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THE UNITED EMPIRE LOYALISTS:

A RECONSIDERATION

THE UNITED EMPIRE LOYALISTS occupy a strangely equivocal place in Canadian history. Although regarded with honour by some Canadians for having saved part of North America for the British connection, they are suspected by others of being not quite respectable political ancestors in this democratic age. As a result, especially since this country has become more independent of Great Britain, the Loyalists have received little attention from serious historians, and their role in the founding of Canada has been de-emphasized to the point where they appear as just another group of immigrants making their contribution to our cultural mosaic.¹

A search through standard histories of Canada fails to reveal much agreement on the significance of the Loyalists. Edgar McInnis implies that they were a conservative group accustomed to a privileged position in society, many of whom were expelled from the United States for their opinions.² The motives of the Loyalists are not discussed by Donald Creighton, although he does mention that many of those who settled in Ontario were poor and illiterate.³ D. C. C. Masters agrees that they came from all walks of life, but adds that they brought to Canada "a liking for an aristocratic society of privilege with themselves as the privileged group."⁴ J. B. Brebner feels that the emigration of American settlers to Ontario was part of a general westward movement unrelated to principle. He, too, emphasizes the conservatism of the Loyalists which, interacting with British Toryism, consolidated an "anti-republican, anti-democratic, politico-economic system in Britain and America."⁵ For J. M. S. Careless, also, they were conservative in outlook, but he recognizes that they "represented a declaration of independence against the United States", and that "they helped to create not only a new province, but a new nation."⁶ W. L. Morton says that they were "for the most part" conservative, although the largest number was "like the revolutionaries, Whiggish by persuasion."⁷ G. M.

Craig, in his recent study of Upper Canada, sees the Loyalists as "a large and varied group" which "opposed the resort to force against British authority."⁸

Almost alone among Canadian historians, A. R. M. Lower thinks that the Loyalists are worth more than a passing mention. Like Careless, he sees Canada as a "by-product" of the American Revolution, which was "the great tragedy of history, the breaking of the unity of race, the drawing of those of like blood apart." Canadians have since regarded it as a "foul and treasonable occurrence", and there has been "little understanding of the essential nature of the Revolution—still less sympathy with the fine generosity of the ideals that had inspired it and which it in turn inspired." Canada was the offshoot of the losing and conservative side of a great radical upheaval—a struggle between classes and masses in a "frankly anti-democratic" society, with the classes retreating to Canada after their defeat. Others who joined the trek north had merely put their money on the wrong horse and were repudiated by the victors. He does find it difficult to understand why so many Loyalists were non-British in origin but explains it on the basis that "those with whom tradition is an acquired one are often apt to be more tenacious of it than those with whom it originated, to whom it is familiar and perhaps threadbare."⁹

From these opinions, three conclusions seem to emerge. The first is that, considering their importance, surprisingly little attention is paid to the Loyalists in Canadian histories. Secondly, what is said about them is often contradictory, or at least confusing. For example, they did not want to break the unity of the race, but many were of different racial backgrounds; or they hoped to establish an aristocratic society on the frontier, but many could not read or write. Thirdly, to the extent that a consistent picture emerges, it is unfavourable: words such as "privilege", "anti-democratic", and "conservative" in a pejorative sense occur most often.

Why are the Loyalists handled in this way? Two possible reasons come to mind. One is their association, for many people, with the Family Compact and other self-perpetuating ruling cliques in British North America. It is assumed that the Loyalists would naturally dominate the social and political life in the colonies where they settled. This may have been true in New Brunswick but, since practically the entire population was composed of refugees from the American colonies, the inhabitants who were outside the charmed circle of authority and patronage were just as much Loyalists as those on the inside.

