

## INTRODUCTION

**Entangling the Quebec Act***Ollivier Hubert and François Furstenberg*

Although it features in many historical accounts, the Quebec Act too often remains on the sidelines. National narratives – which most often structure historical writing – highlight other foundational events instead. Quebec and Canadian history both make La Conquête a central turning point: the conquest of 1759–60, when New France fell, and landed (providentially or tragically, depending on one’s perspective) in the British Empire. In Native American history, the Royal Proclamation of 1763 stands as a milestone: indigenous resistance to British power resulting in the creation of a Native American territory off limits to European settlement, establishing land and treaty rights that would persist into the present. The United States, meanwhile, dates its foundation from 1776, the year when settler resistance to British power culminated in a Declaration of Independence and a war for nationhood. As for the British Empire, 1783 marks the date at which the first empire ended and the second began. Even the events of 1812 have recently joined the mix, now reframed as “the fight for Canada” waged by the nation’s three founding peoples, French, English, and Native American. In these and other narratives, the Quebec Act of 1774 plays a bit part – if it plays any at all.<sup>1</sup>

Thus does the Quebec Act fall through the scholarly cracks. (The last sustained analysis of the Act is now thirty years old.<sup>2</sup>) And yet today, more than ever, there are good reasons to question its marginality. Recent attempts to approach history from transnational perspectives offer an opportunity to reinterpret the Quebec Act across these and other historiographical boundaries. The growing practice of entangling histories – *histoire croisée*, as the French term puts it – enables a reconsideration of the Quebec Act from Canadian, North American, Native American, and British imperial perspectives.<sup>3</sup> This volume has two principal objectives. First, it brings cuttingedge methodological, geographical, and thematic perspectives to bear on the Quebec Act. Moving beyond a national frame, this book highlights the multi-faceted importance of an event whose significance, we hope to demonstrate, is greater than the sum of its many fractured historiographical parts. By resituating the Act in light of the last generation of scholarship, we also point to new directions for future research. Second, by focusing on one event – a social, legal, revolutionary, and imperial phenomenon that crosses multiple national, social, and historiographical borders – this volume makes a methodological contribution. Operating at multiple scales of spatial analysis and juxtaposing multiple historical perspectives, this book hopes to serve as a case study in the practice of “entangling” conceptually distinct historical fields. In this regard, our volume joins recent scholarship that has been showing the interconnectedness of national histories and, indeed, methodological approaches, from legal to cultural, political to religious, and beyond. This introduction

first traces the historiography on the Quebec Act from multiple national perspectives that have framed the scholarship. From there, it offers a brief overview of the essential historical contexts – Canadian, Native American, and imperial – that situate our renewed understanding of the Act, before introducing the individual essays.

## A FRACTURED HISTORIOGRAPHY

Varied interpretations of the Quebec Act reflect divergent opinions of colonial society and British imperialism in North America. Not surprisingly, some of the richest analyses originate in Canada. Nationalist Quebec historians, critical of British power, portray the Act as a purely tactical concession made to Canadiens to secure their loyalty during a troubled period. A second view, by contrast, describes it as a charter to safeguard French-Canadian distinctiveness within the empire, and laying the foundation for a multi-ethnic political space. According to a third line of argument, the Act was an unfortunate attack on, and ultimately a barrier to, the development of political and economic liberalism in Canada. In contrast to the extended debate Canadian scholarship accords the Quebec Act, us historiography – still disentangling itself from a reading of colonial America that leads inevitably to revolution – has marginalized it. Most often the Act is relegated to one of the “Coercive” or “Intolerable” acts that led to the American Revolution. The historiography on the British Empire, meanwhile, reads the Quebec Act as the product of a complicated set of local and imperial interactions. In that tradition’s most ambitious interpretations, the Quebec Act emerges as a first step in the reformulation of the Second British Empire. A brief survey of these varied scholarly traditions will help lay the groundwork for this volume’s methodological and interpretive intervention. Quebec resident William Smith published the first study of the period in 1815. Disturbed by even the limited persistence of a French civilization he considered inferior, Smith portrayed the Quebec Act as the unfortunate result of lobbying by Franco-Catholic elites. By exploiting a favourable political context – the imperial crisis of the 1770s – they secured the Canadian population’s loyalty to the British Crown. Their success, however, came at a high cost: preserving feudalism in the St Lawrence Valley.<sup>4</sup> The first French-Canadian historians interpreted the political culture of the St Lawrence Valley very differently. The regime established by the Constitutional Act of 1791 gave little autonomy to the colonial assembly. The resulting political dynamic pitted the elected representatives of an essentially Franco-Catholic population against a government dominated by Anglo-Protestants, leading to a growing cleavage of politics along ethnic lines.<sup>5</sup> These tensions erupted in crisis in 1837 and 1838, culminating in armed insurrections justified by republican ideals, which elicited a ruthless repression and a temporary return to the constitutional authoritarianism of 1774. In 1840, a new constitution further diluted the influence of the French-speaking population within a new assembly made subordinate to heavy-handed imperial authorities. In this context of imperial domination, French-Canadian interpretations of the Quebec Act began to take shape. François-Xavier Garneau, who published his

ambitious History of Canada in three volumes starting in 1845, saw the Act as an early moment in a continuous struggle for Canadian liberty that stretched back to the fall of the French Empire. Abandoned by France and humiliated by the English, Canadiens found themselves treated “like a barbarian nation without government and without laws,” while authorities in London sought to “denationalize the country” and “repeat in Canada what had been done in Ireland.” From this perspective, the Quebec Act foreshadowed a long battle of future generations to free themselves of foreign domination and forge their own nation.<sup>6</sup> Building on this interpretation in the 1920s, Lionel Groulx cast the Conquest as a catastrophic event that opened the way to a “policy of assimilation.” For this dominant figure among Quebec historians, the Quebec Act was an insignificant concession that bought the support of a small aristocratic and clerical elite in anticipation of conflict with the Thirteen Colonies. The 1774 constitution gave a risibly small amount of power to “a minority kept on a short leash.”<sup>7</sup> Neo-nationalist historians at the Université de Montréal further developed this line of argument after the Second World War, interpreting the Conquest as the beginning of the political and economic subjugation of French Canadians. Excluded from the military service that underpinned its dignity, the Canadian gentry humiliated itself by slavishly supporting the conquerors in exchange for a few sparingly distributed honours. In this analysis, the Quebec Act did nothing to improve the Canadiens’ situation. To the contrary, a “social decapitation” ensured that they remained a subjugated people, without any control over their destiny.<sup>8</sup> Michel Bibaud (1792–1857) and like-minded historians came to a very different view of the Quebec Act.<sup>9</sup> Bibaud, a French-Canadian monarchist, did not link the Act to agitation in the Thirteen Colonies. Rather, he presented it as the product of careful reflection by imperial authorities concerned with the effective administration of Canada, and more sensitive to the interests of the Canadiens than to the English merchant lobby. Likewise, Tomas Chapais dismissed the role of the impending American Revolution in the Act’s origins. In his 1919 study, this loyalist Catholic historian, worried about the dissolution of the British Empire in the wake of the First World War, described it as “liberating and reconstructive legislation” that advanced “our religious emancipation and our national emancipation.”<sup>10</sup> Anglo-Canadian historiography of the twentieth century removed the Quebec Act from the imperial context, casting it as an initial step in the creation of a binational Canada founded on mutual respect between two separate peoples. Alfred Leroy Burt’s 1933 study argued that the Quebec Act advanced the equal rights of two distinct peoples, making it possible for them to coexist within a supranational political framework. While this liberal approach did not extend to other parts of Britain’s multi-ethnic empire, Burt believed it was appropriate for Canada, because “the French possessed a civilization as ancient and as fixed as that of the English.”<sup>11</sup> In his *Colony to Nation: A History of Canada* (1946), Arthur Lower agreed. The Act, he argued, was “a great constitutional land-mark in Canadian history and the history of the British Empire.” It lay the foundation for a Canada defined by the improbable marriage of two opposed world views, ensuring the survival of an older, premodern French-Canadian mentality, which would henceforth temper the excessively individualistic and

industrious mentality of English Canadians.<sup>12</sup> A fairly narrow interpretative framework, which reflected debates among national elites, thus constrained interpretations of the Quebec Act. In the 1960s, Fernand Ouellet broke new ground. A practitioner of socio-economic history and a follower of the French *Annales* school, Ouellet focused on the emergence of a dynamic merchant bourgeoisie between 1760 and 1774. That bourgeoisie, he argued, remained too small to serve as a reliable ally to London. To consolidate their authority, imperial officials thus turned to the only viable alternative: the landed gentry. Determined to deconstruct ethnic understandings of the Quebec Act, Ouellet abandoned “the famous themes of the ‘struggle for survival,’” blaming a “reactionary nobility, as much enamored of political absolutism and social inequality as in the past,” for the future struggles of Quebec society.<sup>13</sup> Hilda Neatby similarly avoided analyzing the 1774 constitution in terms of anachronistic Canadian nationalisms. Unlike Ouellet, however, she located the Quebec Act firmly within a British imperial framework. Imperial authorities were not trying to guarantee the fundamental rights of a Franco-Catholic population, she argued, nor were they looking south to the thirteen rebellious colonies. Rather, they hoped to solve the problem of instability in the Ohio Valley and provide for the efficient administration of the Province of Quebec.<sup>14</sup> In the 1970s, Pierre Tousignant made an incisive contribution to the study of the Quebec Act by exploring a vast corpus of official documents, both colonial and imperial. Fusing social, political, strategic, diplomatic, economic, and cultural perspectives, he placed the Quebec Act in a far broader context than any previous historian, casting it as both the product and the manifestation of a shift in imperial policy that followed the failure of Lord Halifax’s continental strategy.<sup>15</sup> Granted, the centralizing and authoritarian turn in imperial policy had been under way for several decades, as testified to by events in the Thirteen Colonies.<sup>16</sup> He insisted that the adoption of the Act on 22 June 1774, had to be understood in the context of the Massachusetts Government Act, passed one month earlier. Rather than seeing the Act as an ad-hoc response to local circumstances, however, he argued that it resulted from a long set of deliberations by officials in London. No historiography of equivalent richness on the Quebec Act exists in the us-based scholarship, where the American Revolution exerts an almost irresistible gravitational pull on the events of the 1770s. Framed in the context of us national history, the Quebec Act nearly always gets subsumed within the so-called “Intolerable” or “Coercive” acts that pushed British settlers towards independence. This perspective has made it impossible to understand the Quebec Act on its own terms: as legislation of national or transnational significance. Coming right after the Boston Tea Party and two years before the American Declaration of Independence, the Quebec Act becomes but one more step in the teleological coming of the Revolution. Nineteenth-century us historians framed the Quebec Act in reference to the tensions between the Thirteen Colonies and the empire. “In the belief that the loyalty of its possessions had been promoted by a dread of French settlements on their northern and western frontier,” wrote George Bancroft, the foremost national historian of the nineteenth-century United States, “Britain sought to create under its own auspices a distinct empire, suited to coerce her original colonies, and restrain

them from aspiring to independence. For this end it united into one province the territory of Canada, together with all the country northwest of the Ohio to the head of Lake Superior and the Mississippi, and consolidated all authority over this boundless region in the hands of the executive power.”<sup>17</sup> Francis Parkman, unremittingly fascinated with French colonial history in North America, did manage to escape the national framework. His brief mention of the Act suggested, however, that he less successfully escaped the prejudices of his Protestant background. “Civil liberty was given them by the British sword,” Parkman wrote at the conclusion of his great *Montcalm and Wolfe*, in an analysis that echoed that of William Smith’s 1815 study, “but the conqueror left their religious system untouched, and through it they have imposed upon themselves a weight of ecclesiastical tutelage that finds few equals in the most Catholic countries of Europe.”<sup>18</sup> That the Quebec Act bore intrinsically on the American Revolutionary fervour by its annihilation of the Thirteen Colonies’ all-important western land claims seems to have eluded most historians interested in the subject. Even Thomas Perkins Abernethy’s still useful account of the importance of western lands to the American Revolution barely mentioned the Act.<sup>19</sup>

