of war; forever removing the fear that these Colonies may ultimately serve to swell the power of another nation.”

A second confidential memorandum was delivered two days later, detailing the proposed division of powers among the federal and provincial governments.<sup>21</sup> Also drafted by Galt, this document is likewise of great interest, following closely the division of powers adopted in 1867. Galt's biographer traces the heads of power against the British North America Act to show its close conformity to Galt's original plan of 1858 (Skelton 1920, 371–372). A few overarching points are enough here. There was to be representation by population in the federal House of Commons, with a Senate elected on a territorial basis, suggesting a rough equality between Upper and Lower Canada. The noteworthy support for an elected upper house was dropped, for reasons later explained.

## Dangers of state rights

The delegates also reflected on the dangers of state rights, the federal balance of power, and the necessity of stability in the new constitutional edifice, well before the outbreak of the American Civil War. It was left as a subject for “mature deliberation” whether or not reserve powers should be granted to the federal government, covering all matters not specifically granted to the provinces. But local legislatures would not be able to claim the exercise of sovereign powers, the authors reasoned, as the Constitution would be enacted by the imperial government in London, with the grant of authority direct from above, rather than coming up from the provinces below. The delegates wanted Canada to be a strong federation, stronger than the United States, combining the flexibility of the federal system with the strength of a unitary state, as they put it: “the advantages of the unity for general purposes of a legislative union, with so much of the Federative principle as would give all the benefits of local government and legislation upon questions of provincial interest.”

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“ *The delegates wanted Canada to be a strong federation, stronger than the United States, combining the flexibility of the federal system with the strength of a unitary style.* ”

## A premature proposal – half smoke, half air

The meetings in London were not a success. The earlier lack of enthusiasm of the British government was confirmed when it sent an official dispatch indicating the Canadian proposal was premature: “We think that we should be wanting in proper consideration for those [other provincial] governments if we were to authorize, without any previous knowledge of their views, a meeting of Delegates from the Executive Councils, and thus to commit them to a preliminary step towards the settlement of a momentous question, of which they have not yet signified their assent to the principle.”<sup>22</sup> Galt wrote a member of the British government directly to convey his “deep regret” as to the decision, and with a blunt warning: “My deliberate opinion is that the question is simply one of Confederation with each other or of ultimate absorption in the United States, and every difficulty placed in the way of the former is an argument in favour of those who desire the latter” (Skelton 1920, 252).

We know from Galt's letters to his wife that his 1858 mission to England was not without its interest and recompense. He met Gladstone and Disraeli, and Queen Victoria and Prince Albert at Windsor. Relaying details in a letter of November 5, he wrote to his wife that though he had kissed the royal hand, it was “not so pretty as your own.”<sup>23</sup> Whatever the diversions of London society, he must have



returned to Canada stunned by yet another reversal of fortune, after a long, contemplative voyage home. As he had written his wife on November 19: “There is alas too often nothing but disappointment in this world . . .”

When the federation project stalled, George Brown’s *Globe* newspaper was withering in its criticism: “nothing has been heard that throws the faintest light upon the subject. What were ‘very grave difficulties’ last October, are ‘very grave difficulties’ still; nay, we believe that they are far graver, and that every day makes them worse. Are ministers to be regarded as indifferent to the consequences of the melancholy state of things they have portrayed? ‘The time has arrived for a constitutional discussion’ of all means of redress, they innocently admit; but they opened the session, and if possible they will close the session, without moving a step towards the discussion which they informed Sir Bulwer Lytton, cannot be longer delayed, save at the cost of great peril” (Toronto *Globe*, February 7, 1859).

Once the correspondence with the British government was published, Galt was forced to reveal the impasse that had been reached, and the *Globe* ran an editorial titled “*Federation: A Movement Without a Policy*,” singling out Galt for special censure: “The secret is out. Mr. Galt could not keep it longer . . . In the simplicity of his nature, Mr. Galt has testified. He has spoken smilingly, blandly, and positively. He declares that his colleagues and he have no scheme to propose; have not, indeed, so much as the outlines of a plan. The voyage, the interviews, the despatches, the proposed conference – all grew out of the simple idea that there should be a Federative Union. Beyond this, Mr. Galt assures us, there has not been the slightest progress. The thing is one remove from a myth. It is half smoke, half air” (Toronto *Globe*, February 11, 1859). Confederation’s time had simply not yet come. ♦♦

## Keeping the Idea of Federation Alive

Although the plan for federal union was not renewed until 1864, and Galt said little on the subject during the intervening years, this period was not without interest to Galt’s role in Confederation. Galt served as finance minister until 1862, playing an important role asserting Canadian financial autonomy in trade policy, traditionally made in London by the imperial government. Facing revenue shortfalls after the downturn of 1857, Galt provoked the ire of British industry by imposing higher tariffs on British imports in 1859. When protests were relayed to Canada, Galt drafted a strident reply amounting to an economic declaration of independence: “the government of Canada acting for its Legislature and people cannot . . . in any manner waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed. . . . Self-government would be utterly annihilated if the views of the Imperial Government were to be preferred to those of the people of Canada.”<sup>24</sup>

### A venture to Washington

Galt made his first diplomatic venture to the United States in November 1861, significant given that Canadian foreign policy was in those days exclusively controlled from London. He attended the opening of Congress at Washington, and met with President Abraham Lincoln (Skelton 1920, 314). There were ample justifications for the visit: security fears on outbreak of the American Civil War,

threats by Congress to close the US market to Canada by canceling the Reciprocity Treaty, and just the month prior, the North's seizure of Confederate agents aboard the British steamer *Trent*, an incident which threatened to touch off a war between England and the United States, in which Canada would be the field of battle. "That which has most struck me here is the quiet and order which prevails," Galt wrote to his wife, "no one could suppose we were within 15 or 20 miles of two rival armies of 300,000 men" (ibid.).

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“ *The vast military preparations of the North must either be met by corresponding organization in the British provinces, or conflict, if it comes, can have but one result.*”

Alexander Galt

Galt put to Lincoln Canada's fear of invasion, and Galt reported the president "pledged himself as a man of honour, that neither he nor his cabinet entertained the slightest aggressive designs on Canada" (Skelton 1920, 315). Lincoln he described as "very tall, thin, and with marked features, appears fond of anecdote, of which he has a fund. I liked him for his straight-forward, strong common-sense." Yet Canada's finance minister remained troubled: "I cannot, however, divert my mind from the impression that the policy of the American government is so subject to popular impulses that no assurance can be, or ought to be, relied on under present circumstances. The temper of the public mind toward England is certainly of doubtful character, and the idea is universal that Canada is most desirable for the North, while its unprepared state would make it an easy prize. The vast military preparations of the North must either be met by corresponding organization in the British provinces, or conflict, if it comes, can have but one result" (Skelton 1920, 316).

