

O’Connell and La Fontaine: Two National Leaders in an Age of Reform

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A century ago, within the year which ended in January, 1848, two events occurred which are of some interest to students of Canadian and Catholic history. The first was the death, on May 16, 1847, of Daniel O’Connell, the man to whom, more than to any other individual, was owing the triumph of the Catholic Association in 1828, which broke the power of organised Toryism and opened the way for the far-reaching reforms that followed, in Great Britain and throughout the Empire, during the next two decades. The second was the formation, in January, 1848, of a liberal and a responsible ministry in Canada, under the combined leadership of Robert Baldwin and Louis La Fontaine. It was the first ministry of the kind in Canadian history, the first in which the principle of “responsible government,” as elaborated by Baldwin a dozen years before¹ was clearly understood and fully accepted by all those engaged in the transaction.

Its appointment was one of the most significant events in the history of the British Empire. It marked the end of that period of conflict and uncertainty which began with the rebellion of 1837, and which included the suspension of the constitution in Lower Canada, the appointment of Lord Durham to investigate the affairs of the provinces, the publication of the famous Report, and the union of the Canadas under the Act of 1840. It put an end also to the obsolete system of colonial dependency, which, in Canada as elsewhere, had been the cause of endless dispute and difficulty; and it laid the foundations of a new relationship between Great Britain and the overseas communities, which has altered the whole character of the Empire, and given the world an example of the voluntary association of free peoples that has no parallel in history.

That was a great achievement, and nothing about it is more impressive than the simple and peaceful manner in which it was effected. There was of course some serious opposition. The doctrine of responsible government, even when hedged about by the reservations and securities which Lord Durham provided, ran directly counter to the prevailing theories of imperial sovereignty. It violated all the established canons on the relationship between a metropolitan power and a colonial dependency; and it was not to be expected that conservative opinion either in Canada or in Great Britain, would accept it without question. Many were honestly convinced that the adoption of such a system would lead at once

¹ W. P. M. Kennedy, *Statutes, Treaties and Documents of the Canadian Constitution, 1713 to 1929*. Toronto, 1930, 335.

to the disruption of the Empire. Many more were equally certain that it would deprive them of the perquisites of office which they had long enjoyed, and which they had come to regard as belonging to them almost by a species of divine right. Elaborate and ingenious devices were attempted by the Colonial Office and its agents in Canada to secure the advantage of popular support without committing the British government to acceptance of the principle. The lamentations of Canadian Tories were loud and long; and on occasions, especially during the election contests of these years, their opposition was not limited to verbal protests. Yet the change was effected without serious incident; and considering the magnitude of the issue involved, it was completed in a remarkably short time. Less than a decade elapsed between the publication of Lord Durham's Report and the establishment of a system of government which placed effective authority in the hands of men chosen by, and responsible to the Canadian people themselves.

To attempt to explain all the circumstances which led to this evolution would carry us far beyond the scope of this paper. It will be evident however, that exceptionally favourable conditions must have existed to enable the transition to be made so quickly and so peacefully. The traditional interpretation, still favoured by many English historians,² that the change was due almost solely to the genius of Lord Durham is clearly inadequate. His advocacy of the principle of responsible government, which he took almost in its entirety from the memorandum submitted to him by Robert Baldwin, was no doubt a valuable aid. It helped to popularise the idea, and it probably did something to lessen official opposition in Great Britain; but the importance of his contribution has been and continues to be greatly exaggerated. The settlement which placed a French-Canadian at the administration of the united provinces in 1848 was about as remote from the solution which Lord Durham adumbrated as anything well could be.

The movement was powerfully aided by contemporary changes in the political and economic life of Great Britain; in particular, by the adoption of free trade and the consequent abandonment of the old mercantile idea of empire, under which the colonies had developed in earlier centuries.³ It was aided too, by the indifference of most public men in Great Britain as to the fate of the colonies. Radical writers, deriving their ideas in part from an earlier generation of French thinkers, demanded complete emancipation of the colonies. The new industrialists, who were beginning to exercise a powerful influence on British policy, saw no need of retaining authority over distant and backward communities from which the mother country derived no direct economic benefit, and which annually cost the British tax-payer a substantial sum. And most public men, whatever their party affiliations, fell in with the prevailing ideas and

² Lord Elton, *The Imperial Commonwealth*. London, 1945, 285; R. Coupland, *The Durham Report*. Oxford, 1945, Introduction, LI.

³ A. R. M. Lower, *Colony to Nation*. Toronto, 1946, 260

adopted an attitude of indifference. They were prepared to retain the connection, or to allow the colonies to go their several ways.⁴ Their one anxiety in respect to the Canadian provinces was lest they should fall under the rule of the United States, and so strengthen a power with which British relations at that time were not so friendly as could be desired. But they were far from intransigent in opposing a change which gave to the Canadian people and their elected representatives the powers required to deal with their own problems.