Bancroft’s perspective – understanding the Quebec Act in relation to the American Revolution – has continued in the modern scholarship on colonial politics of the 1770s, which inevitably looks forward to the American Revolution. “Because of its timing and provisions, the Quebec Act was also considered by the colonists to be a part of this punitive legislation,” notes one essay on the Coercive Acts in the *Blackwell Companion to the American Revolution*, edited by Jack P. Greene and John R. Pole. “In fact the Act was an enlightened effort on the part of the British Government to organize the recently acquired colony of Quebec.”<sup>20</sup> Most modern accounts don’t even bother to make the distinction, simply lumping the Quebec Act in as part of the Coercive Acts.<sup>21</sup> In his study of political culture that explicitly shies away from a teleological reading of the thirteen mainland colonies, Brendan McConville points to the Quebec Act as “a particularly lurid example of what awaited the American colonists under the new, militarized tyranny.” McConville thus explores the Act as the final nail in the coffin of a Protestant political culture that had built itself around the cult of a benevolent monarch to dominate the colonies for more than a century. “To provincials, it looked like the establishment of popish government in full bloom right on their doorsteps.”<sup>22</sup> One recent study gives greater attention to the Quebec Act, providing an insightful analysis grounded in the politics of the St Lawrence Valley and emphasizing the Act’s effects on religious and territorial issues, thus offering an essential context for the Act’s reception in the lower Thirteen Colonies. Nonetheless, the analysis ultimately remains in the service of explaining the American Revolution, as suggested by the title of the work, *The Battle for the Fourteenth Colony*.<sup>23</sup> The major exception to the Revolution-centric analysis of the Quebec Act in US scholarship lies in Native American history, which occasionally examines the Quebec Act in the light of contested sovereignties in the Ohio Valley. Even then, however, the transfer of the Ohio Valley to the Province of Quebec has seemed like the most transient of events in the long-contested extension of us

settlement into the continental interior. The Ohio Valley became part of Quebec only six months before fighting broke out in Lexington, Massachusetts. Almost immediately, the region became a war zone, as it had been for decades. Indeed, fighting continued in the Ohio Valley after Yorktown, after it had ceased in other parts of the continent, growing in 1782, 1783, and even into 1784, as Shawnee and Iroquois warriors battled forces led by George Rogers Clark. The sudden and dramatic cession of what would soon be called the Northwest Territory in the “Infamous treaty” of 1783 means that Quebec’s extension into the Ohio Valley was fleeting in theory and never realized in practice; for that reason, it is largely seen as the briefest of moments in a long war for control of the trans-Appalachian West. Not surprisingly, in a historiography that emphasizes Native agency and resistance against settler pressures, attention to imperial laws tends to get overlooked in favour of social dynamics on the imperial periphery. The attention of historians thus shifts to the next stage of that war, in the 1780s and 1790s, when the newly formed Ohio Confederacy resisted us encroachment north of the Ohio River.<sup>24</sup>

It is from the perspective of British imperial history that the Quebec Act has been most fruitfully explored in English-language scholarship. The notable figure here is Clarence Walworth Alvord (1868–1928), who studied at Amherst College and the Friedrich Wilhelm University in Berlin, eventually earning his PhD from the University of Illinois. Building on the scholarship of his contemporaries in the “Imperial School” of historians, such as Charles McClean Andrews (1863–1943) and Herbert Levi Osgood (1855–1918) – and, like his contemporaries, firmly grounded in the British archives – Alvord pushed the politics of the British Empire deep into the North American continent. “Whenever the British ministers soberly and seriously discussed the American problem,” his influential *The Mississippi Valley in British Politics* began, “the vital phase to them was not the disturbances of the ‘madding crowd’ of Boston and New York but the development of that vast transmontane region that was acquired in 1763 by the Treaty of Paris.”<sup>25</sup> Jack Sosin’s *Whitehall in the Wilderness*, published in 1961, built on Alvord’s insights to show how the Quebec Act resulted from a series of repeated failures of British policy in the continental interior. Sosin particularly emphasized the importance of maintaining peace with Native peoples west of the Appalachians.<sup>26</sup> British imperial scholarship on the Quebec Act fell into rapid decline after Canada and the other dominions of the Empire gained autonomy in the 1930s; Reginald Coupland, a historian of imperialism, published the last major work in 1932.<sup>27</sup> Coupland believed in the superiority of British imperial governance, which sheltered inferior cultures under its benevolent protection. From this premise, the skilful and liberal management of French Canada’s cultural distinctiveness in 1774 exemplified British generosity and toleration; it could serve as a model for latter-day British authorities managing the transition to a commonwealth of nations. Coupland’s confidence in the Empire’s benevolent capacities could not outlast the Second World War and the violent upheavals of decolonization.<sup>28</sup> However, attempts to interpret the Quebec Act in the context of British imperial politics continued. In 1961, Peter D. Marshall emphasized “the significance of the Quebec example in establishing the constitutional form of the

Second British Empire,” raising the question not just of the consequences for Quebec of its incorporation into the British Empire, but of “the effect upon the British Empire of its incorporation of Quebec.”<sup>29</sup> Philip Lawson, a historian trained in the United Kingdom and living in Alberta, launched a renewed imperial perspective in 1989. In his masterful work, based on an intensive study of the official archives, as well as of British public opinion, Lawson interpreted the debates surrounding Quebec as a defining moment in British history, locating them in the context of late-eighteenth-century ideologies on identity and the nature of citizenship.<sup>30</sup> On the one hand, Lawson highlighted the problem posed by the Canadiens’ Catholicism. On the other hand, he explored how the cultural diversification of Britain’s colonial possessions after the Seven Years’ War affected ideas of citizenship – not necessarily in the Empire at large, but in the British Isles in particular.<sup>31</sup> By asking “what effect the conquest of Quebec had on Britain” – a question that seems obvious in the current post-colonial historiographical context but which, in the 1980s, was truly pioneering – Lawson opened a path that several essays in this book have followed.<sup>32</sup> David Milobar continued that tradition in a series of articles published in the 1990s, reading the political debates surrounding the Quebec Act through the rich scholarship on “Country” ideology burgeoning at the time, and setting them in “the context of broader intellectual traditions that underpinned the eighteenth century British Atlantic.”<sup>33</sup> He concluded that the Quebec reforms “constitute a historical barometer of the most sensitive issues within the British Atlantic empire.”<sup>34</sup> In recent decades, post-colonial studies have reinvigorated the field of imperial history, resulting in important work that pushes beyond stodgy accounts of benevolent administrators in the metropole to emphasize the mutual interrelation of centres and peripheries, the interaction among a variety of state and non-state actors, and the centrality of cultural practices and imperial subjectivities to the construction of empire. Several of the essays in the volume follow on the magisterial work of P.J. Marshall, who emphasizes the interrelated nature of the Empire in the Americas and South Asia, and whose research on Quebec takes a more global approach than any other.<sup>35</sup> Taken together, the scholarship on the Quebec Act emerges as one divided not just by nation but also by scale of analysis. Whether set at provincial, continental, Atlantic, or global levels, the insights from these rich and varied approaches have too often remained siloed. Recent historiographical developments now make it possible to consider the Quebec Act from a fresh set of perspectives.

## THE CONQUEST OF NEW FRANCE: IMPERIAL GOVERNANCE AND THE ST LAWRENCE VALLEY

It was from the mundane process of governance in the St Lawrence Valley that a new vision for British imperial governance would eventually emerge. When negotiations between France and Britain opened in 1761 after the collapse of France’s North American Empire, a hawkish William Pitt envisaged a “punitive peace” that would strip France of its colonies.<sup>36</sup> French negotiators, meanwhile, intended to recover Canada, which they considered the key to their American possessions.<sup>37</sup> If British

diplomats soon pared back their demands – the country’s shrewder negotiators recognizing that humiliating a defeated power only plants the seeds of future wars – they remained unbending on the issue of Canada. The war, after all, had stemmed from the French military presence in North America, and the British were determined to remove that cause for good. They therefore decided to return French possessions in the Caribbean in exchange for the withdrawal of French troops in Europe. As François-Joseph Ruggiu has shown, France and Britain each reversed its colonial policy in the Treaty of Paris negotiations.<sup>38</sup> Where the French had long pursued imperial, territorial, and military dominance, they would henceforth focus on commercial and economic profitability. Britain, by contrast, expanded territorially and bureaucratically; it found itself burdened with a collection of new colonies that had cost dearly to acquire, whose administration promised to be expensive, and whose profitability remained uncertain. The exhilaration of military victory soon gave way to a drearier process of imperial governance. British authorities seem to have assumed that, after the Conquest of New France, Britain would simply impose its laws on the occupied territories. General Jeffrey Amherst flatly rejected any protections of “the Laws and usages” of New France in the 1760 Articles of Capitulation of Montreal. French-Canadians were to “become Subjects of the King,” by which Amherst meant that they would become subject to English law.<sup>39</sup> The same assimilationist vision prevailed in London, where authorities hoped to establish more rational and uniform policies across their vast new empire. The Royal Proclamation of 1763 created four new colonies – Quebec, West Florida, East Florida, and Grenada – to be peopled, it was assumed, by Protestants accustomed to living under English law. At the same time, it forbade settlement west of the Appalachian Mountains, reserving the territory for Native Americans, and centralized authority for treaty-making with the imperial government. But what to do about the existing population in the meantime? Although the Treaty of Paris gave residents of the St Lawrence Valley the option of leaving for metropolitan France, very few did so.<sup>40</sup> Members of the military nobility faced doubtful prospects in France: their titles were often uncertain, their futures in the French military cloudy, and no one knew if or how the wealth built in Canada could be transferred to France. In Canada, they were firmly rooted by entrenched trade networks, and especially by the socio-economic power they wielded as landowners. Unsurprisingly, most chose to stay in Canada. The prosperous communities of Canadian merchants in Quebec and Montreal made the same calculation and arrived at the same decision. Among the elite, only the members of the civil administration emigrated in significant numbers. As for the artisans and peasants, they remained firmly attached to the society into which they had been born. The colonists of French ancestry in the St Lawrence Valley, with their growing sense of collective identity,<sup>41</sup> posed an obvious threat to British sovereignty.<sup>42</sup> The Acadian experience seemed to confirm the worst British fears. After its territory was ceded to Britain in 1713, the French-speaking Catholic population had resisted submission to British authority, refusing to take up arms against the French during the Seven Years’ War. To British officials, the Acadians exemplified a conquered people’s tendency to treason.<sup>43</sup> Although deportation was ultimately used against the

