

ÉTUDE CRITIQUE / REVIEW ESSAY

Politics, Indoors and Out

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Jeffrey L. McNairn — *The Capacity to Judge: Public Opinion and Deliberative Democracy in Upper Canada, 1791–1854*. Toronto: University of Toronto Press, 2000. Pp. xi, 460.

Carol Wilton — *Popular Politics and Political Culture in Upper Canada, 1800–1850*. Montreal and Kingston: McGill-Queen's University Press, 2000. Pp. x, 311.

DURING ITS 60 years of existence, the colony of Upper Canada was an odd political entity. Ruled by a constitution considered by most to be “the best in the world”, the province nevertheless experienced widespread political unrest, meddling governors, Gourlayite witch-hunts, and ultimately an armed rebellion. Both authors reviewed here take as their starting point the troubled relationship between the English constitution as applied to the colony and the mass of inhabitants who, as Upper Canada grew and matured, demanded in progressively louder voices a greater say in the terms of engagement between citizen and state. Jeffrey McNairn and Carol Wilton both bring into sharp relief the formation of a politically aware public and, further, attempt to assess the impact of this creation and its continuing legacy on Canadian political culture.

A truly fruitful dialogue between the government and the governed depended upon many factors, but none, as McNairn makes clear throughout his study, was so clearly prerequisite as the development of public opinion. By this term, McNairn has in mind not the opinion polls by which the modern Canadian state is governed, but rather a less quantifiable state of social consciousness with its roots in the Kantian enlightenment. This public opinion was “the outcome of prolonged public deliberation among diverse individuals listening to and participating in the free, open and reasoned exchange of information and argument”. Public opinion was not arrived at

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spontaneously, but was the result of sustained debate among those possessing “the requisite inclination, skills, and information to partake” in deliberation aimed at approaching the closest thing possible to a consensus (p. 7).

What is unfortunate, in the case of Upper Canada, is that for much of its early history such debate was scarcely possible. McNairn credits the flowering of informed political debate to the seeds sown in the public press and nurtured in the colony’s voluntary associations. Beginning in the late 1820s and coinciding with the beginning of widespread parliamentary reporting, the provincial press experienced a remarkable upsurge in popularity and authority. Largely immune by that time from direct government interference, newspapers not only furnished their readers with basic information on a startling array of subjects, but also attempted to “reduce apathy by calling to attention topics of common concern, [helping to] define those issues, furnish the necessary information, and encourage readers to act” (p. 118). They “held up models worthy of emulation”, and through their wide distribution were instrumental not merely in reflecting, but in actively creating public opinion. The range and influence of the Upper Canadian press ensured that it was at the centre of a new public sphere that had developed by the mid-1830s. Although receptive to the press, Upper Canadians were not content to be mere consumers of public opinion, but also sought a voice in its form and content. In this task, the large number of voluntary associations that flourished from the 1820s onward accommodated them admirably. Through organizations such as Masonic lodges, literary societies, debating clubs, and mechanics’ institutes, politics were brought to the people, and anyone with the capacity and willingness to participate could debate and defend a position, attempt to convince others, or be in turn swayed by superior argument. Voluntary societies formed the basis for a Republic of Letters, a “commonwealth of authors”, in which self-education was a good in and of itself, as well as a means to an end.

So successful was the development of a politically educated public that by the 1830s few questions could be debated without reference to the public opinion on the matter. However, while McNairn does an excellent job of telling the reader how public opinion was formed — and his chapter on the press is based on truly exhaustive research — he is less satisfying when it comes to discussing who was involved in such discussions. This is particularly evident in the case of voluntary societies, which McNairn presents as highly democratic nurseries of political awareness, in which differences of background and status were “held in temporary abeyance” and “equal, rational and benevolent” men “transcended social differences” in the spirit of open debate (p. 82). While McNairn recognizes that “the dependant position of women, the young, the poor, and the morally weak excluded them from enlightenment”, his romanticized view of voluntary societies prevents him from exploring the implications of these limitations, or to recognize — as Cecilia Morgan has urged us to do — that the language of politics in Upper Canada was so malleable that almost anyone could be depicted as weak,

effeminate, or dependent at some point or other. Nor does McNairn much contemplate the possibility that these very organizations were established with the intent of ensuring that certain groups — usually the labouring classes — had the opportunity to arrive at “correct” answers to political and social questions.

