

# A Canadian Patriot King

JAMES W.J. BOWDEN *looks at D'Arcy McGee's surprising ideas for the Vice-Royalty of Canada*

Thomas D'Arcy McGee holds the well-known distinction of being the first Canadian politician to have died by an assassin's bullet. On Apr. 7, 1868, Patrick James Whelan, a Fenian angered that McGee had abandoned the Irish revolutionary movement in favour of constitutional monarchy under the Union Flag, shot McGee in the back of the head at point-blank range, killing him instantly a few weeks shy of his 43<sup>rd</sup> birthday.<sup>1</sup>

McGee's assassination has since come to overshadow his life and accomplishments. He remains perhaps best-known in Ottawa today for the pub which bears his name and stands near the site of his assassination on Sparks Street. But we should remember him for far more. McGee's speeches and essays demonstrate a sophisticated understanding of political history and philosophy and a remarkable foresight expressed in a rare eloquence which distinguished him from his contemporaries. He also possessed an undaunted audacity. He emigrated to the United States at the age of 17 in 1842 and quickly established himself as a leading proponent of Irish independence, becoming co-editor of the *Boston Pilot*, a prominent Catholic newspaper. He had absorbed the prevailing sentiment of American Manifest Destiny and triumphantly proclaimed in 1845 that "One vast federal union will stretch from Labrador to Panama" and further insisted that "Either by purchase, conquest, or stipulation, Canada must be yielded to this great republic."<sup>2</sup> McGee returned to Ireland in 1847, fought in the failed Young Irelander Rebellion of 1848, and

then fled back to the United States to evade a warrant for his arrest.<sup>3</sup> Over the next nine years, he lived variously in New York City, Buffalo, and Boston; while he remained a faithful Roman Catholic throughout his life, he also shifted during these years from mild clerical scepticism to ultramontaniam.<sup>4</sup> But by the 1850s, McGee had repudiated his own previous foray into revolutionary politics, and he became disillusioned with republicanism and the United States itself, which he increasingly saw as morally corrosive and chaotic. His early visits to the Province of Canada in the 1850s convinced him that Responsible Government and the legal protections of the rights of linguistic and religious minorities provided a better country in which to bring up his children.<sup>5</sup>

FINALLY, IN 1857, he emigrated to Montreal and founded another newspaper called the *New Era*; by 1858, he had already taken his seat as an elected MPP in the Province of Canada's Legislative Assembly for Montreal West.<sup>6</sup> In Canada, McGee extolled the virtues of constitutional monarchy and Responsible Government and — more presciently and presumptuously still — immediately began promoting the idea of uniting all the British North American colonies from Atlantic to Pacific. Like George Brown, who also spent time in the Antebellum United States, McGee knew that only a Counter-Manifest Destiny under a federation uniting all of British North America, linked together by transcontinental railways, would save it from annexation by

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the United States. Ironically, McGee contributed to Canadian culture and politics by applying American ideas here to different ends. In this general endeavour, McGee ultimately succeeded; he joined cabinet as the Minister of Agriculture in the Great Coalition of 1864 which made Confederation possible.<sup>7</sup> But in one particular detail McGee failed. He had proposed that British North America federate under the vice-royalty of one of Queen Victoria's sons, who would have replaced the Governor General and given rise to a separate and independent Canadian monarchy. He also, like Sir John A. Macdonald, wanted to call the new federation of British North America "The Kingdom of Canada."

### **Federalism**

MCGEE UNDERSTOOD THAT Confederation meant "some form of federative union or no union at all," both for practical purposes and theoretical concerns.<sup>8</sup> By the 1860s, these colonies had grown accustomed to self-government over the preceding twenty years and would not relinquish that authority to one central government and unitary legislature. Federation would facilitate the common defence and forge a common market while also preserving the self-government of the colonies in local matters and protecting the rights of religious and linguistic minorities throughout. The economic and political evolution of the British Empire over the preceding twenty years also necessitated a federal union of British North America. By 1847, Colonial Secretary Lord Grey had properly granted full Responsible Government, with individual and collective ministerial responsibility, through his letters and instructions to the Governors of British North America.<sup>9</sup> And by 1849, the Imperial Parliament had repealed the *Navigation Acts* and the Corn Laws, thus replacing mercantilism with free trade.<sup>10</sup> Abolishing protectionism and the preferential tariff within the Empire forced the British North American colonies to seek markets outside of the Imperial metropole. This meant more trade with the United States. The Province of Canada, under the tutelage of the United Kingdom, negotiated a

Reciprocity Treaty with the United States in 1854; it expired in 1866. By the 1860s, London wanted to divest some responsibility for the defence of the British North American colonies as well.<sup>11</sup>

McGee believed that the grant of Responsible Government in the 1840s had moved the colonies closer to an "American standard of government," which left British North America more vulnerable to annexation. He hoped that the constitution of the new federal union would strengthen the authority of the Crown as another bulwark for independence:

The power and patronage of the crown has been reduced to its lowest point; the Upper House has been made elective; the franchise has been extended; the period required by law for the naturalization of aliens had been reduced to three years; the public lands have ceased to be crown lands; the public departments have been all transferred from imperial to provincial control. Many of these reforms, or all of them, are or may be real improvements; they are only here referred to in evidence of the assertion that year by year, and step by step, we are advancing towards an unrecognized Americanism, which must have its perils and risks as well as its attractions.<sup>12</sup>

Under Responsible Government, the colonies, especially the Province of Canada, had gained more autonomy and local self-government throughout the 1850s to the point where only foreign affairs and defence remained areas of unambiguous Imperial jurisdiction and provided the last tenuous link tying the British Empire together. McGee also understood that Britons in the United Kingdom itself would not consent to pay for the defence of British North America indefinitely now that London had abandoned mercantilism. Above all, McGee saw federal union as a necessary signal to London that British North Americans would readily take responsibility for their own defence and contribute to the overall security and integrity of the Empire instead of perpetuating their own dependency on the British Army and Royal Navy and continuing to burden the taxpayers in the British Isles:

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We have passed out of the age of pupilage, and we have emerged into the stage of partnership. We are retained in the Empire under a temporary engagement, terminable at a month's notice, because we have not shown ourselves truly desirous of understanding or acting upon the duties of another more intimate and more responsible relationship.<sup>13</sup>

In the 20<sup>th</sup> century, political scientists would apply this idea to Canadian-American relations as the “defence against help”<sup>14</sup>

