

PARLIAMENTARY DEMOCRACY IN NOVA SCOTIA

HOW IT BEGAN, HOW IT EVOLVED



Celebrate Célébrons

CANADA'S FIRST
PARLIAMENTARY
Democracy
250 years of Representative
Government in Nova Scotia

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House of Assembly *Nova Scotia*

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INTRODUCTORY MESSAGE FROM THE DEMOCRACY 250 CO-CHAIRS

Did you know that Nova Scotia once captured the attention of the world's super powers?

Or that it played a significant role in fueling anti-British sentiments that sparked the American Revolution?

Or that a Nova Scotian won a court case that established freedom of the press in Canada?

History is a great teacher. Nova Scotia's history can teach us a lot. Joseph Howe's passion for justice teaches us about unforgettable courage. Charles Lawrence and Edward Cornwallis' blind loyalties to Britain teach us about unspeakable cruelty.

This booklet was written to celebrate the 250th anniversary of the birth of parliamentary democracy in Canada. It tells about Nova Scotia's remarkable past. It also tells about how today's governments are elected, the role of the Cabinet and opposition parties, how laws are passed, and a lot more.

It was Nova Scotia that laid the foundations upon which all governments in Canada were built, and many beyond. These foundations were the starting point for the institutions that guarantee many of our rights and freedoms today.

Parliamentary Democracy in Nova Scotia: How it Began, How it Evolved is a valuable teaching tool and learning resource. It offers lessons in both history and modern government. We hope it helps you fully appreciate the importance of democracy. We hope it encourages you to make your mark as an active, engaged student and citizen of the world.

Democracy 250 co-chairs

The Honourable John Hamm

The Honourable Russell MacLellan

OVERVIEW

WHAT IS DEMOCRACY?

The word “democracy” is made from two Greek words, *demos*, which means “people,” and *kratein*, which means “to rule.” Today we use the word democracy to describe countries where people choose governments by having elections.

The earliest democracies were in the city-states of ancient Greece and Rome. These city-states used a system called “direct democracy.” The citizens went to public meetings where they discussed and created the laws they wanted to make, and voted on them. Only citizens could take part in the democracy. Citizens took only their own interests into consideration. They did not go to meetings to represent other people.

USE THIS CHECKLIST TO FIND OUT IF YOU COULD BE A CITIZEN IN ANCIENT ATHENS:

- | | | |
|---------------------------|-----|----|
| ARE YOU MALE? | YES | NO |
| ARE YOU 18 OR OLDER? | YES | NO |
| DO YOU OWN PROPERTY? | YES | NO |
| IS YOUR FATHER A CITIZEN? | YES | NO |
| WERE YOU BORN IN ATHENS? | YES | NO |

IF YOU ANSWERED **YES** TO ALL THE QUESTIONS, YOU COULD BE A CITIZEN WITH THE RIGHT TO ATTEND MEETINGS AND MAKE LAWS.

IF YOU ANSWERED **NO** TO **ONE** OF THE QUESTIONS, YOU COULD **NOT** BE A CITIZEN AND YOU WOULD HAVE **NO** POLITICAL RIGHTS.

WHAT IS PARLIAMENTARY DEMOCRACY IN NOVA SCOTIA?

Parliamentary democracy does three things:

- 1 represents the people
- 2 is responsible to the people
- 3 lets anyone criticize the government without fear of punishment

This kind of government began in Canada on October 2, 1758, when the Nova Scotia House of Assembly met for the first time. It was a small step on the way to the democracy we know today. Only a select few were allowed to vote. Still, it was an important beginning, because it was the first elected assembly of its kind in what is now Canada.

Nova Scotia’s pioneering role in shaping our country’s democratic institutions was a major factor in bringing the rights and freedoms we enjoy today.

Today, many countries in the world are considered democracies.

In a democracy, people can

- express their opinions without fear
- vote for their choice of government
- become a part of the government by running for office
- influence public policy, for example
 - sign a petition
 - contact their local representative
 - organize a demonstration

parliament – from the French word *parlement*, which means “speaking”



WHO ARE NOVA SCOTIANS?

Nova Scotia is home to people from many different backgrounds. Our earliest residents belong to five distinct groups:

MI'KMAQ – First Nations people who trace their history in Nova Scotia back to “time immemorial”—as far back as they can remember, or thousands of years.

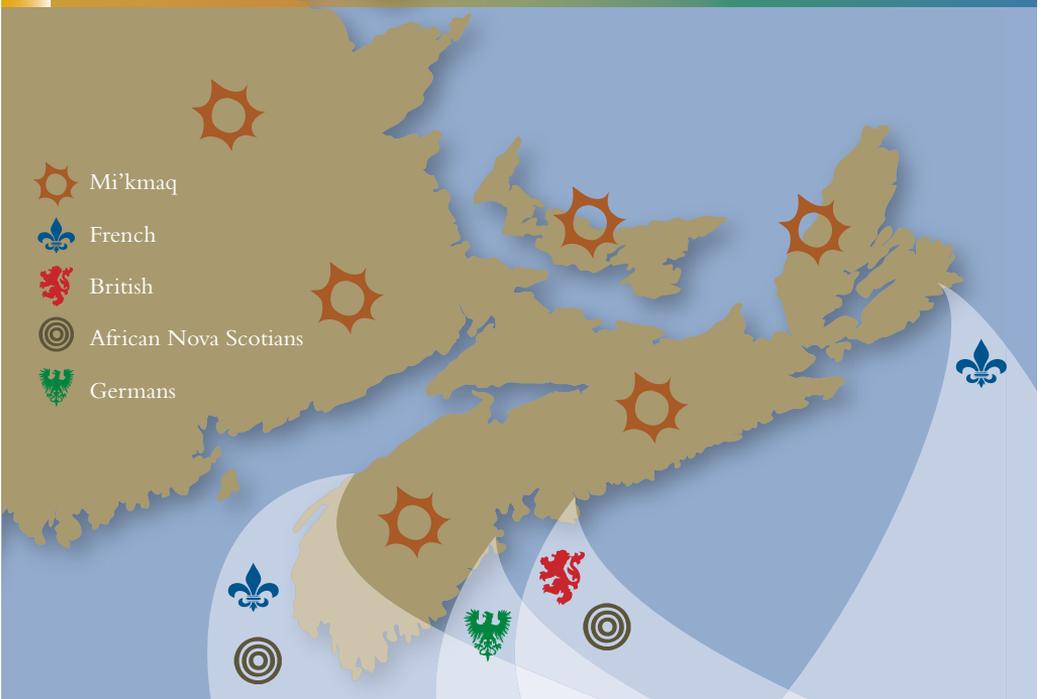
FRENCH – They created the first permanent European settlement in North America, north of the Gulf of Mexico. As the settlement grew, they called their land *L'Acadie* and themselves Acadians.

BRITISH – They took the former French colony by force and later it was given to them as part of a settlement to end a long war in Europe. The term “British” refers to people from the British Isles, including England, Wales, Scotland, and Ireland, depending on who was subject to the British Crown at the time. Britain is also called the United Kingdom, or UK.

AFRICAN NOVA SCOTIANS – They arrived first with the French and later with the British. Some were slaves and some were slaves who had been freed.

GERMANS – They arrived in 1749 with Colonel Edward Cornwallis to help build the fortified settlement of Halifax. They went on to establish and settle what is now Lunenburg County

EARLIEST RESIDENTS



Today, people from all over the world call Nova Scotia home.

NOVA SCOTIA'S FOUNDING PEOPLES AND HOW THEY GOVERNED THEMSELVES

THE MI'KMAQ

HOW LONG HAVE THEY BEEN HERE?

No one knows for sure. Archaeologists and historians agree that First Nations people have lived in Nova Scotia for about 11,000 years. They call these early residents "Paleo-Indians." The Mi'kmaq elders believe they are descendants of this group.

What is certain is that the Mi'kmaq have lived in this region for thousands of years and were here before anyone came from Europe.

The Mi'kmaq, themselves, say that they have lived in the maritime region since "time immemorial," that is, as far back as anyone can remember.

HOW DID THEY LIVE?

The Mi'kmaq gathered food from wild plants, hunted animals, and fished. They were nomadic. That means they did not settle in one place but moved around settling for short periods wherever there was a good source of food.

People did not own land, instead they had the right to use it. They got that right in one of two ways:

- their family had the right to use it
- they married someone who had the right to use it

Once a family had the right to use a parcel of land, it could never lose that right.



WHERE DID THEY LIVE?

The Mi'kmaq occupied a land they called Mi'kma'ki, which means "territory."

Mi'kma'ki was spread out over more than five million hectares. It included all of what are now Canada's Atlantic provinces (Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland) plus the Gaspé Peninsula, the Magdalen archipelago, the French islands of St-Pierre and Miquelon, and what is now northern Maine in the United States.

Painting by John Cunningham of a Mi'kmaq encampment near Halifax. (AGNS, Mi'kmaq04)

Mi'kmaq – plural noun, for example
"one Mi'kmaw, two Mi'kmaq"

Mi'kma'ki – territory

Mi'kmaw – singular noun or adjective

1 hectare = 10 square kilometers

HOW DID THEY GOVERN THEMSELVES?

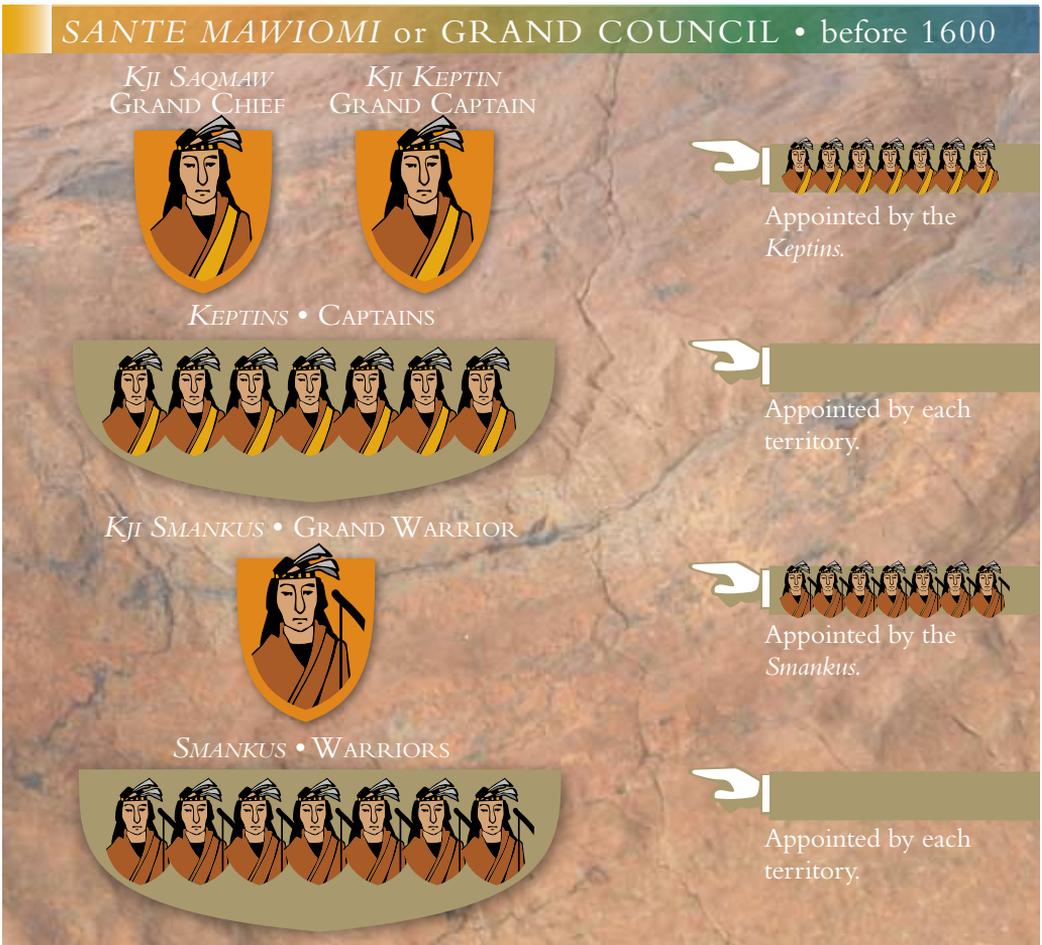
Mi'kma'ki was divided into seven territories, each with its own district chief called a *keptin*. The *keptins* came together to form the governing body of the Mi'kmaq. It was called the *Sante Mawiomi* or Grand Council.

The council had three duties:

- hold onto the land for future generations
- choose where people were allowed to hunt, fish, and camp, and care for natural resources for future generations
- make treaties or agreements with other First Nations people to make sure everyone took care of the resources

The *Sante Mawiomi* made decisions based on consensus. That means everyone in the group had to come to an agreement. Only then could the *Kji Saqmaw* or *Kji Keptin* speak for the group.

The *Sante Mawiomi* still exists today. On Pentecost Sunday, each Mi'kmaq community nominates a person to the *Sante Mawiomi*. The *Sante Mawiomi* decides if it will accept the person and, if it does, they are sworn in as members during the St. Ann's celebration.



GRAND COUNCIL AT MISSION • 2005

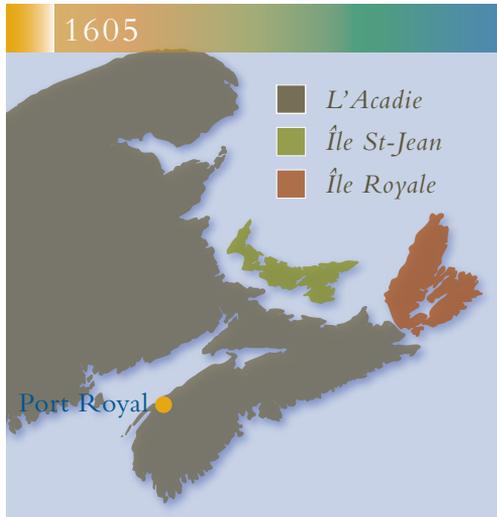


Photo: Kenny Prosper

THE FRENCH

HOW LONG HAVE THEY BEEN HERE?

Since 1605. The first person to set up a colony was Pierre Dugua, Sieur de Monts. He founded Port Royal in 1605. It was the first permanent European settlement north of the Gulf of Mexico.



WHERE DID THEY LIVE?

The first French settlement was Port Royal on the Bay of Fundy. As more people came, they settled most of what are now Canada's maritime provinces:

- mainland Nova Scotia and New Brunswick, called *L'Acadie*. Here they settled mainly in the the marshy lowlands on the shores of the Bay of Fundy around the tidal rivers.
- Prince Edward Island, called *Île St-Jean*
- Cape Breton Island, called *Île Royale*
- the islands of St-Pierre and Miquelon, which still belong to France today

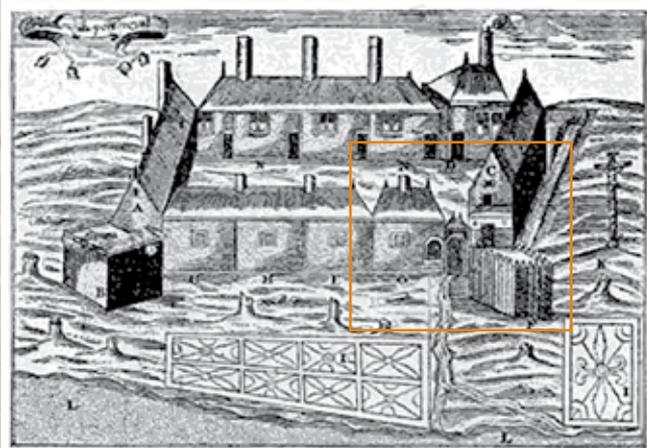
HOW DID THEY LIVE?

The first French settlers harvested wood, hunted animals for food and fur, and fished. They sold much of this to France.

As more settlers arrived, they farmed along the Bay of Fundy using a dyke system to reclaim the fertile salt marshes, knowledge of which they had brought with them from

Port Royal

This is an impression of a sketch done by Champlain of Port Royal circa 1612. You can see the main entrance as photographed in the image below.



Today, Port Royal is a national historic site where people dress in period clothing and show how the early French settlers lived. The site is a reconstruction. The original settlement was destroyed in 1613.



France. They built dykes along tidal rivers that had swinging valves called *aboiteaux*. The *aboiteaux* let fresh water drain off the salt marsh and stopped salt water from coming in. This created rich pastureland.

HOW DID THEY GOVERN THEMSELVES?

They were subjects of the French Crown. The Crown sent a series of governors to rule over the new colony. The governors had certain rights and responsibilities.

There were no elections. The people were expected to obey their governor and anyone the governor appointed to help him carry out his duties. In turn, the governor and his officials settled disputes between settlers.

The French settlers were independent people. They often settled disputes among themselves. The government in France let the new colony develop on its own and did not get involved in local affairs. For these reasons, the settlers identified more with their new colony and less with France. They began calling themselves Acadians.



“Acadian Girl,” R. Harris (NSARM Photo Collection)

Pierre Dugua, Sieur de Monts is also spelled Pierre Du Gua, Sieur de Mons



RIGHTS AND RESPONSIBILITIES OF THE FRENCH GOVERNOR

RIGHTS

- take resources like fish, wood, fur, and other natural resources and sell them
- give out land to new settlers and choose where they live and work
- take charge of everything that happens in the new colony
- set up rules for buying and selling land, resources, and goods

RESPONSIBILITIES

- bring 60 new settlers to New France every year
- convert the Mi'kmaq to Christianity
- make sure everything in the new colony is done for the good of the King of France

THE MI'KMAQ AND THE FRENCH

The Mi'kmaq and French seem to have gotten along well from the time of the settlement of Port Royal. In 1610, Chief Membertou was the first North American Native to be baptized into the Roman Catholic Church. The Catholic Church also signed an agreement with the Mi'kmaq that said they were free to choose Catholicism, Mi'kmaq tradition, or both.

Throughout the 1600s and 1700s, the French created services for the Mi'kmaq, including schools and churches, and provided them trade goods and weapons.

This good relationship is partly because the Acadians did not settle traditional Mi'kmaq land in the interior of the province.

THE ARRIVAL OF THE BRITISH AND WAR

In 1613 Samuel Argall from the British colony of Virginia attacked Port Royal. Most of the settlers ran away. This began a series of violent conflicts between the French and the British over the new colony.

In 1621 the British claimed the colony and named it Nova Scotia.

By 1631 the colony was back in French hands and remained a French colony, except for a brief period from 1657 to 1670, until 1710. This switching back and forth was the result of wars and agreements to end wars in Europe and the New World.

When the colony belonged to France, it was called *L'Acadie*. When it belonged to Britain, it was called Nova Scotia, but British documents also called it Acady, Accadie, and Acadia.

Also, when the colony belonged to France, all the laws of France were enforced and the people were subjects of the French Crown. When the colony belonged to Britain, British laws were enforced and the people were subjects of the British Crown.

The colony's population was still mainly Acadian and Mi'kmaq with very few British settlers.

Wood engraving of the burning of Port Royal, 1613. (John Walker, NS Legislature)



Virginia is now one of the United States of America

New World – the name Europeans gave to North and South America

Crown – refers to the reigning king or queen and all their representatives

HOW NOVA SCOTIA GOT ITS NAME

The countries of Scotland and England had just been united under one king — King James VI of Scotland, now also King James I of England. The new country was called the United Kingdom, and included Wales.

One of the king's advisors was a poet, Sir William Alexander.

Alexander pointed out that there were many “new” territories in the New World — New Spain, New France, and New England.

He said there should be a New Scotland as well. The king agreed and made Alexander New Scotland's first governor.

The king's instructions to Alexander were written in Latin. *Nova Scotia* is Latin for New Scotland. That is why the province is called Nova Scotia today.



NOVA SCOTIA: A BRITISH COLONY, A MI'KMAQ AND ACADIAN POPULATION

In 1710 the British won most of the colony in a battle. Three years later, as part of a treaty to end a long war in Europe, the French surrendered what is now mainland Nova Scotia to the British. They formally changed the colony's name from L'Acadie to Nova Scotia.

The French kept *Île Royale* and *Île St-Jean*. Both countries claimed what is now New Brunswick.

While Britain ruled Nova Scotia, most of its residents were Acadian and Mi'kmaq.

A NEW KIND OF GOVERNMENT

In 1719 the British government ordered Nova Scotia's governor, Richard Philipps, to form a new kind of government. For the first time, the governor would choose a council of 12 advisors. The only limit was that they had to be "fitting and discreet persons." No Mi'kmaq nor Acadians were ever appointed to the Council. The new government was formed in 1720. It was called Governor in Council.

In 1721 the Governor in Council became the first court of law in what would become English Canada. They settled disputes between people. They also acted as a criminal court, deciding the fate of those charged with crimes.



