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## THE EXTENSION OF THE FRANCHISE IN CANADA A STUDY IN DEMOCRATIC NATIONALISM

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"ALL America was thus, at the outset of the Plantations, abandoned to Democracy."<sup>1</sup> Chief Justice Smith's inclusive comment expressed the diagnosis of the American Revolution accepted by British politicians. Under lax and too benevolent rule the colonies had fallen into insubordination and an excess of liberty.

On remedy no less than on diagnosis there was agreement. The colonies remaining must be preserved to the Empire and sound political example by the grant of the British Constitution in its plenitude. Not any part thereof, either as in the past an excess of its popular features, or as might have been expected, an increase in authority, but the Constitution in its perfection, with authority and liberty in just equipoise, each confirming and augmenting the other. Not only the frigid Grenville but also the generous Fox unhesitatingly prescribed that due mixture of monarchy, aristocracy, and democracy, which was considered the unique virtue of the Constitution.<sup>2</sup>

The Constitution might be granted; British history and the English social order could not. What in effect the British North American colonies obtained by way of political institutions was, on the one hand, an executive appointed by and responsible to the Crown, and buttressed by appointive Legislative Councils, and on the other, Houses of Assembly elected on franchises for which the property qualifications were so wide as to exclude no significant element of the colonial populations. Not until 1884 was the suffrage in Great Britain to be so widely extended.

Thus the representative of the Crown faced the representatives of what may, with some licence, be called colonial democracy. This was but little like, in its elements, the boasted harmony of the British Constitution, really the harmony of a close-knit aristocracy which had absorbed the powers of the Crown and not yet incurred the jealousy of the people. But this attempt at reproduction of the Constitution of itself expressly affirmed the sovereignty of parliament, and implicitly denied the essential democratic premise of the sovereignty of the people.

The superb confidence in the efficacy of British institutions, which had weathered the American Revolution, was to be severely tried by the French. Again the result was to confirm the belief of the British, of both the Old World and the New, that in the Constitution lay the sovereign antidote against both abuses of authority and excesses of popular sentiment. To the conservatism of the anti-revolutionary Loyalist was added that of the anti-Jacobin.

Shaped as they were, then, in a revolutionary age, the early political institutions of British North America were certainly anti-revolutionary. Yet they are not properly to be termed reactionary. They were liberal

<sup>1</sup>Adam Shortt and A. S. Doughty (eds.), *Documents Relating to the Constitutional History of Canada*, Part II, 1759-1791 (Ottawa, 1918), 1019, Chief Justice Smith to Dorchester, Feb. 5, 1790.

<sup>2</sup>*Ibid.*, 983.

in that they rested on a wide base of civil liberties, granted a generous measure of popular representation, and centred on the Crown, regarded as the ultimate safeguard of popular rights. Though conservative in form and temper, and liberal at bottom, yet they were in no sense democratic. The American Revolution had spread widely the conviction that democracy meant republicanism; the French Revolution the conviction that revolution meant anarchy and dictatorship.<sup>3</sup> British North America by the terms of its existence was a repudiation of both republicanism and revolution. Yet neither in this bias nor in the institutions themselves was there anything, as the economic and social order expanded, seriously to obstruct the rise of a reforming spirit and the development of a fuller measure of political liberty.

For such a development there was ample motive. The colonists had set out to work British institutions in an American environment. They sought to combine parliamentary monarchy with colonial democracy. They had to resolve the paradox of remaining British while becoming American, of extending self-government while continuing subjects of the Crown. To this was added the complication of carrying from the cosmopolitan eighteenth into the nationalistic nineteenth century the unassimilated French population of Lower Canada. This three-fold paradox of British sentiment and American practice, of democratic self-government under the Crown, of the preservation of racial identity in democratic nationalism, is a principal theme of Canadian political development. On this problem the study of the extension of the franchise in Canada throws some glimmer of light, providing, it must be confessed, what may perhaps be termed negative illumination.