The carnage of the American Civil War had made British North American union, which seemed quixotic and fanciful in the 1850s, a practical necessity in the 1860s. In 1863, McGee believed that “the first shot fired at Fort Sumter had a message for us”<sup>15</sup> and warned that the United States would attempt to annex the Province of Canada, Rupert's Land, and British Columbia. Most insidiously, the Americans would promote an annexationist movement in Canada through ostensibly peaceful means, “not in a hostile but a business-like spirit,” by identifying “partisans for their projects among every class of our own people.”<sup>16</sup> But the Union could annex a divided British North America by force of arms if necessary and demonstrate that “it is in vain for these smaller and poorer Provinces to resist their ‘manifest destiny.’”<sup>17</sup> Canadians (within the Province of Canada) would not rouse themselves to fight off another American invasion as they did in the War of 1812 because they lacked a “hearty attachment to [their] present constitution, that strong sentiment of pride in its excellencies, that undoubting belief in its perpetuity, which can inspire the spirit of self-sacrifice, into our taxpayers and our armed men.”<sup>18</sup> The *Act of Union, 1840* amalgamated Upper Canada and Lower Canada into a legislative union but also deliberately preserved and guaranteed their separate legal systems on the one hand, and mandated a “sectional equality” between Upper Canada and Lower Canada which assigned the same number of elected members in the Legislative Assembly to each irrespective of differences in their populations. McGee strongly supported George Brown in

achieving representation by population and a federal union.<sup>19</sup> By the mid-1860s, the Province of Canada increasingly looked like an untenable, provisional polity and a failed experiment on the verge of collapse. This made it vulnerable to American invasion and annexation.

Above all, McGee understood that British North Americans could not simply put forward economic and practical arguments, “founded on material considerations,” against annexation; indeed, a purely material argument might well end up supporting annexation. Instead, British North Americans would need to federate into one polity and develop a new nationality and resist annexation on patriotic, non-material grounds. He concluded: “if we descend to combat material inducements with material objections, we shall run the risk of not arousing a united, cordial, and high-spirited public resistance to such insidious propositions.”<sup>20</sup> Events in 1866 proved McGee right. On 2 July 1866, Nathaniel Banks, a Republican Congressman from Massachusetts who had served as a general in the Union Army during the Civil War, introduced a bill, H.R. 754 “for the admission of the States of Nova Scotia, New Brunswick, Canada East, and Canada West, and for the organization of the Territories of Selkirk, Saskatchewan, and Columbia” into the United States of America.<sup>21</sup> The bill died in committee. But Banks had actually taken a remarkably sophisticated approach in his proposed legislation by cleverly countering some of the material guarantees contained in the *Quebec Resolutions*, especially those relating to public works, with some material inducements that McGee had predicted three years earlier. Under the terms of annexation in Banks's bill, the United States would have assumed debts, constructed new canals and expanded existing ones, and built a transcontinental railway.

The U.S.A. had already demonstrated an insatiable appetite for gobbling up the continent in the 19<sup>th</sup> century, from Jefferson's Louisiana Purchase in 1803 to Polk's annexation of the Republic of Texas in 1845 and conquest of New Mexico and Upper California

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in 1848. McGee himself once advocated the program to annex the entire New World to the United States, so he well understood that British North America must band together and impose a political barrier against American expansion in place of the natural, geographic barrier that the northern half of the continent lacked. “What risks do we run if we reject this measure?” he asked. “We run the risk of being swallowed up by the spirit of universal democracy that prevails in the United States.”<sup>22</sup> McGee understood what animated Manifest Destiny: namely, hegemonic “universal democracy” that rejects authority, dissolves communal bonds, and devolves into a hyper-individualist chaos, making the British tradition of ordered liberty untenable. McGee argued that British North America already possessed liberty in abundance but could well benefit from “a large infusion of authority” to counteract “the downward tendency which characterizes this democratic age.”<sup>23</sup> Self-government flows from “liberty and permanency.” Without authority and restraint to temper it, liberty collapses into anarchy, and then, in turn, gives way to tyranny. In the 1860s, the United States looked on the brink of collapse. McGee saw the tri-partite Crown-in-Parliament of the Queen, an upper house appointed by the Queen, and a lower house elected by the people as the ideal balance between monarchy, aristocracy, and democracy, where the latter could not overwhelm the other two.

### **Monarchy**

MCGEE HAD ADVOCATED for a federal union of British North America as soon as he was first elected as an MPP in 1858. He chose to mark the occasion in his newspaper, *New Era*, by advocating that this new federation of Canada — he predicted correctly even then that the Province of Canada would lend its name to the new federal polity — become a vice-royalty headed by either Queen Victoria’s second- or third-born son.<sup>24</sup> This view marked the final shift in his career. Ironically, only four years earlier, at the peak of his ultra-republican phase, McGee took to *The American Celt*, his newspaper in New York City, and

warned on 24 June 1854 that “wily statesmen” in London were plotting to impose a “Northern Monarchy” under a vice-royalty of one of Queen Victoria’s sons in British North America.<sup>25</sup> McGee’s plan for a vice-royalty complemented his moderate Irish nationalism in the early to mid-1840s. Before the desolation of the Famine and the continental European Revolutions of 1848 had radicalised him into a violent Irish revolutionary, McGee had advocated around 1846 for a moderate reform which retained what he called “The Golden Link to the Crown”: Irish home rule under Canadian-style Responsible Government and a repeal of the *Act of Union, 1801*. These measures would have restored Ireland as a kingdom in a personal union or dual monarchy with Great Britain and given it self-government over its internal affairs while deferring to London on Imperial matters of war and diplomacy.<sup>26</sup>

On 19 January 1858, in a column entitled “Canadian Sovereignty — Nationality,” McGee argued that Canada could experiment with monarchical conceptions of sovereignty.

If Canada — that is, British North America — is to attain to political sovereignty in our time, it is most natural she should look for the founder of her dynasty in the royal family of England. Beside the Prince of Wales there are two princes, children of Her Majesty — the one in his thirteenth, the other in his tenth year. It is not a very violent hypothesis to suppose that, within ten years from this date, either of these young princes might be found capable of fulfilling all royal offices in a new kingdom upon the St. Lawrence. Our century has already seen a French soldier found a dynasty in Sweden — a Corsican hero create an empire in France — a Portuguese prince an empire in Brazil — a Turkish official plant a dynasty in Egypt — a Bavarian crowned King of Greece — and a Cobourgh King of the Belgians. It would not be an event so astonishing as the least of these to find, before the century had reached its third quarter, a British prince established in independent states on the throne of Canada.<sup>27</sup>

He also presciently guessed the timing of Confederation, which happened nine and

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half years after he stated that it would occur in ten years. In these columns from 1858, McGee invoked the example of the House of Braganza of the Empire of Brazil and envisioned that Prince Alfred or Prince Arthur would become the head of a new branch of the House of Saxe-Cobourgh-Gotha and that their descendants would, in turn, become Kings and Queens of Canada. McGee followed up with another column on “Union, Strength, and Sovereignty” on 16 February 1858.

