
RESEARCH ARTICLE

Britain's Decision to Push for Canadian Confederation

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ABSTRACT

Prior to Canadian confederation the British Empire pursued a policy of scripter control over the British North American colonies by the imperial metropole. However, in the decades leading up to Canadian confederation the British Empire pursued a policy of consolidation of British North America and laxer control allowing for autonomy by Canadians. By providing the historical analysis of the decades leading up to Canadian confederation we can understand why this policy shifts of the British Empire into allowing confederation. A number of radical things will occur in the decades from the American Revolution in 1776 to Canadian confederation in 1867 that will allow for this to occur. The growth of the American Republic, Internal rebellions in Canada, and of course imperial shifting of policy towards India will allow confederation. With the signing of the Treaty of Paris in 1763 the Seven Year War ended and France's North American colonies, particularly Quebec, were handed over to the British. The British Empire would only enjoy complete dominance of North America until the creation of the new American Republic. For the next century despite the threat posed by the United States of America, Britain's North American colonies remained divided and spread over the vast expanse of the Canadian North America. It was only in the 1860's when the British Empire's worldwide imperial goal shifted that Canadian Confederation became possible. Confederation of all colonies bordering the United States happen occur over a short period of time. Britain's participation in the Canadian confederation process was key in preventing colonies from being annexed by the United States and facilitating confederation.

KEYWORDS

Canadian Confederation; British Empire; colonies; American Republic

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1. Introduction

1.1 *The Threat posed by the American Republic*

The threat of the American Republic was both rhetorical and militarily, centered around efforts by the American Republic to annex the Canadian colonies into the American Republic. The Invasion of Quebec and the Invasion of Canada in 1812, needed to be repulsed with military action and the aid of the British Empire. The Rebellions of 1837 and 1838 as well as the creation of the Republic of Canada display the level to which American Republicanism had affected ideas of political governance in Canada, as American revolutionary literature was used to justify the rebellions.

The earliest threat from the American Republic was created with the birth of the new nation. In *The Articles of Confederation*, the first American Constitution of the republic, had a clause in Article 11 by which Canada was preapproved for admission into the American political union.

Canada acceding to this confederation, and adjoining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.¹

This is unique, as no other nation, state, or colony was ever afforded this clause. Why was included in *The Articles of Confederation* and not the Constitution? This clause was put in place during the Revolutionary War as a political desire to bring the Canadians on their side. The failure of the Invasion of Quebec and the failure of John Burgoyne, British General, to use Canada as a launching point for attacking the American colonies made American designs on Canada no longer practical during the Revolutionary War.²

Again, we can see American efforts to use the military to annex Canada during the War of 1812. America didn't start the war in an effort to annex Canada. Many American politicians hoped and believed that a war with Great Britain would enable the American Republic to break Britain's hold on North America. It was believed that by annexing Canada, this would remove Britain's influence in North America and protect the United States from any future British aggression.³

During peace talks, American peace officers denied British claims that America desired the annexation of Canada. Britain looked to public proclamations made by American generals, William Hull and Alexander Smyth, during their invasions of Canada during the war. In July of 1812, General William Hull claimed his invasion offered them "the invaluable blessings of Civil, Political, & Religious Liberty", that he would protect their "persons, property, and rights" and that now they were "emancipated from Tyranny and oppression and restored to the dignified station of freemen" and that "The United States offer you Peace, Liberty, and Security," he proclaimed, "your choice lies between these, & War, Slavery, and destruction." Later in the year of 1812, another invasion led by General Alexander Smyth declared "Be strong! Be brave! And let the ruffian power of the British King cease on this continent." During the War of 1812, Britain was also a war with Napoleons' France. With the collapse of Napoleons' armies in the invasions of Russia many Americans felt that soon British attention would entirely rest on them and ending any hope of American efforts to annex Canada.⁴

