

ВСЕОБЩАЯ ИСТОРИЯ

“LOYALTY” AND “DISLOYALTY” IN POLITICAL DISCOURSE OF BRITISH NORTH AMERICA IN EARLY 19TH CENTURY

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There was a number of concepts of particular importance in the political discourse of British North America in the 19th century. One of them was “loyalty”, a category used so frequently and widely that it even became a part of the Canadian national identity. The aim of the proposed study is to reveal what contemporaries understood by “loyalty” and, accordingly, “disloyalty”, why it was so important for them and why politicians and intellectuals used this category. For this purpose, the article explores the discourse of participants of two important political debates of the first half of the 19th century: a debate about the bill barring judges from becoming members of the Assembly of Lower Canada in 1808 and the scandal around the publications of William Lyon Mackenzie in the *Colonial Advocate* in 1826. As a result, the study has discovered that the concept of “loyalty” did not have a well-defined semantic content, but it was a strong argument in actual discussions on the authority of the colonial Assemblies and therefore actively used by all their participants and finally acquired absolute value.

Keywords: *history of Canada, British North America, discourse analysis, history of concepts, loyalty, disloyalty.*

In the middle of the 19th century, by the efforts of the first Canadian nationalists, “loyalty” began to be considered as a key feature of the Canadian national character. Its origin was usually associated with the War of Independence of 1775-1783 and the Anglo-American War of 1812-1815 when British North America was divided into a “rebellious”, “criminal”, republican part – in fact, the US – and its opposite – law-abiding, calm and “loyal” Canada. The formation of the US was often presented as the result of treachery and the illegal breakdown of ties with the British crown. On the contrary, the migration of loyalists to Canada, which followed the War of Independence, was portrayed in the press and literature as the exodus of the best, noble and honest people [Nokhrin: 2016, P. 115]. There were dozens of works in the second half of the 19th century devoted to the wars of 1775–1783 and 1812 whose main theme was the glorification of Canadians and the formation of a negative image of the invading Americans as rebels and adventurers [see for example Ryerson: 1880, P. 379, 471].

The tendency to confer British North America colonists with such qualities as law-abiding and unconditional devotion to the British crown continued until the 1980s. And such beliefs were typical not only for Canadians – the national discourse in other immigrant colonies of Great Britain, for example, Australian colonies, also included an imperial component [Saukova: 2016, P. 106]. However, from

the end of 20th century scholars tend to be skeptical about the idea of Canadian “loyalty” and consider it as one of the historical myths by which a national identity was created [Francis: 1997, P. 56-57; Knowles: 1997, P. 28-29, 67-68]. Today many researchers agree that colonists’ reasons for the separation from the British Empire as well as keeping the province of Quebec under the authority of Great Britain in 1775 were not explained by a lack or excess of loyalty to the crown. Moreover, historians demonstrate the presence of strong loyalist sentiments in 13 rebellious American colonies and conversely its absence in Canada [Mason: 2014, P. 166–172]. As for the beginning of the 19th century – times of the Anglo-American War of 1812–1815 – the researchers tend to believe that at least until the 1820s the communities of English-speaking Canadians and the inhabitants of northern American states differed a little from each other [Errington: 2012, P. 5]. In this case, the question arises if “loyalty” was not immanently inherent to the community of English-speaking Canadians, when and why this idea originated in political discourse. To answer this question let us turn to two very significant cases that occurred in the colonies of Lower and Upper Canada in the early 19th century.

The first case: Assembly of Lower Canada vs Henry Craig – *was the debates about provincial judges and their rights to have other offices aside from judicial in Lower Canada in 1808.* In this year French-speaking majority of provincial Assembly

began to discuss a bill banning judges of all ranks (which had mainly British origin) to occupy contemporaneously seats in governor's Councils and in the Assembly. Formally, this demand was based on common British practice that did not allow a person to serve in several official positions at once. In fact, this step was aimed at weakening the position of the English-speaking elite of the colony. Thus, the deputies tried to force the associates of the unpopular governor Henry Craig to choose which of the numerous and profitable offices they would like to keep and to free all the rest. The representatives of the local French-speaking community could place those of the offices that would be vacant. However, not going to lose anything, the British judges blocked the promotion of the bill in the Legislative Council.