Neither feigning nor feeling any distrust of constitutional monarchy, it is yet solely for Canadian reasons we advocate the making of Canada a *secundo-geniture* in the family of its present popular sovereign. We expect neither heroes [*sic*] nor sages from the royal nursery; but we do expect that such a choice would render the transition of these Provinces from dependence to independence easy and amicable. [...] we would look in such a Prince for a just and constitutional temper, respectable political acquirements, and interest in the wants and demands of a new and progressive society. [...] we have regarded the future with the anxious gaze of a Canadian patriot, and by that light, from this point, we have seen a constitutional crown among the not undesirable possibilities of the future.<sup>28</sup>

McGee largely remained silent on this issue until 1863. That July, he embarked on a lecture tour of the Maritimes to drum up support for the federal union of British North America;<sup>29</sup> newspapers in Saint John and Halifax recorded accounts of his speeches.<sup>30</sup> The *Morning Freeman* of Saint John recorded the following excerpt on 30 July 1863:

I look forward to the time when these Provinces, once united and increasing at an accelerated ratio, may become a Principality, worthy of the acceptance of one of the sons of that sovereign, whose reign inaugurated the firm foundation of our Colonial liberties. If I am right the railroad will give us Union, Union will give us nationality, and nationality [will give us] a Prince of the blood of our ancient kings.<sup>31</sup>

McGee saw constitutional monarchy in

the form of a vice-royalty as a means of promoting its political, cultural, and intellectual independence. Back in the Province of Canada, he contributed two essays to the *British American Magazine* (Toronto’s answer to *The Atlantic* of Boston), one in August 1863 entitled “A Plea for British American Nationality” and a follow up in October 1863 called “A Further Plea for British American Nationality.”<sup>32</sup> Above all, McGee wanted to devise a system of government which would properly balance the liberty of citizens and the authority of the State. He believed that the settler societies of the New World naturally possessed a greater degree of liberty and equality than their antecedent societies in Europe and that they therefore needed a strong counter-balancing source of authority on which ordered liberty and the rule of law, as well as the long-term stability of the State and society, depend. Only constitutional monarchy could achieve that delicate balance and prevent these societies of the New World from falling into anarchy and, ultimately, the throes of despotism and dictatorship.

Hitherto, the whole experience of mankind has known but one system of government which combines, in fair and harmonious proportions, authority with liberty, and that is, the limited monarchy of which England furnishes the oldest example ....

Constitutional monarchy has its defects ... yet ... we shall find no reason to doubt that both the rulers and the ruled have enjoyed much more security than those who existed under a despotism, with much more freedom than those who lived under any elective form of state sovereignty.<sup>33</sup>

In contrast, the republics of the Americas tended toward disintegration, despotism, and civil war. The 1860s provided two contrasting examples: Brazil, a stable constitutional monarchy and parliamentary system under the House of Braganza and Emperor Pedro II, and the United States of America, a republic then in the throes of civil war.

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ous domestic disturbance, while the imitative republics of the South have run into a condition of chronic anxiety, relieved occasionally by short-lived accessions of despotism.<sup>34</sup>

McGee concludes that constitutional monarchy in the form of a vice-royalty would balance stability, authority, prestige, and liberty under law in British North America:

It is, in a word, the policy of the connexion of the Provinces, from the Atlantic to the Pacific, under the vice-royalty of one of the sons of Her Majesty, advised by a legislature, of which at least the upper chamber shall be constituted so as to act as a true conservator of our transcript or adaptation of the British constitution. It is a policy of union which is strength, of a new commercial route from England to the East, or the elevation of the symbol and reality of authority on this soil, a policy attractive, expansive and progressive as the most earnest advocate of progress can desire.<sup>35</sup>

In his *Notes on Federations, Past and Present*, McGee argues that federal republics tend to collapse over questions of authority and sovereignty and that federal monarchies do not. He cited the United States as an example of the former during the throes of its Civil War. President Lincoln had to resort to what modern political scientists call the Doctrine of Necessity, the idea that the executive authority under exceptional circumstances must sometimes act outside of the confines of the constitution in order to save the constitution and the overall order and continuity of the State.<sup>36</sup> McGee calls this the “only unwritten law of the Union” and argued that during the Civil War, “the law inherent in all governments — the law of self-preservation — has overruled all other laws.” Consequently, McGee continued: “The executive authority to save itself, and to save the Union, has been compelled to usurp those powers which the Constitution withheld, and to plead an inviolability from censure, pending the civil war, as extensive as most monarchs by ‘right divine’ ever pretended to.”<sup>37</sup> In other words, Lincoln had, by necessity, claimed a republican equivalent of royal infallibility, but without the corresponding ministerial responsibility

and parliamentary government, in order to prosecute the war and preserve the Union.

McGee also cited examples of federal monarchies which have stood the test of time. In this case, McGee uses federalism in two ways, meaning both the United Kingdom relative to the Dominion of Canada (since the Imperial Parliament would retain the authority to amend the *British North America Act* until 1982) and between the federal and provincial orders of government within Canada. He further believed that establishing one of the Queen’s sons as Viceroy of the Kingdom of Canada would provide the stability and prestige to reinforce the twin principles of royal inviolability and ministerial responsibility. In another speech in August 1864, just before the Quebec Conference, McGee argued for his vice-royalty as means of preventing constitutional breakdown and the emergence of an executive invoking the Doctrine of Necessity:

Why not rather engraft into our system the essentially British principle of investing with inviolability the executive head of the State, the Viceroy, Duke, or Prince, who might be selected to rule over us? It is of the nature of an executive to be self-protective, and in according such a head all necessary powers, we but follow Nature, a good guide, when well understood. I account for the failure of the American system to protect itself from domestic enemies, except by unconstitutional means, by the peculiar distribution and limitation of powers under that system, -not from the mere fact of its being a confederated rather than a consolidated Government.<sup>38</sup>

A resident viceroy would have provided the Kingdom of Canada a certain prestige and elevated it amongst the other countries of the New World and counter the United States. McGee instinctively grasped that by separating the head of state from the head of government, constitutional monarchy and parliamentary Responsible Government provide the strongest bulwark against tyranny. Responsible Government reconciles medi-

eval royal inviolability with modern liberal-democratic self-government: the Sovereign still can do no wrong because Ministers of the Crown take responsibility for all acts of the Crown, and the Sovereign acts on ministerial advice. The Sovereign therefore comes to embody both official authority as both head of state and personal authority as head of the nation, while the Prime Minister serves as head of government; Ministers of the Crown hold the Queen's commission to govern, and they must maintain the confidence of the House of Commons. By separating the head of state and the head of government, constitutional monarchy and parliamentarism legitimise political dissent in the form of responsible loyal opposition, which opposes and criticises Ministers and their policies but remains loyal to the Crown (and therefore to the country) and acts as the alternative government.

The Sovereign remains disinterested with respect to political parties and the government and opposition, and this neutrality only reinforces the Sovereign's official authority as head of state and personal authority as head of the nation. As head of state, the Sovereign undertakes official duties like summoning, proroguing, or dissolving parliament, granting royal assent to bills, signing orders-in-council, and receiving letters of credence from foreign ambassadors. These official and necessary authorities always exist in any State, whether done by monarchs, presidents, or automatically in accordance with law. But the Sovereign cultivates and builds up an informal personal authority in the country writ large by demonstrating good conduct, or by maintaining a goodwill inherited from his or her predecessors, in matters such as awarding honours and dedicating public works.<sup>39</sup> The Sovereign thereby becomes the head of the nation with respect to civil society and the public quite apart from official authority as head of state. This is what McGee

had in mind when he argued that a viceroy and *de facto* resident monarch would "elevate the symbol and reality of authority on this soil."