For the student of the franchise in Canada is at the outset confronted with three remarkable and somewhat disconcerting facts. First, as already indicated, the franchise from the beginning was wide in British North America.<sup>4</sup> The distribution of property was such that a property franchise had either to be wide or extremely narrow.<sup>5</sup> The second is that it was not extended—in the Canadas—until 1853, whereas manhood suffrage was universal in the United States from 1845. Thirdly, at no time was the extension of the franchise as such a major political issue in any part of Canada. Democracy, as measured by the franchise, came to Canada almost by stealth, certainly not as an army with banners.

<sup>3</sup>Note Elgin's comment on the United States half a century later. "A population combining the material force of high civilization with the loose political morality & organization of barbarous hordes" (A. G. Doughty, ed., *The Elgin-Grey Papers*, Ottawa, 1937, I, 268, Elgin to Grey, Dec. 6, 1848).

<sup>4</sup>*Nova Scotia*, 1758, Possession in own right of freehold estate (W. P. M. Kennedy, *Statutes, Treaties, and Documents of the Constitutional History of Canada*, Toronto, 1930, 9; 1789-1851 (roughly 40s. freehold (29 Geo. III, c. 1 (Nova Scotia))). *New Brunswick*, 1784-1791, Manhood suffrage; thereafter low property qualification until 1889 (A. B. Keith, *Responsible Government in the Dominions*, Oxford, 1928, I, 395). *Canada*, 1791, by the Constitutional Act, 40s. freehold in the counties, real estate of £5 yearly value or payment of annual rent of £10.

<sup>5</sup>Kennedy, *Statutes, Treaties, and Documents*, 233. Craig to Liverpool, May 1, 1810, "... the present franchise is of little use . . . scarcely excluded one farmer in a thousand." Farms were so nearly equal in value that any raising of the qualification would have excluded too many; accordingly Craig proposed a property qualification for members of the Assembly of £100 clear annual revenue from land or £2000 in personal property.

Here is another example of the paradoxical quality of Canadian political development, that in an age of increasing democracy and national consciousness, Canadians enjoyed liberal institutions without professing democratic doctrines, brought down the walls of Downing Street without blowing the democratic trumpet, and achieved political nationalism but not in the name of democracy. How is this to be explained?

In the first place it is clear that not only the original anti-democratic sentiment so powerful in British North America before 1820, but also the breadth of the franchise itself accounts for this lack of concern with the extension of the franchise. Whatever else was defective in the British North American polity, it was not that representation was not sufficiently popular. Indeed, this polity was basically adequate to the needs of colonial society. It was a matter not so much of a shift of sovereignty or a re-modelling of institutions but a re-defining of working conventions that was required in the one great political advance of Canadian history, the winning of responsible government.

Signs were not wanting, of course, such as the demand for an elective Legislative Council, that Canadians might be driven to seek the American path of democratic republicanism. That way, however, was not desired by more than a small minority, French or English, and it was pre-emptorily closed by the suppression of the rebellions of 1837.<sup>6</sup>

The democratic quality of that upheaval of agrarian and racial discontent were not unnoted by the authors of the mildly reactionary Act of Union. Not only was it, as Gosford and Ellenborough protested in the Lords, a gerrymander perpetrated on the French;<sup>7</sup> by it, was introduced a property qualification for members of the Assembly of the not inconsiderable figure of £500 of real property.<sup>8</sup> This had already been attempted in the abortive Canada Trade Bill of 1822<sup>9</sup> and may have owed something to the example of the English Qualification Act of 1838 and the efforts of John Beverley Robinson in England in 1839-40.<sup>10</sup> Its intent was, of course, to increase the weight of property in the legislature without increasing the property qualifications of voters, which were left as established by the Constitutional Act. This purpose it seems never to have achieved.

It is not, at any rate, apparent that it affected the composition of the post-Union Legislature any more than the proscription and exile of the advanced Reformers had already done. On the other hand, the political effect of the Act of Union was to add to the purged Reformers the solid bloc of the antagonized French, and so create the combination by which responsible government was carried.