Government in the British colonies was autocratic with power resting in the hands of the governor and a council. The assembly of the colony was an advising body with little power. The Rebellions of 1837 and 1838 provided proof that American style republicanism was spreading into Canada and could have resulted in that nation leaving the British Empire. The two rebellions, one in lower Canada and the other in upper Canada, were short lived but they displayed the popular belief that Canadian government had to change.⁵

For our purposes, it is best to look at the rhetoric used by William Lyon Mackenzie, the leader of the Upper Canada Rebellion and the first mayor of Toronto. Mackenzie launched his rebellion in response to the rebellion in lower Canada. After being defeated by loyal Canadian forces, he, along with his followers established the short lived Republic of Canada on Navy Island, near Niagara Falls. William Lyon Mackenzie was involved in political discourse both in and out of office. He published a paper called *The Constitution* which was full of references to 1776 and 1688, the Glorious Revolution in Britain. *The Constitution* often republished works by American political radicals such as Patrick Henry's, "Give me Liberty or Give me Death" speech and Tom Paine's *Common Sense*.⁶

In William Lyon Mackenzie writing there is a draft Constitution for the state of Upper Canada and it reads. Government is founded on the authority, and is instituted for the benefit, of a people; when, therefore, any Government long and systematically ceases to answer the great ends of its foundation, the people have a natural right given them by their Creator to seek after and establish such institutions as will yield the greatest quantity of happiness to the greatest number.

¹ "The Articles of Confederation" *The University of Oklahoma College of Law*. 12/8/2016. <http://www.law.ou.edu/ushistory/artconf.shtml>

² Lawson, Murray G. "Canada and the Articles of Confederation." *The American Historical Review* 58, no. 1 (1952): 39-54

³ Horsman, Reginald. "On to Canada: Manifest Destiny and United States Strategy in the War of 1812." *Michigan Historical Review* 13, no. 2 (1987): 1-4

⁴ Horsman, Reginald. "On to Canada: Manifest Destiny and United States Strategy in the War of 1812." *Michigan Historical Review* 13, no. 2 (1987): 1-3, 22

⁵ Harris, Marc L. "The Meaning of Patriot: The Canadian Rebellion and American Republicanism, 1837-1839." *Michigan Historical Review* 23, no. 1 (1997) 45-46

⁶ Harris, Marc L. "The Meaning of Patriot: The Canadian Rebellion and American Republicanism, 1837-1839." *Michigan Historical Review* 23, no. 1 (1997) 49-50

MacKay, R. A. "The Political Ideas of William Lyon Mackenzie." *The Canadian Journal of Economics and Political Science / Revue Canadienne D'Economique Et De Science Politique* 3, no. 1 (1937): 14-17

William Lyon Mackenzie drew upon the ideas of 1776 to establish these first principles in this declaration.⁷

Although the Rebellions of 1837 and 1838 were seen by the American presidents Van Buren and Tyler as problems which may have upset the peace that existed between America and Canada, it is not hard to see how the events could have led to a third war considering American citizens joined Mackenzie's rebellion in an attempt to create a republican Canada free of British rule.⁸

However, Britain did respond to these Rebellions with the passage of the Act of Union of 1840. This joined the colonies of Lower and Upper Canada in one political body and reorganized the political structure and created for the first time, starting in 1848, ministerial responsibility. Before this the governor was appointed by Britain. With a parliamentary system in place for the first time, ministers had to hold the confidence of the House of Assembly or would be forced to resign.⁹

In this, we can see the British were changing their policy towards Canada. During the Revolutionary War and the War of 1812, Canada was just another colony that needed to be governed and protected by the Empire. After the political instability caused by the Rebellions of 1837 and 1838, Britain allowed more Canadian home rule to prevent further rebellions that may have led to a republican Canada, which would be independent of the empire, or annexed by the United States of America.