McGee concluded that British North Americans should federate and "ask from Her Majesty's wisdom and goodness the means to perpetuate constitutional monarchy, at least in this region of the New World." He even

proposed a template for the humble address to Her Majesty Queen Victoria that the legislative assemblies and councils of the colonies could send:

We therefore humbly beseech Your Majesty, that you will be graciously pleased to dedicate to this noble service of perfecting the liberties of those colonies, one of the sons of your House, so that your Majesty's descendants, and those of your people beyond the Atlantic, may conjointly perpetuate to all their posterity, that combination of liberty and law, of which we recognize the antetype in the British Constitution.<sup>40</sup>

In his earlier pieces from 1858, McGee envisioned that either Prince Alfred or Prince Arthur should establish in Canada a new line of succession and offshoot branch of the House of Saxe-Cobourg-Gotha. But by 1863, he had deliberately made his appeals to a vice-royalty and how it would affect the constitutional relationship between Canada and the United Kingdom within the British Empire more ambiguous, perhaps to make a vice-royalty less controversial. He couched his original goal in his proposed loyal address, where British North American delegates would ask Queen Victoria "to dedicate one of the sons of her House [and] Her Majesty's descendants" — in the plural — to the Kingdom of Canada.

McGee believed that the British Empire could develop into a "federal empire" rather than into a personal union, and into a

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political structure similar to that of the German Empire between 1648 and 1806.

The idea of a Federal monarchy, embracing a number of perfect states, dependent on the same Imperial head, is, indeed less familiar to this age than to former times. But it is an idea neither chimeial [*sic*] nor novel. The German Empire from the peace of Westphalia (1648) to [...] 1806 was a Federal empire. At one time it contained not less than three hundred and fifty-five sovereign states or cities, royal, ducal, hereditary, electoral, ecclesiastical, and republican.<sup>41</sup>

In other words, the British Empire could consist of a diverse array of different types of polities which would all still ultimately remain subject and swear fealty to the sovereignty of Queen Victoria and her heirs and successors in the United Kingdom. These would include Crown colonies, with varying degrees of Representative Government and direct rule by the Governor and/or appointed council, self-governing colonies with Governors and Responsible Government, potential self-governing Vice-Royalties acting as independent monarchies with their own lines of succession and Responsible Government, and the British Home Islands themselves. A few years later, the structure of the German Empire from 1871 to 1918 could have provided an analogy as well; it consisted of four kingdoms, six grand duchies, five duchies, seven principalities, three free cities, and one imperial territory. The King of Prussia doubled as the Emperor of Germany, and the other three kingdoms, the grand duchies, duchies, and principalities were also all headed by lesser hereditary monarchs owing fealty to the Emperor.

In September and October 1864, McGee returned to the subject of “A Crown Prince for the Confederation” and wrote three open letters to John A. Macdonald on “The Crown and the Confederation.” But he did so under the pseudonym “A Backwoodsman,” probably because he was serving as Minister of Agriculture in the Great Coalition at the time. According to the front matter of the pamphlet, the first and second letters originally ap-

peared in the *Montreal Gazette* (and McGee lived and represented a riding in Montreal) before being compiled into the pamphlet along with a third new letter. He also wrote from the fictional place of Mapleton, which seems to serve as a metonym for the Province of Canada. McGee, as “A Backwoodsman,” reiterates the same themes from his “Plea for British American Nationality,” and argues that making the Confederation a Vice-Royalty would shore up the new polity’s capacity for self-defence:

If we are to interest the crown and government of Great Britain in our defence — that is in perpetuating the connexion — I see but two chief expedients to that end: To place the proposed Union under the sway of a Crown Prince, and to reduce, as much as possible, the tariff of the Confederation. As against the appointment of a Prince to the Vice-royalty of British America, much, no doubt, may be said. Such an appointment would, in some of its concomitants, be more difficult to deal with than that of a subject, however distinguished. *Per contra*, it is to be considered that such a selection would identify the Confederacy and the Empire more intimately than any other possible selection; that he would surround the monarchical principle in the new Constitution, with a direct rather than a borrowed lustre; that it would place over us one who had nothing to gain or lose by the rise or fall of Whigs or Tories; one who, as one of your colleagues has said, “would not make the Province a steppingstone” to the favor or patronage of any Imperial party. Both views will have their adherents; I only speak here of the general opinion in and about Mapleton, which is, I think, decidedly favorable to the experiment of a Prince of the blood.

... the Prince of whom we have often spoken in this connexion (H.R.H. Prince Alfred), has been [named] as successor to the Grand Duchy of Saxe-Cobourg and Gotha. With all respect for the Grand Duchy, with its population of 150,000 souls, and its capital city of 18,000, — a State scarcely equal to the Island of Montreal, and a Metropolis not so large as our New London, — I do not think Her Majesty’s advisers would, for one moment, put such a paltry possession in

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comparison with British America, as a settlement for the second Prince of the blood!<sup>42</sup>

McGee again stresses that making a member of the Royal Family Viceroy of British North America would anchor the monarchical element in the constitution of this new kingdom and give the Crown immense prestige — “a direct rather than borrowed lustre” — and guarantee partisan neutrality from a disinterested royal personage, both with respect to the parties in the United Kingdom and those in Canada. Upon Confederation in 1867, His Royal Highness Prince Alfred, the second son of Queen Victoria, was 21; her third son, His Royal Highness Prince Arthur, a mere 17. Alfred did not become the Duke of Saxe-Cobourg and Gotha until 1893, but he became the Duke of Edinburgh (in the second iteration of that title) in 1866. Both princes married and produced legitimate royal issue who would, in either case, have secured a line of succession to a Canadian vice-royalty. But even the appointment of Prince Arthur as Governor General in 1911 — the first and only member of the Royal Family styled “His Royal Highness” to have served as the Sovereign’s representative — failed to revive the Vice-Royalty of Canada, and the Dominion evolved toward a personal union after the First World War.

