

**Some Aspects of the Religious Policy of Great Britain in
the Province of Quebec, 1760-1774**

BY GEORGE BUXTON, M.A., D. LITT.

In presenting to you some aspects of British policy in the Province of Quebec from 1760 to 1774, I propose to bring to your attention certain documents which will speak for themselves. To the student of British religious policy certain questions present themselves, which will be clarified in this paper.

No sooner had the smoke of battle cleared from the Plains of Abraham than were drawn up the Articles of Capitulation of Quebec. Some of these refer definitely to the religious situation. Article VI requested: "That the exercise of the Catholic, Apostolic and Roman religion shall be maintained; and that safeguards shall be granted to the houses of the clergy, and to the monasteries, particularly to his Lordship the Bishop of Quebec, who, animated with zeal for religion and charity for the people of the diocese, desires to reside in it constantly, to exercise, freely and with that decency which his character and the sacred offices of the Roman religion require, his episcopal authority in the town of Quebec, whenever he shall think proper, until the possession of Canada shall be decided by a treaty between their most Christian and Britannic Majesties."¹

To this Admiral Saunders and General Townshend replied: "The free exercise of the Roman religion is granted, likewise safeguards to all religious persons, as well as to the Bishop, who shall be at liberty to come and exercise, freely and with decency, the functions of his office, when ever he shall think proper, until the possession of Canada shall have been decided between their Britannic and most Christian Majesties."²

Thus at the very dawn of the British regime in Canada do we find a disposition to grant full religious tolerance. It is true that these articles were of a temporary nature since they would remain in force only until such time as a peace should be decided upon by the governments of England and of France. Nevertheless they foreshadow British official policy regarding the Catholic church in Quebec.

The last hopes of the French in the St. Lawrence valley fled as three British armies closed in upon Montreal in 1760. In the Capitulation of Montreal, 1760, the religious question looms rather large. In Article XXVII the Marquis de

¹ Adam Shortt and Arthur G. Doughty: *Documents relating to The Constitutional History of Canada 1759-1791*, 2nd ed., Part I (Ottawa: 1918), page 6.

² Id., page 6.

Vaudreuil made the following request: “ The free exercise of the Catholic, Apostolic and Roman Religion, shall subsist entire in such manner that all the states and the people of the Towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly. These people shall be obliged, by the English Government, to pay their priests the tithes, and all the taxes they were used to pay under the Government of his most Christian Majesty.”³

To this General Amherst replied: “ Granted, as to the free exercise of their religion, the obligation of paying the tithes to the priests will depend on the King's pleasure.”⁴ In effect Amherst granted religious toleration; more than this he could not do. To have allowed the clergy to collect tithes by law would have been virtually to have placed the Catholic church upon the footing of an established church in Canada. Desirable as this might have been in the eyes of the Catholic inhabitants of Quebec, it was not a step which could be taken by the Commander-in-Chief of British forces in North America.

The Capitulation contained other articles dealing with the religious question. The willingness to grant freedom of worship is evident in Articles XXVIII and XXIX. The former requested that “ The Chapter, Priests, Curates and Missionaries shall continue, with an entire liberty, their exercise and functions of cures in the parishes of the towns and countries.” To this was replied the simple word, “ Granted.” Similarly in Article XXIX it was asked that, “ The Grand Vicars, named by the Chapter to administer to the diocese during the vacancy of the Episcopal See, shall have liberty to dwell in the towns or country parishes as they shall think proper. They shall at all times be free to visit the different parishes of the Diocese with the ordinary ceremonies, and exercise all the jurisdiction they exercised under the French Dominion. They shall enjoy the same rights in case of the death of the future Bishop, of which mention will be made in the following article.” This was answered in the following way: “ Granted, except what regards the following article.”⁵

It now becomes clear that there was one point which Amherst would definitely not allow. What that point was we learn from Article XXX. “ If by the treaty of peace, Canada should remain in the power of his Britannic Majesty, his most Christian Majesty shall continue to name the Bishop of the colony, who shall always be of the Roman communion, and under whose authority the people shall exercise the Roman Religion.” This was answered by the one word, “ Refused.”⁶ French kings had had a great deal of influence with the Gallican

³ Id., page 30.

