

Fabricating legalities of state in the Imperial West

The social work of the courthouse in late Victorian and Edwardian British Columbia

Rhodri Windsor Liscombe

The courthouse, especially as conceived and consumed at the zenith of the British Empire, exemplifies the symbolic no less than the regulatory work assigned to architecture in the ordering of modern society (Pevsner 1976, Markus 1993, Paré 1978, Collins 1971, Carter 1983). The courthouse was frequently the major public building erected in the urban settlements colonising the margins of Empire. Moreover the courthouse was largely unaffected by the sectarian associations attaching to religious, governmental and even commercial structures. The material presence of the courthouse, generally superior to that of contemporary buildings in scale, structure and decoration, was a major incident in the assertion and articulation of both distant imperial and local colonial authority. That presence reinforced the actual and associational processes of spatial ordering and socialising particularly inscribed in property ownership (Lefebvre 1991, Perera 1998). The assignment of property was, in the popular adage, nine-tenths of the law and the symbolic function of the courthouse was enhanced by the promotion of greater visual and historical literacy within the dominant imperial citizenry (Leonard 1995, Levine 1992). Existing on the cusp between popular and mass culture, this type of predominantly bourgeois

literacy eventuated from the advent of popular publication and increased public education (Adorno 2001, Bourdieu 1991, Lloyd & Thomas 1998). Both exploited the bodies of knowledge that legitimated imperial claims to displace or erase aboriginal peoples and cultures (Foucault 1980). These effects will be demonstrated through the analysis of the commissioning and reception of the courthouses built in British Columbia during the first major waves of British and European settlement and resource development in the late Victorian and Edwardian decades (Barman 1996, Mills 1977). Drawing upon comparative historical, formalist, deconstructivist, postcolonial and discursive methods, the main argument is the emergence of a new level of interactive emblematic communication between their fabric and the citizenry (Bouilloud 1997). This symbolic dialogue was, it is contended, almost as significant in the fabrication of the colonial state as the regulating systems enacted within the courthouse.

The argument, and the critical methodology supporting it, is demonstrated by two anecdotal statements. One dates from the early development of the western imperial Terminal City, Vancouver, while the other is from a recent impressionistic study of the city's late modern culture. The first is the phrase cut into the fabric of the third Vancouver courthouse designed in 1906 by Francis Mawson Rattenbury, whose judicial architecture is most extensively studied here. The phrase is 'Land Registry', carved into the lintel of the south, grade level entrance. It declares the chief civil activity of the courthouse in establishing new patterns of ownership through a scripting of geography associated with the rationalist grid imposed by the Royal Engineers' survey, and institution in 1858, of the province of British Columbia (Harris 1997, Loo 1994). Incidentally the Engineers early prepared a site for the courthouse when surveying the first major settlement on the mainland of BC at New Westminster; the courthouse was built in 1891 of local brick and stone which enabled it to survive a city-wide fire in 1898 and to be renovated for commercial use in 1990 (Chambers 1980). (See Figure 1.) The ontological and epistemological weight of that phrase Land Registry carried over into the contemporary understanding of both architect and citizen of iconographic messaging. In this



Figure 1: New Westminster Courthouse designed by George W Grant, opened in 1891; photo c1955. Reproduced by permission of British Columbia Archives.

case it is the Classical idiom increasingly appropriated during the brag-gart Edwardian phase of Empire to project British legitimacy and puissance in contradistinction to earlier imperial Neo-Gothicism exemplified by the Confederated legislature in Ottawa (Service 1975, Kalman 2000). The second statement refers to the gifting in 1878 of recreational land to the citizens of Vancouver by the Governor General, Lord Stanley. In *City of Glass* the origins of the park are explained thus: ‘[It was] named after Lord Stanley, some dead English guy, who, it turns out never visited Vancouver when the park was officially opened in 1888, back when the English really started pillaging the place’ (Coupland 2001). Stanley’s gift involved a series of re-allocations of land, including the expropriation of untitled communal territory of the local aboriginal peoples (Mawani 2003). Those legal transfers of rights of ownership and use also involved a sequence of functional and ritualistic procedures that embodied textual and visual authority claims essential to which were buildings, specifically the Parliament Buildings, Rideau Hall and the Courthouse at Vancouver.

