

Pastoral power, sovereignty and class: Church, tithe and simony in Quebec

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Abstract

Michel Foucault's analysis of pastoral power has generated a large body of work in many different disciplines. Much of it has considered the paradox of the power of "each and all" or has seen pastoral power as an extension of the disciplinary gaze into welfare state policy. The political economy of the pastorate and the mutual dependence of sovereign and pastoral power, by contrast, are both relatively neglected. This article focuses on the exercise of pastoral power in a moral and political economy and examines the "arts of government" through which the Catholic Church attempted to claim that pastors lived from the flock only to live for it. While there is heuristic value in Foucault's diagram of pastoral power, in practice that power cannot be separated from class relations and political sovereignty. Empirical material is drawn from the novel attempt of Britain to govern its Quebec colony through the Catholic Church.

Keywords

Pastoral power, political economy, arts of government, simony, counterconduct, Quebec

And when Simon saw that through laying on of the apostles' hands the Holy Ghost was given, he offered them money. Saying, Give me also this power, that on whomsoever I lay hands, he may receive the Holy Ghost. But Peter said unto him, Thy money perish with thee, because thou hast thought that the gift of God may be purchased with money.

—Acts 8:18–20

I found deep in the hearts of these peasants the same political passions that led to our Revolution and which still cause all our unhappiness . . . the peasant was somewhat pained by the right of the clergy to levy the tithe, and looked upon the wealth placed in the hands of certain ecclesiastics by

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this tax with a degree of jealousy. If religion ever loses its empire in Canada, it is through this breach that the enemy will enter.¹

—Alexis de Tocqueville ([1831] in Vallée, 1973: 70–71)

A wave of work on Michel Foucault's analysis of pastoral power has swept across the disciplines in the last two decades (including in this journal: Chrulow, 2014; Siisiäinen, 2015), yet the political economy of the pastorate has not attracted much interest, nor has criticism of Foucault's neglect of class domination and of his account of sovereign power had the impact it merits. This article points to the impossibility of separating pastoral from sovereign power in a religious political economy, and flags the phenomenon of "simony"—the sin of selling the sacred—as a point where religious tribute is profaned. The article's empirical material comes from the British North American colony of Quebec, from the recognition of the Church's powers by imperial authority in the 1774 Quebec Act to the political insurrections of 1837–8. These organized "counter-conducts" targeted the status of the Church and its implication in class and state power, and they followed failed attempts to democratize the vestry and to prevent priests from interfering in secular matters. Conflict aimed at confessional freedom, the abolition of the tithe, and the colony's semi-feudal seigniorial system, but also at sovereign state authority.

After a sympathetically critical examination of Michel Foucault's account of pastoral power, I outline the Quebec Church's material conditions of existence and its implication in relations of class and political power, while pointing to some of its practical attempts to legitimate tithing the flock. Against Foucault's account, the Quebec case illustrates the mutual reinforcement of sovereign and pastoral power and underlines the tension in pastoral government between living for and living from the flock.

Pastoral power

Michel Foucault was interested in pastoral power in relation to the arts of government and the technologies of power that are combined in the formation of the modern state. His approach was shaped by his desire to "get rid of Marxism:" to eliminate the hold of the French Communist Party over the political imagination, whereby all worthy struggles were seen as class struggles aimed at seizing the state (Foucault, 1994a, 1994b, 1994c). He shifted his focus to practices of government, to the detriment of the analysis of class relations and sovereignty, and displaced the state from the center of analysis. Foucault (2007: 95, 106–107, 248) treated the state as an effect rather than a cause of governmental practices, and portrayed political economy as just another discourse in the exercise of governmental reason. I argue by contrast that sovereign and governmental practices are mutually reinforcing and I show that the pastorate depends upon a religious political economy in which resources must be extracted from the flock and sanctified as tribute to the divinity.

In Foucault's account (2007:165), the pastorate, this "strangest form of power," in its Christian version, is an "art of "governing men" and an "art of conducting, directing, leading, guiding, taking in hand, and manipulating men...collectively and individually throughout their life and at every moment of their existence." He understood the concept "government" broadly, as all actions that seek to structure the actions of others: the "conduct of conduct" (120–122). The concept leads the analysis of power beyond simple notions of control or domination.

The shepherd-flock relationship furnished a “diagram” or model of government quite distinct from the city-citizen relation dominant in early modern political theory and, hence, a way of thinking of state formation in terms other than those of sovereignty. As a *dispositif* (apparatus), technology, or assemblage (see Walters, 2012: 76–78) most highly developed in the Christian pastorate, the shepherd-flock relationship combines the government of each with the government of all, and exemplifies the individualizing and totalizing logic common to modern state administration (Foucault, 1981). According to Foucault (2007: ch. 4 and 5), it contains the upwards and downwards continuities in the exercise of power elaborated in early state theory, whereby the good governor is one who can govern the state because he can govern himself and his household. The existence of continuities in government means that those who govern (including pastors) do not stand apart from the subjectifying effects of the exercise of power.

In the pastoral diagram, the good shepherd knows intimately every member of the flock, for whose welfare he is responsible, as he scrutinizes his own conduct in order to be fit to lead. At the same time, he is responsible both for the flock and for his conduct in relation to it in the eyes of his own religious superiors. Especially through the practice of confession, each member of the flock is constrained to examine their own conduct, and confession works to produce human subjects willing to be led towards salvation (or its modern equivalents) under the guidance of the shepherd. In Foucault’s account (2007: 171–172), the good shepherd is overwhelmingly concerned with the *salut* (well-being and salvation) of the flock, and the pastoral relation, as modelled on the Biblical parables, is thoroughly benign. Still, in the complexity of the pastoral relation, where each member is the equivalent of the whole, the good of the flock may demand the sacrifice of the bad sheep. The good shepherd must live for the flock and be willing to sacrifice himself for it, yet his own practice of pastoral care demands the existence of bad sheep who may be led to salvation, but exposure to whom may also threaten his own salvation.