Responsible government, then, was won on the basis of the existing franchise in British North America. Its achievement did not alter the frame of government, necessitated no increase in the popular element in the constitution, and evoked no democratic fervour. It was the work of moderates, and the general effect of responsible government was to put government in the hands of responsible men. Grey saw the issue in these

<sup>6</sup>Aileen Dunham, *Political Unrest in Upper Canada, 1815-1836* (Toronto, 1927), 148.

<sup>7</sup>*Hansard*, vol. 55, 247-9.

<sup>8</sup>3 & 4 Vict., c. 35, s. 28.

<sup>9</sup>Kennedy, *Statutes, Treaties, and Documents*, 245.

<sup>10</sup>C. W. Robinson, *Life of Sir John Beverley Robinson* (Toronto, 1904), 251. See also note 5.

terms. "This is indeed a most important crisis in the history of Canada & the experiment you are Now trying will probably not only determine whether its connection with this Country is to last, but also whether it is to have the advantage of a mixed & well regulated Gov<sup>nt</sup>. or is to be given up to Extreme democracy."<sup>11</sup>

Nevertheless the moderates were to be constrained to enact much of what men of more advanced views proposed. For 1849, a year of turmoil and confusion in Canada, was actually a year of decision. Two things besides responsible government opened up a new era, an era of democratic advance and political reform. The old Toryism of Canada died, discredited by rowdy petulance; in the Reform party the democratic urge, an urge sobered by the events of 1837 but still strong, was loosed anew. Canadian Toryism before 1849 had made its contribution to Canadian political life by nourishing even in the American wilds the true Tory concept of an integral society, but by arrogating to itself a monopoly of loyalty had threatened the working of parliamentary government. That evil being diminished, it was possible to advocate reform without provoking any credible charge of disloyalty. This the Clear Grits of Canada West and *les rouges* of Canada East were proceeding to do.

In these radical reformers the authentic voice of democracy is first distinctly heard in British North America. Theirs was the impulse that made Canada as much a social democracy as it was to be for some decades by forcing the abolition of primogeniture, of the Clergy Reserves, and seigniorial tenure. They were political democrats no less; a Grit platform of 1850 demanded that the franchise be extended "very greatly," that the three branches of the legislature be elective, and proclaimed that "the acknowledged and legitimate source of political power is the people themselves."<sup>12</sup> *L'Avenir*, organ of the *Parti rouge*, proclaimed, "Liberal in our time means nothing but democrat."<sup>13</sup> To this origin is to be attributed the moderate extensions of the franchise in 1853<sup>14</sup> and 1859,<sup>15</sup> the making of the Legislative Council elective in 1856,<sup>16</sup> and, it may be, the resumption in 1849 of the very democratic practice of indemnifying members of parliament.<sup>17</sup>

*Les rouges*, however, grew middle-aged and ripe for Laurierism; the Grits became increasingly the party of a single measure, that of representation by population. This was a typically Grit cause, both in that it sought mathematical representation and in that it looked to local autonomy. It was largely to achieve representation by population that Grits supported the coalition of 1864 and Confederation. By then Gritism had become fairly definitely established as a movement of democratic advance and local autonomy. For Gritism was atomistic. The product no doubt of Benthamism and Jacksonism, it was certainly the product of an agrarian society, and had as its political ideal a minimum of government administered in small units close to the people.

<sup>11</sup>Doughty (ed.), *Elgin-Grey Papers*, I, 125, Grey to Elgin, March 22, 1848.

<sup>12</sup>*Ibid.*, II, 619.

<sup>13</sup>*Ibid.*, 343.

<sup>14</sup>16 Vict., c. 153 (Canada).

<sup>15</sup>22 Vict., c. 82 (Canada).

<sup>16</sup>17 & 18 Vict., c. 118.

<sup>17</sup>12 Vict., c. 33 (Canada). Members of the Upper Canadian Assembly had been indemnified since 1793 (33 Geo. III, c. 3 (Canada)); of the Lower Canadian Assembly since 1836 (6 Wm. IV, c. 2 (Canada)).

