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NAME OF AUTHOR/NOM DE L'AUTEUR Bertrand J. Banks
TITLE OF THESIS/TITRE DE LA THÈSE The Red River Rebellion. A peculiar people
in exceptional circumstances
UNIVERSITY/UNIVERSITÉ CARLETON University
DEGREE FOR WHICH THESIS WAS PRESENTED/
GRADE POUR LEQUEL CETTE THÈSE FUT PRÉSENTÉE MA
YEAR THIS DEGREE CONFERRED/ANNÉE D'OBTENTION DE CE GRADE 1980
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THE RED RIVER REBELLION: A PECULIAR
PEOPLE IN EXCEPTIONAL CIRCUMSTANCES

by

© Randy B.J. Banks, B.A.

A thesis submitted to the Faculty of
Graduate Studies in partial fulfillment
of the requirements for the degree of
Master of Arts

Department of Sociology and Anthropology

Carleton University

Ottawa, Ontario

September 2, 1980

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ABSTRACT

This thesis addressed the Red River rebellion with the aim of answering the question of why the métis rose in 1869 to contest the transfer of the northwest territories from the Hudson's Bay Company to Canada. A history of Red River and the Red River rebellion is presented prior to a critical discussion of the explanations given by H. F. G. Stanley and W. L. Morton with respect to the question of why the métis rose. It is argued that the métis rose in 1869 to secure political power to the local population within the terms of a new political order in order that the future welfare of the community of Red River as a whole, and in particular that of the halfbreeds, would be secured. It is argued that the métis made their stand in 1869 as members of the now sovereign New Nation. They did not therefore consider themselves to be in rebellion against the Queen, nor did they feel obligated to confederate with Canada in order to remain within the British Empire.

ERRATUM:

Chapter II, Note 48 is non-existent.

ACKNOWLEDGEMENTS

This thesis, a personal product, is a collective effort in so many ways; and to acknowledge my debt to all who have contributed to its production would entail another work of considerable length in itself. I would like to thank in particular my good friends Diane, Gord, Joan, Lucifer, Marilyn, Mich and Patti for their generously given support, humour, and patience throughout the writing of this thesis; without these gifts the following lines would have been much more NTP than they actually are. The members of my advisory committee, Professors Jacques Chevalier, Don Whyte, and especially Ken Hatt whose faith in me has carried this thesis through many a troubled water, deserve special thanks for the time and energy they have devoted to me. I would like to thank Ms. Spiller Ann Smitt for permission to consult the Archives of the Hudson's Bay Company, and to thank the knowledgeable staff of the Public Archives of Canada for their assistance. The research has been carried out with the partial support of an Ontario Graduate Scholarship, and my thanks to all who have made this possible. Patti Daley, who has typed this thesis, turning the most illegible scrawl into a presentable work is to be thanked as well. Finally, my inexpressable thanks to my family for all they have done over the years which have culminated in the following lines.

As always, I take full responsibility for the thesis and the many problems which it contains.

To the memory of my father.

Truth is the kind of error without
which a certain species of living
being could not live.

-Nietzsche

A prendre les choses comme vous
les prenez, je sais que vous me
condamneriez. - Mais si vous vous
mettiez à mon point de vue, il n'en
serait pas ainsi.

-words attributed to
Thomas Scott when asked
if he had anything to say
at his trial.

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INTRODUCTION

I: The Origins of Red River

The Red River settlement was established in 1812 by Thomas Douglas, fifth Earl of Selkirk.¹ A philanthrope, concerned with the fate of the dispossessed Scottish peasants, Selkirk had also become the majority shareholder in the Hudson's Bay Company (HBC) whose charter of 1670 granted it exclusive possession of that part of the northwest territories known as Rupert's Land. Selkirk's position in the Company made it possible for him to request, and be granted, a tract of land on which to build a settlement, complementing the others which he had erected in British North America for the purposes of re-locating the Scottish peasants.

The benevolent motives of the Earl notwithstanding, there can be no doubt that the Company had its shareholders in mind when making the grant of land.² At that point the HBC was not the sole trading Company in the northwest; the Montreal based North West Company (NWC) was its major opponent in a trade war which was sometimes bloody, and was at all times antithetical to the pursuit of profits on both sides. The establishment of the Red River colony was an integral part of this trade war. The centre of the colony was at the forks of the Assiniboine and Red Rivers, a major transportation junction in the northwest, and the NWC quite rightly perceived that the HBC sought to disrupt the Montreal company's shipments of furs and supplies out of and into the interior of the country. Moreover, supply and labour costs were a major expense to the Company, and the establishment of an agricultural colony would help offset the costs of both.

The tempo of the battle between the rival companies increased with the settlers at Red River often bearing the brunt of the NWC,

antagonism. The NWC's attempts to destroy the colony culminated in the Battle of Seven Oaks in 1816³ in which a party of métis, under the leadership of Cuthbert Grant, succeeded in dispersing the colony having dispatched Governor Semple of Red River and twenty of his men. Nevertheless, the settlement was begun anew as, in 1821, was the form of the fur trade in the northwest. Profits had been sorely affected by the competition; the trade war was becoming too violent; and, with a certain amount of pressure from the Imperial authorities, the two Companies merged as one in 1821 under the banner of the HBC, the chartered rights of the latter extended shortly after the amalgamation to cover the whole of British North America.⁴ Under the nominal monopoly rule of the HBC, profits increased,⁵ and the settlers at Red River were never again ejected from their homes.

II: The Population of Red River, 1869

The foreigners who had come to the northwest to trade in furs with its natives had been male. The lack of female companionship, coupled with the trading alliances to be cemented thereby, made union with native women an inevitable, though at first resisted by the HBC, fact of life. These "country marriages", or, "mariages à la façon du pays", had produced a people of mixed blood, the halfbreeds of the territories.⁶ From the union of the French Canadian voyageurs of the St. Lawrence-based trading companies with the natives had sprung the métis; and from the union of the Scottish, English, and Orkney employees of the HBC with the natives had sprung the country born.⁷ After the 1821 merger, the economic rationalisation plans of the HBC included encouraging both the now redundant employees of the Company, and those who retired of their own accord, to emigrate to the Red River colony rather than leaving

the country for their homeland and thus burdening the Company with the increasingly expensive task of looking after the country families which they left behind.⁸ Originally a settlement of dispossessed Scottish peasants, the demographic structure of the Red River colony underwent fundamental changes in the years following 1821.

By 1869, the population of the settlement was predominantly "halfbreed", now an unmistakable social categorization designating all those who could claim native and non-native ancestry in whatever degree, rather than the fifty per cent of each which the name "halfbreed" misleadingly suggests. As the Nor'Wester reported in 1862:

A European takes to himself as wife one of the native Indian women, and his offspring we call Halfbreeds. An Indian marries a European or, at least, a white woman, and his progeny bear the same appellation. And the reason usually assigned is that the said offspring or progeny are literally half-breeds -- half white, half red--or, if you will, half one race half another, half Caucasian half Indian. Were that the extent of the appellation of the name, the explanation would be passable; but the name is given equally (sic) to those who may have a White father and a Halfbreed mother, or vice versa, and who are, thus, quarter-breeds... In this country, in fact, the name applies to all who have Indian blood in greater or lesser degree. This is the general accoption (sic) of the term, and, in this sense, nine tenths or more of the civilized people of Rupert's Land are "Halfbreeds".⁹

In 1869, the métis of the Red River settlement slightly outnumbered the country born.¹⁰

Generally, the socio-economic characteristics of the two sections of Red River halfbreeds differed, correlating with the different paternal ancestries each could claim. The métis were Roman Catholic, French-

speaking, and resident in the upper (southern) part of the settlement, while the country born were English-speaking, Protestant, and, like the English-speaking population of Red River in general, resident in the lower (northern) portion of the settlement.¹¹ Both métis and country born seasonally participated in the transportation sector as wage labourers on the cart and boat brigades or, in some cases, as independent owners/operators of carts.¹² However, the major occupation of the people of Red River was basically that of buffalo hunter or farmer,¹³ and the two sections of halfbreeds tended to pursue one of them to the exclusion of the other. The métis, for their part, dominated the bi-annual (summer and fall) buffalo hunt, producing pemmican, and dried and fresh meat.¹⁴ The hunt, first practiced on a large scale in 1820,¹⁵ was efficiently organized along para-military lines, both to facilitate the movement of the large parties and to protect the parties from the constant threat of attacks by the hostile Indian tribes of the plains. As a corollary of their hunting experience, then, the métis as well composed the military force of the settlement.¹⁶ The country born, on the other hand, were predominantly agrarian, and more sedentary than their French-speaking cousins.¹⁷ Broadly speaking, the two half-breed populations were culturally distinct groups.¹⁸

It must be stressed, of course, that the above distinctions made between the two sections of halfbreeds are generalizations. On the one hand, most of the métis, despite whatever seasonal wage labouring jobs that they might take, would participate in at least one of the bi-annual buffalo hunts. Nevertheless, there can be no doubt that some of the métis were farmers first and foremost. As Hind wrote in 1860, there were "... many good farmers, hospitable, thrifty, and industrious men among the French half-breeds."¹⁹ On the other hand, while it may have been the case in general that "very few" of the country born "...

resort to the plains, unless for the purpose of trafficking the produce of their farms for the produce of the chase,"²⁰ it is clear that the country born were not completely alien to the hunt.²¹ Further, despite the basic cultural dichotomy which characterized the métis and the country born, instances of collective action in defense of common interests have been documented,²² and general social intercourse between the two was possible via the Indian languages of their common maternal ancestors.²³ These qualifications notwithstanding, the basic socio-economic bifurcation between the halfbreeds which I have above described is a sufficiently accurate picture for the purposes of this thesis.

Though predominantly halfbreed, the population of Red River in 1869 included people other than those of mixed blood extraction. While, for the purposes of this thesis I shall equate the French section of Red River with the métis,²⁴ what I shall refer to as the English section of the population included people other than the country born. In addition to the country born, I include among the English section proper of Red River the endogamous Scottish descendants of the original Selkirk settlers, and the retired European (mainly Scottish and Orkney) employees of the fur trade. Both were Protestant in religion and were in general the colony's major farmers, and among its major independent merchants.²⁵ The other major categories of the English-speaking population of Red River included some emigrant Americans, among whom could be found merchants and hotel keepers, and a small, though as we shall see in Chapter I, very vocal group of emigrant Upper Canadians. (cf. below, 2/ff.) Last, there were the Indians of St. Peter's parish, in 1869 under the chieftainship of Henry Prince.

III: The Problem

In 1869, after two years of negotiations, the recently established Dominion of Canada was preparing to expand its jurisdiction westward. Having succeeded in making an acceptable deal with the HBC for the transfer of its chartered rights, the Canadian government had passed the Act for the Temporary Government of Rupert's Land,²⁶ tentatively to come into effect on December 1, 1869, the date set for the transfer of the territories from the Company to Canada. The transfer, however, was not completed in December; while both the Company and Canada were satisfied with the terms of transfer established, the métis clearly were not. Under the leadership of Louis Riel, the métis rose in armed opposition to the transfer, preventing its completion until July of 1870. Only then did the northwest territories and the province of Manitoba finally enter the Canadian Confederation.

It will be the purpose of this thesis to offer an explanation of the Red River rebellion, as the métis struggles of 1869/70 have come to be known. Specifically, the problem to which I will address myself in the following lines is that of why the métis rose to contest the transfer of the territories from the Company to Canada. Hopefully, the answer which will be developed will provide a more adequate understanding of this major event in Canadian history than those which have been hitherto offered.

IV: Outline of the Thesis

This thesis has basically two parts: the posing of the problem and its solving.

In the first two chapters I attempt to give the background to and context within which the rebellion erupted, and to detail the course of

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events which occurred between Riel's first attempts at organizing the métis, in late August and early September 1869, and his hasty flight from Fort Garry on August 24, 1870.

In Chapter I, the first section is devoted to providing a brief, relatively superficial introduction to the various factors influencing the Canadian decision to expand westward, as well as the economic factors inducing the Company to be agreeable to the Canadian advances. The second section introduces the reader to the Canadian party and the relations which it had with the population of the settlement prior to 1868. The remainder of the Chapter attempts to delimit the focus and the nature of the settlement's reaction to the negotiations for the transfer, the results of those negotiations, and additional actions by both the Canadian government and the Canadians actually resident in the settlement in 1868 and 1869. All of Chapter II is devoted to a documentation of the period of the rebellion itself.

I would stress that the first two Chapters of this thesis have a dual purpose in mind. On the one hand, I attempt to record the events under consideration in a way which will allow the reader to situate the general object of my discussion, the Red River rebellion, along a chronological time continuum, as well as to similarly situate the major events of the rebellion itself. Additionally, certain information is presented, both in the text and the end notes, which will be of import in the later discussion. On the other hand, these events and this information are presented in what might be called a "sociological" fashion in order that the terms of the problem of the rebellion be clarified.²⁷

As I have said, in Chapter I I attempt to define the reactions of the people of the settlement to the transfer, to the Canadians, etc. The Chapter attempts to demonstrate that they were basically negative. It is true, as is shown in Chapter II, that the métis did not rise as an

undivided whole, but the major division in the métis ranks was a tactical one. The two factions, one following Riel and the other following Pierre Leveiller, did not disagree on the need to get much better terms of union with Canada before confederating, but on the means by which it was to be done. The dissident Leveiller faction, I suggest, saw in one of the Canadian emissaries sent by John MacDonald--Donald Smith--a means of amicably settling the problems which had given rise to the métis movement. Having discovered that this was a misconception, the métis ranks once again closed. More important than the divisions in the métis ranks, however, was that division between the métis and the English, for it was not until February 1870 that the latter would actively support the métis struggles at all.

The division between the English and the French, I attempt to demonstrate in Chapter II, stemmed not from a difference in the way each party reacted to the transfer itself, but because the English considered the course of action taken by the French to be illegal. Riel and his followers erected a provisional government on November 24 which replaced the government of the Company. This act, as W. L. Morton points out (1956: 77, 78) was an act of rebellion though the métis denied this. Had the transfer actually taken place, the métis, according to one reading of International Law, would have been fully justified in establishing the provisional government. However, on November 27th the Canadian Government had cabled Britain, delaying the transfer because of the troubled situation and because it was fully cognisant that the completion of the transfer would have given the "malcontents" a legal basis upon which to erect a government of their own.²⁸ As such, the provisional government of the métis, proclaimed on December 8, 1869, was a rebel government within the terms of "legal reasoning" as Morton²⁹ would put it, for the government of the Company was still the legally constituted

authority of the northwest by virtue of its Chartered rights. It was the illegality of the provisional government on which the English based their lack of active support for the métis struggles. Moreover, to the extent that the English actively opposed Riel, as they did in early December and early February, it was not because they had changed their opinion of confederation with Canada on the proposed terms, but because they felt a legal obligation to do so.