While such a description of the pastorate is widely shared by Quebec historians (for instance Gagnon, 2006), Foucault was interested in pastoral power in terms of state formation. It was the “origin, the point of formation, of crystallization, the embryonic point of the governmentality whose entry into politics . . . marks the threshold of the modern state” (2007: 165; also Dean and Villadsen, 2016: ch. 9). He treated it as a form of power quite distinct from that of sovereignty, while arguing that contemporary state relations articulate sovereign and pastoral power (Foucault, 1983: 215). The exact nature of this articulation remains unexplored in Foucault’s account. I will examine it below.

One obvious shortcoming of Foucault’s approach is his consistent treatment of sovereignty as the justification of monarchical power in political theory and as repressive law in political practice. He invoked the series (1994b: 150): “the problem of sovereignty, hence of law, hence of prohibition.” While sovereignty remains a complex and ambiguous concept, the sovereign powers conventionally extend beyond law and legislation to include monopolies over the legitimate exercise of violence, taxation, and more generally the determination of the infrastructure through which social life is to be conducted. Several authors (Hunt and Wickham, 1994; Rose and Valverde, 1998) stress that legal practice is not limited to prohibition and repression. Legislation and law are normative and positive in their own right and regulation is partly constitutive of social practices.

Moreover, as Singer and Weir (2008: 54–57; also Singer and Weir, 2006) point out, Foucault’s move to focus on the government of conduct directed attention away from the practical establishment of sovereign states and, by implication for my purposes, away from

the institutional articulation of sovereign and pastoral power. They stress that to ignore sovereignty is to remove the relations between rulers and ruled from consideration, as well as the perennial problem of the symbolic legitimation (the creation of a “symbolic universe”) of rule and domination, in which I argue pastoral power is thoroughly implicated.

Nonetheless, at least from a diagrammatic viewpoint, Foucault (2007: 154) held that pastoral and sovereign powers were quite separate at least until the 18th century. It was an “absolutely fundamental and essential feature” of pastoral power “that throughout Christianity it remained distinct from political power.” With this conceptual separation, he could make the rich and evocative claim that state formation involved the articulation of pastoral and sovereign power, as the former’s “flock” was re-formulated as the state’s “population.”²

Yet conceptually, equating sovereignty and law while trying to distinguish sovereignty from pastoral power ignores the reality of canon law. The Catholic Church not only developed pastoral power, it also governed its pastors and the flock through law and decree, as well as through ritual and symbolism. If sovereign power is equated with law, it is always already present in pastoral power. The separation of church and state is a product of political democratization (Singer and Weir, 2008: 452). For much of its history, the Church has been a state church.

At a lower level of abstraction, Foucault (2007: 130) stressed that the Christian Church “coagulate[d]” pre-existing “themes of pastoral power into precise mechanisms and definite institutions.” The Church “implanted its apparatuses within the Roman Empire, and at the heart of the Empire it organized a type of power . . . unknown to any other civilization.” Foucault (2007: 148) insisted that the organization of religious community in the form of a Church, “as an institution that claims to govern men in their daily life on the grounds of leading them to eternal life in the other world,” is an absolutely unique historical event. Yet while the Church as an institution is of central importance to the analysis of pastoral power, its institutional history is missing from Foucault’s account.

True, he did not claim to be offering an empirical history of the pastorate and he pointed to the great challenge of any such exercise, which would include detailing parish organization and activity, and the divisions of responsibilities between bishops and priests (Foucault, 1994d: 144). He flagged the institutional divide between the economic and spiritual powers of clergy and laity as “one of the major problems, and one of the points of collision of pastoral counter-conduct,” but did not pursue it. Speaking in a more historical vein, pastoral and sovereign powers were described as in conditions of imbrication or “intrication” (Foucault, 2007: 203). Both involved practices of subjectification, and Foucault’s stimulating re-working of the concept “resistance” through the novel pair “conduct/counter-conduct” (see Cadman, 2010; Davidson, 2011; Death, 2010) gave some historical instances of attacks on pastoral government. Yet, counter-conduct was seen ultimately to be directed against a mode of subjectification, and its grounds remained open, if not simply obscure (Cadman, 2010: 545–547). It was not discussed as directed against a mode of extraction.

Nonetheless, the economic and spiritual powers of the clergy cannot be disentangled from class relations and sovereign power, as I argue below, and Foucault’s account needs to be fleshed out by an examination of pastoral power’s practical, material, and symbolic basis. Pastors not only care for the flock, they also live from it. Legitimizing living from the flock demands work from religious leaders. Catholic religious practice, including the extraction of resources from the flock, necessarily involved the tactical and strategic direction of its subjects, which Foucault (2007: 238–239) calls the use of “arts of government,” and the Church

developed strategies to govern its flock successfully. As did other hegemonic groups, Catholic religious leaders faced the practical necessity of regulating and modulating the conduct of themselves and their allies, securing the consent of those subject to religious government, while at the same time preventing the emergence of practices that might undermine the structure of rule.

The extraction of resources from the flock was an unavoidable condition for the exercise of pastoral power. Resource extraction was framed by clergy as tribute and homage to the deity in a moral political economy and, where pastoral power operated successfully, it was understood by the laity in such terms (compare Thompson, 1971). The Church had to sanctify resource extraction to avoid its figuration as immoral domination or exploitation (Hubert, 2000: 97–102; Munday et al., 2011). Partly through counter-conduct on the part of the flock, some practices of pastoral extraction were marked as simony, the sin of selling the sacred.

