

Canadian Confederation and democracy

DEMOCRATIC DISDAIN

In over a thousand pages of the original Confederation debates very little was said about democracy, and what did appear was almost entirely negative.¹ In 1865 politicians across the spectrum were united in their disdain for anything claiming to be “democratic,” with only a few Rouges in Canada East prepared to offer it some grudging and highly qualified consideration. What does emerge from the scant references to democracy in the debates is that the politicians themselves in this period did not have a clear idea just what democracy was or would amount to in concrete terms. For some, democracy was what the United States had, and in their view it had led to chaos, “mob rule,” and civil war. For others the concern was that democracy would put the uneducated and the poor in charge, resulting in larceny (i.e., a redistribution of wealth) and disorder. Still others spoke of democracy as if it were just one element in a larger governing system rather than the defining char-

BY DENNIS PILON

Dennis Pilon is an associate professor in the Department of Political Science at York University.

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acteristic of political rule. Thus speakers would refer to the “democratic element” of the British constitution that provided

electors with representation, even if such representation could not be said to have had decisive influence on what governments did. Perhaps not surprisingly, John A. Macdonald offered some of the clearest insight on democracy and why it was anathema to the Fathers of Confederation: it was seen as a threat to those with property.

The discussion was entirely in tune with the anti-democratic ethos of the era. While the Canadian British colonies had voting, a fairly broad franchise at various times and places, and government executives accountable to elected assemblies, this was not seen by colonial politicians as “democracy.” Democracy, as C.B. Macpherson once noted, would be “rule by the people or government in accordance with the will of the bulk of the people” and this was seen as a “bad thing, fatal to individual freedom and to all the graces of civilized living ... [a] position taken by pretty nearly all the men of intelligence.”² To forestall such

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precociously; rather, I suggest that Jevons accurately described prevalent modes of economic reasoning of the day. The fiscal architects of Confederation took precisely that sort of quantitative approach when they reasoned about how the deal would work in practice. Confederation was and remains, to no small degree, a mathematical science.

But in Canada, the work of turning that quantitative question into a qualitative one went ahead more flamboyantly and effectively than in the maritime provinces. That was the task of the chief advocates of Confederation: John A. Macdonald, George-Étienne Cartier, Thomas D’Arcy McGee, and George Brown himself. They laboured to make Confederation not a careful calculus but a take-it-or-leave-it, once-in-a-lifetime deal that was simultaneously a great, patriotic

“yes” to the principle of coexistence, shared patriotism, and nationhood; not Jevons but perhaps something more like Molly Bloom’s great reaffirmation of conjugal union at the end of *Ulysses*: “yes and his heart was going like mad and yes I said yes I will Yes.”

TAXING THE STRONG

That primordial Canadian “Yes” still rings in our ears. It is important that some Canadians not pride themselves on being higher-minded than other Canadians. However, it is also important not to reduce politics to tax politics. Speaking historically, it may be precisely because Canadians have preferred to insist that higher principles were at stake, that Canadians have not seen such crippling debates around taxation as the United States. It was, perhaps, Macdonald’s

great insight that few things are cheaper than a bit of federal money. Although, where Macdonald only troubled to buy off the strong interests, neglecting the weak, his successors learned, very gradually, that they must tax the strong to provide for the weak. 

NOTES

1. The Quebec Resolutions, Resolution 64 (October 1864), online: <https://www.collectionscanada.gc.ca/confederation/023001-7104-e.html> (accessed April 27, 2016).
2. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces* (Quebec: Hunter, Rose, 1865), 517-18.
3. W. Stanley Jevons, *The Theory of Political Economy* (London: Macmillan, 1871), 8.

democratic outcomes, colonial elections at this time were often crude and open conflicts between rival factions, conducted without a secret ballot or clear administrative rules. Many historians have recounted the quite shocking violence and intimidation present at the hustings. A farmer who voted against the wishes of the local political leadership might find himself cut off from the crucial patronage that kept him quite literally alive in the off season, while a worker who could vote would find his boss sitting on the hustings ready to fire him for not voting the right way. Canada's founders were so concerned about too much public influence that they actually restricted the franchise in Ontario and Quebec even further before the first Canadian election. How and why they responded thus is not clear, as we know much less about the founders' ideas about democracy than is generally assumed, though the Confederation debates do make a small contribution to our knowledge.

OPPOSING UNIVERSAL SUFFRAGE

The Confederation debates began in the partially appointed, partially elected upper house of the United Province, the Legislative Council, with speeches promoting the initiative from most of the government ministers. John A. Macdonald, a Canada West Conservative, took the opportunity to clarify that "universal suffrage is not in any way sanctioned, or admitted by these resolutions, as the basis on which the constitution of the popular branch should rest" (35). He was keen to underline that "not a single one of the representatives of the government or of the opposition or anyone of the Lower Provinces was in favor of universal suffrage" because, in line with the British constitution, "classes and property should be represented as well as numbers" (39). His sentiments were echoed by Canada West Reform Party leader George Brown, who claimed that universal suffrage was the greatest defect

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of the American system (90). Canada East Parti Bleu leader George-Étienne Cartier went further, arguing that Confederation as a project was designed to oppose the democratic ethos of the United States by "perpetuating the monarchical element" (59). "I oppose the democratic system ... in the United States," he proclaimed bluntly in the House, associating it with the "will of the mob" (62, 59). Indeed, he claimed proudly that French Canada had resisted the entreaties of the American revolutionaries to "cast their lot with the democratic element—they knew the hollowness of democracy" (59). Canada East Conservative Thomas D'Arcy McGee echoed Cartier's view of Confederation as an anti-democratic project, declaring that the "proposed Confederation will enable us to bear up shoulder to shoulder to resist the spread of this universal democracy doctrine" (143).