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“ *If it was impossible for us to obtain complete harmony within our own borders, let us look beyond them – let us stretch out the hand of fellowship to our fellow provinces, and seek that which we wanted in the range of a broader national existence.*”

Alexander Galt

## Galt's attempted coup de grâce

When the Cartier-Macdonald government was toppled by defeat on its Militia Bill in May 1862, Galt again found himself out of power, though the record shows he kept his idea of federation alive. In a little-known speech of 1863, Galt curiously foreshadowed renewal of the Confederation initiative, when moving no-confidence in the government of Sandfield-Macdonald. In many ways it was a typical political speech, criticizing the government for failing to deliver its promises. But at its conclusion

came a claim that “extensive measures of reform were required.”<sup>25</sup> Canada needed a government that would govern our affairs on a “broader and more national basis than at present.” Though the report is sadly abridged, it is clear Galt harked back to his analysis of 1858, saying Canadians should “try the effect of extending our limits, of widening our boundaries, of causing our country to assume a more distinctly national character – and by that means of drawing into our midst those who might act as mediators, of restoring harmony between section and section, and of doing away with all differences which might have originated in times past.”<sup>26</sup>

Galt told the Assembly that compromise was needed to achieve constitutional reform, reminding members the prize of nationhood lay ahead: “if it was impossible for us to obtain complete harmony within our own borders, let us look beyond them – let us stretch out the hand of fellowship to our fellow provinces, and seek that which we wanted in the range of a broader national existence. We should thus form not a mere colony, standing alone, but a powerful nation, capable of showing an united front to our foes and able also to inflict damage upon them while protecting ourselves.” There were cheers: Galt was back, pressing national claims once more, telling the House his policy of 1858 should be revived. It was time to rid the country of a government which “was too weak to do good, and only strong enough to do harm.”<sup>27</sup>

Though the Sandfield government survived a few more months, Galt’s selection to deliver the *coup de grâce* may well have been deliberate and orchestrated. At least one interested party – Luther Holton, Galt’s adversary as finance minister – saw the invisible hand directing federation’s advocate, and demanded to know if Cartier and John A. Macdonald had authorized the bid: “The hon. member for Sherbrooke had hinted at dealing with the sectional difficulties of the country. If he was authorized by the hon. member for Montreal East to do this, and would inform the House that he and his friends were prepared to meet the members for Upper Canada in the matter of Representation by Population, and would give the government a generous support, he (Mr. Holton) did not know what might happen.”<sup>28</sup>

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“ Although history is not made by speculation, Galt’s proposal was an offer on the table and a clear foreshadowing of later events. ”

Coming just six days before Brown introduced his historic motion for a committee on constitutional changes on October 12, wisely resting his case for change on Galt’s own federation memorandum of 1858, it is impossible to overlook Holton’s suspicions of this incident’s significance. Although history is not made by speculation, Galt’s proposal was an offer on the table and a clear foreshadowing of later events. With Galt the living link, one might think of the years since 1858 less as a “failure” of the “first” federation initiative, and more as a hiatus in a single effort, awaiting favourable political circumstances to lead Confederation to success. As Macdonald stood to leave, Holton said Macdonald probably didn’t like to hear what he had to say. Macdonald shot back: “Oh not at all, I am not going away. Just give us the government and we will show you what we can do.”<sup>29</sup> ♦♦♦

# Sherbrooke Speech on Proposed Union, November 1864

## A Key Episode in the invention of Canada

Galt and the *idea* of federation were the threads uniting the federation initiatives of 1858 and 1864. When the Great Coalition finally formed, proponents saw Confederation solving similar problems, and made similar arguments to convince the Canadian public: representation by population in exchange for federation and self-government for the provinces; an enlarged national stage to relieve sectionalism and partisanship; economic development, including federal powers over trade and commerce; and development of the Great North-West. It was Galt's role to be among the greatest of these advocates. He was the original Canadian federalist, and in 1864, he again became the government's chief spokesman on Confederation. On November 23, in a major speech delivered at the town courthouse in his Sherbrooke constituency, Galt laid the case for Confederation before the people of Canada. The analysis was comprehensive – he reviewed the chief arguments in favour of Confederation, and set out the federal division of powers. He also devoted attention to protections for the English-speaking community of Quebec, reflecting political risks posed by swirling currents of anxiety among his own supporters. The speech has life today: it is a key episode in the invention of Canada.

## The case for Confederation

The speech was promoted as the government's official case for Confederation: it was printed in the newspapers, and distributed widely in pamphlet form. In a sign of technological change, the chairman of the meeting remarked "the wires were then waiting to waft from one end of the country to the other that which they would hear first" (Galt 1864). Galt began on national grounds, declaring Confederation was a project that would raise our country "to a scale of greatness which we had longed for, but had not hitherto had the prospect of attaining" (Galt 1864, 3). He felt a duty to explain why Confederation was now submitted to the people of Canada, a twofold responsibility to speak not only as a member of Parliament, but also for the Lower Canadian minority. "No measure could possibly meet the approval of the people of Canada which contained within it the germs of injustice to any," Galt reminded his constituents, and any measure which bore injustice on its face would operate against its own success.

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“ He felt a duty to explain why Confederation was now submitted to the people of Canada, a twofold responsibility to speak not only as a member of Parliament, but also for the Lower Canadian minority.”

Galt launched into the faults of the Union as it then existed, tracing its fundamental flaw to the attempt "to combine the federal principle with unity of action," giving equal representation to the two sections of the country but only a single legislature to deal with both national and local subjects.



Once wealth and population had begun to shift west, the Union's artificial equality between Upper and Lower Canada began to be resented. Demands for representation by population were "undoubtedly founded in justice," he admitted, but there was "great reason in the objections" taken in Lower Canada. Representation by population interfered with the equality conceded under the Union Act, a fundamental change that caused "dread" not only among French-Canadians, but all inhabitants of Lower Canada (Galt 1864, 4).

Some solution had to be found, Galt said, that preserved the benefits of the Union, but removed the fears that "injustice might be done to one section or the other." Events had "ripened rapidly," bringing the machinery of government to near "dead lock" in recent years, with a standoff between opposing large majorities from each section of the country. The collapse of two governments in swift succession meant politicians had a duty to unite to seek a remedy, setting aside personal position for the common good. The time was propitious for change, he argued. The idea of federal union had ripened in the public mind, the American Civil War had convinced many the provinces were better together, and the Maritime Provinces had scheduled a conference at Charlottetown to consider union among themselves. These circumstances combined led to the Quebec Conference's conclusion that Confederation should be attempted, said Galt, "provided it could be done on just principles to all" (Galt 1864, 6).