In the following sections, I outline the British imperial experiment in governing its Quebec colony through the Catholic Church. I attend to some of the ways in which the Church offered symbolic and practical support to class and state power. I discuss the material conditions of the clergy and detail some of the tactics involved in extracting wealth from the flock. I point to cases of simony, where resource extraction became profanation. I end with an investigation of the forms of popular counter-conduct, directed in part at the clergy, which culminated in armed insurrection in Quebec in 1837–8. My aim is to correct Foucault's separation of pastoral from sovereign power by demonstrating that the two were mutually reinforcing. I stress that however benign pastoral power might appear in the abstract, in practice it works through a moral political economy.

Quebec

British rule in Quebec involved an experiment at governing through the Catholic Church and the semi-feudal property relations known as the seigneurial system. The British conqueror continued the division of sovereign powers among the Crown, the Church, and the class of seigneurs that had existed under the French regime, recognizing the *Coutume de Paris* in civil law, and preserving many elements of canon law (Morrisey, 1972; Niort, 2002). Its stance on state-church relations in Quebec was innovative and served as a model for religious projects of accommodation and assimilation elsewhere in the empire (Harland-Jacobs, 2015; Lawson, 1990; Stanbridge, 2003a, 2003b). The Crown had thought to abolish the Catholic Church and to turn its properties over to the Church of England but, after the 1763 Treaty of Paris, its first governors pointed to the impossibility of 200 or so English colonists ruling 60,000 Catholics excluded from all civil functions by the Test and Corporation Acts. Having a Quebec Church subject to Crown authority was preferable to having one governed from Rome. There were already signs of republican unrest to the south, and the difficulty of governing Catholic Ireland by a foreign clergy and gentry was evident to many (Curtis, 2012).

The Quebec Act of 1774 precluded Assembly government, but recognized the right of the Catholic Church to govern its flock, to own property, and to tithe its parishioners. It re-affirmed feudal property relations and made Catholics eligible for public office after taking a modified Test Oath that contained no reference to religion (Cavendish, [1774] 1839). British support for feudalism and for what was seen as a Catholic state church stoked Americans' fears that an episcopate and the slavery-like relations of the seigneurial system might also be imposed on them. An American invasion of 1775–6 that aimed at liberating peasants from

church and seigneurie enjoyed widespread support and narrowly failed to conquer Quebec, underlining the fragility of existing patterns of rule (Curtis, 2012: 30–32; Manning, 2009; Pocock, 1993; Trudel, 1956).

Sovereign, class, and spiritual relations were interdependent from the outset in colonial Quebec. In the absence of elected local government, the civil authority was dependent on the Church for most forms of administrative information, including population census and economic reporting. The Crown offered the Church legal and police protection, for instance, empowering churchwardens to police the vicinity of churches and making the robbery or desecration of a church a capital offence. The Crown formally recognized the title of the Bishop of Quebec in the 1810s, admitted him to the Legislative Council, and paid him a salary of £1,000 (Curtis, 2012; Hardy, 2007).

In practice, in contrast to both the Biblical and the Foucauldian image of the pastor, who lived only for the flock, in Quebec it was evident that the pastor at once lived *for* and *from* the flock (compare Weber, 1958), while sanctifying civil authority and the parasitical class of seigneurs. How pastors could live *from* the flock while convincing themselves and the flock that they were only living *for* it was a practical problem and an ongoing site of counter-conduct. Since pastoral power provided essential infrastructure and symbolic legitimation for the exercise of class and sovereign power, opposition to either could slide easily into opposition to religious power, and vice versa.

There was no property taxation in Quebec and state finance was based on customs, excise, and imperial subsidies. Together, Church and seigneurie extracted at least 15% of peasant surplus and perhaps as much as 25% (Grenier, 2012). Seigneurial exactions were quite visible as such. Matters were more ambiguous in relation to the Church, although religious houses owned one-quarter of the colony's 271 seigneurial properties and they were particularly assiduous in estate management (Dépatie et al., 1987; Grenier, 2012). Especially notable is the wealth of the Sulpicien order, which held the City and Island of Montreal in fief until 1840 (Deslandres et al., 2007). A number of individual priests were also important seigneurs. In these cases, class and religious power overlapped directly.

Under the French regime, the Crown had granted lands to seigneurs to hold in trust, on which they were to encourage settlement by peasant tenants, called *habitants*, by providing necessary elements of infrastructure. *Habitants* paid an initial fee to the seigneur to acquire their lands and were subject to annual rent payments and to a variety of other restrictions, reservations, and costs, including the obligation to pay to grind their grain in the seigneur's mill. Seigneurs reserved timber and water rights and some imposed labour service (*corvée*) on their tenants. *Habitants* were subject to mutation fees of one-twelfth of the value of their lands at sale, and seigneurs could exercise a right of pre-emption at this moment (Baribeau, 1983; Grenier, 2012; Noël, 1992; Roy, 1900).

Initially, grants were made at a charge that was largely symbolic, but seigneurial exactions increased as the commerce in grain and timber grew in importance after 1800, as settlement limited the availability of good land, and as an increasingly bourgeois ethos guided estate management. Concession fees rose from about six shillings in the 18th century, to 25 or 28 pounds in some areas in the 1820s. Rents, which had been a few pence per *arpent* (.85 acres), reached one pound, and additional arbitrary exactions became common. As the agricultural economy weakened from the 1820s, demands by both Church and seigneurie on peasant resources increased (*Lettres des Curés*, 1823).

