

## The Rebellion of 1837 and Political Liberty

### THE MEANING AND VALUE OF RESPONSIBLE GOVERNMENT IN CANADA.

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In the year 1837 the leaders of the Reform parties in Upper and Lower Canada precipitated an armed rebellion to seek by force what they had failed to secure by legal political action. The principal objective towards which the uprising was directed has been given various names; such as political freedom, democracy, and representative government. But it has been customary in Canada to describe it rather as "responsible" government. By that we mean a political convention or tradition which demands that the authority of the Executive shall depend for its continuance upon a majority in Parliament of the elected representatives of the people. Now it has been pointed out by historians that the leaders of the Rebellion were not demanding and perhaps did not know the theory of responsible government as we know it. Probably that is true. But responsible government, when it came to Canada, was a practical fulfilment of the aims of the rebels — the control of the making and the administering of the laws by a majority of the people's elected representatives; and as such it must be regarded as the legitimate offspring and the logical outcome of the Rebellion and its political impulses.

The idea of responsible government came to us from the British Isles. At the time of the Canadian Rebellion the principle had long been in operation at Westminster and was regarded by Britons as one of the most distinctive features of their government. It had originated, perhaps, as early as the reign of William the Third, certainly not later than that of George the First; and it had marked the transference of sovereignty from the King to the Houses of Parliament. It is true that the office of Prime Minister and the body known as the Cabinet had never been recognized formally; and that the Sovereign had continued, as before, to appoint and dismiss his Ministers. But in practice the King rarely dared choose a cabinet without the support of a majority in the Commons; and by the year 1837 the thing had become a strong and permanent convention. It was this honoured and already ancient device which was recommended by Lord Durham in his historic Report as one of his chief remedies for the political ailments of the Canadas.

The failure of the British to grant popular government to Canada in the years before the Rebellion, was occasioned by the difference in political conditions between the Old Land and the New. Government in Britain was aristocratic and had long been growing more so. The British, of course, had representative institutions of a sort, and spoke of their King, Lords and Commons as the embodiment of the National will. Nevertheless it was government by a class, the wealthy, aristocratic class; and when the Reform Bill of 1832 levelled and broadened the franchise, it only gave part of the old power of land and money to the new masters of industry. The masses remained subject politically to the same or similar rulers, and even lost some of the nominal power they had previously been allowed to retain. The House of Commons was not common in the sense of being democratic. Its members were drawn almost exclusively from the same social classes that filled the House of Lords and the influential positions in the State Services. They may have enjoyed the approval and even the veneration of the great majority of the Nation; but if they did, which is questionable, they enjoyed it as the master enjoys the esteem of his servant, as a sentiment which may be extended or withheld, but which in either case has little of the significance of real power.

The Canadian Assemblies, on the other hand, were comparatively democratic. I do not mean thus to imply that representative democracy, as we know it, is essentially different from an aristocratic system of government. But in those days the Assembly had not attained its present status: it was not yet the chief visible repository of governmental power. It had, in fact, very little real power. That is why it remained so popular and democratic. The control of the country was in the hands of an appointive oligarchy which did not pretend to draw its authority from the people, but boasted, rather, of its political dependence on Great Britain. This condition of affairs gave the Assembly an appearance of futility; but it also fastened the attention of the people on the truth that they had no effective share in the government; and it provided with an excuse and an opportunity for political agitation those elements in the population which by tradition, character or education, were unwilling to submit contentedly to the paternal rule of the governing clique. Hence the members elected to the Assembly were democratic in the sense that their positions did not depend primarily on class or on wealth, but /only on their popularity and on their ability and readiness to champion, against the local oligarchy, the principle of popular political control.