## Federation or unitary state

Having prepared the ground, Galt reviewed "the motives and reasons" (Galt 1864, 6) underlying Confederation, first addressing the fundamental choice whether to have a federation or a single government for the whole country. He began with the revealing proposition that a legislative union held certain advantages over federation. A single level of government would form a "more complete union," and legislative union could be expected to be beneficial "where a people were homogeneous, and their interests were of such a character as to admit of uniformity of action." Canada was differently situated said Galt, and a unitary state could not be entertained, such was the "dread" in the Maritime Provinces and Quebec that "peculiar interests might be swamped and certain feelings and prejudices outraged and trampled upon." In these circumstances, Canada was compelled to adopt a federal structure, for federation was "best adapted under existing circumstances to protect the diversified interests of the several Provinces and secure efficiency, harmony and permanency in the working of the Union. . . ." (Galt 1864, 8).

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“Canada’s federation should not imitate the United States, Galt argued, where only specific powers were delegated to the national government and state rights had been a cause of the Civil War.”

But Canada's federation should not imitate the United States, Galt argued, where only specific powers were delegated to the national government and state rights had been a cause of the Civil War. Here in Canada, Galt argued, all subjects not specifically granted to the local governments would be reserved to the national government: "By this means it was believed we should escape the rock on which the United States had split and we should not have a sectional agitation springing up . . ." (ibid.). Courts of law would enforce the division of powers, he said, and keep each legislature "in bounds."

## Executive powers

Turning to executive powers, Galt explained the Quebec delegates preferred the Canadian system of cabinet government over and above the presidential system of the United States. Galt contended Canadians “enjoyed more practical freedom” than Americans living “under a dictator who was chosen for only four years.” With the executive needing to retain the confidence of Parliament, government would be conducted more in accordance with the people’s wishes. If public opinion changed, the government could be turned out of office at any time. This flexibility was the “greatest safeguard” of the parliamentary system, Galt said, the “secret” of its freedom. “No government in Canada could venture to set public opinion at defiance,” he said. “No government could exist, except for a few short months, unless they had the people at their back; for although parliamentary majorities could be preserved for a short time against the wishes of the majority of the people, still it was impossible to deny that public opinion was, in a complete sense, represented by the opinion of the members of the Legislature. . . . he trusted that we should never in this country lose that control which had been so happily exercised by the people over the government of the day” (ibid.).

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“Galt contended Canadians ‘enjoyed more practical freedom’ than Americans living ‘under a dictator who was chosen for only four years.’”

## The Senate and House of Commons

Galt next turned to the composition of the Senate and the House of Commons. Beginning with the upper chamber, he explained the number of members had been set on the basis of equality among the regions, dividing the new Confederation into three large districts: Upper Canada, Lower Canada, and the Maritime Provinces taken together. There were twenty-four senators per region, with an additional four proposed for Newfoundland. One noteworthy change was that senators would no longer be elected. Galt preferred the existing system, as he felt Canada’s elected upper house had not been a failure. But the Maritime Provinces had insisted on selection by appointment, he said, with a touch of humour admitting the huge constituencies had discouraged many from running for election because they were too vast to canvass: “An election for one [constituency] was bad enough, but to have an election for three constituencies, certainly must be three times as bad” (Galt 1864, 9). Galt then referred briefly to representation by population, explaining the change in the makeup of Parliament was the price at which Upper Canada entered Confederation, insisting on her rightful share of control over government (ibid.).

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“There would be free trade among the provinces, and one common tariff against the outside world.”

## Necessity of economic union

The powers of the federal government Galt next discussed, emphasizing the necessity of economic union. He reviewed the financial position of the country, and the “liabilities and assets of the partnership they were about to enter” (Galt 1864, 16). The federal government would regulate trade and commerce, and interprovincial trade barriers would be torn down. There would be free trade among the provinces, and one common tariff against the outside world. “It was most important to see that no local legislature should by its separate action be able to put any such restrictions on the free interchange of commodities as to prevent the manufactures of the rest from finding a market in any one province, and thus from sharing in the advantages of the extended Union” (Galt 1864, 10). He ranged over the other federal powers in turn, taxation, excise duties, currency, immigration, the criminal law, courts of appeal, and transportation and public works connecting any two or more of the provinces. Each buttressed the idea that these were obviously suited to management by a single, national government concerned with the economic interests of the whole.

## Union and defence

Galt next addressed defence, which he said required to be “directed by one mind,” knowing it was a powerful political argument in light of the Civil War (Galt 1864, 12). Playing to the crowd, Galt grew more grandiose, evoking steadily more enthusiastic applause: “It was desirable that, on whatever part of the Confederacy the hostile foot was placed, the blow should be felt at every extremity of the country. (Cheers.) Every man in the United Provinces should feel that his own home was in danger though the attack were made a thousand miles away, and that every assistance should be rendered to the general government in enabling it to resist aggression, from whatever quarter it might come. (Renewed cheers.)” (ibid.). Expansion of Canada to the eastern coastline meant sea power would be added to her strength: “By a union with the Maritime Provinces we should be able to strike a blow on sea, and, like the glorious old Mother Country, carry our flag in triumph over the waters of the great ocean. (Enthusiastic cheers.)” (ibid.).

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“By a union with the Maritime Provinces we should be able to strike a blow on sea, and, like the glorious old Mother Country, carry our flag in triumph over the waters of the great ocean.”

Alexander Galt

## Guarantees for minority rights

Yet it was the question of minority education rights that Galt called “one of the most important questions,” about which all present would “feel the greatest interest” (Galt 1864, 14). Disquiet was rippling through the minority community Galt represented, and on whose support his political survival depended. Education would be a provincial responsibility, and therefore a risk was felt among the Protestant English-speaking community that they would be placed at the mercy of the new French-Canadian majority in Quebec. Guarantees were needed to prevent injustice, said Galt, declaring it was not enough to trust the majority and hope for the best (ibid.). Minority education rights were needed for Upper Canada Catholics, as well as for Lower Canada Protestants. The Quebec resolutions had provided protections. A reservation was made in the provincial power over education,

carving out “the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools at the time when the Union goes into operation.” Galt announced an amendment to the Lower Canada school laws would be made before Confederation went into force, extending additional protections. It was a fateful move that would soon have personal consequences.