The physical organization of churches and ritual and symbolic practice privileged class power. Seigneurs had a right to a double pew closest to the altar and had priority in access to

the Host and other sacred objects. They followed with their families immediately after the priest in the many processions that were part of the religious calendar, and could be buried in the church itself without cost. Some were allowed sanctified spaces in their own houses. Bishops and religious educators both counselled priests to commend the seigneurs by name from the pulpit (Lemieux, 1989: 182–183; Maguire, 1830: 14, 87–90; *Rapport des Archives de la Province de Québec*, 1937: 218, 1946: 120; Thuot, 2006). The churchwardens sold other pews at auction and charged rents in keeping with pew locations, so that wealthy peasants and members of the petty bourgeoisie might also place themselves closer to the sacred center (Hubert, 2000; Maguire, 1830: 89).

The main source of rural clerical income was the grain tithe, fixed in law at one-twenty-sixth (3.8%) of the field grain crop before any seed was set aside. The obligation to pay the tithe was present in legislation and in canon law, for the seventh commandment of the Church read: “thou shalt faithfully pay demands and tithes to the Church” (Plessis, 1816: 49); not to do so was a capital sin. The Church claimed the tithe as its own property, not that of farmer-parishioners. Where a grain tithe could not support a priest, bishops imposed binding contracts on parishioners to provide other sources of income in cash, kind, or labour service before naming an incumbent. The vestry usually provided a farm for the priest and, in order to receive spiritual service, parishioners might perform farm labour and cut firewood (*Rapport des Archives*, 1939: 333). Additional revenue came from the *casuel*—fees charged for the performance of religious services, such as marriages, births, baptisms, burials, and special masses.

The clerical workforce was small and did not keep pace with population growth. Parishes became larger and there were never enough priests for every parish to have a resident. Priests were rushed through a shortened course of religious training, ordained on average at age 24, in a benefice of their own usually before age 30, and dead on average at age 58. Perhaps half of them remained in the same parish for more than 20 years, and once they paid off the costs of acquiring the *tître clérical* and of furnishing and fitting out the presbytery, they were placed to accumulate wealth. The rapid course of training meant a lesser degree of familiarity with the demands of the religious vocation than might otherwise have been the case (Ferretti, 1999; Gagnon, 2006; Lemieux, 1989).

While the Church urged an otherworldly orientation on the faithful, as a group, the parish priests were among the colony’s wealthiest, and in the large and fertile parishes of the Montreal district, they could become very wealthy indeed. The Church considered that a priest required a tithe of at least 400 minots of wheat, or £100, to live in keeping with his station,³ but many parishes furnished far more, even without considering the income from other sources (Lemieux, 1989: 127–128). Priests had to engage in vulgar market relations to dispose of their tithe grain.⁴ Although official doctrine and pleas from the bishops urged pastors to live simply and to devote themselves to the well-being of their flocks, unless they lent money at interest or were outrageously severe in their demands on parishioners, it was extremely rare for a priest to be disciplined for accumulating a fortune. Despite Alexis de Tocqueville’s claim that “the *curé* is not at all an entrepreneur in a religious industry, like most American ministers,” in practice, priests were tithe farmers and many consumed conspicuously and left large estates when they died (Hudon, 1992, 1996; Tocqueville [1831] in Vallée, 1973: 62). Ignace-Raphaël Leclerc, the “capitalist in a cassock,” made so much money out of land speculation that he was probably the colony’s wealthiest individual in the mid-1810s (Gagnon, 2010: 124–125).

Yet the pastoral economy was a moral political economy, not simply an extractive one, and conflicts around tithing and clerical fees were not exclusively class conflicts. The surplus

extracted in the form of the tithes circulated in a variety of ways, coming back as charity to the parish, for instance, or supporting social projects by the bishops. Priests also lived their vocation in various ways, with some devoting all of their incomes to the poor and to religious ends, while others worked themselves to death in ministering to large parishes under rude environmental conditions. On the other hand, wealth was seen by many as a sign of divine favor and it was also a source of status among peers. Priests took moral, but also aesthetic pleasure, from having an imposing and richly furnished church and presbytery, and many devoted large amounts of their wealth to the purchase of instruments of the cult. Priests commonly left their wealth to Church institutions—to hospitals, colleges and schools, and to female religious houses (see Paquet and Wallot, 1976).

Habitants were invested in the Church, as the main communal institution, in a variety of ways. It largely framed their symbolic universe. Its calendar was their calendar of birth, life, and death. Sermons gave order and meaning to events great and small, while containing the terror of the unknown for an illiterate population, and while attempting to eliminate alternative sources of superstition, such as cartomancy, faith-healing, and divination. In rural parishes, the church was the physical site of many community and colonial governmental activities and it mediated the actions of the civil authority. Posting official proclamations and notices on the church door constituted legal notification of laws, meetings, and proceedings. The presbytery hall was often the only large community building. For a largely illiterate population, auctions were held and tenders for various kinds of work, including road construction, were called out (*criées*) at the church door or on its porch after mass, and Sunday was the typical day for buying and selling commodities of all sorts. While the Catholic Church opposed people working in mills or factories on Sunday, conducting business in the precinct of the church was perfectly acceptable (Courville and Seguin, 2001).

Pastoral power as a moral political economy is still evident in the large number of grandiose churches that survive in Quebec. The vestries organized church construction, with the permission of the bishops, and plans and costs were approved by a majority vote of parish landowners, who thereby taxed themselves to pay. Such contracts were legally binding, and churchwardens could bar from the church those who did not pay. The vestry was primarily responsible for church decoration, and it raised expenses not covered by pew rents and fees by rating parishioners after a vote. Colonial peasant pride in parish was remarkable and a spirit of inter-parish competition reigned. Collective labor for the cult was a significant form of community engagement and socialization, for women as well as for men, especially during the slack winter season (for instance *La Minerve*, 1829).