Given the above, I consider that the general problem of the rebellion, ". . . that of why the métis rose to contest the transfer of the territories from the Company to Canada" (above 6), entails two major questions. First, there is the question of the object or purpose of the métis struggles, viz, that for which they were struggling. However, the problem must be defined by another question as well. Despite a generalized negative reaction to the transfer, only the métis rose to contest the transfer: the English considered the actions of the métis to be highly illegal, while the métis did not. As such, not only must we ask what the object of the métis struggles was, but why they alone denied the conclusions of "legal reasoning" that they were in rebellion. This I call the "question of rebellion as such". Both of these questions are posed at the beginning of Chapter III in order to guide the line of inquiry. The remainder of the thesis consists in attempting to answer these questions, as well as others that arise in the course of the analysis.

In Chapter III I critically examine what I consider to be the two standard and acceptable accounts of the rebellion, the first by G.F.G. Stanley and the second by W.L. Morton. With respect to the former, I reject outright his position that the Red River rebellion was an instance of the contradiction between the "primitive" and "civilization". As I understand it, it serves as no more than an apologia for the contemporary situation of the métis in Canada and, indeed, for other instances of the

"human wreckage" which Stanley finds the world over and considers to be a function of the inevitable destruction of the "primitive" by "civilization". As for Morton, his contention that the major object of the métis struggles was the preservation of the French corporate existence I subsume under my own alternative view. In opposition to Morton I argue that the major object of the métis struggles was to secure to the local population sufficient political power in a new political order to protect the future welfare of all the Red River community, in particular that of the halfbreeds. As such, while I do not deny that the métis were concerned to protect their cultural specificity, I consider that this object is subsumed within a more general one, the latter being the major object of the métis struggles. On the other hand, Morton does not raise or answer the question of rebellion as such, but accepts as given the métis denial that their actions were not constitutive of rebellion. He prefers instead to raise the question of "resistance", or that of why the métis rose at all regardless of whether their actions were legal or illegal. I argue that the answer which Morton gives to this question is unsatisfactory.

In Chapter IV I seek to answer the question of rebellion as such in addition to two others which emerge from my discussion of Morton. On the one hand, while it appears that the métis had a special concern to protect the halfbreeds in a new political order, this special concern was apparently held by only the métis themselves, and I raise the question of why the métis considered the halfbreeds in general to be a special category of people among those of Red River. On the other hand, despite professions of loyalty to the British Crown, such loyalty would not prevent the métis from realizing their object. Specifically, the evidence suggests that, while confederation with Canada was the preferable outcome of their struggles in order that the British connexion be maintained, this was not

a necessary outcome. Should satisfactory terms of union with Canada be unable to be reached, the métis would look elsewhere, most likely to the United States for such terms. Apart from the Americans in the settlement, it would appear that the métis alone would consider union with a country outside the British Empire, and I would raise the question of why this was the case.

The manner in which I approach these questions is via a consideration of the discourse of the métis. For the purposes of this thesis by discourse I mean ideological discourse, the structured symbolic system in which is constructed the ideological subject or collective identities which an individual may predicate of his or her "self".³⁰ Within the discourse of the métis I find two subjectivities which I suggest answer the questions raised. On the one hand, the métis considered themselves and the country born to constitute a People, divinely created and distinct from all other comparable categories of People, and it is this conception which (confirmed by the racial oppression of the halfbreeds after 1821) I suggest accounts for the particular concern which the métis had to protect the welfare of the halfbreeds in a new political order. On the other hand, the métis considered all of the halfbreeds to constitute a nation, the New Nation, which had, in 1869, Divinely sanctioned sovereign powers of government exercised through the provisional government. It is the métis's conception of themselves and the country born as members of a sovereign nation that I suggest gives an answer to the two remaining questions. On the one hand, this conception denied the sovereignty of the Queen over them, and the métis were thus under no constraints to necessarily confederate with Canada. While preferring the latter in order to retain the British connexion, the métis would divest the sovereign powers of the provisional government only to the larger political unit which would offer satisfactory terms of

union. On the other hand, conceived of as possessing sovereign powers, the provisional government was the rightful ruler of the territories, and the métis did not therefore consider themselves to have been in rebellion by erecting it.

V: The Evidence Consulted

I have attempted to base the arguments made in this thesis on primary sources as much as has been possible, supplementing this data with secondary literature whenever necessary.

i: Primary Sources

The sources which I have used can be basically summarized under four categories.

A: Archival material

The Archival material which I have consulted is deposited in the Public Archives of Canada (PAC) in Ottawa. On the one hand, the PAC itself has a collection of catalogued material pertaining to Red River in general and the rebellion in particular, and I made full use of this. On the other, micro-filmed copies of material from the Hudson's Bay Company Archives (HBCA) is as well available at the PAC. The amount of information contained in the HBCA is immense and I have by no means examined it all. Rather, my research in the HBCA concentrated on the post journals, correspondence, and other materials that I considered would be pertinent to an understanding of Red River as a whole, and the rebellion in particular. While much of this research is not directly cited in this thesis, of that which is, I would mention three sets of material in particular. The minutes of the Northern Council of the Hudson's Bay

Company³¹ is an invaluable and necessary source for all who would seek to understand the economics of the fur trade and how they affected all those within the territories. It was at the annual meetings that the trading and purchasing policies of the Company were decided. Of greater import to this thesis are both the London Inward Correspondence from Winnipeg³² and that from Governor MacTavish.³³ The governor and his secretary, J. J. Hargrave, the other major correspondent in the former series, were both acute observers of the effects of the Canadian party and the impending transfer on the local population, and the observations which they forwarded to London have been of much help.

B: Newspapers

Contemporary newspapers were often the best source of information. Apart from Riel's Notes³⁴ of the November Convention, the one, unpublished issue of the ill-fated Red River Pioneer contains the only major description of that Convention which I have found. The New Nation, established by Riel in early January, contains the only first hand account of the February Convention. As well, however, the Montreal Herald is an excellent source of information pertinent to the rebellion, as it had at least two local correspondents, one of whom was the previously mentioned J. J. Hargrave. Finally, while more pertinent to the decade preceding the rebellion, the Nor'Wester, the first newspaper in the northwest territories, nevertheless continued publishing until December. Though clearly biased by virtue of those who owned and edited it, the Nor'Wester nevertheless contains much of importance.

C: Government Publications

Government publications, both of the United Kingdom and of

Canada, as well contain much of the information which has been used in this thesis. The Imperial Select Committee Report of 1857³⁵ which inquired into the trading practices of the HBC contains many informative, and at times candid, responses to the questions asked. The reader is thus given a valuable insight into the ways in which the Company exercised its Chartered rights; and how that exercise affected the population of the territories generally, and of Red River in particular. The Canadian Sessional papers of 1870³⁶ contain much important correspondence, reports, and proclamations pertinent both to the rebellion and the survey party. The Canadian Special Inquiry into the Red River rebellion³⁷ deserves as well special mention, for here a great many impressions of the métis struggles from contemporary observers can be found, as well as statements attesting to the position they themselves held during the rebellion.

D: Contemporary Literature and Documents

Last, I have relied heavily upon contemporary works and anthologized collections of documents pertinent to the rebellion. The works of Ross, Gunn and Tuttle, and Hargrave³⁸ provide some of the most enlightening accounts of Red River life in general, while the latter text provides much information on Red River society and the forces affecting it up to a period just short of the rebellion. Perhaps the most valuable of such works as far as the rebellion itself is concerned, is the Journal³⁹ kept by Alexander Begg during the rebellion. Begg seems to have been preparing to publish, if not the journal itself, a book based upon its contents.⁴⁰ Thus, his day-to-day account of the progress of the rebellion left little unmentioned. Moreover, appended to the text of the Journal is one of the best collections of documents, proclamations, letters, memoirs and the like pertinent to the rebellion. W. L. Morton, the editor of the Journal and the compiler of the documents, has made

publically available for the first time such important texts as the notes taken by Riel during the November Convention, and the draft versions of the Declaration of the People of Rupert's Land and the North-West (Appendix II). Last, though few in number, certain texts of Riel have been independently published and these, in particular his "Dernier Mémoire" appended to De Trémaudin's Histoire de la nation métisse dans l'ouest canadien,⁴¹ I have found of great help.

The above works referenced do not of course exhaust all those used which would fall under the defined categories, but merely point out the documents which I feel have had the most impact on this thesis. The Bibliography of this thesis is structured in the same fashion as has been the above categorization of documents, and thus a more complete listing can be found there.

ii: Secondary Works

The Red River rebellion--Louis Riel in particular--seems to have captured the attention of many in the recent past and an increasing amount of material (this thesis, for instance) is continually being added to the literature on this topic. While I confine myself to that available in English, I do think that the works of major importance have not changed much over the years. While I disagree with many of the interpretations--explicitly in the case of the first two--the works of G. F. G. Stanley, W. L. Morton, and A. S. Morton⁴² provide an excellent general introduction to the rebellion. With respect to Red River society in general, the more recent works of J. Foster, C. Judd, F. Pannekoek, and S. Van Kirk⁴³ are among the best available. Again, a complete reference of the works which I have consulted can be found in the Bibliography, supplementing the major texts just mentioned.

VI: Limitations of the Thesis

While there exists a great deal of recorded primary material on the rebellion, much of it consists of observations made by non-métis contemporaries with their own biases as to the proper interpretation of the events which they recorded. As such, in order to approach the métis directly, I have been forced to rely on very little material of questionable status.

On the one hand, much of my evidence is in the form of public statements by Riel, particularly those made during the debates of the Convention of 40. Such evidence, then, can be questioned with respect to the degree to which such public statements accurately reflect what the métis were "really thinking". While the question is warranted, it must for the moment remain an open one.

Of the little material presently available which can be considered of a more private nature--personal correspondence, for example--I have found none that has been of any help in itself with respect to an explanation of the métis struggles. While such materials undoubtedly convey the conviction of the métis in their struggles, and the low esteem in which they held Canada, the reader is never told why this was the case. One finds, for example, that the "rights" of the "people" had been contravened by the transfer; the "law of nations" justified the métis in their struggles. However, one is never told specifically what those "rights" were, or who those "people" were, or what was exactly entailed in this "law of nations". As such, one must bring to these statements some means of interpreting them, as is manifestly demonstrated by a piece of evidence which W. L. Morton cites in support of his argument.

Referring to one of the documents which he appended to Begg's

Journal, Morton writes:

The short extract from Abbé Dugas's Historie véridique du mouvement des métis is printed as a statement of the clergy's and Riel's prime purpose-- the preservation of the French element in western Canada.⁴⁴

While he does not specify exactly what part of the extract to which he refers, given that the extract is less than a page in length, I feel confident that he has the following portion of it specifically in mind when he makes the claim. In the text, Riel is just preparing to quit Fort Garry prior to the arrival of Colonel Wolsely's troops:

En partant il (Riel--RB) se consola en disant: n'importe ce qui arrivera maintenant, les droits des métis sont assurés par le Bill de Manitoba; c'est ce que j'ai voulu--Ma mission est finie.

Ici en effet, s'est terminée la mission de Riel dans le soulèvement de 1870, et l'on peut dire qu'elle fut providentielle.

Sans la resistance des métis au gouvernement canadien, jamais les droits des minorités n'eussent été écrits dans la constitution du pays, et peut-être ne resterait-il plus rien, du Nord-Ouest, de l'élément français.

I cannot deny that this passage seems to support Morton's contention that the prime purpose of the clergy in supporting the métis was to "preserve the French element in western Canada." However, it remains that to attribute this purpose to Riel as well depends on interpreting his quote in light of the summary given by Dugas: that Riel means in this passage that his mission is completed because he has secured the rights of the French halfbreeds, is not given in the statement by itself.

On the one hand, it is not immediately apparent that Riel refers to the French halfbreeds by his use of the term "métis". Bearing in mind

the passage from the Nor'Wester quoted above (3) in which the imprecision of the term "halfbreed" is noted, let us examine Riel's use of the term "métis" and the reasons he gives for this use:

Les Métis ont pour ancêtres les anciens employés des Compagnies de la Baie d'Hudson et du Nord-Ouest, et pour ancêtres maternels des femmes indiennes appartenant aux diverses tribus.

Le mot français Métis est dérivé du participe latin mixtus qui signifie mêlé: il rend bien l'idée dont il est chargé.

Toute appropriée que l'expression anglaise correspondante, Half-breed, ait été à la première génération du mélange des sangs, maintenant que le sang européen et le sang sauvage sont mêlés à tous les degrés, elle n'est plus assez générale.

Le mot français Métis exprime l'idée de ce mélange d'une manière aussi satisfaisante que possible et devient par là même un nom convenable de race.⁴⁶

Thus, it is possible that Riel referred to the halfbreeds as a whole in the above passage, and not only those of French Canadian extraction. Moreover, it appears that when the French halfbreeds wished to distinguish themselves from the country born, they used the phrase "métis-canadienne", the qualification "canadien" a clear reference to their French Canadian ancestry.⁴⁷ As such, the possibility that Riel is indeed referring to the halfbreeds as a whole in the above passage is augmented.

Second, regardless of to whom he was referring, the "rights" to which Riel refers, those guaranteed in the Manitoba Act,⁴⁸ may have been specific to the French halfbreeds. Clearly this interpretation is possible, given that the Manitoba Act did contain articles guaranteeing the rights of the French halfbreeds in particular; section 22, which

guarantees a denominational school system is perhaps the most striking case of this. However, section 31 guarantees the rights of all the halfbreeds to a share in the 1.4 million acres set aside by the Canadian government ". . . towards the extinguishment of the Indian Title to the lands of the Province . . ." Again that Riel makes reference to the French halfbreeds in particular is not obvious in the statement itself.

In short, for Morton to read into Riel's statement a "prime purpose" coincident with that of the clergy, requires reading that statement as did Dugas; it is only Dugas's summary following the statement made by Riel which serves to efface the ambiguities of the latter and fix its meaning as "the preservation of the French element in Western Canada." I, however, would read this statement as meaning that Riel's mission had been completed to the extent that he secured the rights of all the halfbreeds in the Manitoba Act, for this is the conclusion I reach on the basis of the arguments made below. I bring, then, an alternative framework viz a viz Morton to this statement in order to clarify its meaning and, while based in part upon such speeches as were made by Riel during the Convention of 40, there exists no means of ultimately validating either framework.

The second question which might be raised about the nature of the evidence which I have used in this thesis is with respect to Riel's "Dernière testament" published in 1885. Given the radical transformations which history books tell us Riel had undergone between 1870 and 1885, this article could be highly misleading when used in an analysis of the Red River rebellion. Clearly I cannot either prove or disprove that Riel's psychic state in 1885 distorted his recollections of the métis prior to 1870, for it is this time period with which the article basically deals. However, I find nothing in the article which contradicts what we know about

the métis. The conceptions which are presented in the article, though, do serve to clarify much of what we know about the métis from the point of view of a métis, and contain a means of explaining many of the enigmas of the Red River rebellion. As such, while I agree that my use of this article is open to question, I see no compelling reason to reject its assistance in my analysis.

