

The Canadian characteristic of prior government initiative, of prior intervention from above, if you will, is reflected in the institution of an appointive upper chamber. In that respect I am thinking of such things as the settlement of New France in the seigneurial system whereby the land was carved out, the seigneuries were carved out, and then the people were brought in and placed in them. I am also thinking in terms of the naval and military establishments at St. John's and Halifax; the surveying of Upper Canada and the allocation of lands to the Loyalists; the ordinance regulating the gold discoveries in the Thompson and Fraser River areas, and so forth.

In any event, without giving a course in Canadian history, it becomes clear that this theme of prior organization of the territories and the appointment of people first, and then bringing the settlers in, is something that is characteristic of the Canadian experience and, as I said, is something which is reflected in the institution of an appointive upper chamber. It is a pattern of government foundations organized by military and civil officials accompanied almost all the time by representatives of the churches and of commerce.

So, in the Canadian experience the strong state comes first and then the immigrants, the pioneers, the covered wagons. This was true for New France, Newfoundland, Nova Scotia, Upper Canada and the West.

The point I am trying to make is that the idea of an appointive upper chamber, the idea of government intervention, the idea of going from the top down instead of from the bottom up, is something which is connected with the Senate and is something which is deeply rooted in the experience of settlements in Canada and of the Canadian people.

The second characteristic of the Canadian experience which is tied in with the Senate is that of the parliamentary manner in which Canadian democracy, Canadian independence, Canadian sovereignty, has been affirmed. There again, just to summarize quickly, it was in the Assembly of Nova Scotia that the Maritimes declared their independence from the other British colonies and refused to join the American Revolution. That is why there came into existence a British North America. It was in the assemblies at Niagara and then at York, not in town meetings and in riots, that the Loyalists of Upper Canada expressed their distinctive identity. It was in the Assembly of Lower Canada, not in national armies or in a populace at the barricades, that the French Canadian community defended "notre langue, nos institutions et nos droits." In other words, the Canadian experience is differentiated from that of the experiences of other peoples in the same period.

It was through the parliamentary technique of responsible government, which again is a parliamentary technique and procedure, that nineteenth century politicians achieved political independence for Canada. Confederation was an act of Parliament. The confederation of each one of the provinces was brought about by act of Parliament, not by military conquest or international treaty as was the case with many states of the Union, and I am thinking, for example, of the Spanish-American War and the conquest of Texas.

Canadian citizenship was declared by act of Parliament. The Canadian flag was chosen by Parliament. It did not come into existence through an individual such as Betsy Ross stitching stars onto a blue field, or like three crosses

of the Union Jack, or something of that nature. The point I am trying to make is that in Canada these symbols and institutions, and the important turning points in the Canadian experience, in Canadian history, were all brought about through acts of Parliament. The flags of each one of the provinces were adopted by acts of Parliament. Even the flag of Nova Scotia, which goes back to the 1600s and which was proclaimed by James I, was adopted by the Nova Scotia Legislature later, in the twentieth century.

I could continue in that vein for most of the major turning points in Canadian history, all of which were effected through Parliament.

The different stages of the "Quiet Revolution" in Quebec in the 1960s were achieved through acts of the assembly. I am thinking, for example, of the reform of education, which was worked out in the assembly of Quebec. In other words, the characteristic of the Canadian experience is a parliamentary one.

The Chairman: If I might interrupt you for a moment, Dr. Monet, in the listings of the various parliamentary steps that have been taken in this development, would you include, from the point of view of the independence that this country has, the development of the Statute of Westminster?

Dr. Monet: Yes.

The Chairman: It seems to me that this would be very important from a global point of view.

Dr. Monet: Yes, precisely. Whether the Statute of Westminster was ratified within the parliaments of the Commonwealth, I am not sure. Senator Forsey, I am sure, would have more details on that. I know it was decided in a Commonwealth Conference, but whether it was ratified by the parliaments of the Commonwealth—

Senator Forsey: I don't think it was except, perhaps, in Australia and New Zealand. Certain sections, as I recall it, were coming into force in those jurisdictions only if adopted by the Australian and New Zealand parliaments, but that is a very hazy recollection. I am sure that it is substantially correct, but here it just went into effect.

Dr. Monet: I cannot remember a specific bill, but I am subject to correction on that.

The Chairman: But there was legislation which flowed from it, such as the decision to have a Supreme Court of Canada as the court of final resort, and that sort of thing.

Senator Forsey: Then, of course, there was a Dominion-Provincial Conference which considered the matter, which obviously was made up of representatives of the various legislatures.

Dr. Monet: In fact, the Dominion-Provincial Conference is a development in the Canadian constitution which we see reflected in the Victoria Charter, and which is a kind of parliamentary institution which brings together the representatives of the various parliaments.

The Chairman: I am sorry I interrupted, Dr. Monet.

Dr. Monet: No, it was a good point. So these two themes, then, the settlement theme—that is, the organized settlement which is at the root of the experience of the Canadian people—and the theme of parliament—where all the