McGee also alludes to the hierarchy amongst the governors general and governors of the British Empire, from Crown colonies like those in the West Indies, to the self-governing colonies of British North America and Australasia with Responsible Government, culminating in India. At this time, only Lord Elgin had successfully levered his tenure as Governor General of Canada toward becoming Viceroy of India, but later Governors General Lord Dufferin (1872-1878), Lord Lansdowne (1883-1888), and Lord Minto (1898-1904) would all use Canada as a stepping stone to India. In 1863-1864, McGee refused to state unambiguously, as he had in 1858, that the vice-royalty of the Kingdom of Canada would give rise to a separate offshoot line of succession of its own, but his ob-

servations here still contain this implication. For instance, if McGee did not believe that the vice-royalty of Canada would likewise become a trial run for the vice-royalty of India, this suggests that he saw the vice-royalty of Canada as a lifetime appointment. It should be noted that the “Viceroy of India” did not mean what McGee had in mind for Canada. After the Imperial Parliament transferred the territories and assets of the East Indian Company to the Crown in 1858, the Viceroy and Governor-General of India — usually shortened to the “Viceroy of India” to reflect the prestige of the posting — represented the Sovereign in the British Raj. The Queen or King of the United Kingdom appointed the Viceroy of India on ministerial advice, and the Viceroy reported to the Secretary of State for India. The Sovereign also appointed the Governors-General and Governors of colonies and self-governing dominions on the advice of British ministers, and these Governors reported to the Secretary of State for the Colonies.<sup>43</sup> The plum post of Viceroy of India capped off the careers of the most successful aristocrats, but it did not form a separate and independent line of succession.

### **Quebec and London**

ON 25 OCTOBER 1858, George-Etienne Cartier, John Jones Ross, and Alexander Tilloch Galt wrote a letter to the Colonial Secretary Sir Edward Bulwer-Lytton, requesting that Her Majesty’s Government call together and convene a conference on “the subject of a Federate Union of the Provinces of British North America.”<sup>44</sup> They proposed that the federal Crown-in-Parliament should consist of a “Governor-General, or Viceroy, to be appointed by the Queen; of an Upper House, or Senate, elected upon a territorial basis of representation; and of a House of Assembly, elected on the basis of population.”<sup>45</sup> This idea of creating a vice-royalty existed in the general milieu of the political elite in 1858, with McGee having published his newspaper columns advocating a vice-royalty earlier that year. (The new experiment of electing the Legislative Council evidently still held sway in 1858 as well). But British North Ameri-

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can politicians would have to wait another six years until 1864 before the ravages of the American Civil War had spurred them to take federal union seriously. The delegates from Canada, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland did briefly discuss the possibility of a viceroy for the British North American federation. During the Quebec Conference on 20 October 1864, Macdonald put the motion for what would become the main statement of the executive authority of the new polity; it became item 4 in the *Quebec Resolutions* and went toward the first recital of the preamble and section 9 of what would become the *British North America Act, 1867*. It said:

That the Executive authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well understood principles of the British Constitution by the Sovereign personally or by the representative of the Sovereign duly authorized.<sup>46</sup>

“Representative of the Sovereign” seems unnecessarily vague if the delegates wanted to continue with the Governor General and Governors who already represented the Queen in British North America. Perhaps sensing that ambiguity, Charles Tupper of Nova Scotia interjected immediately following the tabling of that motion:

*Mr. Tupper* — Is it meant to leave it to the Queen or to make any suggestion as to the appointment of a Viceroy?

*Mr. John A. Macdonald* — I think it advisable not to make any suggestion. At least it should not be a constitutional suggestion. Hereafter the Parliament of the Federation may represent a desire for one of the Royal Family as Viceroy.<sup>47</sup>

By “constitutional suggestion,” Macdonald meant binding ministerial advice, which, ultimately, the Colonial Secretary would tender to Her Majesty the Queen. He probably knew at this early stage that such a proposal would provoke too much opposition both within British North America and London. Oddly enough, the minutes suggest that

McGee did not participate in this exchange nor promote a vice-royalty more generally, but he would have agreed with Tupper in the above. According to the Canadian Parliamentary Historical Resources, no one ever mentioned a “viceroy” or “vice-royalty” in the 1<sup>st</sup> Parliament of Canada between 1867 and 1872, in which McGee served until his murder.

A few years later, Governor General Lord Dufferin referred to himself as “Her Majesty’s Viceroy” in his last prorogation speech in the Senate on 10 May 1878.<sup>48</sup> By the investiture of the 9<sup>th</sup> Duke of Argyll and Marquess of Lorne as Governor General of Canada in November 1878, some members of parliament had taken to referring to the Governor General as “Viceroy,”<sup>49</sup> — but this is not the meaning of the word that McGee had in mind. They merely used “viceroy” as a more stately synonym for “governor general.” These instances reflected a broader imperialist shift in the meaning and use of the word “Viceroy” in Canada; it had definitively evolved away from McGee’s definition in the 1860s of a vice-royalty, where a subordinate monarchy with its own line of succession branches off the main line, and owes fealty to the greater-sovereign, and toward a grandiose synonym for Governor General, a placeholder for a non-resident monarch.

McGee wanted a kingdom for his viceroy. The *Quebec Resolutions* of October 1864 asked “71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.”<sup>50</sup> The *London Resolutions* of December 1866 reiterated this request: “68. That Her Majesty the Queen be solicited to determine the name and rank of the Confederation.”<sup>51</sup> In practice, this meant that the British cabinet would decide and then provide the operative constitutional advice to the Queen, given that colonial ministers never advised the Sovereign directly in this era. McGee delivered his main speech in the Legislative Assembly of the Province of Canada in support of the *Quebec Resolutions* on 9 February 1865, a few days after Macdonald and Brown. Here he spoke of British North American union as a “kingdom.”

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What really keeps nations intact and apart? — a principle. When I can hear our young men say as proudly, “our Federation,” or “our Country” or “our Kingdom,” as the young men of other countries do, speaking of their own, then I shall have less apprehension for the result of whatever trials the future may have in store for us.<sup>52</sup>

Neither the Foreign Secretary nor the Colonial Secretary would consent to elevating a colony to a kingdom. Governor General Lord Monck had informed the Colonial Office in September 1866 of the “very strong desire that Her Majesty would be graciously pleased to designate the union a ‘Kingdom’ and so give to her representative the title of ‘Viceroy.’”<sup>53</sup> Even Monck’s description makes the proposed viceroy sound more like the Viceroy of India than McGee’s idea of creating a new branch of the Royal Family and separate line of succession for the Kingdom of Canada.

But Washington took notice. Such an overt monarchical expression raised the hackles of manifest destinarians and over-zealous enforcers of the Monroe Doctrine. As Donald Creighton tells it, Congressman H.J. Raymond from New York in February 1866 asked “the President to inform the House of Representatives ‘whether any remonstrance has been made by this Government against the proposed consolidation of all British North American Provinces into a single confederation under the imperial rule of an English prince.’” The British ambassador in Washington then forwarded an account of this inquiry to Foreign Secretary Lord Derby, who later warned that the proposed name of “The Kingdom of Canada” had caused controversy and raised the suspicions of the Americans.<sup>54</sup> Colonial Secretary Lord Carnarvon also opposed “The Kingdom of Canada.”

