THE PROGRAMME OF 1871
A MODERN INSTANCE
OF NATURAL RIGHT ARGUMENTATION

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ABSTRACT

This thesis is a commentary on a newspaper editorial published in the *Journal des Trois-Rivières* on April 20, 1871 and entitled "Programme catholique: les prochaines élections". The Programme was composed by a group of French Canadian Catholic journalists who wanted to offer their compatriots practical political advice on the upcoming Quebec general election. In effect, their advice amounted to qualified support of the governing Conservative party.

The authors' statement of support for the Conservative party was preceded, however, by an argument that was the basis for their advice. The major premise of the argument affirmed that politics is subordinate to religion; the minor premise, that in a country like Canada every religious community should have the necessary practical freedom to exercise its form of worship.

In making this argument, the authors of the text took a stand on the age old question of Church-State relations. According to the *programmistes*, the State is "negatively dependent" on the Church. That is the essential relation making for order in society. Care must be taken, therefore, to have that relation reflected in society's institutions.
Study of the Programme is enlightening at at least three different levels. Historically, the text was a controversial issue in the 1871 general election: it revealed a deep division in the Conservative party in Quebec and affected that party's subsequent development. Politically, it presented a coherent account of the structure and operation of Parliamentary Government, with special reference to the constitutional position of Quebec after Confederation. Philosophically, it was a strong argument for an "authoritarian", as opposed to a "libertarian", society; and for the traditional "natural", as opposed to the modern "naturalistic" view of the world.

The bulk of my thesis is devoted, therefore, to explicating, at one level or another, the substance of the Programme.

In my approach, I have tried to combine a classicist's respect for the text before him with a jurist's respect for the case before him. This led me, in the first place, to be careful not to impose any artificial construction on the text. Instead, I have tried to allow the text to speak for itself as much as possible, and indeed even to allow its authors to make their own comments. At the same time, I had to do justice to the text's multidimensionality, and above all to its practical and moral thrust. These considerations resulted in an approach bearing some resemblance to
the "case study" method familiar to students of law and administration. This method focuses on an event, on something that presents a clearly defined and usually very limited surface area, while often giving rise at the same time to far ranging considerations. My concern, then, with the Programme both as a text and as a case prompted me to label my approach "jurisprudential". It is an approach which I believe could usefully be taken up by other students of society.
ACKNOWLEDGEMENTS

This work is the fruit of my study of French Canadian society, a study which I began as a graduate student at Carleton University in 1966. Since then, many people have helped me along the way: it is with gratitude that I acknowledge their assistance.

In the first place, I thank George Grant, who has guided my thought all these years: first, as an author; secondly, as a teacher; and finally, as my thesis supervisor. While the responsibility for everything that is said in this work is mine alone, let those who find any merit in it know that it is due to George Grant.

Other men have also helped me. I thank Professors Carman Bickerton and Bruce McFarlane of Carleton University, both of whom gave me encouragement at a crucial moment. I want to thank in a very special way my friend, Gary Levy, of the Library of Parliament, who showed a continuous interest in my work, and who helped me at all stages of its progress with useful comments and information. Thanks go too to Ernst Gadamer of McMaster's Applied
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BIBLIOGRAPHY
(1) A general outline

St. Paul, in his letter to the Romans, articulates a distinct theory of government: "There is no authority," he says, "except from God; and those who are authorities have been appointed by God. ... Rulers are a terror not to good works, but to evil ones. ... It is not in vain that authority wears the sword, for it is a servant of God, an avenger for wrath to him that does evil." At the same time, St. Paul enjoins his correspondents to adopt, in practice, a definite attitude towards government: "Let every soul be subject to authorities above him. ... So that he who sets himself against authority resists the ordinance of God; and they that resist shall incur judgement on themselves. Do you wish not to be afraid of authority? Practice the good and you shall have praise from authority. ... But if you practise evil, fear. ... Therefore, it is necessary to be subject not only on account of wrath, but also on account of conscience." (Romans, XIII, 1 - 5)
St. Paul's theory of government and his view of the soul's practical relation to government represent, at least for Christians, an archetypal affirmation of authority. In this light, society consists of rulers whose divinely ordained duty it is to deter men from evil and of subjects whose duty it is to conform, the subjects' conformity being motivated by a combination of fear for the rulers' avenging sword and of conscience that government is necessary for the effective working of the good. In practice, this combination of fear and conscience forms the heart of authority and manifests itself in an attitude of respect. As such, it becomes a principle of individual conduct and a basis for social order.

It is in the light then of St. Paul's theory of government that I propose to look at a text composed over a hundred years ago by a group of French Canadian journalists. The text first appeared on April 20, 1871 in the *Journal des Trois-Rivières*, and bore the title, "Programme catholique: les prochaines élections".

Only a few years before the publication of the *Programme*, St. Paul's theory of government had been reaffirmed by an English Canadian contemporary of the *programmistes*, Alpheus Todd, in his comprehensive book, *On Parliamentary Government*. It began:
Society, like the family, is of divine appointment: and headship, in either case, has a divine origin. In a parliamentary government, rule and authority must receive the sanction of popular consent, though it does not necessarily emanate from the will of the people. The obligation of a king to rule righteously is as great as that of a people to obey those who have the rule over them.

Now a group of French Canadians sought to reaffirm this same theory of government in the context of post-Confederation Quebec; more than that, they tried to help it become an effective rule of conduct in practice.

(2) The terms of the discussion

The Programme has not, to my knowledge, been looked at in so general a light as that provided by St. Paul's theory of government. Usually it is looked at from a more particular point of view. Professor Neatby and Saywell, for example, see the Programme as marking the beginning of the gradual demise of the Conservative party in Canada: "The débacle of the Conservative party in 1896", they write, "might be said to have its origins in 1871 with the publication of the Programme catholique." Similarly, Professor Monet attributes the demise of the Conservative party to men like the programmistes, though he does not refer to them by name:


For years the bleus [the Conservatives of Lower Canada] and their Upper Canadian colleagues supported the same men. ... But this was external appearance only: in reality, the party from which Lafontaine resigned in 1851 was assiduously becoming less concerned with the larger perspective than with the particular Church-State problems of French Canada; it was becoming decreasingly parliamentarian, increasingly authoritarian.\textsuperscript{3}

Though appearing in the particular light of an historical study, Professor Monet's remark has the great general merit of introducing the two terms most capable of taking us to the heart of the \textit{Programme}: parliamentarianism and authoritarianism. At the same time, however, Professor Monet does not do justice in this passage to the two terms: he does not explicate their meaning, but simply implies that of the two, parliamentarianism is "the larger perspective"; and that the decline of the Conservative party in Lower Canada can be explained by a decrease of the "larger" parliamentarian perspective and an increase of the "narrower" authoritarian perspective.

While grateful to Professor Monet for his choice of terms, I submit, therefore, that his implications are ill founded with regard to the \textit{Programme}: I propose to show that the authors of

the text, the *programmistes*, had a true and appreciative understanding of parliamentary government; that while they were certainly authoritarian this did not conflict with their parliamentarianism, nor did it undermine it; but that on the contrary the authoritarian relation between ruler and subject—the basis for social order according to St. Paul—was the essential relation underlying Canada's constitutional monarchy.

Parliamentarianism and authoritarianism are two terms which one rarely encounters in writings devoted to explaining the conservatism of nineteenth century French Canadian society. Other concepts can more readily be found: the two most prevalent being that of a "folk culture" and that of an "ultramontane ideology". It seems only fair, therefore, to begin with these before saying anything more about parliamentarianism and authoritarianism.

Before sketching a brief outline of the theories implied in the concepts of a "folk culture" and an "ultramontane ideology", I want to make two points perfectly clear.

First, I am well aware that there are many variants to these theories and that my outline will be somewhat simplistic; nevertheless, as it appears that one or other of the concepts, in an explicit or implicit state, can be found in nearly all the writings on French Canadian society of the second half of the nineteenth

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*For a survey of these writings, see Pierre Savard, "Note sur l'étude de l'ultramontanisme au Canada français", *La société canadienne d'histoire de l'Église catholique*, XXXIII (Rapport, 1966), pp. 13-15.*
The concept of a "folk culture" has been

As Professor H. E. Turner of the History Department of McMaster University pointed out to me in a private communication (January, 1978), if one is to look at traditional French Canadian society from a sociological perspective, then the concept of "peasant" takes into account more of the evidence than the prevailing concept of "folk", which I am about to outline. See R. Redfield, The Primitive World and its Transformations (Ithaca, 1967), pp. 39-40, where he explains: "The peasant society exists by virtue of the traditional moral solidarity to be found in any isolated folk society; kinship relationships are still of first importance; the ends of living are implicit and strongly felt. On the other hand the peasant
advanced by sociologists. On field trips to the remote corners of Quebec, these observers came upon a people with a unique way of life. In the midst of the great industrial civilisation of North America, here was a local culture that reflected pre-modern, quasi-medieval institutions and mores. The explanation, the sociologists discovered, lay in the fact that the basic institutions of French Canadian society were implanted under the ancien régime; a feudal colonisation system had been established under which, for instance, settlers had to pay a cens to a seigneur. With the Conquest, however, that society was deprived, with one exception, makes certain elements of civilization a part of his life: a trading spirit, money, formal and impersonal controls, whether economic or political. In many peasant communities the division of labour has produced many kinds of specialists. The peasant community has developed in very important respects indeed away from the ideal type of folk society. The peasant style of life is a balanced adjustment between moral order and technical order. It is, probably, a form of living which is adaptive in periods and places where the influence of the city has spread, but not very rapidly, into precivilized communities. The necessary condition of peasant life is that the system of values of the peasant be consistent, in the main, with those of the city people who constitute, so to speak, its other dimension of existence." This is a better account of traditional French Canadian rural life than the "folk" account. In any event, it is the city, not the country dimension of French Canadian life that I am interested in.

For a sample of such studies, see Marcel Rioux and Yves Martin, French Canadian Society (Toronto, 1965), Vol. I, Sections i and ii.
of its traditional ruling classes. The one exception was the clergy, which found itself in a position to assume the full leadership of society. And so a great accommodation was struck between the French speaking Catholic clergy and the English speaking civil authorities. The English could pursue their commercial interests and be assured of the people's submission provided the Church were left to attend to all social matters. As a result of this accommodation, traditional French Canadian society was a society largely closed off from English speaking North America and relatively static with regard to the progressive developments of the age.

The major tenets of this 'Tolk culture' were agriculture, the family, and the Church. Mixed farming -- there was no crop specialization -- supplemented by lumbering in the winter, sustained the habitant. He was a jack-of-all-trades. There was consequently very little division of labour and very little trade. The habitant's large family formed not only the economic, but also the social unit. When people assembled for leisurely get-togethers or to celebrate some special occasion, it was a family affair.

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For a survey of the various ways in which the Conquest has been interpreted, see Cameron Nish, The French Canadians 1759 - 1766: Conquered? Half-Conquered? Liberated? (Toronto, 1966), esp Part VII.
This familial self-sufficiency led to a suspicion of things beyond the pale of one's neighbourhood. Formal education which led one away from the country was of dubious benefit. This strong, familial character of the culture was reinforced by the Church, which could be described as the family of families. The clergy was the guardian of society. Through a comprehensive network of institutions, its influence was felt everywhere and at all times (even at election time, as in the case of the Programme). As a result, the clergy looked after all the services of the State and made politics quite unnecessary.

This "folk culture", so the theory goes, worked well for a remarkably long time. Its fatal flaw was its dependence upon enough arable land to settle the growing population. Despite heroic efforts to set up farming colonies in the remote parts of the Province, the culture was waging a losing battle as modern industry began to provide an attractive alternative to young men starting out in life. Industrialization all but destroyed the culture of this "folk" society, and eventually forced it to face the reality of the modern world.
(ii) From an historical perspective

In the main, the concept of an "ultramontane ideology" has been put forward by historians. For its elaboration, this concept turns to continental Europe and focuses our attention on the dramatic events which took place there in the last century. Indeed, Europe was the scene of a momentous conflict between the forces of Revolution and the forces of Reaction, forces equally doctrinaire, equally intransigent, and equally prepared to stake everything on the rightness of their convictions.

On one side were the liberals. men acting out the practical consequences of the theories put forth by the thinkers of the Enlightenment. They believed that people were basically free to determine their own political destiny. Consequently, they strove to inaugurate an era of universal suffrage and plebiscites. They wanted social institutions which were now in the hands of the Church to be secularized, believing that the Church's activities and influence should be kept outside the public realm. They

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8 For an example of this theory, see Philippe Sylvain, "Libéralisme et ultramontanisme au Canada français: affrontement idéologique et doctrinal (1840 - 1865)". Foulier d'Achilles (Toronto 1968), pp. 111 - 138 and 220 - 255.
aspired towards a universal brotherhood of man, but were content, in practice, with the liberation of peoples from foreign domination and with the foundation, instead, of nation states.

On the other side were the ultramontanes, the men who clung to the traditional hierarchical structure of society. Bolstered by a world-wide Catholic Revival, they looked back to the Middle Ages, which seemed to them a golden period when the Church's dominant position in society was rightly acknowledged. These men, inspired by a sense of providential mission, strove to establish a theocracy which would grant the Roman Catholic hierarchy direct rule over society. Appropriately enough, these forces were referred to by a mediaeval term meaning "beyond the mountains" and implying submission to Rome.

France, as the eldest daughter of the Church and the birthplace of the Revolution, naturally played an important part in these dramatic events. This struggle between the two diametrically opposed forces was strangely embodied in the figure of Napoleon III, who was both a Prince and a President, and whose policies wavered from side to side. It was a struggle embodied more clearly in the figure of Félicité de Lamennais, who began his career as the hero of the Right and ended it as the hero of the Left.
If France presented a somewhat ambiguous picture, such was not the case in Italy. There the whole world looked on anxiously and even participated in, what was an armed struggle between those who supported and those who opposed the liberation of the Italian people and their unification in a nation state. On one side, we find the figures of the diplomat-politician, Cavour; the monarch, King Victor-Emmanuel; and the revolutionary, Garibaldi. On the other side is the figure of the Pope, Pius IX, who throughout his long pontificate (1846 - 1878) sought to preserve his temporal estates, even after he had been defeated militarily. A climax in this struggle occurred on September 18, 1849 at Castelfidardo, when 5,600 papal troops made up of French and Pisan soldiers and volunteers from the Catholic countries of the world went down to defeat before Victor-Emmanuel’s 45,000 Piemontese troops.

This European conflict was closely followed in French Canada. More than that, it was imported to French Canada. Local events were seen and interpreted as minor reenactments of what was taking place on the Continent. This was especially true of the ultra-montane side, which for its account of these events relied heavily on the writings of the energetic French reporter, Louis Veuillot, and his journal, L’Univers. Thus battle lines were drawn in Quebec which were every bit as entrenched as they were in Europe. On the one side figured the bishops of Montreal and of Trois-Rivières; on the other, the group of laymen associated with the Institut Canadien, who figured politically as the Rouges.
This ultramontane vs. liberal theory has been given a special twist in the last ten years by Marxist historians. To these writers, l'ramontanisme and liberalism are ideologies. That is to say, they are theoretical superstructures articulated by two opposing social classes, each ideology being used for the purpose of advancing, consolidating, and justifying that class's particular interests and dominant position in society. What really took place therefore in Quebec in the middle of the nineteenth century was a class conflict between the clergy and the bourgeoisie. The clergy, representing the interests of a pre-capitalistic society, wished to preserve its direct hold on the people. However, with the rise of a bourgeoisie and a new mode of production, it was forced to share its power with a class of laymen. Members of the grande bourgeoisie, including the financiers, lumber kings, and the builders of canals, steamships, and railways, were nearly exclusively anglophone. In French Canada, therefore, the dialectically significant role devolved upon a petite bourgeoisie. A split occurred in this class, however: some members went over to the side of the Church, others formed the progressive element. The Church would support politically

For a brief statement of this version of the second theory, see Jean-Paul Bernard, "Définition du libéralisme et de l'ultramontanisme comme idéologies", Revue d'histoire de l'Amérique française. XXV (Sept., 1971), pp. 244 -246.
the right wing of the petite bourgeoisie, if in return it could maintain its control over society. In contrast, the left wing of the petite bourgeoisie strove for a democratization of politics and economic progress and could thus quite logically advocate annexation to the U.S.A.

This state of affairs, a situation of radical, intolerant opposition, began to give way in the 1870's. And in Quebec, men would soon come to power by proclaiming that the battles fought in Continental Europe had no relevance to the Canadian scene, and served only to divide the people and to sap the country's energy.

(iii) From a jurisprudential perspective

The two theories I have just outlined, those implied in the concepts of "folk culture" and of a "ultramontane ideology", do not provide, I submit, a satisfactory account of the kind of conservatism embodied in the Programme. The reason, it seems to me, is that both these theories ignore two elements which are essential for understanding traditional French Canadian society in general and a document such as the Programme in particular. The first element is the legal; the second is the philosophic.

10For a strange mixture of these two theories, see Fernand Dumont, "Quelques réflexions d'ensemble", Idéologies au Canada français 1850 - 1900 (Quebec, 1971), pp. 1 - 12.
With regard to the first element, it seems that insufficient account is taken of the role played by lawyers in French Canadian society. After all, the people of French Canada were governed, not by the simple values of a folk culture, nor by the epic events of distant lands, but by laws: by laws that were studied, practised, taught, commented upon, instituted, amended, and applied by French Canadian laymen.

Indeed, de Lolme's work on the English Constitution¹¹ and de Tocqueville's work on America¹² influenced the development of a strong lay tradition of civics in French Canada. This tradition was embodied in the writings of such men as Jacques Crémazie¹³ (1810 - 1872), Antoine Gérin-Lajoie¹⁴ (1824 - 1882), Louis-Philippe

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¹¹ J. L. de Lolme, The Constitution of England (London, 1821). This work was first written in French at the time of the American uprising.

¹² A. de Tocqueville, De la démocratie en Amérique (Paris, 1961). This work was first published in 1835 - 1840.

¹³ J. Crémazie. Manuel des notions utiles sur les droits politiques, le droit civil, la loi criminelle, et municipale, les lois rurales, etc. (Québec, 1852).

¹⁴ A. Gérin-Lajoie, Catéchisme politique; ou Éléments du droit public et constitutionnel du Canada mis à la portée du peuple (Montreal, 1851).
Turcotte\textsuperscript{15} (1842 - 1873), Gonzalve Doutre (1842 - 1880) and Edmond Lareau\textsuperscript{16} (1848 - 1890). These men acquired a sound knowledge of the laws governing their society, and gave much thought to the strengths and the weaknesses of those laws.

The codification of the Civil Law of Lower Canada by Ed. Caron, A. N. Morin, and C. D. Day in 1866, for example, was an extraordinary accomplishment. Unlike the lawyers of many other countries at that time, who simply adopted the Code Napoléonien, the lawyers of Lower Canada gathered and ordered the best features of their own long, complex, rich, mixed, legal heritage. One of the procrammistes, R. A. T. de Montigny, made a thorough study of the Code. In discussing the idea of simply copying the French, he wrote:

\textsuperscript{15} L.-P. Turcotte, \textit{Le Canada sous l'union 1841 - 1867} (Québec, 1871).

\textsuperscript{16} G. Doutre and E. Lareau, \textit{Le Droit Civil Canadien suivant l'ordre établi par les codes. Précédé d'une histoire générale du droit Canadien} (Montréal, 1872).
Mais la Législature ne l'a pas voulu; elle a bien, à la vérité, indiqué le code français pour modèle quant au plan à suivre, à la division des matières et aux détails à fournir sur chaque sujet; mais tout cela n'est qu'accessoire et ne regarde que la forme; quant au fond, il est ordonné que le code à faire se composerait exclusivement de nos propres lois. Ce qui est loi en force doit y être inclus: ce qui ne l'est pas doit en être exclus, et peut tout au plus, être proposé à part comme altération admissible.

Pour connaître les lois dont doit se composer le code, il fallait en faire la recherche aux différentes sources d'on elles originent, sources si variées et plus nombreuses, peut-être, que dans aucun autre pays et dont la longue énumération serait ici hors de place.

La recherche une fois complétée, commence le travail non moins important et plus difficile peut-être, de déterminer celles de ces lois qui, ayant été en force, ont cessé de l'être par l'effet de la législation, de la désuétude ou de la jurisprudence. À ces fins, il fallait parcourir les Statuts Impériaux affectant le Canada, et ceux passés par nos différentes législatures; rechercher les décisions, les usages et la pratique de nos diverses cours, et souvent les décisions, les usages et la pratique de nos tribunaux en Angleterre et en France; et sur le tout, consulter les rapports écrits et commentaires des auteurs si nombreux et si variés.17

It is in this tradition of civilization, therefore, that the writings of the programmistes should first be seen.

Following Confederation, the question of legislative jurisdiction began to occupy the attention of civic minded Canadians. This is not surprising: for Canada now had a federal constitution:

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the power to make laws for society was divided between a central government and a number of local governments. Although the British North America Act was a clear and eminently practical text, it was only natural that certain doubts should arise over such matters as the central government's right to make remedial laws, or its right to disallow local legislation. In short, there were areas of potential conflict where the legislative jurisdiction of one authority could impinge on the legislative jurisdiction of another authority. And indeed, no sooner was Confederation in effect than a case arose to highlight this question of legislative jurisdiction: the case of the New Brunswick Schools. The Roman Catholic community believed that the legislation passed by the local government of New Brunswick was an infringement of its educational rights. Would the central government disallow it? This was the kind of question which concerned all civic-minded Canadians, French and English speaking, in the years following Confederation.

The complicated question of legislative jurisdiction took a further turn at the hands of the programmistes. For what concerned them was not only conflict between different levels of legislative jurisdiction, but also conflict between different kinds of legislative jurisdiction. The programmistes sought to remind their fellow citizens that it was not only the State, whether at a
local. Dominion. or Imperial level, but also the Church which had a right to make laws. This factor made the question of legislative jurisdiction doubly complicated. Before it could be determined what level of authority had the right to make a particular law, it was necessary to know what kind of authority had the right to make that law. To the problems of "overlapping" legislative jurisdiction between two levels of civil government there had now to be added a host of others between civil government and ecclesiastical government.

At the same time, the programmistes were not only concerned with the letter of the law and its field of articulation: they were also concerned with the spirit of the law. That is to say, they were also concerned with that host of attitudes and assumptions which obtain prior to the enactment of any law. While it was important to reform laws which one considered unjust, it was equally important to reform concepts which one considered wrong. This concern with the spirit of the laws leads us to the second element pertinent to my study of the Programme: the philosophic element.18

18 In the mid-1950's, the deans of the Philosophy Faculties of Quebec's two French speaking Universities published writings which continue to provide, to my mind, good introductions to what I have termed "the spirit of the laws" which traditionally governed Quebec. See Louis-M. Régis, "La religion et la philosophie au Canada français", Dualité canadienne (Quebec, 1960), pp. 56-77; and Charles de Koninck, "La confédération, rempart contre le grand état", Commission Royale d'Enquête sur les Problèmes Constitutionnels (Quebec, 1956), Annexe I (see also Vol. II of the Report).
It is often ignored, or conveniently denied, that there is a philosophical dimension to the teachings of the Roman Catholic Church. But the fact remains that, in addition to her special teachings which presuppose a trust in the Word of God as revealed to men by Jesus Christ, the Roman Catholic Church has a body of general, philosophic teachings that address themselves to the natural intelligence of all normal human beings. These teachings reflect, as it were, a "primitive" revelation: they speak directly to all men of all times and are therefore not dependent on any special agenda. Now within this corpus of general teachings, that part which touches upon the practical affairs of man is covered by the doctrine of natural right. The term "natural" is used here to signify the Church's philosophical as opposed to her theological teachings; though the term "law" is frequently used, the term "right" is to be preferred as it unequivocally signifies the Church's moral teachings as opposed to her teachings pertaining to those "laws" of nature common to all non-human things.

Due to the very natural character of these teachings, they have received numerous articulations throughout the ages.\(^{19}\) In no

\(^{19}\) For a survey of this doctrine, see A. P. d'Entrèves, *Natural Law: An Introduction to Legal Philosophy* (London, 1967).
way is the doctrine of natural right peculiar to the Roman Catholic Church. In the West, it originated with the rise of Greek philosophy and received considerable elaboration at the hands of Roman jurists. One of the best expositions of the doctrine of natural right was made not by a Roman Catholic but by an Anglican. In the East, it appears that the Chinese also developed a doctrine of natural right. Hence, the societies envisaged by Confucius, by Plato, and by Cicero may be viewed, in the light of the above, as natural prefigurations of the divine society of Christ. Of course, it is not always an easy matter to draw a line between prescriptions which are "natural" and prescriptions which are "divine". In the phrase of one exponent of the doctrine of natural right, "The

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Scripture is fraught even with laws of Nature." To discern the supernatural in the natural, to distinguish that which man could not have known save by the Word of God Himself from that which has always accompanied man's being, is, in many cases, a difficult task.

To anyone interested in the philosophy of the law as well as in the actual operation of the law, French Canadian society of the latter half of the nineteenth century is a society chock-full of interesting cases. For the inhabitants of the Province of Québec were governed in spirit as well as in fact by an extraordinarily complex network of law. Rules for the governance of society emanated from many different sources and at many different levels. Rome, London, Ottawa, Quebec City—to name but the principal centres—all had a voice and a hand in regulating the conduct of society. People were subject to laws that derived their legitimacy from the natural order of the world and to others that derived their legitimacy from the Word of God (or at least from a particular Church's interpretation of it). Thus there were cases in Quebec which required

\[\text{23R. Hooker, The Laws of Ecclesiastical Polity, Book I, Chapter XII in Works, p. 184. For more on the distinction between laws "natural" and laws "divine", see Chapters XI - XIV of Book I.}\]
for their resolution a knowledge of the special tenets of the Roman Catholic Church as well as a knowledge of the civil law of Lower Canada. The cases which most interested the programmistes were precisely those cases which involved both civil and ecclesiastical authorities.

One case which warrants special mention at this point is the controversy which arose during the Vatican I Oecumenical Council (1869 - 1870) over the definition of papal primacy and infallibility. Two old terms were revived which vividly conjured up the opposing parties: those who supported the pope's claims were "ultramontanes" (or "centralists"); those who supported the bishops that wanted more local autonomy were "gallicans" (or "decentralists"). Though from a legal point of view this controversy was purely ecclesiastical, it naturally engaged the attention of lay Catholics everywhere in the world. Thus it will be appreciated that in a province as thoroughly Catholic as Quebec at the time (over 85% of the population in 1871\(^4\)) these two partisan labels, "ultramontane" and "gallican", were transposed from the realm of ecclesiastical politics into the realm of civil politics, and there came to be used rather as were the terms "Tory" and "Whig" in England.

But to infer from this that French Canadian ultramontanes in general and the programmistes in particular wished to impose a theocracy in the province of Quebec is ridiculous. Not only had the Roman Catholic Church rejected in principle direct rule of priests over all of society—which is what theocracy implies—but it has always looked askance at too close an identification of Church and State, which, in Roman Catholic eyes, tends to give the practice of religion too patriotic a colouring.

With regard to the Programme in particular, the argument advanced by its authors was a "natural" argument in that its premises could be granted by Christians of all faiths, indeed even by non-Christians who believed in God and who practised a religion. Its major premise was that politics, or what one owed to one's neighbours, was subordinate to religion, or what one owed to God, (see Section IV of the Commentary): and its minor premise was that in a country like Canada all religious communities should have the necessary freedom to practise the exercises of their cult (see Section VII).

For the theoretical elaboration of these premises, the programmistes relied on the Church's doctrine of natural right. As mentioned earlier, there have been many formulations through the ages of that doctrine, even within the Catholic Church itself. But
Judging from the references to be found in the programmiste newspapers, I would say that philosophically the authors were especially indebted to the Jesuit periodical, Civiltà cattolica, published in Italy in the middle of the last century. One of the leading contributors to that periodical was Father Luigi Taparelli d'Azezie, and it is his monumental two volume *Essai théorique du droit naturel* which I would single out as the work most relevant to the Programme as an exposition of the doctrine of natural right. To understand that comprehensive work is to understand the philosophical basis of the Programme.

Finally, another "natural" aspect of the Programme was its lay character. As the *Journal des Trois-Rivières* reminded its readers:

25Luigi Taparelli d'Azezie, *Essai théorique du droit naturel basé sur les faits* (Tournai, 1857). In a newspaper article defending the Programme's doctrine, Cléonhas Beausoleil wrote: "Nous avons peu de livres, mais ils sont excellents et suffiront nous en sommes sûr, pour convaincre notre adversaire que notre doctrine n'est pas nouvelle." *L'Église et l'État*, N.M. (June 22, 1871), p. 1. Still on the basis of the quotations made by the programmistes, I would say that, in addition to Father Taparelli, the following authors were also consulted: Marie-Stanislas Rattier, Camillo Tarquini, and François-Louis-Michel Maupied. (See Bibliography).
Il [Le Programme] ne s'offrait pas aux candidats comme programme épiscopal. Il n'était pas adressé au clergé et ne sollicitait pas son action. . . . C'est un article de journal. Ce sont des conseils qu'un journaliste catholique a cru devoir adresser à ses lecteurs en vue des prochaines élections. . . . C'était donc le droit du Journal des Trois-Rivières de donner à ses lecteurs les conseils qu'il jugeait utiles dans les circonstances; et il n'avait pas besoin pour cela de la participation de l'épiscopat. . . . Les lois que nous voulons amender, perfectionner sont des lois civiles. C'est nous l'Alsace que les avons faites: c'est nous qui pouvons les changer. L'épiscopat n'a pas le droit: il peut seulement condamner la loi civile lorsqu'elle est contraire à la loi ecclésiastique.26

As laymen, the programmistes were interested primarily in the civil laws of the Province of Quebec and, in the case of the Programme, with those laws pertaining to marriage, education, the establishment of parishes, and the registration of civil status.

A consideration of the above points should dispel from the reader's mind any notion that the programmistes wanted to establish a theocracy in the Province of Quebec. Their concerns, in the case of the Programme, were local and philosophic. And in the course of this work, I hope to show how their concern with the laws was bound up with a true and appreciative understanding of the Canadian constitution, i.e., with parliamentarianism; and how

their concern with the spirit of the laws was bound up with a true and appreciative understanding of the legitimating ground of government. I.e., with authoritarianism (what Alpheus Todd called headship). The holding together of particular laws with the general spirit of the laws, the coincidence of these two concerns, is what is meant, it seems to me, by the word "jurisprudence". It is this word which I would like to impress on the reader's mind as the key to an understanding of the Programme.

(3) Some methodological consequences

The question which arises now is how best to approach a text like the Programme. The facts are there to attest to its significance for the men of the time, but how can it become significant for us? How can we expose ourselves to the full force of its message, and not treat it as something that it is not, or that is no more?

The jurisprudential nature of the Programme entails a first set of consequences with regard to the method most appropriate for its study. If one is to remain faithful equally to

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2: The programmistes' parliamentarianism is laid out primarily in Section I; and their authoritarianism in Section IX.
the legal and to the philosophic elements of the text, then it follows that one is point to have to proceed in such a way as not to become excessively preoccupied either with the particularities attending the letter of the law or with the generalities attending the spirit of the law. A balanced blend of the particular and the general is therefore a first methodological requirement.

The first requirement leads us to shun two possible methods of proceeding: the deductive and the empirical. To demonstrate the truth of the Programme on the basis of a single rational intuition taken to be self evident, to deduce the Programme from a single axiom, as is done in geometry, one must abstract from all the contingencies which so determined the Programme. This is what Marxists do when they explain the Programme as nothing but the logical consequence of the struggle of social classes. On the other hand, a purely empirical method which restricts itself to arranging all the data of experience, while often useful and informative, is bound to fail at some point to do justice to the forces which generate particular data and which move beneath the surface of human history.

28 I wish to express in this regard my debt to Marcel Hamelin, whose Les premières années du parlementarisme québécois 1867 - 1878 (Quebec, 1974) provided the empirical basis for my study.
There remain, it appears to me, three possible ways of proceeding that do hold together the particular and the general. They are the inductive, the poetical, and the argumentative. A consideration of these methods entails a second set of consequences resulting in the issue of the most appropriate way. The inductive method holds together the particular and the general by formulating a general law or pattern of behaviour on the basis of particular observations. This is the experimental method of the modern sciences. It is the method used by those sociologists who formulated the concept of a "folk culture". Without resorting to a gross reduction, such a method is incapable of giving an account of any event which is unique. In this way, an event such as the publication of the Programme is simply miraculous. A second way of holding together the particular and the general is the poetical. Here the poet or the fabricator attempts to mould the particular material at hand in accordance with a general image in his mind. The poetical method has inspired those interpretations which would see in the Programme an attempt to mould French Canadian society along the lines of an imaginary theocratic mediaeval society. Fortunately, there is a third way of relating the particular and the general and that is the argumentative. The argumentative method arises out of a human predicament. Man finds himself in a
set of uncertain circumstances, the resolution of which is dependent in part or human action. In order to help himself out of this situation, in order to guide his conduct, man invokes a general rule that, it is thought, covers the particular situation in which he finds himself. This general rule becomes the mediating principle of action. This is what the Programme of 1871 was all about: what, the authors of the text wondered, were the Catholic voters of the Province of Quebec going to do on election day? The outcome was not at all certain, and yet it depended on individual human action. The Programme was an attempt to guide that individual human action. The uncertainty of the whole matter required that careful consideration be given to all the relevant facts and that reasons be given for choosing one principle and not another. In one word, the Programme was an argument.

It is only by approaching the Programme as an argument that we will be able to do justice to its form, to its content, and to its purpose.

Of course there are many kinds of argument: one can argue over what is said or over what is done; one can argue with oneself, or with others: about a private deed, or a public deed; about a deed committed in the past or a deed about to be committed in the
future: and so on. The Programme, as a newspaper editorial on the coming elections, is to be classified, clearly, as a political-rhetorical argument. The Programme is rhetorical by virtue of its attempt to persuade in public; and political by virtue of being concerned with the future, of aiming at establishing the expediency or the harmfulness of a proposed course of action.

The fact that the Programme is a work of political rhetoric has determined, formally and materially, the presentation of my work. Formally, it determined the basic outline of the thesis. The text and accompanying commentary are thus presented in five parts, in accordance with the five divisions customarily found in a work of rhetoric and readily discernible in the Programme: Part One is the proem or clarification of the present situation; Part Two, the premises or establishment of the principles which are to govern the action: Part Three; the practical consequences or consideration of the means available: Part Four, a subsidiary remark; and Part Five, the peroration, a brief and stirring recapitulation.

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20 The reader is referred to the works of Chaim Perelman, who has done so much to revive the ancient study of argumentation; see especially his La nouvelle rhétorique: Traité de l'argumentation (Paris, 1958).

30 See Aristotle, Rhetoric, Book i, Chap. 3.
For the sake of greater clarity, I have subdivided the first three of these five parts. The Proem is subdivided into three sections: for in presenting the situation to their readers, the authors allude to three different contexts: the constitutional, the journalistic, and the moral. The Premises are subdivided into four sections: the first containing the major premise, the second and third important qualifications, and the fourth the minor premise. The Consequences are subdivided into five sections, each corresponding to a different degree of abstraction, starting from a consideration of political parties in Canada and ranging on to a consideration of the individual voter's freedom. The distribution of sections is, therefore, as follows: the Proem, Sections I - III; the Premises, Sections IV - VII; the Consequences, Sections VIII - XII; the Subsidiary Remark, Section XIII; and the Peroration, Section XIV.

In a work of rhetoric, the presentation of the argument or the syllogism is not as thorough as in a work of dialectic: the reasoning is not carried too far back, nor are all the steps put in that lead to the conclusion. Technically, an argument of this kind is called an enthymeme. Thus, a first reading of the Programme all by itself gives one the impression that the text is nothing but a conjunction of compatible propositions. The authors themselves were aware of this characteristic feature of rhetoric; they were
prepared to meet objections, to provide clarifications, elaborations, and qualifications, for they appended the following statement to their text: "Nous développerons plus amplement dans une série d'articles les idées et les principes de ce programme." And shortly after the publication of the text, one of the authors, Magloire McLeod, wrote:

dans la série d'articles que nous avons promis de publier pour développer notre programme, on trouvera probablement les arguments nécessaires pour répondre aux objections qui ont été faites ou qui pourront être faites. Qu'on ne se hâte pas trop de blâmer, avant de connaître amplement notre pensée. Notre programme est large et on a déjà eu le tort de le croire basé sur des idées beaucoup trop étroites.  

It is in accordance, therefore, with the "reply" aspect of rhetoric and with the authors' own express wish that I have accompanied each formal section of the text with explanatory remarks and supplementary material drawn from other articles written by the programistes. Such an elaboration makes possible to discover the full scope of the authors' thought ("de connaître amplement notre pensée").

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31 Following "et tout notre programme peut se résumer dans ce motto: 'Religion et Patrie'" (See Section XIV), the text, as it appeared in the Journal des Trois-Rivières of April 20, 1871 continued:

"Tel est le programme que nous pensons devoir adopter pour les prochaines élections et qui, croyons-nous, devrait être adopté par tous les catholiques conservateurs de cette province. Nous développerons plus amplement dans une série d'articles les idées et les principes de ce programme."

In order to remain as faithful as possible to the authors' thought, I have limited the material for my commentary to what the authors themselves wrote at the time of the Programme. This means that only two kinds of material figure in the commentary proper: (1) newspaper articles written by the authors and published within six months of the appearance of the Programme (between April and October, 1871) in the following four newspapers: Journal des Trois-Rivières, Nouveau-Monde, Ordre, and Courrier du Canada; and (2) the following works published by the authors in the years immediately preceding and following the Programme and relevant to it: de Montigny's Histoire du droit canadien (1869), Catéchisme politique (1878), and qu'est-ce que le Programme catholique (1880); Pagnuelo's Études historiques et légales sur la liberté religieuse en Canada (1872); Routhier's Ca'series du dimanche (1871); and Trudel's Discours sur l'Affaire Guibord (1870), "quelques réflexions sur les rapports de l'Eglise et de l'État" in Revue canadienne (1871), Nos chambres hautes (1880), and "Conciliation" in Revue canadienne (1881). By commenting from these two sources, I feel I have been able to do justice to the thought of these men as formulated in the Programme.

33 For more information on the sources, see the Bibliography.
To go much farther afield for material seemed to me a risky enterprise, for of course the political situation was changing. Cartier's death in 1873, Laurier's famous speech of 1877, the rise to power of Chapleau in 1879: these were but some of the events which altered considerably the Quebec political situation from what it had been during the 1871 election campaign.

There is another aspect to a work of rhetoric that deserves to be signalled here: it is that a work of rhetoric is often not only an argument for something, but also an argument against something else. To put it succinctly, the Programme was an argument for a "natural", as opposed to a "naturalistic", view of the world: for an "authoritarian", as opposed to a "libertarian", society.

In a Prologue following immediately (and before the Text and Commentary), I describe the events which led to the publication of the Programme, and the reactions which that editorial elicited from the moment of its publication until the final day of the election. In an Epilogue following the Commentary I analyse the results of the 1871 Quebec provincial election and describe the aftermath. In a Conclusion, I attempt to draw on an historical, a political, and a philosophic plane some of the salient points arising out of my study of the Programme.
PROLOGUE

(1) The composition of the Programme

The final session of the 1st Legislature of the Province of Quebec was prorogued on December 24, 1870. During that session two young reporters in the press gallery had become acquainted. One was Masloire McLeod, twenty eight years of age, editor of the Journal des Trois-Rivières; the other, Alphonse Desjardins, twenty-nine, associate editor of the Montreal newspaper, L'Ordre. The two men had much in common in addition to their age and occupation. For some time, McLeod had admired Desjardin's writings, especially his defense of Confederation. Moreover, in discussing the affairs of State, the two men agreed that a profound transformation was taking place in the politics of the Province. Conservatives were voicing opinions which sounded to them not at all conservative. Opinions were being advanced in parliament, in the press, and in the courts which, far from lending support to throne and altar, worked to undermine them. This was especially evident on the question of the relation between Church and State: the Roman Catholic Church's teaching on the matter was being either ignored or
distorted.\textsuperscript{1} McLeod suggested to his colleague that, as a general election was in the offing, the time might be ripe to reaffirm the Church's teachings. In McLeod's words: "Je crois avoir dit alors à M. Alphonse Desjardins qu'il serait utile et opportun de s'entendre avant les élections générales, alors prochaines, sur un programme uniforme basé sur la doctrine catholique."\textsuperscript{2} Desjardins agreed to look after the matter on his return to Montreal.

At the beginning of April, 1871, Desjardins got in touch with François-Xavier-Anselme Trudel, thirty two, a lawyer who had distinguished himself in court by his pleadings in cases of "mixed" legislative jurisdiction (in cases, that is, involving both civil and ecclesiastical authorities). Trudel too thought that it would be useful if writers and journalists of French Canada who subscribed to the Church's teachings were to come forth with an agreed-upon programme. Desjardins told Trudel of two other newspapermen interested in such a project: McLeod of Trois-Rivières and Eugène Renault of the Quebec City newspaper, the Courrier du Canada. For

\textsuperscript{1} McLeod and Desjardins had in mind the case of the Guibord sepulture and that of the dismemberment of the parish of Notre-Dame in Montreal. They objected also to a book just published by Judge Baudry: J. U. Baudry, Code des curés, marquilliers et paroissiens (Montreal, 1870). For more on these questions, see Section X.

\textsuperscript{2} Quoted by B. A. T. de Montigny, Qu'est-ce que le Programme catholique (Montreal, 1880), p. 20.
some reason, Renault had no more part in the proceedings.

Desjardins, in a letter dated April 7, invited McLeod to a meeting of the directors of the province's Catholic newspapers. McLeod consulted with the bishop of Trois-Rivières, Mgr Lafèche, and having received the latter's assurance that there was nothing inopportune in the undertaking, departed for Montreal. But before he left, he sent word to Desjardins, asking him to invite Adolphe Basile Routhier, thirty one, a lawyer practicing at Kamouraska and a frequent contributor to the Courrier du Canada.

The first meeting took place on an afternoon in the second week of April at the home of Alphonse Desjardins. Present were Desjardins, his two out-of-town guests, McLeod and Routhier, Trudel, and Cléonhas Beausoleil, twenty five, editor of the Montreal newspaper, the Nouveau-Monde. Thus four newspapers were represented from the three most important urban centres of the province.

Present at that first meeting in addition to the five was the censor of the Nouveau-Monde, the canon Godefroy Lamarche. It appears, however that Father Lamarche, aware no doubt that the action being undertaken was a lay initiative pertaining to the forthcoming provincial elections, was reluctant to take an active part in the discussion: "Tous les amis nommés ci-dessus y étaient présents ainsi que M. le chanoine Lamarche, censeur du Nouveau-Monde, qui ne consentit néanmoins à donner son opinion que sur de nombreuses
The purpose of the meeting was to compose a programme which would affirm Catholic principles in such a way as to have a healthy effect on public opinion in the country. As McLeod said, "L'objet de cette réunion était pour moi la rédaction d'un programme qui fût une affirmation solennelle des principes catholiques, capable de produire un effet salutaire sur l'opinion publique de notre pays." Basic principles were discussed. In this regard, it is clear that the five men were eager to affirm the social doctrines of the Roman Catholic Church, to which they all fully adhered, and which they took to be the criterion of truth. Hence, the first principle: "Adhésion entière à l'enseignement de l'Eglise catholique, lequel doit être, en tout, pour un catholique, le criterium de la vérité." Given the plurality of religious persuasions in the country, it had to be made clear that the doctrines referred to in the first principle, far from being a threat to non-Catholic believers, in fact assured the latter, as much as Catholics themselves, of their religious freedom. Hence the second principle: the practical toleration of other religious cults: "Pour les protestants, liberté

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3Ibid., p. 21.
4Ibid., p. 21.
5Ibid., n. 15.
entière de leur culte et contrôle absolu de leurs affaires religieuses, tels que nous les réclamons pour les catholiques.  

But being practical men the five were not content with an enunciation of their convictions: they wished to see them instituted in the laws of their country. Thus the question of means arose. In Trudel's words, "il est de notre devoir d'appuyer le parti politique dont les idées et les principes se rapprochent le plus de cette doctrine." Of the two vehicles of political power in the country, the Conservative party was obviously the one more sympathetic to their cause. Hence, a third principle: "Attachement dévoué et persévérant au parti conservateur que nous reconnaissons comme le seul parti dont les principes et les traditions puissent nous assurer la plénitude de nos droits religieux et nationaux."  

Given the practical importance of this question of political allegiance, Trudel thought it necessary that their statement contain explicit support not only of the Conservative party but also of its leaders. Hence a fourth principle: "Appui loyal donné aux chefs actuels de ce parti que nous reconnaissions comme ceux, de tous les hommes politiques du jour, qui nous offrent le plus de garanties pour la défense des intérêts ci-dessus mentionnés."

6 Ibid., p. 15.  
7 Ibid., p. 14.  
8 Ibid., p. 15.  
9 Ibid., p. 15.
These then were the four principles agreed upon by the five laymen present at Desjardin's house.\(^{10}\)

At dinner that evening a second group of men joined the first. This second group was comprised mainly of lawyers: Benjamin-Antoine Testard de Montigny, thirty two; Siméon Pannuelo, thirty one; Louis-Olivier Taillon, thirty; and Sévère Rivard, thirty six. De Montigny, Pannuelo, and Taillon had worked with Trudel on the case of the dismemberment of the Montreal parish of Notre Dame and brought with them practical knowledge of the civil laws of Québec and in particular of those laws which touch upon the practice of religion. The tenth layman present that evening was the host's cousin, Louis-Édouard Desjardins, thirty three, an ophthalmologist.

The second group of men agreed with the principles enunciated that afternoon. In Trudel's words:

\[\text{Les nouveaux venus parurent animés des mêmes intentions, et adoptèrent nos vues. Tous s'accordèrent à dire que la publication d'articles de journaux, commentant les idées ci-dessus exprimées, devrait avoir pour effet d'assurer la reconnaissances des Droits de l'Église et de faire cesser de malheureuses divisions, en réunissant tous les vrais catholiques dans un même esprit sous le drapeau du parti conservateur.}\(^{11}\)

\(^{10}\)These four principles underlying the Programme were made known as such to the public in a letter Trudel wrote to the editor of La Minerve and dated Montreal, April 28, 1871. The letter was republished in \(\text{C.}(April 28, 1871)\) and in \(\text{J.T.R.}(\text{May 1, 1871})\), p.2.

\(^{11}\)de Montigny, \textit{Qu'est-ce que le Programme catholique}, p. 15.
Two or three of the newcomers objected, however, to the principle supporting the leaders of the Conservative party. They recalled certain disagreements: for instance, the opposing counsel in the case of the dismemberment of Notre Dame was led by none other than George Etienne Cartier, the leader of the Conservative party in French Canada. But Routhier, defending the principle, pointed out to the newcomers that the opposition party would be the first to benefit were their declaration to be interpreted in any way as a rebellion within the ranks of the Conservative party. After this argument, "ils adhérèrent cordialement aux idées exprimées dans les propositions ci-dessus." \(^{12}\)

The discussion that evening was informal. There was talk of constituting themselves into a proper organization by electing a president, a secretary, etc. But the suggestion was brushed aside because again it might appear as if they were trying to form a new party.

Looking ahead to the particular event of the forthcoming election, the men debated whether to leave each to act on his own judgement or to agree to common guide lines:

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\(^{12}\)Ibid., p. 16.
The group decided to establish common guidelines.

Trudel invited the company to reassemble the following day at his house. Of the ten laymen present at Desjardin's dinner party, five or six met at Trudel's. These were, probably, the five of the original group and, if there were someone from the second group, de Montigny, who felt concerned enough in the fate of the Programme to give an account of the proceedings some ten years later. Conversation centred on the practical task of adopting guidelines for the election of candidates: "La conversation s'engagea sur les règles qu'il serait à propos d'adopter pour nous guider le plus sûrement dans le choix des candidats auxquels nous accorderions notre support."\(^{14}\)

Another meeting took place at Rivard's house, and a final one at Beausoleil's. These two meetings were friendly get-togethers rather than political reunions.

This is an important distinction: a leisurely discussion of ideas is one thing; concerted political action quite another.

A few days after the publication of the Programme, a Trois-Rivières

\(^{13}\) Ibid., p. 16

\(^{14}\) This is of course de Montigny's Qu'est-ce que le Programme catholique?, to which we have been referring.

\(^{15}\) Ibid., p. 16.
newspaper, the *Constitutionnel*, charged Rivard with having held a secret meeting at his house with the intention of forming a conspiracy against the Conservative party. In a letter dated Montreal, April 28, Rivard replied to the editor of the *Constitutionnel*:

> jamais il n'a été tenu une réunion politique chez moi, secrète ou non, et que de plus jamais les personnes nomméées dans votre article ne se sont rencontrées ensemble dans ma maison, ce dont j'aurais raison d'être flatté pourtant; qu'en outre je n'ai participé en rien dans ce programme qui n'a pas été préparé ou écrit chez moi.\(^{16}\)

Rivard's letter reminds us of how important it is to distinguish between theoretical formulation and practical action. We have Rivard's sworn testimony of March 5, 1873\(^{17}\) that he attended Desjardins' dinner party and agreed with the principles enunciated; yet it is clear from his letter to the editor of the *Constitutionnel* that he had no interest in descending into the political arena: "Mon nom n'ayant jamais été mêlé à la politique, vouserez comprendre combien je tiens à rester en dehors de toute combinaison de partis."\(^{18}\) In Sévere Rivard's mind, responsibility

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\(^{16}\) reproduced in *J.T.R.* (May 1, 1871), p. 3.

\(^{17}\) reproduced in de Montigny, *Qu'est-ce que le Programme catholique*, p. 18.

\(^{18}\) reproduced in *J.T.R.* (May 1, 1871), p. 3.
for the Programme lay solely with the newspapermen who published it: "Je n'ai pas ici à juger ni à apprécier ce programme, je laisse ce soin aux journaux qui l'ont publié." 19

Rivard's letter leads us to make the following distinction with regard to the term "programmistes". From a theoretical point of view, the term can be applied to the ten laymen who agreed to the four basic propositions enunciated at Desjardins' dinner party. We have sworn statements from eight of the ten testifying to what actually led to the publication of the Programme. 20 But from a practical point of view, the term should be reserved for identifying the five laymen present at that first afternoon meeting: McLeod, Alphonse Desjardins, Routhier, Beauregard, and Trudel.