Acadians, such a measure does not appear to have been considered in the Canadien case.<sup>44</sup> Instead, officials in London set out to assimilate the inhabitants of the St Lawrence Valley. Some believed that the Canadiens, finally liberated from the oppression of Bourbon absolutism and irresistibly attracted to enlightened English governance, would gratefully transform themselves into Anglo-Protestants.<sup>45</sup> More sober analysts, however, counted on the large-scale immigration of Anglo-Protestant settlers to neutralize the Canadien influence. In pursuit of this goal, the Board of Trade, led by the Anglo-Irish proprietor, Wills Hill, 1st Earl of Hillsborough, implemented policies to attract Protestant migrants to the new territories by keeping them out of the trans-Appalachian West. “The aim,” writes Bernard Bailyn, “was a slow and controlled expansion of western settlement and the gradual introduction of civil government in the west.” A 1763 Board of Trade memorandum outlined the steps needed to implement the policy in Quebec: Establish a capital named “British Town,” to be settled by new migrants, who would bring with them “the English language, the English manners, & a Spirit of Industry, among the French Canadians.” This assimilationist vision prevailed in the early stages of drafting the Quebec Act, with authorities assuming that French law would eventually give way to British law.<sup>46</sup> It was not long, however, before British imperial control ran up against realities on the ground. Within several years, the demographic and political situation in the St Lawrence Valley (and elsewhere in the empire) had made itself manifest. Aside from a small but notable cohort of Scottish merchants, waves of Anglo-Protestant migration were not flooding into Quebec. Meanwhile, the Canadiens retained a firm hold on the lands bordering the St Lawrence River. Officials in London had no choice but to deal with them.<sup>47</sup> “Whatever might have been intended in 1763,” P.J. Marshall aptly remarks, “accommodations with the huge French majority could not be avoided.”<sup>48</sup> These necessary accommodations would eventually give rise to a form of imperial governance more open to cultural and religious diversity and more firm in curbing colonial autonomy. Although no one would have recognized it at the time, the roots of a form of imperial governance stretched back to the 1760 Articles of Capitulation of Montreal. Articles 27, 39, and 40 provided for the free exercise of Catholicism, and promised residents, both Aboriginal and European, that they would not be relocated by force, while article 37 guaranteed property rights to existing residents.<sup>49</sup> Although these agreements were meant only as temporary measures, by guaranteeing property rights, in particular, the terms of surrender maintained the seigneurial regime, a social order dominated by the military aristocracy, the landed gentry, and the Catholic Church.<sup>50</sup> From the first conquest, then, reassuring the Canadien elites was the highest priority of the “military regime” (1760–1763).<sup>51</sup> The civil government established by the Royal Proclamation of 1763 maintained these priorities and policies. Although some of the document’s provisions restricted the rights of Catholics on paper, colonial administrators’ need for local expertise meant that most of the discriminatory measures banning Catholics from public office were not put into practice.<sup>52</sup> From these early accommodations grew a vision of the St Lawrence Valley’s integration into the British Empire that would not depend on Canadiens’ embrace of English liberty, but would rely, instead, on their attachment

to the land itself, and to the seigneurial system that supported their social structure. As Heather Welland has pointed out, for many British officials the peculiarities of Canadian society (its Catholicism and its feudal regime) created an opportunity for more effective governance rather than an aberration that needed to be eliminated.<sup>53</sup> This view was especially prevalent among those neo-Tories who favoured a more centralized empire, with each colony dependent on the mother country, rather than a wider and more decentralized imperial commercial network. In the eyes of such observers, Canada's hierarchical institutions gave it the characteristics of an ancien régime French province they construed as an archetypal feudal society.<sup>54</sup> Because this view of the social order served their authoritarian political vision, the first two governors of the province placed particular emphasis on the Catholic, rural, and aristocratic character of Canada. A large part of subsequent Canadian historiography would retrospectively paint a portrait of Quebec that conformed to this initial (and tactical) portrayal: of an exotic peasant society, endowed with all the qualities of simplicity, subject to the cycles of nature and the rites of a medieval Church, frozen in time and consequently incapable of governing itself.<sup>55</sup> The problem with this view of Canada is that it did not conform to the existing social order. In Quebec and Montreal, prosperous families of merchants and artisans formed an educated petite bourgeoisie that offered its services to the state.<sup>56</sup> These literate Canadiens largely ensured the operation of the colonial administration after the departure of the French civil administrators. They also embodied a Frenchspeaking public opinion, as revealed in debates surrounding the drafting of the Quebec Act. Far from it being the sole prerogative of a minority of radical British colonists, French-speaking Canadians also demanded political autonomy, mobilizing a discourse of liberty very early on, and shaping it in dialogue with their English-speaking counterparts.<sup>57</sup> But these elements of the political culture along the St Lawrence Valley served no useful political end in the debates in London leading up to the Quebec Act. Thus, the discursive construction of "Canadiens" as a homogenous and feudal people clinging to an aristocratic form of government reduced the province's population to two groups whose characteristics and interests were diametrically opposed: the good Canadiens, frozen in time and submissively waiting for an opportunity to be constitutionally protected by the Empire, and a nasty group of radical English merchants attempting to seize power for their own benefit. Ensuring the participation of Canadiens in the political and administrative structures of the colony required more than mere accommodation of the principles of cultural and religious toleration. It required an institutional recognition of the Catholic Church itself – no easy feat in the immediate wake of a bitter global struggle waged under the banner of an apocalyptic struggle between Protestant freedom and Popish slavery. Local authorities proceeded cautiously. Although abolished in principle, the collection of the tithe (which provided for the subsistence of the clergy in New France) was maintained in practice.<sup>58</sup> Similarly, the network of Catholic parishes inherited from New France remained. The Privy Council received numerous opinions on the religious question, and was particularly attentive to the views of the Canadien gentry. In February 1763, Joseph-Marie de la Corne, a Canadien aristocrat, experienced diplomat, and representative of the high clergy,

contacted Lord Shelburne with a plan for establishing a Canadian Catholic Church that would be loyal to the king.<sup>59</sup> The British military commander in Quebec had similar ideas, hoping to encourage the development of a Catholic and French-speaking society in Quebec. In June 1765, jurists submitted a report to the Board of Trade urging that Canadiens “not [be] subject to the incapacities, disabilities, and penalties to which Roman Catholics in this kingdom are subject by the Laws thereof.”<sup>60</sup> According to Philip Lawson, this was the moment when officials in London definitively abandoned the vision of a Protestant Quebec.<sup>61</sup> It represented a turning point in the history of British imperial governance and of the principle of religious tolerance. On 29 June 1766, Mgr Jean-Olivier Briand triumphantly disembarked at Quebec as the new Catholic bishop.<sup>62</sup> The Church had become the authorities’ preferred representative of the Canadien people. And thanks to a particularly efficient system of cultural and moral regulation, the clergy had become the main guarantor of Canadiens’ loyalty, a fact that had a lasting impact on the collective consciousness of Quebec.<sup>63</sup> In a remarkably short time, imperial administrators had concluded that Canada’s bedrock institutions were not to be disrupted and could even be reinforced to better ensure the province’s loyalty. Still, they needed to persuade the British parliament. That task was given to the experts who, between 1766 and 1774, developed and drafted what would become the Quebec Act. The Earl of Shelburne, in charge of American affairs, placed particular emphasis on Great Britain’s responsibility to recognize certain rights of the peoples it conquered. When Guy Carleton replaced James Murray as governor of Canada in 1766, adherents to ideologies of Anglo-Protestant supremacy expected a return to policies of forced assimilation. Those hopes were soon dashed, however: the new governor continued his predecessor’s policies, ignoring the demands of British merchants and establishing closer ties to the “traditional” Franco-Catholic elites. He also extended the authority of the Court of Common Pleas, a tribunal that operated largely in French and according to principles of French law. During the months of May and June 1774, the British parliament debated a bill confirming the perpetuation of the social, legal, economic, administrative, cultural, and territorial frameworks that Canada had inherited from the French regime. It was the subject of particularly stormy arguments in the House of Commons. Combining anti-Catholic prejudice with an alarmist defence of the Bill of Rights (1688), the popular English press sought to turn public opinion against the proposal. In response, the government delegated Carleton, a key architect of the plan, to defend the bill in parliament. He did so brilliantly. An Act for Making More Effectual Provision for the Government of the Province of Quebec in North America (14 Geo. III, c. 83) was approved by a large majority (fifty-six for and twenty against) in the Commons on 18 June 1774, and received royal assent four days later. The Quebec Act came into force on 1 May 1775. In the absence of an elected colonial assembly, the governor would be assisted by a nominated legislative council. As it happened, all the Catholic councillors were members of the landed gentry.

## THE OHIO VALLEY AND NATIVE AMERICAN ALLIES

To understand the Quebec Act as a result of ten years of struggle between French Catholics, Protestant settlers, and imperial administrators, however, leaves out some of the most essential features – and actors – in its construction. Perhaps because scholars tend to project the modern-day borders of Quebec back in time, too little research on the Act has looked south to the Ohio Valley and west to the Great Lakes. The Quebec Act was not passed just to appease settlers along the St Lawrence Valley, after all; its reach stretched deep into the Ohio Valley and across the *pays d'en haut*, where it reinforced a set of concessions to Native Americans that dated back to the Royal Proclamation of 1763. Whatever the lines and colours on European maps proclaimed, Great Britain had not extended its sovereignty into Indian Country after the Seven Years' War. Just as early plans to assimilate or overwhelm the French-Canadian population in Quebec collapsed in the early 1760s, so British policies in the trans-Appalachian West dissolved amidst the fierce resistance of the inhabitants. Native peoples long allied with French power and linked to New France through kinship, trade, and diplomatic networks had not, after all, capitulated in Montreal or surrendered alongside Montcalm. "Although you have conquered the French," warned an Ojibwa chief to a British trader, "you have not yet conquered us!" In 1763, Native peoples allied under the Ottawa chief Pontiac launched a series of devastating assaults on British forts and settlements. The vast uprising across the Great Lakes and the Ohio Valley panicked British imperial officials with the prospect of a costly new war coming hard on the heels of their recent victory. The resulting concessions to Native nations, enshrined in the Royal Proclamation of 1763, created the Province of Quebec, and laid down a set of principles intended to protect Native landholdings, centralize trade and diplomacy with imperial officials rather than fractious provincial governments, ban colonial settlement west of the Appalachian Mountains, and ensure that future Native concessions only occurred by treaty with the central government. This policy focused particularly on the Ohio Valley, where the settler-Native-imperial tensions were at their most intense. By the late eighteenth century, wars for control of the region had been waging for centuries. Britain was a relative newcomer. If the St Lawrence Valley was a world of European settlements, with habitants living on fixed seigneuries, the Ohio Valley looked entirely different: a fluid, highly mobile, and decentralized Native world, where British sovereignty remained exceedingly tenuous. A robust trade continued in the Illinois Country, on the western edge of the Ohio Valley. Meanwhile, to the south, the French governor of Louisiana was reaching out to Cherokees, Choctaws, Abekas, Alibamos, and others to consolidate French alliances as late as 1762. "If the British wished to occupy the French posts and establish a trade with the western nations," as Michael A. McDonnell has remarked, "they would have to do so on Indian terms."<sup>64</sup> Only by strengthening their own networks of Native alliances could British officials effectively assert their sovereignty in the region. The oldest and most important of British allies were the Haudenosaunee, centred along the Mohawk Valley, and the Cherokee, centred along the Tennessee River. Since these two groups of Iroquoian-

