8-1-2013

# The Quebec Act and the Demise of Greater Britain

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# THE QUEBEC ACT AND THE DEMISE OF GREATER BRITAIN

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A thesis submitted in partial fulfillment of the requirements for the

Master of Arts-History

Department of History
College of Liberal Arts
The Graduate College

University of Nevada, Las Vegas
August 2013

UNLV
UNIVERSITY OF NEVADA LAS VEGAS

THE GRADUATE COLLEGE

We recommend the thesis prepared under our supervision by

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entitled

**The Quebec Act and the Demise of Greater Britain**

is approved in partial fulfillment of the requirements for the degree of

**Master of Arts - History**
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ABSTRACT

This study examines how events in one part of the British Empire had unintended consequences in another part of the empire through the examination of a much neglected piece of eighteenth century British legislation, the Quebec Act and the relationship within Greater Britain between the metropole and the American colonies. This examination of the Quebec Act involves, in part, analyzing the evolving national identities within Greater Britain in the framework of the principles of the Glorious Revolution and anti-Catholicism. The Quebec Act brought to the fore the differences of identity within Greater Britain through different interpretations of the adaptability of the Revolutionary Settlement and the suspicion of Roman Catholics. At the end of the seventeenth-century, the Glorious Revolution brought the identities of Britons and North American colonists closer together under the symbolic region of Greater Britain. Greater Britons shared similar attitudes towards constitutional tenets and religion as reaffirmed by the Revolutionary Settlement. In time, however, the principles of the Settlement and the attitude towards Romans Catholics would tear apart Greater Britain.

This study contributes to the existing scholarship by connecting the reassessment of British and American national identities to their respective standings within the Empire. It argues that changes in the consciousness of sections of the populations of Greater Britain—the political and intellectual elite of Britain and the Patriots of the colonies— caused Britons and colonials to interpret the events of the 1760s and 1770s in different ways—igniting the misunderstandings of each other's actions and the trigger for war.

On one hand, modern scholars have more recently considered matters of national identity as the root of the issue and downplayed the importance of colonial unrest in the narrative of the genesis of the Act. Earlier scholars, however, considered the Act as a calculated response to colonial rebellion, and therefore downplayed the role a changing metropolitan culture. This thesis considers these two contradictory positions as complementary rather than mutually exclusive. Changing metropolitan views of British identity and the growing unrest in the colonies are not competing narratives, but are interrelated realities that shaped both each other and the Parliamentary action concerning Quebec.

In sum, the Quebec Act is a significant topic for study to understand why British and American relations soured during the mid-1760s and early 1770s explaining, in part, the demise of the First British Empire. Furthermore, the Quebec Act reflected the diverging identities across the Atlantic, resulting in the divorce of the American colonies from the mother country.

ACKNOWLEDGEMENTS

I would like to express the deepest appreciation to my committee chair, Dr. David Holland, who has been patient, supportive, inspirational, and accommodating. Without his guidance and it is no exaggeration to say that completion of this project would not have been possible.

I would like to thank my committee members, Dr. Michelle Tusan, Dr. David Fott, and Dr. Andrew Bell for their understanding, particularly as I changed the dates of my defense on more than one occasion. Moreover, I am grateful for the comments they have made on my manuscript that has helped improve the study.

I owe my deepest gratitude to Dr. Nelson, who, together with Dr Holland, helped me pass my comprehensive exams, which like other students I thought I could never pass.

I am indebted to the History department as a whole. The faculty and administrative staff continually assisted during my Masters degree encouraging me when I felt overwhelmed with the large amount of required coursework. Special note must go to Dr. Andy Fry, Dr. David Wrobel, and Dr. Colin Loader whom I took classes with and assisted in improving my writing and analytical skills. I also thank members of the faculty whom I did not take classes with who took the time to encourage and inspire me to succeed. I also wish to thank Lynette Webber, former administrative assistant in the History department, for her assistance in the administration issues involved in planning my program.

DEDICATION

To my wife who has stood by me through the most difficult times of my degree, and to my parents who have given me the opportunity of an education in the United States and have supported me throughout my life.

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# CHAPTER 1

# INTRODUCTION

## THE QUEBEC ACT, 1774

> It is a fundamental principle of the English Constitution that whenever territories are added to…the dominion of the Crown, the people of such territories shall enjoy the Laws and Liberties of Englishmen. The free Constitution of England abhors all ideas of Slavery, and does not admit that people inhabiting any part of its dominions should be under Arbitrary Power, and be slaves, instead of subjects, of the Crown.
>
> —*Boston Gazette and County Journal*, September 12, 1774

The narrative of the demise of the First British Empire and the rise of the new nation on the east coast of North America is a complex one. This study argues that the Quebec Act, an act "for making the more effective Provision for the Government of the Province of *Quebec* in North *America*," is an excellent prism in which to study this complexity.[1] Notwithstanding the numerous internal colonial issues that presented themselves before the American rebellion, the themes surrounding the quarrel between the colonies and Great Britain were paradoxical and in some cases contradictory. For example, a piece of British legislation for a newly acquired territory had unintended consequences in another part of the empire, and the American colonists were fervently anti-Catholic, yet the rebellious Patriots accepting the help of Catholic France to defeat the British.

The Quebec Act created a colonial system of government, resolving a politically delicate problem, stemming from Britain's acquisition of Canada from the French in

1763: How to integrate seventy-thousand French Catholic Canadians into an ostensibly Protestant empire. The Glorious Revolution of 1688 not only affirmed England as a Protestant state, but also, preordained England's emerging empire as a Protestant empire. Until 1763, the empire was almost exclusively Anglo-Protestant and Britain had resorted to extreme measures to maintain the empire as such, whether by expelling a population from acquired territory or going to war with a close enemy. The acquisition of Quebec, however, forced British authorities to reassess this sense of Protestant mission, because the sheer number of remaining French-speaking Roman Catholics made Anglicization unworkable.

This examination of the British Atlantic world argues that the Glorious Revolution brought Britons and North American colonists together under the banner of Greater Britain. Greater Britons shared similar attitudes towards constitutional tenets and religion as reaffirmed by the Revolutionary Settlement. Those same principles, particularly however, would tear apart Greater Britain. Analyses of these competing interpretations of the Settlement are situated through the framework of identity and national consciousness, the Enlightenment, and religion before and after 1764. In addition, studying the Quebec Act, passed by the British Parliament in the year 1774, highlights the different beliefs held by British political intellectual elites and colonial Patriots in the adaptability of the Revolutionary Settlement resulting in the break-up of Britain's First Empire.

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[1] 14, Geo. III. Cap. 83, quoted in Adam Shortt and Arthur G Doughty, eds., *Documents relating to the Constitutional History of Canada*, 1759-1791, 2nd and rev. ed. (Ottawa: The Historical Documents Publication Board, 1918), 1: 570.

Furthermore and given its significance in the narrative of the British Atlantic Empire, the Quebec Act has not received the scholarly attention it deserves in the narrative of the downfall of Britain's First Empire.[2] For the most part, the Quebec Act has only been a reference point for scholars, except for Sir Reginald Coupland, Hilda Neatby, and Philip Lawson, to some other historical purpose and the act's broader significance remains unappreciated.[3] The Quebec Act united the colonies against their common enemy and ignited the "long fuse" that exploded in 1776.[4] To the paranoid colonists, the Quebec Act corroborated their suspicions of a plot by Great Britain to rescind the rights and liberties the colonists had enjoyed as loyal subjects of the empire.[5] As Gordon S. Wood writes, "The Quebec Act was an insidious attempt by the [British] ministry to introduce through the colonies' backdoor the evils of popery, civil law, and eventual absolutism."[6] The Act symbolized the demise of "Greater Britain" and

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[2] Scholars disagree on whether there was a clear distinction between a First and second empire. P.J Marshall in The *Making and Unmaking of Empires: Britain, India, and America, 1750-1783 (Oxford: Oxford University Press, 2005)* does not accept the differentiation; Steven Sarson in *British America, 1500-1800: Creating Colonies, Imagining an Empire (London: Hodder Arnold, 2005),* however, does accept the distinction. Marshall's viewpoint is difficult to reconcile with the title of his book, clearly making a distinction between the old empire in the west and the new empire in the east. It is not difficult to sympathize with Marshall on the point of the two empires, because these historians who argue for the distinction no clear date of separation when one empire ceased and another emerged. David Armitage, *The Ideological Origins of the British Empire* (Cambridge, UK: Cambridge University Press, 2000), 2. Armitage distinguishes the character of the Second Empire from the First by differentiating it from the "old Colonial system of the British Atlantic world that had gone before it.

[3] Philip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution* (Montreal, Quebec: McGill-Queen's University Press, 1990), 126. Lawson argues that the Quebec Act "was both unique and crucial to the history of the old Atlantic empire." Although Lawson's study frames the Quebec Act within the context of British politics, the current study examines the act within a framework of British Atlantic world.

[4] The phrase the "long fuse" was taken from the book of that named written by Don Cook. *The Long Fuse: How England Lost the American Colonies, 1760-1785* (New York: The Atlantic Monthly Press, 1995). The thesis thus affirms the argument by John Adams that "The Revolution was affected before the [Revolutionary] war commenced. The Revolution was in the minds and hearts of the people. This study will bear out these words of the second president of the United States.

[5] Gordon S. Wood, "Conspiracy and Paranoid Style: Causality and Deceit in the Eighteenth Century." *The William and Mary Quarterly* Third Series 39, no.3 (July 1982).

[6] Gordon S. Wood, *The Creation of the American Republic, 1776-1787*, 2nd ed. (Chapel Hill: Published for the Omohundro Institute of Early American History and Culture at Williamsburg, Virginia, by the University of North Carolina Press, 1969, 1998), 42.

underscored the reality that British and American identities had profoundly diverged, particularly concerning the nature of the constitution and their places within the empire.[7]

Philip Lawson argues that this shift has been unexamined and that "For too long historians have overlooked the narrow-minded bigotry of the Act's 'enlightened' opponents" on both sides of the Atlantic. Therefore, a re-examination of the Quebec Act's significance to the transatlantic civil war is long overdue.[8] To be clear, this analysis of the Quebec Act is not solely a survey of the origins of the American Revolution, but a study of the fracturing of Britain's First Empire.[9] This thesis holds that the Quebec Act was a catalyst for the demise of Britain's Atlantic Empire. Thus, the study integrates the topics of eighteenth-century British, American colonial and imperial history through the lens of the 1774 Act.[10]

The small body of scholarship that exists on the Act, has, in the main, been written by Canadian scholars and only a handful of British scholars have dedicated a

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[7] Amongst other things, this study argues that it was the issue of anti-Catholicism in the colonies that secured their unity against Britain and intensified their misgivings and suspicions of the mother country. Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill: Published for the Omohundro Institute of Early American History and Culture at Williamsburg, Virginia, by The University of North Carolina Press, 1969,1998.

[8] Philip Lawson, "'The Irishmen's Prize': Views of Canada from the British Press, 1760-1774," *The Historical Journal* 28, no. 3 (September 1985): 596. David Armitage recently has argued that "Greater Britain" is a useful category of historical analysis as it acknowledges "the constitutional primacy of the British state," the category recognizes "the relations of power within the early modern British Atlantic world and draw[s] attention to the culture, economic, and emotional bonds that tied inhabitants of that world together as Britons in the broadest sense." In part, this study examines why these bonds became untwined and thus the framework of "Greater Britain" is constructive. David Armitage, "Greater Britain: A Useful Category of Historical Analysis?" *The American Historical Review* 104, no. 2 (April 1999): 444. J.G.A. Pocock defines "Greater British" history as the "extension of [the] state into the structure of a global empire." "The New British History in Atlantic Perspective: An Antipodean Commentary." *The American Historical Review* 104, no.2 (April 1999): 490-500.

[9] This idea was taken from George Louis Beer who was quoted in Bernard Bailyn and Philip D. Morgan, *Strangers within the Realm: Cultural margins of the First British Empire* (Chapel Hill: Published for the Institute of early American History and Culture, Williamsburg, Virginia, by The University of North Carolina Press, 1991), 3.

[10] The methodology of this study as spelled out, concurs with the advice of Charles McClean Andrews that American colonial history loses its significance "without the English outlook" and an understanding of the "relationship of the colonies to the mother country." *Strangers*, 3.

book to this subject. The fundamental historiographical question concerning the Quebec Act relates to its impetus and provisions. Throughout the nineteenth and early twentieth centuries, scholars disagreed as to the extent the "troubles" in the American colonies prompted Lord North's ministry to introduce the Quebec Bill at the end of the 1774 spring session of Parliament. On one side of the debate, scholars such as François-Xavier Garneau, Abbé Lionel Groulex, and W. P. M. Kennedy argued that North introduced the Quebec Act in response to the escalating anti-British sentiment existing within the thirteen southern colonies. According to this argument, Lord North's administration hoped to quell colonial unrest and strengthen the imperial hand by securing the loyalty of the Canadians to the empire. In appeasing the Canadians, Britain was able to secure a strategically valuable base at a time of discord between Britain and its American colonies.[11]

On the other side of the debate, scholars such as William Kingsford, Victor Coffin, John G. Bourinot, and Thomas Chapais argued that the British government introduced and passed the Quebec Act simply as a pragmatic solution to the predicament of providing a governmental structure for the province. They argued that the timing of the Quebec Bill was coincidental to, and largely unaffected by, the discord in the thirteen southern colonies. Sir Reginald Coupland, in his survey of the Act, argues that the sole reason for the Quebec Act was to fulfill Britain's previous obligations to the province, set out in the 1763 Treaty, to provide an "effective government" for Quebec while

[11] François-Xavier Garneau, *From the Time of Its Discovery Till the Union Year 1840-41*, vol. 5 of *The History of Canada*, 2nd ed. (Montreal: John Lovell, 1862); Abbé Lionel Groulex, *Vers L'Emancipation* (Montreal: L'Action Françis, 1921); W.P.M. Kennedy, *The Constitution of Canada, 1534-1937: An Introduction to its Development, Law and Custom*, 2nd ed. (Oxford: Oxford University Press, 1938, 1922).

safeguarding the culture and traditions of its inhabitants. Scholars had thus framed the Act as a response to either colonial threats or Canadian needs with very little attention to the ways it may have reflected the changing ideals of metropolitan Britain.[12] These approaches remained unchallenged for much of the twentieth century, in part because scholars paid little attention the Act at all.

In 1990, after sixty-five years of monographical neglect, Philip Lawson, a specialist of eighteenth-century imperial history, presented a comprehensive reassessment of the Quebec Act's origins. Adding a new element to the scholarship by placing the Quebec Act squarely in a British context, Lawson asserted that the Act was symptomatic of an evolution of the core ideals constituting British identity. He argued that the necessity of a governmental framework in Quebec prompted Britons to reassess a number of assumptions inculcated over several centuries and ratified in the Revolutionary Settlement—representative and mixed government, the meaning of English law, and Protestant supremacy—as characterizing British 'exceptionalism.' It was this reassessment, Lawson contends, that not only allowed but also encouraged the political and social elites to accept the toleration of French institutions and traditions within part of the empire.[13] Lawson, while supporting the "just and humane" view of the Act's origins,

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[12] William Kingsford, *The History of Canada* (1887; repr., New York: AMS Press, 1968); Victor Coffin, *The Province of Quebec and the Early American Revolution* (Port Washington, NY: Kennikut Press, 1970, 1896); John G. Bourinot, *Canada under British Rule* (Toronto: Copp, Clarke, 1901); Thomas Chapais, *Cours d' Histoire du Canada,* vol.1 (Quebec: J-P Garneau, 1919-34); Reginald Coupland, *Quebec Act: A Study in Statesmanship* (Oxford: Clarendon Press, 1968, 1925); Lawson, *The Imperial Challenge* .The themes of the historiographical debates in relation to the Quebec Act were not limited to the relationship to the American colonies. For example, also debated has been the issue whether the Act was beneficial to Canada. Gerald Hart argued that the Act created a Charter of Liberties for Canada. Gerald Hart, *The Quebec Act, 1774* (Montreal: Gazette Printing Company, 1891).

[13] Lawson, *The Imperial Challenge*, 127.

rejected the notion of any correlation between the passing of the Quebec Act and the dispute with Britain's American colonies.[14]

In extending Lawson's argument, this analysis will concur that Britain's reassessment of its own identity fostered the fragmentation within Greater Britain. However, this work will do more than build upon Lawson. More importantly, it will connect and harmonize the most prominent schools of thought on this Act. Lawson saw matters of national identity as the basis of the issue downplaying the importance of colonial unrest in explaining the motivation for the Act. Previous scholars on the other hand, saw the Act as a calculated response to colonial unrest downplaying the role of a changing metropolitan culture. This thesis sees these two positions as complementary rather than mutually exclusive. Changing metropolitan views of British identity and the growing unrest in the colonies are considered, not as competing explanations, but as interrelated realities that shaped both each other and the Parliamentary action on Quebec.

This study will contribute to the scholarship by connecting the reassessment of British and American national identities to their respective standings within the Empire. It argues that changes in their national consciousnesses caused Britons and colonials to interpret the events of the 1760s and 1770s in different ways—igniting the misunderstandings of each other's actions, the trigger for war. The Quebec Act exposed the divergence of identity, representing the imperial implications with particular clarity. The Act also united the disparate colonies in an anti-British Movement.

[14] Lord North used the phrase "just and humane" during the debate of that Act. What North meant was that it was impossible to Anglicize the population of Quebec, so in order to secure their loyalty to the Empire it would be prudent to allow them to retain a few of their own institutions and traditions, even if this meant contradicting the ideals underlying the British Empire.

On September 5, 1774, the First Continental Congress brought together representatives of what was then called 'the unified colonies' to debate the quarrel with Britain. The Quebec Act and the concern of what this piece of legislation meant for the colonies and their place in the Empire formed part of the debate. In this regard, the Congress was particularly concerned that Britain had "established" Roman Catholicism in the northern province and had not extended English liberties to subjects of the Crown. Although many colonists believed a complete separation from the empire was not in the colonies' interests, it is clear that the call of the Congress affirmed the possibility of colonial independence from Britain given the mother country's transformed imperial policy.

Britain's "new imperial" policy was explicitly embodied in the Quebec Act and the colonists, in their paranoia, misinterpreted Britain's new policy as a threat to their innate English freedom and liberties. Colonists, who widely read Locke, Trenchard, and Gordon amongst other English political writers, believed the freedoms and liberties of Britons required a Protestant nation and in order to protect them from tyranny. The religious clause of the Quebec Act in particular, aggrieved the colonists confirming, in their paranoid mind, their worst fears of the establishment of a national Church in the colonies. This clause alarmed the colonies to the extent that Patriot colonists sought a united front against British despotism. Other provisions that concerned the colonists were the fact that a Council with an appointed governor would govern the province, not an elected assembly. Moreover, the Act allowed French civil law to supersede English civil law cases eliminating trail before a jury in favor of a case argued and decided by a judge, alarming British and colonial settlers. Nor was habeas corpus extended to the province,

thus failing to protect the inhabitants from the potential of arbitrary imprisonment, a basic right enshrined in the Bill of Rights.

The American Revolution—or, as one scholar described it, "the debacle of Imperial government"— was the consequence of British American colonists and British, developing diverging identities and a conflicting sense of their respective standing with in Greater Britain.[15] It reflected the transformation of British and American national identities due to the reexamination it stimulated on both sides of the Atlantic of their respective standings within the transatlantic empire. Consequently, the established British-centric consciousness, connecting Britain and its primarily English-speaking American colonies diverged into two distinct national consciousnesses, fashioned by the divergent interpretations of the 1689 Revolutionary Settlement and Bill of Rights. These differences could not be reconciled, bringing about the decision of the Americans to secede from the empire and establish a new nation symbolizing their secession from the empire. The premier symbol of separation was the Declaration of Independence.[16]

The Declaration cataloged an inventory of "a long train of abuses" committed by the reigning British monarch, George III. Among other allegations was the pertinent declaration:

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[15] P.J. Marshall, "Britain Without America—A Second Empire?" in *The Eighteenth Century*, vol. 5 of *The Oxford History of the British Empire* vol. 2, ed. P.J. Marshall (1998; repr., Oxford, UK: Oxford University Press, 2009), 591. The terms "Greater Britain" and "First British Empire" refer to those colonies that have the same language and culture as the metropolitan and with the latter, where Britain looked west for their imperial expansion. The "Second British Empire" relates to colonies in which the inhabitants were "different" to Britons, where a new imperial policy of, as Russell Snapp describes it, authoritarianism and liberalism" was practiced, and where Britain looked to the east for the expansion of its empire. "An Enlightened Empire," 395n30.

[16] J.C.D. Clark, review of, *Island Race: Englishness, Empire, and Gender in the Eighteenth Century*, by Kathleen Wilson, *The International History Review* 25, no. 3 (September 2003): 654-656.

> We have warned [our British brethren] …of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too must have been deaf to the voice of justice and of consanguinity. We must therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.[17]

This passage from the Declaration of Independence raises the wider question at the center of this thesis: How did the "ties of common kindred" and the bonds of British "consanguinity" disintegrate to the point of complete rupture? The passage is apt to this thesis because it describes a transformation from a time when the colonies and Britons shared similar political and cultural beliefs, defining themselves as 'Englishmen,' to a time when this shared consciousness fractured into two separate national identities.[18]

Although the scholarship eighteenth-century British and American colonial history is extensive, the literature and interest of the field of British Atlantic history had, until the mid-1990s, been neglected. At the turn of this century, however, linking British and imperial history had become fashionable amongst scholars, demonstrated by David Armitage's *Ideological Origins of the British Empire* that integrated the history of empire with the history of early-modern Britain.[19] The 'new British history'—as proclaimed by J.G.A. Pocock—forces the historian, to cross boundaries between countries beyond, but including, the British Isles. Robert Harris, whose argument partly influenced this survey,

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[17] Tindall, George Brown and David E. Shi, *America: A Narrative History*, 6th ed. (New York: W.W. Norton & Company, 2004): 1: A45.

[18] The theme of national identity and history has become an important object of study since the second half of the 1990s. The decision to make the question of identity and consciousness central themes of this study was made because of the opportunity it affords to make an original contribution to this developing and growing field of research.