While still in Montreal, McLeod and Routhier, in the company of Beauregard, paid a visit to the bishop of the city, Mgr Bourget. The bishop was pleased by the initiative taken by the group of young newspapermen and judged it opportune.

It was next decided that the guide lines agreed upon should take the form of an ordinary newspaper article. The young men hoped that, presented without fanfare, the text would address itself plainly and directly to the voters of the province. Routhier

19 Ibid.
20 See de Montigny, Qu'est-ce que le Programme catholique, pp. 11 - 24.
a man of letters, was given the task of composing the Programme. Furthermore, because the text quoted from a pastoral letter of the bishop of Trois-Rivières, they agreed that McLeod should be the first to publish it.

But before publishing the text, McLeod paid another visit to Mgr Lafleche, this time to show him the finished product. The bishop suggested a few changes of expression for the sake of greater precision. He also suggested that the following clause be added: "que les modifications demandées au sujet de notre législation seraient celles arrêtées par Nos Seigneurs les Evêques de la Province de Québec"; thus implying that in certain matters the authorities of the Church had priority over the authorities of the State. McLeod wired Beausoleil to advise him of these changes in the text.

McLeod gave the work its title and published it in the Journal des Trois-Rivières on Thursday, April 20, 1871.

(2) Reaction to the Programme

What was the reaction in Quebec to this event? How was the Programme received by the churchmen and laymen of the province? In the remainder of this Prologue, I shall survey the reactions to the Programme up until the final day of voting (July 14, 1871), leaving an analysis of the election results to the Epilogue.
A few days after the publication of the Programme, the Archbishop of Quebec, Mgr Taschereau, addressed the following message, dated Quebec, April 24, to the clergy of his diocese:

Je crois devoir vous informer que ce programme ne m'a été connu que par les journaux et que, par conséquent, il a le grave inconvenient d'avoir été formulé en dehors de toute participation de l'épisco pat. Je déclare donc qu'il ne saurait autoriser aucun membre du clergé de l'archidiocèse à dépasser les limites tracées par le quatrième Concile de Québec et que je vous ai rappelées dans ma circulaire du 3 courant. 21

It is important to consider the archbishop's letter very closely for, as we shall see, it played an important part in determining the fate of the Programme.

In commenting on the letter, McLeod pointed out how obviously right the Archbishop was in drawing the clergy's attention to the fact that the Programme had not been formulated by the Church authorities:

La circulaire, quoiqu'elle ait trait au programme catholique que nous avons publié dernièrement, ne s'adresse nullement à nous. Elle est adressée uniquement au clergé de l'archidiocèse de Québec. Elle a donc été émanée pour la gouverne seule du clergé de l'archidiocèse. . . . D'ailleurs, la circulaire du plus haut dignitaire de la province ecclésiastique de Québec ne dit pas, qua notre programme est mauvais. Si nous le comprenons bien, elle dit purement et simplement que l'épiscopat n'ayant pas participé à

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In a word, the Programme was not an ecclesiastical document.

A correspondent from Quebec City offered the readers of the Journal des Trois-Rivières the following explanation of the Archbishop's letter:

Le programme catholique, touchant à certaines questions religieuses, et étant publié par des journaux qui ne sont pas sans relation avec les évêques, le clergé de l'archidiocèse aurait pu se croire autorisé à prendre une part plus active, à déployer un zèle plus ardent dans les élections prochaines. Ce que Sa Grâce a dû craindre, c'est donc une agitation religieuse, dans les rangs de son clergé et c'est pour la prévenir et l'empêcher qu'Elle a cru devoir informer ses prêtres que le programme catholique avait été formulé en dehors de toute participation de l'épiscopat, et qu'il ne les autorisait pas à dépasser les limites tracées par le quatrième concile de Québec.

The purpose of the Archbishop's letter was to caution his clergy against taking too active an interest in the forthcoming elections.

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The Archbishop's letter was followed by two similar letters: one from the bishop of St. Hyacinthe, Mgr Larocque, and another from the bishop of Rimouski, Mgr Langevin. Addressed to the clergy of their respective dioceses, both these letters repeat nearly word for word the Archbishop's disavowal.

These three letters of clerical disavowal were followed by two letters of clerical approval.

In a letter to his clergy concerning the forthcoming elections and dated Montreal, May 6, Mgr Bourget had the following to say:

Il est donc important qu'outre les voix des pasteurs il y en ait d'autres qui se fassent entendre tous les jours et en tous lieux, pour rappeler les enseignements de la Religion. Or, ces voix sont celles des journaux, à bons principes qui forment l'esprit public et maintiennent les populations dans la paix et la soumission aux autorités légitimes; qui expliquent, développent de toutes les manières les vrais principes et en font des applications justes et proportionnées à toutes les intelligences. Sans ce secours devenu en quelque sorte nécessaire, le peuple sera emporté à tout vent de doctrines, et grandement exposé à faire fausse route dans ses élections. ... On ne peut donc que louer et approuver ceux qui, par les moyens de la Presse ou autrement, préparent les populations à faire de bonnes élections et consacrent leurs connaissances, leurs talents, leurs plumes, à travailler à remplir les chambres législatives d'hommes sincèrement dévoués aux intérêts religieux et civils et tout disposés à écouter la voix des évêques quand elle se fera entendre. ... 24

Mgr Bourget, for his part, recognized the need for laymen to defend in the realm of public opinion the religious point of view and the interests of the Church.

One week later, on May 15, the bishop of Trois-Rivières, Mgr Laflèche, addressed a letter to his clergy explaining how the young men concerned were perfectly within their rights:

Des hommes éclairés et dévoués à la protection de nos intérêts religieux, profitant de cette latitude quant aux moyens à prendre, se sont entendus et concertés ensemble pour assurer davantage cet heureux résultat en travaillant à éclairer l'opinion publique sur les questions agitées et à lui donner une direction commune, toujours si puissante par la force de l'association. En cela ils n'ont fait qu'user d'un droit commun à tous les Catholiques.\footnote{25}

The concerted action taken by the \textit{programmistes} was a legitimate means of protecting religious interests. The bishop went on to recommend the text both for its content and for its form:

Leurs écrits dans la presse n'ont sans doute rien du caractère de l'Autorité; ce qui est un inconvénient commun à tous les articles de journaux; mais ils ne laissent pas moins que de se recommander à la confiance des Catholiques par la pureté de la doctrine, par le dévouement à l'autorité religieuse, par le respect de tous les droits, ainsi que par la modération et la convenance des formes, en général.\footnote{26}

\footnote{26}Ibid.
We notice in the bishop's letter of endorsement that the word "authority" appears twice, once capitalized and once not. We are told that as a newspaper article the Programme has nothing to do with Authority, and yet it is full of respect for authority. We shall have occasion later to explore the different meanings of the concept of authority.\textsuperscript{27}

In time, both Mgr Bourget and Mgr Laflèche felt obliged to make their approval of the Programme even more explicit. Both wrote letters to Trudel. In a letter dated Montreal, June 6:

Mgr Bourget wrote:

\begin{quote}
La présente est pour certifier à qui voudra l'entendre, que j'approuve en tout point le Programme catholique et qu'il n'y a rien dans ce programme qui soit dans mon opinion digne de blâme, même au point de vue de l'opportunité.

J'ajoute que je considère ce programme comme la plus forte protection du vrai parti conservateur et le plus ferme appui des bons principes qui doivent gouverner une société chrétienne.

Je m'attache à ce principe parce que j'y vois le salut de ma chère patrie, qui ne sera véritablement libre qu'en autant que la liberté de l'Eglise y sera respectée avec tous les droits qui seront assurés et garantis.\textsuperscript{28}
\end{quote}

Mgr Laflèche's letter was dated La Pointe du Lac, June 7:

\textsuperscript{27}See below, Section IX.

\textsuperscript{28}reproduced in an "Extra" published by the J.T.R. on June 14, 1871, and republished in J.T.R. (June 15, 1871), p. 3.
Vous me demandez si ma dernière Lettre circulaire renferme une approbation du Programme catholique. Comme j'ai parlé pour être compris, je crois que l'on ne s'y est pas mépris et que l'on y a vu cette approbation. Je l'ai approuvé parce que j'y ai trouvé le but légitime et bon et que les moyens proposés pour atteindre ce but sont justes et honnêtes.\(^\text{29}\)

Here then were two unequivocal letters of approval.

In summary, the Church's reaction to the Programme was not uniform but varied: the Programme was disavowed by three bishops, while it was approved by two others. The sixth bishop of the ecclesiastical province of Quebec, Mgr Guigues of Ottawa, whose diocese was partly within and partly without the political boundaries of Quebec, made no comment.\(^\text{30}\)

We turn now to the reception given the Programme during the election campaign by the laymen of the province, to whom, after all, it was directed. As one newspaper editor wrote in response to the second letter of clerical disavowal:

Tout désavoué qu'est que le programme par NN. SS. l'Archéveque et l'Evêque de St. Hyacinthe, cela ne nous oblige pas encore à le mettre de côté. Car après tout nous avons affaire à des laïques seulement et dans le domaine politique nous sommes juges de ce qui peut convenir à des électeurs pour les guider dans

\(^\text{29}\)Ibid.

\(^\text{30}\)For a fuller account of the bishops' reactions to the Programme, see André Levasseur, "Mgr Bourget et le Programme catholique", (M.A. thesis, Université de Montréal, 1972).
le choix de l'élégislateur. Personne d'ailleurs ne prétend faire un cas de conscience à qui que ce soit en s'écartant du programme qui n'est donné qu'à titre de sages conseils et non comme une règle infaillible.

Ce désavoue ne prouve pas qu'il y a du mal dans le programme et s'il ne convient pas pour le clergé, rien d'étonnant, c'est qu'il n'a pas été fait pour lui. Il a été tracé pour les électeurs et nous croyons qu'il aura son effet en dépit de la presse qui se donne tant de mal pour l'écraser.  

As it did not emanate from the ecclesiastical authorities, the Programme did not partake in the Church's infallibility: rather it was simply wise advice offered by a group of civic minded laymen to the voters of the province.

Following, then, are the newspapers which seconded the Journal des Trois-Rivières' Programme. On Friday, April 21, L'Ordre reproduced the Programme, and added:

Tous ceux qui comprennent qu'avant la question du choix personnel, il y a celle beaucoup plus grave des intérêts religieux et nationaux à sauvegarder, trouveront dans cet écrit un programme complet d'action. Nous y voyons pour notre part le tracé le plus sage de la ligne de conduite à suivre et nous l'acceptons pour nous-même, comme nous voudrions le voir accepté par tous ceux qui seront appelés à user de leur droit d'électeur. ...

Nous aurons occasion de revenir sur cet article de lui donner les développements qu'il comporte.


The *Nouveau-Monde* too published the *Programme* that Friday; and on Monday, April 24, its commentary began:

Nos lecteurs ont sans doute mûrement médité cet écrit où chaque mot est mis à sa place après avoir été pesé et vérifié. Pour notre part, nous le jugeons excellent, et n'hésitons pas à l'accepter pour règle de conduite avec quelques restrictions de détail.33

On the same Monday the *Courrier du Canada* published the *Programme* and recommended it to its readers: "Ce guide que nos lecteurs trouvent sur notre première page, nous le recommandons à la sérieuse attention des électeurs qui ont la bonne volonté d'user consciencieusement et judicieusement de leur droit de suffrages."34 In its commentary, it made use of Mgr Lafleche's *Quelques considérations sur les rapports de la société civile avec la religion et la famille*: "C'est ce livre que nous mettons à contribution pour donner quelque développement au 'Programme' du *Journal des Trois-Rivières*."35 Out of respect, however, for the Archbishop's disavowal and not wishing to provide an occasion, even if unfounded, for scandal, the *Courrier du Canada* did not continue to publish articles defending and explaining the *Programme*.

34 *C.C.* (April 24, 1871), p. 2.
Meanwhile, McLeod had been busy rounding up adherents to the Programme from among the politicians of the Trois-Rivières district. As one letter of adherence was dated before April 20, it is possible that the following men saw the text before it became public.

From Trois-Rivières on April 19, C. B. Genest, member of the Legislative Assembly for the town of Trois-Rivières, wrote: "Revendiquer, comme citoyen du Canada, pour l'Eglise catholique le droit de se mouvoir en toute liberté, dans la sphère qui lui est propre, est admettre, comme conséquence, la même liberté pour toutes les autres églises. Je donne donc une adhésion pleine et entière à votre programme qui, je l'espère, rencontrera l'assentiment de tous les vrais amis de notre pays."\(^{36}\)

Alexis L. Desaulniers, the member for Maskinongé, testified in a letter dated Rivière du Loup, April 21, to his adherence to the Programme.\(^{37}\)

The Hon. John J. Ross, the legislative counsellor for Shawinigan, in a letter of adherence dated Ste Anne de la Pérade, April 25, wrote: "Je l'approve et je serai toujours heureux de


\(^{37}\)Ibid.
travailler à apporter dans nos lois toutes modifications demandées par Nos Seigneurs les Evêques.\textsuperscript{38}

Joseph Gaudet, the member for Nicolet, wrote from Gentilly on April 25, saying that he agreed perfectly with the views put forth in the Programme.\textsuperscript{39}

From St. Aimé on April 26, Pierre Gélinas, the member for Richelieu, sent his letter of adherence to the editor of the Nouveau-Monde.\textsuperscript{40}

Other politicians also adhered in public to the Programme; and three other newspapers joined the four original programmiste papers in defending the Church's rights:

The Union des Cantons de l'Est, a newspaper of Arthabaska-ville, reproduced the Programme on the first page of its issue of Thursday, April 27. It began its commentary of May 4, saying:

\textsuperscript{38} Ibid.

\textsuperscript{39} Ibid.

\textsuperscript{40} Ibid. reproduced in \textit{J.T.R.} (May 1, 1871), p. 2.

\textsuperscript{41} For an example of how this came about on the hustings, see \textit{N.M.} (May 29 and 30, 1871), pp. 1, which describes a public meeting in the county of Assumption, where the Programme was debated and approved by the ministerial candidate, Onulphe Pelletier, and by the independent candidate, Alexandre Archambault.
Il est fort singulier de voir autant d'acharnement contre un écrit, quand on est incapable d'y trouver une seule erreur! ... Rien donc ne nous empêche d'adopter le programme et de travailler à le bien faire comprendre au peuple, puisqu'il est fait pour les électeurs et non pour le clergé que notre vénérable métropolitain désire voir rester dans les limites du décret du 4ème Concile de Québec.

On Friday, April 28, the Pionnier of Sherbrooke reproduced the Programme with the following particular comment:

On comprend que les Townships étant représentés, en général, par les députés d'une autre croyance, de qui des électeurs ne sauraient raisonnablement exiger qu'ils souscrivent à tout ce programme, on doit les regarder comme faisant exception à la règle générale. On y a d'ailleurs sagement pourvu dans ces règles aussi simples et faciles à comprendre qu'elles nous paraissent opportuns et dignes d'attention.

On Thursday, May 4, the Franc-Parleur of Montreal, more a journal than a newspaper, preceded its publication of the Programme with the following:

Enfin la Presse Catholique de cette Province, que l'ordre de choses tel qu'établi appelle à jouer un si beau rôle par rapport aux destinées futures de notre pays, vient de prendre l'attitude ferme, énergique et déterminée qui seule lui convenait en vue des élections prochaines de notre Législature locale.


Elle a lancé, ces jours derniers, son programme qui est à nos yeux toute une profession de foi, franche, honnête, et indépendante.

Les tempestes qu'il a soulevées dans les hautes sphères de notre monde politique, ainsi que les adhésions nombreuses, distinguées et actives qui ont accueilli son apparition sont pour nous des signes déjà évidents de sa bonté et de son excellence.

Aussi le publions-nous aujourd'hui en son entier, afin que nos lecteurs puissent apprécier à leur juste valeur, les principes vraiment conservateurs et catholiques qu'il renferme.44

In contrast to these seven who endorsed it, a number of other newspapers opposed the Programme. As Beausoleil explained:

Dans le commencement nous avons cru que notre pensée serait partout comprise. La presse hostile se saisit, les autres journaux donnaient tour à tour leur adhésion, les députés aussi.

Ce temps d'arrêt et de calme ne fut pas de longue durée. Il avait été employé par certains hommes à mettre en jeu toutes les influences qu'ils pouvaient contrôler.

Un beau matin, le torrent d'invectives, un instant contenu, déborde encore. La Minerve nous traita d'illuminés, et le Journal de Québec oubliant son rôle de Jupiter tonnant, se fit avant coureur et simple messager de la foudre.45

The battle was on. One month after its publication, McLeod wrote:

"Le programme catholique que nous publions il y a quelque temps


en vue des prochaines élections a été assailli de tous côtés."

Without pretending to exhaust the matter, I shall attempt to describe these various sides of attack. Much of it was, as Beausoleil said, a torrent of invective: the programmistes were attacked personally for being ambitious, enlightened, and more catholic than the Pope; another part of the attack consisted in seeing in the Programme designs which were obviously untrue: that it was the foundation of a new, third political party, and that it was directed against the Protestant minority of the province. A cursory reading of the text itself reveals the falseness of such claims. I shall ignore the attacks which were directed against the programmistes personally or which were obviously untrue, but shall attempt to present the more substantial arguments brought forth during the election campaign against the Programme. It should be kept in mind, however, that the programmistes themselves were not at leisure to make such abstractions: time which could have been spent developing points of the Programme was spent refuting rumours and accusations of all sorts.

At the risk of summarily categorizing these newspapers, it seems possible to discern in their editorials four different kinds of hostile reaction to the Programme, each representing a

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different sector of public opinion and an essentially different school of thought.

The most fundamental attack came from the radical-liberal Montreal newspaper, Le Pays. Le Pays, wishing for a thorough secularization of society, was of course diametrically opposed to the Programme. Its opposition was not surprising to anyone: associated with the Institut-Canadien, it had been articulating the libertarian doctrines of the Enlightenment for decades. It displayed its Voltairian wit in an article entitled "Une campagne électorale qui ne sera certes pas gaie":

Les questions de la dette provinciale, de la colonisation, du calibre des chemins de fer, de l'espèce de lisses à employer, de la distribution des terres publiques, de l'encouragement de l'industrie, du perfectionnement de notre agriculture, des lois électorales, de l'économie dans le service public, devront se discuter uniquement sous leur point de vue gallican ou ultramontain. . . . Si les choses vont au gré des journalistes susnommés il pourrait arriver que notre parlement local se transformât en concile.

The strength of Le Pays' position came from its appeal to common sense. There can be no doubt that the programmistes' concerns must have appeared eccentric to many voters. Did the procedure for recording a man's civil status really matter,
compared to the building of a railway? To the \textit{programmistes} it did, because it involved a question of jurisdiction. To the \textit{programmistes}, the question of jurisdiction had to be settled before any other could be taken up. Liberals like those of \textit{Le Pays} were impatient: they wanted to get on with the work of building a city; for the \textit{programmistes}, such work could be undertaken only once the city's boundaries had been firmly established.

A standard argument put forth by radical liberals for ridding society of the Church's influence is that the Church fosters ignorance among the people and leads them to be docile and uncritical. \textit{Le Pays}, in an article entitled "Le pont aux ânes", charged the \textit{Programme} with encouraging stupidity:

\begin{quote}
En effet cela les [les candidats] dispense totalement de se creuser le cerveau pour répondre aux questions impertinentes des électeurs, aux objections des adversaires. Si l'on demande à l'un d'eux ses vues sur le système protecteur comparé à celui du commerce libre, il répond: J'adhère au programme du \textit{Nouveau-Monde} et de ses chers frères.\footnote{\textit{Le pont aux ânes}, \textit{Le Pays} (May 1, 1871), p. 1.}
\end{quote}

This is not a fair criticism. Although to the \textit{programmistes} the jurisdictional question was most important, they were certainly not ignorant of the more mundane questions which concerned \textit{Le Pays}.\footnote{\textit{Le pont aux ânes}, \textit{Le Pays} (May 1, 1871), p. 1.}
In fact, Beausoleil had published his views on the very question of tariffs. 49 Moreover, a whole passage of the Programme is devoted to the need for instructed and intelligent representatives. 50

Le Pays was the Programme's most radical opponent; practically, however, it was perhaps its least important. The days of radical liberalism in Canada were coming to an end; anti-clericalism, its logical result, was disappearing as a force in French Canadian society. And indeed, 1871 was the last year of publication of Le Pays. 51

A second position was adopted by newspapers such as L'Événement of Quebec City, the Constitutionnel of Trois-Rivières, and L'Opinion publique of Montreal. Shunning the pungency of radical liberalism, they strove after a mitigated liberal position of what may be called sweet reasonableness. This cool attitude of detachment was expressed by L'Événement:

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49 C. Beausoleil, Système protecteur ou De la nécessité d'une réforme du tarif canadien (Montreal, 1871).

50 See below, Section XIII.

51 For the demise of radical liberalism in French Canada at this time, see J.-P. Bernard, Les Rouges, Libéralisme, nationalism et anti-cléricalisme au milieu du XIXᵉ siècle (Montreal, 1971).
En chronique: fidèle, nous ferons part à nos lecteurs des faits qui viendront à notre connaissance, de façon à les en laisser seuls juges. D'ordinaire ce qui manque dans les récits électoraux, c'est l'exactitude. Chacun tire de son côté... Il nous semble qu'un journal qui garderait son sang-froid dans la tourmente... ne serait pas mal vu et comblerait une lacune.  

There can be no doubt that in the midst of polemical debate there was something refreshing in such an appeal.

Underlying a certain amount of ridicule and a certain number of inaccuracies, we discern in this group of papers the following charge levied against the Programme: the publishing of such a text appeared to these papers not, as to Le Pays, wrong, but inopportune, and that for three reasons. The first was that the facts did not warrant it. As the editor of the Constitutionnel, E. Gérin, wrote:

Y a-t-il lieu de se passionner ainsi que le font quelques-uns de nos confrères? Y a-t-il lieu d'entreprendre d'agiter tout le pays?

Coin de terre bénit par la providence, le Canada jouit en paix de la liberté la plus illimitée. En butte aux persécutions dans presque tous les pays, l'Eglise catholique jouit ici de privilèges immenses... jamais l'autorité religieuse, parlaînt par la voix régulière de ses représentants, ne s'adressera à l'autorité civile sans être traitée avec tous les égards possibles.

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53 Constitutionnel (April 24, 1871), p. 2.
The fuss was unjustified. Catholics enjoyed tremendous freedom in Canada: "Nous avons un code de lois que les autorités ecclésiastiques les plus élevées de Rome et de notre province, ont accepté et déclaré plus parfait que celui d'aucun pays," wrote L. O. David in *L'Opinion publique*.

The Programme was inopportune from a second point of view in that it was simply unprecedented, at least in French Canada, for laymen to determine the religious interests of society. David wrote:

La conduite des évêques qui ont dirigé l'église du Canada jusque à présent, avait toujours été si prudente, ils avaient si bien su trouver les moyens *convenables* d'obtenir ce qui était *nécessaire* au bien de la religion, qu'on refusait de croire à leur participation dans ce mouvement.

D'un autre côté, on se mettait difficilement dans l'esprit que trois ou quatre jeunes gens, se substituant aux chefs du catholicisme en ce pays, entreprennent de réformer et l'Eglise et l'État, de leur enseigner leurs devoirs.

It was foolishly daring of these young men to take up the cause of religion. And referring to Mgr Taschereau, the Archbishop, he added:


55Ibid.
Il sait qu'il occupe en ce moment le siège archiépiscopal de Québec et si la religion est parvenue à un si haut degré de splendeur, c'est grâce au zèle intelligent des évêques, ses prédécesseurs, qui, comprenant la situation du pays et l'esprit de la religion, ont su éviter le bruit et l'éclat des luttes politiques et religieuses—au sein de nos parlements. C'est grâce à l'habileté, à la modération et à la sagesse surtout de Monseigneur Plessis, qui était non seulement un homme saint et zélé, mais encore un homme de génie.\[^55\]

*L'Événement*, edited by Hector Fabre, also objected that an initiative in religious matters should come from laymen: "Il est de laisser l'initiative à l'Évêché sur tous les points importants, on la prenait. Il ne restait plus aux Évêques qu'à ratifier et à agir: la route leur était toute tracée.\[^57\]

Thirdly, the *Programme* was inopportune because it was bound to stir up trouble between the Catholics and the Protestants of the province: "On touchait à une de ces luttes fatales qui ont laissé de si tristes souvenirs dans l'histoire de toutes les nations catholiques, et dont les résultats seraient si fatales au peuple canadien à cause des circonstances où il se trouve placé."\[^58\] The *Constitutionnel* developed the same point in a pitying tone:

\[^55\]Ibid., p. 206.


Nous regrettons de voir les préparatifs que l'on fait pour créer de l'agitation religieuse. Nous le regrettons d'abord pour le clergé qui ne peut jamais plus qu'aujourd'hui jouir du respect et de la considération de tous, qui ne peut que perdre dans cette agitation; nous le regrettons ensuite pour notre monde politique, composé de races et de croyances diverses, et au sein duquel on veut introduire des fersments de discorde dont on ne peut prévoir aujourd'hui toutes les conséquences désastreuses. 59

The reaction of moderate liberals to the Programme was summed up in spirit as well as in substance when L'Opinion publique wrote:

Mais ne soyons pas trop sévères à l'égard de ces messieurs dont plusieurs n'étaient sans doute inscrits que par le désir de travailler au bien du pays et de la religion. Malgré tout l'esprit d'abnégation qu'on peut avoir, on ne renonce pas sans douleur à des idées favorisées, à des projets dont la forme plutôt que la base était mauvaise et dangereuse. 60

By playing down the intellectual implications of liberalism and by emphasizing its moral appearances, by concentrating on the form rather than the basis, newspapers such as L'Événement, the Constitutionnel and L'Opinion publique developed a new tradition in French Canada. No doubt there was something attractive about moderate liberalism; but Desjardins, for one, spotted its fatal weakness:

59 Constitutionnel (April 24, 1871), p. 2.

Despite Desjardin's remark, moderate liberalism's *demi-position* was about to triumph. It scored its first victory in the summer of 1872 when Louis Jetté, founder of the new Parti National, defeated Cartier in the federal riding of Montreal-East. It received what was perhaps its finest articulation in 1877, when Wilfrid Laurier, in his famous Quebec City speech of June 26, separated the theory of liberalism from the practice of liberalism, a distinction which was to pave the way for Liberal rule in French Canada.

A third reaction to the *Programme* was that of the English newspapers of the province, a reaction which unfortunately one can describe only as ignorant.

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61 *O.* (June 12, 1871), p. 1.

62 As Brian Young explained: "'Le parti national' was never more than an adjunct of the Liberal Party... The reorganisation of the Liberals under the nationalist banner was part of a determined effort by the Liberals to downplay their Rouge origins. It signalled that the Liberals, hoping to attract nationalist and ultramontane support, were abandoning their struggle with the Church." B. Young, "The Defeat of G. E. Cartier in Montreal East in 1872", *Canadian Historical Review*, LI (1970), p. 393.
The Gazette did not see fit to report on the Programme at all. Its readers, an influential segment of the voting population, were not made aware either of the text or of the controversy, and thus remained ignorant of an important election issue.

The Montreal Herald's policy seems to have been simply to translate articles at random from various papers and to publish them without a word of introduction, explanation, or comment under the heading, "French Press". On April 27, under the title "French Press: The Approaching Elections", the Herald presented one of Beausoleil's finest articles on the supremacy of Parliament and the rights of the Church; the next day, under the same heading and still without a word of explanation, it reprinted an editorial from the Echo de Lévis criticizing the Programme. A fortnight of silence, and then under the heading "French Press: The Political Programme" there appeared an editorial from L'Événement. And so it went. What any of the Herald's readers could have made of this defies the imagination.

The Daily Witness took an active interest in the Programme, and in strong terms made known its own opinions. But in view of the blunders it committed, it might better, like its colleagues, have kept silent. In an editorial of considerable length, it began by attributing the Programme to the bishop of Trois-Rivières:
The Bishop of Three Rivers has issued a Pastoral Letter on this subject, which has been read in all the churches of the diocese under his control, giving directions as to how the faithful are to vote.

It went on to confuse the fourth Provincial Council with the first Vatican Oecumenical Council and concluded with the following rallying cry:

It remains for Christians of all parties, who love either political or religious liberty, to meet the attempt with a most emphatic and determined opposition. How can any Protestant conscientiously, after the Bishop's declaration, vote for a Conservative, seeing that party is the tool to secure Rome's objects? No lover of freedom can consistently lend his aid to the tools of a Church whose aims and objects are the destruction of freedom of thought and conscience among men, and their subjection to the most grievous ecclesiastical tyranny, involving, as a matter of course, the deepest civil bondage.

A couple of days later, the Daily Witness published the following article, which I quote in full as evidence of its sloppy-mindedness:

Through a misapprehension the article on this subject in the Witness of Saturday last credited the whole matters of which it treats to the Bishop of Three Rivers' Pastoral Letter, whereas all after the first fifteen lines should be credited to the Journal des.

64 Ibid., pp. 1 - 2.
Trois-Rivières. As that paper, however, is the Bishop's organ, and therefore in some sort his doubleganger, it does not make much difference. The Journal printed the Bishop's Pastoral and followed it by what he called some development of the ideas expressed there; but the French paper which republished the Journal's compilation, and from which the Witness article was taken, did not keep the two things distinct enough, and hence the confusion. The whole has been adopted by certain of the French clerical papers, and made into what they call the Catholic Programme for the coming election.65

Instead of retracting its previous article, the Witness compounded its blunder by piling inaccuracy on top of inaccuracy. It gave a distorted impression of the function of the bishop's letter in the Programme. It revealed its failure to take its information directly from the source. While it might well have called the Journal des Trois-Rivières and the other newspapers which adopted the Programme religious, it could not accurately call them clerical: the Archbishop of Quebec had made that very clear. Finally, it made the Programme seem the result, not the cause, of the controversy.

The very next day, forgetting all about its "misapprehension", the Witness again attributed the Programme to the bishop of Trois-Rivières. In introducing a translated article from Le Pays, it began: "Le Pays criticizes the famous programme prepared by the

Bishop of Three Rivers for the guidance of faithful Catholics in the coming elections.

It is perhaps too much to expect that an English newspaper of Quebec should have entered into a reasonable dialogue with a French paper; but what does seem incredible is that none of them seemed to be aware of the fact that with Confederation the Protestants in Quebec had become a political minority. McLeod's words are as pregnant with meaning today as they were over a hundred years ago: "Ce n'est pas des hommes qui sont franchement catholiques que la minorité protestante doit s'attendre à ne pas avoir justice. Au contraire." 67

The fourth position vis-à-vis the Programme was that adopted by the two Conservative party newspapers, La Minerve of Montreal and the Journal de Québec of Quebec City. From a political point of view, their reaction was the most important. For by its authors' own admission, the usefulness of the Programme depended on its reception among the Conservatives of the Province. From no other sector of public opinion could there have been any expectation of support. In fact, both La Minerve and the Journal de Québec vehemently attacked the Programme and its authors. "Mais

alors qui êtes-vous?" asked La Minerve; "Quelle autorité supérieure vous a envoyés sur la terre comme anges de bon conseil? Vous plus éclairés que nos évêques, plus autorisés que nos ministres." And seeking to isolate the programmistes, it proclaimed: "Nos chefs religieux ne veulent pas de vous; nos chefs politiques ne vous ont jamais demandés." By and large, the task of isolating the programmistes from the political leaders fell to La Minerve; that of isolating the programmistes from the religious leaders, to the Journal de Québec.

According to La Minerve, the programmistes were guilty of undermining the unity of the Conservative party: their endeavors, therefore, were to be resisted:

Puisque vous travaillez à détruire l'harmonie et l'union dans le parti conservateur, nous sommes forcé de vous traiter, vous et les vôtres, comme des êtres malfaisants.

... Nous repousserons donc la nouvelle attaque qui nous arrive et le parti conservateur va se réunir en phalange plus serré pour résister à l'assaut. Les amis du programme seront nos adversaires, nous les trahirons comme tels. Que cette chose soit bien comprise. Puisqu'il faut trancher dans le vif, nous trancherons. Il n'y a qu'un parti conservateur. Que ceux qui soutiendront le programme ne s'attendent pas à recevoir l'appui du parti; ce sont les auteurs du programme qui nous y forcent.

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68 "L'école des illuminés", La Minerve (May 8, 1871), p. 2.

69 Ibid.
La Minerve appears to have taken quite personally the Programme's remark that by "conservative party" it did not mean any group of men having no end other than that of interest and personal ambition (See Section IX), for it retorted:

Il n'y a qu'une catégorie de conservateurs: les distinctions du programme ne sont qu'une tentative de division; car le parti conservateur n'aurait plus sa raison d'être, si l'on venait à pouvoir dire que dans ce sein du parti on admet la résistance aux justes volontés de l'épiscopat.  

To which, Beausoleil replied:

Il y a un proverbe qui dit: In cauda venenum. Cela est très vrai de l'article d'hier de la Minerve. Dans le parti conservateur on n'admet pas, dit-elle, la résistance aux justes volontés de l'épiscopat.

Précisément, nous y voilà. Le secret est découvert. Voilà ce que c'est que d'écrire trop longuement.

Les hommes de la Minerve, ceux qu'elle appelle conservateurs, se constituent les juges des évêques. Ce sont eux qui détermineront si ce que nos pasteurs demandent est juste ou injuste, raisonnable ou non.

C'est dans leurs mains que la juridiction ecclésiastique repose en dernier ressort.

C'est pour combattre cette propension chez quelques hommes publics à se faire les juges dans les matières placées en dehors de leur contrôle direct que nous luttons.

70 "Le programme des illuminés", La Minerve (May 8, 1871), p.2.

In the heat of polemic, the arrogance and presumption of *La Minerve* were discovered: it was precisely this propensity of politicians to stand in judgement over things that lay beyond their legitimate field of jurisdiction that the *programmistes* strove to curb.

To the embarrassment of *La Minerve*, which had been trying to isolate the *programmistes*, the Conservative leader, Sir George Etienne Cartier, declared in the riding of Beauce: "qu'il admettait tous les principes qui forment la base du programme et qu'une de ses maximes politiques était d'accorder aux évêques tout ce que les évêques peuvent juger nécessaire au plus grand bien de l'Église."\(^{72}\)

The *Journal de Québec*, for its part, made much of the Bishops' letters of disavowal:

Dans l'état actuel de la question, cinq évêques sur six ont parlé; sur les cinq, trois, parmi lesquels se trouve le métropolitain, ont déclaré à leur clergé et, par lui, aux fidèles que le programme, qui fait aujourd'hui tant de bruit, a été formulé en dehors de l'action de l'épiscopat, qui seul peut avoir sa raison d'être, et lui ont recommandé d'écouter la seule voix qui avait droit de parler sur les questions générales soulevées par le programme, le concile provincial.\(^{73}\)

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\(^{73}\) *Journal de Québec* (May 25, 1871), p. 2.
As for the other two Bishops, Mgr Bourget and Mgr Laflèche, who, according to the *Journal de Québec*, were not content to abide by the decisions of the Provincial Council: they were opening the way for secularization and disrespect for authority:

Ils ouvrent à deux battants les portes de l'Eglise non seulement au laïcisme instruit, savant et soumis, mais encore à l'ignorance, à la calomnie, à l'impudence, à la résistance, à l'outrage et à la grossière insulte à l'autorité partout ailleurs qu'autour d'eux.\(^\text{74}\)

Shocked by the accusations launched against the Bishops of Montreal and of Trois-Rivières, McLeod reminded the *Journal de Québec*’s editor, Joseph Edouard Cauchon, that it was quite within the duties of a Catholic lay journalist to take up questions affecting the general well being of the province:

Le *Journal de Québec* prétend que parce que les questions mentionnées dans le programme sont générales, c'est-à-dire regardent toute la province, nous devons attendre comme journaliste catholique, l'action d'un concile provincial... La Confédération a-t-elle été adoptée en concile provincial? C'était pourtant une question générale. Ce qu'il faisait en 1867, ne pouvons-nous pas le faire en 1871, sans être traité d'ignorant, d'hypocrite, d'ambitieux?\(^\text{75}\)

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\(^\text{74}\) Ibid.

\(^\text{75}\) "Le scandale du *Journal de Québec*, J.T.R. (June 1, 1871), p. 2."
I shall have occasion to return to this polemic between the Conservative newspapers of Quebec; for how, it is necessary to remark only that one may sense in La Minerve’s charge of insubordination and in the Journal de Québec’s charge of laïcisment, an anxiety to confine the discussion of important political questions within private circles.
Programme Catholique.

LES PROCHAINES ELECTIONS.

Notre pays, soumis au régime constitutionnel, aura dans peu de temps à choisir ses représentants. Ce simple fait soulève nécessairement une question que notre devoir de journalistes catholiques nous oblige de résoudre, et cette question doit se poser comme suit:

Quelle doit être l'action des électeurs catholiques dans la lutte qui se prépare, et quelle doit être leur ligne de conduite dans le choix des candidats qui solliciteront leurs suffrages?

Nous croyons pouvoir répondre à cette question d'une manière satisfaisante en donnant quelque développement aux idées exprimées par Sa Grandeur Mgr. l'Evêque des Trois-Rivières dans sa dernière Lettre Pastorale.

Voici les lignes que nous y trouvons :

"Les hommes que vous envoyez vous représenter dans la législature sont chargés de protéger et de défendre vos intérêts religieux, selon l'esprit de l'Eglise, autant que de promouvoir et sauvegarder vos intérêts temporels. Car les lois civiles sont nécessairement en rapport sur un grand nombre de points avec la religion. C'est ce que les pères du Concile disent clairement dans leur décret.

"Vous devez donc vous assurer prudemment que le candidat à qui vous donnez vos suffrages est dûment qualifié sous ce double rapport, et qu'il offre, moralement parlant, toutes les garanties convenables pour la
protection de ces graves intérêts.

"Nous devons sans doute rendre grâce à Dieu,
de la pleine et entière liberté que la constitution
de notre pays accorde en droit au culte catholique
de se régir et de se gouverner conformément aux règles
de l'Église. C'est par un choix judicieux de vos
législateurs que vous pourrez vous assurer la conser-
vation et la jouissance de cette liberté la plus
précieuse de toutes, et qui donne à vos premiers
Pasteurs l’immense avantage de pouvoir gouverner
l'Église du Canada selon les prescriptions et directions
immédiates du Sacré Siège et de l'Église romaine, la
mère et la maîtresse de toutes les églises."

Ces conseils, dictés par la sagesse, seront compris, nous
l'espérons, par tous les électeurs catholiques de la Province de
Québec. Il est impossible de le nier, la politique se relie étroite-
ment à la religion, et la séparation de l'Église et de l'État est
une doctrine absurde et impie. Cela est particulièrement vrai du
régime constitutionnel qui, attribuant au parlement tout pouvoir
de législation, met aux mains de ceux qui le composent une arme à
double tranchant qui pourrait être terrible.

C'est pourquoi il est nécessaire que ceux qui exercent ce
pouvoir législatif soient en parfait accord avec les enseignements
de l'Église. C'est pourquoi il est du devoir des électeurs
catholiques de choisir, pour leurs représentants, des hommes dont les
principes soient parfaitement sains et sûrs.

L'adhésion pleine et entière aux doctrines catholiques
romaines en religion, en politique et en économie sociale, doit
être la première et la principale qualification que les électeurs
catholiques devront exiger du candidat catholique. C'est le critérium
le plus sûr qui devra leur servir à juger les hommes et les choses. On comprend qu'il ne peut être ici question des protestants auxquels nous laissons la même liberté que nous réclamons pour nous-mêmes.

Ces prémisses posées, il est facile d'en déduire des conséquences qui serviront de guide aux électeurs. Mais pour établir des règles pratiques dont l'application soit facile, il faut tenir compte des circonstances particulières où notre pays est placé, des partis politiques qui s'y sont formés et de leurs antécédents.

Nous appartenons en principe au parti conservateur, c'est-à-dire, à celui qui s'est constitué le défenseur de l'autorité sociale. C'est assez dire que par le parti conservateur nous n'entendons pas toute réunion d'hommes n'ayant d'autre lien que celui de l'intérêt et de l'ambition personnelle, mais un groupe d'hommes professant sincèrement les mêmes principes de religion et de nationalité, conservant dans leur intégrité les traditions du vieux parti conservateur qui se résument dans un attachement inviolable aux doctrines catholiques et dans un dévouement absolu aux intérêts nationaux du Bas-Canada.

Dans la situation politique de notre pays, le parti conservateur étant le seul qui offre des garanties sérieuses aux intérêts religieux, nous regardons comme un devoir d'appuyer loyalement les hommes placés à sa tête.

Mais ce loyal appui doit être subordonné aux intérêts religieux que nous ne devons jamais perdre de vue. Si donc il existe dans nos lois des lacunes, des ambiguïtés ou des dispositions qui
mettent en nêril les intérêts des catholiques, nous devons exiger de
nos candidats un engagement formel de travailler à faire disparaître
ces défauts de notre législation.

Ainsi, la presse religieuse se plaignit avec raison que nos
lois sur le mariage, sur l'éducation, sur l'érection des paroisses
et sur les registres de l'état civil sont défectueuses, en ce qu'elles
blessent les droits de l'Église, gênent sa liberté, entravent son'
administration ou peuvent prêter à des interprétations hostiles.
Cet état de choses impose aux députés catholiques le devoir de les
changer et modifier selon que Nos Seigneurs les Evêques de la Province pour-
raient le demander afin de les mettre en harmonie avec les doctrines
de l'Église catholique romaine. Or, pour que les députés s'acquittent
plus diligemment de ce devoir, les électeurs doivent en faire une
condition de leur appui. C'est le devoir des électeurs de n'accorder
leurs suffrages qu'à ceux qui veulent se conformer entièrement aux
enseignements de l'Église relativement à ces matières.

Concluons donc en adoptant les règles générales suivantes dans
certains cas donnés.

1° Si la lutte se fait entre deux conservateurs, il va sans
dire que nous appuyerons celui qui accepte a le programme que nous
venons de tracer.

2° Si, au contraire, elle se trouve engagée entre un con-
servateur d'une nuance quelconque et un adepte de l'école libérale,
nos sympathies actives seront pour le premier.
3° Si lesseuls candidats qui s’offrent à nos suffrages dans un comité sont tous libéraux ou oppositionnistes, nous devons choisir celui qui s’inscrira à nos conditions.

4° Enfin, dans le cas où la contestation serait engagée entre un conservateur rejetant notre programme et un oppositionniste quand même l’acceptant, la position serait plus délicate.

Voter pour le premier serait nous mettre en contradiction avec la doctrine que nous venons d’exposer. Voter pour le second serait mettre en péril le parti conservateur que nous voudrions voir puissant. Quel parti prendre entre ces deux dangers? Nous conseillerions alors l’abstention des électeurs catholiques.

On comprend néanmoins que ces règles posées laissent encore aux électeurs une certaine liberté d’action qui dépendra des circonstances particulières de chaque comité et des antécédents de chaque candidat. Au reste, nous avons tenu à mettre surtout en évidence les convictions et les qualifications religieuses que les électeurs doivent exiger de ceux qui sollicitent leurs suffrages.

Il est utile d’ajouter que pour faire prévaloir leurs convictions religieuses, il faut, chez les députés, l’intelligence et l’instruction. Après s’être assuré des principes religieux des candidats, il faudra donc, en second lieu, s’efforcer de faire parvenir en chambre la plus grande somme possible d’intelligence et d’instruction.

Nous réprouverions donc toute action ministérielle qui tendrait à éliminer de l’arène parlementaire des hommes capables de
rendre service à la cause catholique et nationale, sous le prétexte qu'ils f vidaient quelques ambitions. Composer la représentation de nullités dociles et impuissantes serait certainement un grand mal qu'il faut éviter.

En deux mots, nous voulons sauvegarder à la fois l'honneur de la Patrie et la liberté de l'Église, et tout notre programme peut se résumer dans ce motto: "Religion et Patrie".
THE COMMENTARY
PART ONE: THE PROEM

An Introduction
to the Constitutional (Section I)
Journalistic (Section II)
and Philosophic (Section III)
Contexts of the Argument
NOTRE PAYS

"Notre pays. soumis au régime constitutionnel, aura
dans peu de temps à choisir ses représentants."

The Programme opens with the presentation of a simple
fact: the people of the Province of Quebec would go to the polls
in two months' time to elect their representatives for the local
Legislative Assembly. (The Programme, we recall, was published
on April 27; the voting, which then occupied a month, was to last
from June 16 to July 14.)

Behind the simple act of voting, however, lay the country's
whole constitutional background: if the voting were to be done
seriously, the electorate would have to have some grasp of the
principal features of that background. The authors of the Programme
devoted, therefore, a number of articles to explaining to their
readers the political and legal framework which constituted the
stage for the forthcoming act.

(1) Our country

Immediately, the first two words of the text introduce the
reader into the world of politics. Indeed, it is difficult to imagine two more basic political words than "our" and "country". "Our" is possessive and plural, suggesting that the subject matter of the text is not going to be the object of a disinterested study carried out by some neutral observer. On the contrary, we gather that its subject matter is something of immediate concern to a number of men, being something that belongs to them.

The second word reveals to us what that possession is: it is some men's country. "Country" is a collective term which gathers together what one lives in the midst of, what one inhabits in common with other men, and what, consequently, everyone has an equal share in. For that reason, it is a thoroughly political word. "Country" is also political in that it is pregnant with the present: in this, it is very different from such words as fatherland or nationality, which, having to do with one's origins, reflect a concern more with history than with politics.

It is of course of the greatest practical political importance to know just who and what is encompassed by a country. It is a question over which wars are fought. That is not to say, however, that a country's limits need always be determined univocally. The extent implied sometimes depends on the context. For example, in England and France the word "country" or "pays" can denote a local region, the territory under the jurisdiction of the State, or even a vast imperial realm. Such a fluid notion of what makes up one's country could also be found in Canada, especially after Confederation.
The common concern implied in the expression "Notre pays" extended on some occasions—as in the Programme—to the boundaries of the Province of Quebec; on other occasions—as in the case of the New Brunswick Schools—it extended to embrace the expanding new Dominion. This fluid contraction and expansion of the notion of country was reflected finally in the custom of the double mandate. At the time of the Programme, a man devoted to serving his country could represent the common interests both of his Province and of the Dominion.

(2) Its constitutional regime

In both the contracted and the expanded view, the political entity defined as "our country" was subject to law: the people inhabiting it were subject to a regime of government. Cléophas Beausoleil, in an article published only a few days after the Programme, wrote that "Le régime constitutionnel implanté en Canada par l'Angleterre nous a été transmis avec les maximes et les traditions anglaises." As a result, the Canadian constitution consists, on the one hand, of Statutes enacted at various times: and on the other, of Customs which, though unwritten, serve nevertheless to determine and to guide the practice of government.

These two sources of Canadian law were described by
Benjamin-Antoine Testard de Montigny in his monumental *Histoire du
droit canadien*:

La Constitution du Canada n'est pas une constitution écrite, comme celle des États-Unis ou celle de la France, bien que plusieurs statuts du parlement impérial, et certaines résolutions sanctionnées par le gouvernement de la mère patrie, servent à diriger jusqu'à un certain point le gouvernement de cette province.

Cette partie écrite de notre constitution se compose des dispositions encore en force.

Tout ce qui n'a pas été prévu et déterminé clairement par ces actes doit être réglé conformément aux coutumes suivies dans cette colonie ou aux lois et usages établis pour des fins analogues en Angleterre. La partie non écrite de notre constitution se compose de ces coutumes, et de ces règles constitutionnelles, en autant qu'elles ne sont pas incompatibles avec notre condition de colonie, avec les droits particuliers qui en résultent, ou avec les moeurs et le caractère de la population, ou avec les circonstances où nous nous trouvons.  

Of the six principal features of the Canadian constitution reviewed below, some, therefore, are written and others unwritten.

(i) Representative Government

For the first feature, we have to refer to a written law: with the passage of the Constitutional Act of 1791, Canada's constitution, in the general sense of the word, became Constitutional, in the specific.

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In the general sense of the word, as simply rule-by-law, the inhabitants of this country had been living under a constitutional regime long before the implantation of British rule. As French colonists along the St. Lawrence, they had been governed for a century by decrees and ordinances duly made and promulgated by a council appointed by the king. But with the Constitutional Act, these settlers were granted something new and special: they were granted representative institutions. And therewith the ground was cleared for an understanding between the government and the people, for co-operation between the Crown and the country. Through their chosen representatives, the people's voice was heard; and even if their advice was not always taken, they could participate in government in a way not possible under the ancien régime. In de Montigny's words: "Tel fut l'Acte constitutionnel, qui donnait un gouvernement dans lequel le peuple était appelé à jouer un rôle, et au moyen duquel il pouvait faire connaître tous ses griefs, si on ne lui donnait pas le pouvoir d'obliger absolument l'exécutif à les redresser."

The people's participation in government through its choice of representatives is the chief characteristic of Representative or, in the special sense of the word (which is the sense in the text of the Programme), Constitutional Government.

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3 For a history of the law of New France, see de Montigny, Histoire du droit canadien, pp. 1 - 199.

4 de Montigny, Histoire du droit canadien, p. 505.
(ii) Parliamentary Government subject to Natural Law

For the next feature of Canada's constitution, we have to refer to an unwritten axiom. Beausoleil continued in the article already quoted: "C'est un axiome du droit constitutionnel anglais que le Parlement est tout puissant et que son domaine s'étend à toute chose dans les limites du royaume excepté à celles qui sont contraires aux lois de Dieu et de la Nature." There are two propositions in this statement: that Parliament is supreme: and that this supremacy is subject nevertheless to the laws of God and to the laws of Nature. Let us examine each proposition in turn.