McNairn’s choice of examples also further emphasizes the limited nature of political debate in the colony, concentrating on formal and highly prescribed literary and debating societies at the expense of denominational groups, the colony’s nascent trade union organizations, and other equally vital, if not so bourgeois, players in the public sphere. Perhaps most surprising is McNairn’s inexplicable silence on the Orange Order — the province’s largest voluntary society by several orders of magnitude and one that had a profound influence on concepts of citizenship and political participation in the Upper Canadian political scene. If important voices are missing from McNairn’s account, one must also wonder about the voices that were heard. Masonic lodges and literary associations may have engaged in spirited debate, but, given that their agendas explicitly avoided political questions and “prohibited partisan discussions” (p. 82), one wonders if their influence on the development of political discourse is not overstated.

Whether hatched from editorials, incubated in voluntary societies, or springing from the lived experience of farmer-citizens, effective public opinion was fully formed by the end of the 1830s. In such a milieu, political questions came to the fore, as unease over Upper Canada’s constitutional arrangement found a new and increasingly vocal language. It was a language of reason, says McNairn, displacing and delegitimizing older forms of political expression such as riots and electoral violence (p. 194). It was also a language that, being almost exclusively linked to print culture, further marginalized the province’s uneducated and illiterate (p. 171). In the decade following the Rebellion of 1837, the colony was in a state of political ferment, in which calls for political change and demands for more representative government institutions were all made with reference to public opinion. No longer able to dismiss critics as unqualified, the state itself sought to control and manipulate public opinion, thus legitimizing it by the 1840s as “a source of authority and legitimacy outside of and eventually above political institutions” (p. 176). This dialogue reached a head with the demands for responsible government, an executive responsible to the elected assembly: the only way, claimed reformers, “to ensure the primacy of public opinion” (p. 213). The struggle for responsible government and the dominance of public opinion — depicted by McNairn in almost heroic terms — was won in 1843 and 1844 with the Metcalfe Crisis recognized as the decisive turning point. It was the triumph of enlightenment over old corruption, a decisive victory of reason and intellect.

For McNairn, the achievement of responsible government — and he gives one of the most succinct definitions I have yet encountered on page 275 — ushered in a golden age of Canadian politics. The “mixed constitution”

which had for so long pitted an ineffectual popular assembly against appointed functionaries was replaced by a system favouring the legislature and driven by public opinion. So truly representative was this new scheme of things, in McNairn's opinion, that he rejects the potential for middle-class hegemony, arguing that the new system allowed the participation of "actual and potential heads of households" acting "as political equals" (pp. 263, 267). This seems vaguely doubtful, given the sheer number of different communities which could be, and were, considered dependent or otherwise disqualified from taking part in the public sphere. As the work of Bruce Curtis has shown, the project of middle-class legitimization was omnipresent, and it perhaps deserved more attention here. Nor are the effects upon women of this new political arrangement explored in any depth. McNairn observes that the fall from grace of paternalistic government also served to weaken and disrupt traditional understandings of family and household governance. Yet this observation is hidden away in a footnote (p. 232, n. 172) and McNairn does not follow up the remark's obvious implications. In spite of his rose-coloured view, even McNairn admits that this "golden age" was very short-lived, and from part 2 the book takes a distinctly pessimistic turn.

In chapter 6, the reader is provided with an analysis — a rehabilitation, really — of the Tory Party in the 1840s and 1850s. Though the Tories have long been seen as moribund and unable to accept the new political reality, McNairn shows that, although reluctant to accept responsible government and highly critical of it, the Tories were perceptive enough to see the writing on the wall. A decade of ferment within the party, flirtation with American federalist thought, and simple *Realpolitik* saw the emergence of a reinvigorated party no longer blindly subservient to all things British and committed to Canadian solutions to Canadian problems. If McNairn's view of the Tories is optimistic, his assessment of responsible government is decidedly less so, and much of part 2 is devoted to harsh criticisms of the Canadian political system and the legacy of 1843–1844.

