

Report of the Annual Meeting of the Canadian Historical Association Rapport de l'assemblée annuelle de la Société historique du Canada

Report of the Annual Meeting

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Volume 27, Number 1, 1948

URI: <https://id.erudit.org/iderudit/300292ar>

DOI: <https://doi.org/10.7202/300292ar>

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Publisher(s)

The Canadian Historical Association/La Société historique du Canada

ISSN

0317-0594 (print)

1712-9095 (digital)

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Cite this article

Jensen, V. J. (1948). LaFontaine and 1848 in Canada. *Report of the Annual Meeting of the Canadian Historical Association / Rapport de l'assemblée annuelle de la Société historique du Canada*, 27(1), 46–54. <https://doi.org/10.7202/300292ar>

LAFONTAINE AND 1848 IN CANADA

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THE year 1848 was a year of revolutions—in Austria, France, Germany, and Italy. Even more fundamentally it was the year of the publication of the Communist Manifesto. In the provinces of central Canada, too, it was a year of revolution; but the revolution was of a most peculiar kind. There were no shots fired; there was no mounting of barricades; no rioting or bloodshed. It was accomplished on March 7 by the simple act of Lord Elgin summoning Mr. LaFontaine to form a government.

Lord Elgin's action was, in some respects, more revolutionary in its implications and its effects than the paper constitution over which the Frankfurt Assembly wrangled or the organization of the Second Republic which Louis Napoleon promised to maintain. It involved no less than the concession of self-government to the colony of Canada. With the attainment of what we call "Responsible Government" Canada took a long step towards nationhood; Canadian history from 1848 onward has been, fundamentally, little else than the application and extension of this principle of self-government. Even immediately its effects were far reaching. In November, 1848 Elgin wrote: "Looking then calmly at the state of feelings and parties both here and in the States, and at all that has occurred during the last 12 months, with the utmost desire to see things exactly as they are, I have no hesitation in expressing my conviction, that . . . if I had not allowed constitutional principles to have full scope and play during the General Election and in the subsequent modification of my cabinet, we should have by this hour either have been ignominiously expelled from Canada, or our relations with the United States would have been in a most precarious position."¹

Though the winning of self-government was revolutionary, it was by no means the only and perhaps not even the most important victory won in Canada in 1848. There was another conflict fought out in that fateful year which has equally affected the course of Canadian history and development. It was the struggle between Papineau and LaFontaine, termed by Elgin a "death struggle," for the leadership of the French-Canadian people. On the outcome of that struggle hinged the answer to the questions—would English and French-speaking people co-operate in a common system of government, in the solution of common problems? Would the Union hold? Could self-government be made to work? Would it transcend claims of race and nationality?

The key man for reaching a just estimate of the importance of the events of 1848 and for an understanding of these problems is Sir Louis Hippolyte LaFontaine. Not only was he the first prime minister of the provinces of Canada East and Canada West, but he was also the leader of the French-Canadian people; and he led them from a position of what Durham called "hopeless inferiority" to what is now full equality. The decision he took

¹A. G. Doughty (ed.), *Elgin-Grey Papers, 1846-1852* (4 vols., Ottawa, 1937), I, 264, Elgin to Grey, Nov. 30, 1948.

to fight for responsible government and to pursue a policy of racial co-operation have, for good or ill, left a permanent mark on Canadian politics and on the nation of Canada. I think, then, it is worth attempting an analysis of his political thinking and of the course of his policy which led him to a position so diametrically opposed to his erstwhile idol, Louis Joseph Papineau. The year 1848 was for him truly one of triumph.

As the winning of responsible government was a peculiar sort of revolution, so LaFontaine was a peculiar sort of revolutionary. In a speech at a banquet in his honour, in 1851, shortly after his resignation, LaFontaine said: "The danger today is the facility with which we may legislate."² That is a strange statement, surely, coming from a man who was a reformer elected on a reform platform; but it is a fit commentary on his own career. Fifteen years before, the danger had been that they could scarcely legislate at all. It is a commentary also on his mentality; for once having achieved the goal which he had set for himself he wished to proceed with caution. There was an innate conservatism about him. The movement of reform to which he had contributed so much was to go beyond him, to pass him by. Taché pointed this out in a letter of December 8, 1856, replying to LaFontaine's criticism of the bill to make the legislative council elective: "Vous avez posé les bases d'un gouvernement démocratique et les prémisses une fois admises, comment est-il possible de se refuser aux conséquences qui en découlent comme de sources?"³ The point is that eighteen years earlier LaFontaine had been among those advocating the application of the elective principle to the legislative council as a remedy for the political troubles of the eighteen-thirties. "Nous avons suggéré comme remède efficace l'application du principe électif comme étant un moyen sûr pour tous les partis."⁴