2. British Imperial Policy during the 1800's

Canadian confederation came about because of shifting British goals and ambitions. In the 1840's, the third Earl of Grey attempted to federate British colonies in Australasia, South Africa, and British North America, although New Zealand, was confederated, the others were not. During the 1850's and early 1860's British imperial policy was to maintain central control over its colonies. With the exception of Canada, no other British North American colony had ministerial responsibility, they had governors appointed by the Colonial Office. This included the colonies of Newfoundland, New Brunswick, Nova Scotia, and the Hudson Bay Company, which directly ruled one-third of modern Canada.¹⁰

In the 1850's, the idea of confederation of the colonies began to get traction in British magazines. In 1853, a writer of Fraser's Magazine proposed the confederation of Canada, New Brunswick and Nova Scotia to replace British troops with colonial troops in order to save the empire the expenses. A few years later in 1857, another author voiced their frustration that there had been no attempt to confederate British North America to protect the colonies from annexation by the United States of America.¹¹

On the other side of the debate, many in the British colonial governments feared confederation of their colonies would cause civil unrest and war. In 1858, Robert Lowe, former Vice-President of the Board of Trade, claimed that history showed federations had difficulties in enforcing laws in member states. He also feared what would happen if one state was outvoted in the new federal government and they used force to fix it. He claimed Britain would be creating a system that led to wars, and didn't prevent them. For example, Lowe looked to the American Federation, which during the late 1850's, looked on the brink of war. He also claimed that the colonies under consideration for confederation were too different from one another and could not find solutions that would work for every province. Sir William Denison, the governor of New South Wales, feared that a federated government would not have the power to be effective in the individual states in the union.¹²

By the time Edward Cardwell, first Viscount Cardwell, took over the Colonial Office in the 1860's, public and government opinion towards confederation had changed. The people of Britain believed that Canadian confederation was important to protect it from the United States, who now looked as if they would survive the Civil War intact.¹³

However, in Canada a pro-confederation movement had begun and by November of 1864, the Quebec Resolutions, a set of seventy-two agreements between Canada, Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland detailing the conditions Canada would like to confederate under. These resolutions were sent to the colonial office in Britain. Edward Cardwell quickly got the prime minister and the government's approval for such a union. Cardwell himself said of the union that the colonies

⁷MacKay, R. A. "The Political Ideas of William Lyon Mackenzie." *The Canadian Journal of Economics and Political Science / Revue Canadienne D'Economie Et De Science Politique* 3, no. 1 (1937): 14-17

⁸Harris, Marc L. "The Meaning of Patriot: The Canadian Rebellion and American Republicanism, 1837-1839." *Michigan Historical Review* 23, no. 1 (1997) 49-51

⁹Harris, Marc L. "The Meaning of Patriot: The Canadian Rebellion and American Republicanism, 1837-1839." *Michigan Historical Review* 23, no. 1 (1997) 45-46

"Towards Confederation" Library and archives of Canada. <http://www.collectionscanada.gc.ca/confederation/023001-2100-e.html#c>

¹⁰"Maps: 1667-1999" Library and archives of Canada. <http://www.collectionscanada.gc.ca/confederation/023001-2100-e.html#c>

¹¹Knox, Bruce A. "The Rise of Colonial Federation as an Object of British Policy, 1850-1870." *Journal of British Studies* 11, no. 1 (1971): 92-96

¹²Knox, Bruce A. "The Rise of Colonial Federation as an Object of British Policy, 1850-1870." *Journal of British Studies* 11, no. 1 (1971): 98-101

¹³Knox, Bruce A. "The Rise of Colonial Federation as an Object of British Policy, 1850-1870." *Journal of British Studies* 11, no. 1 (1971): 104-105

Must recognise a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider to be most expedient . . . (for) . . . making those just and sufficient preparations for national defence, which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

In this we can see Cardwell's view of imperial government. Federation was seen as a benefit for the colonies in regard to their protection. It was also Britain's duty to aid in the process.¹⁴

Within two years the London Conference which comprised delegates from the different Canadian colonies, gathered to write *The British North America Act of 1867*. Enacted on March 29 1867, *The British North America Act of 1867* brought the nation of Canada into existence.

The Provinces of Canada, Nova Scotia, and New Brunswick shall form and be One Dominion under the Name of Canada;

This act of the British Parliament may have created the new nation of Canada, but it was by no means the realization of the American dream of a British-free North America.