In Upper Canada, where the influx of immigrants soon made the genuine Loyalists a minority, we find that studies of the personnel of the legislative and executive councils show that between 1791 and 1841 there were only 22

Loyalists out of 105 appointees, and that many of these owed their position to Bishop Strachan rather than to their Loyalism. That Loyalists were not unduly prominent in the Family Compact is further indicated by the absence of such well-known Loyalist names as Johnson, Grass, Butler, and Van Alstine.¹⁰

A second factor probably responsible for the treatment meted out to the Loyalists is that they were on the wrong side in the American Revolution. The singularly unattractive portrait of the American Tories painted by earlier American historians has been to some extent corrected by more recent research. On the whole, American historians have been extremely generous in their reappraisal, but the fact remains that the Loyalists were on the losing side, and the victors went on to make a huge success of the American republic. This outcome cannot help being reflected in the writings of Americans on this subject.

The Loyalists have had their supporters in Canada, but the nature of this support has often done them more harm than good. They have been used by some of their descendants to reinforce claims of social superiority which do not sit well in a democratic society, and the emphasis on the purity of their Britishness has been an embarrassment in a country where other races now form a majority.

The main reason, however, why more attention has not been devoted to the Loyalists in Canadian history is that the formative period of their lives was spent in the American colonies and is therefore officially part of American history. Although true in a strict geographic sense, this fact has had the unfortunate effect of depriving the Loyalists of their past and much of their meaningfulness. The result is a strange impression of one group called American Tories vanishing into well-deserved oblivion, and another group known as United Empire Loyalists suddenly appearing in the Canadian wilderness clutching their Union Jacks.

Only a study of the American Revolution from a Loyalist rather than an American or British point of view can give an insight into their motivation and a fair evaluation of their role. It is too easy to assume, because the revolutionaries were fighting for self-government, equality, democracy, and liberty, that the Loyalists who opposed them also opposed these honourable ideals. This conclusion is not always drawn, but it certainly lurks in the background.

If we are permitted then to trespass on American territory for a moment, the first thing we should note is that, whether American grievances against Britain were completely justified or not, most Loyalists objected just as strongly as did the Whigs to British attempts to impose new taxes on the colonies.

Furthermore, even the most extreme Tory admitted that some change was necessary in the constitutional relations between the colonies and the mother country. In other words, most Loyalists were not blind supporters of the British government—they were just as American in outlook as their opponents. Some of the Loyalists were recent arrivals, it is true, but so were Tom Paine and many of the recruits in Washington's army.

The major difference between the two sides was in their opinion of the seriousness of the British threat to American liberties and what action should be taken. The Loyalists believed that the Patriots were exaggerating their grievances out of all relation to fact—that in reality the American colonists were fortunate in living under laws that were about as mild and just as one could expect in an imperfect world. As T. B. Chandler, a Connecticut Congregationalist turned Anglican minister, put it, "A small degree of reflection would convince us, that the grievances in question, supposing them to be real, are, at most, no more than just grounds for decent remonstrance, but not a sufficient reason for forcible resistance."¹¹

Many Tory pamphleteers were led to question the sincerity of the revolutionary leaders, who, they felt, were really seeking independence from the beginning. The fate of Joseph Galloway's Plan of Union seemed convincing evidence. Galloway, a leading Pennsylvania politician, provided in his scheme for a Grand Council representing all the colonies and possessing a large measure of autonomy. Although the moderate leaders of the first Continental Congress praised it warmly, and it was "tabled" by a vote of only 6 to 5, all reference to it was later expunged from the record, and the radical Whigs moved on quickly to uncompromising measures which led to eight years of war. Despite public denials, many of them admitted privately that they were seeking complete independence, and in any case, the demands they were making on Great Britain amounted in fact to independence. Their reluctance to bring their real intentions out into the open seems to indicate that they were afraid public opinion did not support independence at that time and that it was necessary to build up anti-British feeling by provoking violence and avoiding conciliation. For example, although Congress began secret negotiations to obtain help from France as early as the fall of 1775, Tories still ran the risk of being tarred and feathered in the spring of 1776 for accusing Whigs of advocating independence.