speaking people controlled two major waterways into the Ohio Valley, alliances with them in north and south became the key to British control of the region. Confronted with common enemies in the Illinois Country and around the Great Lakes, the Haudenosaunee and Cherokees finally established an uneasy peace.<sup>65</sup> It wasn't just Native American politics in the Ohio Valley that were exceedingly decentralized. So too were the settler politics of the British Empire. Both proved baffling to British imperial administrators seeking to establish sovereignty in the continental interior. In response to Iroquois and Cherokee demands, authorities continually promised, in vain, to keep white settlement out of Indian Country. Meanwhile, colonial governments undermined imperial authority by negotiating separate land cessions with Indians and granting vast tracts of land to well-connected speculators, while hundreds of settlers heedlessly flouted treaty obligations to settle on Indian lands. "You often tell us we don't restrain our people, and that you do so with yours," an Iroquois delegate chastised Superintendent of Indian Affairs William Johnson. And yet, he pointed out, "your Words differ more from your Actions than ours do." By the early 1770s, the Ohio Valley was a war zone among various Native people and between settlers invading the country and Indians fighting to retain their sovereignty. In response to the chaos, one solution beckoned: the imperial government would consolidate its authority in more reliable hands than those of colonial governments and uncontrollable settlers. New borders would be drawn, not along the crest of the Appalachians, as in the 1763 Royal Proclamation, but rather following the massive cession of Iroquois (formerly Algonquian) lands in the 1768 Treaty of Fort Stanwix and of Cherokee rights in the 1768 Treaty of Hard Labour, both of which pushed the eastern border of Indian Country to the Ohio River. The Quebec Act was thus the result of more than a decade of attempts to consolidate British authority in the Ohio Valley by strengthening Indian control and discouraging settler incursions. At stake was the fate of British authority in the West – and, in a sense, the fruits of the great victory achieved in the Seven Years' War. The new province built on previous French travel routes connecting the Ohio and the St Lawrence valleys, reorienting trade and governance away from the seaboard colonies to the east, and signalling the centrality of Native-French-Métis trade networks over those of British settlers. Both the geographical and legal features were written, as Undersecretary of State for the Colonies William Knox put it, "for the avowed purpose of excluding all further settlement" in the Ohio Valley.<sup>66</sup> Colonial officials believed that preventing the extension of British law into Indian Country would further discourage Anglo-Protestant settlement. As Edmund Burke, a fierce critic of the law, complained, it would "draw a line which is to separate a man from the right of an Englishman." For its proponents, this was a feature, not a bug, of the new policy. Just as earlier officials had believed British law in Quebec would attract Protestant settlers, so, by the same logic, they now believed that maintaining French law in the trans-Appalachian West would keep settlers out. Proponents of the Quebec Act were clear about their intentions. "If it is not wished that British subjects should settle that country," wrote Lord Dartmouth, Secretary of State for the Colonies, "nothing can more effectually tend to discourage" British settlement than

maintaining French law in the Ohio Valley. It was a point on which both proponents and opponents of the policy could agree. For opposition Whig Charles Pratt, 1st Earl of Camden, a fierce critic of the act, the Quebec Act would serve as “an eternal barrier ... [a] Chinese wall, against the further extension of civil liberty and the Protestant religion.”<sup>67</sup> Eternal it was not to be, however. Only a year after the Quebec Act was passed, British settlers in New England were in armed insurrection against the British Empire. By 1783, Lord Shelburne – a strong supporter of the Quebec Act – would agree to cede the Ohio Valley back to the seaboard colonists. Its history as part of Quebec was vanishingly short, and it is thus tempting to view it as an anomaly. Nonetheless, some of the elements embedded in the Act persisted. Most notably, the principle that treaty-making power be centralized and not ceded to the individual states was enshrined in the 1787 United States Constitution. On the other hand, the United States would endorse some of the principles articulated by the Quebec Act’s opponents. When the us Congress began to organize the Northwest Territory in the 1780s, it did so in the expectation that regular government in the region would foster settlement. Indeed, as Christian Bursset notes in this volume, the Northwest Ordinance of 1787 “essentially codified the compromise the Act’s opponents had offered, allowing preserving French property law for French inhabitants, but imposing British common law for civil procedure.” If British common law had failed to extend to Quebec in the 1770s, it ultimately succeeded in doing so in the United States in the 1780s. The ironies remain striking, even today: it was Great Britain that extended French law into the Ohio Valley and Great Lakes in the 1770s, and the United States that would extend British law into the same region in the 1780s.

## EXPANSION OF EMPIRE

The significance of the Quebec Act was not limited to the history of the St Lawrence or Ohio valleys, however. In its broadest frame, the Act was more than a Canadian, or even a North American, event: it was a British imperial event, which resulted from a radically expanded empire confronting a demographic, legal, religious, and cultural diversity unprecedented in its history. The territories conquered by Britain in the Seven Years’ War extended far beyond the borders of current-day Quebec. They spanned the St Lawrence River, into the Great Lakes, and north to Hudson Bay to encompass most of today’s Canada. From there, they stretched south across the trans-Appalachian West to the Gulf of Mexico, including Florida (East and West), and across the Gulf to the Caribbean Sea, including the stretch of the Windward Islands in the Caribbean from Martinique to St Lucia, St Vincent, and Grenada. The scale of these new American possessions would have been daunting enough, but still they were only a fraction of the new territories won in the war. From the Caribbean, Britain’s vastly expanded empire stretched across the Atlantic to the slave-trading colony of Saint-Louis and into Senegal, through the Mediterranean to Gibraltar and Minorca, and then, most consequentially of all, encompassed extensive sections of the Indian subcontinent, including the state of Bengal, with a population far exceeding any other European colonial possession.<sup>68</sup> An island nation, controlling a maritime

space, had suddenly become a territorial empire. Britain's American territories alone stretched across half a billion acres of land, making up only one part of a global empire that now encompassed millions of peoples of vastly differing languages, religions, manners, and legal codes. Each new region was deeply faction-ridden, with quarrelling populations – European and indigenous; slave and free; French, Spanish, and English; Hindu, Muslim, and Christian – including most notably Britain's "old subjects," all of them with conflicting political objectives. Each new territory, moreover, had a varied set of hopelessly muddled legal traditions to sort through. An innumerable number of assertions of local authority now confronted attempts at a more centralized, imperial authority. There simply was no precedent for managing a polyglot British Empire on this scale.<sup>69</sup> In North America, General Jeffery Amherst had taken the first stab in the wake of the French defeat, but his assertive policies had failed in Quebec and across the trans-Appalachian West. The following decade, similarly assertive policies inspired rebellion among Caribs in St Vincent. Meanwhile, governments in the imperial centre were rising and falling, Bengal was starving, and British colonists in the thirteen seaboard colonies were proving themselves immune to even the mildest imperial regulations. Indeed, from that last perspective it was hardly obvious that imposing Protestant religion and English manners would unify or pacify distant populations. After all, the very opposite was just then taking place among the largely English and Protestant colonies to the south of the St Lawrence Valley. Given the chaotic political context, offering concessions to a population of French Catholics beckoned as the most obvious way to negotiate the conflicting claims of local versus imperial control. What began as a response to forces on the ground and contingent factors elsewhere, however, soon became enmeshed in broader debates about imperial governance and about the nature of empire itself. As British officials searched for precedents in crafting a new imperial policy, they found few places to turn. The tiny Mediterranean island of Minorca appeared recurrently in the discussions surrounding the Quebec Act (as it does in this volume). There, Britain had taken possession of the island earlier in the eighteenth century and preserved Spanish language and law. The Caribbean island of Grenada, also acquired in the Seven Years' War, served as another example. There, the British were finding ways to accommodate the French-Catholic settler population. And, of course, the Irish case was of central importance, looming over much of the debate.<sup>70</sup> But the Quebec Act pointed to something fundamentally new, reflecting the new scope of the British Empire. "The scale of the problem," as P.J. Marshall observes, had "suddenly become vastly greater." Old, homogenizing approaches grounded in a common religion and manners were not just impractical; they began to seem downright tyrannical. When one Member of Parliament claimed, in the debates surrounding the Quebec Act, that imposing English laws on a conquered nation was an "act of the grossest and absurdest and cruelest tyranny," it signalled how far opinion had moved in just one generation. Even the "Mussulman, the Ottoman, the Turks, the worst of all conquerors, in the countries they subdued," declared Solicitor General Alexander Wedderburn, "left the people in possession of their municipal laws." This new line of thought revealed an openness to a legally and religiously diverse empire that stood

in stark contrast to the traditional definition of a militantly Protestant British imperial nationalism. It suggested that Britons and their conquered peoples had suddenly entered a moment of rich, profound, and fundamentally original reflection on the nature of the British Empire specifically and of empire more generally. From this reflection, as Hannah Muller puts it in this volume, “a new vision of governance” would arise, and it is in this broader imperial context that the Quebec Act of 1774 emerges as an important turning point: the moment “when a truly imperial subjecthood was imagined and realized.” With its acceptance of legal, cultural, and religious pluralism within the empire, the Quebec Act inaugurated new debates about imperial authority and administration, the thematic contours of which would persist through much of the next century. Although it was hardly uncontested, the Quebec Act of 1774 marked a decisive turn away from a conception of the British Empire as, in David Armitage’s pithy formulation, “Protestant, commercial, maritime and free.” From a longer-term perspective, historians may want to consider the possibility that the second British Empire began not so much with the loss of the American colonies in 1783, but rather in 1774, with the foundation of the conceptual bases for a new empire.<sup>71</sup> As this volume emphasizes, this new vision of imperial governance resulted from a host of factors operating at different political and geographical scales, and from the complex negotiations between local struggles on the imperial periphery and officials in the metropolitan centre. The debate pushed beyond the practicalities of imperial governance to address the meaning of British subjecthood itself, both in the colonies and in the metropole – debates that paralleled the more famous ones taking place just to Quebec’s south. Imperial innovations on this scale were bound to foster dissent. After all, not everyone agreed that British subjecthood should be so fluid, and legal systems so flexible. Protestant English-speaking settlers across North America saw their empire being pulled out from under their feet. Indeed, from a broader imperial perspective, the American Revolution and the collapse of the first British Empire emerges more as a consequence than a cause of these debates over imperial governance. Whatever the context in which the Quebec Act is located – be it us, Canadian, Indigenous, or imperial – the event, as we hope this volume shows, was of greater importance than any single body of scholarship recognizes. In this regard, a study of the Quebec Act offers a fruitful example of the methodological payoff of an “entangled” approach to history, highlighting the interconnected nature of early modern history more generally. Like the proverbial butterfly flapping its wings, a small Act could have a variety of unanticipated and unintended consequences bearing on a variety of interconnected peoples of North America and the British Empire, each of them redounding on the other to determine the course of so many interconnected histories.