Quite otherwise was the development of the party of the new conservatism that had arisen to replace the old Toryism. The inheritor of all the moderates, the Canada East *bleus*, the Baldwinite and Hincksite Reformers, it grafted them into the Tory tradition of integration and became the party, as it felt its way through the confusion of Union politics, of expansion and centralization. As the party of political repose and economic expansion, it could at once guarantee the religious and imperial sentiments of its followers and serve the ends of the commercial and railway interests of which it was political agent. And it was fortunate in possessing in Macdonald and Cartier two masters of political combination.

With the Reformers committed to local democracy, and the Conservatives to continental expansion, it is not surprising that Confederation was, by and large, a Conservative party measure, and also a measure conservative in tone and substance. A striking venture in federalism, it neither, except in establishing representation by population, widened the basis of self-government nor altered the depositary of sovereignty.

On the contrary, Confederation was, in the debates on the Quebec Resolutions in the Canadian legislature, advocated by Cartier as a means of resisting not only American aggression but also American democracy. "In our Federation the monarchical principle would form the leading feature, while on the other side of the line, judging by past history and present conditions of the country, the ruling power was the will of the mob, the rule of the populace. Every person who had conversed with the most intelligent American statesmen and writers must have learned that they all admitted that the governmental powers had become too extended, owing to the introduction of universal suffrage, and mob rule had consequently supplanted legitimate authority."<sup>18</sup> McGee urged: "The proposed Confederation will enable us to bear up shoulder to shoulder; to resist the spread of this universal democracy . . . . We need in these provinces, we can bear, a large infusion of authority."<sup>19</sup> Macdonald<sup>20</sup> and Brown<sup>21</sup> echoed the repudiation of universal suffrage and popular sovereignty.

The very mode of implementing Confederation was a public demonstration that in British North America sovereignty resided not in the people but in parliament. Those in the Canadian legislature who argued that the measure should be submitted to the people found little support, and were duly voted down. One notes Goldwin Smith's remark in 1884 that, "The constitution of the Dominion itself lacks moral validity and the highest claim to allegiance, because it was settled by the politicians with the Imperial Government and was never submitted to the people,"<sup>22</sup> but the question, of course, was purely one of political expediency and not at all one of legal competence.

Confederation itself, then, gave no impetus to democracy in Canada, but rather the reverse. It did evoke expression of a brief and transient

<sup>18</sup>*Confederation Debates*, 59.

<sup>19</sup>*Ibid.*, 143-6.

<sup>20</sup>*Ibid.*, 39. "Not a single member of the [Quebec] Conference . . . was in favour of universal suffrage."

<sup>21</sup>*Ibid.*, 90. ". . . its greatest defect, *except universal suffrage*, is that under that [the American] Constitution the representatives of the people must reside in the constituencies for which they sit."

<sup>22</sup>*The Week*, I, 47, Oct. 23, 1884.

nationalism, an aspiration rather than a sentiment, an aspiration that was conventional rather than passionate. "Then was the accepted time [Confederation]," wrote Bystander in 1884, "if ever Canada was to be made a nation and to enter on an experiment in democracy independent of that carried on in the United States."<sup>23</sup> The great opportunity seemed to pass. Not yet was an issue drawn that could provoke a debate in Canadian politics on the nature of democracy in Canada.

Such an issue was to arise in 1885. From 1867 to 1896 the Conservative party dominated federal politics. It sketched out the transcontinental state and confirmed it with the transcontinental railway. It became even more the party of Confederation, of expansion and centralization. The federal Liberal party had only one period of power at Ottawa, but the provincial Liberal parties took over province after province. Thus the party was confirmed as the party of local democracy, of provincial rights. In this increasing division of the parties on the nature of Confederation the federal franchise became involved.

No franchise was provided for the Dominion by the B.N.A. Act, 1867, but the provincial franchises were to be used until the federal parliament should act.<sup>24</sup> Macdonald saw in a federal franchise the completion of the work of Confederation, as well as a means of preserving the ascendancy of conservative principles<sup>25</sup> and, no doubt, of the Conservative party. The Liberals, on the other hand, had been lowering the qualification for the franchise, introducing the ballot, and abolishing the property qualification for representatives in the provinces. As defenders of provincial rights, and on grounds both of principle and partisan interest, they now constituted themselves defenders of the use of the provincial voters' lists in federal elections. Thus the question was at root one of the nature of the Canadian union, whether it was a legislative union modified by concessions to local prejudice and distance, or a league of autonomous communities.

