

1774-1837: A reform analysis of the Lower Canada colony of British Empire

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Abstract

As one of the Northern American Colonies in history, lower Canada was the colony where most French Canadians majorly lived in. The social system of this colony was constructed by replicating British society which meanwhile laid an underlaying political crisis. When the 1837-8 rebellion emerged in both upper and lower Canada provinces, the crisis, which was especially severe in lower Canada, finally led to a political reformation. As a direct result of the reformation, combination of the two colonies and the building of a united responsible government were made.

Keywords: *French-Canadians; Homogenization society; colonialism; 1837 rebellion*

1. Introduction

Before the 1837-rebellion happened in the two of British North American Colony-Lower and Upper Canada, Canada was more a geographic than a political term. As Margaret Conrad [1] stated, it can be said that Canada's experiment of state-building began after the uniting of four colonies in 1867. It is worth to notice that the 1837 of the "rebellion", which seems to be an unexpected accident during the peaceful process of Canada's nation building. It could not be ignored that the most essential effect of the 1837-rebellion is the 1840 Union Act [2], in which the two Canada provinces were regulated to be united, which began the process of establishing the federal Canada. Hence, to explain the state-building of this young nation, the special meaning of the unsuccessful rebellion in 1837 would be a key point. One factor of this event that could not be ignored is the historical relationship between Canada and France and French culture. From the 1774's Quebec Act [3] to the 1791's Constitution Act [4], and then to the 1840's Union Act [5], the political change in Lower and Upper Canada experienced by both French and English Canadians, to some extent, reflects a process of the constant adjustment of the practice of the British colonialism. Britain's institutions and culture ultimately shaped Canada as the population English-speaking immigrants moved beyond the French Canadians. Though French was regulated as another official language in Federal Canada in 1867, French culture has inevitably been relegated to a secondary position since then.

Hence, this thesis would focus on the history of Lower Canada before 1837. By analyzing the the demographic and sociocultural conflicts and collisions between English and French Canadian, attempts are to discuss, from a structural perspective, how this particular demographic structure contributed to the failure of the former colonial system before 1837, and how Canada's nation building based on English culture and political system began after the 1840s.

2. The social background of Lower Canada: A Perspective of population structure

Before 1867 the history of Canada was called pre-confederation Canada. The British won the land named Nova France from the French and renamed it as Quebec after the seven years' war.[6] French culture has lasted for more than two centuries and deeply constructed its institutions, culture, and religion. Britain and its culture, by contrast, intervened as an "intruder". As Margaret Conrad said[7].The Quebec Act of 1774 retained parts of French Civil Law and institutions, recognized the Catholic and feudalism presence in Quebec[8]. However, because of America independent war, many English-speaking residents who were still loyal to Britain fled here, which then started the wave of English immigration. In order to relocate those immigrants, in 1791, the Constitution Act divided Quebec into two colonies: Upper Canada and Lower Canada. In Upper Canada, loyalists were majority of the settler population and English law and permanent land tenure were practiced here while in Lower Canada, where the French-speaking population is dominated, the feudal lords and the French civil law system are still in place [9]. This model that to divide a multicultural land by ethnic groups was the common choice of the British Empire in the colonies [10]. It seems like through practicing different systems in different region to fit its religious population, retaining some inherent privileges of the existed population as well as allowing the new English language to develop in another new land would guarantee its governance successfully and lastingly.