Whereas the Provinces of Canada, Nova Scotia, and New Brunswick have expressed their Desire to be federally united into One Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar in Principle to that of the United Kingdom:

And whereas such a Union would conduce to the Welfare of the Provinces and promote the Interests of the British Empire:

As we can see in the act, the Canadian colonies are to be consolidated into one state. However, that nation will still be under the British Crown and this goal of confederation would greatly aid the British Empire. Many believed confederation would strengthen British North America against an aggressive United States of America. It was also assumed that Canada would now fully fund its military. However, with sharing a monarch with Britain in the event of war Britain would come to Canada's aid.¹⁵

With the passage of *The British North America Act of 1867*, we see Britain's reversal in its imperial and colonial goals. Britain then began to support confederation in her other colonies for the purpose of saving money by expecting colonial governments to support their own militaries and defense. This would allow Britain to focus on its own military and other imperial projects. *The British North America Act of 1867* only confederated three British Colonies in North America. Which meant several others were not yet admitted into the political union. With the last admission in 1949, Canadian confederation was a drawn-out process. Britain needed to be involved in these negotiations with other colonies on behalf of Canada.

3. Finalizing Confederation

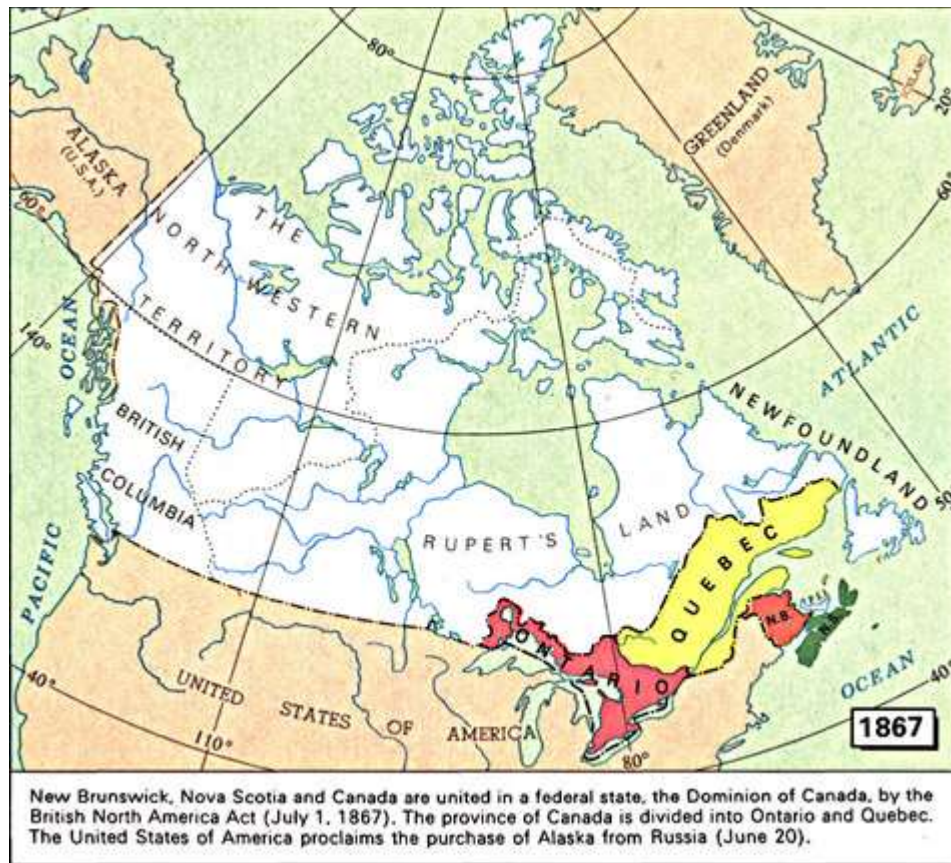
With the passage of *The British North America Act of 1867* only a portion of British North American was incorporated into the new Dominion of Canada. It is worth noting in the image below most of modern Canada had not joined the political union yet. Those left out with a land border with the United States were the Hudson Bay Company and British Columbia. In the 1860's and 1870's Britain's goal was to bring these colonies and territories into the new Dominion for their protection.