After three times introducing and withdrawing a franchise bill between 1870 and 1884, Macdonald in 1885 brought down the Dominion Franchise bill. The Quebec members were restive under this centralizing measure, and two actually bolted. But Macdonald kept the party in hand and drove the measure through in face of the Liberal filibuster. It established low but complex property qualifications, which were to be uniform throughout the Dominion.<sup>26</sup>

The bill was received by the press with the usual adulation or vituperation according to political ties. The *Manitoba Daily Free Press* gave the Liberal view trenchantly. "Sir John first gerrymandered Ontario, and now, finding even that iniquitous measure to have been insufficient to protect his government from the popular indignation kindled by their misdeeds, he proposes to commit a new and still viler outrage upon the liberties of the people of Canada."<sup>27</sup> *Grip* also saw a partisan hand in the powers

<sup>23</sup>*Ibid.*, I, 26, May 29, 1884.

<sup>24</sup>30 & 31 Vict., c. 3, s. 41.

<sup>25</sup>Sir Joseph Pope, *The Memoirs of the Right Honourable Sir John Alexander Macdonald* (Toronto, 1930), 615-16. "The great question to be asked in deciding whether or not a man shall exercise the franchise, was whether or not he has a sufficient interest at stake in the country to be entrusted with a share in its government" (*Canada, House of Commons Debates*, Macdonald, on introducing the first Dominion Franchise bill, 1870).

<sup>26</sup>48 & 49 Vict., c. 40 (Canada).

<sup>27</sup>*Manitoba Daily Free Press*, April 29, 1885.

granted the barristers authorized to revise the voters' lists. "Why not," he asks Sir John, "have the barristers do the voting directly instead of indirectly?"<sup>28</sup> On the whole there is little evidence that the bill either met a popular demand or was meant to be painfully impartial in its working.

The Liberal opposition argued that a federal franchise, besides being uncalled for, difficult to establish or work, and introduced for partisan advantage, was in addition a violation of the nature of the federation. In effect, so ran the contention of Blake, Laurier, and Mills, only in the provincial legislatures are individuals represented as such. In the federal parliament it is the provinces which are represented by provincial delegations. Said Blake: "Ours is a federal system, its basis is the federal principle, and this basis of our system, although not a perfect federation, yet as a federal constitution, is representation in the popular chamber, according to the population of each Province. There is the base. Your fundamental principle is that in the Commons House of Parliament each Province shall be represented by so many members as the population of that Province is in proportion to those of the other Provinces. It is provincial representation therefore."<sup>29</sup> Laurier touched fundamentals with these words: "This is the mistake in this Bill, it treats this country as a single community, and in the plan we find the well known predilection of the rt. hon. gentleman in favour of a legislative union. He does not admit that it is right to have seven different communities. His opinion is that it would be right to have one community, and acting on that view he has devised the franchise which is best adapted to suit the conveniences of a simple community. Well, I start on this principle . . . that we have in this country seven different communities . . . our constitution is based upon diversity . . . diversity is the basis of our constitution."<sup>30</sup>

This second debate on Confederation reflects the tenor of the times. The first twenty years after 1867 witnessed in the provinces a steady if undramatic extension of the democratic principle. By 1889 all the provinces and territories west of Quebec had manhood suffrage. In Nova Scotia and New Brunswick the property qualification was to be lowered,<sup>31</sup> and in Quebec the property qualification of representatives had been abolished in 1896.<sup>32</sup> The British example, the Grit tradition, the bidding of the provincial Liberal parties for support against the federal Conservative party, the rising numbers and political consciousness of the working class, underlined by the activities of the Knights of Labour,<sup>33</sup> account for this advance. Yet what was at stake between the parties, as in the debate on

<sup>28</sup>*Grip*, XXIV, 18, May 2, 1885.