This arrangement made Canada's multicultural identity possible because Britain did not decide at the outset to extend British culture to the entire Canadian colony, however, the system essentially reflected only a temporary compromise of the empire. Elizabeth Mancke comments on this: "Britishization remains an official goal touted by

colonial officials, it is a largely passive example. Contrary to the ideal of Anglicization, it was the accumulation of political expedients in response to cultural diversity, such as the Quebec Act of 1774, that created the policy of cultural integration, but not of equality." [11]

In fact, the preservation of French culture was a real danger to the empire. The Constitution Act's political arrangement succeeded until 1837, when rebellions coincidentally happened in two colonies. The outbreak of the rebellions was clearly linked to linguistic and ethnic tensions, not just because the vast majority of the population of Lower Canada, where the conflict is most intense, was French-speaking, but also because the inherent language and culture of the residents in Lower Canada were conspicuously separated with the British political existence. Allen Greer defines the Lower Canada as a pre-industrial homogenization society [12], in which most population were common in religion, culture, economy state and form. In this period, the population in Upper Canada were growing fast because of the immigrants. However, the majority population in Lower Canada were still French-speaking Canadians. According to the Economy History of Canada, the population in Lower in 1825 was 479,288 and it grew to 716,670 in 1840 and 2/3 of it were French Canadians [13]. In terms of population growth, the population of Upper Canada will surpass that of lower Canada within a decade or so. This was largely due to the great success of the Petworth Immigration Programme in Upper Canada [14]. By contrast, Cameron states that similar programmes were less successful in lower Canada [15]. The cultural inertia of lower Canada's French-speaking culture has made them a distinct non-English-speaking group in the British empire.

As Allen Greer notes, farmers still made up 89% of the population in 1831, and agriculture was still the dominant form of the economy [15]. Similarly, Sherry Olson has come to a supporting evidence to this conclusion in the study of the occupational segregation of the 1840s's Montreal area, the economic hub of Lower Canada. Result shows that in Montreal, more than 70 percent of the richest 10 percent of the population were Protestant English speaking immigrants, suggesting that the French Canadian did not dominate economic activity in the cities [16]. This demographic composition makes lower Canada essentially a homogenous agricultural society, while the average farmer, despite the fact that his land belonged to the feudal lords retained by Canada, a state of atomisation in the form of the family, similar to that of most farmers in ancient Europe, "Allen Greer claims that that French-Canadian farmers are indeed like which Marxism called the "potato sack", whom living and working in self-sufficient family units with very few community institutions [17].

Religion also showed this state of French-Canadians. According to Sherry Olson, among 2,522 families classified as French Canadians, ninety-seven percent of them were Catholic, and 94 percent called themselves "French Canadians" [18]. This survey partly presents, at least in Montreal, the French Canadian is not only highly unified in Catholic religious beliefs, but almost unchanging. Base on this feature, in Canadian Agricultural Society, the "parish"

constitutes a basic organizational unit and is the smallest political unit in countryside [19]. The parish was originally established by the French colonial government to teach the local population to "rationalize and formalize the management of the countryside" [20]. But with the long struggle between the inhabitants and the parish clergy, at the end of the 18th century, the parish has become a self-governing body for French-Canadian farmers with strong regional cultural characteristics. Neither the former French colonial authorities nor the present British colonial government could exert much influence, for the colonial institutions were almost exclusively located in a few cities such as Montreal and Quebec City. A governor, sent from a distant home country, had to rely on the natives to rule. The Legislative Assembly and the British-appointed Legislative Council constituted the legislature, which, following the parliamentary system in the United Kingdom, gave the colonists the right to vote and, because of the very low property requirements for eligibility to vote, and the homogenization of the colonial population, lower Canadians were given the universal suffrage in fact. The judiciary refers to the British system, but because lower Canada retains French civil law and tradition, the British judicial system is largely ineffective. The officers of the militia are appointed by special permission of the governor on behalf of the crown, but since the governor is often not familiar with the local situation, the recommendations of the officers were in the hands of the local feudal lords and the influential bourgeoisie of the city. In addition, the unique "maypole ceremony" [21] in Lower Canada, as an unofficial and non-British custom, constitutes an important part of the appointment of officers. The ceremony, which dated back to France, is an important reflection of the culture of the local people.