Setting aside the bald rehearsal of postcolonial problematic, Douglas Coupland inadvertently identifies the spatial and temporal potencies of Empire. Those potencies were exerted through economic and

military intervention but also through architecture and law (Foucault 1977, Knafla 1986). The two latter asserted their relevance across time and place, and certainly exercised remarkable influence beyond their historical and ideological source. Each depended on shared assumptions, however variable in application, on personal as well as political-economic networks of association, and common idiomatic expression that spanned the expert and everyday domains. Their influence compounded with the advent of steam and electric technology that speeded and extended the invisible infrastructures of power and authority moving between central, intermediary and peripheral nodes of initiative. Interestingly these imperial mechanisms were first explained by a major Canadian scholar, Harold Innis in *Empire and Communications* (1950).

In part this may reflect the particular sophistication of governmental, corporate and social structure in the Dominion of Canada. Itself the product of conflictual European, American and failed British colonial enterprise, the sequential development of the confederated Canadian nation-state was enacted through legalistic text and visual pagentry intended to resolve myriad hierarchies of unequal relationship (Wright & Pue 1988). British Columbia in particular was subject to a range of distanced financial, legal and cultural determinants, predominantly emanating from New Westminster to the City of London, Ottawa, Montreal or Seattle (Loo 1992, Haring 1998, Harris 2003).

Yet, as late Victorian and Edwardian British Columbia newspapers demonstrate, their influence was not regarded as consistently negative. Indeed, the journalistic record — here held to represent as well as mould the everyday attitude of the broad, increasingly urban, citizenry upon whose active participation the imperial Dominion system depended — displayed both an avid interest in international news and a high degree of loyalty to figures and emblems of unifying authority. Chief among these figures and emblems were the sovereign and their surrogates, especially those appointed rather than elected. Their presence was ritualised in major public events. But that presence was also desired as part of the scenery of usual living which obviously embraced the

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architectural setting of public as much as private activity (Gottdiener 1985, Gregory & Urry 1985). Rapidly established colonial immigrant communities doubtless valued the in-built simulacrum of historical validation, and of instant self-complimentary heritage, afforded by eclectic or revivalist architecture (Luxton 2003).

Two examples are illustrative not least because they show the intersection between the ceremonial and habitual realms in imperial British Columbia (Begg 1894 [1972], Friesen & Ralton 1976). The first is the rough-hewn lumber imitation Doric Temple erected in September 1912 as the ‘Lumberman’s Arch of Welcome to Their Royal Highnesses the Duke and Duchess of Connaught’. Illustrations of the temporary structure appeared in the local newspapers alongside effulgent reports on the pomp and circumstance, as well as articles relating national and international events. The Classical motif denoted the economic importance of the forest industry, ever a staple of imperial wealth and, previously, naval supremacy. The motif additionally asserted the right of the immigrant society to exploit regional natural resources, its superior command of technology, and its presumption of enduring stability.

The second is related, namely the frequent publication of photographs of the main ceremony of welcome for the Connaughts in 1912 in front of the recently completed third Vancouver Courthouse. (See Figure 2.) This frequency recalled the journalistic and personal photography devoted to the official welcome organised in 1901 for the Duke and Duchess of Cornwall in front of the columned portico of the second courthouse. The record of such animation of symbolic edifice is not just a matter of historical moment. It is a function of the contemporary meaning of both the courthouse and its architectural statement of cultural ethos in the physical, even visceral, and mental landscape of the citizenry. Rattenbury’s visually effective, if archaeologically inept façade — the Roman Ionic order is used in two differently scaled but contiguous columnar systems — was seen in 1912 Vancouver as the only backdrop equivalent to the significance of the visit. (See Figure 3.) The Duke was Governor General of Canada



Figure 2: Front page of the *Vancouver Daily Province*, 19 September 1912, with a photograph of the reception for the Duke and Duchess of Connaught in front of the third Vancouver Courthouse.