Instructions from the Lords of Trade to Colonel Richard Philipps, 19 June 1719.

GOVERNMENT • 1719

GOVERNOR



Appointed by the British government.

COUNCIL



Appointed by the Governor.

The office of governor has changed over the years but it is still a part of the Nova Scotia government today.

► See page 29, the lieutenant governor today.

THE BRITISH AND THE MI'KMAQ

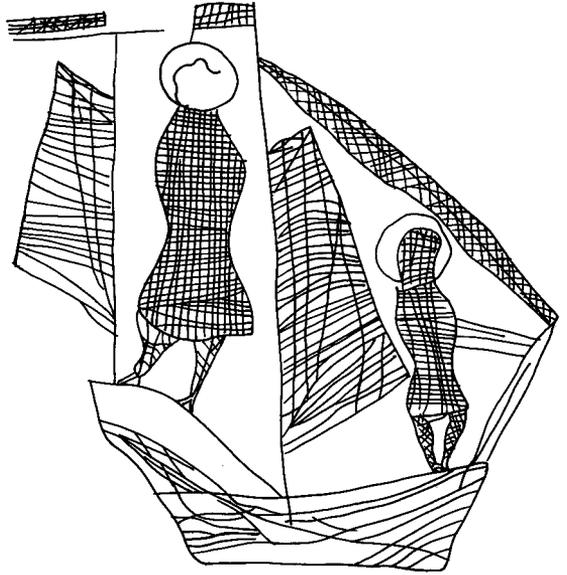
While the Mi'kmaq appeared to welcome the French settlers, they were suspicious of the British. That's because they had heard reports that the British had forced natives off their land and killed large numbers of them in New England.

Because the Mi'kmaq were on good terms with the French, they fought with them against the British.

When Nova Scotia became a British colony, the Mi'kmaq refused to accept the new British rulers and waged war against them from time to time until the mid 1720s.

There was a fragile peace between the two peoples. They stayed out of each other's way — the Mi'kmaq in the interior of the colony and the British along the coast. The peace lasted because there weren't many British in the colony at the time.

In the 1740s, when the French and British were at war over the colony, some Mi'kmaq fought with the French as a way to drive the British out. That failed and was one of the reasons the British decided to build a new base at Halifax.



Mi'kmaq rock drawing possibly done in the 1600s depicting a European ship.

Mi'kmaq conversing with European, 1808, John Cunningham. (AGNS, Mi'kmaq, 1808)



savages – The term used by Europeans to describe the Mi'kmaq and other First Nations who lived in such a different society and culture than what was accepted as civilized in Europe. Many Europeans looked down on them because of this. Others envied their freedom from European rules of society or idealized the life of the “noble savage.” After living a year at Port Royal, the French lawyer and poet Marc Lescarbot, writing in the 1600s, said that “*there are certainly no violins, no masquerades, no dances, no palaces, no towns, and no goodly buildings as in France,*” but that the tribes “*have courage, fidelity, generosity, and humanity, and their hospitality is so innate and praiseworthy that they receive among them every man who is not an enemy.*” He also said that “*they speak with much judgment and good sense; and if they intend entering upon any important undertaking, their chief is listened to with attention, while he speaks for one, two, or three hours, and reply is made on each several point as the subject requires.*” —from *Marc Lescarbot: The History of New France*, pages 15 and 32

TIMELINE

8,000 BC-1604

First Nations only people to occupy Nova Scotia, called land *Mi'kma'ki*.

1600

1605

Founding of Port Royal.

1610

Chief Membertou, first Native to be baptized Catholic.

1613

British attack and destroy Port Royal.

1621

King James claims *L'Acadie* for Britian and names it Nova Scotia.

1605

1610

1613

1621

1700

1713

French surrender most of *L'Acadie* to the British.

1720

Government changed to Governor in Council.

1721

Nova Scotia's first court is created.

1722-26

War between Mi'kmaq and British.

1730

Acadians swear conditional oath of allegiance to Britian.

1740s

War between Britian and France.

1700

1705

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THE BRITISH AND THE ACADIANS

Because there were very few British settlers, the British wanted the Acadians to swear an oath of allegiance to the British Crown. That meant the Acadians would have to fight against the French if a war broke out between the two countries.

The Acadians wanted to remain neutral. That means they didn't want to take sides in any war and didn't want to fight.

In 1730 the Acadians swore an oath presented to them by Governor Philipps that they thought had a condition allowing them to remain neutral in the event of a war.

The oath said,

"I sincerely promise and swear, as a Christian, that I will be utterly faithful and will truly obey His Majesty King George the Second, whom I acknowledge as the sovereign Lord of Nova Scotia and Acadia. So help me God."

The condition said,

"... that the inhabitants, when they have sworn hereto, will not be obliged to take up arms against France or against the Savages, and the said Inhabitants have further promised that they will not take up arms against the King of England or against its government."

This oath did not satisfy the British authorities. They did not want the Acadians to remain neutral and did not trust them.

Most of the time Acadians had nothing to do with the British government. They settled disputes among themselves. When they did need to deal with the government, they chose people from their community to meet with the government on their behalf. They were called delegates. This system worked well for a few years.

By the 1740s, the British and French were at war again.

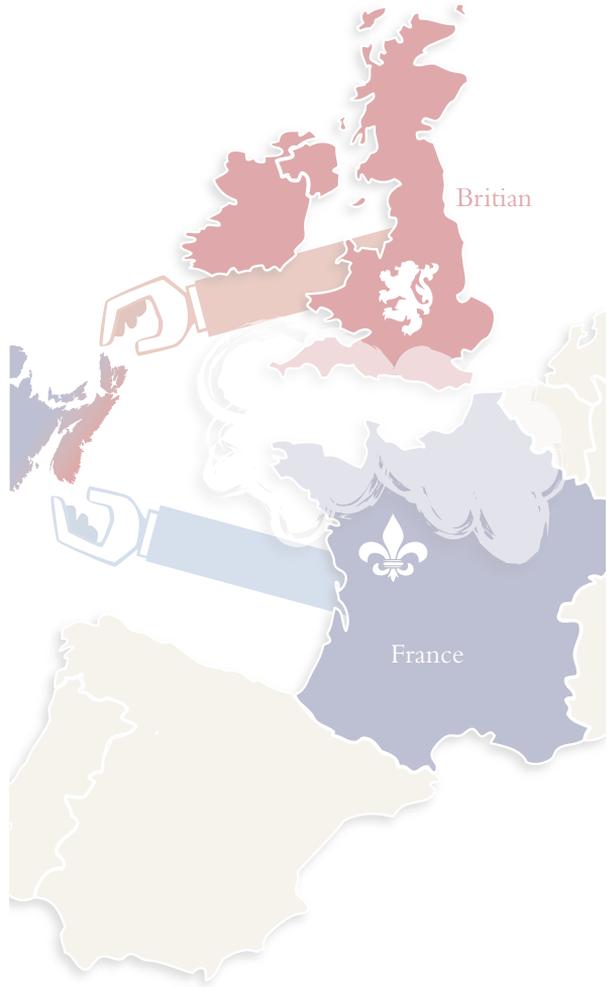
CELEBRATE 1758!

WAR THREATENS NOVA SCOTIA

From the 1740s to 1763, Britain and France were at war, and the fate of Nova Scotia hung in the balance. While Britain had a strong military, it had few settlers in Nova Scotia. The French appeared to have the upper hand. They had the mighty fortress of Louisbourg on *Île Royale* to protect their interests. In addition, the British feared the Acadians and Mi'kmaq would fight with the French. Some Mi'kmaq had already fought the British in previous wars, but the Acadians wanted to remain neutral.

Britain took several steps to make sure Nova Scotia remained a British colony:

- built a fortified settlement at Halifax
- brought in Protestant immigrants from Europe
- deported the Acadians
- created an elected assembly to attract immigrants from New England



Halifax, 1750, an engraving by T. Jeffreys.

(NSARM)



Germany was not a country at the time. It was a region that included several independent German-speaking states.

shillings (sh) - At the time, 20 shillings equalled one pound of sterling silver. Sterling silver was almost pure silver. It could have 7.5 per cent of another metal mixed in at the most. Shillings are not used today. They were phased out when Britain changed its money to the metric system in 1971.



HALIFAX

King George II sent Colonel Edward Cornwallis to Nova Scotia to build a fortified settlement to rival Louisbourg. He arrived in 1749 with 2,500 settlers from Britain and Switzerland.

The new settlement was called Halifax, named for Lord Halifax, president of the British Board of Trade. The Board of Trade was the department in the British government responsible for the colonies.

Cornwallis described the Swiss as “regular honest and industrious men, easily governed and work heartily.” He was so pleased that he wrote to the Board of Trade asking them to *“make it known through Germany, that all Husbandmen, tradesmen or soldiers being protestants, should have the same rights & privileges in this province as were promised on his Majesty’s Proclamation to his natural born subjects, besides which ... each man should receive 40sh. or 50sh., and 10sh. for every person in his family, they to be at the charge of their own passage.”*

– letter from Governor Cornwallis to the Lords of Trade and Plantations, July 24, 1749

If Cornwallis had written this today he might have said

Start an advertising campaign in German-speaking Europe. Tell them Nova Scotia needs farmers, tradesmen, and soldiers. Tell them that as long as they are Protestants, they will have the same rights in Nova Scotia as British subjects. Plus, each man will get 40 or 50 shillings and another 10 for each person in his family. All they have to do is pay their own way to Nova Scotia.

Almost 800 men from the region of Germany and an independent principality northwest of Switzerland, called Montbéliard, took the British up on their offer. They came with their families to Halifax the following year.

They became known as the “foreign protestants” and were given farmland in what is now Lunenburg County.

The settlements at Halifax and Lunenburg marked the first time Europeans took over traditional Mi’kmaq territory. This increased tensions between the Mi’kmaq and the British.

POWERS AND CONDITIONS



POWERS

- make laws
- veto laws made by the Council or General Assembly
- dissolve the General Assembly
- set up as many courts as he saw fit
- choose judges, justices of the peace, and ministers to enforce and carry out the laws
- pardon criminals
- raise an army to defend Nova Scotia or any other territory belonging to Britain
- create a navy
- kill or capture enemies
- collect taxes

When Cornwallis was made Governor of Nova Scotia, he was given sweeping powers over the land and its people with a few conditions:

CONDITIONS FOR LAWS

- laws must be for the public peace, welfare, and good government of the province
- laws must benefit the king of Britain and his heirs
- laws must be “as near as may be agreeable” to the laws of Britain
- laws must be approved by the king within three months of being passed
- call elections to create a General Assembly

CONDITION FOR PARDONING CRIMINALS

- except those convicted of treason or murder

CONDITION FOR COLLECTING TAXES

- spend the money to support the government

Today,

our elected governments have many of the powers Cornwallis had:

- make laws
- choose judges
- raise armies and navies
- collect taxes
- pardon criminals

The governor is still a part of our government, but the office has changed over the years.

► See page 29.

THE PUSH FOR AN ELECTED ASSEMBLY

Britain and New England already had elected assemblies. When the British sent Cornwallis to build a settlement, they told him to set up an elected assembly as soon as possible.

An elected assembly would attract a group of immigrants from New England who were running out of land at home and were looking for new places to settle. They were called the New England Planters.

“Planter” is an old English term for “colonist.” They first came to New England and then became the first major group of English-speaking immigrants in Canada who did not come directly from Great Britain.

Britain wanted the Planters to settle in Nova Scotia because they

- were hard-working farmers
- lived quiet, orderly lives
- were Protestant
- needed the land
- had large families who would settle more land after they arrived

The Planters would only move to Nova Scotia if they

- would have an elected assembly
- had a guarantee that the French would not retake the colony

Still Cornwallis did not create an assembly, because he thought Nova Scotia wasn't ready. The two governors who came after Cornwallis felt the same way.

By 1753 the British government was worried that it might be illegal to rule the colony by Governor in Council and told Governor Charles Lawrence to set up an assembly. He refused.

“I know nothing so likely to obstruct and disconcert all measures for the publick Good, as the foolish squabbles that are attendant upon Elections ...”

– letter from Governor Lawrence to Lord Halifax, 1755

Lawrence's priority was making sure that Nova Scotia remained a British colony.



Colonel Edward Cornwallis

Today,
a monument
to the Planters
can be found in
Horton Landing
and Starrs Point.



Photos: Ivan Smith

THE DEPORTATION OF THE ACADIANS

As war raged between Britain and France, it became increasingly important for the British to make sure the Acadians were on their side.

The Acadians had already sworn an oath of allegiance to King George II, but they believed it allowed them to remain neutral during a war.

In 1755 Lawrence called the Acadian delegates to a meeting in Halifax. He told them the Acadians would have to sign an unqualified oath of allegiance to Britain — one that meant they could NOT remain neutral in the war. The delegates refused and were thrown in jail.

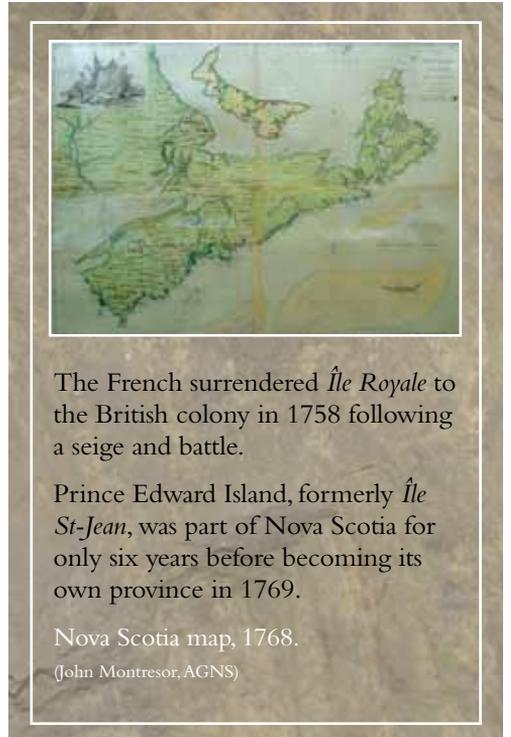
On July 28, 1755, Lawrence and his Council ordered the deportation of all Acadians from Nova Scotia.

Over the next eight years, 10,000 Acadians from Nova Scotia, *Île Royale*, and *Île St-Jean* were put on boats and sent to British colonies along the Atlantic coast, to England, and to France.

The Acadians call the deportation *Le Grand Dérangement*.

The war ended in 1763. Not only did Nova Scotia remain a British colony, but it gained the part of *L'Acadie* that is now New Brunswick and *Île St-Jean*. The only lands that remained in French hands were the islands of St-Pierre and Miquelon. Those islands still belong to France today.

Deportation of the Acadians, F.O. Darley.
(NSARM)



THE FIRST ELECTION

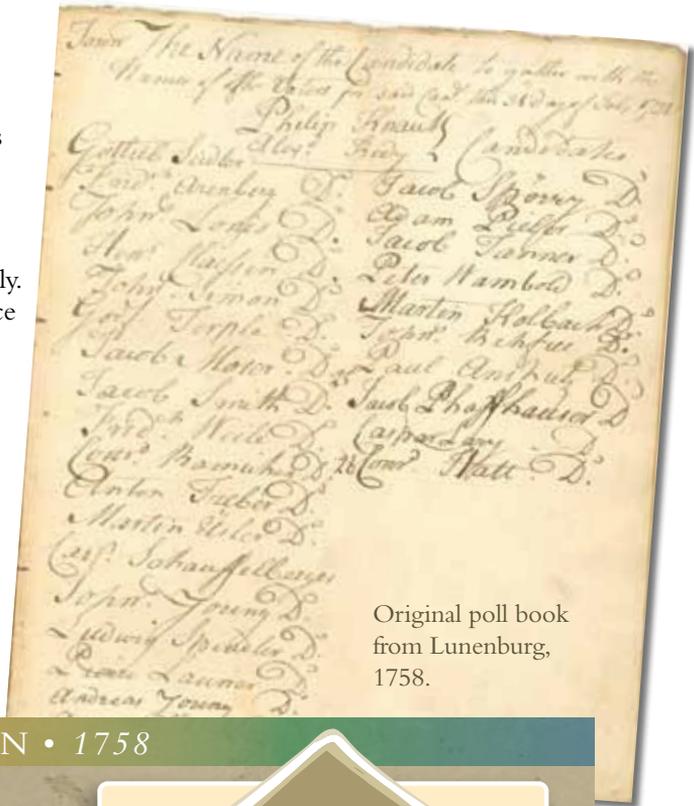
In the 1750s, settlers in Halifax began demanding an elected assembly. They signed petitions and published pamphlets demanding one.

In 1758 a group of settlers sent a representative to London to meet with the Board of Trade to demand an assembly. The Board responded by telling Lawrence to create an assembly – NOW!

“...having so often and so fully repeated to you Our sense and Opinion of the Propriety & Necessity of this measure taking place, it only now remains for us to direct its being carried into immediate execution.”

– letter from the British Board of Trade to Governor Lawrence, May 1758

Lawrence got to work organizing an election that was held in July 1758.



Original poll book from Lunenburg, 1758.

THE FIRST ELECTION • 1758

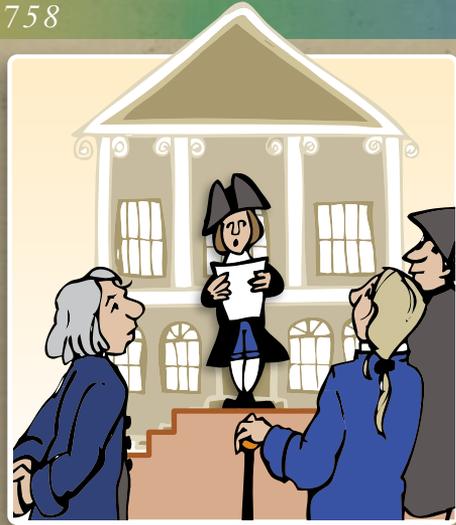
A platform, called a hustings, was built inside or outside a public building. Sometimes private homes were used. The voters gathered around the hustings.

The sheriff stood on the hustings and read the rules governing the election and the information about the election that was to take place.

The candidates were nominated from the hustings, and they stood there to speak to the voters.

The voters went one by one up to the hustings. They told the sheriff who they were voting for. The sheriff wrote their name in a poll book on a page that had the name of the candidate of their choice at the top. The candidates and their inspectors could question the voters.

The gathered voters often shouted at each other as they went to vote, telling them who they should vote for and trying to intimidate them. They even tried to block the passages to the hustings, so that only voters voting for a particular candidate could make it to the top.



Voting took place over several days. The sheriff, the candidates, and their assistants travelled from place to place.

THE FIRST ELECTED ASSEMBLY IN 1758

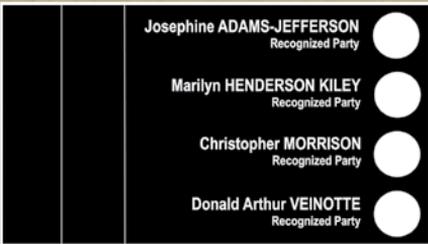
There were 22 members elected to the first assembly. All were men. Nine were from New England, nine from England, one from Scotland, and one from Saxony. It is not known where the other three were from.

Seventeen of the assemblymen were merchants, that is, they ran their own businesses: a ship owner, a brewer, two bakers, a lawyer, a fur trader, a distiller, a mason, a carpenter, and a fisherman. There were also two soldiers. What the other men did for a living before they were elected to office is not known.

- poll** – place where people vote during elections
- ballot** – piece of paper used for voting
- brewer** – a person who makes beer
- distiller** – a person who makes alcoholic drinks like rum
- mason** – a person who builds things out of stone or brick

TODAY'S ELECTIONS

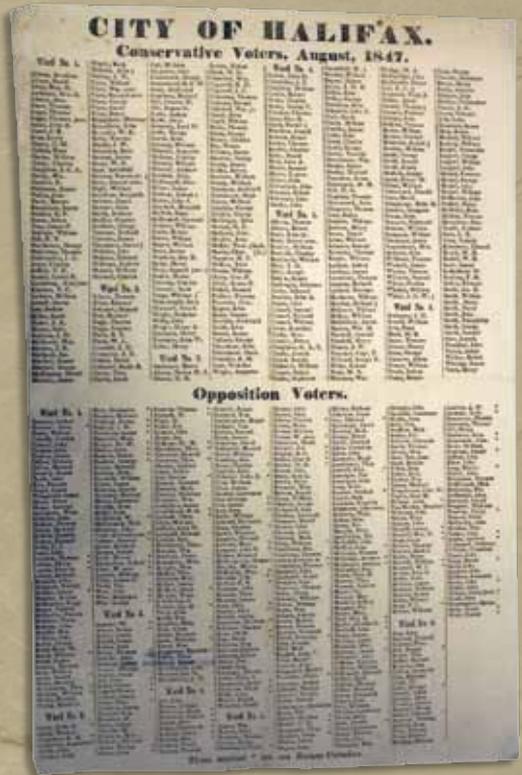
Today voting is done by secret ballot, like this:



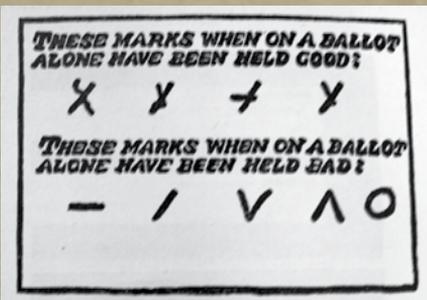
- voter stands in front of scrutineer
- scrutineer crosses the voter's name off a list to make sure everyone votes only once
- scrutineer gives voter a ballot with all the candidates' names printed on it
- voter goes behind a screen, marks an X beside the name of the candidate of their choice
- voter folds the ballot and puts it in a box

No one but the voter knows who they voted for.

