

Journal of the Canadian Historical Association Revue de la Société historique du Canada



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Volume 24, numéro 2, 2013

URI : <https://id.erudit.org/iderudit/1025076ar>

DOI : <https://doi.org/10.7202/1025076ar>

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Éditeur(s)

The Canadian Historical Association / La Société historique du Canada

ISSN

0847-4478 (imprimé)

1712-6274 (numérique)

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Citer cet article

Heaman, E. (2013). Constructing Innocence: Representations of Sexual Violence in Upper Canada's War of 1812. *Journal of the Canadian Historical Association / Revue de la Société historique du Canada*, 24(2), 114–155.
<https://doi.org/10.7202/1025076ar>

Résumé de l'article

Le présent article explore la façon dont on se représentait le viol au Haut-Canada vers 1812. Il s'appuie sur une culture de l'imprimé au Haut-Canada qui s'inspirait de façons de faire répandues, surtout aux États-Unis, et qui s'y opposait. Si les journaux des États-Unis ont parlé ouvertement de violence sexuelle contre les Américaines durant la Guerre de 1812, les sources du Haut-Canada ont eu tendance à réprimer le sujet, pour des raisons qui traduisent de profondes différences culturelles et politiques. Les Américains manifestaient un patriotisme populaire et exubérant dont les Canadiens se méfiaient et voulaient s'éloigner. L'analyse de ces différences nationales est replacée dans le contexte de vastes changements dans la façon dont le viol était appréhendé dans la presse et les tribunaux durant la première moitié du XIX^e siècle, au moment où la voix des femmes était muselée dans l'espace public. Pourtant, la plus célèbre héroïne de cette guerre, Laura Secord, ne s'est pas tue. Écrivant près d'un demi-siècle plus tard, elle a remis en question les conventions discursives à l'égard des sexes quand elle a eu la parole et qu'elle s'est érigée en héroïne. La dernière section examine comment Laura Secord et ses premiers biographes ont parsemé leurs récits publiés de signaux de danger et de respectabilité.

Constructing Innocence: Representations of Sexual Violence in Upper Canada's War of 1812*

ELSBETH HEAMAN

Abstract

This essay explores the way in which rape was represented in Upper Canada circa 1812. It draws upon a broadly defined Upper Canadian print culture that drew upon and reacted against wider trends, especially those prevalent in the United States. Whereas American newspapers spoke openly of sexual violence against American women during the War of 1812, Upper Canadian sources tended to suppress any such discussion, for reasons that reflect profound cultural and political differences. Americans stoked a rowdy, popular patriotism that Canadians distrusted and sought to avert. The analysis of national differences is contextualized within broader changes in the ways that rape was constructed in the press and the courts over the first half of the nineteenth century, in ways that worked to muffle women's public voice. But the War of 1812's most famous heroine, Laura Secord, was not silenced. Writing almost half a century later, Secord challenged discursive conventions of gender when she had her say and made herself a hero. The final section examines how Secord and her early commentators interwove literary signals of danger and respectability in their published accounts.

Résumé

Le présent article explore la façon dont on se représentait le viol au Haut-Canada vers 1812. Il s'appuie sur une culture de l'imprimé au Haut-Canada qui s'inspirait de façons de faire répandues, surtout aux

* Thanks to the referees and editors for their incisive and generous remarks. Thanks also to colleagues Cecilia Morgan, Jeffrey McNairn, Jason Opal, Michael Maxwell, Carman Miller, Suzanne Morton, Mark Warren, Carrie Rentschler and the audience at McGill's Institute for Gender, Sexuality, and Feminist Studies, and the students of my British North America class, superb interlocutors.

États-Unis, et qui s'y opposait. Si les journaux des États-Unis ont parlé ouvertement de violence sexuelle contre les Américaines durant la Guerre de 1812, les sources du Haut-Canada ont eu tendance à réprimer le sujet, pour des raisons qui traduisent de profondes différences culturelles et politiques. Les Américains manifestaient un patriotisme populaire et exubérant dont les Canadiens se méfiaient et voulaient s'éloigner. L'analyse de ces différences nationales est replacée dans le contexte de vastes changements dans la façon dont le viol était appréhendé dans la presse et les tribunaux durant la première moitié du XIX^e siècle, au moment où la voix des femmes était muselée dans l'espace public. Pourtant, la plus célèbre héroïne de cette guerre, Laura Secord, ne s'est pas tue. Écrivant près d'un demi-siècle plus tard, elle a remis en question les conventions discursives à l'égard des sexes quand elle a eu la parole et qu'elle s'est érigée en héroïne. La dernière section examine comment Laura Secord et ses premiers biographes ont parsemé leurs récits publiés de signaux de danger et de respectabilité.

Students are shocked to consider that Laura Secord might have been sexually assaulted. During a classroom discussion about the events at Beaver Dams in the spring of 1813, one student exclaimed: "She was lucky not to get raped!" "Oh?" I replied. "How do you know she wasn't?" Jaws dropped, gasps were gasped. Of course, Secord, when she left us her record of events, didn't mention rape, but rape victims often don't, especially when rape occurs in wartime.¹ Canadians forget that the lands that are now central and eastern Canada were once among the more violent places in the world: a frontier for rival nations and empires. Laura Secord lived her life at the tail end of that violence. She was born Laura Ingersoll, in the midst of the American Revolution, and immigrated to Canada during the 1790s as a "late loyalist." When war broke out, loyalists such as the Secords, late loyalists such as the Ingersolls who came for the land, and die-hard American patriots fought a kind of "civil war."² At the Battle of Queenston Heights, Laura's brother-in-law David Secord confronted his in-laws. Laura's husband, James, was crippled at Queenston Heights, and the family farm was plundered twice, according to their applications for relief and compensation.³ No comparable evidence

indicates that she or her children ever experienced sexual assault during the war at the hands of either hostile soldiers or friendly ones (who, records suggest, committed most of the damage to Upper Canadian property⁴). Anything is possible, of course. But what was the likelihood of such an assault? What might we tell a student who wonders such a thing?

At the outset of the war, Americans and Upper Canadians professedly went to war to protect their families as well as their nations. But during the war, their discourses bifurcated. Canadians virtually stopped talking about rape, while Americans amplified references to it. Without discounting the possibility that American and Canadian women had different experiences of the war, I identify distinct ways of talking about rape, reflecting differences in the form and content of their public spheres. The Americans built a nation by constructing an image of themselves as victims of violent physical attacks that had to be violently rebuffed. Upper Canadian responses were very different: there, patrician distrust of popular appeals to a disaffected populace resulted in the suppression of references to rape and its conjoined twin, consent.

This essay investigates not rape but print cultures of rape during and after the War of 1812. It focuses on a broadly defined Upper Canadian print culture that drew upon and reacted against wider trends, especially those prevalent in the United States. I have surveyed extant printed sources including newspapers, reminiscences, sermons, speeches, and letters, to investigate the discursive conventions that shaped the way rape figured or did not figure in public constructions of national identity at a moment of intense propagandizing. Laura Secord only became a heroine of the War of 1812 long after its conclusion and her story was not implicated in the competing patriotisms at the time. But she is a loose end. The paper identifies an increasingly masculine discourse around sexual violence that worked to silence women's voice in the public sphere. Women were constrained from speaking openly and publicly about all sorts of things, not just rape, but rape powerfully illustrates how those constraints operated. And yet Secord was not silenced: she managed to find a voice for herself, constructing herself as both a public heroine and a virtuous woman. Laura Secord defied conventions not only

when she walked her famous walk but also when she wrote about her famous walk. The final section of the paper examines how Secord and her early commentators interwove literary signals of danger and respectability in their published accounts.

Part I: The Spectre of Sexual Violence during the War of 1812

Rape had a context in Upper Canada before the war broke out and that context may provide some useful benchmarks. Much violence was unreported, historians argue, but rape was particularly unlikely to be reported or successfully prosecuted: a recent study by Patrick Connor estimates twenty rapes for every prosecuted rape.⁵ He identifies 104 recorded rapes in Upper Canada to 1850, resulting in 50 charges and 27 convictions. During the whole colonial period in Niagara, only eight men were ever prosecuted for rape and only two of those men were actually convicted.⁶ Comparably, in Montreal between 1803 and 1843, 63 rape cases produced five convictions.⁷ In Nova Scotia, between 1749 and 1815, 25 cases were prosecuted, resulting in six convictions and three executions. Per capita prosecutions and convictions were higher in Halifax than in England during the same period, but those higher rates reflect a higher incidence of crimes against women.⁸

Rape was unreported and difficult to prosecute because it was embedded in a moral economy of shame. Women were supposed to be modest and chaste in their public behaviour, but rape forced them to speak openly of sex, on terms that invited contradiction. Rape trials work to impair women's verbal authority and to sexualize them, according to sociologist Carol Smart:

The process of the rape trial can be described as a specific mode of sexualization of a woman's body - a body which has already been sexualized within the codes of a phallogocentric culture. Her body becomes literally saturated with sex. She is required to speak sex, and figuratively to re-enact sex; her body and its responses become the stuff of evidence. As she occupies the metaphorical sexual space which is allocated to her during the trial, she simultaneously invokes woman as a sex; the biological woman. The

natural/sexed woman is always already known to be more emotional, less rational, more subjective, more mendacious, and less reliable than man. The utterances of judges constantly reaffirm this.⁹

Defendants routinely accused their accusers of mendacity and promiscuity because ambiguity worked to the defendant's benefit. If he could suggest that the woman's behaviour or reputation had invited sexual overtures, jurors might conclude either that the man was innocent or that, even if he had behaved badly, he had grounds for presuming some form of consent and did not deserve the death penalty. Because there was no provision for a milder penalty (until 1873 in Ontario), juries were reluctant to convict in such cases. According to Sharon Block, a historian of early American rape, the insistence on women's consent worked to define rape almost out of existence, casting men in the role of successful seducers rather than rapists.¹⁰ Nonetheless, a rape trial did give women an opportunity to get their complaint on the record, demand justice, and at least some of the time to receive it.

If litigation constrained women's voice, war virtually suppressed it. When occupying armies raped, there was scant likelihood of a trial with its forensic debates around consent. Rather, military commanders were expected to rein in and discipline their troops in response to public complaint. But those circumstances made for very different stakes and voices in play: rape claims were likely to be amplified according to the interests of those with a public voice. Women were mere objects of protection, largely unable to make their voices heard.

