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FINDING MULTITUDES

A teleological interpretation of the Crown in New Brunswick

Finding multitudes: a teleological interpretation of the Crown in New Brunswick

In December 2019, after months of vocal opposition to the appointment of a unilingual (English-speaking) lieutenant governor, the Société de l'Acadie du Nouveau-Brunswick filed a notice of application to the province's Court of the Queen's Bench. The notice, which names the Prime Minister and the Governor General as the respondents, seeks a court order cancelling the federal Order in Council (PC 2019-1325) that appointed New Brunswick's current lieutenant governor.

The Société's argument rests on three basic premises: first that the Prime Minister in his recommendation to the Governor General did not respect paragraphs 16(2), 18(2), and 20(2), as well as article 16.1 of the Charter of Rights and Freedoms; second, the Governor General in accepting the recommendation did not respect these same sections of the Charter; and third, that the Charter itself requires lieutenant governors of New Brunswick to be able to speak and understand both of the province's official languages.

This essay was written in the summer months of 2020 in anticipation of an autumn hearing on the notice. The Chief Justice of the New Brunswick Court of the Queen's Bench granted an adjournment of the matter, which will now be heard in spring 2021. All views expressed in this paper are those of the author and are not representative of any employers or funders that they may be affiliated with as part of their doctoral studies.

Using the example of the recent appointment of New Brunswick's Lieutenant Governor, this paper examines what the opposition to that particular nominee reveals about the character of Canadian federalism in 2020 and the role of the provincial Crown in addressing these concerns. The argumentation used by the Société de l'Acadie du Nouveau-Brunswick (SANB) in their legal challenge against the province's lieutenant governor's appointment recognises the position's political and societal roles. By studying the challenge and its underlying concerns, the New Brunswick example is best situated to present scholars of the Crown and its practitioners a valuable opportunity to reflect on the role of the Crown as a symbol of provincial identity within a federal system.

To begin, we must first detail the different functions of the contemporary Crown in Canada. The purpose of describing the modern conceptualisation of the Crown is to illustrate a fundamental paradox: though the Crown is necessarily multifunctional, so too is it necessarily singular in the way it constructs and maintains identity and representation. This paradox is the subject of my interrogation of the institution in this paper. Guided by Ralph Heintzman's interpretation of a 'teleological Crown', I argue that the Crown, as much as it is an instrument that connects us to our history and heritage, has a profoundly societal function as an institution central to fulfilling Canada's potential as a pluralistic society capable of living within and with its multitudes. However, its current constitutional construction—particularly in the way the federal and provincial governments interact with respect to the lieutenant governors—remains inadequate for this progress. Without substantial change to these structures, which will enable the institution to embrace its multitudes rather than continue to impose singularity, the Crown (and thus Canada) will be unable to shed its colonial foundations.

The Crown itself remains is poorly understood and difficult to understand. Frederic Maitland, when writing in 1908, suggested that the Crown—by being all-encompassing—could be potentially understood to be nothing. And yet it is the fount of political legitimacy within our constitutional framework, the omnipresent arbiter of our democratic system—what David E. Smith calls the “first principle” of understanding the governance of Canada. To more easily understand the institution, we can divide it into two different roles: political and societal. The Supreme Court of Canada’s *Mikisew* and *Clyde River* decisions detail the former: the Crown is at once the sovereign as they personify the state, as they exercise their formal legislative powers (such as the act of granting assent), and as they exercise executive authority.

While these *political* roles remain distinct—and arguably limited as points of contact with the public—the Crown (specifically the sovereign and their representatives) in its *societal* roles provides more avenues by which members of society can develop relationships with key institutions of state. Especially at the provincial level, viceregal representatives fulfil these functions through honours and awards, patronages, and what Queen Elizabeth II describes as an informal “Head of Nation” or what Bagehot referred to as head of society (1873, 68).