and his consort, Princess Patricia, the daughter of the deceased Queen Empress and aunt of the reigning British monarch. The ceremony in front of the courthouse thus transformed one of the termini of the proverbial steel and telegraphic Thin Red Line into its focus, however briefly. The photographs display this mobile centralisation of Empire through spectacle constituted by ritual, language, insignia, uniform and civic fabric. Indeed, the boosterist visage of Rattenbury's Classical columns and ornamentation was echoed in the ranks of the military guard of honour (local militia replicating imperial elite regiments), Boy Scouts and police. Together the ensemble locally signified the imperial mission and acknowledged its engine in legal process; that in turn exemplified the common importance of spoken, textual and visualised rhetoric. Such multifarious rhetoric encompassed the voicing of ideology ascribed to Classical Orders no less than the ceremonial declaration of imperial allegiance (Rykwert 1996, Vidler 1987).



Figure 3: Inside page of the *Vancouver Daily Province*, 30 August 1906, publishing F M Rattenbury's design for the main façade of the new Vancouver Courthouse.

This confluence of projected and ingested meaning is manifest in one contemporary newspaper account. *The World* printed on 19 September 1912 even invoked feudal past to dignify modern present in the heading to its report 'City Does Homage to Royalty'. The text went on to relate the 'Court House Ceremony' in which Mayor Findley lauded the visit as strengthening 'the bonds which link this the premier colony to the land it calls Motherland ... They are the ties cemented with the mortar of democracy.' These ties included the largely independent federal, regional and local judicial systems. Visitor and visited were part of 'the glorious Empire', capable by virtue of its superior governance and technique of 'attaining in the near future, a splendour of achievement which will make it more glorious still'. In reply the Duke remarked on the invisible fabric of Empire across Canada signified through the 'endless stretch of rails which have carried me from Halifax to Vancouver'. Alongside the speech, and two pages beyond the cover photograph of the imperial theatre staged against the Courthouse façade, the editor printed a brief piece about the apparently trivial legacy of these mechanisms of meaning conveyed through visual carriers of surrogate values and identity:

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With no little ingenuity a Cordova Street grocer has demonstrated his patriotic spirit by devoting his entire window space to a Union Jack made of plums, apples and eggs. The Crosses of St. George and St. Andrew are formed of big red pippins from the Okanagan: the blue field is made of azure plums and hen fruit [feathers] constitutes the material for the white portions of the improvised flag.

This iconographic performance by ordinary people of perhaps only superficially understood ideas replicates the aesthetically operated methods of social regulation devised during the Enlightenment — one which has formed the subject of considerable deconstructionist inquiry (Bentham 1789 [1982], Hay 1975, Foucault 1977, Goheen 1986, Vidler 1990). The direct link between word formation and architectural formulation has alike been examined in recent deconstructionist inquiry (Markus & Cameron 2002). But that inquiry has concentrated on the analysis of high policy or culture. Such analysis, deriving mainly from Marxist and post-Marxist Continental theory whether of the Frankfurt or post-1945 Paris Schools, has also revised the interpretation of the invention and impact of modern law. Its sociology, cultural history and non-metropolitan as well as imperial dimension have received greater attention corresponding to postmodern investigation of the non-formalist aspects of architectural design (Arnold 1999). Those discourses variously underscore the danger of positivist and totalising historical narrative modelled primarily on the remnants of contemporary documentary record. Nonetheless, as already indicated, a revisiting of that record, especially where it relates the customary understanding of ethic and imagery, confirms the force of institutional architecture in articulating the weft and warp of value-laden textual and visual knowledge plus related systems of social governance, including the law, that made up the current social fabric (Deleuze 1992, Chann 2002).

The law, in company with architecture, invoked an array of authorising models, notably religious and secular texts, pre-eminent practitioners, historical precedent, and, all the while, intermixed the ideal with the pragmatic in its practice (Sugarman 1983, Loo & McLean 1994). The courthouse, particularly in the colonial realm, reinvented

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ancient precept to invent instant authority enacting new social arrangement (Liscombe & Waddell 1981, MacRae & Adamson 1983). Its external architectural ornament envisaged a mentally ordered and visually harmonious combination of different elements corresponding to the varied judicial species and social practices of the law (McQueen & Pue 1999, Pue & Sugarman 2002). Again corresponding with architecture, the law is present in the spaces of public and private, social and singular enterprise (Gough 1975, Loo 1994, Strange & Loo 1997). And the ultimate scene of civil and criminal law, exercising jurisdiction of person and place, is the courthouse and courtroom (Boyum & Mather 1983). Furthermore, both courthouse and courtroom entail the utilitarian and theatrical, functional and spectacular polarities of architectural design, wherein the interrelation of external circumstance to internal condition is equally apparent (Taylor 1993). Lastly, legal and architectural practice centre on the definition, or, more precisely, fabricated pretence of place, status and legitimacy.