At the outset of the war, propaganda from both sides invoked the protection of women and children. The *Kingston Gazette* warned, as early as 1811, of such a consequence of war: "liberties that may be taken with the weaker and unprotected sex by the unlicensed Banditti that may compose the army. I present merely an out-line, and leave it to the feelings of every husband and father to fill up the picture."¹¹ Soon after the outbreak of war, accusations of attacks on women and children began to fly. When the mere threat of attack by indigenous warriors prompted the surrender of Detroit in 1812, President James Madison denounced their use in a letter that was

widely reprinted and debated. Whereas, he argued, the "benevolent policy of the United States invariably recommended peace and promoted civilization among that wretched portion of the human race," the enemy "has not scrupled to call to his aid their ruthless ferocity, armed with the horrors of those instruments of carnage and torture, which are known to spare neither age nor sex."¹² Canadians defended their "Indians" as fighting for their own lands, and argued they were better behaved than American soldiers. "We have endeavoured to mitigate their ferocity," remarked the London *Times* urbanely.¹³

Accusations of barbarism intensified in the spring of 1813. In April, the British navy plundered and burned settlements along coastal Maryland, while later that spring American invaders plundered and burned Niagara and York. Property was stolen and torched, and inhabitants were harried and dispersed. Hardly a house escaped, according to witnesses such as Major William Allen. The presiding American officer told his troops to plunder only public property, but every house was searched on the pretext that it might contain public property, and plundering was indiscriminate. In the area around Laura Secord's home, British officers remarked, "The march of McClure from Beaver Dams to Queenston will long be remembered by the distressed victims. Property of almost every description was plundered and buildings burned under the general's own eye."¹⁴

Other British correspondents confirmed the devastation:

The country between the lines was at the mercy of small bands of lawless men, and from the reports of the prisoners and others it seemed evident that it was the intention of the American general to devastate the entire district from the Twelve Mile Creek to the Niagara River, and strip the inhabitants of the scanty remainder of their cattle and grain. So many isolated farm houses had already been wantonly burned that this rumor did not seem in the least improbable. General McClure's division was also stated to be much weakened by desertion and in a bad state of discipline.¹⁵

Amidst the many accounts of the invasion, there is almost universal silence on the question of rape. Published accounts, private correspon-

dence, subsequent demands for compensation and damages, patriotic addresses recounting sufferings: none mention rape.¹⁶ Historians have concluded that the American soldiers displayed “generally correct behaviour” towards civilians.¹⁷

American sources were not so silent. On 23 June 1813, at the same moment as Laura Secord was braving the woods, British troops raided Hampton Virginia where the “Chasseurs” (French deserters) committed atrocities. As well as murder and looting, these soldiers were seen to rape a number of women, between five and seven, in and around isolated farmhouses outside Hampton.¹⁸ A cavalry captain named Cooper reported the outrages to the Lieutenant Governor of Virginia: “The infamous scoundrels, monsters, *destroyed every thing* but the houses, and (my pen is almost unwilling to describe it) *the women were ravished by the abandoned ruffians!*” Pressed for details, Cooper expanded: “Mrs. Turnbull was pursued up to her waist in the water, and dragged on shore by ten or twelve of these ruffians, who satiated their brutal desires upon her, after pulling off her clothes, stockings, shoes, &c. Another case—a married woman, her name unknown to me, with her infant child in her arms (the child forcibly dragged from her) shared the same fate. Two young women, well known to many, whose names will not be revealed *at this time*, suffered in like manner. Doctor Colton, Parson Holson, and Mrs. Hopkins have informed me of these particulars.” A letter to *The Enquirer* by “P” confirmed Cooper’s story by questioning one of the victims: “When I had convinced her of the object I had in view in visiting her—that it was dictated by no impertinent curiosity, but a desire to know the whole truth, to enable me, on the one hand, to do justice even to an enemy, or, on the other, to electrify my countrymen with the recital of her sufferings, she discovered every thing which her convulsive struggles between shame and a desire to expose her brutal assailants would permit.” She insisted that some of her attackers wore red and spoke correct English. “P” instanced some other rapes confirmed by Mrs. Hopkins, “without, however, giving up the names of the *young and respectable* women who suffered.”¹⁹

The events at Hampton were not uncontested. A series of articles published by journalist Gilbert Auchinleck in the (Toronto-based)

Anglo-American Magazine in 1853, reprinted as a book in 1862, argued that the “Georgetown *Federal Republican* ... a journal published under the very eye of the Government at Washington, testifies ‘That the statement of the women of Hampton being violated by the British, turns out to be false.’” By contrast, an exhaustive American history of the war published the same decade, Benson J. Lossing’s *The Pictorial Field-Book of the War of 1812*, cited American commissions of investigation to insist that “The unfortunate females of Hampton who could not leave the town were abused in the most shameful manner, not only by the soldiers, but by the venal savage blacks, who were encouraged in their excesses.”²⁰

The differences between American grievance and Canadian silence cannot be attributed to different standards of morality. American women, no less than Canadian, were governed by shame. The account by “P” suggested that reported cases were the tip of the iceberg: “How far this violation extended will never be known. Women will not publish what they consider their own shame, and the men in town were carefully watched and guarded. But enough is known to induce the belief of the existence of many other cases.” Nor can the differences between Canadians and Americans be reduced to the presence versus the absence of rape. Even where rape did not occur, American propagandists still played the rape card, imputations of intended rape providing sufficient grounds for such campaigns. After the Battle of New Orleans, which saw the city defended against British attack, a Republican politician named George Poindexter argued, in a letter to the *Mississippi Republican*, that the British password for the day of battle was “BEAUTY AND BOOTY.” He continued: “Had victory declared on their side, the scenes of Havre de Grace, of Hampton, of Alexandria ... would without doubt have been re-acted at New Orleans, with all the unfeeling and brutal inhumanity of the savage foe with whom we are contending.” The British unequivocally denied any use of the phrase; Federalists, too, denounced it as a Republican forgery; but, as Nicole Eustace argues, “the story of ‘Beauty and Booty’ soon spread across the country, inspiring pointed commentary wherever it spread. It seemed the tale was simply too good to let go.”²¹

With or without evidence of rape, Americans excoriated British

or “foreign” soldiers as rapists. They were building upon longstanding political traditions. During the 1770s, patriotic outrage against British taxes and authoritarianism was amplified by accusations of rape by British men, of American women. Pictorial images of Britain ravishing America, rendered as an indigenous female body, began to circulate from the spring of 1774.²² Small wonder that the outbreak of war against the old enemy prompted a renewal of the old accusations. This was a discourse written by men and for men, appealing to their agency as men, calling upon them to defend their women-folk. It was “rape without women.”²³

Rape figured more prominently in American than in Canadian public discourses because Americans nurtured a more violent print and political culture, and that violence continually threatened to redound upon American women. Americans chose a rhetoric of violence to construct an aggressive and bellicose national identity and definition of citizenship. Nor did it stop at British men. Throughout the period, white American men defined themselves against black and indigenous men; they freighted those racialized boundaries with extraordinary violence, and they styled themselves as the defenders of a white American womanhood continually in danger of reprisals from their enemies. The politics of slavery nurtured exaggerated fears of sexual assaults by black men upon white women. Black men who raped or threatened to rape white women were more likely to be executed than were white men, though historians also find considerable sympathy for the possibility of false accusations by “degraded” white women.²⁴ In Upper Canada in 1813, slavery had only a fragile legal existence and was rapidly dwindling into nonexistence. For lack of a powerful lobby that could benefit by ramping up outrage at the spectre of unrepressed black male sexuality, racialized rape fantasies had scant place in the print culture of Upper Canada.

Americans and Canadians also had different discourses around indigenous violence. Here again, more deeply entrenched traditions of violence on the American side of the border fuelled public outrage more overtly than in the Canadian colonies. The American settlement frontier was extremely violent. Circa 1810, Andrew Jackson was exhorting American men to ever more violent acts of confrontation: for Jackson, Americans deserved exactly as much of the

expansive western part of the continent as they could violently seize from indigenous peoples living there. "My guns are my passports," he insisted when border officials queried his right of passage into indigenous settlements.²⁵ There existed very little evidence of sexual assault of white women by indigenous men on the frontier. But they neither recognized women as "innocent" nor spared them from assault, murder, or slavery; and the reports of violent confrontations that did circulate were often deeply sexualized in the retelling.²⁶ One version widely read in the late eighteenth century, complete with woodcut illustration, was *The Affecting History of the Dreadful Distresses of Frederic Manheim's Family*. The twin daughters of Manheim were stripped naked, tied with their hands over their heads, and then punctured hundreds of times with sharpened splinters that were then set alight.²⁷ Such diatribes ramped up during the War of 1812 and were subsequently fuelled by the Indian wars. Canadians heard similar accusations only during rare moments of extreme violence, as in the aftermath of the Northwest Rebellion of 1885.²⁸ Upper Canada had no such violent backdrop and no such hysteria around rape. It might lurk in the mind of vengeful savages like the fictional character Wacousta, but Wacousta remained "bound by conventions of honour."²⁹ John Sunday, an Ojibwa chief, claimed in 1847 that no Indian had raped a white woman in Upper Canada.³⁰

Without the fuels of revolution, slavery, or frontier wars, Canadians lived in a less violent culture. More freighted was the divide between French and English, exacerbated by the overlapping divide between Catholics and Protestants, and those tensions did indeed fuel a later notorious rape narrative, that of Maria Monk. A Protestant convert from Catholicism, Monk published a shocking account of her ordeal at a Montreal convent during the 1820s where obedience to priests meant "to live in the practice of criminal intercourse with them." Such priestly ill treatment caused the death of one pious girl of fourteen. James Lewis remarks that "Expressions like 'in our beds before us' and 'ill-treated' were about as close as one could come to describing sexual atrocities and still expect to sell books to a middle class Protestant readership."³¹ But Monk's account was published in the United States (where most of the 300,000

copies of her *Awful Disclosures* were sold) and it was widely rejected in Canada as spurious long before Monk had gone on to discredit her authority with illicit pregnancy, public drunkenness, and larceny. American anti-Catholic nativists had taken Monk in hand and published her book; they may even have written much of it. Again, it seems that Americans were quicker to invoke and circulate rape talk than Canadians.