The pastoral moral political economy shaped colonial culture, production, and foreign trade. Church construction and decoration were important sources of employment for artists and skilled craftspeople, perhaps for many of them they were the main outlets for their work. In the church-building enthusiasm of the 1820s and 1830s, there were regular calls in the press for plasterers, guilders, carvers, painters, stone masons, gold- and silversmiths, and for stained glass makers. Local manufacturers competed to sell organs and bells, and import merchants could do a lively trade in church supplies (see *La Minerve*, 12 December 1834). Priests, churchwardens, and some parishioners found aesthetic pleasure in rich and costly articles of the cult and even relatively modest churches tended to accumulate large collections of them (Deslandres et al., 2007; Roy, 1900: Appendix 13).

The tithes economy discouraged some areas of production and the Church forbade other activities. The Church banned lending money at interest. Transportation infrastructure in Quebec was primitive in contrast to that in the neighboring American states, where freehold

property reigned and where elected local government bodies had the power to tax and to incorporate local institutions. The Church's opposition to substantial peasant schooling impeded the development both of a public educational system and of secular private schools. While near universal literacy was achieved in the adjacent American states by about 1820, a decade later in Quebec at best one in three peasant men could sign his name (Curtis, 2012). Most clergy treated secular literature, poetry, and music with suspicion, and the colony's first French-language novel did not appear until the late 1830s. Priests were usually forbidden to own musical instruments, although there were attempts to compose church music to draw peasants away from the inns and taverns that multiplied in the early 19th century. The Quebec and Montreal bishops saw the theatre as especially dangerous and immoral. On occasion they threatened to refuse the sacraments to actors and audiences and to expel theater-going seminarians. Neither Montreal nor Quebec City could sustain even an amateur French-language theatre company (Hubert, 2000; Laflamme and Tourangeau, 1979). The clergy also frowned on popular dance, although family-based country-dances were sometimes seen as healthy forms of exercise (Gagnon, 2006; Hubert, 2000).

Tithe extraction and pastoral government

Before the organized political movements of the late 1820s and 1830s began to articulate alternative visions of social life, peasant counter-conduct rarely spilled out of the parish.⁵ Tithe payment and questions of Church finance, alongside perceptions of excessive moral rigidity by priests, were the most common issues of conflict between shepherd and flock, and both were frequent matters of discussion, debate, and strategy-making between priests and bishops. The priests described about one-third of the *habitant* population as "poor payers" who refused to pay the tithe or who schemed to avoid or to reduce it, for instance, by renting their land to Protestants, delivering only the worst part of their harvest, or delaying while watching market conditions. Others "squabbled and acted like madmen" when asked to pay for a beadle or a cantor (Duval to Plessis, 29 August 1803). A large portion of the peasant population thought that the priests lived more than comfortably enough, and this sentiment was exacerbated by poor harvests and by local frictions between parishioners and temperamental priests.

Priests were expected to extract the tithe, and were accountable for doing so. The Bishops of Quebec and Montreal had complete records of parish tithes and vestry finances (*Rapport des Archives*, 1945: 204; for a later period Hudon and Hubert, 2006). They worked assiduously to protect the institution of the tithe both from the negligence of those wealthy or apathetic priests who did not bother to collect it, and from excessive demands or illegitimate methods of extraction by others. Both forces potentially threatened the institution of the Church. Yet while expected to collect the tithe, priests had no formal guidance as to how to do so where parishioners were recalcitrant. Maguire's (1830: 75–80) guide for young priests, for instance, described what field crops could be tithed and reproduced a legal precedent that clarified and affirmed priests' rights, but gave no practical advice.

Bishops offered counsel when priests got into difficulty and discussed effective and ineffective techniques for governing the flock. Successful pastoral government depended upon exemplary self-government on the part of the shepherd, and on his detailed knowledge and active supervision of every parishioner (*Rapport des Archives*, 1929: 111). Priests were told to avoid excessive demands. A pastor "ought only to nourish himself with the milk of his lambs, without shearing them too closely" (*Rapport des Archives*, 1943: 64). The same was

true for moral regulatory zeal. It was silly, for instance, to attempt to regulate women's dress when one could simply refuse the sacraments to those one thought improper (*Rapport des Archives*, 1928: 237).

Naming individuals from the pulpit was a poor tactic. One should denounce sin, not sinners (Gagnon, 2006: 104). Yet the bishops refused to provide an exhaustive catalogue of sins (naming was knowing and advertising) or to provide exact rules for addressing most of them. Severity could provoke the flock and undermine the religious institution, but religious government was an art to be learned in practice, not a science. Those named and those afraid of being named might simply cease to come to Mass, but more direct micro-political reactions could occur. Offending priests faced congregations whose members shuffled, sneezed, coughed, spat, laughed, or fidgeted during services. Antoine Chaboillez, who was accused by members of his congregation of having overtaxed them for the construction of a church and presbytery, and of pocketing the surplus, was interrupted so often that he could not minister. In desperation, he tried to have a parishioner charged under an 1808 law against disrupting church services, but calmed down when an investigation vindicated his management (Gagnon, 2006: 104–107).

Priests used their sermons to counter popular opposition to tithe payment and denounced fraudulent practices. They had to balance denunciation and recrimination against the risks of losing their influence with the flock. One might threaten to exclude those in arrears from communion, but those threatened might conclude that exclusion was preferable to payment, especially if absolution would be offered later. *Curé* Jacques Paquin of St-François-du-Lac, for instance, offered all kinds of compromises to ensure that the legitimacy of the tithe was recognized. He warned parishioners that they must pay their tithes before they died and what seemed a modest amount today could later constitute a very heavy burden. The tithe belonged by right to the Church and salvation was not open to those who did not pay, because “one cannot go to heaven with another person's goods” (112–115).