Such examples may be multiplied. On the one hand, we have Stanley, when colonial secretary, writing to Sir Robert Peel in 1842: "There would be, as it seems to me, something unnatural in such a position [that is, the admission of the French Canadians to the executive council] & something not very creditable in discarding the faithful adherents of British connexion and administering the Provinces by placing in high office such men as LaFontaine & Viger, the former of whom was among the most violent of the old French party & closely connected with the Lower Canada traitors. I am not prepared to carry the notion of colonial responsibility to such a length."⁵ On the other hand, we find Grey, in 1850, expressing keen regret at learning of LaFontaine's impending resignation. Lord John Russell urged that he be knighted by the Queen.

Again, an early governor, Gosford, described LaFontaine as "one of the most ultra" of Papineau's party; a later governor, Elgin, wrote that "his French party is the only one which can and will arrest this country in its progress towards the realization of the views of the extreme democrats."⁶

²*Ibid.*, III, 904, enclosure from *The Pilot*.

³Public Archives of Canada, LaFontaine Papers, vol. 7, Taché to LaFontaine, Dec. 8, 1856.

⁴P. A. C., Durham Papers, sec. VI, vol. 1, 342, LaFontaine to Ellice, Mar. 15, 1838.

⁵P. A. C., Bagot Papers, vol. 9, 145, Stanley to Peel, confidential, Aug. 27, 1842.

⁶W. Smith (ed.), *Calendar of the Durham Papers* (Ottawa, 1923), 268, Gosford to Guelph, confidential, May 25, 1837. *Elgin-Grey Papers*, vol. 2, 613, Elgin to Grey, Mar. 23, 1850.

These contrasting views serve to show both the danger of too facile generalization and the difficulty of analysing LaFontaine's political theory. LaFontaine's thinking, as well as the realities of Canadian politics and especially the attitude of the Colonial Office, did not remain static. The political situation in 1848 differed radically from what it had been in 1838, in no small measure because of LaFontaine's work, and there was a corresponding change in his attitude towards the political problems of that day. The break between him and Papineau was overt; but the real, irreparable break had in fact occurred much earlier, although perhaps neither man realized it. Certainly Papineau had no real understanding of the fundamental importance of LaFontaine's achievements nor of the ultimate value of responsible government. In reality LaFontaine had gained that for which Papineau had fought; but in so doing he had turned his back on Papineau's methods and his ideas of a nation apart.

There were, nonetheless, constant elements in LaFontaine's thinking. In December, 1837 when he presented his petition for the convocation of the assembly, he explained to his father-in-law, Berthelot, his reasons for the petition. Of these, the most important was his anxiety that, should Lower Canada be deprived of its assembly, "nous deviendrions à coup sûr de vrais Acadiens."⁷ To prevent the reduction of the French Canadians to the status of the Acadians was the basic principle and the unchanging goal of his career.

A second constant element was, I think, a preference for constitutional parliamentary methods over militant revolutionary activities. He was convinced that the grievances of which the patriots of '37 complained could be redressed by constitutional means and only by constitutional means. Violence he deprecated and his petition to Gosford urged: "déplorant bien sincèrement l'état malheureux dans lequel se trouve maintenant une partie de cette province, vos pétitionnaires n'aperçoivent d'autre remède efficace de rétablir la paix et l'harmonie que dans la convocation immédiate de la législature."⁸

In spite of the fears of Stanley and the claims of Metcalfe, a third constant element which seems to run through LaFontaine's political thinking was a high regard for British political institutions and for the British connection. In 1838 he wrote to Ellice: "Les Canadiens sont devenus par les traités sujets anglais. Ils doivent être traités comme tels."⁹ He resented the statements alleged to have been made by Sir Charles Metcalfe in 1844 that the reformers were aiming at separation and wrote to Baldwin: "What reasons had he to charge us and the majority of the people in Canada with disaffection and aiming at separation? Far from thinking of separation, I agree with you and I do not hesitate in saying that I sincerely believe it to be to the mutual interest both of England and Canada that the connection should subsist as long as possible—and a good government based upon our managing ourselves our local affairs will secure the connection."¹⁰

⁷A. D. Decelles, *LaFontaine et son temps* (Montreal, 1907), 14, LaFontaine to Berthelot, Dec. 17, 1837.