Violence, in short, figured in American popular and print culture largely to the extent that it served American political or patriarchal purposes. The family history of Laura Secord exemplifies the point. Her brother-in-law, David Secord, serving with Butler's Rangers (as did his father and another brother), in July 1778 heroically ("at the risk of his own life"), and not without injury, rescued three American soldiers from violent retaliation, after they brutally raped and murdered the wife of an Oneida chief. The episode received very little public attention, doubtless because it was committed by, rather than against, American manhood.³² (Canadians gave it more attention: a lecture to the Imperial Order of the Daughters of Empire in 1937 recorded the "mortal peril" to young David Secord in the grieving chief's threat: "I kill them or kill you."³³) Indeed, that episode went down in American history as the "Wyoming massacre," an "exceptionally savage" attack upon Americans perpetrated by Joseph Brant and his Six Nations volunteers. Historian Alan Taylor observes that Butler's raiders massacred the captives, and the volunteers "behaved better than did the Continental soldiers who ravaged Iroquois villages," and invoked the massacre to justify their extreme violence.³⁴

In the spring of 1813, Americans needed a good atrocity story to rouse flagging martial ardour. It turned out that the expansionist ambitions that war hawks like Andrew Jackson yearned to unleash faded once militia men crossed the border into Canada. American soldiers fought ferociously for "American" lands, but less ferociously to take lands from other settlers whom many knew personally as ordinary folk like themselves. The correspondent to *The Enquirer*, "P," thus, laboured to convert the Hampton atrocities into patriotic military fervour. His remarks, quoted earlier, continued: "But enough is known to induce the belief of the existence of many other

cases, and enough to fire every manly bosom with the irrepressible desire of revenge ... Men of Virginia! Will you permit all this? Fathers, and brothers, and husbands, will you fold your arms in apathy, and only curse your despoilers? No, you will fly with generous emulation to the unfurled standard of your country. You will learn *to command; to obey*; and, with 'Hampton' as your watch word—*to conquer*.”³⁵ The eyewitness accounts and outraged complaints to British authorities were all preserved in the American Congressional Records. This was rape put to the highest political purposes.

The nascent Upper Canadian print culture did not stretch to such salacious extremes. Political tensions were muted before the war: in Niagara, “local tensions did not go very far beyond occasional rather gentlemanly electoral scraps.”³⁶ The press was still very new: the first newspaper, the *Upper Canada Gazette*, appeared in 1793, largely supported by government publication contracts, and it lacked serious rivals until the *Guardian* was founded at Niagara in 1807 and the *Kingston Gazette* in 1810.³⁷ Most were founded by American immigrants who filled them with American content: the *Kingston Gazette* contained about 75 percent American content between 1810 and 1815.³⁸ Their editors responded to the outbreak of hostilities by suspending publication or returning to the United States. Jeffrey McNairn observes that “The *Kingston Gazette* was the only colonial newspaper operating throughout the war, but it published little more than the speeches opening the first four sessions of the sixth parliament.”³⁹

The Montreal press, largely in the hands of Scottish immigrants, picked up some of the slack, especially the Montreal *Herald*, which provided much lively editorial content. One vitriolic series of letters criticizing British military mistakes earned the editor, Mungo Kay, and the printer charges of criminal libel in 1815. The *Herald* spoke frankly of rape occurring in Europe during the spring of 1814 and less frankly of outrages committed against women in Upper Canada. In January 1813, refuting the claim of “Indian” attacks on women and children, the *Herald* instanced the battle of Queenston Heights where “the Indians rescued and protected to their own homes, two helpless women, who had on that day unfortunately fallen into the hands of some ferocious savages, who then disgraced

the situation of officers in the Amer. Army.” Another article instanced an American attack on the Delaware mission at Moraviantown, burnt during the Battle of the Thames in October 1813: “The Americans killed two old Indians and a squaw—one of the men aged 85 years they ran a stake up his body, and planted him in the public road after scalping him. A poor woman on the same day underwent so much cruelty, that she was left on the spot for dead.” She was rescued and restored to her friends in Burlington, “a living witness of the barbarity practised by those who profess christianity.”⁴⁰ (This may be “an Indian sister, Eleonora, who was murdered below Fairfield,” according to one source, but Robert Gourlay’s *Statistical Account of Upper Canada* argues that no Moravian women were killed, distinguishing between “Sister Elonora, reported to be killed but afterwards seen alive” and “one Chippewa woman killed and scalped.”⁴¹)

But these were oblique hints and, even in the *Herald*, they were overshadowed by an emerging party line that denounced Americans primarily for their mistreatment of property, and of women and children only incidentally to that war on property. The plundering and razing, begun in York, intensified in December when Newark, capital of Niagara district, was burned, forcing hundreds of women and children into the bitter cold. Outraged accounts appeared in all Canadian newspapers. An authoritative final word on the subject of wartime atrocities, one that continues to be widely reprinted, appeared in the *Herald* in the spring of 1815, as a response to Thomas Jefferson’s complaint that the British burning of Washington was an act of barbarism. Not so, according to the letter; this was justice. The letter carefully enumerated and analyzed all the purported outrages committed by American and by British-Canadian troops. It upheld British warfare as waged “in most forbearing manner” and accused the Americans of “atrocious acts of violence” and “reducing fire and pillage to a regular system.” The “great depredations” of 1813, including the mistreatment of women and children, along with the officers’ justification of their actions, were all carefully dissected. So too were claims of British atrocities, including the “cruelties exercised at Hampton, Virginia.” Here, the correspondent admitted, “some depredations were comitting by the

Foreign troops,” but the men were provoked by seeing comrades “cruelly massacred” in the water as they fled two captured ships, and “before any material damage was done they were remanded on board.”⁴²

The letter’s author, John Strachan, was the leading ideologue of the Upper Canadian war effort and the colony’s conservative political establishment more generally, as well as an investor in the *Montreal Herald*. More than any other person, John Strachan carefully and strategically erased sexual assault from the Upper Canadian public memory of the War of 1812, according to a process that merits careful scrutiny. Strachan was a Scottish-born clergyman and schoolteacher in Cornwall who moved to York in 1812 when he was named official clergyman to the colonial legislature. General Isaac Brock created the post in hopes of encouraging the legislature to vote funds for the colony’s defence. Strachan’s inaugural sermon in August 1812 urged a restrained, Christian form of soldiering “neither animated against his enemy by hatred nor revenge.”⁴³ When British officers abandoned York to American occupation in the spring and summer of 1813, Strachan stepped forward to negotiate the terms of surrender: “the principal inhabitants retreated but I remained to protect the Hospital, the women and children.”⁴⁴ The episode catapulted his public career upwards.

Strachan’s mission extended to the Loyal and Patriotic Society of Upper Canada, of which he was a founding officer in 1812, and under whose authority he signed his letter to Jefferson (also publishing it in the Society’s final report). It collected subscriptions to relieve suffering families, carefully recording their losses and the sums dispersed, and sent such reports to the press under Strachan’s byline. On 3 February 1814, for example, the Society voted \$100 to James Secord “who was twice plundered and lost almost all his property, all his clothes, and furniture.” The Society’s records speak of plunder, suffering, and loss of clothing; they occasionally refer to violence, as in the case of Samuel Glasgow of Niagara: “taken prisoner, farm pilaged during his absence and his wife, when she complained, treated with great brutality.” The Glasgows received twelve shillings tenpence.⁴⁵ The records do not speak of rape. From that perspective, the reference to an absence of “material damage” in Hampton, Virginia,

may reflect an almost professional calculus of suffering. Losing a house or a family member was material damage; violent aggression did not figure in the calculations in the same way.

But Strachan had another more personal context for such a reflection. Strachan's wife Ann was at York and "terrified" during the first American occupation.⁴⁶ That autumn, to spare Ann, now pregnant, from such an ordeal again, he sent her to Cornwall "for safety. It unfortunately happened that she reached Cornwall a few days before it was entered by the enemy and suffered on that occasion some loss of property but much more in her feelings for herself & children," as Strachan explained to the military authorities in early January 1814, begging leave to go to her. Historians argue that Ann Strachan was probably raped; certainly she was left "in such a state of emotional and physical collapse that her family and friends despaired of her life."⁴⁷ A letter by Strachan, written to the Lieutenant Governor of Upper Canada, Francis Gore, reflected bitterly that "The war has now assumed a more terrific aspect since the system of burning commenced — it was begun by the enemy at Niagara with circumstances of peculiar atrocity." But bitterness was constrained. Strachan informed Gore that he had "some thoughts of addressing a public letter to you on the conduct of the war in Canada, but I was afraid of hurting the cause which I am anxious to assist for I should have been compelled to censure many of the measures adopted during the two campaigns, but my pamphlet would have fully justified the ministry." He desired to see better conduct of the war and a greater "military fire & vigour of decision," but refrained from saying so publicly for fear that such a statement might not be "agreeable" to Gore. Events may have intensified Strachan's fervor, but they manifestly did not provoke the kind of populist rhetoric seen in the American press.⁴⁸

John Strachan tried to keep his wife securely distant from either the war or discussion of the war. He loved her dearly and refused to turn her sufferings into fodder for his career or his country. Strachan's sermon of Thanksgiving for the end of European war, given in 1814 (prematurely as it turned out), mentioned women only as relicts of fighting men, that is, as widows and orphans, joyfully relieved by Christian charity. Rather, Strachan dwelled on the

pleasures of a banal, unsensationalized patriarchy restored and reaffirmed, all tensions between governing and governed dissipated:

The people will denominate these their enemies, and not their friends, who busy themselves in exaggerating the faults of Rulers and Magistrates; nor will they longer hear with avidity the declamations of self-named Patriots, which serve no other purpose but that of degrading their superiors. Taught by severe experience, that these are the methods used by designing men to raise themselves into consequence, they will behold them with a just suspicion. A greater perfection in Governments will not be expected than is seen in the regulation of private families.⁴⁹

John Strachan understood that resentment in any form was a populist project and a threat to paternalism. All governing classes had faults that might be translated into grievances; the trick was to play down the importance of those faults by insisting upon the countervailing pleasures, security, and dignity of traditional rule. A rape, from this perspective, might be seen as a fault, but no more than a fault — certainly not grounds for political discontent in an otherwise well-ordered community. The War of 1812 did make Strachan more responsive to the problem of managing public opinion, in that he reversed his earlier hostility to state-sponsored schooling for the people, but this was to be an opinion carefully shaped from the top down.⁵⁰ He understood that any attempt to unleash a popular patriotism to match that of the Americans would irresistibly work its own process of Americanizing the population.