In response to protests in the past, Britain had given way in practically everything except a token tax on tea. The Loyalists felt that it was reasonable to expect that peaceful negotiations would result in a redress of the latest grievances without recourse to violence. If the colonists were truly united, passive

resistance alone could accomplish a great deal, as it had in the past. Americans already possessed a large degree of self-rule—it was just a matter of solving a number of questions relating to the constitutional link with Britain. The cautious New York lawyer Peter Van Schaack knew his Locke as well as any of his fellow Whigs, but he questioned whether there was enough tyranny on the part of the British to warrant a repetition of 1688.

From all the proofs I had, I could not, on a fair estimate, think them sufficient to establish the fact of an intention to destroy the liberties of the colonies. I saw irregularities, but I thought time would work out our deliverance, and it appeared to me, that, balancing conveniences and inconveniences, we were, upon the whole, a happy people. The idea of a civil war appeared to me to involve the greatest of human calamities,—I thought policy should make that in us the *last* resort.¹²

If, then, British tyranny was not the real reason for the revolution, what was? Hector St. John Crevecoeur, a Huguenot farmer and author of well-known sketches of colonial life, answered this question for many Loyalists:

Ambition, we well know, an exorbitant love of power and thirst of riches, a certain impatience of government, by some people called liberty,—all these motives, clad under the garb of patriotism and even of constitutional reason, have been the secret but true foundation of this, as well as many other revolutions. But what art, what insidious measures, what deep-laid policy, what masses of intricate, captious delusions were not necessary to persuade a people happy beyond any on earth, in the zenith of political felicity, receiving from Nature every benefit she could confer, that they were miserable, oppressed, and aggrieved, that slavery and tyranny would rush upon them from the very sources which before had conveyed them so many blessings.¹³

With the revolutionary Whigs occupying the high ground of liberty, equality, and self-government, those who opposed them were outmanoeuvred. Many could not accept their arguments but, finding it dangerous to antagonize the Whig mobs, hoped to remain quiet. However, this became increasingly difficult as the situation deteriorated into outright war, and the Patriots began taking the attitude that those who were not with them were against them. At this point many Americans who did not support independence gave in to the threats and intimidation of the revolutionaries and switched their allegiance. How many times did something similar to the following take place? In the spring of 1776, a Pennsylvanian, Thomas Smith, is reported to have said,

that the Measures of Congress had already enslaved America and done more damage than all the Acts of Parliament ever intended to lay upon us, that the

whole was nothing but a scheme of a parcel of hot-headed Presbyterians and that he believed the Devil was at the bottom of the whole; that the taking up Arms was the most scandalous thing a man could be guilty of and more heinous than an hundred of the grossest offences against moral law, etc., etc., etc., etc.¹⁴

The Bucks County Committee of Safety decided that he be "considered an Enemy of the Rights of British America and that all persons break off every kind of dealing with him until he shall make proper satisfaction to this Committee for his conduct." By the time this appeared in the press, Smith had already decided to recant and make his peace. Some put up a stouter resistance than he did, but in most areas life became extremely difficult, even unbearable, for those who refused to conform, and they were eventually forced to make a choice between acquiescing or fleeing behind the British lines.

Those who chose the latter course were as varied in background as the Revolutionaries themselves. Occupational lists show that the Loyalists formed a cross-section of the population of the Thirteen Colonies in every respect. Some were rich and socially prominent, but so were the Washingtons, the Livingstons, and the Hancocks of the Patriot party. Many were so poor that they made no claim for compensation from the British government because they had owned no property which could be confiscated by the victors. There is no doubt that some of the Loyalists were anti-democratic, but for every statement which could be interpreted in this way by a Tory, one can probably find a dozen from the mouths of the Whigs. It is a waste of time to attempt to differentiate the Loyalists from the Patriots on the basis of conservatism, regardless of how one defines it, since the American Revolution is widely recognized as an essentially conservative movement.

One thing, however, many of the Loyalists did have in common, as W. H. Nelson points out in his recent book, *The American Tory*.¹⁵ A study of their ethnic, religious, and economic composition indicates that most of them came from groups which were minorities in the localities where they lived, such as Anglicans in the north, Presbyterians in the south, Quakers and Mennonites from Pennsylvania, Highlanders from North Carolina, Lowlanders from New York, seaboard merchants in some colonies and frontiersmen in others, Indians, and of course Negroes. These people felt that they had more to fear from the unrestricted power of those around them than they did from the distant British government, which had often protected them by disallowing discriminatory colonial legislation.