Under these conditions the task of the Canadian reformers was less difficult than it would have been at any other time; but favourable conditions would not in themselves have ensured success. Beyond that there was required the positive statesmanship of such men as Baldwin, Hincks and La Fontaine; and no one of these played a more important or decisive part than the distinguished French-Canadian lawyer who led his people out of the morass into which they had been plunged in 1838, and guided them with vision, firmness and moderation to the place which they attained a decade later.

Twenty years earlier, under very different circumstances, Daniel O'Connell had led the Catholic people of Ireland to an equally important, and in some respects, an even more striking victory over the forces of intolerance and reaction; and by so doing had helped to create the conditions which enabled the Canadian reformers to accomplish their purpose. It is not customary to consider these two events as in any way related to one another. Catholic Emancipation has usually been regarded as a matter of domestic policy within the United Kingdom, involving a question of religious liberty, and affecting in some ways the character of British rule in Ireland. That it had any bearing on contemporary developments in other parts of the Empire has seldom been suggested. Yet the connection between events in Ireland and those in Canada, if not direct and obvious, was not entirely negligible. Whatever view be taken of O'Connell and his peculiar methods, he has some claim to be included among the men who helped to re-fashion the institutions of the British Empire during these years.

To contemporaries in Great Britain and in Europe, the triumph of O'Connell and the Catholic Association far exceeded in importance the grant of a measure of self-government to a remote and obscure dependency in North America. No one could then foresee the consequences that would follow from this simple change in the government of Canada. But the results of the change in Ireland were evident in the altered relationship between the Irish people and their rulers at Westminster, and in the extraordinary position which O'Connell had created for himself; and for a time Ireland became the object of profound interest to scholars and public men from many parts of the continent. The German traveller Frederick Kohl, the French scholars Montalambert and de Beaumont, and the Italian statesman Cavour, each in turn journeyed to Ireland

⁴ R. L. Schuyler, *The Climax of Anti-Imperialism in England*. Political and Science Quarterly, XXXVI., 539. C. A. Bodelsen, *Studies in Mid-Victorian Imperialism*. London, 1924, Chs. 1 and 2.

in the years following O'Connell's triumph, to study the curious situation, and to offer advice, each according to his predilections, on the course which should be adopted. Their interest is understandable; for the winning of Catholic Emancipation in the particular way in which it was won meant something more than a victory over intolerance and the repeal of a number of ancient statutes imposing political disabilities because of religious beliefs. It involved a profound change in the form and spirit of English government, a change whose consequences extended far beyond the limits of the United Kingdom.

O'Connell himself, writing to a friend immediately after George IV, in a towering rage, had yielded to the inevitable and signed the Emancipation Act, declared that, "It is one of the greatest triumphs recorded in history, a bloodless revolution, more extensive in its operations than any other political change that could have taken place."⁵ There was some pardonable exaggeration in the statement; but O'Connell did not greatly err in his estimate. Probably no political change that could have been carried out in the United Kingdom at that time would have produced more immediate or more decisive consequences than this victory of a despised and outcast people over all that was regarded as respectable in the three kingdoms. The change brought less material benefit to the mass of the Irish people than was predicted by the Liberator in some of his wilder outbursts; and O'Connell failed to obtain his more important objective, – the repeal of the Union, and the establishment in Ireland of a constitution under which the Irish people could evolve for themselves a form of self-government similar in principle to that being worked out in Canada. But for all that the results, in the United Kingdom and throughout the Empire, were of the highest importance; and like the results attending the establishment of responsible government in Canada, they derived as much from the manner in which the change was effected as from the substance of the change.

II

Since 1801, when Georges III refused to allow Pitt and his fellow ministers to introduce the Catholic relief bill which they had planned as a part of the Union settlement, the English monarch had assumed a degree of personal authority over this question which, in any other circumstances, would probably have aroused strongest opposition. The King's victory on that occasion was more complete than even he could have anticipated. Not only did he frustrate the plans of his councillors and force the resignation of the ablest and most popular minister who had held office during the reign; he secured from that minister a pledge to surrender his own judgment on this question to that of the King and an offer to withdraw his resignation and return to office on the King's terms.⁶ Nothing could

⁵ Quoted, Michael McDonagh, *The Life of Daniel O'Connell*. London, 1903, 184.

⁶ D. J. McDougall, *George III., Pitt and the Irish Catholics, 1801 to 1805*. Catholic Historical Review, XXXI., 261.

have more definitely confirmed the King's claim to choose his own ministers and to exercise final authority over the policies which they might adopt;⁷ and for a generation the power thus acquired, or confirmed, was jealously guarded by George III and his successor.