By reason of its Tory rather than Revolutionary origins, Canadian patriotism in 1813 was less sensationalist and less infused with violence than American patriotism.⁵¹ Upper Canada's elite waged war in ways calculated to damp down rather than inflame popular patriotism. The differences of voice can be seen in the kinds of sources that Ernest Alexander Cruikshank used, a century later, to amass his prodigious, multi-volume *Documentary History of the War of 1812*. He relied heavily on letters written to newspapers such as the *Buffalo Gazette* by American soldiers. Canadian accounts, by contrast, were largely taken from private letters not intended for publication, and

they were not aimed at eliciting popular outrage. For example, one important source for Cruikshank was the correspondence of Anne Powell, wife of William Dummer Powell, a Loyalist who served as a judge in Niagara from 1798 to 1808, when he was named to the Executive Council and moved to York. William was another founding member of the Loyal and Patriotic Society, while his daughter presented a banner to the Third Regiment of York Militia, on behalf of the Patriotic Young Ladies of York, to express confidence in “the efficacy of your protection.”⁵² Anne Powell was deeply, even politically committed to propriety.⁵³ Her social codes were not simple ones: her biographer notes that she equated political opposition to the government with “low and unseemly behaviour” but she personally defied both her husband and the Lieutenant Governor of Upper Canada when they tried to insist that she meet socially with the wife of an Upper Canadian official, John Small, who had been accused of sexual improprieties before her marriage. In 1810, husband and wife acted together in squelching a different sex scandal. When a “Miss Bailey” complained to a York magistrate, Alexander Wood, that she’d been sexually assaulted by a man she’d managed to injure in the groin with a pair of scissors, Wood demanded to inspect the private parts of Upper Canada’s finest young men. The young men were outraged and so were the Powells. Anne ostracized Wood, while her husband threatened sodomy charges if Wood did not leave Upper Canada, and he published an attack on Wood that was a marvel of obliqueness. Anne Powell was consistently more concerned for appearances than for the plight of women tainted by sex, voluntarily or not.⁵⁴ The Powells were, despite differences with Strachan (who took Wood’s part), equally devoted to the project of making Upper Canada as socially and politically conservative as possible. For the socially aspirant — like Strachan, the son of a stonemason, and Anne Dummer Powell, the daughter of an impoverished physician and mortified by her early experience working in a shop — ostentatious rejection of casual sexual norms was necessary for social advancement.⁵⁵

American patriots reveled in the extraordinary new possibilities of print culture; Upper Canadian patriots feared its dangers. With the Revolution behind them and a whole continent stretched out before them, just beyond the British-held borderlands, American

sovereignty rested in the willingness of American men to resort to violent seizure of what was not — but could become — theirs. For a John Strachan, by contrast, Canadian sovereignty could only be upheld so long as American men and American ways of thinking could be kept at bay, with as little violence and as little popular agency as possible. These differences between the two political cultures stretched back to the mid-eighteenth-century,⁵⁶ but took on an explosive new form in the War of 1812. Patriarchy operated differently in these two cultures. Rape figured prominently in American print culture, as an exhortation to violence, to be marshaled and deployed by white American men against racialized enemies both internal and external to the body politic. Rape talk was much closer to being a zero sum game for conservative ideologues of Upper Canada worried about internal Americanization.

Americanization from within was a real danger to the Upper Canadian establishment because the colony contained many late loyalists of questionable loyalty. The Niagara peninsula, in particular, was widely conceded to be extensively “disaffected.” David Secord, who owned 600 acres around Niagara, was one of 18 of the “most wealthy and influential” residents in the region who signed an address urging the reluctant military authorities to impose martial law on those grounds. Many others confirmed the disaffection towards Britain and towards local elites in Niagara, including General Brock and William Dummer Powell: “little reliance is to be had in the power of the well disposed to repress and keep down the turbulence of the disaffected who are very numerous.”⁵⁷ That disaffection stretched even to the legislative assembly. Joseph Willcocks, an Irish-born, American sympathizer, who lived and published a newspaper in Niagara from 1807 to 1812, joined the American war effort in July 1813 while still a sitting member of the newly burnt provincial legislature, and he later fomented the burning of Newark.

To what extent was disaffection gendered? Behind the discourse of patriotic protection of women and children appear hints of a fear no less haunting than that of male political turbulence: female domestic turbulence. What, after all, was disaffection but affection seen from a different perspective — affection for American rule, American institutions, and, dare it be suggested, American man-

hood? A Scottish doctor who settled and practised in the Niagara peninsula after the war, John Howison, in 1821 described its effects in terms of infection, contagion, and indecency:

The presence of a hostile army always enables those who are inclined, to commit excesses of every description with impunity; and example is more than usually contagious under such circumstances. Most of the American private soldiers were entirely destitute of moral principle, or any sense of decency, and often exhibited a wanton and unblushing profligacy, which in Europe would have received chastisement from the law. A good deal of this was communicated to the peasantry of Upper Canada, and the influence of the infection is not yet entirely destroyed.⁵⁸

Howison may have been speaking metaphorically about “infection” because he used the term to describe a new cupidity or market orientation amongst Niagara farmers. It is unclear what was spread to the Canadian “peasantry”: whether infection that was the byproduct of indecency amongst American soldiers (possibly including rape) or whether it was their indecency that was contagious by example. But the inflammatory passage (which was excised from the second edition the next year), unmistakably suggests some sort of illicit congress on the part of Upper Canadians. So does a sermon given immediately after the war by Robert Addison, the Anglican minister in Niagara, who observed a great deal of the local suffering and had distributed relief on behalf of the Loyal and Patriotic Society. Addison urged relief towards bereaved families so as to prevent them from descending to dreadful depths: “But too frequently do we hear of men driven by the desperation of their circumstances to desperate means with the destructive view of bettering them; and even wretched, unhappy, misguided females, lost to virtue and respectability by the bribe of money to overcome monetary want, and in either case what is their inexpressibly miserable end—remorse and ignominy.”⁵⁹ Again, American invasion apparently provoked sexual demoralization.

My argument here is not that women were promiscuous or not,

with American men or not. Rather, such evidence recalls the forensic politics of rape. Any hint of sexual promiscuity or disaffection would have signaled to the Upper Canadian patricians that a claim of rape carried dangers. American men, confronted with a charge of rape, argued that consent had been given — that they had been seducers rather than rapists. A polemic around rape in Upper Canada could be expected to follow that pattern and to drag the reputations of Upper Canadian women through the mud. Such a polemic would have dovetailed too perfectly with the larger American understanding of the invasion of Canada, as met by nominal refusal that must eventually become enthusiastic consent. Indeed, even before the outbreak of the war, American imagery of a feminine Canada “panting” for American possession, had been noted in Canada: “When will the bleak and boreal, icy and frosty, and brumal regions of cold Canada come into our impatient paws, prepared, and as it were panting for possession? When will northern Columbia, septentrional Fredonia, freed from the fangs of the British Lion, escape ‘with dewey fingers’ frozen, to the warm embrace, the congenial copulation of a more callid clime?”⁶⁰ Such language came all too naturally to American pundits. Concern for deference and decorum probably helped to ensure that protection of Upper Canadian womanhood was both military and discursive and that reference to rape, either accomplished or intended, would be suppressed over the course of the war.

Part II: Sexual Violence and the Making of Separate Spheres

The Upper Canadian public sphere would not long sustain the decorous tone seen during the War of 1812. Even as Strachan’s students formed a new generation of political leadership at York, they confronted an increasingly lively reform movement, energized to no small degree by the government’s attempt to disarm any persisting disaffection by disenfranchising American-born residents. As disputes around ethnic identity hardened into disputes around the patrician elite’s fitness to govern unchecked by popular vote, the public sphere became increasingly indecorous. Not only did reformers descend to scurrilous insults — they aimed their insults at

women. The more that the Upper Canadian patricians sought to depoliticize their womenfolk, insisting on their respectability as the wellspring for the genteel virtues that fitted their class as a whole to govern the colony, the more their critics reacted by denouncing those same women as irredeemably besmirched and besmirching. The Tory Samuel Peters Jarvis justified the 1826 types riot against reformer William Lyon Mackenzie and his *Colonial Advocate* on grounds that Mackenzie had “distressed and insulted” the townswomen by bandying about their names with “the coarsest abuse.”⁶¹ In the more polarized political atmosphere of Lower Canada, the Patriots marked Queen Victoria’s coronation by shouting “The Queen is a whore.” This tendency, well studied by historians, culminated in the disenfranchisement of women in both Upper and Lower Canada by mid-century, along with a growing insistence that women restrict their activities to the private or domestic sphere. The logic of that separation was grounded in the equation of public activity with sexual immorality. As Allan Greer observes, “Self-display was repugnant to good women because it signified sexual immorality, just as surely as female confinement to private pursuits indicated chastity.”⁶²

The Victorian concept of separate spheres was an ideal more than a grounded reality. Women continued to occupy men’s space both public and private throughout the century. But they did so under conditions that became increasingly dangerous for them. The spectre of sexual violence underpinned their relegation to domestic spheres, even as it blunted their ability to denounce that process of relegation. The process was, according to historian Anna Clark, clearly visible in the coverage of rape trials around the turn of the century, reflecting the extraordinary expansion of print culture. Newspapers sought wider readerships by paying more attention to crime. Eighteenth-century newspapers scarcely noticed rape trials; nineteenth-century newspapers stuffed column after column with salacious accounts. Even such highbrow newspapers as *The Times* of London began to provide coverage that was “lurid and detailed.”⁶³ As mechanisms of male sociability *par excellence*, newspapers tended to take the patriarchal perspective, scrutinizing female claims suspiciously. The result, according to Clark, was to sexualize public space: if women could not move about in public places without the threat

of male sexual violence, then women must avoid public spaces and restrict themselves to the more protective domestic sphere, illusory though that protection was, given that most rape occurred at the hands of acquaintances and relations.

Canadian newspapers lagged behind the British press in content and readership, but they too began to cover rape trials extensively.⁶⁴ Canadians also reflected alongside their peers on the meaning of evidence in rape trials, and they did so in ways calculated to reduce female voice and to read consent ever more expansively into women's bodies. Medical reasoning provides one example of the process. In cases where a trial pitted a woman's word against a man's word, doctors could provide evidence to tilt the balance. The point of departure in any rape trial was: might this woman be lying? If doctors did not take seriously the possibility that she might be lying, their evidence would have been useless in the courts. Thus, doctors had a twofold role. They had not simply to observe the body of the female complainant, but also to discount her words. Their role was to reduce the importance of the woman's account of her rape so that, ultimately, the case could be decided, as much as possible, by men speaking to men (women were not yet licensed practitioners). This was not simply a question of rape: medical authority more generally was moving away from reliance on patient narratives and towards more objective readings of the body, rooted in pathological anatomy. But whether or not they had been trained in the new Parisian methods, doctors everywhere regularly confronted the problem of unreliable patient narratives; the courts merely increased the visibility and the stakes of the problem. And while men had reasons to deceive their doctors (i.e. to avoid military service or obtain a military pension), female patient narratives were seen as particularly unreliable.⁶⁵ An essay on medical jurisprudence, published in the *Quebec Medical Journal* in 1827, reflected at length on such problems of unreliable testimony and on rape in particular. The author (probably editor Xavier Tessier) expressed relief that a recent local rape conviction, insufficiently supported by medical evidence, had been overturned. Only medical science could truly appreciate "the confidence to be placed in the assertion of ignorant or corrupt witnesses." He warned against misleading evidence for or against rape

— the onset of menses could imitate signs of violence — and dispassionately noted that many experts believed no lone man could rape an adult woman without the help of other men or narcotics.⁶⁶ Such logic, if generally applied, would have resulted in the dismissal of most rape cases *a priori*.