¹⁴ "Towards Confederation" Library and archives of Canada. <http://www.collectionscanada.gc.ca/confederation/023001-2100-e.html#c>

Knox, Bruce A. "The Rise of Colonial Federation as an Object of British Policy, 1850-1870." *Journal of British Studies* 11, no. 1 (1971): 105-107

¹⁵ "The London Conference" Library and archives of Canada <http://www.collectionscanada.gc.ca/confederation/023001-2700-e.html>

"The British North America Act." *The American Journal of International Law* 4, no. 1 (1910): 39-67



In 1670, The Hudson Bay Company was given a charter by King Charles II that included one and a half million square miles surrounding the Hudson Bay and would account for nearly one half of modern Canada. In 1838, the company's charter was renewed for another twenty-one years. However towards the 1850's and 1860's many started to wonder if the charter granting the company such massive privileges should be revoked. In 1857, an article in the New York Times made such an argument.

We do not deny but it was wise and just to grant large privileges to the Company, when it first began its adventures...But that its privileges should exist for centuries is an abuse. This article highlighted the idea that not only should the company's charter end, but that perhaps America should be the ones to end it.¹⁷

Starting in the 1860's the Hudson Bay Company made a series of notifications on American aggression. The Hudson Bay Company requested the creation of a royal colony, which would be protected by the British Empire's military, but the Colonial Office considered the proposal impractical. For the Colonial Office only one solution seemed possible, Canadian governance of the region. British fears over American-Hudson Bay border disputes prompted many in Britain's government to began a negotiated hand-over of the territories to Canada. The new Dominion of Canada was very interested in acquiring these territories. A Canadian delegation reached an agreement with Britain that the land should be given to Canada with compensation going to the Hudson Bay Company paid by the Canadian government, with the money being guaranteed by the British government. During these conversations the Hudson Bay Company was not involved. The Hudson Bay Company was informed that the British and Canada had already decided that annexation by Canada would be the result, they only thing left to be decided was the amount of compensation the company would receive.¹⁸

Negotiations over compensation between Canada and the Hudson Bay Company were slow to start as Canada waited for July 1, 1867, the official date of confederation. Britain continued to fear that American settlement in and near land claimed by the Hudson Bay Company would cause the land to fall into American hands. As the settlers pushed for annexation by the American Republic. This fear caused Britain to pressure Canadian officials into opening communication with the Hudson Bay Company over compensation as quickly as possible. The Duke of Buckingham, the Colonial Secretary, said.

¹⁶ "Maps: 1667-1999" Library and archives of Canada. <http://www.collectionscanada.gc.ca/confederation/023001-5004-e.html>

¹⁷ "British Monopolies in America". New York Daily Times (1851-1857); Jan 27, 1857; ProQuest Historical Newspapers: The New York Times pg. 4