One aspect of that fabrication was paramount at the imperial margin; and it was an aspect that exhibited the dialogic register of architecture's articulation of cultural values, including jurisprudence. Quite literally, the visible and implicated verbal language of judicial architecture supplied *the* civic object answering to commonly voiced aspiration for societal order (Flaherty 1983). The courthouse in particular reinforced the imperial educational and political construction of civil society, embodied the associated justification for colonial appropriation, and prompted an evolving popular dialogue of legitimation between citizen and authority (McNamara 2004). The process, to adopt legal terminology, corresponds with the Reverend E D McLaren's homily at the dedication of the fountain originally erected in May 1912 on Georgia Street in Vancouver to commemorate King Edward VII: 'The Union Jack stands for many things. It speaks with the language of many voices and not the least of its messages is that of devotion to duty. This has been an outstanding feature of the sons and daughters of the Empire.' The picture-language acted to draw together cultural figure and cultural ground while also making the individual social subject the self-

referential object of their collective civic role. A flavour of this proposition is alike manifest in the images illustrating Judge F W Howay's seminal history of the province, *British Columbia. From the Earliest Times to the Present*, written with E O S Scholefield and published in 1914 on the brink of radical change in Empire (Scholefield 1914). Architecture stands out against the natural environment, asserting a new jurisdiction of place and space, in company with the personal dress, or fabric, of authority figures. The last section of Howay's contribution titled 'Bench and Bar' uses biographical narrative to recount the impress of new socio-economic regulation and relationship. Underlying the rambling anecdote is the conviction of the improving effect of legal statute and intervention as equivalent to the architectural and imperial projects (Phillips 1994).

The sentiment of legal imperative in the achievement of civilisation was a central theme in 19th century discourse (Greswell 1893, Atkin 1973). It courses through a lengthy report printed in *The Inland Sentinel* for 17 December 1909, on the inaugural sitting in the Kamloops Courthouse of Mr Justice Murphy, recently appointed to the BC Supreme Court. This event was presented as recognition of Murphy's personal ability, but also as the extension of colonial government, the elevation of individual citizens' rights and the growing professionalisation of society. The establishment of separate judicial facilities in the new resource towns of the province, even including Vancouver, became a major political issue paralleling the growing pressure for imperial and Dominion devolution of judicial/political power.

The *Sentinel* report belonged with a recurrent vein of contemporary journalism. Witness the laudatory announcement on the front page of the Victoria *Daily Colonist* for 10 January 1893, 'Mr. Justice Drake leaves by this morning's Islander to hold Court in the new Judicial District of Vancouver.' The convention persisted in journalistic coverage of provincial legal politics until well after post-1945. On 29 March 1949 the *Colonist* carried a long summary of Mr Justice A D Macfarlane's address upon the completion of the refurbishment of the Supreme Court. Included was this paragraph: 'Then Mr. Justice

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Macfarlane pointed out how courthouses in British Columbia have followed so closely its resources and added, "Where there is justice there is civilization. Where there is none there is barbarism." This unreflexive analysis has been radically revised in postcolonial histories of the colonisation of the North American west, including reconsideration of its enactment through legal instruments (Harris 2003).

The instrumental dynamic of the law and architecture brooked large in what might be termed the imperial immigrant mind. Under the headline 'Citizens Ask for Courthouse Site', a local reporter for the Vancouver *Daily Province* for 30 November 1909 wrote:

In order to bring most prominently to the attention of the government the request of Vancouver to secure for its citizens the site of the present courthouse on Hastings Street, a petition of business men and property owners who are amongst those particularly interested in seeing the change take place, is to be presented to cabinet.