We know that many cases were not dismissed *a priori*: rape convictions were upheld, even if in small numbers, throughout the colonial period. But to secure a conviction, women had to draw on their reputation. Women of unimpeachable respectability, embedded in social networks that testified to that respectability, were best positioned to uphold a charge of rape, especially when their rapist had no such evidence of respectability. Two cases from Montreal in 1813 illustrate the point. One successful prosecution involved an aged widow, running respectable errands in broad daylight, attacked by a suspicious-looking transient who, precisely because he was transient, couldn't impugn her respectability and uphold his own. He was sentenced to hang.⁶⁷ By contrast, in the case of a 17-year old servant girl, Susannah Davis, who brought charges against a male householder (in whose house she was living temporarily), the accused produced eleven witnesses who testified to his respectability, while Davis could produce only one witness. The verdict was "not guilty."⁶⁸ The more respectable the defendant, which is to say, the more embedded in established networks of male sociability, the less likely he was to be hanged. Thus, a soldier, while he might be staying somewhere only briefly, like a transient, could expect protection from his military colleagues and authorities, his network of male sociability. In his study of gubernatorial pardons in Nova Scotia before 1815, Jim Phillips notes the "primacy of military influence."⁶⁹

When, by contrast, a dishonourable woman denounced a respectable man, there could only be one outcome, even when a rape had clearly occurred. In such a confrontation, the ultimate stake was not control of women's bodies but control of men's words (without which there could be no control of women's bodies). Such a confrontation gripped the Toronto public in the mid 1850s. Ellen Rogers kept a bawdy house on Sayer Street — but did that give local youths the right to gang rape her in her own home? The presiding judge, Henry Eccles, remarked that, while Rogers was protected

from rape by the law, she lacked the personal authority that a conviction required:

I would urge that although she was entitled to the protection of the law, she was not entitled to credit, and no jury would convict upon the bare statement and assertions of a woman who, while telling her story, admitted that she was of the lowest grade of character ... Any man is liable to be prosecuted at any time by women of this character. They might come forward whenever they pleased, and say that they had been violated. And where was the protection in such an event? Nothing but the security of the jury.

Eccles further expounded on the severity of the death penalty and the respectability of the young men. The jury quickly found the young men not guilty, a verdict greeted with cheers.⁷⁰ Medical evidence was irrelevant in such a case. What the courts were trying to decide was whether the female or the male had the right to make public accusations — whether they had discursive authority.

Women of letters proliferated in the early nineteenth century, genteel female emigrants to Upper Canada not least among them. But their participation in the public sphere was constrained and probationary, subject to their irreproachable respectability. Take the example of Felicia Hemans, the most published poet of the early nineteenth century. She was quoted in the *Montreal Gazette* in 1833 as defining the boundaries of public discourse for women: "She can never, with consistency, appear in the forum or the pulpit — in the senate or at the polls — still, without disparagement of her sexual character, or infringement upon those hallowed feelings which the delicacy and loveliness of her nature have cast around her, she may devote her leisure to the pallet and the pen, and send forth the emanations of her soul, to enlighten and to bless." To later ears, like those of Elizabeth Barrett Browning, Hemans sounded more like a lady than a poet, but in the pre-Victorian literary sphere she probably represented enlightened attitudes towards female writers.⁷¹

The demands of irreproachable respectability prevented women from speaking publicly of sexual matters. An example of just how far one could go is provided by Anna Jameson, née Murphy, who was an

outspoken early advocate of women's rights. She was working in Britain as a governess in the early 1820s when she married Robert Simpson Jameson, who went to Upper Canada in 1836 as chief justice. The couple had already lived apart for several years by that time, and their effort at reconciliation in Canada was unsuccessful. Jameson toured around Canada and the United States and returned to Britain the following year. She supported herself with her pen, including a Canadian travelogue published in 1837, always insisting that women had the right to education that would enable them to support themselves, rather than be confined to the role of a male helpmate. Patriarchal protection of female chastity — what Karen Dubinsky memorably calls the “good cop” of the sexualization of women and public space — earned Anna Jameson's scorn but even she could speak only cautiously and obliquely on such a subject:

If the chastity of women be a virtue, and respectable in the eyes of the community for its own sake, well and good; if it be a mere matter of expediency, and valuable only as it affects property, guarded by men just as far as it concerns their honour — as far as regards ours, a jest, — if this be the masculine creed of right and wrong — the fiat promulgated by our lords and masters, then I should reply that there is no woman, worthy the name, whose cheek does not burn in shame and indignation at the thought.⁷²

The “bad cop” of sexualization — rape itself — was even more off limits to respectable women trying to create a public voice legitimated by “delicacy.” An illustration of this deepening female silence comes from the Russian theatre of the War of 1812. One scholar of literary culture among aristocratic women, Alexander Martin, finds that the French invasion of Russia shattered their “bubble” and served to liberate them as writers. But amidst evidence of widespread rape, including in their private letters, he finds no references to it in their published work. Martin is frankly perplexed by the silence, contrasting it to detailed descriptions of the same kind of widespread private and public plundering that Upper Canadians described at the hands of their invading army. He asks: “Given their [the soldiers'] shocking willingness to violate those key spaces of the world of

women, namely, the family home and the church, were women's bodies likely to be safe?"⁷³

But respectable women writing in the early nineteenth century would have had good reason to broach rape cautiously, if at all. Women reflecting upon the war would have felt constraints very like those experienced by women in the courts. Either they admitted to some familiarity with sexual violence, in which case they tainted themselves as authorities on moral grounds, or they refused to admit to any familiarity with sexual violence, in which case they tainted themselves as authorities on empirical grounds. Rape was possibly the most closely policed subject from the perspective of upholding male authority. It was the most likely to attract serious debunking by apologists for patriarchy, apologists who understood that a vicious *ad hominem* argument was the strongest weapon they possessed. If you were a woman aspiring to a public voice, rape was a minefield. Women could write with authority on the condition that they eschewed any serious critique of male sexual violence. The accommodation was unstable but, in those early decades of the nineteenth century, it was remarkably hegemonic. The result was to make male sexual violence the unspeakable place where men's rule and women's resistance collided — the sharp edge of patriarchy. By sexualizing the edge of patriarchy, men blunted women's critique of it.

Rape was not the only place where female and male agency collided, but by virtue of its unspeakability it was an important one. After all, the most referenced political theorist of the late-eighteenth and early-nineteenth-century Anglo-imperial world, William Blackstone, warned Parliament against formally defining its powers in order to prevent encroachment upon them:

The privileges of parliament are likewise very large and indefinite; which has occasioned an observation, that the principal privilege of parliament consisted in this, that its privileges were not certainly known to any but the parliament itself ... Privilege of parliament was principally established, in order to protect its members not only from being molested by their fellow-subjects, but also more especially from being oppressed by the power of the crown. If therefore all the privileges of parliament were

once to be set down and ascertained, and no privilege to be allowed but what was so defined and determined, it were easy for the executive power to devise some new case, not within the line of privilege, and under pretense thereof to harass any refractory member and violate the freedom of parliament. The dignity and independence of the two houses are therefore in great measure preserved by keeping their privileges indefinite.⁷⁴

Substitute “the two sexes” for “the two houses” and it becomes obvious that men had a vested interest in discouraging women from trying to delineate the limits of men’s powers over them. This was no obscure formula: in the years just before the War of 1812, Pierre Bédard used precisely this passage to argue for a generous understanding of the powers of colonial legislatures. Men could speak political boundaries between the sexes into being while restraining women’s ability to speak to those boundaries. And because men’s discourse alone had the power to define power, the Blackstonian formula both denied the oppressed a foothold in their struggle for liberation and permitted the oppressors to encroach upon the scant protections and liberties of the oppressed. It let men rape with impunity where they could credibly uphold their own honour and discredit that of their victims. No doubt but that this was an unfortunate consequence, or perhaps a “fault,” of the system, to use John Strachan’s term — but what political system, devised by human beings, could ever be flawless? Scandalous abuses could, no doubt, be corrected in the courts or in dire cases by special legislation (long the only means to a divorce), but the governed should bear such faults bravely and cheerfully, even patriotically, confident that God’s purpose was somehow at work. Women who protested too long or loudly were unwomanly, and they were sexualized and perhaps even Americanized (for the two dovetailed) by that process of public self-assertion. To borrow from Michel Foucault’s description of the panopticon prison, rape was a “generalizable mode of functioning.”⁷⁵ No doubt only a minority of women was raped, just as only a minority of men was subjected to prison discipline. But the spectre of sexualization worked to subject women to panopticon-like

disciplines in all the different realms of their lives.

And yet, many women continually defied such constraints. One such was Laura Secord. At a time when public and private virtues seemed almost incompatible, she managed to construct herself as a modest, yet heroic, woman. Moreover, she did so in ways that flouted the sexualization of space and gender serving to police the borders of the separate spheres. Women were vulnerable to *ad hominem* attacks even when they behaved with absolute propriety, and Laura Secord manifestly did not behave with absolute propriety when she ventured into American-infested woods overnight alone. Many women behaved heroically in the War of 1812: they hid prisoners, fought off attackers, and conveyed military intelligence. But no others achieved the stature of Laura Secord, who secured her place in history only decades later — decades spent quietly in the domestic sphere as a wife and mother. The historian must try to understand both the long silence and the public assertions. It was one thing to perform bold deeds; it was another to talk about those deeds publicly. Laura Secord was extraordinarily circumspect. As her grandson observed, “She was a modest and unassuming woman, and did not attach the importance to her exploit that it merited.”⁷⁶ And yet, ultimately, she set aside that modesty and described her heroic deed in a few simple sentences that brought her extraordinary public adulation. I think that the phrase “modest” fails as a description of Secord’s public persona. She was not just brave; she was also strategic. Her husband died in 1841, nearly 30 years after the event that made her famous. Not a word by Secord herself leaked out publicly until after his death. In the process, perhaps, she outlived any hints of scandal at her improprieties. Perhaps there was no such hint and the older understandings of public space, where women moved about freely without public concern for their sexual vulnerability, protected her. But those older understandings might have provided only limited protection. They would not have stopped malevolent neighbours from whispering campaigns — and malevolence seems likely given the tensions between loyalists and their disaffected neighbours.