It was recognised by all liberal statesmen, and by many whose liberalism was at best rather doubtful, that the repeal of the remaining penal statutes and the admission of the mass of the Irish people to the full rights of citizenship was an essential condition of any real union of the two kingdoms. That would not in itself have removed all the difficulties, nor would it have ensured to Ireland the peace and prosperity so confidently predicted by the authors of the Union. But without it the Act of 1800 would remain a mere constitutional arrangement, transferring a few score Protestant land-owners from the defunct parliament of Dublin to the more dignified assembly at Westminster, and leaving everything else very much as it had been. Without it there could be little hope of ending that internal division in Ireland, which had been deliberately created in the past, but which was now recognised by all competent observers as one of the root causes of the many evils from which the country suffered. It was with a view to ending these conditions that Pitt attempted, in a rather half-hearted manner, to induce George III to allow him to complete his work in 1801, and to make of the Union something more than a mere legal adjustment.⁸ It was with a similar object that Fox introduced the first Catholic petition to the House of Commons in 1805, and pleaded with all his great ability for the rights of his fellow-citizens, regardless of religious distinctions.⁹ And it was for the purpose of ending these distinctions that Grattan, Plunkett, Colonel Hutchison and other liberal Irish members, deeply concerned for the welfare of their country, attempted, year after year, to persuade their fellow-members to settle this question, and to ensure to both countries the benefits which union might have conferred.

Any measure designed to settle the question in a manner acceptable to the Irish Catholics would have encountered strong popular opposition in Great Britain. How easily the latent prejudice of the English people on this subject could be roused to dangerous heights was demonstrated by the "No Popery" campaign during the elections of 1807, a campaign that was launched with the approval of the King himself, and of Perceval, Eldon, Portland and other ministers. But under the existing electoral system public opinion counted for very little; and it can scarcely be doubted that a measure introduced by the ministers of the Crown to settle this question and put the relations between Great Britain and Ireland on a more orderly and rational basis, would have obtained the required majorities in both houses of parliament. Only two administrations during these years, that headed by Lord Grenville in 1806, and that headed by

⁷ D. G. Barnes, *George III. and William Pitt*. Stanford, 1939, Ch. 10.

⁸ Earl Stanhope, *Life of the Rt. Hon. William Pitt*. London, 1862, III., Appendix, VIII to XII.

⁹ *Hansard, Parliamentary Debates, First Series*, IV., 844 to 852.

Mr. Canning in 1827, were composed of men whose principles might have led them to adopt such a policy. But no ministry, whatever the personal views of its members, was at liberty to touch this question. The final authority rested with the monarch; and aspirants to office were not left in doubt on that point.

When Pitt was recalled to office in the midst of a grave national crisis in 1804, George III took unusual steps to guard against any possible revival of the dangerously liberal policy of his former minister. The pledge voluntarily given by Pitt in 1801 was not considered sufficient. His recent opposition to Addington and his desire to include Grenville, Fox and other Whigs in a national government to meet a national emergency rendered him suspect and a fresh guarantee was required. Not only did the King virtually dictate the composition of the new administration; he demanded and obtained from the incoming Prime Minister a written pledge that he would himself refrain from bringing the Catholic question to His Majesty's notice, and that he would oppose any alteration in the existing laws proposed by others. There is perhaps no instance in modern English history of so complete a surrender by the head of an administration on an issue of such importance to the government of the whole country.

Three years later, when the King's fears were again awakened, a similar pledge was demanded of Lord Grenville and Whig ministers; and when they declined to give it, asserting that their duty as privy councillors required them to advise His Majesty freely and according to their best judgment, they were instantly dismissed from office. The circumstance was subsequently debated in the House of Lords; and although Lord Erskine, one of the greatest lawyers of the period, declared that such action by the King struck at the basis of the constitution, the majority of their lordships concurred in the view of Lord Aberdeen that, since "the opinions of the King on these points were known to be immutable," it was natural that he should demand such assurances from his ministers "that they would so far allow his feelings and conscience to remain undisturbed."¹⁰

That George III was honestly convinced that the admission of Catholics to seats in parliament and executive offices in the state would destroy the "Protestant Constitution" which he had sworn to defend is not open to question; and in the circumstances, the readiness of public men to respect his feelings can be understood. With the accession of George IV the situation was altered. The record of his earlier life hardly warranted the same respect for professed conscientious scruples; and the Duke of Wellington was probably right when he declared that the new King cared nothing for the question as a matter of conscience, and that his only concern was to use it to gain personal popularity.¹¹ Whatever his motives may have been, his stand against any concession was no

¹⁰ *Ibid.*, *Second Series*, IX., 353 and 358.