The first election by secret ballot in Nova Scotia was in 1870.



[ABOVE] In 1847 there were no secret ballots and votes were publically listed. On the bottom of this list was even a note stating that the names with astericks were not Roman Catholics. (NSARM)



[LEFT] The mark you make on a ballot must be precise, as noted in a 1953 Scrutineers Manual. (NSARM)

REPRESENTATIVE GOVERNMENT IS BORN

The proclamation that announced the first election also set out plans for future elections and began our modern system of electoral districts, also called ridings or constituencies.

The first electoral districts were Halifax and Lunenburg. They were the only two places in the province with large populations. Halifax had about 3,000 people and Lunenburg about 1,500.

Voters in Halifax and Lunenburg voted for their own representatives as well as for the representatives of the province at large. Halifax elected four representatives while Lunenburg had two.

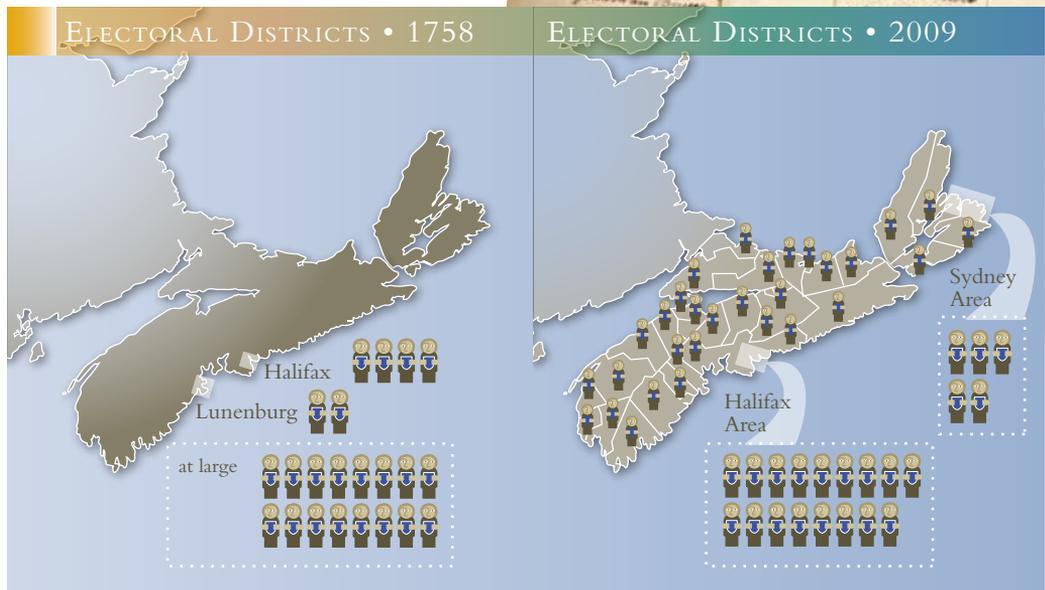
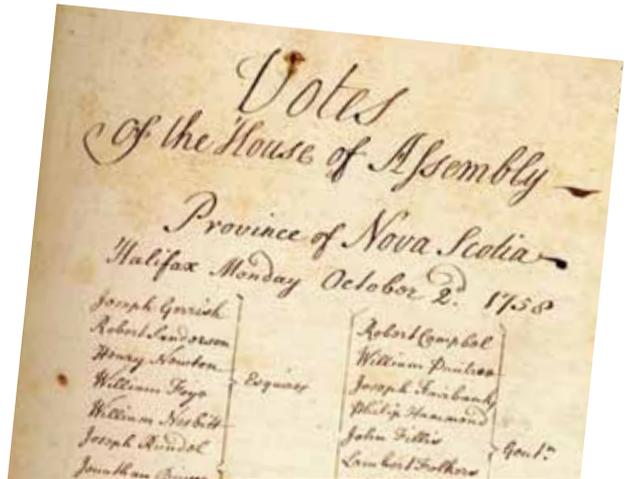
There were also 16 people elected at large. These positions were temporary and were meant to represent the rest of the province, although all the at-large positions went to people living in Halifax. The at-large positions were eventually replaced by representatives from particular areas, as soon as there were enough people to represent.

As more people moved to Nova Scotia, the province was divided into townships and counties. A township with 50 families or more could have two elected representatives

in the assembly, plus another two to represent the county.

The assembly could begin to create laws “for the public peace, welfare, and good government of the province.” These laws had to be approved by the Governor in Council.

The assembly worked a lot like high school student councils do today. Students are elected to represent the students in their grade. They can come up with ideas to improve student life, but action is only taken if the school principal approves.



representative government – a government at least partly made up of people who were elected by people who have the right to vote. Elected officials represent the people who live in a specific area, called an electoral district.

electoral district – an area of land where the people vote for someone to represent them in a legislature. Example – Pictou Centre

To find your electoral district, click ► <http://electionsnovascotia.ns.ca/edf/edf.aspx>

legislature – a group of people who make laws for a country, province, or state

THE FIRST SITTING

The Nova Scotia House of Assembly met for the first time on October 2, 1758. They got to work right away and passed two laws.

The first law confirmed rules made by the Governor in Council concerning the taxation of alcohol and the collection of other taxes. It meant that these rules were still valid and the government could collect the money it was owed.

The second law, An Act for confirming Titles to Lands and for Quieting Possessions, set out who was allowed to own land in Nova Scotia.

It confirmed land ownership to anyone who got the land in one of two ways:

- They were listed as the landowner on grants or deeds filed at the public registry.
- They inherited the land.

The law also said that Catholics or “Papists” could not own land unless the British Crown granted it to them. This was unlikely, but it guaranteed that Acadians could not claim legal right to land that had been owned by their families. The land could be granted to new English-speaking, Protestant settlers.

TIMELINE

1700

1749

The founding of Halifax.

1753

Charles Lawrence takes over as Governor.

1755–1763

Deportation of the Acadians.

1758

Louisbourg falls to the British and *Île Royale* joins Nova Scotia as a British colony.

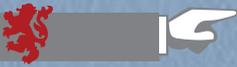
1763

War between France and Britain ends with all of *L'Acadie* becoming Nova Scotia except for St-Pierre and Miquelon.

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GOVERNMENT • 1758

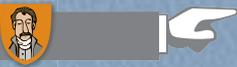
GOVERNOR



Appointed by
British government.



COUNCIL



Appointed by
Governor.



HOUSE OF ASSEMBLY



Elected by the people
who had the right to vote.

House of Assembly – the proper name for the group of people elected to represent the population of Nova Scotia in the legislative assembly chamber in Province House. The House of Assembly is also called “the House.”

inherit – to get something from someone who has died. For example, the oldest male in a family often inherited the land his father owned.

NOVA SCOTIANS WANT RESPONSIBLE GOVERNMENT

PEOPLE FLOCK TO NOVA SCOTIA

The first election and the fall of Louisbourg satisfied the New England Planters that it was safe to settle in Nova Scotia. They began arriving in 1759 and continued to come until 1774.

With the end of the war, the Acadians were allowed back into Nova Scotia. With their land now settled by the planters, they settled further south on the Bay of Fundy in the region of Clare.

Immigrants also came from the British Isles and the British colonies of North America.

SCOTLAND

Scottish settlers had been coming to Nova Scotia since the early 1600s as part of the British settlements. But in the early 1770s, life had become difficult for those living in the Scottish highlands.

In 1773, 178 highlanders boarded the ship *Hector* to leave Scotland and settle in Pictou. They were the beginning of a wave of Scottish immigrants to Nova Scotia.

Scottish Protestants settled in Pictou and Colchester Counties. Scottish Catholics settled in Antigonish and Cape Breton. Both groups spoke Gaelic.

IRELAND

At the same time, Irish Catholics began arriving in Halifax and settling in the city and the surrounding areas.

YORKSHIRE

From 1772 to 1775 a wave of immigrants came to Nova Scotia from Yorkshire in Northern England. Officials from Nova Scotia had gone to Yorkshire to recruit farmers who could take over the land left behind by the Acadians.

These Protestant farmers were offered 500 acres (about 200 hectares) of land and free travel from England to Nova Scotia.

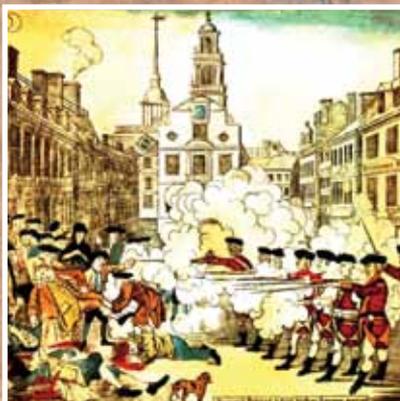
UNITED EMPIRE LOYALISTS

In 1775 war broke out in the 13 colonies just south of Nova Scotia. It was the American War of Independence. The settlers in those colonies wanted to break away from Britain and form their own country. In 1783, after winning the war, they did just that and created the United States of America.

Many people who were loyal to Britain fled to Nova Scotia during the war. They were called United Empire Loyalists. When the war was over, the rest of the Loyalists flocked to what is now Canada. So many moved to Nova Scotia between 1783 and 1784 that the colony was split and two new colonies were born — New Brunswick and Cape Breton. Cape Breton was again made part of Nova Scotia in 1820.

Most Loyalists worked on farms, in the fishery, or for other people. A few of them owned their own business or were professionals, such as lawyers or doctors. This second group became powerful. By the 1790s, they held many government positions and controlled much of the politics in Halifax.

THE WAR OF 1812 was an extension of an earlier war between France and Britain in Europe. On June 18, 1812, the United States brought the European war to North America by declaring war on the British colonies to the north.



AFRICAN NOVA SCOTIANS

The first black person to come to our province was Mathieu Da Costa. He came to *Port Royal* with its founder, Pierre Dugua, Sieur de Monts, and worked as a translator between the Mi'kmaq and the French.

More blacks arrived between 1713 and 1760 as slaves owned by the French who were living in Louisbourg.

In the 1750s the first freed blacks arrived and lived in Halifax.

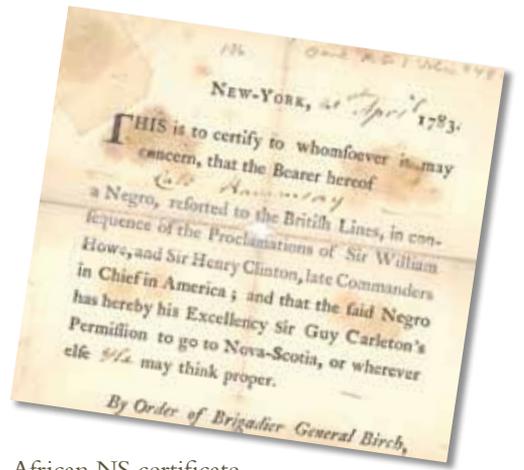
At the end of the American War of Independence, about 3000 American blacks came to Nova Scotia. They had been slaves but were given their freedom when they agreed to fight for the British during the war. They are called the Black Loyalists. Many were given jobs building the town of Shelburne and lived across the harbour in Birchtown. With a population of 2500, Birchtown was the largest settlement of free blacks in North America.

While some blacks had won their freedom, others came as slaves with their United Empire Loyalist masters.

Slavery died out in Nova Scotia around the beginning of the 1800s.

From 1813 to 1815, another 2000 American blacks came to Nova Scotia and the other maritime provinces after fighting for the British in the War of 1812. They settled in communities near Halifax, the largest of which was Preston. Smaller black communities included what is now Upper Hammonds Plains, Beechville, Beaverbank, Five Mile Plains, Prospect Road, and Dartmouth.

Plot plan of Preston, 1816. (NSARM)



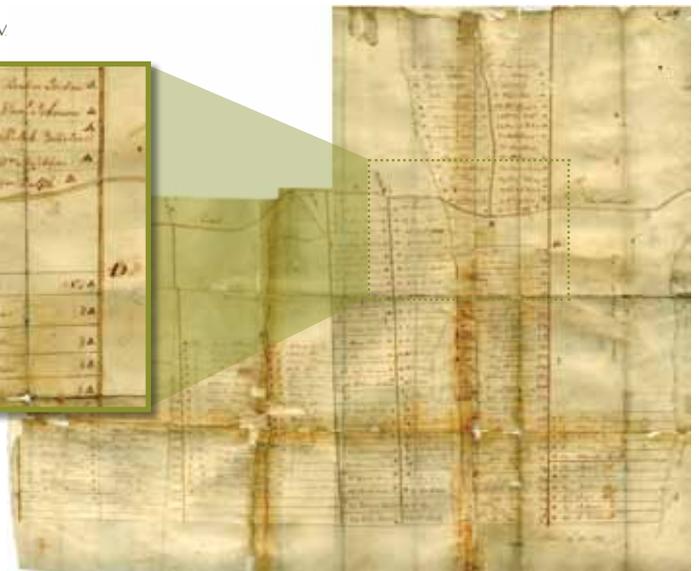
African NS certificate of freedom. (NSARM)

NOVA SCOTIAN IDENTITY EMERGES

The population continued to grow and become more diverse. There were now Mi'kmaq, British, French, and African Nova Scotians. While most people were Christian, they were divided between Catholic and Protestant, and the Protestants were divided again into several groups including Church of England, Methodist, Presbyterian, and Baptist.

All these people worked hard to build a booming economy. They shipped fish to the Caribbean, wood products to Britain, and food to Newfoundland. For this, they built ports and roads. They created a mail service and newspapers to keep in touch with each other and learn about what was going on all over the colony.

Like the Acadians before them, they identified more with their new home than with the one they left behind. They saw themselves as Nova Scotians, and they wanted their government to work for them.



FREEDOM OF RELIGION?

In 1789 the Nova Scotia House of Assembly passed a law called An Act for the Better Regulation of Elections.

This opened up the right to vote to all Protestant denominations. But most Catholics still could not vote. That's because only people who owned land were allowed to vote and most Catholics did not. To own land, Catholics had to reject the authority of the Pope, which was against their religion.

Catholics got the right to vote in 1826 when the government let them own land without rejecting the Pope's authority.

THE HOUSE OF ASSEMBLY GETS CONTROL OF THE COLONY'S MONEY

Almost as soon as the first assembly was elected, it began trying to get control of the colony's money. As more people moved from New England to Nova Scotia, the demand to give the assembly control over money grew for two reasons:

- New England assemblies controlled public money.
- The elected parliament in Britain controlled laws related to public money.

But in Nova Scotia, several governors and their councils were against giving control of money to the House of Assembly.

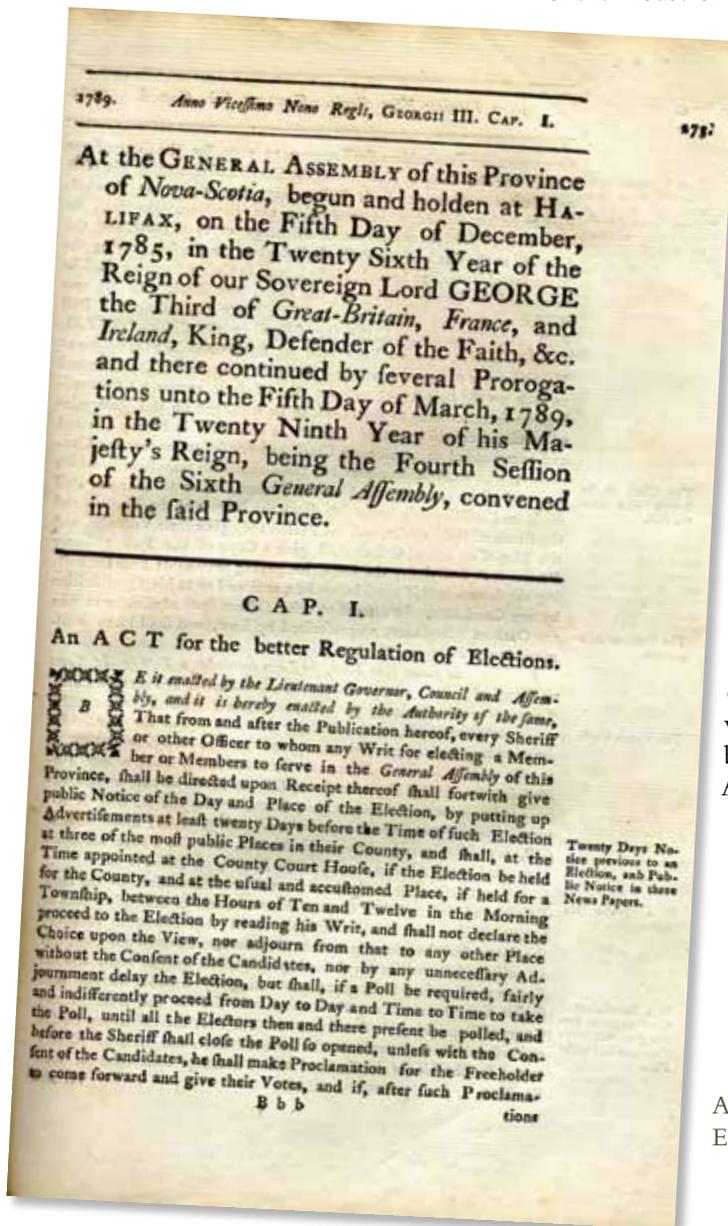
This led to many disputes between members of the House of Assembly and the governors

and councils. From 1758 to 1808, the assembly continually insisted that it had the right to make laws about money and that the council was allowed to accept or reject the laws, but that it did NOT have the right to change them.

The House of Assembly got control of the money gradually by sometimes getting its way in deciding how particular projects, such as roads, bridges, and buildings, would be paid for.

By 1808 the governor and council had lost much of their power to suggest where public money should be spent and the House of Assembly took over that role.

An Act for Better Regulation of Elections, March 1789.



RESPONSIBLE GOVERNMENT IN BRITAIN

The idea of responsible government was part of British government as far back as the Middle Ages. It was called “ministerial responsibility” and it meant that the executive level of government was responsible for its actions to the elected assembly.

Responsible government was fully accepted in England in 1841 when Prime Minister Robert Peel formed a government that Queen Victoria did not support. He remained the Prime Minister even though the Queen did not approve. He was *responsible* to, or answered to, the people who elected him, not the Crown.

Today • Four main political parties exist in Nova Scotia.



Green Party



Liberal Party



New Democratic Party



**Progressive
Conservative Party**

REFORMERS DEMAND RESPONSIBLE GOVERNMENT IN NOVA SCOTIA

In the late 1700s and early 1800s, people began to demand changes in the way their government worked. As it was, the elected House of Assembly could only pass laws if the governor and council approved.

The governor was responsible to the British Colonial Office, NOT the people of Nova Scotia. That meant the Colonial Office had the right to remove him if he did not do what they wanted. The people of Nova Scotia wanted that right — the right to change their government if they did not like what it was doing. They were called “reformers” because they demanded “reform,” another word for “change.”

As people talked about what kind of government they wanted and how it should work, they began to form political parties. The reformers thought that a person should be elected before becoming a government official. They wanted these elected officials to be paid out of local taxes. At the time, many government positions were handed down from father to son and their salaries were paid by the British government.

The reformers said that all they wanted was for Nova Scotians to have the same political rights as British citizens.

Halifax from the Citadel, Frederick Schell, 1820s. (AGNS)



political party – a group of people who share the same ideas about how society should work and who work to elect representatives to the legislative assembly

JOSEPH HOWE AND FREEDOM OF THE PRESS

THE ROLE OF THE MEDIA

In the 1700s and 1800s, the media was called “the press.” That’s because the only “media” were newspapers, and they were printed using a printing press.