The details of Laura Secord’s walk began to emerge, initially, as a story about men, for men. They did not appear in the petition by

James Secord, in 1820, for a pension in recognition of wartime injuries that prevented him from supporting his family. In appealing to and through male networks of patronage, Secord centred the claim on himself. The Secords also obtained testimonials, in 1820 and 1827, from James FitzGibbon that described her walk as helping to secure the victory at Beaver Dams. Still the story remained largely private because the Secord claims to public support were small-scale and essentially private. A few years later, the heroic walk began to enter into public discourse, but still as ancillary to the male networks of patronage and politics. In the late 1830s, the Upper Canada legislature found itself addressing the question of whether James FitzGibbon deserved recompense by reason of his public service, for his contributions to the Battle of Beaver Dams or the suppression of rebels in 1837. Tories wanted to see him rewarded, but reformers balked, and one of their justifications was his irrelevance to the outcome of the Battle of Beaver Dams. The reformers had a point: Mohawk warriors won the Battle of Beaver Dams so convincingly that the Americans had already flown a white flag of surrender before FitzGibbon arrived.⁷⁷ It was in this context that Laura Secord's story first began to emerge — cited as evidence by her son Charles that FitzGibbon was the only commanding officer that she had seen when she reported an imminent American attack. The Secords remained ostentatiously loyal, and they put their wartime experience to the service of conservative politics when they rallied around FitzGibbon.

Yet another decade passed before Secord's own account appeared in print, as a footnote within Auchinleck's serialized history of the War of 1812 published in the *Anglo-American Magazine* in 1853.⁷⁸ Only gradually did Laura Secord become the heroine of her own story. She breached gender roles as much by publishing her account as she did by walking her walk. Remarkably, not only did she manage to have her say for and to posterity, in her own words, she managed to do so in terms that frankly addressed the threat of sexual danger. As she described events:

I left early in the morning, walked nineteen miles in the month of June to a field belonging to Mr. De Camp, in the neighborhood of the Beaver Dam. By this time day-

light had left me. Here I found all the Indians encamped. By moonlight the scene was terrifying, and to those accustomed to such scenes might be considered grand. Upon advancing to the Indians they all ran and said, with some yells, 'Woman!' which made me tremble. I cannot express the awful feeling it gave me, but I did not lose my presence of mind. I was determined to persevere. I went up to one of the chiefs, made him understand I had great news for FitzGibbon, and that he must let me pass to his camp, or that he and his party would all be taken. The chief at first objected to let me pass but finally consented.⁷⁹

That epithet "Woman" encapsulated and enacted the many challenges and threats that Laura Secord confronted. Alone in the woods, unprotected by either the chaperones or the conventions of colonial society, she was in danger of being reduced to that bare modicum of human identity. Those conventions worked to protect women from the sexual appetites of men, but they permitted a huge amount of slippage, of unpunished predation, and they offered considerable license to male sexual appetite in such circumstances: a woman alone, at night, surrounded by men in the midst of a war. There was, in short, considerable sexual menace in that epithet — a menace that Secord recognized in her trembling and her "awful feeling." Sophisticated readers would have read that account with all the sexualized stories of Indian captive narratives in mind.

But there was more than romantic melodrama at work: behind the danger of rape — openly acknowledged and rejected — hovered the whole process of medical, legal, and political objectification of women that converged to reduce women to a physical object, defined by her body, its meaning ultimately determined or "read" by male readers. "Woman" could speak, but she had to speak against the logic of her physical body. The process of objectification worked to enhance the language and the message of the body, making it all the easier for men to insist on their powers of reading it and all the harder for women to be heard over its clamour. The usual fate of women's remarks was to be translated into a rhetoric of essential womanhood: to be taken as evidence for delicacy or indecency. Laura

Secord's greatest feat was getting men to listen to her words and to understand them as having empirical content with bearing upon masculine public purposes and national self-fashioning, first in 1813 and again in 1853. Ironically, the fact that she first met Kanien'kehá:ka warriors from Kahnawá:ke would have worked in her favour. Haudenosaunee traditions respect the wisdom of female elders. The exclamation "Woman!" was no disqualification to making observations of public import. Indigenous peoples of eastern Canada also suffered from the attack on women's political agency: being governed by women was additional grounds, according to Indian agents, for attack on their institutions of governance.⁸⁰

A decade later, writing in December 1861 for an American source this time, Lossing's *Field Journal*, Secord expanded upon her story: "Before I arrived at the encampment of the Indians, as I approached they all arose with one of their war-yells, which indeed awed me. You may imagine what my feelings were to behold so many savages. With forced courage I went to one of the chiefs, told him I had great news for his commander, and that he must take me to him, or they would be all lost. He did not understand me, but said, 'Woman! What does woman want here?' With difficulty I got one of the chiefs to go with me to their commander. With the intelligence I gave him he formed his plans and saved his country."⁸¹ In this account, Secord highlighted the difficulties but also the insistence upon communication: she was asked to explain herself, rather than simply identified as a woman. The emphasis was on speech, rather than the brute experience of physical confrontation.

Early important retellings of Secord's walk were by William F. Coffin in 1864, Sarah Curzon in 1876, and Emma Currie in 1900. From the evidence, men and women approached the task very differently. Coffin played up the danger posed by "Injuns," inserting a friendly neighbour who warns her to "beware of the Indians. This 'scared' her again, but she was scared still more, when the crackling of the dead branches under her footsteps roused from their cover a party of red skins." The chief confronts her with "Woman! What you want?" and silences his yelling compatriots with a wave, whereupon he agrees to take her to Fitzgibbon.⁸² Coffin dramatized the incident with made-up details to heighten the physical confrontation, viewed

from without. Female commentators, by contrast, played down objective details in favour of heightened attention to Secord's interiority and irreproachable delicacy. Sarah Anne Curzon rejected impropriety and rape from the start: she portrayed Laura telling James that the danger had already been confronted when he went off a-warring, leaving her alone; her own deeds could not, therefore, heighten that danger:

Said I one word
To keep you back? and yet my risk was greater
Then than now — a woman left with children
On a frontier farm, where yelling savages,
Urged on, or led, by renegades, might burn,
And kill, and outrage with impunity
Under the name of war.⁸³

As for the highly charged moment of meeting, Curzon elided sexual danger by erasing the language barrier, enabling Secord to make the tension political rather than sexual, and to overcome it immediately by insisting she is no spy. After Secord drinks from a pool of water ("Oh blessed water! To my parched tongue/More precious than were each bright drop a gem/From far Golconda's mine" etc.), then

She trips and falls, and instantly the Indian war-whoop
resounds close at hand, and numbers of braves seem to
spring from the ground, one of whom approaches her as
she rises with his tomahawk raised.)

Indian. Woman! What woman want?

Mrs Secord (leaping forward and seizing his arm). O chief

No spy am I, but friend to you

And all who love King George and wear his badge.

The chief listens to her "great news," and immediately gives her the aid she seeks. Curzon erased the gender gap that threatened to reduce Laura Secord to mere inarticulate womanhood and made Secord extraordinarily articulate, a triumph of female verbal meaningfulness of the sort that Curzon herself sought to exemplify.

Emma Currie's influential account of that moment, published in a book on Secord in 1900, went further than Curzon by deleting

the exclamatory “Woman!” entirely, thereby further affirming the importance of Secord’s words. She too focused on Secord’s experience of the scene, rather than describing the scene more objectively.

As she neared the vicinity of FitzGibbon, in coming up a steep bank, she came upon the Indians who were encamped there. They sprang to their feet upon her appearance, with piercing cries demanding to know ‘What white woman wanted?’ Though terrified, her presence of mind did not forsake her, but to the last years of her life she never could speak of that time without emotion. They were Caughnawagas, and did not understand English. With difficulty the Chief, who partially understood English, at last comprehended that she had a message of importance for FitzGibbon, and must see him.⁸⁴

Currie and Curzon followed Secord’s lead by focusing resolutely on her intentions, emotions, and capacity for persuasion. In the process, they confirmed her as the heroine of her own story and a continuing inspiration in the struggle to find a public voice for women, as well as an epitome of white settler colonialism’s overcoming of savage nature.

Even 200 years later, to mention sexual assault and Laura Secord in one sentence seems provocative, an undoing of so much carefully constructed respectability. No wonder students find it shocking. Bowdlerization also characterizes some recent depictions of Laura Secord. A Heritage Moment produced by the Dominion Institute sets the encounter with the Kahnawake Mohawks in broad daylight: Laura Secord opens her eyes to see indigenous men staring curiously down at her, but any tension is immediately dissipated by the words “A Part of our Heritage” that appear along the bottom of the screen. Less salacious language than a reference to Canadian heritage can hardly be imagined. Without a second’s hesitation, Secord demands in English that they take her to FitzGibbon.⁸⁵ The white woman confidently commands nonverbal indigenous men — an exemplar of articulate public purpose in the Curzon tradition.

Times change. The commemorative infomercial produced by Stephen Harper’s Conservative Canadian government in 2012 elides the neocolonial tensions but not the sexual ones. The commercial —

which had input from the highest levels of the Harper government concerning the shade of Secord's dress — deletes the meeting between Secord and the Mohawks.⁸⁶ Laura Secord loses her lines: she speaks neither to the Mohawks nor to FitzGibbon, but is instead shown only in flight through the woods, reduced to the mute status of womanhood. She manages to convey first fearfulness, as she looks backwards over her shoulder, then determination. Danger clearly lies behind her and, in the world of highly stylized visual representations of women fleeing through forests with backwards glances, that danger is saturated with sexual menace. The evocation is fleeting but brevity is necessary: a longer scene would be too obviously suggestive of a horror film such as *Friday the Thirteenth*. In the larger scheme, Secord's is a bit part, a few fleeting seconds subsumed within the more central plotline of men who are marshalled by Brock, Tecumseh, and de Salaberry to confront one another, lined up face to face, rifles and bayonets rising, culminating in the powerful word "Fire." Objectification now takes a different form. The panting woman, the rampant-sword crotch shot, the crescendo leading to an explosive, thoroughly masculine climax: this veers towards the conventions of pornography.

Following the logic of social and cultural history, one would expect to hear a forlorn ending to the moonlight encounter near Beaver Dams. If Virginia Woolf, who gave us the tragic story of Shakespeare's sister Judith, whom she consigned to a suicide's burial "at some crossroads where the omnibuses now stop outside the Elephant and Castle," had written the story of Laura Secord, then our heroine would probably have met a tragic end. But that's not what happened. Secord persuaded her male compatriots to ignore her sex and hear her words — words bearing the kind of public information that men usually monopolized. Whether or not a sexual assault *also* occurred is impossible to say. We do not know what *really* happened. But we do know that, whatever happened, it didn't stop Laura Secord from getting her urgent message through. We know this not only because FitzGibbon certified the event, but also because Secord herself told us, in her own words. She had to use male intermediaries to get her message across, both in June of 1813 and in publishing her account in 1853. Her reliance on male intermediaries in a male-dominated public sphere no doubt made her choose her

words carefully and strategically, suppressing some parts of her story, and enhancing others. We cannot know much of those choices, but we can know that they were brilliantly made because, ultimately, she did have her say, did get her message to her intended audiences, and did become a Canadian heroine. To say she defied the odds is to say she defied the cultural, political, and social influences that shaped the general circumstances of her day, but, of course, could not be fully determinative in any one case.