¹¹ *The Formation of Canning's Ministry*, edited by Arthur Aspinall. London, 1937, Introduction, XXXIV.

less obdurate than that of his father; and he took every occasion that offered to make his views known as widely as possible. Early in his reign he issued a statement to the Marquis of Londonderry, which he desired should be made known “openly, broadly and distinctly,” that, having taken the Coronation Oath, he was “forever a Protestant King, a Protestant upholder, a Protestant adherent”; and he added that “no power on earth will ever shake me on that subject.”¹²

To many people in Great Britain and Ireland, in particular to Tory politicians, eager to avail themselves of any aid in resisting change, this flamboyant declaration was no doubt highly acceptable. But events were making it difficult for the King to maintain such a position. The first of these was the increasing success of O’Connell’s efforts to organise the Catholic people of Ireland to bring direct pressure to bear on the parliament and government of the United Kingdom to settle this question. Of the earlier attempts of O’Connell and other Catholic leaders to achieve that object by more orderly and peaceful methods; of the all but insuperable difficulties which he encountered in the ignorance, timidity and inertia of so many of his countrymen; of his numerous battles with the authorities of Dublin Castle; of the skill and ingenuity with which he frustrated every attempt to break up the organisations which he was creating; of his disputes, often bitter and acrimonious, with his ecclesiastical superiors, over the question of the “veto” to be granted to the Crown on episcopal appointments; of these, and of many other aspects of the question, nothing need here be said. It is sufficient to say that by the early years of George IV’s reign, the Catholic Association was becoming a power to be reckoned with; and that the Association was in very large measure the creation of this one man, who insisted, despite the opposition of so many of the wealthier and more influential of his co-religionists, that emancipation must be “free, complete and unqualified.”

O’Connell’s methods did not commend themselves to all Irish Catholics. Dr. Curtis, Archbishop of Armagh and Primate of the church in Ireland, wrote to his friend the Duke of Wellington in 1825, that the Association was made up, for the most part, of persons of little consequence that the more respectable among clergy and laity took no part in its proceedings; and that it was dominated by a few lawyers and demagogues who made use of it for their own purposes.¹³ The Primate’s analysis of composition of the Association at that time was probably not incorrect. It was not until its later success that it attracted many adherents among the propertied classes and the higher clergy; and even in 1828, a strong distaste for O’Connell’s tumultuous form of popular agitation kept many aloof.¹⁴ The opinion on the motives of the leaders was that of a prelate who owed

¹² *Dispatches, Correspondance and Memoranda of the Duke of Wellington*, edited by his Son. London, 1867 to 1880, III., 633.

¹³ *Ibid.*, II., 273.

¹⁴ Sir James O’Connor, whose dislike of O’Connell’s methods is evident throughout his narrative of these events, has collected many adverse opinions of contemporaries. *History of Ireland, 1798 to 1924*, London, 1925, I., 257 ff.

his position in some measure to the influence of Wellington and Castlereagh, and it is perhaps a little lacking in insight and in justice.

A second development creating difficulties for George IV was the steady growth of opinion in the House of Commons in favour of a conciliatory settlement. The readiness of so many members to yield to the known sentiments of the King in the earlier years of the century was less evident after the withdrawal of George III from active participation in government; and following the general election of 1812, there was always a substantial minority, and not infrequently a majority in favour of concession.¹⁵ The solid phalanx of reactionary Toryism was breaking on this issue. The Whigs, after years of futile groping, were coalescing into a genuine party, united on the principle of religious liberty and the removal of political disabilities from the Catholics and Protestant Dissenters; and their strength was being augmented by the steady growth of radical opinion in the years following Waterloo. The majority were not disposed to accept O'Connell's view of emancipation without conditions. To the bills passed in several sessions during these years some form of "security" was usually attached, which were acceptable to the older Catholic leaders, but with which O'Connell and the Association refused to concur. This division of opinion between the advocates of emancipation militated against the success of the movement; and it was, in any case, impossible to carry a measure through the House of Lords without the concurrence of the ministry and the Crown. But it was obviously becoming more difficult to maintain the old position that, at no time and under no circumstances, could the barriers against the King's Roman Catholic subjects be let down.

The effect of these changing conditions was seen in 1827, when, on the retirement of Lord Liverpool, who had long been the most uncompromising opponent of emancipation, the King was obliged to choose Mr. Canning as his prime minister. Through the whole of his public career Canning had been a consistent, if somewhat qualified supporter of the Catholic claims; and on that ground Peel and other Tories refused to serve under him.¹⁶ In reality, Canning's position hardly differed from that of his predecessor. Neither he nor his fellow ministers could be prevented from expressing their opinions; but they were instructed that, in speaking or voting on the Catholic question, they must make it plain that they did so as private members, and not as ministers of the Crown.¹⁷ It was feared however, that the appointment of a "Catholic" to the highest office in the state might encourage the belief that the King's opinions had undergone a change; and to obviate that danger George IV issued a statement of Canterbury for circulation throughout the country, explaining that his sentiments were unaltered, and that he continued in his unyielding opposition to any change in the

¹⁵ *Memoirs of the Rt. Hon. Sir Robert Peel*, edited by Mahon and Cardwell. London, 1857, I., 288 to 293.