[19] P.J. Marshall, review of *The Ideological Origins of the British Empire*, by David Armitage, *The International History Review* 23, no. 4 (December 2001): 904-906.

argued that the new history of empire "forces the historian to cross boundaries between countries as well as beyond the British Isles."[20]

Previous studies of Britain's North Atlantic Empire during the eighteenth century have focused on either the British or the American side of the story but rarely have studies integrated the two into a transatlantic history. During the past two decades, however, there has been a renewed scholarly interest in the British Atlantic world with monographs focusing on how Anglo-American relations influenced British and colonial identity.[21] These studies have successfully broadened the historiography, particularly on the matter of how the Atlantic relationship influenced British and colonial identity.[22] This study will contribute to the developing scholarship by analyzing transatlantic relations before the American Revolution within the original context of the Quebec Act.[23]

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[20] In his influential address to the American History Forum Pocock urged scholars of eighteenth-century British history to extend their research beyond the shores of mainland Britain to what he termed the "Atlantic archipelago." In other words scholars should include the history of Ireland and the colonies as part of British history. J.G.A Pocock, "The New British History in an Atlantic Perspective: An Antipodean Commentary," *The American Historical Review* 104, no. 2 (April 199): 491; Robert Harris, review of *A Taste for Empire and Glory: Studies in British Overseas Expansion, 1660-1800*, by Philip Lawson, in *History in Focus* (July 1997).

[21] The study of British and colonial relations during the eighteenth century within the framework of imperial policy had been *neglected* by British scholars until the turn of the twentieth century. According to Bernard Bailyn and Philip D. Morgan, it was not until British universities established chairs for scholars in the field of British imperial policy did this area of research "come of age." Bailyn and Morgan, *Strangers*, 2. According to J.C.D. Clark, writing at the beginning of the new millennium, the terms "national identity and "imperialism" have become fashionable topics for study. J.G.A Pocock has written that Greater British history focuses on the "extension of [the] state into the structure of a global empire." This is what David Armitage has done in his study on the origins of the British Empire by integrating "the history of the British Empire with the history of early modern Britain. J.G.A Pocock, "The New British History in Atlantic Perspective: An Antipodean Commentary," *The American Historical Review* 104, no. 2 (April 1999), 491.

[22] Even in regard to identity, the literature analyzing the collective identity within Greater Britain is limited. This study aims, part, to add to this limited historiography relating to identity within the First British Empire.

[23] Philip Lawson, *A Taste For Empire and Glory: Studies in British Overseas Expansion, 1660-1800* (Aldershot, UK: Ashgate, 1997); Kevin P. Phillips, *The Cousins' War: Religion, Politics, and the Triumph of Anglo America* (New York: Basic Books, 1999); Eliga H. Gould, *The Persistence of Empire: British Political Culture in the Age of the American Revolution* (Chapel Hill: Published for the Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press, 2000); Kathleen Wilson, *This Island Race: Englishness, Empire, and Gender in the Eighteenth Century* (London, UK: Routledge, 2003).

In this narrative, national identity is defined as the result of the presence of certain elements or meaning within a society—such as symbols, language, history, and culture—which individuals identify with, forming a national consciousness. The topic of identity is important in this context because it is fundamental in explaining how American colonists transformed themselves from "subjects to citizens."[24] The argument regarding national consciousnesses will present a distinctive perspective on the Act and will contribute to our understanding of why the debate over national self-discovery manifested itself in a particular moment.[25]

The thesis will also expand on the considerable historiography relating to the origins of the American Revolution.[26] Among the benefits of this approach is the opportunity it presents to engage the Revolution from a distinctive perspective. By discussing matters of evolving national identities, this thesis will give both the American and British contexts their full due, inspired by studies from J.C.D. Clark and Linda

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[24] Wood, *The Radicalism of the American Revolution* (New York: Vintage Books, 1993), 169, quoting David Ramsey.

[25] Jack P. Green, *The Pursuits of Happiness Modern British Colonies and the Formation of American Culture* (Chapel Hill: The University of North Carolina Press, 1984); W.A. Speck, "The International and Imperial Context,"; T.H. Breen, "An Empire of Goods: The Anglicization of Colonial America, 1690-1776," *The Journal of British Studies* 25, no. 4, Re-Viewing the Eighteenth Century (October 1986): 467-499; Jack P. Green, *Peripheries and Center: Constitutional Developments in the Extended Polities of the British Empire* (New York: W. W. Norton, 1990, 1986; David Hackett Fisher, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989; Bernard Bailyn and Philip D. Morgan, eds., *Strangers Within the Realm: Cultural Margins of the First Empire* (Chapel Hill: Published for The Institute of Early American History and Culture, Williamsburg, Virginia, by the University Press of North Carolina, 1991).

[26] Joyce Appleby, "The Social Origins of the American Revolutionary Ideology," *The Journal of American History* 64, no. 4 (March 1978): 935-958; Edward Countryman, "'Out of Bounds of the Law': Northern Land Rioters in the Eighteenth Century," in *The American Revolution: Explorations in the History of American Radicalism*, ed. Alfred Young (Dekalb: Northern Illinois University Press, 1976; Marc Egnal and Joseph A. Ernest, "An Economic Interpretation of the American Revolution," *The William and Mary Quarterly*, Third Series, 29, no. 1 (January 1972: 3-32; Rhys Isaac, "Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774-1776, The *William and Mary Quarterly*, Third Series, 33, no. 3 (July 1976): 357-385: Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Vintage Books, 1991); Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776* (New York: W.W. Norton & Company1991, 1972).

Colley, who returned the themes of religion and nationalism back into eighteenth-century historiography.[27]

In doing so, this survey will follow two models of explanatory reasoning for the basis of the downfall of British governance in the American colonies. First, Bernard Bailyn's ideological model focused on issues of ideology and constitutional perception. Bailyn argues that ideological factors primarily drove the Revolution rather than internal social, economic, cultural, or religious factors. He contends that it was the fear of the colonists that Britain planned to diminish the authority of the elected assemblies established in the colonies—many having balanced the authority of the appointed governor—with appointed governors directly controlled by Britain, that led them to reassess their "Britishness" and their position within the imperial framework. That fear, for obvious reasons, was stoked by the Quebec Act, which entirely eliminated the representative assembly from the new colony's political structure. Bailyn's model, which relies on the colonial perceptions of the "rights of Englishmen," granted by the Constitution, presents a useful model to use in framing this study.[28]

Second, Patricia Bonomi's model posits that ideology alone sparked the colonial-British conflict, but the religious differences between the two entities. These differences were not theological or denominational, which were often indistinguishable, but cultural. As Bonomi argues, "by turning colonial resistance into a religious cause, and by [aiming]

[27] J.C.D. Clark, English Society, 1660-1832: Religion, ideology and politics during the ancient regime (Cambridge, UK: Cambridge University Press, 2000); Linda Colley, *Britons: Forging a Nation, 1707-1837* (Rev.ed. New haven: Yale University Press, 1992, 2009).

[28] Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, MA: The Belknap Press of Harvard University Press, 1992, 1967). Bailyn's model was considered a revolutionary contribution to the existing historiography at the time. Note, though, that Bailyn's thesis was controversial with several scholars questioning his conclusions. Nevertheless, Bailyn's model continues to be relevant.

the message to all ranks in all parts of the colonies, ministers did the work of secular radicalism and did it better." These two models allow for a credible analysis of the constitutional and religious aspects of the Quebec Act and their impact on British and Anglo-American relations.[29]

If the controversy over the Quebec Act is symbolic of British and American national identities in 1774, the English reformer John Wilkes is, for this study, a human microcosm through which to analyze these shifting British and colonial national identities. The story of John Wilkes during the 1760s and 1770s provides the opportunity to analyze the grievances of the Americans through the actions of one man. Wilkes is pertinent to this thesis because although he was an Englishman, colonial Whigs and radicals used his controversial activities in their propaganda effort to enlist new recruits to their anti-British movement. John Wilkes agreed with the grievances of the colonists but did not agree with independence. Not only was he an important individual within British politics, but he was also considered a hero by the colonists. Because of his influential role on both sides of the Atlantic, Wilkes plays a noteworthy part in this narrative.[30]

The colonists celebrated Wilkes's exploits through the 1760s and used his writings to argue against British policies. Many Britons, including Lord Chatham and Edmund Burke, many Britons empathized with colonial grievances precisely because they feared the same "despotic" rule at home. Yet, like Wilkes, these pro-American

[29] Patricia Bonomi, *Under the Cope of Heaven: Religion Society, and Politics in Colonial America* (New York: Oxford University Press, 1986), 216.
[30] Appreciation goes to Pauline Maier who demonstrated the role of John Wilkes, or at least his reputation, in the Revolutionary movement. See *Resistance to Revolution* and "John Wilkes and American

figures never expected that the colonists would eventually use their grievances as a justification to leave the empire.[31]

Although the focus of this research is the Quebec Act, a series of sub-themes will assist in shaping the narrative. For example, one cannot fully comprehend the context and implications of the Quebec Act without considering the legacy of the Glorious Revolution inside the Empire, the notions of individual rights and religious toleration, the British and American Enlightenments, British imperialism, and the demise of the First British Empire. These sub-themes will interweave throughout the thesis and will dictate the structure of the thesis, which is as follows.

Chapter 2 addresses the symbolism of the Glorious Revolution and the Protestant Settlement on both sides of the Atlantic. Likewise the chapter will demonstrate how the 'imperial constitution' provided a foundation on which to construct a Greater British identity throughout the English- speaking Atlantic world. The chapter argues that the tenets of the Revolution and Settlement, together with anti-Catholic sensibilities, shaped and cemented a shared transatlantic political consciousness. This chapter will demonstrate that a shared sense of Britishness shaped British and colonial notions of their places within the Empire to justify the term "Greater Britain" to describe Britain's North Atlantic Empire.

Chapter 3 examines the background to the Quebec Act and, importantly, summarizes the main points of the English political system in the eighteenth century. The

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Disillusionment with Britain," *The William and Mary Quarterly*, Third series, 20, no. 3 (July 1963): 373-395.

[31] Bailyn, *Ideological Origins*, 117.

latter is important, as it explains how a piece of legislation that was not popular in the nation as a whole, especially in London, easily passed with handsome majorities.

Chapter 4 explores the Parliamentary debates regarding the Quebec bill, introduced to Parliament in May 1774. The chapter argues that the concern over the 'rumblings' of discontent in Britain's North American colonies, together with the realities in Quebec, obliged the British government to introduce legislation providing a pragmatic solution to the Quebec problem while inadvertently reordering the administration of the Empire so profoundly that historians have termed the reordered Empire the "Second British Empire."[32] Chapter 4 is profoundly significant to this thesis because it demonstrates the changing attitude of the political elites towards the Revolutionary Settlement, particularly as it related to the toleration of Catholicism; in stark contrast to how Patriot colonials perceived the Settlement's place within the Constitution. Moreover, the discourse in relation to the bill demonstrates the two competing interpretations of Britishness, a microcosm of the larger dispute between the metropole and its colonies, adding to our historical understanding of the ideological origins of the American Revolution.

The final chapter explores the popular transatlantic reaction against the Quebec Act, in both England and the colonies, underscoring the argument in Chapter 2 of the enduring power of the Glorious Revolution to shape transatlantic national consciousness. On its face, the shared popular outrage over the Quebec Act can be considered as exhibiting solidarity between the peoples of Britain and the colonies. Closer examination

[32] P. J. Marshall, "Britain Without America—A Second Empire?" in *The Eighteenth Century*, ed. P. J. Marshall, vol. 2 of *The Oxford History of the British Empire*, 576.

reveals that the American and British indignation materialized for different reasons, thus demonstrating that distinctive transatlantic identities had sufficiently developed to the extent that secession of the colonies from the Empire was a fundamental topic in 1774 within American discourse. The reaction to the Act also speaks to the awareness that many British and colonial subjects were not prepared to question their perception of the fundamentals ideas of Britishness.

In brief, this thesis contends that the Quebec Act is an ideal medium in which to study the clash of ideologies between Great Britain and the Anglo Americans, resulting in the downfall of Greater Britain. The issues at the center of this disagreement included the interpretation of the English/British constitution within a modernizing world, the reassessment of late eighteenth-century Britishness, and the question of religious freedom as opposed to a state-sanctioned religion. Furthermore, this study maintains that the concerns of British Parliamentarians regarding the American colonies (one which considered the pragmatic needs of governing Quebec, and the other that considered the growing unrest of the thirteen southern colonies) were not two disparate rationales behind the Quebec Act, but are inter-related elements of the same narrative. In addition, it is submitted that anti-British protests in the American colonies played a role, if only an indirect one, in the provision and timing of the Act's introduction to Parliament, thereby prompting a debate throughout Greater Britain concerning the applicability of the principles of the Glorious Revolution in a changing world.

## CHAPTER 2

### Symbolism of the Glorious Revolution: The Atlantic Imperial Constitution[33]

> ...James II, when he *meant* to establish popery, *talked* of liberty of conscience, the most sacred of all liberties; and had thereby almost deceived the Dissenters into destruction.
>
> —John Dickinson, 1768

> James II and his dependents, have repeatedly, to its disgrace, rendered Britain a scene of anarchy.
>
> —*The London Chronicle*, June 1774

The Cross, the swastika, the image of the Bhudda, and the American Constitution of 1787 are just a number of examples, amongst many, of symbols that have played an influential role in forming group identity. Symbols have been tangible and intangible, such as an event, idea, or belief that resonates with the collective consciousness. The latter type of symbolism is the subject of this chapter. The symbolism in question surrounded an event so profound that it has been described as a "major watershed in the history of modern Britain" and "derivatively, in North America," that had direct and real consequences for the Britain's North Atlantic Empire.[34] The event was the British "Glorious" Revolution of 1688.[35] The Revolution was deeply symbolic in reaffirming the nature of Britain and its empire in that it would be Protestant and, unlike in France or Spain, absolute rule would not be welcome.

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[33] Credit for the title of this chapter is given to Ken MacMillan and his book, *The Atlantic Imperial Constitution: Center and Periphery in the English Atlantic World* (New York: Palgrave MacMillan, 2011.
[34] Marie P. McMahon, *Radical Whigs, John Trenchard and Thomas Gordon: Libertarian Loyalists to the New House of Hanover* (Lanham, MD: University Press of America, 1990), 45; James A. Hutson, *Church and State in America: The First Two Centuries* (New York: Cambridge University Press, 2008, 47.
[35] Simon Schama, *The British Wars, 1603-1776*, vol. 2 of *A History of Britain* (London: BBC Worldwide, 2001), 257. According to Simon Schama, the goal of the Glorious Revolution was a "restoration" and not "revolution." It was a restoration "of the Church, of orderly parliamentary government…and the rule of law."

The accession of William of Orange to the English throne secured two distinguishing facets of the state and of English identity: Parliament and Anglicanism. The Crown once again became a constitutional monarchy, "sharing" power with an elected parliament, replacing the absolutist monarchy of James II. Furthermore, Anglicanism regained its place as the established Church within the Empire. David Hume, an eighteenth-century Scottish philosopher, declared that the accession of William III gave legitimacy to the Protestant succession, later reaffirmed by the Act of Settlement in 1701, and this secured the allegiance of British subjects.[36] Protestantism had been significant to British consciousness since Elizabeth I reaffirmed the supremacy of the faith in 1559 with the Acts of Supremacy and Uniformity. As in Europe, there had been recurring conflict between Protestantism and Roman Catholicism, throughout the sixteenth and seventeenth centuries. The Revolutionary Settlement finally endorsed the supremacy of the Protestant faith in England and the empire. William III was chosen to England to protect the faith from "popery." Thus, Protestantism was a constituent part of eighteenth-century British identity. The "true faith" not only shaped eighteenth-century British identity, but served to cement the unity of British subjects on both sides of the Atlantic.[37]

The legacy of the Glorious Revolution left an indelible imprint on the consciousnesses of Englishmen both at home and in the English Atlantic colonies alike.[38] A scholar described this phenomenon: "[T]he way people thought in 1714 and for a long

[36] Knud Haakonssen. "The Structure of Hume's Political Theory," in *The Cambridge Companion to Hume*, ed. David Fate Norton and Jacqueline Taylor, 2nd ed. (Cambridge, UK: Cambridge University Press, 2009, 1993), 365.
[37] Kumar, "Nation and Empire," 590; Colley, *Britons*, 42.
[38] McMahon argues in *Radical Whigs* that the real legacy of the Revolution "was the bitter political and ideological strife" between the Whigs and Tories: 45.

time thereafter was still dominated by the Great Events of the Revolution of 1688 and the Restoration of 1660, much the same as ours is by the Second and First World Wars."[39] As such, the infamy of James II would endure—as illustrated by the two epigraphs headlining this chapter—particularly in the British colonies, where it would help fan the flames of rebellion. The justifications made by the anti-British movement, used in their argument to withdraw from the empire, were analogous with those justifications made by Parliament to depose James II.

After King James II bore a son, Parliament deemed it vital to depose the reigning monarch to protect the Protestant English Constitution from an absolutist Catholic dynasty.[40] Parliament desired to protect the mixed political system that Charles de Secondant Baron de Montesquieu would later describe as that "beautiful system" of executive, legislature, and judiciary, that is, the provision of checks and balances designed to prevent any branch of government from wielding exclusive power without oversight.[41] There was no doubt that in the seventeenth century English subjects lived in the freest major nation in Europe. Parliament removed James II ostensibly to maintain its

[39] When Charles II, the son of Charles I, was restored to the English throne after the collapse of Oliver Crowell's republic; Eveline Cruishanks, *Political Untouchables: The Tories and the '45*. (London, UK: Duckworth and Company, 1979), 1, in Marie P. Mahon, *The Radical Whigs, John Trenchard and Thomas Gordon: Libertarian Loyalists in the New House of Hanover* (Lanham, MD: University Press of America, 1990), 1; The analogy of World War II Cruishanks uses is apt. In contemporary discourse, the reference to World War II is commonplace, particularly when comparing changing mores, even though the war ended over sixty-five years ago. During the eighteenth century, James II, in very much the same way as Adolf Hitler has been used during the second half and first decade of the twentieth and twenty-first centuries respectively, by those warning against despotism and tyranny. Refer to epigraphs for James II and find quotes for Hitler]

[40] Schama explains that William of Orange was brought to England to replace James II as a protector of "Protestantism and liberty," *The British Wars*, 256.

[41] In theory, Montesquieu was right that the English system was the most protective of the people's rights. In practice, however, the system was not a beautiful. The Crown was allowed to choose his government's ministers and if that governing party had the majority in parliament, there was nothing to stop the crown from following his political program. This would be the case with Lord North's Tory ministry during the debates on the Quebec Act. Charles de Secondant Baron de Montesquieu, *The Spirit of the Laws*, in the series *Great Books of the Western World*, ed. Robert Maynard Hutchins (Chicago: William Benton, 1952).

power within a mixed political system. In reality, the Revolution subordinated the crown to Parliament. Moreover, by diminishing the crown's prerogatives—privileges giving the crown influence in the decision of state—there would be less likelihood in the future of an absolute monarch imposing arbitrary rule over English/British subjects, thus protecting the ancient rights and liberties of Englishmen. These freedoms bestowed on Englishmen within England and throughout the wider empire helped shape the identity of Greater Britain.

This chapter provides an analysis of the meaning of "identity," including a discussion of an appropriate model of identity to use as a framework for this study. Following the examination of identity, the study will take or closer look at the two assumptions of the British nation state that lay at the core of eighteenth-century Greater British identity: Protestant Anglicanism and English liberties.[42]

After the Glorious Revolution, Britons and Anglo-Americans assumed the Empire was a Protestant realm, protected from arbitrary rule through individual rights, such as Habeas Corpus, trial by jury, and the protection of property.[43] These rights were enshrined in the Bill of Rights (1689), a direct result of the Glorious Revolution of 1688 and subsequent Act of Parliament affirming the provision of the Declaration of Right inviting William and Mary—James II's daughter—to accept the Crown of England and its empire.[44] This assumption in particular pervaded the consciousness of the crown's

[42] In regard to Protestant Anglicanism within Greater Britain, the narrative will focus on a perceived threat to the established Church, that being Roman Catholicism

[43] David Hume assumed the empire was protestant when he argued that the accession of William III gave legitimacy to the Protestant succession. Kaud Haakonssen, "The Structure of Hume's Political Theory," in *The Cambridge Companion to Hume*, 2 ed. (Cambridge, UK: Cambridge University Press, 1993, 2009), 365.

[44] The Declaration of Right confirmed the assumptions of the English statehood that of liberty within a Protestant state.

subjects within "Greater Britain" and was epitomized and symbolized by the Glorious Revolution.[45]

Scholars of transatlantic history have debated whether religion or the notion of liberty was the predominant factor in shaping a Greater British identity. The contention of this chapter is that Protestantism predominantly shaped British identity. Indeed, Britons largely believed Protestantism made the creation of the liberal British state possible.[46] The reassessment of the role played by Anglicism in the formation of identity within the British Atlantic world will provide the context in which to understand the public outrage against the Quebec Act on both sides of the Atlantic.[47]

There was an important connection between the Quebec Act and the new emerging identities in colonial-America and Britain in the years prior to the Declaration of Independence. The revelation of that connection underscores the fact that identity often plays a significant role in the causation of historical events. For example, there would not have been a Greater British civil war had it not been for the transformation of British and Anglo-American national identities. Hence, it is important to discover the forces that molded the identity of Greater Britons and how the transatlantic identities changed in the years preceding the American rebellion. Beforehand, it will be informative to understand the term by "identity" and how this concept can be used to frame a historical narrative.[48]

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[45] The term "assumptions" is taken from Philip Lawson in *The Imperial Challenge*.
[46] Linda Colley, *Britons,102*. In Britain, it was thought that individual rights could not flourish in a Catholic society.
[47] David Hackett Fisher, *Albion's Seeds: Four British Folkways in America* (New York: Oxford University Press, 1989), 795. The British American colony of Maryland provides a case study and evidence for the argument of this study.
[48] Furthermore, the study of the formation of British identity in the eighteenth century is generally important because the British identity formed during the eighteenth century lasted well into the nineteenth century. Linda Colley, Britishness and Otherness: An Argument," *Journal of British Studies* 31 (1992):

"Identity" is a precarious concept. No one definition provides a full explanation. The challenge of defining identity is that it is a subjective rather than objective endeavor. Scholars who seek to identify the attributes that distinguish the people of a nation or empire from another construct the notion of "identity", specifically "group identity". Scholars writing on the subject of identity are cognizant of the dangers of generalizing and assuming that a nation has an overarching and unifying identity.[49] In describing British identity as "nothing but a bundle or collection of different perceptions," Hume demonstrates the difficulty of defining "identity."[50]

In order to provide a framework for their arguments, historians focus on one or two prominent factors, which in their opinion are central to their definition of a group's identity. For example, historians of British eighteenth-century history have argued that the desire to participate in war, signifying patriotism, was a fundamental characteristic defining British identity during the eighteenth century and that armed conflict was pervasive in the British political and national consciousness.[51]

This model, unfortunately, can lead to the assumption that a particular group is homogeneous. It does not take into account the possibility of differences within groups. In relation to the "patriotism" example above, there may have been British people that

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309-329. The issue of identity will be covered in this chapter and chapter 3, whilst the question of changing identities will be addressed in chapter 5.

