

The argument of the anti-confederationists was straightforward. Consider the following:

James O'Halloran--"I remarked at the outset, that I must deny to this House the right to impose on this country this or any other Constitution, without first obtaining the consent of the people. Who sent you here to frame a Constitution? You were sent here to administer the Constitution as you find it."⁴⁹

J.B.E. Dorion--"I am opposed to the scheme of Confederation, because I deny that this House has the power to change the political constitution of the country, as it is now proposed to do, without appealing to the people and obtaining their views on a matter of such importance."⁵⁰

Matthew Cameron--"Sir, I cannot conceive it to be possible that any body of men sent here by the people under the constitution will make changes in that Constitution which were not contemplated by those who sent them here, without submitting those changes first to the people."⁵¹

One could hardly ask for clearer statements affirming the principle that constitutions derive their just powers from the consent of the governed. Similar statements abound throughout the debates.⁵²

The friends of Confederation were clearly embarrassed by this call for a recourse to the people. Their determination to reject it was thoroughly justified strategically, as the almost disastrous results of an election in New Brunswick, held as the Canadian Confederation debates were in progress, amply demonstrated.⁵³ The problem for the confederationists was that their objections were merely strategic. They struggled in vain to find a principled response to the demand that the people of the two Canadas approve the proposed massive constitutional revision. The best they could do was to make tradition do the work of principle by arguing that recourse to the people was not the British way of doing things. Typical of this approach was the following comment from John Ross, one of the authors of Peter Russell's "haunting lines":