In British constitutional law, Parliament is supreme in two senses of the word. In a legal sense, Parliament is supreme because the products of its law-making, its statutes, overrule all other forms of law-making, such as royal proclamations, judicial decisions, or statutory instruments. In a political sense, Parliament is supreme in that the combined power of the Queen and the two Houses is greater than the combined power of the queen and her servants.

The second proposition, as to whether or not Parliament is subject to a higher law of divine origin in one case (the laws of Nature) and of divine prescription in the other (the laws of God) has been a subject of great controversy since the seventeenth

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century. This is not the place to enter fully into this controversy. But because of its importance in the programmistes' argument, and because it has been contested, it is necessary to demonstrate how the claim that Parliament's power to enact laws is limited in Nature has been put forth by a long and illustrious line of commentators on the English constitution. In quoting from these men's works, I realize that I am departing from my general rule of quoting only from the programmistes themselves, but there seems to be no other way of showing that their claim is not the result of some misconception or illusion on their part.

Fortescue, in his De Laudibus Legum Anglie, classified all laws as being natural, customary, or statutory. Statutory law was the reduction to writing of customs and the rules of the law of nature. And of these two sources of written law, what characterized the former, customs, was their particularity: whereas what characterized the latter, natural law, was its universality. Chapter XVI, entitled "The law of nature is the same in all regions", begins: "The laws of England, in those points which they sanction by reason of the law of nature, are neither better nor worse in their judgements than are all laws of other nations in like cases. For, as Aristotle said in the fifth book of the Ethica, 'Natural law is that which has the same force among all men.'" The enacted

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7 Ibid., Ch. XVI, p. 39.
statutes of a particular country are subject therefore to the
universal laws of nature.

Calling the Law of Nature the Law of Reason, Hooker
developed the same point: "generally all laws human, which are
made for the ordering of political societies, be either such as
establish some duty whereunto all men by the law of reason did
before stand bound; or else such as make that a duty now which
before was none." Hooker calls the first type of law "mixedly"
human because "whereas men before stood bound in conscience to
do as the Law of Reason teacheth, they are now by virtue of human
law become constrainable, and if they outwardly transgress,
punishable" - the second type of law, which Hooker calls "merely"
human. corresponds to Fortescue's customary law: "the matter of
them is any thing which reason doth but probably teach to be fit
and convenient: so that till such time as law hath passed amongst
men about it, of itself it bindeth no man." 8

Blackstone wrote: "This law of nature being co-eval with
mankind and dictated by God himself, is of course superior in
obligation to any other. It is binding over all the globe, in all
countries, and at all times: no human laws are of any validity, if
contrary to this: and such of them as are valid derive all their
force, and all their authority, mediately or immediately, from this
original." 9

Dicey, in his constitutional lectures delivered about the time of the Programme, broke with this tradition and asserted that Parliament's power is not subject to any limitation in Nature or in Reason. To illustrate the "Unlimited legislative authority of Parliament", Dicey made use of De Lolme's famous saying: "De Lolme," says Dicey, "has summed up the matter in a grotesque expression which has become almost proverbial. 'It is a fundamental principle with English lawyers, that Parliament can do everything but make a woman a man, and a man a woman.'"\(^\text{10}\)

In the same lecture, Dicey went on "to examine into the validity of the various suggestions, which have from time to time been made, as to the possible limitations on Parliamentary authority, and to show that none of them are countenanced by English law."\(^\text{11}\)

To the claim that Parliament "cannot make a law opposed to the dictates of private or public morality", he answered: "there is no legal basis for the theory that judges, as exponents of morality may overrule acts of Parliament."\(^\text{12}\) --thus giving the claim of Natural Law advocates a most peculiar twist. In the first place, the advocates of Natural Law do not put into question the legality of Acts of Parliament, but rather their legitimacy. In the second place, they do not expect anyone, let alone one particular class of society, to be


\(^\text{11}\) Ibid.

\(^\text{12}\) Ibid., p. 58.
an exponent of morality - but rather that everyone, in so far as he is an intelligent human being, be subject to morality. 13

Referring to the modern trend to play down Parliament's limitation in Natural Law, Magloire McLeod wrote: "On trouve dans tous les auteurs constitutionnels anglais cette maxime que l'on invoque assez souvent pour exagérer les pouvoirs des corps libé-ratifs: 'Le Parlement est tout-puissant, hormis de changer un homme en femme et une femme en homme'. 14 In contrast to Dicey, and holding the traditional view, McLeod went on to interpret this maxim in the sense of a natural limitation to man's concerted powers: "Cette maxime renferme une grande vérité que les auteurs qui l'invoquent ne font pas ressortir dans toute sa force, dans toute son étendue. Que veulent dire en effet ces mots 'hormis de changer un homme en femme et une femme en homme' sinon que le parlement a une limite, une borne dans la loi naturelle." 15 Aware too of the maxim's deficiency, McLeod concluded: "Mais cette borne, la maxime citée ne la pose au parlement que dans l'ordre physique naturel: tandis qu'elle doit être posée dans l'ordre moral naturel.

13 The difference between the lorrality of an act and its legitimacy, how the former is related to conventional institutions and the latter to a judgment of the intellect, will be discussed in Section IX.


15 Ibid.
tout aussi bien que dans l'ordre physique. Il y a même beaucoup plus de raison de la respecter dans l'ordre moral que dans l'ordre physique. Le premier étant supérieur au dernier.\textsuperscript{16}

During the course of this commentary we shall hear more about Natural Law: for now, we need only keep in mind that, for the programmistes, and in accordance with the traditional interpretation of the English constitution, Parliament's power to enact laws was essentially limited by what was "naturally" right.

(iii) Parliamentary Government subject to Religious Freedom

Not inherited as an unwritten axiom, but gradually acquired from England through a series of deliberate Acts was yet another limitation to Parliament's power: the religious limitation. Whereas in England Parliament's jurisdiction (through the monarch who bears the title of Defender of the Faith) extended over the entire moral order, in Canada Parliament was obliged to tolerate, in matters of faith and therefore to a certain extent in matters of morals, the rulings of others. To return to Beausoleil's article:

La constitution anglaise reconnaît au souverain la suprématie sur les âmes comme sur les corps. Il est juré en dernier ressort des questions de foi, de morale et de discipline. ... Au Canada, ces principes ne peuvent être reçus, parce que le pouvoir du Parlement est limité par la constitution et par les traités, qui garantissent aux catholiques la liberté de leur culte.\textsuperscript{17}

\textsuperscript{16}Ibid.

\textsuperscript{17}N.M. (April 24, 1371), p.1.
The freedom of His Majesty's new subjects to practise their religion was laid out in the following documents: the Articles of the Capitulation of Quebec of 1759; the Peace Treaty of St.-Germain of 1763; the Quebec Act of 1774; and the Constitutional Act of 1791. Article V of the Quebec Act "accorde la jouissance du libre exercice de la Religion Romaine et 'le clergé de la dite Église pourra tenir, recevoir et jouir de ses dus et droits accoutumés, eu égard seulement aux personnes qui professeront la dite Religion"; while Article VII "exempte les Catholiques de prendre le serment ordonné par acte passé dans la première année du Règne de la Reine Élisabeth."¹⁸

¹⁸de Montigny, Histoire du droit canadien, p. 237. As my uncle pointed out in his history of Sir Guy Carleton (later Lord Dorchester), "l'Acte de Québec a représenté l'apparition d'un nouveau principe: le droit qu'auront les peuples de l'Empire britannique, alors en pleine formation, de conserver leurs lois, leur langue et leur religion." Indeed, of this Act, "le chapitre consacré à la religion accorde aux catholiques une grande latitude et confirme la protection de l'Église romaine, déjà garantie par traité. Le serment du Test, qui a jusqu'ici écarté nominalement les catholiques des postes publics sera remplacé par un simple acte d'allégeance sans allusion à la suprématie de l'Église protestante. Cette importante réforme, par laquelle les canadiens vont obtenir leur émancipation plus de cinquante ans avant les catholiques de Grande-Bretagne, a été adoptée par la Chambre sans conteste... Carleton a aussi obtenu le privilège de régler à sa discrétion les relations avec les éclésiastiques. En dépit des objections du gouvernement, il réussit à libérer l'évêque de toute soumission à l'autorité civile!" Pierre Penot, Lord Dorchester (Montreal, 1961). pp. 72 - 78.
This religious limitation to Parliament's power received further recognition in 14 & 15 Vict. chap. 175, passed in 1851.

Section I of that Act reads:

Whereas the recognition of legal equality among all Religious denominations is an admitted principle of Colonial Legislation: and whereas in the state and condition of this Province, to which such a principle is peculiarly applicable, it is desirable that the same should receive the sanction of direct Legislative authority. recognizing and declaring the same as a fundamental principle of our civil polity: Be it therefore declared and enacted by the Queen's Most Excellent Majesty, that the free exercise and enjoyment of Religious Profession and Worship, without discrimination or preference, so as the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province, it is by the constitution and laws of this Province allowed to all Her Majesty's subjects within the same. 19

For Siméon Pagnuelo, that act affirmed "le principe fondamental de notre constitution politique". 20

Thus by a series of legal enactments —two of them having constitutional status by virtue of being Imperial statutes— the Roman Catholics of Canada, and the members of other religious persuasions, were granted in law the right to worship in freedom.

19 14 & 15 Vict., cap. 175, s. 1.

20 S. Pagnuelo, Études historiques et légales sur la liberté religieuse en Canada (Montreal, 1872), p. 258.
(iv) Constitutional Monarchy

Given these two limitations -- the one "natural" and unwritten, the other religious and statutory -- to Parliament's exercise of power, we turn now to examine Parliament's constitution in the strictly legal sense of the word. Beauséjour explained how it was of a mixed form: "Mais le roi n'est lui-même qu'un des trois éléments qui composent le parlement. Les deux autres sont la Chambre des Lords et la Chambre des Communes. L'une ou l'autre isolément de ces trois branches ne peut rien, et leur accord seul peut donner naissance à une loi."21 Legally, the regime constituting this country is a monarchy, tempered with aristocratic and democratic elements. In a political handbook he wrote for popular use, Benjamin-Antoine Testard de Montigny expressed his admiration for this form of government and his pleasure that the people of Canada should partake of it:

considéré dans son application la meilleure des trois formes de gouvernement est celle qui se trouve le mieux en harmonie avec les besoins du peuple auquel elle s'applique. Mais heureux les peuples qui sont dignes de participer à la royauté par un gouvernement tempéré car, prise en soi, c'est la forme la plus parfaite et qui offre le plus de garantie.22


22 de Montigny, Catéchisme politique (Montreal, 1873), p.1.
By legally preserving a monarchical form of government, the Canadian constitution avoided a weakness of the American constitution:

Cette constitution canadienne adhère ainsi au principe monarchique et évite une faiblesse inhérente à la constitution américaine, où le président est élu pour une courte période par un collège électoral nommé par chaque État, et ne peut jamais être regardé comme le souverain de la nation. Cette anomalie s'aggrave encore davantage par le principe de la réélection, puisque pendant la durée de ses fonctions, il travaille pour lui et son parti à se maintenir au pouvoir pendant une autre période.23

Thus de Montigny explained how Canada, by remaining a monarchy, avoided the anomaly of a governor's (or a President's) being subject to the people.

(v) Responsible Government

Legally, then, this country's constitution can be described as a monarchy mixed or tempered with aristocratic and democratic elements. This, however, is to take a rather abstract view of the matter. In reality the legal element is influenced by the political.

23Ibid., p. 99. This is a very important point which de Montigny is making, for it reflects the fact that the Canadian and American constitutions are based on opposing views of the people's relation to government. In Canada, people are subject to government, and hence the relation underlying the constitution is, as we shall see in Section IX, one of authority. In the U.S.A., government is "of the people, by the people, and for the people", and hence the relation underlying the constitution is one of liberty.
The granting of representative institutions in 1791 led naturally to an increase in political activity. Indeed, it may be argued that the Constitutional Act signalled the beginning of political life in Canada. In any event, it soon became apparent that the government of the British North American colonies would have to meet with the approval of the people's representatives assembled in parliament. And thus Responsible Government was granted in the years following the Act of Union of 1840. Before then, as de Montigny explained:

les gouverneurs ne se croyaient pas tenus de choisir leurs conseillers parmi les hommes qui jouisaient de la confiance du peuple; ce qui fut la cause de l'antagonisme qui exista si longtemps entre la chambre de l'assemblée et le conseil exécutif.

L'établissement de ce que l'on appelle "gouvernement responsable" a eu pour but de remédier à ce mal, en obligeant le gouverneur à choisir ses conseillers parmi les hommes qui possèdent la confiance du peuple, ou au moins de la majorité des représentants: de manière à faire régner entre les diverses branches de la Législature et du gouvernement, cette harmonie nécessaire à la prospérité de la province.24

Since 1848, Canada has been governed on principles first

24 de Montigny, Histoire du droit canadien, p. 525.
instituted in England in 1688. Developed only gradually, these principles ingeniously held together Crown and Country. Thus, out of the meeting ground established in 1791, there emerged in Canada in the 1840's a clearly defined human link between Crown and Country. Henceforth, there would be a readily discernable group of men who would be both servants of the Crown and representatives of the Country. It would be difficult for this small group of men, having twofold power and forming what is called the ministry or cabinet, to evade responsibility. Thus it may be seen that the genius of the English and Canadian regimes lay not in the separation of powers, as in the United States, but in the coupling of powers. It is this coupling of powers which best expresses the working of our constitution and gives special resonance to the term Responsible Government.

25 In the words of Lord Durham: "I know not how it is possible to secure harmony in any other way than by administering the government on those principles which have been found perfectly efficacious in Great Britain. I would not impair a single prerogative of the crown. On the contrary, I believe that the interests of the people of these provinces require the protection of prerogatives which have not hitherto been exercised. But the crown must, on the other hand, submit to the necessary consequences of representative institutions: and if it has to carry on the government in union with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence." Lord Durham's Report, ed. and intr. by G. M. Craig (Toronto, 1963), p. 139.
McLeod described how before the advent of Responsible Government, submission to authority had been for centuries the Canadian's sole political duty; but it was no longer:

Or, c'est cet enseignement traditionnel et si court, que le clergé canadien, lui aussi a suivi jusqu'à ce temps, dans l'exposition des devoirs politiques des fidèles; et cet enseignement a pleinement suffi jusqu'à ces dernières années. c'est-à-dire tant que le gouvernement constitutionnel n'a été pour nous qu'une utopie, et que la majorité des députés de la nation n'avait pas le pouvoir de contrôler efficacement les actes du gouvernement. Le peuple se trouvant en face d'un pouvoir qui ne lui était point responsable, n'assumait aucune part dans la responsabilité de ses actes; et les devoirs qu'il avait à remplir envers un tel gouvernement étaient les mêmes que ceux qu'il avait remplis au temps de la royauté.

Mais depuis que le gouvernement constitutionnel est passé dans le domaine des faits, c'est-à-dire, depuis que sa responsabilité, envers le peuple, est devenue une réalité, il est facile de comprendre, il est évident même que les rapports du peuple avec un gouvernement ainsi constitué ont subi des altérations profondes, et qu'ils ne consistent plus simplement dans une obéissance sans réserve, sans restriction comme auparavant. Puisque le peuple a le contrôle réel et absolu de la législation et des actes du gouvernement par la majorité de ses députés, il s'en suit nécessairement qu'il en a la responsabilité non seulement devant les hommes, mais aussi devant Dieu, qui dans les dispositions de sa Providence Souveraine, lui a déparié cette forme de gouvernement.26

26J.T.R. (September 25, 1871), p.2. The programmistes' efforts at explaining Responsible Government to their compatriots are all the more remarkable in the light of Sir John Bourinot's comment that: "Canadian writers entirely ignore the fact that the system of Responsible Government had been only working itself out under many difficulties since 1688, and was not yet perfectly well understood even in the parent state, and certainly not by the people at large. Even writers like De Lolme and Blackstone, whose works were published a few years before 1792, never devoted even a footnote to a responsible cabinet or ministry: and no constitutional writers, until the last half of this century, attempted to formulate the rules and conventions
Under Responsible government, the Catholic subject now partook not only in the operation of government, as he had done since 1761, but also in the moral responsibility of government. In this regard, he had of course to continue to conform to the rulings of government, but his obedience was qualified by the decisive approval (or disapproval) which he could voice through the majority of representatives.

(vi) Confederation

In order for Responsible Government to work well, the ministers must have the confidence and the support of a majority of the representatives. Otherwise, it becomes impossible to enact any legislation. This is what happened in Canada when less than fifteen years after the granting of Responsible Government it became apparent that the structure of the country would have to be altered to achieve a stable majority in the House.

which regulate this system of unwritten law." In a footnote, Bourinot added: "It is a fact of which Canadians should be proud that the late Dr. Todd, librarian of the parliament of Canada, wrote the fullest and ablest exposition of the principles and workings of parliamentary government that has yet appeared in any country." J. G. Bourinot, "Parliamentary Government in Canada —a Constitutional and Historical Study", Annual Report of the American Historical Association (Washington, 1897), p. 317. We know for a fact that Trudel, for one, was well acquainted with the works of Alpheus Todd.
The political interests of the United Province were too diverse: the majority from one section of the province was at odds with the majority from the other. As one correspondent to the Journal des Trois-Rivières wrote: "Il y a quelques années, notre union avec le Haut-Canada rendait impossible, ou du moins excessivement dangereuse, une législation du genre de celle que nous souhaitons."  

Embodying the principle of federalism, the British North America Act distinguished common interests of a local nature from those extending to the Dominion as a whole, thus allowing Responsible Government to take an effective shape. De Montigny, in a mood suited to the occasion, said of Confederation:

Le Monde a été témoin d'un des plus beaux spectacles auxquels il ne lui a jamais été donné d'assister: celui de voir des nations, d'extraction, de mœurs et de religion différentes, averties par leurs législateurs que les rouages du gouvernement s'arrêtent, se soumettre volontairement au remède indiqué sans qu'il en coûtât une goutte de sang à l'humanité.

Having inspected briefly the principal features of this country's regime, we find that we are now back before what is perhaps its most striking feature: namely, the periodical election of representatives. In the words of our text, "Notre pays aura dans peu de temps à choisir ses représentants."

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28 de Montigny, Catéchisme politique, p. 52.
Louis Olivier Maillon, speaking to the two thousand people assembled in front of the village church of Epiphanie to nominate candidates for the riding of Assumption, summed up the situation in these words: "Possédant le gouvernement responsable, les ministres sont soumis au contrôle de nos représentants que nous contrôlons nous-mêmes par nos votes. Nous pouvons donc dire que les destinées du Pays sont entre nos mains. Le moment de prononcer un jugement est arrivé." Limited as it was to choosing their representatives, the people's subsequent political freedom was nevertheless awesome.

"Ce simple fait soulève nécessairement une question que notre devoir de journalistes catholiques nous oblige de résoudre."

The striking feature of this country's constitutional regime is its periodic election of representatives. We hear first that this fact invariably gives rise to a question, and secondly that it is a question which Catholic newspapermen have a duty to resolve. I shall now consider these propositions for the special light they may shed on the context of the programmistes' argument.

(1) The uncertainty of an election

Why should the fact of choosing representatives necessarily give rise to a question? It is clear that under a regime of responsible government, the main stage of political action is the
House of Commons: there the government must face public scrutiny: there it can lose the confidence of the majority of the members, with the result that a new government must be formed. Periodically, however, the government must face the even more formidable opposition of the people themselves. It is at that moment that the government's fate really hangs in the balance. At no time is the prospect of an alternative more imminent than during an election campaign. This makes for the uncertainty of an election, an uncertainty which is not so much of an intellectual order as it is of a practical order. The question, therefore, arising for the programmistes was the moral ambiguity inherent in a general election. Depending on the deliberate action of a certain number of individual human beings—the voters—the situation could change for the better or for the worse.

Of course as long as it is abstracted from the scene of action and beheld simply in the context of a constitutional regime (as it was in Section I), the choosing of representatives remains only a fact. It may remain only a fact even for those on the scene of action in the sense that perhaps for some voters the result of the election is a fait accompli. But such was not the case for the programmistes. Out of the fact of an election arose for them the act of electing.
It is this moral and practical element which we must bear in mind if we are to understand the Programme.

(2) The part played by journalists in modern society

Turning now to the subordinate clause of this sentence of the text, we learn that it is not only as journalists, but as Catholic journalists that the authors feel entitled and obliged to resolve the uncertainty of the forthcoming election. They derive the justification for publishing their programme from the role which they are called on to perform in society.

People communicate ideas and opinions in society in many different ways, through, for example, ordinary conversation, works of art, religious exhortation, and philosophical commentary. But in contrast with these old-fashioned ways, journalism appears to be a specifically modern form of social communication. The development of journalism is of course a complicated one; but it is necessary if we are to arrive at a full understanding of the Programme to attempt here to outline briefly the political significance of this new form of social communication.

The novelty of journalism can be appreciated from different angles. To begin with, journalism was a new phenomenon in a technological sense, in that it required for its success a series of
mechanical and then electrical inventions: it was a new development in a sociological sense in that it captured the latent force of public opinion and established it as a positive institution. Of course there has always been public opinion, but prior to the advent of journalism, it usually emerged only in the form of some violent manifestation, when it had been subject to outrage. Journalism organized public opinion in society, and set it up with more or less respectable credentials.

Not surprisingly, this new social force soon made itself felt as a political power. By the end of the eighteenth century, public opinion had become a political fact of great importance.1 This development is well expressed in the phrase, "the fourth estate". The representatives of this estate, the publicists, the pamphleteers, the journalists, and all those who shaped public opinion, were to be reckoned with as a body constituting part of the state.

In fact, the development of journalism paralleled, at least up until the time of the Programme, the development of the bourgeoisie, the most powerful element of the Commons or the third estate. Where the two developments can be seen to converge and to

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1J. J. Rousseau saw this clearly: "I speak of manners and morals, customs, and more than all, of opinions: these are means unknown to our political thinkers, but on which the success of everything else depends." Social Contract, ed. and trans., J. Frankel (New York, 1964). Bk. II, Chap. xii, p. 49.
feed on one another is in the growing importance of representative institutions.

In the days of prerogative government, members elected to the House of Commons, that model of representative institutions, could act—indeed, were expected to act—independently of public opinion. They were meant to exercise their own judgement on the various questions submitted to them, and not merely to express the opinions of the several bodies of constituents by which they were returned. Yet it may be said even of these independent members that they nevertheless performed a mediating function between public policy and public opinion in at least one important area. That the Crown's policies have from the earliest times been subject to the financial approval of the House of Commons is a recognition that public opinion, at least in money matters, is to be taken into account.

Now what journalism did was to seize on that element of mediation and to expand it tremendously. Since the voters were not present in Parliament to observe for themselves the performance of their representatives, there existed, if only in potentiality, the need to report back to the electorate the political happenings of the day. Thus the mediating role of public opinion initiated by the electorate was expanded and brought around full circle by the media representatives. What was cast with one's vote every
four or five years could now be retrieved on one's doorstep six days a week.

In this regard, it is worthwhile (recalling that the Programme was initiated by two members of the local parliamentary press gallery, A. Desjardins and M. McLeod, who had observations to convey to the public on the performance of the 1st Quebec Legislature.

Not surprisingly, the clergy and the nobility, the first and second Estates, viewed all these developments with grave misgivings. But by the nineteenth century public opinion had become a political force that one could no longer ignore or attempt to repress. A group that disagreed with the way the press moulded public opinion had to establish an alternate press. By the middle of the nineteenth century, the Catholic Church had seen the necessity of fighting fire with fire.

In 1853 Pope Pius IX, in a bull entitled Inter Multiplices, encouraged Catholic laymen to take an active interest in journalism, which had, been on the whole until then subversive of throne and altar. That bull became the charter under which laymen defended in the realm of public opinion the points of view and the interests of the Church.

In Canada, public opinion had become even more influential since the granting of Responsible Government. Thus the Council of
Canadian bishops urged the development of a Catholic press in 1854 and again in 1868. Routhier summed up the Church's point of view at that time when he wrote: "Je ne suis pas de ceux qui admirent outre mesure cette institution puissante qu'on appelle la presse. Le bien qu'elle fait est loin d'égaler le mal qu'elle nous cause. Mais puisque cette puissance existe, il faut la faire servir au bien." 

In summary, it was necessary in a society of representative institutions where public opinion had become a political factor, for any group with interests to defend to take part in the formation of public opinion. In the nineteenth century this meant having a hard in journalism, for people had come to rely on the press for a first hand account of the day's political events, and a newspaper editorial was a resolution as important politically in its own way as a government bill introduced in a legislature. And so it may be appreciated that though the Programme's argument was an old one, the manner of its presentation was thoroughly

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2 See P. Savard, "Un type de laïc au Canada français traditionnel: le journaliste catholique", Le Laïc dans l'Eglise canadienne-francaise de 1830 à nos jours (Montréal, 1972), pp. 175-183.

3 A. B. Routhier, Causeries du dimanche (Montréal, 1871), p. 126.
contemporary. The Programme was an old wine in a new bottle.

Further light may be shed on the programmistes' understanding of the role of journalists in society if we turn now to their own account of what it was they were doing. Reviewing his career as a journalist, McLeod quoted from the statement he made at the time he founded the Journal des Trois-Rivières:

"si nous tenons à formuler nettement notre programme et si nous avons l'intention non moins nettement arrêtée, de rester dans nos principes, nous tenons également à conserver notre indépendance, et la plénitude de notre libre arbitre à l'égard de toutes les questions qui se produiront à mesure que nous avancerons vers l'avenir. Nous les examinerons à la lumière de la vérité, des événements et des besoins nationaux." Voilà sous quel drapeau nous nous placions, il y a plus de six ans et sous lequel nous avons toujours combattu dans l'humble mesure de nos forces."

Though he had a programme and principles, McLeod promised his readers that he would maintain his independence and his freedom. Far from being doctrinaire, he would strive to meet each question in its own time. Once a question did arise, he would have it emerge from its uncertainty to appear clearly defined in the light of the truth, of the events and of the needs of the community.

Adolphe Basile Routhier's engagement in journalism was of a very different sort: for him writing was a leisure time activity:

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La profession d'avocat, qui n'est plus guère qu'un métier, ne m'a jamais charmé que médiocrement, et j'ai toujours eu à lutter contre la tentative d'écrire. Contrairement à ceux "qui s'en font un état" écrire en amateur, par plaisir et par devoir, pour la défense des vînciles que l'on croit vrais, me semble un rôle moins dangereux et plus plaisant: c'est celui que j'aime à remplir quand mes loisirs me le permettent.  

According to Routhier, one is more likely to remain open to the questions of the day if one greets them in one's leisure time. It was in this spirit then that he frequently contributed articles to the Courrier du Canada.

The difference between McLeod's testimony and Routhier's is the difference between a professional and an amateur. But however interesting this difference of approach, it is more important to see what McLeod and Routhier had in common: as members of a society alive to the unsettled state of public affairs, both of them saw in journalism a powerful means of contributing to a settlement of those affairs.

A journalist's task is, as the word itself suggests, a daily task. But it was opportune that the Programme should have appeared during an election campaign, for as we saw, it is then that the affairs of state are at their most unsettled. Choosing the right man and the right party to represent one's political

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5A. B. Routhier, Causeries du dimanche, pp. 118-119.
interests and opinions is a difficult business. Consequently, one is in need of all the informed and intelligent advice one can get.

But it was especially opportune that the advice contained in the Programme should have appeared during the 1871 provincial election campaign. For that election marked, for the French Canadian people, the practical culmination of two important political developments: Responsible Government and Confederation. The institutions required for embodying either of these two developments, let alone both together, were complex and sophisticated. In de Montigny's words: "le peuple canadien, encore dans l'enfance, a mérite de jouir des institutions politiques qui conviennent aux peuples sages." Of course the honour of setting in motion what had never before been tried — namely, the synthesis of the principles of Parliamentary Government with the principles of Federal Government — belongs, strictly speaking, to the 1867 general election. But the setting in motion then was more of a mise en place than of a practical operation. It was only in 1871, after the experience of the 1st Legislature, that a French Canadian Catholic journalist could assess the performance of a predominantly French Canadian Catholic ministry having the support of a predominantly French Canadian Catholic Assembly of representatives.

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6 de Montigny, Catéchisme politique, p. i.
"et cette question doit se poser comme suit: Quelle doit être l'action des électeurs catholiques dans la lutte qui se prépare, et quelle doit être leur ligne de conduite dans le choix des candidats qui solliciteront leurs suffrages?"

In the formulation of the question is evidence of the authors' practical concern: the emphasis is placed clearly on the voters' action and conduct. Moreover, this emphasis is accentuated by the authors' insistence on man's duty: the verb devoir is repeated three times. (The authors, we recall, conceived of their role as journalists also in terms of duty.) Now why is the whole discussion opened up in terms of what one should do, as opposed, say, simply to what one will do?

Fortunately, a series of articles written by Routhier some time before the publication of the Programme help to answer this basic question. These articles, which first appeared in the Courrier du Canada, were gathered together in 1871 and published
under the title: *Causeries du dimanche*. As the title suggests, the articles were of a more leisurely and philosophical nature than most of the *programmistes*’ writings of that time, and are therefore well suited to clarifying what we may call the *programmistes*’ over-all view of the world. Before taking up their answer to the question they raise in this section, I shall conclude my commentary on the text’s proem, therefore, by examining the authors’ concept of duty as the key to a general understanding of their thought.

(1) Duties before rights

It is strange to come upon such insistence on man’s duties: one is more accustomed to hearing of man’s rights. And such must have been the case in Routhier’s time, for he exclaims at one point, "Ces droits de l’homme m’agacent les nerfs, et l’on n’a pas l’âme de nous ahurir avec cette fameuse déclaration des droits de l’homme que la révolution française a léguée à ses enfants."\(^1\)

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\(^1\)Routhier, *Causeries du dimanche*, p. 95. At a theoretical level, the *Programme* may be seen as a counter-attack on the principles enunciated in the articles of the *Déclaration des droits de l’homme et du citoyen* adopted by the French Assembly of 1789. See the article on the *Déclaration* in Pierre Larousse, *Grand Dictionnaire Universel du XIX\(^{\text{e}}\) siècle* (Paris, 1866), Vol. VI, pp. 240 – 241.
Routhier's strong objection to the French revolution's insistence on man's rights leads us directly to the core of the programmistes' thought. For the concept of rights and duties is basic to the concept of social order. It is of the greatest consequence for society whether its members consider their occupations and activities as essentially the fulfilling of a duty or as the enjoyment of a right. The one, of course, does not exclude the other: but the question arises, which of the two is the end and which the means? Do members of society enjoy certain rights in order that they may fulfill certain duties or do they fulfill certain duties in order to enjoy certain rights? In practical matters it is difficult to imagine a more fundamental question, so profound and so far-reaching is its logic. To the programmistes, a stand on any practical matter implied an answer to that question. One could trace in any particular position the supposition that man's ultimate purpose in life was either to exercise certain rights or to perform certain duties.

The supposition that man's rights are more important than his duties was the one that the French revolution bequeathed to its children. It expresses a "naturalistic" view of the world: that is, it conceives of man as essentially free to determine his own being. This, it is claimed, is the birthright which man's material entry
into nature entitles him to: though in fact man is everywhere so bound in chains that life becomes, in practice, an endless struggle to break those chains, to repossess his birthright, and freely to realize himself. Regardless of whether the self is identified with the conscious or with the unconscious, with the individual or with the collective, solipsism is the logical result of such a view. Concentrated as it is on the self, it ignores the existence of others, let alone of what is owed to others. In Routhier's words, the children of the French revolution "négligent toute une face des questions débattues. Il n'y a pas de droits sans obligations."²

The supposition that man's duties are more important than his rights reveals a "natural" view of the world. This view conceives of man as a creature aware of his dependence on the One who not only created him, but who continues to provide for him. It follows that in this view man's primary responsibility is not to himself but to the supernatural or providential forces which sustain him. Thus, religion, or rendering these forces their due, becomes man's chief concern. The enjoyment of all man's rights is dependent, in the final analysis, on the performance of that single duty. Routhier outlined the logic of this supposition:

² Ibid., p. 96.
Man's religious duty to serve God must come before his right to enjoy happiness.

(2) The "natural" vs. the "naturalistic"

Let us look more closely at these two opposing views of the world. With regard to the "natural", Routhier explained that the whole purpose of his writing was to lead his readers to consider everyday events of the world, such as the publication of a book, the implantation of an industry, or, as in the case of the Programme, the prospect of an election, in the light of religion:

Il y a parmi nous des hommes . . . En un mot, le surnaturel les gêne et les ennuie, quand il n'a pas le malheur de les irriter. C'est particulièrement à cette classe de lecteurs que mon livre s'adresse. Je voudrais les convaincre que dans les temps où nous vivons, la question religieuse se mêle à presque toutes les questions et les domine.

Religion, in this view, is not something to be held apart from what is going on in this world.

\[3\] Ibid.
\[4\] Ibid., pp. x - xi.
Of the opposing views which in various ways would deny or at least diminish the supernatural in this world, Routhier wrote: "qu'on les appelle libéralisme, gallicanisme, césarisme, Joséphisme, séparatisme, ou autrement, elles ont toutes leur source commune dans cette grande hérésie des temps modernes qui se nomme le naturalisme." Of course there were differences here: gallicanism and josephism were movements in France and Austria respectively which sought to increase the state’s role in the affairs of the Catholic Church while diminishing that of the Holy See: caesarism sought to identify the Church and State: separatism sought to hold them as far apart as possible. In short, each of these movements proposed its own distinct account of the relation between Church and State. To Routhier, however, they were all manifestations of the same movement called liberalism. A synonym for gallicanism, for example, was Catholic liberalism. Liberalism was the formulation in social matters of the metaphysical assumptions of naturalism. Whether liberalism appeared in Canada under a radical, anticlerical guise, as it did in the first half of the nineteenth century, or under a moderate, "Catholic" guise, as it did in the second half, to the programmistes, it was still liberalism: it still placed man’s rights above man’s duties.

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5Ibid., p. ix.
Obviously, the term "naturalism" (or "naturalist") is not to be confused with the term "natural", (as found in the expression "natural law" or "natural right"). The term "naturalism", as we have just seen, is used by Routhier to characterize modern thought, which denies the governance of Providence. It is opposed to ancient or traditional thought, which is termed "natural", the term "natural" being taken here to refer to that which can be apprehended by ordinary human intelligence. The two opposing views of the world can be juxtaposed as follows: a "natural" view of the world "naturally" includes the supernatural: a "naturalistic" one "unnaturally" excludes it.

Routhier went on in the same introduction (addressed, by the way, to his brother) to contrast the "naturalistic" outlook with the "natural":

Tous les progrès du XIXème siècle tendent à propager cette grande erreur. On nie le surnatural, ou bien on limite le plus possible son action dans ce monde. On croit que les destinées des peuples sont liées à des lois immuables, promulgées par Dieu dès le commencement: que le monde est fatalement livré à une série d'événements irrévocables, et que Dieu n'a rien à faire dans le fonctionnement des lois qu'il a formulées. On s'imagine que notre seule mission sur la terre est de diriger, de coordonner et de faire servir à notre félicité matérielle les lois et les forces de la nature. On ne voit de bonheur pour l'humanité que dans les jouissances naturelles, et le génie humain se consume dans la recherche de ce qui peut multiplier ces jouissances. L'homme, se dit-on, pourra se passer de Dieu, lorsqu'il aura réalisé tous les progrès matériels qu'il rêve. Hélas! on veut oublier que le bonheur de l'humanité a commencé dans une crèche et s'est complété sur une croix!
Such a thoroughly providential view of the world may also be called miraculous. To view the world in such a way is to be continuously prepared for the unexpected: one beholds events not as the result of some automatic process, or as a series of irrevocable events, but as happenings of infinite improbability: the most improbable being that mankind's happiness began in a crib and was completed on a cross. For man, overwhelmed by the action of the supernatural in this world, it is most "natural", therefore, to worship.

But there is a yet profounder dimension to this religious view of the world: man can take it to be his duty to allow not only for God's descent among men, but also for man's ascent towards God. Here finally the moral perspective gives way before one of sanctity. As Rouxhier explained: "Le progrès est le but des actions de l'homme; mais le progrès véritable n'a qu'un nom: la sainteté! S'élever du péché à la grâce, du mal au bien, de la perversité naturelle de l'homme à la perfection surnaturelle de Dieu, voilà le vrai et l'unique progrès qui renferme tous les autres." 7 If man's ultimate

7 Ibid., p. 97.
goal is the purification of his soul, then it follows that everything else should contribute towards the realisation of that goal: "Se sanctifier: voilà donc le progrès que chacun doit s'efforcer d'atteindre"; and, what is significant for our understanding of the Programme, even society is but a means for helping the individual on the path to salvation: "et il faut que la société, au lieu de l'entraver, favorise ce perfectionnement. La société est faite pour l'homme et non l'homme pour la société. . . . l'homme est donc supérieur aux sociétés par son immortelle destinée, et elles ne sont constituées que pour l'aider à accomplir sa fin."

By now the reader should have an idea of the full force of the term "duty" as used by the programmistes: he should see how "natural" it was for the programmistes to consider religion, or one's duty to God, to be of paramount importance. The next step is to see how such a thoroughly religious view of the world can be related, in society, to politics.

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*8Ibid., p. 99. For more on this trans-social dimension of religion, see Routhier's *De l'homme à Dieu* (Paris, 1913).*
PART TWO: THE PREMISES

The Major Premise (Section IV)
Two Qualifications (Sections V and VI)
and the Minor Premise (Section VII)
of the Argument
"Nous croyons pouvoir répondre à cette question d'une manière satisfaisante en donnant quelque développement aux idées exprimées par Sa Grandeur Mgr. l'Evêque des Trois-Rivières dans sa dernière Lettre Pastorale.

Voici les lignes que nous y trouvons:

'Les hommes que vous envoyez vous représenter dans la législature sont chargés de protéger et de défendre vos intérêts religieux, selon l'esprit de l'Église, autant que de promouvoir et sauvegarder vos intérêts temporels. Car les lois civils sont nécessairement en rapport sur un grand nombre de points avec la religion. C'est ce que les pères du Concile disent clairement dans leur décret.

'Vous devez donc vous assurer prudemment que le candidat à qui vous donnez vos suffrages est dûment qualifié sous ce double rapport, et qu'il offre, moralement parlant, toutes les garanties convenables pour la protection de ces graves intérêts.

'Nous devons sans doute rendre grâce à Dieu de la pleine et entière liberté que la constitution de notre pays accorde en droit au culte catholique de se régir et de se gouverner conformément aux règles de l'Église. C'est par un choix judicieux de vos législateurs que vous pourrez vous assurer la conservation et la jouissance de cette liberté la plus précieuse de toutes, et qui donne à vos premiers pasteurs l'immense avantage de pouvoir gouverner l'Église du Canada selon les prescriptions et directions immédiates du Saint Siège et de l'Église romaine, la mère et la maîtresse de toutes les Églises.'

Ces conseils, dictés par la sagesse, seront compris, nous l'espérons, par tous les électeurs catholiques de la Province de Québec. Il est impossible de le nier, la politique se relie étroitement à la religion, et la séparation de l'Église et de l'État est une doctrine absurde et impie."
At the close of this section, the authors of the Programme affirm two things: one, that politics is closely related to religion; and two, that it is absurd and impious to maintain that the Church should be separated from the State. These two propositions make up the major premise of the Programme argument; the examination of these propositions is therefore the proper task of my commentary on this section. But before that, I shall say a few words about the extract from the bishop's pastoral letter which makes up the bulk of this section.

(1) The bishop's letter

The passage from the bishop's letter must be seen in the context of a work of rhetoric. In rhetoric, it is customary to make an appeal to an authority whose word is trusted. Such an appeal lends credibility to one's own arguments. But strictly speaking, it is not part of the argumentation.

The original context of the bishop's address was quite different. Read in the pulpit by the parish priests of his diocese, it was advice given by a leading churchman to the members of his community: and, as such, the programmistes wished it well: "Ces conseils, dictés par la sagesse, seront compris, nous l'espérons,
par tous les électeurs catholiques de la Province de Québec." But here the context is different: the words are presented not primarily as advice, but as ideas which the authors as journalists wished to develop in their newspaper articles. "En donnant quelque développement aux idées exprimées par Sa Grandeur". As laymen, the programmistes had their own advice to give.

On this point, the Journal des Trois-Rivières reminded those who thought that the Programme involved the clergy that:

Il [le Programme] ne s'offrait pas aux candidats comme programme épiscopal. Il n'était pas adressé au clergé et ne sollicitait pas son action. ... C'est un article de journal. Ce sont des conseils qu'un journaliste catholique a cru devoir adresser à ses lecteurs en vue des prochaines élections ... C'était donc le droit du Journal des Trois-Rivières de donner à ses lecteurs les conseils qu'il jugeait utiles dans les circonstances; et il n'avait pas besoin pour cela de la participation de l'épiscopat ... Les lois que nous voulons amender, perfectionner sont des lois civiles. C'est nous mêmes qui les avons faites; c'est nous qui pouvons les changer. L'épiscopat n'a pas le droit: il peut seulement condamner la loi civile lorsqu'elle est contraire à la loi ecclésiastique.1

It is quite wrong, therefore, to infer from the quotation of a passage of the bishop's letter that the Programme was an ecclesiastical document or that its arguments depended on the special

tenets of the Roman Catholic Church. Rather, it should be seen that this quotation is simply a way for the authors to present their credentials and to bring forth the ideas or lines of their argumentation.

(2) The general proposition

In laying out the argumentation, the first idea brought forth by the programmistes is that politics is closely related to religion. Let us consider this proposition carefully. The first thing to notice is that it is a general statement. What the programmistes are affirming in this proposition, they would have maintained as a universal truth, relevant to all men in all ages. The terms of the proposition are not dependent on Christian revelation for their meaning. To speak of religion and politics is a thoroughly natural topic of discussion.

Turning to the relation between religion and politics, we should begin by remarking that for a long time man did not clearly distinguish the one from the other. What one owed to God and what one owed to one's neighbours were weighed together. As a result, when men assembled to choose a leader for the community, they did so "after the order of Melchizedek" (Psalm 110). They chose someone who could fill the office both of high priest and of king, who could serve the community by serving God and serve God by serving the community. Such societies, and they include
all prehistorical societies, are essentially theocracies.

It was the Greeks who discovered that a man's duty to
serve his neighbours could be distinguished from his duty to
serve God. In other words, a secular space and time was dis-
tinguished from sacred space and time. The dramatic tension
resulting from this distinction was revealed in Sophocles' Antigone.
A similar tension exists in Aristotle's distinction between the
good citizen and the good man (Politics III, 4). Jesus' words to
the Pharisees, "Render therefore to Caesar the things that are
Caesar's, and to God the things that are God's" (Matthew XXII, 21),
again presented the idea that there are two distinct realms which
have a claim on man's sense of duty. In view of the relative
newness of the idea, it is not surprising to learn that "When
they [the theocratically-minded Pharisees] heard it, they marvelled"
(Matthew XXII, 21). It would not be an exaggeration to say that
this distinction is at the root of much of the uneasiness which
has characterized the historical societies of the West (that is,
those societies with a secular notion of time). The few remaining
theocratic societies of the world, be it a tribe of African nomads
or a kingdom in the Himalayas, have, not surprisingly, an idyllic
fascination for historical man. In any event, the difficulty of
justly incorporating this fundamental distinction between religion
and politics into social institutions will be appreciated.
This difficulty, which the Greeks were the first to face, was made still more complex by the fact that religion, by its nature, is more universal than politics. All men are the same in that they must render worship to God. Hence Jesus' words to his disciples that, in revealing the Word of God, they should bear witness to his message not only in Judea, in Jerusalem, and in Samaria, but also "to the end of the world" (Acts I, 8); they should "go therefore and make disciples of all nations" (Matthew XXVIII, 19). In contrast, what men owe to other men is not at all everywhere the same. Politics is subject to a host of differences resulting from human inequalities. The fact that men are equal before God makes for the essential universality of religion; while the fact that men are not at all equal before each other makes for the essential particularity of politics.

The distinction between religion and politics, the universality of the one, the particularity of the other, can easily lead one to want to hold them apart intellectually and to have them separated in practice. But if, like the programistes, one is concerned about human conduct in society, then it becomes important to see how the two in effect are closely related and how the two, as social institutions, can co-operate.

In modern Western societies, certainly in the second half of nineteenth century Canadian society, religion was embodied in
the Christian Church and politics in the State. Thus we come to the old question of Church-State relations. It is in these specific institutional terms that the programmistes chose to restate their first proposition.

(3) The specific proposition

In examining the programmistes' second proposition, that the separation of Church and State is an absurd and impious doctrine, I shall look first at the terms of the relation; second, at how they are finally related; third, at how they are concretely related; and fourth, at how the relation culminates, in practice, in the area of "mixed" legislative jurisdiction.

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3 Following, in chronological order, are some of the more important articles on this subject written by the programmistes:
   A. Trudel, "Quelques réflexions sur les rapports de l'Eglise et de l'Etat", which began to appear in N.M. (May 4, 1871), and which was also published in the Revue canadienne, Tome VIII (1871): I, pp. 202 - 220; II, pp. 252 - 272; and III, pp. 359 - 374.
(i) The terms of the relation

François-Xavier-Anselme Trudel began his reflexions on the terms of the relation by considering first the Church, the institution founded by Jesus Christ. To Trudel:

il serait absurde de croire que cette fondation, en un mot, ne soit pas la société par excellence. Cette appréciation de la divine société du Christ doit être la même pour les protestants comme pour les catholiques, car les protestants sincères croient que leur Eglise est la vraie Eglise de Dieu; et je ne conçois pas qu'un chrétien ait une moins haute idée de la société fondée par la souveraine Sagesse.

This second sentence was, in the Canadian context, of great practical significance. In defining the Church, Trudel singled out its most general aspect, the only one that is universally acknowledged by all men who consider themselves Christian — namely, that it is of divine institution.

Turning then to the State, the other term of the relation, Trudel said:

Que nous reconnaissions maintenant à l'Etat, dans le domaine civil, une organisation complète, une autorité souveraine, une liberté et une indépendance parfaites, les droits de posséder et de régir tous les biens séculiers, et nous aurons deux sociétés, toutes deux souveraines, chacune dans sa sphère; toutes deux indépendantes l'une de l'autre, dans leurs limites respectives: possédant chacune son autorité, sa hiérarchie, ses lois,

*A. Trudel, "Quelques réflexions", *Revue canadienne* VIII, p.213.
ses biens, sa liberté complète d'action, dans les matières de son ressort.  

The State, in the civil domain, enjoyed perfect independence. According to Trudel, therefore, each society, the civil as well as the ecclesiastical, was substantially independent.

(ii) The final relation

If, however, these two substantially independent societies were to co-operate in their endeavours, the first step, according to Trudel, was to have well in mind the purpose of each:

Or, pour créer cette union, cette harmonie; pour éviter tout empiètement de l'une de ces deux puissances sur le domaine de l'autre, il faut établir, d'une manière bien tranchée, la ligne de démarcation qui les divise. Or, il est nécessaire de considérer quelle mission chacune est appelée à remplir dans le monde, pour reconnaître sûrement cette limite, et préciser dans quelles bornes chacune doit exercer son empire souverain, afin d'éviter, par là, tout conflit de juridiction.

Trudel then went on to outline the purpose of each society:

5 Ibid., p. 260.

6 Ibid., p. 261.
Or l'Etat a pour mission de promouvoir les intérêts généraux de la société, et de les défendre contre les ennemis du dedans et du dehors; d'assurer à chacun de ses membres, l'exercice de la plénitude de ses droits, la jouissance de ses libertés, et pour cela, de sauvegarder la morale et de maintenir l'ordre dans la société.

De son côté, l'Eglise a pour but principal de rendre au vrai Dieu le culte qui lui est dû, et de conduire l'homme aux fins pour lesquelles il a été créé. Et comme moyen d'atteindre ce double but, d'enseigner aux hommes leurs devoirs envers Dieu, envers eux-mêmes et ceux qu'ils se doivent mutuellement entre eux; enfin, de présider à l'accomplissement de tous ces devoirs.

In looking over the respective purposes of the two societies as outlined by Trudel, the first thing to notice is the general nature of the description: an orthodox Jew, for example, could agree to the above were he simply to substitute Synagogue for Church (both ἐκκλησία and εὐαγγέλιον mean assembly). The second is that both Church and State have an interest in morality, the interest of the one, however, being different from that of the other.

From Trudel's description, we see that man's sense of moral duty, while it is only safeguarded by the State, is actually instilled by the Church. Drawing the consequence of this distinction, Trudel concluded:

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on voit par là que s'il y a une des deux sociétés qui soit dépendante de l'autre en quelque manière, c'est l'État qui est sous la dépendance, au moins négative, de l'Église comme gardienne de la morale et des principes primordiaux de l'ordre social.\footnote{Ibid., p. 262.}

The State is therefore negatively dependent on the Church.

Let us consider this relation of negative dependency more closely. To say that B is negatively dependent on A is to say, not that B is made up of A — that would be to deny that both A and B have positive independent existences of their own —, but rather that of the two A is more important than B, and so much so that if B were to overtake A or to withdraw from A, B would be no more.

Proximity is the essence of the relation of negative dependency. The State, in this view, must remain in proximity to the Church; it must neither overtake the Church nor withdraw from it. This essential relation of negative dependency which the State has to the Church will be referred to in the remainder of this commentary simply as the essential \textit{rapport}.\footnote{I use this French word, a favourite term with the \textit{programmistes}, because there does not seem to be an English word that conveys the same sense of a justly proportioned correspondence between two entities.}

McLeod expressed this essential \textit{rapport} in a pithy manner:

"D'ailleurs le fondement de toute loi, qu'on le remarque, ne repose-t-il pas sur l'idée du juste ou de l'injuste, et sans la religion que deviendrait la justice?" How can humans have any idea of
what is owed to others if they don't know what is owed to God?
"L'ordre est-il possible sans la prédominance de l'influence religieuse dans les sociétés?"10

(iii) The concrete relation

The relation between Church and State which formed in the minds of the programmistes, the essential rapport governing human affairs in society must not be considered as simply an abstract principle, but rather as something actually having a visible presence in society. This visible aspect of the relation is ignored by those who, taking literally the analogy which likens the relation between State and Church to the relation between a man's body and his soul, would confine all material "facts" to the realm of politics and all spiritual "values" to the realm of religion. Of this, Trudel wrote:

Il existe une école qui interprétant à sa manière cette expression prétend soumettre à la juridiction exclusive de l'État, tout ce qui est corporel ou matériel, ou pouvant se rattacher, ne fut-ce qu'indirectement, à un intérêt civil quelconque, et ne laisser à la jurisdicton de l'Eglise que les matières mystiques, et tout-à-fait étrangères à la vie actuelle. C'est bien là vouloir reléguer l'Eglise aux catacombes, ou la bannir complètement des sphères du monde visible.11

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Trudel objected to those who would have the State tend to all corporal matters and would reserve for the Church only mystical matters.