The promise of state policy driven purely by informed public opinion was soon eclipsed by the reality of cabinet ascendancy. Through the increasingly sophisticated use of patronage, a cabal of ministers was able to dominate parliament, turning ordinary MPs, the legislative council, and the governor — not to mention the electorate — into mere "ornaments", with control of the state left in the hands of a "ministerial tyranny". Public opinion, so long in the making, was ultimately shut out. McNairn sees the domination of cabinet as largely responsible for the failure of responsive government in Canada, and, regrettably, his criticisms in this regard are as prescient today as they were in 1850. "The price of [this] failure", writes McNairn, "is still being paid" (p. 298), and for proof of the continuing relevance of this assertion, one need look no further than Pierre Trudeau's infamous comment that backbenchers are nobodies. Curiously, however, McNairn pays significantly less attention to the formation of modern style political parties — possible only with responsible government and its accompanying control of patron-

age — and the role of rigid party discipline in the decline of political institutions responsive to the wishes of the electorate. Representatives who voted against the wishes of their constituents became the rule rather than the exception and, then as now, sacrificed public accountability for party loyalty.

As the structures of open and responsive government ossified, public opinion too underwent significant changes in the last half of the nineteenth century. The contributions of “equal and rational citizens” of which McNairn writes in part 1 soon gave way to elitist views in which “the science of politics seemed to be beyond the grasp of most” (p. 413), and a more rigid distinction emerged between “the people” and “the public”. This shift — although McNairn seems at times hesitant to say so explicitly — seems to have been largely the result of an emerging middle class, eager to assert its identity and wary of the effects on its own interests of more widespread and inclusive public interest. Much of this elitism stemmed from the Tories, even as Reformers themselves hesitantly admitted that, while undistilled public opinion might be the ultimate political authority, it was not always the best way to run a government. By the turn of the nineteenth century, McNairn argues (although I would argue that it happened much earlier), representative institutions had been hijacked by special interests — mostly business — and had abandoned all but the pretense of governing for the public interest (pp. 433–434).

Can the people truly be entrusted with the running of their own government, however? Whereas McNairn begins this book with a tribute to public opinion and a glowing endorsement of rational debate, he closes on a much more hesitant refrain. Without entirely abandoning his faith in “pure” public opinion, he recognizes that political groups — and perhaps he has the Orange Order in mind — might seek, in the manner of a cult, to control their members in the guise of independent thought (p. 429). Also troubling is the reality that, even in the face of a well-developed public opinion, governments are rarely convinced that everyone has something useful to contribute. It is this manipulation that particularly concerns McNairn, for, while the early-nineteenth-century citizen may have been entirely capable of forming a rational opinion from available information, the shift from “citizen” to “consumer” has severely limited the ability of individuals to make independent political decisions. McNairn holds little faith in the ability of the masses to think for themselves — indeed, he borders on the arrogant in this regard. Contra his earlier enthusiasm for American-style direct democracy as a bulwark against unresponsive government (pp. 299–303, 417), he lukewarmly endorses the idea of institutions designed to guard the “public good” from the excesses of popular enthusiasm and mob mentality (p. 320). Public opinion can, after all, be a dangerous thing, suffocating individualism and silencing dissent in favour of received wisdom (p. 429). Indeed, McNairn opines, echoing Habermas, public opinion cannot and probably should not function in an advanced industrialized welfare state (p. 433). Opposing class interests are irreconcilable, and in a nation of consumer-citizens, self-interest is likely

to trump the public good every time. The result for the twenty-first century is a state governing in the interests of the elites, manufacturing consent among the electorate or dismissing them outright as uninformed and unreliable. Much has changed from the early nineteenth century, but much remains the same.