## THE VOLUME

Part I of the volume, “Quebec, Law, and Empire,” lays out the broadest geographical context for the Quebec Act, setting it principally in the scholarship on law and empire. Hannah Muller begins by presenting the stakes of the debate from an imperial

perspective. The Quebec Act, she argues, did not simply lay out a new vision for governing the empire; it was also a fundamental redefinition of British subjecthood. Before the Seven Years' War, little consensus existed on the precise rights of British subjects. Most writers simply referred back to a vaguely defined ancient constitution. Old and New Subjects agreed that British subjects were protected by law. But which law? Canadiens paved new ground by arguing that British subjecthood required the preservation of French civil law, which would "render them more able to serve their monarch as loyal subjects." The argument was taken up in London by figures like Solicitor General Alexander Wedderburn, who insisted that the Quebec Act would "bring the Canadians much more to the resemblance of British subjects than they are at present." Old Subjects, by contrast, argued that British subjecthood required the preservation of English law. For them, the Act was, as William Pitt put it, "the most cruel, oppressive and odious measure" that would alienate many subjects. Crucially, these new meanings of subjecthood resulted directly from the debates playing themselves out on the ground in Quebec. From periphery to centre and out again, debates in Quebec launched "a profound redefinition of the rights of British subjects" – not just in Canada but throughout the British Empire – resulting, for the first time, in "a truly imperial subjecthood." Donald Fyson's essay serves as an essential counterpoint to the imperial and transnational approach that animates the other contributions in this volume. It brings attention to the local practice of administrative power rather than to imperial discourse, and to the concrete consequences of the Quebec Act on Franco-Catholic settlers. Fyson argues robustly against portrayals of the Quebec Act as a Magna Carta of a nation in the making. For him, it was essentially the constitutional ratification of a series of pragmatic policies undertaken by governors – the same pragmatic response that had already inspired many of the articles of the Capitulation of Montreal (1760) and the Treaty of Paris (1763). More fundamentally, Fyson demonstrates that religious, legal, and judicial policies had been imposed on the ground by the Canadiens themselves, and were implicitly recognized by colonial rulers as an effective form of social regulation. The Quebec Act therefore cannot be considered as the founding moment of Canadiens' political identity within the Empire; it was merely the official recognition of a state of affairs based on mutual accommodation that had gradually emerged in previous years. This reading of the Quebec Act's marginal consequences on the daily lives of old settlers nonetheless highlights its historical importance. By its constitutional ratification, it emerges as a manifestation of considerable evolution in theorizations of empire during the period, and as proof of the integration of a predominantly French and Catholic colony in this evolution. If the Quebec Act was thus the response to forces on the ground, and in this sense the product of highly contingent factors, there was nothing impulsive about the new policy. Michel Morin shows that the Quebec Act was not ad hoc, but resulted from the detailed study of French legal codes, extensive consultation with jurists, and careful deliberation among policy officials. Reconstructing the debates and controversies in Quebec and in London, Morin follows legal officials as they drafted reports on the implementation of British law in conquered territories. No longer were they proposing legal accommodations as

temporary measures. By the late 1760s, influential voices began to push back, not just against the practicality, but against the very principle of a legally uniform British Empire. The “British Form of government, never will produce the same Fruits as at Home,” Governor Carleton wrote Lord Shelburne in 1768. “It is impossible for the Dignity of the Throne to be represented in the American Forests.” The implementation of legal uniformity in an empire now spanning an unprecedented variety of climates, peoples, and manners made little sense, according to these theorists. It was, Attorney General Edward Thurlow argued in a 1773 report, both “unattainable” and “useless.”<sup>72</sup> Christain Burset brings a broad coherence to the various pro – and anti – Quebec Act voices, reading the debate through the lens of the scholarship on legal pluralism, and arguing that the dispute over the Quebec Act was part of a “broader debate over the place of English law in the British Empire,” notably including Bengal. Until the second half of the eighteenth century, Burset argues here, British imperial policy followed Edward Coke’s dictum that a “union of lawes is the best meanes for the unity of countries.” Imperial administrators followed this principle in imposing English law on Ireland, Wales, as well as conquests abroad like New York. Some diversity existed within the law, to be sure, but advocates of legal pluralism remained marginal through the middle of the eighteenth century. It was only after the Seven Years’ War that a loosely organized movement that Burset identifies as “authoritarian Whigs” began to cohere. These figures – who included Wedderburn, Carleton, and Chief Justice William Murray, 1st Earl of Mansfield – abandoned the traditional pursuit of legal uniformity in favour of a new commitment to legal pluralism, which they believed would allow Britain to more efficiently govern its colonies, while maintaining them in a state of economic subordination. The authoritarian Whigs were opposed by a coalition of radical Whigs, who saw the lurking threat of governmental tyranny in the efforts to limit the universality of English common law, and establishment Whigs, who were willing to compromise on some elements of legal pluralism but insisted that English commercial and procedural law should govern the colonies. The vision of the authoritarian Whig ultimately won out. Their conception of legal pluralism imposed across the Empire amounted to a major break with past practice and would affect all realms of the British Empire going forward. “From 1774,” Burset concludes, “the question would no longer be whether to embrace mandatory legal pluralism, but how.”<sup>73</sup> Part II, “Religious and Ethnic Conflict,” moves beyond the legal and administrative frameworks of the first four essays to explore the controversial religious aspects of the law. After all, the Quebec Act was “not solely an example of legal pluralism or negotiated authority,” as Aaron Willis notes in his essay. It also served “as a critical example of religious and cultural pluralism within British imperial civil society.” Willis reconstructs the debates that led to the Quebec Act’s formulation, showing the powerful influence of what many officials by then considered the failed Irish experience on the discussions. “The reappraisal of the Catholic question in Ireland,” Willis argues, prompted “a rethinking of policy in the ceded territories in North America.” As they debated how to manage a new Catholic population, polemicists and policy-makers looked back to past experience and found it wanting. What, they asked,

had gone wrong in Ireland? “In a country so highly favoured by nature,” read a 1770 pamphlet published in London, “the inhabitants could not be miserable, without some defect in our laws.” The parliamentary debates over the Quebec Act repeatedly referred to the Irish experience, where, as supporters of the Act pointed out, the penal laws had proven counterproductive, leading to the impoverishment of the Catholic population, pushing them toward rebellion, requiring the continual presence of (expensive) British garrisons, and driving them to cling with ever greater tenacity to the Catholic Church. Irish laws, wrote William Knox, the Irish-born under-secretary for the American department, who served under Hillsborough at the Board of Trade, had not “served in any degree to recommend them for our imitation in Quebec.” Indeed, several of the officials promoting a more pluralist model for Quebec – including Carleton and Knox – were themselves Irish born. Their experiences in Ireland gave them good reason to doubt the efficacy of an assimilationist approach to imperial governance. Central to their redesigned model of imperial governance was an emphasis on the seigneurs, whose loyalty and collaboration was seen as essential in maintaining imperial control over the larger population of Canadiens. This new emphasis on pluralism through concession to local elites amounted to a paradigm shift. “The Quebec Act was not simply a localized, pragmatic policy,” Willis concludes. “Experiments in Quebec would lay the foundation of collaborative strategies deployed across the British Empire in the nineteenth and twentieth centuries.” By breaking radically with the Empire’s past treatment of Catholics, the Quebec Act pointed toward a new policy of religious pluralism abroad – and at home. Luca Codignola paints a striking portrait of ecclesiastical networks stretching across the new and old territories of the British Empire, connecting authorities in Rome to Quebec, London, Grenada, Majorca, Florida, and Newfoundland; officials in older parts of the Empire, such as Ireland; as well as a related-but-distinct Jesuit network linking London and the North American British colonies (later the United States). Initially, Church authorities in London, led by an aging vicar apostolic, showed little interest in the formulation of the Act. That indifference is ironic, because, in the end, Codignola argues, the Act would play a significant role in English Catholic history – and, perhaps more importantly, in situating London at the heart of Catholicism in the British Empire. By the 1820s, London’s vicar apostolic had become the centre of a Catholic network spanning the globe from America to the East Indies, and the Pacific. From this longer temporal perspective, the Quebec Act emerges as an important step in the creation of the modern British Catholic Church. It shaped precedent not just for the governance of empire, but of the metropole too, foreshadowing Catholic emancipation and the transformation of the Church’s place in British life. The Quebec Act also played a decisive role in the construction of the Canadian Catholic Church. Traditionally Gallican, it gradually redefined the nature of its relations with the colonial authorities and established closer relations with the Holy See, thus gaining an unprecedented level of autonomy from the state. The negotiations surrounding the status of Catholicism in Quebec also mark an important step in the Vatican’s consideration of North American churches. Codignola’s text, which is based on a thorough and rare knowledge of religious archives, offers fascinating insight into an

aspect of Quebec and Church history neglected by the scholarship on the period. It is impossible to understand the caution with which the British Catholic Church and the imperial government inched towards religious tolerance without assessing the centrality of a militant Protestant patriotism in the British imperial identity. Brad A. Jones provides a striking illustration in his analysis of the Quebec Act's reception in the New York and Halifax press. He shows how the Act catalyzed latent but powerful anti-Catholic strains in British political culture, fuelling an extreme paranoia about a Catholic plot and even a Catholic invasion. Recall that, by 1774, not even a century had passed since King James II had been overthrown in the Glorious Revolution of 1688. The event was about as far from peoples' living memory then as the Great Depression of the 1930s is to us today. A plot to secretly restore Catholicism might not have seemed so far-fetched as many historians now view it.<sup>74</sup> Little wonder Protestants in New York and New England – where a language of Popery had long featured in the political discourse and where bitter memories of the French and Native attacks on British settlements remained vivid – were so quick to react violently. The timing of the Quebec Act – promulgated just as imperial tensions reached a boiling point – could hardly have been worse. “What,” asked one New Yorker, could have led officials to pass a bill meant “to rob, enslave and murder their fellow subjects at the expense of the protestant cause?” So powerful were anti-Catholic sentiments, they could even shake settlers' faith in “Popish King George” himself, who “had broken his coronation oath, and established the popish religion in Canada.” Well before Thomas Paine published *Common Sense*, pushing reluctant colonists to break with their monarchical political culture, Jones argues that the Quebec Act's concessions to French Catholics had “brought the King to the centre of the conflict,” forcing colonists “to think more seriously about the place of the monarch in popular articulations of Protestant British patriotism.” Part III, “Aboriginal Nations and European Borders,” looks away from the Atlantic littoral to focus on the Ohio Valley, and on the essential role of Native peoples in the Quebec Act. As Jeffers Lennox emphasizes, anti-Catholic sentiments were not the only factors shaping the Quebec Act's reception. “The Act's ‘intolerable’ element was not the accommodations in offered French subjects,” he argues, “but rather the borders it provided for the province.” Perhaps because so few contemporary maps represented Quebec's contours as laid out by the 1774 Act – the mostly patriotic printers in Great Britain found it difficult to represent an empire divided against itself – the implications of its extension into the Ohio Valley have gone largely unrecognized by historians since. For Lennox, the Act's most salient feature was the size of the province it created, stretching from the St Lawrence Valley down the Ohio River and up around the Great Lakes. In so doing, it nullified the territorial claims that British settlers had only recently secured. Even worse, perhaps, by centralizing authority over land cessions in the Ohio Valley in Quebec, it reinforced the principle that British settlers would not push into Native territory without the permission of imperial authorities. “The people here,” as Frederick Haldimand wrote from New York, “do not want to see a chain pulled along the backs of their settlements.” Settlers may have protested, but Lennox shows that those borders were very intentional – the product of extensive

reflection and debate among colonial administrators. Although they possessed little geographic knowledge of the North American interior, authorities in London were well aware of the settler-Native dynamics that prevailed. William Johnson, among others, had relayed the unhappiness of Indigenous nations demanding, in the words of one Huron diplomat, that “we may be supported in the right and privileges granted us by our present Royal Sovereign and father by his proclamation of 7th October 1763.” Governments along the coast had proven unwilling to enforce the borders of 1763. A new government in Quebec might prove more successful. British officials in London spent extensive time debating Quebec’s new borders, but they would have to be imposed on the ground. And as Kristofer Ray argues, those cartographical boundaries “meant little in a fluid world, where Northern, Western, and Southern Indians interacted and competed with one another.” The Ohio Valley was “an Indigenous world,” Ray emphasizes, that “Britons simply could not control” – a world of “geopolitical fluidity” marked by extensive Native mobility, the creation and collapse of alliances, and almost continuous warfare. British power barely extended to the region; insofar as it did, it probably worked through alliance with Native American nations. Ray dwells partly on the various Cherokee tribes in the south, along the Tennessee River, and the Haudenosaunee to the north, both of whom had long-standing claims to parts of the Ohio Valley. Although these two Iroquoian-speaking peoples had fought bitterly for decades, both were simultaneously at war with Western nations in the Illinois Valley and around the Great Lakes. By the mid 1760s, the Ohio Valley had become the tense meeting point between all these warring people. Thanks to their common wars with Western nations (Aninshnaabeg, Illinois, Mascoutens, Miamis, and others), the British had succeeded in brokering a peace between the Cherokee and Haudenosaunee in the late 1760s. Alas, these long-standing and expensive efforts to stabilize the West were continually undermined by rapacious British settlers and venal provincial governments. Imperial authorities were well aware of the “fraudulent and bad Practices” that prevailed. “I have heard of those Complaints as long as I have heard [sic] of America,” General Gage reported. Through these and other channels, officials in London were well aware that the “Thirteen seaboard colonies were utterly ill- equipped to deal with the palpable instability of Native affairs.” It had become clear that “only centralized power could stabilize the west and bring order to the North American Empire” by managing trade and diplomacy with Native Americans. The Quebec Act thus emerges, in Ray’s telling, as a belated attempt to stabilize a chaotic region, and fulfill the promises made in 1763. Had it come earlier, perhaps it would have succeeded. It might seem odd to view the Quebec Act as an extension of the Royal Proclamation. On its face, the Act reorganized much of the territory encompassed by the Royal Proclamation, and was entirely silent on Native American issues. Did it overturn the rights established in 1763? The question is not just, so to speak, academic; it carries major implications for current legal debates about Indigenous land rights in Canada. Although the 1774 Act figures in the lineage of laws that compose Canada’s unwritten Constitution, when it comes to the history of Canada’s Aboriginal peoples, as Alain Beaulieu explains, it is the 1763 Royal Proclamation that takes on a canonical status. Alongside it, the