Last, despite the questions that might be raised about the evidence which I have used in this thesis, my reading of the evidence is not infallible. I think here in particular of the last section of Chapter IV in which a discussion of the New Nation and the role it played in the rebellion is advanced. There is no one piece of documentation in this section which, in itself, serves to support my argument. As far as I am aware, there exists no direct statement by a métis which explains what was meant when the "New Nation" was spoken of, and nor is there any such statement that would attest to the sovereignty of the New Nation in 1869 which I argue the métis considered was predicated of it. Rather, my argument is based on a mass of disparate evidence which, when considered as a whole, leads me to the conclusions reached. As such, the conclusions are thus based upon one possible reading of this evidence, and there is no guarantee that it is the "correct" one.

In short, this thesis cannot claim to any status of "objective truth" but merely to that of an interpretation which is always subject to revision or rejection. If the arguments hesitate in places, this in part reflects my awareness of the questionable evidence upon which they are based. If the arguments are vague in other places, this in part reflects my attempts to instill a logic into the métis struggles which is not easily done with the type of documentation available to me. However, in the last instance, my case must rest on the answers which it provides to the questions raised. I personally think that the answers given below are more satisfactory than those hitherto offered, and to the extent that the

reader is of the same opinion, I consider that my efforts have not been in vain.

With these remarks in mind, then, let us proceed to Chapter I and a discussion of the background to, and the context within which, the Red River rebellion erupted.

CHAPTER I: The Red River Rebellion: The Context

I: Why a Transfer?

On July 1, 1867, Confederation was achieved between the contemporary provinces of Upper and Lower Canada, New Brunswick, Nova Scotia, and Prince Edward Island. Both political and economic necessity lay behind this historic event. Simply speaking, it was political since the hitherto existing double majority system in the united parliament of Upper and Lower Canada had made the business of government impossible. This was economic due to the abrogation of the Canada/U.S. reciprocity treaty in 1857 which necessitated that the fragile and dependent Canadian mercantile economy now develop an accessible internal market on its own. Fundamental to economic survival was the acquisition of the northwest territories at that point under the political jurisdiction of the HBC by virtue of a charter granted them in 1670.¹

The older strategies of development had indeed been made obsolete by the changes of the mid century, and a new strategy had to be devised--a strategy which was to involve, as a matter of economic necessity, the building of a transcontinental economy, the key elements of this strategy were the railway and the tariff.²

The acquisition of the territories was not a new idea; even in the 1840s the economic and military potential of a Canada stretching from mare usque ad mari had been recognized, and by 1857 Canadian interest in the acquisition was cemented.³ The threat of American expansion had become undeniable, and Canadian expansionists--the nascent "Canada First" Party⁴--via the Toronto Globe were unshakable in their demands for Canadian growth. Thus, spurred on by these considerations, Canada sent a representative to the 1857 Imperial Select Committee inquiry into the trade practices of the HBC.⁵ The Company's charter was once again

renewed, but the Canadian presentation bore fruit: Great Britain would secure the territories until Canada was ready to reach an agreement with the Company with respect to a transfer of the territories.

If Canada could wait for westward expansion until its financial and political problems were put under control with Confederation, the railways could not. Edward Watson, recently (1861) president of the potentially bankrupt Grand Trunk, saw the solution to the railway's financial difficulties in westward expansion. Having failed to purchase from the HBC a strip of land over which to run a telegraph--the first step in his expansion plans--Watson engineered the purchase of the HBC stock by the recently formed International Finance Company which was, coincidentally, one of the Grand Trunk's principal backers.⁶

The sale was mutually desirable. The HBC, by virtue of its Charter, had a monopoly of the fur trade in Rupert's Land. This monopoly, however, was a nominal one. The HBC had no military force--no effective means--to enforce its claims. As such, the illegal free trade had been a problem besetting the Company since the 1821 merger of the northwest fur trade rivals.⁷ Until the 1840s, however, the illegal trade was kept in check by lack of an alternative fur market, co-optation of potential rivals,⁸ and the general ability of the Company to absorb the output of the Red River Colony products from the semi-annual buffalo hunt, and from Red River agriculture.⁹ As mid-century approached, however, these things changed.

By 1844, the American frontier had expanded westward far enough to open up an alternative fur market to that of the Company. In 1844, Norman Kittsin opened a trading post at Pembina, just south of the 49th parallel. This new market, coupled with the higher prices for furs that it would produce,¹⁰ in itself extended the activities of the illegal traders. Moreover, while the Red River population had grown in size, economic

opportunities had not; the Company provision market was relatively inelastic and could not absorb the additional produce consequent upon the growth of a productive population.¹¹ This, coupled with the lack of economic opportunities for the local population within the Company itself,¹² left only the illegal trade as a means of breaking out of economic stagnation. Thus, by the mid 1840s, the "... illicit trade had grown to alarming proportions."¹³

Throughout the 1840s, the illegal fur trade drastically increased, prompting the Company to expand its efforts of control.¹⁴ The struggle for free trade climaxed in 1849 with the trial of Guillaume Sayer and three others for illegal traffic in furs. Of the four who were originally arrested, Sayer alone was tried and convicted, but the sympathetic jury recommended clemency. Judge Adam Thom had no choice but to accede given the threatening presence of three hundred armed métis,¹⁵ who surrounded the court house. No penalty was awarded, and the métis took this as a victory for the free trade movement. Cries of "le commerce est libre" filled the air, and from this point on the recognition of the Company's trade monopoly came only from the Charter which had granted it.¹⁶

It is clear that the economic benefits of the opening of the trade were unequally distributed. The métis, it is true, engaged themselves in small scale trade on the plains,¹⁷ but this was relatively minor compared to the operations of the larger traders. Capital accumulation was difficult given the perpetual indebtedness of the métis buffalo hunter, the debt being worked off on the southward bound cart trains of the larger non-Company merchants.¹⁸ This lack of capital with which to enter the trade extended throughout the settlement to the more agrarian country born, for the market closure of agricultural produce had prohibited accumulation.¹⁹ As such, though the extent of the free trade increased during and after the

1840s,²⁰ it remained dominated by a small independent merchant class. As before, the majority of the population participated directly in the trade,²¹ as wage labourers, hired now both by the Company and the independent traders.²² The buffalo hunt and farming still provided the major occupation for most of the Red River population, yielding produce both for exchange and subsistence purposes.

Despite continued efforts by the Company to economically control the illicit trade it increased; and as fur resources continued to decline,²³ HBC profits decreased.²⁴ The offer of stock purchase by the International Finance Company thus provided a profitable exit from the trade.

As Easterbrook and Aitken²⁵ correctly point out, the new HBC owners were primarily interested in colonization and profits via land sales. At the same time, however, private enterprise could not effect large scale expansions alone: the transfer of ownership had not solved the perennial problem of finding a means to enforce payments for land sales, something which lay behind Sir Edmund Head's desire that the territories be turned into a crown colony.²⁶ As this latter proposition contradicted Britain's colonial plans of the time, it became necessary to dispose of the territories: "... the Company expects to sell the territory (sic) to Canada and it is only anxious to get a piece which will leave a large margin of profit."²⁷

Negotiations for the sale of the Company's chartered rights began almost immediately after the 1863 exchange, but little was accomplished until the original Canadian Confederation had been effected.²⁸ In 1868, the Hon. Messrs. Georges Cartier and William MacDougall (respectively ministers of militia and public works in the new Dominion government) successfully negotiated the Rupert's Land Act²⁹ which gave Her Majesty the power to accept the surrender of all HBC North American possessions and privileges prior to the transfer of the same to Canada. In the

following year, on the 5th of July, and under the auspices of the Imperial Government, the same Canadian emissaries successfully negotiated the Deed of Surrender³⁰ with Company representatives. It provided for the transfer of the territories from the HBC to Canada upon payment of £ 300,000 by Canada to the Company. As well, the Company retained ownership of all their posts, an unspecified lot of acreage surrounding them (stipulated not to exceed 50,000 acres in the final Imperial order of June 23, 1870, admitting Rupert's Land into the Dominion), acreage in the "fertile belt" not to exceed 1/20th of the same, and various other sundry qualifications: quite a "fair piece" indeed.³¹

In preparation for the transfer, MacDougall sent Col. John Stoughton Dennis to the Red River Colony in order to survey the territory into lots and townships. Dennis arrived in Red River on August 20th, 1869,³² and immediately set his men to work. On October 11th, the survey party under the charge of Mr. Adam Webb was running lines across the hay privilege of André Nault, a métis. He was accosted by an unarmed party of 18 métis under the leadership of Louis Riel, and

...was ordered by the leader of the party at once to desist from further running the line, and in fact notified that he must leave the country on the south side of the Assiniboine, which country the party claimed as the property of the French half-breeds, and which they would not allow to be surveyed by the Canadian Government.³³

Unarmed though they were, the métis were not to be trifled with, and Webb retreated. The métis had won the first battle with Canada in what was to become known as the "Red River Rebellion".

This first skirmish between the métis and Canada was indicative of the course that the rebellion was to follow over the next eight months.

With three exceptions to be duly noted, the rebellion remained bloodless. More important, however, is the fact that the métis alone composed the "party of action" during the rebellion even though, as Bishop Machray notes, the English were not at all pleased with the form and consequences of the negotiations for the transfer:

...when the originating causes of those troubles are considered there is greater difficulty. They have arisen entirely from the French and Roman Catholic Section of the Community. I am not aware of a single English-speaking & Protestant member of the community that has taken arms to resist the Entrance to Canada. The more intelligent members of the English Section regretted much the course that was attributed to the Government of Canada managing the country by a nominated Council; but they never had any doubt that the matter would soon right itself and though it made them rather cool with respect to Canada for a time, they never had the slightest idea of resorting to force... The English Section of the Community is not less anxious about their rights and about the prosperity of the country than the French; but they have never entertained a doubt that in due time everything that would be advantageous for the country would be granted by Canada.³⁴

Thus, while the impending transfer of the territories from the Company to Canada created a settlement-wide feeling of discontent--both the French and the English were equally "anxious about their rights and the future prosperity of the country"--it was only the métis who were prepared to do something about it. In the following lines I will elaborate upon this apparent wide spread dissatisfaction with the transfer and the equally apparent cleavage between the French and the English when it came to positions adopted with respect to the appropriate measures to take.³⁵ For the moment, however, it suffices to emphasise that the problem of the rebellion as I have defined it, viz, why did the métis rise in struggle

in 1869 to contest the transfer, must be posed so as to reflect this commonality of reception, though differentiation in response to, the transfer of the territories. At the beginning of Chapter III I shall attempt to pose the problem in such a fashion, but for now, I would like to turn to a brief discussion of the Canadian party in Red River prior to 1868.

II: The Canadians in Red River, 1859-1868

The people of the Red River settlement had had, by 1869, a decade of experience with immigrant Canadians upon which to base their reaction to the transfer of the territories. I refer here to the small but vocal group of Upper Canadians in Red River known as the "Canadian Party"

under the leadership of Dr. John Christian Schultz. Centred about the small Canadian merchant contingent in Winnipeg, by 1869 the members of the Canadian party could be said to as well include the Canadian farmers resident at Portage La Prairie and High Bluff, and those Canadians employed in some capacity on the two Canadian public works projects begun in 1868 and 1869.³⁶ Generally, it would appear that the métis and the Canadians never had a very congenial relationship, and by 1869 it would appear that the two were quite antagonistic towards each other.³⁷

The English, on the other hand, seem to have had a somewhat ambivalent relationship with the Canadians; support for the political positions of the latter both prior to and during the rebellion came mainly from the English section of the population, though this support can by no means be considered to have been absolute or unqualified. In the next few lines I should like to briefly describe the relationship between the local residents of Red River and the Canadian party in the years prior to 1868.

I have noted above that Canadian interest in the territories was manifest by the late 1850s, and in 1859 came the first, for the present purposes,

significant result of this interest. In that year, James Ross--a Red River country born, and sometime employee of the Globe--was completing his studies at the University of Toronto and preparing to return to Red River. His years in Toronto had apparently made him "see the light" and he sent off a series of letters to the Globe asking for Canadian emigrants to Red River in order that the colony begin to prepare itself for its inevitable future as part of Canada. Two aspiring newspaper barons, William Coldwell and William Buckingham responded by purchasing a printing press and moving to the colony to open its first newspaper, the infamous Nor'Wester.³⁸ The Nor'Wester, throughout its many owners,³⁹ retained a continuing purpose: to hasten the process of Canadian acquisition of the territories.

Two related themes were used to further this objective. On the one hand, an ever-increasing attack on the autocratic rule of the HBC was mounted, one which increased in vitriole and temper when Schultz took over ownership of the paper (cf. note 39, above). The local government, the Council of Assiniboia was headed by a Company-appointed governor. The councillors, as well, even though they were local residents, were appointed by the Company's London Committee. The settlers had many times in the past come to a conflict between their own and the Company's interests, and though some of the residents did not disparage the council because of this,⁴⁰ it is clear that many saw the Council as unrepresentative of their interests.⁴¹ The anti-company diatribes of the Nor'Wester sought to build on this antagonism, and indeed, examples of support for the Canadian positions can be found.⁴² However, not all were so antagonistic to the Company rule.

I think here in particular of the métis as a whole, whose non-concurrence with anti-Company sentiments is most clearly documented in 1862. In that year, the Council of Assiniboia reiterated a traditional demand, by drawing up a petition to the Imperial Government requesting

troops for the protection of the settlement. The parties backing the Nor'Wester countered with their own petition which, in addition to the request for troops,⁴³ asked that the colony be released from the autocratic form of HBC rule, putting in its stead an elected political apparatus. Both petitions were circulated throughout the settlement and meetings were held to debate their respective merits. According to the Nor'Wester, the English parishes seemed to side with the counter-petition, thus making clear their dissatisfaction with Company rule. The French parishes, however, argued against the counter-petition.⁴⁴ Louis Riel, father of the Riel of the rebellion, had this to say at the St. James's parish meeting:

...I wish to show and prove that Mr. (James--RB) Ross is a deceiver, misleading the people, for he says that the dissatisfaction with the Company and the Council is "universal," whereas the truth is, that among my people, the French Halfbreeds, there is no such dissatisfaction. Thus I have proved that he is imposing upon you, and is therefore, an imposter (oh! oh!)⁴⁵

I have been unable to trace the results of this petition battle--although it does seem reasonable that Ross's activities in it were the immediate cause of his dismissal from public duties by the Council⁴⁶--but the point to be made is that from the outset the métis and the Canadians did not see eye-to-eye with respect to political matters, while the English were more inclined to support the Canadians.