While it is generally known in Canadian historical circles that the Colonial Office would not allow the new British North Amer-

ican federation to call itself “The Kingdom of Canada,” it is perhaps less well known is how late in the process of legislative drafting Lord Carnarvon’s veto came. The third draft of the *British North America Bill* from 27 February 1867, in its erstwhile section 4, would have officially named the federation “The Kingdom of Canada”:

It shall be lawful for the Queen with the advice of her Privy Council to declare by proclamation that the said Provinces of Canada, Nova Scotia and New Brunswick [...] shall form and be one united dominion, under the name of the Kingdom of Canada, and thenceforth the said Provinces shall constitute and be One Kingdom under the Name aforesaid ...<sup>55</sup>

*The Bill proposed  
calling the new  
country the  
‘Kingdom of  
Canada’ as late  
as Feb. 27, 1867*

The Westminster Parliament passed the *British North America Act* only one month later, on 29 March, and Her Majesty the Queen issued the proclamation of union on 22 May 1867, declaring that it would enter into force at the start of the new fiscal year on 1 July.<sup>56</sup> Interestingly, even this earlier

version also referred to this new federal polity as a “dominion,” but in a generic way and not as Canada’s official name. The final version of that draft became section 3 of the *British North America Act* but struck out the words “the Kingdom of”:

It shall be lawful for the Queen by and with the Advice of Her Majesty’s Most Honourable Privy Council, to declare by Proclamation that ... the Provinces of Canada, Nova Scotia, and New Brunswick shall form and be One Dominion under the Name of Canada ; and on and after that Day those Three Provinces shall form and be One Dominion under that Name accordingly.

Lord Carnarvon described the “Dominion of Canada” approvingly to Lord Derby and Queen Victoria as “a tribute on their part to the monarchical principle [...] in opposition, though not offensive opposition, to the institutions of the U.S.” Her Majesty accepted their constitutional advice around 6 Febru-

ary 1867, noting that she had “no objection [...] if you think ‘Dominion of Canada’ a better title for the new Confederation than Canada plain and simple.”<sup>57</sup> What can a monarchist do when he supports an overtly monarchical name more enthusiastically than Her Majesty? McGee consoled himself that the *Quebec Resolutions* at least recognised that the principles of the British constitution included “Royal authority, Ministerial responsibility, a nominative Upper House, the full and free representation of the Commons, and the independence of the Judges”<sup>58</sup> and noted that under Responsible Government, the Crown acts “upon the advice of the Constitutional Councillors of the Queen in this country, who are in turn responsible to Parliament and the people for their advice and appointments.”<sup>59</sup>

### Monarchical Consolations

IN ADDITION TO establishing a vice-royalty within the Kingdom of Canada, McGee wanted to seize the opportunity that Confederation presented to reverse the Province of Canada’s radical reforms of the 1850s and to further entrench and protect the prerogatives and rights of the Crown. First and foremost, McGee wanted to terminate the Province’s experiment in an elective Legislative Council (begun in 1856) and argued that the new federal parliament should not merely revert to an appointed upper house but replace it with a hereditary body like the House of Lords and replicate the Crown-in-Parliament of the United Kingdom. He sought from Confederation “a free government, moulded on the British model, embracing a fair, well-balanced representation of the three long tried estates, — the Crown, the Peerage, and the Commons.”<sup>60</sup> The Crown would bind the new British North American union together as a symbol of authority within the State and civil society. The new constitution must therefore recognise “the rights, pre-eminency, and prerogatives of the Crown.” He concluded his first letter as “A Backwoodsman”: “if [...] we are to acclimatize and cultivate the essentials of monarchy among us, surely that estate [the Crown] is the first, and not the last, thing to be thought of, in all your Conferences.”<sup>61</sup> He had to settle for an upper

house appointed by the Governor General, on the Prime Minister’s advice, essentially a Senate of life peers rather than hereditary peers, which restored the appointive Legislative Council of the Province of Canada as it existed from 1841 to 1856.

McGee added that not only should the constitution protect the role and prerogatives of the Crown but that the manner in which British North American union entered into force should also recognise the prerogatives of Her Majesty Queen Victoria first and foremost. He noted that previous constitutional reforms in English history (especially the radical ones), including *Magna Carta* in 1215 and the *Bill of Rights, 1689*, had duly recognised the Crown as the first estate of the realm.<sup>62</sup> In this case, the Province of Canada took McGee’s advice. The Legislative Assembly and Legislative Council each passed motions, on 1 March 1865 and 20 February 1865, respectively, that the Governor General transmit a humble address “to Her Majesty praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, in one Government, with provisions based on certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10<sup>th</sup> October, 1864.”<sup>63</sup> The two chambers had passed these motions in 1865 even though Governor General Lord Monck had already sent copies of the *Quebec Resolutions* to Colonial Secretary Edward Cardwell on 7 November 1864.<sup>64</sup>

### Federative Empire

UNDER MCGEE’S MODEL, the British Empire could have developed into a worldwide, multi-continental equivalent of the German Empire of 1648 to 1806: a highly varied confederal or federal political structure based on different types of monarchies ranging from Crown colonies with direct rule, self-governing Crown colonies, viceroalties, and kingdoms. Polities headed by separate monarchs, like a Vice-royalty of British North America, would have remained in some respects sub-

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ordinate to the United Kingdom within the British Empire but still have possessed greater autonomy than the self-governing colonies with Governors appointed by the Sovereign on the advice of the British cabinet. Canadian monarchs would still have owed fealty to Queen Victoria and the main Imperial line of succession in the United Kingdom as a greater-Sovereign of the whole British Empire. The *Statute of Westminster* repealed the *Colonial Laws Validity Act, 1865* and recognised that the United Kingdom, Canada, Australia, New Zealand, South Africa, the Irish Free State, and Newfoundland formed a personal union, each acknowledging the same person as their King. A Vice-Royalty or Kingdom of Canada would have gained full independence and sovereignty in a different way: simply by recognising its own king or queen as the sovereign and severing the fealty to the greater sovereign in England.

The idea did not die with McGee in 1868, though it also never gained serious momentum after Confederation either. A decade later rumours persisted that Queen Victoria's second son, Prince Alfred (by then the Duke of Edinburgh), would someday become a permanent Viceroy of Canada. This speculation reached a fever pitch because his sister, Her Royal Highness Princess Louise, and her husband Lord Lorne, had just arrived in Canada. Canadian journalist Charles R. Tuttle hoped that Lord Lorne and Princess Louise would "be succeeded by the Duke of Edinburgh, and that he will be made a permanent viceroy."<sup>65</sup> Tuttle concluded that replacing the Governor General with a member of the Royal Family as a permanent Viceroy would promote the interests of the British Empire as well as the Macdonald government's National Policy.<sup>66</sup>

