

The Fathers of Confederation were faced with the task of bringing together small, sparsely populated communities scattered over immense distances. Not only were these communities separated by natural barriers that might well have seemed insurmountable but they were also divided by deep divergences of economic interest, language, religion, law and education. Communications were poor and mainly with the world outside British North America.

To all these problems, they could find only one answer: federalism.

The provinces dared not remain separate, nor could they merge. They could, and did form a federation with a strong central government and Parliament, but also with an ample measure of autonomy and self-government for each of the federating communities.

## The Constitution

The *British North America (BNA) Act* was the instrument that brought the federation, the new nation, into existence. It was an act of the British Parliament. But, except for two small points, it is simply the statutory form of resolutions drawn up by delegates from what is now Canada. Not a single representative of the British government was present at the conferences that drew up the resolutions, or took the remotest part in them.

The two small points on which the Constitution is not entirely home-made are, first, the legal title of the country, "Dominion," and second, the provisions for breaking a deadlock between the Senate and the House of Commons.

The Fathers of Confederation wanted to call the country "the Kingdom of Canada." The British government was afraid of offending the Americans so it insisted on the Fathers finding another title. They did, from Psalm 72: "He shall have dominion also from sea to sea, and from the river unto the ends of the earth." It seemed to fit the new nation like the paper on the wall. They explained to Queen Victoria that it was "intended to give dignity" to the Union and was "a tribute to the monarchical principle, which they earnestly desire to uphold."

To meet a deadlock between the Senate and the House of Commons, the Fathers had made no provision. The British government insisted that they produce something. So they did: sections 26-28 of the act, which have never been used.

That the federation resolutions were brought into effect by an act of the British Parliament was the Fathers' deliberate choice. They could have chosen to follow the American example, and done so without violent revolution.