⁴ Id., page 30.

⁵ Id., page 31.

⁶ Id., page 31.

church in France. This influence they had extended to New France. There was the possibility that the influence of the French monarchy might flow through the channel of the Catholic Church even after the cession of Quebec to Great Britain. This is precisely what Great Britain sought to prevent.

In so far as the Capitulations of Quebec and of Montreal are an indication of British policy, we may safely conclude that Great Britain was willing to make religious but not political concessions to the Catholics in Quebec. Under the heading of religious privileges we see that Saunders, Townshend and Amherst, in 1759 and 1760, were willing to grant freedom of worship to the people of Quebec and Montreal; moreover Amherst at Montreal offered protection and safeguards to the communities of Nuns.

The request to collect tithes by law was reserved for the King's pleasure because this power bordered on the political. The demand that the King of France should continue to name the Bishop of the Province of Quebec was absolutely refused because it was feared that the French king might use this power for political purposes. Thus as we proceed with this study we must distinguish between purely religious measures and politico-religious measures.

After the fall of Montreal the British were in military occupation of the lost French colony. The three districts of Montreal, Three Rivers, and Quebec were placed under military governors. General Murray, as Governor of the district of Quebec, prepared a comprehensive report in which he considered in some detail the religious question. In his recommendations he seems to follow the very lines that were suggested in the documents that have been previously cited. There was no doubt in his mind that the Canadians must be allowed to practise their religion. Under the heading "Observations" he said:

- (1) The Canadians are very ignorant and extremely tenacious of their Religion, nothing can contribute so much to make them staunch subjects to his Majesty as the new Government giving them every reason to imagine no alteration is to be attempted in that point.
- (2) ...Care was taken under the former Government to keep up a great part of the Clergy French, especially the dignified part: To Prevent the further importation of these, it would be necessary to encourage the natives to engage in the profession, which cannot be so well done, except the See is filled up, as without a Bishop there can be no ordination: some difficulty will attend this, as it is unendow'd tho' hereafter means may be found of making up this deficiency.
- (3) ... A like difficulty occurs in relation to the Chapter, their number indeed might be reduced by letting the vacancies lye dormant, if some provision cannot be made for them as will hereafter be proposed.
- (4) ... An expedient to assist the people in rebuilding their great Church would much ingratiate their new Masters with them.
- (5) ...The Jesuites are neither loved nor esteemed in general, and this order may be easily removed whenever the Government shall think proper without giving offence, out of part of their Estate provision might be made for the Bishoprick, and Chapter which would ease the Crown of further expences on

that head.

In his 7th observation he continued: “ The Seminary educates the Youth, and fits them for Orders, it will be necessary to preserve and encourage this House on that account, and it is to be observed, this was the only Religious House or order, that heretofore did not participate of the French King's bounty.”⁷

From these remarks it is evident that Murray distinguished between the French clergy and the Canadian clergy. He favoured the latter but suspected the former. Would it be stretching the truth to suggest that in suspecting the French clergy his reasons were political?

Concerning his attitude, toward the Catholic church as a religion there is no doubt. He is even emphatic in his support of the continuance of the Catholic church in Quebec. He pointed out that the vacant See must be filled, the presence of a Bishop being necessary for the ordination of a Canadian clergy. He stressed the fact that the Seminary must be encouraged. Finally he suggested a means of endowing the Episcopal See.