McNairn has given us an important book, illuminating the development of a public sphere in early Canada and shedding light on the harnessing of public opinion as a force for political change. Equally important are the critical insights he provides into the utter failure of the government to respond in any truly meaningful way to the public whose opinion it claimed to represent. McNairn's conception of politics, though, is a disappointingly narrow one, and his public sphere a bleak and sterile place. To be sure, his early chapters are populated by library associations, farmer editorialists, and "damned cold water drinking societies", and he sometimes even manages to capture the fervour and ferment that surely characterized such a milieu. But the inhabitants of McNairn's public sphere seem to suffer from tunnel vision, their eyes fixed forward on the goal of legislative power: a goal that McNairn himself obviously sees as ultimately the only legitimate expression of popular politics.

Popular politics, broadly defined, is the topic of most concern to Carol Wilton. Her *Popular Politics and Political Culture in Upper Canada, 1800–1850* is similar to McNairn's work in that it too examines popular demands for constitutional reform in the colony. Wilton's clear concern is applied public opinion, and she takes as her central example the extremely dynamic petitioning movement in Upper Canada. Beginning with the 1819 agitations inspired by Robert Gourlay, she traces the petitioning campaigns against the Alien Bill, William Lyon Mackenzie's expulsions from the House in 1831 and 1832, through the post-Rebellion movements in support of Durham's reforms. Historians have previously paid little attention to petitioning movements, long considered a "blind alley", and for this reason alone Wilton's analysis of the Upper Canadian experience is a valuable addition to the existing historiography. Her book echoes McNairn's in stressing the vital importance of the press, not only in articulating, but also in mobilizing, public opinion. She also — and more successfully than McNairn — clearly delineates the inclusive nature of informal politics in Upper Canada, repeatedly showing that the number of signatures on many petitions was significantly greater than the number of eligible voters in the province. To be disenfranchised was not to be quiescent.

Wilton sees the petitioning movements, like the voluntary societies discussed by McNairn, as "furthering of the political education" of Upper Canadians, providing strong leadership, creating personal and institutional networks, and, by 1831–1832, spurring the development of nascent political parties expressing their views in ideological terms, rather than merely presenting catalogues of grievances (pp. 54, 90). In addition to providing a structured outlet for political demands, the petitioning movement signifi-

cantly broadened the scope of who could participate in politics and stressed the idea that politics also happened between elections.

These points are well taken, but there is room for scepticism as to the extent of the “political education” delivered in the form of a petition. Did petitioning and widespread public debate really encourage a true understanding of the issues, or did it simply harden already formed opinions? Wilton argues that by 1832 there were two distinctly different views of politics in Upper Canada, one based on “rights” and the other based on a tradition of paternalism (pp. 141–142). Indeed, the paternalistic nature of Upper Canadian society demands a closer analysis of the petitions and those who signed them. Did the farmer or mechanic affix his signature because he truly believed the Alien Bill to be a constitutional abomination, or did he instead do so to oblige a local patron, to keep in step with neighbours, as a means of community and self-identification, or perhaps even being entirely ignorant of the petition’s contents? Wilton’s insistence that petitioning was the “essence of middle class activism” (p. 70) is also troubling, for, definitions aside, it ignores the thousands of farmers and artisans who, despite being unable to vote and often barely able to sign their names, endorsed a petition either on their own initiative or as part of a larger community mobilization. The fact also remains that the petition movement centred on influencing the British parliament. In stressing this, Wilton shows that Upper Canadians recognized the ineffectiveness of their own elective legislature and the sobering reality that a petition could be more powerful than an elected member (pp. 157–163). If the intent of each faction was to influence the colonial office, however, one must wonder to what extent the Upper Canadian public — if not already informed — was left to its own devices.

In spite of a civic rhetoric lauding informed and rational behaviour, Wilton shows political violence was never far beneath the surface in Upper Canada. McNairn pays little attention to this politics of the streets, dismissing it as an old-fashioned and increasingly illegitimate expression of political behaviour and even going so far as to label as “faintly odd” those historians who engage questions of violence (p. 419). With a good proportion of her study devoted to this very subject, Wilton cannot be so easily ignored; in situating violence within the larger character of Upper Canadian political strategy, she points to the difficult yet central role occupied by violence in the province. She is particularly adept at exposing the Tory roots of much of this violence and the manner in which it was deployed in battles over political participation, the appropriation of public space, and competing expressions of loyalism.