But the *Spectator*, published in London, disagreed. Upon Lorne's appointment in 1878, this British weekly opposed the idea of appointing any of the Queen's children as Governor General, let alone converting the Office of Governor General into a permanent Vice-Royalty of Canada: "It is in some respects a better thing that the Marquis of Lorne should succeed Lord Dufferin, than a Prince of the Blood should have been sent out

as Governor-General." The *Spectator* argued that appointing a member of the Royal Family even for a standard term of five years as Governor General would jeopardise the lines of constitutional authority between metropole and colony, given that the Governors across the Empire all report to the Colonial Secretary. "A Viceroy" — in this case used as synonym for Governor General and not as a permanent vice-royalty and separate line of succession — "must be subject to the Sovereign's advisors. [...] There is a chance that if the Governor General of Canada were a Royal personage, the relations between him and the Home Government might become strained."<sup>67</sup> The *Spectator* would surely have argued that a permanent vice-royalty (if it had considered the proposition in the first place) would irrevocably sunder the British Empire and lead to *de facto* if not *de jure* independence of Canada. On 2 June 1883, two months before the appointment of the Marquess of Lansdowne as Governor General of Canada, *The Spectator* again opined on rumours that the Macdonald government had sought Prince Leopold, Duke of Albany, the fourth son of Queen Victoria, for the role instead. "The appointment would establish a precedent which could do nothing but mischief. No son of the Queen, however able, could, in the nature of things, make a good British Viceroy," the weekly declared.<sup>68</sup> Condescendingly, *The Spectator* mocked "the man who thinks that the Dominion of Canada will some day become a kingdom, and the greater landowners Prairie Peers." Leopold died of complications of hemophilia only a year later.

In 1908, John S. Ewart, a lawyer from Toronto, contemplated the possibility that Canada would establish a separate and independent monarchy. He wrote:

Canada's future will most probably be one of the five following:

- Union with the United States;
- An independent republic;
- Union with the United Kingdom;
- An independent monarchy with a Canadian King;
- An independent monarchy with the same Sovereign as the United Kingdom.<sup>69</sup>

Ewart later concludes that the prospect of emulating the Empire of Brazil seems unlikely and that it would mark a significant departure from the trajectory of Canada's constitutional evolution up to 1908.<sup>70</sup> In the end, Ewart correctly predicted that Canada would become an independent and sovereign state as "the Kingdom of Canada under the British Sovereign," by which he meant a personal union of Crowns.<sup>71</sup> Even the appointment of Prince Arthur as Governor General in 1911 failed to revive the Vice-Royalty of Canada, and the Dominion evolved toward a personal union after the First World War.

MCGEE'S QUIXOTIC IDEA proved at once too reactionary and too radical. In the first case, such a bold assertion of the monarchical principle as the Kingdom of Canada under the vice-royalty of a prince of the blood would have offended the emerging democratic ethos of the era. McGee indeed recognised the emergence of this ethos and sought deliberately to counteract it, as well as American ideological hegemony over the Western Hemisphere. On the second count, it would also have moved Canada too close to full independence, even if McGee had not intended that outcome, by reducing London's span of control over the British Empire. In the 1860s, the Foreign Office and Colonial Office no doubt also kept the Brazilian precedent in mind and understood that Prince Pedro had ascended from a Viceroy of Brazil representing his father, King John VI of Portugal and Brazil, to Emperor Pedro I of an independent and sovereign Brazil forty years earlier. There was no precedent in the English-speaking world for McGee's vision to create a federal Empire of kingdoms. In short, for both the Americans and the British (though for different reasons) the Kingdom of Canada and the dream of a vice-royalty proved too monarchical by half. ❧

## Notes

1. Canadian historian David Wilson has argued that Patrick Whelan acted as part of a broader Fenian conspiracy and that his co-conspirators escaped justice. David A. Wilson, *Thomas D'Arcy*

*McGee: Volume 2: The Extreme Moderate, 1857-1868* (Montreal & Kingston: McGill-Queen's University Press, 2011), 368-384.

2. Thomas D'Arcy McGee, "The New World," *Boston Pilot* volume 8, no. 19, Saturday, 10 May 1845, page 149; Richard Demeter, *Irish America: United States (Northern Atlantic States, District of Columbia, Great Lakes Region) and Canada* (Cranford Press, 1997), 535.
3. David A. Wilson, *Thomas D'Arcy McGee, Volume 1: Passion, Reason, and Politics, 1825-1857* (Montreal & Kingston: McGill-Queen's University Press, 2008), 227-251.
4. Wilson, *Vol. 1*.
5. *Ibid.*, 313-332.
6. Library and Archives Canada, "Canadian Confederation: Thomas D'Arcy McGee," 22 April 2016.
7. J.O. Côté, editor, *Political Appointments and Elections in the Province of Canada, 1841-1865, 2nd Edition* (Ottawa: G. E. Desbarats, 1866): 46.
8. Thomas D'Arcy McGee, "Speech at Cookshire, County of Compton, December 22, 1864," in *Speeches and Addresses Chiefly on the Subject of British-American Union*, 122-140 (London: Chapman and Hall, 1865), 125.
9. Alpheus Todd, *Parliamentary Government in the British Colonies* (London: Longmans, Green, and Co., 1894), 78-84; Earl Grey, *The Colonial Policy of Lord John Russell's Administration, Volume I* (London: Richard Bentley, 1853), 208-214.
10. Paula Hastings, "Territorial Spoils, Transnational Black Resistance, and Canada's Autonomy during the First World War," *Social History*, volume XLVII, no. 94 (June 2014): 452.
11. Thomas D'Arcy McGee, "Speech in the Confederation Debates, 8 February 1865" in the Macdonald-Laurier Institute's Confederation Series, February 2017, page 7.
12. McGee, "A Plea for British American Nationality," *The British American Magazine Devoted to Literature, Science, and Art*, volume 1 (Toronto: Rollo and Adam, Publishers, 1863): 340.
13. McGee, "A Further Plea for British American Nationality," *The British American Magazine Devoted to Literature, Science, and Art*, volume 1 (Toronto: Rollo and Adam, Publishers, 1863), 567.
14. Nils Orvik, "Canadian Security and 'Defence Against Help,'" *International Perspectives* 26, no. 1 (1984): 26-31; Donald Barry & Duane Bratt, "Defence Against Help: Explaining Canada-