¹⁶ *Wellington*, op. cit. III., 644 to 645.

¹⁷ *Ibid.*, III., 656. April 23, 1827.

existing laws. From Dublin the Lord Chancellor of Ireland wrote of the relief and satisfaction produced by this declaration. "I think it very important," he said, "that those sentiments should be known here, not only to remove the doubts from the minds of some of the Protestant supporters of the King's government, but to obviate the expectation that has been erroneously raised and circulated of this change in the Cabinet having arisen from an alteration in His Majesty's opinion on this important subject."¹⁸ In all essentials the situation remained the same, when, a few months later, the opportunity arose for O'Connell to carry out his dramatic coup.

III.

An aristocratic chronicler, writing a few years later, described the election in County Clare, in which O'Connell was returned to a seat in the House of Commons as an amusing episode which helped to enliven a dull year in politics.¹⁹ The Duke of Wellington, who was obliged to accept the consequences, and to find a solution for a problem that could no longer be evaded, regarded it as anything but amusing. He had come into office a few months earlier, following the death of Canning and the failure of his successor to form a stable administration; and his appointment was regarded, with some reason, as a return to the old die-hard Toryism, of which the country had had about enough. In reality his cabinet was divided on the Catholic question. Their position was exactly similar to that of Canning and his colleagues. But the more prominent members of the new government, Peel, Lyndhurst and the Duke himself, were notorious for their unwavering opposition to the Catholic claims. The Catholic Association, not entirely with O'Connell's approval, had already announced their intention of opposing any candidate who supported Wellington's government;²⁰ and their strength among the Irish forty shilling free-holders had been demonstrated in one or two of the country elections in 1826. Yet Wellington and Peel were apparently oblivious of the danger.

A minor disagreement within the cabinet led to the resignation of one of its members, and Wellington at once appointed M. Vesey Fitzgerald, the sitting member for County Clare, to fill the vacant post. In accordance with existing electoral laws Fitzgerald was obliged to resign his seat in the House of Commons and return to his constituency for re-election. That provided the Association with its opportunity. At first some effort was made to find a Protestant gentleman possessed of the necessary qualifications, to stand against the ministerial candidate. Had that effort succeeded, the Association would at best have caused a temporary inconvenience to Wellington's government, and

¹⁸ *The Letters of Georges IV.*, edited by A. Aspinall. Cambridge, 1938, III., 222.

¹⁹ *Memoirs of the Court of King George IV.*, edited by the Duke of Buckingham. London, 1859, 11., 374.

²⁰ McDonagh, *op. cit.*, 150.

they would have merely added one more Catholic supporter to the House of Commons. But the attempt failed. Fitzgerald was personally popular with all classes in his native county, and no one of his co-religionists could be found to oppose him. It was only then, and not without serious misgivings, that O'Connell determined to risk the venture and to offer himself as a candidate.

The election which followed, in July 1828, was one of the most astonishing and of the most important in all parliamentary history. The story has been told again and again, not always with the sobriety and detachment which historical investigation requires; and there is no need to repeat it here. Its immediate and obvious consequence was the legislation of April, 1829, which altered the oaths and tests hitherto imposed, and admitted Catholics to seats in both houses of parliament and to all but a few of the more important executive offices in the governments of Great Britain and Ireland, and in the armed services. The concession was not made willingly; and it was accompanied by acts suppressing the Catholic Association,²¹ and disfranchising the forty shilling freeholders, who had so signally demonstrated their unfitness for political rights by refusing to exercise their franchise in the manner dictated by their landlords. Wellington and Peel frankly acknowledged that they yielded to necessity; and not a little of the benefit which might have resulted from the settlement was sacrificed by the ungracious and vindictive spirit in which it was carried out.

The indirect results, less frequently noticed by historians were not less important. The triumph of O'Connell and the Association had a decisive and a permanent effect on the position and powers – of the monarch himself. Even after the Clare election, George IV was determined to make no concession. He was indeed, prepared to go far beyond all form of resistance previously attempted. In a conversation with Wellington sometime during the summer he proposed to dissolve the present parliament, to require of all candidates in the ensuing election a pledge of opposition to any change.²² A quarter of a century earlier his father had been content to bind the prime minister by such a pledge. To have attempted in 1828 to exact a like surrender of their freedom of action from the elected members of the House of Commons would probably have precipitated something like a revolution; and it took some plain speaking on Wellington's part to convince the King of the folly and futility of such an undertaking. His Majesty was informed, not only that his present ministers would have nothing to do with such an arrangement, but that no ministers could be found, "who could conduct the government of this country with satisfaction to the public, whose principles would allow of their adopting such a measure."

