

Commentary on Ducharme, Le concept de liberté au Canada à l'époque des Révolutions atlantiques, 1776-1838 (CHA roundtable)

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Michel Ducharme's book represents an important contribution to Canadian historiography. First, it takes colonial ideologies seriously. Ducharme draws convincing comparisons between the perspectives of two groups of colonial political thinkers: those who believed in republican liberty and those who believed in 'modern' liberty. This was a struggle for the political and constitutional soul of Lower and Upper Canada. Ducharme shows how their views were inspired by philosophers and politicians in France, Britain and the United States. This is not the first trans-Atlantic history to include British North America, but it is one of the most erudite.

Secondly, this study bridges the divide between Upper and Lower Canada. For some, the dynamic of the Upper Canadian Rebellion appears to be situated entirely within a single colonial framework; conversely, for historians of Lower Canada, there is often little sense that Upper Canada exists. This book overcomes that intellectual hurdle by emphasizing how in both colonies republican thinkers and their constitutionalist opponents drew from the same ideological inspirations. In his major conclusion, Ducharme is, I believe, correct. The defeat of the Rebellions made the concept of "modern liberty" the basis of the Canadian polity that emerged from the 1840s to the 1860s.

This short commentary takes up a couple of challenges that the book posed, and those are to extend its analysis in both time and space. First, how was the concept of liberty used earlier in the same geographical location? And second, did other BNA colonies wrestle with the same terms?

First, I shall look at how French colonialists used the concept of "liberté" in the 17th century to evaluate whether the distance in time reveals anything about the use of the term in the 18th and 19th centuries. For this exercise, I used two publications which one could situate at opposite ideological poles: the Relations des Jésuites and the works of Louis-Armand de Lom d'Arce de Lahontan, the Baron de Lahontan. The Jesuits, attempting to spread the word of God to aboriginal peoples in northern North America, left a precious and voluminous description of their missionary endeavours, alongside a detailed ethnography of different First Nations.

Talented linguists, many Jesuit fathers learned the subtleties of aboriginal languages. Lahontan's connections with aboriginal peoples were not as deep, but as a military officer whose career led him into the Pays d'en haut, he claimed a complex understanding of aboriginal philosophy. His famous Dialogues de Monsieur le Baron de Lahontan et d'un Sauvage, dans l'Amérique critiqued the French officialdom and corruption that had stunted his military career and absconded with his personal wealth. Published by the same printer who produced the first French translation of Thomas More's Utopia, it represented a significant utopian text in its own right, and formulated one vision of the "noble savage" which played an important role in Enlightenment philosophy in France.¹

In both works, the words "liberté" and "libre" appear in various contexts, often with fairly anodyne meanings of "possibility", "without hesitation" or "without impediment": "la liberté de demander"; "la navigation libre" for instance. Not surprisingly, the words also crop up in contrast to slavery. Aboriginal slaves were given their "liberty". If a slave's master died, he was then able to marry a female slave, both of them then being "libre": "c'est-à-dire, n'ayant plus de Maître à servir."²

Other usages are more pertinent for our purposes. Liberty was often associated with aboriginal peoples. Whether this was a positive association depended a great deal on the author. Lahontan's quotation of an aboriginal leader was positive*: "Nous sommes nez libres, nous ne dépendons d'Onnontio non plus que de Corlar, il nous est permis d'aller où nous voulons, d'y conduire qui bon nous semble, d'acheter & vendre & à qui il nous plaît."³ Jesuit writers used the phrase in the same way: to have "liberté" meant not being subjected to a greater power, but they

¹ Geoffrey Atkinson, Les Relations de voyages du XVIIe siècle et l'évolution des idées (Geneva: Statkine Reprints, 1972 [1924]).

² Louis Armand de Lom d'Arce, baron de Lahontan, Mémoires de l'Amérique septentrionale, ou, La suite des voyages... (La Haye: Chez les frères L'honoré, 1704), p. 153.

³ Lahontan, Nouveaux voyages de Mr le baron de Lahontan dans l'Amérique septentrionale... (La Haye: Chez les frères L'honoré, 1704), pp. 53-4.

were usually more critical.⁴ For the learned religious, the freedom of aboriginal peoples had few positive* connotations and was therefore something to suppress:

Il n'y a rien de si difficile que de regler les peuples de l'Amérique. Tous ces Barbares ont le droict des asnes sauvages: ils naissent, vivent et meurent dans vne liberté sans retenüe; ils ne sçauent que c'est de bride ni de caueçon...⁵