⁸LaFontaine Papers, vol. 2, Dec. 5, 1837.

⁹*Ibid.*, vol. 5, LaFontaine to Ellice, Apr. 18, 1838.

¹⁰Toronto Reference Library, Baldwin Papers, vol. 55, 64, LaFontaine to Baldwin, Feb. 15, 1844.

Why then was he considered one of the most ultra and violent of the adherents of Papineau? Certainly the ideas which he expressed in the eighteen-thirties were tinged with the republicanism of Papineau. In 1834 he wrote: "Nous sommes des traîtres, des rebelles, des séditeux, des révolutionnaires, dites vous, parce que nous demandons un changement dans notre constitution. Eh bien! quel est donc ce changement que nous demandons—c'est un conseil électif, ou bien en d'autres termes, nous demandons que le peuple choisisse ses législateurs."¹¹ Similarly in letters to Ellice, Hume, and Parkes he spoke of the natural democracy of American society to be found in Canada. Government in Canada based on any other principle than democracy was impossible; the only alternative was rule by force. But it is to be noted that he insisted that democracy was a principle equally essential to the government of England. He had great hopes for the success of the Durham mission because of Durham's liberal principles and universally admitted ability. These, he said, were a guarantee that Canada would be pacified and the liberties of the people preserved.¹² LaFontaine was, in many ways, a spiritual kin of the radicals of England.

It is worth remembering that while Papineau was in exile LaFontaine kept in touch with him and authorized a friend in Paris to advance Papineau any money he might require. He demanded that Metcalfe obtain a grant of "*nolle prosequi*" and allow Papineau to return to Canada; otherwise he and the Executive Council would resign. As late as December, 1845 he wrote to Papineau: "D'après la déclaration que vous m'avez faite hier que vous approuviez ma conduite politique, je vous ai fait part sans réserve des principaux événements auxquels j'avais été concerné depuis notre entrevue à Saratoga en juin 1838, jusqu'à l'époque de ma résignation en 1843. La même raison me fait devoir vous faire également part d'une correspondance récente d'une haute importance et d'un caractère tout confidentiel."¹³ Earlier LaFontaine had reassured Baldwin: "Mr. Papineau will return in September. . . . It appears that he approves of our course; but he gave Berthelot to understand that he will not interfere in politics any more."¹⁴ Hincks too wrote in October to Baldwin: "Papineau is here. LaFontaine called and saw him. No politics. He is right enough!"¹⁵ There was of course uneasiness in the reform camp about what Papineau's attitude would be; but these facts serve to show that there was not as yet an open break between the two French-Canadian reformers. They were in reality, however, poles apart in their political thinking and the struggle between them in 1848 only brought to the surface the profound and fundamental difference between them.

To Papineau the English government and English governors could never be trusted. England remained perfidious Albion. Responsible government was trickery, a mockery, deception, *une tromperie*. The Union was

¹¹L. H. LaFontaine, *Les Deux Girouettes* (Montreal, 1834), 74.

¹²LaFontaine Papers, vol. 5, LaFontaine to Ellice, Mar. 15, 20, Apr. 17, 29, 1838. *Ibid.*, vol. 2, LaFontaine to Hume, Mar. 24, 1838. Durham Papers, sec. VI, vol. I, 326 seq., LaFontaine to Parkes, Mar. 10, 1838.

¹³LaFontaine Papers, vol. 5, LaFontaine à Papineau, Dec. 6, 1845. The correspondence to which he refers is the Draper-Caron negotiations.

¹⁴Baldwin Papers, vol. 55, 55-6, Aug. 16, 1845.