In 1752 Nova Scotia had its first newspaper, the *Halifax Gazette*. It was also the first newspaper in what is now Canada. In 1814, *The Acadian Recorder* was the first newspaper to report what was going on in the Nova Scotia Legislature.

But those in power and their friends did not always like what they saw in the paper, so they created libel laws and threatened to use them against newspaper publishers. A person convicted of libel could be fined or sent to prison.

Joseph Howe owned a newspaper called *The Novascotian*. It had its offices and printing press in Halifax. His family came from that small group of Loyalists who formed the ruling establishment in Nova Scotia, but by the 1800s, he was becoming a reformer.



Howe had this portrait painted while in England in 1851, as he searched for financing for the Halifax-to-Windsor railway. (Pastel on paper, by T. Debaussy, Dartmouth Heritage Museum Collection.)

Today, the media take many forms — newspapers and magazines, radio, television, and Internet. Most news organizations have someone reporting on the Nova Scotia Legislature. These people are called “the press gallery.” They are called that because the reporters used to sit in the gallery of the legislative assembly chamber.

These were the members of the press gallery in 2008.



libel – published statements that are meant to insult a person, damage their reputation, or expose them to hatred, contempt, or ridicule

negligent – careless

reprehensible – shameful

THE LETTER THAT GOT HOWE IN TROUBLE

On January 1, 1835, Howe published a letter that accused government officials in Halifax of managing public money very badly. The letter said that people were forced to pay more taxes and fines than was right, and that some officials took money from public institutions that were set up to look after the poor.

The letter also accused those who ran the government of doing it in a “slovenly, extravagant and unpopular manner.”

It did not use people’s names. No one knows who wrote the letter. It was signed, “THE PEOPLE.”

Today, the letter would read something like this:

Government officials and the police have been corrupt for the last 30 years. Good people have left these professions because of this corruption. They left because they were disgusted by what their colleagues were up to. Their colleagues have robbed the people of about \$1.5 million over the last 30 years, in fines and extra payments. I can prove it. I challenge these people to come forward and justify their actions. Everyone knows how one official has been robbing one institution, dedicated to caring for our poorest citizens, of about \$15,000 every year. (Value of pounds in 1835 converted to today’s Canadian dollar)

Howe was charged with libel for publishing the letter. If found guilty, he would have been fined or sent to prison.

HOWE DEFENDS HIMSELF

On March 1, 1835, Howe defended himself in what is now the Legislative Library at Province House. At the time, it was the Supreme Court of Nova Scotia. He was not allowed to give evidence or call witnesses. Instead, he made a six-hour speech during which he called government officials “the most negligent and imbecile, if not the most reprehensible body that ever mismanaged a people’s affairs.”

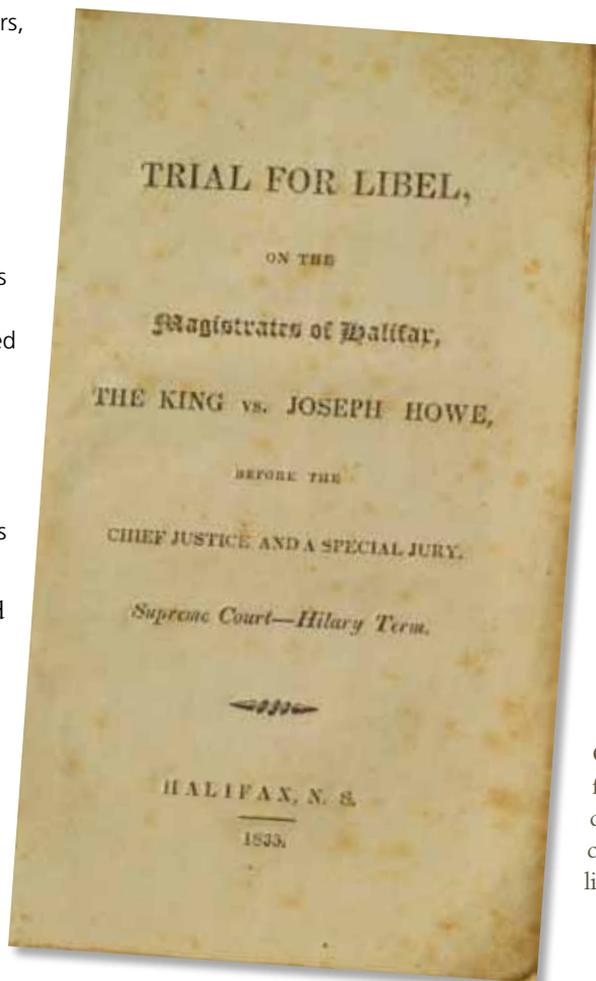
Howe said he published the letter because he believed it was true and something the people needed to know.

He also said that charging him with libel was cowardly. He said that if the officials really wanted to prove that the letter was not true, they would have sued him for damages. In a civil suit, both sides had the right to give evidence. The officials would have had the chance to prove that everything they did was right and that the charges in the letter were false.

Howe reminded the jury that, according to the law, a person could only be found

guilty of libel if they meant to cause harm. If they thought they were doing a good thing, he said, they could not be found guilty.

This is still true today. To be found guilty of a crime, the prosecution has to prove that the person meant to do wrong. This is called “criminal intent.”



Opening Remarks, for Joseph Howe’s defense against the charge of criminal libel.

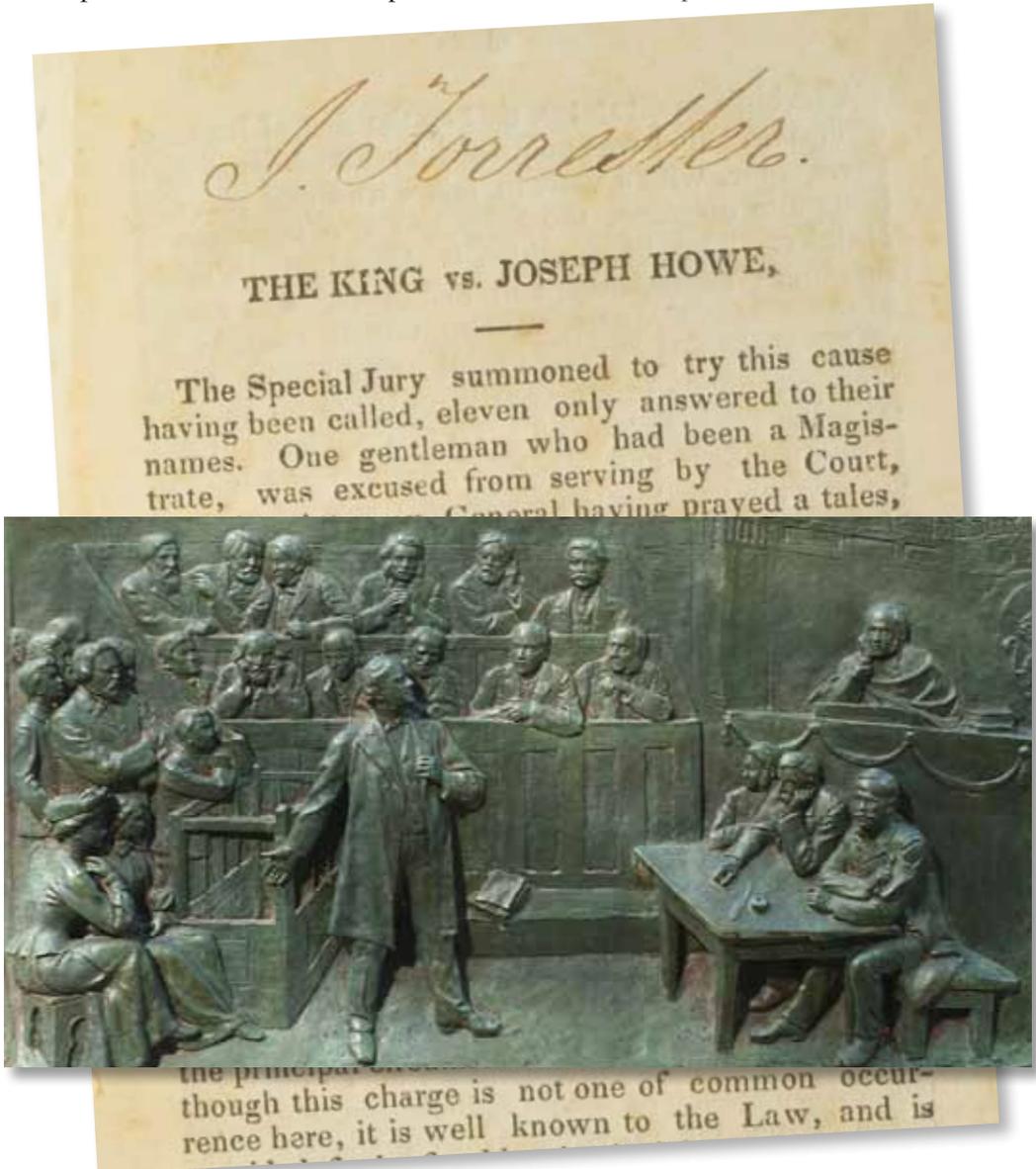
Howe went on for a long time explaining to the jury why he believed he was doing a good thing in publishing the letter. He told the jury about many cases, going back years, where officials did a bad job of managing public money and abusing their positions:

- Accounting books were so badly kept that no one knew where the money was.
- Some people paid taxes while others refused. The next year, taxes were raised to make up for the shortfall. The same people paid, and the same people refused to pay.
- Those charged with running public institutions, like the prison and the poorhouse, used their positions to make themselves rich.
- People whose homes were destroyed by the fire department, to prevent a fire from spreading, had to wait years for compensation. Some were never paid.

- Fines paid to police or judges never made it to the public treasury. Instead, the officials who took the money used it themselves.
- People who asked the police to help them collect a debt were told the debt was collected, but then they had to wait months to get their money. Some never got it.
- The people who refused to pay taxes and debts were among the richest in the city, but they were never fined or forced to pay what they owed.

Howe said that knowing all that, it was his duty to publish the letter. He said he would have been wrong not to publish it.

Artist's rendering of Joseph Howe's Freedom of Speech trial.



HOWE ARGUES FOR FREEDOM OF THE PRESS

By the time Howe was charged with libel, freedom of the press already existed in Britain and the United States. He told the jury that Nova Scotians deserved the same freedom.

Howe pointed out that basing a conviction on what the accused meant to do, rather than what they did, protects the press and gives everyone the right to say what they think about public matters.

If Howe were speaking today, he might say something like this:

It's a good thing that the law recognizes that a person is only a criminal if they have criminal intent. It's also a good thing that juries are the only ones to judge what led the accused to do what he did. If this were not the case, not only would the press not be free, no one would be free to speak their minds.

Howe looked up what lawyers had to say about press freedom when they defended libel cases in England. This is what he found:

- Freedom of the press protects other important freedoms, like freedom of religion and freedom to participate in politics.
- Freedom of the press prevents violent conflicts within society, because everyone knows what others are doing — there can be no sneak attacks.
- People who write about public affairs are brave. The people they write about often find them annoying and upsetting, but what they do, in the words of Sir James Mackintosh, “is often the most necessary of public duties.”

Howe asked the jury to give the same rights to the press in Nova Scotia as in Britain and the United States.

Finally, Howe appealed to the jury's sense of justice and humanity. He said that if he were found guilty, he would continue to work for a free press and that his wife, his children, and the orphans who worked for him would help him.

HOWE WINS!

Howe was speaking to a friendly audience. The jury was made up of small businessmen and professionals who had NOT been chosen to hold municipal office. They felt left out and cheated by the people in power, so they were ready to believe what Howe had to say.

Also “reform” had changed from being a scary word linked to the American Revolution to a popular idea, especially since reformers now controlled the British government.

Because of this, and because of Howe's gift as a speaker, it only took the jury 10 minutes to decide that he was not guilty of libel.

Because of that case, Joseph Howe is seen today as the founder of freedom of the press in Canada.

Libel today

Canada's Criminal Code includes an offense called “defamatory libel.” Like all crimes, the accused person is assumed to be not guilty. It is the job of the Crown attorney to prove guilt. Unlike Joseph Howe, people accused of defamatory libel today have the right to give evidence. They cannot be found guilty if the evidence shows that the statements

- are true AND something the public should know
- are a fair comment on the public behaviour of a person who takes part in public affairs, such as a politician, judge, police officer, or other public official
- were published to try to get a person to correct a wrong



Look at what Howe said in his defence:

- The letter was true and something the public needed to know.
- The letter was a fair comment about the behaviour of people who took part in public affairs — the courts and police.
- The person who wrote the letter wanted the situation to be fixed.

JOSEPH HOWE AND RESPONSIBLE GOVERNMENT

After Joseph Howe's trial, he decided to go into politics. He campaigned on a promise to get rid of government officials who did their jobs badly. He was elected in 1836.

In 1838 the government split the council into two groups:

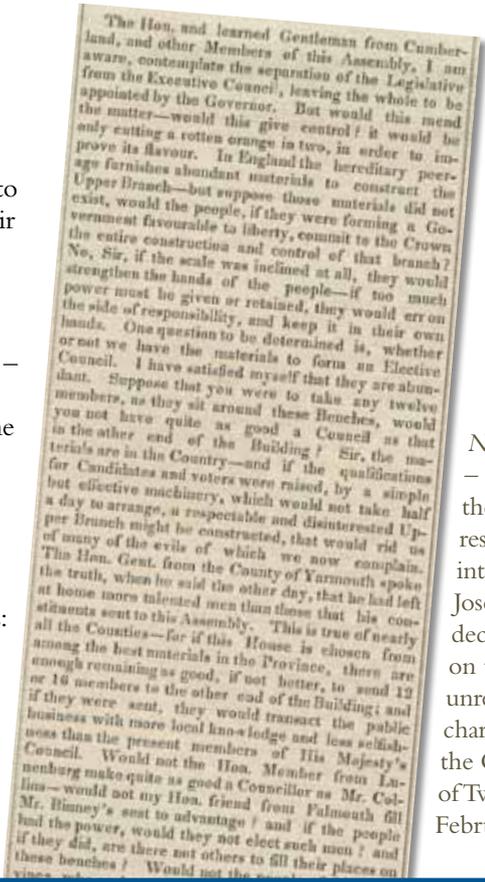
- the Legislative Council or Upper House – appointed
- the Executive Council – appointed, some from among the elected assembly

It was the Legislative Council's job to approve or reject laws that the House of Assembly wanted to pass.

The Executive Council had two major jobs:

- make sure laws were enforced
- make sure all government policies were carried out

The reformers wanted to be able to change the Executive Council whenever it lost the support of the elected House of Assembly.



Novascotian
– Portion of the twelve resolutions introduced by Joseph Howe declaiming on the unrepresentative character of the Council of Twelve, 23 February 1837.

GOVERNMENT • 1838

LIEUTENANT GOVERNOR



Appointed by British government.



LEGISLATIVE COUNCIL



Appointed by Governor.



EXECUTIVE COUNCIL

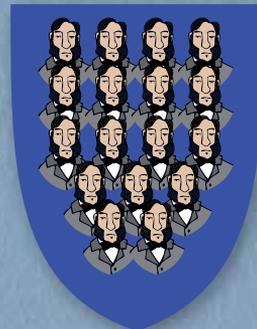


Appointed by Governor.



Elected by the people who had the right to vote.

HOUSE OF ASSEMBLY

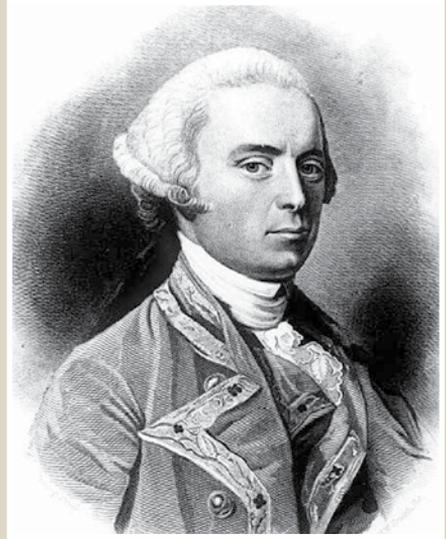


LIEUTENANT GOVERNOR

Nova Scotia had its first lieutenant governor in 1753. From then until 1786, the province sometimes had a governor, or a lieutenant governor, or both. From 1786 until today, the representative of the British Crown in Nova Scotia is called the lieutenant governor, pronounced “LEF•ten•ant.”



Honourable Mayann E. Francis,
O.N.S., DHumL, 2006–Present



Sir John Wentworth, first Lieutenant
Governor, 1792–1808

THE LIEUTENANT GOVERNOR TODAY

The lieutenant governor represents the Queen in Nova Scotia.

These are some of the things the lieutenant governor does:

- Appoints members of cabinet after they have been chosen by the premier
 - Calls the legislature into session and dissolve it on the advice of the premier
 - Gives Royal Assent to bills so that they become laws (► see page 56 How a Bill Becomes Law, Stage 6)
 - Makes sure there is always a premier in Nova Scotia:
 - One of the lieutenant governor's most important responsibilities is to ensure that Nova Scotia always has a premier. If the Office of the Premier becomes vacant for any reason, it is the duty of the lieutenant governor to ensure the post is filled.
- Deals with votes of no confidence in the government
 - If a majority of the members of the legislature vote no confidence in the government (► see page 30 Votes of No Confidence) the lieutenant governor can do one of two things:
 - dissolve the legislature and call an election
 - ask another member to be premier and form a government, one that a majority of the members of the legislature can support

As long as the government has the support of a majority of members of the House of Assembly, the lieutenant governor must follow the advice of the government.

VOTES OF NO CONFIDENCE

In 1839 Lord John Russell of the British Colonial Office sent a message to Nova Scotia's lieutenant governor, Sir Colin Campbell, telling him that the colonial government should reflect the local public opinion as much as possible.

Reformers took this to mean that Russell and the British government wanted responsible government in Nova Scotia.

In 1840 the House of Assembly voted “no confidence” in the Executive Council and asked Campbell to dissolve it. He refused, so the Reformers voted to ask Queen Victoria to remove him from his post as lieutenant governor. Campbell resigned instead and was replaced by Viscount Falkland, who the British felt would be more flexible. The British government also agreed to include some reformers in the Executive Council. Howe was one of them.

HOWE'S REFORM PARTY

WINS THE MOST SEATS IN THE ELECTION

Political parties had their beginnings during the election of 1836, but most people, including Howe, didn't like the idea of party politics. As time went on, those ideas changed and people began to see political parties as a necessary part of parliamentary democracy.

By the 1840s, there were two main political parties:

- Reform, who later became the Liberals
- Conservative

Both parties claimed to be in favour of some kind of reform. The Conservatives wanted to keep strong ties to Britain and thought the Liberals would pull Nova Scotia away from Britain. People often joined parties because family and friends were members. For example, Irish Catholics tended to be Liberal, while African Nova Scotians tended to be Conservative.

During the election of 1847, the Reform Party—who now called themselves the Liberals—promised to bring responsible government to Nova Scotia. That meant that all the members of the Executive Council would be elected Liberals. They won the election and started to carry out their plan right away.

Today

Opposition parties still make no-confidence motions. This usually happens when they are called to vote on a “money bill” like the provincial budget. If the motion passes, the House is dissolved and an election is called. The opposition only uses no-confidence motions when they think they have a good chance of winning the next election.



motion – a suggestion made by a member of a committee or legislature. The other members vote on the motion. If a majority of members vote for the motion, it passes and becomes the decision, or resolution, of the committee or legislature.

no confidence or non-confidence – the majority of the House of Assembly does NOT support a government or policy. Majority = 50% + 1

provincial budget – how the government plans to raise money and how it plans to spend it

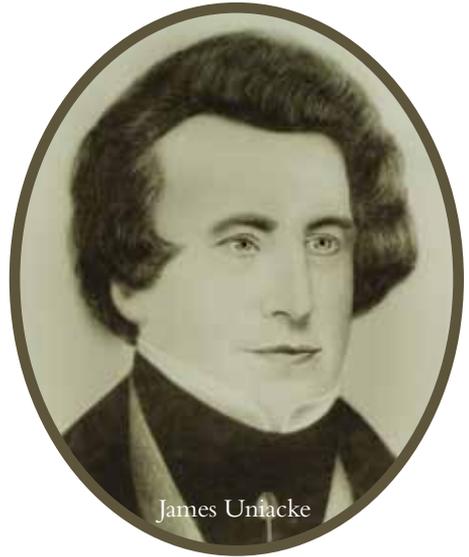
SECOND VOTE OF NO CONFIDENCE

The first sitting of the new House of Assembly was on January 22, 1848. On January 26, the House passed a no confidence motion saying that the Executive Council, which was made up mostly of Conservatives, did not have the support of the Assembly.