To do justice to the actual existence of both societies, Trudel proposed two things: first, that instead of speaking of spiritual and temporal, one should speak of religious and civil:

Il me semble que les deux expressions de "Religieux" et "Civil" pour distinguer les matières qui appartiennent exclusivement à la juridiction respective, soit de l'Eglise, soit de l'Etat, sont plus appropriées, et prêtent moins à une fausse interprétation.\(^{12}\)

and second, that the following criteria be used to determine whether a particular subject matter came under the jurisdiction of the State or of the Church:

À mon sens, il est un moyen bien sûr de distinguer clairement les matières spirituelles des temporelles; ou si l'on veut, le religieux du civil, et de connaître à quelle juridiction elles appartiennent: c'est d'étudier attentivement ce qu'il y a de religieux et de civil dans leur essence, leur nature et leur objet ... quand bien même il se trouverait, dans une matière religieuse, quelques éléments accessoires qui fussent purement civils, cette matière n'en appartenirait pas moins à la juridiction exclusive de l'Eglise, parce

\(^{12}\text{Ibid.}, \ p. \ 268.$
qu'il est de principe que l'accessoire suit toujours le principal. Pour la même raison, les éléments religieux qui ne seraient que les accessoires d'une matière purement civile, tel que, par exemple, le serment ajouté pour valider certaines fonctions de l'ordre purement civil, n'empêchent pas cette matière d'appartenir exclusivement à l'ordre civil.13

To decide whether a subject should come under religious or civil jurisdiction, one had to distinguish its essential features from those that were accidental.

(iv) The area of "mixed" legislative jurisdiction

With these distinctions in mind, one can delineate more clearly the area of "mixed" legislative jurisdiction:

si, parmi ses éléments constitutifs principaux ou lès attributs essentiels de son être il en est qu'ils soient absolument civils et d'autres absolument religieux, et si de plus cette matière a un objet qui soit à la fois religieux et civil, il est évident que cette matière est mixte.14

In this remaining area of "mixed" legislative jurisdiction lies the crux of the whole matter. As Beausoleil explained:

13Ibid., pp. 268 - 269.
14Ibid., p. 269.
This is where all the controversy lies. According to the programistes, the Church's prerogative in this area of "mixed" legislative jurisdiction is greater than that of the State because its purpose is higher:

Car l'élévation des pouvoirs et leur priorité dérivant de leur but final, l'Eglise prime et domine l'Etat de toute la hauteur qui distingue les intérêts éternels de l'homme de ceux de la vie présente, l'âme du corps et le ciel de la terre.  

Thus in this crucial area, the Churchman's say is weightier than that of the Statesman.

Now it follows that in this area of "mixed" legislative jurisdiction, a man may be called to respond to two conflicting claims, as the laws of the civil authorities may come into conflict with the laws of the ecclesiastical authorities. If a man should be placed in the situation of having to deny one authority or the other.

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16 Ibid.
other, it is clear, in the light of the final relation expressed in the essential rapport, that he should choose to obey the religious before the political. He should choose to serve God before other men. Socrates, speaking at his trial before a court of Athenian citizens, said: "if you should let me go free on these terms which I have mentioned [that he no longer spend his time in this search or in philosophy], I should answer you, 'Many thanks indeed for your kindness, gentlemen, but I will obey the god rather than you'" (Plato, Apology, 29d). A few centuries later, Peter and the apostles, charged before the council and all the senate of Israel to stop their teaching, answered, "We must obey God rather than men" (Acts V, 29). Thomas More's martyrdom was an especially fine testimony to the essential rapport, in that it demonstrated that man, in the end, can do justice both to the claims of religion and to the claims of politics: by his silence, More served his fellow men, and by his death, he served God.  

17 C. Beausoleil commented on this passage of the Bible in "La clef de nos polémiques", N.M. (April 25, 1871), p. 1. Complementing his commentary were quotations from a number of Church fathers and doctors.

18 When confronted by Henry VIII with a State policy which he held to be wrong, Thomas More allowed himself to be silenced, for he believed, as he had stated in Utopia, that to preach publicly that which would undermine the government, as the heretics had done, was to be guilty of tumult and sedition. See R. W. Chambers, Thomas More (London, 1957), p. 367. The case of Thomas More is cited by F.-X.-A. Trudel in Affaire Guibord: Discours de F.-X.-A. Trudel (Montreal, 1870), p. 105.
By now, we should have some appreciation of the tense proximity which, according to the *programmistes*, should characterize the relation between State and Church. But we have yet to understand why the *programmistes* give their second proposition such a polemical tone? Why do they consider the separation of Church and State to be intellectually absurd and morally impious?

4. The modern danger

While Thomas More was exemplifying to the highest degree the essential rapport existing between a man's duty to his neighbours and his duty to God, a contemporary of his was doing everything in his power to undermine it. Niccolò Machiavelli upset this rapport not by directly attacking religion, but by introducing a new basis to politics. McLeod described this new basis of politics in the very first article he wrote to develop the Programme:

Un des résultats funestes des principes modernes, des idées qu'on a propagées au nom de ces principes sur la politique, est celui de l'avoir trop matérialisée. On a fait de la politique, une science trop humaine, trop matérielle, trop basée, au nom du prétendu principe de la souveraineté du grand nombre, sur la force, et non sur la justice et la vérité. On s'est bourré l'esprit d'idées fausses et dangereuses sur ce que l'on appelle politique sans trop comprendre ce que c'est. On en a fait une science d'intrigues, si nous pouvons nous exprimer

19 In Section X, we shall see how the essential rapport works in particular cases of "mixed" legislative jurisdiction.
ainsi, une science de diplomatie, où le succès est tout et la justice n'est rien. Cela est si vrai que ceux qui préconisent tout système politique de cette nature sont forcés eux-mêmes de l'admettre et de dire pour tout argument à ceux qui ne pensent pas comme eux: 'Vous êtes des hommes impossibles, impraticables.'

The difference between the "natural" and the "naturalistic" views of the world, outlined in Section III, is implied here in McLeod's definition of politics. In the former view, politics should strive to approximate an order of justice; in the latter, it is reduced to the successful deployment of force, to a science of intrigue, a science of diplomacy where success is everything and justice is nothing.

This new science sought to isolate politics from man's moral sense of duty; which sense of duty, experience has shown, can truly emanate only out of a religious view of the world. Divorced from religion, politics becomes subject to man's basest inclinations. McLeod contrasted the "naturalistic" approach to politics with the "natural" in the following manner:

Il est donc bien vrai qu'ils [les hommes que nous envoyons nous représenter dans la législature] doivent considérer la politique, non comme une servante faite pour obéir aux caprices d'un maître, où comme une courtisane toujours disposée à plaire ou à corrompre, mais comme une reine, comme une mère qui veut le bonheur de ses enfants.

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21 Ibid.
Following Machiavelli's lead, other modern political theorists have attempted to found politics on various areligious, "naturalistic" principles, such as ambition, fear, comfort, greed, and envy. But Beausoleil knew what the invoking of atheistic political principles could lead to:

La politique sans Dieu, d'ailleurs, est une politique infernale et payenne; c'est le règne du droit brutal de la force et son enseignement en dehors de la Foi est une école de libéralisme et d'incréduilité monstrueuse. Nous savons aujourd'hui où cet enseignement peut conduire: l'exemple de la Commune française en dit plus que les discours.22

The Paris Commune, which lasted from March 18, 1871 to May 28, 1871, coincided with the publication of the Programme and provided the programmistes with a tremendous example of what the teachings of atheistic politics could result in.

In summary, if politics was not to result in a rule of might, then it must be closely related to religion; or in other words, the State was negatively dependent on the Church for a rule of right.

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22 N.M. (June 12, 1871), p. 1.
UNE ARME À DOUBLE TRANCHANT

"Cela est particulièrement vrai du régime constitutionnel qui, attribuant au parlement tout pouvoir de législation, met aux mains de ceux qui le composent une arme à double tranchant qui pourrait être terrible."

Having laid out what they consider to be the normal relation between Church and State, the programmistes go on to consider that relation in the context of their country's particular constitutional regime.

(1) The essential rapport in the Canadian context

We recall from Section I how Parliament is supreme in this country. The laws which it enacts and which are called statutes are superior to the laws that are made by the Governor-in-Council, by judges, or by administrators. It is true to say, then, as the programmistes do in this section, that the individuals who make up Parliament wield a mighty power.
Traditionally, the British Parliament's jurisdiction extended over the entire social order. Parliament could pass laws, in England, not only to safeguard morality (the State's role) but also to instill morality (the Church's role). Parliament's power could be used not only negatively, to defend morality, but also positively, to induce morality: it was a double-edged blade.

But one of the Canadian Parliament's edges had gradually been blunted. As the Anglican State-Church was disestablished, and the independence of the dissenting Protestant Churches and the Roman Catholic Church came to be recognized in law, the realm of religious prescription was left, in Canada, to independently constituted Churches. Order in Canadian society appeared, therefore, to depend upon the Churches' actually fulfilling their positive role of instilling morality, and upon the State's limiting itself to its negative role of safeguarding morality.

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1For a summary of how the various religious cults in Canada gained their freedom and equality before the law, see S. Pagnuelo, Études historiques et légales sur la liberté religieuse en Canada (Montreal; 1872), pp. 256 - 269.

2It appears that no sooner had the various religious cults in Canada wrested their independence from the forces of intolerance than they had to contend with the forces of secularisation. At the time of the Programme, the latter had made more headway in Upper Canada than in Lower Canada.
There was a danger, however, in the Canadian arrangement. From a practical point of view, the plurality of Churches was a strength, in that it enabled communities to follow their religious beliefs; but it became a weakness whenever religious interests had to be defended vis-à-vis the State. Similarly, the plurality of legislatures in the Canadian federation was a strength in that it allowed the various regions to develop their own local institutions: it was a weakness, however, in that it increased the likelihood that a group of legislators might infringe on a Church’s rights. However minor the encroachment, however local its effects, it could constitute a dangerous precedent for the country as a whole.

In addition to presenting the structural weaknesses of a plurality of Churches and a plurality of legislatures, the Canadian arrangement also contained a dilemma. If ever a legislature in Canada began to encroach upon the Church’s jurisdiction, the Church would immediately find itself in the difficult position of being damned if it moved and damned if it stayed still. To remain silent would be to acquiesce in the transgression of its rights, to relinquish its positive role in the maintenance of morality in society; yet to call on that Legislature to remedy the situation, to request that it return to its negative role, would be to risk having the appeal interpreted as a sign of dependency on the State, and that would be a reversal of the essential rapport.
(2) The dilemma

Cléophas Beausoleil, in an article entitled "La raison du programme catholique", explained to his readers how just such a dilemma, which jeopardized the rapport between Church and State, was the reason for the Programme.

The dilemma had existed for some time. As early as 1849, the Archbishop of Quebec had found it necessary to propose an amendment to certain civil laws which, it was found, impeded parish business. The Archbishop first presented his proposal, "Concernant les Assemblées de Fabrique pour l'élection des Marguilliers, et la reddition des comptes", for discussion to the bishops of his ecclesiastical province and then to other members of the Church's hierarchy, including over two dozen parish priests, at a meeting held at the bishop's palace in Montreal on February 1, 1849. There it was resolved, according to the minutes of the meeting:

I. Que cette Assemblée regrette que l'on se soit cru forcé par les circonstances de soulever cette question pour la porter ensuite devant la Législature.

II. Que malgré le regret ci-dessus exprimé, L'Assemblée a cependant jugé convenable de discuter le Projet de Loi

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3This article, along with "des pièces justificatives", was published in N.M. (May 3, 1871), p. 1, and republished in J.T.R. (May 8, 1871), pp. 1 - 2.
en question, et de lui faire subir toutes les modifications propres à en faire une mesure plus complète. 4

A committee of five ecclesiastics was appointed to study the bill in more detail. Their report of the following day (February 2, 1849) reaffirmed the resolutions of the general meeting:

I. Qu'il est à regretter, comme l'a fait la dite Assemblée, que l'on se soit cru forcé, par de malheureuses circonstances, de soulever cette question, pour la porter, devant la Législature, parce que tout Bill de Fabrique, demandé par le clergé, pour sanctionner l'admission des notables dans les Assemblées de Fabrique est de nature à la compromettre étrangement, après les réclamations si justes et si solennelles qu'il fit en 1831 contre un pareil Bill, et à exposer l'Autorité Ecclésiastique à des empiétements auxquels il ne lui serait plus permis de s'opposer avec énergie, une fois qu'elle se serait livrée elle-même à la discrétion de la puissance Civile.

II. Que si toutefois il fallait en venir à demander un pareil bill, il serait absolument nécessaire de faire subir au Projet de Loi en question des modifications essentielles et propres à en faire une mesure complète, comme l'a observé la dite Assemblée, pour qu'il ne fût pas nécessaire d'appeler l'attention de la Législature sur nos affaires de fabrique, parce que ces matières sont si délicates qu'il est toujours souverainement dangereux de fournir aux législateurs l'occasion de les discuter. 5

4The minutes of this meeting, along with the ensuing committee report were contained in a letter addressed by Mgr Bourget to his clergy and dated February 11, 1849; all of which formed the "pièces justificatives" of Beausoleil's article.

To begin with, these resolutions remind us that the Church is a government just as much as the State. The Church too, we see, has its offices of authority, its deliberative assemblies, its procedures, and its committees: it too has the power to make laws and to pass resolutions; and it too, in its own way, is able to enforce them. But more to the point, these resolutions make clear three facts. As Beausoleil said:

Dès 1849, trois faits très importants étaient donc admis:
1° Que l'Eglise ne jouissait pas de toute la liberté à laquelle elle a droit;
2° Qu'une législation était nécessaire;
3° Qu'elle offrait beaucoup de dangers.
Nous prions le lecteur de prendre bonne note de ces trois faits, et de celui que depuis lors, il n'y a jamais eu de législation sur le sujet mentionné, excepté ce bill de M. Loranger reconnaissant au curé le droit de présider les assemblées de fabriques.

This situation of long standing would have taxed the prudence of the wisest of men. In Beausoleil's words:

Un appel au Parlement est aujourd'hui deux fois dangereux. Il est à craindre que les députés regardent ce fait comme une admission que l'Etat a le droit de contrôler l'Eglise, d'amoidrir ou de fixer ses droits tandis qu'il n'a au contraire que celui de les reconnaître.

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6. For a survey of the French-Canadian layman's role in ecclesiastical government, see the two articles by André Boucher, "La fabrique et les marquilliers" and "Le rôle joué par les marquilliers" in Le LaFC dans l'Eglise canadienne-française de 1830 à nos jours (Montreal, 1972), pp. 147-173.


8. Ibid.
An address by the ecclesiastical authorities to the Legislature might be interpreted as a sign of the Church's dependence on the State: that was the first danger of the dilemma; the second was that some Parliamentarians might take advantage of the opportunity to amend any proposed legislation in a way that would further impair rather than remedy the situation:

Il peut se faire qu'un homme mal intentionné profite de la circonstance pour s'emparer de la mesure, y introduire les principes faux ou dangereux, en s'appuyant sur l'ignorance des uns, la crainte des autres et la fausse science d'un certain nombre. C'est du sentiment de cette nécessité et de ce double danger qu'est né le programme catholique.

(3) The solution

What was the solution? How could these dangers be avoided? To do nothing would be to leave the Church-State relation in the same unsatisfactory condition that it had been in since 1869. Furthermore, the fact that the Province of Quebec now had its own Legislative Assembly with its own responsible ministry seemed to call for a fresh affirmation of the essential rapport governing human affairs in society. The answer, the programmistes discovered, lay in appealing not to the members of the Assembly, but to those who would be members of the Assembly. For it was they, the candidates,
and they alone, who were in a position to acknowledge the relation between Church and State without having the power to determine it. The only way, under Canada's constitutional regime, that the programmistes could achieve their goal was by focusing people's attention on the men running for Parliament:

Car chaque fois que, dans un pays constitutionnel, les circonstances deviennent telles qu'une question d'une grande importance va plus que probablement être posée devant les Chambres, la meilleure, pour ne pas dire la seule garantie d'une solution satisfaisante, c'est pour les intéressés de veiller dans les élections à la composition des Chambres. Est-il donc un seul homme public qui ignore ce principe? ... avant de livrer la question au vote du Parlement, il faut savoir quel Parlement nous aurons. Telle est la vrai raison du programme en question, et nous maintenons qu'elle est parfaitement légitime.\(^{10}\)

It was up to the individual voter: the means for realizing a just rapport between Church and State lay in his hands. Beausoleil concluded his article on "La raison du programme catholique" by asking:

En quoi se résume-t-il?

1\(^{o}\) À demander que le candidat ... reconnaisse que l'Eglise est libre et indépendante per se, en vertu de sa constitution divine, et que le pouvoir de l'État se borne à admettre et à sanctionner ses lois.

Ce premier principe obviait au danger signalé en premier lieu.

2\(^{o}\) À reconnaître avec les évêques que quelques-unes de nos lois sont defectueuses en ce qu'elles gênent la liberté de l'Eglise, ou prétent à des interprétations hostiles.

\(^{10}\) Ibid.
3° A supposer très raisonnablement il nous semble, en présence de la recrudescence des embarras, que les évêques pourraient demander l'intervention du législateur. 
4° À recommander aux électeurs d'exiger des candidats un engagement d'accorder aux évêques les amendements désirés, s'ils en faisaient la demande.
Et ceci avait pour but de faire disparaître le second danger signalé plus haut.11

In short, there were two things that the voter had to extract from the candidate: one, the recognition, in principle, of the Church's freedom and independence — that would obviate the danger of misinterpretation; and two, the promise to comply in practice with any request for an amendment that the Bishops might make — that would obviate the danger of abuse.

It is interesting to note, by way of recapitulation, how in the programmistes' view of society the duties of one group are related to the duties of another. The chain of events under consideration began when the representatives of the Roman Catholic Church made known their displeasure with certain civil laws of Lower Canada. The resolutions passed by these clergymen were then reported and publicized by a group of lay journalists, who were obliged, by virtue of their role in a society of representative institutions, to advise the electorate. The voters had then to turn to the candidates: and then, out of that group, those elected would be in a position, finally, to remedy the situation.

11 Ibid.
In his speech to the voters of Epiphanie assembled to nominate the candidates for their riding, Beausoleil underlined once again the danger of the present situation:

Mais un appel au Parlement est une chose dangereuse, à moins que ceux qui le composent ne possèdent des principes tels que ceux qui sont contenus au programme ou qui aient pris l'engagement formel de s'en rapporter complètement aux évêques.12

Thus did Beausoleil try to impress upon the voters the gravity of the act they were called on to perform.

"C'est pourquoi il est nécessaire que ceux qui exercent ce pouvoir législatif soient en parfait accord avec les enseignements de l'Eglise. C'est pourquoi il est du devoir des électeurs catholiques de choisir, pour leurs représentants, des hommes dont les principes soient parfaitement sains et sûrs.

L'adhésion pleine et entière aux doctrines catholiques romaines en religion, en politique et en économie sociale, doit être la première et la principale qualification que les électeurs catholiques devront exiger du candidat catholique. C'est le critère le plus sûr qui devra leur servir à juger les hommes et les choses."

Under Canada's constitutional regime, the would-be Parliamentarians are the men appropriately placed to acknowledge the essential rapport between religion and politics. But these would-be Parliamentarians do not stand alone: as candidates for election, they are engaged in debate with the voters. And so in this Section, the programmistes gradually turn their attention from the candidates to the voters, presenting the latter in the end with a criterion which should serve them to judge men and things.
At first reading, this criterion appears to be rather naive. Will the election campaign not simply serve to ascertain a candidate's faith? Is the surest criterion not simply a testimony of faith in the Catholic Church, made by the candidates at the voters' request? On closer examination, however, such a reading does not do justice to the text. It ignores two important aspects: it ignores first the realm in which the criterion is presented; and second, the men to whom it is presented. Let us return therefore to this section and examine it sentence by sentence, for each sentence represents one stage in what constitutes a three-stage argument.

(1) Stage One: a theoretical conclusion with regard to the candidates.

The programmistes began by saying: "C'est pourquoi il est nécessaire que ceux qui exercent ce pouvoir législatif soient en parfait accord avec les enseignements de l'Église." This first statement is a logical conclusion of the last section. As a result of the power parliamentarians wield under the Canadian constitution, it is important to know what doctrines they espouse. And if, during an election campaign, certain would-be parliamentarians claim to be members of the Catholic Church, then it is reasonable to expect that they espouse the doctrines of that Church.
It is important to notice that the Church's doctrines are referred to here as teachings ("enseignements"). Nowhere in this section is there reference to that other part of the Church's doctrines which is summed up in the Creed and which constitutes its beliefs ("croyances"). The Programme, being a lay document and bearing on secular institutions, is grounded on a natural, as distinct from a revealed, theology. As has been said, the Programme's argumentation belongs not to the realm of revealed theology, which surpasses human comprehension and which can be appropriated only in the element of faith, but rather to the realm of practical philosophy, which is directly accessible to the human intellect, and which can be appropriated in study.

As listed in the third sentence of this section, the doctrines which the programmistes are concerned about have to do with the three main practical dimensions of human society, namely, religion, politics, and economics ("aux doctrines catholiques romaines en religion, en politique et en économie sociale"). The relation between religion and politics, what I have called the essential rapport, forms the crux of the Church's social teachings. Were a candidate to acknowledge the Church's social teachings, he would, ipso facto, have acknowledged the essential rapport.
(2) Stage two: a practical appeal to the voter's moral sense

The second sentence ("C'est pourquoi il est du devoir des électeurs catholiques de choisir pour leurs représentants des hommes dont les principes soient parfaitement sains et sûrs"), seems to repeat the first. In reality, there is a thorough turn of thought.

In the first sentence, the programmistes addressed themselves to their readers' intellect: they spoke of a logical necessity ("il est nécessaire") and of teachings ("les enseignements"); in this sentence, they appeal to their readers' will: the logical necessity has become the practical duty ("il est du devoir") and the teachings have become the principles ("les principes"). This turn from the theoretical to the practical reminds us of Aristotle's remark that virtue consists in being not only in accordance with the right rule but also in the presence of the right rule ("οὐ γὰρ ὁμονοι ἡ κατὰ τὸν ὀρθὸν λόγον. ἀλλὰ ἡ μετὰ τοῦ ὀρθοῦ λόγου ἔστιν ἁρετὴ ἐστὶν. Nic. Ethic., VI, 13, 1144b).

Another aspect of this turn is that whereas the theoretical necessity lay with the candidate, the practical duty lies with the voter ("il est du devoir des électeurs"). With this second sentence, the argument of the text appears clearly directed to the voters. If the programmistes want to have a local parliament composed of men who espouse the Church's social teachings, then they must first persuade the voters of the need for this. Before the candidates are to be persuaded by the voters, the voters must be persuaded by the journalists. The text has moved therefore from speculation about
the candidates to the practice of the voters.

What should the voters do? At this stage, the programmistes simply say that it is their duty to choose for their representatives men whose principles are perfectly sound and sure. Such a general proposition is readily acceptable to all. It simply serves, in this second stage, to awaken the voters' moral sense, that intuitive and immediate sense which all men naturally possess and which urges them to do what is good and to avoid what is evil (what the schoolmen called synderesis).

(3) Stage three: a practical appeal to the voters' conscience.

With the third sentence of this section ("L'adhésion pleine et entière aux doctrines catholiques romaines en religion, en politique et en économie sociale doit être la première et la principale qualification que les électeurs catholiques devront exiger du candidat catholique"), the authors take another step. They now define the voters' duty in specific terms; it is up to individual Catholic voters to make a specific request of their Catholic candidates.

In specifying what the voters' duty is, the programmistes are making a greater claim on the voters. The third sentence of this section demands much more of the voter than the second. The practical difference involved corresponds to the difference between
man's moral sense and his conscience, a difference which is often lost sight of in modern times. According to the traditional doctrine of natural right, man's moral sense provides him with a golden rule which can readily be acknowledged by everyone. Around this leading precept, there can be grouped other precepts, such as those of the Decalogue, which are also of such a general nature that they too are not subject to deliberation. Man's conscience, on the other hand, is by nature complex. In contrast to the moral sense, it is not a distinct faculty, but makes use rather of many faculties. The subject matter of man's conscience is always the concrete and singular case wherein it is difficult to discern the right course of action. And so with this third sentence, the programmistes open the door to conscientious deliberation.

Rousseau, for example, says: "Conscience! conscience! instinct divin, immortelle et céleste voix; guide assuré d'un être ignorant et borné mais intelligent et libre; juge infaillible du bien et du mal, qui rend l'homme semblable à Dieu, c'est-toi qui fais l'excellence de sa nature et la moralité de ses actions; sans toi je ne sens rien en moi qui m'élève au-dessus des bêtes, que le triste privilège de m'égarer d'erreur en erreur à l'aide d'un entendement sans règle et d'une raison sans principe." Surely this instinct can refer only to man's moral sense, and not to his conscience. J. J. Rousseau, *Emile ou de l'éducation* (Paris, 1964), livre IV, pp. 354-355.
Now it is important to notice that the *programmistes* do not present their readers with a judgement already made; rather, they present them with a basis or a criterion for making a judgement. The criterion offered here is the Church's social teachings.

Essentially, these teachings consist in a network of relations which, it is claimed, must be duly maintained if there is to be order in society. The crucial relation, as we saw, was the one establishing harmony between the sphere of religion and the sphere of politics. But there are other relations: as mentioned in the third sentence, there is the whole sphere of economics, which must also revolve in harmony with the other spheres of society.²

In signaling to their readers the different practical dimensions in which a Catholic was expected to carry out the Church's social teachings, the *programmistes* revealed at the same time what they held to be the right order in human affairs: religion, or what one owes to God, is more important than politics, or what one owes to other mortals, and what one owes to other mortals in this world is more important than social economy or what one owes to oneself as an animal needing to survive here on earth.

²The *rapport* between the social economic sphere and the political will be touched upon in Sections IX and XII.
The reversal of this order was clearly argued by Marx. Marx would have agreed with the programmistes that, within a unified social whole, practical dimension A had priority over practical dimension B, and that B, while still subordinated to A, had priority over C. In this regard, it is interesting to note that the programmistes and other Catholics who took the underlying unity of the Church's social doctrines seriously were called "des intégristes", not unlike those who, having taken the underlying unity of Marx's social teachings seriously, are called "communists". Where Marx and the programmistes would have disagreed; however, and a more radical disagreement cannot be imagined—is in the foundation of that order. The disagreement lay in the definition of A. To Marx, order in human affairs rested ultimately on what everyone could see were the socio-economic conditions determining man's life; to the programmistes, it rested on man's worship of the divine.

To the programmistes, it was important that the French Canadian Catholic voters of the Province of Quebec, who were about to pronounce judgement in an important and relatively new (to them) dimension of social life, namely, parliamentary government, have this criterion in mind.
VI

LA MÊME LIBERTE

"On comprend qu'il ne peut être ici question des protestants auxquels nous laissons la même liberté que nous réclamons pour nous-mêmes."

This sentence contains the minor premise of the argument. Here is the starting point which takes into particular account the existing conditions. The programmistes realised that indeed the situation presented by the forthcoming elections would not be the same for everyone. There would be places in the Province of Quebec where the candidates and/or the voters would be Protestants. As to what they should do, that would be another question: "On comprend qu'il ne peut être ici question des protestants."

But beyond that strict qualification, there is implied, in the relative clause of the sentence, the statement that Protestants and Catholics of the province share something in common. Both groups, we learn, have an equal interest in the same freedom ("la même liberté"). My task in commenting on this section of the text will be to explore what the programmistes understood that freedom to be.
(1) A practical freedom

The word freedom, if not carefully qualified, is usually taken to signify either a licence to do what one wants or a capacity to believe or to think as one wants. Such unlimited freedom, however, was not the freedom the programmistes had in mind. To them, it was wrong to presume that man was so free as to be able to choose to believe in whatever doctrines he wished. As McLeod explained: "Nous ne pouvons pas admettre la liberté de croyance religieuse comme un dogme. C'est pour nous catholiques une erreur."¹

The freedom the programmistes were concerned about was a limited, practical freedom. It was the freedom to perform the exercises of one's religious cult to the extent that they did not disturb the peace of society. This freedom was given legal sanction in the Quebec Act and in 14 and 15 Vict. cap. 175, which safeguarded "the free exercise and enjoyment of Religious Profession and Worship, without discrimination or preference, so as the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province". It was the same freedom which became entrenched in the educational provisions of Section 93 of the British North America Act. As

¹J.T.R. (May 22, 1871), p. 2. To explain why this is so would take us beyond the scope of this work into a discussion of the Catholic Church's epistemological teachings.
Desjardins explained:

Nous l'avons clairement exprimé dans notre programme et en cela nous ne faisions que nous conformer aux voeux de tous les Évêques des deux Provinces tels que nous les trouvions contenus dans cette requête qu'ils adressaient au Parlement Anglais avant l'adoption finale du Bill de la Confédération en réclamant en matières de religion et d'éducation pour les catholiques les mêmes libertés et les mêmes privilèges accordés aux protestants.  

These legal enactments reflected the fact that the people here ("ici") adhered in good faith to different doctrines; it was naturally as well as legally right therefore to tolerate the practice of other religious cults. McLeod went on: "Mais dans un pays comme le notre, où il y a diversité de croyances, diversité de cultes, nous laissons la liberté à tous les cultes." Beausoleil made the same point a few days after the publication of the Programme.

L'expérience est faite au Canada de deux grandes dénominations religieuses vivant à côté l'une de l'autre sans se quereller, ni se faire la guerre. Il a été trouvé bon, eu égard à l'état de choses sous lequel nous vivons, de laisser à chacune la plus entière liberté de se gouverner suivant ses principes et les lois de son église. Le temps des guerres religieuses est passé pour nous. La paix et la concorde entre les croyances comme entre les races, sont ici les meilleures garanties de la prospérité du pays.

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²O. (June 12, 1871), p. 1.
Thus the programmistes made very clear their support for the principle of practical religious toleration.

(2) The political consequences of religious toleration

The political consequences of religious toleration were touched upon in Section V in the discussion of Parliament's power as a double-edged blade; but they deserve special treatment here.

If it is granted that men should be allowed to govern themselves according to the principles and the laws of their own Church, then it follows that the State must desist from positing its own laws in matters which come under the jurisdiction of the different religious authorities. In matters of mixed jurisdiction, as Trudel explained (see Section IV), the State should leave the last word in each particular case to the Churches. Now of course in practice there is bound to be some debate as to what is essentially "mixed" and what is essentially civil, but it does not seem possible to reconcile the principle of religious toleration with a thoroughly "positive" view of the State. Once the freedom to practise the religion of one's choice is acknowledged and established in law, as it was in Canada at the time of the Programme, then the State, whether at an Imperial-Dominion, or Provincial level, must refrain from cutting with one edge of its blade.
At a local level, this meant that Protestants and Catholics of the Province of Quebec had an equal interest in seeing that the Legislative Assembly not initiate laws touching upon matters of a religious nature. As Alphonse Desjardins pointed out, Protestants who read the Programme attentively would discover

que loin que les principes de liberté ecclésiastique qui y sont reconnus doivent porter préjudice à la liberté de leur propre culte, ils trouveraient au contraire dans leur adoption des garanties nouvelles d'une semblable liberté pour eux-mêmes. . . . Les protestants sincèrement désireux de voir leurs sectes respectées par l'autorité civile ne peuvent qu'applaudir à l'acte de ceux qui revendiquent le même privilège au nom d'une autre croyance.

That Protestants and Catholics might form a common front for the safeguarding of their religious rights against encroachments by the civil authorities was hinted at by McLeod as well: "Ce n'est pas des hommes qui sont franchement catholiques que la minorité protestante doit s'attendre à ne pas avoir justice. Au contraire." ⁶

(3) The co-religionists

Unfortunately, in the weeks and months following the publication of the Programme, its authors were left with little time to develop this idea of a common front. Because certain rival newspapers had so distorted the Programme as to excite the

⁵" (May 15, 1871), p. 1.
suspicions of the Protestant minority, the programmistes were obliged to turn to the unpleasant task of denying false rumours. McLeod began the article already quoted by saying: "On fait courir le bruit que notre programme nous lie à rejeter partout les protestants. C'est entièrement faux." By the month of June, McLeod, impatient at this wanton misinterpretation of the Programme, wrote in an article entitled "Nos coreligionnaires":

Quelques écervelés parmi nous, ne portant de catholique que le nom, s'étant chargés d'interpréter à nos concitoyens de croyance différente, notre Programme catholique et la lettre circulaire de Mgr des Trois-Rivières, dans le sens d'une croisade contre leur religion, nous pensons devoir dénoncer cette interprétation, à la fois mensongère, malicieuse et absurde.

Ni le Programme, ni la lettre de Mgr des Trois-Rivières ne demandent une législation contre les croyances de nos concitoyens: mais ce que le Programme demande avec l'approbation et de notre évêque et de nos conciles, c'est l'abolition des lois contraires au libre exercice de notre religion, et en affirmant cela nous définissons les contra-dicteurs de dire que telle n'est pas la pensée du programme.

Or, y a-t-il en cela quelque chose qui puisse blesser nos concitoyens ou préjudicier en aucune manière à leurs intérêts religieux? Nous connaissons trop l'esprit de loyauté qui les distingue pour leur supposer quelqu'intérêt ou quelque désir de s'opposer à des demandes aussi justes de notre part.

One week later, Beausoleil declared:

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7Ibid.
Faut-il pour la vingtième fois démontrer que les protestants ne sont nullement concernés dans la législation mentionnée au programme, que celui-ci repose sur la liberté religieuse la plus étendue, et qu'ils sont aussi intéressés que nous à ce que les principes qui y sont énoncés soient reconnus de tous?  

Despite these contretemps, McLeod went on in his article to make clear what earlier he had only suggested: that, from a political point of view, the Catholic cause and the Protestant cause were the same:

D'un autre côté si on reconnaît au gouvernement le droit de contrôler la discipline ecclésiastique, nos coreligionnaires ont-ils à y gagner? Avec de semblables principes politiques le jour viendra peut-être où les majorités parlementaires tenteront de faire pour les églises protestantes ce que l'on entreprend aujourd'hui contre l'Église catholique. Qu'en résulterait-il? Les catholiques étant les plus nombreux ne seraient-ils pas les maîtres de tout arranger suivant leur gré? Le principe émis dans notre programme, que la religion est au-dessus de l'État, n'est donc pas hostile à nos coreligionnaires. Au contraire c'est un principe conservateur et éminemment social. Quel frein aussi puissant pourrait-on jamais opposer à l'ambition et aux convoités!

If one were to allow the State, in this case the local Legislative Assembly, to begin to control ecclesiastical discipline, to allow the essential rapport to be upset, then it would follow, the basic principle lost sight of, that politics would soon become a mere

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question of numbers in which minorities would be bound to suffer.

Desjardins put it in a nutshell when he said:

Les protestants intelligents et éclairés ont parfaitment compris que . . . dans un pays comme le nôtre, où les croyances sont différentes, que moins la loi civile vient en contact avec les dispositions des lois ecclésiastiques plus il y a de garanties de liberté pour la profession de chaque croyance.

Politically, Protestants and Catholics had to put aside their differences and concentrate on what they had in common. They had to become aware that they were, as the programmistes expressed it so powerfully, "des coreligionnaires". As such, they had to realise that vis-à-vis the State they were all in need of the same practical freedom. The essential rapport in human affairs, the natural superordination of religion to politics, coupled with the principle of religious toleration, formed a common ground capable of uniting the Protestants and the Catholics of Quebec in their desire for a just social order.
PART THREE: THE CONSEQUENCES

The Means Available:
The Political Parties (Section VIII)
The Conservative Party (Section IX)
The Issues (Section X)
The Candidates (Section XI)
and the Voting (Section XII)
VIII

DES PARTIS POLITIQUES

"Ces prémisses posées, il est facile d’en déduire des conséquences qui serviront de guide aux électeurs. Mais pour établir des règles pratiques, dont l’application soit facile, il faut tenir compte des circonstances particulières où notre pays est placé, des partis politiques qui s’y sont formés et de leurs antécédents."

In the first half of the text, the programmistes presented the premises of their argument: first, that in human affairs politics, or what one owed to one’s neighbours, was subordinate to religion, or what one owed to God: and second, that in Canada the practical freedom necessary to all religious communities was to be clearly acknowledged.

Now, in the second half of the text, the programmistes present their readers with the consequences of those premises, consequences which can act as guidelines for the voters: "Ces prémisses posées, il est facile d’en déduire des conséquences qui serviront de guide aux électeurs."
In presenting the premises of their argument, the programmistes kept the discussion at a general level. True, certain features were brought to the readers' attention which were characteristic of Canada, such as a federal political structure, a plurality of religious beliefs, etc. Such features, however, were not peculiar to Canada. And so, before the programmistes could offer their readers any useful advice on the forthcoming elections, they were going to have to take into account the particular circumstances in which they happened to find themselves: "il faut tenir compte des circonstances particulières où notre pays est placé."

Once certain principles were established, the question of means arose. How could these principles come to be embodied in the institutions of society? The answer: By way of a political party. As Beausoleil put it:

Le premier principe posé [que la religion est au-dessus de la politique], la question se présentait naturellement de savoir de quel côté de la balance politique, les catholiques devraient jeter le poids de leur influence et de leurs votes. Il ne pouvait être question de fonder un nouveau parti. Il fallait donc tenir compte des organisations existantes, étudier leurs principes, leur passé et leurs projets.1

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Following Beausoleil's thought on this question of parties, I shall examine, in the first place, what he calls the balance of power ("La balance politique"): and in the second place, what he calls the existing organizations ("des organisations existantes").

(1) The balance of power

Under Responsible Government, political associations tend to be cohesive. Because the government can be defeated at any time by an adverse vote in the House, members' voting is organized in accordance with the thoroughly practical principle that there is one group of members which basically supports the ministerial team in power and another group of members which opposes it. Originating on the floor of the House, this practical division extends on down throughout what is now called the political "culture". This division animates, for example, local political associations which, though they may not always be able to articulate arguments for and against certain national policies, know very well whom they are for and whom they are against.

Mounting the election platform, a politician reveals himself therefore as belonging first of all to one of two possible groups: a first group which finds the government acceptable and
therefore promises to support it in the House or Assembly—this group being called *le parti des ministériels*—or a second group which finds the government unacceptable, and therefore promises to oppose it—this group being called *le parti des oppositionnistes*. (In certain circumstances, one may find a third group of individuals who choose, some for honourable reasons and others not, to stand alone—the *indépendants.* ²)

(2) The existing organizations

But party politics involves more than being simply for or against a particular government; it also involves policies: that is, general statements about what is good for the community. Hence, opposing groups are also referred to by terms which describe, it is thought, the prevailing tenor of their policies. It is to this more material aspect of party politics that we now turn.

In his *Catéchisme politique*, de Montigny brought his readers up to date on the events which led, in this country, to one group's being called Conservative and another Liberal:

²For a recent discussion of the question of the "independent" member of Parliament, see R. March, *The Myth of Parliament* (Sharborough, 1974).
Je crois, pour l'intelligence de la politique en ce pays, devoir jeter un coup d’œil rapide sur la formation des deux grands partis politiques qui se divisent actuellement la province de Québec: le parti libéral et le parti conservateur.

Dès le commencement du régime constitutionnel en Canada se dessinèrent les deux grands partis qui planent encore sur les destinées de la Puissance, et dans lesquels sont venus se confondre le parti tory, le "family compact", le "cleargritisme", le parti national[le parti] et la réforme et plusieurs autres fractions... Au moment de l'Acte de l'Union le parti libéral d'alors crut devoir accepter cette nouvelle constitution dans l'espérance d'acquérir par elle toutes les libertés dues à tout sujet britannique, et grâce à son alliance avec les réformistes du Haut-Canada, il parvint à obtenir le gouvernement responsable.3

Indeed, in 1841 under the government of Charles Poulett Thompson (later Lord Sydenham) a group of representatives from Canada-East led by L. H. Lafontaine united in an effort to win Responsible Government.4 Their cause was strengthened when they joined forces with the Reformers of Canada-West led by R. Baldwin. Their concerted action bore fruit in the general election of December 1847 - January 1848, and ever since that time, the charge of government in this country has been in the hands of men who were

3B. A. T. de Montigny, Catéchisme politique, p. 111.

4For a recent history of Canadian political parties prior to Confederation, see P. G. Cornell, The Great Coalition, Historical Booklet Number 19 (Ottawa, 1966).
not only agents of the Crown but elected representatives as well.

To return to de Montigny's account:

Mais, bientôt, en 1848, le parti libéral se fractionna en deux camps: l'un ayant M. Lafontaine pour chef et l'autre M. Papineau. Le parti de M. Lafontaine s'unit plus tard à la fraction modérée du parti conservateur et forma le parti "libéral-conservateur" ou simplement "conservateur": la fraction de M. Papineau, qui s'allia plus tard au parti "clear-grit", s'appela le parti "libéral-avancé" ou simplement libéral.5

This division between Lafontaine and Papineau is a fundamental political division, corresponding as it does to opposing views on the origin of power in society. We shall hear more about these opposing views in the next Section. For the moment, it should be remarked only that Papineau's father, Joseph Papineau, was the man perhaps most responsible for introducing Rousseau's thought into the arena of Lower-Canadian politics.6

5 de Montigny, Catéchisme politique, p. 111.

In any event, in 1851 both Lafontaine and Baldwin left the government and leadership of the Reform Party and were succeeded by A. N. Morin and Francis Hincks. In 1854, Hincks and his moderate Reformers of Canada-West were joined by a number of moderate Conservatives from Canada-West, among them John A. Macdonald. Shortly after this Liberal-Conservative coalition was formed, Morin, Chabot, and R. J. O. Chauveau retired and were replaced by G. E. Cartier and Joseph Cauchon as the leading representatives from Canada-East. These events set the stage for the Conservative government of Macdonald and Cartier and left the radical Reformers of both Canada-East and Canada-West free to form their own political parties: the Rouge and the Clear-Crit.

For two days in the summer of 1858 (August 2 – August 4), these radical reformers from Canada-East and Canada-West under their respective leaders, A. A. Dorion and George Brown, actually formed an alternative Liberal government. Such were the "antécédents des partis politiques qui s'y sont formés".

With Canada-West returning a majority of Clear-Crits and Canada-East a majority of Bleus (as the Conservatives from Canada-East were called), it became increasingly difficult, however, to constitute an effective government. And so in June, 1864, a coalition of Clear-Crit Liberals, Conservatives, and Bleus was
achieved for the purpose of establishing a new political structure. The fact that the Rouges did not choose to join in this coalition but remained in conspicuous opposition to the project of Confederation, suggests that the difference between Conservative and Liberal was perhaps more marked in Canada-East than it was in Canada-West. Be that as it may, with the achievement of Confederation the basic difference dividing the politicians of this country, the difference between the radical Reformers (now identified as Liberals) and the moderate Reformers (now identified as Conservatives), had reappeared. Or had it?
"Nous appartenons en principe au parti conservateur, c'est-à-dire, à celui qui s'est constitué le défenseur de l'autorité sociale. C'est assez dire que, par le parti conservateur nous n'entendons pas toute réunion d'hommes n'ayant d'autre lien que celui de l'intérêt et de l'ambition personnelle, mais un groupe d'hommes professant sincèrement les mêmes principes de religion et de nationalité, conservant dans leur intégrité les traditions du vieux parti conservateur qui se résument dans un attachement inviolable aux doctrines catholiques et dans un dévouement absolu aux intérêts nationaux du Bas-Canada.

Dans la situation politique de notre pays, le parti conservateur étant le seul qui offre dès garanties sérieuses aux intérêts religieux, nous regardons comme un devoir d'appuyer loyalement les hommes placés à sa tête.

Immediately we are told that, of the two major vehicles of political power in Canada, the programmistes belong to the Conservative, i.e., to that political tradition extending from L. H. Lafontaine to Sir George Etienne Cartier. It is not surprising that this should be so. As Beausoleil pointed out:
C'est un fait historique que toutes les attaques contre l'Église et la hiérarchie sont parties du camp libéral, qui, par ses journaux, ses orateurs, et ses clubs, s'est fait l'apôtre de toutes les mauvaises doctrines. Il n'est pas moins indubitable que le parti conservateur, dans son ensemble, s'est toujours opposé aux progrès du libéralisme, bien qu'il se trouvât dans ses rangs des hommes qui étaient de vrais libéraux, et qui ont tenté d'asservir l'Église. Les catholiques sont donc naturellement enclins à faire cause commune avec ceux qui professent les mêmes principes, révèrent les mêmes institutions, et partagent les mêmes amours et les mêmes répulsions.  

At the time of the Programme, Catholics were naturally inclined to support the Conservative party.

But what led the programmistes into such deep and far-reaching considerations was the reservation which followed:

Mais si cette sympathie est naturelle, elle n'est pas aveugle, ni ne se paie d'apparence. Il est facile de constater que sous la désignation de parti conservateur se cachent beaucoup de gens que des biens d'intérêt seuls y retiennent et qui sont de vrais libéraux.  

In the eyes of the programmistes, some members of the Conservative party were not conservative.

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2Ibid.
The difference between being a Conservative and being a conservative was a matter of principle. Of course, membership in a political party can always be reduced to a question of protecting one's interests: in which case, success or failure is the only criterion. But for the programmistes there was more involved in the membership of a political party than self-interest. If the host of particular motives which were bound to accrue in a political party were to be co-ordinated for the overall good of the community, then there had to be an appeal to principle, to some general rule by which particular claims could be measured. It was to just such a guiding light, therefore, that the programmistes were above all attached. ("Nous appartenons en principe au parti conservateur.")

The programmistes went on to claim that the principle which had guided the destiny of the Conservative party or, to put it the other way round, which the Conservative party had sought to defend, was the principle of social authority. The programmistes were pleased with the Conservative party as it had developed since Responsible Government. They did not wish to introduce anything new into the Conservative party. They wished simply to see its present members prolong the work of their predecessors, "un groupe d'hommes," in the words of the text, "conservant dans leur intégrité les traditions du vieux parti
conservateur". 3

There was, however, as Beausoleil pointed out, and as
is implied in the text, an element in the membership of the
party which was not faithful to the principle of the party but
which had come together only for the protection and advancement
of its own interests: "C'est assez dire que, par le parti conserva-
teur, nous n'entendons pas toute réunion d'hommes n'ayant
d'autre lien que celui de l'intérêt et de l'ambition personnelle."

Expanding again on this passage, Beausoleil wrote:

Il exige dans le sein du parti conservateur auquel nous
appartenons un certain noyau d'hommes qui menacent d'y
porter le désordre et d'y mettre la division. . . .
Depuis quelques années surtout, ils se sont mis en antago-
nisme constant avec les vrais principes conservateurs.
Ils les ont combattus sur tous les terrains et principale-
ment sur celui de la religion. Ils ont à leur service
deux ou trois journaux qui ne disent jamais non et qui
enseignent à ne jamais dire non, lorsque leurs maîtres
ont parlé. Mais ils ne constituent ni la force, ni le
nombre dans le grand parti conservateur. 4

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3It must not be inferred from the programmistes' remarks
about the "vieux parti conservateur" that they entertained any
notion of a golden age of conservatism progressively worn away
by liberalism. On the contrary, the position which they wished
to defend had been progressively won through a series of consti-
tutional developments culminating only in the B.N.A. Act.
Furthermore, we know that the programmistes had reservations
about the old guard. The case of the dismemberment of Notre Dame
parish saw a number of the programmistes oppose Cartier (see Section
X). We recall from the Prologue that support of the leaders of the
Conservative party was the one principle which met with any objections.

4"La question", N.M., (May 8, 1871), p. 1. We know from the
Prologue that the newspapers Beausoleil had in mind were La Minerîe
and the Journal de Québec.
The programmistes believed that this certain core of men was not the truly prevailing element in the party. And so it was to bring into public view the real force of the Conservative party, over and against this certain core of men, that they published their text: "C'était pour en obtenir la démonstration publique que le programme catholique fut rédigé."\(^5\)

In commenting on this section, I shall try to give an account, in a rather long first part, of what, in the minds of the programmistes, was implied in the concept of authority: and in a second part, of the connexion between this concept and the Conservative party.

(1) The concept of authority

The concept of authority, like that of freedom, must be subject to qualifications if there is to be any fruitful understanding. We find that the programmistes qualify the concept of authority they have in mind by adding the epithet, social. Mgr Lafleche, in the passage quoted from his pastoral letter, had distinguished one kind of authority from another by the use of a capital. It will be useful therefore to begin our discussion of authority by making a couple of distinctions.

\(^5\)Ibid. For more on the struggle between the programmistes and the certain core of men, see the Epilogue.
(i) Two distinctions

It has long been acknowledged that there are three different kinds of authority, corresponding to what Thomas Aquinas called the threefold order to be found in man. Authority was of one kind if it was grounded in the natural rule of reason; it was of another kind if it was grounded in specific human enactments; and it was of a third kind if it was grounded in the divine word of God. One may speak therefore of a natural authority, a human authority, and a divine authority.

In reflecting on these three different kinds of authority, it will be seen that the first two kinds, the natural and the human, are of a thoroughly social and practical nature. They are both social in that they presuppose human beings having to live together. They are both practical in that their pronouncements are understood as a regulation of conduct. Although the third kind of authority, the divine, may well have social and practical consequences, it is primarily a form of knowledge, having more bearing therefore on human contemplation than on human action.