Galt’s arguments reveal how similar were the dilemmas faced in his community to those of French-Canadians, how alike for both Galt and Cartier were the principles of equity and justice underpinning their advocacy of Confederation. The difficulty with Confederation, Galt said, was to allay “the fears and apprehensions” of these two populations (Galt 1864, 19). Fortunately, the record of the past gave grounds for confidence in the future: “For over twenty-five years harmony had reigned in Lower Canada, and the British and French Canadian populations had felt they could go hand in hand in promoting the common interests of the country. What was wanted now was to maintain that feeling of confidence, to show that no wrong was thought of by one or the other” (ibid.). The two communities would rely upon each other, argued Galt, to allay their mutual fears. Good treatment of the English-speaking minority of Quebec would ensure their continued support for French-Canadian rights: “The truth was that while the French Canadian population must look to our support in the General Legislature for the protection of their rights – while they must look to us as Lower Canadians, to stand shoulder by shoulder with them for the protection of their rights in the General Legislature – we in the Local Legislature should demand that no wrong should be attempted against us. If it should be otherwise, the result would be most disastrous to those who attempted it” (ibid.).

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“ True enough, self-interest would help secure minority rights, but Galt now conjured an ideal of community loyalties embracing both English-speaking and French-Canadian publics.”

## From realism to idealism – French and English bound together

To this realism Galt added a note of idealism, linking up with Cartier’s new Canadian political nationality, discussed in *George-Etienne Cartier: The Canadian*. True enough, self-interest would help secure minority rights, but Galt now conjured an ideal of community loyalties embracing both English-speaking and French-Canadian publics. Taking his seat at the Quebec Conference, Galt said he felt “charged, not altogether with the simple duty of a representative of the British portion of the population of Lower Canada, but he felt that he equally represented his French-Canadian friends; and his conviction was that, instead of there being any clashing and division of interests, they would be found in the future more closely bound together than ever before” (ibid.). Confederation would benefit all without distinction: “It would be found that the effect of the combination of all the Provinces would be to benefit Lower Canada – not French Lower Canada, or British Lower Canada – but the whole of Lower Canada – by giving it the position of being the commercial heart of the country – that that position we should share together, and that anything which tended to damage that position would be fatal to the interests both of the one and of the other” (ibid.).

Though pointing to the federal government as the guarantor of his community’s security, Galt lauded the liberality of the existing French-Canadian leadership as grounds to expect fair treatment



in future. He credited Sir Etienne Taché, the aging titular head of government, George-Étienne Cartier, Thomas Chapais, and Hector Langevin as acting with honour in the course of the Confederation negotiations: “There was not a single instance when there was evidence on their part of the slightest disposition to withhold from the British of Lower Canada anything that they claimed for their French Canadian countrymen. (Cheers.) They acted wisely in taking the course they did, for certainly it encouraged himself and others to stand up for the rights of their French Canadian friends” (ibid.). Were there any attempt to give one community “power or dominance” over the other, Confederation would “fail from its manifest injustice.” The only way to ensure success was to ensure that “no just cause of apprehension existed on the part of any considerable class of the community. (Hear.)” (Galt 1864, 21).

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“ *The effect of the combination of all the Provinces would be to benefit Lower Canada – not French Lower Canada, or British Lower Canada – but the whole of Lower Canada – by giving it the position of being the commercial heart of the country.* ”

Alexander Galt

## Mutual trust between French and English Canadians

If obstacles to mutual trust could be overcome, both communities of Lower Canada stood to benefit most from Confederation, declared Galt. Shared economic interests had the power to unite all Canadians. Lower Canada would become “the great commercial centre for the whole of the Provinces, and even when we extended the boundaries of our Empire to the countries bordering on the Saskatchewan and the Rocky Mountains, then the whole wealth of that great country must pour down the St. Lawrence and stimulate the cities of Lower Canada” (ibid.). Quebec had great prospects ahead, and would form, he said “a society, a community, which would have within itself more of the elements of greatness and strength than any other community in Confederation.” What was required was good faith: “it must not be expected that this could be attained if they evinced a want of confidence and entertained a mutual distrust. They ought to come together for the protection of their common interests, and not with the desire to obtain any mean advantage over one another, but to preserve their interests, defend their rights, and do what lay in their power to make Lower Canada attractive to foreigners, and the whole country so to the wealth and industry of other lands” (ibid.).

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“ *The people of the different provinces would become one in every respect, instead of being now merely the inhabitants of different sections – instead of being Nova Scotians, Canadians, etc. – they would all be the subjects of one great nation.* ”

Alexander Galt

## Great future and greater unity for Canada

Galt drew to his conclusion, with a forecast of a great future and greater unity still, which would one day “do away with those artificial boundaries which separated one province from another, and come together as one united people” (ibid.). Though greeted with cheers, this suggestion of an eventual legislative union was an overstretch, an off-key note sounding strangely from Canada’s great federalist. Perhaps the example of the United Kingdom still loomed large, with its single national government for four nations, or perhaps he was trying to develop a rapport with those who still saw legislative union as the best protection for the English-speaking minority. Canada, however, spanned a continent, its vastness dwarfing the British Isles, her geography and her people requiring federation if there were to be any hope of unity.

Galt wound himself back in, suggesting unity stronger than any government, unity among the people of Canada around a shared ideal of justice. “It would take a long time to outgrow prejudices and sectionalism and those trammels which had grown up, leading to mistaken judgments and estimates of our fellow men; but still he believed that the principle laid down that the administration of the affairs of all should be based upon the principles of common justice would in the end produce a perfect union of all.” Unity and justice promised Canada future greatness: “He was convinced that under such a system the people of the different provinces would become one in every respect, instead of being now merely the inhabitants of different sections – instead of being Nova Scotians, Canadians, etc. – they would all be the subjects of one great nation. (Loud cheers.) He could not help for a moment advert to the great future before us. Resting with our back to the icy regions of the North – with the finest river in the world passing through the centre of our land, who could predict our future power and greatness?” (ibid.). ♦♦

## Confederation Debates: The Economic Case for Canada

The following spring, when Galt took his turn as the third of five government speakers leading off the Confederation Debates, it was to make the economic case for national unity (Confederation Debates, 62–71). There had been a division of labour among the five ministers, Macdonald making the first speech, then Cartier, and now Galt, with Brown and McGee to follow. It was time for the Finance Minister to play his part, Galt saying Macdonald and Cartier had discussed “the most important political and philosophical questions,” and that it fell to him to discuss the “commercial and financial interests” of the new Confederation. There was a symbolic importance to Galt’s positioning with Cartier in the order of precedence. Each minister was the Quebec leader of a minority community, each had to allay the reciprocal fears of their supporters entering Confederation, or face the risk of being driven from office accused of having sold their country. On that delicate ground, Galt chose to rest his case on the strength of his Sherbrooke speech of the prior year; today he spoke as a businessman politician, with an overarching argument that the material interests of the country pointed urgently to the need for union.