Aboriginal peoples, according to Jesuits, enjoyed “une pleine liberté brutale.”⁶ Political and social hierarchies underpinned this view of liberty. The word was often gendered as well. For Lahontan, aboriginal women enjoyed much more freedom than women in his native France, and he relished this apparent sexual freedom. Let us note the masculine pronoun that he used to provide authority for his statement: “ils disent qu’elles sont Maîtresses de leurs corps, qu’elles sont libres de faire ce qu’elles veulent par le droit de liberté”.⁷ The licentious Lahontan’s frequent use of the verb “jouir” in proximity to “liberté” suggests some link between sexual and political freedom, and his views of aboriginal women’s sexuality seem both prurient and enthusiastic. In his dialogue with the fictitious Huron chief, Adario, the literary figure Lahontan weakly defends French society from Adario’s attacks on its fundamental corruptions and inequalities. Adario accuses the fictional Lahontan of preferring slavery to liberty.⁸ “(F)ais toy Huron,” Adario exhorts his debating partner, “... tu aimes encore mieux estre Esclave François, que libre Huron ... (tu) demeure(s) dans l’esclavage & dans la dépendance, pendant que les Animaux mêmes jouissant de cette adorable Liberté, ne craignant, comme nous, que des ennemis étrangers”.⁹

⁴ Relations des Jésuites: Contenant ce qui s'est passé de plus remarquable dans les missions des Pères de la Compagnie de Jésus... (Québec: 1858), vol. 1: 1634, p. 30.

⁵ Ibid., 1637, p. 59.

⁶ Ibid., 1640, p. 13.

⁷ Lahontan, Mémoires de l'Amérique septentrionale, p. 132.

⁸ Lahontan, Dialogues de Monsieur le Baron de Lahontan et d'un Sauvage, dans l'Amérique (Amsterdam: Chez la Veuve de Boeteman, 1704), p. 65.

⁹ Ibid., p. 37.

The Jesuits' goal was, of course, the reverse: to turn the Hurons, and other aboriginals, into Frenchmen and women. This involved surrendering their liberty: "les vns n'ont respiré que la liberté, les autres se sont faits pleinement instruire, et ont reçu le saint Baptesme."¹⁰ While liberty often has a negative connotation for the Jesuits, this is not always the case. The few French who had settled in the New World in the 1630s enjoyed greater freedoms than their compatriots: "pour viure icy avec plus de pieté, plus de franchise, et plus de liberté. Le bruit des Palais, ce grand tintamarre de Sergens, de Plaideurs et de Solliciteurs, ne s'entend icy que de mille lieües loing."¹¹ Rejecting the complications of official French institutional life, even the Jesuits and Lahontan could occasionally agree, as their intellectual descendants in Lower and Upper Canada would as well.

Many of the philosophers whom Ducharme refers to in his study read Lahontan or the Jesuits, or at least read those who partly based their analyses on such accounts.¹² But something was lost from the concept of liberty in the shift from New France to Lower (and Upper) Canada. In Ducharme's presentation, the liberty of the political thinkers in the colony as well as in France, Britain and the United States, seems extremely constitutional in focus. The implicit or explicit comparison to "slavery" and the references to institutional corruption remain. But the sexual freedom that was part of the concept for the French colonial writers disappeared. Is this a reflection of the analysis or the texts themselves? I am sure it is the latter, as Ducharme would have remarked on such comparisons had they been in the texts. But silences can be telling as well, as anyone who has been in an awkward seminar can attest.

Aboriginal peoples obviously had not disappeared from the consciousness of colonial politicians. Excluded from political, though importantly not military, activity, aboriginal people

¹⁰ Relations des Jésuites, 1639, p. 38.

¹¹ *Ibid.*, 1636, p. 42.

¹² The classic study of the impact of exotic literature on French Enlightenment thought is Gilbert Chinard, L'Amérique et le rêve exotique dans la littérature française au XVIIe et au XVIIIe siècle (Paris: 1913): " 'Ils sont libres et nous sommes esclaves' est la phrase qui résume bien l'opinion de Lahontan sur les sauvages. Ne dirait-on pas déjà une phrase de Jean-Jacques Rousseau et n'est-ce point de façon presque semblable que commence le *Contrat Social?*", p. 177.

maintained a presence in the fur trade areas, as well as in the major towns. For travellers to Québec City, a side trip to the Huron settlement at Jeune Lorette was de rigueur, and many visitors to Montréal saw Kahnawake. Yet the attribution of the capacity for liberty to aboriginal peoples seems to have disappeared from the pronouncements of the Lower and Upper Canadian constitutionalists and radicals. Ducharme's is a trans-Atlantic history of ideas. What are the implications of the fading aboriginal inspiration or fantasy that had been a significant component of Enlightenment thought?

After that lengthy digression into the chronology of the concept of liberty, I would like to take somewhat less space to discuss the geographical dimensions of the study. First, I'll address the broader North American context. Ducharme's distinction between the concepts of "liberté moderne" and "liberté républicaine" accounts for the divergences of views between political thinkers in both colonies, and he shows how the translation of British debates to the colonial settings deformed the original terms and gave them new significances. The executive council function was a poor substitute, for instance, for the reassuring continuity that aristocracy represented.