Do we benefit from a laboured, pedantic deconstruction of Secord's brief text, or is an infomercial the better genre for revisiting her heroic walk? I see some benefits to the former. Above all, we get a better understanding of the meaning of conservatism in Canadian history as something constructed culturally as well as politically. The War of 1812 was a foundational moment, when a persistent Canadian distinctiveness was articulated, in conscious defiance of a rowdy, populist American patriotism that threatened to overwhelm Canada. Yet, perplexingly to the Upper Canadian patricians, that patriotism could not be countered by any similar propaganda campaign in Canada. Military invasion was not much less threatening to the Canadian patricians than the Americanized print culture that threatened to monopolize and demoralize public discourse in Upper Canada. (There's an irony, then, in watching contemporary infomercials that use the War of 1812 to construct a popular "warrior nation" image of Canada.⁸⁷) In formulating a counter-discourse, one that established them as protectors of women's virtue and women's privacy, they muffled women's voices in ways that subsequent political controversies would only intensify. That process bears historical analysis because, 200 years later, as print culture expands into new, digital frontiers, *ad hominem* sexualization and open threats of rape persist as ways of silencing women who speak on topics as innocuous as whether Jane Austen should appear on British currency.⁸⁸ Laura Secord may have braved and overcome more obstacles than perhaps has been generally understood — more, indeed, than can be understood unless feminist historical analysis and public commemoration continue to interrogate one another.

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Endnotes:

- 1 Susan Brownmiller, *Against our Will: Men, Women, and Rape* (New York: Simon and Schuster, 1975); Allan Hall, "German Women break their Silence on the Rape of Berlin," *The Age* (25 October 2008); Tamara L. Tompkins, "Prosecuting Rape as a War Crime: Speaking the Unspeakable," *Notre Dame Law Review* 70 (1994–1995): 845–90; Raphaëlle Branche and Fabrice Virgili, eds. *Rape in Wartime* (London: Palgrave Macmillan, 2012).
- 2 Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, & Indian Allies* (New York: Knopf, 2010); see also Daniel Coleman, *White Civility: The Literary Project of English Canada* (Toronto: University of Toronto Press, 2006).
- 3 Colin M. Coates and Cecilia Morgan, *Heroines and History: Representations of Madeleine de Vercheres and Laura Secord* (Toronto: University of Toronto Press, 2002); Morgan's "Creating a Heroine for English Canada: The Commemoration of Laura Secord," *Presence of the past/Présence du passé: Canadian Issues/Thèmes Canadiens* (October 2003): 51–3, reflects on how little we know of Laura Secord's life.
- 4 George Sheppard, *Plunder, Profit and Paroles: A Social History of the War of 1812 in Upper Canada* (Montreal: McGill-Queen's University Press, 1994).
- 5 Donald Fyson, "Blows and Scratches, Swords and Guns: Violence between Men as Material Reality and Lived Experience in Early Nineteenth-Century Lower Canada," paper presented at the Canadian Historical Association, June 1999; Patrick J. Connor, "'The Law Should be Her Protector': The Criminal Prosecution of Rape in Upper Canada, 1791–1850," in *Sex Without Consent: Rape and Sexual Coercion in America*, ed. Meril D. Smith (New York: New York University Press, 2001), 103–35; Martin J. Wiener, *Men of Blood: Violence, Manliness and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004).
- 6 David R. Murray, *Colonial Justice: Justice, Morality and Crime in the Niagara District, 1791–1849* (Toronto: University of Toronto Press, 2002).

- 7 Sandy Ramos, "‘A Most Detestable Crime’: Gender Identities and Sexual Violence in the District of Montreal, 1803–1843," *Journal of the Canadian Historical Association* 12, 1 (2001): 29.
- 8 Jim Phillips and Allyson N. May, "Female Criminality in 18th-Century Halifax," *Acadiensis* 31, 2 (Spring 2002): 88–91. Jim Phillips, "The Operation of the Royal Pardon in Nova Scotia, 1749–1815," *University of Toronto Law Journal* 42, 4 (Autumn, 1992), 434. Phillips attributes the high proportion of executions to the fact that two of the three men executed were black. Montrealers executed three rapists from 1813 to 1824.
- 9 Carol Smart, "Law’s Power, the Sexed Body, and Feminist Discourse," *Journal of Law and Society* 17, 2 (Summer 1990): 205.
- 10 Sharon Block, *Rape and Sexual Power in Early America* (Chapel Hill: University of North Carolina Press, 2006) 50–2; see also Wiener, *Men of Blood*.
- 11 Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791–1850* (Toronto: University of Toronto Press, 1996), 34.
- 12 *Kingston Gazette* (1 December 1812).
- 13 *The Times* (10 August 1813): 3.
- 14 E.A. Cruikshank, *Drummond’s Winter Campaign 1813* (Welland: Lundy’s Lane Historical Society, 1900) 2nd ed., 10.
- 15 Cruikshank, *Drummond’s Winter Campaign*, 13.
- 16 *Niagara Spectator*, "An Address to the Prince Regent" (14 May 1818).
- 17 Donald E. Graves, "‘Every horror was committed with impunity...and not a man was punished!’ Reflections on British Military Law and the Atrocities at Hampton," *War of 1812 Magazine* 11 (June 2009); George Sheppard, "‘Wants and Privations’: Women and the War of 1812 in Upper Canada," *Histoire sociale/Social History* 28 (May 1995): 159–79; Dianne Graves, *In the Midst of Alarms: The Untold Story of Women and the War of 1812* (Montreal: Robin Brass Studio, 2007); Nicole Eustace, *1812: The Passions of Patriotism* (Philadelphia: Pennsylvania University Press, 2012).
- 18 Graves, "Every horror."
- 19 Eyewitness testimonies can be found in "Report of a Committee on the Spirit and Manner in which the War is Waged by the Enemy, July 31 1813," *American State Papers, House of Representatives, 13th Congress, 1st Session. Military Affairs*, I, 376–81.
- 20 Gilbert Auchinleck, "A History of the War between Great Britain and the United States of America," *Anglo-American Magazine* 3 (1853); (also published Toronto: W.C. Chewett, 1862), 277; Benson J. Lossing, *The Pictorial Field-Book of the War of 1812* (New York: Harper & Brothers, 1869), 684.
- 21 Eustace, *1812*, 211–4.
- 22 Lester C. Olson, "Pictorial Representations of British America Resisting Rape: Rhetorical Re-Circulation of a Print Series Portraying the Boston Port Bill of 1774," *Rhetoric & Public Affairs* 12, 1 (Spring 2009): 1–35.
- 23 Sharon Block, "Rape without Women: Print Culture and the Politicization of Rape, 1765–1815," *Journal of American History* 89, 3 (December 2002):

- 849–68.
- 24 Diane Miller Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004).
 - 25 J.M. Opal, "General Jackson's Passports: Natural Rights and Sovereign Citizens in the Political Thought of Andrew Jackson, 1780-1820s," *Studies in American Political Development* 27 (October 2013): 69-85.
 - 26 Eustace, 1812, chapter 4 discusses sex and captive narratives; Block, *Rape and Sexual Power*, 221–30; Alice Nash, "'None of the Women Were Abused': Indigenous Contexts for the Treatment of Women Captives in the Northeast," in Smith, *Sex Without Consent*, 10–26.
 - 27 James R. Lewis, "Images of Captive Rape in the Nineteenth Century," *Journal of American Culture* 15, 2 (June 1992), 73.
 - 28 Sarah Carter, ed. *Two Months in the Camp of Big Bear: The Life and Adventures of Theresa Gowanlock and Theresa Delaney* (Canadian Plains Research Centre, 1999). Both women initially claimed they were well treated but their stories were changed as they were popularized, and sensationalized as outrages. See also Kate Higginson, "Feminine Vulnerability, (neo)Colonial Captivities, and Rape Scares: Theresa Gowanlock, Theresa Delaney, and Jessica Lynch," in Jennifer Blair, Daniel Coleman, Kate Higginson, and Lorraine York, eds., *ReCalling Early Canada: Reading the Political in Literary and Cultural Production* (Edmonton: Alberta University Press, 2005): 35–72; Jennifer Henderson, *Settler Feminism and Race Making in Canada* (Toronto: University of Toronto Press, 2003).
 - 29 Margaret E. Turner, *Imagining Culture: New World Narrative and the Writing of Canada* (Montreal: McGill-Queen's University Press, 1997), 37.
 - 30 Connor, "The Law Should be Her Protector," 135.
 - 31 Maria Monk, *Awful Disclosures by Maria Monk of the Hotel Dieu Nunnery of Montreal* (New York: Maria Monk, 1836); Lewis, "Images of Captive Rape," 72.
 - 32 Emma A. Currie, *The Story of Laura Secord and Canadian Reminiscences* (Toronto: William Briggs, 1900), 19. The episode is also discussed by Howard Swiggett, *War out of Niagara: Walter Butler and the Tory Rangers* (New York: Columbia University Press, 1963), 144, but the author immediately remarks: "The present author is naturally not to be understood as stating, or believing, that American soldiers in the Revolution were in the habit of raping enemy women."
 - 33 *Montreal Gazette* (7 April 1937); also recorded ("cruelly outraged and killed the young wife of a chief") in William Kirby, *Annals of Niagara* (Welland: Tribune Press, 1896), 56 and Mary M. Dunn, "A Sketch of Some of the Secords from 1775 until 1866," United Empire Loyalists' Association of Ontario, *Annual Transactions* (1899), 98.
 - 34 Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (Westminster: Knopf, 2006), 93; Isabel T. Kelsay, "Tekarihogen," *Dictionary of Canadian Biography*, VI. See also the retraction forced upon John Strachan: See "Early Canadian Long Poems,"