[49] Dorothy Ross, "Historical Consciousness in Nineteenth Century America," *The American Historical Review* 89, no. 4 (October 1984): 910. J. E. Cookson, *The British Armed Nation, 1793-1815* (Oxford: Clarendon Press, 1997), quoted in Stephen Conway, *The British Isles and the War of American Independence* (Oxford: Oxford University Press, 2000), 239.

[50] Quoted in Sarah Knott, *Sensibility and the American Revolution* (Chapel Hill: Published for the Omohundro Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press, 2009), 9.

[51] Colley, *Briton's*. Colley also argued that the expansion of print media played an important role in "unifying Great Britain and shaping" the way Britons viewed themselves: 40-41. Kathleen Wilson, *The Island Race: Englishness, Empire, and Gender in the Eighteenth Century* (London: Routledge, 2003; Wilson, *The Sense of the People: Politics, Culture and Imperialism in England, 1715-1785* (Cambridge,

showed their patriotism in other ways than joining the armed services.[52] Although there are certainly potential pitfalls in the study of identity, these pitfalls do not invalidate the efforts of scholars to explain the dynamics involved in shaping a community's identity.[53]

Historians have constructed numerous types of identity as frameworks for their analyses. The type of identity that provides the most workable framework for this study is the concept of "imperial" identity, where the identity of a group is framed by some large cause or purpose that they desire to impose on other groups. If one adds the unique group character and consciousness of a shared destiny—namely, nationalism—within an imperial state, the model of "imperial nationalism" is constructed.[54] Thus, for this study, the model of "imperial nationalism" will be the framework in which to study the identities of both Britons and Anglo-Americans until the mid-1750s.This model is relevant because, as Kathleen Wilson has demonstrated, the conception of "empire," in part, shaped British nationalistic identity.[55]

Although the concept of "imperial nationalism" appears to be contradictory, an argument can be that empire is the "carrier of a certain kind of national identity that gives, to the dominant groups, a special sense of themselves and their destiny." Indeed, the notion of "empire," incorporated itself into the conception of transatlantic Britishness

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UK: Cambridge University Press for Past and Present Publications, 1995). According to Christie and Labaree patriotism was the new secular religion of the eighteenth century. Empire or Independence

[52] Cookson, *British Armed Nation*.

[53] Similar to how American scholars believed that blacks in American were just one homogeneous mass. This led to the unfortunately assumption that what was observed of a small group was replicated by all blacks living within the United States.

[54] Krishan Kumar, "Nation and Empire: English and British National Identity in Comparative Perspective," *Theory and Society* 29, no. 5 (October 2000): 577. Kumar also terms "imperial nationalism," "proto-nationalism. Kumer justifies his model, even though empire and nationhood are contradictory concepts, by arguing that empire "may be a carrier of a certain kind of national identity gives…dominant groups a special sense of themselves and their destiny (579).

[55] Kathleen Wilson, *Sense of the People: Politics, Culture and Imperialism in England, 1715-1785* (Cambridge, UK: Cambridge University Press for Past and Present Publications, 1995).

and the idea of a connection to foreign lands was crucial in shaping imperial British and Anglo-American national identity.[56]

English government officials and political writers, after the 1707 Act of Union with Scotland, drove home the idea of a "British" identity in order to reflect the new political entity. Inhabitants of the British Isles were encouraged to think of themselves as British and not as English, Scottish, or Welsh. This artificial construction of "Britishness" caught hold in the national consciousness as English, Welsh, and Scottish subjects combined to do the work of empire building. The notion of empire was crucial in shaping a Greater British nationalistic identity.[57]

The British North American colonies, directly and indirectly, through the migration of English (then British) migrants, retained and developed a political, cultural, and economic consciousness analogous to that of those of the metropolitan.[58] According to T. H. Breen, "Anglo-Americans…became conscious of a shared cultural identity, a common set of values and beliefs connecting them to Englishmen and women…" These "common set of values" included the same rights endowed to Englishmen. Migrants took the tradition of English liberty and planted them in the new world establishing "little Englands" in Britain's North Atlantic Empire.[59] Once colonies became stable with an established social structure, English migrants Anglicized these colonies. Migrants also

[56] Kumar, "Nation and Empire," 579.
[57] Kumar, "Nation and Empire," 589.
[58] The word "similar" is used here because traits of British identity were almost immediately adapted due to the distinctive surroundings and environment of the British-American colonies. Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution* (New York: Knopf: Distributed by Random House, 1986; Fischer, *Albion's Seed;* Knott, *Sensibility*. Alison games calls this stage of migration the stage of "integration," that is the stage at which the cultural and economic bond between Britain and the colonies began to tighten. *Migration and Origins of the English Atlantic World* (Cambridge, MA: Harvard University Press, 1999), 4-6.
[59] T.H. Breen, "Creative Adaptations" in *Colonial British America: Essays in the New History of the Early Modern Era* ed. Jack P Greene and J.R. Pole (Baltimore: The John Hopkins University Press, 1984), 221.

conveyed various forms of Protestantism to the New World, laying a foundation for the creation of Greater Britain spanning the Atlantic. Britons accepted American colonists as the "same" and not the "other."[60] The process of Anglicization was so successful that many non-British migrants decided to assimilate into the British-like culture.[61]

Other than the consideration of the imperial state, "Britishness" became, according to Krishan Kumar, identified with "the Crown, with Parliament, [and] with the Protestant religion."[62] All four characteristics of British identity, including empire, provide a context from which to explain why the Quebec Act offended the identities of the subjects of Greater Britain. No single event more effectively symbolizes those identities than the Glorious Revolution. To understand the profound historical footprint of that Revolution within the British Atlantic world is to enrich our comprehension of an evolving Greater British consciousness during the eighteenth century, creating a framework in which to consider the debate over the Quebec Act.

A consequence of the reaffirmation of the primacy of Protestantism in Britain was the continued hostility and suspicion toward Roman Catholics.[63] Britons feared Catholicism within political, cultural, and religious contexts. The political fear of the restoration of the Catholic House of Stuart would subordinate the significance of Parliament within a mixed political system in favor of an absolutist monarch. Culturally, Britain would become a Catholic state and the persecution of Protestants that occurred under Mary I would resume. The religious mission to protect the Protestant faith against

[60] This attitude would alter during the eighteenth century.
[61] Anthony McFarlane, *The British in the Americas, 1480-1815* (London, UK: Longman, 1994), 3-4. A notable exception was the Dutch on Manhattan.
[62] Kumar, "Empire and Nation," 589-90.
[63] A Catholic was not elected president of the United State until John F. Kennedy in 1962. Catholics were still unable to ascend to the throne of England until 2008.

"popery" shaped a larger British identity, to the extent that Britain earned the moniker of the "Protestant Nation." As with those who emigrated with John Winthrop to Massachusetts, subsequent British migrants to the New World believed that Protestant Britons were "God's elect" and it was this notion that fashioned colonial identity during the early eighteenth century. To be sure, the migration of British Protestants to British North America created "a visible connection between the old and the new worlds."[64] In both worlds religion and the state were "intimately intermixed."[65]

According to Montesquieu, the establishment of religion and the constitution of a kingdom found themselves intimately connected. Britain was no exception. During the eighteenth-century, the Church of England and Parliament were intertwined within the political system. The Church had played a central role in the politics of the Restoration to the extent that before the 1700s "religion was politics and politics religion." The bloodless coup d'état of 1688 and the 1714 accession of the House of Hanover to the British throne reinforced the inextricable link between religion and politics throughout the post-Settlement era, preserving Britons' "religion, liberties and properties in a century of harmonious alliance of Church and State."[66] In a speech given to a group of Unitarians, Edmund Burke explained, "Church and state [were] one and the same thing, being different integral parts of the same whole." The Church leaders and the political

[64] Anne McLaren, "Gender, Religion, and Early Modern Nationalism: Elizabeth I, Mary Queen of Scots, and the Genesis of English Anti-Catholicism, *The American Historical Review* 107, no. 3 (June 2002): 767; Kumer, "Nation and Empire," 589. Alison Games, *Migration and the Origins of the English Atlantic World* (Cambridge, MA: Harvard University Press, 1999. How this migration eventually brought down the First British Empire is considered in chapter IV.
[65] McMahon, *Radical Whigs*, 49.
[66] E. Neville Williams, *The Eighteenth-Century Constitution, 1688-1815: Documents and Commentary* (Cambridge, UK: The Syndics of the Cambridge University Press, 1960), 325. Furthermore, the Revolution validated the "theory and practice of church and state relations in England and, derivatively, in British North America." Caroline Robbins, *Commonwealthman: Studies in the Transmission, Development and Circumstance of English Liberal Thought from the Restoration of Charles II until the War with the Thirteen*

elites needed to defend the marriage between politics and religion through "political and religious orthodoxy." Thus, any proposed or perceived threat to the status quo of this relationship produced "dismal recollections and dire predictions" of despotism and persecution.[67]

Not all Britons, however, agreed that the Church should be so deeply influential in concerns of state and politics. For example, polemical writers John Trenchard and Thomas Gordon challenged the "pervasive and dangerous" influence of the Church in the public sphere in their publication titled *The Independent Whig*.[68] Moreover, in a series of pamphlets in the form of letters, Trenchard and Gordon reiterated their suspicions of the Church in declaring that "Churchmen, when they ruled States, had ever any other View; but having double Authority had generally double intolerance, and remarkably less mercy and regard to Conscience or Property."[69] The writings of Trenchard and Gordon reflected a deep-seated fear of a British politico-theological orthodoxy that threatened "Revolutionary Principles."[70] It was bad enough that the Church of England entwined itself within the fabric of Britain's political system but the specter of anti-Catholicism heightened existing fears about the influences of religion in the political system as it was consider more degrading if established Catholicism returned to British shores.

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*Colonies* (Cambridge, MA: Harvard University Press, 1961), 3. James H. Hutson, *Church and State in America: The First Two Centuries* (Cambridge, UK: Cambridge University Press, 2008), 47.

[67] McMahon, *Radical Whigs*, 2-3, 49; Williams, *Eighteenth-Century Constitution*, 325.

[68] McMahon, *Radical Whigs*, 2.

[69] *Cato's Letters* also expressed Trenchard and Gordon's aversion to the evils of arbitrary government. John Trenchard and Thomas Gordon, Cato's Letters: or Essays on Liberty, Civil and Religious, And other important Subjects, ed. and ann. Ronald Hamowy (Indianapolis, IN: Liberty Fund, 1995), Letter 66. Whigs also considered the development of the cabinet, in which ministers would counsel the king independent of parliament, as a threat to the balance of the British political system. They believed that "ministerial predominance" as dangerous as absolute monarchy. Robbins, *Eighteenth-Century Commonwealthman*, 8.

[70] McMahon, *Radical Whigs*, 2.

Although Whigs and Tories were political enemies, the former defenders of the Church and the latter advocates of Parliament, they combined to defeat the Catholic king in 1688. Within a few years of the Revolutionary settlement, though, political writings began to emerge provoking old resentments between Tories and Whigs. In short, the Tories supported the power of the monarchy over that of Parliament and the Whigs supported the power of Parliament. Since the Tories were the favored party during the reign of James II, Whigs and their supporters frequently accused them of being in league with the Jacobites.[71] The Whigs took every opportunity to connect the Tories with Jacobitism and to portray them as loyal to the Stuart dynasty and not to the new Protestant regime nor to the Hanoverian succession of 1714. For this study, the political theory of the Whigs is most significant.[72]

The early Hanoverian publicists Trenchard and Gordon were strongly influenced by the seventeenth-century writers whom Caroline Robbins terms "the Commonwealthm[e]n"; writers such as John Harrington, Henry Neville, and Algernon Sidney and, more notably, the political philosophical writings of John Locke not only influenced British intellectuals, but also those in the British North American colonies. These writers were Whigs in that they supported the ancient rights of the British constitution and the role of Parliament in balancing the power of the monarchy and

[71] Jacobites favored a restoration of the Stuart dynasty. They have not accepted the revolution noir William as legitimate. Many of these Stuart supporters were Roman Catholic. They were considered a threat to the Protestant settlement.

[72] Whig philosophy maintained that the governed were justified in resisting and deposing a governor whom did not obey the laws of the land. It was this ideology that American Whigs used in their justification to resist George III; Hence its importance to this analysis. Part of the Whig philosophy was a suspicion of Jacobitism. Trenchard and Gordon, for example, seriously viewed that Jacobitism was a threat to the Revolutionary settlement.

individual freedom. John Locke, for example, wrote his most significant tracts in the tumultuous decade of the Glorious Revolution.

In affirming a radical interpretation of the Revolutionary settlement 'Real' Whigs of the early eighteenth century argued that the 1688 Revolution was a practical example of contract and resistance theory espoused by Locke.[73] In his *Treatises of Government*, Locke argues that rulers or governments of states are also bound by the laws of the land they rule over (*First Treatise*) and that they have a duty to protect human liberty, not to restrain it (*Second Treatise*). If, as Locke contends, a ruler or government fails in this duty the ruled or governed have a right to replace the ruler or government by force if necessary. This is the contract and resistance theory of government. The Whigs contended that James II had broken Locke's contract with his subjects, ruling by declaring Divine Right and establishing the Catholic religion. Since James attacked "the religion, property and liberties of his subjects,' he had no legitimate expectation that the British people should remain loyal to him. Contract-resistance theory had absolved Britons from their allegiance to the crown.[74]

The writings of Locke, Trenchard and Gordon, together with works of the pre- and post- Revolution "Commonwealthm[e]n," such as Harrington, Neville, and Sidney, were conveyed to Britain's American colonies and read by reformers and revolutionaries.[75] "There seems never to be a time after the Hanoverian succession when [British Real Whig writings] were not central to American political expression or absent

[73] 'Real' Whigs explicitly argued for the reform of Britain's political system. They advocated the abolition of the constitutional monarchy to be replaced by a republic. Moderate Whigs were reluctant to embrace contract-resistance theory for fear of being accused of anti-monarchal tendencies.
[74] H.T. Dickinson, "The Eighteenth-Century Debate on the Glorious Revolution," *History* 61, no. 201 (February 1976), 31, quoted in McMahon, *Radical Whigs*, 42.

from polemic politics." The writing of Trenchard and Gordon were particularly popular and widely read by like-minded colonists. Indeed, their works were "quoted in every colonial newspaper from Boston to Savannah."[76] Furthermore, fathers would pass these polemical essays to their sons as demonstrated in the Last Will and Testament of Josiah Quincy, Jr.: "I gave to my son…Algernon Sidney's works,—John Locke's works,—Lord Bacon's works,—Gordon's Tacitus,—and Cato's Letters."[77]

An evaluation of religion and liberty, focusing on the fear within Greater Britain of a Catholic restoration, will be instructive when analyzing the transatlantic reactions to the passing of the Quebec Act. In turn, the act revealed a burgeoning and distinct colonial identity amongst a section of the colonial population, particularly those calling themselves Whigs, resulting in a patriotic collective consciousness of animosity towards Britain.[78] As one scholar has argued, English political thought held that a "liberal and republican conception of liberty…exhibited both industrious and collective features shaped by an ideology of confrontation and conceptual contrast with the evils represented by Roman Catholicism."[79]

According to Hugh F. Kenny, a scholar of the British Empire, "Over much of the history of the English empire during the eighteenth-century looms the shadow of the Reformation." That is, the foundation of the British state and empire relied on the Protestant faith; the Glorious Revolution reinforced this notion. For much of the century

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[75] Robbins, *Commonwelathman*, 4-5; Colley, "The Politics of Eighteenth-Century British History," *Journal of British Studies* 25, no. 4 *Re-viewing the Eighteenth-Century* (October 1986): 367. Locke particularly was widely read on the peripheries of the British Empire, significantly within Greater Britain.
[76] Bailyn, *Ideological Origins*, 43, 36.
[77] Bailyn, *Ideological Origins*, 45.
[78] The identity of Anglo-Americas transformed from "imperial nationalism" into "colonial nationalism."
[79] Clement Fatovic, "Anti-Catholic Roots of Liberal and Republican Conceptions of Freedom in English Political Thought," *Journal of the History of Ideas* 66, no. 1 (January 2005), 38; J.C.D. Clarke, *English*

it was the mission of British imperial policy to spread Protestant Anglicanism throughout the empire to the exclusion of all other denominations and faiths, including other Protestant devotions. The mission of "god's elect," as Anglicans considered themselves, partially explains why suspicion of Roman Catholicism, "that damnable doctrine," pervaded British society throughout the eighteenth and early nineteenth centuries.[80]

For most of the eighteenth century, anti-Catholicism was an important element of public discourse and became an ideological commitment of the British nation.[81] This took two forms: political fear and popular fear. The political and clerical elite, who dreaded the restoration of the Stuarts to the throne of Britain, shared the former. They were certain that the Crown's power under a Stuart monarch would supersede Parliament's power won after the Glorious Revolution. The people whose collective memory recalled the religious persecution of Protestants under Catholic rulers shared popular fear. Moreover, according to Tony Clayton and Ian McBride, the ideological blocs of Protestantism and anti-Catholicism bound the first British Empire into one nation.[82]

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*Society, 1660-1832: Religion, Ideology and Politics during the ancient Regime* (Cambridge, UK: Cambridge University Press, 2000), 3.

[80] Hugh F. Kearney, quoted in Bailyn and Morgan, *Strangers*, 25.Article XIII of the Toleration Act, 1689, quoted in Williams, *Eighteenth Century Constitution*, 45. During the seventeenth and eighteenth centuries religious faith was intense and virtual universal. Consequently, those of other faiths than the predominate faith in a nation state are oppressed and persecuted.

[81] Haydon, *Anti-Catholicism*, 18.

[82] Tony Claydon and Ian McBride, eds., Protestantism *and National Identity: Britain and Ireland, 1650-1850* (Cambridge, UK: Cambridge University Press, 1998. The battle royale between Anglicanism and Catholicism in England (then Britain) started in the times of Henry VIII and Elizabeth I (the latter making Anglicanism the supreme religion in the land) and paralleled the wars of religion in Europe. During the sixteenth and seventeenth centuries, penal laws were instituted imposing disabilities against Roman Catholics. After the Revolution in 1688, the Toleration Act was passed in 1689 allowing freedom of worship to Dissenters who pledged the Oath of Allegiance to William and Mary, but did not apply to Roman Catholics. It also failed to repeal a single penal law. Dissenters were of the Protestant faith but refused to take the Anglican Communion or to conform to the tenets of the Church of England. They included Presbyterians, Baptists, Quakers, and Congregationalists. It is important to note here that Dissenters considered the Anglican Church was too close in form and structure to the Catholic church. The fact that many English dissenters fled the country to the American colonies is significant when explaining the vehement opposition in the colonies to the Quebec act, particularly the religious clause. The Toleration

In his *Second Treatise of Government* John Locke argued that Charles II and James II subverted the Constitution by failing to enforce the laws against Roman Catholics. He also reaffirmed contemporary law that Roman Catholics could not hold public office because of their ultimate loyalty to the pope over the monarchy of England.[83] As the new century began, the suspicion of Jacobitism escalated, in part, because of rumors of a French invasion in order to restore James II to the English throne. To respond to the growing concern of "popery", Parliament passed the Act Against Popery (1700) to prevent or at least stall "the Growth of Popery" within England and the empire. The Act buttressed the existing Penal Laws. Throughout the first decades of the eighteenth century, Catholics remained excluded from all political offices and prohibited from publicly conducting religious services. The Act of Union of 1707 forbade a Roman Catholic from ascending to the British throne. The accession of George I in 1714 secured the Protestant Succession for the British monarchy. Yet the anxiety about an attempt by Stuart supporters to depose the House of Hanover was ever-present.

Trenchard and Gordon also argued in favor of a Protestant state reinforcing the contrast between a free Protestant society providing liberties to its subjects and the tyrannical nature of Roman Catholicism. Trenchard and Gordon argued that "The Pope's Yoke is more grievous than that of any Christian Prince," and the Catholic religion itself promoted "Ignorance, Bigotry, Idoltary, Barbarity, Hunger, Chains, and every species of misery." In this regard, popery was antithetical to the rights and freedoms of

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Act was passed in return for the support of Non-Conformist Protestants to the accession of William of Orange to the throne.

[83] Jeremy Waldon, "Locke: Toleration and the Rationality of Persecution," in *John Locke: 'A Letter Concerning Toleration' in Focus*, eds John Horton and Susan Mendus (London: Routledge, 1991), 109. J. W. Gough argues that it is not surprising that Locke held anti-Catholic sentiments, albeit political, rather than theological, because he was a devout Protestant: "The Development of Lock's Belief in Toleration," in *John Locke*, 77n3.

'Englishmen,' and "In Popish Countries the Power of the ecclestiasticks is so great…that the Civil authority is often not able to protect its subjects [and]…their Princes are forced to support their Tyranny."[84] It was the idea of monarchical despotism that alarmed the political and clerical elites and caused them to incite popular distrust of papists.[85]

Stressing that the supremacy of the Protestant religion was seen as essential to preserve and protect English liberties. Trenchard wrote, "I think No-body will deny, but that in King James [II]'s Time, we owed the preservation of our Religion to Our Liberties, which both our Clergy and People almost unanimously concurred to defend."[86] Trenchard's and Gordon's series of pamphlets warned of the arbitrary government that characterized nations with a Catholic establishment. *Cato's Letters* are therefore valuable in the analysis of the Quebec Act, because they reflect a form of political thought affirming that the Catholic religion was antithetical to the Revolutionary Settlement and consequently antithetical to the concept of Britishness, particularly the nature of "Britishness" that Anglo-Americans embraced. In the minds of the majority of Britons and Anglo-Americans, "popery" was associated with "arbitrary government, censorship, and the inquisition."[87]

The trepidation of the political and intellectual elite, not to say the monarchy, concerning a return to papist domination extended beyond the external threat of a French or Spanish invasion, but included such beliefs that British Catholics would out populate British Protestants so that "the three kingdoms [were] in danger from domestic papists."[88]

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[84] Trenchard and Gordon explicitly equated "great free states" with the Protestant faith who had thrown off the "*Popish* Yoke." *Cato's Letters,* Letter No. 66, 301-2.
[85] Bailyn, *Ideological Origins*, 22.
[86] Trenchard and Gordon, *Letters*, No. 66, 302-3.
[87] Robbins, *Commonwealthman*, 117.
[88] Colin Haydon, *Anti-Catholicism*, 48.