In any event, as Wellington had previously pointed out, dissolution was out of the question. Throughout a large part of Ireland the authority of the King's government was practically suspended. It was impossible for His Majesty to

²¹ The leaders had anticipated this move and had dissolved the Association a few weeks before the Act was passed.

²² Wellington, *op. cit.*, V., 135.

confer the honour of a peerage upon an Irish gentleman, “because the government cannot in prudence incur the risk” of a disturbance of the public peace which might ensue, a disturbance “which was avoided in Clare only by the prudence or the fears of the demagogues of the Catholic Association.” And other prerogatives were rendered equally nugatory. “His Majesty,” said the Duke in one of his numerous memoranda, “cannot appoint the member of an Irish county to an office, and still less can he dissolve his Parliament.”²³ The Clare election was a manifest warning; and Wellington, still something of a realist despite long association with Lord Eldon and his school of politicians, did not fail to read the lesson. It is evident, he reported to the King, “that throughout Ireland, a perfect system of organisation has been established by means of the Roman Catholic clergy.” The direction of affairs, he added “is in the hands of the demagogues of the Roman Catholic Association and their power over all ranks of their co-religionists is unbounded.” In the circumstances a general election, even if it could be risked, would provide no solution for the problem.

Nor would the merely repressive measures which the King desired, and in which his ministers were not unwilling to concur, have been of any avail. “It’s quite obvious,” said the Duke, “that those who conduct the affairs of the Roman Catholics in Ireland do not propose to commit any breach of the peace, or other act which could occasion a conflict with your Majesty’s troops.”²⁴ Wellington was not averse from stern action through the medium of the law courts. “I am for prosecuting every one who can be prosecuted,” he declared in a dispatch to the Lord-Lieutenant. But there were few who could be prosecuted. O’Connell’s campaign, for all its clamour and excitement had been conducted in a strictly constitutional manner. The election had been carried out without a single breach of the peace; and, apart from a good deal of parading and flaunting of banners, in which both parties in Ireland engaged rather freely, the agitators were guilty of no offense which brought them within the scope of the law. Violence was feared, and additional troops were sent to Ireland; but their services were not required. O’Connell was in complete control of the situation, and he was too experienced a campaigner to ruin his cause when victory was almost within his grasp by any action which would give a handle to his enemies.

Probably the great majority of people in England concurred in the King’s desire to suppress the Association, to disfranchise the forty shilling freeholders, and to adopt any other measures required to break the power of the “demagogues” and put an end to this Irish nuisance. The ministry would gladly have adopted such a course; but Wellington was convinced that the House of Commons would sanction no measures which did not include provisions for a conciliatory settlement of the whole Catholic question. “There is no remedy for this state of things,” he declared, “excepting by means of a consideration of the whole state of Ireland. On no other ground will Parliament adopt what is

²³ *Ibid.*, IV 567. Aug. 14, 1828.

²⁴ *Ibid.*, V. 135. Cf. also, C. S. Parker, *Sir Robert Peel*. II., 55.

necessary to be done.”²⁵ Sooner or later, he added, “we must come to this same resolution.... whether without a contest or after a contest,” after a contest which will involve “great suffering, misery and distress,” but from which no positive results can be expected. “None of the evils in Ireland,” he said in a later dispatch, “can be remedied by the positive enactment of law. The public look to some arrangement of the Roman Catholic question to be proposed by the government.”²⁶

“The public” in this context did not of course include the mass of the English people. But it did include the House of Commons. That was the public whose demands the ministers were now obliged to heed, whether or not they agreed with the publicly expressed opinions of the monarch. Wellington pointed out that in the previous session the House had carried a motion in favour of concession to the Catholics by a small majority. He believed that the number who would now support such a course was substantially increased, and that in any new house that could be formed, that number would be still further augmented. With Ireland trembling on the verge of civil war, and with the prospect of increasing majorities in the House of Commons in favour of concession, Wellington and Peel realised that further resistance was futile and dangerous. The King was more difficult to convince; and months of wearisome reiteration were required before the realities of the situation penetrated his obstinate mind. But in the end he was forced to yield to the inevitable, and to accept, however reluctantly, the plan prepared by his ministers, – a plan which Wellington believed would “put the Roman Catholic affairs of the Empire on a better footing than at any time since the Reformation, and through which the state would acquire strength.” The prediction was justified, at least in part. The state did acquire new strength, but in ways that were probably not foreseen by the Duke.