In a model tithe sermon, Robert Walsh (1837), a professor at the Collège de Nicolet, preached that it was not enough simply to pay one's tithe. People had an obligation to pay, for the tithe was the Church's divinely ordained property, but they must do so freely for them to have any merit in the eyes of the Lord. Paying with pride or vanity discredited he who did so. Similarly, those who the priest had to threaten repeatedly had little merit in paying, while the Easter confession of a person who did not pay was worthless. Those who thought it of no consequence not to pay and to skip Easter communion committed larceny and endangered their souls. Walsh (1837) ended by insisting that “if I receive something from you to meet the necessities of nature and for my own maintenance, God is my witness, it is not with earthly gain in mind; rather, I work for your sanctification and I would be ready to sacrifice freely all that I have, even my life, to procure eternal Salvation to each of you.” Living from the flock was cast only as a means of living for the flock.

Simony

These strategic and tactical discussions of the pastoral government of conduct assumed that the care of the flock was not an economic exchange or business. They framed the tithe as homage and tribute offered to the divinity. Simony or profanation of the sacred was not payment for religious service, but a demand for excessive payment or for payment in advance, and the boundary between tribute and extortion was sometimes obscure. Thus the Church encouraged its pastors and its flock to respect the principle of “*point de dîmes, point de*

Pâques” (no tithe, no Easter communion), but Laurent Aubry moved to simony when he posted a sign with those words on the door of the confessional, and attended with his tithe book open to ensure that penitents were current with their payments (Gagnon, 2010: 160).

Again, although religious houses were not reluctant to sue (Dépatie et al., 1987), the bishops opposed the practice of individual priests going to court to force payment of the tithe, both because it smelled of greed and because it invited secular authority to meddle in internal Church business. It could also lead to defiance on the part of priests, as in the case of *curé* Auguste Tessier who pursued one peasant even after Bishop Signäy told Tessier that he had placed the peasant’s land in an adjoining parish. Tessier insisted that Signäy’s predecessor had specified the limits of his parish and they had been confirmed in legislation, so Signäy had no business going about arbitrarily dismembering parishes. Once begun, there was no telling where such a practice would end, and a priest had every right to defend his parish and his vestry. Worse, Tessier ministered to the radical parish of St-Mathias, two patriot lawyers argued his case (which he won), and it attracted much publicity (*Procès. Entre Messire A. Tessier, Demandeur, et Michel Tetro*, 1838). Other priests attempted to argue that once their bishop had appointed them to a parish, he could not remove them (Chaboillez, 1823).

The bishops called priests to order for demanding a tithe for products other than field grains, for refusing to baptize the children of people in arrears, and for refusing to confess all members of a household in which the landowner was behind. One was roundly chastised for refusing to bury a child before his fee of one dollar had been paid. “According to the Canons,” wrote Bishop Lartigue, “you have no right to demand the fee for this act, as for the others of your ministry, until you have executed them, and one must not appear to *make a business out of it* by vigorously demanding payment” (*Rapport des Archives*, 1946: 102, my emphasis).

Fees for religious acts were highly contentious in the early 19th century, not because they were payment for the sacred as such, but because an inadequate 1690 fee schedule had been altered by priests to exorbitant levels and expanded in its reach. The Quebec bishop intervened with a new fee schedule in 1822, whose preamble warned that notwithstanding any existing practice in his parish “no priest in good conscience can receive secular fees for his spiritual functions” beyond what it authorized. Doing so “ought to be considered as abusive and simoniacal” (*Tarif uniforme proposé aux paroisses*, 1822; also Signäy to Béland, 16 July 1841).

The *Tarif uniforme* specified rates for burying adults and children, in summer and winter, in the church or outside it, with and without church services and, if with church services, according to what kind and degree of decoration and according to how many bells of what size were rung. How the fees were to be split was specified when a person died in one parish but wanted to be buried in another. The *Tarif uniforme* commented “it is a popular but completely unfounded error to believe that a corpse transported from one parish to another must pay something to all the churches in between.”

The fate of the candles used in services was controversial. Priests were told that it would be good to encourage some merchant or private individual always to have candles for sale, but if that was not possible, it was acceptable for the Church to sell them, but only directly for cash. At the end of a service, all partly consumed candles came to the priest by right. The priests were not to sell used candles.

The distinction between old candles and new candles provided by the priest is subject to misinterpretation and may persuade people that they are paying twice [for the same thing].

Those lighted must always be new, except that it comes to the priest to melt down his own when he has accumulated a certain quantity and to resell them whole, as it may be to the merchant or to the vestry. (*Tarif uniforme*)

All that was old was made new again, and thereby the double charge for the same substance disappeared.

The art of pastoral government was dependent, in short, on the sacralizing of the resources extracted from the flock. Simony indicated profanation. However, by the 1830s, the micro-politics of moral economy were increasingly related to larger political conflicts.

Organized counter-conduct

Beyond parish government, both the church institution and sovereign state power were increasingly threatened from the late 1820s in complex political struggles that resulted in armed insurrection in 1837–8. Political party organization (Bernard, 2001)—absent from Foucault’s sketch of pastoral power and counter-conduct—and a secret society (*Les frères chasseurs*) were directly involved. Space prevents a detailed rehearsal here of events well-known to Quebec historians, but the Church institution was buffeted by its dogged support for sovereign state authority and by its attempts to maintain its own secular powers against incursions from that authority. The Church entered into peculiar alliances to protect its interests, for instance, joining its erstwhile English Tory Protestant enemies, who opposed democratization in all forms, to beat back two attempts to extend the franchise for vestry elections (Dessureault and Hudon, 1999). It earned the enmity of the Crown by prohibiting the lending of money at interest, after the government had specified legal interest rates. Until it was relaxed in the late 1830s, the same prohibition effectively placed professionals who had fiduciary responsibility to invest money profitably in a condition of sin.