In view of these circumstances it is not surprising that the British Government should have been slow in giving Canada responsible government. That system had been developed in England as a device by which an aristocracy could rule while a king merely reigned. It had never been intended as a means by which the masses might control the Executive. The Reformers were asking for something which did not exist in the British Isles; and the British governing class was naturally averse to granting it. Aristocracy hated and feared democracy. This feeling had been growing stronger in Britain for

centuries; but it was especially strong in the early nineteenth century. Old men could still recall, as late as 1837, the beginnings of the American Revolution; and men in late middle life the outbreak of revolution in France. Both these upheavals had been closely associated with, if not occasioned by, such doctrines as liberty, equality and democracy; and both had alienated or frightened the English aristocracy into a more unyielding exclusiveness than before. The Reform Bill of 1832 marked a change in this attitude; but it was a change of the mind rather than of the heart; the growth of a disposition to ward off the substance of democracy by a spectacular granting of the shadow.

I know that all this is not the popular or as one might say, the official Canadian view of the British delay in granting us responsible government. There is a belief current among us to-day, deliberately, I believe, created and maintained, that England is democratic and that the Revolution of 1688, the First Reform Bill and later extensions of the franchise are milestones along the path of progress towards political liberty.

“A land of settled government,  
A land of just and old renown,  
Where Freedom slowly broadens down  
From precedent to precedent.”

That may be excused as poetic licence, but historically, as regards political freedom, it is a particularly unpleasant lie. Freedom is not increasing in a country where the power of the State is exerted to make the rich richer and the poor, poorer; because men possess freedom only to the extent that they possess property; and for the past few centuries wealth in England has been passing with the connivance of the government out of the hands of the many into the pockets of the few; and at no time has it so passed more rapidly than during the half-century that preceded the First Reform Bill. Britain may have been growing more plutocratic in the early nineteenth century, but she was certainly not becoming more democratic. Hence there is no mystery in her failure to grant Canadians what she thought she did not allow Englishmen.

Such an attitude, moreover, was quite in accordance with the recent imperial experience of the British. From that experience they had derived a belief that they could depend upon an oligarchy but not upon an elective assembly to hold a dependency within the Empire.

Part of this experience they had gained in their relations with the American Colonies. Those colonies, founded almost wholly by private enterprise and for private reasons, had long been allowed great latitude in matters of government. It is true that they did not enjoy the exercise of responsible government. Most of their constitutions were older than that invention. But they did enjoy what has been called “salutary neglect” on the part of the Mother Country; and their rulers, taken as a body, were far closer

to the people, and far less dominated by ideas of imperial loyalty and aristocratic privilege than were our own oligarchies before 1837. There are many reasons for the American Colonies not revolting before the Seven Years' War, and many other reasons for their revolting soon afterwards. These reasons are not restricted in their range to such considerations as the amount of power enjoyed by the colonial assemblies. They involve far wider question, including the contemporary political evolution of Great Britain herself and the economic changes which accompanied it; and they are at least as much religious in their nature, as political or economic. But the lessons drawn from the American Revolution by the rulers of Britain were neither complex nor profound, and may be summed up in the single principle that colonial assemblies should be kept strictly in check – that is, practically powerless.

In the meanwhile events in Canada and in Ireland had helped to form and strengthen this same conviction. Canada was a recently conquered country and as such might had been expected to join the insurgent colonies, especially when France entered the war. Not only did most of the French Canadians refrain from rebellion; some even gave early promise of aid for the imperial cause. The explanation of this somewhat surprising loyalty is not far to seek. The Quebec Act, though offensive to the peasants, contained provisions sufficiently attractive to the clergy and the seigneurs to secure their firm allegiance to the Crown. A somewhat similar story may be told of Ireland. That country had suffered terribly at England's hands; and as the American War progressed, gave every sign of her intention to seek independence. The British hastened to placate the Irish aristocracy by such concessions as nominal legislative freedom for the oligarchic Irish Parliament. The grievances of the masses were ignored; but though England was helpless, the Irish did not rebel. In Ireland as in Canada imperial security was sought and found in the interested faithfulness of a local privileged group.