The suspicious attitude toward the French clergy which has already been noted in Murray's report was more plainly voiced by General Gage, Governor of the district of Montreal. In his report he said: “ The people in general seem well enough disposed towards their new Masters. The only Causes of Dislike which I can discover, proceed from the fear of losing their paper Money, and the Difference of Religion... The people having enjoyed a free & undisturbed Exercise of their Religion, ever since the Capitulation of the Country; their fears in that particular are much abated, but there still remains a Jealousy. It is to be hoped, that in time this Jealousy will wear off, and certainly in this, much will depend upon the Clergy, Perhaps Methods may be found hereafter, to Supply the Cures of this Country with Priests well affected. But whilst Canada is stocked as she now is, with Corps of Priests detached from Seminaries in France, on whom they depend, and to whom they pay obedience It is natural to conceive, That neither the Priests, or those they can influence, will ever bear that Love and Affection to a British Government, which His Majesty's Auspicious Reign would otherwise engage from the Canadians, as well as from his other Subjects.”⁸

Thus we see that Amherst, Murray and Gage alike looked with an unfavourable eye on religious ties between Quebec and France. Indeed British religious policy in Quebec was conditioned by the fear that France might yet attempt to regain her province. Consequently, any concession which might conceivably advance the political interest of France in Quebec was studiously avoided.

So far we have been dealing with documents relating to the period before

⁷ Id., page 71.

⁸ Id., page 95:

Quebec was definitely ceded to England by the Treaty of Paris. Let us now see what the Treaty itself has to say about the religious question.

“His Britannick Majesty, on his side, agrees to grant the liberty of the Catholick religion to the inhabitants of Canada: he will, in consequence, give the most precise and most effectual orders, that his' new Roman Catholic subjects, may profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great Britain permit.”⁹

This seems contradictory and ambiguous. What was meant by the phrase, “as far as the laws of Great Britain permit”? At the time the laws of Great Britain allowed very little freedom to Roman Catholics. How much religious liberty then did the Treaty of Paris really accord to the Canadians? Lord Egremont's letter to Governor Murray, Aug. 13, 1763, attempts to explain the situation, but the letter itself needs explanation.

“I have no new Orders to transmit to you at present; But His Majesty thinks it very material, that you should be apprized, that He has received Intelligence, which give some reason to suspect, that the French may be disposed to avail Themselves of the Liberty of the Catholick Religion granted to the Inhabitants of Canada, in order to keep up their Connection with France, and, by means of the Priests, to preserve such an Influence over the Canadians, as may induce them to join, whenever Opportunity should offer, in any attempts to recover that Country; It therefore becomes of the utmost Consequence to watch the Priests very narrowly, and to remove, as soon as possible, any of them, who shall attempt to go out of their sphere, and who shall busy themselves in any civil matters: For tho' The King has, in the 4th Article of the Definitive Treaty, agreed to grant the Liberty of the Catholick Religion to the Inhabitants of Canada; and tho' His Majesty is far from entertaining the most distant thought of restraining His new Roman Catholic Subjects from professing the Worship of their Religion according to the Rites of the Romish Church: Yet the condition expressed in the same Article must always be remembered, viz As far as the Laws of Great Britain permit, which Laws prohibit absolutely all Popish Hierarchy in any of the Dominions belonging to the Crown of Great Britain, and can only admit of a Toleration of the Exercise of that Religion; This matter was clearly understood in the Negotiation of the Definitive Treaty; The French Ministers proposed to insert the Words, *comme ci-devant*, in order that the Romish Religion should continue to be exercised in the same manner as under their Government; and they did not give up the Point, 'till they were plainly told that it would be deceiving them to admit those Words, for The King had not the Power to tolerate that Religion in any other Manner, than as far as the Laws of Great Britain permit: These Laws must be your guide in any Disputes that may arise on this Subject; But, at the same Time, that I point out to you the necessity of adhering to Them, and of attending with the utmost Vigilance to the Behaviour of the Priests, The King relies on your acting with all proper Caution & Prudence in regard to a matter of so delicate a Nature as this of Religion; And that you will, as far as you can, consistently with your Duty in the Execution of the Laws, & with the Safety of the Country, avoid every Thing that can give the least unnecessary

⁹ Id., page 115.

Alarm, or Disgust, to His Majesty's new Subjects."¹⁰

According to Egremont's interpretation it would seem that the British Government aimed at abolishing papal control of the Church in Quebec. Were this really so all the promises of toleration then amounted to nothing.