The Church was inevitably drawn into larger struggles around state power. In Quebec by the summer of 1836, politics had moved out of the legislative arena. The republican and secular wing of a “*parti patriote*” was in ascendancy, led by increasingly radical petty bourgeois professionals demanding fundamental change in the colonial state system. A proposal by the imperial government in early 1837 to take direct control of colonial finance provoked widespread outrage and massive rural demonstrations. An international financial crisis, which froze colonial commerce, and crop failure exacerbated matters (Curtis, 2012; Greer, 1993; Laporte, 2004; Senior, 1985). There were echo effects in Church finance, not least because the deterioration of the wheat economy had led to a decline in clerical incomes and to demands from the bishops for additional tithe sources. *Habitants* were also squeezed economically by rising seigneurial rents.

Popular “anti-Coercion” meetings were held in rural parishes while magistrates in Quebec and Montreal attempted to ban popular demonstrations. By May 1837, a large meeting at St-Ours had passed a resolution denying the legitimacy of sovereign authority and claiming that executive government could rule only by force (Christie, 1866: 357–358). By that summer, institutions of popular government had undermined state authority in the Montreal district. Appointed justices and militia officers resigned *en masse*, or were forced to surrender their commissions through political “charivaris,” and popularly elected officials took their places to administer “people’s justice.” A campaign of terror against government supporters, including some priests, reigned, while armed groups were conducting drills in several parishes.

Republican politics exposed peasants to a new symbolic universe and its iconography challenged the symbolic legitimations of Church and state. Perhaps a secular political counterpart to the *Fête Dieu* was evident in the tours of *patriote* politicians, especially those of the iconic Louis-Joseph Papineau, who was paraded through parishes in the Montreal district by large entourages, feted in banquets and celebrated by large crowds. As *Le Canadien* (24 July 1835) reported of one such event, in quasi-religious language, “a maypole was planted in front of the house where he was staying, from whose top the *Canadien* flag floated. Every step this man takes is now a triumph. May those who have eyes see; may those who have ears hear.” The political opposition adopted St-Jean-Baptiste as the patron saint of the *Canadien* nation.

Inns and taverns, flying the tricolour and replacing their shop signs with the image of the eagle, became important sites of political assembly. Some merchants issued store money with the eagle image as well and liberty caps appeared on the symbolic maypoles in front of the residences of militia captains. Women wove and men dressed in homespun clothing and sported the maple leaf boutonniere as part of an import boycott. Participants in parish parades waved revolutionary banners and flags and sang newly composed political songs. While moderate *patriotes* championed Church and seigneurie as essential elements of national life, by the fall of 1837 younger and more radical members demanding a secular republic were pushing them aside. The seigneurial class as a whole defected to the side of the Crown.

When the governor finally moved to arrest opposition political leaders in November 1837, armed conflict began in which British regular troops and “loyal volunteers” quickly prevailed in bloody battles with poorly equipped peasant forces. A secret society, *Les frères chasseurs*, led a second attempt at insurrection in November 1838. A considerable number of peasants swore an oath of allegiance to the society in obvious defiance of the Church (Aubin and Martin-Verenka, 2004, 2007). This attempt included an invasion across the American frontier and the publication of a draft republican constitution calling for the abolition of seigneurial tenure and for freedom of religion (*Le Canadien*, 5 March 1838), among other measures. Troops and volunteers quickly smashed the second attempt at revolution and subsequently pillaged much of the Montreal district.

The Catholic bishops were unwavering in their support of sovereign authority throughout these insurrectional waves, but the legitimacy of pastoral power was shaken, and the loyalties of pastors were mixed. As the main physical site of rural and village activity, where sovereign and pastoral power overlapped, the parish church became a site of direct political struggle. *Patriote* activists agitated against government authority at the church door or from its steps. To cheering crowds, in a number of parishes they ripped down and tore up Governor Gosford’s posted proclamation of mid-June 1837 against the holding of political meetings. When priests attempted to follow their bishops’ command to offer the *Te Deum* for the young Queen Victoria in late August and early September 1837, a number of *Patriote* supporters in Montreal and in the rural parishes walked out of their churches or stood and turned their backs to the altar. In St-Polycarpe parish, they ordered the beadle to stop ringing the bell as the hymn began, “saying that bell belonged to them and not to the queen of England” (*Le Canadien*, 4 September 1837).

Bishop Lartigue intervened by writing a *mandement* warning that opposition to sovereign authority was opposition to divine authority and urging the flock to avoid the horrors of civil war. When it was read from pulpits on 29 October 1837, *Patriote* politicians in Montreal described it as likely to hasten revolution. When Lartigue’s co-adjutor came out of the church in Chambly after the document was read, a crowd led by the *Patriote* Dr. Kimber shouted “down with the *mandement*” and “other stupidities.” Lartigue was sufficiently

intimidated by such attacks that he thought to resign and to flee the city of Montreal (*Rapport des Archives*, 1945: 250, 257).

The Church was threatened in other directions as well. The wealthy and loyal *curé* Paquin of St-Eustache had his barn torched (*Diary of Amury Girod*, 1837). People stopped paying the tithe (*Rapport des Archives*, 1946: 59). Individual priests aligned themselves with the *Patriote* movement against their bishops and against sovereign authority. Augustin-Magloire Blanchet, *curé* of St-Denis, warned the governor that the clergy could not stop violent attacks on government even if it wanted to and, in any case, “pastors cannot separate themselves from their flocks” (163). He offered his benediction to the *patriote* forces assembled before the battle at St-Charles. In some places, *patriotes* attempted to seize the vestry’s strongbox in order to buy arms.