The second theme which was consistent in the Nor'Wester was more positive. Regular articles and supplements were dedicated to showing the benefits to those who would choose to emigrate from Canada to the northwest. Subscribers in Canada soon took up the call, and an unending trickle of emigration from Upper Canada to the territories occurred throughout the decade of the 1860s. The Canadians, farmers for the most part, settled about the Portage de la Prairie, a community just outside

the jurisdiction of the Council of Assinaboia and situated about 60 miles northwest of the forks of the Assinaboine and Red Rivers.⁴⁷ As well, a small Canadian merchant contingent set up shop in Winnipeg itself, the place where the Nor'Wester was published and the centre of Canadian expansionist activity.

While the Nor'Wester could not expound enough upon the potential for prosperity in the northwest, they made it clear that such benefits were to be of a limited nature. The future of the northwest lay in farming, and at the same time as it glorified the farming life and the farmer himself,⁴⁸ less "civilized" pursuits were downgraded and those who participated in them disparaged in no uncertain terms. The métis, were primarily buffalo hunters, and while not all of them engaged in full time hunting, the semi-annual hunt played a major part in their lives. Hunting, however, according to the Canadian view of human evolution, was low on the scale. Buffalo hunting, according to the Nor'Wester, was both cause and effect of restless behaviour and antithetical to the pursuit of "honest genuine labour". It was "primitive, easy-going, (and) pleasure-giving", lacking skill and encouraging "extravagance" and hedonism. Thus, hunting,

...just suits the taste of nature's children...
This is why with them it is the occupation
of occupations; but this very reason stamps
it as outlandish, temporary, makeshift, quite
unworthy of a people pretending to a respectable
degree of civilization... The hunting life
denotes a rude or primitive state of society.
History teaches us that a people who live by
hunting are only in the first stages of civilization.⁴⁹

While in other places the Nor'Wester did ascribe somewhat more importance to the hunt with respect to Red River life,⁵⁰ it is clear that the Canadian opinion of the hunt was unflattering and this opinion stretched to the hunters themselves, for as "nature's children" they were an atavistic throwback. Thus, civilization, inevitably progressing and destroying the

last vestiges of "primitive" societies, had little to offer the métis hunters:

The wise and the prudent will be prepared to receive and to benefit of them (i. e. the influx of agricultural settlers--RB); whilst the indolent and the careless, like the native tribes of the country, will fall back before the mark of superior intelligence.⁵¹

The agrarian English of Red River would obviously be outside the boundaries of the Nor'Wester predictions and disdainful comments, and thus would not likely take offense from the Canadians because of them. It does not seem likely, though, that the métis hunters, confronted by prophets of their doom, would be sympathetic to the Canadians or the cause which they promoted.

In the preceding lines I have suggested some grounds for believing that métis antagonism to the transfer had historical roots in so far as in the decade preceding the transfer the métis did not agree with, and even had much reason to oppose, the political positions advocated by the Canadians in the colony. However, the relations between the Canadians and the métis were not wholly antagonistic, and nor were the métis the only ones who found disfavour with the Canadians.

On the one hand, Schultz, in his capacity as doctor, offered his services free to those unable to pay for them; and as his advertisements for this service were bilingual, it would appear that the métis reaped a certain amount of benefit from his presence.⁵² On the other hand, instances of widespread opposition towards the Canadians and the positions they adopted can be found, in which the French and English of the settlement sided together against the Canadians.⁵³ Further, in 1868, Schultz, escaped after having been imprisoned for certain business improprieties; aroused negative opinions towards the Canadians.⁵⁴ On balance, then, I would have to say that prior to 1868 the métis were clearly antipathetic towards the Canadian element, while in general, the feelings of the rest of the settlement were not all that favourable. As events

progressed, the negative elements were to become more prominent.

III: Canada and Red River: I'll take the high road

The leitmotif of the rebellion and general cause of the offense taken by the whole settlement from Canada, was the essentially despotic mode in which Canada related to its future acquisition. It was a form firmly established with the negotiations for the transfer itself as we shall see, but the first concrete manifestation of the Canadian attitude came in 1868.

In that year, Red River suffered an unprecedented provisions shortage, as both the harvest and the buffalo hunt had failed.⁵⁵ Requests for support were sent out, and various parties favourably responded. The Canadian government's response, however, had certain strings attached, for it considered that the people of the colony should work for relief measures. To this end, MacDougall dispatched James Snow to head a work crew who would begin construction of the Dawson Road from the west in order that it eventually link up with the sections beginning at Lake Superior already under construction.

The local response to this action is somewhat contradictory according to the documents that I have consulted. There is the issue, first, of the rights of Canada to institute such a work project. As the transfer had not yet been completed, the Department of Public Works was outside its jurisdiction. Canadian haste to enter the territories was only heightened to the extent that the road party poorly disguised its function as a vanguard of Canadian preparation for the future transfer⁵⁶ in the guise of relief measures. The métis recognized both these points and were displeased.⁵⁷ Governor MacTavish also recognized the ulterior motives, but did not protest as "Generally people welcome him (Snow--RB) as a Godsend . . ."⁵⁸ MacTavish thus seems to suggest that the majority of the people in the

settlement could not be happier with Snow. I think, however, that MacTavish somewhat over-states the case or, if he does not, the pious joy of the people must have been short lived.

For a start, the actual extent of the relief given by the road project was quite minimal:

The amount of relief produced by the efforts carried on under Mr. Snow has, however, been comparatively small, seeing the highest number of men he has employed at any one time is forty, and the highest wages he has given £4/per month, exclusive of rations.⁵⁹

The figures that I have found suggest that the number of employees generally hovered around 30 with wages of £3/month, at the time when relief was most needed.⁶⁰ The differences are, however, of little import since the estimated number of families who were in need of relief ranged from 435 (or 2412 people) to 483 (or 2460 individuals) according to the "Red River Co-operative Relief Committee."⁶¹ Snow's road building excursion thus made little dent in the satisfaction of relief needs. On the one hand, the actual manpower requirements were lower than were estimated in Canada.⁶² On the other, it could be that the wages paid by Snow could not compete with the income to be garnered from the increase in the carting trade: as most subsistence goods had not to be imported, it was a seller's market for those who had, or could work on, the carts which were needed for the transportation.⁶³ Both would account for the low number of men which Snow employed.

Second, if Red River seemed to get the short end of the stick in this relief exercise, certain events connected with the road building served to augment existing dissatisfaction. On the one hand, wages were paid in provisions, credit for which was redeemable only at Doctor Schultz's store set up near the road project headquarters. As I have suggested, Schultz was by this time losing favour with the settlement as

a whole, and if it was not enough that local labour had to fill his coffers, the prices he charged exceeded those in the settlement. For example, flour, at that time priced at no more than £3/bbl. in the settlement, sold at Schultz's store at between £3 12s. and £4/bbl.⁶⁴ It is perhaps true that the dissatisfaction caused by these higher prices may have been unjustified, given the transportation costs over the twenty-five miles from the settlement and the store necessitated higher prices.⁶⁵ Nevertheless, Schultz did have a monopoly on credit redemption and the labourers thus had no choice but to pay the higher prices.

On the other hand, the Canadian members of the road party were not helping matters at all. Apart from explicitly associating with Schultz and the Canadian party, the foreign members of the crew were attempting to buy land cheaply from the Indians around Oak Point (road HQ), land speculation being the obvious purpose: because Indian title had not yet been extinguished, the métis found a cause of dissatisfaction in this.⁶⁶ One of the Canadian members attempted to go one better in provoking the local population. Charles Mair--sometime poet and playwright; avid Canada firster; and politically appointed pay-master to the road crew--sent his impressions of the west back to Canada in a series of letters which found their way into the pages of the Toronto Globe. The third of these letters--the one "... which created the greatest sensation among the people it professed to describe..."⁶⁷--left no suspicion as to the disdain in which Mair held the halfbreeds, in particular their means of livelihood and the women. In short, this recent addition to the Canadian contingent at Red River was not doing a very good job of ingratiating itself, or Canada as such, with the locals; Mair, in particular, fared none to well as a result of his literary excesses.⁶⁸

IV: Transfer Without Consultation

The next brick in the wall of alienation Canada seemed determined to establish between itself and the settlement came with the transfer and its negotiations. The first indications of the direction their future would take were not happily greeted by the residents of Red River. As Governor MacTavish recorded:

Reports of changes reached here and as far as I can judge the Settlers here (I mean those who belong to the Settlement) look with little favour on the transfer of the Colony to Canada.⁶⁹

MacTavish here gives a clue as to why this was the case. I have already mentioned that the negotiations for the transfer were between the Company and Canada with the Imperial Government supervising the discussion. At no time, however, were the local residents consulted about their own wishes or interests. It "seems incredible" to Morton but it does appear that even Governor MacTavish himself was completely ignorant of the processes involved in reaching the final agreement.⁷⁰ The lack of consultation itself proved an irritant to the settlement: it became a key issue in the métis struggle, but the English as well were dissatisfied.⁷¹ The unfolding relationship between Canada and its new territory increasingly took on the hues of an autocracy, and as 1869 drew to a close, the already bubbling cauldron increased from a simmer to a boil.

V: Land Titles

If the manner of negotiations were a cause of dissatisfaction in the settlement, their results could only compound it. I have already referred to the Deed of Surrender and the important aspects of it pertaining to the exchange between the Company and Canada. One clause pertained specifically to the proprietary rights of the settlers in this exchange; but,

as we shall see, it did not address those rights to a strong enough degree:

All titles to land up to the eighth day of March, one thousand eight hundred and sixty-nine, conferred by the Company are to be confirmed.⁷²

Superficially it would appear that with respect to land titles the settlers would have no worries, an assurance given throughout the period of the rebellion.⁷³ Machray, however, succinctly points out the hidden difficulty:

Just rights are properly those for which there is some legal basis--that is--that can be substantiated and maintained by legal process. Something more definite is needed here. The very titles to land given by the Company were burdened with impossible conditions. Many occupiers have no titles.⁷⁴

The titles to land which did exist were held in leasehold from the Company for 999 years, and could be obtained by grant or purchase. While as we shall shortly see, few in Red River in 1869 had this sort of title to their holdings, there can be no doubt that some did, and would therefore appear to have no worries whatsoever. This was not necessarily the case, however, for the titles themselves were poorly recorded, and a settler's legal possessions at times difficult to define. When a land sale took place, the purchaser received a deed and the sale was recorded in the Company's land register book. However, most settlers were not in possession of any deeds; the deeds were lost or, if the land had been sold, they may have remained in the possession of the original owners.⁷⁵ Moreover, the entries in the land register which, all things being equal, would serve as a valid certificate of purchase⁷⁶ were not of much help either. While the new land deed introduced in 1845 stipulated that any transfer of titles must be approved by the Company and recorded in the register⁷⁷ this was not done in practice and land transfers were accomplished quite freely.⁷⁸ Title to land thus became harder to prove with each transfer

of property.⁷⁹

For those, then, who did have some sort of legal claim to land in the settlement, proof of this claim could be rather difficult. However, as Machray intimated above, the majority of the settlers by 1870 had no legal whatsoever, having merely squatted on the land and claimed rights of possession.⁸⁰ Two reasons might be adduced to account for this, the first being the price of land which few could afford, the second being the terms of the 1845 land deed whose feudal overtones were unacceptable to some of the settlers--especially those engaged in the free trade.⁸¹ Thus in 1857 Simpson could say that few land sales had been made in previous years; the Company had no means to enforce payment of the sales and therefore did not even try. What is more, it would seem that the Company even actively encouraged squatting.⁸²

One further point must be added here, for the question of land titles, both prior to and after a union with Canada, was further complicated by the fact that the validity of the titles and rights given the settlers by the HBC was itself open to question. The land on which the colony had grown was part of the grant from the Company to Selkirk in 1811. Selkirk, however, had recognized the Indian title to it, and in 1817, signed a treaty with four Indian chiefs in order to extinguish aboriginal title. It does appear to me, however, that the nature of this treaty was quite ambiguous. The treaty stated that.

... for and in consideration of the annual present or quit rent hereinafter mentioned, the said Chiefs have given, granted and confirmed, and do, by these presents, give, grant and confirm unto our Sovereign Lord the King all that tract of land adjacent to Red River and Ossiniboyne River, beginning at the mouth of Red River and extending along same as far as Great Forks at the mouth of Red Lake River, and along Ossiniboyne River, otherwise called Rivière des Champignons, and extending to the distance of six miles from Fort Douglas on every side, and likewise

from Fort Doer, and also from the Great Forks and in other parts extending in breadth to the distance of two English statute miles back from the banks of the said rivers, on each side, together with all the appurtenances whatsoever of the said tract of land, to have and to hold forever the said tract of land and appurtenances to the use of the said Earl of Selkirk, and of the settlers being established thereon, with the consent and permission of our Sovereign Lord the King, or of the said Earl of Selkirk,

The annual quit rent was to consist of 100 pounds of tobacco to the Chipewyans and Saulteaux, and a like amount to the Crees.⁸³

Where the problem lies, of course, is in the interpretation of the nature of the "grant". On the one hand, one could say that land "given, granted and confirmed . . . to have and to hold forever" would be land that had been sold, alienated, transferred to a new owner. On the other hand, this transaction would appear incomplete given the annual rent. On this latter interpretation, Indian title would not be extinguished--they would not have sold the land; rather, possessory rights alone would have been granted in return for the annual rent payment.

This latter interpretation, at least, is the one which one of the Chiefs who had signed the treaty held. In 1860, the Nor'Wester published an affidavit signed by Chief Peguis of the Saulteaux in which it was claimed that the Indians had never sold the land to the Company or to anyone else.⁸⁴ The claim, according to Rich⁸⁵ was not a new one, but this was the first time that it had received such public exposure. As he continues:

The Indian's claim threatened not only the Company's rights, but the existence of the whole colony, for when the settlers read the Indian's protest in the Nor'Wester they saw all the titles which had been derived from the Company in jeopardy.⁸⁶

Meetings were held in the settlement to debate the proper interpretation of the treaty,⁸⁷ and while I cannot discover just what the outcome of these

discussions was, it would appear that the Indians themselves adopted a compromise position. In 1861, ". . . Peguis and the other chiefs" demanded of the settlers a rent of one bushel of wheat for every five harvested for the land under cultivation beyond the "inner two miles" which had been granted to Selkirk.⁸⁸ In other words, the Indians were demanding rent for that land which lay outside the boundaries of that which had been extinguished, however badly. In the terms of the day, this rent demand would be for that land which composed the "hay privilege"⁸⁹ of the settlers, a demand which would of course not affect all the settlers, for some privileges lay within the six mile radius of and whose centre was Fort Douglas (or, what is the same thing, Fort Garry).⁹⁰ These latter tracts, lying as they were within land which the Indians appear to have exempted from their claims to aboriginal title, would be safe from rent demands.