Thus the political ambitions of our early Reformers seemed to run counter to the accumulated wisdom of the imperial British mind, and the cause of popular government in Canada looked hopeless enough. But there was some hope in the offing. The Reform Bill of 1832 had brought a new leaven into the British House of Commons, and a spirit of change was in the air. In many influential quarters the doctrine of free trade was gaining adherents. It was the gospel of the new industrialists to whom the Reform Bill had extended the political welcoming-hand of the older aristocracy; and its imperial counterpart was a political slogan that the Colonies were millstones round the neck of the Mother Country and should be cut loose as soon as decent moderation might permit. It is impossible to discover to what extent these new ideas affected the British ruling classes in their attitude to colonial self-government; yet it is significant that in the same decade in which free trade was established for the British Empire, responsible government was first permitted in this country.

But there is another thing, not unrelated to the popularity of free trade and the hope of imperial dissolution, which may help to explain the rather sudden extension of responsible government to Canada so soon after the Rebellion. It is not the sort of thing that men boast about, or admit candidly and in public; but it is very similar to what a British lord meant a few years ago when he said "We are all Socialists now." It was the discovery, made by the Whig political genius, that it is possible to make governments nominally more representative and responsible without making them actually less aristocratic or arbitrary. This discovery was probably made long before the year 1832, but it was rendered more public by the political aftermath of the Reform Bill. For it was seen that while the new electoral law had broadened the franchise and had led to a considerable change in the personnel of the House of Commons, it had made very little, if any change in the character of the Executive. The British aristocracy might have said on seeing the curious outcome of the Reform Bill, "We are all Reformers now!" Lord Elgin must have been secretly amused in 1849 when he was mobbed for assenting to the Rebellion Losses Bill. The leaders of the party of imperial loyalism were the spiritual successors of the rebels of 1837.

The authority of the Governor of Canada was to decline and almost disappear within the following century; and yet the coherence of the Empire was to become stronger. There are explanations of present imperial unity which do not depend for their reasonableness upon any secret or mysterious elements. In the case of Canada and in that of South Africa there is the rivalry of races within the State. Australia and New Zealand are in some danger of being overrun by foreign powers. In India there is an immense and conflicting diversity. And yet the evidence seems to indicate that Canada's allegiance to the Empire, since responsible government was introduced, does not depend mainly upon race-rivalry within her borders, or altogether upon imperial patriotism, but depends rather upon some fundamental quality or character in responsible government itself. For all that is necessary, with few exceptions, to turn a rabid Separationist into a congenial Imperialist, is to give him the leadership of a government or at least a portfolio in a cabinet; and the growth of British influence in this country since the middle of the last century can scarcely be said to depend upon any popular enthusiasm.

This proclivity of responsible government to convert the radical to conservatism is occasioned by the absence, in that system, of practical responsibility to the electorate. Our executive is still chosen from within and by a few men rather than from without and by the masses of the people. What was brought in to satisfy the Reformers of 1837 has proved itself to be very little different from what they already enjoyed. The chief difference between their political condition and ours is that they knew vividly that they could not choose the executive, whereas we beguile ourselves into thinking that we can and do. And the most surprising feature of our situation is not this lack of popular initiative but rather our lack of awareness of its existence. It seems

logical enough that an instrument like responsible government, which was created to give control to the few, should tend to function with the effect for which it was designed. But it is not so easy to understand how the Canadian political alertness of a century ago should have degenerated into the befuddlement of our public mind to-day.

I pointed out above that I did not mean to imply that an aristocratic or oligarchical form of government was different in its fundamental character from our system of representative democracy. I wish to go further now and insist that at heart they are practically identical. Under both there are the many ruled by the few – wisely, perhaps, and on a basis of trust and consent, but certainly not on a basis of free and easy choice. The aristocrat maintains his place by means of possession, tradition, and a negation, in the minds of the masses, of a philosophy of human equality. The modern “elected” politician secures his position through financial resources, the implanted political loyalties of the electors, and the belief fostered by education that mathematically representative government is actually representative and practically democratic. Of the two forms of government, pure oligarchy and our representative democracy, the first is much the more responsible of the two; because an oligarchy is a fixed target, whereas party governments are moving targets. The responsibility of an oligarchy is weak, but remains constant. Under party government, if the people become enraged, the party in power can fall out for a time until the public forgets; and responsibility is lost in the transfer.

