

III.—THE CONSTITUTION AND GENERAL GOVERNMENT OF CANADA.¹

The Dominion of Canada is the largest in area and the most populous of the great self-governing Dominions of the British Empire, which also include the Commonwealth of Australia, the Union of South Africa, the Dominion of New Zealand and the island colony of Newfoundland (with Labrador). These Dominions enjoy responsible government of the British type, administered by Executive Councils (or Cabinets) acting as advisors to the representative of the Sovereign, themselves responsible to and possessing the confidence of the representatives elected to Parliament by the people, and giving place to other persons more acceptable to Parliament whenever that confidence is shown to have ceased to exist.

Of these Dominions, Canada, Australia, and South Africa extend over enormous areas of territory, the first two approximating in area to Europe. Each section has its own problems and its own point of view, so that local parliaments for each section, as well as the central parliament for the whole country, are required. These local parliaments, established when transportation and communication were more difficult and expensive than at present, were chronologically prior to the central body, to which on its formation they either resigned certain powers, as in the case of Australia, or surrendered all their powers with certain specified exceptions, as in Canada and South Africa. Of such local parliaments, Canada at the present time has nine, Australia six and South Africa four.

Besides the Dominions above enumerated, the Irish Free State (Saorstát Éireann) now possesses full Dominion status. The great Empire of India has internationally been accepted as a member of the League of Nations, and in its internal administration has been placed on the road, formerly traversed by the Dominions which are now fully self-governing, towards responsible government. Indeed, the whole evolution of the Empire, throughout all its parts which are more than mere fortresses like Gibraltar or trading stations like Hong Kong, is in the direction of responsible government, to be attained in the dependencies as it has been in what used to be called the colonies, by the gradual extension of self-government in proportion to the growing capacities of their respective populations. It is the recognized aim of British administrators, by the extension of educational facilities and by just administration, to develop these capacities to the utmost, so that in the dependencies, as well as in the Dominions and in the Mother Country, the constitutional history of the future may be a record of "freedom slowly broadening down from precedent to precedent."

It is the purpose of this article to relate as briefly as possible, the process of this development of free government in the Dominion of Canada.

I.—CONSTITUTIONAL DEVELOPMENT OF THE COLONIES PRIOR TO CONFEDERATION.

The French Régime.—The settlement of Canada commenced at a time when the extension of European trade and commerce throughout the world was being mainly carried on by chartered companies of merchants belonging to various nations, more particularly England, France and Holland. These companies each tried to monopolize the trade of the regions in which they established themselves,

¹Adapted from an article by S. A. Cudmore, M.A., F.S.S., published in the Canada Year Book, 1921.