By this time, the British government was no longer against responsible government in colonies such as Nova Scotia. That meant the Conservatives, who were against responsible government, lost their biggest supporter. Without support from Britain, they couldn't continue the fight. The next day, the Executive Council resigned.

FIRST RESPONSIBLE GOVERNMENT IN NOVA SCOTIA

The leader of the Liberal Party was James Boyle Uniacke. The lieutenant governor was Sir John Harvey. He told Uniacke to choose his own Executive Council and to form a government. Uniacke chose only his fellow Liberals. This was the first responsible government in all of what is now Canada.



WHY WASN'T HOWE THE LEADER?

In 1840, when Howe was the leader of the Reform Party, he agreed to share government with the Conservatives. By 1843, that agreement broke down because of fighting between the parties. Lieutenant Governor Falkland forced Howe out of the Executive Council, but he remained in the assembly as a member of the opposition. This made Howe very angry. He said Falkland had betrayed him and said publicly that someone



should hire a black man to horsewhip the lieutenant governor. Polite people did not talk this way. It made many people think that Howe was a dangerous radical who would not be an acceptable leader. The Liberals asked Uniacke to be their leader instead, since he was from one of the colony's ruling families. Howe remained the leader behind the scenes. Officially, he was the Provincial Secretary.

This lithograph, copied from the Debaussy portrait and published in 1854 by R. H. Wetmore, was offered for sale for 5 shillings.
(Nova Scotia Legislative Library Collection)

NOVA SCOTIA'S PAPER REVOLUTION

The way Nova Scotia got responsible government is often called a "paper revolution." This is because change came without violence, through elections and parliamentary process.

This change took power from officials who were appointed by the British government and who were responsible to that government, and gave it to the people of Nova Scotia.

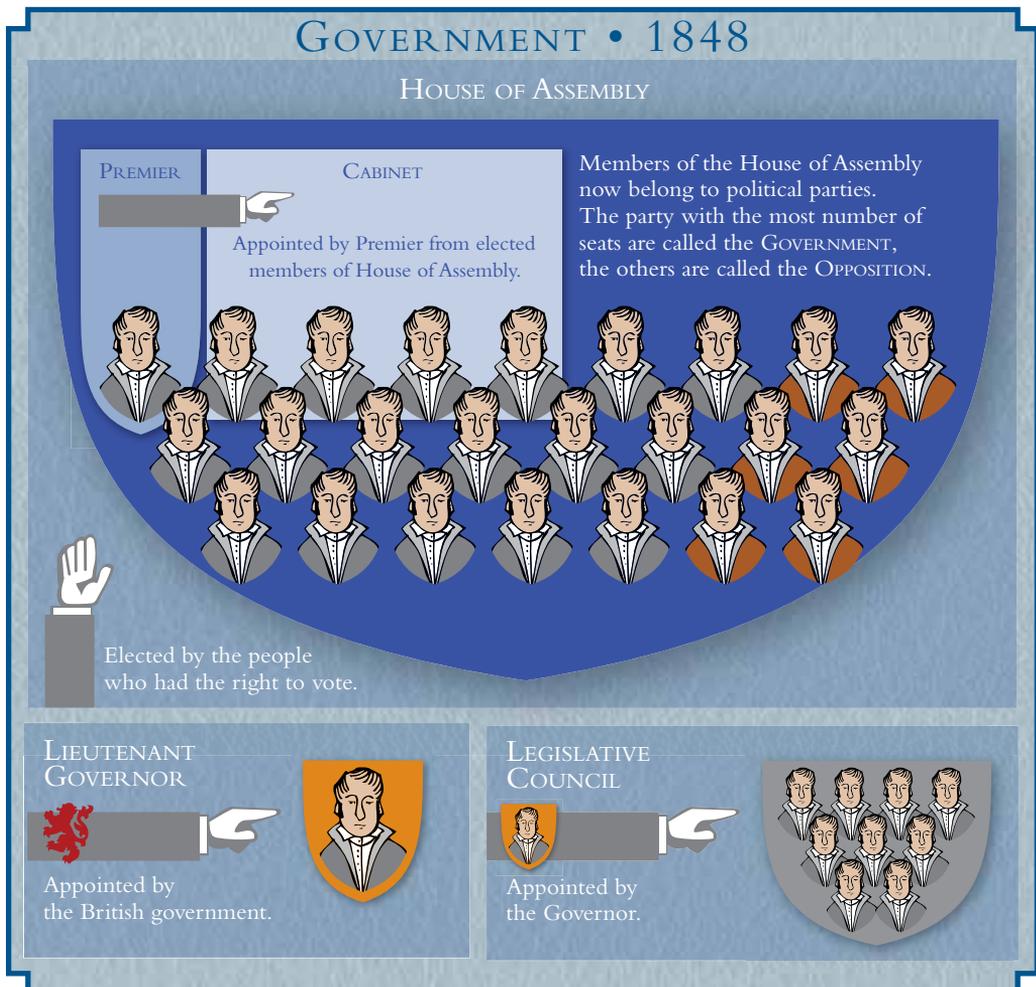
Less than 100 years earlier, the people in the British colonies south of Nova Scotia fought an eight-year war to gain independence from Britain. Around the same time, the people of France fought a civil war to take power from the ruling monarchy and give it to the people. This was called the French Revolution.

While Joseph Howe was using the House of Assembly to try to get responsible government in Nova Scotia, the people of Upper and Lower Canada, now Ontario and Quebec, fought a two-year rebellion against their British rulers.

Unlike the Americans, Howe and his supporters did not seek total separation from Britain and its Crown. Nor did they want to join the United States, as some of the rebels in Upper Canada did. But they did want to run their own government. They always maintained that they wanted the same rights as British citizens.

The change to responsible government was revolutionary. It laid the foundation for the kind of government we have today, not only in Nova Scotia, but in all of Canada's provinces and our federal government.

"To me, it is a matter of pure satisfaction to reflect, that by the peaceful agitation of four years, in which from one end of the country to the other, there has not been a blow struck or a pane of glass broken, great changes have been wrought and invaluable principles established, for which other countries have for centuries struggled in vain, or have only purchased by civil conflict, and blood, and tears." - Joseph Howe



TIMELINE

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1775-1783

American War of Independence.

1775

1789

French Revolution.

1789

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1836

Joseph Howe is elected.

1837-1839

Rebellions in Upper and Lower Canada.

1838

Executive Council split into two groups, Executive and Legislative Councils.

1836

1838

1840

1840

First vote of no confidence against the Executive Council.

1843

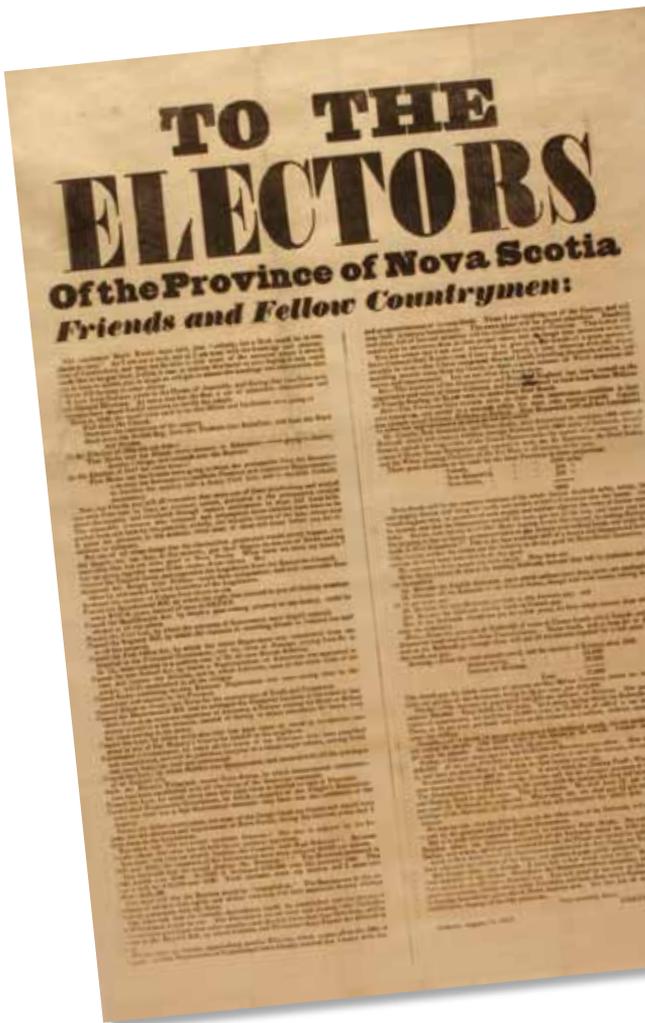
1847

Reform Party wins majority in January election.

1848

February, second vote of no confidence against the Executive Council.

First responsible government formed in Nova Scotia.



A letter to the people from Joe Howe, 1851.

CONFEDERATION CHANGES NOVA SCOTIAN POLITICS

NOVA SCOTIA POLITICS CONTINUES TO EVOLVE AFTER RESPONSIBLE GOVERNMENT

The creation of responsible government in Nova Scotia did not end political debate, but breathed new life into it. The province had won the right to make its own laws and run its own finances. It had to do these things keeping in mind the people who elected them. But the people did not often agree with each other.

The House of Assembly soon had to deal with two major issues:

- How would it get goods to and from the other British colonies, especially Upper Canada?
- Would it join with the other British colonies to form a new country?

The solution to the first problem seemed obvious—build a railroad across the colonies. But Nova Scotia could not afford to do it on its own. Forming a new country with the other colonies would help get the railroad built, but some people worried they would lose their newly won autonomy in such a big country. People felt so strongly about these issues that new political parties were formed—the Confederate and Anti-Confederate parties.



Sir Charles Tupper

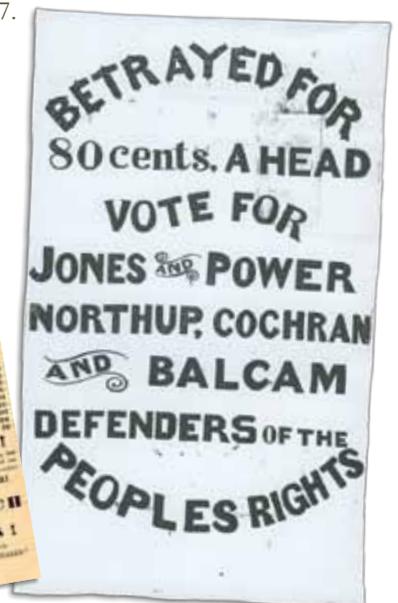
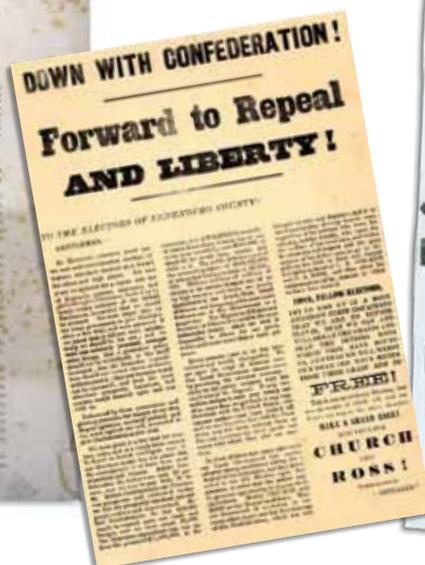
On the pro-Confederation side of the debate was Sir Charles Tupper, Nova Scotia's premier from 1864 to 1867 and one of the fathers of Confederation. Tupper went on to be Prime Minister of Canada from May to July 1896.

Those opposed to Confederation included Joseph Howe. He wanted better terms for Nova Scotia.

Anti-Confederation materials.

[FAR RIGHT] Election banner which was flown in Halifax in 1867.

(NSARM)



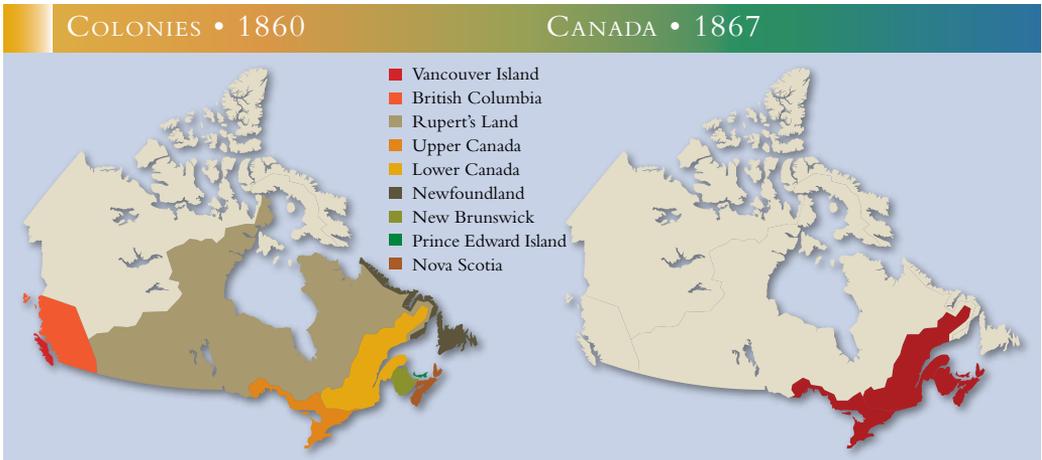
WHAT LED TO CONFEDERATION?

In 1860 there were seven British colonies in what is now Canada:

- Newfoundland
- Nova Scotia
- Prince Edward Island
- New Brunswick
- Canada, formerly two separate colonies, Upper Canada, now Ontario, and Lower Canada, now Québec
- British Columbia
- Vancouver Island

The land between Canada and British Columbia was called Rupert's Land. It was a British territory controlled by the Hudson's Bay Company.

Each colony had its own governor or lieutenant governor appointed by the British government. They all had elected assemblies except for British Columbia, which shared a governor with Vancouver Island but had no assembly.



Several things led to some of the colonies coming together to form a new country:

THE AMERICAN CIVIL WAR, 1861–1865

The southern states were at war with the northern states over slavery. The south wanted to keep it. The north wanted to get rid of it.

As the northern armies got stronger, the British started to worry that these Americans would invade the colonies. They wanted the colonies to unite to defend themselves better.

FENIAN RAIDS, 1866

The Fenians were Irish and Irish-Americans who wanted to free Ireland from its British rulers. One strategy was to attack the British colonies.

In 1866, 1000 Fenians invaded Canada across the Niagara River.

RAILROAD

The railroad was needed for two reasons:

- trade – to move goods between the Maritimes and Canada
- defence – to move soldiers to where they were needed

DEFENCE, MONEY, AND TRADE

The British had been paying to defend the colonies, but now they wanted the colonies to pay for their own defence. This would be easier if they were united and had one department of defence.

The Americans refused to renew a trade treaty that kept goods and money flowing between the British colonies and the United States. To keep the economy growing, the colonies would have to trade amongst themselves.

PROBLEMS IN THE PROVINCE OF CANADA

In 1840 the former colonies of Upper Canada and Lower Canada were united to form one province. Upper Canada was mainly English-speaking and Protestant. Lower Canada was mainly French-speaking and Roman Catholic. Tensions were growing between these two groups over several issues, including whether Canada should expand into Rupert's Land. There was so much division that responsible government was breaking down — no party could win enough support to deal with the issues.

THE DOMINION OF CANADA

In 1864 representatives from Nova Scotia, Prince Edward Island, New Brunswick, and Canada met in Charlottetown to come up with an agreement that would solve the problems and bring all the colonies together. A second meeting was held in Quebec City, with Newfoundland attending as well.

Most of the colonies agreed to create a federation — a system of government with a strong central government and several weak provincial ones. That way, the colonies could keep their own governments. Over time, the provinces tended to act independently of the federal government except in cases of emergency, such as war.

John A. MacDonald

(Libraries and Archives Canada, C-021604)

[FACING PAGE]

Charlottetown Convention,
1864, G.P.Roberts

(Libraries and Archives Canada, C-000733)



Provinces were allowed a certain number of seats in the House of Commons based on their share of the country's population. For example, provinces with large populations had more seats than provinces with small ones. Nova Scotia started with 19 seats in the first House of Commons. Today it has 11.

The representatives from Nova Scotia, New Brunswick, and Canada took their agreement to London, England, to hammer out the details. Newfoundland and Prince Edward Island decided not to join the others at that time, but joined later — Prince Edward Island in 1873 and Newfoundland in 1949.

On March 29, 1867, the British government passed The British North America Act. The act came into force on July 1 of that year and created a new country called the Dominion of Canada with four provinces: Nova Scotia, New Brunswick, Quebec, and Ontario.

FEDERAL CANADIAN GOVERNMENT • 1867

HOUSE OF COMMONS

PRIME MINISTER

CABINET

Appointed by Prime Minister from elected members of House of Commons.

Members of the House of Commons belong to political parties.

The party with the most number of seats is called the GOVERNMENT, the others are called the OPPOSITION.



Elected by the people who had the right to vote.

TODAY

The structure remains the same, but both the House of Commons and the Senate have become larger as the size of Canada grew.

FLAGS OF CANADA

The Royal Union Flag, also called the UNION JACK was widely used in Canada before we had a flag of our own.



The CANADIAN ENSIGN has versions in red and blue, this one from 1871. Various versions of the ensign were used until 1965.



NATIONAL FLAG OF CANADA since 1965.



SENATE

Seats in the Senate were determined by region, with the new country divided into three regions.

ONTARIO
24 senators



QUEBEC
24 senators



MARITIMES
24 senators

12 for NS
12 for NB



Appointed by the Prime Minister.

GOVERNOR GENERAL



Appointed by the British queen.

THE BRITISH NORTH AMERICA ACT

The British North America Act changed the way provinces worked. It divided responsibilities between the provinces and the federal government. Before Confederation, the Nova Scotia legislature could make laws about anything as long as the law dealt with local matters and was consistent with the British law.

Now, it could only make laws in areas specifically set aside for the provinces by the British North America Act.

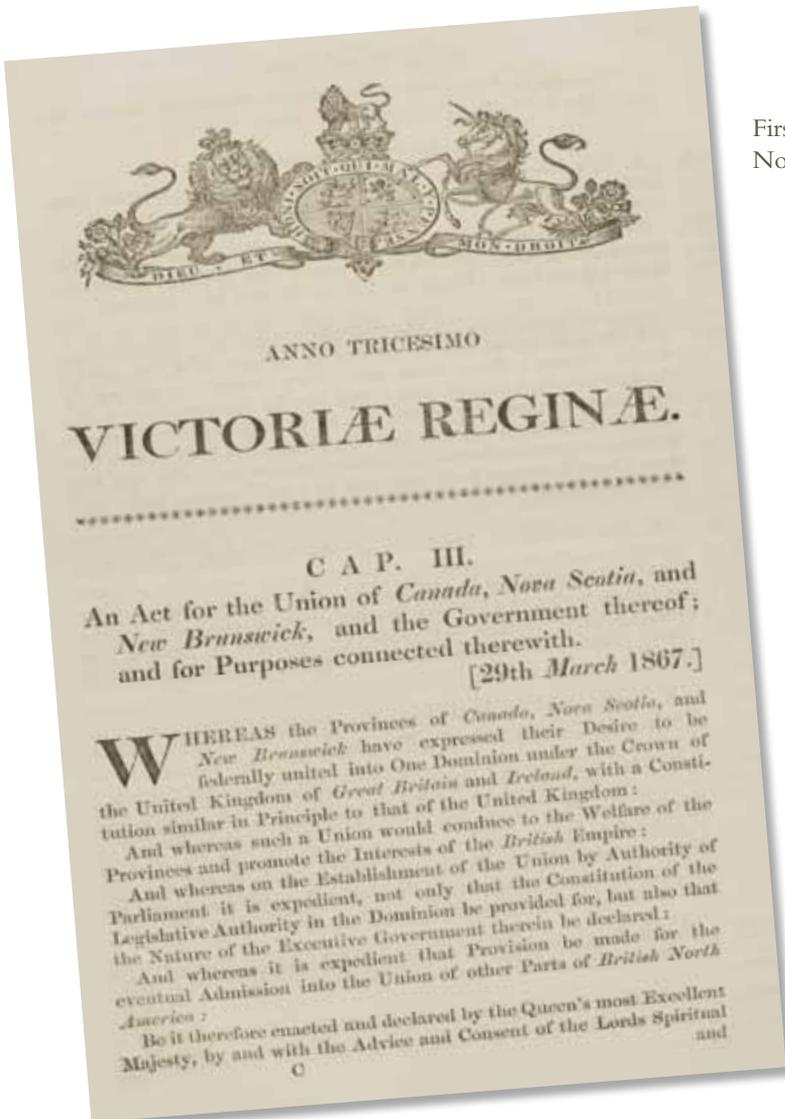
Here are examples of areas where Nova Scotia handed its authority over to the Canadian federal government:

banks • criminal law • currency, including coins, paper money, and the printing of money • defence, including armies and navies • First Nations, called Indians at the time • fisheries • navigation and shipping • the postal service • import duties

Here are examples of areas where Nova Scotia and other provinces kept their authority:

- cities, towns, villages, and other municipalities
- education
- hospitals
- land and forests, and minerals and mining on land
- licenses to run particular businesses, such as stores, saloons, taverns, and auction houses
- roads and bridges

The Nova Scotia House of Assembly became smaller because of Confederation. In 1848, the first year of Nova Scotia's first responsible government, the House had 51 seats. After Confederation, that number dropped to 38 seats, because the assembly now had fewer responsibilities. Halifax and Pictou counties elected three members each, because they had the most people. The other counties were allowed to elect two members.