¹⁵*Ibid.*, vol. 51, 93, Hincks to Baldwin, Oct. 12, 1845.

an act of the greatest injustice and the only remedy was to break it. He told his electors: "Tout ce que j'ai demandé en chambre en 1836 avec une si vaste majorité de mes collègues, appuyés que nous étions par une égale proportion dans la masse du peuple, je le redemande en 1847 et crois qu'il n'y a pas de contentement possible aussi longtemps que l'on n'aura pas satisfait à ces justes réclamations. . . . L'Angleterre ne veut pas encore nous donner et le pays est garnisonné pour qu'il ne les prenne pas."¹⁶

The Papineau of 1848 apparently had forgotten nothing and learned little since 1837. The political developments of the eighteen-forties, important as they were, only gave him fresh ammunition. *L'Avenir* expressed his opinions clearly, if somewhat rhetorically: "Entortillés, perdus dans les fictions du gouvernement constitutionnel anglais, corrompus par le patronage exorbitant qu'il donne à nos gouverneurs, les vrais libéraux n'existent plus. L'Union a tué parmi nous les principes. Au lieu d'un gouvernement basé sur la justice, sur des principes sains et vrais, nous avons un gouvernement au jour, le jour qui a pour mot d'ordre *le taisez-vous*, pour règle les *précédents anglais*, pour fin les écus."¹⁷

But the Papineau of 1848 was not the Papineau of 1837 in so far as the leadership of his people is concerned. Only one French Canadian (and two Tories) voted with him in his proposed amendment: "that this tranquility of the people of the Canadas [amidst the general uprisings in Europe in 1848] proves . . . that the Canadians of all classes and of all origins have shown themselves friendly to order to a degree proving them entitled of right to be endowed with political institutions much more liberal than the defective constitution imposed on them against their known and declared wishes." . . .¹⁸ Elgin described him and his adherents as "a faction disconnected from the body of the French Canadians."¹⁹

This change was effected by the leadership of LaFontaine. It was his leadership, working under new conditions, which gave to the French Canadians a new orientation and a new technique. The new conditions were brought about by the Act of Union; the new technique was that of responsible government and the new orientation was that of constructive co-operation with English-speaking people in solving common problems and in a common system of government.

The Act of Union was violently disliked in Lower Canada, first of all because the French Canadians were convinced that its purpose was to destroy their language and their institutions. It was inevitably associated in their minds with Lord Durham's *Report* and especially with his statements about the necessity of anglicizing the French Canadians. It was disliked both because of its terms, and because it was forced through by the Special Council against their representations. Papineau's attack on the Union and on LaFontaine for accepting it represented the state of mind of the French Canadians in 1841, but not in 1848. In fact in 1841 LaFontaine himself criticized the Union in strong terms: "Elle est un acte d'injustice et

¹⁶*Elgin-Grey Papers*, vol. 1, 108-9, "Adresse aux électeurs du Comté de Huntingdon," enclosed in despatch of Dec. 24, 1847.

¹⁷*L'Avenir*, Jan. 31, 1849, *Elgin-Grey Papers*, vol. 1, 292, enclosure with despatch of Jan. 29. Italics as in original.

¹⁸*Journals of the Legislative Assembly*, 2nd session, Jan. 22, 1848, third par., 16.

¹⁹*Elgin-Grey Papers*, I, 227, Elgin to Grey, Aug. 24, 1848.

de despotisme en ce qu'elle nous est imposée sans notre consentement; en ce qu'elle nous prive de l'usage de notre langue dans les procédés de la législature contre la foi des traités et la parole du gouverneur-général; en ce qu'elle nous fait payer sans notre consentement, une dette que nous n'avons pas contractée; en ce qu'elle permet à l'exécutif de s'emparer illégalement sous le nom de liste civile et sans le vote des représentants du peuple, d'une partie énorme des revenus du pays."²⁰ The editor of the *Quebec Gazette* claimed "we do not believe that there are a hundred electors in all Lower Canada who approve of the Union project on its own merits."²¹

Why then did LaFontaine accept the Union, bring his people to accept it, and attempt to make it work? Because he had come to see even before the Union Act was passed that the real importance of the Union lay in its implications. And the man who had made him see this, who radically changed his political thinking, who showed him a practical programme differing widely from Papineau's vague republicanism, was Francis Hincks.

Between April 12, 1839 and June, 1841 Hincks wrote thirty-six letters to LaFontaine (at least thirty-six are preserved in the LaFontaine Papers in the Archives) most of them at great length and all of them dealing with political theory and practice.