This perceived danger that Roman Catholics as "the other" posed was part of identity that brought solidarity of Britons and Anglo-Americans against Catholic enemies.

To protect its political position, the Church of England oppressed Protestant Dissenters and waged a propaganda war against Roman Catholics.[89] Anglicans propagated the notion that Catholics epitomized the antithesis of the Protestant Settlement and therefore posed a threat to Protestantism in England and Englishmen's liberties. Thus, these institutions played on the popular fear of Roman Catholicism casting them as the "other" who threatened the nation. The fear mongering of the Anglican Church was very effective. As one historian has contended, the English/British identity to emerge from the seventeenth and eighteenth centuries was "xenophobic… [and] …virulently anti-Catholic."[90]

Church elites also reinforced the notion of the other by making despotism and tyranny synonymous with England's long-standing European enemies, Catholic France and Spain.[91] Even after 1746, the Greater British people considered "popery" a threat to British and American freedom. Catholicism was used as the antithesis of the long-standing and entrenched English beliefs in liberty, freedom, and an Anglican church that underscored British exceptionalism in that it presented "popery" as a threat to the Revolutionary Settlement and British society. Thus, a significant British identity was

[89] Although Dissenters were subjected to the wrath of the Church of England, they were not considered as much a threat to the state as Catholicism. To be sure, Dissenters were also anti-Catholic. As the "indefatigable" Thomas Hollis, as Bailyn describes him "the extraordinary one-man propaganda machine in the cause of liberty," wrote in his diary: "In the year 1733, the whole body of dissenting ministers in London bestirred themselves against popery, and did all they could against it, by preaching sermons against it…" Francis Blackburn, Memories of Thomas Hollis, Esq. F.R. and A.S.S., vol. 1, (London, 1780). *Eighteenth Century Collections Online*. Gale. University of Nevada Las Vegas (accessed October 13, 2011), 382-3; Bailyn, *Ideological Origins*, 40.

[90] Anne McLaren, "Gender, Religion, and Early Modern Nationalism: Elizabeth I, Mary Queen of Scots, and the Genesis of English Anti-Catholicism," *The American Historical Review* 107, no. 3 (June 2002), 767.

created out of the necessity to protect the Protestant faith against the papists and the expansion of this mission overseas.[92]

British Protestants gave enormous symbolic importance to anti-Catholic legislation as emblems of their superiority.[93] Anti-Catholic propaganda, however, was more hysteria than substance. In order to maintain Anglicanism as the primary faith, as Anglicans spread anti-Catholic propaganda circulated to protect their place in the political hierarchy. Anti-"popery" propaganda in the first half of the eighteenth century was so comprehensive that Britons argued that "papists" endangered the social fabric of the state and it was the duty of every Anglican within the empire to combat this enemy. By extension, it was the duty to fight Catholic France and Spain whenever they presented a danger.

The popular fear of Roman Catholicism remained vivid in the British collective memory owing to earlier British and European Catholic persecutions of Protestants, such as the Marian burnings and the oppression of the Huguenots in France.[94] In the latter years of the eighteenth-century, anti-Catholic opinion remained deep-seated in the national consciousness of the people, illustrated in a 1774 *London Chronicle* editorial: "We all know the spirit of the Roman Catholic Religion; our forefathers in this country have bled and burnt too often, and the horrid massacre of St. Bartholomew's in Paris is not so totally buried in oblivion, but that we must still remember its intolerancy."[95] "Popery," in the popular British psyche, was associated with cruelty and intolerance and,

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[91] France and Spain were also Britain's main rivals in North America.
[92] Kumer, "Nation and Empire," 590. Kumer terms the type of imperialism described here, that is, empire building dedicated to the cause of defeating Roman Catholicism as "missionary imperialism (580).
[93] Robert Kent Donovan, "The Military Origins of the Roman Catholic Relief Programme of 1778," *The Historical Journal* 28, no. 1 (March 1985), 83.
[94] As Colin Haydon eloquently states: "It was the folk memories of the Marion burnings which haunted the popular imagination." *Anti-Catholicism*, 6.

as propagandized by the Church of England the nation, therefore, had to be protected against "Popery and slavery." The urban masses in particular accepted the threat posed by papists more on religious than political grounds.

According to Kumer, the conflicts with Catholic France and Britain highlighted the main feature of British nationhood. Britain was the corrective to the autocratic and despotic Catholic monarchies.[96] Britons were continually afraid of a French occupation. They emphasized the absence of civil liberties and individual protections against arbitrary government guaranteed under the English Constitution, illustrated by the London Chronicle: "By the laws of France, every subject is under the absolute control of the Sovereign; he may be thrown into a dungeon, and strangled with a bow string, without any person being called to account for it."[97]

The fear of the "other" manifested itself, not just in relation to Catholic rulers, but also to the ruled for following such a reviled faith. In a London newspaper, a letter writer warned of hiring French domestics as they would have no compunction to "administer poison" or "use the bow string" against British Protestants—whom Catholic Frenchmen considered heretics—because they would not consider it a crime, "not even requiring absolution from their priests." Moreover, according to W.M., the author of this letter, the French were "devoid of education" and thus devoid of "moral honesty" and thus not "fit persons to superintend in a Protestant family.[98]

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[95] *London Chronicle*, May 31-June 2, 1774.
[96] Kumer, "Nation and Empire," 589.
[97] *The London Chronicle*, May 31-June, 1774.
[98] *The London Chronicle*, "On the bad Custom of hiring Foreign [Catholic] Domestics," June 9-11, 1774. Interestingly, the author equates the insolence from a Frenchman to an "honest Englishman," with the treatment of American slaves by their overseers. It was the slave metaphor that would be used by Americans to portray British colonial policy.

The popular belief that Catholics threatened the tenets of the ancient constitution explains the infamous event that took place on the far-north eastern coast of British North America: The Acadian expulsion. Moreover, discussion of the Acadian Deportation is instructive in analyzing the rationale for passing of the Quebec Act merely twenty years later.

The Treaty of Utrecht of 1713 ended Queen Ann's War.[99] As part of the terms of peace, Britain acquired, amongst other territories, the region off the east coast of Canada called Acadia (the British renamed it Nova Scotia). The Acadians followed the Roman Catholic faith. When the British took over the territory they attempted to Anglicize the Acadians, who refused. Furthermore, the Acadians retained loyalty to France. With war looming with France during the early 1750s, Nova Scotia's governor, Charles Lawrence, tested the Acadians' loyalty by demanding they sign an oath of loyalty. When they refused, Lawrence, in 1755, commenced the forced expulsion of Acadians from Nova Scotia to numerous other American colonies.[100]

The Acadian exile demonstrates the difficulty of reconciling, before 1763, the acquisition of territories inhabited by residents whose culture and traditions failed to conform to the belief system of Britain with the widely held tenets of British liberty and freedom. Clearly, the "other" was not entitled to, or capable, of, the rights and freedoms of "Englishmen." Yet, less than two decades later, the Quebec Act passed and the imperial policy of the First British Empire had been transformed into a policy based on liberal ideology. The transformation of policy replaced the Anglicizing of the population

[99] In Europe this war was known a The War of the Spanish Succession.
[100] Governor Lawrence justified his actions as "indispensably necessary" in the circumstances. *Charles Lawrence to William H. Lyttleton M.P.*, Halifax, Nova Scotia, August 11, 1755, quoted in Allen E.

of newly acquired territories with one that understood local conditions and cultural diversity. The contradictions of these imperial policies would not only play a part in the response to the Quebec problem, but in the development of the Second British Empire during the nineteenth-century. Nevertheless, up to the mid-eighteenth century, the protection of Anglicanism throughout the empire was paramount.[101]

Fears of the rise of Catholicism in Britain mirrored those within the colonies, especially in and around Maryland. Residents of the lower thirteen colonies remained suspicious of their Catholic neighbors and wondered whether Catholic subjects could participate in egalitarian government. To be sure, anti-Catholicism in British America, particularly after the Great Awakening, was just as virulent than in the mother country. Only three of the thirteen colonies allowed Catholics to vote.[102] All American colonies except Rhode Island and the Carolinas prohibited Catholics from holding office as in Britain; Virginia would have priests arrested for entering the colony; colonial assemblies, except for Pennsylvania banned Catholic schools.

The colonists believed Protestantism was as the guarantor of religious liberty. The rhetoric against Catholics became especially sharp as war with France was nearing home in the mid-1700s. For example, in the colony of Maryland, a colony originally founded as a Catholic version of Massachusetts, a sanctuary for Catholics persecuted in Britain, there were laws excluding Catholics from public office even though the colony was

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Begnaud, "Acadian Exile," *Louisiana History: The Journal of the Louisiana Historical Association* 5, no. 1 (Winter 1964), 90.

[101] It must be noted that the Acadian expulsion not only included the forcible relocation of people, but the destruction of the expellees' property. The British wanted to underscore the point that they did not want the Acadians to return.

[102] Neither Britain nor Ireland permitted Roman Catholics to vote.

founded[103] Protestants were able to reside in the colony without restrictions. Inspired by the Glorious Revolution, Protestants rebelled in Maryland and overthrew the Catholic proprietor. The Protestant regime established the Anglican Church in the colony. English anti-Catholic sentiments conveyed, often through the *Maryland Gazette* to Maryland, increasing Maryland's anxiety towards Catholics.[104]

Subsequently, Protestant Anglicans in Maryland secured a majority in the legislature. The proprietor of the colony**,** a Roman Catholic, retained much of the revenues from the colonists, including the Protestants. The proprietor garnered financial support from Maryland's Catholics. In order to weaken the proprietors' position, Anglicans in the legislature passed anti-Catholic laws, similar to the penal laws in England, amongst other things denying Catholics representation in the legislation. Moreover, it was forbidden for Roman Catholic clergy to preach in public. Not only did Anglicans pass laws to exclude Catholics from the public sphere, but they, just as in Britain, began a propaganda campaign declaring that Catholics posed a threat to the rights and liberties enjoyed by Anglican settlers. Anglicans spread the word that if Catholics acquired, they would subjugate Anglicans end enslave non-believers. Thomas Craddock, the Rector of St. Thomas's in Baltimore County, warned his congregation of the "heavy Yoke of Slavery and Bondage; which we must have submitted to had the [Young] Pretender [James II's grandson] and his Accomplices triumphed over us." Therefore, as

[103] Elizabeth Fenton, "Birth of a Protestant Nation: Catholic Canadians, Religious Pluralism, and National Unity in the Early U.S Republic," *Early American Literature* 41, no. 1 (2006) 31; Timothy W. Bosworth, "Anti-Catholicism as a Tool in Mid-Eighteenth-Century Maryland, The catholic Historical review 61, no. 4 (October 1975): 541. Bosworth argues that anti-Catholic sentiment had always existed since the colony was founded.
[104] Bosworth, "Anti-Catholicism as a Political Tool," 543.

in the mother country, colonial Anglicans used the threat of the 'other" for political advantage.[105]

In mid-century Maryland, there was anxiety from the depressed price of tobacco, French forts surrounding the colony, the economic drain of propriety government, and potential uprising of slaves. One additional source of anxiety was the entrenched Catholic elite. Marylanders complained of the "menacing Catholics" in most of the eighteenth century.[106] In 1747, an anonymous Maryland author inadvertently revealed a covert Catholic conspiracy to reestablish the authority of the Catholic Church.[107] Consequently, there was a witch-hunt against Catholics during the 1750s. According to Maryland's Protestants, Catholics were guilty of attacking society on four levels: schools, the church, the family, and the government.[108] According to Timothy W. Bosworth, during the 1750s Marylanders were convinced that Catholics were about to topple the government and destroy British rights and liberties. Moreover, the French were considered by Maryland Anglicans as "Catholic despots out to enslave Maryland Protestants in their religion and as well as their government."[109] The atmosphere in Maryland was tense; the slightest misinterpreted remark could provoke violence.

Maryland Anglicans rationalized this anti-Catholic behavior as "good Protestants defending the ancient rights and liberties of the British Empire against its enemies,

[105] Bosworth, "Anti-Catholicism as a Tool," 549, 540; Thomas Craddock, *Two Sermons* (Annapolis, 1747, 10, quoted in Bosworth, "Anti-Catholicism," 544. Craddock refers to the failed invasion of Britain in 1745 by the Stuart Pretender, Charles Edward Stuart. It was not an accident that the language used by Maryland Anglicans against Catholics would be the language used when Britain replace Roman Catholicism as the enemy of the tidewater colony and its neighbors. The language of "the other" had emerged well before the quarrel with Britain. Thomas Craddock's warning demonstrates how in the colonies the relationship between church and politics.
[106] Bosworth, "Anti-Catholicism as a Political Tool," 542.
[107] Bosworth, "Anti-Catholicism as a Political Tool," 545.
[108] Bosworth, "Anti-Catholicism as a Political Tool," 546.
[109] Bosworth, "Anti-Catholicism as a Political Tool," 550.

Catholics."[110] Bosworth argues that Protestants used anti-Catholic as a political tool to increase the power of the legislature and add additional control of the provincial government which Anglicans controlled and weaken the proprietor, whose traditional source of income was from Catholic supporters. Marylanders associated Protestantism, particularly after 1745, with loyalty to the Hanoverian monarchy. Bosworth argues Maryland Protestants combined "imperial allegiance, anti-proprietarianism, and Protestantism in a common cause."[111] Furthermore, Maryland Anglicans formed an identity by using Roman Catholics as the "other." In this case, "the other," being French Catholics, defined and united the Anglican community in Maryland. Throughout the colonies in general, in imagining Catholics—be it in Spain, London, or Baltimore— as subjects whose private lives were entirely dictated by papal rule, Anglo-Protestants constructed themselves as feely private subjects capable of shaping a religiously plural—and therefore "liberal"—nation that could accommodate diversity because it was "not Catholic."[112] This became important when, after the Quebec Act, British High Anglicans replaced French Catholics as the most menacing "other" and the colonists again unite**[…]** in defense of their rights and freedoms, particularly the freedom of religion.[113]

This chapter has examined the significance of the Glorious Revolution in establishing a national identity within Greater Britain. Furthermore, the chapter reassessed the centrality of religion in the formation of identity, arguing that religion was no less important than the notion of liberty in forming a national consciousness within

[110] Bosworth, "Anti-Catholicism as a Political Tool," 562.
[111] Bosworth, "Anti-Catholicism as a Political Tool," 552.
[112] Fenton, "Birth of a Protestant Nation," 30.
[113] Bosworth, "Anti-Catholicism as a Political Tool," 562, 563.

Britain and the North Atlantic colonies.[114] This chapter maintains that Protestantism and anti-Catholicism, together with the memory of a tyrannical English monarch, were among the primary determinants of molding the imperial transatlantic identity, whilst acknowledging the secondary, yet significant, role the ancient and long-established liberties and freedom played in this process. Although the Bill of Rights, enshrining the concept of an Englishman's liberties and freedoms, was influential on the British consciousness, the Act of Settlement (1701), which affirmed the Protestant Succession, was no less influential with regard to the formation of Greater British identity.

[114] See Linda Colley, *Britons*; Katheleen Wilson, *The Sense of the People*; and Elijah Gould, *The Persistence of Empire*. English traditions carried over by English migrants fashioned the political development of the colonies, particularly the autonomy of corporate and local governments and, more importantly, a belief in the rights of the individual and freedom from arbitrary interference. This is the

# CHAPTER 3

## THE QUEBEC QUESTION

> The very peculiar circumstances of…the province of Quebec…had rendered the proper adjustment and regulation of the government thereof…
>
> —George III, 1774

> There is nothing that can more fully or more sensibly evince the Truth of our Assertions in respect to the commodius situation of this Island…and the Excellance of our Constitution [and] the Establishments we have made…
>
> —Arthur Young, 1772

Without the British victory in the Seven Years' War (1756-1763), Britain's dilemma of Quebec would not have arisen. The Treaty of Paris, signed in 1763, formalized the peace terms negotiated between the belligerents: Britain, France, and Spain. A key provision of the treaty required France to cede Quebec, a territory situated to the north and west of Britain's American colonies. Britain's acquisition of the province compounded the problems Britain faced in the war's aftermath. Not only had the war significantly increased Britain's national debt—requiring the raising of additional revenue in the American colonies— but also through, its acquisition of Quebec, Britain inherited the "challenge" of administering a British territory inhabited by Catholic Europeans.[115]

As with previous imperial expansions, for example Acadia, Britain expected to assimilate the French-speaking majority through Anglicization. Successive British governors realized, however, that, in the short term at least, it would be impractical to

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reason why the Glorious Revolution was a symbol of the Greater British state. Anthony McFarlane, *The British in the Americas, 1490-1815* (New York: Longman Group Limited, 1994), 193.

[115] Lawson, *The Imperial Challenge*.

institute a policy of Anglicization or deportation—as had been done in the case of the Acadians—because 70,000 French-Canadians inhabited the province. Moreover, in the face of continuing French aggression in Europe, the British had to be diplomatic. French-Canadians, fearing the loss of their traditions under British administration, expressed a yearning for the restoration of French rule. In order to secure the loyalty of the French majority to the empire, any proposal for a system of administration for Quebec would have to allay their concerns. Consequently, during the late 1760s, British ministers began to explore a prudent governmental structure for Quebec. The Quebec bill's provisions reflected the opinions of the first civil governors of Quebec, James Murray and his predecessor Guy Carlton. Murray and Carlton advised the government to be sympathetic to the ancient laws and traditions of the French inhabitants. They impressed on the British government to avoid overwhelming the French inhabitants with alien English laws, institutions, and traditions.

To ensure the acquiescence to British rule of the local French-speaking population, the governors recommended that legislation incorporate a number of French institutions and traditions. Murray and Carlton's counsel placed Lord North, George III's choice as First Minister of the government, and his administration in a problematical position. On the one hand, if the government implemented the original plan of Anglicization, imposing British institutions and traditions in toto, following the pattern of earlier empire building, it may foster discontent amongst French-Canadians to the British regime to the extent that they desired a return to French rule or joining the American colonies in their quarrel with the mother country. On the other hand, to secure French-Canadian allegiance, it would be necessary to retain a number of French institutions and

traditions, many of which were antithetical to the core values of the British state, empire, and identity. The government settled for the latter option, thereby, according to Lord Camden, instituting a new imperial policy.[116]

The solution to the Quebec question, contained within the provisions of the Quebec Act, represented a reassessment of the assumptions, made since the Glorious Revolution, of the underlying British identity. For example, with the incorporation of a French-speaking Catholic population into the empire the Act began to change Britain's relationship with its colonies: colonies were no longer simply comprised of "Britons overseas," maintaining the transplanted culture of the metropole, but communities of utterly foreign peoples who must be incorporated and culturally tolerated in an expanding empire. For this reason, the Quebec Act provides an effective lens through which to analyze the relationships between Great Britain, its North American colonies, and the conquered territory of Quebec and is a significant piece of legislation in the study of the transatlantic relations during the Hanoverian age.[117]

Introduced to Parliament in May 1774, and notwithstanding its controversial provisions, the Quebec Bill passed both houses with handsome majorities.[118] The Quebec Act "making more effectual provision for Quebec" assigned the executive and legislative functions to an appointed governor and council with no provision for an elected assembly

[116] Cobbett, *Parliamentary History*, XVIII, 666. The Quebec issue, however, lingered without resolution for over a decade, to the chagrin of the province's leaders. One of the reasons for the delay was the succession of unstable governments up to 1770 when Lord North become the king's first minister. During the 1760s the government was focusing on the troubles in the British Atlantic colonies, the government did not prioritize the Quebec question on the legislative timetable. After ten years of assessment, the British government drafted legislation for the administration of Quebec though it would take an additional year to introduce the legislation to parliament.

[117] According to Bernard Bailyn and Philip D. Morgan, this field had been neglected until the early twentieth- century. *Strangers*, 2.

[118] How Lord North's Administration was able to pass such a controversial piece of legislation with such handsome majorities is explored together with the English political system at the time in chapter 4.

and permitted the free exercise of the Roman Catholic faith.[119] This latter provision, referred to in this thesis as "the religious clause," permitted, unlike in Britain or Ireland, the appointment of Catholics to the executive council, thus reaffirming a previous obligation written into the Treaty of Paris. Although criminal cases would be subject to the principles of English law, the Act also preserved French law for civil cases, denying participants in civil cases the right to a jury trial—an ancient right in English civil law. The omission of an elected assembly, toleration of Roman Catholicism, supremacy of French civil law, and denial of habeas corpus, in particular, caused consternation and impassioned opposition on both sides of the Atlantic. In short, the Act overturned generations of religious, legal and political assumptions and traditions—traditions that had been revered by Britons and colonists, and had defined their British identity.[120]

Proponents of the Act, described by J. Russell Snapp, as "enlightened imperialists," argued it symbolized the overdue intellectual reassessment and modification of British consciousness, a reflection of the realities of societal and imperial change.[121] Supporters also argued that the Act signified a transformation of the notion of Britishness, from a national consciousness that was less about imposing homogenized Protestantism and parliamentary systems, to one that was more about condescending toleration and imperial pluralism.