Quebec Act plays a minimal – and indeed embarrassing – role. While the 1763 Proclamation asserted Indigenous land rights and established the precedent that Native lands could only be ceded by treaty, the Quebec Act failed to mention Native peoples, overturning the more generous Royal Proclamation. Nevertheless, as Beaulieu argues, there are good reasons to see the 1774 Quebec Act as an extension of the 1763 Royal Proclamation. Indeed, it was an extension of earlier French imperial policy in North America. By the 1770s, British officials had become convinced of the “superiority of French Indian policy” enacted through a complex set of Native alliances. So effective were they, according to William Johnson, that even after the collapse of the French Empire, French people in the West “maintain their Influence, enjoy the major part of the Trade, whilst our Traders are considered as Interlopers.”<sup>75</sup> By centralizing Native American relations under a single governor in Quebec, the imperial government hoped to better manage their new system of alliances stretching into the Ohio Valley and the Great Lakes and the treaties that undergirded them. Enforcing treaty requirement would appease Indian nations, while also asserting a firmer control over unruly British settlers.

From these discussions, the role of Native American relations with European empires emerges as one of the key factors shaping the Quebec Act. And here one final irony becomes clear: the centralized authority over Indian affairs the Act meant to implement – and which was so vociferously rejected by rebellious settlers along the Atlantic coast – would remain in the Constitution those same settlers enacted in 1787. By then, those colonists rebelling against an empire had become an imperial power of their own.

## NOTES

1 On national narratives and history, important theoretical works include: Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983; rev. ed., 1991); Eric Hobsbawm and Terrence Ranger, eds, *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983); Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?* (London: Zed Books, 1986); John R. Gillis, ed., *Commemorations: The Politics of National Identity* (Princeton: Princeton University Press, 1994). On these subjects as they pertain to the area concerned by the Quebec Act, see: Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History,” *American Historical Review* 104, no. 3 (June 1999): 814–41, along with the responses in “Forum Essay: Responses,” *American Historical Review* 104, no. 4 (October 1999): 1221–39, and the works cited therein; Chaplin, Joyce E. “Expansion and Exceptionalism in Early American History,” *Journal of American History* 89, no. 4 (2003): 1431–55; Bender, Thomas. *A Nation Among Nations: America’s Place in World History* (New York: Hill and Wang, 2006); Jack P. Greene, “Colonial History and National History: Reflections on a Continuing Problem,” *William and Mary*

Quarterly, Third Series 64, no. 2 (2007): 235–50; Christopher Grasso and Karin Wulf, “Nothing Says ‘Democracy’ Like a Visit from the Queen: Reflections on Empire and Nation in Early American Histories,” *Journal of American History* 95, no. 3 (2008): 764–81; Rosemarie Zagarri, “The Significance of the ‘Global Turn’ for the Early American Republic: Globalization in the Age of Nation-Building,” *Journal of the Early Republic* 31, no. 1 (2011): 1–37; Catherine Desbarats and Thomas Wien, “Introduction: La Nouvelle-France et l’Atlantique,” *Revue d’histoire de l’Amérique française* 64, no. 3–4 (2011): 5–29; Cécile Vidal, ed., *Louisiana: Crossroads of the Atlantic World* (Philadelphia: University of Pennsylvania Press, 2013); Usner, Daniel H. “Rescuing Early America from Nationalist Narratives: An Intra-Imperial Approach to Colonial Canada and Louisiana,” *Historical Reflections* 40, no. 3 (2014): 1–19. On the fight for Canada, see [www.1812.gc.ca](http://www.1812.gc.ca); Karim M. Tiro, “Now You See It, Now You Don’t: The War of 1812 in Canada and the United States in 2012,” *The Public Historian* 35, no. 1 (2013): 87–97. Claire Turenne Sjolander, “Through the Looking Glass: Canadian Identity and the War of 1812,” *International Journal: Canada’s Journal of Global Policy Analysis* 69, no. 2 (2014): 152–67; Yves Frenette, “Conscripting Canada’s Past: The Harper Government and the Politics of Memory,” *Canadian Journal of History* 49, no. 1 (2014): 49.

2 Philip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution* (Montreal: McGill-Queen’s University Press, 1989).

3 On entangled history or *histoire croisée*, see esp. Michael Werner and Bénédicte Zimmermann, “Penser l’histoire croisée: entre empirie et réflexivité,” *Annales. Histoire, sciences sociales* 58, no. 1 (2003): 7–36, translated as Werner, Michael, and Bénédicte Zimmermann. “Beyond Comparison: *Histoire Croisée* and the Challenge of Reflexivity,” *History and Theory* 45, no. 1 (2006): 30–50; Sanjay Subrahmanyam, “Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia,” *Modern Asian Studies* 31, no. 3 (1997): 735–62; Subrahmanyam, *From the Tagus to the Ganges* (New Delhi, 2005); Subrahmanyam, “Holding the World in Balance: The Connected Histories of the Iberian Overseas Empires, 1500–1640,” *American Historical Review* 112, no. 5 (December 2007): 1359–85; Eliga H. Gould, “Entangled Histories, Entangled Worlds: The English-Speaking Atlantic as a Spanish Periphery,” *American Historical Review* 112, no. 3 (June 2007): 764–86; Gould, “Entangled Atlantic Histories: A Response from the Anglo-American Periphery,” *American Historical Review* 112, no. 5 (December 2007): 1415–22. The British Conquest of Quebec has recently been the subject of important publications that place the event in a broader imperial context: Phillip A. Buckner and John G. Reid, eds, *Remembering 1759: The Conquest of Canada in Historical Memory* (Toronto: University of Toronto Press, 2012); Phillip A. Buckner and John G. Reid, eds, *Revisiting 1759: The Conquest of Canada in Historical Perspective* (Toronto: University of Toronto Press, 2012); Laurent Veyssièrre and Bertrand Fonck, eds, *La Guerre de Sept Ans en Nouvelle-France* (Quebec: Septentrion, 2012); Sophie Imbeault, Denis Vaugois, and Laurent Veyssièrre, eds, *1763: Le traité de*

bouleverse l'Amérique (Quebec: Septentrion, 2012); Laurent Veyssière and Bertrand Fonck, eds, *La fin de la Nouvelle-France* (Paris: A. Colin, 2013); Laurent Veyssière, ed., *La Nouvelle-France en héritage* (Paris: A. Colin / Ministère de la Défense, 2013); Laurent Veyssière and Bertrand Fonck, eds, *La chute de la Nouvelle-France: De l'affaire Jumonville au traité de Paris* (Quebec: Septentrion, 2015).

4 William Smith, *History of Canada: From Its First Discovery, to the Year 1791* (Quebec: J. Neilson, 1815), 2: 64–74.

5 For a recent analysis of the Quebec Act as the source of future difficulties, see Louis-Georges Harvey, “L'intégration de l'ancienne Nouvelle-France à l'Empire britannique, 1760–1774,” in *La Nouvelle-France en héritage*, ed. Laurent Veyssière, 29–44 (Paris: Armand Colin, 2013).

6 The relevant section is in the first chapter of the eleventh book of the third volume of the original edition: François-Xavier Garneau, *Histoire du Canada depuis sa découverte jusqu'à nos jours* (Quebec: N. Aubin, 1848).

7 Lionel Groulx, *Vers l'émancipation: Cours d'histoire du Canada à l'université de Montréal, 1920–1921* (Montreal: Bibliothèque de l'Action française, 1921), 227. See also *Lendemain de Conquête: Cours d'histoire du Canada à l'université de Montréal, 1919–1920* (Montreal: Bibliothèque de l'Action française, 1920).

8 Michel Brunet, “La Conquête anglaise et la déchéance de la bourgeoisie canadienne (1760–1793),” *Amérique française* 13, no. 2 (June 1955): 19–84. On the subject of this interpretation, see Cameron Nish, *The French Canadians, 1759–1766: Conquered? Half-Conquered? Liberated?* (Vancouver and Toronto: Copp Clark, 1966); Dale Miquelon, ed., *Society and Conquest: The Debate on the Bourgeoisie and Social Change in French Canada, 1700–1850* (Vancouver: Copp Clark, 1977); Serge Gagnon, *Quebec and Its Historians: The 20th Century* (Montreal: McGill-Queen's University Press, 1985); S. Dale Standen, “The Debate on the Social and Economic Consequences of the Conquest: A Summary,” in *Readings in Canadian History: Pre-Confederation*, ed. Robert Douglas Francis and Donald Boyd Smith, 246–55 (Toronto: Holt, Rinehart and Winston, 1990); Jean Lamarre, *Le devenir de la nation québécoise: Selon Maurice Séguin, Guy Frégault, et Michel Brunet, 1944–1969* (Sillery: Septentrion, 1993); Ronald Rudin, *Making History in Twentieth-Century Quebec* (Toronto: University of Toronto Press, 1997). On Anglo-Canadian historiography, see Carl Berger, *The Writing of Canadian History: Aspects of English-Canadian Historical Writing, 1900–1970* (Toronto: Oxford University Press, 1976).