This is a very useful approach but it is not completely adequate, since only a portion of each minority became active Loyalists. Families often split

over the issues at stake, so that generalisations about types and categories do not really do justice to the individual human being. It must be remembered that each person had to make a decision, often an agonising one, involving the loss of friends as well as property, and long periods of separation from wife and children as well as physical hardship and perhaps even death. For many this decision was made on the basis of conscience, self-respect, integrity, call it what you will. Social upheavals like the American Revolution force many people to make a choice between what seems safe, sensible, and expedient and what they feel to be right. Even for those not politically minded many painful dilemmas were created.

Here are several examples. The Anglican clergyman who was ordered to abjure the king would have to violate an oath taken at his ordination. The merchant who had undertaken to ship goods to a firm in England which had advanced him credit might very well drive old business friends into bankruptcy if he agreed to the export embargo called for by Congress. Officeholders are often looked upon as men who were Loyalists out of self-interest, but in most cases their personal welfare would have been better served by forgetting their oaths of office and throwing in their lot with the revolutionaries. This was especially true in New England, where the patriots formed an overwhelming majority. Typical of New England Loyalists was Colonel William Browne of Salem, who had extensive properties in Massachusetts and Connecticut. Fourteen valuable farms in the latter colony alone were later confiscated. He was so highly respected by the inhabitants that he was offered the governorship by the Committee of Safety, and a delegation which included Elbridge Gerry (whose idea of democracy is preserved in the term "gerrymander") pleaded with him to join them. He refused, saying that neither persuasion nor threats could make him do anything derogatory to the character of his office, and he ultimately went into exile.¹⁶

It was the very pressures by which the Whigs attempted to coerce the rest of the population into conformity with their wishes, however, which aroused the opposition of countless ordinary people and turned them into active Loyalists. Lorenzo Sabine, an early American student of the Loyalists, pointed out over a century ago that persecution made half the "king's friends".¹⁷

This contradiction between Whig theory and Whig practice was a source of never-ending amazement to their opponents. At the time of an earlier non-importation agreement, a Boston storekeeper published the following statement in a local paper:

Upon the whole, I cannot help saying—although I never have entered far

into the mysteries of government, having applied myself to my shop and my business—that it always seemed strange to me that people who contend so much for civil and religious liberty should be so ready to deprive others of their natural liberty; that men who are guarding against being subject to laws [to] which they never gave their consent in person or by their representative should at the same time make laws, and in the most effectual manner execute them upon me and others, to which laws I am sure I never gave my consent either in person or by my representative.¹⁸

This perplexity was echoed many times in Loyalist pamphlets during the Revolution. It seemed perfectly evident to them that the tyranny of Congress was much more severe and all-embracing than anything known under British rule.

Although originally in favour of avoiding bloodshed and arriving at a negotiated settlement with the home government, the active Loyalists eventually realised, especially after the Declaration of Independence, that the issue would be decided by force. As a result they volunteered for service with the British in such large numbers that it has been estimated that about half as many Americans enlisted on the British side as did in the Continental Army. Their aim was not to reimpose harsh foreign rule, as the Whigs would have it, but to liberate their homeland from the usurped authority of a ruthless faction claiming without justification to be acting for all Americans, and to restore the civil liberties guaranteed by the British constitution. They were fighting, in other words, for their own conception of freedom.