Given my unfamiliarity with the nature of the land claims made by the Saulteux in 1869, I cannot say if they were then making the same kind of claims as they did in 1860. However, if they were--and this seems to be a likely possibility⁹¹--it is clear that one additional problem would be present with respect to the securance of the settlers' land titles. As such, the "anxiety" occasioned by the vagueries of the Deed of Surrender as it pertained to the land titles of the settlers' would be only augmented.

VI: Political Rights

If land tenure was one contentious issue in the proposed terms of transfer, a second was the form of political organization which Canada wished to impose upon the territories. We recall that one historical conflict which existed between the (English) settlers and the Company was over the lack of elected representation which existed under Company rule, a situation on which the Canadian party attempted to capitalise in its

agitation for Canadian annexation. The rude irony in this was that Canadian rule would not change this situation, and, as shall be shown shortly, the Canadian party itself sought to justify this. The "Act for the Temporary Government of Rupert's Land . . ." ⁹² passed by the Canadian legislature in June of 1869, specified what could only be called a despotism--or, to make it more palatable, we might, with John A. Macdonald call it a "paternal despotism". ⁹³ As A. S. Morton comments: "A despotism it was to be. The paternalism of it would be of a speculative quantity, depending on the quality of the man." ⁹⁴ The Act provided for the appointment, by the (Canadian appointed) Governor of the territories, of a council numbering between seven and fifteen, to "aid" the Governor in the administration of the Territory. However, no provision was made for that council to be composed of any locals (although Canada did plan on seating local residents on the council ⁹⁵); the ratification of their appointment was reserved to the Canadian Privy Council; and to top it all off, the Canadian legislature retained for itself veto power over any and all legislation enacted by the Governor and his "aids". Temporary though it may have been, it is evident that the colony was upset. ⁹⁶

Displeasure with the form of political administration to be imposed was not limited to the colonial settlers: the Globe itself while agreeable to the acquisition of the territories, nevertheless was not enchanted with the idea of an appointed council for the government of the territories. ⁹⁷ However, the resident Canadian Party attempted to diffuse the issue with two arguments. On the one hand, unfamiliar to any form of representative government, the people of Red River would need time to learn the ins-and-outs of such a form. On the other, given that the eventual franchise would carry property qualifications, prior to any elected government being established there would be the need to establish such qualifications and then to determine who in the territories had the right

to vote.⁹⁸ This reverse by the Canadian party in itself no doubt contributed to the further decline in their popularity, and increased concern by the settlement over the nature of those Canadians to follow. It became increasingly apparent, however, that the Nor'Wester logic concealed more personal motives and this, coupled with certain other events: the survey party, provided the final instigation to rebellion on the part of the métis.

VII: Opposition to the Surveys

When Dennis arrived on August 20th, the development which was to lead to rebellion was already underway. On July 29, a meeting, generally believed to be called by William Dease,⁹⁹ was held in order to discuss the future of the country. Agreement in principle was reached by those few in attendance¹⁰⁰ --likely métis¹⁰¹ --that because of Indian and halfbreed claims to the land, the \$300,000 payment by Canada to the Company should rather be distributed among the natives of the country. A demand, however, that the Assiniboia Council be abolished and replaced by an alternative government was rejected. That this latter demand should be rejected now, though soon implemented by Riel, is perhaps explained by the fact that Dease was suspected--and with good reason--to be a supporter of the Canadians.¹⁰² Nevertheless, this was the beginning of French organization which Riel, less than three weeks later, would begin to mould in his own fashion.

Opposition to the surveys was thus expected even before they commenced,¹⁰³ and once they began, both French and English raised their voice in protest, though the French took more direct action.¹⁰⁴ Opposition to the surveys can be traced to three sources. First, as noted above, the issues of land tenure was not settled in the Deed of Surrender, and it would seem likely that the settlers would not appreciate

survey lines being dropped when there was no guarantee that they would not lose their holdings in the process. This threat was compounded by the nature of the survey system adopted by the Canadian Government. While the river lots system in the settlement was clearly the most advisable given the problems in water supply¹⁰⁵ and the rude state of agricultural technology,¹⁰⁶ the Canadian government adopted a square township system of lot allocation (36 sections of 640 acres each).¹⁰⁷ Had it been implemented--as Stanley suggests was to happen--¹⁰⁸ the minimal guarantees of property security as contained in the Deed of Surrender would have been clearly worthless. Nevertheless, Dennis took pains to reassure the population that his object was not to dispossess anyone.¹⁰⁹ He contended that this pacified the English--though not entirely, as the letter from Machray shows (above 37)--but not the French.¹¹⁰ The arresting of Major Webb's activities is the clearest indication of this.

For the moment, I would suggest that French discontent focused about two other issues. First, there was again the high-handed attitude of Canada towards the local population: the transfer was still in the future and already Canadian authorities were exercising the powers of government.¹¹¹ It is true, contra Charlebois,¹¹² that Canada had requested and obtained permission from the Company's London Committee, and MacTavish had resignedly acceded to his superiors.¹¹³ It would seem likely that the métis were aware of this since Riel had conversed with Dennis but the more important point is that they did not recognize the legitimacy of the Canadian actions.¹¹⁴

Second, we have already seen that the emigrant Canadians had a penchant for land speculation, and once again they devoted themselves to the task with a vengeance. Begg tells us how this was done:

Soon after Col. Dennis had commenced his surveying operations throughout the Settlement these same men began to lay claim to all the most valuable spots of land not actually belonging to the settlers.

The plan adopted was as follows:--When a lot was chosen by an individual, he proceeded to cut a furrow around it with a plough and then drive stakes with his name marked upon them into the ground here and there. This was considered sufficient to give the claimant a right to the land; and in this way hundreds of acres were taken possession of for the purpose of speculation. It seemed, as soon as there appeared a certainty that Hon. Wm. MacDougall was to be Governor, that the men who professed to be his friends in Red River, made it a point to secure as much of the country to themselves as possible. It is notorious that the principal one in this movement, the leader of the so-called Canadian party, staked off sufficient land (had he gained possession of it) to make him one of the largest landed proprietors in the Dominion.¹¹⁵

Antagonism towards the surveys was compounded by the friendship struck by Snow and Dennis with Schultz and the Canadian party¹¹⁶ eventuating in full alienation of the people. Apart from the Canadian proclivities towards land speculation, let us recall that the incoming administration was to be an appointed one, and that this form of government was supported by the people. It was bad enough that the Canadian papers had themselves given credence to the suggestion that appointments to the Council were, for the most part, to exclude locals.¹¹⁷ The Canadian party worsened matters by implying--it was, in fact, more than implication¹¹⁸--that the positions of political power in the new order were to be filled by them.

An impression has gained ground from the boastful words of public servants already here (i. e. in Red River--RB) and the damaging indiscretions of a small knot of men who make pretensions to be the friends of

Canada, that certain men among the latter are already virtually appointed to certain offices, the holders of which will be nominated by the incoming Governor. The effect of the formation of an entire staff of officials, selected on the principles which would have secured the appointment of the parties referred to, would be to force the existing population to submit to the possible caprices of those who have hitherto rendered themselves publically obnoxious, until when a more permanent order of things, inaugurated by the dreaded men, should be at last established, the present population and natives of the country will find themselves in a hopeless minority swamped by the advancing wave of immigration.¹¹⁹

The above lines thus provide the background to, and the context within which, the Red River Rebellion erupted. In the next chapter I should like to document its progress and conclusion.

CHAPTER II: The Red River Rebellion: The Event

I: Can Canada Come In?

The "movement of '69", wrote Riel, began on the 15th of August.¹ Between this date and the stopping of Webb's party, little documentation on the nature of Riel's agitation can be found but it is clear that meetings were held among the French parishes to decide upon a course of action. At the first meeting--probably in September--the métis seem to have articulated in principle their continuing position of opposition to Canada, its hitherto actions, and its future ambitions as ruler of the territories. The métis were quite willing to ultimately enter Confederation, but were simultaneously conscious of their rights as natives of the country which Canada had ignored, for example, by sending in the survey party prior to the transfer. The proposed appointed council as well was discussed, the conclusion reached being that the few local councillors who might be appointed would be insufficient in number to make their voice heard. Finally the métis declared their loyalty to the Queen and would do all in their powers to protect "... les prérogatives accordées si libéralement par la couronne d'Angleterre à n'importe quelle colonie anglaise."² The métis position was thus defined from the outset as one based upon rights accruing to them as natives of the country, and simultaneously as British subjects. It was these that the métis considered breached by Webb, and were the reason for stopping his survey party.

The position articulated at this first meeting could not yet be put into practice, except on a small scale such as the intrusion into the Canadian survey, as the bulk of the métis were still engaged in their summer pursuits on the plains. However, by mid October the métis had begun returning to the colony, and by the 20th Riel felt strong enough to officially organize his forces. At a meeting at John Bruce's house, the "Comité Nationale des Métis de la Rivière Rouge" was formed, with Bruce as the nominal president and Louis Riel as secretary, nevertheless holding the real leadership.³ Events moved with greater rapidity after this. On the 21st, a road block was set up in the parish of St. Norbert in order to control traffic into and out of the settlement.⁴

Hearing of this, Dennis informed Judge Black⁵, who then called a Council meeting for the 25th in order to meet with the métis leaders and to decide upon the appropriate course of action. The Minutes of Council for that meeting suggest that Riél reiterated the position already established: "uneducated and only half civilized" the métis were afraid that they would be wiped out come large scale immigration. The métis saw that their rights had been ignored and that this would continue under the new government, for it would probably occur that Governor designate William MacDougall, once established in the country, would constitute himself "Master or King as he says". The métis would thus drive him out, but "they did not feel that they were breaking any law, but, were simply acting in defense of their own liberty."⁶

This did not satisfy the council, who appointed William Dease and Roger Coulet to go among their French brethren and attempt to show them the folly of their ways.⁷ The attempt was a total failure, as reported at the next meeting on the 30th, and the council had no choice but to merely send an address of welcome to MacDougall, and then to adjourn for the last time.⁸

On November 31, MacDougall arrived at the international boundary and was greeted not by fanfare, but a rather depressing note--to him--from the Comité. It ordered him to remain outside the territory "sans permission spéciale de ce Comité." Upon inquiring as to whom had sent this message, the métis runner replied: "The Committee--the Government." I asked, what Government? They said 'The Government we have made.'⁹ Unimpressed, MacDougall crossed the border and set up shop in the HBC post two miles inside.¹⁰ On November 2nd, MacDougall was once again told to retire from the country, a warning which he again disregarded until the morning of the following day. Aroused from his bed, MacDougall was given a final ultimatum; and to ensure compliance, an armed métis guard escorted the governor into American territory.¹¹ Canada had been repulsed and would not be let back in until the métis demands were satisfied.

As the métis were in the process of organizing the expulsion of MacDougall, the rest of the community was simultaneously preparing to greet him. On October 19th, the St. Andrew's parish met and resolved to send an address of welcome to the incoming governor.¹² Little more seems to have occurred, that

has been recorded, until the 29th of the month; perhaps the English parishes were waiting to see what influence the council and others would have upon the métis forces.¹³ In any event, little success was coming of these individual attempts at persuasion, and on the 29th, two petitions were sent from the English parishes protesting the métis actions and requesting that MacDougall be allowed in.¹⁴ The request, obviously, had no effect.

If the English, however, were opposed to the course of action that the métis were taking, they were not prepared to counter force with force. Their actions were limited to persuasions of the above nature and in no case did the English consider circumventing the métis or taking action in direct opposition to them. On the 30th, it could be said, that "The Scotch half-breeds have taken no part in the quarrel. They are prepared to submit to the new order of things, but seem disinclined to take up arms against their French cousins."¹⁵ The Council had considered sending a delegation to escort MacDougall into the territories, but "... there could not be found 50 men amongst the settlers themselves to offer their assistance in bringing the new governor as far as Fort Garry."¹⁶ In fact, it would be the latter part of November before any significant organization amongst the English would take place.

II: The November Convention

In the meantime, Riel was solidifying his position and preparing to meet the challenge of December 1, the tentative date on which the transfer was to be effected. On November 2, without any resistance, Riel took over Fort Garry, putting the métis forces in possession of the main defensive stronghold in the settlement.¹⁷ With this completed, an invitation was published on November 6, requesting that the English elect parish delegates to convene with the French beginning on the 16th of the month.¹⁸ The November Convention, whose purpose was to establish a united opposition to Canada, met on the 16th and 17th of November and then adjourned to allow the general quarterly court to sit. It sat again on the 22nd, 23rd, and 24th and then adjourned once more until December.¹⁹

As a forum for communication and discussion, the convention began on a dismal note: the French made clear that they were attempting to protect their rights, but the problem remained that the English could not quite comprehend just what those rights were. While Riel considered that the métis actions were self explanatory²⁰, the English delegates considered them merely to be stonewalling: "We endeavoured frequently to bring them to the main point. But our plain question of, what do you want? was only met by declamation and harangue."²¹ Further, whatever those rights were--and the English agreed that the métis had them--the former could still not justify the use of force.²² The English, however, had not long to wait before the métis would more clearly articulate their demands.

On the night of November 23rd/24th, Riel spent seven long hours convincing his councillors of the necessity of establishing a provisional government. Apparently the major obstacle he had to overcome was to convince his councillors that such a government would not undermine the authority of the Queen.²³ However he argued this point, his persuasions were eventually successful, and on the 24th the provisional government was established, though not to be officially declared until December 8th. To the English delegates, Riel merely presented the provisional government as one demand amongst others.²⁴ The English rejected all the demands,²⁵ and the Convention adjourned until December 1.

III: The English Respond

The métis, since early November, had been stopping the mail and thus giving rise to ill feelings on the part of the English.²⁶ On the 23rd and 24th, the métis once again demonstrated their control over the settlement, seizing first the colony records and then the customs papers.²⁷ The whole situation was apparently becoming too much for some, and on the 25th, amid rumours that the English delegates would not attend the December 1st sitting, the "Committee for Public Safety" was formed at a meeting in the St. Andrew's parish. Arms were commanded and preparations for drilling began.²⁸

The striking of this committee was probably not wholly unexpected, for the St. Andrew's parish had a recent history of volatility. On November 17th, a meeting was held in Winnipeg to discover the state of public opinion with respect to the current crisis:

. . . it broke up without any result (of) what (it) was. The most pressing danger is said to exist in the probability of a collision between two sections of the English-speaking population. The majority of the latter believe that the action of Canada with reference to the present inhabitants of Rupert's Land is likely to be high-handed and unjust.²⁹

Thus while the majority of the English population would remain passive with respect to the métis actions because of their own feelings of injustice at the hands of Canada, a few were in some ways antipathetical to this attitude.

