

Chapter 1:

History

Perhaps some of the past and present malaise in government financing of post-secondary education might have been avoided if the September 1864 Charlottetown draft of the *British North America Act, 1867* — retitled the *Constitution Act, 1867* in 1982 — had been followed. The Charlottetown draft specifically excluded the care of universities from the provincial realm.¹ A month or so later, at the Quebec pre-Confederation conference, the primary responsibility for education was committed to the provincial legislatures.

In 1864 Sir Arthur Hamilton Gordon, then Lieutenant-Governor of New Brunswick, commented on the fact that post-secondary education was being assigned to the provincial governments:

I am fully aware of the great difficulties attending the subject of Education, but it is with extreme regret that I see it committed to the Local Legislatures. At all events, the Universities should have been placed under the guardianship of the Central Power. The local governments, needy, rapacious, and ignorant, with little money at their disposal, are pretty certain to appropriate the University Funds to what they will call more useful objects, that is to say, objects which will enable them the [sic] scatter the money among their political adherents. My government quite admits this, and professes to lament it; but sees no remedy unless means are taken to check the freedom of action of the local assembly, so far as the University of New Brunswick is concerned.²

George Brown, one of the Fathers of Confederation, speaking in Toronto on November 3, 1864, stated that while the citizens of Upper Canada would have been content to have education left to the central government, it and certain other areas were assigned to the local authorities “in order to afford that protection which the Lower Canadians claim for their language and their laws, and their peculiar institutions.”³ Well over a century later, the sharing of the financing of

¹. Great Britain, Colonial Office Records, C.O. 188 Vol. 141, Public Archives of Canada (M.G. 11, microfilm, reel B-1234), *Gordon to Cardwell*, 26 September 1864.

². *Ibid.*, 21 November 1864.

³. As quoted in Edward Whelan, *The Union of the British Provinces* (Charlottetown, 1865), pp. 196-7.