In his first letter Hincks wrote asking LaFontaine's opinion of the Durham Report: "Lord Durham ascribes to you national objects; if he is right Union would be ruin to you; if he is wrong and you are really desirous of liberal institutions and economical government, the Union would, in my opinion, give you all you could desire. . . . If we all combine as *Canadians* to promote the good of all classes in Canada there cannot be a doubt that under the new constitution worked as Lord Durham proposes the only party which would suffer would be the bureaucrats."²² In his second letter he wrote: "You say that you like the principles of government laid down in the report, but that we have no guarantee that they will be acted on. We certainly must have such a guarantee and I have no doubt that we shall obtain it. I wish we could convince you that a really responsible executive council would accomplish all that we want in spite of the legislative council. . . . On the Union question you should not mind Lord D's motives, but the effect of the scheme."²³ Two weeks later, in May, 1839, he continued: "I feel certain that if we once had responsible government as in England *without disfranchisement* we should in a very short time *obtain everything* we have ever asked."²⁴ In September, 1839 he wrote: "With regard to the Union, I think exactly as you, and I feel assured that it is for your interests that the provinces should be united provided always that you have no national objects in view. . . . Would the Canadians after what has passed ever be reconciled to the British connexion? Mr. Papineau says *not* under any circumstances."²⁵ Here was the first break between

²⁰L. P. Turcotte, *Le Canada sous l'union* (Quebec, 1871), 60 seq. Foot-note reproduces LaFontaine's "Adresse aux électeurs de Terrebonne."

²¹G. P. de T. Glazebrook, *Sir Charles Bagot in Canada* (Oxford, 1929), 27.

²²LaFontaine Papers, vol. 10, 2, Hincks to LaFontaine, Apr. 12, 1839 (only vols. 9 and 10 of these papers have pagination).

²³*Ibid.*, 3, *idem*, Apr. 20, 1839.

²⁴*Ibid.*, 8, *idem*, May 14, 1839.

²⁵*Ibid.*, 13, Sept. 9, 1839.

Papineau and LaFontaine. In November Hincks is writing: "Be assured that Union is the only chance for us Reformers. I am glad to find you are cautious in advocating it. I almost fear *Le Canadien* has said too much in its favour. Let the Tories fall into the pit of their own digging."²⁶ Again in December he urges: "I am now fully persuaded that the Union will be the only means of securing the liberties of the people. . . . For my own part my confidence in a United Legislature is unbounded. *We cannot be beat*. . . . You may depend upon it that we will never consent to a Union unless it be founded upon justice *to all classes*."²⁷

Thus, long before the Union Act was passed or the Special Council was called, even before Poulett Thomson landed in Canada, Hincks was labouring to create a united reform party whose platform would be responsible government and self-government. He was aiming at real cabinet government. He knew from the state of politics in Upper Canada that a united, well organized, closely knit party could not be found there and that the strength and voting power must rest with a French group moulded into a solid unit and willing to co-operate on fundamental issues. The task of forming, keeping united, and leading such a group fell to LaFontaine. He had to convince his people that to break the Union would gain them nothing, that responsible government would give them everything they wanted, and that the issue at stake touched the fundamentals of government. To achieve this meant abandoning what Hincks called "national projects"; it meant abandoning the time-tried method of stopping supplies; it meant abandoning violence; it meant abandoning Papineau's technique and Papineau's views about the relations between English and French and between the assembly and the governor. That was a difficult step for LaFontaine to take because the bitterness aroused at the time of the Rebellion and fostered by the publication of Durham's *Report* had been increased and intensified by the terms of the Act of Union and the activities of Sydenham.

But LaFontaine saw beyond immediate issues. He was convinced that through the Union could be achieved responsible government, and through responsible government could be achieved all that Papineau had set out to win. He could save those rights which the French people thought the Union would destroy. As Hincks wrote in commenting on the Act:

I have already told you that I have always supported the Union *without reference to details* because by it alone I feel convinced that we should have a majority *that would make our tyrants succumb*. After what has taken place your countrymen would never obtain their rights in a Lower Canadian legislature. You want our help as much as we do yours. . . . Our liberties cannot be secured but by the Union. I know you think we shall never get responsible government, that the ministry are deceiving us—granted—but we *will make them give it whether they like it or not*. Above all things do not lose confidence in the sincerity of your Brother Reformers of U.C. We will not deceive you.²⁸

²⁶*Ibid.*, 27, Nov. 14, 1839.

²⁷*Ibid.*, 32-3, Dec. 4, 1839.

²⁸*Ibid.*, 67, June 17, 1840.