Apparently a good number of these latter were in the parish of St. Andrew's for three days later a meeting was held in this parish attended "chiefly" by the "English half-breed agriculturalists" who declared ". . . themselves willing, on the call of the authorities, to take arms."³⁰

It would appear that the nature of the call by the "authorities" took the form of a call to protect some government supplies--in particular, some pork--which had arrived in the settlement on the 24th, and had been consigned to Schultz's Winnipeg store.³¹ Riel had immediately ordered an inventory of the supplies, a move to which Schultz did not take kindly. The latter purchased the help of the métis left by Riel to do the inventory, for the purpose of removing the supplies to his residence. Upon Riel's return, an armed guard was placed about the store as it was too late to continue the inventory, and the Canadians proceeded to make plans to protect the supplies.³² It would seem that these plans were an immediate cause of the formation of the Public Safety Committee, for James Ross had originally called the meeting to convince the men of the parish to remove the supplies from Riel's guard.³³ The connection seems even more probable given Ross's current favour with the Canadian position.³⁴

Ross's plan did not meet with approval from all the English. He intimated to the meeting, for example, that more than 200 Kildonan Scotch were prepared

to rally to the defense of the supplies. The next day, when this statement made the rounds, Alex Polson "... was sent down to the Settlement (from Kildonan-R.B.) to say that Mr. Ross was not authorized to make such statements and as far as the Scotch were concerned the Government Pork might go to the devil."³⁵ Nevertheless, the Committee continued to organize³⁶ and rumours that Riel was to seize the pork stirred up some English to action.³⁷

While the pork battle was far from over, a lull occurred as other events developed. On the 26th, an informal meeting was held in Winnipeg at which it was decided to propose a compromise with respect to the existing government and the provisional one as proposed by the métis. This would hopefully meet the demands of both the French (that an elected body be formed to treat with Canada) and the English (that the existing authority of the HBC and the Council of Assinibota be respected).³⁸ The compromise entailed retaining the Council as the Settlement's legislative body, and electing a separate body to deal with Canada.³⁹ At a Winnipeg meeting that night, the proposal could not reach the floor as the meeting broke up still undecided as to which residents had a right to vote at the meeting.⁴⁰ The next night the meeting reconvened, but again adjourned having merely decided the residency requirements for voting.⁴¹ Riel, however, gave assurances after the meeting that he would be willing to accept the compromise, as would the rest of the settlement once its terms had been circulated the next day (the 29th).⁴² On the 30th, however, Riel retracted his promise and once again would not back down from his "demands" that a fully autonomous provisional government be established.⁴³ It was this situation which thus existed on December 1 as the Convention once again met.

IV: He would be "Master or King as he says"

As daylight left the colony, the crisis point in a comedy of errors was fast approaching. The travelling distance between Pembina, where the ill-fated MacDougall had retired after his unceremonial exit from the territories, and Ottawa, was rather long given the poor state of contemporary communication links. Thus, a letter sent by Joseph Howe, Secretary of State for the Provinces, on November 19th, did not reach MacDougall until the 6th of

December. In it, MacDougall was congratulated for his "judgement and prudence" which had been displayed in the face of the crisis. The letter continued:

At this distance from the scene of the disturbance, any instructions that could be sent to you, would only embarrass you, and restrain your freedom of action. You will, therefore, exercise your own judgement, and decide on the instant, as circumstances change, what is to be done.⁴⁴

Unfortunately for Howe, MacDougall had not waited for this permission to begin exercising his "judgement."

We recall that the transfer date had been tentatively set for December 1, 1869. By November 29th, MacDougall had still not received confirmation of the transfer and thus acting ". . . upon the general powers and directions of my Commission, and of the Acts of Parliament, Canadian and Imperial, which seem to bear upon the case,"⁴⁵ he drew up and signed a "Royal Proclamation" stating that as of December 1, 1869, the Northwest territories were part of Canada, and that he was Governor. Upon receipt of news of this plan, Howe reported that it had created "some apprehension."⁴⁶ The proclamation was "without the sanction of law"⁴⁷ for unbeknownst to MacDougall, a cable had been sent to the Imperial government delaying the transfer since the current state of unrest in the territories had not been included in the original terms.⁴⁹ Nevertheless, even as MacDougall's dispatch to Howe was on its way to Ottawa, Col. Dennis, who had joined MacDougall at the beginning of November, was on his way to the colony bearing copies of the proclamation. MacDougall, for his part, made a brief journey into Rupert's Land during the night of November 30th/December 1st, and "officially" completed the act by reading a copy of the proclamation to the empty prairies before returning to Pembina.⁵⁰

Dennis bore with him another document which, as MacDougall's first act as "governor" of the territories, appointed Dennis ". . . Lieutenant and Conservator of the Peace in and for the North-West Territories . . ." MacDougall apparently had a different notion of "peace" than most, for the orders were nothing less than to instigate a civil war in Red River.⁵¹ These orders were, of course, as invalid as was MacDougall's proclamation. No one in MacDougall's

party or in the colony knew this, however, and the effects that the documents were to have in the settlement were very real, ultimately leaving the métis victorious in their struggle once again.

Arriving in the colony, Dennis took command of Lower Fort Garry as headquarters for his counter-insurgent operations.⁵² A copy of the proclamation reached A. G. B. Bannatyne who in turn presented it to the French.⁵³ Adjourning the Convention so that they might discuss the situation, the French left and drew up the first List of Rights (Appendix I) which they presented to the English early in the evening. Concurrence appears to have been unanimous by the English with respect to the demands themselves.⁵⁴ However, what they could not accede to was the French stipulation that the demands be met before either Canada or MacDougall be allowed entrance into the territories.⁵⁵ Ross told a friend later that "... the difficulty we English delegates felt was that the French wanted us to do what was unlawful, and as law abiding subjects we could not consent."⁵⁶

Regardless of the reasons, Riel was not pleased and, "rising hotly", ended the Convention on the following note:

Go, he says, return peacefully to your farms.
Rest in the arms of your wives. Give that example
to your children. But watch us act. We are going
to work and obtain the guarantee of our rights and
yours. You will come to share them in the end.⁵⁷

The drama and divisiveness which characterised this last day of the Convention was perhaps expected to be the precursor of even greater conflict; and indeed, for a time it seemed as though a battle of some import was in the offing. MacDougall's proclamation seemed to be the call awaited by some of the English in Red River to take some positive action,⁵⁸ and the "Conservator of the Peace" began to organize his forces sure in the knowledge that Riel would soon be deposed.⁵⁹ Major Boulton, a member of Dennis's survey party, was sent throughout the English parishes to form companies; and while in Kildonan, for example, he ran into questions as to the legality of the Proclamation, the settlement's resident legal expert, Judge Clack, opined that all was in order, and Boulton then "... succeeded in enrolling a full

company, including Mr. Fraser and those who had been in question."⁶⁰

On the French side, the proclamation and call to arms had the opposite effect. Prior to December 1st, dissension had appeared in the ranks of the French,⁶¹ and William Dease had, on December 1st, assured Dennis that he would have no trouble in rounding up at least 90 men to assist in the overthrow of Riel.⁶² Dease was mistaken, however, for the effect of this challenge was to close the ranks of the French; even those who, had to this point, remained outside the sphere of action, came and offered their services,⁶³ leading Begg to comment: "This shows when it comes to fighting all the French will join together no matter what their differences may be."⁶⁴

In fact, Dennis himself was mistaken; the expected confrontation never came. On December 3rd, Dennis was confident of success: "Received the numerous calls from people in the settlement expressing a desire to co-operate in putting down the French now in Fort Garry."⁶⁵ The next day, however, his optimism had withered. Writing to Schultz, Dennis commented: "You speak of enthusiasm--I have not yet seen it with anybody but 'Prince's' men (i. e. Henry Prince, chief of the Indians of St. Peter's parish--RB)."⁶⁶ By December 7th, Dennis had realized the unviability of his movement⁶⁷ and on the 9th conceded defeat.⁶⁸

While Dennis was losing support, the Canadians were suffering defeat on another front. On the 3rd of December, Riel had made a search of Schultz's house and the Winnipeg offices of Dennis and Doctor Bown.⁶⁹ The Canadians took this as an indication that the government supplies, by this time at Schultz's house, were not yet out of danger from expropriation by Riel. The latter had apparently already attempted to scare them out of Schultz's possession by sighting two cannon on the house.⁷⁰ Riel had backed down then, but clearly the Canadians had reason to worry.

Accordingly, on the night of the 3rd, approximately 40 Canadians gathered in Schultz's house to prepare a defense of the supplies. The next day the Canadian strength increased to about 70, but about 20 left during the night; and despite continuing orders from Dennis to the contrary, the Canadian contingent remained determined to remain and protect the supplies from the rebel forces.⁷¹

The métis had surrounded Fort Schultz from the first night, and while the Canadians' call for help from Dennis could not be answered because of the latter's inability to secure enough men, the métis contingent grew larger daily.⁷² On the night of the 5th, a permanent guard was established about the house, ". . . apparently to prevent our leaving,"⁷³ and on the 7th the fifty remaining Canadians were forced to surrender in the face of a threat of extermination.⁷⁴ The most persistent challenge to Riel's authority had been successfully met, and the Canadians were now imprisoned in Fort Garry, their resistance diffused for the time being.

This rapid decline in support for the Canadian attempt to overthrow Riel can, I think, be accounted for in a twofold fashion. First, the degree of support was somewhat over-estimated by those in charge. Dennis had been out of the settlement for a month, and MacDougall had not even seen Fort Garry. The information they had received during that month was, therefore, second hand. Coming as it did from an ardent Canadian expansionist brigade whose interpretation of the situation was biased by their own propaganda, it suggested that antagonism to Riel was much more widespread than was actually the case: MacDougall himself admitted in hindsight that the information on which he had based his plans for the counter coup was not very accurate.⁷⁵ It is true that even before Dennis arrived in the settlement there had been English organization--the Committee for Public Safety--and English activity in defense of the government supplies. However, these incidents, which the Canadians had interpreted as signalling a desire to overthrow Riel in an unqualified fashion, seemed to be, on the contrary, defensive steps. The Committee for Public Safety was established for the purposes of self-defense;⁷⁶ and to protect the Canadian government supplies was not to challenge Riel's authority, but to ensure that it did not exceed its, however ill-defined, limits. Indeed, after all the excitement had died down, the English still maintained preparations for future contingencies.⁷⁷ For now, however, Riel's position of power could be accepted as it was not to be used against the English, something made clear by the List of Rights.

The List, as already noted, had been acceded to by the whole convention, even though the English were not prepared to make those demands as a condition

of Canadian entry--we must remember that they, and perhaps most of the French as well, thought that Canada was the legal ruler of the country at that point. As Stanley writes:

The List of Rights which Riel presented to the delegates was by no means an unreasonable one. It was very much what one might have expected, given a knowledge of the circumstances at Red River . . . There was very little in the list with which Ross or any other English-speaking member of the Convention could quibble.⁷⁸

This seems to be the opinion of all the English parishes, for as the days passed and the contents of the List became known, support for Dennis declined accordingly--the latter even suggests that upon seeing the List, some of the English might have joined the French outright.⁷⁹

If the reasonableness of the List helps account for the decline in support for the Canadian attempt at a counter-coup, the crumbling of the legal basis for the latter seems to complete the explanation. The English, for the most part, seem to have been averse to fighting with the French with whom they had quite congenial relations. The proclamation had changed all this, for personal desire had to be transcended in favour of higher loyalties.⁸⁰ According to the proclamation, Canada was now the legal ruler of the country and, ordered by the authorities, the English had no choice but to acquiesce:

The effect of the proclamation upon the people of Winnipeg was very marked. They soon saw that submission to the new authority would become necessary, and that a choice would have to be made between the Provisional Government sought to be established by Riel, and the Canadian government, represented in the person of Colonel Dennis.⁸¹

However, as Boulton noted, English questioning of the validity of the Proclamation was apparent from the start, and it would appear that it increased very shortly after December 1:

At the time (ca. December 1--RB), the tone of the people in Winnipeg was decidedly loyal; and, had Mr. MacDougall's authority been legal, and had Colonel Dennis remained in Winnipeg to enforce it, it would have been maintained. But after the people had recovered from the first

surprise, it began to be whispered about that all was not right; and that there were some who felt that if the transfer of the country had actually taken place, they would have been appraised of it.⁸²

That "whispers" began to circulate is not surprising: Bannatyne had to give not only the French, but Governor MacTavish as well a copy of the Proclamation. . . . as strange to say, that gentleman had not seen the document or a copy of it at the time (2/12/1869--RB).⁸³ In short, support for Canada was contingent upon the legal necessity of such support, rather than any desire on the part of the English to give unqualified support to Canada. Once this pillar was toppled, the English returned to their (resigned) acceptance of the métis authority.⁸⁴

With the English unwilling to contest Riel's forces, and with the Canadian agitators safely contained for the moment, Riel publicly announced the existence of the Provisional Government. On the day following the surrender of Fort Schultz, the "Declaration of the Inhabitants of Rupert's Land and the Northwest" was published (see Appendix II), and two days later the flag of the provisional government was raised.⁸⁵ The Nor'Wester had been closed in early December, along with the new Red River Pioneer, whose first number had been confiscated and never did appear in the settlement.⁸⁶ On the 9th of December, all the arms in the settlement were appropriated by the métis forces--minus those, of course, that were able to be secreted away by the St. Andrew's parish--presumably to forestall another armed insurrection.⁸⁷ Riel had thus lost no time in consolidating the position of power of the provisional government and, having lessened the possibilities of ideological or armed attack, relative peace was restored to the settlement for the time being.

V(a): A Shift in Positions

Between this point, and the middle of January, certain shifts in positions in the settlement appear to have occurred. The English, for their part, seem to have become even more disillusioned with Canada and moved closer to accepting

a provisional government--though it would not be until February that the métis and the English could agree on the form it would take. On the other hand, the ranks of the French became increasingly divided, and solidarity was not completely re-established until the middle of February. I will argue, however, that the division was a tactical one, and that the fundamental unity of purpose in the French camp did not disappear.