First page of the British North America Act.

HALIFAX CURRENCY

From the time Halifax was founded in 1749 until 1871, Nova Scotia had its own currency, called “Halifax currency.” At first it was used only as a way of keeping financial records, with an exchange rate set for the various coins in use at the time, from British pounds sterling to Spanish silver dollars. In the 1830s private banks began to issue their own paper money. In the 1850s Nova Scotia began to issue its own coins and stamps. Halifax currency was used inside the colony and was one of a number of currencies used throughout North America.



“... Benedict Arnold and Samuel Jacobs met in Quebec City on 4 October 1774 to conduct some business ... The two traders were making plans for the 1775 trading season when they agreed that Arnold would deliver oats to Jacobs at Montreal, to be paid in Halifax currency.”

From Benedict Arnold:
A Traitor in Our Midst, page 16.



TIMELINE

1800

1861–1865

American Civil War

1864

Charlottetown Conference

Quebec Conference

1866

Fenian Raids

London Conference

1867

July 1, 1867, creation of the

Dominion of Canada

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1880 Merchants Bank of Halifax five dollar bill. The Merchants Bank of Halifax was established in 1864, this bank changed its name to the Royal Bank of Canada in 1901.
(Troy E. MacDonald)

PARLIAMENTARY DEMOCRACY IN NOVA SCOTIA TODAY

The system of government in Nova Scotia and Canada is called a parliamentary democracy. That is because the authority of the government comes from the people who elect representatives to the federal or provincial parliaments.

In Nova Scotia, the provincial parliament is called the Legislative Assembly. Our representatives are called MLAs, Members of the Legislative Assembly. They hold their meetings, called sittings, at Province House in Halifax.

Members of the federal parliament are called MPs, Members of Parliament. They meet in the House of Commons, part of the Parliament Buildings in Ottawa.

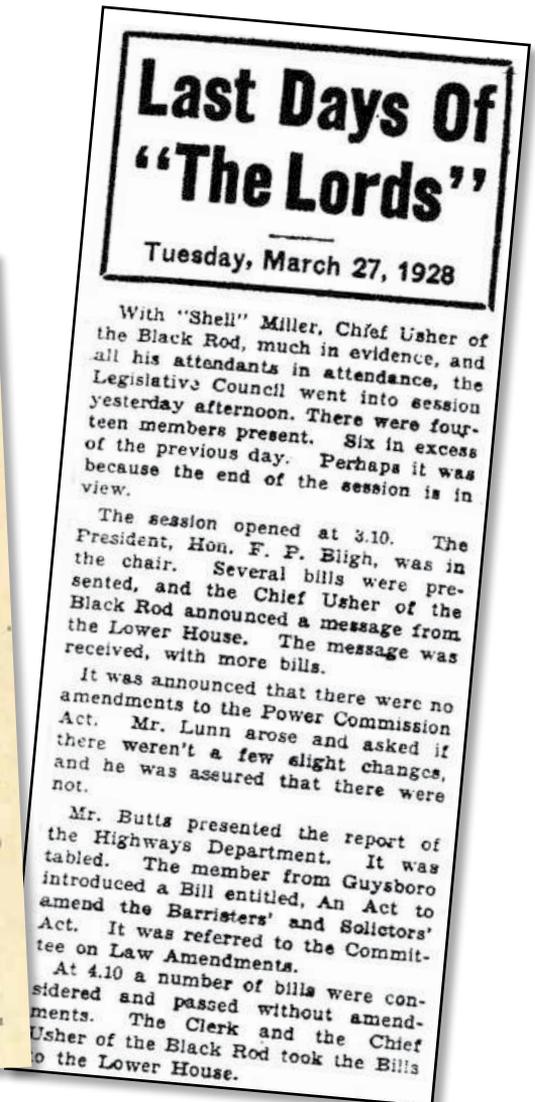
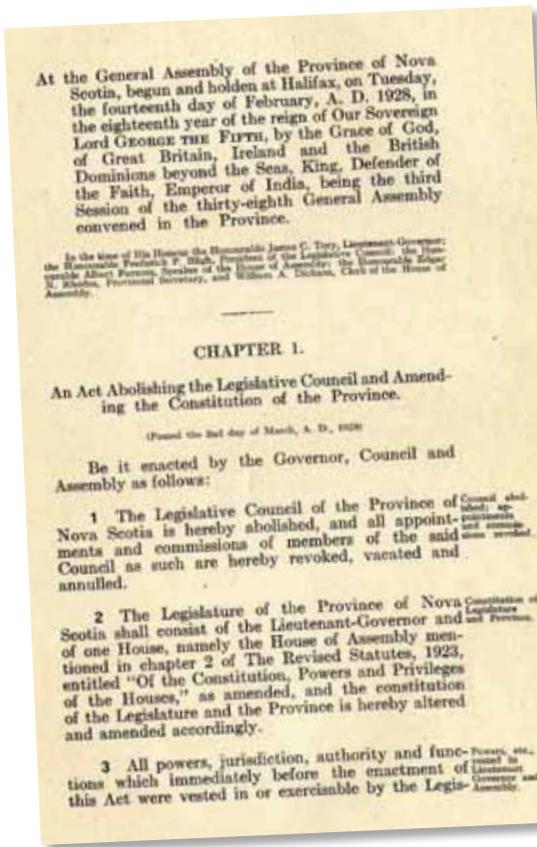
An Act Abolishing the Legislative Council and Amending the Constitution of the Province, 02 March 1928. (Nova Scotia Legislative Library)

GOVERNMENT CONTINUED TO CHANGE AFTER CONFEDERATION

Responsible government has continued to change over the years since Confederation.

THE END OF THE LEGISLATIVE COUNCIL

In 1928 the Legislative Council voted itself out of office, because the members agreed they were not needed. In fact, on the last day that they met, they passed all the bills and sent to them by the House of Assembly with almost no discussion.



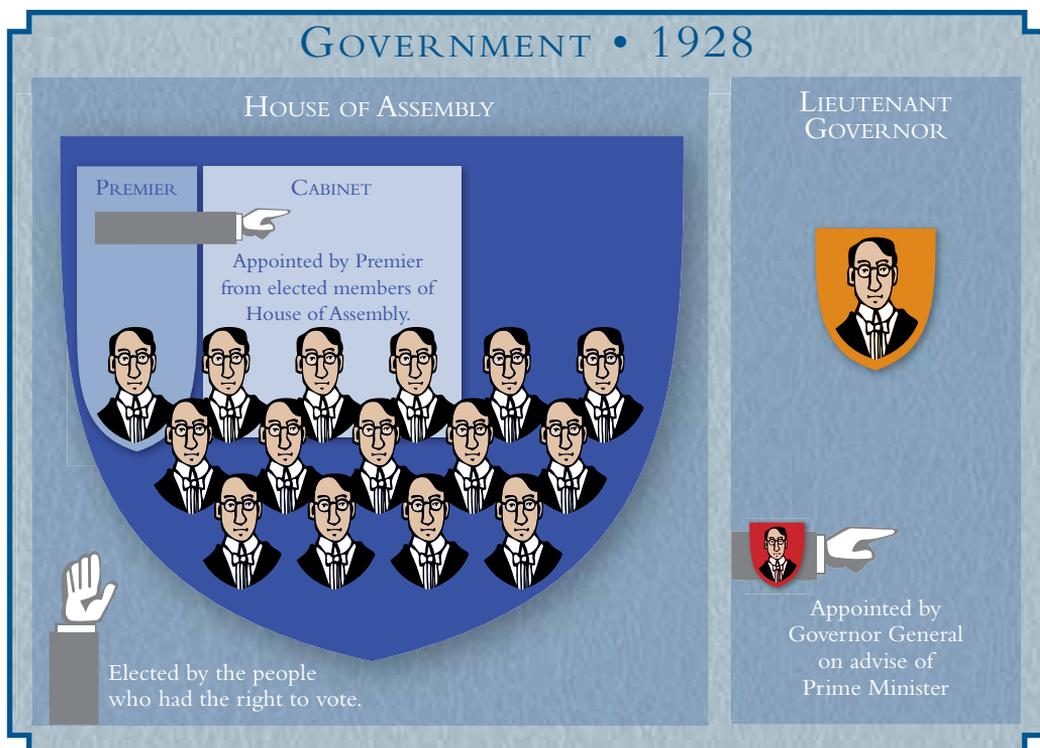
parliament - from the French word *parlement* which means "speaking"



House of Assembly, 2009.



Depiction of members of the last Legislative Council, 1928, Harry J. Moss (Nova Scotia House of Assembly)



1758

NOVA SCOTIA'S
FIRST ELECTION

1789

CATHOLICS
CAN VOTE

Could you vote in Nova Scotia's first election?

Are you 21 or older? Yes No
 Are you British? Yes No
 Do you own land? Yes No
 Are you NOT Catholic? Yes No

If you answered **Yes** to ALL the questions, you could vote.

1750 1760 1770 1780 1790 1800 1810 1820 1830 1840 1850 1860 1870



1789

ACADIANS

There has never been a law in Nova Scotia that said Acadians were not allowed to vote. What kept Acadians from voting was religion — they were Roman Catholic.

In 1789, the government passed a law that allowed Catholics to vote but they had to own land to vote. To own land they had to reject the authority of the Pope. This was against their religion.

1826

The government let them own land without rejecting the Pope's authority. This is when most Acadians began to vote.

1820

LAURENCE KAVANAGH became the first Catholic elected to the House of Assembly.

1836

FREDERICK ARMAND ROBICHAUD and SIMON D'ENTR'OMONT (seen below) became the first Acadians elected to the House of Assembly.



1793-1854

WOMEN

A few women who owned land voted in the elections of 1793 and 1806, but women were banned from voting in 1854 when the government passed a law called the Elective Franchise Act. It took another 64 years before women again got the right to vote.



1840s

AFRICAN

NOVA SCOTIANS
 No law in Nova Scotia ever banned African Nova Scotians from voting. They could vote as long as they owned land. But in the 1780s, free black men who came to Nova Scotia as Loyalists were given "tickets of location" instead of the land deeds given to white Loyalists. These tickets did not qualify the Black Loyalists as landowners until the 1840s when Joseph Howe led the fight to have them converted into deeds.

1993

WAYNE ADAMS became the first African Nova Scotian elected to the House of Assembly.



1920

PEOPLE NOT REQUIRED TO OWN LAND
This was called “universal suffrage” meaning that everyone could vote. But that wasn’t really true, because you had to be a British subject to vote. Most people who were born in Canada were considered to be British subjects, but NOT the Mi’kmaq and other First Nations.

1947

CANADIAN CITIZENS
The 1947 Canadian Citizenship Act changed “British subjects living in Canada” to “Canadian citizens,” but it still left out First Nations people.

1970

AGE TO VOTE
CHANGES TO 19

1973

AGE TO VOTE
CHANGES TO 18



1918

WOMEN

Women got the right to vote in 1918. The Women’s Christian Temperance Union worked hard to win voting rights for women. Women had made such a large contribution to the war effort during World War I, working in traditionally male jobs and volunteering, that denying them the right became less popular.

1956

FIRST NATIONS PEOPLE

Despite not being considered British subjects or Canadian citizens, some Mi’kmaq and First Nations people did get the right to vote, but they paid a hefty price for it. They gave up their status as First Nations or Indian people. That meant they lost their legal identity as First Nations people and their right to live in the reserve community.

In 1956 the Canadian government passed a law called An Act to Amend the Canadian Citizenship Act. It said that all First Nations people, then called Indians and Eskimos, would be Canadian citizens if they met certain conditions:

- they had lived in Canada on January 1, 1947
- they had lived in Canada for more than 10 years as of January 1, 1956

1960

In 1960 the government of Canada allowed First Nations people to vote AND to keep their status and all the rights they had as Indians or Inuit.

1960

GLADYS PORTER became the first woman elected to the House of Assembly.



More people have the right to vote today than at any time in Nova Scotia’s history.

Use this checklist to find out if you can vote in Nova Scotia today:

Are you a Canadian citizen? Yes No

Will you be 18 years or older on voting day? Yes No

Have you lived in Nova Scotia for at least 6 months before the election? Yes No

If you answered **Yes** to ALL the questions, you can vote.

WHO CAN RUN FOR OFFICE NOW?

If you want to be one of the province's MLAs, you must be elected. That means you must run as a candidate in an election.

All candidates must be

- Canadian citizens
- 18 years old or older

Some Canadian citizens who are older than 18 cannot be provincial candidates, such as

- Senators and judges, unless they resign
- MPs, Members of Parliament
- candidates in a federal election
- people who work for the Nova Scotia government or the government of Canada

These people must take a leave of absence from their government jobs before filing nomination papers. They can return to work after the election if they are not elected.

This does not include members of the armed forces, justices of the peace, notaries, commissioners of oaths, and coroners.

- people who have been convicted of crimes where the maximum penalty is five years or more in prison

This is not a complete list. For more information, see the House of Assembly Act Click ► <http://www.gov.ns.ca/legislature/legc/statutes/housassm.htm>

There are two kinds of candidates:

- members of political parties
- independents

All candidates must pay \$100 when they file nomination papers. These papers include a form that must be signed by at least five people who have the right to vote AND live in the electoral district where the candidate plans to run. It also includes the names of the people who will act as the candidate's official agent and auditor. These people look after the money used to run the campaign.

Party candidates must be nominated at a party nomination meeting. Nomination meetings are open to the public, but only party members are allowed to vote. When filing nomination papers, these candidates must include a letter from their party leader approving their candidacy.

It takes a lot of money and effort to get elected. Many candidates have to take time off work to campaign. They need to post signs and send out brochures. Many candidates advertise in local newspapers, on local television and radio stations, and have their own websites. All these things cost money.

Roadside election signs during the 2009 provincial election.



Candidates who are members of political parties may have some expenses paid by the party, while independents have to pay for them themselves. Parties also have staff to help run a campaign.

After an election, the government refunds those candidates who get more than 15 per cent of the vote some of their campaign expenses.

DO YOU SEE YOURSELF IN THE HOUSE OF ASSEMBLY?

The first House of Assembly did not reflect the population of Nova Scotia. There were no women. There were no Mi'kmaq, Acadians, or African Nova Scotians. There were no Catholics. All of the MLAs were rich men who owned land.

That has changed slowly over the years.

[TOP] Youth share their opinions on the democratic process at D250 Youth Town Hall sessions.

[BOTTOM] Youth practice voting procedures during a mock election.



POLITICAL PARTIES

WHERE DID POLITICAL PARTIES COME FROM?

In 1758, when Nova Scotia had its first election, there were no political parties. They had their beginnings during the election of 1836. By the 1840s, there were two main political parties:

Reform, who later became the Liberals

Conservative ► See page 30

Since then, people who share the same opinions on how society should work have been forming political parties.

After World War I, farmers and workers wanted a political party that represented their interests. They saw the Liberals and the Conservatives as representing city people with more money than they had.

In the 1930s, farmers and workers were suffering from the Great Depression—a period when many people had no jobs and farmers were paid little for their products.

A new party, the CCF, Co-operative Commonwealth Federation, was formed to make changes to government policy that would help farmers and workers. In the 1960s, the CCF changed its name to the NDP, New Democratic Party.

In the 1970s, people who wanted governments to take better care of the environment formed the Green Party. It began in Germany and became part of Nova Scotia politics in 2006.

WHAT DO POLITICAL PARTIES DO?

Political parties do three things:

- get candidates elected to the House of Assembly
- decide policies to put in place if the party forms government
- in opposition, convince the government to put opposition policies in place

WHAT PARTIES DID NOVA SCOTIANS ELECT?

Over the years, new political parties emerged and others disappeared. Here are names of political parties elected to the Nova Scotia Legislature from 1836 to 2009:

REFORM

CONSERVATIVE

LIBERAL

CONFEDERATE

ANTI-CONFEDERATE

LIBERAL CONSERVATIVE or TORY

FARMER'S PARTY

LABOUR PARTY

COOPERATIVE COMMONWEALTH FEDERATION

PROGRESSIVE CONSERVATIVE

NEW DEMOCRATIC PARTY

GETTING CANDIDATES ELECTED

It takes a lot of work and money to get a candidate elected. Some people who are not members of political parties have been elected to the House of Assembly. They are called “independents.” Most independents were first elected to the House as members of political parties and left the party after the election. Some run as independents in later elections. Independents who have never been party members have to be very well known in their electoral district to get elected.

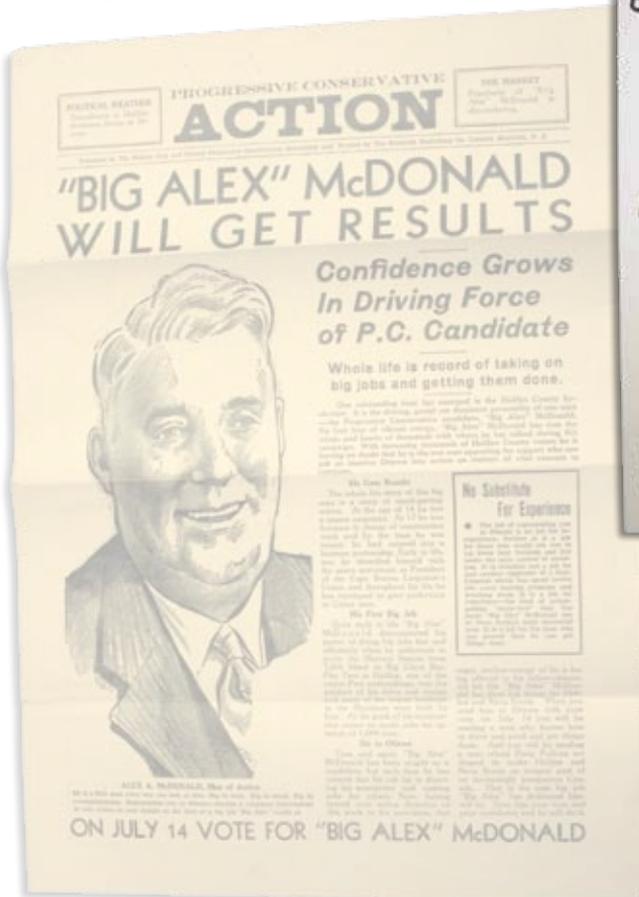
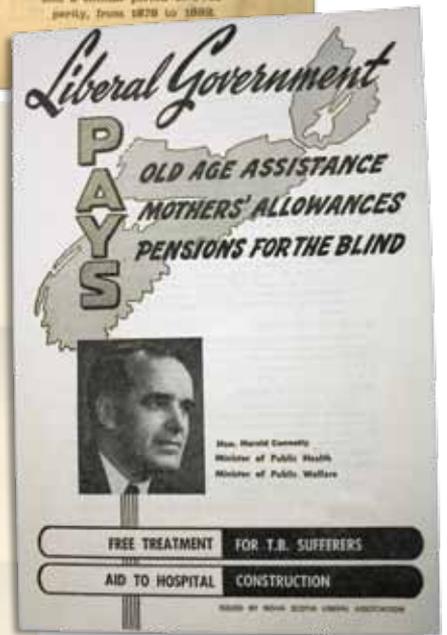
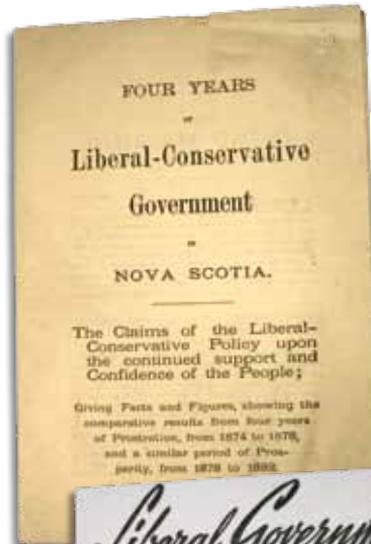
Political parties offer candidates three things to help them win an election:

- 1 a recognized political identification
Voters who do not know the candidates may still vote for the party because they like its policies.
- 2 workers
Most political parties have people who help a candidate run the campaign. These workers do many things to raise the candidate’s profile, such as
 - go door to door
 - telephone voters
 - make and post signs
 - create and distribute pamphlets
 - staff the campaign office
 - organize events where the candidate can speak to voters

3 advertising

This can be extremely expensive. Most parties buy advertising on radio and television stations. These ads usually focus on the party leader. They may also buy ads in local newspapers. These ads are more likely to focus on the local candidate.