“The majority of the assembly declared otherwise; by 22 to 2 the measure was carried against the presence of the judges in the house. As might have been looked for, the council threw out the bill. The dissatisfaction of the members who were strongly in favor of such legislation led to the desire to unseat the judges by resolution. No such measure was, however, proposed”. [Kingsford: 1895, P. 47–48].

The next step was the expulsion of the deputies Ezekiel Hart and Pierre-Amable de Bonne from the Assembly. Formally, the reason was the Judaism of the first. The second was expelled without any reasons. The matter was in their proximity to the governor and belonging to the so-called “Château Clique” – the English-speaking elite group, many of whom were judges and members of Legislative and Executive Councils. Most likely it became a kind of revenge for the failure of the bill on judges [Wade: 1955, P. 107].

Moreover, referring to the principles of the British Constitution, members of the Assembly demanded to give them control on the colonial budget. After the next elections in 1810 they adopted again a bill on the exclusion of judges from the Assembly and issued a statement about the incompetence of the governor and his advisers to reject bills that relate to the internal affairs of the legislature. In response, Henry Craig appeared in the Assembly and announced his intention of proroguing and dissolving the assembly. He told the astonished members that, *in place of promoting harmony, they had wasted their time in frivolous debates; that they had abused their functions; that they had been intemperate, and had acted detrimentally to the best interests of the country. As this conduct was injurious to the best interests of the country, he had determined to have recourse to a dissolution* [Kingsford: 1895, P. 50]. The opposition newspaper *Le Canadien* immediately

called actions of the governor as tyranny and violation of the Constitution of 1791, and then H. Craig gave the order to confiscate the press and arrest several of the most prominent members of the Assembly on suspicion of *treason*¹.

Governor accompanied his actions with a special, very emotional proclamation in which he inculcated *“wicked, seditious and traitorous writings...and false news in any way derogatory to his Majesty's Government, or in any manner tending to inflame the Public Mind, and to disturb the public peace and tranquility; to the end, that by a vigorous execution of the laws, all offenders in the premises may be brought to such punishment as may deter all persons from the practice of any acts whatever which may in any way affect the safety, peace or happiness of his Majesty's Loyal and faithful Subjects in this province”*². The governor did not mention specific names but there was hardly any doubt that such “offenders in the premise” were the French-speaking opposition from the Assembly. The rough style of the document, the threat of prison and punishment to all the authors and publishers of these “wicked, seditious and traitorous writings” were repeatedly accompanied by accusations of treason and disloyalty. *“It is now my duty...to set right, such as way have been misled by them, and to inculcate in all, the true principles of loyalty to the King and obedience to the Laws”*³.

Did treason and disobedience to laws really exist in Lower Canada in 1810? It would be an obvious exaggeration to say so. Then what did the governor want to say in his extremely rough proclamation? Obviously, he wanted to intimidate the newly opposition from the Assembly, to demonstrate his power and to remind that it was him, Henry Craig, who defined what was the law and what was not in British North America. It is hard to predict how this conflict could continue but the governor suddenly died and Anglo-American war began in 1812.

Another case: William Lion Mackenzie vs Peregrine Maitland – occurred in 1826 and was related to *The Colonial Advocate* – a newspaper that according to Canadian historian Chris Raible was read by almost everyone in Upper Canada [Raible: 2007, P. 45]. Its owner and editor William Lyon Mackenzie was a recent migrant from Scotland. After moving to Dundas on the Niagara River in 1820, he

¹Craig to Liverpool, 24 March 1810 // Library and Archives Canada. Colonial Office, Q Series (Colonial Office funds). Vol. 112. P. 57-58.