- U.S. Security Relations," *American Review of Canadian Studies* 38, no. 1 (2008): 63-69.
15. McGee, "A Plea," 338.
  16. *Ibid.*, 339.
  17. *Ibid.*
  18. McGee, "A Further Plea," p. 562.
  19. *Ibid.*
  20. McGee, "A Plea," 339.
  21. Nathaniel Banks, "H.R. 754, A Bill for the Admission of the States of Nova Scotia, New Brunswick, Canada East, Canada West, and for the Organization of the Territories of Selkirk, Saskatchewan, and Columbia," 39<sup>th</sup> Congress, 1<sup>st</sup> Session, 2 July 1866.
  22. McGee "Speech in the Confederation Debates, 8 February 1865," 22.
  23. *Ibid.*, 26.
  24. Thomas D'Arcy McGee, "Canadian Nationality — Sovereignty," *New Era*, vol. 1, no. 103 (19 January 1858), 2.
  25. Wilson, *Thomas D'Arcy McGee, Volume 1: Passion, Reason, and Politics, 1825-1857*, 328.
  26. Wilson, *Thomas D'Arcy McGee, Volume 1: Passion, Reason, and Politics, 1825-1857*, 164-180.
  27. McGee, "Canadian Nationality — Sovereignty," 2.
  28. Thomas D'Arcy McGee, "Union, Strength, and Sovereignty," *New Era* vol. I , no.115 (16 Feb. 1858), 2.
  29. David A. Wilson, *Vol. 2*, 167-171.
  30. *Ibid.*, 171.
  31. Thomas D'Arcy McGee, "Mr. McGee's Lecture," *The Morning Freeman* volume 13, no. 75 (30 Jul. 1863), 2.
  32. McGee, "A Plea," 337-345; "A Further Plea," 561-567.
  33. McGee, "A Plea," 343.
  34. *Ibid.*, 342.
  35. *Ibid.*, 341.
  36. Anne Twomey, *The Veiled Sceptre: Reserve Powers of Heads of State in Westminster Systems* (Cambridge University Press, 2018), 13-15.
  37. Thomas D'Arcy McGee, *Notes on Federal Governments, Past and Present* (Montreal: Dawson Brothers, 1865), 52.
  38. Thomas D'Arcy McGee, "Some Objections of a Confederation of the Provinces Considered: Address Delivered at the Temperance Hall, Halifax, Nova Scotia, August 16, 1864" *Speeches and Addresses*, 100-108 (London: Chapman and Hall, 1865), 103.
  39. Antony Jay, *Elizabeth R: The Role of the Monarchy Today* (London: Crown Copyright, 1992), 17, 111, 115-123.
  40. McGee "A Plea for British American Nationality," 345.
  41. McGee "A Further Plea for British American Nationality," 566.
  42. Thomas D'Arcy McGee ("A Backwoodsman"), "Letter II" in *The Crown and the Confederation: Three Letters to the Hon. John Alexander McDonald, Attorney General for Upper Canada* (Montreal: John Lovell, 1864), 23. The title of pamphlet and the text throughout misspells Macdonald's surname. The University of Toronto, the University of Alberta, and Canada.org confirm that McGee authored these letters.
  43. United Kingdom, the Colonial Office, *Regulations for His Majesty's Colonial Service* (London: printed for His Majesty's Stationary Office, 1908), 5.
  44. G.P. Browne, ed., *Documents on the Confederation of British North America* (McGill-Queen's University Press, 2009), 15.
  45. Browne, *Documents*, 18.
  46. *Ibid.*, 154.
  47. *Ibid.*, 113.
  48. Parliament of Canada, *House of Commons Debates*, 3<sup>rd</sup> Parliament, 5<sup>th</sup> Session, Volume 2, 10 May 1878, page 2563. (The House of Commons re-printed the Prorogation Speech from the Other Place in its *Debates*).
  49. *House of Commons Debates*, 4<sup>th</sup> Parliament, 1<sup>st</sup> Session : Vol. 1, 17 February 1879, page 6.
  50. Browne, *Documents*, 165.
  51. *Ibid.*, 228.
  52. McGee, "Speech in the Confederation Debates, 8 February 1865," 25.
  53. Ben Gilding, "The Silent Framers of British North American Union: The Colonial Office and Canadian Confederation, 1851-67," *The Canadian Historical Review* 99, no. 3 (September 2018), 388.
  54. Donald Grant Creighton, *John A. Macdonald: The Young Politician, the Old Chieftain* (Toronto: University of Toronto Press, 1998), 458-459.
  55. Browne, *Documents on the Confederation of British North America*, 265.
  56. *British North America Act, 1867* (UK) 30 Victoria, chapter 3, page 9.
  57. Gilding 2018, 389.
  58. McGee, "Speech at Cookshire, County of

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- Compton, Dec. 22, 1864," 131.
59. McGee, "Speech at Cookshire, County of Compton, Dec. 22, 1864," 134.
60. McGee, "A Backwoodsman", 14.
61. *Ibid.*, 15.
62. *Ibid.*, 24.
63. *Journals of the Legislative Council of the Province of Canada*, 28 Victoria, 8<sup>th</sup> Parliament, 3<sup>rd</sup> Session (Quebec: 20 February 1865), 130-131; *Journals of the Legislative Assembly of the Province of Canada*, 28 Victoria, 8<sup>th</sup> Parliament, 3<sup>rd</sup> Session (Quebec: 1 March 1865), 163-165.
64. Browne, ed., *Documents*, 166.
65. Charles R. Tuttle, *Royalty in Canada: Embracing Sketches of the House of Argyll, the Right Honourable The Marquis of Lorne, (Governor-General of Canada), Her Royal Highness The Princess Louise and the Members of the New Government* (Montreal: Tuttle and Simpson, 1878), 21-22.
66. Tuttle 1878, 151.
67. *The Spectator*, "The Marquis of Lorne's Appointment," vol. 51, no. 2614 (3 August 1878), 978.
68. *The Spectator*, "The Queen's Sons," vol. 56, no. 2866 (2 Jun. 1883), 700.
69. John S. Ewart, *The Kingdom of Canada, Imperial Federation, the Colonial Conferences, the Alaska Boundary Dispute, and Other Essays* (Toronto: Morang & Co. Ltd., 1908), 350.
70. *Ibid.*, 356-357.
71. *Ibid.*, 364.

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## Canadian Conservatism and the State

Graeme Garrard

For many today "the state" means above all the "Deep State," an unaccountable cabal of entrenched and shadowy figures who secretly control the government. It is no coincidence that this phrase originates in the United States, whose founding act was a violent revolution against the British imperial state. It has long been a characteristic of the American right in particular to see the state as the principal enemy of freedom and the market as the natural sphere of liberty, even if things have never been that simple in practice, including for Republican governments.

Conservatism in Canada has not historically shared such scepticism about the state.

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On the contrary, the Loyalists fled to Canada out of loyalty to the Crown, the British form of the state. The prime mover behind the creation of a unified Canadian state in 1867 was the Conservative leader Sir John A. Macdonald who, as Prime Minister, enacted laws to protect and promote Canadian industry from foreign (mainly American) competition as part of his "National Policy." He also led the way in building an all-Canadian railway in an expensive and ambitious private-public partnership (as we would call it today). In 1911 the Conservative leader Sir Robert Borden defended the same protectionism as Macdonald against the Liberal policy of free trade with the U.S., a stance that won him the election that year. The government of Conservative Prime Minister R.B. Bennett gave Canada the CBC, the Bank of Canada, the Canadian Wheat Board, progressive income tax, a minimum wage, unemployment insurance, health insurance, and expanded pension programmes. By contrast, as in Britain, Canadian liberalism was for most of its history the main political ideology of limited government, free markets, individual liberties, and continental free trade, and the Liberal Party was its main