<sup>29</sup>*Canada, House of Commons Debates*, 1885, 1182.

<sup>30</sup>*Ibid.*, 1168-9.

<sup>31</sup>(a) *Manhood suffrage*: B.C., 1876, 39 Vict., c. 66; North West Territories, 1886, 49 Vict., c. 24 (Federal); Ontario, 1888, 51 Vict., c. 4; Manitoba, 1888, 51 Vict., c. 2.

(b) *Qualification lowered*: Nova Scotia, 1884, 46 Vict., c. 4; New Brunswick, 1889, 52 Vict., c. 3.

(c) In Quebec the franchise was extended by the qualifications being diversified rather than by being lowered until manhood suffrage was introduced in 1936 (1 Edw. VIII, (2), c. 8). In Prince Edward Island a property franchise for election of Assembly men lasted till 1922 (12 Geo. V, c. 5 (P.E.I.)), and for the election of the Councilmen of the Assembly a property qualification is still maintained.

<sup>32</sup>59 Vict., c. 9, s. 120 (Quebec). It had been abolished in Ontario in 1873.

<sup>33</sup>*The Week*, *passim*.

the Franchise bill, was not so much any principle<sup>34</sup> as control of the voters' lists and the nature of Confederation. Only on these points did controversy become lively.

What is important is that it was in the provinces that democratic evolution, however lukewarm, was proceeding. For democracy, as a popular sentiment, was local in its origins and attachments in Canada. The theme of our political history is the quest for local self-government. The conflict the colonies had waged with Downing Street the provinces were now to wage with Ottawa, with not dissimilar results.<sup>35</sup> Confederation was a *tour de force*, performed without popular backing, carried on no surge of democratic sentiment, and against the grain of much in our history. The Liberal victory of 1896 symbolized the triumph of localism in Canada, and brought the country back to its true line of development, the line of local liberty subordinate only to the Crown and necessity. For, in truth, only in the provinces was the electorate homogeneous enough to allow the majority principle to work without reserve.

After 1888 there was a long lull in the extension of the franchise in Canada. The Liberals, without marked opposition, reverted to the provincial franchises in 1898. But by 1914 two things had happened. Democracy had become respectable, giving way to socialism as the epithet of political abhorrence, and the Progressive movement in the United States had infiltrated unacknowledged into Canada. Growing friendliness with the United States and increasing national confidence undoubtedly contributed much to these developments. The new West in particular proved receptive to the democratic influence from south of the border.

How much so, and how sharp a break was made with the tradition of popular government in Canada is shown by T. C. Norris's statement on direct legislation in a Liberal election manifesto in Manitoba in 1914. "We are living in a democratic age, and we have democratic institutions. Our government is founded on the principle that laws are made for the people, and that the people rule."<sup>36</sup>

But when the Initiative and Referendum Act, duly passed by the Norris government in 1915, came before the Appeal Court of Manitoba, Mr. Justice Richards, in crisp judicial accents, made clear how far Canada was from being abandoned to democracy. "In Canada," commented his Lordship, "there is no sovereignty of the people."<sup>37</sup> For in Canada the franchise is a means of determining the representation of the people, but not an expression of the will of the people.

So far the law. The custom of popular government, however, was to take yet further steps before the impetus of the War of 1914. Under Wilson progressive democracy took up arms, and those who would carry democracy abroad must see that it is without reproach at home. Already in 1916 Manitoba and Saskatchewan had given the vote to women. The remaining provinces followed from time to time, and the Dominion as soon as 1918. The confusion caused by the Military Voters Act and the

<sup>34</sup>Compare, for example, Macdonald's insistence that the franchise was a trust, as in note 25, with Blake's utterance in the Aurora Speech: "It is a trust, a sacred trust, which the voter holds in the exercise of the franchise."

<sup>35</sup>C. R. W. Biggar, *Sir Oliver Mowat* (Toronto, 1905), I, 146.

<sup>36</sup>*Canadian Annual Review*, 1914, 591.