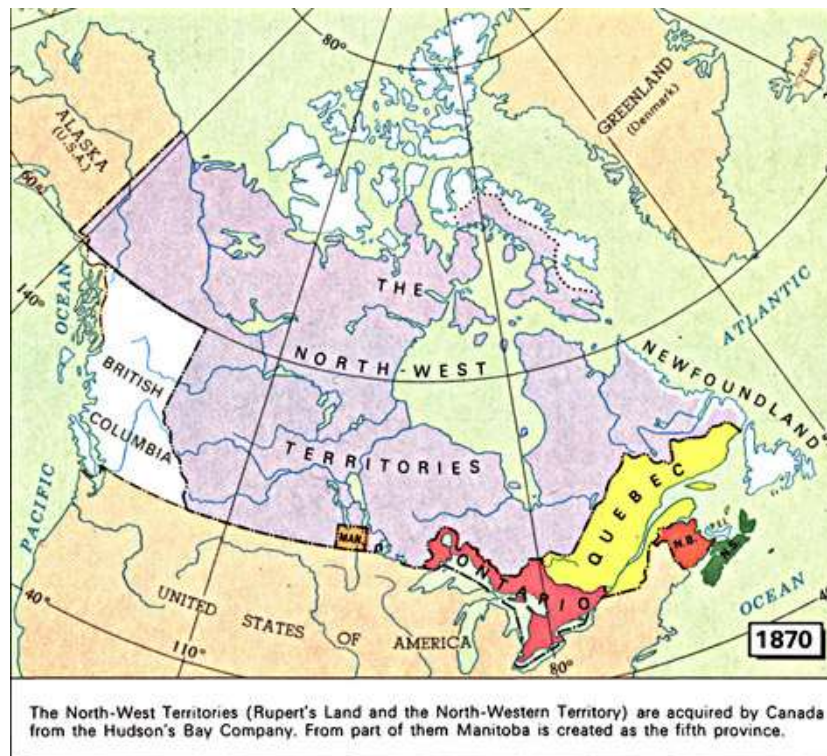
¹⁸ Galbraith, John S. "The Hudson's Bay Land Controversy, 1863-1869." The Mississippi Valley Historical Review 36, no. 3 (1949): 464-466

The question of the Hudson's Bay Territory is rapidly becoming urgent, and if delayed much longer may give rise to serious difficulty. No time should, therefore, be lost in deciding on the course of action to be pursued by Canada.

Britain wanted an agreement as soon as possible to prevent war with the United States and to insure the protection of the territories.¹⁹

Once negotiations over the territories started the two sides were not happy with where they were going. The Canadians opened with a offer of 106,000 pounds, which was considered to low. The company claimed land, not included in its charter, Rupert Land, and wanted compensation for the territory. The two sides were far from a deal, at this point the British Colonial Office stepped in and offered 300,000 pounds for all claims, with the addition that the company could still use some of the land to collect furs and other trading. The Colonial Office made clear this was an ultimatum. If the Hudson Bay Company refused this offer they would simply dissolve the charter and hand the land over to the Canadian government. In the face of this ultimatum the Hudson Bay Company backed down and agreed.²⁰

In Britain, there was some disagreement over the constitutional abilities of the Parliament of Canada to add territory to the Dominion and to create new provinces, so the British Parliament passed *The British North America Act, 1871* which granted Rupert's Land and the Northwestern Territory to Canada and created the province of Manitoba. The image below shows the newly added territory.²¹



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The map above shows the 1871 expansion of Canada left only British Columbia with a land border with the United States of America. The incorporation of British Columbia into Canada was done, as was the entire confederation of British North America to prevent American annexation. With British Columbia there was a consorted effort by William Seward, Secretary of State of the United States of America, to pressure British Columbia into annexation.

During the 1860's Imperial Russia and Great Britain were rivals for control of the Pacific Ocean. Many in the Russian government felt that by selling Alaska to the Americans this would undermine British control of of British Columbia and led to annexation by the Americans, removing the British from a North American port. In 1867, the Russia Empire sold Alaska the the United States. The

¹⁹ Galbraith, John S. "The Hudson's Bay Land Controversy, 1863-1869." *The Mississippi Valley Historical Review* 36, no. 3 (1949): 464-472

²⁰ Galbraith, John S. "The Hudson's Bay Land Controversy, 1863-1869." *The Mississippi Valley Historical Review* 36, no. 3 (1949): 472-

²¹ "The British North America Act, 1871." *The American Journal of International Law* 4, no. 1 (1910): 67-69.