British and Anglo-American opponents argued that the Quebec Act symbolized an affront to the tenets of the Glorious Revolution and argued its provisions were

[119] Cobbett, *Parl. Hist*., XVII, 1357.
[120] Cobbett, *Parl.Hist*., XVI, 1307.
[121] J. Russell Snapp, "An Enlightened Empire: The Scottish and Irish Imperial Reformers in the Age of the American Revolution," *Albion: A Quarterly Journal Concerned with British Studies* 33, no. 3 (Autumn 2001): 395n30.

inconsistent with contemporary British identity.[122] They saw Roman Catholicism as thoroughly at odds with British notions of liberty. Parliamentary discourse during the debate on the Quebec Act highlights these fundamental differences. Charles Fox, MP, for example, argued, during the parliamentary debate on the bill, that the proposal to retain French customs and traditions in Quebec, and thus within the Empire, contravened the ideals of a Protestant state. Conversely, Lord Lyttleton remarked that the Gospel promoted principles of religious toleration and so the Canadians should freely exercise their faith.[123]

The Quebec Act reflected the profound changes prevailing during the eighteenth-century Atlantic world. Unfortunately, scholars have been remiss in their attention to the Quebec Act in the context of analyzing British and colonial relations. Scholars have long called for attention to the British side of the Revolutionary story, but they have largely overlooked the importance of the Quebec Act in both shaping and reflecting changing notions of colonialism, imperialism and identity in Britain.[124] By making the Quebec Act the central focus of the narrative, this research makes an important contribution to transatlantic relations in the eighteenth century. To be sure, there have been several studies analyzing the Act, primarily by Canadian and British scholars, but these studies place the Act within the context of their own geographical specialties and not within the framework of transatlantic relations. Scholars such as Charles McClean Andrews,

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[122] Humphrey Mackworth Praed, MP for St. Ives, argued during the 1774 parliamentary debate concerning the Quebec bill, that the proposed law was "destructive in that liberty which ought to be the groundwork of every constitution favored by this House" and went on to question the "causes which call for such measures." Cobbett, *Parl. Hist.*, XVII, 1064.
[123] Cobbett, *Parl. Hist.*, XVI, 1408
[124] Jack P. Green and J.R Pole, eds., *Colonial British America: Essays in the New History of the Early Modern Era,* (Baltimore: The John Hopkins University Press, 1984); W.A. Speck "The International and Imperial Context," in *Colonial British America: Essays in the New History of the Early Modern Era,* eds.

Bernard Bailyn, and David Armitage have argued that American colonial history has to be studied within the framework of British eighteenth-century domestic and imperial history.[125]

The outcome of the debate was indicative of a hierarchical political system monopolized by landowner aristocracy. To put the debates in context and understand how such a controversial piece of legislation passed both Houses of Parliament with handsome majorities it will be instructive to consider the workings of the British political system. According to Clark, "England achieved a successful state form in the long eighteenth century not least because it combined monarchy and liberty, religion and science, trade and landed wealth with a minimum of friction."[126]

Although Montesquieu considered the British political system to be "beautiful" due to the separation of the elements of government, he also acknowledged that the mixed nature of government during the eighteenth century was imperfect. In reality the system had its shortcomings, not least of which was that the system of patronage to a large extent, dictated who would sit in Parliament. For example, the placement of newly appointed bishops in sees where the income barely covered the expenses. Reliable pro-government bishops were rewarded with promotions, however, to wealthier sees in order to assure their continuing support.

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Jack P. Green and J. R. Pole (Baltimore: The John Hopkins University Press, 1984), 405; Charles McLean Andrews quoted in *Strangers* Bailyn and Morgan, 3.

[125] Charles McLean Andrews, *The Colonial Background of the American Revolution: Four Essays in American Colonial History* (New Haven: Yale University Press, 1924), ix; Bailyn and Morgan, *Strangers* within the Realm, 2; David Armitage, "Greater Britain: A Useful Category of Historical Analysis?" *The American Historical Review* 104, no. 2 (April 1999): 442.

[126] Clark, *English Society*, 15.

The crown and the monarch's ministers, to appoint representatives to pass government legislation and to harmonize the wishes of the King with the prejudices of the House of Commons, used this system.[127] The patronage system made the opposition redundant, as the government would always have enough votes to pass its legislation. During the reigns of the first two Georges, Parliament had diminished the crown's patronage powers, in part due to a strong first minster, Horace Walpole. The Third George wanted to reclaim the royal prerogatives the crown had lost during the first half of the eighteenth century, including the right to appoint candidates for election to Parliament. The British system, although more liberal than that of most European nations, excluded constituents without property from the public sphere. Thus, representatives in Parliament were not representative of the people. Their position in Parliament merely represented the amount of land they owned, a fact that seemed to highlight the extent of bribery and patronage involved in British elections.

In response to previous attempts by British monarchies to subordinate the power of Parliament, the Glorious Revolution weighted the balance of power within the British system of government in favor of Parliament. During the eighteenth century, the balance of power between Parliament and Crown was once again realigned through the growth of the system of patronage. The Crown attempted to control Parliament through his appointed ministers. Through the system of patronage and promotion, government ministers could rely on the unconditional support of the bishops appointed to the House of Lords. The Quebec Act easily passed in the Houses of Lords and Commons demonstrating that a decision of Parliament did not necessarily reflect public sentiment;

[127] Marshall, Dorothy, 51. During the eighteenth century, the monarchy chose his ministers of state, called the king's "cabinet." Today, the Prime Minster chooses the members of his Cabinet from the pool of

although the members of Parliament were supposed to be a representative of the British public. One reason is that the debate and votes on the bill took place in the summer when many MPs had withdrawn to their constituencies. Moreover, Lord North had secured support for his administration from a majority of Parliamentarians.

Stephen Conway argues that the formation of North's ministry together with his majority in the House of Commons represented the end of a broad parliamentary consensus on American affairs. As North took control of Parliament, debates on American affairs became party political along Tory and Whig lines. With an 'in-built' majority, Lord North was confident that his legislative program vis-à-vis North America could pass through Parliament, regardless of the Whig opposition. Hence the Coercive Acts and the Quebec Act.

The power of patronage resulted in calls for reform of parliamentary corruption. The notable contemporary example of the restrictive political system concerned Wilkes. The Quebec Act was debated at a time when there was a call for a broader representation in Parliament and away from a system of influence and patronage reemerging under George III. Foremost in this call was Wilkes. The government's behavior towards Wilkes and the colonies made some Britons accuse the government and George III of heading back to a time under James II, although this was only perception (similar to that in the colonies in the 70s) and there is no evidence that George III intended to impose despotic rule over parliament or the nation.

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elected Members of Parliament.

# CHAPTER 4

## THE RATIONALE OF THE QUEBEC ACT

This chapter analyzes the rationalization of the Quebec Bill and the reasons given by the opposition as to the bill's folly. The literature on the "spirited [Parliamentary] debates" over the Quebec bill is sparse; the late Philip Lawson has undertaken the only examination of the debates in 1990, over twenty years ago.[128] This chapter is a corrective to this neglect. To allow for a better comprehension of the opposition to the Act in Britain and the colonies it will be helpful to understand the raison d'être of the Act. This chapter considers the breakdown of constitutional rigidity and considers how the British political and intellectual elites recognized the difficulties inherent in overseeing an expanding empire incorporating non-English peoples. The proponents of the Act maintained that a reinterpretation of the constitution was essential to fulfill Britain's imperial destiny and reflect the reality of modernity, and many maintained that it was essential that the assumptions underlying the constitution had to be adaptable and not static. On the other side, Parliamentary opposition denounced the Quebec Act as a betrayal of Protestantism and the Revolutionary settlement. The developing toleration of Catholics in Britain, the lingering memory of the tenets of the Glorious Revolution, and the changing nature of empire all presented a favorable environment in which to introduce the Quebec bill. However, the Enlightened—more liberal— principles pursued by the government also underscored the difficulty of governing an expanding empire**.**

[128] Philip Lawson, *The Imperial Challenge.*

The hotly debated parliamentary deliberations of 1774 and 1775 highlight the dilemma for Lord North's government over the previous acquisition of Quebec. The Parliamentary debates regarding the Quebec bill commenced in May 1774, after Lord North, Second Earl of Guildford and George III's First Minster, had introduced the bill to Parliament. The purpose of the Bill, according to Lord North, the Member of Parliament for Banbury, Oxfordshire, was to "give [Quebec] laws" namely, criminal laws, civil laws and political laws. The Bill was to be a pragmatic political solution to the problem of how to administer a province, won by conquest that, according to General Carlton, the Governor of Quebec estimated the population of Quebec at 70,000.

The Quebec Bill debate was feisty and complex, chaotic and disordered. For the benefit of the reader, however, the narrative of debate is organized into categories discussing the most relevant topics of debate: the constitutional elements of the bill (assembly, habeas corpus, trial by jury), the religious clause, the effect on imperial policy, and speculation of another motive for the bill. The provisions of the bill also covered various other topics, such as and the geographical extent of Quebec. This thesis will highlight the provisions concerning the constitutional and religious elements of the bill.

As concluded earlier in this study, the memory of the Glorious Revolution was still fresh in the minds of Englishmen. Therefore, any real or perceived threat to the Revolutionary Settlement either in Britain or within the empire would be contentious. Until the last quarter of the seventeenth century, parliamentarians measured legislation brought in front of parliament against the events of 1688-9. The provisions of the Quebec Act single handedly fell afoul of almost all the elements of the Revolutionary settlement.

First, the bill appeared to ignore the fundamental constituents of the constitution itself. The bill became controversial in this regard because it omitted many of the elements considered essential to a free nation, such as an elected assembly, trial by jury and habeas corpus. An unnamed letter to the editor of the *London Chronicle*, lamented the fact that English laws, "the glory of England and perhaps the perfection of human wisdom" had been "positively excluded…" from the Quebec bill.[129]

The Glorious Revolution illustrated the significance of an elected assembly at the heart of the political system. Elected assemblies became so indicative of a society free from an absolutist monarchy that colonials established assemblies in many of the American colonies. In his writings on government, Montesquieu maintained that if the legislative and executive functions are concentrated in one person (or institution, as planned for Quebec) "there can be no liberty." According to Montesquieu, if an individual is invested with sole and absolute power he will abuse it and carry the power to its full extent. Therefore, checks and balances are required to avoid abuse. If there are no such checks and balances in a political system, Montesquieu argued, this state of affairs would give way to "apprehensions" amongst the citizenry that the monarch or appointed council may pass tyrannical laws not open for debate.[130] Therefore, it is understandable that there was public outcry when the Quebec Bill denied the Canadians an elected assembly and in its place an offered an appointed council. Not only did this provision contradict the mixed political system but also it failed to conform to the Revolutionary Settlement.

[129] *The London Chronicle*, May 31-June 2, 1774.
[130] Montesquieu, *Spirit of the Laws*, 69-71.

Thus, there was a genuine concern about an appointed governor and council with no check on their power such as an elected assembly. Thomas Townsend MP argued the nature of the bill was despotic because, amongst other things, it denied the inhabitants of Quebec, now British subjects, a legislative assembly, the foundation of the English political system. Rather, the bill provided for an appointed governor and council with no check on its power. This provision appeared to opposition MPs as a direct threat to the notion of a mixed government.[131] John Dunning M.P. believed that the Quebec Act did not preserve English liberties coveted by all when he remarked that Quebec bill was "not only a cruel, violent, and odius measure, but it tears up justice, and all its principles, by the root."[132] Lord Camden complained that the Quebec Act placed British subjects under the arbitrary control of a governor and his appointed cabinet, with no oversight of his decisions by an elected assembly.

Lord North defended the omission of an elected assembly in Canada's constitution. He argued that the British Protestant minority would have a monopoly position in the assembly because Roman Catholics could not hold a public office under English law. North was not in favor of an assembly filled with the minority population ruling the majority. North was against minority rule and this would be "unequal" and "cruel" on the majority population. A council therefore would be "conducive to the happiness of the people."[133]

Lord North also argued that it was not right for Britain to impose its political system and institutions on French Canadians because they had only been used to an

[131] Cobbett, *Parl. Hist.*, XVII, 1357.
[132] Cobbett, *Parl. Hist.*, XVII, 1360.
[133] Cobbett, *Parl. Hist.*, XVII, 1358.

arbitrary system under French rule. Therefore, Britain should not impose English freedoms on Quebec because French Canadians had not been used to such freedoms under French governance. Furthermore, Lord North argued that a governor without the check of an elected assembly governed the French colony. Therefore, an assembly would confuse the Canadians. Lord North argued that the conquerors should take into account local conditions in deciding how to govern the conquered.

In the 1774 debate, contradictory testimony was offered to the House by Governor Carlton and M. De Lotbiniere on the issue of an elected assembly. Carlton defended the Quebec Act, although he did concede that the bill would not provide Quebec with the "freest government that could be granted."[134] Carlton testified that the French wanted to retain a few of their traditions, for example their religion, a governor and council, and civil cases decided by a judge.[135] Carlton's evidence appears to be less credible than that of Lotbiniere because during the 1760s, when anti-British sentiment was emerging in the southern colonies, he argued for the Anglocizing of French-Canadians and take the opportunity to form a barrier to "colonial insolence."[136] Carlton wanted to keep Canadians passive to avoid the temptation of joining the American colonies in a potential anti-British conflict. Moreover, during 1770-74, Carlton resided in England, so how could he be up to date with what Canadians wanted? Lotbiniere, a French speaker, testified that the French-Canadians desired an elected assembly and civil trial by jury.

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[134] Cobbett, *Parl. Hist.*, XVII, 1371.
[135] Cobbett, *Parl. Hist.*, XVII, 1365-7.
[136] Oscar Skelton, *The Canadian Dominion*, vol. 49 of *The Chronicles of American Series*, ed. Allen Johnson (New Haven: Yale University Press, 1919), 14.

The act did not extend the individual protection against arbitrary arrest, that is the right to know why an individual has been arrested. Sir William Holdsworth said of the writ of *Habeas Corpus* that it is "the most effectual protector of the liberty of the subject that any legal system has devised." Notwithstanding Holdsworth's pronouncement, the Quebec bill did not extend this core right against the threat of arbitrary arrest and imprisonment to the territory. In regard to the right of habeas corpus, a forceful confrontation occurred between Alexander Wedderburn, the Solicitor General, and Francis Maseres, Attorney General for Quebec. The latter was concerned that without the right of habeas corpus individuals could be arbitrarily incarcerated. In France and pre-1763 Quebec, the monarch was able to issue a letter de cachet, an order that is unappealable.[137] Consequently, the bill would not provide the "freest government that could be granted" to the territory.[138]

A further ancient right not extended to Quebec by the Act was the right to jury trial in civil cases: the bill stated, "in all Matters of Controversy, relative to Property and Civil rights, Resort shall be had to the Laws of *Canada*…" This provision of the bill provoked outrage from the opposition who remonstrated that giving precedence to French laws in civil cases failed to abide by the Royal Proclamation of 1763. The Proclamation gave a guarantee that throughout the territory now allocated to Quebec, the laws of England would protect the inhabitants and as such, the bill established despotic government within Quebec.[139]

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[137] Cobbett, Parl. Hist., XVII, 1367-76.
[138] Cobbett, *Parl. Hist.*, XVII, 1371.
[139] Lord Chatham, Cobbett, *Parl. Hist.*, 1402.

North justified this provision by arguing that the retention of French civil law was "more humane than to change it for a new law of which they must be entirely ignorant."[140] Edward Thurlow, the Solicitor General, followed up by submitting that it would be cruel and tyrannical to impose unknown civil laws on the French Canadians. In response, Issac Barré, a supporter of Lord Chatham's party, heatedly submitted that there were no English laws that French Canadians could not understand and that not one subject of the empire should deny any of the rights and liberties given by the constitution.[141] This led John Dunning, Member of Parliament for Calne, Wiltshire, to declare that the bill deprived French and English Canadians the protection of person and property enshrined in the British constitution. Continuing his lambast against the bill, Dunning bemoaned that the French Canadians were no freer under this bill than they were under French rule, and that they would remain loyal to their French masters because there was no improvement in their liberties.[142]

John Glynn, M.P. for Middlesex, noted that although the "ignorant people" perceived Parliament as corrupt, they also perceived the trial by jury as "a safeguard to the nation." They would therefore, distrust any move by Parliament to deny this right to any subjects of the empire for fear that the government would surely remove this right in the mother country. [143] According to George Johnston, M.P. for Appleby, and an opponent of the bill, the Canadian bill made juries unnecessary and promoted French laws above English.[144] Mr. Samuel Morrison, an eleven-year resident of the province, spoke in favor of the exercise of English laws in Canada. Morrison testified that both

[140] Cobbett, *Parl. Hist.*, XVII, 1359.
[141] Cobbett, *Parl. Hist.*, XVII, 1361.
[142] Cobbett, *Parl. Hist.*, XVII, 1360.

French and English residents approved of jury trial in civil cases. He continued to argue that if civil trial by jury gave way to French law, the province and particularly Protestant settlers would be worse off.[145] When in the Committee of the House Mr. Mansfield, a one-year resident of Quebec, representing a council for London Merchants, questioned by MPs, testified that the inhabitants of Quebec *preferred* English law to French law.[146]

A few MPs were concerned that British subjects, many of them merchants important for trade, would flee Quebec if French civil law replaced English law, as merchants considered French law would not protect their property. The MPs also feared that British trade would suffer and thus hinder the progressive expansion of the empire. It was therefore more important for the British government to cultivate its new subjects and bind Canadians firmly to Britain than it was to create a replica of England. Sir Robert Smyth, a supporter of the legislation, argued that, although he was interested in English laws and liberty extended to all parts of the empire, consideration needed to be given to "local conditions"—the character of the people, customs, institutions and prejudices which make it impossible for English laws to be adopted in their "original purity."[147]

The most divisive provision of the bill, and the provision that this study argues successfully united the American colonies in their rebellion against Britain, was what this thesis calls "the religious clause." This clause provided that "for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province, it is hereby declared, That His Majesty's Subjects, professing the Religion of the Church of Rome

[143] Cobbett, *Parl. Hist.*, XVII, 1395.
[144] Cobbett, *Parl. Hist.*, XVII, 1391.
[145] Cobbett, *Parl. Hist.*, XVII, 1364.
[146] Cobbett, *Parl. Hist.*, XVII, 1363.
[147] Cobbett, *Parl. Hist.*, XVIII, 682.

and in the said Province of Quebec, may have hold, and enjoy, the free Exercise of the Religion."[148] This clause proved divisive within the three territories that made up Britain's North Atlantic Empire: Britain itself, Quebec, and the existing American colonies. For example, in Britain an ideological divide emerged in British society, illustrated by two conflicting polemics. In *An Address to the People of England, Scotland, and Ireland*, Catherine Macaulay argued that only Anglicanism was compatible with the "fundamental principles of our constitution." In contrast, a pamphlet titled "Hypocrisy Unmasked" declared that God's religion "is the religion of boundless benevolence" and embraces all Christian denominations, including Roman Catholicism.[149]

The divisive nature of the clause reflected the reality of the effect of Enlightenment principles that were emerging in Europe, Britain and America during the eighteenth century. One of these principles was the toleration of other faiths. Furthermore, the religious clause reflected the "reality on the ground," in that toleration of "the other" was already occurring in parts of Britain.

Lawson's *Imperial Challenge* represented the first serious study of the constitutional implications of granting religious toleration to the French Catholics of Canada, as debated in Parliament between 1763 and 1774. The religious clause was a symbol of the changing philosophy towards the toleration of religions within the state.

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[148] V. 14 Geo III. C.83, W. P.M Kennedy ed., *Documents of the Canadian Constitution, 1759-1915* (Toronto: Oxford University Press, 1918, 98.

[149] Catherine Macaulay, *An address to the people of England, Scotland, and Ireland on the present important crisis of affairs*. By Catherine Macaulay [Bath] MDCCLXXV [1775]. *Eighteenth Century Collections Online*. Gale. University of Nevada Las Vegas. (accessed October 20 2011), 15; Hypocrisy unmasked: or a short inquiry into the religious complaints of our American colonies. To which is added, a

Lawson cites Alexander Wedderburn, the Solicitor General in 1774, who advocated for religious toleration, turning the view of the Catholic threat from 1688 on its head.[150] Lawson concludes that the Quebec Act was emblematic of a change "in the political assumptions that were the legacy of the events of 1688."[151]

The notion of religious toleration developed out of the Glorious Revolution together with the emerging Enlightenment. In Britain, the reign of James II interrupted any notion of religious toleration. During the last year of James's reign, Locke, a committed Protestant, argued for the toleration of all Protestant denominations and for the privilege of all Protestant subjects follow their conscience in matters of religion though he stopped short of condoning the toleration of non-Protestant religions. During the eighteenth century, the belief in religious toleration had been gradually growing in Britain within higher political and intellectual circles.[152]

The preceding chapter argued that anti-Catholicism pervaded the urban regions of Great Britain and that the popular fear of a Roman Catholic resurgence united the people against a greater foe. As scholars have discovered, the harassment of Catholics and the fear instilled into non-Catholics was out of all proportion to the percentage of the population that was Catholic.[153] The reason why non-Catholics were easily convinced that a Catholic restoration equated to the loss of individual liberties was the memory of James II.

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word in Great Britain and Ireland. The third edition. London, MDCCLXXVI. [1776] *Eighteenth Century Collections Online*. Gale. University of Nevada Las Vegas (accessed October 18 2011), 19.
[150] Lawson, *Imperial Challenge*, 122.
[151] Lawson, *Imperial Challenge*, 127.
[152] Coupland, *The Quebec Act*, 8.