9 Michel Bibaud, *Histoire du Canada et des Canadiens sous la domination anglaise*. (Montreal: Lovell and Gibson, 1844).

- 10 Thomas Chapais, *Cours d'histoire du Canada* (Quebec: J.P. Garneau, 1919), vol 1. See the very good article by Damien-Claude Bélanger, "Thomas Chapais, loyaliste," *Revue d'histoire de l'Amérique française* 65, no. 4 (2012): 439–72.
- 11 Alfred L. Burt, *The Old Province of Quebec* (Minneapolis: University of Minnesota Press, 1933), 200.
- 12 Traces of this paradigm can still be found in Donald G. Creighton, *The Empire of the St Lawrence*, (Toronto: Macmillan, 1956) and Fernand Ouellet, *Lower Canada, 1791–1840: Social Change and Nationalism* (Toronto: McClelland and Stewart, 1980).
- 13 Fernand Ouellet, *Economic and Social History of Quebec, 1760–1850: Structures and Conjonctures* (Toronto: Gage Publishing, in association with the Institute of Canadian Studies, Carleton University, 1980).
- 14 Hilda Neatby, *Quebec: The Revolution Age, 1760–1791* (Toronto: McClelland and Stewart, 1966).
- 15 Pierre Tousignant began by publishing a PhD thesis on the period: "La Genèse et l'avènement de la constitution de 1791" (Université de Montréal, 1971). It was followed by a long article: "The Integration of the Province of Quebec into the British Empire, 1763–791. Part I: From the Royal Proclamation to the Quebec Act," in *Dictionary of Canadian Biography* 4: xxxii–xlix (Toronto and Quebec: University of Toronto Press and Presses de l'Université Laval, 1979).
- 16 On this subject, see Elizabeth Mancke, "Another British America: A Canadian Model for the Early Modern British Empire," *The Journal of Imperial and Commonwealth History* 25, no. 1 (1997): 1–36.
- 17 George Bancroft, *History of the United States of America, from the Discovery of the Continent* (Boston: Little, Brown and Company, 1876), 4: 156.
- 18 Francis Parkman, *Montcalm and Wolfe: The French and Indian War* (Boston, ma: Da Capo Press, 1995), 546.
- 19 Thomas Perkins Abernethy, *Western Lands and the American Revolution* (New York: D. Appleton–Century Company, for the Institute for Research in the Social Sciences, University of Virginia, 1937).
- 20 David Ammerman, "The Tea Crisis and Its Consequences, through 1775," in *A Companion to the American Revolution*, ed. Jack P. Greene and J.R. Pole, 198 (Oxford: Blackwell, 2000).

21 Ibid., 227.

22 Brendan McConville, *The King's Three Faces: The Rise and Fall of Royal America* (Chapel Hill: Published for the Omohundro Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press), 288.

23 Mark R. Anderson, *The Battle for the Fourteenth Colony: America's War of Liberation in Canada, 1774–1776* (Lebanon: University Press of New England, 2013), 31–44. See also Alan Taylor, *American Revolutions: A Continental History, 1750–1804* (New York: W.W. Norton, 2016), 83–6.

24 Daniel Richter, *Facing East from Indian Country: A Native History of Early America* (Boston, ma: Harvard University Press, 2001), 206–16; Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America* (Oxford: Oxford University Press, 2006), 112–32. See also Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673 –1800* (New York: Cambridge University Press, 1997); and François Furstenberg, “The Significance of the Trans-Appalachian Frontier in Atlantic History,” *American Historical Review* 113, no. 3 (2008), 647–77.

25 Clarence Walworth Alvord, *The Mississippi Valley in British Politics: A Study of the Trade, Land Speculation, and Experiments in Imperialism Culminating in the American Revolution*. 2 vols. (Cleveland: The Arthur H. Clark Company, 1917), 1: 13. His discussion of the Quebec Act appears on 2: 209–51.

26 Jack M. Sosin, *Whitehall and the Wilderness: The Middle West in British Colonial Policy, 1760–1775* (Lincoln: University of Nebraska Press, 1961), 239–55).

27 Reginald Coupland, *The Quebec Act: A Study in Statesmanship* (Oxford: Clarendon Press, 1925).

28 Philip Lawson, “A Perspective on British History and the Treatment of Quebec,” *Journal of Historical Sociology* 3 (1990): 253–71.

29 Peter Marshall, “The Incorporation of Quebec in the British Empire,” in *Of Mother Country and Plantations: Proceedings of the Twenty-seventh Conference in Early American History*, ed. Virginia Bever Platt and David Curtis Skaggs, 61, 62 (Bowling Green, oh: Bowling Green State University Press, 1971).

30 Lawson, *The Imperial Challenge*.

31 In this same vein, see Karen Stanbridge, “Quebec and the Irish Catholic Relief Act of 1778: An Institutional Approach,” *Journal of Historical Sociology* 16, no. 3 (2003): 375–404.

32 Lawson, *The Imperial Challenge*, x.

33 David Milobar, “Conservative Ideology, Metropolitan Government, and the Reform of Quebec, 1782–1791,” *International History Review* 12 (Feb. 1990), 45–64; David Milobar, “The Origins of British-Quebec Merchant Ideology: New France, the British Atlantic, and the Constitutional Periphery, 1720–1770,” *Journal of Imperial and Commonwealth History* 24 (Sept. 1996): 364–90; quotation at 165.

34 David Milobar, “Quebec Reform, the British Constitution and the Atlantic Empire, 1774–1775,” *Parliamentary History* 14 (Jan. 1995), 65.

35 P.J. Marshall, ed., *The Oxford History of the British Empire*, vol. 2, *The Eighteenth Century* (Oxford: Oxford University Press, 1998); P.J. Marshall, *The Making and Unmaking of Empires: Britain, India, and America c.1750–1783* (Oxford: Oxford University Press, 2005). Another important point of reference is Lauren Benton’s focus on “legal pluralisms,” in which various legal regimes at the local, national, and supra-national level clash up against each other and also against non-state entities. See Lauren A. Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400–1900* (Cambridge: Cambridge University Press, 2002); Richard J. Ross and Lauren Benton, *Legal Pluralism and Empires, 1500–1850*. (New York: nyu Press, 2013). See also the foundational work by Jack P. Greene. Greene, *Peripheries and Center: Constitutional Development in the Extended Polities of the British Empire and the United States, 1607–1788* (Athens: University of Georgia Press, 1986).

36 Edmond Dziembowski, *Les Pitt: L’Angleterre face à la France, 1708–1806* (Paris: Perrin, 2006), 122. George III was in favour of settling the conflict as quickly as possible, while France exploited a newfound ability to draw out negotiations, thanks to the alliance it negotiated with Spain in August 1761.

37 Jean-Pierre Poussou, “Les conséquences économiques de la guerre de Sept Ans,” in *La fin de la Nouvelle-France*, ed. Bertrand Fonck and Laurent Veyssière, 433–48 (Paris: Armand Colin and Ministère de la Défense, 2013). Laurent Veyssière, “Le traité de Paris de 1763, une paix ‘ni bonne ny glorieuse,’” in *1763: Le traité de Paris bouleverse l’Amérique*, ed. Sophie Imbeault, Denis Vaugeois, and Laurent Veyssière, 18 (Quebec: Septentrion, 2013).

38 François-Joseph Ruggiu, “Falling into Oblivion? Canada and the French Monarchy, 1759–1783,” in Buckner and Reid, *Revisiting 1759*, 69–94.

39 “Articles de la capitulation de Montréal” (1760), [http://www.axl.cefanel.ulaval.ca/francophonie/Montreal – capitulation – 1760.htm](http://www.axl.cefanel.ulaval.ca/francophonie/Montreal-capitulation-1760.htm), accessed Aug. 30, 2017.

40 Article 4 of the Treaty of Paris states that, “His Britannick Majesty further agrees, that the French inhabitants, or others who had been subjects of the Most Christian King in Canada, may retire with all safety and freedom wherever they shall think proper, and may sell their estates, provided it be to the subjects of his Britannick Majesty, and bring away their effects as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts or of criminal prosecutions: The term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratification of the present treaty.” Adam Shortt and Arthur G. Doughty, *Documents Relating to the Constitutional History of Canada, 1759–1791* (Ottawa, S.E. Dawson, 1921), 86. On the general question of emigration, see Robert Larin, *Canadiens en Guyane, 1754–1805* (Paris: Presses de l’Université Paris–Sorbonne, 2006); Marcel Trudel, *Le régime militaire et la disparition de la Nouvelle-France, 1759–1764* (Montréal: Fides, 1999), 491–511. On the difficult experiences of Canadians who chose to settle in France, see Robert Larin, *L’exode de Canadiens à la Conquête, le Petit-Canada de la Touraine, 1760–1840* (Montreal: Société généalogique canadienne–française, 2008). On the Canadian gentry and its equivocation, see Roch Legault, *Une élite en déroute: Les officiers canadiens après la Conquête* (Outremont: Athéna éditions, 2002); Sophie Imbeault, *Les Tarieu de Lanaudière: une famille noble après la conquête, 1760–1791* (Québec: Septentrion, 2004); François-Joseph Ruggiu, “Le destin de la noblesse du Canada, de l’Empire français à l’Empire britannique,” *Revue d’histoire de l’Amérique française* 66, no. 1 (2012): 37–63; Lorraine Gadoury, “L’impact de la Conquête sur la noblesse canadienne,” in *La Nouvelle-France en héritage*, ed. Laurent Veyssièrre, 119–36 (Paris: Armand Colin and Ministère de la défense, 2013). On the Catholic Church after the Conquest, see Marcel Trudel, *L’Église canadienne sous le régime militaire, 1759–1764* (Montreal and Quebec: Institut d’histoire de l’Amérique française and Presses Universitaires Laval, 1956–57); Lucien Lemieux, *Histoire de catholicisme québécois: Les années difficiles (1760–1839)* (Montreal: Boréal, 1989). On the merchants, see José Igartua, “The Merchants and Négociants of Montreal, 1750–1775: A Study in Socio-economic History” (PhD thesis, Michigan State University, 1974). On the question in general, see Jacques Mathieu and Sophie Imbeault, *La guerre des Canadiens* (Quebec: Septentrion, 2013).

41 Using reports and petitions to help shape imperial knowledge, along with colonial and British public opinion, Canadian elites established themselves as representatives of a new “people,” a people they helped to create through their very discourse. See Anne Trépanier, “La parade d’une seconde Conquête: l’Acte de Québec comme moment refondateur,” in *La Rénovation de l’héritage démocratique: Entre fondation et refondation*, ed. A. Trépanier (Ottawa: Les Presses de l’Université d’Ottawa/ University of Ottawa Press, 2009), 178–219.

42 The Treaty of Paris merely signalled a temporary pause in hostilities between the two rival European powers. The French, convinced that the British were seeking to impose their supremacy on overseas trade, pursued hostile policies towards their rival. During the 1760s and 1770s, this approach fed an unfounded yet frequently surfacing rumour, according to which France was infiltrating Canada with spies and was developing plans for a reconquest. During the American War of Independence, France was falsely accused of trying to capitalize on the situation to take back Canada. See Marcel Trudel, *La Révolution américaine: Pourquoi la France refuse le Canada (1775–1783)* (Sillery: Boréal Express, 1976), 130, 186–90.

43 On the common history shared by the Acadians and the Mi'kmaq, see Geoffrey G. Plank, *An Unsettled Conquest: The British Campaign against the Peoples of Acadia* (Philadelphia: University of Pennsylvania Press, 2001). Another cause for concern among the British was Pontiac's Rebellion (1763–65) in the Great Lakes region, during which aboriginal forces sought to rally French-speaking colonists to their cause.

44 Stephen Conway, "The Consequences of the Conquest: Quebec and British Politics, 1760–1774," in Buckner and Reid, *Revisiting 1759*, 143.

45 Douglas Hay, "The Meanings of the Criminal Law in Quebec, 1764 to 1774," in *Crime and Justice in Europe and Canada*, ed. Louis Knafla, 83 (Waterloo, on: Wilfrid Laurier University Press, 1981).

46 Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of Revolution* (New York: Knopf, 1986), 29; Memorandum to the Board of Trade, quoted in Burset, *Chapte 4* in this volume, pages tk at proofs; Morin, *Chapter 3* in this volume, pages tk.