²A Proclamation // Christie R. Memoirs of the administration of the colonial government of Lower-Canada, by Sir James Henry Craig, and Sir George Prevost; from the year 1807 until the year 1815. Quebec: Oram & Mott, 1818. P. 158.

³Ibidem. P. 157.

earned a small capital by selling medicines, jewelry, hardware and books, and in 1824 he bought his first printing press and began to publish a newspaper [Kilbourn: 2008, P. 56–72].

The secret of *The Colonial Advocate* success was in the appropriate matching to the readers' concerns. Its target audience was city dwellers, shopkeepers, farmers, artisans – all those who wanted to know what was going on around, could read and had some money to buy a newspaper but were not interested in the official reports and politics only. No paper had covered his public yet. “A 3¼ lb. tooth has been found on the banks of Don River together with many other bones of enormous size. There is every probability that they have lain since the Flood for it is hardly probable that 6 ft. of clay could have been thrown over them at any other period”- reported Mackenzie in one of the first issues of the newspaper. Another note from the category of daily chronicles: “Came within the enclosure of the subscriber at the head of Spadina Avenue, about three months ago, a large brindle cow with face, and has calved within a day or two. The owner is requested to prove property, pay charges and take her away” [Kilbourn: 2008, P. 58–59].

However, the subject of the newspaper was not limited to local incidents. From the first issues of *The Colonial Advocate* W.L. Mackenzie began to rise the question what was the causes of the evident stagnation in the development of Canada: the extremely small volumes of production and trade in comparison with neighboring US. «If a farmer, merchant or manufacturer of Canada, has business in the United States ... he observes that certain mark of prosperity, an abundance of precious metals ... the [British] colonies are impoverished, drained of specie, in debt ... The state of New-York has given to the world a useful lesson – it has shown what a million of freemen may and can effect, in a country where their freedom is built on a solid basis, where the citizens unite talent and address with prudence and probity in commercial transactions, and who, unlike the slaves of a tyrannical government, consider their property sacred to them and their descendants after them»¹. The root of all evil, as editor-in-chief of *The Colonial Advocate* was sure, laid in the imperfect administration of British North America, specifically, in the lack of public control under the colonial authorities and especially the governor. The governor was worried, Mackenzie argued, not about the prosperity of the colony entrusted to him, but only about increasing his wealth and enriching people close to him. And he had no need to do anything else until he wasn't responsible to the Assembly elected

by the people². Any progress was impossible while the country was in the hands of an inert governor, surrounded by favorites, while the Assembly was prone to corruption through the system of distribution of pensions, positions, titles and awards, argued Mackenzie in his newspaper³.

Criticism of the governor and his officials was not something new for Canada. However, it was unusual that a person far from all local elite groups, a recent migrant and an unknown small trader without serious income and connections attacked the head of colonial administration. His sharp remarks about the authorities immediately attracted attention of Lieutenant Governor of Upper Canada Peregrine Maitland and turned into responding accusations of disloyalty and disrespect of royal authority on the pages of the official newspaper *The Upper Canadian Gazette*. However, Mackenzie had a different view on loyalty. In one of the first issues of *The Colonial Advocate*, he published a letter addressed to the editor of *The Upper Canadian Gazette* Charles Fothergill in which he argued that struggle for prosperity of Britain and its colonies against inefficient and unfair system of administration was a real manifestation of loyalty and respect for the King. Moreover, respect for the King did not mean the same in relation to his every servant – “butcher, baker, barber or tailor”⁴. Obviously, the governor was also on this list, although Mackenzie did not dare to speak so directly. Nevertheless, Mackenzie had to defend himself. “In Scotland ... I was born and reared, and there are many persons in this very colony who have known me from infancy... whether they do not, in every line, speak the language of a free and independent British subject?... whether I have not endeavored, by every just means, to discourage the unprofitable unsocial system of the local governments, so detrimental to British and to Colonial interests, and which has been productive of so much misery to these Colonies? ... The doctrines I have advocated will bear any inspection, for they are of a truly British stamp”. And more: “We would never wish to see British America an appendage of the American Presidency; yet would we wish to see British America thrive and prosper full as well as does that Presidency. We like American liberty well, but greatly prefer British liberty. British subjects, born in Britain, we have sworn allegiance to a constitutional monarchy, and we will die before we will violate that oath”⁵.