Scholars argue that deep-rooted anti-Catholicism in rural regions of Great Britain was not as pervasive as once thought and that in these regions, a more tolerant attitude toward Roman Catholics existed. There, Roman Catholics interacted with Protestants on a daily basis. Moreover, although not officially permitted to do so, in actuality priests ministered to their flocks without interference. Moreover, and notwithstanding the Penal Laws, numerous English Catholics, particularly those of wealth, flourished. The Penal Laws, aimed to restrict the rights of Catholics, were not strictly enforced, and "men of goodwill [towards Catholics] tamed the ferocity" of those laws. For example, lawyers and clerks worked tirelessly to conceive of strategies in "defence of Catholic liberty and property." Furthermore, "fines and rewards under the Penal Laws generally went unclaimed…meanwhile the priests ministered to their flocks without abuse."[154]

The majority of English Catholics lived in the northern regions of England, historically the center of English Catholicism where they existed peacefully with Protestants. Northerners, rather than Londoners and southerners, cherished a liberal respect for the claims of individual conscience.[155] For instance, a Frenchmen described an English squire making a toast after a fox hunt to "all honest fox hunters in Great Britain, Protestant or Catholic without exception."[156] Thus, an attitude of religious toleration was emerging in Britain; hence, the religious clause of the Quebec Bill was understandable. In sum, for the most part, British Roman Catholics went unmolested during the eighteenth century, attitudes to those outside the Church of England became more liberal, and "those

[153] R.W. Linker, "English Catholics in the Eighteenth Century: An Interpretation," *Church History* 35, no. 3 (September 1966): 288-310; Maureen Wall, *The Penal Laws, 1691-1760* (Dundalk, Ireland: Published for the Dublin Historical Association by Dundalgan Press, 1967.
[154] Linker, "English Catholics," 289.
[155] Linker, "English Catholics," 289.

who inveighed against Popery were increasingly out of step with fashionable thinking."[157]

The defeat of Jacobinism in 1745 and George III's de facto recognition by the Pope after James Edward's death in 1766 "put an end to serious political concerns about the papists." Consequently, intellectuals began to question whether the enduring intolerance of Catholicism contradicted the principles of the Enlightenment movement emerging in Britain. The intellectual justification for religious toleration in the second half of the century was that "no man could be forced to accept particular religious opinions and attend a particular form of worship."[158]

By the 1770s, anti-Catholic sentiment had ceased to be fashionable amongst many in the British ruling classes. British intellectuals, such as Lord Mansfield and William Blackstone, held reservations as to the morality of religious intolerance of Dissenters as well as Roman Catholics.[159] In his *Commentaries of the Laws of England*, Blackstone argued for a relaxation of the Penal Laws:

> If a time should ever arrive, and perhaps it is not very distant, when all fears of a pretender shall have vanished, and the power and influence of the pope shall become feeble, ridiculous, and despicable, not only in England but in every kingdom of Europe, it probably would not then be amiss to review and soften these rigorous edicts…for it ought not to be left in the breast of every merciless bigot, to drag down the vengeance of the occasional laws upon inoffensive, though mistaken, subjects…

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[156] Le Blanc, *Letters on the English and French Nations* (1747). Quoted in Marshall, *Eighteenth Century English Society* (Harlow, UK: Longman, 1962), 32.
[157] Williams, *The Eighteenth Century Constitution*, 325; Haydon, *Anti-Catholicism*, 18.
[158] Colin Haydon, "Parliament and Popery in England, 1700-1780," *Parliamentary History* 19, no. 1 (February 2000): 54; H.T. Dickinson, "Popular Politics and Radical Ideas" in *A Companion to Eighteenth Century Britain*, ed H.T. Dickinson (Malden, MA: Blackwell Publishing, 2002, 2006), 102.
[159] Donovan, "The Military Origins…" *The Historical Journal* 28, no.1 (March 1985): 79-102.

Colin Haydon maintains that from as early as the 1750s the political elite ceased to fear Catholicism as a political force and "more than ever questioned the social utility and morality of religious persecution."[160] For example, in 1761 Lord Egremont wrote to the victor of Montreal, General Amhurst, and declared that French Catholics who chose to remain in the province should not be subjected to "uncharitable reflections on the errors of that mistaken religion, which they unhappily profess." Egremont acknowledged the "errors" of the Roman Catholic religion, but at the same time, he illustrated an emerging religious toleration within the British political elite.[161] Lord Lyttleton, a voice for Christian unity, argued during the parliamentary debates on the Quebec bill, that, "…the evil would not be great [if Catholicism replaced Protestantism in England] for that Christian men might meet in the faith of Christ and in Christian charity without these things, which to the pure heart and the truly devout were of little importance…"[162]

The religious clause of the Quebec bill embodied, however, the dilemma which *philosophies* contended with: that of the toleration of religions in the furtherance of liberty and freedom and the perceived despotic nature of Roman Catholicism. Those advocating the religious toleration of Roman Catholicism were conflicted about tolerating this faith in the knowledge that absolute monarchs and priests had prospered under Catholicism.

Lyttleton argued that it was more important that Britons followed the tenets of Christ than to persecute separate denominations, and that it would be of no consequence

[160] Haydon, *Anti-Catholicism*, 256.
[161] Egremont to Amhurst, 1761, in "A Nation Defined by Empire," in *Uniting the Kingdom?: The Making of British History*, eds Alexander Grant and Keith J. Stringer (New York: Routledge, 1995), 216.
[162] Cobbett, *Parl. Hist.*, XVII, 1405-6. Lyttleton was answering an allegation made by Lord Chatham that if Roman Catholicism was allowed in one region of the empire there was a good chance that it would eventually be restored in Britain.

to Britons whether Protestantism or Catholicism became the dominant religion. Lyttleton's remarks illustrate how out of touch some parliamentarians were with the intensity of popular devotion to the "true faith" and their revulsion at papists and they highlight the intellectual spiritual divide within British society. Many Britons, and American colonials, did not share Lyttleton's views. This societal divide is crucial in understanding why Whigs and "the people" accused the king and his government of restoring monarchical despotism. Newspapers embellished the despotic narrative.

A writer to the *London Chronicle* promulgated the relationship between papists and tyranny in 1774 responding to the religious clause: "The Roman Catholic Religion is the only established religion, which we all know is the best system ever devised in the world for forming and establishing the most absolute tyranny in government."[163]

Nevertheless, Lord Lyttleton argued that the provisions of the bill, especially the religious clause, reflected "charity and universal benevolence" and were appropriate for the age. He continued to state that the "reign of persecution of dissenters and Catholics was at an end because…science ...had...enlightened the human mind."[164] The work of many English lawyers and clerks who had "kept to their desks...in defense of Catholic liberty and property" echoed Lyttleton's remarks. Lyttleton also made the argument that, "religious intolerance was antithetical to the doctrine of Christianity…..…the doctrinal principles of our holy religion, drawn from that pure and excellent source of the Gospel of our savior, breathed forth a spirit of moderation, candour, and universal toleration to

[163] *The London Chronicle*, May 31-June, 1774.
[164] Cobbett, *Parl. Hist.*, XVII, 1405.

all religions that were not compatible with the precepts of morality, and the general welfare and happiness of mankind."[165]

Lord North justified the free exercise of Catholicism in the province by explaining that this provision only codified Britain's obligation to French Catholics outlined in the provisions of the Paris Peace Treaty. He further argued that the Roman Catholics of Quebec were not subject to the British penal laws unlike Catholics in Britain and Ireland as such could participate in the public sphere.[166]

Lord North also contended that the religious clause was essential in securing the loyalty of Canadian subjects. To preempt the likely opposition by Parliamentarians and the Church of England, North explained that there was no plan to appoint a bishop for the province under papal authority, nor would "Great Britain… permit any papal authority [within the empire] ...as it is expressly forbidden in the Act of Supremacy."[167] Supporters of the bill argued that religious toleration was in line with the principles underlying the Constitution.

Parliamentary opposition relating to the religious clause of the bill echoed popular anti-Catholic sentiment. Within Parliament, the opposition used the religious aspect of the bill to highlight their political misgivings of the bill. For example, Lord Chatham argued that the religious clause made "the Catholic religion the established religion of that vast continent," a religion which he believed by its very nature induced attributes of

[165] Cobbett, *Parl. Hist*., XVII, 1404.
[166] It is doubtful that the colonists were aware of North's statement and its significance. But, if a few Anglo-Americans did, they could use it as evidence that the colonies were not subject to all of the parliament's legislation.
[167] There is no evidence to suggest that North considered the effect of this legislation on the American colonies. It can be argued, therefore, that he was at least negligent in not considering this consequence and the backlash of the colonials.

tyranny and despotic government and he rebuked ministers for establishing "Popery and arbitrary power" in an area that could contain more than "thirty millions of souls."

During his vociferous condemnation of the bill, John Glenn accused sponsors of the bill of "preferring Popery and French laws to the established religion and laws of their own country."[168] Other members, such as Colonel Barré, compared the king to former authoritarian monarchs. In comparing George III and his ministers with Charles I's court Barré remarked "that after their death people might say as they did after the death of king Charles, that by papers found in their closets, they appeared to have died in the Roman Catholic belief." Barré continued his litany of indictments accusing the king's ministers of being "Romish priests," thus, they would be able to give him absolution for his sin of proposing legislation, which contradicted his coronation oath, promising to maintain and protect Protestantism.[169]

Lord Chatham was part of the 'Seven Years War' generation, having successfully steered the nation to victory against Catholic France and Spain. He argued during the debate on the Quebec bill, that legally recognizing the Catholic religion in part of the empire "might shake the affections and confidence of the King's subjects in England and her colonies." Chatham considered the Quebec Act as part of a continuing trend of governmental authoritarianism, arguing that a string of events since George III's accession, for example, the Middlesex election dispute in 1769 involving John Wilkes, convinced him that a restoration of a Stuart-like despotism was developing in Britain.

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[168] Cobbett, *Parl. Hist.*, XVII, 1395.
[169] Cobbett, *Parl. Hist.*, XVII, 1393-4.

Ian Christie argues that Chatham denounced the Quebec Act, and previous colonial legislation, as "evidence of a sinister authoritarian trend in government."[170]

Opposition members—or, as Lawson describes them, "narrow-minded bigot[s]"— inquired whether the establishment of Catholicism in Quebec was the prelude to its restoration as the established church throughout the empire.[171] Thomas Townshend M.P. was concerned that if Catholicism could be "established" in Quebec, would the popish religion proliferate throughout the rest of the empire? He asked Lord North whether the "same toleration should be given to [Catholics] everywhere?" Mr. Townshend declared his concern that those "outside" Parliament would consider it "impolitic" of the House "to give establishment to that religion which is not the religion of our country."[172] Fearing the extension of toleration to England, Mr. Townshend was concerned that in European countries, such as France, the Catholic religion unites its peoples, whereas the existence of Catholicism in England only divides the nation.

Hyperbolic rhetoric littered the Quebec bill debate. This hyperbole is illustrated by James Johnston, the Lieutenant Governor of Quebec, when he forewarned the House of Commons that the Quebec bill threatened the constitution and the constitutional tradition "which our ancestors had framed with so much wisdom and established at the expense of so much blood and treasure is to be destroyed by their wiser sons."[173] The rhetoric was more obvious with regard to the religious clause, whether it established

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[170] Ian R. Christie, "British Politics and The American Revolution," *Albion: A Quarterly Journal Concerned with British Studies* 9, no. 3 (Autumn 1977): 220.
[171] Philip Lawson, "'The Irishman's Prize': Views of Canada from the British Press, 1760-1774," *The Historical Journal* 28 no. 3 (September 1985): 596.
[172] Government of Canada, *Debates of the House of Commons in the Year 1774 on the Bill for the Making More Effectual Provision for the Government of the Province of Quebec drawn from the notes of the Right Honorable Sir Henry Cavendish Bart*. (London: J. Wright, 1839), 16.
[173] Cobbett, *Parl. Hist*., XVII, 1391.

Catholicism in Quebec or merely allowed the unmolested freedom to practice the faith. Within the rhetoric of the opponents to the bill the term "established" enjoyed prominence. For example, Townsend was concerned that the legislation established Catholicism in Quebec and Protestantism merely tolerated.[174] Barré was more insistent that the religious clause "established religion [in] that vast country."[175] Lord North, however, together with his supporters, resolutely argued that the provision allowed only the free exercise, not the establishment, of Catholicism. The distinction between the "establishment" and "free exercise" of a religion was significant during the eighteenth century, particularly in relation to the American colonies, as will be argued in the following chapter. At that moment of the debate, the different terminology used was pure political theatre. It was in the interest of the opposition to paint the government as supporters of the Catholic faith, inserting the question of Catholic establishment into their narrative, insisting that George III via Parliament wished to reassert crown privileges in his plan to rule without the necessity of Parliament as under the Stuart reign. It was in the interests of the Government to show that its intention was not to establish Catholicism in any part of the empire, let alone within Britain, as James II had sought to do. Ironically, colonial Patriots used the word *established* to accuse the Church of England of attempting to establish Anglicanism within the colonies.[176]

As a result of the concessions North's government was presenting to the Canadians, a new imperial policy emerged, reflecting a new reality within the empire,

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[174] Government of Canada, *Debatesof the [British] House of commons in the Year 1774 on the Bill for Making More effectual Provision for the Government of the Province of Quebec drawn up from the Notes of the Right Honorable Sir Henry Cavendish, Bart* (London: J. Wright, 1839), 6.
[175] Cobbett, *Parl. Hist.*, XVII, 1361.
[176] The issue of American colonists substituting the Church of England for the Roman Catholic Church as the 'new' enemy of the Protestant faith is complex.

that of incorporating fellow subjects who could be considered the "other" in that their beliefs, traditions and customs were different from English beliefs, customs, and traditions. They became strangers within the realm, legitimately within the realm.

With a few exceptions, Britain's *modus operandi* after attaining new territory had been to Anglicize that territory. But within some of the government speeches in parliament regarding the Quebec question, a new imperial policy seemed to emerge. In fact, some castigated the old policy that undergirded the first British Empire. For example, Wedderburn when arguing that the laws of the conqueror should not be forced on to the conquered, alleged that only the Romans and English had followed such a "most cruel and barbarous policy…"[177] He further stated that England had not extended its laws to conquered territories since acquiring Wales and Ireland during the reigns of Henry VIII and James I respectively. The Solicitor-General had obviously forgotten how the British treated the Acadians when they failed to take the oath of loyalty after the acquisition of Acadia from France. Indeed, the Acadian deportation was continuing during the debate regarding the Quebec bill. Opponents of the Act, including Lord Camden, argued that the government was obliged to provide new subjects no fewer rights than those as set out in the Act of Settlement; these rights, as Camden declared, were the "birthright of every British citizen."[178] Subsequent to the Quebec Act passing through Parliament, Lord Mansfield, the Lord Chief Justice, held in dealing with a case concerning Grenada that:

[177] Cobbett, *Parl. Hist*., XVII, 1362.
[178] Cobbett, *Parl. Hist*., XVIII, 659. It was Lord Camden who introduced, to the House of Lords, a bill to repeal the Quebec Act.

> In all accessions of territory to the crown, the king is constitutionally entrusted, and required to extend to his new subjects, the laws of England and the benefit of a constitution similar to that of our own country.[179]

This decision is notable for three reasons: first, Lord Mansfield, considered by historians as a disciple of the English Enlightenment, was a supporter of the Quebec bill and voted for it even though it plainly did not extend all English laws to the inhabitants of Quebec. Secondly, the repeal bill debate forced Mansfield to concede that Camden's allegation of the Lord Chief Justices' contradictory parliamentary vote and court decision "were not without foundation."[180] Indeed, Mansfield, in trying desperately to save face and rationalize his support of the Quebec Act and his decision in the case of *Campbell v. Hall* (1774), explained that presenting a constitution for a newly acquired territory, even one that contradicts the principles of the British constitution, is better than no constitution at all.[181] Thirdly, Camden continued to embarrass the Lord Chief Justice, this time in order to question the legality of the Quebec Act itself. Camden argued that the principle on which the bill was based, that the king of a conquered territory may give that territory any constitution he saw fit, did not reconcile with what Mansfield held in *Campbell v. Hall*, that "a king of England could not exercise arbitrary power or reign over any of his subjects…in a despotic manner, against the spirit of the constitution." The question raised by the confrontation between Mansfield and Camden was, that if the Quebec Act was contradictory to the constitution, how did the bill pass and was there more to the bill than giving Quebec a constitution that was moral, humane and pragmatic?[182]

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[179] Cobbett, *Parl. Hist.*, XVIII, 659.
[180] Cobbett, *Parl. Hist.*, XVIII, 675.
[181] Cobbett, *Parl. Hist.*, XVIII, 676.
[182] Cobbett, *Parl. Hist.*, XVIII, 676.

In his notable study of the Quebec Act, Lawson believed he had lain to rest the contentious issue of the association of the Act and the thirteen southern colonies in timing or motivation. Lawson argued that he could not find evidence to prove a connection between the Quebec Act and the American colonies. He submits that the timing of the Quebec bill debate was coincidental to the Boston Tea Party and was in no way part of the Coercive Acts, which punished Boston and with which many American scholars have mistakenly connected the Quebec issue.[183]

This following section of the thesis amounts to a reconsideration of Lawson's conclusion. According to Sir Reginald Coupland, had it not been for the Quebec Act being passed in 1774, "Canada would have been lost to the Empire in 1775."[184] Coupland, argued that the introduction of the Quebec bill had no connection with the American colonies. Earlier scholars of the Act suggest that North's government was encouraged to introduce the bill in the parliamentary session preceding the Boston Tea Party. This paper agrees in part with scholars on both side of the debate. On one hand, there is no evidence in North's speeches during the debates that he had reference to anything other consideration than providing a constitution for Quebec. On the other hand, however, it is difficult to believe that North did not have the American colonies on his mind when steering the Quebec bill through Parliament.

Charles James Fox, MP for Midhurst in the county of West Sussex, in Parliament, challenged the primary purpose of the Act. He argued that not only did the bill relate to the people of Quebec, but to the dispute with the existing American colonies. He said,

[183] Lawson, *Imperial Challenge*, 144.
[184] Coupland, *The Quebec Act*, 194.

"…if the dispute had not arisen with our American colonies, the Act of last year [1774] would never have been thought of" and the province left without law or political organization.[185] Fox maintained that the introduction of the Quebec bill in 1774, eleven years after the province became part of the empire, was due in part because of the "disputes …with our American colonies."[186]

Even supporters of the bill submitted that the Act was part of an imperial strategy against the colonies. Lord Lyttleton, for example, remarked, "French Canada would in a future day be used as a proper instrument to quell British America." Lyttleton continued by declaring that if "British America was determined to resist the lawful power and pre-eminence of Great Britain" he did not think there would be any reason why "the loyal inhabitants of Canada should not cooperate with the rest of the empire in subduing them."[187] Here, Lyttleton is clearly mixing the issues of the rebellious patriots in Boston and the need for a constitution for Quebec. Furthermore, during the repeal bill debate in 1775 Lord North asserted that, "If the refractory colonies… [could not] be reduced to obedience" it would be necessary "to arm the Roman Catholics of Canada and employ them in that service." It is hard to imagine that, as Lawson concedes, North did not have similar thoughts a year earlier knowing that if he could secure Quebec for Britain the territory would not only be protected against an attempted French resurgence in North America but also and from the spread of anti-British sentiment from the southern colonies.[188]

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[185] Cobbett, *Parl. Hist.*, XVIII, 681.
[186] Cobbett, *Parl. Hist.*, XVIII, 681.
[187] Cobbett, *Parl. Hist.*, XVII, 1406.
[188] Cobbett, *Parl. Hist.*, XVIII, 681.

Concerns about events in the colonies were evident in the 1774 debate on the Quebec bill. Lord Lyttleton, a strident defender of the bill, equated the America colonists of the 1770s with the English puritans of the 1640s who "demolished regal authority" through the execution of Charles I and set up a republic in England. Lyttleton's description clearly demonstrates that in England at least that, there were fears that the Americans had the idea of independence on their minds, two years before the Declaration of Independence was signed. With the troubles in the colonies reigniting during the early 1770s, before it decided to introduce the Act, Lord North's administration must have been aware that Quebec could join the thirteen colonies in resistance and would be lost to the empire and feared France may join the colonies against Britain to reclaim its lost province.

In taking up the cause of the American colonists, the opposition used the Quebec Act as an allegory for corruption, despotism, and tyranny in order to protest the issue of the royal prerogative at home and in the colonies. For instance, the prospect of the crown raising its own revenue in the colonies through fines and duties levied by appointed customs officials without the oversight from Parliament was a "perpetual nightmare" for the opposition and any Englishman who feared despotism. Furthermore, the Whigs worried that if the Crown were able to suppress colonial resistance its power would be such that a revival of a Stuart-type monarchical tyranny, not accountable to Parliament, was possible. A British official writing to an American in the colonies accused the British government of aiming at "nothing less than despotism." He continued that, in his opinion, "England had fallen to arbitrary government, and that English liberties would only

remain in the colonies."[189] Lord Camden, arguing against the bill, warned colonials that the Quebec Act would "secure a Popish Canadian Army to subdue and oppress the Protestant British colonies of America."[190]

In the House of Lords, Lord Chatham alleged the Quebec Bill was an attempt by North to separate Canada from the American colonies, a divisive strategy to be used at a future date to quell American resistance to British sovereignty. Lyttleton did not directly deny Chatham's allegation, instead he remarked he was confident that the American colonies would not rebel. Lyttleton, however, continued to say that if America did rebel he was sure the "loyal" Canadians would help the empire in subduing the rebellion. During the 1775 parliamentary repeal debate, Sir George Savile, on the floor of the House of Commons, alleged that he was aware of orders to raise a "Canadian regiment of French papists."[191]

Whether or not the bill was written with the southern colonies in mind, it had a major impact on the colonies minds. The debates themselves had a devastating effect on the relationship of the mother country and the colonies. As will be illustrated in the following chapter, accounts of the debates reached the colonies and their content was used as propaganda in the patriots cause against Britain.

While many contemporaries sniffed the stench of despotism within the provisions of the Act, some modern historians have seen rather a new commitment to civil liberties. Lawson contends that the Quebec Act was a "radical" piece of contemporary legislation, demonstrating a willingness to modify the tenets of the Revolutionary Settlement and

[189] *Connecticut Gazette*, January 27, 1775.
[190] Cobbett, *Parl., Hist*., XVIII, 657-8.
[191] Cobbett, *Parl. Hist*., XVIII, 679.

engage changing realities. It was, in Lawson's view, a triumph of 'enlightened' governance.[192] Opponents of the Act, in Britain and in the American colonies, however, did not consider the Act as a 'radical' step towards an enlightened future but, conversely, as returning Britain to the era of James II. Questions of whether the denial of constitutional rights to British subjects or the toleration of Roman Catholicism represented a step forward or a step backward for the British empire hung over the debate.

British opponents of the bill accused Parliament of fostering despotic government in a territory of the British Empire and argued that all British subjects throughout the empire were entitled to the freedoms, won over many centuries, and affirmed in the Bill of Rights. They also argued that its provisions challenged the principles of the Act of Settlement and the Protestant succession.[193] Anglo-Americans believed that the British government was abandoning the tenets of the Revolution only to replace these principles of freedom and liberty with absolutist rule over the colonies centered on George III and Parliament. This belief proved disastrous for Greater Britain.[194]

The opposition in Parliament combined concerns over the consequences of the bill for Britain with the troubles in the American colonies. Lord Chatham, for example, harbored concerns about how the colonists would react to the bill. He warned the House of Lords that in relation to the American colonies "the hearts of all his majesty's American subjects" would be finally lost with the implementation of the bill.