47 At the time, colonial administrators estimated the French-speaking population of the Province of Quebec at fifty thousand individuals. Research conducted by historical demographers have since produced higher estimates, placing the number of French-speaking Catholics settled in the St Lawrence Valley in 1760 at between seventy and eighty thousand. See Trudel, *Le régime militaire et la disparition de la Nouvelle- France*, 83. By 1774, there would have been almost a hundred thousand Franco-Catholics in the colony, and possibly a few thousand Anglo- Protestants. See Hubert Charbonneau, ed., *La Population du Québec: Études rétrospectives* (Trois-Rivières: Les Éditions du Boréal Express, 1973), 43; Robert Larin, *Brève histoire du peuplement européen en Nouvelle-France* (Sillery: Septentrion, 2000), 164; Fernand Ouellet, *Histoire économique et sociale du Québec, 1760–1850* (Montreal: Fides, 1966), 599. Donald Fyson suggests a figure of 750 adult male Protestants in 1775 in "The Conquered and the Conqueror: The Mutual Adaptation of the Canadiens and the British in Quebec, 1759–1775," in Buckner and Reid, *Revisiting 1759*, 212–13.

48 Marshall, *Making and Unmaking*, 189.

49 A separate accord, the Treaty of Oswegatchie of 30 August 1760, laid the groundwork for a new system of alliances with the British. Another treaty, signed on 16 September 1760, formalized the new system by placing seven allied peoples under the leadership of Kahnawake. Alain Beaulieu, “Les garanties d’un traité disparu: Le traité d’Oswegatchie, 30 août 1760,” *Revue juridique Themis* 34, no. 2 (2000): 369–408; Denys Delâge and Jean-Pierre Sawaya, *Les traités des Sept-Feux avec les Britanniques: Droits et pièges d’un héritage colonial au Québec* (Montreal: Septentrion, 2001); Jean-Pierre Sawaya, *Alliance et dépendance: Comment la Couronne britannique a obtenu la collaboration des Indiens de la vallée du Saint-Laurent entre 1760 et 1774* (Sillery: Septentrion, 2014).

50 John A. Dickinson and Brian J. Young, *A Short History of Quebec* (Montreal: McGill-Queen’s University Press, 2008), 41; Benoît Grenier, *Seigneurs campagnards de la Nouvelle France: Présence seigneuriale et sociabilité rurale dans la Vallée du Saint-Laurent à l’époque préindustrielle* (Rennes: Presses universitaires de Rennes, 2007). Bruce Curtis, “Pastoral Power, Sovereignty and Class: Church, Tithe, and Simony in Quebec,” *Critical Research on Religion* 5, no. 2 (2017): 151–69; Article 47 specifies that “Negroes and panis” were included in the protected property.

51 Marcel Trudel, *Le régime militaire dans le gouvernement des Trois-Rivières, 1760–1764* (Trois-Rivières: Éditions du bien public, 1952); Trudel, *L’Église canadienne sous le Régime militaire* (vol. 1, *Les problèmes*; vol. 2, *Les institutions*) (Montréal: Institut d’histoire de l’Amérique française, 1956 and 1957); Trudel, *Histoire de la Nouvelle-France*, vol. 10, *Le régime militaire et la disparition de la Nouvelle-France, 1759–1764* (Montréal: Fides, 1999).

52 Donald Fyson, “The Conquered and the Conqueror,” 190–217.

53 Heather Welland, “Commercial Interest and Political Allegiance: The Origins of Quebec Act,” in Buckner and Reid, *Revisiting 1759*, 166–89.

54 See, in particular, Louise Dechêne, *Habitants et marchands de Montréal au XVIIe siècle* (Paris: Plon, 1974); Allan Greer, *Peasant, Lord, and Merchant: Rural Society in Three Quebec Parishes, 1740–1840* (Toronto: University of Toronto Press, 1985), 6–15; Louise Dechêne, *Le peuple, l’état et la guerre au Canada sous le régime français* (Montreal: Boréal, 2008), 137–48; Benoît Grenier, *Brève histoire du régime seigneurial* (Montreal: Boréal, 2012).

55 On the long history and staying power of these clichés, see José E. Igartua, “The Genealogy of Stereotypes: French Canadians in Two Englishlanguage Canadian History Textbooks,” *Journal of Canadian Studies / Revue d’études canadiennes* 42,

no. 3 (2008): 106–32. On the academic work of deconstruction that this situation has inspired, see Catherine Desbarats and Thomas Wien, “Introduction: La Nouvelle-France et l’Atlantique,” *Revue d’histoire de l’Amérique française* 64, nos. 3-4 (Winter/ Spring 2011): 5–29.

56 Bernard Andrès, ed., *La conquête des lettres au Québec (1759–1799)* (Quebec: Presses de l’Université Laval, 2007); Andrès, *Histoires littéraires des Canadiens au XVIIIesiècle* (Quebec: Presses de l’Université Laval, 2013); Yvan Lamonde, *Histoire sociale des idées au Québec (1760–1896)* (Montreal: Fides, 2000); Louise Bienvenue, Ollivier Hubert, and Christine Hudon, *Le collège classique pour garçons: Études historiques sur une institution québécoise disparue* (Montreal: Fides, 2014).

57 Jean-Pierre Wallot, “L’Acte de Québec, ses causes, sa nature et l’Ancien Régime,” *Cahier de programme d’études sur le Québec*, Université McGill 21 (2001): 2–8. More generally, see Jean-Pierre Wallot, *Un Québec qui bougeait* (Montreal: Boréal Express, 1973); Tousignant, “La genèse et l’avènement de la Constitution de 1791.”

58 Georges-Étienne Proulx, “Les Canadiens ont-ils payé la dîme entre 1760 et 1775,” *Revue d’histoire de l’Amérique française* 11, no. 4 (1958): 533–62.

59 Lemieux, *Histoire de catholicisme québécois*, 18–26. There were numerous and early allusions to the need for a truly Canada clergy, that is to say, free from the influence of Rome and Paris, in the official documents published in Hilda Neatby, *The Quebec Act*.

60 Report by Fletcher Norton and William de Grey, 10 June 1765, as cited in Lawson, *The Imperial Challenge*, 45.

61 See also Peter Marshall, “The Incorporation of Quebec in the British Empire, 1763–1774,” in *Of Mother Country and Plantations: Proceeding of the Twenty-seventh Conference in Early American History*, ed. V.B. Platt and D.C. Skaggs (Bowling Green: Bowling Green State University Press, 1971), 52–7.

62 Nationalist Quebec historiography has gone so far as to brand Briand as a collaborator, complicit in British colonialism. See Michel Brunet, “L’Église catholique dans la période d’après la Conquête,” in *Les Canadiens après la Conquête, 1759–1775* (Montreal: Fides, 1969), 127–33; Luca Codignola, “Quoi de neuf sur la prétendue servitude de Monseigneur Briand (1760 à 1766) ? Une nouvelle lecture historiographique de l’après-Trudel à partir des archives romaines,” in *Le Saint-Siège, le Québec et l’Amérique française: Les archives vaticanes, pistes et défis*, ed. Martin Pâquet, Matteo Sanfilippo, and Jean-Philippe Warren (Quebec: Presses de l’Université Laval, 2013), 109–31.

63 Raymond Lemieux, “Penser la religion au Québec,” *Globe: Revue internationale d’études québécoises* 11, no. 1 (2008): 225–36.

64 Michael McDonnell, *Masters of Empire: Great Lakes Indians and the Making of America* (New York: Hill and Wang, 2015), 199.

65 The literature on Native Americans and European empires in the Ohio Valley is vast and continually growing. Important accounts include: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650 – 1815* (Cambridge: Cambridge University Press, 1991); Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673–1800* (Cambridge: Cambridge University Press, 1999); Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Knopf, 2006); Rob Harper, *Unsettling the West: Violence and State Building in the Ohio Valley* (Philadelphia: University of Pennsylvania Press, 2018); Patrick Spero, *Frontier Rebels: The Fight for Independence in the American West, 1765–1776* (New York: W.W. Norton & Company, 2018); Susan Sleeper-Smith, *Indigenous Prosperity and American Conquest: Indian Women of the Ohio River Valley, 1690–1792* (Chapel Hill: Omohundro Institute of Early American History & Culture / University of North Carolina Press, 2018). Quotes from Ray, chapter 9 in this volume.

66 Knox quoted in Lennox, chapter 8 in this volume.

67 Morin, chapter 3 in this volume; Burke and Dartmouth, quoted in Lennox, pages tk.

68 The best study of these events is Fred Anderson, *Crucible of War: The Seven Years’ War and the Fate of Empire in British North America, 1754–1766* (New York: Vintage Books, 2001). For the aftermath, see esp. Marshall, *Making and Unmaking of Empires*; Max S. Edelson, *The New Map of Empire: How Britain Imagined America before Independence* (Cambridge, ma: Harvard University Press, 2017).

69 John Brewer, *The Sinews of Power: War, Money, and the English State, 1688–1783* (Cambridge, ma: Harvard University Press, 1990); Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650–1815* (Cambridge: Cambridge University Press, 1991); Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673–1800* (Cambridge: Cambridge University Press, 1999); Eric Hinderaker and Peter C. Mancall, *At the Edge of Empire: The Backcountry in British North America* (Baltimore: Johns Hopkins University Press, 2003); Fred Anderson and Andrew Cayton, *The Dominion of War: Empire and Liberty in North America, 1500–2000* (New York: Penguin, 2005), 135–

59; Marshall, *Making and Unmaking*; Emma Rothschild, *The Inner Life of Empires: An Eighteenth-century History* (Princeton: Princeton University Press, 2011).

70 Willis, essay, chapter 5 in this volume, pages tk.

71 David Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), 8.

72 Carleton and Thurlow quoted in Morin, chapter 3 in this volume, pages tk.

73 Coke quoted in Bursset, chapter 4 in this volume, pages tk; King George quoted in Muller, chapter 1 in this volume, pages tk. On the application of legal pluralism in the Province of Quebec in the years surrounding the Quebec Act, see: Arnaud Decroix, “La controverse sur la nature du droit applicable après la conquête,” *McGill Law Journal / Revue de droit de McGill* 56, no. 3 (2011): 489–542; David Gilles, *Essais d’histoire du droit: De la Nouvelle-France à la Province de Québec* (Sherbrooke: Les Éditions de la Revue de Droit, 2014) and Michel Morin, “Les revendications des nouveaux sujets, francophones et catholiques, de la Province de Québec, 1764–1774,” in *Essays in the History of Canadian Law*, vol. 11, *Quebec and the Canadas*, ed. G. Blaine Baker and Donald Fyson (Toronto: University of Toronto Press, 2013), 131–86; Michel Morin, “Les débats concernant le droit français et le droit anglais antérieurement à l’adoption de l’Acte de Québec de 1774,” *Revue de droit de l’Université de Sherbrooke* 44 (2014): 259–306; Michel Morin, “The Discovery and Assimilation of British Constitutional Law Principles in Quebec, 1764–1774,” *Dalhousie Law Journal* 66, no. 2 (2013): 581–616; Michel Morin, “Blackstone and the Birth of Quebec’s Distinct Legal Culture, 1765–1867,” in *Re-Interpreting Blackstone’s Commentaries: A Seminal Text in National and International Contexts*, ed. Wilfrid Prest (Oxford: Hart Publishing, 2014), 105–24.

74 Richard Hofstadter, *The Paranoid Style In American Politics, and Other Essays* (New York: Knopf, 1965); Gordon S. Wood, “Conspiracy and the Paranoid Style: Causality and Deceit in the Eighteenth Century,” *The William and Mary Quarterly* 39, no. 3 (1982): 402–41.

75 Quoted in Calloway, *Scratch of a Pen: 1763 and the Transformation of North America* (New York: Oxford University Press, 2006), 130–1.