

Foundations: The Words that Shaped Canada

Drawing on Library and Archive’s collection, the Library of Parliament curated an exhibit that features six of the most significant documents in Canadian and parliamentary history. In this article, the author gives an overview of the contexts in which some of the words that shaped Canada were written and identifies some interesting details on the documents themselves.

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Introduction

To mark the 150th anniversary of Confederation, the Library of Parliament opened an exhibit entitled *Foundations: The Words that Shaped Canada* on March 9, 2017.

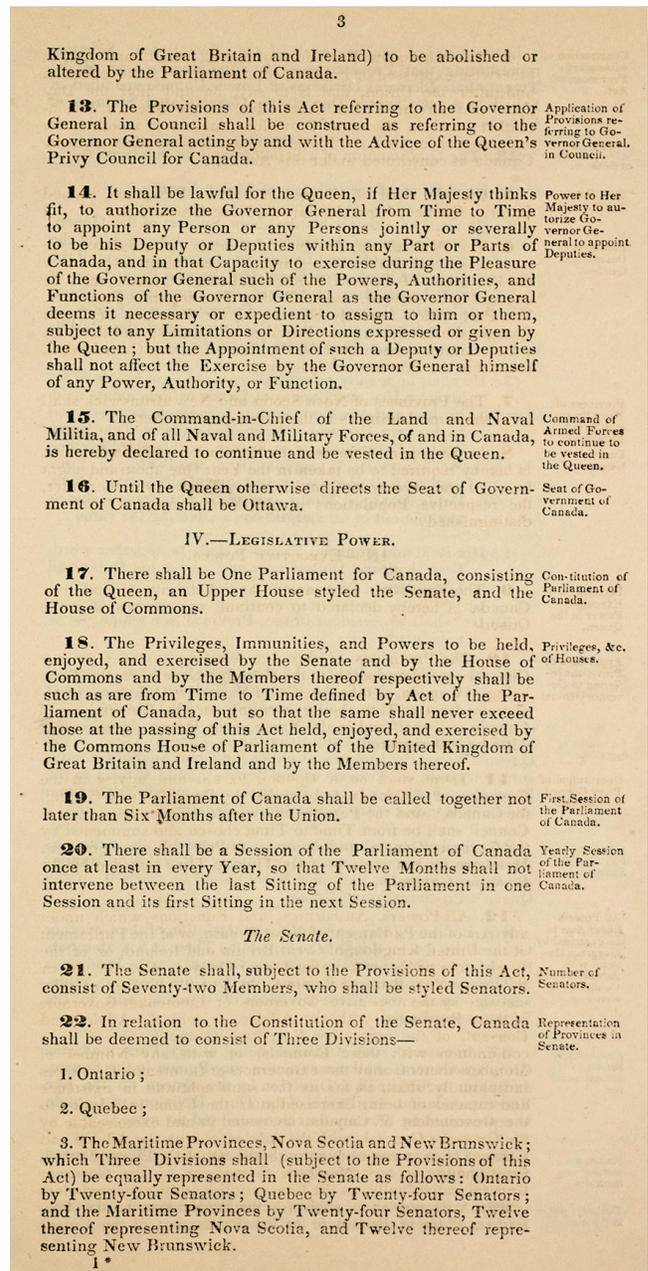
The Library partnered with Library and Archives Canada to showcase six key documents that contributed to the social, political and territorial development of Canada.

- the *British North America Act* (1867);
- Canada’s first Speech from the Throne (1867);
- the *North-West Territories Proclamation* (1869);
- the *Statute of Westminster* (1931);
- the *Canadian Bill of Rights* (1960); and
- the *Proclamation of the Constitution Act, 1982*.

As the title of the exhibit suggests, these documents mark important stages in Canada’s constitutional development.

The documents are accompanied by interactive touchscreens, which explore important details of each document and connects them to broader historical themes. A large interactive timeline also gives visitors an overview of major turning points in Canadian and parliamentary history.

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The British North America Act (1867)

The exhibit begins with an overview of certain key events that led to Confederation and the enactment of the *British North America Act (BNA)*. Pursuant to this Act, the Parliament of Canada governs and legislates to maintain, "Peace, Order and Good Government." These intrinsic values of Canadian democracy are as relevant today as they were in 1867.