[192] Lawson, *Imperial Challenge*, 127.
[193] G.H Gutteridge, "The Whig Opposition in England during the American Revolution," *Journal of Modern History* 6, no. 1 (March 1934): 2.

# CHAPTER 5

## ENLIGHTENED EXPANSIONISTS AND RADICAL PATRIOTS

> While Old England is becoming New, New England is becoming Old.
> —John Clarke

On July 2 1776, the day that would "begin the most memorable Epocha in the History of America," fifty-six men, representing twelve of the thirteen British colonies in North America, agreed to adopt The Unanimous Declaration of the 13 United States of America. In so doing, the United States Continental Congress answered "the greatest Question": the Congress resolved that it had the right to declare its independence from Great Britain. The Declaration officially repudiated British interference in the affairs of the American colonies.[195] The British, though, regarded the Declaration as akin to a domestic confrontation, pitting Briton against Briton, albeit across an ocean. Continuing to hold the view that the colonies represented the 'child' to Britain's 'parent,' the British considered the Declaration a treasonous undertaking. In the minds of Britons, the subsequent war was not a struggle for liberty, as the Americans thought of it, but a civil war between British compatriots.[196]

This chapter will explore the shifts of British and colonial identities, highlighted by the Quebec Act, that would, in 1776, promote the disparate interpretations of the

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[194] Lawson, *The Imperial Challenge*, 122.
[195] John Adams to Abigail Adams, Philadelphia, second letter, July 3, 1776 and John Adams to Abigail Adams, Philadelphia, first letter, July 3, 1776 in *Familiar Letters of John Adams and his Wife Abigail Adams, During the Revolution,* ed. Charles Francis Adams (Freeport, NY: Books for Libraries Press), 193, 191.
[196] Between the Act of Union in 1707 between England and Scotland and the end of the nineteenth century, "'Britishness' trumped 'Englishness'" (Krishan Kumer, "Nation and Empire: English and British Identity in Comparative Perspective," *Theory and Society* 29, no. 5 (October 2000), 589.)

Declaration of Independence. The Patriot American colonists realized that their consciousness had become more nationalistic than imperial, resulting in a different construction of the constitution and eventually the demises of Greater Britain. Moreover, this chapter will explore whether sincere religious concern or the political use of the Quebec Act to incite anti-British sentiment spurred the vehement reaction of the colonists to the Act.

In order to understand the divergence of Greater Britons resulting in an acrimonious divorce between Britons and Americans, this chapter will compare the reactions of Britons and American colonials to the Quebec Act. To understand the difference, one should note that by the second half of the eighteenth-century writers such as Locke, Trenchard, and Gordon had been marginalized in British political circles. In contrast, Anglo-Americans used their writings amongst others, to justify anti-British protest and to demonstrate that the actions of the British government, culminating in the Quebec Act, were not consistent with the tenets of the symbolic Revolutionary Settlement.

In his attempts to regain a few of the royal prerogatives revoked by Parliament from George's I and II, George III, together with his ministers, was perceived to be subverting the principles of the British constitution, analogous to James II.[197] The king and his ministers faced a conundrum. Entrenched within the consciousness of Britons were the legacy of James II and the principles of the Glorious Revolution. Any threat to the Revolutionary Settlement, real or perceived, was considered a threat to the essence of British identity.

Britons and colonial opponents of the Act argued against the Act from different points of view. British opponents wanted to maintain the status quo of the Settlement whilst remaining the dominant partner in the transatlantic relationship. Even those Britons who had used the colonies in opposing imperial policy did not support the colonies' talk of secession from the empire. Richard Price and Edmund Burke for example considered American articulations of independence as nothing short of inciting civil war. By contrast, the colonists fundamentally reassessed their role within the empire particularly in response to the Act. The two contrasting interpretations of the Quebec Act illustrate the widening political and imperial divide between the two territories of Greater Britain.[198]

After victory in the Seven Years' War, Protestantism defined the First British Empire.[199] Greater Britons considered the victory over France and Spain as a triumph for the Protestant Succession and confirmation of "God's special favor towards Greater Britain."[200] Within a few years, however, Britain and the colonies would themselves 'come to blows' over, amongst other things, the defense of their own versions of "Britishness" and their places within the empire despite P.J. Marshall's maintaining that different types of Britishness could coexist within the empire. According to scholars, "Britishness" in the New World would inevitably become disparate from "Britishness" in the mother country. P.J. Marshall argues that "Britishness" was "specific to time and

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[197] Scholars have found no evidence to suggest that this was the intent of North's administration.
[198] Stephen Conway, *The British Isles and the War of American Independence* (Oxford: Oxford University Press, 2000), 145.
[199] Marshall, *A Nation Defined*, 217 and 221. Stephen Conway argues that the Seven Years War created a sense of a unified British empire, weakening the ties between Britain and its North American colonies. Stephen Conway, *War, State, and Society in Mid-Eighteenth-Century Britain and Ireland* (New York: Oxford University Press, 2006).

place" and within Greater Britain the concept of "Britishness" developed on different trajectories because of different situations.[201] Indeed, P.J. Marshall argues that the American Revolution was a war of "Britishness."

The transformation in British imperial policy was a result of Britain's successful army. When Britain conquered Acadia (Nova Scotia) in the 1750s, the British government expelled thousands of Acadians for refusing to be Anglicized. In the following decade, Britain gained more territory north of the thirteen colonies. The difference between this acquisition and the acquisition of Nova Scotia was the large population of French speaking Roman Catholics with different culture and traditions. Thus, the British government had to modify its imperial policy of Anglicization to one of acknowledging local traditions and customs. In the case of Quebec, these local traditions and customs could not be reconciled with the freedoms and liberties of Englishmen. It was this change of policy that was, in part, responsible for the breakdown of Britain's first empire.

Edmund Burke noted in 1771 that "It is frequently the case that the Interest of our Empire clashes with the Interest of our Constitution"[202] In other words the interest of expanding the empire in terms of commerce, trade, and markets for British manufactured goods would inevitably clash with the principles of the Constitution as was the case with Quebec. Americans integrated this clash of interest into their anti-British protests. In the

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[200] Green, "Empire and Identity from the Glorious Revolution to the American Revolution" in Marshall *Oxford History,* 208-236, [215]
[201] P.J. Marshall, "A Nation Defined by Empire, 1755-1766," in *Uniting the Kingdom?: The Making of British History*, ed. Alexander Grant and Keith J. Stringer (New York: Routledge, 1995).
[202]Quoted in PJ Marshall: "Burke and Empire" in *Hanoverian Britain and Empire: Essays in the Memory of Philip Lawson,* ed Stephen Taylor, Richard Connors, and Clyve Jones (Rochester, NY: Boydell & Brewer,

opinion of the colonists, the Constitution was sacrosanct and not adaptable by Parliament let alone by the aspirations of imperial expansionists.[203] As an editorial in the *New York Journal* put it:

> Those who are weak enough to blame the Americans for their just, natural, and spirited defence of their ancient rights and privileges, would no doubt condemn…the opposition to the…arbitrary and wicked opposition brought about not only the abdication of that wretched runaway James II, but also the glorious revolution.[204]

This extract alone demonstrates how the colonists held strictly to the traditional ideology of the Revolutionary Settlement, whereas in Britain, the political and intellectual elites began to believe that the Constitution was a flexible device that should be adaptable to changing circumstances through the passage of time, such as the expansion of the empire. Moreover, by the Quebec Act, colonists on the western side of the Atlantic world witnessed the mother country that once held dearly its Protestant constitution now establishing popery within the empire. Britain's appeasement of Quebec Catholics reinforced the Anglo-American argument that the nature of Lord North's government was tending towards arbitrary rule in the colonies; consequently, colonial opposition to Britain increased. Joseph Reed wrote to Lord Dartmouth from Philadelphia explaining that the Quebec Act "added fuel to the fire" of the anti-British movement.[205]

The most profound disparity between Anglo-Americans and Britons was in their respective interpretations of the Constitution. Since the Glorious Revolution, English political writers, primarily Whigs, wrote polemics as to the significance of the

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1998.), 291 (Sheffield City Library, W. W. M., Bk 9144: draft for speech on East India Recruiting Bill, 12 April 1771).

[203] Ironically, the new nation of the United States of America would be in a similar position having to balance the national interest with the provisions of the 1787 Constitution.

[204] The *New York Journal*, October 20, 1774

Revolutionary Settlement and found their way to British North America. During the 1760s, the colonial upper classes read imported books from Britain. From these polemics, they learned more about British history and republican ideals that once dominated British history after the civil war.[206] Bailyn argues that these imported publications began to push their readers to interpret in a different way the intent of the writers. Those Anglo-Americans who read Locke, Trenchard and Gordon believed that the passages criticizing the monarchy meant that these writers were advocating for Britain to become a republic and took their writings as authoritative on the subject of political liberty.[207] According to Caroline Robbins, the colonists misinterpreted these writings. For example, Algernon Sidney's *Discourses Concerning Government* became a "textbook of revolution" for the colonial Whigs. Back in Britain, however, rather than arguing for a republic, Real Whig writers such as Joseph Priestly supported the British mixed political system arguing for reforms within the existing system.[208] As such, republicanism became the distinctive consciousness of the Revolutionary movement. Not only were the colonies diverging on the subject of what political system should prevail, but a divergence of how colonists and Britons saw themselves within the empire also began to emerge.

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[205] Joseph Reed to the Earl of Dartmouth, Manuscripts Commission, *Manuscripts of the Earl of Dartmouth*, 362-3. (September 1774)

[206] Scholars have noted that the writings of John Locke were widely read and were influential on the periphery of the British Empire. For example, Linda Colley in "The Politics of Eighteenth-Century British History," *Journal of British Studies* 25, no. 4 *Re-viewing the Eighteenth Century* (October, 1986): 376. Except in London, the number of Britons who read was far lower per capita than in the colonies. Linda Colley asserts that this limited popular opposition to government compare to Anglo-Americans and thus reduced the possibility of revolution against the perceived arbitrary government of George III. In the colonies more readers of Whig ideology meant a greater opposition to perceived arbitrary government power. "The Politics of Eighteenth-Century British History," *Journal of British Studies* 25, no. 4 Re-viewing the Eighteenth Century (October 1986), 367.

[207] According to Bernard Bailyn, the writings of Trenchard and Gordon were "quoted in every colonial newspaper from Boston to Savannah…" *Ideological Origins*, …..; Elizabeth C. Cook, *Literary Influences in Colonial Newspapers*, 104-1755 (New York, 1912) quoted in Bailyn, *Ideological Origins*, 36. In Britain Trenchard and Gordon were considered radicals and thus were marginalized by the political classes.

An additional distinction was emerging between Britons and colonists during the 1760s and 1770s: their respective status within Greater Britain. In Britain, authorities began to question to what extent Anglo-Americans deserved to be protected by the rights and liberties afforded by the Constitution. As P.J. Marshall asserts, by the 1760s the political elite in Britain faced a thorny question: were Americans fellow citizens or subject peoples? In the colonies, Patriots debated a similar question: were colonists to consider themselves subjects of the British monarchy, subordinate to that institution and Parliament, or citizens with autonomous control of their respective colonies? The Quebec Act answered both of these questions.

There thus emerged two distinct views of empire. On the one hand, the British view of empire stressed parliamentary sovereignty over Greater Britain. On the other hand, colonists believed that Greater Britain consisted of a set of peripheral assemblies whose relationship to each other was premised on the equality of political and civic rights and, whilst remaining part of the British Empire, they held autonomy over the affairs of their respective colonies. Consequently, there began internal quarrels during the 1760s stemming from these divergent understandings of political rights within the empire.

In time, colonists became increasingly suspicious as to the real intentions of Britain concerning political equality within the empire. Thus, it can be argued that from the mid-eighteenth-century, Greater Britons of the British Atlantic world no longer held a shared collective consciousness. Britons began to hold an imperial view of empire in which imperial subjects became subordinate to the metropol; while in the colonies there

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[208] Caroline Robbins, "Algernon Sidney's Disclosures," *William and Mary Quarterly*, Third Series, 3 (1947): 267-296; *Eighteenth-Century Commonwealthman*, 350.

emerged a nationalistic view of empire in which Anglo-Americans were equal subjects with Britons in the mother country.[209] Lord Chatham foresaw how the Quebec Act would impact British and Anglo-American relations. He argued that the Quebec Act may "lose the hearts of all his Majesty's American subjects.[210] It would seem that Chatham used the word "all" because he feared that the provisions of the Quebec Act would not only incense the patriot colonials who were already unhappy with British administration of the colonies, but also test the loyalty of those colonials that remained loyal to the empire. Chatham was also warning the Lords that the American colonies could be lost together with the current advantageous trading terms.

The Quebec Act contradicted the British people's revulsion at "popery." Radicals, Dissenters, Old Whigs, and demonstrating mobs, united a "wall" of Protestant opinion in denouncing the Act. The popular belief was that the religious clause of the Act betrayed a covert popish plot to impose despotic rule and re-establish the Roman Catholic Church. By introducing and passing the Quebec Act, "the state, which had for so long glorified in its Protestant constitution, was formally sanctioning the establishment of Popery within its territories."[211]

Such figures as the correspondent to a London newspaper who described the Quebec bill as a "Popish, Calican, Canadian despotic, accursed, d--ned, traitorous bill" stoked British Protestants' fears of "Papists in disguise."[212] The paranoia of a popish plot manifested itself in the popular reaction to the religious clause of the Quebec Act. For

[209] Jack N. Rakove, review of *Peripheries and Center*, by Jack P. Green, *The Journal of Southern History* 54, no. 1 (February, 1988): 96.
[210] Cobbett, *Parl. Hist.*, XVII, 1402-4.
[211] Haydon, *Anti-Catholicism*, 171.
[212] *London Evening Post*, June 2- June 4, 1774.

example, John Williams, a candidate for the Sheriff of London, accused the king's administration of "attempting to overrun [the country], by introducing Popery to be established in a part of his majesty's dominione…" Even Lords Chatham and Rockingham were concerned at the growth of supposed "secret cabals of papists" led by Bute—George III's tutor and suspected Jacobite—in Whitehall.[213]

The concern over crypto-Papists within government explains, in part, why the British people were distrustful of the deeds of their king and government. Since his accession to the throne, George III attempted to restore several of the royal prerogatives, the most important being the prerogative to appoint members of the executive. The king's yearning to play a greater role in government resulted in accusations that the king was attempting to re-establish Stuart-like absolute rule. Because the Stuarts had been associated with Catholicism, any toleration by George toward the papists was fraught with conspiratorial meaning for politics and religion. In such an atmosphere, the developing newspaper industry scrutinized every bill introduced by the government to reassure the populace that their rights and liberties were secure.

Britons treasured their British constitution that and would staunchly protect its ideals. In a 1772 sermon, Shute Lord Bishop of Landaff reiterated how important the Glorious Revolution was to Britons as it "limited the monarchy [and] became the best guard to the rights of the subject." When Lord North's legislation for the administration for Quebec became public, Londoners vehemently reacted to the legislation, perceiving it as a direct attack on the Revolutionary Settlement and Bill of Rights. Any threat to those cherished constitutional developments would unavoidably spark a popular backlash. In

[213] Ian R. Christie, "British Politics and the American Revolution," *Albion: A Quarterly Journal Concerned*

his diary, Sylas Neville predicted that if the government succeeded in "making slaves" of the colonists, the British people would be next. Richard Price on the Quebec and Massachusetts Acts argued: "By the government which our ministers endeavor to establish… in…Canada, we see what sort of Government they wish for in this country; and as far as they can succeed in America, their way will be paved for success here." The doubts of Britons regarding the commitment of their king to protect the Protestant faith and English freedoms initiated a course of action resulting in civil war within the empire. It was argued that the Quebec Act denied British settlers living in Quebec their birthrights as Britons.

In Britain and the colonies, newspapers acted as a conduit to the people of the opposition to the Act. Opposing the Quebec Act reminded its readers of the dangers of Catholicism: "We all know the spirit of the Roman Catholic Religion; our forefathers in this country have bled and burnt too often, and the horrid massacre of St. Bartholomew's in Paris is not so totally buried in oblivion, but that we must still remember its intolerancy."[214]

The *London Chronicle* affirmed the reasons why the British people were afraid of a French occupation, emphasizing the absence of civil liberties and individual protections against arbitrary government-guaranteed under the English Constitution: "By the laws of France, every subject is under the absolute control of the Sovereign; he may be thrown into a dungeon, and strangled with a bow string, without any person being called to account for it."[215]

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*with British Studies* 9, no. 3 (Autumn 1977): 220.
[214] *The London Chronicle*, May 31-June 2, 1774.
[215] *The London Chronicle*, May 31-June 2, 1774.

Fears of the religious clause went well beyond strictly religious issues. English radicals resented the Quebec bill because it did not provide full English rights for new subjects. Thomas Hollis feared how the principles of the Revolution of 1688 could be upheld by "granting legislation and magistrature to papists."[216] John Wilkes M.P. a 'radical' Member of Parliament addressed Lord North in the House of Commons. Wilkes maintained that the Quebec Act "established French tyranny and the Romish religion in their most abhorred extent." Radicals considered this piece of imperial legislation a threat to liberty, and a reaffirmation of their concern that the British government was corrupt and tyrannical. They accused the supporters of the bill of being crypto-Papists, attempting to restore the primacy of the Romish faith in Britain.

Why did a different identity emerge in the colonies after 1760? The plain fact is that Britons who settled in the New World, moved to territory that displayed different characteristics to the mother country, an environment that fostered a transformation in their Old World British identity however vigorously they strived to maintain British traditions and their sense of "Britishness." Jacob Price argues that the "uneven geographical and social distribution of interest" was critical to explaining colonial identity during the middle of the eighteenth-century.[217] David Hackett Fischer, in his impressive study of transatlantic migrations to the British American colonies, argues that as much as they tried to hold onto to their British identity and culture, the different environment itself began to modify their consciousness, as brought to the fore by the Quebec Act. As Edmund S. Morgan demonstrates, the more noticeable difference in

[216] *Memoires of Thomas Hollis*, 431.
[217] Jacob C. Price, *The Atlantic Frontier of the Thirteen American colonies and States: Essays in Eighteenth century Commercial and Social History* (Aldershot, UK: Variorum, 1996).

environment was the magnitude of the New World with an unfathomably abundant supply of land to the West. The supply of land meant that colonists, more often than not, became landowners rather than tenants dependent on landowners as many British were. Moreover, land ownership promoted the sense of freedom and independence from a central power structure. Consequently, the "Britishness" that colonials held was a more conservative type that Britons held.[218]

The Quebec Act appalled and terrified many colonists. Colonial newspapers railed against the Popish threat. According to the *Boston Evening-Post*, "The Quebec [Act] is universally cried out against, and the consequences are dreaded by many loyal and quiet people." The popular reaction of Anglo-Americans to the Quebec Act was put eloquently by Abigail Adams in a letter to her husband: "Since news of the Quebec bill arrived, all the Church people here hung their heads and will not converse upon politics, though ever so much provoked by the opposition party."[219] The *Pennsylvania Gazette* said the legislation would now allow "these dogs of Hell" to "erect their Heads and triumph within our Borders." The *Boston Evening Post* reported that the step was "for the execution of this hellish plan" to organize 4,000 Canadian Catholics for an attack on America. In Rhode Island, every single issue of the *Newport Mercury* from October 2, 1774 to March 20, 1775 contained "at least one invidious reference to the Catholic religion of the Canadians," according to historian Charles Metzger.[220] One reason why the reaction of the colonials was more virulent than in Britain was that the collective

[218] David Hackett Fischer, *Albion's Seed: Four British folkways in America* (New York; Oxford University Press, 1989); Edmund S. Morgan, *The Birth of the Republic, 1763-89*, 3rd ed. (Chicago: The University of Chicago Press, 1956, 1977, 1992).
[219] *Abigail Adams to John Adams*, Braintree, September 2, 1774.
[220] It must be noted that Metzer was a Catholic priest, so he could have a bias in favor of Roman Catholicism and against Protestants.

national consciousness of Britons had diverged in several significant respects. For example, and as noted in the preceding chapter, in the metropole there was a deliberate swing away from intolerance within the religious sphere exemplified by the Quebec Act. In other words, there was a transformation from a Protestant empire to an empire inclusive of all faiths. The policy of Anglicization based on the Revolutionary Settlement was ending. Anti-Catholicism, however, continued to be vehement during the 1770s and colonists continued to believe in a Protestant empire.

The crisis over the Stamp and Townshend Acts had previously provoked Anglo-Americans to question the nature of the relationship between the colonies and Great Britain. During the 1770s**,** as the American crisis progressed, American colonials grew a contrasting self-awareness that excluded an imperial element.[221] Colonials began to question the balance of the relationship. Before 1764 when the British government began to be involved in colonial affaires, the colonies had been largely autonomous. Consequently, colonials believed they had equal status with Britain within the British Empire. Events subsequent to the Seven Years' war demonstrated the divide between the interpretation of Britain's and the American colonies' place within the Empire. The Stamp Act highlighted Britain's belief in the supremacy of the British parliament over the empire. This belief contradicted the colonial belief that the colonies had the equal right as Britain to pass laws and levy taxes themselves free of parliamentary control. The so-called Declaratory Act restated Britain's position that Parliament was the supreme authority over the affairs of America.[222] Thus, even before 1774, the Patriot colonials

[221] Marshall, "Britain Without America," 588.
[222] The full title of the Declaratory Act is An Act for the Better Securing the Dependency of his Majesty's Dominions in America upon the Crowd and Parliament of Great Britain. This title explicitly demonstrates

were suspicious of Britain's intentions, maybe to override their Englishmen's rights and liberties.