In fact, French Canadians in Lower Canada have a high degree of autonomy rights, but this right itself is the consequence of the failure of British political system as well as the native tradition and history, rather than a political construction or a "gift". As a result, it made British politics so weak that the link between the colony and the home country existed only in the cities.

3. On the construction and practice of the system of British colonialism

After the 1837-rebellion, Lord Durham recorded in his report described how Britain's political system failed: "beyond the walls of Quebec, all regular administration of the country appeared to cease; and there literally was hardly a single public officer of the civil government, except in Montreal and Three Rivers, to whom any order could be directed ... In the rest of the Province there is no Sheriff, no Mayor, no constable, no superior administrative officer of any kind. There are no county, no municipal, no parochial officers, either named by the Crown, or elected by the people" [22]. Allen Greer states that "basically, Britain achieves its goal of domination by combining a rather fragile state apparatus with a

decentralized and efficient network of socio-economic dependencies” [23].

In this configuration of power, Britain, as an “outsider”, intervened in the rule of “Quebec” and administered it by sending governors. As a homogeneous Society, Lower Canada and its atomized peasant community constitute a loose entity with a high degree of autonomy in the pre-industrial era. Also because of the Homogeneous Society of Lower Canada, the parliament system made by British gave French-Canadians broad voting rights unmatched even by citizens in Britain. However, legislative power was split in two, and the power of an elected parliament was circumscribed at every turn by a British-appointed Legislative Council, broad suffrage did not work well for the electorate. The military with the British army in the colonies provided the necessary deterrence and security, but still relied on the militia for routine policing. Even though the power to appoint militia officers nominally requires a royal permission, the “Maypole ceremony” [24], a native custom rooted in French Culture, is the only way for the militia officers to establish their status among residents. On the other hand, with the immigration of English-speaking population, significant cultural differences between the French Canadian and the new immigrants began to become apparent. Unfortunately, cultural integration did not occur, on the contrary, cultural contradictions generated by the opposite emotions increasingly obvious. This is illustrated by Lord Dram’s reference in his report to the racial hatred of the English Canadian and the French Canadian on many occasions [25]. As Sherry Olson points out, in Lower Canada, especially Montreal, where immigrants make up a significant percentage of the population, the communities of the French Canadian and other linguistic and religious populations are quite isolated from each other [26].

Britain’s political system and its governing seemed to be failed in 1837 due to the cultural gap caused by the difference of ethnic population. However, the question is, has in the 1840s, with its individualistic tendencies, French-Canadians made up of farmers formed a “self-conscious nation” internal of the empire?

From the perspective of the Quebec Act of 1774 and the Constitution Act, the political structure of Britain in Lower Canada seems to be full of tolerance and compromise for multiculturalism. In fact, lower Canada has indeed maintained its “French characteristics”, French-Canadians not only did not feel the oppression of the British, but also was able to preserve its cultural customs and civil law and religious traditions. Niall Ferguson believed that the British colonial rule during this period reflected its “liberal spirit” [27]. But that may not be the case just because liberalism became a British craze in the early 19th century does not mean it willingly gave the colonies so much “freedom”. In fact, the French-speaking community’s prosperity in Lower Canada did not conflict with the British colonial expansion, since the former was the result of the latter’s compromises based on practical interests. On the other hand, based on the goal of safeguarding the interests of the empire, the colonial government tried to mold the British identity by strengthening the concept of “loyalty” [28]. Together, these political moves suggest that Britain wanted the North

American colonies to shape their societies based on loyalty and cultural identity.

Focusing on immigration. Elizabeth Mancke points out that the British Empire’s colonies, presenting the French-Canadians and Indians as “native inhabitants” in relation to British immigrants, and a political system dominated by British immigrants that represented British colonial goals: “At the end of wars, Britain sought to cut expenses, including unnecessary coercion of subject populations in conquered territories. Indeed, coercion of Franco-American populations might have encouraged the sympathy of France, thereby creating a greater threat than did cultural toleration and accommodation [29].”