Legal contract was fundamental to the projection of imperial control, capital and commerce. Francis Rattenbury came to British Columbia in 1892, 24 years after his birth at Leeds in the year of Canadian confederation, as a consequence of the economic instability that both fuelled and characterised imperialism (Liscombe & Barrett 1983, Liscombe 2003). A migrant from periodic depression of the Yorkshire textile industry due to the export of manufacturing technology, he ventured to Vancouver partly at the behest of Bradford property speculators. This decision also depended on two other features of imperial technique. One feature was the large literature on colonial opportunities for emigration for profit enabled by the mechanical printing methods. These also rendered affordable books on the historical civilisations and cultural production which formed the basis of Rattenbury's architectural education and much popular knowledge. The other feature of imperial technique was the communication technologies that contracted the apparent spaces and diversities of Empire.

The multivalent effects, and affects, involved in the contraction of geo-cultural distance found expression in another Vancouver newspaper celebrating the triumph of British Canadian imperialism. On 18

September 1912 the editor of *The Daily News-Advertiser* endeavoured to raise public interest in coverage of the reception staged for the Connaughts in front of Rattenbury's Courthouse. On its front page he printed a fictitious letter from 'The Lady Vancouver to the Duke of Connaught' manifesting the admixture of sophisticated with naïve motivation and comprehension which informed imperial action and its agents. Styling herself 'a simple work woman' — the Empire and its chief instrument, the Royal Navy, frequently adopting the female persona — Lady Vancouver solicited the Connaughts' longer sojourn amidst the city's sublime scenery (ironically likened to the recently sunk *Titanic*) and multi-ethnic British and European citizenry supposedly united, as the Great Powers, by the dynastic kinship of their respective monarchies. 'Sir,' she continued:

I am a world city in the commercial sense, a world's-end city in a geographical one. Today, in spite of the tragic sea memories of the year 1912, the sea links rather than sunders the continents so that today this planet has become literally a world without end, and Vancouver realises that this merely local and parochial point of view must be discarded like a cloak outworn ... I, Vancouver, am no mere tenant or feoffee of the lands and the shores which I have tamed. I am rather arbitress and responsible stewardess of my own toil-won heritage of both hope and actualities.

Her final words recalled the Duke's namesake, King Arthur, often described as 'architect' of the early British nation: 'Arthur the awakener, the civilizer, the refiner and shaper of our rough-hewn and heroic, but sometimes seeming selfish, aspirations.'

Such was the shared mindset that inspired the political consensus and informed the professional conception for courthouse construction in imperial British Columbia. The force of the ideas acting through rhetoric and image was as manifest as the judicial edifice in the urban scene; significantly the competition for the Courts of Law in the imperial centre, London, had attracted tremendous public interest (Brownlee 1984). That vital transposition corresponded with the manner in which the myth of law-abiding culture became internalised by individual citizen, especially by those belonging to the dominant immigrant groups (Stone 1979, Harrison 2002). Their extrovert living out of the myth

affected not only social behaviour toward each other and those made inferior under the imperial system, but also their projection of self onto the habitual environment. They were fashioned through as well as fashioning the daily modes of being social, comprising a succession of activities and gestures that extended from all levels of sensory experience to the armature of rational and technical enterprise. Moreover, the record of enterprise was inscribed in a wide range of illustrations and publications. In British Columbia this ranged from the prosaic Sessional Papers of the Legislative Assembly listing the appointment of county court judges, accounts of courthouse and school-house building in the Reports of the Chief Commissioner of Lands and Works, to journalism and contemporary Empire and Dominion histories. The 1889 Public Works Report, for example, described the building of the first Vancouver Courthouse (by T C Sorby, 1888–9) ending with two sentences indicative of the general level of cultural understanding: ‘The external architectural treatment is classic, based upon the Ionic model treated as simply as possible consistent with the dignity of the building. The interior is adapted and modified upon the same motif.’