In Foucauldian terms, that the shepherd should follow the flock constitutes a strategic reversal in the field of power. The Bishops of Quebec and Montreal were concerned that more of their clergy would adopt this stance, which would undermine the political position of the Church. They attempted to make excuses for the conduct of *curé* Blanchet and they worried that other *curés* were being encouraged by the radical priests at St-Hyacinthe College (63). The bishops called upon priests said to have made statements sympathetic to the *patriotes* to explain themselves, while they shipped others off to western missions. They counselled loyal priests as to how to deal with radical sentiments in ways that would not undermine their own authority, and forbade priests to administer the sacraments to or bury those who died in armed resistance to sovereign authority in sacred ground (146–147).

The English government and its Canadian governor suspended both the constitution and *habeas corpus* in the course of these events and declared martial law in the Montreal district. Pillaging, arbitrary levies and the forced billeting of troops terrorized the *habitant* population as a whole. Collective punishments and random acts of violence by unregulated “volunteers” were common. Republican political discourse largely disappeared, but imperial politicians set about redesigning the colonial state system and the Church faced a number of new challenges. Secular public education was on the agenda and the organization of elected local government menaced the Church’s place in local dispute resolution and community building projects. New policy envisaged land reform along with the abolition of feudal tenure, and proposals for freedom of religion directly threatened the tithe economy. Bishop Lartigue sought advice from Rome about how to survive if the tithe were abolished, or if the legislature allowed laymen greater control over the vestry (*Rapport des Archives*, 1945: 227–228). The Sulpiciens negotiated the surrender of their title to Montreal.

Yet the physical and cultural terror provoked by the smashing of the insurrections created fertile conditions for calling the flock back into the fold of the Church. The new ultramontane Bishop of Montreal, Ignace Bourget, worked to great effect to strengthen the Church in his diocese, travelling to Europe to recruit a number of religious orders and sponsoring other local ones. The royalist, anti-liberal Bishop of Nancy, Msgr. de Forbin-Janson, led a wave of popular revival meetings. Catholic colleges increased the supply of priests, and the Church managed quite successfully to present itself as the natural protector of French-Canadian national aspirations. The Church infiltrated new civil institutions of education and municipal government. A key moment in its renewed strength was the decision by sovereign authority in the 1851 Freedom of Religion Act to declare the Church institution, rather than parishioners collectively, to be the legal proprietor of religious property. The Act reaffirmed the legality of the tithe (Fecteau, 2002; Ferretti, 1999; Hardy, 1994, 1999). Until the “Quiet

Revolution” of the 1960s revoked its powers, the Church organized and managed most welfare institutions in Quebec (Gauvreau, 2005).

Conclusion

The Foucauldian analysis of pastoral power advances our understanding of the relations between religious government and state formation through its genealogy of the paradox of “each and all” contained in the Biblical parable of the good shepherd. The paradox reappears in the government of population in the liberal state as practices of totalization and individualization. Foucault’s treatment of government as the conduct of conduct takes analysis beyond simple versions of control and domination. And his understanding of the operation of modes of government as containing upwards and downwards continuities encourages the investigation of the techniques and practices through which the subjectivities of both rulers and ruled are formed. Foucault’s concepts can be used, as I have done, to examine the arts of religious government.

Yet the practical operation of pastoral power involves a moral political economy that is articulated with sovereign powers and class relations in intricate ways. There is heuristic value in Foucault’s modeling of pastoral power in isolation from class relations and political sovereignty. Yet these three are not separable in practice. In Quebec, the Church and individual pastors owned seigneurial property and supported sovereign power both through religious ritual and by providing administrative service. The Crown protected the Church through the law, by delegating police powers to Church officials and, at times, by the use of military force. Neglecting political and moral economy while separating pastoral from sovereign power leads Foucault to a form of the misplaced focus which Rodríguez-Muñiz (2015) calls “ontological myopia” as, in this case, pastoral power comes to be presented primarily in terms of an ethic of care. But real church establishments have to find material sustenance in the flock and the rites and rituals of the cult depend upon the extraction of resources from it. The successful exploitation (in the technical sense) and domination (leadership) of the flock demand the creation of a symbolic universe in which the ethical orientation of both shepherd and flock is other-worldly, and in which material surplus is made sacred as homage to the deity. As is the case with other instances of moral economy, the religious one is fragile, susceptible to transformation from within if members of the flock perceive resource extraction as greed or simony, and from without by virtue of its dependence on and support for sovereign state authority.

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Notes

1. Translations from the French are by the author, except for Foucault’s texts available in English. Sources for this paper are publicly available in print, or are in generally available archival documents.
2. Although Foucault is inconsistent in this matter, “population” is seen in the wider literature as a conceptual abstraction similar in status to “crime,” “disease,” or “poverty.” Like those abstractions, it emerged out of practical attempts to know and to administer social relations and

- conditions. At the level of the national state, population is dependent upon the exercise of political sovereignty through the creation and enforcement of equivalences among bodies in territory. See Curtis (2001, 2002, 2006).
3. A minot was about 39 liters, while a Winchester bushel was about 36.5, an American bushel 35.24 liters, and after 1824, an Imperial bushel was 1.032 American bushels. There is a lack of information on average incomes in the colony, although Greer (1985) examines the stratification of the peasant population. However, a priest who ministered to 26 households could earn as much as any peasant; some parishes contained 250 households or more.
 4. *Curé* François-Joseph Cazeneuve of St-Laurent, for instance, owed half his tithes to Bishop J.-O. Plessis and the two corresponded often and at length about how their grain tithes could most profitably be shipped and sold. See Cazeneuve to Plessis, 7 May 1799. Fonds 355.105, 799-2. Archives de la Chancellerie de l'Archevêché de Montréal.
 5. As Thuot (2003, 2005) has shown, internal parish politics was often bitter and petty. I am not suggesting that pride in parish meant peace and harmony.

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