This important distinction between natural and human authority on the one hand and divine authority on the other is reflected in the use of the two English adjectives, "authoritarian" and "authoritative". Authority of the authoritarian kind regulates human conduct; while authority of the authoritative kind provides man with knowledge.

What characterizes authoritative authority, or authority as a form of knowledge, is the fact that it relies on the word of another. It is indirect knowledge. By contrast, to know through experience or by reasoning is to rely on one's own faculties. When, on December 8, 1854, the Pope defined as an article of faith that the blessed Virgin Mary was preserved and freed of any trace of original sin from the first instant of her conception, as a result of the merits of Jesus Christ, he was speaking on the grounds of an epistemological authority. He spoke as one in whom the hearer places his trust for the communication of some matter which otherwise could not, in most cases, be known. This is an example of the authoritativeness that marks all those matters which are special to the Roman Catholic Church and which are kept in trust by its members.
Of authority understood in this epistemological sense two things may be said: first that, modern man's emphasis on experience notwithstanding, authority remains man's principal source of knowledge—one need only look at the trust now being placed in modern science--; and second, that authority obviously comes in varying degrees of authoritatively, the trust in divine Scripture being not the same as that in historical tradition, nor the latter the same as that in popular opinion. In any event, if we think of this primarily epistemological kind of authority as testimony (compare the Greek μαρτυρία), we shall be in a better position to see how it differs from authoritarian authority.

The authority the programmistes had in mind was not of the authoritative but of the authoritarian kind. And with that we come to a second important distinction with regard to the concept of authority: the distinction between authoritarian authority that is natural, i.e., that is in accordance with human reason, and authoritarian authority that is enacted, i.e., that is in accordance with man-made law.

The natural, or God-given, aspect of authority, as opposed to the legal or man-made aspect, is suggested in the etymology of the word. Authority comes from the Latin auctor, which comes in
turn from the verb augere, meaning to originate, to increase, or to promote. Its Indo-European root, aver-, aug-, signifies "to increase". To increase is to augment what otherwise already exists. The Greek word for authority, ἀξιωσία, reflects this idea perfectly: authority is what arises out of what subsists. (Ἀξιωσία is the word St. Paul uses in his epistle to the Romans, Chapter XIII, 1-5, quoted at the beginning of the Introduction.)

Authority in this sense of an arising-out-of-being is to be distinguished therefore from any kind of coming-into-being, or production. Man's reason is employed in attuning itself to the realm of nature rather than in constructing anything out of it. In the light of these etymological considerations, it will be seen that authority is a part of nature, and that it is only by extension that we refer to the humanly posited offices of authority as the authorities.

At the same time, it will be conceded that authority occupies a special place within the realm of nature, the determination of relations in this regard being not quite the same as that within the rest of nature. For the relations of authority, like all relations pertaining to human conduct, are sometimes ambiguous.
They lack the explicit, evident character of, say, mathematical relations. This is true at the level of the intellect as well as at the level of the senses. A complex case of equity brought before a tribunal of judges is as difficult to "prove" as the most elementary relations of authority which are known to man directly by his moral sense, such as respect for one's parents. At both levels, there is an intimation of antagonistic forces at work, of pros and cons, and of the need finally for resolution. For this reason, it is more accurate to say that relations of authority pertain to the realm of natural "right" (thereby allowing for the element of human freedom) than to say they pertain to the realm of natural "law".

But, to return to the distinction between natural authority and human authority. Magloire McLeod explained how what was naturally binding in human relations took precedence over what was legally binding:

L'homme social est soumis à un pouvoir supérieur à tous les pouvoirs humains: de là, pour lui des droits et des devoirs que nulle législation humaine ne saurait justement atteindre. L'homme social est homme de la nature avant d'être citoyen, et de cette priorité et de cette supériorité même d'existence découlent pour lui des droits
et des devoirs supérieurs aux droits et aux devoirs de toute autorité humaine et civile.

To McLeod, man's legally enacted code of rights and duties, the whole posited network of human relations, was subject to a higher natural network of relations. As a moral force capable of commanding respect without having to be enacted or posited by any human agency, natural right was a kind of prescriptive right.

Another way of distinguishing what is naturally right from what is humanly or civilly right is to distinguish between the legitimacy of a law and the legality of a law. To determine, for example, whether a law is *intra* or *ultra vires* is to pass judgement on its legality, not on its legitimacy. A statute may very well have been enacted by the conventionally right powers in the conventionally right way, but still not be in accord with what is naturally right. If a law is to be legitimate, it must conform to the higher law of nature. Humans must seek therefore to have their enactments correspond as closely as possible to what is naturally right. De Montigny defined political or civil authority as "le droit de fixer d'une manière positive les préceptes

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du droit naturel, de leur donner une sanction nouvelle, de suppléer à leur silence, enfin de les renforcer."

With these preliminary distinctions in mind, we should be able to appreciate how, for example, the Pope is a triple defender of authority. He is an authority (in the epistemological sense) in that he articulates doctrines worthy of our trust: he is the authority (in the positive sense) in that he occupies a legally defined and visible office in the hierarchy of the Roman Catholic Church; finally, he stands for authority, tout court, in that he is a strong upholder of the principle of authority in society generally.

Of these three different kinds of authority, the one that the programmistes wished to emphasize above all others was the natural. The divine authority embodied in the Roman Catholic Church and the human authority embodied in the Canadian

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8. de Montigny, Catéchisme politique, p. 6.
Constitution were no doubt of great moment to the programmistes, but their argumentation in the case of the Programme rested essentially on an appeal to natural authority.

(ii) How it works

The authority the programmistes had in mind was of the natural kind. It was a principle for regulating human conduct in society that stood in accord with human reason.

Conceivably, man's conduct in society can be regulated in one of three ways: by persuasion, by fear, or by respect. Each of these ways presupposes that order in society is dependent on the prevalence of a specific kind of human interaction.

Persuasion occurs among men who consider themselves to be equals. It is with one's peers that one can engage in debate, arrive at agreements, and act in concert. In such a society, liberty is the basis for order.
Fear occurs whenever men are treated as brutes devoid of intelligence. Then, one commanding will, often strengthened by access to tools of violence, holds sway. In such a society, coercion is the basis for order.

Respect occurs among men who consider themselves to be unequal: i.e., when it is recognized that for the good of the society, there is need of a superior whose duty it becomes to direct, and of an inferior whose duty it becomes to conform. In such a society, authority is the basis for order.

In maintaining that authority was the natural basis for order in society, the programmistes were defending the essential relation underlying the Canadian constitution. Constitutionally, the relation making for order in society manifests itself in the relation between the government and the people. In Canada, that relation is one of authority: the government has the superior part and its role is to direct; the people have the inferior part and their role is to conform. This is the essence of a monarchy, even if, as in Canada and in England, the monarchy is so constituted as to make its directives acceptable by allowing the people a limited and indirect share in government.

As is well known, the constitution of the United States of America, in manifest opposition to that of England, which Canada inherited, was established on the principle of liberty; it was,
in Abraham Lincoln's words, "conceived in liberty and dedicated to the proposition that all men are created equal". Consequently government, far from being superior to the people, was, still in Lincoln's words, "of the people, by the people, and for the people" ("Gettysburg Address", 1863). Historically, it has been the task of the Conservative party in Canada to resist any attempts to substitute liberty for authority as the basis for order in society. The authors of the Programme were dedicated to that task. And it is in the light of that fundamental opposition between the principle of authority and the principle of liberty that many of the conflicts of nineteenth century French Canada must be seen.

Libertarians often assume that the principle of authority is incompatible with the principle of liberty; or worse still, they confuse it with the principle of coercion. In contrast, authoritarians recognize the compatibility of the three principles; but claim that authority, by localizing man's liberty (or practical freedom), is precisely what makes that freedom effective. Hence authority is more fundamental to order in society than is liberty.

If a society is to open up spaces of effective freedom, if it is to allow its members to congregate and to enjoy each other's company, then it must recognize, to begin with, that people
associate for different purposes: that human beings gather together as members of a family, as citizens of a state, as worshippers of a faith. etc. These natural groupings form distinct spheres of authority which first of all must be recognized. De Montigny distinguished four kinds of authority in society: "On distingue l'autorité conjugale, l'autorité paternelle et domestique, l'autorité civile et politique et l'autorité ecclésiastique ou religieuse." We might add that humans associate also to learn, to do business, and to fight; and as a result we can speak of educational authority, of economic authority and of military authority.

By presenting a manifestly plural character in society, authority provides men with various ways of realizing their capability. As McLeod pictured it:

Les droits religieux, les droits naturels, les droits individuels, les droits paternels, distincts des droits de l'autorité politique sont autant de chaînes attachées au roç de l'autorité immuable, absolue, données à l'homme; au père de famille, au citoyen, pour l'aider à gravir la montagne abrupte et escarpée de cette vie et pour parvenir à sa fin.10

9 de Montigny, Catéchisme politique, p. 6.
Once identified, these various spheres of endeavour had to be protected and co-ordinated, if individuals were to enjoy any effective freedom in their pursuits:

Pas un seul des anneaux de ces chaînes ne doit être brisé, pas plus qu'ils ne peuvent être mêlés, afin que le mouvement de tous et de chacun soit libre et parfait pour donner à tous l'appui qu'ils doivent avoir. 11

The concern about protecting and co-ordinating these spheres of endeavour—the concern about jurisdiction—is central to the principle of authority. There is a point, for example, where man's activities as a householder are linked to his activities as a citizen; both as an individual and as a member of society, he should know which deserves to be given priority. The principle of authority provides him with just such a criterion. By looking beyond the individuals performing the action to the purpose for which it is performed, the principle of authority provides men with a rule for ordering and integrating various kinds of human association. In the light of this rule, the military, for example, is subordinate to the political on the basis of the relative worth of each kind of association: to defend one's country is a worthy activity, but one subservient, in the final analysis, to the positing of laws for the peace and order of one's country. Similarly,

11 Ibid.
the principle of authority holds that economic institutions should
also be subordinate to the dictates of political office.

However important the political may be, even it is subordinate
to another kind of authority. In matters where the State's
jurisdiction touches upon that of the Church (see Section IV), it
is the civil authorities who must respect the dictates of the
ecclesiastical, and not vice versa. For:

L'autorité ecclésiastique ou religieuse, qui est celle*
des pasteurs sur les simples fidèles est supérieure à
toute autre, et par son origine, et par l'objet auquel
elle se rapporte, et par ses moyens, et par la fin
qu'elle se propose.12

Beausoleil summed up the Church's relation to the State when he
wrote:

En effet, l'Eglise respecte le pouvoir civil: elle lui
obéit et recommande de lui obéir, sans s'occuper du nom
de celui qui l'exerce. Le prêtre est le plus ferme appui
du trône. Il reste étranger aux luttes ardentès qui
divisent un pays soumis au régime constitutionnel, et quelque
soit le parti qui l'emporte, quelques soient ses préférences
personnelles, il sait comme l'Eglise dont il est le ministre,
reconnaître et respecter l'autorité, et lui obéir, mais
da une seule condition: c'est que le pouvoir n'abîque pas
son caractère de légitimité en essayant d'opprimer l'Eglise,
de gêner sa liberté, de restreindre sa souveraineté ou son
indépendance, ou de porter des lois qui blessent ses droits,
ses dogmes, sa morale ou sa discipline.13

12 de Montigny, Catéchisme politique, p. 7.
Without attempting to describe fully how the principle of authority manifests itself in ordering a complex society, we may say that essentially it should present the following three-tiered order: a distinct pre-political realm of authority centred in the family/household; a distinct political realm of authority centred in a public hall; and a distinct preter-political realm of authority centred in a temple of worship. A man's association with his parents and relatives, with his neighbours and countrymen, and with his teachers and ministers takes on therefore a special complexion when it is seen in the light of the principle of authority, as part of a co-ordinated and integrated natural network of relations which for the good of all concerned must be respected:

Ces droits sont autant de sentiers particuliers dans le large sentier de la vie, conduisant tous au même terme, et donnant à tous l'espace voulu pour qu'il puisse se mouvoir librement, sous le regard protecteur de l'autorité et franchir la distance de ces sentiers.  

(iii) An example

It is time now to illustrate how the programme's concept of authority works as a gauge, both for the legitimacy of law,
providing a criterion of justice to which positive law should be attuned; and for the justification of the state, providing a criterion of common good to which political action should be attuned.

Both these dimensions, the legal and the political, are equally present in the case of the North Shore Railway and in that of the Programme. The only difference is that in the former the emphasis is more on the legal: McLeod's readers were called on to judge the natural rightness of a past deed (hence, its justice): whereas in the case of the Programme the emphasis is more on the political: the programmistes' readers were called on, as voters, to judge the natural rightness of a future deed (hence, its expediency).

Both these cases also reflect the natural ordination of one kind of social activity to another. The only difference here is that in the case of the Programme the natural rightness pertained to the superordination of religion to politics, and in the case of the Railway it pertained to the superordination of politics to economics.

One of the issues animating the Quebec provincial election of 1871 was the construction of a railway along the North Shore of the St. Lawrence river. The question which McLeod weighed in his mind and on the editorial pages of the Journal des Trois-Rivieres
was the following:  "Est-ce un devoir fondé en raison pour moi, propriétaire ou locataire, que ma part de contribution au chemin de fer du Nord?" 16 Was it reasonable to tax the people for the construction of this railway? At first, 17 McLeod thought it was: "Lorsqu'il s'est agi de la [cette législation: 22 Vict. Cap. 83] mettre en application l'année dernière pour le chemin de fer du Nord, nous avons avec les autres, sans l'examiner, sans l'étudier de bien près." 18 But on reflection, he discovered that this railway was not necessary for the good of the whole community. The object of the legislation was a particular good,

15 It is not surprising that this railway question should have given rise to serious reflection, for according to Hamelin: "Après avoir accumulé nombre de déboires, avant même les débuts de travaux, le Chemin de la Rive Nord va profondément marquer l'évolution politique du Québec pendant la décennie suivante et former la toile de fond des grands débats de l'Assemblée législative entre 1870 et 1878." Marcel Hamelin, Les premières années du parlementarisme québécois (1867-1878) (Québec, 1974), p. 114.


18 Thus began the first of McLeod's three articles on "Notre position", J.T.R. (September 11, 1871), p. 2.
and, as such, should be left for its realization to particular individuals, who would then have to bear the financial and moral responsibility privately. The law which forced people to pay taxes for the advancement of a limited good was a law devoid of legitimacy: it was a law devoid of that morally binding quality which emanates from what is naturally right.

Parce que le chemin de fer du Nord sera avantageux, parce qu'il augmentera, suivant l'opinion de plusieurs, la valeur de la propriété, ce n'est pas un motif juste et raisonnable pour la majorité de lier la minorité à la construction de ce chemin. Il faudrait pour cela qu'il y eût un devoir moral pour la minorité de participer à la construction de ce chemin. Or, ce devoir moral, nous l'affirmons sans la moindre hésitation, et nul théologien ou philosophe, qui mérite d'être cru sur pareille matière, ne peut dire le contraire, n'existe pas.

L'établissement de deux ou trois manufactures dans chaque comté, serait également, suivant le raisonnement des partisans de la loi, que nous discutons, un bien matériel. S'ensuivrait-il que l'État pourrait affecter le cinquième des propriétés des contribuables, pour l'établissement de ces manufactures, moyennant le consentement de la majorité? S'il fallait répondre affirmativement à cette question, on pourrait exiger la même chose pour tout autre industrie, pour tout autre commerce, pour tout autre bien limité et on ne ferait que pousser le même principe à ses extrêmes conséquences. Cela nous conduirait vite et inévitablement au socialisme et au communisme.
Il faut y songer sérieusement.19

In McLeod's judgement, this railway legislation, even if it did have the consent of the majority, did not serve the common good. It set partial economic interests above what was necessary for the good of the community as a whole. It was not in accord with that network of social relations implied in the principle of authority. In a word, it was unjust. (I should add here that McLeod might still have been obliged in conscience to obey this railway legislation, but for reasons extrinsic to the law itself: a man's actions should be governed by considerations of prudence as well as considerations of justice.)

The case of the North Shore Railway illustrates how ignorance of the principle of authority led legislators, most of whom were elected members of the Conservative party, to take up a partial good which, in accordance with the principle of authority, should have been left to powers subordinate to the political.

There was another aspect to the case of the North Shore Railway which attracted the programmistes' attention: the way the legislation was justified. Advocates of the railway justified their action by appealing to the consent of the majority; that is, they held the will of the people to be the legitimating ground for the exercise of power. In this view, authority was no longer understood as being of divine origin and inscribed in the order of Nature, but rather as issuing out of the will of the people.
Following Rousseau, modern man has fallen into the habit of sanctioning legislation by an appeal, not to intelligent judgement, but to blind will, especially when that will is taken to be the general or popular will as expressed in a majority of votes. McLeod quoted from the unnamed author of *Esquisse d'une politique chrétienne*:

aujourd'hui on ne sait plus ce que c'est qu'une loi chrétienne, ni même ce que c'est une loi. On s'imagine que toute volonté qui sort d'une majorité ou d'un suffrage prétendu universel est loi, et oblige la conscience. Le peuple n'a pas besoin d'avoir raison pour valider ses actes" dit la politique moderne, après Rousseau. On ne se préoccupe donc pas de savoir si la loi est conforme à la loi éternelle, à la loi naturelle, à la loi divine, à la loi chrétienne, à la loi ecclésiastique. 20

The voice of the majority is taken to be the legitimating ground of enacted law. As McLeod put it:

Du moment qu'une loi est passée par les parlements . . . On dit, c'est la loi, il faut s'y soumettre comme à l'ordre de l'autorité . . . Cette habitude parlementaire découle de la fausse idée que l'on se fait des gouvernements constitutionnels. On fait reposer l'autorité de ces gouvernements dans le nombre, dans la majorité comme dans sa source et du moment que l'on a obtenu l'expression du nombre, on se dit, voilà l'autorité. 21


21. Ibid.
A spurious notion of authority had arisen in modern politics. This is not to deny that under Parliamentary Government enacted laws owe their factual existence to the concerted power of the people's representatives: rather, it is to say that their majority votes are but a device, or a means, for exercising power, and therefore can never constitute the legitimating ground for the exercise of power:

La majorité ne peut pas plus être la source du pouvoir, que la source du droit, de la justice. Elle ne saurait être qu'un des signes extérieures de l'autorité, un de ses modes d'être. Soit qu'elle fasse des lois, soit qu'elle les mette en application, en conformité au système de constitution sous laquelle elle agit, on ne saurait faire reposer en elle, l'autorité qui lie, qui oblige, relativement à ces lois.\textsuperscript{22}

The voice of the majority, as such, was not morally binding.

McLeod thought that people should be carefully reminded that authority was not of human invention:

\textsuperscript{22}Ibid. In his work on Parliamentary Government, Alpheus Todd stressed the same point: "Society, like the family, is of divine appointment; and headship, in either case, has a divine origin. In a parliamentary government, rule and authority must receive the sanction of popular consent, though it does not necessarily emanate from the will of the people. The obligation of a king to rule righteously is as great as that of a people to obey those who have the rule over them." A. Todd, On Parliamentary Government in England (London, 1867), Vol. I, p. 1.
on devrait prendre un soin infini . . . de lui [le peuple] faire bien comprendre que la source de l'autorité ne repose pas en lui, que ce serait lui donner une base trop humaine, trop faillible, trop fragile. De cette manière vous conservez en tout et partout l'idée d'une obligation morale, d'une responsabilité morale pour tout citoyen, pour l'électeur comme pour le législateur et le magistrat. C'est là une de ces idées générales qui devrait être toujours présente à la mémoire du peuple, quand il est appelé à l'exercice de ces droits, à l'esprit des parlements, dont la responsabilité est encore plus grave et plus lourde dans la confection des lois.23

In that way, the moral dimension would be present in man's mind when he was called upon to act in politics or in law. Whether he were seeking a right determination over a past deed, as in the case of a magistrate, or a right determination over a future deed, as in the case of an elector, he would remember that the source of authority did not lie in himself.

To conclude, an appeal to the principle of authority, far from leading to an abuse of power (as is often implied in the epithet authoritarian), leads to a limitation of power. It limits man's power to act in two ways: first, by localizing it in a plurality of distinct realms of human intercourse; and secondly, by subjecting it to a higher law of divine origin. Both these limitations to man's concerted powers were expressed by McLeod when he said:

Parce qu'une loi est adoptée par la majorité des hommes constituant un parlement, il ne s'en suit pas toujours que cette loi est juste, équitable, obligatoire. Car un parlement, tout comme un roi, peut excéder ses pouvoirs, souverains et efficaces dans sa légitime sphère d'action, mais qui sont limités par d'autres droits et d'autres pouvoirs qui, sous toute forme de gouvernement, monarchique, constitutionnelle ou républicaine, doivent être avant tout respectés. 24

(iv) A reformulation

It is clear from another article McLeod wrote, entitled simply "Le Programme", that on this apprehension of authority hinged all the difference in the world. McLeod began his article:

"Le Programme n'a pas été fait contre les Protestants, mais contre les rouges, les socialistes, les communists et les gallicans. Ces hommes sont non seulement ennemis des catholiques, mais ils sont les ennemis déclarés de la société toute entière. Tout en combattant les idées religieuses, ils affirment une théologie à leur guise et ils cherchent à l'imposer." 25

Politically, a battle-line could be drawn between those who recognized authority (and its two-fold limitation of power) and those who did not. McLeod explained how socialists and communists ignored the

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25 J.T.R. (June 12, 1871), p. 2. Unfortunately, as McLeod explained a week later, when this important article first appeared "une phrase a été tronquée par inadvertance de manière à en dénaturer complètement le sens": furthermore, a few words were omitted. See "Errata", J.T.R. (June 19, 1871), p. 2. The article, corrected, appears in its entirety as Appendix A.
first limitation to man's power by denying its divine origin; while radical and moderate liberals ignored the second limitation to man's power by denying its plurality:

ainsi pour les uns, leur principe c'est que le pouvoir civil ne vient pas de Dieu, tandis que pour les autres s'il est admis qu'il vient de Dieu, ils le prétendent tellement universel et étendu qu'ils refusent complètement de reconnaître aucune autre espèce de pouvoir.\(^{26}\)

The practical result in all cases is the denial of a specific familial authority and the denial of a specific ecclesiastical authority:

Ainsi négation de l'autorité paternelle et négation de l'autorité ecclésiastique complètement. Ils se réservent cependant pour eux le droit de déléguer ces pouvoirs. Ainsi le père n'aura d'autorité sur ses enfants que celle que la loi civile lui confèrera, les ministres de l'Eglise n'auront de pouvoir sur les membres de l'Eglise que ceux que l'Etat leur accordera. C'est ainsi qu'ils entendent par ce moyen tout s'accomparer et famille et religion.\(^{27}\)

It follows that there are two courses open to one who would defend the principle of authority: he can make himself the champion either of the pre-political realm of authority centred in the family, or of the preter-political realm of authority centred in the church. But as the necessary good of the individual households

\(^{26}\text{Ibid.}\)

\(^{27}\text{Ibid.}\)
is subordinate to the necessary good of the polity (a rule clearly recognized in certain circumstances, such as in wartime or in the event of a natural catastrophe), it follows that the best way in practice to oppose the State's unlimited exercise of power, and to safeguard the fabric of authority in society, is to stand up for the independence of the Church vis-à-vis the State.

If Parliament ignored the superior authority of the Church, then how much longer would it be, reasoned McLeod, before it ignored its own authority? Laws would then become the expression of conventional forces rather than of natural justice. McLeod continued:

Nous au contraire nous voulons que le pouvoir ne s'exerce que conformément aux lois immuables de la justice auxquels tous les hommes indistinctement rois ou sujets sont soumis.

Voilà pourquoi nous combattons au nom des principes religieux parce qu'ils sont l'expression de la justice. Du moment qu'on s'écarte de ces principes le seul droit qui subsiste est celui du plus fort, et nos coreligionnaires sont exposés comme nous à en souffrir.

Combattre les rouges, les communistes, les socialistes, les gallicans, de quelque dénomination qu'ils soient c'est donc combattre les ennemis communs de tout ordre, de toute société, et de toute religion.

Quand une révolution viendra, et ces hommes travaillent de toutes leurs forces à la hâter, qui sera épargné? Les hommes de toutes les croyances religieuses qui suivent leur conscience n'y prendront point part de concert en cela avec les bons catholiques; mais ils la souffriront. D'un autre côté, chose certaine c'est que tous ceux qui prendront part à cette révolution ne seront autres que les mauvais catholiques et les mauvais protestants, c'est-à-dire tous ceux qui foulent aux pieds leur croyance. Tel est un des enseignements qui découle de notre programme.

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Politically, the battle-line was drawn: on one side were the men who would have the State enact whatever was willed by the majority of the people or its representatives; on the other, were the men who held that the State was limited by a natural order of jurisdiction. To those who believed in the absolute sovereignty of the people, McLeod replied:

La souveraineté absolue n'existe qu'en Dieu. Toutes les autres souverainetés sont relatives, imparfaites, bornées:

to those who believed that "le peuple étant souverain, les parlements étant tout-puissants, du moment que la majorité se prononce, il faut reconnaître son verdict comme vrai. juste, obligatoire", he replied:

C'est là une erreur capitale, source d'une foule d'autres sur toutes espèces de matières de législation et qui faussent le véritable esprit public qui devrait régner dans tous les pays soumis au régime parlementaire. . . . Cette erreur, source de tant d'autres, conduit finalement à la destruction de l'autorité dans l'esprit du peuple. 29

(2) Authority and the Conservative party

In this battle between those who would uphold authority in society and those who would undermine it, what became of the Conservative party?

Originally, the *programmistes* thought that it was only a small group of men who were undermining the party's principle. We recall Beausoleil's words: "Mais ils ne constituent ni la force, ni le nombre dans le grand parti conservateur! C'était pour en obtenir la démonstration publique que le programme catholique fut rédigé." As the election campaign wore on, however, it became apparent that the *programmistes* had underestimated the strength of this small group of men. Beausoleil wrote:

Dans le commencement nous avons cru que notre pensée serait partout comprise. La presse hostile se taisait, les autres journaux donnaient tour à tour leur adhésion, les députés aussi. Ce temps d'arrêt et de calme ne fut pas de longue durée. Il avait été employé par certains hommes à mettre en jeu toutes les influences qu'ils pouvaient contrôler. Un beau matin, le torrent d'invectives, un instant contenu, déborda encore. *La Minerve* nous traita d'illuminés, et *Le Journal de Québec* oubliant son rôle de Jupiter tonnant, se fit avant coureur et simple messager de la foudre.

And so battle was quickly joined within the party, as the two leading French Canadian Conservative newspapers accused the *programmistes* of being hostile to the party and to the party's leaders.


31 Ibid.
(i) The *programmistes'* loyalty to the Conservative party

The accusations of *La Minerve* and the *Journal de Québec* were obviously untrue: the last sentence of this Section, which forms a distinct paragraph in the text, is a clear pledge of loyalty to the leaders of the Conservative party (note the key word, *devoir*): "Dans la situation politique de notre pays, le parti conservateur étant le seul qui offre des garanties sérieuses aux intérêts religieux, nous regardons comme un devoir d'appuyer loyalement les hommes placés à sa tête."

In a letter to the editor of *La Minerve*, Trudel expanded on this passage of the text and explained how, in fact, allegiance to the Conservative party and to its leaders constituted two of the four principles agreed to by the group of ten men who initiated the *Programme*.

Indeed, among the four principles which were to serve them as guidelines, we find:

3° Attachement dévoué et persévérant au parti conservateur, que nous reconnaissions comme le seul dont les principes et les traditions puissent nous assurer la plénitude de nos droits religieux et nationaux.
4° Appui loyal donné aux chefs actuels de ce parti, que nous reconnaissions comme ceux de tous les hommes politiques du jour, qui nous offrent le plus de garanties pour la défense des intérêts ci-dessus mentionnés.

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32See "Prologue".

Not satisfied with Trudel's letter, *La Minerve* continued to attack the *programmistes*, claiming that they worked

... à détruire l'harmonie et l'union dans le parti conservateur. ... Nous repousserons donc la nouvelle attaque qui nous arrive et le parti conservateur va se réunir en phalange plus serrée pour résister à l'assaut. Les amis du programme seront nos adversaires, nous les traîterons comme tels.34

*La Minerve*'s hostility to the *Programme* died down only when Cartier himself, running in the provincial riding of Beauharoais, declared:

qu'il admettait tous les principes qui forment la base du programme et qu'une de ses maximes politiques était d'accorder aux évêques tout ce que les évêques peuvent juger nécessaire au plus grand bien de l'Eglise.35

(ii) Popular sovereignty

*La Minerve*'s persistent and unreasonable attack led the *programmistes* to wonder what could possibly lie behind it.

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35 *J.T.R.* (July 10, 1871), p. 2. In fact, the *programmistes* continued to be the subject of attack, and in some cases the subject of abuse, for many years. As de Montigny explained nearly ten years later: "ce sur quoi nous voulons attirer votre attention, c'est l'injustice avec laquelle on a, depuis, traité quelques-uns des auteurs de ce programme, l'animosité que certains conservateurs n'ont cessé de manifester contre eux et l'ostracisme dont ils ont été frappés." B.A.T. de Montigny, *Qu'est-ce que le programme catholique?*, p. 1.
Beausoleil, for his part, found that there was one point in particular which seemed to upset La Minerve:

Dans l'énumération des reproches qu'elle fait au programme nous remarquons surtout le quatrième, qui se reproduit à chaque numéro, et qui est évidemment le seul auquel elle attache quelque poids dans son esprit. Il pose, dit-elle, des conditions au nom des journalistes, agissant dans le domaine politique, à l'insu des chefs politiques et consacré par la même l'insubordination.\textsuperscript{36}

Beausoleil found La Minerve's position strange to say the least:

Cette théorie de la Minerve sur la confiance aveugle de tous les membres d'un parti à la voix des chefs, nous paraît étrange, pour ne rien dire de plus. Elle se réduirait à faire d'un homme un roi absolu, non seulement sur les corps, mais encore sur les âmes. Il tiendrait dans sa main la conscience de tous ceux qui le suivent. La politique ne serait plus une chose intelligente. La nation se partagerait en deux camps bien distincts où toute la science consisterait à obéir à un mot d'ordre.\textsuperscript{37}

In La Minerve's view, politics would be divorced from man's spiritual faculty to judge and to reason, to be submitted instead to the slogan of a commanding will. Beausoleil went on to discuss the implications of this view for politics generally and for party politics in particular:

\textsuperscript{36}"La discipline. Oh! . . .", N.M. (May 12, 1871), p. 1.

\textsuperscript{37}Ibid.
Nous avons cru qu'un parlement était la réunion d'hommes choisis par leurs concitoyens pour leur intelligence, leur honnêteté, et leur détermination de travailler au bien général.

Il paraît que notre erreur était bien profonde, vraiment.

La Minerve s'est chargée de nous renseigner sur le rôle qui convient aux électeurs et aux députés. Ils ne doivent ni s'enquérir des principes pour lesquels on leur demande de voter, ni des mesures qu'il s'agit de défendre et de faire triompher.

Si vous osez élever la voix pour proclamer qu'homme libre, vous ne voulez vous soumettre à la remorque d'un homme qu'après vous être assuré où il tend et dans quel chemin il veut vous conduire, vous n'êtes qu'un révolté. Les journaux aux gages de ces hommes vous rejeteront du parti, vous déclareront la guerre, car par votre exemple vous prêchez l'insubordination.38

In La Minerve's view, any questioning of policy which might issue in a discussion of principles was not to be tolerated by the party. In short, politics was not something that the voters were to think about out loud.

The turning away from principle which was taking place in the governing Conservative party was apparently also taking place in the opposition Liberal party. McLeod republished an article to this effect which a correspondent had contributed to Le Pays:

Avez-vous remarqué la transformation qui s'opère dans le parti libéral? Autrefois, c'est-à-dire hier, le clergé et lui étaient à couteaux tirés; libéral voulait dire révolutionnaire, subversif, destructeur, impie, contempteur de toutes les lois sociales; aujourd'hui, le clergé et le parti voué à toutes les malédictions se rapprochent, se regardent, se sourient un peu, et s'ils ne joignent pas encore les mains, c'est moins par un esprit de défiance indomptable que par un reste de gêne

38 Ibid.
According to this report, the Liberal party was moving away from its radically secular basis.

The transformations which both political parties were undergoing were watched closely by the programmistes. McLeod observed how during the election campaign politicians on both sides had been altering their positions:

The ground was being prepared in Québec for the formation of new political alliances.

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For the demise of radical liberalism in French Canada at this time, see J.-P. Bernard, Les rouges, libéralisme, nationalisme, et anti-cléricalisme au milieu du XIXe siècle (Montréal, 1971).

This general transformation of Quebec politics was the subject of another article by McLeod entitled, "Quelques considérations sur notre politique". It began:

Bien avant l'époque des dernières élections locales, en examinant certains courants dans lesquels se laissaient entraîner quelques hommes de notre politique provinciale, nous signalions comme un danger, certains rapprochements malsains qui n'indiquaient rien de bon. Nous disions qu'il s'opérait sordemment une transformation, une confusion, un alliage dangereux pour le véritable parti conservateur. ...
Aujourd'hui, cette transformation devient de plus en plus visible. ...

Behind this transformation, according to McLeod, was the growing pressure of popularity:

De nos jours et avec les idées que l'on a, on dirait que le gouvernement, le pouvoir, c'est la popularité en tout et partout, popularité dans l'industrie, popularité dans le commerce, popularité même jusque dans les salons. Mais de grâce, dites-nous donc où trouvez-vous là les principes du gouvernement et du pouvoir?

Society in all its different realms was under the sway of popular opinion.

For the time being, it appeared that a class of businessmen had succeeded in making themselves

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42 Ibid.
the spokesmen for the popular will:

Qu'est-ce que c'est que le manufacturier?
C'est un homme qui consacre tous les instants de sa vie à faire subir à la matière brute toutes les transforma-
mations nécessaires pour la mettre sur le marché, de
manièrè à en réaliser des bénéfices raisonnables.
Que le gouvernement fasse de bonnes lois pour protéger
ses justes intérêts, à la bonne heure. Le gouvernement
doit écouter ses justes représentations et y faire droit.
Mais que ce manufacturier vienne se poser en maître et
en despote sur des questions sociales qu'il ne s'est
jamais donné la peine d'étudier, la chose est tout
bienment ridicule et absurde.

Ce manufacturier est tout aussi ridicule et
absurde que l'homme politique qui voudrait lui faire
la leçon sur le fonctionnement de ses machines. Et
cependant l'on voit le gouvernement souvent céder à la
popularité, à l'influence d'un homme semblable sur des
questions de la plus haute importance.43

By posturing as spokesmen for the people, business interests were
sowing the seeds of social disorder, and in the long run doing
themselves harm:

... en sortant de sa sphère pour jouer un rôle qui
ne lui appartient pas, il [un manufacturier] rencontre
ou il devrait rencontrer, nécessairement dans toute
société bien organisée une force contraire et le conflit
amène toujours de grands bouleversements. Or dans les
bouleversements il doit savoir par de trop nombreuses et
de trop cruelles expériences qu'il y perd le plus.44

43 Ibid.
44 Ibid.
McLeod addressed the following words to this class of businessmen:

Vous, vous n'avez qu'à exiger de vos employés un bon travail. En allant au-delà vous usurpez un rôle qui ne vous appartient pas et vous jetez dans la société un malaise, une confusion dont plus tard les conséquences seront terribles et pour vous et pour tous. 45

Turning to the governments of the day, McLeod concluded his study of that force which was undermining the politics of the country with the following extraordinary message:

On voit pourtant des gouvernements qui semblent ignorer ce qu'ils sont et ce qu'est leur mission, favoriser de semblables abus. Ils existent pour protéger les droits de tous, strictement, impartialement, mais ils aiment mieux favoriser les injustices de quelques-uns pour exister. Ils ne gouvernent pas, ils sont gouvernés. C'est le règne des popularités, c'est le règne du peuple souverain, par l'intermédiaire d'iniques influences, en attendant que ce soit le règne du peuple souverain directement par la révolution qui détruira tout.

Que le gouvernement gouverne donc et qu'il ne cède pas devant l'injustice, car autrement ce n'est plus le gouvernement, le pouvoir, c'est la révolution armée de la loi.

Qu'il tombe plutôt que de céder. Dans sa chute, il représentera mieux l'autorité, le droit, la justice. Ne faut-il pas souvent des orages et des coups de foudre pour rassérérer l'atmosphère? Au grondement du tonnerre, à la lueur des éclairs, on voit mieux les coupables et on s'instruit. 46

45 Ibid.
46 Ibid.
Society was no longer governed by what was naturally right or just, but merely by what was popular. No longer governed by the principle of authority, the Conservative party was being led by iniquitous influences masquerading as current opinion.

As McLeod explained at the end of the election campaign, the Programme was an attempt to arrest this transformation by energetically reaffirming the true basis of the Conservative party:

Ce travail de transformation reléguait les principes dans l'oubli. C'était une condition nécessaire de ce dangereux rapprochement. Il fallait donc les affirmer avec une nouvelle énergie, raffermer la base sur laquelle le véritable parti conservateur dans notre pays s'est constitué. On comptait trop avec les hommes, les intérêts, les influences, toutes choses trop petites pour asseoir la véritable politique, choses qui existent aujourd'hui et qui demain ne seront plus. 47

(iii) The interests of religion

Returning to the text proper, we find that the Programme refers to interests as well as to principles. For if, reasonned the programmistes, the Conservative party were going to abandon its conservative principles, it might, at least, protect those interests most dear to the French Canadian people. In Beausoleil's words:

Nous dirons pour la dernière fois à ceux qui veulent
sonner le parti conservateur dans une voie fausse et
dangereuse: réfléchissez avant de faire le sacrifice
des influences vraiment catholiques et conservatrices.
Si les principes ne vous touchent pas, soyez au moins
sensibles à nos plus chers intérêts.48

Of the interests most dear to the French Canadian people,
the programme refers only to those of a religious nature; nowhere
in the text is there mention of interests of a political nature.
On this count, the programmistes were criticized. But, as Trudel
explained to the editor of La Minerve:

On a trouvé mauvais qu'il n'ait rien été dit dans ce
programme des questions politiques. La chose s'explique,
pourtant parfaitement, par la déclaration d'adhésion
au parti conservateur et d'appui loyal à donner à ses
chefs. C'était assez dire que nous adoptions leur
programme politique, que nous repoussions tous les
projets échevelés qu'ils répugnent, tel que celui de
l'annexion, par exemple.49

The programmistes were more concerned about "mixed" matters than
about purely political matters. The preservation of a distinct
and superordinate sphere of religious interests was the surest
manifestation of the principle of authority. And so it was

precisely the interests of religion which were advanced by the programmistes as the ultimate reason for supporting the Conservative party: "Dans la situation politique de notre pays, le parti conservateur étant le seul qui offre des garanties sérieuses aux intérêts religieux, nous regardons comme un devoir d'appuyer loyalement les hommes placés à sa tête." It is to these religious interests that we now must turn.
AUX INTERETS RELIGIEUX

"Mais ce loyal appui doit être subordonné aux intérêts religieux que nous ne devons jamais perdre de vue. Si donc il existe dans nos lois des lacunes, des ambiguïtés ou des dispositions qui mettent en péril les intérêts des catholiques, nous devons exiger de nos candidats un engagement formel de travailler à faire disparaître ces défauts de notre législation.

Ainsi la presse religieuse se plaint avec raison que nos lois sur le mariage, sur l'éducation, sur l'érection des paroisses et sur les registres de l'état civil sont défectueuses, en ce qu'elles blessent les droits de l'Eglise, gênent sa liberté, entravent son administration ou peuvent prêter à des interprétations hostiles. Cet état de choses impose aux députés catholiques le devoir de les changer et modifier selon que Nos Seigneurs les Evêques de la Province pourraient le demander afin de les mettre en harmonie avec les doctrines de l'Eglise catholique romaine. Or, pour que les députés s'acquittent plus diligemment de ce devoir, les électeurs doivent en faire une condition de leur appui. C'est le devoir des électeurs de n'accorder leurs suffrages qu'à ceux qui veulent se conformer entièrement aux enseignements de l'Eglise relativement à ces matières."

In one light, this passage reveals to us how the various offices in society are co-ordinated. We see how the respective duties of the candidates, the press, the bishops, the representatives,
and the voters are inter-related.

But the more concrete contribution of this passage to our understanding of the text lies in the list of matters which churchmen had found deficiently treated by the civil laws of Lower Canada, and which provincial statesmen had therefore to amend.

On the whole, the Church was pleased with the civil laws governing the Province (see the bishop's letter in Section IV). Its spokesmen were satisfied that they reflected, or at least did nothing to cloud, the pre-eminent place which religion should occupy in a well-ordered society. One of the programmistes, Siméon Pagnuelo, in a monumental work published in 1872, demonstrated that the Roman Catholic Church was fully free in Canada: "que l'Eglise Catholique Romaine, en Canada, est pleinement libre, qu'elle vit de sa vie propre et se gouverne par ses propres règlements."

There were, however, imperfections. The civil laws covering four items of "mixed" (i.e., civil and ecclesiastical) legislative jurisdiction were deficient: "nos lois sur le mariage, sur l'éducation, sur l'érection des paroisses et sur les registres de l'état civil sont défectueuses en ce qu'elles blescent les droits de l'Eglise. gênent sa liberté, entravent son administration ou peuvent

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1 S. Pagnuelo. Études historiques et légales sur la liberté religieuse en Canada (Montreal, 1872), Avant-propos.
préter à des interprétations hostiles. Let us now see how this was so.

(1) Education

The matter of education was a subject of perennial controversy in Quebec. According to McLeod, "c'était la première épreuve sérieuse que subissait notre cabinet provincial." Indeed, during the second session of the 1st Quebec Legislature, the School Bill was hotly debated; but in the end both Protestant and Roman Catholic representatives agreed to the terms proposed, and the Bill was enacted in April, 1869 (32 Vict. Cap. 16).

What the Programmistes objected to in this law had nothing to do with the educational rights of the Protestant minority of the province, nor had it anything to do with the means of assessing and distributing school taxes ---with what, in short, had been the major points of controversy during the passage of the Bill; rather, their objection was to the method of appointment to the Roman Catholic Committee of the Council of Public Instruction. Section I of the Act stipulated that "the lieutenant-governor in council shall appoint, to form and constitute the council of public instruction for the province of Quebec, together with the minister of public instruction or superintendent of education for the

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\[\text{J.T.R. (July 6, 1871), p. 2.}\]
province, as the case may be, for the time being, twenty-one persons. The Council then resolving itself into two committees to look after the interests of Roman Catholic and of Protestant education respectively.

The programmistes objected that this method of appointment by civil authorities did not adequately safeguard the religious dimension of education: there was nothing in this law to prevent the appointment of persons Roman Catholic in name only. In practice, the Roman Catholic committee was working well: its members were well disposed to the Church's advice; but because it was a purely civil appointment, there was nothing in law to prevent the committee from someday being composed of a majority of men indifferent or even hostile to religion. This was what distressed the programmistes. In law, insufficient account was taken of the Church's role in education, as, for example, in the case of the teacher training schools, "d'où l'organisation donne entière satisfaction, grâce aux bonnes dispositions du bureau actuel de l'instruction publique, mais qui pourrait être toute laïque et athée sans violer la loi."

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32 Victoria Cap. XVI. An Act to amend the law respecting Education in this Province. Assented to April 5, 1869.

4S. Pagnuelo, Liberté religieuse, p. 250, note.
The secularization of education had been a danger in French Canada for some time. And in this regard, the programmistes no doubt had in mind the Institut Canadien affair. The Institut was a literary and scientific society. Founded in Montreal in 1844, it maintained a library and reading rooms, held debates and lectures, and generally provided a forum for such free thinkers of the day as Napoléon Aubin, Antoine-Aimé Dorion, Louis-Antoine Dessaulx, and Joseph Doutre. The bishop of Montreal, fearing the influence that this group might have in secularizing education in society, issued pastoral letters of warning and pointed to the fact that certain books listed in the Institut's catalogue of titles had been condemned by the Church. Now among the Institut's members, one of the most publicly defiant was Dessaulx, director of the radical liberal (or rouge) newspaper, Le Pays, who maintained all the while that he was a Roman Catholic. If men such as Dessaulx ever formed a majority of members on the Roman Catholic committee of the Council of Public Instruction, the programmistes must have reasoned, religious education for the Roman Catholics of Quebec would be in jeopardy. To obviate this possible danger, the programmistes wished to see Church-approved representatives assured of a dominant place on the Church's own committee. Such a procedure, which would safeguard the religious dimension of
public education, was only logical. As Pagnuelo concluded: "Nous ne comprenons pas pourquoi la législature ne mettrait pas la loi d'accord avec les faits, en reconnaissant le principe de l'instruction religieuse qui est aujourd'hui accepté de tous."  

(2) The establishment of parishes

The matter of the establishment of parishes came into view as a result of a dispute between the bishop of Montreal and the Sulpician fathers. As the city of Montreal was growing in size and in population, the bishop wanted to dismember the city's sole parish, transforming its several branches into distinct parishes, each with the right to its own council, or fabrique. The Sulpicians, who maintained the old parish of Notre-Dame, objected on historical and canonical grounds. Both sides pleaded their case in Rome. Mgr Bourget won; and in December, 1865, the Vatican approved the dismemberment of the parish. This decree, however, did not settle the affair. There remained the question of civil recognition of the new parishes. Was the government of the province of Quebec obliged to recognize these new parishes.

5 Pagnuelo, Liberté religieuse, p. 250, note.

or was it free to ignore the Vatican decree if it so chose?

On this question, confusion arose over what was meant by the establishment and legal recognition of a parish. Pagnuelo devoted the second half of his book to clarifying this matter. He pointed out, not only that there was more than one kind of religious parish, but also that the religious parish itself as a corporation instituted for the common worship and instruction of its members had to be distinguished from the civil parish, or the parish as a municipal corporation:

Il y a donc, dans cette province, deux espèces de paroisses religieuses, savoir la paroisse catholique romaine ou de la communion catholique romaine, comme s'exprime les statuts et les Codes Civil et de Procédure, et la paroisse protestante. Mais il en existe encore une autre sorte; c'est la paroisse municipale, qui est également distincte des deux autres.

The parish, under Canadian law, was both a sacred entity and a profane entity.

Secondly, it was important to distinguish legal recognition, by the civil authorities, of the ecclesiastical parish from legal recognition, by the civil authorities, of the municipal parish.

"Pagnuelo, Liberté religieuse, pp. 350 - 351. The author goes on to refer to the Act of 1860 (C.S. of L.O. Cap. 24, sect. 52) and to the Municipal Code of 1870 (Art. 1934), which "restreignent le sens du mot paroisse, pour les fins municipales, 'au territoire érigé en paroisse par l'autorité civile!'" (p. 352)."
The ecclesiastical parish, Mgr Bourget and the programmistes argued, was in no way dependent, for its legal recognition by the civil authorities, on an act of the civil legislature. In the introduction to his work, Pagnuelo had insisted on this point: "La reconnaissance civile, pour les effets civils de la paroisse, ne signifie donc pas que l'intervention du gouvernement soit nécessaire à l'existence civile de la paroisse ecclésiastique." In other words, ecclesiastical parishes, even if they have not received explicit legislative sanction by the civil authorities, are legally entitled to certain civil effects, such as the right to tax the members of the parish for the building of churches and presbyteries, to collect tithes, to acquire goods in mortmain, to register baptisms, marriages, and sepultures, and to have their own executive council, or fabrique.

To demonstrate that the civil rights of the ecclesiastical parish have been formally acknowledged by the civil legislature, Pagnuelo cited Chapter 19 of The Consolidated Statutes of Lower Canada, entitled "An Act respecting lands held by Religious Congregations", which he refers to as "l'un des plus importants pour la liberté des cultes chrétiens." This Act was important.

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8 Ibid., "Introduction", p. ix.
9 Ibid., p. 353.
because it protected the Church’s independent right to own property; and what would the Church’s practical freedom be without property on which to enjoy it? Section 2 of that Act affirms the religious authorities right to acquire and to hold land, independently of explicit civil legislative sanction:

2. Whenever any parish, mission, congregation or society of Christians, of any denomination whatsoever, not being a parish recognized by the civil law of Lower Canada, is desirous of acquiring lands for the site of the churches, chapels, meetinghouses, burial grounds, dwelling-houses for their priests, ministers, ecclesiastics, or religious teachers, and school-houses, and the appurtenances thereunto necessary for the said several purposes, such parish, mission, congregation or society of Christians, may appoint one or more trustees, to whom and to whose successors (to be appointed in the manner set forth in the deed of grant, concession or conveyance) the lands necessary for each and every of the purposes aforesaid may be conveyed; and such trustees and their successors for ever, by the name by which they and the congregation on whose behalf they act, are designated in such deed or grant, concession or conveyance, may acquire by purchase, donation, exchange, or as a legacy, and hold and possess, the lands so acquired, and may institute and defend all actions at law, for the conservation of such lands and of their rights therein: 2V.(3),c.26,s.3. 10

In accordance with the principle of an independent realm of religion, a principle implied in the Act just quoted, Pagnuelo concluded

10 The Consolidated Statutes of Lower Canada (Quebec: 1861), Chap. 19, "An Act respecting lands held by Religious Congregations", Section 2.
that a Church parish was not dependent for civil recognition on any explicit Act of the civil legislature:

Il résulte donc, de tout ce qui précède, que la mission et la paroisse catholique s'érigent par les autorités ecclésiastiques, suivant les formes prescrites par les canons, dont l'autorité civile ne prend pas connaissance, et que la reconnaissance ou confirmation du Lieutenant-Gouverneur, par proclamation ou autrement n'est nullement nécessaire pour assurer leur existence légale et civile. La loi générale suffit pour ces territoires comme pour les évêchés.