While this underlying tension between the *political* and *societal* roles of the Crown continues, Heintzman’s work on the meaning of the Crown in Canadian society provides a more useful manner to interpret the institution. He proposes that there are two ways to study the “phenomenon” of the Crown: genetically— “in terms of the circumstances [...] from which it arises and by which it is ‘caused’”—or teleologically, “in terms of the truth or the idea toward which it points or tends” (1997, 2). This interpretation draws on the Aristotelian distinction between ‘efficient’ and ‘final’ causes, distinguishing between those that push from below, or the past, and those that pull from above, or to the future. Ultimately, Heintzman argues, the Crown is a complex mixture of these two dichotomic features and must be understood “independent of the circumstances which first make it known to us” (1997, 2). He warns that scholarship on the institution should not mistake ‘caused’ circumstances that help us understand the Crown for the truth about the institution; this truth, he suggests, is found elsewhere: the Crown is a “symbol and therefore invites us more than most phenomena to consider that which it *symbolises* and the realities toward which it directs our attention” (Heintzman 1997, 2; emphasis added)

However, existing literature would suggest that the predominant and prevailing school of thought concerning the Crown in Canada is formed by a deep connection to the institution’s past. The longevity of the institution and the inertia of that which it represents forms the basis by which we have studied the Crown for the past century. Heintzman affirms that in his genetic understanding of the Crown, the institution remains “a symbol of the historical origins of our political institutions” and that “Canadian political life has unbroken links which lead back beyond the Enlightenment to the Middle Ages. And nothing symbolises this tradition more vividly than the Crown” (1997, 116-7). Even in more contemporary examinations of the institution and its different functions, the Crown is still positioned as having been and being. It is, as Dansereau states, the product of centuries-long patient evolution, or as Mackinnon argues, “a tradition encompassing all the political and legal experience of centuries of trial and error” (in Heintzman 1997, 117). It was and is and therefore will be. It does not, as Heintzman’s teleological interpretation proposes, pull us toward anything in particular.

For their part, the federal government is clear in what they believe to be the essential purpose of lieutenant governors: to “increase knowledge and appreciation for Canada’s shared values and history” and to inspire Canadians to “express their Canadian identity at events and ceremonies” (Department of Canadian Heritage 2018). They are, in effect, instruments of nation building. In this understanding, the societal role of the Crown is necessarily homogenous: a national entity expressing national identity. Admittedly, this interpretation leaves little room for the co-sovereign idea of federalism in Canada or for a teleological understanding of the Crown; here, the colonial replication of the federal government’s former relationship with its counterpart in London downloaded to the provinces reinforces Heintzman’s genetic definition of the Crown.

This returns us to the original discussion on the role of the Crown in contemporary Confederation. Clearly, empire remains a defining feature of the Canadian constitutional arrangement. The country is founded on an “imperial legacy which still pervades Canadian society and institutions” and “is the root of modern Canadian distinctiveness and [...] the basic explanation for the nature of relations that currently exist between federal and provincial governments” (Smith 1991, 451). K. C. Wheare’s own observations on Canadian federalism provide further evidence of what Smith describes as “evidence of internal colonialism” in this dynamic (1991, 458). This is reflected in the myths that the country tells itself—that it simply has come to be (rather than as the product of violent dispossession of Indigenous lands from coast to coast to coast)—which are upheld by the Crown: its “unbroken continuity is often cited as a fundamental ingredient of peaceful change” (1991, 459). Of course, this ignores the reality that one of Canada’s oldest pieces of legislation is the *Indian Act*, which legalised the theft of land, resources, and lives in the name of the Canadian state’s development. When examining the Crown and how it functions, there is, and has been no peace in Canada’s transformation. In the myth though, again, Canada is, and the Crown guarantees it.

This conclusion is problematic for the future of the Crown in Canada. The New Brunswick example is evidence of a fracturing in the genetic understanding of the Crown. While the SANB’s legal challenge against the Prime Minister and the Governor General may well get dismissed and probably will not provide a solid test for the applicability of the *Cherry/Miller (no. 2)* principles in Canadian jurisprudence (see below), it underlines that a very clear philosophical difference exists in the understanding of the role of the Crown in society among along jurisdictional lines. Federal and provincial interests, at least where New Brunswick is concerned, do not appear aligned. In response to the opposition from Acadian and francophone groups, the federal government simply acknowledged that it was recognising the tradition of alternating between anglophone and francophone viceregal officers in the province (Vachet 2019). Indeed, the federal government has been diligent in respecting an almost perfect alternation between lieutenant governors from the two linguistic communities in the province starting with Wallace Bird in the 1960s, who oversaw the passage of the provincial *Official Languages Act* into law.

