

Joseph Howe: The Tribune of Nova Scotia User's Guide

Audience: High school history classes
Running Time: 33 minutes

Historical Context

Nova Scotia had had a Legislative Assembly since 1758, but it was dominated by an oligarchy similar to Upper Canada's Family Compact. Like the residents of Upper and Lower Canada, those in the colony of Nova Scotia aspired to responsible government. They would be the first to obtain it, thanks largely to the efforts of Joseph Howe — a man of both letters and action who would lead the charge for democracy in British North America.

Howe was born in Halifax, into a family of Loyalists originally from Boston, on December 13, 1804. His first literary effort, a poem, evoked the suffering of French and American prisoners. After having studied under his father, a professional journalist, Howe was drawn early to journalism. He worked on *The Gazette* and *The Acadian* newspapers before launching himself into advocacy journalism in 1830, when he founded *The Nova Scotian*.

In 1835, Howe's *Nova Scotian* published a letter by Halifax citizen George Thompson, who was outraged by the ruling class's abuses of power. It was a devastating attack on the colony's magistrates and administrators. Howe found himself in the prisoner's dock, charged with seditious libel.

Today, a tirade like Thompson's would likely be considered an expression of opinion. But in early 19th-century Canada, such opinions were frequently considered seditious libel. The political history of the era is full of court proceedings against writers and editors whom the powers that be sought to gag. Court cases like these were of vital importance to the evolution of our political system, since freedom of the press and freedom of information are the very cornerstones of democracy.

Howe's trial marked a turning point in his career. He was acquitted in 1835 and entered politics almost immediately. He was elected to the Legislative Assembly in the 1836 election as one of the Reformers, who won a majority of seats. Howe went on to serve as leader of the party, speaker of the House and, eventually, as premier of Nova Scotia. He worked tirelessly for responsible government, and, after initial misgivings, collaborated with Macdonald and Cartier to bring about Confederation. He was named Lieutenant-Governor of Nova Scotia on May 7, 1873, but died soon after, on June 1.

A powerful and engaged speaker, activist and politician, Joseph Howe was without doubt one of the great figures of his time.

Film Synopsis

On Christmas Eve, 1834, Joseph Howe is in the office of *The Nova Scotian* putting the finishing touches on an editorial. Citizen George Thompson enters, accompanied by Mrs. Jones, who has recently received an eviction notice for non-payment of taxes. Thompson, who knows that many of the magistrates and councillors pay no taxes at all, has written a letter containing a number of accusations aimed at the colony's rulers. He urges Howe to publish it.

The letter appears on New Year's Day, 1835. It is a wholesale attack on the magistrates of Halifax, accusing them of corruption and mismanagement. Although Howe is widely respected, even among the Tories, the Family Compact decides to make this a test case and charge him with seditious libel.

In court, Howe defends himself with a magnificent speech that lasts six hours. Judge Haliburton states, in his charge to the jury, that in his opinion the publication was libellous. But he reminds them that they are not bound by his opinion. The jury returns with a verdict of not guilty, and Howe is carried home on the shoulders of his cheering supporters.

Research, Discussion and Writing Topics

- Debate the following proposition, using contemporary examples: "The mark of an authoritarian regime is its zealously in stamping out independent voices in the press."
- What similarities, if any, do you find between Joseph Howe and William Lyon Mackenzie? Discuss their lives, characters and careers.
- Research the powers that the Legislative Assembly had. How was responsible government different from the oligarchic system?
- Describe Joseph Howe's character. What characteristics set him apart? What are his weaknesses?

Questions

- What is a tribune? Why is Howe known as “The Tribune of Nova Scotia?”
- What is seditious libel?
- Do you think the reference in the trial to Lady Godiva is appropriate? Why or why not?
- What picture of the Nova Scotia oligarchy does the conversation between Thompson and Howe paint?
- Why did Howe defend himself in court instead of having a lawyer represent him?
- During his trial, Howe defends himself in the name of what principles?
- Cite two arguments Howe uses in his defence. What does he plead in his summing up to the jury?
- What arguments does the Crown use to justify its accusation of seditious libel?