Election brochures from 1869, and 1954. (NSARM)



HOW DO YOU GET TO BE A CANDIDATE?

Candidates are chosen at nomination meetings in their electoral districts. Sometimes more than one person wants to be the candidate. They make speeches to persuade party members that they can win the election. Members then vote for the person they want to be the candidate. These meetings are open to the public, but only party members can vote.

The candidate must also be approved by the party leader.

WHERE DOES THE MONEY COME FROM?

Nova Scotia residents can donate up to \$5000 to a political party. Parties also get money from the government. The amount they get depends on the number of votes each of the party's candidates got during the previous election. You can see how much public funding each party has been given on the Elections Nova Scotia website.

Click: ► <http://electionsnovascotia.ns.ca/publicfunding.asp>

HOW DO PARTIES DECIDE THEIR POLICIES?

Political parties are divided into smaller groups based in each electoral district. These are called “riding associations.” Members of these organizations meet to talk about what policies they would like to put in place. Here are some examples:

- Should people be allowed to pay for medical services instead of using the provincial medicare system?
- Should the province fund post-secondary education so that it is free for students?
- Should the province limit the amount of land that non-residents may own?

Riding associations send delegates to provincial conventions where ideas are debated and voted on. The convention is also where the party leader is elected. Conventions are sometimes open to the public if there is enough room. There is usually a registration fee.



Liberal Leader Stephen McNeil shaking hands with delegates after he was elected leader of the Nova Scotia Liberal Party. (Photo: Eric Wynne, Republished with permission from The Halifax Herald Ltd.)

MAJORITY AND MINORITY GOVERNMENTS

In a majority government, one political party holds a majority of seats in the legislature. See illustration below.

With a majority, the governing party has enough votes to pass any laws it wants. The party can stay in power for up to five years, the maximum amount of time allowed between elections. It cannot be forced out of office by a vote of no confidence, because it always has more votes than the opposition.

In a minority government, the party that forms government has fewer than a majority of seats but has more than any other party in the legislature. See illustration below.

With a minority, the governing party needs votes from at least one of the opposing parties to pass its laws. It can be forced out of office by a vote of no confidence.

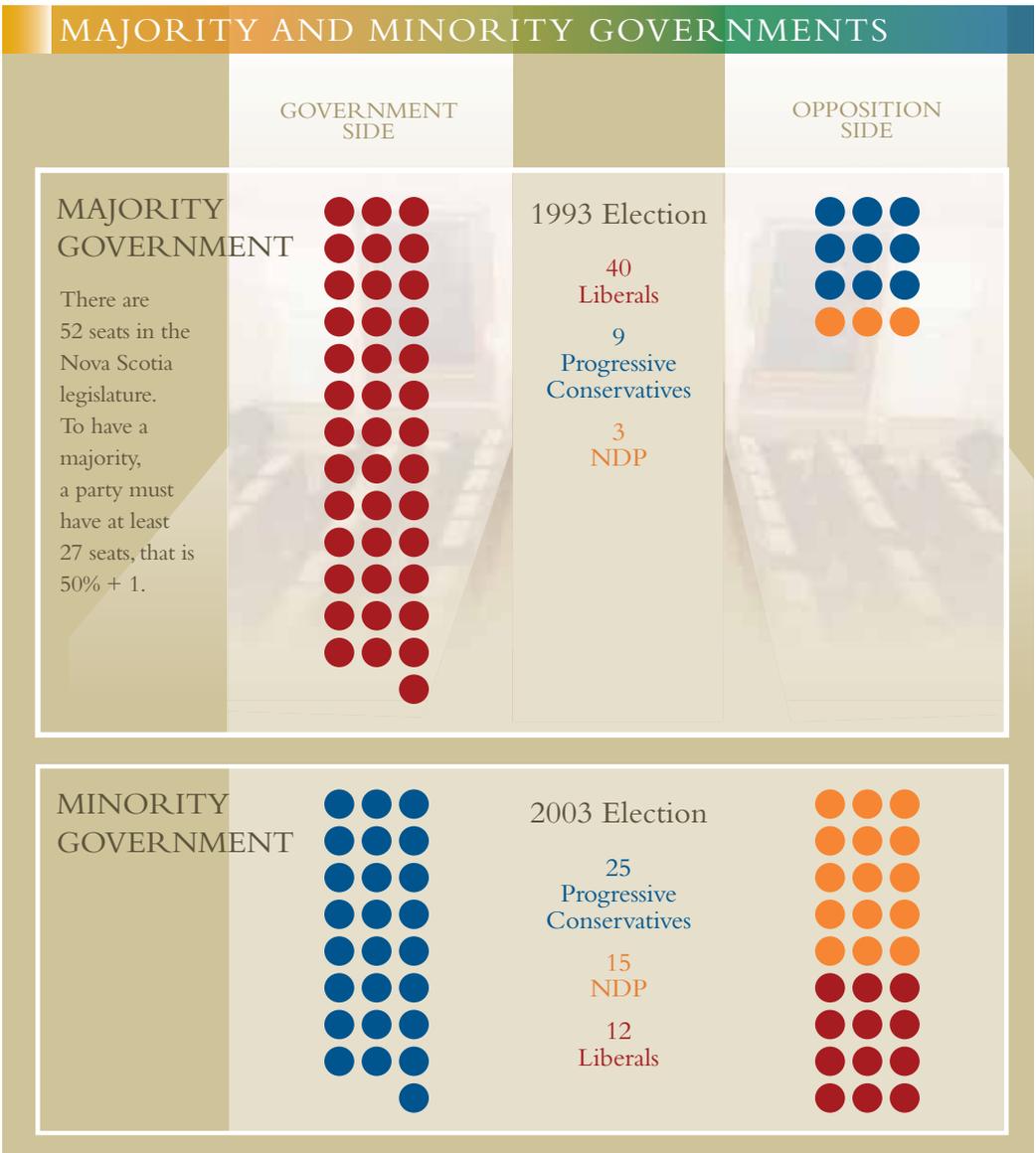
VOTES OF NO CONFIDENCE

A vote of no confidence means the members of the House of Assembly do not think the government is doing a good job—they have “no confidence” in the government.

Some votes are automatic votes of no confidence. These are votes on the budget and other laws that have to do with money, called “money bills.”

A member can make a motion that the House has “lost confidence” in the government. This is called a “non-confidence motion.”

If a government fails to pass a money bill, or if a majority of MLAs vote for the non-confidence motion, the legislature must be dissolved and a new election is called.



MEMBERS OF THE LEGISLATIVE ASSEMBLY (MLA)

WHAT DO MLAs DO IN THEIR ELECTORAL DISTRICTS?

The first MLAs represented the people in their electoral districts in the House of Assembly. Today, MLAs do a lot of work when the House is not in session.

Most MLAs work long hours—up to 11 ½ hours a day, Monday to Friday. They often spend weekends at community events.

Here are some things MLAs do when they are not in the House:

Help constituents get the government services they need such as

- student loans
- social assistance
- workers' compensation benefits

Work with community groups to get the services they need such as

- schools
- roads and bridges
- recreation centres

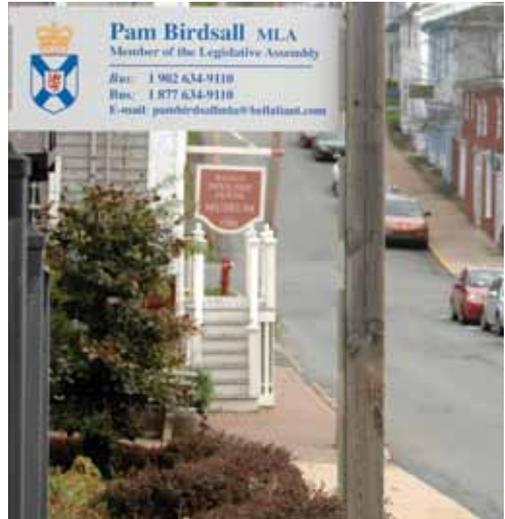
Help individuals and community organizations solve problems such as

- find a shelter for an abused woman
- help stop vandalism on local trails
- help local community groups with fundraising

Attend community meetings to listen to constituents.

Meet with constituents to find out what issues are important to them.

Attend party caucus meetings to bring the concerns of their constituents to the party and learn what is going on in other constituencies.



Your MLA has a long list of contacts in municipal and provincial government departments. Many have contacts outside government in fields from plumbing to mental health. They use these contacts to get you the help you need.

All MLAs have a constituency assistant to help them answer e-mails and telephone calls. They also help people who drop into the constituency office when the MLA is away.

WHO IS YOUR MLA?

To find out who your MLA is, you need to know which electoral district you live in, click ► <http://electionsnovascotia.ns.ca/edf/edf.aspx>

Once you know your electoral district, click ► www.gov.ns.ca/legislature/MEMBERS/directory/constituencies.html to find your MLA.

constituent – a person who lives in the MLA's electoral district or constituency

caucus – members of the legislative assembly belonging to a particular party

WHAT DO MLAs DO
IN THE LEGISLATURE?

MLAs have seven responsibilities during sittings of the Nova Scotia House of Assembly:

- attend all sittings of the House unless excused by the Speaker
- attend party caucus meetings
- bring the concerns of the people living in their electoral districts to their party and to the government
- propose bills
- study all bills
- vote with their party
- participate in committees

There are nine permanent committees called “standing committees”:

- Internal Affairs
- Law Amendments
- Private and Local Bills
- Public Accounts
- Economic Development
- Human Resources
- Community Services
- Resources
- Veterans Affairs

Other committees are created to deal with particular subjects. They exist only as long as needed. These are called “select committees.”

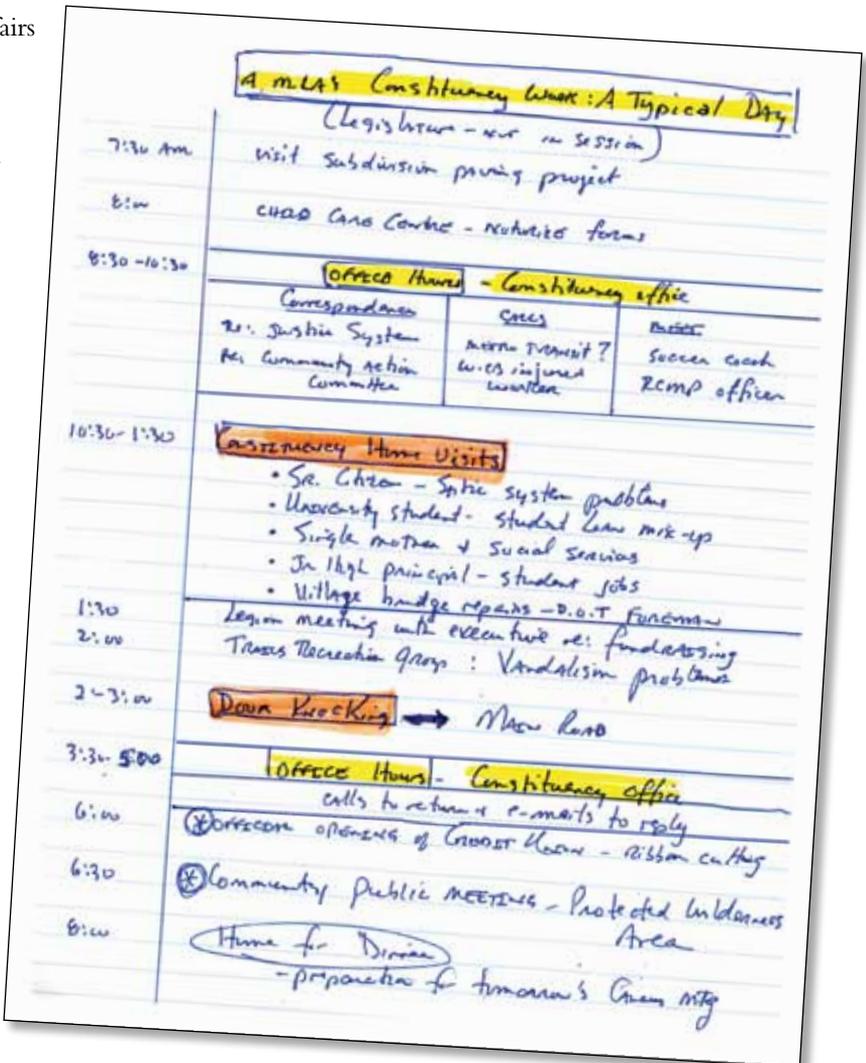
All MLAs must participate in two committees called “committees of the Whole House”:

- Committee of the Whole House on Supply
- Committee of the Whole House on Bills

Some MLAs have added duties:

- Premier
- Cabinet Minister
- Speaker
- Leader of the Official Opposition
- Leader of a recognized party
- House Leader
- Chair of Caucus
- Party Whip

A page from an MLA’s agenda book.



THE MLA AS PREMIER

A person becomes premier by first being elected as leader of a political party. If that party wins a majority of seats in the house, the party leader becomes premier.

The premier, also called the First Minister, is the head of the government and the president of the Executive Council, or cabinet. The premier may also be in charge of a government department such as Intergovernmental Affairs.

These are some of the premier's duties:

- choose cabinet ministers from among MLAs, almost always from his own party
- run cabinet meetings
- decide when and for how long the house will sit
- decide when the legislature will be dissolved

THE MLA AS CABINET MINISTER

Cabinet ministers are also called Ministers of the Crown. Together with the premier, they form the cabinet. The legal name of the cabinet is the Executive Council.

Meetings of the Executive Council are held once a week behind closed doors — which means they are private, with no press allowed and no record of what was said made available to the public. That is where the government discusses new policies and bills, and where they make the day-to-day decisions needed to run the province.

Most cabinet ministers are responsible for at least one government department and may also be responsible for a government agency, such as Communications Nova Scotia, and a particular law, such as the Human Rights Act.

Most departments, boards, commissions, committees, and other provincial agencies report to the legislature through a minister. Some departments, such as those of the Ombudsman and Auditor General, report directly to the Legislative Assembly.

In 2009 there were 12 cabinet ministers, including the premier, and 19 government departments. Some MLAs are responsible for more than one department or agency. Some others may be members of the Executive Council without being responsible for a particular department. These are called “ministers without portfolio.”

THE MLA AS SPEAKER

The speaker is elected from among the MLAs after each general election or if the previous speaker resigns or ceases to be an MLA or has to leave the post. The speaker would have to leave the post if, for example, they were chosen to be in cabinet.

An MLA can nominate another MLA for the post of speaker. Usually the premier nominates a candidate and the leader of the opposition supports the nomination. This shows that the speaker will not take sides during debates.

Some people cannot be nominated to the post of speaker:

- Premier
- Cabinet minister
- Leader of the opposition
- Leader of a recognized party

What the speaker does

- manages how the legislature works
- keeps order
- makes sure MLAs follow the rules
- makes sure every MLA gets a chance to speak on a particular topic
- protects the rights of MLAs
- represents the legislature outside Province House
- chairs the Legislature Internal Economy Board, the group responsible for services given to MLAs
- looks after everything inside Province House and on its grounds

Speakers do not participate in debates in the house. They only vote to break a tie.

The speaker's role is an important symbol that, while in the house, parliament is the highest level of authority in the province — higher than the lieutenant governor, higher than the King or Queen.



Honourable
Charlie
Parker,
Speaker in
2009.

THE MLA AS A MEMBER OF THE OPPOSITION

Any MLA who is NOT a member of the political party that forms the government after a general election is automatically a member of the opposition.

The party that has the second highest number of seats after the governing party becomes the Official Opposition. Members of this group take the lead in questioning government policies. The Leader of the Official Opposition chooses MLAs to watch over how the government handles each department. These people are called “critics” and they form the “shadow cabinet.”

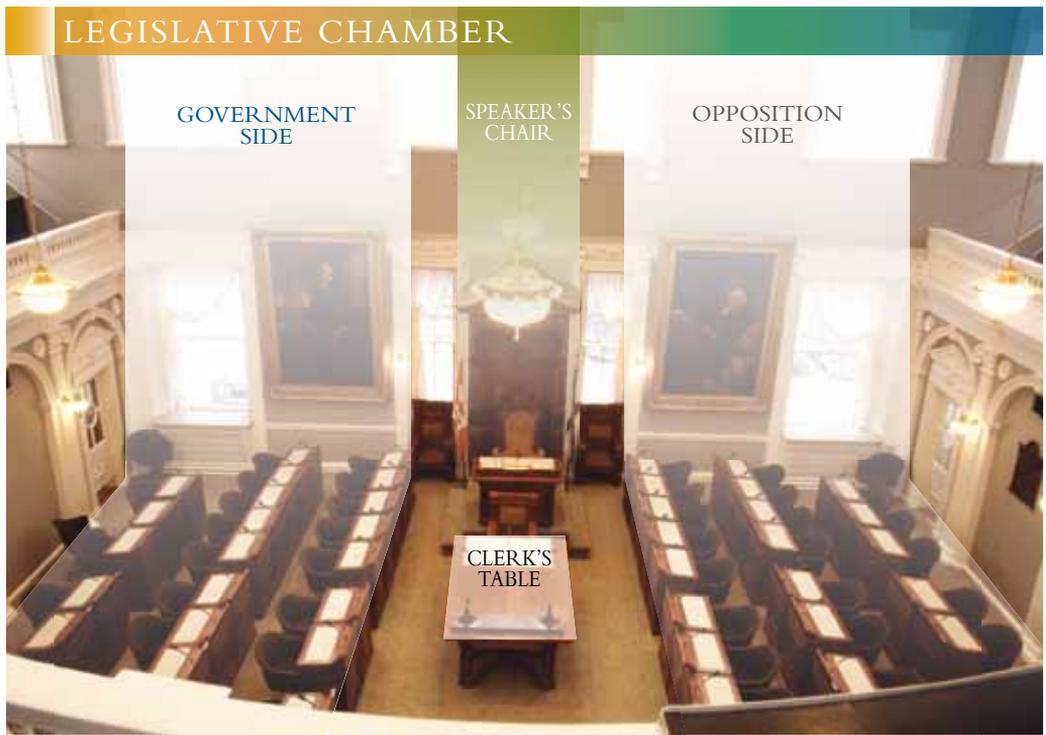
It is usually the critic of a particular department who questions the minister for the department in the legislature. For example, the critic for Education will question the Minister of Education about education policies.

The opposition’s job is to make sure that everything the government does is in the best interest of the people of the province.

THE MLA AS HOUSE LEADER

Each party chooses a person to be House Leader. The House Leaders from all the parties meet regularly to talk about topics that will be debated in the legislative chamber. They do not make decisions about these topics, but decide when the debate will take place and how long it should last.

Sometimes an opposition House Leader will agree to support a government bill if the government supports an opposition bill. This is called “horse trading.” Also, the government House Leader may agree to support an opposition bill on the condition that the opposition supports the government. These kinds of deals usually happen when there is a minority government.



Recognized Party

A party is “recognized” by the House of Assembly on four conditions:

- It has at least two seats in the House.
- It is a recognized party according to the Elections Act.
- It ran candidates in at least 75 per cent of the electoral districts in the province.
- It got at least 10 per cent of the official vote in the latest general election.

HOW DO I GET MY VOICE HEARD BETWEEN ELECTIONS?

CONTACT YOUR MLA

Everyone who lives in a particular electoral district has the right to contact their MLA. You don't even have to be old enough to vote.

To find your MLA, ► see page 50.

You can find these things on each MLA's web page:

- contact information: e-mail address and mailing addresses in the electoral district and in Halifax
- telephone and fax numbers in the electoral district and in Halifax
- which political party the MLA belongs to
- photograph
- biography

If there is something going on you think your MLA should know about, telephone or e-mail. It's their job to take your concerns to their party and to government.