This goal, based on the maintenance of colonial stability, led Britain to adopt a culturally compromised approach. Because of the cost of governance, the British political system was fragile, and its political presence only reflected in the cities but could not affect too much on rural areas, where 80% population lived. On the other hand, the French Revolution and the rise of American power prompted British concerns. Barry Wright points out that in the 18 centuries, wary of the United States and the French Revolution may stimulate republicanism in Canada, especially in the province of Lower Canada, the Aliens Act was introduced to ensure the political security of the colony [30]. Through the act, the British colonists could deprive their citizens of their rights in the name of security by treating them as traitors or foreigners if necessary. At the same time, the concept of “allegiance” was taken very seriously, and loyal British subjects became an officially recognized identity that was used to shape the country in Canada.

Since the beginning of the 19th century, like its neighboring Upper Canada, immigrants have settled in Lower Canada with preferential land policies and colonial programs, although the number of immigrants is not comparable, English-speaking “outsiders” eventually make up more than 20 per cent of the population in 1840s. For Britain, new immigrants were both necessary to make effective use of the colony’s rich natural resources for the benefit of the empire, it is also the inevitable choice to copy and spread the British cultural and social model which represents the modernization and progressive. For British, the vast land of Canada is both a promised land and a symbol of the backwardness and raw “wilderness” that has French Canadian for more than a century. The Eton correspondent reports that the local settlers’ Despite declaring that “The only thing for a man to do here is throw aside all affectation of superiority, and meet the Yankee on his own grounds” Eaton correspondent reported that the local settlers have no idea of doing more than support themselves. Their farming is carried on in a most slovenly manner: their stable and farm buildings would disgrace a Hottentot, and they are always behind-hand [31].

In fact, this prejudice was precisely the British immigration and colonial government in the British cultural Supremacism perspective, a sense of colonialism. From the perspective of political construction, lower Canada is a conquered territory for the British government, Elizabeth Mancke illustrates that in colonies acquired through

settlement, demographic, economic, political and cultural development conforms to the model of colonial society, shows the three stages from social simplification to social development to social reproduction [32]. The Immigration Program is the embodiment of this construction process, although the immigrant society is far less prosperous than in Upper Canada. The programme is clearly an attempt tried by the colonial authorities to replicate the political model of the British mainland, and it is for this reason that in lower Canada, a colony with a large native population of non-English speakers, inadequate immigration not only failed to advance social replication successfully, but strengthened Britain's image as an "intruder". "The long-term consequence of the deficiencies of these colonial countries is that when they try to reclaim and modify certain powers, they are met with stiff resistance from the colonial inhabitants" says by Elizabeth Mancke [33].

When the rebellion had already taken place, the British realized that their colonial political presence was ineffective and weak. In order to maintain the cost of political rule, the most effective measure was strengthening of the emotional ties between the colonies and their home countries by the political empowerment. In this way, the colony would no longer be a politically immature industrial society under the control of a mother country that was opposed to it, but a political entity within the jurisdiction of an empire that was legally loyal to Britain.

4. Colonial Union and State Construction: political consequences of 1837

The flaws in lower Canada's political system eventually led to a parliamentary conflict, which then caused 1837 rebellion. Allen Greer summed up the rebellion as the result of a combination of parliamentary changes in the British mainland and the inherent political defects of the Canadian colonies. This statement reflects two basic facts: first, that the colonial system established by the Constitution Act was untenable in practice for the colonies, and second, that it was untenable for the British mainland, the colonial politics practised in North America over the past half century have become increasingly difficult to meet the political and economic objectives of the home country.