For without the Pope there is no Catholic church. However, Egremont's reference to the words "comme ci-devant" would indicate that it was not papal control so much as French control which the writer had in mind. These words to which the British so strongly objected recall to us the fact that Vaudreuil had asked Amherst that the French king continue to name the Bishop in Canada. For the same reason that Amherst refused this in 1760, the British Government in 1763, refused to include in Article IV of the Treaty of Paris the words "comme ci-devant" and inserted instead the clause, "as far as the laws of Great Britain permit." The government in this case was really reserving for itself a power which it could use should the need arise. As long as the Canadians remained completely severed from France they might enjoy a freedom of religion far more ample than, that which the laws of Great Britain allowed to Catholics in England. If however they should allow their religious connections with France to be used as a means of spreading French political influence in Quebec, then without any breach of treaty faith, Great Britain might enforce her laws as rigorously in Quebec as in England.

There is another question which concerns British religious policy in Quebec. The Quebec Act of 1774 contains the following religious clauses:

And, for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province, it is hereby declared, That His Majesty's Subjects, professing the Religion of the Church of Rome of and in the said Province of Quebec, may have, hold, and enjoy, the free Exercise of the Religion of the Church of Rome, subject to the King's Supremacy, declared and established by an Act, made in the First Year of the Reign of Queen Elizabeth, over all the Dominions and Countries which then did, or thereafter should belong, to the Imperial Crown of this Realm; and that the Clergy of the said Church may hold, receive, and enjoy, their accustomed Dues and Rights, with respect to such Persons only as shall profess the said Religion...

Provided always, and be it enacted, that no Person, professing the Religion of the Church of Rome, and residing in the said Province, shall be obliged to take the Oath required by the said Statute passed in the First Year of the Reign of Queen Elizabeth, or any other Oaths substituted by any other Act in the Place thereof; but that every such Person who, by the said Statute is required to take the Oath therein mentioned, shall be obliged, and is hereby required, to take and subscribe the following Oath before the Governor, or such other Person in such Court of Record as His Majesty shall appoint, who are hereby authorized to administer the same; videlicet,

I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George, and him will defend to the utmost of my

¹⁰ Id., page 169.

Power, against all traitorous Conspiracies, and Attempts whatsoever, which shall be made against His Person, Crown, and Dignity; and I will do my utmost Endeavour to disclose and make known to His Majesty, His Heirs and Successors, all Treasons, and traitorous Conspiracies, and Attempts, Which I shall know to be against Him, or any of Them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Power or Person whomsoever to the Contrary.

SO HELP ME GOD.¹¹

According to this Act, Catholics of Quebec were obliged to acknowledge the political supremacy of the King. The only oath which they had to take was one to which a Catholic could subscribe. No longer might religion debar them from employment in the service of the Crown. The priests moreover were allowed to collect the tithe by law. How can one account for the fact that this right of collecting the tithe, refused by Amherst in 1760 was now conceded by the Quebec Act in 1774? How did it happen that the Catholic Church, hitherto merely tolerated in the Province of Quebec, was now virtually placed upon the footing of an established church?

Whatever may have been the generous instincts of individual Englishmen, the policy of the British Government at the time of the Quebec Act was based upon one consideration – that of political expediency. The first flames of the great conflagration south of the St. Lawrence had already broken out. Faced with the prospect of a revolutionary war in the American colonies, the British Government had to take steps to ensure the loyalty of the Canadians. For years before the passage of the Quebec Act, Governor Carleton had been drawing the attention of his superiors to the military importance of the Province of Quebec and the necessity of making concession to the Canadians so as to have their support in the event of an American war. His recommendations at length bore fruit. Great Britain, striving to maintain her authority in America, realized that she might find a powerful ally in a church whose very constitution was based upon the principle of authority. She thought therefore to win the loyalty of the clergy and to restore to the priests the same authority over their flocks which they had enjoyed before the Conquest. Thus can be explained the religious concessions of the Quebec Act.

In answering these two questions relating to British religious policy in Quebec from 1760-1774, we may conclude that British statesmen always had their eyes - on the political weather-vane; whether they refused or granted concessions, whether they acted through fear of France or of the American colonies, at all times their religious policy was determined by the exigencies of the political situation.

¹¹ Id., pages 572. 573.