That a philosophical difference should exist is hardly surprising: the legacy of Trudeau Pere’s civic nationalism provided the federal government with an integrationist approach to dealing with Canadian societal discord, namely in opposing the rise of Quebec nationalism in the 20th century. This contrasts with New Brunswick’s consociationalist response to the divide (see McGarry and O’Leary 2006; Aunger 1981). History tells us that the Crowns in these provinces must necessarily be treated differently. Quebec’s response to co-sovereignty questions has been to distance its political institutions as much as possible from the Crown (see Joyal 2013; McCreery 2013; Berthelson 2013;

Jackson and Haverstock 2010). That was one of the arguments in favour of Confederation in Quebec: that Quebec's identity and the institutions that represented that distinction from the rest of what was then Canada would be protected. The union of the provinces became, for those in Quebec, an act of "not as centralising but as decentralising, not as unification but as separation" (Silver in Russell and Leuprecht, eds. 2011, 95). For New Brunswick, given its deep Loyalist roots, the manner in which concurrent governments and the province's political class has positioned it as a microcosm for Canada for fifty years through its language laws and its active participation in constitutional modernisation efforts (Poitras 2004; Burroughs 2019), and the immense efforts it undertook to reacquire and restore Government House as the official residence for its lieutenant governor, distanciation is not an option.

But these two provinces also underline, to them, a key principle of Confederation: union represents distinct and autonomous sociopolitical entities working in partnership. Confederation to these founding provinces is therefore necessarily about multitudes and *not* about singularity.¹ It is apparent from the opposition to the recent appointment that important parts of New Brunswick's civic society remain unconvinced that the tripartite colonial history of the province is understood by the key actors at the federal level. It is thus not unreasonable for members of the Acadian civic society, given their own historic relationship to the institution that Lagassé reminds still "retains a latent Britishness" (2013, 274), to consider the appointment as an imposition of a ubiquitous (and anglophone) "Canadianness" upon New Brunswick society. From this perspective, the New Brunswick case illustrates the fragility of the co-sovereign model of the Crowns in Canada where it concerns the role of the institution in representing its provincial society and serving as a unifying figure.

Constitutional structures facilitate the maintenance (or imposition) of a pan-Canadian national identity², and the process that replicates this tension between federal and provincial entities has remained untouched since Confederation: the prime minister, as the chief minister of the federal Crown, retains full control over the appointment of lieutenant governors. Proposals to limit the role of individual prime ministers in that process have been suggested over time, including the advisory committee that Stephen Harper experimented with while prime minister (see McCreery 2015 for more details on those proposals and the committee). However, none of these proposals or modifications challenged the fundamentally hierarchical nature of what Smith calls Canada's "compound monarchy"³. Some have suggested that a different appointments process, such as the one employed by the Harper ministry for viceregal appointments from 2010 to 2015, may have avoided some of the resulting complications from New Brunswick experience and may lead to a smoother

¹ New Brunswick's relationship with Confederation is not as straightforward as centralist narratives might project. It is worth remembering that New Brunswickers voted comprehensively against the pro-Confederation Tilley government in the referendum-esque general elections in 1865. For many in the province, union "seemed to offer very little that they lacked, while requiring them to sacrifice their prized political autonomy to the mistrusted Canadians" (Bell 1976, 95). Provincial identity was strong in all three of the Maritime provinces in the 19th century and Confederation was to them (in a provincialist vein) not about centralism and assimilation. As Silver notes, co-sovereignty through Confederation was meant to symbolise that provinces "were to be the political manifestation of distinct nationalities" (in Russell and Leuprecht, eds. 2011, 101).

² This notion builds on the work started by Samuel Titus (2020) on the role of federal policy on the development of national identity that is underwritten by symbol-driven institutions such as the Crown.