Support for Canada continued to decline as the nature of MacDougall's proclamation became known throughout the settlement. By December 18th, rumours as to the invalidity of the proclamation were widely circulating,⁸⁸ and on the 21st, the mail brought the news that the document was no more than a fanciful construction on the part of the now-departed MacDougall.⁸⁹ This confirmation would appear to have been the final wedge driven between the English of Red River and Canada, underlined by the fact that Ross, hitherto the most articulate local advocate of the Canadian position, on the same day offered his services to the French government.⁹⁰ The English, at this point, were apparently still confused as to the specific purposes of the provisional government,⁹¹ but it would appear that such confusion was soon cleared up: there appeared, in early January, successful attempts by some of the English themselves, to persuade their brethren to join the government, although it became the case again that the form of the government was to include the HBC.⁹² By early January, then, the settlement as a whole seemed to be quite antipathetic towards Canada, and was prepared only to enter Confederation on terms of its own choosing.⁹³

As the English moved closer to the French position, the ranks of the French began to be increasingly divided with respect to the actions of the provisional government. This division first became noticeable at the level of the Council. The métis army was in need of supplies, and on December 4th, the storehouses of the Company were broken into when Company officials would not surrender the keys.⁹⁴ On the 22nd, after fruitless negotiations for a loan, Riel and William O'Donohue, an American /Irish Fenian who was a member of the métis Council, broke into the HBC cashbox; five days later the Company stables were raided. These events were apparently the last straw for some of the more

moderate of the métis councillors, whose misgivings had been masked by the early December threat to the métis government.⁹⁷ The cash box episode in particular seems to have instigated a few desertions. On the 23rd, Begg reported that Pierre Leveiller and Ambroise Lépine left the Council. Begg later notes that his information concerning Lépine was incorrect, though the latter was nevertheless wavering in his feelings. Leveiller, however, did in fact leave the council, but returned on the 25th after Riel had promised to return the cash box.⁹⁸ On the 24th, Charles Nolin--a perpetual thorn in Riel's side--left the Council, and President Bruce resigned, to be replaced by Riel. There had been rumours of Bruce's ill health, and this was the reason current to account for his departure from the Council. Bruce made it clear later, though, that policy differences between himself and Riel, and the fact that Bruce had no power whatsoever in the Council, were the reasons for his departure.⁹⁹

While highly visible, the defections in the ranks of the French Councillors are nevertheless relatively insignificant, for it is clear that they were individual defections which did not signify a broad base of support aligned against Riel and his followers--that Bruce could complain of lack of power in the Council itself testifies to this. Nevertheless, the situation was not to remain, for by mid January, Pierre Leveiller had fully broken with Riel and had established a base of support in the settlement. To understand how this happened, we must examine the nature and consequences of the Canadian Government's response to the crisis in the settlement.

Having learnt of MacDougall's fiasco, John Macdonald decided that the time was appropriate for more diplomatic representatives of Canada to be sent to the colony to smooth things over. To this end, the Rev. J. B. Thibeault and Colonel Charles de Saleberry--the first a popular former Catholic missionary in the territories; the second a prominent French Canadian army officer--were dispatched to the colony. Macdonald would try the soft touch, using the persuasions of men popular with, and of the same ethnicity and religion as, the métis. Thibeault arrived in the settlement on December 26th, and de Saleberry followed on January 4th.¹⁰⁰ On the other hand, Donald Smith, a powerful man in the HBC, was as well sent. Using his Company ties as a partial excuse to visit the settlement, Smith in fact was the one emissary who

held all the power which Macdonald had seen fit to delegate. As Morton writes:

What he (Smith--RB) actually did was not clear then or now, but the general purpose of his activities was clearly to create an anti-Riel party amongst the English and métis by the use of the Hudson's Bay Company, and by bribes.¹⁰¹

On the surface, it would appear that for a time Smith succeeded.

When Smith arrived in the colony on December 27th, he and his brother-in-law, Richard Hardisty, who had accompanied him, were immediately put under house arrest by Riel.¹⁰² Smith's reading of the situation was that the settlement was polarized, the English favouring immediate union with Canada and the French adamantly in favour of the course which they were pursuing.¹⁰³ House arrest did not stop Smith from attempting to split the French, and during the early part of January he records that

... we had frequent visits in the Fort from some of the most influential and reliable men in the Settlement, who gladly made known to the people generally, the liberal intentions of the Canadian government, and in consequence one after another of Riel's Councillors seceded from him, and being joined by their friends and many of their compatriots and co-religionists who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked affect on Riel, causing him to alter his tactics and to profess a desire for an accomodation with Canada...¹⁰⁴

There can be no doubt that at this point, Riel's forces were becoming progressively weakened, and in consequence he had Thibeault address the métis council on January 13 in order to discover whether the extent of his powers were sufficient to satisfy the métis demands.¹⁰⁵ Finding that they were non-existent, Riel then turned to Smith to see what he could do. Smith, however, had left Ottawa before his papers were ready, and they had followed him, resting at this point in Pembina. To get them and to discover their contents, on January 15th, Riel dispatched Hardisty, accompanied by a guard, to go to Pembina and to return the papers to him. Finding out about this secret mission, Pierre Leveller, who had by this time fully dissociated himself from the Council, struck up a raiding party and intercepted Hardisty and his guard as they were returning to the settlement. Though a confrontation between Riel and Leveller

issued in which the differences between them were underlined by the potentially fatal nature of the scene, bloodshed was avoided and Leveiller emerged triumphant, delivering the papers to Smith on the 18th.¹⁰⁶

The factioning in the French ranks were now complete, and Leveiller had enough support to demand that his men, as well as Riel's, post a guard in the Fort;¹⁰⁷ and this duality of forces in the Fort continued until the factions were once again united.

Faced with this situation, Riel had no choice but to call a public meeting at which time the Canadian position could be presented by Smith to the people in order that a popularly decided course of action could be established. The meeting was set for the 19th. Over the course of the night, however, Rev. Thibeault effected some reconciliation in the French ranks, such that by the next morning Riel, though not yet up to the strength that he had once possessed, had replenished his power significantly.¹⁰⁸

On the 19th,¹⁰⁹ Smith presented his commission and various other documents testifying to the benevolent intentions of the Canadian Government towards the people of the Red River regardless of the opinions established on the basis of actions by the Canadian party and MacDougall. Though strengthened from the previous day, it is clear that Riel still felt shaky in his position, and the meeting ended on a tense note with John Bourke demanding the release of the prisoners.¹¹⁰ On the 20th, however, the continuation of the forum was more relaxed and Bourke apologized for the previous day's outbreak at the outset of the meeting.¹¹¹ The upshot of this day's meeting was that a resolution passed establishing another Convention in the settlement. To begin on the 25th of the month, 40 delegates, evenly divided between the French and the English parishes, would sit to discuss the terms upon which Red River and the North West territories would enter the Dominion of Canada.

V(b): A shift in positions?

In general, it would appear that the relations in the settlement consequent upon the two-day meeting were more congenial, and though the French were still divided, it is clear that support had fallen away from Leveiller's faction; the differences that still remained between the latter and Riel were no longer the

cause of mutual distrust.¹¹²

It would appear then, that while Smith had had a good deal of original success in his mission, his Machiavellian object was an ultimate failure to the extent that the "well affected French", as he called them, had rejoined Riel; in fact, the whole settlement was now unwilling to enter Confederation prior to negotiations between the colony and Canada.

Smith, I think, misread the situation from the very start; if he did have any success in his mission, it was relatively constrained. We recall that he first found a polar division in the colony with respect to the transfer.¹¹³ However, as I have before noted, in the early days of Smith's stay in the colony, the English section of the colony was already willing to join a provisional government, although differences remained between them and the French as to the form it should take.¹¹⁴ The outcome of the meeting--the convention to decide upon the terms of confederation--was thus a direct continuation of this position.

On the other hand, while it is clear that certain of the French defectors--I think here in particular of Charles Nolin--were perhaps now opposed to Riel's government and its object, such individual cases as already suggested, were insignificant; it was Leveiller and the support that he gathered that constituted the major division in the French ranks. This faction was not, however, opposed to Riel and his object as Smith would have us think.¹¹⁵ The Leveiller Faction was never "well affected" in the sense that it came to side with the Canadian object of union on the basis of "liberal intentions"; and thus in opposition to the object of Riel which was to oppose Canada's entrance until the settlement had decided upon specific terms which would be guaranteed. Rather, Leveiller put more faith in the ability of Smith to guarantee such terms than did Riel. It was thus a tactical division which existed between the two factions, and one which was mended as soon as Leveiller came to see that his faith was misplaced. Writing to the New Nation (the newspaper established by Riel in January) in May, 1870, in order to contradict the interpretation given in Smith's recently released report, Leveiller states:

...I beg to say that we in no way recognized the justice of the course adopted by Canada towards us... but believed that Smith had the powers to satisfy.

After finding out that such was not the case, I immediately entered the Council the following morning, to offer my explanation and to regret for any breach between myself and the other leaders; and

we then became united stronger than ever.¹¹⁶

The balance of forces in the settlement had thus shifted by the time the Convention of 40 began. The unity in the French ranks had been broken because of tactical differences, rather than by a fundamental divergence in positions. What is more, if the breach had not been healed by the beginning of the Convention, it would appear that a significant drop in the strength of the Leveiller faction had occurred.¹¹⁷ The métis thus continued with a fundamental solidarity. The English now seemed fully behind the métis with respect to the latter's object of securing terms of entry to Confederation. However, the two sections were still divided as to the form that negotiations should take; the métis wanted an autonomous, popularly elected, provisional body while the English would like the HBC to in some way retain its status as legal ruler of the colony and to have some coexisting form of popular government by which to affect the negotiations. With this in mind, we come to the Convention of 40.

VI: The Convention of 40

The Convention sat from January 25th to February 11th.¹¹⁸ On February 3rd, debate was finally concluded on the 2nd List of Rights (Appendix I) which specified the terms upon which the northwest would enter Confederation. To the métis, however, the list was unsatisfactory, for there were two other conditions which Riel desired that were not contained in this list, viz, provincial status and the annulment of the Deed of Surrender.

On the 4th Riel presented the Convention with a motion to the effect that the northwest would enter Confederation as a province rather than a territory. This motion was defeated on the same day. On the 5th, Riel introduced another motion, one which would demand the nullification of the negotiations carried on between Canada and the Company, and that all such negotiations would be carried on directly with the people of Red River. Once again the motion was lost, as Charles Nolin, Thomas Harrison, and George Klyne--delegates from the French parishes--voted against it. Riel's response is indicative of the importance which he attached to this demand:

Mr. Riel, (with great warmth, marching up and down the Council Chamber).--The devil take it: we must win. The vote may go as it likes; but the measure which has

now been defeated must be carried. It is a shame to have lost it; and it was a greater shame because it was lost by those traitors-- (pointing to Nolin, Klyne and Harrison).¹¹⁹

Nolin responded with equal vehemence, but Riel got the last word in, reiterating his threat:

Mr. Riel--When I say this matter must be carried, I do not wish to speak disrespectfully to the Convention. But I say that it will be carried at a subsequent stage.¹²⁰

Indeed, Riel made good his threat, both respecting this motion and the one on provincial status: without the knowledge of the Convention, a third List was subsequently drawn up incorporating both defeated demands (Appendix).

Left as it was for the time being, the List was presented to Donald Smith on the 7th in order that he give his opinion on the viability of the demands. He could not guarantee them, but nevertheless found little in them to which he thought the Dominion Parliament would not agree. His powers did allow him to invite the Convention to send delegates to Canada to begin discussing union. Prior to accepting such an invitation, however, Riel argued that "Our first step. . . is union."¹²¹ He argued that the whole settlement must unite under the provisional government, rather than leaving it as a French body only, in order that the delegates have as much bargaining leverage as possible. The invitation to send delegates was nevertheless accepted in principle, but the debate over provisional government did not stop. John Sutherland seems to have summed up the major point of contention which had kept the two sides apart for many months:

The grand question to my mind, has relation to the head of government. Once that is settled, everything else is comparatively easy.¹²²

Accordingly, on the instigation of the English delegates,¹²³ Sutherland and John Fraser paid a visit to Governor MacTavish to establish his views on the situation. Reporting to the Convention, Sutherland said that,

I asked his opinion as to the advisability of forming a Provisional Government. He replied "Form a Government for God's sake, and restore peace and order to the Settlement." (cheers).¹²⁴

This seemed to satisfy most of the English, and the next morning after a speech

by Ross, pointing out that MacTavish had removed the major obstacle to English acquiescence to a provisional government, the committee which had drafted the List of Rights was commissioned to draw up an administrative structure for the proposed government. At the evening sitting, the draft structure was approved, the sole amendment being the appointment of Riel as president. The convention concluded the day by passing orders for the release of the prisoners, a condition stipulated by the English before joining the government.¹²⁵

On the 10th, the last day of the Convention, Riel made clear to the delegates that the hitherto existing French provisional government would assume full responsibility for its past actions, and reiterated that all the prisoners would soon be released. Riel also exiled Schultz who had escaped from prison¹²⁶ and confiscated his property in the settlement; as a final indication of the esteem in which the métis held the good doctor, Riel made it clear that Schultz would be shot on sight should he be found in the settlement. Judge Black, Père Ritchot, and Alfred Scott were nominated as delegates to Canada, and with this the Convention came to a close.

The end of the convention marked a highpoint of solidarity and good feeling in the settlement, as Begg describes:

... a salute was fired from Fort Garry by the French from the large guns and small arms. Enthusiasm reigned everywhere. In the town of Winnipeg brilliant fireworks were set off and bonfires lighted--guns fired and cheering and drinking universal. A regular drunk commenced in which everyone seemed to join--as (a) party of those "who were in for fun" visited Fort Garry and brought Mr. O'Donohue and J.H. MacTavish back with them to the town where the affair was kept up till about four O'Clock in the morning. Riel did not appear in the festivities but took a good horn of brandy with Mr. Bannatyne when he released him.¹²⁷

While these festivities were occurring, however, less congenial plans were being made elsewhere.

VII: The Portage Expedition

The immediate effect of Riel's promise to release the prisoners was to give back their freedom to Governor MacTavish, William Cowan (the HBC officer in

charge of the Fort Garry post), and A. G. B. Bannatyne, all three of whom had been recently arrested.¹²⁸ However, the more important object of this promise was the release of the various prisoners who had been arrested since the institution of martial law with the formation of the French Provisional government.¹²⁹ These included the Canadians arrested after the battle of Fort Schultz, and other persons who for one reason or another had been found too risky to be left at large. Since December, threats and rumours of rescue attempts had been circulating, and these rumours had increased in the recent past.¹³⁰ They were soon to be realized.

Not all the prisoners had remained in jail. On the 3rd of January, 6 or 7 had been released conditional upon their departure from the settlement.¹³¹ On the 9th, 13 prisoners dug their way out of jail with pocket knives. Seven were re-captured that day, and by the 11th all but two had been re-captured.¹³² These missing two--Charles Mair and Thomas Scott--along with Schultz were to have an effect far beyond anything they could imagine, for they started something which, in 1885, was to eventually culminate in Riel's execution.