In fact, the real guarantee of the sincerity of the Upper Canadian reformers was the character of Robert Baldwin. Owing to the parts played by Hincks and Baldwin, the cause of constitutional government and the cause of French Canada became identified. That is why, in the same speech in which LaFontaine denounced the Act of Union as an act of injustice and despotism, he continued:

Je n'hésite pas à dire que je suis en faveur de ce principe anglais du gouvernement responsable. . . . Les colons doivent avoir la conduite de leurs propres affaires. Ils doivent diriger tous leurs efforts dans ce but; et pour y parvenir il faut que l'administration coloniale soit formée et dirigée par et avec la majorité des représentants du peuple. . . . Les Réformistes dans les deux provinces forment une majorité immense. . . . Notre cause est commune. 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.²⁹

This speech was made in 1841; but to the principles in it he always remained faithful and by means of them he held his party together during the lean and hungry years while every alternative to cabinet government was being exhausted. The reward came in March, 1848 when Elgin summoned him to form a government. It was fortunate for Canada that he did so, for in May, Elgin remarked to Grey:

Bear in mind that one half of our population is of French origin, and deeply imbued with French sympathies,—that a considerable portion of the remainder consists of Irish Catholics—that a large Irish contingent on the other side of the border—fanatics on behalf of republicanism and repeal—are egging on their compatriots here to rebellion—that all have been wrought upon until they believe that the conduct of England to Ireland is only to be paralleled by that of Russia to Poland—that on this exciting topic therefore something of a holy indignation mixes itself with more questionable impulses—that Guy Fawkes Papineau . . . is waving a lighted torch among these combustibles—you will, I think admit, that if we pass through this crisis without explosions, it will be a gratifying circumstance and an encouragement to persevere in a liberal and straightforward application of constitutional principles to Govt.³⁰

How far-reaching LaFontaine and his followers considered responsible government and how far he led his people away from Papineau can best be illustrated, I think, by an article which appeared in LaFontaine's paper, *La Revue Canadienne*, in reply to Papineau:

Tell us gentlemen of *L'Avenir* who weep so much over the ruins of the past and over imaginary evils—tell us at what period of our history the French Canadian nationality has been more brilliant, more honored, more respected, or has occupied a higher position than that which it occupies this day? . . . A worse moment could not be chosen to revolutionize Canada. . . . The people has been fed so badly with theories and as a consequence with interminable and useless battles

²⁹Turcotte, *Le Canada sous l'union*, 60-1, note.

³⁰Elgin-Grey Papers, I, 149, Elgin to Grey, May 4, 1848.

before the union, that at present, when it has the power in its hands (which it never had then) when it sees the men it has chosen to represent it, in the Councils of the Sovereign, and truly governing the people in her name—the people, we say, will consider extremely injurious . . . strange, and fantastic, this idea of yours to overturn the actual order of things, and replace it by a “republic one and indivisible”, or by any other thing still more marvellous. . . .

But tell us ye young and fiery apostles of the Franco-Canadian nationality, what do you mean by the principle of nationality applied to the management of public affairs? . . . Is it, *par hasard*, that famous principle of public action which has excited the French lately to drive from France all workmen of English or foreign origin? If it be a principle so advanced as that, which you wish to implant on the Canadian soil, you lose your time and your pains. It is not after the party has recruited its ranks with men of all origins when our friends the liberals of Upper Canada, and those of Lower Canada of foreign origin, have made prodigious efforts to carry the elections and that altogether we have gained the most signal victory—it is not now that your appeal to prejudice and passions will have the least echo in the country. The people will laugh at your beards and it will have reason. . . .

We would wager that our compatriots, however they may admire the French revolution, prefer responsible government with its perspective, to the provisional government of Paris with the menacing and sombre horizons that it presents. . . .

The people desires to remain united and strong in this same union.³¹

From this it is clear how profound a change had been wrought in French Canada, and indeed in the whole of Canada, by LaFontaine's Work. Having accepted the decision to fight for self-government, he fought it through to the end. Having accepted the Union and the necessity of racial co-operation, he led his people from factious opposition to a full share in the government. He had, in some respects, committed Canada to federalism. As a result of his work I wonder if Elgin, optimist though he was inclined to be, was not justified in asking: “who will venture to say that the last hand which waves the British flag on American ground may not be that of a French Canadian”?³²

³¹*Ibid.*, I, 156-9, enclosure with despatch of May 4, 1848, as printed in the *Conservative Herald*.

³²*Ibid.*, I, 150.