## A single national marketplace

At the outset, Galt declared that economic matters concerned all Canadians without distinction, bearing “no reference to what may be the creed, nationality or language of portions of the people” (Confederation Debates, 62). The immense resources and economic diversification of the new Confederation would offer security against “providential reverses” (ibid.) It was not by size alone that greatness was found, he said, it was by a country “containing within itself the elements of different interests, for it is in the diversity of employment that security is found against those sad reverses to which every country, depending mainly on one branch of industry, must always be liable. (Hear.)” (ibid.).

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“Confederation would deliver a single national marketplace, argued Canada’s first finance minister.”

Confederation would deliver a single national marketplace, argued Canada’s first finance minister. Intercolonial trade had been of “the most insignificant character,” far less than with the neighbouring United States (Confederation Debates., 64). If we had traded among ourselves, we might have kept the benefit of that trade, but petty “hostile tariffs have interfered with the free interchange of the products of the labour of all the colonies.” Confederation would change all that: “one of the greatest and most immediate benefits to be derived from their union, will spring from the breaking down of these barriers and the opening up of the markets of all the provinces to the different industries of each. (Hear, hear.)” (ibid.). This integrated single market was urgently needed: the Reciprocity Treaty with the United States, which had increased trade among the two powers, was under threat of cancellation due to friction resulting from the Civil War. In these circumstances, politicians had a clear imperative to provide an alternate outlet for Canada’s trade. Canadians must seek “a continued and uninterrupted commerce which will not be liable to be disturbed at the capricious will of any foreign country” (ibid., 64–65).

## Possibilities of a national economy

Galt next stressed that one national government should wield economic powers, and the immense possibilities of a national economy. Whatever differences of opinion might exist on Confederation, said Galt, there could be no disagreement that “the great interests of trade and commerce” could best be managed by a single national government (Confederation Debates, 65). Infrastructure constructed across provincial boundaries demonstrated their “natural union,” said Galt. Railways, canals, and the St. Lawrence River all formed “parts of one great whole” (ibid.). Joining these fragments together, a new burgeoning trade would spring up: “Through these canals and the river St. Lawrence, and along the railway systems of all the provinces, when hereafter connected, a great trade will flow in one uninterrupted stream, enriching in its course not only the cities of Canada, but also swelling the tide of a new commerce we may hope to see called into being in the open Atlantic ports of St. John and Halifax” (ibid.).

## Statement of resources

The finance minister then launched into a discussion of the assets and liabilities of the provinces to be joined, using the business metaphor of a “statement of the resources which the several provinces

propose to bring into the common stock” (Confederation Debates, 66). The national government would assume the liabilities of the provinces, which were roughly proportional per head between Canada, Nova Scotia, and New Brunswick. Adjustments were needed for Newfoundland and Prince Edward Island, which carried comparatively less debt. The federal government would collect most of the taxes (in the form of import and export duties, in those innocent days before the income tax), and in exchange for giving up their customs revenues the provinces would receive a subsidy, the famous 80 cents per head. Galt had sanguine hopes that taxes would be kept down – he was under pressure to prove that federation would not be ruinously expensive (ibid. 69). The subsidy was fixed, and was not anticipated to increase in future, he said (ibid. 70). With hindsight, it is difficult to know whether this argument was seriously meant, coming from a man occasionally criticized for believing the greatness of a country went hand-in-hand with the size of its national debt.

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“The present lack of spending on national defence and great public works was a cause for reproach, not self-congratulation, Galt declared.”

## Leaving a provincial mindset

But Confederation was too great a matter to be reduced to mere dollars and cents – it was not a mere balance sheet exercise, Galt reminded his audience. This was the other side of Canada’s great financier, at home in the world of international finance. “I must state that in my opinion, the question of expense alone is by no means a fair criterion by which to judge of the advantages of a measure such as that now before the House” (ibid.). Yes, there might be savings, he said; the federal and provincial governments would be more efficient, free to concentrate on their respective roles. But the present lack of spending on national defence and great public works was a cause for reproach, not self-congratulation, Galt declared. Lack of necessary investments was a symptom of “weakness and of dependence,” not a cause for satisfaction. In the area of defence, it meant we were “not willing to make the sacrifices that every free people must make if they are desirous of preserving them” (ibid.).

Galt urged Canadians to take on a new national existence that would leave this provincial mindset behind. Recalling his first federation speech of 1858, he reminded the House that the North-West lay undeveloped because the province of Canada alone lacked the resources to open that country, leaving that “immense extent of territory that stretches away west of Upper Canada” to lie fallow while Canadians went off to the United States to seek their fortune (ibid. 71). One of the first acts of the new government, he said, would be to develop that great country, changing it from a liability into a national asset. Considering the benefits of the wider union, Canadians could discount the costs that must be borne as a matter of comparatively minor importance. He trusted the question would not be approached in such a “small, contracted manner” (ibid.).

## A great future lay ahead

Coming to his conclusion, Galt declared Confederation must not be taken up in any “hypercritical spirit.” The need to develop the country had to be kept in view, for a great future lay ahead: “Let us endeavour by this measure to afford a better opening than we now possess for the industry and intelligence of the people. Let us seek by this scheme to give them higher and worthier objects of



ambition. Let us not reject the scheme with the bright prospect it offers of a nobler future for our youth, and grander objects for the emulation of our public men. Let us not refuse it on small questions of detail, but judge it on its general merits. Let us not lose sight of the great advantage which union offers because there may be some small matters which, as individuals, we may not like. Let us trust that this machinery, however faulty it may be, will yet under Providence open up for this country a happy career; while at the same time the House must not forget that it will forever remove the great and crying evils and dissensions which have existed in Canada for the last ten years, and which have threatened to plunge the country into the most disastrous and lamentable state of discord and confusion” (ibid.). ♦♦

## Defending Galt’s Vision: John Rose

Galt’s support among the minority community he led was put at risk by Confederation, but like Cartier, he found eloquent defenders at his side. John Rose, the Scottish-Canadian member for Montreal Centre, was a successful lawyer, a financier and by religion a Protestant. Rose had been solicitor general in the Cartier-Macdonald government, but now sat as a private member. The very day after Langevin’s defence of Cartier in the Confederation Debates, recounted in *George-Etienne Cartier: The Canadian*, Rose argued with elegant symmetry that the new constitution delivered every guarantee necessary to secure the rights of the Protestant English-speaking minority of Lower Canada. Rose vindicated not only Confederation, but also the strategic choices of Canada’s double minorities – English-Canadians of Lower Canada working together with French-Canadians to secure their respective rights and aspirations. Rose pointed to this record of mutual trust, with a defence not only of Galt’s whole course in politics, but ultimately for a recognizably Canadian way of life.