Fortunately for the Reformers they did not have to cope with this weakness in our system of government. They always knew whom to blame; their opponents were always in office. Thus the leaders of Reform enjoyed a double advantage – freedom from responsibility, and the spotlessness of a political platform as yet untested, at least in this country. They were able to say, in effect: All the woes of the Canadas must be blamed on the oligarchy which rules us, because no one else has had any power. They went further and spoke of the blessings that would flow from popular, representative government. They had a visible enemy to attack and an elixir which would heal all political ills. These ideas were easy for their followers to grasp and seemed to reduce politics to a simple problem. But when the gospel of the Reformers was accepted and applied, and when it failed to provide an essentially different or better system of government, the political enthusiasm of the people gradually cooled. Perhaps they failed to understand the new problem that had arisen. But at least they gave evidence of their increasing disillusionment by their growing lack of interest in the political contests of the day.

What is the true explanation of this failure of the promises of the Reform leaders? The answer may be found in an examination of intellectual reform movements as a whole; because it is with intellectual reformers that we have to do. Such men are attracted to reform activities by a wide variety of

motives; but they always display in action a common set of characteristics. They are invariably children of this world, wise in their generation, but fundamentally ignorant about the past and barren of hope for the future. They are quick to attribute bad conditions in society to the moral shortcomings of men in office; but their remedy is a destruction of principle rather than a change of conduct. They associate evil with the will in order to supersede others; but they insist that it depends upon the mind when they draw up schedules of reform. They are prone to regard past generations as the playthings of institutions; but they proclaim that now and in the future, institutions shall be the instruments of mankind. They seem to mark, by their character, the decline of a consciously responsible society, in which men remember that they are free agents while they are blaming others and seeking power, but think of human affairs as the outcome of inevitable processes when they are prophesying future change. They cannot or will not tell us how we may do better in the future any more than why others have done badly in the past; and they promise salvation through a political philosophy which is the exact antithesis of their philosophy of political history.

As the counterpart of their contradictory explanations of the motive forces of society, these intellectual reformers have exhibited in office a peculiar sort of conduct which might be described as a Nemesis were the victims identical with the guilty. Perhaps, in a sense they are. But I refer to the inclination of intellectual reformers to fail in the same way as the men they have displaced and to fail in a larger way. It would seem that such reformers are men who at best deplore evil conduct for its bad material results rather than for its bad moral causes. Seemingly one reason for their neglect of moral causes is ignorance, or too-superficial analysis. But a deeper and weightier reason is their own moral outlook. By ignoring the moral basis of the virtues whose absence they deplore, they show that they do not possess those virtues in any determining measure; and by the same sign they warn us of the conduct we may expect from them in their hour of trial. Being newcomers, they are less likely than their predecessors to display the moderation that comes from satiety, security and custom; and they have little other guarantee of good conduct to offer. So it lay in the very nature of the early Reform movement in Canada to betray the hopes it had aroused. The Reform leaders largely ignored the real causes of the misdeeds of the men they were attacking; and in so doing they exposed the futility of any hopes that they or their like would do better.

Men do not seek political power mainly to represent other men; and their assertions that they do so are merely conventional. At best men seek political power to carry out their own plans for the improvement of government; and otherwise they seek it from motives less worthy. It would be strange indeed if politicians were to devote their lives to realizing the ideas of the electors, soliciting rather than contriving party-platforms, and hurrying to surrender power at the first sign of public dissatisfaction. The fact that such things do

not happen refutes the argument that politicians are disinterested, and robs our system of government of half its claim to be representative. The apparent preference of a majority of the voters for one candidate is no indication that he represents them. We can be certain only that they look upon him as the lesser of two evils. Of money soon learned to do even better for themselves. Finding that there was no great practical difference between political parties they decided to back both parties at once and eliminate all chance of loss. The "gamble" was turned into a "sure thing." Henceforth parties were in large measure mere political facades behind which finance contrived State-action in the interests of finance.