As Huo pointed out the main weakness of the colonial system was that it involved two centres of political power [34], the Executive Council and parliament. Allen Greer also states that the parliament contested between the Tory parties who support the home country and the Patriots party who support the interests of the French-Canadians [35]. Durham had seen this ethnic political tension, in his investigative report, he believed the current political system was the source of all the chaos [36]. British rule in Lower Canada depended on a loose network of structures, even the government that set up the Viceroy had absolute power, his governing had to depend on the natives. The parliament, though it could not be of much practical use at first, as the colonial society matured, the voice of its appeal became harder to ignore.

For the rebellion, Allen Greer summed up the patriotic opposition in Lower Canada as a male-democratic-republicanism point of view, which emphasized the rights of the people and the dangers of corruption, and the need to defend the independence and privileges of the colonial parliament" [37]. On the other hand, these "patriots" called for Democratic Self-government and opposed the coexistence of British culture and British immigration, a phenomenon that verges on racial hatred, as mentioned by Durham: "I found two nations waning in the bosom of a single state : I found a struggle, not of principles, but of races; and I perceived that it would be idle to attempt any amelioration of laws or institutions, until we could first succeed in terminating the deadly animosity that now separates the inhabitants of Lower Canada into the hostile divisions of French and English" [38].

As a liberal, Durham was in fact expected for building up responsible government in Canada. The difficulty lies in the peculiarity of Lower Canada -- as a result of ethnic conflict, the need for responsible government reform, in Lord Durham's view, was urgent, but resolving the animosity between the French-speaking and English-speaking peoples of Lower Canada was still a necessary option. He believed that the merger of the two colonies was the answer. Lord Durham formulated a plan of reform: A responsible government and a way to consolidate the cultural and emotional ties between Britain and Canada by merging the provinces of Lower Canada and Upper Canada. Jacques Monet points out Durham's aim was to elevate the lower Canada to 'thoroughly British character' and to raise the flawed institutions to the level of 'British civilization and freedom' [39]. In this new configuration of power, in a merged Canada the English speaking population would overtake the French speaking population and reflected in politics, so that loyalty could be maintained even if the responsible government weakened Britain's control. Britain would continue to derive colonial benefits from Canada, which would become a more mature social entity. In the new political construction of Lower Canada, Lord Durham was full of the expectation of the assimilation of the English-speaking population in the united new Canada, and the weakening of French-Canadians.

Before the 1837, the homogeneity of the French-Canadian culture and the social structure make their sense and imagination of belonging to Britain inadequate. In contrast to the British Empire in the daily lives of these native inhabitants, the absence of a political presence and its inability to achieve practical results for the purposes of colonialism resulted in conflicts. After the 1837, Britain did not choose to make up for the lack of political existence, but partly withdrew from the dominant political existence, and replaced the pure political colonization with a recessive and cultural colonization.

5. Conclusion

In the power structure of the British Empire, the colonies were neither the pure conquered others, nor were they

completely naturalized into the new indivisible "territory" of the Empire.

Before the 1837, the political goal of the British Empire in Lower Canada was to slowly develop the society on the basis of preserving colonial interests. The Quebec Act of 1774 and the Constitution Act embodied the British colonialists' cultural tolerance in the face of real interests and limited capacity, which itself was based on their perspective as an "intruder", it reinforces a sense of object-subject antagonism between the British colonial government and the native Canadians.

The political crisis in 1837 was a symbol of the failure of the 1791's political model, due to the Heterogeneity of the population structure in Lower Canada. In addition, the 1837 rebellion finally led to the British decision to impose responsible government on the colonies, and a merger of the two Canadian provinces.

The fact is that, because of the French-Canadian factors, British politics is designed so that French Canadians could not feel too much British political presence. The relative independence of the French speaking Canadian world culturally, developed a distinct regional culture. Under this political configuration, Lower Canada's society would tend to become a political entity that is relatively equal to, rather than subordinate to, its home country. Based on this initial power structure, with certain social, economic and political conditions changing and contingent factors, the British made new choices. Apparently, the French language culture eventually became marginalized, and Canada became a country based on English, which for the British was the result of a desirable combination of the 1840 colonies.

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