If explicit civil legislative sanction of an ecclesiastical parish was unnecessary, it was nevertheless useful in certain circumstances. Pagnuelo continued:

Mais si les limites de la paroisse sont contestées, il faudra l'établir par la production du décret canonique, comme il faudrait le faire pour celles d'un évêché si on les contestait. Il serait donc utile que ces limites fussent connues de tout le monde, d'une manière authentique, pour éviter la nécessité de les prouver; c'est ce qui pourrait se faire par la publication, dans la Gazette Officielle de Québec, du décret d'érection; la législature ne refuserait certainement pas d'autoriser ce mode de publicité, qui serait à l'avantage de tous les habitants du pays. In publicizing the canonical decree, the civil legislature would serve a useful function.

11 Pagnuelo, Liberté religieuse, p. 386.

12 Ibid., p. 387.
But this is precisely what it refused to do in the case of the dismemberment of the Montreal parish of Notre-Dame. In April, 1866, Mgr Bourget promulgated the execution of the decree establishing his new parishes. He then called on the Conservative premier of Quebec, Pte J. O. Chauveau, to pass an act explicitly recognizing the civil existence of these new parishes—not that such recognition was necessary, but, in the circumstances, it would be useful to the public. Chauveau refused. The case then entered the civil courts. There, the proposition that the State was obliged to grant civil recognition to Church-established religious parishes was argued by Côme-Séraphin Cherrier, assisted by four of the future programmistes: Trudel, de Montigny, Pagnuelo, and Taillon. The opposition's case was argued by none other than George Etienne Cartier. (Cartier's part in this dispute was unfortunate: it grieved his conservative well-wishers, both lay and ecclesiastical; and probably contributed to the great statesman's defeat in the federal election of 1872.) The refusal to recognize what, ipso facto, had to be recognized irritated the programmistes and represented in their minds the deficiency in the matter of the establishment of parishes. As Pagnuelo wrote in the introduction to his book:
la loi. conséquente avec elle-même, respecte autant les actes du chef de notre Eglise dans ce pays, lorsqu'il érige des paroisses, qu'elle respecte ceux du S. Siège quand il érige des évêchés; elle ne le soumet pas plus au caprice des ministres, qu'elle ne soumet à son bon plaisir les actes du synode anglican ou des sectes dissidentes qui s'établissent, partout, sous la conduite d'un ministre ou prédicant qui ne relève de personne, et n'est responsable qu'à lui-même. La loi reconnaît l'existence lérale de ces paroisses, dès l'instant de leur formation par les autorités religieuses, et leur assure tous les droits de corporations pour les fins du culte et même de l'enseignement.\footnote{Ibid, "Introduction", pp. viii - ix.}

In the establishment of parishes, civil authorities were obliged to acknowledge and to respect the dictates of the religious authorities, regardless of the latter's persuasion.

(3) Registration of civil status

The two remaining matters, of marriage and of the registration of civil status, were subjects of the Civil Code of Lower Canada. Here again, the programmistes were pleased, on the whole, with these laws, which had been codified for the first time in 1866. \footnote{The Civil Code of Lower Canada was drawn up by Ed. Caron, C. D. Day and A. N. Morin by virtue of 20 Vict. Cap. 43. For a detailed commentary on the Civil Code, see B. A. T. de Montigny, "Cinquième époque: de la codification jusqu'à nos jours", Histoire du droit canadien, pp. 596 - 961.} "Dans son ensemble," wrote Beausoleil, "le Code de nos lois est digne d'une société chrétienne." \footnote{N. M. (May 11, 1871), p. 1.}
Two years after the appearance of the Code, in 1868, the bishops of the province asked a Dr. Philippe C. de Angelis, professor of Canon Law at the University of Rome, and advisor to the Holy See, for his comments. In praising the Code as a whole, Professor De Angelis pointed out how different it was from those of most modern societies, "qui ne sont qu'une imitation, pour ne pas dire une reproduction pure et simple, du Code Napoléonien." 16

The Civil Code, however, was not without its blemishes. Beausoleil wrote:

Il y a de malheureuses exceptions, personne ne le sait mieux que nous, et ne le dit plus haut. Mais c'est précisément parce que ce sont là des exceptions et des fautes que nous demandons avec nos courageux confrères des Trois-Rivières et de Québec, qu'on purge notre législation de ce qu'il s'y trouve encore d'hétéroclitie, d'hétérogène, et nous pourrions dire d'hétérodoxe. 17

With regard to the matter of the registration of a man's civil status, B. A. T. de Montigny explained the purpose of the records:

Les actes de l'état civil sont des écrits qui servent à constater les naissances, les mariages et les décès.

16 Professor De Angelis' report is reproduced in N.M. (May 11, 1871), p. 1.
sources d'où découle principalement l'état civil des personnes, ainsi que les droits et obligations qui y sont attachés.

Il était nécessaire de pourvoir à un mode uniforme et certain de prouver des faits de cette importance, qui forme la base même de la société.

The procedure for keeping these registers was different in French Canada from that in France. Following the revolution in France,

Le soin, de rédiger les actes et de tenir les registres, a été confié par le Code à des officiers purement civils, sans qu'il soit besoin de l'intervention du Ministre de la Religion qui est de pure surcé derogation dans les cas où on y a recours.

Ce nouvel ordre des choses, dû aux idées du temps où il fut adopté, approuvé par les uns, critiqué par les autres, n'a paru à nos commissaires préférables à celui qui a été constamment en usage dans le pays depuis son établissement, et qui est si intimement lié avec ses institutions.

Les dispositions de notre droit, sous ce rapport, diffèrent donc essentiellement du titre deuxième du Code français et partant nous ne pourrions l'étudier qu'avec précaution.

In France, the changes in status which a man undergoes during life were viewed in a secular light; in French Canada, such things were still seen to possess an essential religious dimension.

In Lower Canada it was the custom, therefore, for the parish priest who initiated his parishioners into the succeeding stages of life and death to keep a record of the baptisms.


\[19\] Ibid.
marriages and sepultures which he performed. In fact, he kept this record in duplicate: one register for the Church, and the other for the State. Now in the programmistes' view, the keeping of this second register was a service rendered by the ecclesiastical authorities to the civil authorities: it was not a duty. Hence, the programmistes objected to certain terms and stipulations in the articles dealing with the Acts of Civil Status which gave the impression that priests were officers of the State. Article 45, for example, stipulated that "the duplicate register so kept, before it is used, must, at the instance of the party keeping it, be presented to one of the judges of the Superior Court or to the prothonotary of the district, or to the clerk of the Circuit court." Article 53 even allowed the State to punish a parish priest who did not file the register accurately: "Every infraction of any article of this title by any of the officers therein named, which does not amount to a criminal offence, and which is not punishable as such, is punished by a penalty not exceeding eighty dollars, nor less than eight." As Pagnuelo explained:

20 Civil Code of Lower Canada (Ottawa: Queen's Printer, 1866) Book I, Title Second, Chap. I, Article 45. My underlining.

21 Ibid., Article 53.
Sans doute, le juge civil fera rétablir les inexactitudes ou les omissions dans les registres du curé, de manière à leur assurer l'authenticité, mais ce n'est pas à lui de punir le prêtre pour son erreur ou même sa négligence: celui-ci n'est pas officier civil, mais envoyé de l'Evêque, à qui seul il rend compte de sa conduite.22

In recording the changes in a man's status from birth to death, the priest was fulfilling what was primarily a religious and not a civil office. He was responsible therefore to the authorities of the Church and not to those of the State.

(4) Marriage

In France, marriage was treated as a purely civil ceremony. In Lower Canada, the situation was different. As de Montigny explained:

Un changement de la nature de celui qui s'est opéré en France ne paraissant aucunement désirable en ce pays, il a fallu renoncer à l'idée d'établir ici, sur les formalités du mariage, des règles uniformes et détaillées, et de suivre le Code Napoléon dans le système qu'il a adopté.

Dans la vue de conserver à chacun la jouissance de ses usages et pratiques, suivant lesquels la célébration du mariage est confiée aux ministres du culte auquel il appartient, sont insérées dans ce titre plusieurs dispositions, qui, quoique nouvelles quant à la forme, ont cependant leur source et leur raison d'être dans l'esprit sinon dans la lettre de notre législation.23

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It was in keeping with the spirit of the laws of French Canada to intrust the celebration of marriage to the ministers of the various religious cults.

Beausoleil explained to the voters of Epiphanie how this made the item of marriage a subject of "mixed" legislative jurisdiction:

Il est certain que le mariage est un sacrement de l'Eglise, et que comme tel il tombe sous sa juridiction. Il est certain aussi que les effets civils, c'est-à-dire la disposition des biens, intéresse l'Etat. Il y a donc ici juridiction concurrente. Il faut donc qu'il y ait accord, autrement l'Etat ne verra que concubinage où l'Eglise verra sacrement saint et vénérable; des bâtards dans le fruit de cette union que Dieu aura bénis et fécondé.

Jusqu'ici tout le monde est suffisamment d'accord, mais le point capital où l'entente cesse est de savoir à qui appartient la suprématie, de l'Etat ou de l'Eglise. 24

The question which arose was who, in this case of mixed legislative jurisdiction, was to have the final say.

De Montigny explained how the Civil Code of Lower Canada handled this situation by limiting itself to the statement of a few general rules, leaving the individual Churches free to establish any special requirements:

Le Rédaction de ces actes est, à la vérité, soumise à des règles générales; mais les formalités de la célébration même n'étant pas déterminées d'une manière spécifique et détaillée chaque religion suit celles qui lui sont particulières. 25


25 de Montigny; Histoire du droit canadien, p. 259.
Article 127, for example, clearly recognized the Church's right to judge of the qualities and conditions necessary for contracting a marriage. It reads:

The other impediments recognized according to the different religious persuasions, as resulting from relationship or affinity or from other causes, remain subject to the rules hitherto followed in the different churches and religious communities.

The right, likewise, of granting dispensations from such impediments appertains as heretofore, to those who have hitherto enjoyed it.26

If this article implicitly recognized the Church's superior jurisdiction in the matter of marriage, other articles, the programmistes pointed out, seemed to run counter to it. As Pagnuelo explained:

Cet article 127 est donc conforme au principe de la liberté du culte en Canada. Mais pour être logiques, les codificateurs ne devraient pas établir d'empêchements diriment de mariage, à moins qu'ils ne fussent clairement fondés sur le droit naturel et le droit divin positif, sans accorder à ceux qui en ont joui par le passé le droit d'en dispenser au besoin, d'après la discipline de l'Eglise des époux. Nous voulons parler du mariage des mineurs, sans le consentement des parents, de celui entre beau-frère et belle-soeur et entre oncle et nièce.27

26 Civil Code of Lower Canada, Book I, Title Fifth, Chap. 1, Article 127.

27 Pagnuelo, Liberté religieuse, p. 291.
Article 119 stipulated, for example, that "Children who have not reached the age of twenty-one years must obtain the consent of their father and mother before contracting marriage."\(^{28}\) Article 126 directed that marriage between uncle and niece, aunt and nephew, was prohibited. As Pagnuelo continued to explain, it was up to the Church to determine in each case the rightness of such proposed marriages:

L'Eglise catholique tout en voyant ces mariages d'un mauvais œil et faisant tous ses efforts pour les diminuer reconnait cependant leur validité, quand ils ont eu lieu par suite d'une dispense qui ne s'accorde qu'en parfaite connaissance de cause.\(^{29}\)

The same jurisdictional ambiguity could be found in other articles: Article 129 stated in part that "none of the officers thus authorized, can be compelled to solemnize a marriage to which any impediment exists according to the doctrine and belief of his religion and the discipline of the church to which he belongs,"\(^{30}\) thus recognizing the Church's jurisdiction; Article 158, on the other hand, gave the last word on the question of marriage to the civil authorities:

\(^{28}\) Civil Code of Lower Canada, Book I, Title Fifth, Chap. 1, Article 119.

\(^{29}\) Pagnuelo, Liberté religieuse, p. 291.

\(^{30}\) Civil Code of Lower Canada, Book I, Title Fifth, Chap. 2, Article 129.
The penalty imposed by the preceding article [a penalty not exceeding five hundred dollars] is in like manner incurred by any officer who, in the execution of the duty imposed upon him, or which he has undertaken, as to the solemnization of a marriage, contravenes the rules prescribed in that respect by the different articles of the present title. 31

As a result of this ambiguity which led to an encroachment by the civil authority on the ecclesiastical, the bishops of Quebec, at their Fourth Provincial Council, had decreed the following:

Attendu que dans le Code Civil du Bas-Canada, il se trouve quelques articles qui ne paraissent pas assez en harmonie avec la doctrine et la discipline de l'Eglise sur le mariage, Nous statuons qu'une pétition sera présentée au Gouvernement par les Evêques de la Province pour en obtenir la correction. 32

Once again, Churchmen in Canada found themselves in a dilemma: such an appeal to the government was doubly dangerous (see Section V.). McLeod summed up the marriage matter when he said:

c'est à l'Eglise à déterminer quelles personnes sont capables de recevoir le sacrement de mariage et quelle est la manière de le recevoir. Conséquemment nous ne reconnaissons pas à l'Etat le droit de conférer ce sacrement ni le droit d'empêcher aucun catholique de le recevoir. Cependant l'autorité civile pour empêcher certains mariages approuvés par l'Eglise, privait nos

31 Ibid., Chap. 4, Article 158.

prêtres de $500 d'amende ou de la prison lorsqu'ils les célèvent.  

"Non," concluded Pagnuelo, "il n'y a qu'un moyen d'être juste et logique, c'est après avoir admis le principe, d'en admettre les conséquences et de respecter jusqu'au bout la liberté de l'Eglise."  

Later in the same article, McLeod referred to l'affaire Guibord as an approachment of the same kind: "tout dernièrement on a voulu, par la loi, forcer les ministres de notre religion, à accorder la sépulture ecclésiastique à un nommé Guibord qui avait été publiquement chassé de l'Eglise par une excommunication." Here again, the State was dictating to the Church in a matter of "mixed legislative jurisdiction."

During his pleading in court on the Guibord case, F. X. A. Trudel, one of the lawyers for the defense, summarized the arguments on both sides. For the additional light it may shed on cases of mixed legislative jurisdiction, I quote Trudel at length:


34 S. Pagnuelo, La Liberté religieuse, p. 292.

La demande s’est éveutée à établir comme principe que l’Église devait être soumise à l’état; et qu’en vertu de ce principe, le tribunal civil avait, dans le cas actuel, le pouvoir d’annuler une décision de l’autorité religieuse.

L’argumentation des savants avocats peut se réduire à ceci:

1° En Canada l’Église catholique n’est pas indépendante, mais au contraire, est soumise à la suprématie du pouvoir civil qui peut contrôler les décisions en matière religieuse, du pouvoir ecclésiastique.

2° Il en doit être ainsi, vu les abus énormes que l’autorité religieuse a commis dans tous les temps et dans tous les lieux.

3° Cette suprématie du pouvoir civil sur l’autorité religieuse est établie par le droit gallican, et confirmée par une jurisprudence constante de trois ou quatre siècles.

4° Cette suprématie du pouvoir civil établie par le droit gallican, n’a pu qu’être confirmée, avenant la cession du pays à l’Angleterre, par le droit public anglais qui consacre le principe de la soumission de l’autorité ecclésiastique au pouvoir civil.

A ces propositions, la défense a opposé:

1° Que le droit gallican ne pouvait avoir été conservé en Canada après la cession, vu l’incompatibilité complète de ce droit avec les institutions anglaises;

2° Que le droit ecclésiastique anglais ne pouvait avoir été introduit en Canada, les capitulations, le traité de Paris et l’acte de Québec ayant des dispositions formelles au contraire.

3° Que de ces deux faits résultait l’indépendance complète de l’Église catholique en Canada; que la conséquence nécessaire de la séparation de l’Église du Canada d’avec l’Église Gallicane avait été de mettre la première en rapport direct avec l’Église Romaine ou l’Église Universelle, et que c’est de Rome que l’on doit recevoir directement les lois et règles qui doivent régir l’Église en ce pays, sans avoir nullement égard aux traditions particulières de l’ancienne Église Gallicane.36

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We should by now be in a position to appreciate the enormous complexity of these cases of mixed legislative jurisdiction, and to see how, for the programmistes, it was right in law and in nature that civil authorities respect the dictates of religious authorities.

At a political level, the four issues raised by the programmistes were so many questions which the voter could put to the candidate -- and especially to the Conservative candidate, who was the most likely to respect, in such matters of "mixed" legislative jurisdiction, the subordination of politics to religion. Was he prepared to have these laws amended in accordance with a possible request by the bishops of the Province? As Beausoleil said, this was a test for the Conservative party: "Il est temps de savoir si le parti conservateur est tellement rongé par le libéralisme, qu'il est impossible d'y trouver une majorité franchement catholique et décidée à se soumettre à l'autorité religieuse dans les questions religieuses." How conservative was the Conservative party?

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37 recorded in N.M. (May 6, 1871), p. 1.
"Concluons donc en adoptant les règles générales suivantes dans certains cas donnés.

1° Si la lutte se fait entre deux conservateurs, il va sans dire que nous appuierons celui qui acceptera le programme que nous venons de tracer.

2° Si, au contraire, elle se trouve engagée entre un conservateur d'une nuance quelconque et un adepte de l'école libérale, nos sympathies actives seront pour le premier.

3° Si les seuls candidats qui s'offrent à nos suffrages dans un comté sont tous libéraux ou oppositionnistes, nous devons choisir celui qui souscrira à nos conditions.

4° Enfin, dans le cas où la contestation serait engagée entre un conservateur rejetant notre programme et un oppositionniste quand même l'acceptant, la position serait plus délicate. Voter pour le premier serait nous mettre en contradiction avec la doctrine que nous venons d'exposer. Voter pour le second serait mettre en péril ce parti conservateur que nous voudrions voir puissant. Quel parti prendre entre ces deux dangers? Nous conseillerions alors l'abstention des électeurs catholiques."

Having presented those Quebec laws which, in the light of the principles enunciated, were found wanting, the authors turn once again to the voters. Addressing those assembled in Epiphanie, Beausoleil said:
Maintenant, il ne s'agit plus que de savoir à qui il appartient de préparer la voie aux évêques et d'assurer l'entrée au Parlement d'hommes sincèrement religieux et disposés à faire leur devoir. Tout le proclame: la raison, l'autorité, les faits, la constitution: c'est à vous, MM. les électeurs, car c'est vous qui êtes les premiers responsables si des lois injustes sont adoptées ou si des lois justes sont rejetées. Les députés sont vos mandataires et vos représentants ... C'est en leur demandant compte de leurs principes, en exigeant des engagements que vous aurez ces garanties et la satisfaction de pouvoir dire que vous avez rempli votre devoir et tout votre devoir.¹

During the election campaign, it had been the voters' duty to extract promises from the candidates; now, with the campaign over and the time come for the actual voting, it was the voters' duty to make a choice. In this section of the text, the programmistes examine, therefore, the various possibilities likely to face the voters as they went to the polls. From the general case of the Catholic voter in the 1871 Quebec provincial election, they delineate four specific cases. Before examining each of these specific cases, I shall say a few words about the election in general.

(1) Preliminary considerations on the election

First, it should be noted that candidates for the Legislative

¹ recorded in N.M. (May 30, 1871), p. 1.
Assembly were often chosen unanimously. At that time it was thought unfortunate to have to have recourse to an electoral contest, for obviously a contest meant a division in the community. It was particularly unfortunate if the contest were artificially contrived. Commenting on the last-minute candidacy of H. G. Malhiot against the incumbent, C. B. Genest, in the riding of Trois-Rivières, McLeod asked:

Mais en sommes-nous rendus à ce point que l'union n'est plus possible dans notre ville et qu'il faille donner au public à chaque année le spectacle de hideuses contestations? C'est aux citoyens de cette ville à s'unir et à montrer à la face du pays qu'ils revendiquent la liberté de se choisir des candidats et qu'ils ne reconnaissent à personne le droit de leur en imposer un.²

If, however, there were to be an electoral contest, a candidate could declare himself either a supporter (un ministériel) or an opponent (un oppositionniste) of the government in power; or he could declare his allegiance to one of the two political parties of this country: the Conservative, or the Liberal.

These two divisions were not perfectly overlapping: for example, although the Conservative party was in power in Quebec at the time of the election, not all Conservative candidates were ministerialists. The reason for this discrepancy is that underlying these two forms of division—the constitutional and the political—is a more fundamental, philosophic division: the division

on principle, between the conservative-minded and the liberal-minded. (With the use of capital letters, the distinction between being conservative-minded and being a Conservative is more easily perceived in written English than in written French.)

Though they declared their loyalty to the Conservative party and to its leaders, the programmistes made it equally clear that they were in the service of something greater than a political party. As Beausoleil explained:

Nous n'imiterons pas un certain journal et ne citerons pas de noms propres. Mais nous savons qu'il y a parmi ceux qui ne sont pas liés au parti ministériel, des catholiques de cœur et des conservateurs de principes qui savent mettre l'Eglise au-dessus de leurs préférences personnelles et de toutes autres considérations. Ceux-là nous sommes prêts à les appuyer, car ce que nous voulons, ce n'est pas servir un parti, mais servir l'Eglise.

If there had to be an electoral contest, the programmistes wished to see it become something more than a battle between political parties. It could become a means also of safeguarding certain principles. At the time, this could be done by pointing to the deficiencies in certain civil laws of the province. If there had to be an electoral contest, Beausoleil recommended the following course of action to the voters of Epiphanie:

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Ensuite si vous ne pouvez faire une élection unanime, eh bien, que chaque parti ait son candidat. Circonscrivez énergiquement le débat sur le terrain politique, mais encore une fois adoptez unaniment le programme et l'imposez chacun de votre côté aux candidats. Ce sera le moyen de faire de bonnes élections et de sauvegarder tous les intérêts.  

By espousing the Programme, a voter was assured that the election would be fought on worthwhile grounds.

(2) Different kinds of electoral contest

Turning now to the cases specified in the text, we find that each of the four logical possibilities outlined represents a distinct degree of support for the candidate: from a twofold, positive support in the first case, to a withdrawal of support in the last.

(i) First case

In the first case ("1° Si la lutte se fait entre deux conservateurs, il va sans dire que nous appuiérons celui qui acceptera le programme que nous venons de tracer."), where both candidates are members of the Conservative party, obviously the voter should choose the one more in sympathy with the Programme...
and therefore, according to the authors, the one more truly conservative-minded. Both party and policy would thereby benefit.

(ii) Second case

The second case ("2° Si, au contraire, elle se trouve engagée entre un conservateur d'une nuance quelconque et un adepte de l'école libérale, nos sympathies actives seront pour le premier.") offers, from the programmistes' point of view, a less desirable prospect than the first, but one that was likely to be met with more frequently. The inference to be drawn here is that a liberal-minded candidate, an adept of the liberal school — note that the text does not say a member of the Liberal party — should be defeated by whatever Conservative candidate happens to be running, even if the latter be of an indefinite nuance, and therefore not necessarily in definite agreement with the programmistes.

(iii) Third case

The third case ("3° Si les seuls candidats qui s'offrent à nos suffrages dans un comté sont tous libéraux ou oppositionnistes nous devons choisir celui qui souscrira à nos conditions.") makes it evident that the programmistes had at heart something more than the interests of a particular party. For in this case, there are no
Conservative party candidates; the voters are cut adrift from the customary support of a party; and yet they are still expected by the authors to do everything in their power to find someone who will stand up for what is presented in the Programme, someone who will subscribe to their conditions.

(iv) Fourth case

The fourth case ("4° Enfin, dans le cas où la contestation serait engagée entre un conservateur rejetant notre programme et un oppositionniste quand même l'acceptant, la position serait plus délicate," places the voter in a delicate situation. What the programmistes have envisaged in this case (which is not quite as extreme as it seems, given the transformation of party politics described in Section IX) is the dilemma of a man having to choose between two evils. To vote for the first would run counter to the premises of the programmistes' argument; to vote for the second would jeopardize the means for making their argument effective: "Voter pour le premier serait nous mettre en contradiction avec la doctrine que nous venons d'exposer. Voter pour le second serait mettre en péril ce parti conservateur que nous voudrions voir puissant." In this classic case of a doubting conscience, the programmistes advised the voters to abstain: "Nous conseillerions alors l'abstention des électeurs catholiques."
Such advice requires further elucidation. First, it should be clear that abstention from voting is not the same as not-voting or refusing to vote. To not-vote is done out of intentional or unintentional ignorance: whereas to abstain is done en pleine connaissance de cause. To refuse to vote is to put into question not the particular candidates, but the whole regime. If publicized, a refusal to vote is an act of sedition. Very different from the "no" of a refusal is the silence of an abstention. In silently abstaining from voting, one maintains a respect for the existing regime. When free of the clouds of ignorance and malevolence, abstention from voting is, under Canada's constitutional regime, a retreat from politics dictated by conscience.

Beausoleil was aware that the gravity of the situation, as presented in the fourth case, required further comment. Shortly after the publication of the Programme he offered his readers the following précisions:

La quatrième règle porte que dans le cas où l'électeur aurait à choisir entre un homme, qui croyant que rien de bon ne peut venir du pouvoir, s'engagerait à combattre toutes ses mesures --ils sont peu nombreux, mais il y en a-- et un ministériel qui n'adopterait pas le programme catholique.\(^5\)

The former would be a strong oppositionist seeking simply to frustrate the government by any means; the latter would be a Conservative party candidate who rejected the Programme on the grounds that it threatened the ministers in power. If that were the situation, then the voter had no choice but to abstain: "cet électeur devrait s'abstenir". Beausoleil then went on to give the reason:

La raison est claire: —Un oppositionniste *quand même* ne saurait être bon catholique; car le premier devoir de celui-ci est de faciliter la tâche de l'autorité, bien loin de vouloir l'embarrasser ou l'affaiblir; et un conservateur qui refuserait d'accepter notre programme ne serait pas véritablement conservateur.

The principle of authority is of paramount importance in weighing the merits of the contestants and as it is denied on both sides, the oppositionist denying it in practice to the government in power, the ministerialist denying it in theory as articulated in the Programme, the voter is counselled, in these circumstances, to withdraw from positing a political act: "Entre deux hommes considérés également dangereux, les catholiques pourront avoir leur candidat ou s'abstenir de faire pencher la balance d'un côté ou de l'autre."7

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6 Ibid.
7 Ibid.
The situation, as presented in the fourth case, would certainly be unfortunate. Beausoleil, for one, hoped that Catholics faced with such a dilemma would come forth with their own candidate:

Est-ce à dire que la quatrième-règle exclut ces hommes indépendants qui ne s'attachent servilement à aucun homme ou à aucun parti, étudient, voient et jugent pour eux-mêmes, mais dont les principes et les antécédents offrent les garanties désirables? Loin de là; au contraire, ils sont les bien venus. 8

A month later, Beausoleil repeated his invitation:

Nous avons dit déjà qu'il se trouve parmi ceux qui ne sont pas liés au ministère des catholiques de coeur et des conservateurs de principes, que nous nous ferions un devoir d'appuyer de toutes nos forces. Si les hommes au pouvoir rejetant le programme catholique, s'ils se décident à suivre les errements de la Minerve, le nombre de ceux dont ils perdront la confiance deviendra beaucoup plus grand, et c'est parmi ceux-ci qu'il faudra choisir. 9

Beausoleil concluded his speech to the voters of Epiphanie by saying:

Un dernier mot et je finis: Il n'est pas ici question de partis. Tout catholique, qu'il soit pour ou contre le ministère, a un égal intérêt à sauvegarder les droits de sa religion. C'est pourquoi, des deux côtés, vous êtes tenus d'adopter les moyens d'affirmer vos principes

8 Ibid.
et de ne donner votre confiance qu'à un homme qui l'entende bien partager et s'engage à les faire valoir.  

Once again, Beausoleil reminded his listeners to have at heart, as they prepared to vote, something more than the success of a party.

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XII

UNE CERTAINE LIBERTE D'ACTION

"On comprend néanmoins que ces règles posées laissent encore aux électeurs une certaine liberté d'action qui dépendra des circonstances particulières de chaque comité et des antécédents de chaque candidat."

The most striking thing about this passage is its similarity to Section VII. Both sections are concluding sentences: the sentence of Section VII concluding the premissorial half of the text: the sentence of Section XII, the consequential half —Section XIII being a subsidiary remark, and Section XIV the peroration. Both sections begin, "On comprend", and both sections speak of "laisser une liberté". What is the meaning of all this?

It is important to note here, just as in Section VII, that the freedom which the programmistes have in mind is a practical freedom. It is, in the words of the text, "une liberté d'action". It is neither a freedom of thought nor a freedom of the will. It is the freedom to act, to go out into the world, to speak certain words,
and to perform certain duties: freedom, in Section VII, with regard to the performance of religious acts: and in Section XII, with regard to the performance of political acts.

Now it is characteristic of practical freedom that others are allowed to come forth and to perform: hence, the tone of mild deference of both these sections, set by the opening phrase, "on comprend". Having argued their case as persuasively as they could, the programmistes, at these two points in their text, cede the ground to others: at first to their fellow religionists, and now to their fellow citizens.

(1) The voters' practical freedom

Let us now consider the voters' practical freedom. To be sure, the practical freedom entailed in choosing one's representative for the Legislative Assembly is a restricted one; but, as the programmistes pointed out (see Section I), there was, since the coming into effect of Parliamentary Government, a grave responsibility attached to the office of elector. The Canadian constitution demanded a lot —morally and intellectually— from a lot of people. Under these circumstances, the voters were in need of all the help they could get. In this regard, what B.-A. T. de Montigny said of his book could be applied to many of the programmistes writings:
Mais pour remplir dignement les devoirs que lui imposent ces droits, outre les vertus si nécessaires aux peuples libres, il lui faut certaines connaissances. . . . C'est dans le but d'être utile à cette classe nombreuse de nos concitoyens qui n'ont pas eu l'avantage de recevoir une éducation suffisante pour comprendre les secrets de la science politique et à qui les exigences de la vie ne laissent pas assez de loisir pour les approfondir, que j'ai fait ce petit livre mis à la portée de tout le monde.  

But beyond providing their fellow citizens with certain necessary general information, the programmistes, in the case of the forthcoming election, went one step further and sought also to guide their fellow citizens' actions—but only to a certain extent. For, as they say in this section of the text, the voters after a point were on their own: "On comprend néanmoins que ces règles posées laissent encore aux électeurs une certaine liberté d'action qui dépendra des circonstances particulières de chaque comté et des antécédents de chaque candidat." It was up to the voters of each particular constituency to debate among themselves and to weigh in their own minds the merits of each individual candidate. Therein lay the voters' practical freedom.

1de Montigny, Catéchisme politique, pp. 1 - 11.
(2) The voters' courage

The programmistes were aware, however, that the voters' freedom was subject to abuse. In his speech to the voters of Boinhanie, Taillon said:

La constitution qui régît ce pays impose aux électeurs de grandes responsabilités. Ainsi comment se font les élections dans la plupart des comtés. On y excite toutes les mauvaises passions, on y pratique la corruption la plus honteuse; on excite les préjugés d'une classe contre une autre et on parvient à faire d'un peuple de frères un peuple d'ennemis.2

It took courage to transcend the pressures described by Taillon and to render a free vote. It took even greater courage when the following is taken into consideration: in 1871, there was no secret ballot: voting was a public act (as befitting the realm of politics); as voting took place over a period of two days, the pressure on those who voted the second day was often multiplied as interested groups sought to influence the final outcome; and as ridings voted on different two-day periods within an over-all period of approximately one month (in 1871, the Quebec election took place between June 16 and July 14), still greater pressure could be brought to bear on a whole riding. In short, the influence of socio-economic forces on politics was obvious, but so were the individual acts of courage needed to overcome them.

(3) The invasion of economics into politics

Let us look more closely at some of these socio-economic forces. In an article entitled "Les élections de notre district en 1867 et 1871", McLeod distinguished two ways in which the voters' freedom was abused and subjected to the tyranny of socio-economic forces: one was individual corruption, and the other was corporate pressure. Both led to the domination of politics by an economic class.

McLeod had the following to say about corruption and the individual's right to vote:

Venons-en maintenant à l'item de la corruption. . . . Le droit de vote ne peut être exercé que par un être intelligent, moral, et du moment que ce droit de vote n'est plus qu'une marchandise, n'est plus que de la matière qui ne vaut qu'autant qu'elle pèse, ce n'est plus un être intelligent et moral qui en est doué, c'est une brute.3

Individuals who sold their votes, who treated their political freedom as an economic commodity, were no better than labouring animals driven by the necessities of life. Even if they constituted only a small minority, nevertheless they upset the legitimate balance of power:

Nous sommes parfaitement convaincu que la grande majorité des électeurs de cette ville ne se vendent point. Mais dans une contestation électorale, ces citoyens honnêtes, naturellement, suivant leurs symathies, suivant leur opinion sur le mérite des hommes, sur la nature des questions débattues, se divisent. Qui fait alors la loi? Les vendus, ces êtres qui méritent d'être rangés parmi les bœufs. Ils déplacent la majorité des électeurs honnêtes, qui votent consciencieusement. L'élection se résout alors en une question d'argent et quand les candidats ont beaucoup de fortune, elle peut coûter un prix extraordinaire. Alors l'expression de l'opinion publique n'est autre que celle des hommes qui ont les capitaux en mains.4

Individual corruption led therefore to the dictatorship of capital.

The second way in which socio-economic forces invaded the realm of politics was by means of corporate pressure:

A part la corruption qui a été, comme nous l'avons déjà dit, la principale cause du déplacement de la majorité, la pression des bourgeois sur leurs employés, des créanciers sur leurs débiteurs, a aussi contribué à dénaturer la libre expression de l'opinion publique de notre ville dans la dernière élection.5

The pressure of one economic class on another also served to distort the free expression of public opinion.

McLeod went on to foresee how this iniquitous practice would soon lead to the discovery by the workers that their economic leverage was, finally, greater than that of the capitalists:

4 Ibid.

Cette injuste pression contre l'ouvrier, dont le vote doit être aussi libre que celui de son bourgeois, est suivant nous, le meilleur moyen que l'on puisse adopter pour nous conduire avant longtemps à la révolution. Si vous mettez une fois dans l'esprit des classes ouvrières, par votre conduite, que c'est la force brutale qui régît les sociétés, ces classes ouvrières prendront bientôt ce levier et alors la logique des faits montrera aux bourgeois que dans une société régée par la force brutale, ce sont les classes ouvrières qui, en définitive, commandent et font la loi.  

If the bourgeois continued to treat their workers as "slaves"; then it would be only a matter of time before the "slaves" woke up to the logic of brute force, and saw that they were stronger than their "masters". As McLeod wrote in another article:

Il est souverainement dégoutant de voir, comme la chose se répète, dans tout le pays, à toutes les élections, les grands manufacturiers prendre leurs serviteurs pour des bêtes de somme, pour des esclaves politiques. Ces employés en s'engageant, ne vendent ni leur âme, ni leur conscience, ni les droits, ni les libertés que leur donne la loi de leur pays. En vertu de quelle autorité, en vertu de quel principe, vous manufacturier, les obligez-vous à sacrifier cette âme, cette conscience, ces droits et ces libertés? Jamais vous n'en pourrez invoquer aucun.

Il y a dans la société des hommes qui, dans leurs diverses positions ont l'obligation d'enseigner à tous les citoyens leurs devoirs et leurs droits. Vous, vous n'avez qu'à exiger de vos employés un bon travail. En allant au delà vous usurpez un rôle qui ne vous appartient pas et vous jetez dans la société un malaise, une confusion dont plus tard les conséquences seront terribles et pour vous et pour tous.

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Once the working class saw that self-interest alone governed society, it could, by virtue of its corporate strength, assert itself over society as a whole:

Du moment que les classes ouvrières verront que c'est l'intérêt, l'intérêt seul qui doit gouverner les sociétés, alors elles se diront: nous allons nous aussi agir dans notre propre intérêt et nous aurons la loi de la force brutale, la loi des communistes de Paris, à la place de la loi morale.8

Society would then be governed as Paris was at the time of the Programme, by the rule of might.

McLeod went on to examine some of the reasons the capitalists put forth to justify their pressure on the workers:

On dit généralement pour se justifier de cette injustice pression que ces bourgeois, ces industriels possédant plus de propriété, étant plus intéressé à la chose publique, il n'est que justice qu'ils doivent faire voter leurs employés avec eux. . . . Que ces grands industriels emploient tous les moyens moraux, légitimes; pour convaincre leurs employés de bien voter, à la bonne heure. Mais qu'ils les menacent de les chasser de leur emploi parce qu'ils voteront consciencieusement, contre le gré et l'opinion de leurs bourgeois, c'est une tyrannie qui poussera nécessairement les classes ouvrières à s'unir pour le repousser.9

9Ibid.
The bourgeoisie's property did not entitle it to exert any unjust pressure on its employees.

A few days before the election, an incident arose to illustrate how the voters' freedom of action was subjected to unjust pressure. Some of the voters in the Trois-Rivières region who were employed by the government to work on the booms were afraid to give their support to C.-B. Genest, the Conservative candidate in Trois-Rivières and an adherent to the Programme, fearing that to displease their employer, T. E. Normand, might cost them their jobs.

The federal cabinet minister, the Hon. Hector L. Langevin, was obliged to intervene, and on June 12, 1871, he sent the following telegram to Genest:

Vous pouvez dire ouvertement que mon désir est qu'aucun des hommes employés aux travaux du Gouvernement aux Trois-Rivières et sur le St. Maurice ne soient empêchés de voter suivant leur conscience et leur opinion et qu'ils n'ont pas besoin de craindre de voter librement.10

Thus did one of the leading French Canadian Conservative politicians of the day reassure a group of workers that they had nothing to fear by voting conscientiously.

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10 This telegram appeared, along with other diverse material relating to the election, in an "Extra" published by the J.T.R. on June 14, 1871; all of which was republished in J.T.R. (June 15, 1871), p. 3.
In addition to the possession of more property, capitalists were wont to claim that the possession of more knowledge also entitled them to dominate their employees politically:

On dit de plus: mais ces employés n'ont pas pour la plupart une opinion à eux. Nous avouons que beaucoup d'entre eux n'ont pas toujours toutes les connaissances et tous les renseignements nécessaires pour donner un bon vote. Mais pendant le cours d'une élection ils ont l'avantage d'avoir tous les renseignements qu'il leur faut, pour se prononcer suivant la voix de leur conscience, et non pas uniquement d'après la volonté de leurs bourgeois. D'ailleurs, qu'ils aient assez de connaissances, qu'ils aient assez d'intelligence pour bien exercer leur droit de vote; ou qu'ils n'en aient pas assez, cela ne justifie pas les bourgeois de les menacer de les priver de leur emploi, s'ils ne votent pas suivant l'opinion de ces derniers, qui bien des fois peut être fort mauvaise et le plus souvent fort intéressée.11

Property and knowledge were certainly determining factors in an election, but they could never justify the application of undue pressure by one economic class on another.

On the eve of the voting in Trois-Rivières, the Journal des Trois-Rivières published an "Extra". In it, in bold language, was an appeal to the citizens' courage to overcome the threats of brute force:

Il est temps d'avoir l'expression libre de tous les électeurs de la ville. Il est temps d'écraser par la force morale qui fait de l'électeur un homme libre qui rehausse sa dignité de citoyen, la force brutale qui en fait un esclave.

L'indignation exaspère les coeurs honnêtes, devant ces moyens employés par la force brutale, pour étouffer la conscience et étouffer sa voix.

Citoyens des Trois-Rivières, il doit y avoir dans vos coeurs assez de force, assez d'énergie et assez de volonté pour ne pas vous laisser dicter votre opinion et guider votre conscience, par le coup de poing et le bâton. Que tous les citoyens honnêtes fussent aux polls un rempart de leurs personnes à la liberté du vote et qu'ils ne reculent pas devant les fiers-à-bras.

Unissez-vous. Agissant ensemble vous êtes une force écrasante devant laquelle la force brutale elle-même pliera. Mais soyez fermes aux polls. La lâcheté doit être bannie de tous les coeurs pendant les jours de votation. C'est un devoir pour vous de voter. Allez-y courageusement et librement!\(^{12}\)

Courage! courage! courage! that was what made the voter a free man and raised his dignity as a citizen.

PART FOUR: A SUBSIDIARY REMARK

The Danger
of
Anti-intellectualism

(Section XIII)
"Au reste, nous avons tenu à mettre surtout en évidence les convictions et les qualifications religieuses que les électeurs doivent exiger de ceux qui sollicitent leurs suffrages. Il est utile d'ajouter que, pour faire prévaloir leurs convictions religieuses, il faut, chez les députés, l'intelligence et l'instruction. Après s'être assuré des principes religieux des candidats, il faudra donc, en second lieu, s'efforcer de faire parvenir en chambre la plus grande somme possible d'intelligence et d'instruction.

Nous réprouverions donc toute action ministérielle qui tendrait à éliminer de l'arène parlementaire des hommes capables de rendre service à la cause catholique et nationale, sous le prétexte qu'ils gêneraient quelques ambitions. Composer la représentation de nullités dociles et impuissantes serait certainement un grand mal qu'il faut éviter.

It should be clear by now that what the programmistes wanted the voters to elicit from a candidate was not his opinions for solving the various problems of the day, but his convictions: i.e., his basic assumptions, which usually passed unexamined, but which continued nevertheless to govern his speeches and his deeds.
This constituted the main thrust of the *Programme*.

It was not enough, however, to ascertain the soundness of a candidate's convictions: what had also to be verified—and this is the point of the subsidiary remark—was his ability to articulate his convictions and to persuade others of their soundness.

(1) Political persuasion

A person's convictions with regard to the place of religion in society, whether held in private or in communion with others, need never be discussed; but as soon as they are carried into the political arena, they become subject to questioning. There, what appears to one person a monumental truth appears to another a personal opinion: what in church is taken for granted, in politics is debated. As a result, a man is obliged, in politics, to defend his convictions and to try to win others over to their soundness.

To do so, he requires not only faith, but intelligence and instruction: "pour faire prévaloir leurs convictions religieuses, il faut, chez les députés, l'intelligence et l'instruction."

This ability to prevail in debate, to persuade others of the rightness of one's own convictions, is quite distinct from the quality of the faith of one's convictions. Unfortunately, this distinction is often turned into a crude opposition between the faithful and the sophisticated.
The danger that such an opposition might develop in Quebec worried the programmistes. The faithful, who formed the overwhelming majority of the electorate, were not instructed in civics and were inclined to distrust those who were. Both Beausoleil and Taillon, in addressing the voters of Épiphanie, referred to the possible danger of an anti-intellectual mood's setting in among the people. Taillon said:

Des gens ont essayé en diverses parties du pays de soulever les préjugés contre les hommes instruits; mais je suis sûr qu'ils n'auraient aucun succès dans un comté comme celui de l'Assomption, qui s'enorgueillit à juste titre de son magnifique collège, de ses couvents et de ses écoles, auprès des cultivateurs qui font tant de sacrifices pour faire instruire leurs enfants.¹

Beausoleil, too, referred to educated men:

Si vous me dites que vous vous défiez de leur honnêteté, je vous répandrai que vous avez tort d'avoir ce magnifique collège à vos portes, d'y envoyer vos enfants pour y apprendre à vous tromper et à vous trahir.²

Canada's constitutional regime required that a member of Parliament be able to engage in discussion, to argue, and to win others over to his way of thinking. Commenting on this part of

¹ recorded in N.M. (May 30, 1871), p. 1.
² Ibid.
the text, Beausoleil wrote:

Le premier devoir de l'électeur catholique est de s'assurer que les principes religieux et politiques du candidat catholique qui brigue son suffrage, sont irréprochables; mais ce n'est pas le seul. Il en a un autre, très grave aussi, à remplir: — c'est de choisir des hommes en état de distinguer entre les bonnes et les mauvaises doctrines, entre un raisonnement juste et un sophisme; capables enfin de reconnaître les véritables intérêts du pays et de les faire triompher.  

It was not enough that a member's convictions be irreproachable. He had to be able to persuade others of their irreproachability.

Under Responsible Government, the most crucial moments of government occur between the readings of a Bill, when members of the House or Assembly are given the opportunity to debate first the substance and then the details of a proposed law. And yet in reviewing the performance of the 1st Quebec Legislature, Beausoleil found that:

la dernière législature de Québec était surtout remarquable par sa faiblesse sous tous les rapports. Elle contenait une foule de députés dont la seule manière de juger des questions était de rester bouche close et de se lever pour voter en même temps que les chefs du parti auquel ils appartenaient.

Ceux qui ont suivi avec attention les délibérations de la chambre, se sont combien de lois ont été adoptées sans discussion ou après des débats qui révélaient la plus radicale impuissance.

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3N.M. (May 1, 1871), p. 1.

4Ibid.
Under Responsible Government, the men governing the
country are required to bare their activities to the scrutiny
of the private members of the House or Assembly, regardless of
whether those private members are supporters or opponents of the
government. By the same token, ministers are required to defend
the government's activities in the same place. All representatives
must therefore be able to argue, either defensively or offensively,
in public.

For a representative to be truly useful, he had to
possess, according to Beausoleil, the following qualifications:

Pour être utile dans le large sens du mot, un représentant
doit savoir embrasser les questions de haut, les traiter
avec impartialité et les envisager au point de vue des
intérêts du plus grand nombre. Il doit avoir des principes
fermes et arrêtés et savoir pourquoi il s'y attache.
C'est assez dire qu'il lui faut connaître
l'histoire de son pays, de ses luttes, des partis qui
s'y disputent la prééminence, les doctrines qui les
séparent afin de faire un choix intelligent; qu'il ait
fait une étude sérieuse de la politique ainsi que de
l'état d'avancement de la province, des causes qui re-
tardent ses progrès et des remèdes qu'il serait convenable
d'y apporter.
Tout cela est nécessaire, si les comités veulent
se faire représenter autrement que par des aveugles, qui
ne pouvant distinguer les couleurs par eux-mêmes sont
obligés de s'en rapporter à d'autres, et de dire blanc
ou noir suivant qu'on le leur indique.
(2) Parliament and the crown

The need for the electorate to choose clear-sighted and clear-spoken men to represent them in Parliament arises out of the central fact of Responsible Government: the fact that there are men who are attached both to the crown and to Parliament -- the crown being accountable to Parliament, and not vice versa. If the rapport implied in that fact was to be maintained justly, then members of Parliament had to be capable of subjecting the crown's administration to clear and relevant criticism.

According to the programmistes, such was not the case in Quebec. Certain members of the Conservative party who were agents of the crown wished to reverse the constitutional relation and to have Parliament accountable to the crown. In the second paragraph of this section, we learn that some members of the party had no desire to see the Assembly composed of spirited parliamentarians. Some found it to the advantage of their ambitions to have weak and inarticulate private members. That this was so was made evident in the case of the candidacy of F. X. A. Trudel.

Of the ten programmistes, Trudel was the only one who had entered into the elections as a candidate. He, more than any of the others, came therefore to exemplify what the Programme
stood for. His candidacy was the cause of some apprehension.

Beausoleil reflected:

M. Trudel continue à plaida, mais sur un nouveau terrain, la cause sacrée des droits et de la liberté parfaite de l'Eglise de son pays. Ce qu'il en a précédemment déjà dit dans les cours, certains hommes semblent beaucoup craindre de l'entendre, quelque jour, répéter dans nos chambres...

These certain men were to be found not only in the ranks of the opposition, which would be natural enough, but also, as this section implies, in the ranks of the Conservative party. Let us look briefly at some of the facts attending Trudel's candidacy.

Some time before the publication of the Programme, P. X. A. Trudel was invited to seek election in his native constituency of Champlain. All seemed to be going well: the outgoing Conservative incumbent, Dr. John Jones Ross, was one of the first politicians to declare his support of the Programme. But Ross was soon led to see that Trudel was not the right kind of Conservative: he proceeded therefore to encourage the candidacy of another Conservative by the name of Robert Trudel. As a result, the Conservative party was split in Champlain. Reflecting on these events, McLeod wrote:

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6 N.M. (June 12, 1871), p. 1.
Machiavel a légué au monde des intrigants qui mettent leurs principes et leurs convictions sur la grande foire électorale au plus haut offrant, une politique basée sur ce principe: Divide et regna. Divisez et régnez. C'est à l'aide de ce principe que l'on cherche depuis quelques mois à mettre le trouble parmi les amis du parti du comté de Champlain auquel nous appartenons.

The split in Champlain had been caused not by the programmistes, but by members of the Conservative party who were afraid of the programmistes.

Needless to say, the opposition wasted not a moment in taking advantage of the situation: "Nos adversaires n'épargnent rien pour en profiter." 8 T. Normand, whom we have already encountered in connexion with the exercise of economic pressure on the electorate, was one of the owners of the Trois-Rivières newspaper, the Constitutionnel. He had been defeated by Dr. Ross in 1867, and knew that alone he could never win in Champlain. Now, he saw his chance; entered the election campaign; and allied himself as closely as possible to Robert Trudel. In sizing up the campaign in Champlain shortly before the voting was to get underway, McLeod remarked:

8 Ibid.
Comment se fait-il que M. Robert Trudel et M. Normand se saluent comme pour s'embrasser? comment se fait-il qu'ensemble sur les hustings ils disent aux électeurs: Votez pour un de nous deux indifféremment; comment se fait-il qu'ils combattent M. F. X. A. Trudel à raison de ses principes?

Cette conduite de leur part nous paraît assez étrange pour être signalée à l'attention des électeurs; car il serait pénible de voir le beau comté de Champlain devenir l'objet d'une spéculation ou tomber entre les mains d'un candidat rouge par un tour de passe-passe. 9

Why was F. X. A. Trudel's candidacy being frustrated?

Why was it not being encouraged by the party when, as Beausoleil pointed out, the essence of Responsible Government required that private members, as well as government members, be spirited Parliamentarians?

Nous disons que pour une bonne administration des affaires, deux choses sont nécessaires: un ministère composé d'hommes intègres, capables, énergiques, ayant à cœur le bonheur et la prospérité générale, et pour les soutenir et les contrôler au besoin, des partisans aussi intègres et capables, approuvant en connaissance de cause et pouvant au besoin les combattre et leur succéder.