- poems by John Strachan and "Introductory Material," edited by Wanda Campbell, online at: <http://www.canadianpoetry.ca/longpoems/poetry>, <viewed 1 February 2014>.
- 35 "Report of a Committee on the Spirit and Manner," 381.
- 36 Bruce G. Wilson, *The Enterprises of Robert Hamilton: A Study of Wealth and Influence in Early Upper Canada* (Ottawa: Carleton University Press, 1983), 141.
- 37 Jeffrey McNairn, *The Capacity to Judge: Public Opinion and Deliberative Democracy in Upper Canada 1791–1854* (Toronto: University of Toronto Press, 2000), 153–4.
- 38 Jane Errington, *The Lion, the Eagle, and Upper Canada: A Developing Canadian Ideology* (Toronto: University of Toronto Press, 1987), 38.
- 39 McNairn, *Capacity to Judge*, 154.
- 40 *Montreal Herald* (7 May 1814, 16 January 1813, 9 July 1814 respectively).
- 41 Robert Gourlay, *A Statistical Account of Upper Canada* (London: Simpkin & Marshall, 1822), 296; *Christian Observer* (April 1816), 262–3. Eleonora was born in 1792: Gerlinde Sabathy-Judd (trans.), "The Diary of the Moravian Indian Mission of Fairfield, Upper Canada 1792–1813," (Ph.D. diss., University of Western Ontario, 1998).
- 42 *Montreal Herald* (15 April 1815); reprinted in *The Report of the Loyal and Patriotic Society of Upper Canada* (Montreal: William Gray, 1817), 398–411.
- 43 John Strachan, *A Sermon Preached at York before the Legislative Council and House of Assembly, August 2nd 1812* (York, 1812), 7.
- 44 George W. Spragge, ed., *The John Strachan Letter Book: 1812–1814* (Toronto: Ontario Historical Society, 1946); see also A. N. Bethune, *Memoir of the Right Reverend John Strachan, First Bishop of Toronto* (Toronto: Henry Rowell, 1870) and David Flint, *John Strachan, Pastor and Politician* (Toronto: Oxford University Press, 1971).
- 45 *Report of the Loyal and Patriotic Society*, 280–281.
- 46 Bethune, *Memoir of the Right Reverend John Strachan*, 47.
- 47 Carl Benn, Daniel Marsdon, and Fred Anderson, *Liberty or Death: Wars that Forged a Nation* (Oxford: Osprey, 2006), 264; Graves, *In the Midst of Alarms*, 289.
- 48 Strachan to Revd. Dr Owen, 1 January 1814; Strachan to Lt. Col. Harvey, 4 January 1814; Strachan to Francis Gore, 1 January 1814, in Spragge, *The John Strachan Letter Book*, 55–7.
- 49 John Strachan, *A Sermon Preached at York, Upper Canada, on the Third of June, being the day appointed for a general thanksgiving* (Montreal, 1814), 27 and 35.
- 50 Anthony Di Mascio, *The Idea of Popular Schooling in Upper Canada: Print Culture, Public Discourse, and the Demand for Education* (Montreal: McGill-Queen's University Press, 2012).
- 51 S.F. Wise, *God's Peculiar Peoples: Essays in Political Culture in Nineteenth-Century Canada* (Ottawa: Carleton University Press, 1993) on Strachan and Upper Canadian ideology. Other indispensable sources include: Errington, *The Lion, the Eagle, and Upper Canada* and her *Wives and Mistresses*,

- Schoolteachers and Scullery Maids: Working Women in Upper Canada, 1790–1840* (Montreal: McGill-Queen's University Press, 1995); Janice MacKinnon, *While the Women only Wept: Loyalist Refugee Women in Eastern Ontario* (Montreal: McGill-Queen's University Press, 1993); Norman James Knowles, *Inventing the Loyalists: The Ontario Loyalist Tradition and the Creation of Usable Pasts* (Toronto: University of Toronto Press, 1997); David Mills, *The Idea of Loyalty in Upper Canada, 1784–1850* (Montreal: McGill-Queen's University Press, 1988).
- 52 Morgan, *Public Men and Virtuous Women*, 39.
- 53 Katherine M.J. McKenna, *A Life of Propriety: Anne Murray Powell and Her Family, 1755–1849* (Montreal: McGill-Queen's University Press, 1994).
- 54 W.D. Powell, *A Letter from W.D. Powell, chief justice, to Sir Peregrine Maitland, lieutenant-governor of Upper Canada, regarding the appointment of Alexander Wood as a Commissioner for the investigation of claims* (Toronto, 1823).
- 55 Anna Clark, *The Struggle for the Breeches: Gender and the Making of the British Working Class* (Berkeley: University of California Press, 1995).
- 56 Elizabeth Mancke, *The Fault-Lines of Empire: Political Differentiation in Massachusetts and Nova Scotia, c. 1760–1830* (New York: Routledge, 2005).
- 57 E.A. Cruikshank, "A Study of Disaffection in Upper Canada in 1813," *Transactions of the Royal Society of Canada* ns 6, II (1912) 30–1.
- 58 John Howison, *Sketches of Upper Canada* (Edinburgh: Oliver & Boyd, 1821), 83. This is taken as evidence of rape in Alastair Sweeny, *Fire along the Frontier: Great Battles of the War of 1812* (Toronto: Dundurn, 2012), 19.
- 59 Robert Addison, "An Old Time Sermon," *Niagara Historical Society Publications* 5 (1899): 1–7.
- 60 *Montreal Herald* (8 February 1812).
- 61 Morgan, *Public Men and Virtuous Women*, 76 and *passim*.
- 62 Allan Greer, *The Patriots and the People: The Rebellion of 1837 in Rural Lower Canada* (Toronto: University of Toronto Press, 1993): 201–2; Morgan, *Public Men and Virtuous Women*; Linda Kealey, "North America from North of the 49th Parallel," in *A Companion to Gender History*, Teresa A. Meade and Merry E. Wiesner-Janks, eds. (Malden: Blackwell, 2006), 497–8. See also Chris Raible, *Muddy York Mud: Scandal and Scurrility in Upper Canada* (Toronto: Curiosity House, 1992).
- 63 Anna Clark, *Men's Violence, Women's Silence: Sexual Assault in England 1770–1845* (London: Pandora, 1987), 42. *The Times* published explicit accounts of rape circa the War of 1812: e.g. 3 March 1812 (in Portugal), 30 October 1813 (in Spain), 22 December 1813 (at Hampton).
- 64 *Kingston Gazette* (16 June 1845); see other examples 5 February 1848, 29 March 1848, 11 May 1849, 16 October 1849; see Connor, "The Law Should be Her Protector."
- 65 Jacalyn Duffin, *History of Medicine: A Scandalously Short Introduction* 2nd ed. (Toronto: University of Toronto Press, 2010); Wendy Mitchinson, *The Nature of their Bodies: Women and their Doctors in Victorian Canada* (Toronto: University of Toronto Press, 1991); Stephen Robertson, "Signs, Marks, and

- Private Parts: Doctors, Legal Discourses, and Evidence of Rape in the United States, 1823–1930,” *Journal of the History of Sexuality* 8, 3 (January 1998): 345–88. On medical jurisprudence, Joseph Hanaway and Richard Cruess, *McGill Medicine, The First Half Century 1829–1885* (Montreal: McGill-Queen’s University Press, 2006).
- 66 *Quebec Medical Journal* 2 (January 1827), 11–13.
- 67 Ramos, “A Most Detestable Crime.”
- 68 Micheline Dumont et al. *Quebec Women: A History* (Toronto: Canadian Scholars’ Press and Women’s Press, 1990), 100.
- 69 Phillips, “Operation of the Royal Pardon,” 448.
- 70 Constance B. Backhouse, “‘The Sayer Street Outrage’: Gang Rape and Male Law in Nineteenth-Century Toronto,” *Manitoba Law Journal* 20 (1991): 46–68, and her *Petticoats and Prejudice: Women and the Law in Nineteenth-Century Canada* (Toronto: Women’s Press, 1991). See also Karen Dubinsky, *Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880–1929* (Chicago: University of Chicago Press, 1993).
- 71 Anne Mack, J.J. Rome, and Georg Mannejc, “Literary History, Romanticism, and Felicia Hemans,” *Modern Language Quarterly* 54, 2 (1993): 215–35; Susan Wolfson, “Felicia Hemans and the Dilemma of Gender,” in Carol Shiner Wilson and Joel Haefner, eds. *Re-visioning Romanticism: British Women Writers, 1776–1837* (Philadelphia: University of Pennsylvania Press, 1994); *Montreal Gazette* 31 December 1833.
- 72 Anna Jameson, *Sketches in Canada and Rambles among the Red Men* (London: 1852; first ed. 1838), 292; Dubinsky, *Improper Advances*, 8.
- 73 Alexander M. Martin, “Lost Arcadia: The 1812 War and Russian Images of Aristocratic Womanhood,” *European History Quarterly* 37 (2007): 603–621.
- 74 Sir William Blackstone, *Commentaries on the Laws of England (1765–1769)*, I, chapter 2, “Of the Parliament.”
- 75 Michel Foucault, *Discipline and Punish: The Birth of the Prison*, Alan Sheridan trans. (New York: Vintage, 1979).
- 76 Currie, *The Story of Laura Secord*, 65.
- 77 Carl Benn, *The Iroquois in the War of 1812* (Toronto: University of Toronto Press, 1998).
- 78 Cecilia Morgan describes the publication of Secord’s account, including partisan uses and loyalist framework, in *Heroines and History*, 120–30. Charles Secord’s account appeared in *The Church* (11 April 1845).
- 79 In Auchinleck, “A History of the War,” 467–8.
- 80 Dan Rueck, “Enclosing the Mohawk Commons: A History of Use-Rights, Land-Ownership, and Boundary-Making in Kahnawá:ke,” (Ph.D. diss., McGill University, 2013).
- 81 Lossing, *Pictorial Field-Book*, 621.
- 82 William F. Coffin, *1812; The War and its Moral: A Canadian Chronicle* (Montreal: John Lovell, 1864), 148.
- 83 Sarah Anne Curzon, *Laura Secord, the Heroine of 1812: A Drama, and Other Poems*, (Toronto: C. Blackett Robinson, 1887); Céleste Derkson, “Out of the

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WAR OF 1812

- Closet: Dramatic Works by Sarah Anne Curzon. Part One. Woman and Nationhood: *Laura Secord, the Heroine of 1812*," *Theatre Research in Canada* 15, 1 (Spring 1994); Beverly Boutilier, "Women's Rights and Duties: Sarah Anne Curzon and the Politics of Canadian History," in *Creating Historical Memory: English-Canadian Women and the Work of History*, ed. Beverly Boutilier and Alison Prentice (Vancouver: University of British Columbia Press, 1997): 51–75.
- 84 Currie, *The Story of Laura Secord*, 61.
- 85 Historica Canada, Heritage Minutes, "Laura Secord," <https://www.historica-canada.ca/content/heritage-minutes>, <viewed 1 February 2014>.
- 86 Government of Canada, The War of 1812, "The Fight for Canada," <http://www.1812.gc.ca/eng/1305654894724/1305655293741>, <viewed 1 February 2014>. "‘Little-known war’ of 1812 a big deal for Ottawa," *Globe and Mail* (27 April 2013).
- 87 Ian McKay and Jamie Swift, *Warrior Nation: Rebranding Canada in an Age of Anxiety* (Toronto: Between the Lines, 2012).
- 88 "Twitter reviewing abuse procedure after British activist inundated with death, rape threats," *Globe and Mail* (29 July 2013); "John Nimmo and Isabella Sorley: A tale of two trolls," *New Statesman* (8 January 2014); Mary Beard, "The Public Voice of Women," *London Review of Books* (14 February 2014).