But the desires of finance are not the requirements of society at large; rather the reverse. Men whose chief purpose in life is to accumulate money beyond their legitimate needs are attempting to divert to their own uses wealth to which others are entitled. No one denies that the average income of the members of the human race is pitifully inadequate. But though it is not demanded by justice that all should enjoy the same amount of income (since our functions in society, and therefore our needs differ) it is demanded by justice that, until the legitimate needs of all are first satisfied, no one should seek to accumulate wealth beyond those legitimate needs. When a man does so, he is acting against the best interests of society and should be restrained. Now in this case the proper restraining authority is the State. But it is clear that when exactly the sort of man that needs restraining has purchased the power of the State, government is unable to perform its proper function. Rather it has abdicated, yielded itself into the hands of its natural adversaries, and left society powerless to defend itself from spoliation.

This is what has happened and continues to happen. It has been done almost altogether without violence, because finance is afraid of violence and takes steps to forestall it. It has been excused by specious slogans; such as "*laissez faire*," "rugged individualism" and "the survival of the fittest," because modern men have nearly everywhere lost the power or the desire to refute these pompous absurdities. But it is turning the civilization of what once was called Christendom into the jungle of which these slogans remind us. Now some men may believe that the jungle is the most desirable habitat for the human race. But if that were true, the social wisdom accumulated by the Western World for more than three thousand years would be a lie, and those who admire and defend it, fools. That such is not the case, however, is witnessed even by those who argue otherwise by their speech and by much of their conduct. For while they plot to drive the rest of the human race into the jungle, they reserve for themselves the higher ground, where they build mansions with spacious gardens and live a life of "culture" despising, like other parasites, not the strength of their host, but only its weakness.

Perhaps, however, the most serious shortcoming of the political theory of the Reformers was not its failure to provide a means for securing real responsibility in government. There is another which is more fundamental,

as it marks the point where politics hinges on theology. It is a weakness which is particularly difficult to expose to-day, because it is a living popular dogma, sanctified by the memories of heroic struggles and strengthened by the decline of the beliefs which condemn it. It is part of the course the electors are free to select and nominate their own candidates; and at times in desperation they do nominate and even elect such men. But the results over long periods of time have been pitifully disappointing.

The greatest obstacle in our form of government to the achievement of real representation is the working of the party-system. That system is older than responsible government, but younger than representative parliaments. It arose in a declining society which had lost its moral unity and was losing its democratic impulses; and its coming foreshadowed the passing of sovereignty from the monarch to a new aristocracy. From the first it was the expression of a contest for power between conflicting groups within the nation; and an instrument for diverting the action of the State from national to factional ends. Its effect on political life was the growth of a system of government under which justice gave way" to power, what was right to what was expedient, the interests of the whole to the ambitions of a part, and real representation to a fictitious, mathematical representation. Elections became a game to be played between the rival parties, and the voter as such was divorced completely from his natural social obligations and reduced to an ideal political unit, whose sole purpose in party eyes was to vote for his party-leaders, rather than to speak for the legitimate organic groups of which he was a functioning member.

Thus the citizen became an isolated, helpless pawn in the game of party politics. If he rebelled against this status and tried to nominate and elect a representative on a basis of public interest rather than on a partybasis, he had little chance of succeeding against the organized party-machines and if he attempted to secure political justice within the framework of the party-system, he found his efforts baffled by the contradiction of a divided allegiance. For the very strength of political parties lay in the weakness of natural social organisms; and the interests of party demanded that those of other groups be subordinated or opposed. So for generations men have vacillated between the idea of creating a new party and that of capturing an old one; while society has continued to disintegrate and its vital forces to decay. Formerly men lost the practice and the habit of representation. Now they are losing the desire for it and even the knowledge of what it is. Political thinking is mostly relegated to a few ambitious individuals who seek to mould the institutions of the State to further their own private interests.