There was more, however, to the Loyalist position than mere response to the actions of the Whigs. For those Loyalists, at least, who published their ideas in contemporary pamphlets and newspapers and in memoirs and histories, there was fundamental disagreement with the political theory of the revolutionaries. They had, of course, to assume that the Whigs were sincere in their use of the vocabulary of freedom, since self-determination, in the words of Alfred Cobban, is "the usual demand of those who want to oppose others." However, whether these ideas were believed in or not by those who advocated them, they were obviously expected to influence public opinion by their self-evident rightness. The basis for revolt was found originally in the British constitution; but as that would hardly serve for independence, natural law became the final authority. Although other writers may have been cited more often by the revolutionaries than John Locke, it was his name which lent respectability to their cause. As interpreted by them, Locke sanctioned a rebellion such as the Glorious Revolution of 1688, if the sovereign violated certain natural rights,

especially that of property. All that the revolutionaries had to do, according to this formula, was to demonstrate the tyranny of King George III, declare him deposed, and provide a substitute administration. This they did by the Declaration of Independence.

However, the Loyalists did not accept the analogy of 1688. In that case the country changed rulers but remained united, whereas in the 1770s the issue was nullification and secession. What the patriots did was to nullify certain laws which they did not like and then to secede when they were not allowed what amounted to *de facto* independence. Today, in Canada, it would be called separatism. The Loyalists objected that any argument which could be used against British tyranny would be just as effective against the tyranny of Congress: if pushed too far, the contract theory could lead to anarchy. Daniel Leonard, a lawyer who carried on a pamphlet debate with John Adams, put it this way:

Admitting that the collective body of the people, that are subject to the British Empire, have an inherent right to change their form of government, or race of kings, it does not follow that the inhabitants of a single province, or of a number of provinces, or any given part under a majority of the whole empire, have such a right. By admitting that the less may rule or sequester themselves from the greater, we unhinge all government.¹⁹

The argument for separation against which Leonard wrote came home to roost 85 years later, with the side which adopted the Loyalist position, the North, emerging the victor at that time. In fact, Abraham Lincoln's arguments against secession in his First Inaugural address are strikingly similar to those of Leonard. Another Loyalist, Galloway, forecast a civil war should independence come, in which the North would fight the South over control of the West, with the "ruthless and cunning Yankees" emerging triumphant.²⁰

Today, of course, the right of a people to govern themselves is taken for granted; it is even made explicit in the United Nations Charter. But, as the Loyalists were aware, there are difficulties. The only way the Patriots could justify the break with Great Britain was on the grounds of their favourite Latin adage, *vox populi, vox dei*. It is indeed difficult to find a more obvious authority for legitimizing power, but the question immediately arises: Who are the people? "Popular demagogues", wrote Leonard, "always call themselves the people, and when their own measures are censured, cry out, the people, the people are abused and insulted."²¹ However, the Loyalists objected not only to discontented politicians claiming to speak for everyone but also to the idea that the raw will of the "people" as exemplified in mobs, or the arbitrary actions

of self-constituted committees and irregularly elected congresses, could ever be a substitute for the justice and order provided by a government which, though responsive to the people, must be to some extent above their momentary passions. They feared that public opinion was being deified at the expense of all other standards of morality, as in a Loyalist's portrait of *The Factious Demagogue*:

As for his Religion, he could mix,
 And blend it well with politics,
 For 'twas his favourite opinion
 In mobs was seated all dominion:
 All pow'r and might he understood
 Rose from the sov'reign multitude:
 That right and wrong, that good and ill,
 Were nothing but the rabble's will:
 Tho' they renounce the truth for fiction,
 In nonsense trust, and contradiction;
 And tho' they change ten times a day
 As fear or interest leads the way;
 And what this hour is law and reason,
 Declare, the next, revolt and treason;
 Yet we each doctrine must receive,
 And with a pious grin believe,
 In ev'rything the people's choice
 As true as God Almighty's voice.²²

The Loyalists thus anticipate some of the judgments of Alexis de Toqueville and others who have been critics of the tyranny of the majority, or what is sometimes called "totalitarian democracy."

In sum, then, the case presented here is that the Loyalist was no more reactionary than the Whig, that he believed the dispute with Britain could be settled peacefully, that he felt he had more to lose than to gain by giving up the protection of British laws for the unlimited sovereignty of public opinion, that the actions of the revolutionaries very often put him in a position where there was no alternative to taking the British side if he wanted to preserve his self-respect, that he fought not to defend tyranny but to free his country from what he regarded as tyranny, and that he was aware of some flaws in the over-optimistic and sometimes hypocritical slogans of the Whigs.