The phraseology, in company with the visual forms it encoded, was broadly comprehended in the late Victorian and Edwardian imperial, and transatlantic, domains (Ward 1996). This is readily demonstrated using Rattenbury’s judicial commissions as the measure of practice and temporal frame. His first commission was for the Chilliwack Courthouse in 1894. (See Figure 4.) This was followed by that for a more substantial masonry courthouse at Nanaimo (1894–6), the contemporaneous refurbishment of H M Tiedemann’s Court on Bastion Square in Victoria (including a large fireproof Land Registry), the Nelson Courthouse designed in 1903 (built 1906–9), and the successful entry for the Vancouver Courthouse competition of 1906 (built 1907–11 under the supervision of Dalton and Eveleigh, additional wing by T Hooper, 1911; reconfigured by A Erickson for the Vancouver Art Gallery, 1982–3) (Rosenberg 1986). The size and consequence of each was successively greater, in tune with the Darwinian ethos of competitive evolution and compound progress espoused in the literatures of Empire.



Figure 4: Chilliwack Courthouse, designed by F M Rattenbury, opened in 1894; photograph c1900. Reproduced by permission of British Columbia Archives.

At a mid-point in Rattenbury's courthouse commissions Kenneth McKay compiled the history of the southern Ontario judiciary (McKay 1901). He introduced his account by declaring that, 'The Wonderful [19th] Century ... shows everywhere progress, consolidation, expansion, improvement. Civilization has spread, barbarism has given way.' British Empire, he claimed, had book-ended the century from the securing of the Loyalist Canadas (1800) to the Royal Canadian Regiment's force of arms at Paardeburg in the South African conflict (1900). It enshrined 'the realization of all that the century stands for — union, equal rights, progress, justice, humanity'.

These sentiments were sedimented in the consciousness of the metropolitan and colonial societies, taking on different emphasis as they traversed the imperial networks of commerce and governance (Wright 1997). The words and images, particularly from such propagandist popular books as *Britain Overseas* written in 1906 by J E Parrott for *The Young Folks' Bookshelf* series, mirrored the reciprocal movement and transformative momentum of the ships and trains plying imperial trade. Thus McKay's rhetoric reinforces the romantic and

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utilitarian legitimisation of empire in the *History of the Dominion of Canada* Henry Gresswell wrote in 1890 for the Royal Colonial Institute (Gresswell 1890). Rattenbury quite likely read it when contemplating emigration and perhaps uncritically concurred with Gresswell's assertion that the Empire was not 'mere triumph of commerce and trade' but was imbued with 'a view of heroism, chivalry, and justice'. The inherent justice claimed to reside within the British system was much reiterated in later wartime propaganda even up to the reification of the so-called Westminster Model — including independent judicial process — during the devolution of colonial control that began in the mid-1950s.

The resonance in Rattenbury's mind of what was frequently termed 'the majesty of the law' became allied with his equally populist knowledge of the European architectural tradition. That was almost entirely bibliographic. An epitome was James Fergusson's *History of Architecture in all countries from the earliest times to the present day* (first published 1874). Rattenbury's preference was for those idioms associated with ancient monumentality and the emergence of modern economy — the latter closely connected with European colonial expansion and the instrumentalisation of knowledge for profit and power. The hold of historicised conventions of architectural meaning reflected a conviction in their competence to yield accelerated cultural legitimisation. This phenomenon became especially manifest in the advent of Neo-Classical architecture in the British imperium as well as peripheries such as the Canadian Prairie provinces. Proximity, trade and investment also augmented aesthetic and professional design links between Canada and the United States where the classical tradition was mobilised for comparable reasons but with altered patriotic colouration. Thus it is probable that Rattenbury's personal move from an Eclectic or 'Free Renaissance' style, to an overt Classicism in corporate and judicial architecture reflected American no less than British professional journals.

The prevailing rhetorical and emblematic alliance of ancient design with legal system and modernised civilisation is exemplified in two illustrated articles by architects J B N Wyatt and Thomas Kellogg,

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respectively on courthouse design and planning published in the October 1907 and November 1908 issues of *The Brickbuilder* (Wyatt 1907, Kellogg 1908). Wyatt stressed the need to display judicial values through architectural forms expressive of ‘solidarity, repose and order’. Those required ‘the adoption of some of the forms of the so-called classic style’. Kellogg, responsible for the monumental Classically styled courthouse buildings in Camden, New Jersey and Indianapolis, arrived at the same judgment. Neo-Classical designs in conjunction with the rule of law represented the ‘dignity of civilized communities’. And he recognised the multi-disciplinary nature of cultural representation when he concluded his article:

But to all these [design] characteristics ... there must be added that inherent quality difficult to describe, but also to be closely striven for ... but which when attained will enable the observer to determine correctly the character of the building and the purpose of its erection.