²² "Maps: 1667-1999" Library and archives of Canada. <http://www.collectionscanada.gc.ca/confederation/023001-5004-e.html>

Canadians and the British pushed for British Columbia to join Canada rather than America. During this period of British Columbia was in the midst of an economic depression. In the last few years' exports had shrunk by nearly 33 percent. This was only compounded by the unpopular and undemocratic government of the colony.²³

Few options existed for the colony, confederation into Canada or annexation by the United States. With only eight thousand people some felt that the more populous United States would benefit their economy. Following the American Civil War many called for territorial expansion including the Canadian west. Secretary of State William Seward pushed for the annexation of British Columbia, believing that the colony would be willing to be annexed peacefully because of the horrible state of their economy. Between British Columbia and the rest of Canada lay the Hudson Bay Company which refused to allow Canadians to settle in large numbers in its territory leaving British Columbia isolated from the rest of British North America.²⁴

Seward's belief that British Columbia would be willing to be annexed peacefully was also based on America's living in British Columbia. The American Consul in British Columbia, Allen Francis, told Seward "the people of Vancouver Island, and of British Columbia, are almost unanimous in their desire for annexation to the United States." This view of public opinion was challenged when the deal for America to buy Alaska was announced. Many in the colony reacted to this news with shock as many felt that American competition along the Pacific Coast would harm the colony. Alexander Galt, a member of the Canadian confederation movement said of the purchase "If the United States desires to outflank us on the west, we must ... lay our hands on British Columbia and the Pacific Ocean. The country cannot be surrounded by the United States."²⁵

Colonial leaders in British Columbia who supported confederation with Canada believed the only way to do so was to connect British Columbia to Canada by rail to decrease the colony's isolation. The New York Times reported how important a railroad was to British Columbia's fate.

The tide of opinion might be partially turned, were there a way opened for the Pacific colonies to come into the Canadian Union. But without the opening of a railroad connection by way of the Red River, British Columbia finds no more natural attraction in Canada than in Denmark

Recognizing this need William Seward petitioned Congress to allow the United States to construct a rail way to British Columbia.²⁶

However, by January 1868, at a public meeting the colonist voiced their preference to confederation with Canada rather than annexation, as long as Canada agreed to certain terms. These terms included a railway to the rest of Canada. Canada extended the offer that if British Columbia agreed to confederation construction on a trans-Canadian railway would begin in two years. In November 1870, with this offer extended, the Legislative Council of British Columbia voted in favor of confederation with Canada.²⁷

British policy greatly aided Canada's ability to successfully facilitated the confederation of British Columbia and the Hudson Bay Company. Britain's aid in making the Hudson Bay Company's territory a part of Canada opened the way to a trans-Canadian railway to connect British Columbia to the east. When Canada offered to build the trans-Canadian railway that connected British Columbia it did so with the financial aid and support of the British Empire to ensure the railway would be constructed. William Seward focused too much on reports from America's living in British Columbia and did not understand the power of Canadian nationalism that was forming in the colonies. Once Canada and Britain knew what it would take to convince British Columbia's officials and the population to agree to confederation they did everything in their power to meet those demands.²⁸

Canadian confederation would be a long process that would last over eighty years. The last British North American Colony, Newfoundland, join in 1949. Without British aid in protecting Canada with its military in the early period from American forces, its possible Canada would have been annexed. Without British support, money and prestige during the negotiations between its various North American colonies its possible they would not have been able to work through the varies agreements that allowed all the colonies to confederate without one or more being annexed into the United States. Britain's policy of supporting Canadian

²³ Neunherz, Richard E. "Hemmed In": Reactions in British Columbia to the Purchase of Russian America." *The Pacific Northwest Quarterly* 80, no. 3 (1989): 101-103

²⁴ Neunherz, Richard E. "Hemmed In": Reactions in British Columbia to the Purchase of Russian America." *The Pacific Northwest Quarterly* 80, no. 3 (1989): 103-108

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²⁶ Shi, David E. "Seward's Attempt to Annex British Columbia, 1865-1869." *Pacific Historical Review* 47, no. 2 (1978): 227-232

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²⁸ Shi, David E. "Seward's Attempt to Annex British Columbia, 1865-1869." *Pacific Historical Review* 47, no. 2 (1978): 237-238

confederation allowed this process to be successful and for all the parties to do so without American interference. British efforts, alongside Canadian desire for confederation, allowed the process to be completed.

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