³ Mackinnon, who referred to a "Team of Governors", and Jackson have also written on the combined efforts of the federal and provincial Crowns toward the notion of a Canadian Crown. David Johnston, while Governor General, used the "Vice-Regal Family" to describe the collective of Crown's representatives in Canada.

relationship between the federal and provincial Crown (Smith 2020; Vachet 2019). Perhaps. The structure and nature of the committee encouraged the nomination of members of Canada’s political, cultural, and social elite and thus perpetuated a particular view of the Crown and its role within Canadian society⁴. The emphasis on Canada here is noticeable, and even then, the Crown remains a particular representation of the country. Take, for example, the optics of a committee of mostly White men with an average of near 60 replacing a Black immigrant woman “almost completely unknown outside of Quebec” (McCreery 2015, 244) with a two-time Harvard All-American and former president of two major Canadian universities whose Laurentian cottage neighboured Pierre Trudeau’s.

Importantly though, the advisory committee model did not challenge the prime minister’s primacy in the viceregal world. The appointment of lieutenant governors is the ultimate manifestation of the federal Crown’s supremacy and is a power that “has always been the special prerogative of the prime minister”—what Saywell describes as a “jealously guarded preserve” (1957, 24-27)—and one which successive prime ministers have continued to exercise and protect in the constitution. New Brunswick’s case offers the first real opportunity to interrogate these structures: provincial Crowns have been historically maligned, but even in the 20th century’s most high profile cases in Alberta, Saskatchewan, Ontario, or even Quebec, it is hard to discern between ideologically-motivated antagonism of the Crown and antipathy driven by the personal battles between political leaders (see McCreery 2013; 2018; Heard 2020).

The New Brunswick case is notable in the way in which the appointment was summarily criticized in French-language media outlets. The appointment of New Brunswick’s lieutenant governor⁵ was so divisive that its opposition evolved into a complaint to the federal language commissioner and then an eventual appeal to the provincial Court of the Queen’s Bench seeking to annul the appointment altogether on the grounds that it violates the Charter of Rights and Freedoms and is therefore “unreasonable and null” (author’s translation).

The challenge itself is not necessarily noteworthy—much of the legal argument appears built on common (mis)understandings of the office of lieutenant governor. For example, one of the main arguments centres around the presumption that the granting of Royal Assent requires of lieutenant governors the capacity to understand both official languages⁶. In the organisation’s estimation, the granting of Royal Assent is equivalent to a “service” offered to the public by the lieutenant governor, rather than as part of legislative proceedings. This would seem to contradict the scholarship and jurisprudence on the matter, which is conclusive in determining that Royal Assent is a legislative act

⁴ See, for example, Christina Blizzard’s criticisms of Elizabeth Dowdeswell’s appointment as Ontario’s lieutenant governor: Blizzard (2014) noted that the appointment committee was comprised of “dry academics” whose predisposition toward elitism would perpetuate the Crown being “viewed as an elitist, out of touch institution.” See also Paul Wells’s editorial comments (2010) about David Johnston’s appointment, who he described as “a good deal likelier to take a more modest view of his role.”

⁵ The proponents of the challenge have noted repeatedly in public that their opposition is not to the Lieutenant Governor personally but rather to her *nomination* (and appointment), specifically the nomination of a unilingual individual (see, for example, Boudreau 2019).

⁶ See para 21 of the filing. See also the comments from the SANB’s then-president: « Quand il y a un projet de loi en français et que t’es pas capable de lire le projet de loi avant de le signer, c’est problématique » (in Boudreau 2019).

(see Richardson 2004; Senate of Canada 2015; Senate of Canada 2019)⁷. Whether the lieutenant governor can understand a bill in both official languages is therefore irrelevant: this is not an area in which they can exercise discretion. The SANB also uses the argument that lieutenant governors play a double role as both the sovereign's representative in the province and as a federal bureaucrat⁸. This is an ahistorical understanding of the office (see Jackson and Haverstock 2010; Department of Canadian Heritage 2018⁹).

