

into a malstrom (sic) of debt, democracy and demagogism.” To which his listeners shouted “Hear, Hear.”⁹⁹

The American Constitution itself fared better at the hands of the Confederation fathers than the republican principles which underlay it. For every John Sanborn labelling it as “that horror of our constitution-makers,” there was a David Christie ready to celebrate “the wonderful fabric of the American constitution.”¹⁰⁰ As noted above, John A.

Macdonald took the lead in singling out the decision to leave residual power with the states as the great flaw in the constitution of the United States. Learning from this American mistake, the confederationists proposed to confer on the “General Parliament” the sweeping power “to make Laws for the peace, welfare and good government of the Federated Provinces”--the forerunner of the POGG clause of the BNA Act. Although Macdonald was unrelenting in condemning this fundamental flaw in the American Constitution, he also found in it much to admire. At the very outset of the Confederation Debates, he made it clear that he would not follow “the fashion to enlarge on the defects of the Constitution of the United States,” adding that he was “not one of those who look upon it as a failure.” On the contrary, he considered it “one of the most skillful works which human intelligence ever created” and “one of the most perfect organizations that ever governed a free people.” To recognize “that it has some defects is but to say that it is not the work of Omniscience, but of human intellects.” Canadians are “happily situated in having had the opportunity of watching its operation, seeing its working from its infancy till now.” Consequently,

[w]e can now take advantage of the experience of the last seventy-eight years, during which that Constitution has existed, and I am strongly of the belief that we have, in a great measure, avoided in this system which we propose for the adoption of the people of Canada, the defects which time and events have shown to exist in the American Constitution.¹⁰¹

This is a rather generous assessment, coming as it did near the end of the fourth year of the dreadful civil war fought to preserve the Constitution of the United States.