<sup>37</sup>*Ibid.*, 1916, 659. See also E. R. Cameron, *The Canadian Constitution* (Toronto, 1930), II, 142.

War-time Elections Act of 1917, and the disappearance of the property qualification west of Quebec made necessary and possible the Dominion Election Act of 1918. By that Act and without notable debate universal suffrage was established for federal elections. Subsequently the conservative eastern provinces abolished the property qualification,<sup>38</sup> and in 1940 the extension of the provincial franchise to women in Quebec<sup>39</sup> completed the extension of the franchise in Canada.

Thus at what may well have been high-water mark of democratic sentiment, Canadian democracy achieved full growth, slowly, conservatively, without comment.

Yet comment is called for. Democratic nationalism in Canada has resolved the Canadian paradox. Forced to combine the desire to remain British with the necessity of becoming American, the British North American has emerged Canadian. Canadian political development, lacking any revolutionary bias, has reconciled loyalty with self-government in the fullest autonomy and widest democracy under a common Crown. Popular government in Canada has resulted not in political disruption but in at least a *modus vivendi* of the two founding stocks of the Dominion.

This not inconsiderable achievement is none the less not the whole story. Canada is a residual state, the outcome in part of the Anglo-American balance of power, and has sought always to participate in the maritime empire of Great Britain and the continental empire of the United States, and never to have to choose between them. Canada is a state with a polarized constitution, which combines extremes of local liberty in quiet times with convulsive centralization in emergency. As such the Canadian state leads a precarious existence, in which to survive is to triumph. A man living on a tight rope does not change his clothes merely to be fashionable.

What light does a study of the extension of the franchise throw on the history of so dubious an organism? Perhaps this much. Democracy in Canada, parliamentary monarchy worked by popular impulse, is a quiet elaboration in the light of British and American example, of the basic liberalism of the British constitution. The nationalism in which Canadian democracy has its being is not assimilative and integral nationalism—the nation and the state can never be identified in Canada—but a nationalism differentiating and minimal. Only in the provinces, and in some only to a degree, does there exist that agreement on fundamentals essential to the free working of parliamentary institutions. Hence provincial democracy has been complete and decisive; the majority principle has full play. In federal government, where no such community of interest and outlook exists, the majority principle must in some matters be prohibited, in others used with reserve and infinite tact. The *Week* at the time of the execution of Riel quoted Sir Henry Maine: "Democracies are quite paralyzed by the plea of nationality. There is no more effective way of attacking them than by admitting the right of the majority to govern but denying that the majority so entitled is the particular majority which claims the right."<sup>40</sup>

<sup>38</sup>Nova Scotia, 1918. R. S. Nova Scotia, 1923, c. 3. Quebec, 1936, I Edw. VIII, (2), c. 8.

<sup>39</sup>*Statutes of Quebec*, 4 Geo. VI, c. 7.

<sup>40</sup>The *Week*, III, 25, May 20, 1886.

Yet democracy is the common possession of the Canadian peoples. And it functions precisely because it is not majoritarian democracy, but democracy founded on civil and religious liberty, on toleration, and moved by popular will restrained by a tradition of authority beyond transient majorities, a tradition borne by the Crown. It is this temperate and temporizing democracy, proceeding not by will alone but, under well-understood limitations, by compromise and compact that makes democratic nationalism, however sluggish at times, a working fact in Canada. Not otherwise may a country of two languages yet speak with one voice; of diverse peoples, maintain one nationality; of many faiths, enjoy one freedom of worship. Of this tortuous and always doubtful mode of political and national existence the conservative and conventional extension of the franchise is, in its very tedium and obscurity, a fair example.

#### DISCUSSION

*Professor Sage* said in commenting on Professor Morton's paper that an aspect of the development of democratic institutions in Canada had yet to be studied in the influence of certain ethnic groups in Canada, such as the Icelandic and Ukrainian.

*Professor Lower* pointed out certain contrasts between the democratic urge in Great Britain and in Canada, and particularly in the influence of the United States on the development of Canadian political thought.