However, the challenge is interesting for two reasons: the first is its attempt to use some Charter rights to limit the exercise of other statutory powers elsewhere guaranteed in the constitution. In this case, the SANB contends that article 16.1 (in particular) of the Charter imposes certain limits on the appointment power. As such, the advice offered by the prime minister to the governor general concerning the appointment of New Brunswick's lieutenant governors must consider, and adhere to, the four Charter passages pertaining to bilingualism¹⁰. This notion is important in the context of a post-Miller world: as Lagassé (2019) suggests, the United Kingdom Supreme Court's ruling on *Cherry/Miller (no. 2)* has "opened the possibility of further judicial constraints on executive decisions" and has potentially established a curious precedent on the matter. He notes that, "Although judges held that the ruling was a 'one-off', it is certainly plausible that other exercises of prerogative authority could be subject to these wider standards of judicial review." Should the Court of the Queen's Bench choose to hear the case, the challenge sets up an interesting proposition: the appointment of lieutenant governors is a constitutional power rather than a prerogative. This is important because one part of the constitution (the Charter) cannot be used to invalidate another (s. 58), at which point, the case turns on the advice from the prime minister to the governor general, which is a matter of constitutional convention. The challenge could therefore test the hypothesis that improper advice to the sovereign (or their representative, in this case) can be unconstitutional and thus overturnable by Canadian courts.

The second interesting reason is that the challenge reveals a rift in the understanding of provincial identity and co-sovereignty. Heintzman notes that the Crown serves to remind us of our responsibilities to our fellow person: that the society it represents is "a community of 'persons'

⁷⁷ Rennie J in *Galati v. Canada* [2015] at para 48 notes that the granting of Royal Assent is a "legislative act" and that "everything up to the ink used to signify assent being dry is a legislative act." Brown J in *Mikisew Cree First Nation v. Canada* [2018] at para 133 also held that "the exercise of the Crown in enacting legislation ("assenting, refusing to assent to, or reserving legislative or parliamentary bills") is legislative." Viscount Haldane in *Re Initiative and Referendum Act* [1919] observed that the lieutenant governor is "an integral part of the Legislature" and Campbell CJ in *Gallant v. The King* [1948] similarly concluded that bills do not become law without assent.

⁸ The official website of the Lieutenant Governor of New Brunswick echoed this inaccurate statement on its page, "Lieutenant-Governor's Role". It may not be unreasonable that the SANB's legal team could have drawn its understanding of the role from this error.

⁹ The author's version is from January 2018; updated versions may be available.

¹⁰ The Charter rights in question are: articles 16 and 16.1, which are the constitutional pillars of official bilingualism in New Brunswick, and state that not only are English and French the official languages of the provincial government and have equal status in their use by government institutions, but that English and French linguistic communities also have equal status and rights. Paragraph 18(2) states that, similar to language laws governing their use in the federal parliament, all written documentation of the provincial legislature is to be published in both languages and that both versions are "equally authoritative". Finally, paragraph 20(2) stipulates that all New Brunswickers have the right to "communicate with, and to receive available services from" government institutions in the official language of their choice.

among whom the relations are ultimately moral relations” and that “we are ends rather than means and we cannot ignore those ends without cost” (1997, 117). In this sense, the Crown reminds us of the sovereignty—or, in other words, the primacy—of our obligations to that community. This notion falters when individuals who exercise the power of the Crown threaten or bring harm to certain persons within this community in a systematic way. For provinces like New Brunswick, the society’s relationship to the Crown must necessarily be heterogenous so that it can reflect the Acadian relationship with the institution as well as those of the Wolastiqiyik and the Mi’kmaq.

Pigeon argues that for provincialists, “the federation implies a division of political authority so that the component states or provinces are free to define their general policy in their own sphere of activity, without being obliged to conform with any pattern set down by the central authority” (1951, 1126). Except that New Brunswick, without the ability to determine *for itself* how it interprets the equal status of linguistic communities as embodied by its head of state, cannot consider itself autonomous or co-sovereign in this regard. At the surface, this concept could be dismissed as merely being a “language issue”—as if the battle over linguistic rights has not been a major source of political contentions for half a century in New Brunswick and is not a means by which the province identifies itself within contemporary Confederation. However, what this tension reveals instead is a schism at the heart of our federation: on the one hand a centralist federal government maintaining the imposition of a singular relationship between the Crown and society (defined by alternation); on the other, a provincial society with its own unique relationship to the Crown seemingly no longer content to accept the federal government’s definition of equality. In this definition, the majority is arguably expected to accommodate the minority, rather than the two linguistic communities being afforded the same equal respect and status that the constitution supposedly guarantees them.