Cela est de l'essence même du régime constitutionnel. Autrement, mieux vaudrait confier à quatre ou cinq individus tout le fardeau du gouvernement, quitte à les soumettre à une élection périodique. 10

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10 N.M. (May 1, 1871), p. 1.
Beausoleil went on to compare a political party to a school:

Sous l'état de choses actuel, chaque parti est une école à laquelle viennent se former les futurs hommes d'État. Ils doivent choisir dans leur sein les hommes jeunes encore, mais brillants par le talent, l'amour de l'étude, animés d'un dévouement sincère aux intérêts du pays, les pousser en avant tout en les contrôlant, et les habituer de bonne heure aux secrets et aux travaux de l'administration. Les chefs passent, mais les principes restent. Pour les défendre et les abolir il faut des hommes capables de remplacer leurs aînés, quand ils viendront à disparaître.\[11\]

The transitoriness of human existence, the fact that old-timers are forever being replaced by newcomers, required in politics, as in other walks of life, that the young be encouraged and trained by the old.

\[11\] Ibid. Throughout their careers, the programmistes took an active interest in the education and training of their compatriots: see Trudel's Mémoire sur la question de fusion des sociétés littéraires et scientifiques de Montréal, published in 1869; Pagnuelo's pamphlet on the Bill sur la succursale Laval à Montréal, published in 1881; or his debate with Sir William Dawson, principal of McGill University, on what should be required of students wishing to enter law or medicine, published in 1887; and Dr. Louis-Édouard Desjardins' speech on the importance of a classical education for the training of professionals, published in 1888.
PART FIVE: THE PERORATION

The Summary
(Section XIV)
RELIGION ET PATRIE

"En deux mots, nous voulons sauvegarder à la fois l'honneur de la Patrie et la liberté de l'Église, et tout notre programme peut se résumer dans ce motto: 'Religion et Patrie'."

We know that the programmistes distinguished three realms of human activity: the religious, the political, and the economic. Only marginally did the Programme touch upon man's economic activities; mainly, it treated of man's political and religious activities, and especially of the relation between the two. The essential rapport should be clear to us by now: it was more important for a man to save his soul than to save his fatherland. Consequently, politics must be subordinate to religion. But here in the peroration of the text, the relation is subsumed, and one term of the relation appears simply juxtaposed to the other: "l'honneur de la Patrie et la liberté de l'Église . . . 'Religion et
Patrice. While keeping in mind the essential rapport between
the realm of religion and the realm of politics, I shall now
reconsider briefly each of the realms on its own. Involved in
each of the realms is yet another relation: in the one, man's
relation to God; in the other, man's relation to other men. The
terms which the programmistes chose to express each of these
relations are most significant in providing a final insight into
their thought.

(1) Man's relation to God

In wishing to express man's relation to God, the authors
might have used the word "Church" or the word "Christ", but they
chose instead the word "Religion". In the first place, this
choice confirms for us the essentially natural dimension of the
Programme: its argumentation did not depend so much on a specific

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1 Professor Monet has written: "For years the bleus and
their Upper Canadian colleagues supported the same men, but as
the French party gradually concentrated so dogmatically on Faith
and Nationality, there could be no true meeting of minds." "French-
Canadian Nationalism and the Challenge of Ultramontanism", Rapport
de la Société historique du Canada, 1966, p. 55. In the light of
their motto, it is clear that Professor Monet's comment cannot
apply to the programmistes: for there is a world of difference
between faith and religion, just as there is a world of difference
between nationalism and patriotism.
revelation of the Word of God as on that primitive revelation apprehendable by ordinary human intelligence. The programmistes' appeal to religion was natural in a way in which no appeal to the Church or to Christ would not have been.

Religion, however, implies more than a primal orientation towards the divine. Normally, it entails a form of appropriate behaviour as well, behaviour deemed becoming in the light of an original experience of the divine. Now as long as religious practices are not limited to the private quarters of individuals, but are performed in public and occupy a legitimate place in society, it is obvious that, from this practical point of view, worship requires more than belief. Religion has a dimension of human action, as well as one of contemplation.

These practical considerations about man's relation to God led Siméon Pagnuelo to call 14 and 15 Vict. Chap. 175 the fundamental principle of Canada's political constitution. It established (as we recall from Section I)

the free exercise and enjoyment of Religious Profession and Worship, without discrimination or preference, so as the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the Peace and Safety of the Province.2

2 14 & 15 Vict., cap. 175, s. 1.
This Act recognized the practical freedom of all religious communities in Canada to perform their duties as long as they did not disturb the peace and safety of society. For the programmistes, this was the leading principle of the Canadian polity: once it was recognized and established in law, then there ensued a whole host of measures.

Of course, there was great controversy in nineteenth century Canada—in Upper Canada as well as in Lower Canad—as to where the line should be drawn between what was to be rendered to God and therefore to come under the jurisdiction of independently constituted Churches, and what was to be rendered to Caesar and therefore to come under the jurisdiction of the State; but for the programmistes, a man's birth, his education, his marriage, his participation in the government of the church, and his death, while they obviously had some civil significance, were primarily of concern to the religious authorities. They ultimately touched upon man's immortal destiny. On the opposite side were those who would define "the free exercise and enjoyment of Religious Profession and Worship" in as narrow a way as possible, leaving to the jurisdiction of the churches only mystical matters far removed from ordinary, everyday life. As Trudel said: "C'est bien là vouloir reléguer l'Eglise aux catacombes, ou la banir
complètement des sphères du monde visible."  

Many of the battles fought in Canada in the last century may be interpreted as battles between those who wished to see religion remain a force in society and those who strove for secularization. In any event, it is clear that for the programmistes, what was owed to God was not only worship per se; there were events as well, some unique and some recurrent, some private and some public, which were also in need of purification and sanctification and which therefore fell beyond the pale of secular authority.

(2) Man’s relation to other men

Turning from man’s relation to God to man’s relation to other men, one finds it more difficult to ascertain the meaning of "la patrie" than it is to ascertain the meaning of "Ta religión". We recall Trudel’s letter to the editor of La Minerve:

On a trouvé mauvais qu’il n’ait rien été dit dans ce programme des questions politiques. La chose s’explique, pourtant parfaitement, par la déclaration d’adhésion au parti conservateur et d’appui loyal à donner à ses chefs. C’était assez dire que nous adoptions leur programme politique, que nous repoussions tous les projets échevelés qu’ils répudient, tel que celui de l’annexion, par exemple.

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My outline of what constituted "la patrie" in the minds of the programmistes will therefore be somewhat tentative.

To conjure up the image of order in the political realm of human relations, the programmistes chose the term "patrie", as opposed to other terms such as "la Nation", "le pays", or "l'état". What significance can we derive from this fact?

Much of a man's life is determined by what he receives from other men. It is natural therefore to treasure what has been received from others; to love it because it has been given. It is possible to distinguish, however, among those things one has received: some constitute one's heritage; others, one's heredity. Some, one could have not received; others, one could not have not received. It is natural to prize the former, which reflect the specifically human element of freedom, over the latter, which reflect what man shares in common with the rest of the animal kingdom. The border-line between one's heritage and one's heredity is the same as that which exists between what in French is called "la langue" and "le langage". In an article entitled "Notre Situation", A. B. Routhier described the world which he shared with other French Canadians:

Nous avons conservé notre langue, nos lois, nos institutions et la foi de nos pères. Nous avons défriché nos forêts, agrandi nos villes, multiplié nos paroisses et bâti dans
Among those things which Routhier had received *en partage*, we notice how clearly the emphasis rests on the side of heritage as opposed to the side of heredity. It is precisely those things which can easily disintegrate and pass out of existence which Routhier holds dear.

The difference between treasuring one's heritage and treasuring one's heredity is reflected in the difference between being patriotic and being nationalistic. By choosing the word "patris", as opposed to the word "nation", the programmistes chose to invoke their ancestors' political deeds as opposed to their phylogenetic events. It is the laws, the institutions, the houses of worship, and the houses of learning—in short, everything which makes up the image of the City—and not the fact of being born with a particular colour of eyes or of skin, of growing up in a particular environment and of expressing oneself in a particular way—in short, everything which makes up the image of the Race—which the programmistes would leave in the minds of their readers.

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Of course, it is much easier to conjure up the image of Race than the image of City. In the former case, one need only point to such easily remarked features as colour, voice inflexion. etc.; whereas in the latter case, all one can point to are certain buildings. The rest of one's heritage is made up of intangibles: of laws, customs, and memories. In invoking la patrie, the programmistes relied in part, therefore, on the memory of shared experiences faithfully preserved by the community at large. Directly in this line of thought is the armorial bearing of the province of Quebec, "Je me souviens".

But a community cannot possibly remember everything that has happened to it. Certain ancestral deeds are more memorable than others. A discriminating principle emerges even within the realm of heritage. Not all old buildings are worthy of preservation, just as not all ancestral deeds are worthy of faithful transmission.

Thus la patrie presupposes judgements about what is good. But not all generations will judge the same deed by the same lights, and therefore certain ancestral deeds are left to fade into the background while others are kept in the foreground of memory. When this discriminating principle is taken into account, one's heritage moves still further away from one's heredity, and patriotism from ethno-centrism towards heroism.
The concept of heroism should be taken literally as representing an embodiment of the partly divine and the partly human. Deeds, the performance and outcome of which could not have been foreseen at the time, are quite logically explained as the result of the cooperation of supernatural and natural forces. This applies not only in the life of individuals, but in the life of peoples. In the article already quoted, A. B. Routhier wrote: "On me demande ce que je pense de notre situation actuelle comme peuple et quelle sera l'issue de cet état de choses." To which he replied: "Faire des prévisions sur notre avenir, sans compter avec la Providence, serait aussi absurde que de nier l'action providentielle dans notre passé." Because of its unpredictable nature, Providence is most fittingly discussed in reference to events of the past. It is only with the passing of time that all the consequences of an action can be appreciated, and that out of a pile of circumstances an over-all design can begin to unfold. Though a degree of uncertainty must always attend such matters, a correct interpretation of the past can provide man with certain guidelines for the future: "Voyons donc ce que la Providence a fait pour la nationalité canadienne-française et le

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Thus the providential events of the past take on an instructive importance. They provide later generations with paradigms of conduct. In this sense, la matrie is the storehouse of such paradigms: it gathers together all those landmarks where a people's destiny has taken a significant turn.

Routhier invokes the following three events as constituting significant turnings in the destiny of the French in the New World.

First and foremost is the implantation of the Catholic faith and religion:

La France a versé dans nos veines le plus pur de son sang; et cette glorieuse filiation ne peut pas être inféconde. Profondément religieuse alors, la fille ainée de l'Eglise n'avait d'autre but, en devenant mère, que l'extension de la foi catholique et la conquête d'un nouveau royaume à Jésus-Christ.

Appropriating this event as the basic feature of his people's destiny, Routhier went on:

et telle a été l'origine de la nationalité canadienne-française, et c'est pour cela qu'elle est inseparable de la foi catholique, et qu'elle ne peut exister sans elle.

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7 Ibid., p. 62.
8 Ibid., p. 62.
9 Ibid., pp. 62 - 63.
We notice here how the most treasured part of one's inheritance—the deeds of the founding fathers—is seen as serving the salvation of souls. La patrie is meant to serve la religion.

The second event to shape the destiny of the French in North America was the implantation of British rule:

Quand la France en délire, ivre d'impiété, a renié sa mère la sainte Église et maculé sa face auguste, Dieu n'a-t-il pas arraché de ses bras de marâtre l'enfant qu'elle ne pouvait plus allaiter? N'a-t-il pas planté sur nos rives le drapeau conservateur d'Albion pour nous servir de digue contre ce torrent du libéralisme qui inordait le monde?10

Compared with the modern French, the British constitution which Canada inherited contained much that had its roots in pre-Enlightenment thought.

A third event which, like the others, could not have been predicted at the time but which now went to make up the destiny of the French Canadian people was the achievement of proper political maturity:

Ce qui, dans les calculs humains, devait anéantir la race française, n'a été qu'une épreuve dont elle est sortie victorieuse, et n'a servi qu'à développer sa force et sa fédérativité. L'union des deux Canadas, qui devait être son tombeau, n'a été qu'une arène glorieuse où l'enfant est devenu un homme.

10 Ibid., p. 63.
Et quand ses frères de lait, devenus également forts, virent qu'ils s'épuisaient en luttes inutiles, ils se donnèrent généreusement la main, et contractèrent une nouvelle alliance avec d'autres frères qui voulurent partager leurs destinées.

L'horizon politique se trouva agrandi, et l'horizon français dissipa ses nuages. L'ancienne Province de Québec, que les gouverneurs français avaient fondée, et que l'on croyait ensevelie pour jamais dans l'oubli le plus complet, se releva radieuse d'espérance et s'achemina librement vers l'accomplissement de ses destinées.11

Having their own responsible governors, the French Canadian people were free to help bring about what is good and to banish what is evil: "Notre population est libre, libre de cette bonne liberté qui permet tout le bien et qui proscrit le mal."12 As a result of Confederation, the French Canadian people had become actors in the moral drama of the world.

The establishment in Québec of the Catholic faith and religion, of the British constitution, and of Responsible Government: these, according to the programmistes, were the events determining the destiny of French Canada.

Opposed to this conservative or authoritarian understanding of the destiny of French Canada was the libertarian, which found its paradigm of patriotism in the Lower Canadian rebellions of 1837 and 1838. To many French Canadians, the Rebellions have

11 Ibid., p. 64.
12 Ibid., p. 65.
always been the most memorable of deeds performed by the French in the New World. For them, to invoke la patrie is to invoke les patriotes.

Rejecting the authoritarian assumption that a people's relation to government is that of subject to ruler, the libertarian assumption posits that a people's relation to government is that of subject to its institutional self. To authoritarians like the programmistes, this libertarian assumption was a threat to social order: it encouraged immediacy in human relations; and consequently led men to behave without pausing to reflect on the possible consequences of their deeds. We recall McLeod's remark on the principe of authority: "Quel frein aussi puissant pourrait-on jamais opposer à l'ambition et aux convoitises!"\textsuperscript{13} Libertarianism, instead of restricting, encouraged man's covetousness and ambition. It gave free rein to his appetite for the goods of this earth and for worldly recognition. In short, the libertarian assumption raised human expectations beyond all reasonable limits.

Bordering on the United States of America, a country founded on the principle of liberty, French Canada was exposed to the

\textsuperscript{13} J.T.R. (June 9, 1871), p. 2.
dangerous appeals of the libertarian assumption. Translated into
the most striking of political terms, these dangerous appeals
were invoked by the terms, "l'annexion" and "l'indépendance". As
such, they were the subject of an article by A. B. Routhier.

"L'annexion", as a formula, captured the desire to be part
of the American way of life. Essentially, this was the desire for
the goods of this earth and, by implication, for the means of pro-
ducing them. Routhier made it quite clear, to begin with, that he
was not opposed to the economic development of French Canada:

Je veux bien que le Canada français s'avance à grands pas
sur la voie ferrée du progrès matériel, trainé par ces
deux grandes locomotives qu'on appelle le commerce et
l'industrie. J'estime très bon qu'il devienne riche,
fort et puissant, mais il est essentiel qu'il reste pro-
fondément catholique; et s'il faut pour cela sacrifier
le commerce et l'industrie, je le dis énergiquement,
sacrifions-les.  

Economic development had to be subject, however, to a governing
religious view of the world.

The geographical reality of French Canada made the situation
particularly difficult:

En face de cette terre montagneuse et bouleversée qui
semble absolument inculte, et que l'homme, a néanmoins
défrichée, à côté de ces pouvoirs d'eau qui murmurent

The Quebec terrain seemed to call for an industrial way of life. In this regard, Routhier had no objection to his people's becoming industrial. But for Routhier, a people's becoming industrial was quite a different thing from the industrialization of a countryside:

Je réponds que si le pépoule canadien n'a pas encore le génie industriel, ce n'est pas l'annexion qui le lui donnera. Si donc ces pouvoirs d'eau et toutes les forces naturelles dont notre pays dispose sont exploités, ils le seront par des yankees, et alors où sera l'avantage?  

By allowing foreigners to exploit their natural resources, the French Canadian people would not become industrial: rather, they would cease to be agricultural without becoming anything else, except labour for foreign interests:

15 Ibid., n. 70.
16 Ibid.
D'agriculteur le canadien deviendra ouvrier dans une manufacture, et je ne crois pas que la transition soit un progrès. Peut-être verrä-t-on dans tous les coins du pays s'élever des manufactures, et des familles d'ouvriers se grouper autour, mais les terres seront abandonnées et l'agriculture souffrira.\textsuperscript{17}

The danger was imminent that the French Canadians would become an uprooted people.\textsuperscript{18}

In addition to covetousness, the libertarian assumption also encouraged ambition. It led to a premature desire for worldly recognition. Expressed in a striking political term, this was the dangerous appeal of "l'indépendance". Was it not excessively ambitious for this country to cut its ties with the Old World? Routhier granted that it was the lesser of the two evils: "Je déclare franchement que je préfère l'indépendance à l'annexion et qu'avant d'accepter le joug américain je voudrais faire un essai d'indépendance":\textsuperscript{19} but he wondered, "dans les circonstances actuelles, serions-nous bien sûrs de fonder l'indépendance sur des bases durables? L'indépendance, ne serait-elle

\textsuperscript{17}Ibid., pp. 70 - 71

\textsuperscript{18}In my M.A. thesis, \textit{Hydroelectricity and Quebec: A Critique of Modern Society} (Carleton University, 1969), I attempted to trace the development of Quebec's water resources and to show its impact on the life of the French Canadian people.

\textsuperscript{19}Routhier, \textit{Causeries du dimanche}, p. 77.
Was it not a delusion to think that alone the country could resist the sway of the United States?20

In short, to the programmistes, French Canada made sense only if it resisted the libertarian assumptions of the American way of life and remembered the authoritarian principles which had guided it in its own destiny.

20 Ibid., p. 73.
EPILOGUE

(1) An analysis of the 1871 Quebec election

To understand the results of the 1871 Quebec election, one must begin by picturing it as a series of municipal elections. Indeed, most of the successful candidates were elected on the basis of their experience and reputation in local affairs. There was no need for the leaders of the party to travel through the province introducing candidates, for the latter were what we would

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1 The material used in my analysis of the 1871 election was collated from the following sources:
1. The newspapers of the time. See, for example, "Les élections de notre district en 1867 et en 1871", J.T.R. (June 28, July 6 & 13, 1871), pp. 1, and 0 (July 14, 1871), p. 1.
call today grass-roots candidates, with their own independent power bases. Pointing to their contributions as members of the local agricultural society or chamber of commerce, or to their time in office as reeve or mayor, they could present themselves to the voters as obvious choices. Differences of opinion, if there were any, could be reconciled at the nominating assemblies. Only if the differences were felt to be basic would there be recourse to a formally contested election. In 1871, twenty seven of the sixty five elections were uncontested.

Another municipal aspect of the election was the absence of rigorous party discipline. Just as today we might identify a particular alderman as being liberal or conservative --that is, of having a certain political orientation-- without assuming that he will always vote en bloc with the other liberals or conservatives of the council, so in those days could a candidate describe himself as being a Conservative or a Liberal without implying that he would always vote with the ministry or the opposition as the case might be. In short, the terms Liberal and Conservative, even when capitalized, denoted a school of thought more than a voting machine. To state that there were forty six Conservatives elected (down from fifty two in 1867) and nineteen Liberals (up from thirteen) in the Quebec provincial election of 1871 does not do full justice to the balance of power. In analysing the results, one is obliged in this case to look beyond party labels and to attempt to measure the kind
and degree of support given to one party or the other.

Among those elected to the Assembly, we find first of all the cabinet ministers: Château, Dunkin, Beaupré, Archambault, Ouiimet, Irvine, and Robertson. To this list of names, one might add those of Cartier and Langevin, who unofficially had much to do with this ministerial group. On the other side of the floor, we find Joly, Bachand, Marchand, and Holton, who constituted the official opposition and who were prepared to form an alternative government. Both these groups, which formed the core of the ministerial and opposition parties respectively, had, of course, a few faithful followers who could always be counted on for support. But following the election of 1871, the number of these faithful supporters was very small. Of the sixty-five men elected, twenty-two considered themselves independent. For one reason or another, over a third of the members were not prepared to commit their support either to upholding the Château ministry or to reinforcing the Joly opposition.

The large majority of these independents were merchants and businessmen. Indeed, a significant change in the composition of the 2nd Legislature from that of the 1st was the decrease in the number of representatives from the agricultural class and the increase in the number of representatives from the commercial class. This
change made for more articulateness in the Assembly but less loyalty. Men such as Cassidy, Eshinart, and Sanders were capable of voting either way. But one must give these representatives of the commercial class credit for sensing that a transformation was under way in Quebec politics. In the circumstances, it was wise to hedge one's bets and not commit oneself either way until it became apparent what the parties were going to stand for.

Commenting on the election results, McLeod described the transformation taking place in Quebec politics and how the

Programme figured in that transformation:

... le programme avait eu le bon et immense résultat de faire connaître les hommes de notre politique, tels qu'ils sont, tels qu'ils veulent être. Il y avait depuis trop longtemps un travail de confusion, d'alliage, de mélange, de concessions plus ou moins mauvaises qu'il fallait détruire. C'était le temps de frapper et de trancher pour prévenir les malheureux résultats d'une mauvaise transformation qui marchait rapidement, comme le prouvent les présentes élections. Qui pensait, avant la bataille électorale, avec la grande majorité qui comptait le gouvernement, qu'il y aurait tant de prétendus indépendants, et du parti conservateur et du parti libéral? Il n'y avait que très peu de personnes qui observaient le mal et il a fallu bien du courage, de la persévérance à quelques-unes d'entre elles pour le signaler et le faire voir. Aujourd'hui, on le voit, on le touche du doigt. La lumière est faite; à ceux qui veulent voir, d'ouvrir les yeux.2

According to the programmistes, a necessary condition for this transformation in Quebec politics was the abandonment of political principles. This was as true among the Liberals as it was among the Conservatives. Both parties were abandoning any effort to act consistently in accordance with some programme resting on an intellectually coherent and defensible order of ideas. Both parties were being cut adrift from their intellectual moorings. McLeod continued:

Ce travail de transformation reléguait les principes dans l'oubli. C'était une condition nécessaire de ce dangereux rapprochement. Il fallait donc les affirmer avec une nouvelle énergie, raffermir la base sur laquelle le véritable parti conservateur dans notre pays s'est constitué. On comptait trop avec les hommes, les intérêts, les influences, toutes choses trop petites pour asseoir la véritable politique, choses qui existent aujourd'hui et qui demain ne seront plus.  

The Liberal party had nothing to lose by undergoing this transformation. The sooner it disassociated itself from the philosophes of the Enlightenment the better. It especially had to rid itself of the stigma of anti-clericalism if it was to find any popular following. It is significant that Laurier, who had espoused the doctrines of radical Liberalism, now presented himself to the electors of Drummond-Athabaska as an Independent.

3 Ibid.
Commenting on the change in Laurier's image, McLéod wondered:

Mais M. Laurier, dans son passé se présente à nous sous les couleurs du libéralisme le plus avancé. Ne soutenait-il pas, il n'y a pas encore très longtemps, dans le Défricheur les thèses les plus hardies, les principes les plus faux et les plus subversifs des rouges? Ne combattait-il pas alors sous le drapeau rouge avec son fameux confrère du Pays de Montréal? Comment se fait-il qu'il ait changé de camp si vite, qu'il ait si tôt abandonné les convictions qu'il disait alors les mieux arrêtées chez lui.\(^4\)

What was even more significant than Laurier's change of image was the success that it brought him. The incumbent, E. J. Hemming, was soundly defeated, though he had considerable ministerial support. Reviewing the election results, Desjardins wrote:

nous pouvons citer, entr'autres, celui de Drummond et Athabaska où deux ministres provinciaux et un ministre fédéral ont commis la maladresse de descendre personnelle-ment dans l'arène: le candidat pour lequel ils se sont compromis a été battu par une majorité écrasante, et il ne manque pas de gens qui voient dans ce fait un mauvais augure.\(^5\)

Laurier's stunning victory in Drummond-Athabaska augured ill for the Conservative party.

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Unlike the Liberal party, the Conservative party had everything to lose by abandoning its principles. Failure had spelt the demise of the old Liberal party; was success going to spell the demise of the old Conservative party? The Conservative party was aware that, since Confederation, it had been riding a wave of popularity. In 1871, two courses stood open to it. It was in a position either to take advantage of a temporary boom to consolidate the foundations of its achievement, or to coast along enjoying to the full the benefits of power. In Quebec, these two conflicting tendencies were represented by F. X. A. Trudel and J. A. Chapleau respectively.

Commenting on the political movement generated by Trudel and the programmistes, Alphonse Desjardins wrote:

Quelques-uns n'ont voulu voir dans ce mouvement politique que l'impulsion de quelques mécontents: d'autres n'y ont vu que le rêve de quelques imaginations juvéniles; d'autres y trouvent le germe d'un parti nouveau, destiné à fournir une carrière plus ou moins longue et prospère: enfin, et ceux-ci sont les plus près de la vérité, d'autres ont vu dans ce mouvement le prélude d'une réforme devenue nécessaire dans l'esprit et les tendances du parti conservateur.

How successful were the programmistes in their attempt to reform the Conservative party? The answer is that, apart from Trudel's personal victory in the riding of Champlain, the programmiste movement was everywhere turned away.\(^7\)

Let us look more closely at Trudel's election in Champlain for what it reveals both about the 1871 Quebec election in general and about the fate awaiting the programmistes in particular.

The riding of Champlain ran along the North Shore of the Saint Lawrence between Cap de la Madeleine and Ste Anne de la Pérade, a distance of approximately twenty miles; but it extended back en rang all the way to the watershed line, and was thus one of the largest ridings in the province. It was a rural riding, with a population (in 1871) of 21,643. Out of this number, 2,905 inhabitants (one out of eight) had the right to vote in the 1871 election. (The provincial average was one out of seven.) It proved to be an exciting campaign. Three candidates ran for election: F. X. A. Trudel, the programmiste, as an independent Conservative; Robert Trudel, as a ministerial Conservative; and Télesphore Normand, as an oppositionist.

\(^7\) In some respects, the failure of the programmistes to reform the Conservative Party can be likened to the recent failure of the wafflers to reform the New Democratic Party.
The first candidate to offer himself for election was F. X. A. Trudel, who was born in Ste Anne de la Pérade. Normand, who had been soundly defeated by the ministerial, J. J. Ross, in 1867, knew that he could never win Champlain in a two-way battle. Were he to confront F. X. A. Trudel alone, he would probably lose by five or six hundred votes. Normand saw his chance, however, when it became apparent that Ross, now a legislative Counsellor, did not find Trudel a Conservative to his liking, although Ross had been one of the first to pledge support for the Programme. (See Prologue.) Dr. Ross encouraged Robert Trudel to run as a ministerial candidate, to the satisfaction of Normand, who could now hope to split the Conservative vote and to emerge victorious.

Alphonse Desjardins described in vivid terms the opposition which faced F. X. A. Trudel in his bid to represent his native constituency:

Ni les boxers des chenaux, engagés par M. Normand pour intimider les citoyens paisibles, ni les menaces de ces sangsues que l'on appelle les Price qui s'enrichissent au détriment du pays par le déboisement de nos forêts et le retardement de la colonisation, pour empêcher leurs employés nombreux ou les électeurs dont ils pouvaient gêner les intérêts de voter pour le trop catholique M. Trudel;

Ni les menées des McDougall, des Bennett et Benson et autres commerçants de bois des Trois-Rivières, ni les concours du fameux Gouin, le chef de cette troupe
de forcenés, mis au service du parti Normand le jour de la nomination, ni les efforts de cette clique trifluvienne qui a rendu impossible le vote des honnêtes gens dans cette ville à moins de les mettre sous la protection d'une police effective:

Ni la trahison, ni les intrigues d'un Docteur Ross qui après avoir applaudi publiquement et des premiers au programme catholique lui faisait une guerre à outrance sur les hustings:

Ni l'éloquence de quartier latin des Gérin et des Turcotte, ni l'influence du professorat universitaire employé à combattre les principes qui avaient la haute sanction de la première autorité ecclésiastique du diocèse des Trois-Rivières;

Ni enfin la corruption la plus éhontée exercée sur une vaste échelle par les agents de MM. Ross et Normand, n'ont empêché la majorité des électeurs de Champlain de donner leur approbation pleine et entière au programme catholique en confiant à l'un de ses g auteurs le mandat important de ce magnifique comité.

During the two days of voting, 2,331 votes were cast (an eighty percent turnout): 593 for Robert Trudel, 836 for Télesphore Normand, and 902 for Anselme Trudel. Trudel was elected to the Quebec Assembly with a plurality of sixty six votes.

But apart from Trudel's victory, the programmistes had little to rejoice about. Following are some of the events marking their defeat.

Because of the bishops' letters of disavowal, positive campaigning on behalf of the Programme was confined to the regions of Montreal and Trois-Rivières.

Even in the regions of Montreal and Trois-Rivières, the
programmistes were not successful. As McLeod reported: "Le résultat de la votation dans trois comtés du district et dans la ville ne nous a pas été favorable. . . . nous sommes défaits. Nous le confessons sans honte et sans remords." Indeed, three of the incumbent politicians of the Trois-Rivières region who had sent McLeod letters of support (see Prologue) were defeated: C. B. Genest, the incumbent for Trois-Rivières, was defeated by H. G. Malhiot; in Nicolet, the incumbent, J. Gaudet, resigned before the candidacy of F. X. O. Méthot; in Maskinongé, the incumbent, A.-L. Desaulniers, was defeated by M. Houde; another Programme sympathizer, F. X. Bellemare, was defeated by E. Gérin in St. Maurice. Apart from Trudel's victory in Champlain, the only other Programme sympathizers elected to the Assembly were O. Pelletier in L'Assomption, de Beaujeu in Soulanges, and Bellerose in Laval.

(2) The aftermath

The Programme revealed a profound divergence of opinion among the churchmen and the laymen of the Province, and as a result, for at least three years following the 1871 election, it kept reappearing as the focal point of controversy in Quebec. It is safe to conclude for this period that, while the programmistes won a few battles, they nevertheless lost the war; as in 1871 they had won an important battle in Champlain, but had lost the over-all

electoral contest.

It became public knowledge in 1872 that Archbishop Taschereau's letter of April 24, 1871 was composed with the intention of indirectly undermining the Programme. Mgr Laflèche, the bishop of Trois-Rivières, called therefore on the Vatican to determine whether or not he could continue to support the Programme. To help Mgr Laflèche make his case in Rome, the programmistes prepared a memorandum in February, 1873 to explain the circumstances attending the publication of their text. They received some encouragement shortly afterwards in a letter from Pius IX to Gédéon Désilets, who had succeeded McLeod as editor, congratulating him on the work of the Journal des Trois-Rivières. Then in August, 1873, the following favorable reply to the bishop's query came from Rome:

attendu de plus que le dit Programme est très apte à procurer le bien de la Religion Catholique et de la société civile en Canada, nous sommes d'avis qu'il faut y tenir et que tout électeur Catholique doit l'avoir sous les yeux quand il sè décide à voter. {

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10 N.M. (March 19, 1873), p. 2.

Other events, however, were unfavorable to the programmistes.

The programmistes had wished to see certain laws amended in accordance with the wishes of the ecclesiastical authorities. (See Section X.) During the session of 1872, at Mgr Bourget's request, Ouimet, the attorney general, presented a bill to the legislature on the matter of civil registers. The object of the bill was to oblige the civil authorities to recognize the registers kept by any duly authorized priest. Section 7 read:

Tout registre ou registres de l'état civil jusqu'ici tenus dans aucune église catholique romaine par un prêtre catholique romain, dûment autorisé par l'autorité ecclésiastique compétente, à célébrer le mariage, adminis-
trer le baptême ou faire les obsèques, pourront et devront sur présentation d'iceux, à cette fin, quoique ces registres aient déjà servi, être numérotés, paraphés et certifiés par le fonctionnaire civil ordinaire, de la même manière et au même effet que si les dits registres n'avaient pas antérieurement servi, et un double d'iceux pourra, de la même manière et au même effet être déposé et reçu chez le fonctionnaire civil ordinaire. Et un certificat de l'évêque sera une preuve suffisante qu'un prêtre a été dûment autorisé comme sus-dit. 12

The practical effect of this bill was largely obviated, however, by an amendment imposed by the ministers of the Quebec city area at the Archbishop's request, specifying that the law did not affect the civil status of existing parishes. In the words of section 10 of the Act:

12 "Acte concernant les registres de l'état civil", 36 Vict., chap.16, Statuts de la Province de Québec (Quebec, 1872), pp. 53-54.
Le présent acte n'aura d'autre effet que celui d'autoriser à tenir des registres authentiques, et à légaliser ceux déjà tenus dans les cas et de la manière ci-dessus prévus, sans que le dit présent acte ne puisse avoir d'autres conséquences légales, et affecter en rien au-delà de son objet direct, la position civile actuelle des paroisses et fabriques régulièrement existantes.

The civil authorities, therefore, were still not obliged to recognize the ecclesiastical parishes newly established by the bishop of Montreal out of the old parish of Notre Dame. This amendment frustrated Mgr. Bourget; it must also have served as a warning to Trudel, Bellerose, and de Beaujeu of the forces opposed to their influence.

Then in 1873, at the same time that they were helping the bishop of Trois-Rivières to make his case in Rome, the programmistes received a major political setback.

In 1872, it was discovered that Cauchon, a veteran politician and an influential member of the ministerial party, was a government contractor and had profited greatly from the asylum at Beauport. This scandal was just one more sign of the weakness and corruption of the Chauveau ministry. And so Langevin, who had come to replace the ailing Cartier as head of the Conservative party, persuaded Chauveau to resign and asked Gédéon Ouimet to

13 Ibid., p. 54.
form a new cabinet. Ouimet, an old style Conservative in the Cartier tradition, was now in a position to encourage either the reform element centred around Trudel or the reactionary element centred around Chapleau. By his choice of Cabinet ministers, he could orient the party in either direction.

On February 10, 1873, Ouimet wrote to Langevin, saying:

Nous avons parlé de Trudel que j'aimerais voir dans le gouvernement. Nous rallions, par lui, les programmistes. . . . Si je puis avoir Trudel, sans méconter Chapleau et sans m'aliéner La Minerve, j'aurai rendu un grand service au parti conservateur.\(^{14}\)

Clearly, Ouimet was aware of the polarity existing in the party. But it would not be possible to satisfy both elements; and so on Langevin's advice, Ouimet chose Chapleau and not Trudel.\(^{15}\) That decision, it may be argued, had tremendous consequences for the future of Quebec and Canada. I shall examine some of these consequences in the Conclusion.

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The programmistes received a second blow in the formation of that cabinet when de Boucherville, who was sympathetic to the Programme, was replaced by J. J. Ross as president of the Legislative Council. Ross, we recall, had done everything possible to have Trudel defeated in Champlain.

The formation of the Ouimet cabinet marks the end of the programmistes' attempt to reform the Conservative Party in Quebec. It is from this date that we can mark the dispersal of the five programmistes from Quebec Conservative party politics.

Deprived of a cabinet post in the Ouimet government in February, 1873, F. X. A. Trudel accepted a seat in the Sénat in October of the same year.

During the federal election campaign of 1872, Cléophas Beausoleil relaunched the Programme. In the light of however, of the previous year's experience, Beausoleil emphasized the Programme's call for practical religious freedom, while de-emphasizing its partisan political aspect. Then, following the events of 1873, Beausoleil left the Nouveau Monde and joined the moderate liberal, L. O. David, in establishing Le Bien Public.

A. B. Routhier, who, as a Conservative candidate, was defeated in Kamouraska in the federal elections of 1872, as he had been in 1869, gave up politics in 1873, when he was appointed a Puisme Judge of the Superior Court of the Province of Quebec.

Alphonse Desjardins retired from L'Ordre in October of 1871 for reasons, according to the Journal des Trois-Rivières, not unconnected with his part in the Programme. Following a long sojourn in Europe, Desjardins began to write for the Nouveau Monde. In 1874, he was elected to the Canadian House of Commons for Hochelaga.

Magloire McLeod was forced to resign from the Journal des Trois-Rivières in October of 1871 because of the position he took on the North Shore Railway, a position which he developed out of his commentary on the Programme. This setback, and his deteriorating health, forced him to retire from public life, and he died in 1875 at the age of thirty-three.

Following the dispersal of the pamphlistes in 1873,


the Programme itself was laid to rest in 1874. In August of that year, Archbishop Taschereau received a rescript from Cardinal Patuzzi, the prefect of the Sacred Congregation of the Inquisition, ordering "le silence le plus profond au sujet du dit Programme et sur tout ce qui pourrait y avoir rapport".¹⁹

CONCLUSION

The conclusions to which I have come from my study of the Programme are at three different levels: the historical, the political, and the philosophical.

(1) The historical

No doubt the Vatican's ruling was a wise one. By 1874 it was clear that the programmistes had failed to reform the Conservative party in Quebec. Persistence in this endeavour would have exposed still further the difference of opinion existing between the archbishop of Quebec and the bishops of Montreal and Trois-Rivières, and have served only to facilitate the rise to power of the secular forces in the province.

With the Programme laid to rest and its authors dispersed, the Conservative party in Quebec came increasingly under the influence of that certain group of men referred to in the text (see Section IX). Having rejected the moral and the intellectual
forces which the *programmistes* could have contributed, the Conservative party in Quebec became weaker and weaker, passing on the moral plane from scandal to scandal, and on the intellectual to the progressive adoption of liberal assumptions.

Ten years after the appearance of the *Programme*, F.-X.-A. Trudel published, under the pseudonym Castor, a work entitled *Le pays, le parti et le grand homme*. In it he attacked the group that, in his view, had undermined the Conservative party:

> Toujours, le principe fondamental: s'associer en dehors et indépendamment de l'organisation conservatrice pour travailler en commun, au moyen du lien social, au bénéfice personnel des co-associsés, à leur triomphe politique personnel; monopoliser les forces, l'influence, le patronnage du parti et les faire servir exclusivement autant que possible au bénéfice des initiés; ... De 1862 à 1872, le chef politique de ces messieurs, leur modèle ... M. Cauchon! Aujourd'hui il est facile de reconnaître la succession en ligne directe de cette organisation dans le groupe Chapleau, Dansereau & Cie, ou si l'on veut la "bande à Sénécal".

We are already familiar with Joseph Edouard Cauchon's influence in Conservative circles through his editorials in the *Journal de Québec*. How corrupting his influence was we saw in the Beauport Asylum affair. But it was the figure of Chapleau that Trudel singled out as the principal villain in the *débâcle*

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of the Conservative party.

It is interesting to consider the evolution of French Canadian society in the last quarter of the nineteenth century in the light of a comparison of three of its leading representatives: François-Xavier-Anselme Trudel, J. Adolphe Chapleau, and Wilfrid Laurier. All three were of the same age: Trudel was born in 1838, Chapleau in 1840, and Laurier in 1841. All three were lawyers: Trudel and Chapleau were called to the Bar of Lower Canada in 1861, and Laurier in 1864. All three began their political careers as members of the Quebec Legislative Assembly: Chapleau was first elected in 1867 for Terrebonne, and Trudel and Laurier were elected in 1871 for Champlain and Drummond-Athabaska respectively. But how different were these three men's orientations! and how different was the fate awaiting each of them!

Trudel began his career as a radical conservative and remained a radical conservative. Though no doubt he exerted a certain influence on the people and the events of his time, that influence cannot, in its extent, be compared to the tremendous impact that Laurier had on the political life not only of Quebec but of Canada as a whole. Laurier began his career as a radical liberal; but, as the programmistes pointed out, he soon found it expedient to trim the sails of his liberalism to the winds of North America. Indeed, it may be argued that Laurier's liberalism
is still the governing political idea of the country.  

Of Chapleau, it may be said that he was the man who tried to bridge the gulf separating the conservative Trudel, and the liberal Laurier:

C'est ainsi que M. Chapleau a persévéramment travaillé à libéraliser le parti conservateur, en éloignant, autant qu'il l'a pu, des hauteurs du pouvoir, tous ceux qui n'étaient pas suffisamment atteints du virus libéral. . . .

Depuis de nombreuses années, il s'applique avec une funeste ténacité, à renier l'une après l'autre les doctrines conservatrices, à démolir peu à peu l'édifice des institutions politiques que nos chefs, ses prédécesseurs, avaient érigé avec tant de soin.

There is considerable evidence to support the claim that Chapleau was a destroyer of conservatism in French Canada.

At a strategic level, Chapleau strove to gather behind him all those French Canadians who were tired of the polemics which animated Quebec politics and who wanted to get on with the job of economic development. In effect, this led him to attack the radical reformers of the party, the programmistes or, as he came to call them, the castors, while opening the door to adaptable liberals.

Chapleau revealed his strategy on at least three occasions:

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3 F.-X.-A. Trudel, Le pays, le parti et le grand homme, pp. 45 - 46.
at St Jérôme in 1873, at St Lin in 1877, and at St Laurent in 1883.

After he was appointed to the provincial cabinet of Gédéon Ouimet in 1873, Chapleau was obliged, by the custom of the time, to show that he had the people’s confidence by submitting to re-election as a minister. At his nomination meeting at St Jérôme on March 12, 1873, he took advantage of the opportunity to mock the programmistes and to boast that he was the most liberal of all conservatives.4

On August 22, 1877 Chapleau was at St Lin for the inauguration of Le Chemin de fer des Laurentides. Laurier too was there: a native of St Lin, he had risen to prominence earlier that summer with his speech at Quebec City. Chapleau, addressing the crowd, publicly invited Laurier to join the Conservative party:

Le gouvernement de Québec n’est lié à aucun parti.... Ce n’est pas un gouvernement de parti mais de progrès.... Je serais heureux de voir mon ami personnel et mon adversaire politique M. Laurier concurrir avec moi au bonheur du pays. Soyons le parti du progrès, et si vous avez de la répugnance à vous appeler conservateur, nous l’appellerons le parti libéral-conservateur. Formons-le, ce parti, et engageons nos citoyens à nous prêter main-forte.5

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With the help of men like Laurier, Chapleau intended to make the Conservative party the party of progress.

Chapleau called again for the union of all the progressive forces of the nation in a speech he made at St Laurent on September 6, 1883. There, at a by-election rally for the Quebec premier, Joseph Mousseau, who was trying to win a seat in the Legislative Assembly, he invited his compatriots to turn away from those who would maintain division in the province:

La faute de M. Trudel est de vouloir rendre impossible toute idée de rapprochement entre les hommes politiques de notre province. C'est plus qu'une faute, celle-là, c'est un crime, car enfin, ôh en arriverons-nous avec ces dissensions violentes? . . . la division nous dévore.

... Comment voulez-vous que le gouvernement, que la législature, que la presse s'occupent sérieusement d'élaborer des projets fructueux pour développer toutes nos ressources négligées? C'est à peine si on a le temps de panser ses blessures, de réparer ses armées, de renouveler ses ammunitions. Le clergé lui-même est en proie à de profondes dissensions.

Qu'y a-t-il à faire? À tous ceux qui ont mission d'enseigner, de bien réfléchir et de se mettre à l'œuvre. Une société ne peut subsister sans la soumission à l'autorité, sans l'abandon d'une partie de sa volonté à celui qui représente la volonté générale. Il faut que l'on se dise une bonne fois que ce n'est pas une question d'amour propre; c'est une question de devoir, une question de sacrifice. Donnez franc jeu au gouvernement actuel.

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6 "Assemblée à Saint Laurent", *La Minerve* (Sept. 8, 1883), p. 3.
For Quebec to become strong, French Canadians had to sublimate their particular wishes and submit to the representatives of the general will.

Such was Chapleau's attempt, at a strategic level, to transform the Conservative party in Quebec into a new political force.

At a tactical level, Chapleau's involvement with financial speculators did much to taint the Conservative party's image. In 1874 he was implicated in the Tanneries scandal in which the government was found to have exchanged one Montreal property for another worth much less—a transaction which left $50,000 in the hands of Chapleau's close friend, Arthur Dancer. Then there was Chapleau's sale of the government-owned Q.M.O.&O. Railway. He sold the railway at a bargain price to Louis-Adélard Sénécal, another of his close associates, who sold it again less than a year later at better than a million dollars profit.


8 Ibid., p. 24. See also Trudel, Le pays, le parti et le grand homme, pp. 61 - 78.
According to Trudel, Chapleau was guilty of many other tactical measures which were so many blows to Quebec's conservative institutions:

Durant toute sa carrière politique, on l'a vu constamment occupé à ruiner tout ce qu'il y avait de conservateur dans nos institutions. Le double mandat, la qualification foncière, le conseil législatif: tout a passé sous son marteau de démolisseur. En matière d'éducation il est, comme nous l'avons dit, le plus fervent adepte de la laïcisation. . . . En 1872-73, il combattait avec énergie le projet de confier aux 9 Frères de St. Vincent de Paul notre école de réforme.

In short, a certain group of men — "Chapleau, Dansereau & Cie, ou si l'on veut la 'bande a Sénécal'" — were dragging the Conservative party to its ruin. Trudel concluded his survey of the party by saying:

Il faut que le parti s'organise, se recrute et opère en dehors de la clique. Il faut qu'il se reconstitue sur la base solide des principes! Il faut qu'il fasse disparaître cette idée tendant à prévaloir dans le public avec une rapidité effrayante, qu'il n'y a plus moyen d'être à la fois solidaire des actes politiques de notre parti et honnête homme. Redevenons ce que nous avons été sous Lafontaine, Morin, et Cartier: Un parti de bons

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9 Trudel, Le pays, le parti et le grand homme, p. 86; see also pp. 31-36 and pp. 99-105.
The Conservative party in Quebec did not heed Trudel's advice. The clique and the spirit of the clique prevailed. It was not surprising, therefore, that, as its moral and intellectual bankruptcy became apparent to the public, the party began to lose ground to the two new political movements arising in the province, moderate liberalism and popular nationalism. The Conservative party in Quebec finally expired in 1896.

It may be said by way of a final historical conclusion that the electoral defeat of the programmistes in Quebec in 1871 prefigured the electoral defeat of the Conservatives in Canada in 1896 over the Manitoba Schools question. Both the programmistes and the Dominion Conservatives stood for the right of religious authorities to control education. Both promised to support measures which would remedy provincial legislation that infringed on that right. Both were fighting, in effect, for the legal rights of the Roman Catholic Church. And both were defeated.

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10 Trudel, Le r`evol. le parti et le grand homme, p. 107.
Their respective defeats signalled, at different levels, the defeat of conservatism in Canada, and, it may be argued, the defeat of Canada itself.\footnote{See G. Grant, \textit{Lament for a Nation} (Toronto, 1971), especially Chapter 6, which begins: "The impossibility of conservatism in our era is the impossibility of Canada. . . . If their different conservatisms [that of the French and that of the British] could have become a conscious bond, this nation might have preserved itself. An indigenous society might have continued to exist on the northern half of this continent." Pp. 68\textendash 69. The programistes' appeal to their coreligionists might have contributed to such a conscious bond.}

(2) The political

One of the major themes appearing throughout the programistes' writings was that of a transformation in the politics of the province, a transformation first noticed by Magloire McLeod and Alphonse Desjardins when they were reporters in the press gallery of the Legislative Assembly. It was a transformation which they viewed with foreboding; and which, consequently, they tried to bring to a halt by initiating the Programme.

The transformation which the programistes beheld with such apprehension, which to them constituted such a danger, was, in Magloire McLeod's words, the growing pressure of popularity:
What was taking place was nothing less than the reversal of the basic relation which underlay society and made for order in it. Traditionally, men believed that society was made up of two essential parts: a ruling part whose duty it was to direct, and a subject part whose duty it was to conform. This was the relation of authority, a relation which had to be recognized for the good of the society as a whole. In a political society, for example, the inferior, subject part fell to the people while the superior, ruling part fell to the governors; just as in a familial society the inferior, subject part fell to the children while the superior, ruling part fell to the parents. But now, with the growing pressure of popularity, that basic relation was being reversed and government was becoming subject to the people, with the result that: "Ils [les gouvernements] ne gouvernent pas, ils sont gouvernés. C'est le règne des popularités, c'est le règne du peuple souverain."13

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13 Ibid.
How is it that such a reversal could take place? How is it that so many Canadians could come to agree with the American view that politics consists in "government of the people, by the people, and for the people"? The structure of that phrase suggests to me that there are, for a start, three distinct aspects to this transformation.

The first part of the phrase, "government of the people", is a statement about the origin of government. Traditionally, it was held that government was of divine origin. That is to say, it was believed that government, like fatherhood, was part of the order of nature. It was a state provided man by the Creator; it was a condition of being existing independently of any human initiative. Now, it is claimed that government is of human origin; that government arises only following a humanly posited act. More than that, it is claimed that government arises only following an act posited by a human collectivity, or at least in the name of a human collectivity. This is what is meant when it is claimed that government is of the people. It follows from this claim that any government which cannot point back to some positive act, some revolutionary event manifesting a collective prise de conscience and will to power, is illegitimate and devoid of any morally binding force. By the same token, any appeal from the enacted laws must be made to the immanent will of the people and not to the transcendent order of nature.
The second part of the phrase, "government by the people", is a statement about the means of government. Traditionally, it was held that the means of government were left to men's discretion. Depending on the circumstances in which a society happened to find itself, it would be expedient for that society to be governed by one man, or by a few men, or by many men. In themselves, these forms of government were morally indifferent. No one form was better than another. All three could be good or bad. Now, however, it is claimed that in themselves the three traditional forms of government are not morally indifferent. The only acceptable form of government is government by the many. The purer the institutionalization of that form of government, the more government is carried out by the people, the better the government. It follows from this claim that one need not concern oneself so much with the substance or the merit of political decisions as with how the decisions are taken.

The third part of the phrase, "government for the people", is a statement about the end or purpose of government. Traditionally, it was held that the purpose of government was to safeguard the common good. In so far as it was believed that man had a trans-political destiny, the purpose of the state was to provide him with a peaceful and orderly setting in which to perfect his nature, that
is, to become virtuous. In practice, this amounted mainly to deterring men from doing evil. Now, it is claimed that the state has a much more positive role to fulfil. Virtue is no longer the end of government, but simply a means among many others in the gigantic task of liberation. The purpose of the state is now to enable a people to determine its own collective destiny in freedom. The State is the instrument with which a people can forge its own identity. It follows from this claim that any political act is justified if it marks a step towards human freedom: vice may be just as appropriate a means for serving this end as virtue.