The debate over Confederation in the Province of Canada's lower house, the elected Legislative Assembly, also tended to equate America with democracy and democracy with crisis. Parti Bleu member for Montmorency Joseph-Édouard Cauchon argued that "[w]e have also seen, not far from our own homes, that same democracy ... moving at a rapid pace towards demagoguery, and from demagoguery to an intolerable despotism" (561). Another Quebec member, Antoine Chartier de Lotbinière Harwood (representative for Vaudreuil), suggested that under American democracy "no man can venture to speak frankly what he thinks, and must take care that what he says is in the unison with the opinions of the majority of his

audience" because "the will of the majority is law" (827-28). Harwood and others felt that democracy as they understood it was inconsistent with the preservation of liberty. "Democratic institutions have no charms for me!" he told the Speaker, just before launching into a speech that blamed democracy for the terror following the French Revolution (828).

Other members did not seem so categorically opposed to democracy—for them it was more a matter of degree. For Thomas D'Arcy McGee, "universal democracy is no more acceptable to us than a universal monarchy in Europe," implying that a less than universal democracy might be acceptable (143). Here McGee and others were grasping for a way to describe what they understood as the British governing compromise, one that while linking royalty to a voting public was equally free from too much monarchical or public influence. At one point Cauchon even described it as "British democracy," a system of "monarchy tempered by the parliamentary system and ministerial responsibility" (561), though just a few pages later he would confusingly argue that England's upper house is a "great defence against democratic invasion" because of its wealth, land, and power (572). Thus it would appear that "British democracy" at this time was one that could defend itself against "democratic invasion." Stated plainly, such members clearly favoured the maintenance of the Canadian colonial status quo of responsible government combined with a restricted franchise.

PRO-DEMOCRACY— ANTI-CONFEDERATION

The few positive comments about democracy heard during the debates came from opponents of Confederation. L.A. Olivier, elected member of the Legislative Council for de Lanaudière, did not understand how stripping the proposed upper house of elected members was a good idea. To shift to a fully appointed second chamber was to take away a right the public had “acquired after long struggles,” a move he characterized as “retrograde” and a “step backwards.” By contrast, it was his view that “as much political liberty as possible should be conceded to the masses.” Though he prefaced his comments by noting that he “neither loved nor approved of mob-rule,” he was prepared to declare to the house that “I am favorable to democracy,” a very rare admission for a politician of this era (175). There were others, like Luc Letellier de St. Just (elected member of the Legislative Council for Grandville) and William McMaster (elected member of the Legislative Council for Midland), who also questioned removing elected members from the new upper house, claiming that such a move was against the trend of the age they were living in (186-87, 230).

Other opponents of Confederation, like Parti Rouge leader Antoine-Aimé Dorion, questioned whether most people really cared that much what kind of system they lived under, monarchy or democracy, as long as things were good economically and socially (869). He claimed that Canadians regularly heard first-hand from family and acquaintances in the United States that things were not so bad, that they had political rights and a degree of equality (867). This line of reasoning cut little ice with most members, who tended to characterize opponents of Confederation as closet annexationists and/or democrats. But Dorion was undeterred, informing members that they may “decry as much as you choose the democratic system, and laud the monarchical system—the

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people will ever estimate them both at their proper value, and will ever know that which will suit them best” (869-70). As for Confederation, Dorion thought “this scheme of an independent monarchy” would “lead but to extravagance, ruin and anarchy!” (870).

When the question of Confederation was finally put to the lower Legislative Assembly it easily passed, but its opponents continued to raise procedural objections about what should come next, with a number of members calling for an election or referendum so as to get some direct public input on the issue. In his response to the question of why such steps were unnecessary in the British system, John A. Macdonald offered up an extensive quotation from a British Liberal parliamentarian, William Henry Leatham, described as an “advanced Whig” in one volume of parliamentary biography.³ Leatham’s views nicely capture the governing and representative model preferred by the great majority of Canadian parliamentarians. Macdonald quoted him thus:

It is the essence of representative government that the electing class, which is analogous to the class paying the rates, shall possess no direct legislative power; and the principle of parliamentary repre-

sentation is that not even the representative principle shall alone legislate. We have taken the precaution to protect the rights and property of Englishmen by the prerogatives of the Crown, the privileges of the Lords, and the authority of a representative Assembly. All these constitute the three-fold and invaluable shelter which we have raised over the rights and property of the meanest subject in the realm. (1005)

Operating under such assumptions, it is hardly surprising that members of the Province of Canada’s parliament had so little (and even less positive) to say about democracy in their debates over Confederation. 🍁

NOTES

1. Canada, *Parliamentary Debates on the Subject of the Confederation of British North American Provinces*, 3rd Session, 8th Provincial Parliament of Canada (Quebec: Hunter, Rose, 1865). Unless otherwise noted, all citations refer to this source.
2. C.B. Macpherson, *The Real World of Democracy* (Toronto: CBC Enterprises, 1965), 1.
3. Robert Henry Mair, *Debrett’s Illustrated House of Commons and the Judicial Bench* (London: Dean & Son, 1881), 136.



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