Such a system of government cannot serve the best interests of society. The first need of a society is justice; but the chief aim of party is power. Power for whom? In the early days of party government the leaders of the strongest party had real power and used it to reward themselves and their followers. But in the course of time the power of the party politician became

largely nominal. The high monetary cost of winning elections and the growth of national debts had delivered the politician into the hands of the usurers. The power of the State was now used primarily to reward the backers of the winning party, the smaller "plums" alone going to the politicians themselves. The men of democratic doctrine which Canada imbibed from the United States and Europe ; and it is summed up in the political slogan that the voice of the people is the voice of God. If it is true, it means that there is no higher law known to man than the expressed will of the numerical majority of the electors; and it implies the subjection of everything that man can control to the unrestrained will of that majority, against which there may be no appeal. Submitted to that test the rights of the minority, the corporation, the family, even the individual, exist only at the pleasure of the State. The voice of the people is the voice of God. The Reformers were appealing to a new deity which was also a very old and a very discredited deity. They were appealing to the deity of the ancient pagan world, to the power that presided over the decline and fall of the empire of pagan Rome.

For many centuries following the break-up of the Western Empire that deity had slept uneasily in the memories of the governments of Christendom. From time to time it gave evidence of returning wakefulness; but it was not until the transformation of the medieval world in the sixteenth century that it returned to full consciousness. Then with a bound it sprang full-armed from the pen of the Italian, Machiavelli; and in the pages of *The Prince* men could read, how government was at last "released...from the restraint of law." Since then it has been with us constantly; now in the guise of monarchical absolutism and "divine right"; now in the form of aristocracy, religious or secular; and finally in the shape of democracy, the rule of the people. This last was the garment in which it came to us from abroad and seduced our early Reformers. Fresh from its glorious martyrdoms in Europe and its golden prospects in the United States, it was well suited to fill the minds of men empty of political tradition and lacking political experience. Of its fatal nature it displayed no sign; but it was then and remains to-day the most deadly political doctrine that ever threatened Christendom.

This brings us close to the end of our study, and I am afraid that we may seem to have wandered far from such prescribed questions as responsible government and the Rebellion of 1837. Perhaps, however, one must travel rather far from such questions really to understand them.

Throughout this essay it has been my constant purpose to point out certain aspects of the early Canadian Reform movement and its outcome: that the Reformers based their political philosophy at its best upon an ancient pagan principle, anciently discredited; that in attempting to oust from its position the appointive oligarchy that dominated the government, they were actually playing into the hands of a power they professed to abhor; that in the place of fixed and visible masters they were really only fated to put shifting or invisible masters, who would at length prove themselves more

irresponsible and more insatiable than their predecessors; that the subsequent history of Canada bears witness to the truth of these assertions; and that the blame for the evils concerned, if one wishes to attach blame, must be placed not merely on individuals and groups, but rather on many generations of men and on all ranks of society.

For it is a paradox of things political that in a sense all governments are democratic and representative and responsible. It is a fallacy that only a few bad men are to blame for the political evils that afflict us. It may be flattering to ourselves and an easy mental exercise to divide the world thus into the many sheep and the few wolves. But it is not true to fact. In the course of time, we get the quality of government and the social conditions we desire; and when we fail to secure what is good, we can plead ignorance only in part; there is always a decisive element of malice to which the mass of society contributes. We may deplore the political, the social and the economic sins of humanity, condemn the men directly to blame, and wash our hands of the ruinous results. But the depth of our conviction and the character of our influence must be measured by the attitude we take in the present to the men who profit by such things. Do we abhor their course, and make their success difficult, or impossible, as we do that of the men we punish as criminals? Or do we at heart really admire them, seek their society, do them honour, and thus encourage them in their ways, visibly repudiating by our actions the very principles by which alone we are able to condemn them? That is a question which every one of us answers every hour of his conscious life; and the character of the answer is made manifest in the marks of society about us.