The uncritical, or arrogant, encapsulation of value in selected and exclusionary cultural tropes permeated the contemporary journalism in its act of relating the construction of Empire. The reporter for the *Victoria Daily Times* of 16 August 1906, probably after having interviewed Rattenbury, wrote that the apparent height of the main Georgia Street front of the Vancouver Courthouse would be increased through manipulation of architectural devices giving the ‘appearance of a three-story building’. Being much grander than its predecessors and the third commissioned since the city’s incorporation in 1886, it demonstrated the chimerical, and ephemeral, nature of imperial expansion. The succession of buildings reflected the impermanence of much colonial architecture together with the increased criminality accompanying growth in population and contractual activity. Such negative reflection was subsumed in the reporter’s enthusiastic embrace of the architectural celebration of the law’s civic force and façade:

The entrance to the second floor from Georgia Street [literally elevating the officers and users of the court] will present a very imposing appearance [visually complementing the animate and inanimate environs], with large stone pillars and carved capitals [encoding the current cultural and

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functional presumptions about the law, empire and collective identity], and the whole building will culminate in a dome somewhat after the fashion of the legislative buildings in Victoria [linking different sites in the local imperial spatial geography through the visual markers of common valuation].

A further rhetorical dimension was also inadvertently noticed by the reporter when they stated: ‘A great deal of care has been taken with the internal arrangement of the building, the architect having consulted with different lawyers as to their ideas of the most convenient layout for the court of law.’

The spoken — written — visual fabrication of judicial structures and spaces recurs in other press coverage of Rattenbury’s Terminal City and Nelson courthouses. On 31 August 1906 the *Daily Times* added yet more factual and aesthetic-cum-technical description. Expense and expenditure clearly signified worth of purpose and purport for the respective communities, along with the modern facilities and fittings. One instance was the lengthy paragraph on the design of the Land Registry at the Vancouver Courthouse. ‘Splendidly lit by a range of large windows,’ it would have a ‘separate public entrance ... [and internal access] guarded by iron burglar and fireproof doors’. The *Times* and Vancouver *Daily Province* also praised Rattenbury for helping to modernise legal process by his efficient arrangement of the various types of accommodation necessary to the conduct of civil and criminal proceedings. Nonetheless his adept interrelation of modes of architectural articulation to articulate justice in the public sphere, and hence to render its forms communicative, was admired at a level of common discourse. Similarly, the press and the public it constituted, could appreciate Rattenbury’s adaptation of the Scots Baronial-cum-Château motifs (concurrently with its adoption in Ottawa, one example being the 1905 Connaught Building) to signify the seating of justice at Nelson (Liscombe 1993). (See Figure 5.) The idiom had become strongly identified in Canada with the Federal vision operative in the Canadian Pacific Railway and other commercial enterprise underpinning imperial and national growth. Moreover, both architect

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Figure 5: Nelson Courthouse designed by F M Rattenbury, opened in 1907; photograph c1960. Reproduced by permission of British Columbia Archives.

and patron recognised the capability of Baronial/Château iconography to create visually impressive architecture at lower cost. ‘Nelson’s court house,’ the *Daily Colonist* noted on 1 September 1906, ‘will not be as massive as that at Vancouver. The plans call for a more elaborate form of architecture, beauty instead of imposing grandeur being sought.’

There is a further stage in the architectural articulation of the imperial role of judicial process. That is the uncomplicated reading of the rhetorically charged courthouse architecture into ordinary environmental social consciousness and practice. To be effective, the dynamics of ethical and aesthetic communicative intention must act on individuals detached from the processes of conception and realisation. Some sense of the reception of courthouse architecture, notably that designed by Rattenbury, can also be discovered in the popular press. Once again it is worth noting the admixture of local with imperial and international perspectives in regional newspapers of that era. The adhesion of minor with major spheres of activity was part of the real and romanticised



Figure 6: Nanaimo courthouse designed by F M Rattenbury, opened in 1895; photograph c1896. Reproduced by permission of British Columbia Archives.

fabric of Empire that was coalesced in courthouse architecture. This investigation of contemporary public reaction to Rattenbury's first major courthouse commission at Nanaimo is instructive. (See Figure 6.)