The effect of these events on the development of self-government in Great Britain and in the overseas colonies has not generally received much consideration. Yet it was far from negligible. It was the first important instance in which the sovereign and his ministers were constrained to accept the policy favoured by a majority in the House of Commons; the first in which it was impossible to circumvent opposition to royal and ministerial policy by a dissolution of parliament and an election, conducted under conditions which would ensure a majority ready to concur with the King’s wishes. The degree of control exercised by the King over the policy and personnel of his government had varied somewhat during the preceding century. At no time was it so complete; at no time was it defined in such precise terms as it was over this question of Catholic Emancipation in the early nineteenth century. And the defeat in 1829 received added significance from wide publicity that had been deliberately given to the King’s sentiments for the purpose of winning popular

²⁵ Wellington, *op. cit.*, V., 136 ff.

²⁶ *Ibid.*

support.

Almost without exception, Tory politicians in these years accepted the King's claim to impose his own conditions respecting this question. Wellington himself explained the terms under which he and his predecessors held office. "As the King's servant," he declared, "I, equally with all those whom His Majesty has had in his service since the year 1810, am bound not to act in this question as the King's minister."²⁷ The conditions were clearly understood by all. But the Duke was the last Prime Minister in English history who held office on such terms. The King's power to impose such conditions ended in 1829. Neither the Crown, nor the Tory party ever recovered from this defeat. Their day of power was, in any event, drawing to a close. The industrial development of the period had already undermined the old order, and had created, or was creating a society in which this eighteenth-century form of monarchical and aristocratic government was out of place. But it might have endured for some time. The King might long have preserved some part of the power which George IV and his predecessor had so carefully guarded, but for O'Connell's campaign and the decisive victory in which it ended.

Wellington's government limped through its ineffectual career for another eighteen months, vainly striving to disregard the growing clamour for a drastic reform of the whole electoral system. But in November, 1830, after a provocative statement by the Duke on this question, they were obliged to resign. Their successors took office under conditions totally different from those which had prevailed during the preceding thirty years. Lord Grey, the leader of a partially rejuvenated Whig party, demanded and received from the King an assurance that he would be permitted to carry the measure of parliamentary reform demanded by a large section of the public and of the House of Commons; and in the struggle for this first Reform Bill, which occupied the greater part of the next two years, the new principles of government were firmly established and generally recognised. Regardless of his personal wishes, the King was obliged henceforth to accept as his ministers the men who were prepared to carry out the policy favoured by a majority of the members of the House of Commons. That was an essential preliminary to the constitutional reforms carried out in Canada a few years later. Indeed, until a genuine system of responsible government had been established and fully recognised in Great Britain, it was hardly possible for the Canadian reformers to propose such a solution for their particular problem.

IV.

Two years before O'Connell's death an admiring countryman, who was destined to play a distinguished part in the history of Canada, wrote of the mighty concourse of people who would be assembled, if all those who had benefited

²⁷ Ibid., V., 92 and 93.

from his hero's endeavours could be brought together.²⁸ The author, who was perhaps more of a poet than a historian, was inclined to give free rein to his imagination, and attribute to the work of the Liberator's rather more than a sober appraisal of the facts would warrant. But there was some reason for including Canada's "grateful reformers" in the imagined assembly. Their task was greatly facilitated by the changes in Great Britain to which O'Connell's victory had given a powerful impetus. When they began their campaign for responsible government a few years after the passage of the Reform Act, they did so under conditions far more favourable than had ever before existed; and it required but a few years to complete the process and to solve a problem as old as the British Empire itself.

The outcome was not precisely that which Lord Durham had anticipated. In the actual working out of the process, the course of events was determined less by the recommendations of the Report than by the realistic statesmanship of Baldwin and La Fontaine. For neither was it a simple task; but for the French-Canadian leader, especially after the passage of the Act of Union in 1840, the situation was one of exceptional difficulty. Lord Durham's Report is rightly remembered for the passage dealing with the establishment of responsible government in the colonies; but it may easily be forgotten that this formed but a small part of the whole. It was preceded by a longer section, and one which the author probably regarded as more important, outlining the conditions which he had discovered in Lower Canada and prescribing his particular remedy. The prescription was simple; and if the recommendations of the Report were taken literally, the future offered no very pleasant prospect for La Fontaine and his compatriots.

There were obvious and striking differences between the positions of O'Connell and La Fontaine, between the tasks which leadership imposed upon them in their respective spheres, and between the methods which they adopted to secure their ends. Yet the two had some things in common. Each was the leader of a conquered people, whose racial, religious and cultural traditions set them apart from the main stream of Anglo-Saxon development. The results of conquest in the case of the French-Canadians had been immeasurably more fortunate than in that of the Irish. They had been subjected to none of the proscription, oppression and persecution which had been the lot of the Irish since the sixteenth century. But they were a people from whom, in the minds of their conquerors, very little was to be expected, one whose destiny should, in the best interests of all concerned, be determined by the more vigorous and progressive race to which they had become subject.