The equality of the linguistic communities is a constitutionally fundamental pillar of the contemporary New Brunswick sociopolitical identity. Refusal of the federal Crown to recognise the multitudes that provincial co-sovereignty implies within Confederation suggests a deep-rooted hypocrisy in the Canadian national identity: we are a mosaic whose character must ultimately serve a nationally-designated and singular identity and that our pluralism is reflected in all forms of diversity and culture except in our expected relationship with the Canadian state and its national identity. Yet the idea of this mosaic of singular purpose and identity contradicts Heintzman’s argument that no one person or group of persons is supposed to have a monopoly of the Crown and, more importantly, what the Crown means to them. This argument is fundamental to the future of the Crown in Canada, whose society is pluralistic and for whom relationships with the Crown are inherently diverse. In the local context, this symbolism helps to explain why we make such a big deal about the first—woman, Aboriginal, racialized—the officeholders who incarnate the different faces of the nation the Crown is supposed to represent. Here, the Crown serves to perpetuate the myth the Canada remains, despite vocal historical opposition, a diverse society and its central political institutions are necessarily capable of adjusting to the varying demands of that diversity.

To shift from myth to reality though, each of those groups needs to be afforded the opportunity to define, for themselves, their relationship with the institution. Each of those should need to also be allowed to reimagine, again for themselves, what their relationship with the institution could or should be—and therefore what the Crown needs to do to adapt to those needs. Pageantry may constitute a serious component of the Crown’s political role, but if the institution’s purpose is (as I have argued earlier, and as Smith suggests) “about social cohesion”, to what end does it serve as an

effective instrument of state if it is not adequately equipped with the appropriate personnel, technological, or financial resources to upkeep these functions—and to what end does it serve if it is incapable of helping its society shape its own collective understanding of self and community.

New Brunswick's experience with the appointment of its lieutenant governor underlines that the lack of involvement in the appointment process itself means that the province cannot contribute to the deliberation about who should embody their society. This is important for certain provinces because some have historically significant understandings of provincial identity and co-sovereignty as conditions of their partnership within Confederation. Although the office of lieutenant governor is a provincial position, the federal government, by acting unilaterally, retains the exclusive right to define for the province how it can enjoy the benefits of that office. This matter when the demise of the Crown (the technical term for the death of a sovereign) is on the radar. The monarchical principle of government can expect a reckoning—not necessarily of its practical existence (Elizabeth II's death may not birth a Canadian republic), but of its societal contribution. The institution must be empowered to adapt accordingly or face existential threats, not by antagonism but by indifference and apathy. The notion of a Crown capable of reflecting the heterogeneity of the society over which it reigns without imposing a homogeneity in the name of social harmony is irreconcilable with the genetic interpretation of the Crown. Yet it is necessary for certain deconstructive acts such as Reconciliation. Thus, Heintzman's teleological Crown becomes the more attractive interpretation: in his notion of the institution, it is singular in its purpose—to bring humanity to a higher, common good—but owned by no one person or group of persons, thereby equally allowing for the existence of a society's multitudes. To achieve this, provinces must have a say in who represents them.