Ducharme elucidates the conflict between the two groups who shared the same argument (the definition of "liberty"), and he demonstrates the irreconcilability of the two perspectives. However, because of the rhetorical device of focusing on the divides between the two perspectives, the analysis makes the Rebellions of 1837-1838 appear more inevitable than they were. Ducharme states, "Force est donc de constater l'impossibilité, pour les deux camps, de parvenir à une entente" (212). Because the state could not reconcile the two perspectives, an armed confrontation was the only possible result: "À la fin novembre, les patriotes prennent **finale**ment les armes... (my emphasis)" (229). It was impossible for the state to contain the two divergent views of liberty, Ducharme writes (205).

Of course, the inspiration of the American Revolutionary War was close in both time and space. I find it surprising that Ducharme underestimates the violence of the American Revolution (215). While it may not have been as bloody as the French Revolution or the American Civil War, the casualties were nonetheless staggering: as one historian writes, "If it is assumed that 30,000 Americans died while bearing arms – and that is a very conservative

estimate – then about one man in sixteen of military age died during the Revolutionary War.”¹³ I’m not sure what number is necessary for a conflict to be considered violent, but Loyalist refugees, some of whom passed through Lower Canada and more of whom settled in Upper Canada, would have recounted stories of what they must have considered a civil war. For any revolution or rebellion is also a civil war: an armed confrontation would have set Lower Canadians against other Lower Canadians, and Upper Canadians against other Upper Canadians. From that perspective, it takes a good deal of historical distance to see the Rebellions as inevitable. Ducharme has clearly shown how the ideological differences contributed to the fragile politics of the 1830s in both colonies. What I believe still requires more explanation about the Rebellions is why 50-year-old farmers with property to protect and a family to support would take up arms against a powerful imperial government. Clearly, they mobilised on less than perfect information. They thought they could win as the winter approached, and it became harder to deploy imperial troops. Were they galvanised by the ideological stances of their leaders? Certainly the leaders’ political rhetoric played a key role, but it is interesting that the leaders, Louis-Joseph Papineau in particular, deserted them at almost the first sign of trouble.

Papineau, as it often the case, gets off fairly lightly in this study. For someone who wished to devote his views to defending the “people,” once the “people” had turned to action, he fled across the border rather quickly. One cannot blame an individual for fearing for his life; but surely his decisions belie some of his republican enthusiasms?

In addition to Ducharme’s trans-Atlantic discussion, I would add a trans-Gulf of St Lawrence dimension. Prince Edward Island does not appear in the discussion, and yet some similar political issues took place in that colony. As Rusty Bittermann has shown, the debate over the ownership of land on the island was a key political issue in the same time period. Bittermann does not develop the argument in the same way as Ducharme, yet there are elements common to the colonies. Agrarian leader William Cooper argued that the concentration of landownership in the hands of a few, mostly distant, proprietors insulted the independence of small-holders. The land should be “escheated” or expropriated by the colonial government in favour of those on the ground. The “people” deserved the product of their labours. “The

¹³ John Ferling, Almost a Miracle: The American Victory in the War of Independence (New York: Oxford University Press, 2007), p. 558.

liberties of the people” were under attack.¹⁴ Much of Cooper’s rhetoric and those of his supporters can be subsumed under the rubric of “liberté républicaine,” and those rights conflicted starkly with those of the great proprietors. Indeed, the division in power was much stronger in Prince Edward Island than it was in Lower Canada.

As in Lower and Upper Canada, Prince Edward Islanders lurched toward violence in the 1830s: tenants and squatters expressed their dissatisfaction in small-scale assaults on bailiffs. But here is the key point: PEI did not break into open rebellion. Even after the electoral defeat of the escheat movement in 1842, a disturbance described by the chief justice as “about 2 thousand men armed with scythes, pitchforks, &c... threatened fire and destruction.”¹⁵ Undoubtedly, the forces of order controlled dissent on the island, but the “republican” leaders temporised as well. If two divergent philosophies of liberty were in play on the island, they did not inexorably lead to dramatic confrontation on the scale of what occurred in Lower and Upper Canada. Perhaps Prince Edward Island demonstrates that political outcomes were not inevitable in the colonial context.

To return to the strengths of this study, Ducharme has successfully broken down the historiographical boundaries between Upper and Lower Canadian historiography. Papineau maintains an implicit dialogue with William Lyon Mackenzie, just as they did in reality. Ducharme has applied a trans-Atlantic framework for situating these key political discussions. He clearly takes these important colonial political thinkers seriously, and Ducharme shows how using similar political language in the colonial context deformed the debates current in the mother country.

We are in his debt for having raised the deep philosophical divides which existed in the colonies, in seeing patterns that have not been clearly explained in the past, and in providing a coherent and compelling examination of this key period in the political history of British North America. Ducharme’s book reminds us of how colonial thinkers addressed fundamental issues of political life and did so in innovative ways.

¹⁴ Rusty Bittermann, Rural Protests on Prince Edward Island: From British Colonization to the Escheat Movement (Toronto: University of Toronto Press, 2006), pp. 73-4.

¹⁵ Chief Justice Edward Jarvis, quoted in *Ibid.*, p. 271.