British parliamentary and popular disquiet at the Quebec Act was conveyed to the American colonies. News of the Quebec Act reached the colonies three months after its passing in Britain. In an environment of Anglo-American distrust of Britain's government, the provisions of the Quebec Act "violated cherished American principles [and] supplied effective grist for the opinion mongers." Colonial newspapers used the provisions of the Quebec Act as a metaphor for their perceived loss of liberty and as propaganda in their struggle with Britain. *The Boston Evening Post* commented, "the…Quebec Bill [is] universally cried out against, and the consequences are dreaded by many loyal and quiet people." Intolerance and suspicions of Roman Catholics ran as deeply in the colonies as it did in Britain.[223]

Newspapers were also a vehicle for foreign, imperial, and local news. They were the bearer of British consciousness that transmitted anti-Catholicism to the colonies. Ironically, these same newspapers in time would undermine the transatlantic relationship as British Whig correspondents, particularly from London, informed colonials of the perceived corruption of the king and his ministers. Correspondence from Britain gave reports from Britain published in colonial newspaper further credibility when, for example, using the Quebec Act as propaganda against perceived dubious British

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that the British Parliament believed that the American colonies were a dependent, not an equal, part of the First British Empire and in the text of the Act made it plain that Parliament had the authority "to make laws" that are vaild in America "in all cases whatsoever."

[223] Arthur Meier Schlesinger, *Prelude to Independence: The Newspaper War on Britain, 1764-1776* (New York: Knopf, 1958), 199; Paul Langston, "'Tyrant and Oppressor!' Colonial Press Reaction to the Quebec Act," *Historical Journal of Massachusetts* 34, no. 1 (Winter 2006): 3; *Boston Evening Post*, September 19, 1774.

intentions.[224] Letters, such as that from one British official lamenting "In England we have the show of Liberty without the reality…" reinforced the fears of colonial subjugation by the British crown. A Londoner wrote that by allowing the "French law and Popery" in Quebec, his majesty's ministers "were resolved to cherish the spirit of slavery" at home and in the colonies. A different British official expressed a scathing indictment of the Quebec Act itself, published in the *Connecticut Gazette*. He warned the colonists that although it was too late for the British people to stop the king in his tyrannical plot, the colonies still had an opportunity to resist:

> By the Quebec bill now passed, it is easy to be seen what government is aiming at; nothing less than despotism. Upon the whole, there is reason to believe, that if any liberty for Englishmen is to remain, it must be in the North American colonies, where, I hope, the inhabitants will have virtue enough to exert their utmost strength to secure it to themselves.[225]

The *Connecticut Gazette* report highlights the paradox of the opposition to the Quebec Act noted above. In his plea for the colonies to resist despotic rule, the British official is countenancing rebellion against the empire. In a letter from London, the correspondent, whilst warning of the provisions of the Quebec bill, implicitly encouraged colonials to rebel and protect their liberties: "…the Quebec bill will alarm… [you] more…than the shutting of the Boston port…I am no politician but a lover of liberty…and warm in sentiment for …Americans to preserve their valuable rights and privileges."[226]

The Quebec Act exacerbated anti-British paranoia of the Americans by underscoring their belief that Britain intended to impose full control of the colonies and arguably was used as a propaganda mechanism to unite the colonies in a single cause.

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[224] Langston, "'Tyrant and Oppressor!" 13.
[225] *Connecticut Gazette*, January 27, 1775.
[226] *Boston Gazette and Country Journal*, October 17, 1774.

Consequently, as in Britain, the religious clause of the Quebec Act validated the notion that the British government was under the influence of crypto-papists, who wanted to impose monarchical tyranny in the colonies and wider empire. In the religious clause, American colonists observed from afar that Britain, which had "gloried" in its Protestant constitution, "was formally sanctioning the establishment of popery within its territories." For many non-Anglican Protestant colonists, the religious clause affirmed their perception that the Archbishop of Canterbury and the Pope were both enemies of the true faith.[227] Moreover, the extension of Catholicism alongside its western borders was critical in the colonies as it also validated their paranoia that through the Anglican Church the British government intended to enslave them. The religious clause consequently increased anti-British opposition to their perception of the arbitrary nature of British government throughout the British colonies.[228] Official recognition of Roman Catholicism inspired concern over the primacy of Protestantism and inspired religious concern among Protestant colonists.[229]

Samuel Adams told a group of Mohawk Indians that the law "to establish the religion of the Pope in Canada" would mean that "some of your children may be induced instead of worshipping the only true God, to pay his dues to images made with their own hands." The silversmith and engraver Paul Revere created a cartoon for the Royal

[227] Haydon, Anti-Catholicism, 171.
[228] Langston, "'Tyrant and Oppressor,'" 1.
[229] Fenton, 35. The issue of religion was front and center in the minds of American colonials, particularly in new England and the Chesapeake region. Colonials believed that their colont were islands of Protestantism. Other religions were tolerated but disadvantaged. For example, only three colonies allowed Roman Catholics to vote. There was a pervasive anti-Catholicism throughout the colonies. Following the Great awakening, religion became pluralistic with a myriad of denominations fighting for parishioners. However, religion continued to be Protestant-centric. Religion was significant to colonial culture and society as demonstrated by the reaction to the religious clause of the Quebec Act. Thus, it has been argues that religion played a significant role in the American rebellion.

American Magazine called "The Mitred Minuet." It depicted four contented-looking mitred Anglican Bishops, dancing a minuet around a copy of the Quebec Act to show their "approbation and countenance of the Roman religion." Standing nearby are the authors of the Quebec Act, while a Devil with bat ears and spiky wings hovers behind them, whispering instructions.

Patricia Bonomi, an American scholar of early America, commenting on the effect of the Act in the colonies, argued, "by turning the colonial resistance into a righteous cause, [British] ministers did the work of secular radicalism and did it better." Moreover, colonists felt that they were the last true friends of the 'true' religion. Bonomi's argument, that the religious clause of the Quebec Act helped the colonial cause by defining their struggle against Britain as a religious war, is corroborated by a Presbyterian minister who described the struggle as "…the cause of truth, against error and falsehood…the cause of pure and undefiled religion, against bigotry, superstition, and human inventions…in short, it is the cause of heaven against hell."[230]

In writing to John Dickinson, Arthur Lee demonstrates how Anglo-Americans reacted to the forewarning of the likely military consequences to the colonies: "They are arming every hand, Protestant and Catholic, English, Irish, Scots, Hanoverians, Hessians, Indians, Canadians against the devoted colonies."[231] Lee's remarks are instructive in two ways: first, Lee does not differentiate between English Protestants and English, Irish, and

[230] Patricia Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America*, updated ed. (New York: Oxford University Press, 1986, 2003), 216. Abraham Keteltas, 177, quoted in Mark A Knoll, *Christians in the American Revolution* (Grand Rapids: Christian University Press, 19777), 60.

[231] *Letter to J. Dickinson from Arthur Lee*, September 4, 1775,Huntingdon Library, Harvard, bms Am. 811.1 (62). Quoted in Marshall, "A Nation Defined by Empire, 1755-1776," in *Uniting the Kingdom?: The Making of British History*, ed. Alexander Grant and Keith J. Stringer (New York: Routledge, 1995), 221.

Canadian Catholics, propagating the paranoia that did not differentiate the Anglican Church from the Roman Catholic Church. Second, they show that Lee considered American Protestantism distinctive from British Protestantism. Moreover, they demonstrate, as Patricia Bonomi argues, that the colonies used the religious issue in their rationalization for seceding from the empire and instigating a civil war.[232]

To be sure, Anglo-Americans held on to a more conservative type of identity than that of Britons themselves. For example, the Continental Congress took a stand against the Catholic menace. On October 21, 1774 it issued an address "to the People of Great Britain", written by John Jay, Richard Henry Lee and William Livingston, which expressed shock that Parliament would promote a religion that "disbursed impiety, bigotry, persecution, murder and rebellions through every part of the world." It predicted that the measure would encourage Canadians to "act with hostility against the free Protestant colonies, whenever a wicked Ministry shall choose to direct them." Americans, once converted to Catholicism, would be enlisted in a vast Popish army to enslave English Protestants.[233]

During the years preceding the Revolution, rebels who stoked hatred of Great Britain routinely equated the practices of the Church of England with that of the Catholic Church as noted on the preceding page. In the late 1760s and early 1770s, colonists celebrated Anti-Pope Days, an anti-Catholic festival derived from the English Guy Fawkes day (named for a Catholic who attempted to assassinate King James I). Commenting on anti-Catholic fervor, historian Alan Heimert wrote that there was "a

[232] Bonomi, *Under the Cope of Heaven*.

special and even frenetic urgency to their efforts to revive ancient prejudices by announcing that the Quebec Act—and it alone—confronted America with the possibility of the 'scarlet whore' soon riding 'triumphant over the heads of true Protestants, making multitudes drunk with the wine of her fornications.'"[234]

These views were echoed even by some of America's most respected founding fathers. Alexander Hamilton, the first Secretary of the Treasury, decried the Quebec Act as a diabolical threat. "Does not your blood run cold to think that an English Parliament should pass an Act for the establishment of arbitrary power and Popery in such an extensive country?…Your loves, your property, your religion are all at stake." He warned that the Canadian tolerance in Quebec would draw, like a magnet, Catholics from throughout Europe who would eventually destroy America.[235]

Many colonists viewed the Act's passage as proof that George III harbored papal sympathies. Colonial perception of the act as an indication of monarchical Romanism likely stemmed from the already raging debate over Episcopal establishment in the lower colonies. Consequently, "With the Quebec Act [colonists] came to fear that the English were determined to establish popery itself in North America rather than simply to give precedence to the popish Anglican Church."[236] This view was especially prevalent in New England where the Anglican Church was active in recruiting parishioners.

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[233] Address to the People of Great Britain (1774), http:www.lexrex.com/enlightened/laws/address1774.htm (accessed July 27 2012).
[234] Alan Heimart, *Religion and the American Mind: From the Great Awakening to the Revolution* (Cambridge, MA: Harvard University Press, 1966, 484.
[235] Forest McDonald, *Alexander Hamilton: A Biography* (New York: Norton, 1979), 128.
[236] Francis Cogliana, *No King, No Popery: anti-Catholicism in Revolutionary New England* (Westport, CT: Greenwood, 1995), 46.

Colonial patriots made the connection between religion and liberty. Their reactions to the tolerance of Catholicism bore an almost hysterical anxiety over the potential loss of civil and social liberty. The First Continental Congress declared that not only was the Act "dangerous in an extreme degree to the Protestant religion" but also threatened "the civil rights and liberties of all America"[237] The *Boston Gazette* August 22 1774 alerted its readers that the Act "is an attempt "TO CUT OFF ALL THE LIBERTIES OF THE REST OF AMERICA by means of Quebec."[238] The persecution of Catholicism in America was instrumental in providing the basis for the formation of a national consciousness.

Anti-Catholicism was central to the process of American nation-state formation, because the emerging discourse of American liberal democracy depended simultaneously upon the construction and rejection of "Catholic" otherness and the promise of religious liberty for Catholic practitioners within the new nation. American Protestants in some ways defined themselves as "American" by marshaling a discourse very similar to that through which England had previously defined itself as "English."[239] A persistent discourse of anti-Catholicism would continue to allow colonists to make the transition from British subject to "American" citizen by facilitating the construction of a governmental system in which guaranteed religious liberty through the privatization of individual religious conviction.[240]

On the eastern side of the North American continent, it was not just the American colonies that were distressed with the Quebec Act. English settlers in Quebec were in the

[237] Fenton, "Birth of a Protestant Nation," 35.
[238] *The Boston Gazette*, August 22, 1774, quoted in Cogliano, *No King No Popery*, 47.
[239] Cogliano, *No King, No Popery*, 35n10

"greatest alarm" when news of the Quebec Act reached the province. They argued, in a petition to repeal the legislation, that the Act:

> "deprived them of the franchises which they had inherited from their forefathers;—that they had lost the protection of the English laws, so universally admired for their wisdom and lenity, and in their stead the laws of Canada were to be introduced, to which they were utter strangers;—that this was disgraced to them as Britons, and ruinous to their properties, as they thereby lost the invaluable privilege of trial by jury;—and that, in matters of a criminal nature, the habeas corpus act was destroyed, and they were subjected to arbitrary fines and imprisonment, at the will of the governor and council."[241]

The merchants petitioned Parliament expressing concerns that the Act would negatively affect their commerce with Quebec.[242] Protestant settlers in Quebec, for example, accused the British government of betrayal for reneging on assurances given in the Royal Proclamation of 1763 guaranteeing the supremacy of English liberties. English merchants also felt aggrieved at being subject to French law in civil cases and believed their property was at risk under French law.

This chapter has explained the reason behind an increased awareness among Anglo-Americans of how their sense of British identity that conflicted with the sense of Britishness then current in Whitehall and among the English elite resulting in the break-up of Greater Britain. The chapter argues that the dynamics responsible for the conflicting identities were the different stances on the reading of the British constitution, whether it was static or adaptable in the face of an expanding British empire, and the issue of whether there should be freedom of religion within the empire or an established religion. This chapter has underscored both dynamics through the analysis of the transatlantic reaction to the passing of the Quebec Act, which brought these differences to

[240] Fenton, "Birth of A Protestant Nation," 36.
[241] *Pennsylvania Gazette*, September 16, 1774.

a head. Finally, this chapter has demonstrated that British, American, and Canadian issues were inseparable from each other during the eighteenth-century.

[242] Cobbett, *Parl. Hist*. XVII, 1364.

# CHAPTER 6

# CONCLUSION

## THE QUEBEC ACT AND THE WAR FOR (RELIGIOUS) INDEPENDENCE[243]

> By altering the government, and extending the limits of Quebec by the abolition of which system, the harmony between Great Britain and these colonies so necessary for the happiness of both.
>
> —The First Continental Congress, 1774

In 1912, the English Cardinal Gasquet flatly declared that "the American Revolution was not a movement for civil and religious liberty; its principal cause was the bigoted rage of the American Puritan and Presbyterian ministers at the concession of full religious liberty and equality to Catholics of French Canada." Although the colonists were upset by paying taxes, Gasquet argues, the crisis could have been resolved if not for the "Puritan firebrands and the bigotry of the people."[244]

This study fills a gap in the historiography of the transatlantic world during the eighteenth-century. That is, it shines a light on a neglected piece of legislation that held enormous significance for Britain's First Empire. The purpose of this paper has been to examine the political and cultural environment in Britain in which the Quebec Act had passed, and the transatlantic consequences of the Act. In the bloodless coup d'état of 1688, the English Parliament deposed a sitting Catholic monarch and replaced him with a Protestant. Subsequently, the Protestant succession was recognized and the exclusion of Catholics from public office was affirmed. It would therefore seem counterintuitive that

[243] Cogliano, *No King*, 33.

less than a century later a law passed recognizing Roman Catholicism in one of the empire's territories. In 1777, John Wilkes maintained that the Quebec Act "established French tyranny and the Romish religion in their most abhorred extent." This paper has explained the causes and consequences of this remarkable development.[245]

By giving the Royal Assent to the Quebec Bill on June 22, 1774, George III codified Egremont's hope for religious toleration in Quebec. In his speech to Parliament, the king remarked that the bill "rendered the proper adjustment and regulation of the government [in Quebec, and] ...is founded on the clearest principles of justice and humanity" and will "have the best effects in quieting the minds and promoting the happiness of my Canadian subjects."[246] Arguably, the king's reference to "justice and humanity" revealed an attempt by his ministers, on whose behalf the king was articulating, to pursue the tenets of the emerging Enlightenment. Some modern scholars consider the act as a pragmatic solution to the problem of governing a conquered territory inhabited neither by English nor Protestant people. There continues, however, a debate over whether the Act was fashioned for an additional reason, although many historians have taken Lawson's study on the Quebec Act as the last word on the connection between the act and the American colonies. Scholars agree with George III's assessment that the provisions of the act reflected a sense of humanity towards the subjects of Quebec.

The British government granted concessions in the creation of a Canadian administration. These concessions challenged the ideals at the core of Hanoverian British

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[244] Quoted in Charles H. Metzger, *The Quebec Act: A Primary Cause of the American Revolution* (New York: The United Catholic Historical society, 1936. Metzger's own argument is that the American Revolution was no more than an anti-Catholic crusade which the Quebec Act exacerbated.

identity—also held by Americans—and brought into focus an intensifying debate concerning the notion of "Britishness." In terms of religion John Glynn, a Wilkite, warned that the day when the bill passed "would be handed down to posterity as a day when the members of a British House of Commons preferred Popery and French laws to the established religion and laws of their own country."[247] Moreover, the constitutional concessions to the French-Canadians unleashed a new directions in domestic and imperial policy, the latter promoted by imperial expansionists, arguing that the act would secure wealth and security throughout the British Atlantic world.[248] In its haste to secure the loyalty of the French-Canadian majority to the empire, the British government managed to inflame anti-British agitation within the American colonies.

The principles of the Glorious Revolution and the assumptions they were based on constructed a Greater British identity affirming the belief in personal liberty against despotism and the supremacy of the Church of England. However, the spirit of toleration and conciliation underlying the Quebec Act reflected a change in these assumptions ending the legacy of 1688-89 as a "source of inspiration and guidance."[249]

Although the bill provided a "more effective government for Quebec," it evoked the cries of unconscionable tyranny, particularly in the American colonies. The loss of the American colonies, however, was counter balanced by an unprecedented imperial expansion elsewhere. "Contemporary observers and commentators fully recognized the

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[245] Cobbett, *Parl. Hist.*, XIX, 676-84
[246] Cobbett, *Parl. Hist.*, XVII, 1407.
[247] Cobbett, *Parl. Hist.*, XVII, 1395.
[248] Lawson, *Imperial Challenge*, 159.
[249] Lawson, Imperial Challenge, 127; H. T Dickinson, "The Eighteenth Century Debate on the 'Glorious Revolution,'" *History* 671, no. 201 (February 1976), 29.

critical domestic ramifications of an expansionist policy that resulted in the governance of alien peoples and their cultures."[250]

As there were multiple factors working simultaneously, the Quebec Act cannot solely explain why the American colonies decided to rebel and declare their independence, despite Metzger's attempt. The Act, however, did further suspicion of Britain's intentions towards the colonies and thus to deteriorating relations.

British scholars have argued that the American colonists misunderstood the intent of the act. They believed it was an attack on the colonies and an additional Intolerable Act. This study suggests that maybe the colonies clearly understood the threat the act symbolized or maybe they were wrong in believing that Britain wanted to enslave them. Nonetheless, there is no doubt Britain sought a more central role in the administration of the colonies.

By denying religious toleration to Catholics, English Protestants were behaving just as intolerantly as the behavior they attributed to Catholics. The eighteenth-century recognition of this inconsistency underpinned the sea change or "The Quite Revolution" as Lawson describes it, of toleration towards Roman Catholicism. Enlightenment philosophes emphasized religious toleration as part of a rational and just society. They argued that religious intolerance was incompatible with a rational society. The act affirmed the evolving nature of English toleration of religious minorities. The act implicitly demonstrated that some quarters of English society (particularly the supporters of the bill) accepted the fact that the influence of the Church of England, and religion in

[250] Lawson, *Imperial Challenge*, 71.

general, should not have a role in the governing of the country. Thus the intertwining union between politics and religion that had existed since the Church of England became the state sanctioned church during the reign of Queen Elizabeth I was disentangling.

Nevertheless, even as we consider the ideologies that had long bred opposition to Catholicism it is also important to note that in practice eighteenth-century Britons had over the same years developed tacit habits of toleration. There is evidence to indicate the de facto toleration of "papists," for example, the lenient enforcement of the Penal Laws. Moreover, political elites gradually became influenced by Enlightenment thinkers, some of whom believed that universal religious freedom—even for papists—was a political good. So the Britain of the eighteenth century was caught between political and cultural trends, some of which reinforced old traditions of anti-papalsim and some of which worked against those traditions. The complicated response to the Quebec Act highlighted those inner tensions.

The consequences of the Quebec Act extended beyond the province's borders. In Britain, the Act highlighted the division between the political elite and the general population in regard to the issue of religious toleration. The Act fanned the flames of radical thinkers who perceived a Catholic plot against English liberties. Catholic toleration was part of the plan to secure Canadian loyalty in North America. The Quebec Act also inspired further pro-Catholic legislation such as the Catholic Relief Act of 1778, which provoked popular rioting, the result of the brewing tension since 1774, between the anti-Catholic masses and the "enlightened politicians." In the colonies, the Quebec Act facilitated the disparate colonies' formation of closer ties, resulting in the assembling of

the First Continental Congress. In America, the Act convinced colonials of an Anglican-Catholic plot to establish itself and that Anglicans were agents of the British government.

It seems strange today that a war against Protestant King George III was couched in terms of a fight against Catholicism. This was a paradox apparent to some British at the time. However, as colonists came to see themselves as the true legatees of British liberty, they saw the motherland as recidvistically sinking back into the pre-modern mode of tyranny. What many British elites saw as a step forward toward an enlightened future, many colonists saw a step back toward a benighted past. Hence, the Quebec act serves as a particularly revealing symbol of the conflict of perception that lay at the root of the Anglo-American schism. Describing the Quebec Act as the turning point in the motherland's relationship with its American colonies, General Thomas Gage puzzled over how colonists had become convinced that Britain would eliminate their religious freedom. When they could not "be made to believe the contrary…the Flame [of rebellion] blased out in all Parts." Ambrose Serle, who served as secretary to Admiral Lord Richard Howe from 1776 to 1778, reported to his superiors "at Boston the war is very much a religious war." Not surprisingly, some Britons over the years have chafed over the idea that the Revolution was about lofty concepts of freedom. How could it be in the case of the Quebec Act, they have reasoned, when it was Parliament that showed a degree of Enlightenment thinking yet the colonists harbored old prejudices? Nonetheless, in extending freedom of religion to the Catholic inhabitants of Quebec, North's ministry were perceived by critics at home and in the colonies as taking a step toward tyranny. Parliament's double-edged reality in this case captured the difficulties of managing a multi-ethnic empire. Moreover, it suggests that the story of the American Revolution is

not just a matter of colonies against Britain, but Parliament's struggle to navigate the practical needs of empire, the new imperatives of progressive political culture and the deeply set assumption of the subjects at home and abroad. In an increasingly complex empire, political ideologies and religious identities fused in a crucible formed by simultaneous pressures to preserve the British past and embrace an imperial future. The challenge of Quebec demonstrated the difficulty—one might even be tempted to say, the impossibility—of the task they faced. This study will contribute to the scholarship by connecting the reassessment of British and American national identities to their respective standings within the Empire. It has argued that changes in their respective national consciousnesses caused Britons and colonials to interpret the events of the 1760s and 1770s in different ways—igniting the misunderstandings of each other's actions. The Quebec Act exposed the divergence of identity, representing the imperial implications with particular clarity.

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