Bibliography

- A. I. Silver, “Confederation and Quebec”, *The French-Canadian Idea of Confederation: 1864-1900*, 2nd ed. (Toronto: University of Toronto Press, 1997) in *Essential Readings in Canadian Constitutional Politics*, eds. Christian Leuprecht and Peter H. Russel (Toronto: University of Toronto Press, 2011).
- Alexandre Boudreau, “La SANB critique le choix d’une lieutenant-gouverneure unilingue”, *Acadie Nouvelle*, September 11, 2019.
- Andrew Heard, “The Provincial Crown and Lieutenant Governors”, *Royal Progress: Canada’s Monarchy in the Age of Disruption*, ed. D. Michael Jackson (Toronto: Dundurn Press, 2020).
- Benjamin Vachet, “Les libéraux défendent la nomination d’une lieutenant-gouverneure unilingue”, *ONFR+* (Group Média TFO), September 20, 2019.
- Christina Blizzard, “Dowdeswell’s selection process spells doom for monarchy in Canada”, *Toronto Sun*, September 24, 2014.
- Christopher McCreery, “The Provincial Crown: The Lieutenant Governor’s Expanding Role”, *Canada and the Crown: Essays on Constitutional Monarchy*, eds. D. Michael Jackson and Philippe Lagassé (Kingston: Institute on Intergovernmental Relations, Queen’s University, 2013).
- , “The Vulnerability of Vice-Regal Offices in Canada”, *The Canadian Kingdom: 150 Years of Constitutional Monarchy*, ed. D. Michael Jackson (Toronto: Dundurn Press, 2018).
- D. G. Bell, “The Confederation Issue in Charlotte County, New Brunswick”, unpublished MA thesis, Queen’s University, 1976.
- D. Michael Jackson and Lynda Haverstock, “The Crown in the Provinces: Canada’s Compound Monarchy” (The Crown in Canada: Present Realities and Future Options, Ottawa, June 2010).
- Dale Smith, “A Tale of Two Secretaries: Looking at the Roles of the Canadian Secretary to the Queen and the Secretary to the Governor General”, *Royal Progress: Canada’s Monarchy in the Age of Disruption* (Toronto: Dundurn Press, 2020).
- David E. Smith, “Empire, Crown and Canadian Federalism”. *Journal of Canadian Studies/Revue d’études canadiennes*, 24, 3 (September 1991).
- Department of Canadian Heritage, *Evaluation of the Lieutenant Governor’s Program (State Ceremonial and Protocol) 2012-13 to 2016-17*, Evaluation Services Directorate, May 10, 2018. <https://bit.ly/2MgAbdx>.
- , *The Lieutenant Governors’ Briefing Book* (Ottawa, 2018).
- Edmund A. Aunger, *In Search of Political Stability, A Comparative Study of New Brunswick and Northern Ireland* (Montreal: McGill-Queen’s University Press, 1981).

- Jacques Poitras, *The Right Fight: Bernard Lord and the Conservative Dilemma* (Fredericton: Goose Lane Editions, 2004).
- Jessica Richardson, “Modernisation of Royal Assent in Canada”, *Canadian Parliamentary Review*, 27, 4 (June 2004).
- John McGarry and Brendan O’Leary, “Consociational Theory, Northern Ireland’s Conflict, and its Agreement 2: What Critics of Consociation Can Learn from Northern Ireland”. *Government and Opposition*, 41, 2 (Spring 2006), 249-277.
- John Saywell, *The Office of Lieutenant-Governor: A Study in Canadian Government and Politics* (Toronto: University of Toronto Press, 1957).
- Louis-Philippe Pigeon, “The Meaning of Provincial Autonomy”. *Canadian Bar Review*, 29 (1951), 1126-35.
- Philippe Lagassé, “Conclusion”, *Canada and the Crown: Essays on Constitutional Monarchy*, eds. D. Michael Jackson and Philippe Lagassé (Kingston: Institute on Intergovernmental Relations, Queen’s University, 2013).
- , “Taming the Crown in Court: Cherry/Miller 2 and Waning Executive Dominance in the United Kingdom (Long Version)”, *In Defence of Westminster*, October 10, 2019. <https://bit.ly/3ckKec8>.
- Ralph Heintzman, “The Meaning of Monarchy”. *Journal of Canadian Studies/Revue d’études canadiennes*, 12, 4 (Summer 1997), 1-117.
- Robert Burroughs, “50 ans de bilinguisme au Nouveau-Brunswick”, Lecture, The Betty Ashbury Jones MA ’86 School of French, Middlebury College, Middlebury VT, August 5, 2019.
- Samuel Titus, “‘A multicultural society, if you can keep it’, Building Canadian national identity, 1970-2010”, Major Research Paper, Graduate School of Public and International Affairs, University of Ottawa, 2020.
- Senate of Canada, “Royal Assent”. *Senate Procedural Notes*, Number 6 (July 2019).
- , *Senate Procedure in Practice* (Ottawa, 2015).
- Serge Joyal, “La couronne au Québec : de credo rassurant à bouc émissaire commode”, *Canada and the Crown: Essays in Constitutional Monarchy*, D. Michael Jackson and Philippe Lagassé (eds.), Kingston, Institute on Intergovernmental Relations, Queen’s University, 2013.
- Walter Bagehot, *The English Constitution*, 2nd ed. (London, 1873).