Lord Durham was impressed with many of the admirable qualities of the French-Canadian people; but he had neither patience nor sympathy with their desire to preserve a culture and a social-system so different from, and, in his judgment, so plainly inferior to those of their English rulers. Without seriously

²⁸ *Thomas D'Arcy McGee, O'Connell and his Friends.* Boston, 1845, 5.

investigating the question, he assumed the disloyalty of the great mass of the French-Canadians; and his conclusion was accepted in England almost as a self-evident proposition. Under the new order their religious freedom was to be safeguarded, and the planned subordination to the British community in America was to be effected as gently as possible. But they were to be effectually barred from the exercise of political power. No British colony in America, whatever its racial composition, should again be permitted to fall under the rule of men of French extraction. The union of the two provinces in 1840 was the first step in the process of subordination and assimilation. Its purpose was frankly avowed. On that ground it received the support of large majorities in both houses of the Imperial Parliament; and even so liberal as statesman as Charles Buller saw nothing but benefit for the French-Canadians in the proposed arrangement. O'Connell was one of the few members in either house who opposed union itself and the inequitable provisions which it contained.

For La Fontaine this situation presented a problem of the utmost gravity.²⁹ Although he had been a follower of Papineau in the old assembly of Lower Canada, he was essentially a moderate and a realist. His legal training, strengthening his natural caution, kept him always within the limits of constitutional procedure. He recognized the danger and futility of the policy of resistance à outrance, which some of the more ardent spirits among his countrymen were prepared to adopt. But under the conditions created by the union, constitutional procedure seemed to offer little hope. The very purpose of the Act was to undermine and eventually destroy the racial and cultural identity which the French-Canadian people were determined to preserve; and some of the measures adopted by Lord Sydenham during the inaugural period in 1841 left little doubt of his intention to execute that purpose to the letter. Yet it was in this period that La Fontaine, persuaded by the Upper Canadian reformers, determined to enter the union, and to collaborate with Baldwin and his followers to force the establishment of responsible government, and to secure the repeal or amendment of those provisions of the union which pressed most severely on the French-Canadians.³⁰

The alliance thus formed was the most successful venture of the kind in Canadian history; and not a little of its success must be attributed to the courage and skill with which La Fontaine played his part in the contest which followed. The spirit in which he entered the alliance was expressed in a statement to his constituents in 1841. "Il est de l'intérêt des réformistes des deux provinces de se rencontrer sur le terrain législatif dans un esprit de paix, d'union, d'amitié et de fraternité." It was of interest to more than the reformers of the two provinces. The achievements of that alliance went far to determine the course of Canadian

²⁹ For this account of La Fontaine's work I am indebted to an unpublished thesis by Rev. V. Jensen, S.J., *La Fontaine and the Canadian Union*, submitted for the degree of M.A. in the University of Toronto, 1942.

³⁰ C. Martin, *Empire and Commonwealth*. Oxford, 1929, 258-261

history, and the effects of what was then accomplished have not been confined to this country. Little difficulty was experienced in removing the objectionable features of the union, and regaining for the French-Canadians a position of equality with their fellow-citizens. The real object however, was the winning of responsible government, the firm establishment of a system which would give to the Canadian people of both races what La Fontaine called “that control upon government to which they have a just claim.”

In the struggle that followed it was soon evident that the French members held the key to the situation. Their opponents were constrained to admit that, if the authority of the governor were to be maintained and the dangerous designs of the reformers frustrated, the support of these members, or of a substantial number of them was necessary. But that support was precisely what the governor could not obtain, except on the one condition of conceding the full measure of responsible government. Under La Fontaine’s leadership, acting always in collaboration with the Upper Canadian reformers, they remained steadfast to the purpose. Again and again, when others seemed to waver, their determination provided the rock upon which the forces of opposition broke. Their course was vindicated by the election of 1847; and when Lord Elgin accepted the result of that election, and entrusted formation of a responsible ministry to Baldwin and La Fontaine, the controversy was ended, and a memorable page had been written into the history of the Empire.

It was a timely settlement. In November, 1848, at the close of a year that had witnessed political and social revolution in almost every country in Europe, Lord Elgin wrote that “but for this settlement, we should before now have been ignominiously expelled from Canada, or our relations with the United States would be in a most precarious position.” That Great Britain and the Empire passed through that year of revolution with only the most trifling disturbances must be attributed in some measure to the far-reaching reforms of the preceding twenty years. This great reform movement, which swept away so many of the accretions of centuries and renovated the institutions of government throughout the Empire, was the work of many men of all classes and parties. Among those whose labours helped to give it direction, and to lay foundations upon which later ages could build, O’Connell and La Fontaine were not the least important.