The uses of violence were often contradictory, however, and its place in the political system is never quite pinned down. Commenting on the Rebellion of 1837, Wilton writes that the uprising failed because its extreme violence represented a radical break with past practices. Upper Canadians, she concludes, rejected violence in 1837, having become comfortable — perhaps too comfortable — with the tradition of petitioning and similar forms

of “legitimate” protest (pp. 189, 225). At the same time, however, the Rebellion is also seen as justified in part due to the long tradition of Tory violence frustrating Reform efforts (p. 221). Wilton sees the Durham meetings as a bridge between old and new forms of political expression, a recognition that dissenting opinion, free of violence, might actually be a useful strategy. This is presented as a Reform initiative, as the party sought to engage in a new type of dialogue while attempting to broaden political participation by encouraging non-voters to take part. While Reform efforts receive their due, Wilton might have also recognized that the Tories themselves were just as adept at harnessing non-voter participation, as their stormy relationship with the Orange Order in these years so abundantly demonstrates.

The 1831–1832 petitioning movements and the Durham Meetings are identified by Wilton as high-water marks, but she ultimately agrees with McNairn that the Metcalfe Crisis represented the true break from the past. While McNairn stresses the achievement of cabinet government, Wilton sees the establishment of true political parties — and party-controlled patronage — as the key. The two cannot, of course, be separated, and in any case the results were the same. But where McNairn sees responsible government as a political utopia, albeit soon to crumble under its own contradictions, Wilton’s emphasis on violence raises some scepticism. Informed and respectable debate may have discredited violence, but it certainly did not stop it. The virtually unprecedented riots accompanying the 1849 Rebellion Losses Bill, five years after the Metcalfe Crisis, amply testify that a large number of voices were still not being heard. Almost as soon as it began, then, the newly “responsible” Canadian state moved toward a tightening of the political process and an exclusion of those deemed marginal to the interests of new political elites. The Tories shed the Orange Order, workers turned for expression from parties to unions, and the state reverted to serving the interests of the few.

As an isolated outpost of empire, where a 40-day Atlantic crossing was considered fortunate, Upper Canada was in many ways exceptional. McNairn in particular stresses this reality and the resulting need for Canadian solutions to unique constitutional problems, highlighting the influence of American political thought in the province. More to the point, however, both authors successfully demonstrate that, while the colony may have been remote, it was by no means isolated from contemporary intellectual currents and political developments. McNairn has convincingly portrayed Upper Canada as a vital part of a much larger “imagined community” in which ideas travelled well and respected no borders. Wilton, too, shows the importance of this transatlantic trade in ideas, especially the influence of British Reform thought and the appropriation of language, tactics, and strategy by Upper Canadian Tories and Reformers alike.

Both authors have done great service in highlighting the role of the individual, stressing that politics mean more than just elections, and showing that political participation in Upper Canada was much more widespread than is often appreciated. But in fleshing out the political reality of Upper Can-

ada, both books raise important questions for the present as well as the future. In an age of media convergence, political spin doctoring, manipulation, and apathy, is truly informed public opinion even possible? If it is, how can it be effectively expressed? Political violence, too, is on the upswing, discredited to be sure, but made so by a state that itself seems increasingly illegitimate, unresponsive, and remote from the concerns of the ordinary citizen. One need only look to recent state efforts in promoting free trade and globalization to see political frustration erupting into anger and violence; with voter turnout at historic lows and youth especially deserting organized political parties as never before, it is clear that a sickness infects the Canadian body politic. The modern state seems to have concluded that an informed electorate is perhaps more trouble than it is worth, but these books show that the situation is not hopeless. The modern citizen can look to the experience of Upper Canada and organize, both in the polling booths and in the streets. If one thing has remained constant, it is the fact that we ultimately get the government that we deserve.