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“*Belonging to different races and professing a different faith, we live near each other; we come in contact and mix with each other.*”

John Rose

### Mutual rights and interests of French and English

Rose couched his discussion of minority rights in terms linking his own community’s safety to protections for French-Canadians. He declared minority rights was a “grave and serious subject,” noting fears had been expressed to him by fair-minded men, that seemed rooted less in specific objections and more in vague distrust, “apprehensions which they cannot state explicitly or even define themselves” (Confederation Debates, 405). From these premises, Rose altered the question, pivoting to the *mutual* fears of both French and English communities: “Now, sir, I believe that the rights of both

minorities – the French minority in the General Legislature and the English speaking minority in the Local Legislature of Lower Canada – are properly guarded . . . it is a very grave and anxious question for us to consider – especially the minorities in Lower Canada – how far our mutual rights and interests are respected and guarded, the one in the General and the other in the Local Legislature” (ibid.).

Rose pointed to a history of fair dealing among the minority communities of Lower Canada, which he said should inspire confidence for the future. “There has been, ever since the time of the Union, I am happy to say – and everybody knows it who has any experience in Lower Canada – a cordial understanding and friendly feeling between the two nationalities, which has produced the happiest results. Belonging to different races and professing a different faith, we live near each other; we come in contact and mix with each other, and we respect each other; we do not trench upon the rights of each other; we have not had those party and religious differences which two races, speaking different languages and holding different religious beliefs, might be supposed to have had; and it is a matter of sincere gratification to us, I say, that this state of things has existed and is now found amongst us. (Hear, hear.)” (ibid.).

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“ *We trusted each other when we entered this union; we felt then that our rights would be sacred with you; and our honour and good faith and integrity are involved in and pledged to the maintenance of them.*”

John Rose

## Mutual trust of French and English-speaking communities

If Galt’s federal system was going to work, the English-Canadian community had to accept living under the new French-Canadian majority in Quebec – and Rose now supplied that acceptance. Continued mutual trust was essential to make Confederation a success, he argued. He felt assured his confidence in French-Canadians was not misplaced, and in turn hoped the confidence of French-Canadians in the federal government would not be abused. Rose considered this “mutual yielding of confidence” would make each community “act in a high-minded and sensitive manner when the rights of either side are called in question” (ibid.). He said it was an “era in the history of both races – the earnest plighting of each other’s faith as they embrace this scheme” (Confederation Debates, 406), plighting an archaism today, but with perfectly apposite meaning: to pledge or solemnly promise one’s faith or loyalty. He looked forward to history’s judgment on these events, believing they would inspire future generations of Canadians: “if at any time hereafter circumstances should arise calculated to infringe upon the rights of either, it will be sufficient to say, in order to prevent any aggression of this kind – ‘We trusted each other when we entered this union; we felt then that our rights would be sacred with you; and our honour and good faith and integrity are involved in and pledged to the maintenance of them.’” (ibid.).

Rose then pointed to the strategic choice of his community never to ally with Upper Canadians to impose their will on French Canada. At any point in George Brown’s 15-year campaign for rep by pop, the English-Canadian community of Quebec might have sold its allegiance to Upper Canada, with which it shared cultural, linguistic, religious and ethnic ties. It might have given in – but didn’t – to the blandishments of a platform that still preached “French domination” and looked to homogeniza-

tion of Canada's people, laws, and institutions. Rose turned to Brown directly to make his point: "I think I may fairly appeal to the President of the Council, that if, during the ten years in which he has agitated the question of representation by population, we the English in Lower Canada had listened to his appeals . . . where, I would ask him, would have been our union today? Would not a feeling of distrust have been established between the French and English races in the community, that would have rendered even the fair consideration of it utterly impracticable? (Hear, hear.) Would the French have in that case been ready now to trust themselves in the General Legislature, or the English in the Local Legislature of Lower Canada? No; and I pray God that this mutual confidence between two races which have so high and noble a work to do on this continent, who are menaced by a common danger, and actuated by a common interest, may continue for all time to come." (ibid.).

The embodiments of this English and French-Canadian mutual trust were Galt and Cartier, whom Rose singled out for praise: "I am glad to see that my hon. friend the Attorney General East, as representing the French majority in Lower Canada, and the Minister of Finance, as representing the English speaking minority, have each carefully and prudently endeavoured to place as fundamental conditions in this basis of union such safeguards and protection as the two races may respectively rely upon (Hear, hear.)" (ibid.). Rose put a series of questions to Cartier directly, seeking and receiving assurances that the constituency boundaries would be drawn with justice, such that English minority would have its fair share of representation in the federal and provincial parliaments, and that in the case of injustice, the federal veto power would be used. He didn't wish to imply any doubt in asking these questions, he said, and congratulated Cartier that in his public life he had never witnessed a single act of his "tinged with illiberality, intolerance or bigotry" (ibid.). This record, Rose declared, should give confidence in the future.

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“Interest, ideals and mutual vulnerability had brought the French and English communities together, and he argued would keep the ship aright under Confederation.”

## Policy of equal justice

The greatest fruit of Cartier's policy of equal justice had been to win and keep the alliance of the English-speaking minority. This was the vital strategic support that enabled him to resist George Brown for years, and now to secure the Confederation bargain. Rose now testified to these facts. To those worried of being handed over "to the tender mercies of the French," he simply asked: "What are you afraid of?" Interest, ideals and mutual vulnerability had brought the French and English communities together, and he argued would keep the ship aright under Confederation: "It is impossible for either race to treat the other with injustice. Their interests are too much bound up together, and any injustice committed by one would react quite as injuriously upon it elsewhere; and I believe that the mutual confidence with which we are going into this union ought to and will induce us all to labour together harmoniously, and endeavour to work it out for the best" (ibid. 409). Rose was able to claim his community had every reason to expect as much or better justice from the new French-Canadian majority in Quebec, as they might ever have obtained from Upper Canada (ibid. 412).

