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## **Canada-U.S border result of hostility, concession**

By JOHN BOILEAU

THE CANADA DAY opinion article, written by the commissioners of the International Boundary Commission, neglects to tell the real story behind the creation of the Canada-United States border. It is a tale marked by American antagonism and British betrayal, all to the detriment of this country's final shape.

The first major delineation of the boundary resulted from the Treaty of Paris in 1763, which ended the Seven Years War and gave New France to Britain. In their first capitulation to American interests, the British surrendered the vast – and valuable – wedge of territory between the Ohio and Mississippi rivers, at the time the site of several English forts and fur-trading posts. It was a decision beyond the Americans' wildest dreams: Their countrymen had never set foot in parts of the region.

In the east, the Americans claimed the St. John River as the boundary, but finally accepted the St. Croix by Jay's Treaty of 1794, although the border had not been decided in the substantial forests north of the St. Croix's headwaters. The Americans wanted a straight line due north from the St. Croix's source to the St. Lawrence River. Unfortunately, this line cut off Madawaska in northwestern New Brunswick.

The two governments submitted their disagreement to the Dutch king for resolution. His 1831 compromise cut the line above Grand Falls, giving the north bank of the St. John to New Brunswick. Maine rejected this solution; the so-called Aroostook War had begun. While the two sides faced each other on the upper St. John, the British sent Lord Ashburton to settle the issue. This was the cruellest cut of all; Ashburton owned a million acres of Maine timberland through his American wife, the value of which would decline with any decision favouring New Brunswick.

The Webster-Ashburton Treaty of 1842 selected the St. John River as the boundary, west from the point where the line running north from the head of the St. Croix intersected it. Opponents of the treaty called it Ashburton's Surrender.

Further west, the British proposed the 49th parallel to the Columbia River, then downriver to the Pacific Coast. When U.S. negotiators balked, both sides agreed to share the region for 10 years, although the only European inhabitants were British.

American settlers began to arrive and demanded exclusive jurisdiction as far north as 54°40 latitude – the southern limit of Russian territory in Alaska. Instead, the British proposed extending the 49th parallel to the West Coast, and then to the middle of Georgia Strait, separating the mainland from Vancouver Island. From there, the border would go south through the Strait and out into the Pacific.

This solution was incorporated into the Oregon Treaty of 1846. Unfortunately, the treaty did not adequately define the water boundary, leaving the ownership of San Juan Island in limbo.

When the so-called War of Griffin's Pig broke out in 1859, the two sides tolerated each other in an uneasy truce. In 1872, the question of ownership was referred to the German Kaiser. Despite British first occupancy and the fact that Rosario Strait was the normal channel, he ruled in favour of U.S. claims and made the boundary through Haro Strait. The British withdrew.

The Alaska Boundary Dispute was the last major border disagreement between Canada and the United States. The Americans claimed a large portion of British Columbia's coast, so the Alaska Panhandle could stretch south almost to Prince Rupert.

The U.S. demanded a continuous stretch of coastline, unbroken by the region's many deep fiords, while Canada wanted control of the heads of certain fiords for access to the Yukon. When negotiations of 1898-99 proved fruitless, the matter was referred to an international tribunal of "impartial jurists" in 1903.

Its three American and two Canadian members were obviously partisan, so everything hinged on the sixth member, British Lord Alverstone. President Teddy Roosevelt, whose motto for the conduct of foreign affairs was "Speak softly and carry a big stick, you will go far," declared he would send troops to Alaska if the tribunal didn't find in U.S. favour.

The U.S. refused to make any territorial concessions, while Britain was anxious to improve her relations with the Americans to secure U.S. steel and sympathy in her arms race with Germany. Alverstone sided with the American claim. Canada, whose troops had recently fought for Britain in the Boer War, was shocked at the mother country's betrayal.

In disgust, the Canadian members refused to sign the award and violent anti-British protests erupted in Canada. The prime minister, Sir Wilfrid Laurier, complained Canada's lack of treaty-making power made it difficult for the country to uphold its rights internationally, but did nothing.

It was not until the 1931 Statute of Westminster that Canada was finally given complete legislative independence and gained treaty-making rights as a sovereign nation. No longer would Britain "sell the farm" in territorial disputes between Canada and the United States.

John Boileau's latest book, Nova Scotia's Peaceful Revolution: 250 Years of Democracy in Canada, will be released by Nimbus this fall.