Although the *BNA Act* was British legislation, its provisions were drafted by representatives of the colonies of New Brunswick, Nova Scotia and the Province of Canada. This is reflected in the spirit of the text that is marked by a desire to reach a compromise: a compromise between the majority and a linguistic minority that wished to retain its language, religion and identity; and a political compromise between formerly independent colonies that wished to unite in a rapidly evolving North American political context while retaining certain powers in the face of centralizing forces. These compromises remain at the heart of the Canadian federation and can be seen in the way it functions today.

The copy of the *BNA Act* on display at the Library belonged to Sir John A. Macdonald.

Enacted on March 29, 1867, the *BNA Act* came into force on July 1. Canada's first general election was held on September 20, 1867.

Canada's first Speech from the Throne

On Thursday, November 7, 1867, the Governor General of Canada, Sir Charles Stanley Monck, 4th Viscount Monck, opened the First Session of the Parliament of Canada. A few days before the event, he had written to his 18-year-old son, Henry, noting that he would soon open the first session of Parliament and that it would be "a great function." He also mentioned that a Montreal cavalry regiment would be his escort.

In his *Speech from the Throne*, the Governor General reminded parliamentarians of their responsibilities:

the Act of Union, as adopted by the Imperial Parliament, imposes the duty and confers upon you the right of reducing to practice the system of Government, which it has called into existence, of consolidating its institutions, harmonizing its administrative details, and of making such legislative provisions as will secure to a constitution, in some respects novel, a full, fair, and unprejudiced trial.

He also spoke of territorial expansion and of spending. He concluded by expressing his hopes for the new country:

I fervently pray that your aspirations may be directed to such high and patriotic objects, and that you may be endowed with such a spirit of moderation and wisdom as will cause you to render the great work of Union which has been achieved, a blessing to yourselves and your posterity, and a fresh starting point in the moral, political and material advancement of the people of Canada.

The Governor General then proceeded to read his speech a second time, in French, a reminder of the linguistic rights as determined in section 133 of the *BNA Act*.

The first pages of the English and French copies of the Speech - which were written by two different clerks - form part of the Library's exhibit.



Back at his official residence in Ottawa that same day, Monck took pen in hand and wrote to his son about the ceremony that had just taken place. He promised to send him an account of the proceedings and a copy of his speech. In his letter, he explained that he had asked the ladies to sit in the front and the parliamentarians to wear formal dress. Monck wrote that “the whole thing looked very pretty” and that the opening of Parliament was followed by parties and a number of dinners that he faithfully attended.

North-West Territories Proclamation (1869)

Pursuing its goal of expansion, the Government of Canada negotiated the purchase of Rupert’s Land, the vast territory owned by the Hudson’s Bay Company. As Minister of Public Works, the Honourable William McDougall played a key role in the negotiations.

In the fall of 1869, McDougall was to travel to Fort Garry to assume his new position as Lieutenant Governor of the North-West Territories. However, when he attempted to cross the border near Pembina (on the present territory of North Dakota) to reach Fort Garry, an armed group of Métis barred his passage. He stayed in Pembina for a month with his children and some of his retinue.

McDougall believed that the transfer of Rupert’s Land from the Hudson’s Bay Company to Canada was to take place on December 1, 1869. He was unaware that

the Government of Canada had postponed the transfer owing to political problems in the Red River Colony. As a result, some sources report that McDougall crossed the border in the middle of the night on November 30, 1869 and, in the company of some of his close associates, read aloud the *North-West Territories Proclamation*. In any event, this proclamation did not have the desired effect. On the contrary, it aggravated relations with the Métis, who responded by establishing a provisional government to negotiate directly with the government. Some historians say that the *Proclamation* was one of the factors that led to the Red River Resistance.

The Proclamation is one of many steps in Canada’s territorial evolution. The exhibit examines the country’s boundary changes from 1867 to 1999 when the territory of Nunavut was created.

Statute of Westminster, 1931

The exhibit then focusses on the 20th century, a time when Canada underwent profound transformations, notably on the political front. Prior to the enactment of the *Statute of Westminster* in 1931, Canada had legislative autonomy in domestic matters. When it came to external affairs, Ottawa looked to London.