It is not necessary to pretend either that independence was wrong or that it would not have come very soon in order to justify the stand taken by

the Loyalists. Such a justification is particularly desirable from the standpoint of Canadian history because that preference for evolution rather than revolution, for patient negotiation rather than impatient violence, which is supposed to be a characteristic of the Canadian temper, can be traced directly back to the United Empire Loyalists. As the chief point of differentiation between the Canadian and American forms of democracy, it is surely worth emphasizing.

NOTES

1. For example, not one of the papers presented at the annual meetings of the Canadian Historical Association since it was founded in 1922 has had the Loyalists as its subject, except in connection with land allotment.
2. Edgar McInnis, *Canada* (New York, 1960), 160-165.
3. D. G. Creighton, *Dominion of the North* (Boston, 1944), 177, 172.
4. D. C. C. Masters, *A Short History of Canada* (Princeton, 1958), 22-23.
5. J. B. Brebner, *Canada, A Modern History* (Ann Arbor, 1960), 106-107.
6. J. M. S. Careless, *Canada, A Story of Challenge* (Cambridge, 1953), 113.
7. W. L. Morton, *The Kingdom of Canada* (Toronto, 1963), 174-5.
8. G. M. Craig, *Upper Canada—The Formative Years* (Toronto, 1963), 2-3.
9. R. M. Lower, *Colony to Nation* (Toronto, 1959), 77, 84, 113-120.
10. James J. Talman, ed., *Loyalist Narratives from Upper Canada* (Toronto, 1946), lxiii. The figures are from Alison Ewart and Julia Jarvis, "The Personnel of the Family Compact, 1791-1841", *Canadian Historical Review*, VII, 209-221.
11. [Thomas Bradbury Chandler], *A Friendly Warning to All Reasonable Americans* (New York, 1774).
12. H. C. Van Schaack, *Life of Peter Van Schaack* (New York, 1842), 261.
13. Hector St. John Crèvecoeur, *Sketches of Eighteenth Century America* (New Haven, 1925), 251.
14. Quoted in W. H. Siebert, *The Loyalists of Pennsylvania* (Columbus, Ohio, 1920), 26.
15. W. H. Nelson, *The American Tory* (Oxford, 1961), 91.
16. James H. Stark, *The Loyalists of Massachusetts and the Other Side of the American Revolution* (Boston, 1910), 450.
17. Lorenzo Sabine, *Biographical Sketches of the Loyalists of the American Revolution*, 2 vols. (Boston, 1864), I, 78.
18. *Ibid.*, 311.
19. John Adams and Daniel Leonard, *Novanglus and Massachusettensis* (Boston, 1819), 225.
20. [Joseph Galloway], *A Candid Examination of the Mutual Claims of Great-Britain and the Colonies* (New York, 1775), 59.

21. Adams and Leonard, 225.
 22. Winthrop Sargent, ed., *The Loyalist Poetry of the Revolution* (Philadelphia, 1857), 129. *The Factious Demagogue* was dated at Halifax, May 13, 1780, and was probably written by the Rev. Jacob Bailey, the frontier missionary.

CAESURA

Lilian Symons

Death sat under the black-raftered
 White-lighted diurnal tree
 In the shadows of no-sun, no-moon,
 Stippled with falling pear blossoms,
 Fluidly motionless, with nothing to do.

Green-eyed he looked at me
 Through his dark hood, sacerdotal,
 Quizzically lazy, impassive,
 A tiger on a green ribbon,
 Powerfully aloof, with nothing to do.

Newspapers screamed in my ears.
 Jazz rode his insistent horn
 Under my champagne windows in the half-light.
 When I drank my coffee
 It was too sweet with the blood of fools.
 Death waited, with his forever tree
 Alight with small stars in the black-lashed noon
 While the clouds gathered, frowning.
 And I waited, in the hollow twelve o'clock,
 Foolishly alive, with nothing to do.