Rattenbury used the 1894 Nanaimo commission to acculturate his practice with the Baronial/Château idiom already beginning to be regarded as Canadian. The retention of powerful rustication, arched openings and Neo-Romanesque ornament continued his deliberate acknowledgment of the American cast of the western Dominion when he had designed the provincial Legislature a year earlier. The stylistic components were resolved around the two steeply pitched corner roofs and central gable-pediment so as to exploit its elevated site overlooking the coal port and town. The *Nanaimo Free Press* published several articles on its design through construction. One fulsome report appeared

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on Tuesday 10 September 1895 under the heading ‘A Sketch of the Completed Structure’. This commentary is of special value because it captures the state between conceptualisation and concretisation, when the messaging across text, image and fabric is still fluid yet starting to become manifested within the public gaze. Rattenbury’s functional and symbolic expression required the participatory, imaginative and empirical, understanding of the citizenry his building would soon regulate. Thirty among their number were still at work for the contractors, Bradbury and Hurst, even after the stonemasons had completed the outer walls using local granite.

The architectural elements they laboured to execute out of Rattenbury’s drawings and from his specifications — akin to the predictive description of foreseen conditions inscribed in statute law — were becoming components of the cityscape and pattern of urban life. ‘The architectural design can only be described as composite in character,’ wrote the newspaper columnist as both observer and participant:

the elements of convenience having been taken into consideration by the architect ... The main walls are rock faced in courses, and the angles, being rounded, will lead to a very massive appearance. The roofs [of the two side towers] will be slated and the bulk of the metal work will be in copper, this material possessing both strength and durability.

Additional proof of a high level of textual and visual cultural comprehension in the local community comes in the explanation of the ‘bracketed corbels’ decorating the cornices. There were devices ‘to relieve the otherwise severe appearance of the exterior’ and denote civility, that other supposed attribute of British imperialist law (besides strength and durability). It also comes in the levels of technical description tolerated by the readership: the detailed dimensions and fitting of the ‘very imposing hall of justice on the first floor, provision of offices for court functionaries plus two cells and two fireproof vaults for the land registry on the ground floor’; and ‘At the rear, on the second floor ... the library ... the waiting room for witnesses, and a room for the Crown prosecutor, with lavatory accommodation similar to that provided below.’

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This writing conveys an interactive narrative of appearance, use and signification. It confirms the visualisation of collective social value and meaning, advanced through shared languages of form and authority. The dialogue around the fabrication of imperial society in distant locations connected to centripetal unifying systems and values is most evident in the final paragraph of the 10 September article in the *Nanaimo Free Press*:

The location of the building is all that could be desired — It commands a splendid view of the harbour and occupies such an advantageous position that it will be among the very first objects to rivet the attention of passengers on the incoming steamers. Needless almost to add the new Court House “fills a long felt want.”

Such imaged and imagined conversations about conjoined architectural, legal, cultural and societal ordering bespeaks a relatively high level of ideological and customary consensus. A consequence was the denial of alternative systems of thought and behaviour. Just as Rattenbury’s courthouses manipulated metropolitan architectural idioms to project imperial authority at the local margin of Dominion, so he ascribed no value to indigenous design and, more directly mirroring contemporary legal practice, saw no difficulty in acquiring large tracts of land alienated from the First Nations.

The fabrics of those late Victorian and Edwardian courthouses at the western edge of imperial Dominion worked in two ways. They visually remade the external (public), and internal (private), spatial environment. At the same time they performed emblematic and material acts of legal and socio-cultural regulation. Animated by the dynamic tension between metropole and margin central to imperialism, the prominently placed courthouses effected a significant dialogic civic-cum-civil function. They translated the ideal claims and instrumental processes of current imperial legality into readily digestible, if both elevated and opportunistic, visual communication. They also provided defined yet malleable markers of customary attitude that, in adhering larger societal values, enabled their integration into individual understandings of collective social purpose as well as individual

citizenship. Those attributes have led to their further translation into postcolonial touchstones of heritage or identity and even sites for the revision of imperial judicial practice.

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