Between the two World Wars, Canada and Newfoundland, along with other colonies, participated in the Imperial Conferences. They dealt essentially with the full legal autonomy of the former colonies. The



decisions reached in 1926, 1929 and 1930 were ratified in 1931 with the signing of the *Statute of Westminster* which paved the way for the Commonwealth.

The copy of the *Statute of Westminster* on display in the exhibit is a photographic facsimile of the original which is preserved in the House of Lords in London. A comparison of the *Statute of Westminster* with other documents produced around the same time shows that they all include two handwritten elements. First, we can read, “le Roy le veult”, a Norman expression meaning “the King wills it” that is used by the Clerk of the Parliaments in the House of Lords to indicate that a bill has received royal assent. The second handwritten element is the signature of Edward Hall Alderson, Clerk of the Parliaments at the time the *Statute of Westminster* was adopted.

The *Statute of Westminster* is a foundation document that testified of Canada’s political evolution since 1867 and its participation in the creation of the Commonwealth of Nations.

Canadian Bill of Rights (1960)

With the backdrop of the civil rights movement in the United States and decolonization in Africa and Asia, the issue of human rights took on an important dimension in Canadian politics. In 1960, Parliament adopted the *Canadian Bill of Rights*. This was the first federal statute to officially establish the fundamental rights of all Canadians.

The *Canadian Bill of Rights* guarantees: the right to life and liberty; the right of equality; freedom of religion, speech and association; and freedom of the press. It marked a decisive step for Canada and for the defence of human rights around the world. The *Bill* is still in effect today, although most of its provisions were replaced by the *Canadian Charter of Rights and Freedoms* that was adopted in 1982.

The 1960 *Canadian Bill of Rights* is remarkable for its content, as well as its presentation. Artist Yvonne Diceman (née Roberts) did the calligraphy and illumination. The rights guaranteed by the *Bill* are represented in four diagrams. The imagery and symbolism provide a wonderful illustration of the text and the spirit of the *Canadian Bill of Rights*. The artist assigned a place of prominence to the Centre Block, the seat of Canada’s Parliament. The Ottawa River, represented by two blue lines, flows behind Parliament and intermingles with the decorative motifs. A beaver is visible above Diceman’s signature. The illumination

does not include heraldic elements, but the colour and composition of its patterns harmonize perfectly with the Canadian coat of arms.

Diceman was born in England and served in the Women’s Auxiliary Air Force in the Second World War. It was during that time that she met a young master warrant officer in the Royal Canadian Air Force named Harold Alonzo Diceman, whom she married in 1945. As a young war bride, Diceman trained in Canada to be an artist. During her career, she was responsible for the calligraphy and illumination of other Canadian documents, including the Books of Remembrance that are located in the Memorial Chamber of the Peace Tower, and the Proclamation of the Canadian Flag. Harold Diceman, meanwhile, was a founding member of the Royal Heraldry Society of Canada, of which he was made a fellow in 1979.

The Proclamation of the Constitution Act, 1982

The exhibit’s pinnacle is the *Proclamation of the Constitution Act, 1982*, which gave Canada full independence from Great Britain, notably by granting the power to amend its own constitution. The entrenched *Canadian Charter of Rights and Freedoms* attests to the values Canadians hold most dear.

The *Proclamation of the Constitution Act, 1982* that is on display at the Library is the copy that was signed by Queen Elizabeth II, Prime Minister Pierre Elliott Trudeau, André Ouellet, Registrar General of Canada, and Jean Chrétien, Minister of Justice, in front of the Centre Block on April 17, 1982. Its authenticity is clear from the slight traces of rain drops that it bears, a reminder of the gentle rain falling on Ottawa that day.

A second copy of the *Proclamation* was also signed by Her Majesty and the Canadian dignitaries. It is well known that in 1983, an individual intentionally poured red paint on this document by way of protest. What is perhaps less well known is that only Jean Chrétien’s signature is covered with red paint, which is why it is the best preserved of the four. Curiously, Chrétien was not originally supposed to sign the *Proclamation!*

Conclusion

The exhibit *Foundations: The Words That Shaped Canada* is an exceptional opportunity to see six important documents in Canadian and parliamentary history together in one place. The exhibit can be seen by visitors on a guided tour of Parliament and will be open until the end of December 2017.