So far, it may be said that the transformation of politics into "le règne des popularités, le règne du peuple souverain" came about when men started to believe that the people were the origin, the means, and the end of government.

But now it may be asked: what is it that brought about this three-fold change? In the light of the comments made by the programmistes who watched the change taking place before them, I shall now attempt, by way of a political conclusion, to answer that question.

First, society itself was undergoing a tremendous change. By the time of the Programme, Canadian society had begun to feel the impact of modern science: it was beginning to be "rationalized."
Traditionally, society consisted of at least three differentiated realms: the religious, the political, and the familial. The tendency now was for these three to merge into one. Indeed, with the advent of modern science, politics came increasingly to absorb into its realm the things of religion and the things of the family. It may be said of modern science that, by diminishing his sense of dependence on the supernatural, it uprooted man from his position in a divine economy, and by absorbing his toil into a more centrally organized mode of production, it uprooted man from his position in a household economy. The only economy left was the political.

With the dwindling away of the preter-political through secularization and the dwindling away of the pre-political through industrialization, modern man came to rely increasingly on the political to give his life effective meaning. Questions which traditionally would have been left to the heads of households or to religious leaders were now taken up by statesmen. Once this reduction of society into one dimension got under way in Canada, it was only a matter of time until Canadians began to accept so simple and contracted a theory of government as that implied in the concept of popular sovereignty.
The changes brought about by the twin forces of secularization and industrialization divided French Canadian society, as they did many other societies. F. X. A. Trudel reminded his compatriots how widespread and profound were the divisions:

Et de nos jours, ne suffit-il pas de suivre, une semaine durant, les journaux reconnus comme organes des partis, pour constater chez eux des différences essentielles, et dans les idées religieuses, et dans la plupart des questions économiques? . . .

Il est certain que, de toutes les questions politiques, celles qui dans tous les pays et dans tous les siècles de l’âge chrétien ont été le sujet des divisions les plus profondes, ont surgi à l’occasion des rapports de l’Eglise et de l’État. Eh bien! Nos hommes et nos partis politiques sont-ils d’accord sur ces graves questions? Le pays n’est-il pas, au contraire, divisé en deux camps, l’un, de beaucoup le moins nombreux il est vrai, niant à l’Eglise son indépendance absolue du pouvoir civil, sa liberté parfaite de se gouverner suivant ses lois, l’autre combattant pour cette liberté et cette indépendance . . .

Et la grande, la capitale question de l’enseignement, n’est-elle pas là aussi, laissant voir un abîme entre les adeptes de la sécularisation et les apôtres de l’enseignement congréganiste? . . .

Et puis, cette tendance à tout démocratiser; cette lutte continue pour achever de ruiner ici le principe de l’autorité, ne nous montre-t-elle pas tout le peuple canadien divisé en deux partis: l’un dans lequel on frémit de colère rien qu’à la mention de notre vieux drapeau blanc fleurdelisé de Carillon, ce témoin auguste de nos gloires nationales, l’autre soutenant l’idée monarchique comme la sauvegarde de nos institutions et le gage de notre grandeur future?"
These issues all reflected the fundamental division in Quebec between authoritarians like the programmistes, who wished to preserve the traditional ordination of differentiated realms in society, and libertarians, who wished at varying rates of progress to rationalize society.

On the surface, it appeared as though Quebec's system of government was capable of accommodating even such opposing forces as those described by Trudel. Indeed, one of the outstanding features of Parliamentary Government is the way opposition is invited and encouraged to play a part in the making of laws. Just as man is more likely to arrive at theoretical truths through dialogue, so, it is assumed, is he more likely to arrive at practical truths through debate.

Nor is the idea of an Opposition in Parliamentary Government merely instrumental. Hearing the other side makes not only for a wiser resolution; it also makes room for a man's convictions. Indeed, the idea of an Opposition makes it possible for a man to declare in public that he thinks that such and such a measure is right or that it is wrong. The structure of Parliamentary Government allows, even encourages, therefore the interplay of expediency and conscience, of politics and morality.
F. X. A. Trudel outlined the importance of moral conviction for a politician:

La conviction ou la foi dans ses principes est triplement nécessaire à l'homme politique:

1° Parce que la conviction est le principal levier de son action politique.

2° Parce que la conviction est, pour le public, une garantie de la vérité de ses principes. Quelle confiance dans ses principes peut-il inspirer? quelle garantie peut-il donner qu'ils sont vrais, s'il n'y croit pas lui-même?

3° Parce que seule la conviction produit le dévouement.

Je puis ajouter de plus que la conviction est encore nécessaire parce que seule elle produit la constance dans la poursuite du but à réaliser.

Or, la conviction ne s'improvise pas. Elle n'est pas une idée ni un sentiment de convention. Certitude que l'on a de la vérité d'un fait ou d'une doctrine, elle se forme par l'étude et la mise en pratique des principes, le raisonnement, l'observation, l'expérience. Elle est indépendante de la volonté, en ce sens qu'un homme n'est pas libre de ne pas croire ce dont il est convaincu, de même qu'il n'est pas libre de croire ce qu'il sait être faux. Conséquemment, un homme honnête et convaincu n'est pas libre d'adopter un programme plutôt qu'un autre, s'il ne le croit pas le meilleur. Il lui faut suivre sa conviction.15

The structure of Parliamentary Government assumes, then, that legislative proposals are subject to deliberation, to critical

15 Trudel, "La conciliation", pp. 150 - 151.
debate, and to opposition grounded in moral conviction.

But was any of this compatible with the transformation taking place in modern politics? The answer is no. Once politics is divorced from principle and conviction, the idea of an Opposition becomes ridiculous. What makes an Opposition an opposition is the conviction that the other side is wrong. But politicians were now spending their time and energy in discovering not what was right or wrong for the country, but what the wishes of the people were. Alphonse Desjardins compared these modern politicians to one of Molière's physicians who sought to cure all ills simply by applying a conciliatory plaster:

en politique comme en médecine il ne manque pas d'hommes qui croient avoir trouvé dans une recette particulière le remède à toutes les maladies. Le Dr. Purgon conseillait indistinctement à ses patients le régime émollient, d'après la conviction qu'un traitement énergique aigrit la maladie et l'indispose davantage contre sa victime. Il s'est formé de nos jours une école qui a voulu transporter ce traitement en politique et tout ramener à ce que nous pourrions appeler le régime conciliatoire.

Nous devons savoir gré à cette école de ses sentiments certains très humains... Mais nous tenons à dire que pour bon qu'il sera en certaines circonstances sur certaines lésions, imposant et dangereux même il se trouvera dans une foule d'autres cas... Ce n'est pas en cachant par un emplâtre la plaie qui contient le virus, mais c'est en mettant à nu ce germe malin et en le traitant énergiquement qu'on le détruira. Il en est de même de certaines maladies sociales et politiques...
Il y a des principes qu'on ne peut négliger pour le salut de la société, comme il y a des règles hygiéniques qu'on ne peut transgresser sans mettre la santé en péril. En rapportant tout à ces principes, à ces règles, il devient assez facile, quand une partie est malade, d'en faire la diagnostique et d'en découvrir les causes. Il y a malaise dans l'état actuel de notre société, et il faut n'avoir pas suivi les affaires du pays pour regarder les plaintes et les réclamations qui en sont la suite, comme le résultat du simple caprice, comme le rêve d'imagination malades. Les plaies qui ont été touchées du doigt ont provoqué des cris trop vifs pour qu'on puisse nier leur existence. Maintenant est-ce en cachant ces plaies sous l'emblème conciliatoire qu'on réussira à les guérir? Nous craignons bien que non.\textsuperscript{16}

Once politicians turned their attention away from the country towards the people, a series of consequences ensued.

First, this change in political orientation made for a change in what was deemed the art and science of politics. To know what was good for the country required, as the programmistes kept emphasizing, knowledge; to know what the people wanted required flair. A talented politician was no longer one who could diagnose the ills of society and prescribe the appropriate remedy, but rather one who could perceive trends in public opinion and capitalize on them.

\textsuperscript{16} (October 4, 1871), p. 1.
Another result of this change in orientation was that groups of politicians no longer formed opposition parties, but rival parties: to draw an analogy, it cannot be said that one dressmaker, for example, is opposed to another; everything about them is so similar that it is more accurate to refer to them as rivals. This built-in similarity explains why rivals so often end up merging, and why there is such a strong tendency for trade to become monopolistic. Once, therefore, this market orientation had become fixed in the minds of politicians, political groups ceased to be truly opposing parties, and became instead rivals, each seeking to corner the market and establish a one party rule.

In an effort to stop this trend, F. X. A. Trudel pointed out how important it was to have two opposing parties. Citing the works of Lord Grey and Alpheus Todd on Parliamentary Government, he decried the idea of political mergers:

"Les coalitions", disent les auteurs, "sont contraires au principe fondamental même du gouvernement parlementaire." Et la raison en est évidente.

Le gouvernement parlementaire, c'est le gouvernement au moyen des partis. Or, ce gouvernement rencontre un frein salutaire, un contrôle absolu et efficace dans l'opposition. A l'action du pouvoir, l'opposition oppose une critique sévère d'ensemble et de détails qui est, en toutes ses parties, la politique contradictoire de celle du gouvernement; c'est-à-dire qu'aux principes sociaux, aux théories du gouvernement, aux notions d'économie politique mis en œuvre, elle oppose ses principes et ses théories, de même qu'elle fait contraster, dans la pratique, les faits du pouvoir avec ce qu'elle prétend
être une saine administration des affaires publiques. Le pays est appelé à juger et à choisir entre les deux. Qu'en la coalition détruit l'efficacité de cette politique de parti.\textsuperscript{17}

In other words, Parliamentary Government required a Loyal Opposition.

The tendency to combine not out of an agreement in principle but out of selfish desire was objectionable on both moral and constitutional grounds: "Toute coalition donc opérée en dehors des principes et pour servir les fins personnelles des coalisés serait essentiellement immorale et destructive des idées de saine politique constitutionnelle."\textsuperscript{18}

The tendency for a politics divorced from moral conviction to develop into a one party rule was reinforced by the fact that under the new political ethos the governing party could bolster its morale with the satisfying thought that it incarnated the will of the people, that it was crystallizing public opinion into the laws of the land.


\textsuperscript{18} Trudel, "Le conciliation", pp. 157 - 158.
Finally, at the centre of this transformation of politics lay the "rationalization of the vote.

Traditionally, a politician running for election never dreamt of being the voice of the people. All he was looking for was a plain show of confidence. A politician who won an election had simply received a testimony of the people's trust in his ability to perform his duties. (That is why there were ministerial by-elections.) In this traditional view, the people's power, under Responsible Government, amounted to no more and no less than the power to oust the men governing them. It was the power, in plain language, "to kick the bums out". Never was it thought that the people, at the moment of voting, were governing, that government was by the people. A general election under Responsible Government served simply as a healthy, periodical check on government.

But now, in the progressive view, a general election is taken to be something much greater. Not only is it a check on government; it is the actualization of the people's fundamental right to govern themselves. Winning an election, even if it means obtaining only a plurality of the vote (as usually happens), is taken to be an expression of the "general will". This "generality"
is in turn thought of as something intrinsically good. It follows from this view that, with all the goodness of the vote attached to its form, there is no need to think about the substance of the vote. The mere form of the vote, its deemed generality, vouches for its goodness.

But it is not only the results of the vote that are "rationalized": the campaigning which precedes the vote and the casting of the vote itself are also subject to the same kind of transformation.

Within a "rational" approach to politics, the chief, if not the only, goal of rival political parties is to run a successful campaign. A plurality of votes is all that is needed: forty percent is the magic number. A political party can forget about the country as a whole; it can forget even about the population as a whole; all that matters is forty percent of the voting population.

This "rational" approach to campaigning combined with the extension of the franchise to all classes of society meant, in effect, that party politics became class politics. As long as voting was restricted to one or two classes of society, the issues to arise, even within a rational approach, were not likely to reflect a conflict of class attitudes. Conversely, as long as a
reasonable (as opposed to a "rational") approach to politics was maintained, the issues to arise, even under a system of universal suffrage, were not likely to reflect a conflict of class attitudes. It is only when a "rational" approach is combined with universal suffrage that class conflict becomes the determining force in politics. In theory, of course, a political party can always try to appeal to the top twenty percent and the bottom twenty percent of the voting population. But to rely on an alliance of classes for support is a much riskier business than to concentrate all one's efforts on some larger segment of the middle class.

Turning finally to the casting of the vote, we find that it too was subject to "rationalization". With the introduction of the secret ballot only a few years after the Programme, an important part of the political system was removed from public view and covered in darkness. Voting was now so arranged that no forethought, no reflexion, no courage was needed. With the act of voting deemed private, the voter no longer had to fear that he would be asked by his fellows to account for his vote. Performed in the dark, the act of voting tended to become an act of blind will. But as one
need not register oneself, as one need not even transport oneself to the polling booth, even the wilful aspect of voting has been reduced to a minimum.

The transformation which the programmistes observed taking place in the politics of the Province of Quebec and which resulted, as McLeod foretold, in the reign of the sovereign people was the culminating point in the rationalization of society.

In all respects but one, the programmistes stood outside that transformation: they were opposed to the absorption of religious and familial concerns into the affairs of State; they were opposed to politicians who stood, in effect, for the interests of a class instead of having at heart the good of the country as a whole; and they were opposed to publicists who, consciously or unconsciously, were undermining Canada's system of Parliamentary Government in an effort to make it more popular. The one thing the programmistes shared with their opponents was the ground on which they were fighting: for the battles recorded in this work were fought mainly in the columns of newspapers. It is to the element of the press then that I turn, as the final aspect of my political conclusion.
We recall from Section II A. B. Routhier's comment:

Je ne suis pas de ceux qui admirent outre mesure cette institution puissante qu'on appelle la presse. Le bien qu'elle fait est loin d'égaler le mal qu'elle nous cause. Mais puisque cette puissance existe, il faut la faire servir au bien. 19

Was it possible to make the power of the press serve the good?

Or was the Programme doomed from the start?

By the middle of the nineteenth century, public opinion had become a considerable force in politics. Aware of this fact, the programmistes strove to lead it in the direction of the truth by making nuances. An argument like the Programme, it will be admitted, required careful elaboration: the topic under discussion had to be delineated, the terms had to be defined, distinctions had to be drawn, and supporting material had to be presented. In contrast, everything about the press seemed to call for simplification and reduction. By presenting everything in black and white, the press led public opinion surely away from the truth.

At the time of the Programme, the press was still independent, and consequently newspapers managed to present a number of different points of view on society: they had not yet become business interests subject to the monopolizing tendencies described above. There was, nevertheless, something about the medium of the press which obviously made it difficult, if not impossible, for the programmistes to communicate their message with its nuances. In contrast, it was an easy matter for the programmistes' opponents at the Journal de Québec and La Minerve to undermine the Programme simply by accentuating some part of it out of proportion or by omitting another part altogether; it was easy for them to make use of that most devastating weapon of all: satire.

In a dark way, the press was the government of the people, by the people, and for the people; it epitomized the rationalization of society, the very transformation which the programmistes tried to stop. The most that can be said, therefore, about the programmistes' use of the press is that the Programme's medium seemed to deny its message; the least that can be said is that the programmistes were fighting a battle away from home, and that, perhaps, important battles can never be won away from home.
(3) The philosophical

At this level, the *Programme* was an argument for "authoritarianism" and against "libertarianism", to use the specific social philosophical terms of Section IX, or for a "natural" outlook on the world as opposed to one that was "naturalistic", to use the more general philosophical terms of Section III. I shall now review the *programmistes* argumentation in connexion with these philosophical terms. This obliges me to consider the inter-relation of principles, attitudes, and institutions.

Although the regulation of human conduct in society may be done under a host of different banners bearing a multitude of different names, the number of principles actually capable of governing society is limited. Reason and evidence seem to show that there are only three such principles, and that they are authority, liberty, and coercion.

It is hardly necessary to emphasize that these three principles rarely appear in a pure state. Society is never a laboratory where one can behold an isolated agent at work; what one normally finds is a combination of these three principles at work together. Even in a simple familial society, the relation
between father and son, for example, may be authoritarian in one moment, as when the father directs the son to perform some task for the family; it may be libertarian in another, as when father and son sit down for a man to man chat; or at another time it may be coercionist, as when the father hints that the son is to expect some punishment or reward for a certain kind of behaviour. In reality, therefore, the task before one is not that of opting exclusively for one of the three principles and then seeking to apply it universally; but rather of deciding what the tenor of society is to be, and then helping to maintain it.

At the same time, it is clear that these general principles of society are embodied primarily in the attitudes of individual men. The question now becomes: how do individual members of society view the world? Here again, their number not being infinite, it is possible to discern three basic attitudes towards the world: the fearful, the fraternal, and the respectful. The fearful views the world essentially as a jungle of forces all struggling for survival; the fraternal, as a platform for convening the universal brotherhood of man; and the respectful, as a
magnificent gift from an anonymous donor. Each of these three basic attitudes entails, of course, a whole logic of its own with consequences in every area of human activity from the measuring of space and time to one's choice of dress.

No doubt it will be seen that these three basic, individual attitudes correspond to the three general social principles defined above: the fearful attitude corresponding to the principle of coercion; the fraternal attitude corresponding to the principle of liberty; and the respectful attitude corresponding to the principle of authority.

To the programmistes, the correct basic attitude towards the world was the respectful. To view the world essentially in either of the other ways represented a deformation of nature, and hence was naturalistic.

Naturalism, what A. B. Routhier called the great heresy of the modern age, is modern science's view of the world. It is a view of the world emptied of all the intimations that man has ever had of the world's Beginning and the world's Beyond. It is a view of the world which denies the supernatural, or at least seeks to limit its effect as much as possible. It is a view of the world which, by systematically abstracting from the substance
of nature, empties the universe of meaning. And then, just
because its account of the universe is so hollow, it drives man
to the opposite extreme and leads him to "create" his own self-
centred universe, free from the tutelage of nature.

A natural or a healthy view of the world recognizes
above all else its otherness. It is the world's splendid other-
ness that induces in man an attitude of respect. And only then
can it be seen that the world is a gift, and that man's whole
purpose in life is to try to make himself decent enough to accept
it. As Routhier said, purification is man's only progress, and
sanctity his only goal.

The general principles of society are embodied then
primarily in human attitudes, but they are embodied secondarily
in human institutions. (I mean by institutions not only society's
enacted laws, but also its customs, its architecture, its music,
its theatre, etc.) The complexity of the situation becomes
apparent: while the general principles of society remain the same,
the institutions of a particular society are constantly under-
going a transformation in keeping, consciously or unconsciously,
with the basic attitudes prevailing at the time.
The programmistes took it for granted that it was Canada's destiny to preserve in the New World a traditional, basic attitude of respect. Were Canada's institutions, such as those described in Section I —British constitutionalism, Parliamentary Government, Imperial Statutes regarding Canada—, as well as the bulk of the Civil laws of Lower Canada, not comparatively free of the taints of libertarian assumptions? Hence, the programmistes felt, and expected the Conservative party to feel, duty bound to defend their country's institutions along authoritarian lines.

It was a destiny that had to be pursued with courage, for it ran contrary to that of all the other countries of the New World and many of the Old, which, following the examples of the U. S. A. and France, broke with their past and strove to establish and to defend their institutions along libertarian lines. 20

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20 In George Grant's words: "As Canadians, we attempted a ridiculous task in trying to build a conservative nation in the age of progress, on a continent we share with the most dynamic nation on earth. The current of modern history was against us." Lament for a Nation, p. 68.
At the same time, the programmistes realized that many of their French speaking compatriots did not share their view of the world. Inspired by the writings of Voltaire and Rousseau, these compatriots strove to free society from its traditional bonds. Writing at the time of the Paris Commune, McLeod could say:

Nous savons que dans les écoles parisiennes, on soulevait la jeunesse contre ces principes de la subordination de l'État à la religion, parce qu'on faisait reposer la civilisation dans un gouvernement sans Dieu; mais aujourd'hui qu'est devenu Paris avec ses écoles de pestilence, qu'est devenu la jeunesse qu'elles éclairaient à la lumière de ces idées incendiaires? ... Le malheur est que quelques jeunes gens, de nos compatriotes ont reçu leur instruction dans ce prétendu foyer de civilisation et qu'ils cherchent aujourd'hui à se faire parmi nous les apôtres de ces doctrines. C'est ainsi que les journaux comme le Pays, l'Indépendant, l'Événement et le Constitutionnel les ont répandu au milieu de nos populations. Est-il à s'étonner après cela qu'il soit devenu nécessaire pour les catholiques de prendre quelques signes de ralliement et de jeter les bases de quelque 'association par des programmes comme celui que nous avons publié?  


It must not be thought that the **programmistes** took issue with their enlightened, liberal-minded compatriots simply for the sake of preserving their historical identity. French Canadian society, or for that matter Canadian society as a whole, was to be preserved not because it was different from that of the United States, but because it was better than that of the United States. To the **programmistes**, the general principle embodied in Canadian institutions was a better general principle than the one embodied in American institutions. The general principle of authority was more thoroughly in accord with the social dimension of human nature. In other words, authority, honour and respect represented to the **programmistes** a truer formulation of human society than liberty, equality, and fraternity.

But how, it may be objected, can this be shown to be so? One way is to look briefly at how the three different principles treat what is surely the social problem **par excellence**, that of self-interest. On this point, coercionists, libertarians, and authoritarians may well all agree that man's selfish appetites are in need of being checked; where they disagree is in the means.

The coercionists will check the self by pitting it against other selves. In accordance with the principle of coercion, society will be so arranged as to have forces checked by similar
forces operating in the opposite direction. The socially organized confrontation of management and labour is an instance of how self-interest can be checked by self-interest.

The libertarian seeks to check self-interest by enlightening self-interest. Man's interests are to be tended to rationally. In pursuing one's happiness, certain proportions are to be maintained, for all human beings are endowed with the same desires and therefore have an equal right to enjoy the fruits of those desires. The transfer of wealth (in one form or another) from one section of society to another represents an example of enlightened self-interest at work.

The authoritarian way of checking self-interest is very different from that of the coercionist or the libertarian. Instead of dividing self-interest or enlightening self-interest, it goes to the root of the problem and exposes the inadequacy of self-interest. The principle of authority brings to light the evil (in the sense of an absence of good) in self-interest, for it checks the self by revealing the other. Of the three principles, it alone cracks the shell of self-interest to let in the light of the world's otherness. In this sense, it may be said with McLeod that the Programme, in embodying the principle of authority,
was like a lightning bolt which suddenly exposed to clear view
the self-interest at work in society:

Ceux qui l'ont combattu n'ont pu trouver un seul mot
dire contre le mérite intrinsèque de ce programme,
ils n'ont pu signaler une seule mauvaise doctrine
qu'il contenait et ce programme il est encore aujourd'hui
intact et il restera intact.
Il n'avait qu'un seul inconvénient, c'est que,
devant la confusion des hommes et des principes qui
s'opérait, devant les nombreux intérêts qui étaient
en jeu, devant toutes les ambitions qui voulaient se
faire jour, il forçait les hommes à se montrer sous
leur vrai drapeau, ils les obligeait à se classer, à
se faire connaître tels qu'ils sont. Il frappait dans
le vif, nous l'admettons volontiers. Aussi c'est pour
cela qu'au point de vue du mal qu'il était destiné à
signaler, à dévoiler, il a obtenu un immense et grand
succès qui est un bon présage de son triomphe final.
Il a jeté la lumière dans un grand nombre d'esprits,
il a éclairé des sentiers dans lesquels l'œil le plus
perspicace voyait difficilement tout ce qui devait
être vu. C'est un bon travail de fait. La lutte est
loin d'être terminée, elle ne fait que commencer.
Aujourd'hui on a la conviction qu'elle doit se faire,
car elle est dans les idées, elle existe dans les
sentiments. Il faut qu'elle se poursuive. Il est
probable d'ailleurs qu'avant longtemps les événements
qui surgiront en feront encore plus toucher du doigt la
nécessité.²³

²³"Les élections de notre district en 1867 et en 1871",
One of the reasons that authoritarians like the *programmistes* come invariably to stand for the institutions of throne and altar is precisely that these two institutions keep present before all members of society, publicly and concretely, the truth that there is something other than one's self in the world; and that, moreover, that something other is not only different from one's self, but superior to one's self, and hence worthy of honour and respect. We recall McLeod's plea that "on devrait prendre un soin infini ... de lui [le peuple] faire bien comprendre que la source de l'autorité ne repose pas en lui, que ce serait lui donner une base trop humaine, trop faillible, trop fragile." Throne and altar do just that. They are a visible and constant reminder that there is something substantially other, different, and superior to one's self in the world. The institutions of throne and altar

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24 Of course there are many other reasons for supporting the institutions of throne and altar. Most of these rest on an appeal either to tradition or to convention. In the case of the institution of the altar, there is also an important theological argument that can be made. My only purpose in mentioning throne and altar, however, is to show how they can be viewed as an effective institutionalization of a general social principle, the principle of authority.

help, therefore, to develop in man an attitude of respect while impressing upon him the double obligation he is under of having to render honour to some and worship to an Other.

But even if the institutions of throne and altar were to disappear as a lawful public presence in society, authority would still have to be respected. For authority is part of the order of nature, and even if there were no laws, men would still have to do what by nature was right. "For", as St. Paul explained in the same letter quoted at the start of this work, "whenever nations not having law practise by nature the things of the law, these, not having law, are a law unto themselves; who show the work of the law written in their hearts, their conscience also bearing witness, and their reasonings meanwhile accusing and defending one another." (Romans II, 14 - 15)

As a result, Beausoleil, for one, was convinced that the Programme contained a message of lasting importance, a message that the changes in law which resulted from the fortunes of politics in no way could alter:

Disons de suite que nous sommes de ceux qui n'ont jamais un instant douté de sa vitalité native, ni de la
politique du Programme. Il est entré dans sa composition des éléments de vérité que ni la malice des hommes, ni les roueries de la politique, ni la fortune des partis ne sauraient en rien altérer.

Voilà pourquoi le programme reste et voilà pourquoi il survivra et à ceux qui l'ont formulé et à ceux qui s'en sont faits les adversaires déterminés. C'est la politique nécessaire de tout peuple vraiment chrétien. Ces principes sont de tous les temps et de toutes les circonstances possibles: ils sont à l'ordre pratique ce que la lumière est à nos yeux.26

According to Beausoleil, the policy contained in the Programme was the one that by nature was right and necessary for every truly Christian people. The principles of the Programme's argument were valid for all ages and all circumstances, being to the practical order what light is to our eyes.

My approach to the Programme, as I explained in the Introduction, was "jurisprudential". That was the only way I felt I could do justice to the multi-dimensionality and the thrust of the text. It was only by moving back and forth on the planes of history, of politics, and of philosophy that I could appreciate and convey the apport of the Programme. But it would be disingenuous

26 "Approbation du Programme Catholique", N.M. (August 9, 1873), p. 2,
to end this work without observing that the *Programme* is also
a document of faith. In this, the highest of elements, it stands
as a testimony to man's trust in the Church of God and in its
divine mission in this waiting world. It is therefore to com-
memorate the *programmistes* spirit of Christian testimony that I
cite, to close this work, the beautifully wrought sentence which
another defender of natural right composed to open his:

> Though for no other cause, yet for this; that posterity
> may know we have not loosely through silence permitted
> things to pass away as in a dream, there shall be for
> men's information extant thus much concerning the present
> state of the Church of God established amongst us, and
> their careful endeavour which would have upheld the same. 27

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27 R. Hooker, Preface to *The Laws of Ecclesiastical Polity*
APPENDIX A

"Le Programme"

As it appeared
in the Journal des Trois-Rivières
on June 12, 1871
(with the corrections of June 19)
Le Programme

Le Programme n'a pas été fait contre les Protestants, mais contre les rouges, les socialistes, les communistes et les sallicans. Ces hommes sont non seulement ennemis des catholiques, mais ils sont les ennemis déclarés de la société toute entière. Tout en combattant les idées religieuses, ils affirment une théologie à leur guise et ils cherchent à l'imposer. Ainsi pour les uns, leur principe c'est que le pouvoir civil ne vient pas de Dieu, tandis que pour les autres s'il est admis qu'il vient de Dieu, ils le prétendent tellement universel et étendu qu'ils refusent complètement de reconnaître aucune autre espèce de pouvoir. Ainsi négation de l'autorité paternelle et négation de l'autorité ecclésiastique complètement. Ils se réservent cependant pour eux le droit de déléguer ces pouvoirs. Ainsi le père n'aura d'autorité sur ses enfants que celle que la loi civile lui confèrera, les ministres de l'Église n'auront de pouvoir sur les membres de l'église que ceux que l'État leur accordera. C'est ainsi qu'ils entendent par ce moyen tout s'acaparer et famille et religion. C'est ainsi qu'ils refuseront à l'Église le droit d'acquérir certains biens afin de se les assurer pour eux, dans le cas où l'Église les acquèrerait. Il est facile de voir après cela avec quelle frénésie ces hommes convoitent le pouvoir; car pour eux,
le pouvoir c'est tout: la fortune publique est dans leurs mains: et la justice devient l'expression arbitraire de leur volonté.

Nous au contraire, nous voulons que le pouvoir ne s'exerce que conformément aux lois immuables de la justice auxquels tous les hommes indistinctement rois ou sujet sont soumis.

Voilà pourquoi nous combattons au nom des principes religieux parce qu'ils sont l'expression de la justice. Du moment qu'on s'écarte de ces principes le seul droit qui subsiste est celui du plus fort, et nos co-religionnaires sont exposés comme nous à en souffrir.

Combattre les rouges, les communistes, les socialistes, les gallicans de quelques dénominations qu'ils soient c'est donc combattre les ennemis communs de tout ordre, de toute société et de toute religion.

Quand une révolution viendra, et ces hommes travaillent de toutes leurs forces à la hâter, qui sera épargné? Les hommes de toutes les croyances religieuses qui suivent leur conscience n'y prendront point part de concert en cela avec les bons catholiques: mais ils la souffriront. D'un autre côté, chose certaine c'est que tous ceux qui prendront part à cette révolution ne seront autres que les mauvais catholiques et les mauvais protestants, c'est-à-dire tous ceux qui foulent aux pieds leur croyance. Tel est un des enseignements qui découle de notre programme.
APPENDIX B

Biographical Sketches

of the programmistes
Magloire McLeod

Magloire McLeod was born on September 1, 1842.1 During his youth, his family was rather poor, and McLeod recalled that, as a boy, he had attended mass in the aisle, the expense of a new being too much for his father, who practised great economy in his efforts to provide a classical education for as many of his children as possible. And indeed, Magloire began his schooling at the Séminaire de Nicolet, and finished at the Collège des Trois-Rivières. It is to be supposed that at least one other brother also received a classical education; for Pierre McLeod too became a journalist in Trois-Rivières.

Magloire was blessed with a naturally good style, purity of diction, and verve and vigour of argumentation; these, combined with his deeply conservative principles and his desire to combat Quebec's liberal minded writers opened for him a career in journalism.

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1These sketches appear in an order which, I think, reflects the degree of involvement of each man in the Programme. The material for McLeod's biography is collated from the following sources: J.T.R. (July 6, 1871, July 31, 1871, February 15, 1875); André Beaulieu & Jean Hamelin, Les Journaux de Québec de 1764 à 1964 (Laval, 1965); J.-C. Bonnenfant, "Le Journal des Trois-Rivières et la Naissance de la Confédération", Les Cahiers des Dix, No. 35 (Montreal, 1970); and private communications from the Abbé Hermann Plante, Archivist, Seminary of Trois-Rivières.
The *Journal des Trois-Rivières*, first published on May 19, 1865, was founded by Honoré-R. Dufresne, notary and bookseller, probably in collaboration with McLeod, who was from the beginning the principal writer. Although Trois-Rivières (Pop. 6,058 in 1861) had had several newspapers during the first half of the nineteenth century, on the eve of Confederation only the *Journal des Trois-Rivières* was still published. Dufresne's two brothers, Arthur and Ephrem R. Dufresne, joined the paper in 1866 as co-editors-proprietors. The paper remained in the family until May 18, 1870, when it was bought by Magloire McLeod in partnership with P.-N. Martel. The two ran the paper together until October 16, 1871, throughout the period of the *Programme* and the Quebec election.

His work, both in writing and in addressing public assemblies, made McLeod see the advantage of a knowledge of law; and he was called to the bar in July, 1870, where his excellent voice and facility of expression promised him success. He made, as well, in July, 1870, a modest entry into active politics in the Trois-Rivières municipal elections, when he was nominated for Councillor for the Notre Dame district. To avoid, however, what promised to be an acrimonious battle, McLeod resigned in favour of a compromise candidate.
McLeod and Martel disagreed over the question of the North Shore Railway, and on October 16, 1871, McLeod, already in failing health, sold his share of the paper to Martel and went into a year's retirement. He returned to write for the Journal for a few months under its next owner, Cédéon Desilets, who bought the paper in 1872, but bad health again forced him to resign. He continued, however, to contribute occasional articles as he was able. The parliamentary debates which he heard while undergoing medical treatment in Quebec City in December, 1874 stimulated him to write one last series of articles. 2 It is fitting that we last encounter McLeod as we encountered him when he initiated the Programme, as a reporter in the parliamentary press gallery.

On Saturday, February 6, McLeod lost all hope of recovery; as his disease entered its last stage; and he died on Wednesday, February 10 at Quebec. His body was returned to Trois-Rivières, where a convoy of forty carriages accompanied it from the station to the town. His funeral took place on Tuesday, February 16, 1875 at the Cathedral.

2 See "Correspondance particulière au 'Journal'", J.T.R. (December 7, 10, 14, and 17, 1874), pp. 2.
François-Xavier Anselme Trudel

François-Xavier Anselme Trudel was born at Sainte Anne de la Pérade on April 29, 1838, the son of François-Xavier Trudel and his wife, Julie Langevin. He was educated at the Collège de Nicolet, studied law, and was called to the bar in 1861. In April, 1864, in what was one of the most splendid social events of the time, he married Marie-Zoé-Aimée Renaud, the daughter of Louis Renaud, self-made millionaire.

In 1871, Trudel was elected to the Quebec Legislative Assembly for Champlain. In October, 1873 he was called to the Senate.

Until the day of his early death, Trudel was the champion of the Church's rights in Quebec. He defended the Church's cause in court, in parliament, and in the press with great energy and conviction. He was a prominent figure in such cases as l'affaire des paroisses, the Guibord case, the University question, and many other complicated cases of civil and ecclesiastical jurisdiction.

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Trudel was president, at one time or another, of most of the benevolent, literary, and scientific societies of Montreal. He was an organizer of the pontifical Zouave movement.

He founded the newspaper, L'Étendard, in Montreal in 1883; and as editor of this newspaper he vigorously defended the Métis of the North West.

François-Xavier Anselme Trudel died at Montreal on January 17, 1890.
Cléophas Beausoleil

Cléophas Beausoleil was born on June 19, 1845 at St Félix de Valois, the fourth son of Joseph Beausoleil and his wife, Rose Ducharme. He was educated at the Académie de Berthier and the Collège de Jolliette. As a law student in Montreal in 1864, he became interested in journalism, and began to write, first for l'Ordre and later for l'Événement. In 1868 he became an editor of the Nouveau-Monde, and was, from 1870 to 1873, editor-in-chief. Upon leaving the Nouveau-Monde (in the capable hands of Alphonse Desjardins), he joined L. O. David in founding Le Bien Public. In the same year, he was appointed Official Assignee for Montreal under the Insolvent Act.

In 1880, Beausoleil was called to the bar and began a successful law career. He was for several years the professional associate of the Hon. H. Mercier, of F. X. Choquette, Police Magistrate, and of the ex-alderman, P. G. Martineau; later, he became head of the firm, Beausoleil, Choquette & Girard.

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The material for this biography is collated from La Patrie (October 4, 1904); and Henry James Morgan, ed., The Canadian Men and Women of the Time: A Handbook of Canadian Biography (Toronto, 1898).
In 1882, he was elected alderman, and, except for the term 1888 - 92, he continued in office until the turn of the century. As alderman, he helped to abolish the slaughterhouse monopoly, to repeal the statute labour tax, and to arrange for the annexation of the wards of Hochelaga and St. Jean Baptiste to the City of Montreal. For twelve years, until 1895, he served as a member of the Montreal School Board. In 1887, he was elected, as a National Liberal, to the House of Commons as the member for Berthier; as a member of Parliament, he continued to speak freely on the subject of the religious interests of French Canadians. In 1900, he was made Postmaster of Montreal.

Beausoleil died in Saint-Gabriel de Brandon on October 4, 1904.
Alphonse Desjardins

Alphonse Desjardins was born on May 6, 1841 at Terrebonne, the son of E. Desjardins, the deputy sheriff of the district, and his wife, Josephine Panneton. He was educated at Collège Masson and the Séminaire de Nicolet. He chose law as a profession and was called to the bar in 1862. In 1864 he married Virginie Paré, who died fifteen years later leaving him four children.

With Confederation, Desjardins abandoned his law practice and turned to journalism. He began to write for L'Ordre, and at the same time played an active part in the sending of a force of Papal Zouaves from Quebec to the assistance of the Pope in 1868. After a visit to Rome in 1872, he was made, for his services, a Knight of the Order of Pius IX. Also in 1872, he joined the Nouveau-Monde where he remained, succeeding Cléophas Beausoleil as editor-in-chief, until 1879. In 1880 he married Hortense Barsalou.

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From journalism, Desjardins turned to politics: he was first elected to Parliament, by acclamation, in 1874, and sat as the Conservative member for Hochelaga until he was called to the Senate in 1892. He spoke in favour of the Canadian Pacific Railway, of amnesty for Riel, and of repeal of the New Brunswick school legislation. In 1893, he became mayor of Montreal; and in 1896, minister of militia in Sir Mackenzie Bowell's government. In March of that year, he was sent to Winnipeg, to investigate the Manitoba Schools Question. He became Minister of Public Works under Sir Charles Tupper on May 1, but was defeated at the polls later that year and retired from active politics.

Desjardins was active also in financial circles. In 1882, he became president of the Crédit Foncier du Bas-Canada; in 1883, director of the Richelieu and Ontario Navigation Company; later, he was elected director of the Montreal and Western Railway Co., president of the Banque Jacques Cartier, and vice-president of the Canadian Accident Assurance Company. He chaired a committee of businessmen eager to open new markets between Canada, France, and Central Europe.

Alphonse Desjardins died on June 4, 1912 in Montreal.
Adolphe-Basile Routhier

Adolphe-Basile Routhier was born at St Placide, Quebec on May 8, 1839, the son of Charles Routhier and his wife, Angélique Lafleur. He was educated at the Collège Sainte-Thérèse. He then studied law at Laval University in Quebec, and was called to the bar in 1861. He began to practise his profession at Kamouraska. In 1862 he married Marie Clorinde Mondelet.

In 1869 and in 1872 he ran as the Conservative candidate for the House of Commons in Kamouraska, but was defeated on both occasions.

Made a Queen’s Counsel by the Earl of Dufferin in 1873, he was raised to the bench in September of the same year as a Puisne Judge of the Superior Court of the Province of Quebec.

Much of Routhier’s leisure time was devoted to writing and to travelling: indeed he often combined both. The accounts of his travels to different parts of Canada, to the U.S.A., to Europe and to the Near East make thoroughly enjoyable reading. In addition to

1 The information is collated from Rose, ed., A Cyclopaedia of Canadian Biography (Toronto, 1888); L. LeJeune, Dictionnaire général (Université d’Ottawa, 1931); and Henry James Morgan, ed., The Canadian Men and Women of the Time (Toronto, 1898).
his travelogues, he wrote poetry (One of his poems published in *Les échos* became the lyrics for Canada's national anthem.), plays, and novels. All his writings are marked by purity of style and vigour of thought. Routhier was also a very keen literary critic and a much sought after public speaker.

In 1897, Routhier was appointed a judge of the Court of Admiralty. He occupied the chair of civil law, and then of international law, at Laval University. In 1904 he became Chief Justice of the Superior Court of Quebec.

In 1876 the Pope made him a knight commander of the Order of Saint Gregory the Great. In 1911 Routhier received from His Majesty the Great Cross of the Order of Saint Michael and Saint George. He was a president of the Société Saint-Jean-Baptiste. Laval University conferred on him an honorary doctorate in letters as well as one in law. In 1914-15 he was president of the Royal Society of Canada.

Adolphe-Basile Routhier died on June 27, 1920.
Benjamin-Antoine Testard de Montigny

Benjamin-Antoine Testard, sieur de Montigny, eighth son of Casimir-Amable and his wife, Marthe Godon, was born at St Jérôme on October 6, 1838. He was educated at the Collège de Jolliet and called to the bar at Montreal on December 10, 1859. Soon after, he set off for Europe, and was in Paris at the time of the ambush at Castelfidardo: a few months later, on January 15, 1861, he answered the call to arms to Catholic youth and enlisted as a zouave — the first recruit from Canada. He remained in the papal service, refusing all promotion, until his discharge in August, 1862, when the zouaves were disbanded.

In 1863, de Montigny returned to Canada, prepared to embark on a career in law, but was soon drawn to journalism, and worked as a night translator for La Minerve. He began at the same time to write books, and his Histoire du droit canadien

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This material has been collated from the Bibliographie canadienne: Catalogue annoté d'ouvrages canadiens-français (Montréal, Granger Fr., 1906); le R.P.L. Le Jeune, O.M.I., Dictionnaire général de biographie, histoire, littérature, agriculture, commerce, industrie et des arts, sciences, mœurs, coutumes, institutions politiques et religieuses du Canada (Université d'Ottawa, 1931); and W. Stewart Wallace, The MacMillan Dictionary of Canadian Biography (Toronto, 1963).
appeared in 1869, which was also the year of his marriage to Marie Louise Hétu, and the year in which he headed the Union Allé, the Zouave veterans' association. He founded, in 1870, in collaboration with Adolphe Ouimet, the Franc-Parleur, which continued to publish for seven years.

On March 23, 1873, de Montigny was appointed stipendiary magistrate of the district of Terrebonne, and went to live in St Jérôme, on a picturesque farm on the Rivière du Nord. He devoted himself to educating his compatriots, and his Catéchisme politique (1878) and Manuel d'Économie domestique (1896) found their way into innumerable homes throughout the country. He believed deeply in the importance of agriculture and industries related to agriculture to the Quebec economy, and in the need to colonize and settle the North.

In 1880, de Montigny was made Recorder of Montréal, a post which he held until illness forced him to relinquish it in 1899. The pope, Leo XIII, named him, on May 13, 1884, a Knight of the Order of Pius IX.

De Montigny had, in all, fourteen children, born between 1870 and 1892. After an illness of some months, he died at the Hôtel-Dieu in Montréal on August 15, 1899.
Siméon Pagnuelo

Siméon Pagnuelo was born at Laprairie, Quebec on January 5, 1840. ¹ His father was a native of Seville, Spain and served as an officer in the De Meuron Regiment; his mother was a French Acadian. Siméon was educated at the Collège de Montréal. He studied law with the Hon. R. Laflamme, and was called to the bar in 1861. He practised his profession in Montreal, being for a time a partner of Edmund Barnard and of the Hon. L. O. Taillon. In 1863, he married Azilda Gauthier of Montreal.

For some years he was secretary of the General Council of the Bar of the Province. He contributed articles to the press on law reform, and was counsel for the bishop of Montreal in several important legal contests.

Pagnuelo was created a Queen's Counsel by the Marquis of Lorne in 1880; and was raised to the Bench as a Puisne Judge of the Superior Court of the Province of Quebec on June 5, 1889.

He served in 1892, as chairman of the Royal Commission on the Mercier charges; and in 1893 as president of the Maisonneuve Monument Committee. He was a governor of Laval University and of the Notre Dame Hospital in Montreal. He died in Montreal on May 14, 1915.
Louis-Olivier Taillon

Louis-Olivier Taillon was born at Terrebonne, Quebec on September 26, 1840, the son of Aimé Taillon and his wife, Marie Josephte Daunais. He was educated at the Collège Masson; then studied law, and was called to the bar in 1865. In 1866 he began to practise law in Montreal in partnership with S. Rivard, F.-X.-A. Trudel, and then with S. Pagnuelo. From 1880 to 1882 Taillon was a commissioner under the Municipal Loan Fund Act. In 1882 he was made a Queen’s Counsel by the Marquis of Lorne. In 1892 he was elected Bâtonnier of the Bar.

Taillon was one of the principal organizers, in 1874, of a gala celebration of the feast of St. John the Baptist in Montreal. The fête attracted over fifty thousand people from all parts of North America.

On July 14, 1875, he married Marie Louise Georgina Archambault, widow of Candide Bruneau and second daughter of the Hon. P. U. Archambault of L'Assomption. She died six months later, on January 24, 1876.

1 The information is collated from G. M. Rose, ed. A Cyclopaedia of Canadian Biography (Toronto, 1888); L.-C. David, Souvenirs et biographies 1870-1910 (Montreal, 1911); L. Lejeune, Dictionnaire général (Université d'Ottawa, 1931); and Henry James Morgan, ed., The Canadian Men and Women of the Time (Toronto, 1898).
Taillon began his active political career in 1875, when he was elected to the Quebec Legislative Assembly as the member for Montreal-East. He was re-elected at the general elections of 1878 and 1881. In 1882 he was made speaker of the Assembly. In 1884 he was made a Legislative Councillor and became attorney-general in the Ross administration.

After the general election of 1886, with only a minority of members to support him, Taillon attempted on January 25, 1887 to form an Administration and to meet the new Assembly. Two days later he was obliged to resign and to hand over the reins of government to Mercier. Personally defeated in Montreal-East, he became the member for Montcalm following a by-election victory. Taillon was leader of the Opposition during the Mercier Administration.

When the Conservatives returned to power in 1891, Taillon became a minister without portfolio in the de Boucherville cabinet. From 1892 until 1896 he was the member for Chambly. In 1892 he became Premier of the Province and held office until May, 1896, when he entered the Tupper Administration at Ottawa as Postmaster-General. At the ensuing Dominion general election he ran for the new constituency of Chambly-Verchères and was defeated, whereupon he retired from politics.

From 1911 until 1915 he was Postmaster of Montreal. He received honorary doctorates in law from Bishop's and Laval universities. He was knighted on January 1, 1916. Louis-Olivier Taillon died in Montreal on April 25, 1923.
Louis-Edouard Desjardins was born on September 10, 1837 at Terrebonne. He began his classical studies there, at the Collège Masson, and completed them at the Séminaire de Nicolet. After practising medicine for some time, he went to Europe for a year to study ophthalmology. On his return in 1870, he established a special department for the treatment of eye diseases at the Hôtel-Dieu of Montreal. At the same time, he became professor of ophthalmology at the School of Medicine and Surgery of Montreal. In 1872, he went again to London and Paris to complete his studies; and on his return founded the Nazareth Asylum, which provided free treatment of eye diseases to the poor.

His interest in journalism was more than accidental, and, in addition to his involvement in the Programme, he founded and contributed to L'Union Médicale, the Gazette Médicale, and the newspaper, L'Etendard.

1 These materials are collated from the Annales des Soeurs de la Charité (Soeurs Grises de l'Hôpital Général de Montréal), Archives des Soeurs Grises de Montréal (43e année, mars-avril, 1919, no 2); the Bibliothèque nationale, Annexe Aegidius Fauteux; and Rose, Cyclopaedia of Canadian Biography (Toronto, 1886-88).
Education also was of concern to Desjardins; and in his defense of the fathers of families against the encroachments of the Montreal School Commissioners, he was the main force behind a Royal Commission of enquiry (1883) into the Catholic schools of Montreal. He defended, as well, the School of Medicine against Laval University, beginning in 1876; and after Mgr Taschereau had pronounced against the School of Medicine his sentence of rebellion against the Church, Desjardins hurried to Rome, where, while students, professors, and even the parents of students were being excommunicated, he laid his case before the pope and received a favourable judgement.

Desjardins was married to Émilie Zafde Papé, second daughter of Hubert Paré, a partner in one of the most important commercial firms of Montreal. His cousin, Alphonse, had married Paré's eldest daughter, Virginie. Louis-Edouard Desjardins died in Montreal on March 2, 1919.
Séveré Rivard

Séveré Rivard was born at Yamachiche on August 7, 1834, the son of Augustin Rivard Laglanderie and his wife, Marguerite Rivard Dufrasne. He did his classical studies at the Collège de Nicolet; then studied law, and was called to the bar in June, 1859. In 1863 he married Delphine Choquette.

Having no liking for partisan politics, Rivard refused to run for election either provincially or federally. Instead, he devoted himself to civic affairs. In 1870, he was elected an alderman for the City of Montreal, and he remained alderman until 1879, when he was elected mayor. In 1880 he was re-elected by acclamation.

Rivard was one of the instigators of the Pontifical Zouave movement, and a member of the organizing committee. For this work he was decorated by the Pope, and made a Knight of the Order of Pius IX.

In 1886 he was called to the Legislative Council of the Province of Quebec. He died probably in Montreal, on February 5, 1888.

The information is collated from J. C. Lamothé, Histoire de la corporation de la cité de Montréal (Montréal, 1903); J. B. Borthwick, History and Biographical Gazetteer of Montreal to the year 1892 (Montreal, 1892); and Le Monde (February 6, 1888), p. 2.
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No useful purpose would be served if I tried to list in a bibliography all the works which I have consulted since I began my study of French Canadian society in 1966. There are already available, for that matter, a number of well prepared bibliographies on French Canada. See, for example, René Durocher and Paul-André Linteau, *Histoire du Québec: Bibliographie sélective (1867–1970)* (Trois-Rivières: Boréal Express, 1970). The bibliography compiled here, then, is a selective bibliography: it was compiled to highlight the writings of the *programmistes*, to assist readers interested in discovering more about their thought, and to acknowledge my indebtedness to certain authors.

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(R) Works which have helped me to understand the Programme:


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