²Colonial Advocate, 1826 May 4.

³Colonial Advocate, 1826 May 18.

⁴Colonial Advocate, 1824 June 10.

⁵Colonial Advocate, 1824 May 18, Colonial Advocate, June 10, 1824.

¹Colonial Advocate, 1824 May 27.

As seen, W.L. Mackenzie definitely did not want to be associated with republicanism or revolution, which was the same thing in British North America of the early 19th century. On the contrary, he represented himself as a law-abiding subject and emphasized his British origin and loyalty.

In general, two cases discussed above had a lot in common. First, they both were connected with the problem of dividing the authority between local representative bodies, the colonial Assemblies, and the Governors. Secondly, both French-speaking deputies in 1808 and 1810 and William L. Mackenzie in 1826 demanded nothing more than the extension of elements of British political practice to the Canadian colonies, which had long existed. Moreover, in this they were far from rebellion, treason or “disloyalty” to the king which the governors accused them of. On the contrary, they sought to make Canada – a French colony in the past – more “British”. Obviously, for this reason, W. L. Mackenzie constantly emphasized his loyalty to Britain, its institutions and monarchy, trying to avoid dangerous accusations in “treason”

and to use “loyalty” as his own argument. Third, in both cases, the criticism was directed personally against the governors as well as against their closest assistants that caused the severity of the conflict. It seems that H. Craig and P. Meitland so directly associated themselves with the royal authority and perceived themselves as representatives of the King in Canada that they did not see the difference between attacks on themselves (actually occurred) and on the King (not recorded in the sources). It was the reason why they qualified any disobedience to their own will as “disloyalty” in general.

However, the concept of “loyalty” turned into a strong argument for both sides of the discussions about the powers of the Assemblies and governors and acquired absolute value in political discourse. Its content could be interpreted differently: as loyalty to Britain, its traditions and institutions and as the desire to spread them on Canadian soil, or as unconditional submission to the authorities and respecting of them as King’s officials. Anyway, nobody could afford to be not “loyal” if wanted to stay in fight.

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Magistra Vitae.

2018. No 2. P. 18–133.

ПОНЯТИЯ «ЛОЯЛЬНОСТЬ» И «НЕЛОЯЛЬНОСТЬ» В ПОЛИТИЧЕСКОМ ДИСКУРСЕ КАНАДЫ НАЧАЛА XIX В.

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В общественно-политическом дискурсе Британской Северной Америки XIX в. существовал ряд понятий особой значимости. Одним из них была «лояльность» - категория, использовавшаяся настолько часто и широко, что со временем стала считаться даже частью канадского национального характера. Цель предлагаемого исследования – раскрыть, что понимали современники под «лояльностью» и, соответственно, «нелояльностью», почему это имело для них столь большое значение и для чего эта категория использовалась политиками и интеллектуалами эпохи. Для этого в статье был изучен дискурс участников двух громких политических дискуссий первой половины XIX в.: дебатов насчёт закона о судьях в Ассамблее Нижней Канады 1808 г. и скандала вокруг публикаций Уильяма Лайона Макензи в газете Колониэл Эдвокейт в 1826 г. В результате было установлено, что понятие «лояльность» не имело однозначного смыслового наполнения, однако представляло собой сильный аргумент в крайне важных для того времени дискуссиях о полномочиях колониальных Ассамблей, а потому активно использовалось всеми их участниками и вследствие того приобрело абсолютную ценность.

Ключевые слова: история Канады, Британская Северная Америка, дискурс-анализ, история понятий.

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