## Minority education rights – Galt’s principled resignation

Before Rose finished, he raised the fateful issue of minority education rights. Again he pointed out that the record on education had been excellent: French-Canadians displayed “not only the liberty, but every facility” for separate schools wherever they were desired (Confederation Debates, 410). In the course of his speech, Rose asked for and received assurances from Cartier that certain education reforms would be granted (ibid. 410–411). The difficulty lay in an awkward question raised by ex-premier Sandfield Macdonald, a Catholic from Upper Canada, whether the same privileges would be extended to the Catholic minority there (ibid. 412). It was a point of the utmost delicacy, which could split the Great Coalition government. When the Lower Canada school bill was later introduced, Robert Bell of Lanark moved a motion requesting the same for Upper Canada. Brown objected immediately. A furore ensued, and the government was forced to withdraw both bills.

Galt’s faith had been pledged to secure the education reforms: he resigned from the Great Coalition on August 7, 1866. Galt, Cartier, and Rose had all been conjuring an ideal, and it seemed Canada had already reached the limits of that ideal, its political system unable to grant equal justice when fairly demanded. Making the announcement, John A. Macdonald spoke more out of sorrow than anger. The education bills were no ordinary bills, he explained; they would have constitutional status. Each bill might have been carried with votes from the opposite section of the province, but such a split had to be prevented: “Canada, instead of starting in harmony under Confederation would enter it with the worst feelings of division aroused, presenting to the other Provinces, the spectacle of a double minority, instead of a double majority”<sup>30</sup> The “most painful” part of his announcement, Macdonald said, was Galt’s resignation, who had been “in an especial manner the guardian of the rights of the Lower Canada minority.”

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“Galt had acknowledged that the price of bringing his federal vision into reality had necessitated the sacrifice of another ideal.”

## Conflicting duties: one ideal sacrificed for another

A backbencher once more, Galt spoke briefly and simply, acknowledging that virtue had given way to necessity: “the course of the government was what was demanded by the circumstances of the country, but it was not a course which he could sanction . . . the government had found that they must merge their duty of protecting the minority, in the greater duties of protecting the peace and harmony of the community.”<sup>31</sup> He had no fear of injustice, he said, nodding to Cartier’s good faith, but had resolved he had no choice but to quit. Galt wrote to his wife explaining the dilemma he faced: “After all that has passed it is impossible for me to remain a member of the government when this takes place, as I should be exposed to reproaches which, however unjust, would still not the less be addressed to me, of having preferred office to the securing [of] the rights of the Protestant minority. The difficulty has become so serious, that a total disruption of the government seemed most probable, but I myself have suggested that my retirement will show the way . . . had we not taken this course, Brown would undoubtedly have carried all U.C. away from us at the next election” (Skelton 1920, 404). Although Galt would not personally be party to the cabinet’s decision to withdraw the



bill, Galt had acknowledged that the price of bringing his federal vision into reality had necessitated the sacrifice of another ideal.

This was Canada, however, and the story was not yet complete. The following Monday, August 13, Cartier pledged to carry Galt's promised reforms: the Protestants of Lower Canada had his word, he said, that the education bill would be carried in the legislature of the new province of Quebec.<sup>32</sup> This promise was kept – the measure was carried after Confederation.

Although relegated to the backbench, Galt was invited to the London conference at Cartier's insistence, as was Rose, where negotiations continued until Christmas Eve of 1866. Minority education rights were extended to all provinces in London, Galt writing home to his wife that "My enemies at home will not have the satisfaction they hoped for."<sup>33</sup> A revised draft of the education clause was supplied by Galt himself, becoming section 93(3) of the constitution: "And in any province where a system of separate or dissentient schools by law obtains, or where the Legislature may thereafter adopt a system of separate or dissentient schools, an appeal shall lie to the Governor General from the acts and decisions of the Local Authorities which affect the rights and privileges of the Protestant or Roman Catholic minority in the matter of education, and the Parliament shall have power, in the last resort, to legislate on the subject" (Skelton 1920, 407). The assent of each province appears beneath Galt's handwriting. Canada, New Brunswick, Nova Scotia: yes. In Galt's 19th-century script, with all it represents – all the struggle and dissention, Galt's career and an idea of Canada alike – it is an authentically moving document. ♦

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“ *These private misgivings became public in 1869, when Galt announced to the House of Commons his hope that ‘when we ceased to be British, we should at last become wholly Canadian.’* ”

## Signposts of Independence

With his interest in great ideas, perhaps it was natural that Galt also looked forward to Canada's independence. When in London, Galt wrote home with private misgivings concerning English attitudes to a continuing connection between the two countries: "I am more than ever disappointed at the tone of feeling here as to the Colonies. I cannot shut my eyes to the fact that they want to get rid of us. They have a servile fear of the United States and would rather give us up than defend us, or incur the risk of war with that country."<sup>34</sup> These private misgivings became public in 1869, when Galt announced to the House of Commons his hope that "when we ceased to be British, we should at last become wholly Canadian."<sup>35</sup> This led to accusations of disloyalty by political opponents, forcing Galt to defend himself by revealing some private correspondence.

When the British government offered him a decoration,<sup>36</sup> Galt had written to the governor general and the British government, to explain his support for independence. He wished them to know

before any award was conferred that he thought Canadian independence was near, and the sooner it was explained to Canadians, the less the chance of annexation to the United States. “If that day should come while our people are taught and believe that they cannot exist without English support, we must drop at once into the United States. And I therefore think the wisest policy will be to commence the discussion of our possible future as an Independent country, so as to prepare for the time when the trial will have to be made.”<sup>37</sup>

Galt paid a price for these views – as with Confederation he was again a man in advance of his time. In 1869, Cartier wrote him with an offer to resume his post as finance minister, but with the proviso that he must agree to set himself against independence.<sup>38</sup> Galt indignantly declined, writing back that he could never consent to such a condition, believing separation from Great Britain to be inevitable.<sup>39</sup> The next year, under attack in the House of Commons, he told an antagonist he knew perfectly well what loyalty was: “It was a man giving his best time and his best energies to the service and the progress of his country, (cheers) and it was not alone the mere expression of sentiment.”<sup>40</sup> He fired back at “men who will continue to keep the public mind back from the contemplation of our future independent national state, they are the men who will most surely drag the Colonies into the United States (Opposition cheers and Ministerial laughter).”<sup>41</sup> But Galt had been laughed at before, when Confederation also seemed an impossible dream. Now he sat in the House of Commons that was the realization of that vision, with representatives of all the provinces of Canada arrayed around him. ♦♦♦

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“The story of Alexander Galt is also a story of a particular idea of Canada, rooted in minority rights, mutual trust among its communities, and the idea that in a diverse community, only justice can appeal to all.”