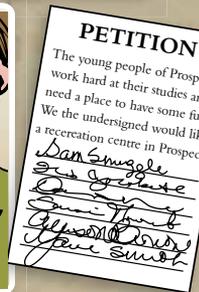
JOIN A VOLUNTEER GROUP

Many groups contact MLAs on a regular basis to talk about specific issues. You might want to join one of these organizations:

- Ecology Action Centre or Clean Nova Scotia – environment
- Canadian Federation of Students – issues related to college and university students, such as tuition
- student government at your local junior high or high school – issues such as bullying, drugs, violence, graffiti
- your local School Advisory Committee – issues related to education in elementary, junior high, and high school
- local recreation organization – help build such things as skate parks, community centres, pools, and arenas or get services such as youth drop-in centres
- local trails association – help build and maintain trails for walking, cycling, or using off-highway vehicles

START A PETITION

If you think that something needs to be done, you can start a petition. Give the petition to your MLA so it can be tabled in the House. When MLAs table a petition, they talk about what the petition is about and how many people have signed it. You need at least three people to sign your petition plus the signature of your MLA to get it tabled in the House.



JOIN A POLITICAL PARTY

Nova Scotia has four main political parties:

- Green Party
 - ▶ www.greenparty.ns.ca
- Liberal Party
 - ▶ www.liberal.ns.ca
- New Democratic Party
 - ▶ www.ns.ndp.ca
- Progressive Conservative Party
 - ▶ www.pcparty.ns.ca

All four parties have application forms on their web sites.

The Progressive Conservatives, NDP, and Liberals have the same conditions for becoming a member:

- you must be at least 14 years old
- you must agree to the party's goals
- you must NOT be a member of any other political party

You can be any age to join the Green Party and you must tell them if you are a member of another party.

Membership fees range from \$5 to \$15 a year depending on your age and how much money you earn.

Even if you are too young to vote in a general election, you can vote on party policy. That means you have a say in how your government is run, especially if your party forms the government in a general election.

CONTACT THE OMBUDSMAN

Anyone who thinks they have been treated unfairly by the provincial government or a municipal government, such as a city or town council, can bring a complaint to the ombudsman.

The ombudsman is appointed by the Governor in Council.

The ombudsman works to make government services better for all Nova Scotians, by investigating complaints.

A special section of the Office of the Ombudsmen handles complaints from seniors, children, and youth who are living in places run by the province or who are getting provincial services.

You can make a complaint in three ways:

- in writing, by letter or e-mail
- by telephone
- in person

Having your complaint investigated is free.

For more information on the services offered by the Office of the Ombudsman, click ▶ www.gov.ns.ca/ombu

Youth discuss the importance of democracy at D250 events held throughout the province.



WHAT DOES THE LEGISLATURE DO?

The legislature does three things:

- makes laws
- controls how government spends money
- watches and questions the policies and actions of government

HOW DOES THE LEGISLATURE MAKE LAWS?

Before an idea becomes a law, it is called a “bill.” Any MLA can introduce a bill.

However, there is one kind of bill that only a cabinet minister can introduce — a money bill. A money bill is a bill that will have an effect on how the province raises or spends money.

HOW A BILL BECOMES LAW

STAGE 1 First Reading

An MLA introduces the Bill.

Mr. Speaker, I beg leave to introduce a bill entitled The Animal Protection Act.



STAGE 2 Second Reading

Mr. Speaker, the purpose of this bill is...



STAGE 3 Committees Study the Bill

Bills go to one of two committees depending on who they affect.



STAGE 4 Committee of the Whole House



The Speaker leaves the Speaker's chair and the Deputy Speaker chairs the meeting.

STAGE 5 Third Reading

Mr. Speaker, I am pleased to move third reading of this bill.



STAGE 6 Royal Assent

The lieutenant governor signs the bill showing that the Crown approves.

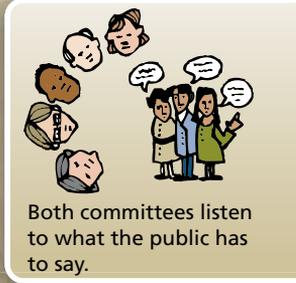
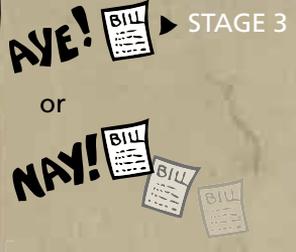
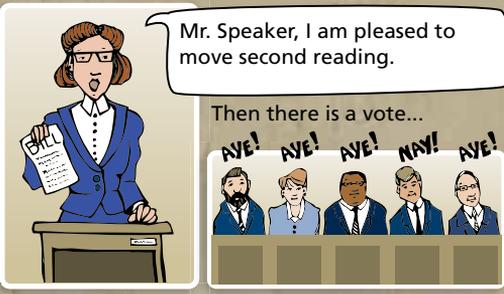
PASSED IN THE
HOUSE OF ASSEMBLY
November 5th 20.09
Charlie Parker
SPEAKER
Deputy Speaker
CHIEF CLERK

Assented to this 5th day of NOV 20.09
Margaret Francis
Lieutenant Governor

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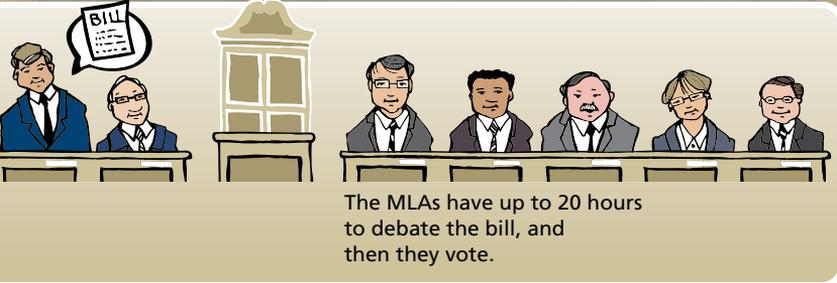


Each MLA may then speak on the purpose of the bill.

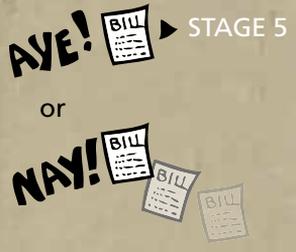


If you want to find out when a committee is studying a bill, click:
www.gov.ns.ca/legislature/committees/schedla.html
www.gov.ns.ca/legislature/committees/schedplb.html

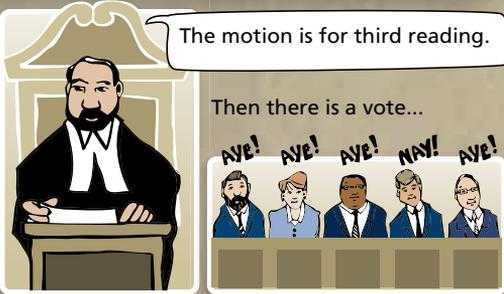
To have your say on a bill, call:
 902-424-8941
 The Legislative Counsel Office will tell you when and where to go to speak to the committee.



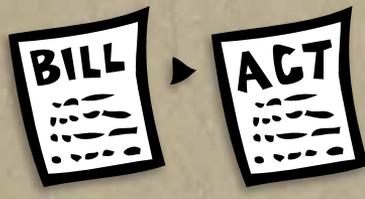
The MLAs have up to 20 hours to debate the bill, and then they vote.



Each MLA may then speak on the purpose of the bill.



then

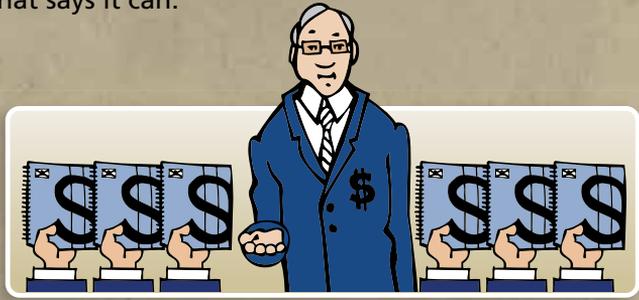


HOW DOES THE LEGISLATURE CONTROL MONEY?

The government is not allowed to spend any money unless the legislature passes a law that says it can.

ESTIMATES

Every year, each government department estimates how much money it thinks it will need for the next year. The government uses these estimates to make its budget.



BUDGET SPEECH

The Minister of Finance makes a speech called a

budget speech.

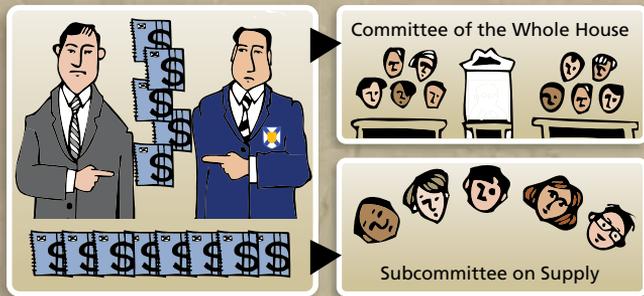
One member from each opposition party is allowed to comment on the budget speech.



The speech tells the people four things:

- 1 how much money the province has to spend
- 2 how much money the province owes banks and investors
- 3 how the government plans to raise more money
- 4 how the government plans to spend money

The House Leader for the Official Opposition consults with the Government House Leader to choose the estimates of 5 government departments. These are studied by the Committee of the Whole House on Supply. The others are studied by a subcommittee on supply.



COMMITTEE OF THE WHOLE HOUSE ON SUPPLY

Opposition MLAs question the ministers of the 5 departments in detail about how they plan to spend public money. This can take up to 40 hours. Members of the Subcommittee on Supply question the ministers of the other departments. This can also take up to 40 hours.



Opposition



Party in power

BUDGET VOTE

This is one of the most important votes taken in the House of Assembly. If there is a minority government, it is an opportunity for the opposition to “take down” the government. They do this by voting against the budget. A majority vote against the budget is the same as a vote of no confidence.

Opposition parties are often criticized for voting against good things in the budget. But MLAs vote for or against the budget as a whole. If they strongly disagree with part of the budget, they must vote against the whole thing.

Opposition parties also use the budget as a way to comment on the performance of the government during its whole term of office. If the opposition thinks the government was performing badly and needs to be changed, it can vote against the budget.

AYE! **NAY!**

HOW DOES THE LEGISLATURE MAKE SURE THE GOVERNMENT IS WORKING FOR THE PEOPLE?

The House of Assembly uses these four tools to make sure the government works for the people:

QUESTION PERIOD

Every Tuesday, Wednesday, and Thursday, opposition MLAs get to ask the premier and ministers about how they are running the government.

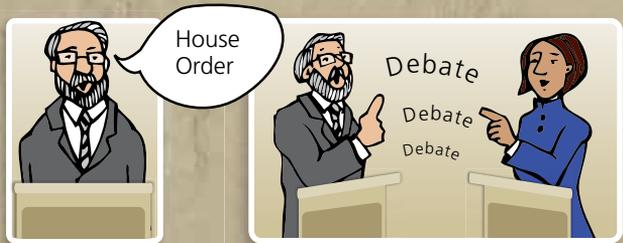
Question Period is often the most lively discussion that takes place in the House. Ministers are asked to defend the choices they make while running the government by MLAs from the opposition. This is an important part of being "responsible" to the people of the province. Opposition MLAs also use this time to embarrass the government, if anything controversial has been happening. When you see a clip of House business on the news, it is often taped during Question Period.

Question Period lasts one hour on Tuesdays and Thursdays and one and a half hours on Wednesdays. The leader of the official opposition is usually given first chance to question the government, followed by the leader of another recognized party.



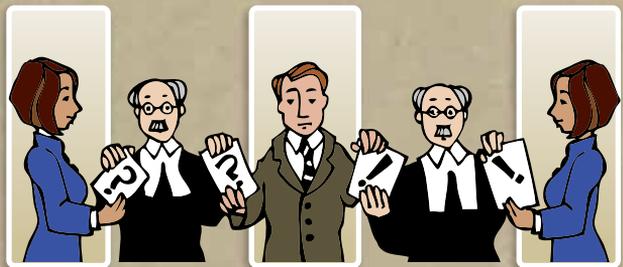
HOUSE ORDERS

Any MLA can introduce a Notice of Motion for a House Order. The motion, if approved by the House, orders the Minister to give the MLA particular information about the department.



WRITTEN QUESTIONS

Any MLA can write down a question about a particular government department and give it to the clerk. The minister does NOT have to answer the question. If the minister does answer, the answer is given in writing to the clerk.



PUBLIC ACCOUNTS COMMITTEE

This committee studies everything that has to do with the province's money and how it was spent. A member of the Official Opposition leads this committee.



HOW DO MLAs BRING CONCERNS OF INDIVIDUALS AND GROUPS TO THE LEGISLATURE?

Everything that is said and done in the House is open to the public. You can go to Province House and sit in the public gallery of the legislative assembly chamber and watch the debates when the House is sitting. Everything that is said in the House and its committees is written down in a publication called Hansard, except the estimates debate and the Committee of the Whole House on Bills. You can get Hansard at your local public library or on the Internet.

Click ► www.gov.ns.ca/legislature/house_business/hansard.html

You can also watch the debates of the House on television whenever the House is sitting.

Every document given to the legislature is available for the public to look at either through the clerk's office or the public archives.

Here are some ways that MLAs can bring your concerns to the legislature:

TABLING PETITIONS

MLAs can bring the concerns of their constituents to the public by tabling a petition in the House. When MLAs table a petition, they talk about what the petition is about and how many people have signed it.



NOTICES OF MOTION

MLAs use these to tell the House that they plan to make a particular motion in the future. Many of these are to congratulate people for good work. For example, firefighters put out a raging forest fire and saved hundreds of homes. An MLA might make a notice of motion to congratulate the firefighters. If everyone in the House agrees, the resolution can be passed right away and the firefighters are publicly recognized for their good work.



DEBATING BILLS

Every time MLAs debate a bill they bring the concerns of their constituents to the House. They often talk about how the bill will affect people living in their electoral districts.



THE LATE SHOW

Any MLA can ask to debate any topic on a Tuesday, Wednesday, or Thursday at 6 pm. This is the time the House would normally stop sitting. That's why it's called the Late Show. The debate lasts up to a half hour with each MLA allowed to speak up to 10 minutes.



MINISTERS' STATEMENTS

The premier or a minister can make a public announcement. One member of each opposition party can also talk about the announcement, but they may speak only as long as the premier or minister spoke, but no longer.



CEREMONY

Making laws and running a province is serious business. It has grown out of a long tradition of governing people. It has changed much over the years, but the ceremony practised in Province House reminds us that it is not all brand new. It reminds us of where these practices came from and emphasizes the authority of our legislature.

LIEUTENANT GOVERNOR

This is the oldest position in our legislature. Over the years the governor became less and less responsible for running the province.

DATES	GOVERNMENT
1605–1719	Governor
1720–1758	Governor + appointed council.
1758–1786	Governor + appointed council + elected assembly
1786–1838	Lieutenant Governor + appointed council + elected assembly
1838–1848	Lieutenant Governor + appointed Legislative Council + elected assembly
1848–1928	Lieutenant Governor + appointed Legislative Council + elected Assembly, including an elected Executive Council or Cabinet
1928–present	Lieutenant Governor + elected Assembly, including an elected Executive Council or Cabinet

For more information about the role of the lieutenant governor, ► see page 29.

THE SPEECH FROM THE THRONE

This is a speech that the lieutenant governor reads at the opening of each new session of the House of Assembly. It talks about the main things the government plans to do during its term of office.

SPEECH FROM THE THRONE
HALIFAX,
THURSDAY, NOVEMBER 22, 2007

SERGEANT-AT-ARMS: Her Honour,
the Lieutenant Governor.

[The Lieutenant Governor preceded by her escorts and aides and by the Sergeant-at-Arms, bearing the Mace, entered the House of Assembly Chamber. The Lieutenant Governor then took her seat on the Throne.

The Sergeant-at-Arms then departed and re-entered the Chamber followed by the Speaker, the Chief Clerk of the House, Assistant Clerk, and Assistant Clerk. The Speaker, with the Sergeant-at-Arms on his right and the Clerks on either side, took up his position at the foot of the Clerk's Table.]

SERGEANT-AT-ARMS: It is the wish of Her Honour that the ladies and gentlemen be seated.

Mr. Speaker, Members of the Legislative Assembly, ladies and gentlemen, the people of Nova Scotia:

I welcome you to the Second Session of the 60th General Assembly. When we met in this House in May, celebrations were announced for the 250th Anniversary of the birth of representative government in Nova Scotia in 2008...



Here are some other things you will notice if you visit Province House while the House of Assembly is sitting.

THE MACE

The mace is an ancient symbol of royal authority. When the mace is on the clerk's desk during sittings of the House, it symbolizes the royal authority given to the legislature.

In the Middle Ages, in England, when kings and queens held their own assemblies, the mace was a weapon used by the sergent-at-arms — the king's bodyguard.



Kenneth Greenham, Sergent-at-Arms holding the mace.



SERGEANT-AT-ARMS

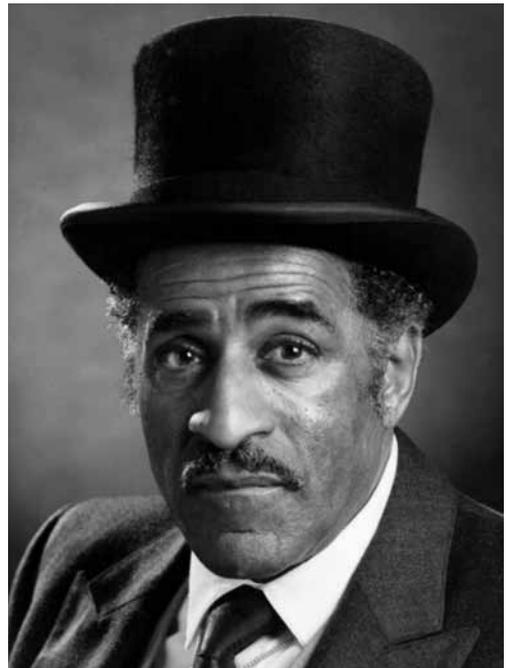
The sergent-at-arms does five things:

- looks after security in and around Province House
- looks after the mace
- helps the Speaker keep order in the legislative chamber
- leads the Speaker's procession into and out of the House at the beginning and end of each sitting day
- announces the lieutenant governor and walks with them when they enter or leave the chamber

Elder NOEL KNOCKWOOD became the first Mi'kmaq Sergent-at-Arms in the House of Assembly.



Delmore (Buddy) Daye, the first African Nova Scotian Sergent-at-Arms, 1990.



FORMAL SPEECH

All MLAs must make an Oath of Allegiance to the Queen, her heirs and successors.

There are rules to tell MLAs and others how they must speak in the legislative assembly chamber. Here are some examples:

- MLAs are NEVER called by name. They are called by their electoral district or, if a cabinet minister, by the name of their government department.
- MLAs are always called “honourable.” For example, in the House, an MLA is

called “The honourable member for Inverness,” or “The honourable Minister of Transportation and Infrastructure Renewal.”

- MLAs also refer to each other as “the honourable member.”
- MLAs do NOT talk directly to each other when the House meets. All comments are directed to the Speaker, who is called “Mr. Speaker.” This is to prevent MLAs from calling each other names.



Mr. Speaker, my question is for the Minister of Economic Development. Rural communities in Nova Scotia are suffering due to a lack of cellphone coverage ... My question to the minister is, what is your government's plan to increase rural cellphone coverage in Nova Scotia?

Transcript from
Wednesday, November 19, 2008.



Mr. Speaker, I want to thank the honourable member for the question. He obviously has experienced the lack of coverage in some areas of the province as many Nova Scotians have ...



Business owners ... in Nova Scotia are relying on cellphones to attract new businesses ... So my question to the minister is, can we expect action from the government to increase rural cellphone coverage in Nova Scotia in the very near future?



Mr. Speaker, as I indicated, we are in fact working to provide the universal coverage with respect to broadband throughout the province and that will put in place

Interruptions



Order, please. The honourable Minister of Economic Development has the floor.



Mr. Speaker, as I was saying, I hope that ...



Mr. Speaker, ... If a motorist has an accident or an urgent situation arises, a cellphone can be an effective tool ... My question to the Minister of Emergency Management is, will you commit to taking the necessary steps to increase rural cellphone coverage in Nova Scotia to help our emergency service providers?



Here are some other words you may hear in the legislative assembly chamber:

session – the period of time the House of Assembly meets and can carry work over from one day to the next; a session usually begins with the Speech from the Throne and ends with a prorogation

sitting – the period of time when the House meets between adjournments

adjournment – when the House ends the work of the day; whatever work is not finished gets put off to the next day

prorogation – the end of a session of the Legislature; whatever work is not finished has to start over in the next session — nothing is continued.

dissolution – the end of an Assembly before a general election; any work that is not finished dies; MLAs are no longer MLAs — most become candidates in the next election

quorum – the number of MLAs who must be in the legislative chamber for the House to be able to do its work; if the House does not have quorum, it must adjourn until the next sitting day

motion – an idea put forward by an MLA to be debated in the House

the motion carries – the motion becomes a resolution

resolution – a decision made by the House

A YE! – yes

NAY! – no