## Independence and Equal Justice

Where Galt's claim to rest only on being the first, best advocate of federation, his place in history would already be secure. His temperament and circumstances led him to be the chief exponent of federation, before it promised any immediate political advantage. He had the courage to work to change the system, but there was more. The story of Alexander Galt is also a story of a particular idea of Canada, rooted in minority rights, mutual trust among its communities, and the idea that by combining different interests, Canada could secure a more stable, broad-minded politics, and a more peaceful way of life. It is the idea that in a diverse community, only justice can appeal to all, the idea of the Canada we know and recognize today. Galt struggled to bring this ideal to life, meeting setbacks in his day, and some of the most famous episodes in Canadian history reflect tensions and contradictions in the Canadian ideal – some so recent as not to be excused by the ruder morals of the past. The richest legacy of Galt's career in politics should be to inspire Canadians to build a better, more united Canada, applying the lessons of Canada's first federalist to political problems today.

With his leading role in Confederation and his belief in Canada's separate national existence, Galt's career also invites reflection that July 1, 1867 was in many ways Canada's independence day. Canada gained the broadest measure of self-government, in every field of domestic policy, with a cabinet responsible to the people of Canada. The Fathers of Confederation led a movement culminating in a federal Constitution, made in Canada, by Canadians, for Canadians, passed by the British House of Commons but at the request and insistence of Canadians. Many have tracked Canada's independence wholly by the measure of foreign policy – looking to landmarks like the Statute of Westminster of 1931 or our seat at the League of Nations. The better view is that international personality should not trump domestic personality as the signposts of independence.

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“Confederation set a lasting stamp on Canada's national character – and through the efforts of Canadians like Alexander Galt, important elements of Canada's national personality were born in 1867.”

Confederation set a lasting stamp on Canada's national character – and through the efforts of Canadians like Alexander Galt, important elements of Canada's national personality were born in 1867. At the 150th anniversary of Confederation, we should recognize that Galt was one of the many Canadians, their story still minimized or untold, who even in the 1860s looked ahead to our future national existence. As Galt himself said, the intent of Confederation was “to secure, by the union of all the scattered British North American Colonies, a united country of sufficient power, population and wealth, to be able to maintain itself alone.”<sup>42</sup> At the centre of that national character was Galt's federalist ideal, the idea that diversity would be Canada's strength, and that a country of minorities could be knit together by equal justice to all. ◆◆◆



# About the Author



**A**lastair Gillespie is a Canadian lawyer living in London, England. He is an associate in the London office of a large New York-based international law firm and his experience includes a broad array of corporate finance transactions. Alastair has also completed a secondment to a major investment banking institution. He is a Munk Senior Fellow at the Macdonald-Laurier Institute.

Alastair has authored articles reporting on the founding speeches of five key Fathers of Confederation, published as a series by the *National Post* on occasion of the 150th anniversary of the constitutional debates held in the Legislature of Canada in 1865 prior to Confederation. The *National Post* also published Alastair's reflections on the life of Sir John A. Macdonald on the 200th anniversary of his birth.

Prior to his legal career, Alastair was Special Assistant to the Hon. A. Anne McLellan, Deputy Prime Minister of Canada and Minister of Public Safety and Emergency Preparedness.

Alastair holds a B.A. in History from Yale University where he was a research assistant to Dr. Paul M. Kennedy, a member of Yale's Studies in Grand Strategy program and a rower on the Lightweight Crew. Alastair holds a B.C.L./LL.B. from the McGill University Faculty of Law where he was an Editor of the *McGill Law Journal*.

Alastair is admitted to the Bar of the State of New York.

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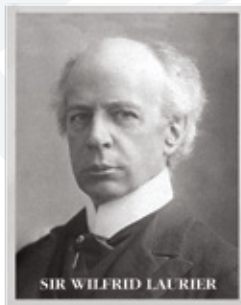
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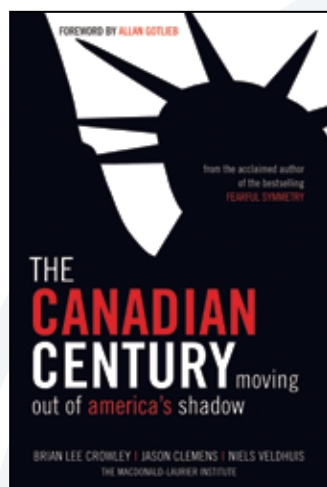
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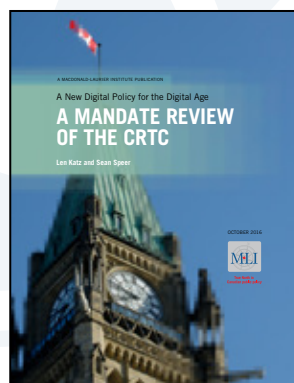
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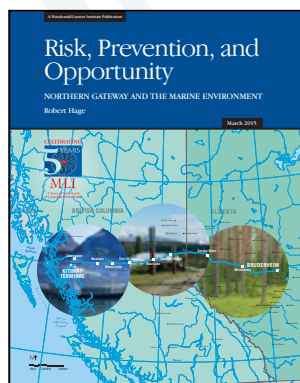
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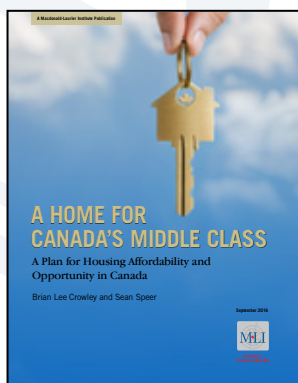
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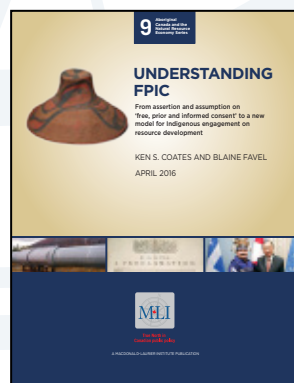
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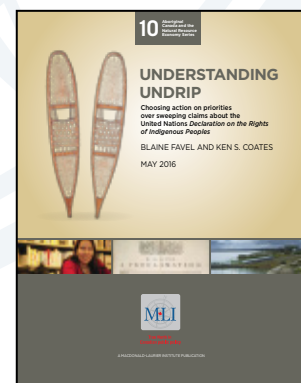
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