The escapees had made it up to the Portage where they immediately began describing in lurid detail the maltreatment the prisoners had received.¹³³ By the 12th of February, the agitation had born fruit and about 60 men started out from the Portage, under the less than enthusiastic leadership of Major Boulton, to rescue the prisoners. They made it to Headingly, but a 48 hour blizzard delayed them from proceeding farther.¹³⁴ On the 14th, the weather had cleared sufficiently to allow them to proceed, and during the night the party reached Kildonan parish, having stopped on the way to search for Riel at Henri Coutu's house with hopes of taking the métis leader prisoner.¹³⁵ Morton describes the reception:

Arrived in Kildonan, the raiders found the people well satisfied with the course of the Convention. A number, however, rallied to them at Kildonan church, and messengers brought word that Dr. Schultz was on the way up from the lower settlements with a large force--more than two-hundred as it proved. The raiders had no supplies. It shows there was general sympathy in the parishes for the prisoners, that the people offered provisions.¹³⁶

That there was sympathy for the prisoners cannot be denied, but I think that we

must specify the nature of this sympathy; the extent will later be questioned.

The original Portage brigade had set out unaware that their mission was in some respects redundant: they were unaware of the Convention proceedings and had not been informed that Riel was to release all the prisoners.¹³⁷ Thus the Portage party was denying the legitimacy of Riel's provisional government: Boulton had argued that "... Riel ... brought this attack on by illegally, unjustly, and cruelly keeping forty peaceful (??) citizens in his prison ..."¹³⁸ However, it appears that the support which the party gathered was not by virtue of a denial of Riel's authority, but because of a perceived breach of promise on Riel's part; Riel had promised--and this was one of the conditions of the English support of the new provisional government--that the prisoners would be released, and to this point not all had been granted liberty. Thus, as Boulton himself writes, panning the vision of "three or four hundred settlers marching up to our neighbourhood":

They came approving of the course that had been taken, and determined to assist. They were enraged at the insincerity of Riel who had promised, upon the formation of a new provisional government, to have the prisoners released.¹³⁹

It must be underlined, then, that this movement was not necessarily a challenge to Riel's authority as some would have it,¹⁴⁰ but rather action on the part of the settlers to remedy what they perceived to be a breach of trust.¹⁴¹

The problem was, however, that Riel was not about to unconditionally release the prisoners; most had been imprisoned for--and I can think of no other word to describe it--treason, and Riel wanted guarantees from all that no future counter-rebellions would occur. However, not all the prisoners were willing to sign the necessary document because of a misunderstanding on their part, and it took the intervention of Bannatyne and a Miss McVicar to finally convince the holdouts to sign the guarantee.¹⁴² This was transmitted on the evening of the 16th to the party in a conciliatory note by Riel who asked that the raiders join their countrymen in the provisional government.¹⁴³ This was reciprocated by a note from Rev. Black who said that the Protestant parishes would not join, even though the prisoners had already arrived in Kildonan.¹⁴⁴

Leaving this point for the moment, the release of the prisoners did serve to

dissipate the crowd. With their release, the object of the mission had dissolved --though Boulton seems to think that the threat of the party was the cause of the prisoners' release¹⁴⁵ --and though some wished to carry on and overthrow Riel, Boulton managed to talk them out of it, arguing that with their purpose now at an end, any further actions would have no guarantee of legality.¹⁴⁶ His argument agreed to, "In half an hour the assembly dispersed as quickly as it had come together . . ."¹⁴⁷ --or, at least, most of it.

VIII: Smith "re-unites" the settlement

There remained the men from the Portage who stayed in the settlement overnight and began their sixty mile journey back to the Portage the next day. They decided to take a route which passed close by to the métis stronghold in Fort Garry; and as they were doing so, a party of métis, lead by O'Donohue and Lépine, rode out to intercept them. The New Nation report of this episode emphasizes the enigmatic nature of it all:

But just as we expected the carnage to begin, -- it didn't. The guns were lowered. Nobody was hurt; but the calling was tremendous--for the Portage party was "gobbled up." They were disarmed and escorted to the Fort. What is to be done with them, we have not yet heard.¹⁴⁸

The New Nation did not have long to wait.

Shortly after the imprisonment of the Portage party, Major Boulton was court-marshalled in absentia, and Riel entered his cell to tell him to ". . . prepare to die tomorrow at twelve o'clock."¹⁴⁹ The protestations of many in the settlement, including the parents of the unfortunate Hugh Sutherland, succeeded in staying the execution until the 19th.¹⁵⁰ At this point, Donald Smith made an effective entrance into the fray, and succeeded where others had failed. On the 19th, Smith reports:

I reasoned with him (Riel--RB) long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said "hitherto I have been deaf to all entreaties, and in now granting you this man's life," or words to that effect, "may I ask you a favour?" "Anything," I

replied, "that in honor I can do." He continued, "Canada has disunited us, will you use your influence to re-unite us? You can do so, and without this it must be war--bloody civil war!"¹⁵¹

This was apparently an "honorable" request, and over the next days, Smith and Archdeacon MacLean went about the settlement persuading the people to join the government. On the 26th of February, the last elections for representatives to the new Assembly were held in the English parishes, and the settlement was finally united under one popularly elected government.¹⁵²

It is quite apparent that Riel was of the opinion that the settlement was deeply divided--his reference to imminent civil war attests admirably to this. However, I think it proper to question the validity of this perception, for I would argue that the English were much more favourably disposed to the provisional government than Riel--and others¹⁵³--seemed to think. In other words, Rev. Black had erred--fatally, as it would turn out--in writing Riel that the Protestant parishes were totally opposed to the government.

The most telling evidence that the English were much more favourable to the government than Black's letter would suggest, comes from Donald Smith. Although Begg has noted that Riel's failure to release the prisoners was the cause of discontent in the settlement¹⁵⁴--and the success of the Portage expedition attests to this--Smith is nevertheless of the opinion that "The great majority of the settlers, English and Scotch, discountenanced the movement and bitterly complained of those who had set it on foot."¹⁵⁵ Support for the rescue because of discontent over the failure to release the prisoners thus seems to have been limited to a visible minority.

Second, with respect to the provisional government as such, Begg considered that by the 17th, "The Provisional Government (was) now as good as dead as far as the English people are concerned . . . there is now a gulf between the two sides . . ."¹⁵⁶ Again, however, Smith says the contrary. On his mission of solidarity,

In some instances, I found they had drawn up petitions to Mr. Riel as "President" expressing submission, &c., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely

necessary, namely that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel.¹⁵⁷

On the 28th, Smith stated ". . . that he considered that the English were sincere in joining the provisional government."¹⁵⁸

In both cases, then, Smith's opinions lead me to believe that a fair degree of support for Riel and the provisional government existed amongst the English. His testimony seems both valid and understated. It is valid since he would have had extensive opportunities on his mission to come to an accurate assessment of the English position. It would be understated to the extent that it was not in his, nor in Canada's interests, to portray the popularity of Riel and the provisional government as being very extensive--his "requests" to the petitioners are a candid admission of this. In short, I would have to maintain that the solidarity in the settlement witnessed at the end of the Convention of 40 continued through and after the Portage expedition.¹⁵⁹

With this, I can now turn to the last significant episode in the rebellion, the execution of Thomas Scott.

LX: Thomas Scott

Thomas Scott had arrived in Red River to work on Snow's road crew, and his impetuous character had first been displayed in an incident arising out of these circumstances.¹⁶⁰ He was an avid Orangeman and was behind Schultz fully in the latter's goals. He would have, I presume, been arrested along with the other Canadians at Fort Schultz, save for the fact that he had been arrested on December 6th as an accomplice of the Canadian party under siege.¹⁶¹ It was his tales, consequent upon escaping, to the men of the Portage, which apparently played the greatest part in spurring them on to their rescue mission;¹⁶² and upon capture, he continued to berate, oft-times violently, the métis guards.¹⁶³ So violent, in fact, was he, that by March 1st, he was locked in irons.¹⁶⁴ This did not stop his outbreaks, and on March 3rd, unable to resist the demands of the guards that Scott be dealt with before they took the matter into their own hands, Riel had a court martial convened. Scott was convicted and was sentenced to die the next day. Riel would not rescind the order this time as he did with

Boulton, despite similar protestations on the part of the settlement: "Riel, as he had approved of the sentence, said he could never revoke the decree of the tribunal."¹⁶⁶ Riel was not alone in this decision. The Rev. George Young had asked Riel if something might be done, and the latter in turn referred the question to Ambroise Lépine, the métis adjutant general and chairperson of the tribunal: Lépine "... very energetically shook his head and rose up and left the room..."¹⁶⁷ and Riel told Young that nothing more could be done. Accordingly, Scott was executed the next day.¹⁶⁸

X.: The Rebellion ends: Not with a bang or a whimper, but both.

With the execution of Scott, the events of major importance for our purposes have been detailed. Thus, to conclude this chapter, I should like to merely sketch in brief that which occurred between March and August 1870 in order to fully close the history of the rebellion.

On March 9th, the newly constituted Assembly met for the first time, appropriately enough, the same day that Bishop Taché arrived, having been summoned back from Rome by the Canadian Government in order to deal with the Red River problems.¹⁶⁹ Too late to prevent the Scott execution, Taché was nevertheless of the opinion that an amnesty would be forthcoming and all "sins" perpetrated by the rebels would be forgiven.¹⁷⁰

The Assembly continued to meet to develop a constitution, and slowly a sense of normalcy returned to the Settlement. On March 17th, and the days following, the prisoners were released;¹⁷¹ and on April 7, a "Circular letter to the People of the North West" was sent out.¹⁷² On the 8th, the HBC was given back its storehouses;¹⁷³ the following day, a proclamation was issued, declaring a general amnesty, the opening of the roads, and the resumption of HBC business.¹⁷⁴ On June 17th, Père Ritchot arrived back with official news of the negotiations, and a copy of the Manitoba Act¹⁷⁵ already ratified by the Canadian parliament (on May 12th) and ready now to be accepted by the people of the country. Addressing the Assembly on the 24th, Ritchot, though noting that the Act differed substantially from the demands, suggested on the basis of

the competent opinions of others, that it was a reasonable settlement: "For besides what the Act of Manitoba conferred on us exclusively, we were largely the gainers under the Act of Confederation." The Assembly apparently agreed, for Louis Schmidt, moved the acceptance of the Act, and upon a second, it ". . . was passed and carried, the members cheering enthusiastically."¹⁷⁶

Manitoba was officially entered into Confederation on June 23rd, 1870, by an order from the Queen,¹⁷⁷ and the Assembly continued its functions until the new Governor, A. G. Archibald of Nova Scotia was to arrive.

In the meantime, however, troops had been assembled to march on Red River, ostensibly for the purpose of peace and order,¹⁷⁸ but in reality for no such purposes. Schultz et al, upon their return to Canada had fanned a fire of racial hatred in Orange Ontario over the death of Scott.¹⁷⁹ Under pressure from this quarter, John Macdonald had no choice but to acquiesce to the demands for a military expedition (judiciously disguised, of course). The neutralizing element in this was to be the Imperial regulars under General Wolsely, but this was clearly not the case given the general's view of the rebels.¹⁸⁰ Riel, however, laughed in the face of suggestions that the military expedition could be anything but one of peace,¹⁸¹ and dismissed his troops--only to have to vacate Fort Garry at the last possible moment.¹⁸² The rampage vented on the French population by the Ontario Volunteers,¹⁸³ clearly demonstrated that Riel had escaped with his life--until 1885, when the continuing wrath of Orange Ontario put Riel's head in a noose. But this is another story.

CHAPTER III: The Red River Rebellion: Views from the Past

In the preceding chapters I have attempted to outline the background to, and the events of, the Red River rebellion. We have seen that the people of Red River were completely ignored during the negotiations for the transfer of the territories from the HBC to Canada. A source of settlement-wide discontent in itself, the proposed terms of transfer served only to augment this feeling of dissatisfaction. Nevertheless, only the métis rose to contest the transfer in order to secure more acceptable terms of union with a larger political unit.

The English, for their part, would not join the métis struggles for the means by which the métis sought to remedy any perceived or potential problems were considered by the English to be illegal. The HBC, as far as the English were concerned, was the only legally constituted authority in the territories, and they would thus not join a provisional government with the métis until Governor MacTavish had sanctioned the formation of a government other than that of the Company. Indeed, the English concern with legality seems to have been the central factor influencing their actions. If the English would not support the provisional government, they would not defy it either unless such defiance had a legal basis. In early December, 1869, it was thought that Canada had assumed control of the territories, and the English then considered themselves legally obligated to support Dennis against the métis government. In February the English considered that they were legally justified in rising to release the prisoners, for their release had been one condition upon which the English had agreed to join the provisional government with the métis.

However, if the English considered the métis to be acting illegally, the métis themselves did not. The HBC was, according to the terms of

the legally constituted authority in the territories, and the establishment of the provisional government was thus an act of rebellion. However, the métis did not recognize the Company's authority and considered their opposition to the transfer to be fully justified. As Taché wrote to Howe:

The matter hinges on the conviction entertained by the people that they cannot be forced to enter into Confederation any more than the other Provinces of the Dominion; that the people believe themselves in no way bound by the arrangements with the Hon. the Hudson's Bay Company: that as a consequence the words "Rebels", "Insurgents", "Traitors", are so many insults that they repel with indignation. This is the root of the whole matter, --all the rest is merely accessory, and there exists no means of conciliation but to act in conformity with that principle.¹

It is here, then, that we seem to discover the source of the cleavage between the métis and the English which characterized the Red River rebellion. If the general reaction of the settlement to the transfer was negative, the métis alone rose to contest the transfer because they, and they alone, did not consider their defiance to be constitutive of rebellion.

Give the above, to guide the line of inquiry, I would pose the problem of this thesis, viz, why the métis rose to contest the transfer, in a two-fold fashion. First, there is the question of the object of the rebellion, i.e. that for which the métis were struggling. However, the question of the object is insufficient, for we must account for the struggle itself. All things being equal, the English too should have risen to contest the transfer for they were not satisfied with it. If the métis alone rose in struggle, it was because they alone did not consider their actions constitutive of rebellion. As such, the second question I would raise is that of rebellion as such, or why the métis did not consider their actions to be constitutive of rebellion.

Even at this general level we can immediately put aside one interpretation of the rebellion. Fritz Pannekoek² follows W. L. Morton with respect to the question of the object of the métis struggles³ and my later discussion of Morton will thus have a bearing on this part of Pannekoek's interpretation. However, if Pannekoek coincides with Morton on this point, his interpretation fast departs from that of Morton, and indeed most other authors who have studied the struggles of 1869/70, including myself.

Pannekoek considers that the country born were unqualified in their desire for union with Canada, and were thus adamantly opposed to the métis struggles in so far as the latter prevented this union from coming about.⁴ Moreover, this breach between the two sections of the halfbreeds in 1869/70 compounded a more fundamental, historically developed, relation of racial and religious antagonism which existed between them. Pannekoek considers that the country born and the métis had been

... implacable enemies and that the Country-born were anxious to trounce the Métis at every possible opportunity. In fact, upon closer inspection of the origins of the Métis/Country-born hatred, it becomes apparent that the first Riel resistance was in part caused and certainly exacerbated not by racial and religious antagonisms introduced by the Canadians, but rather by a sectarian and racial conflict with roots deep in Red River.⁵

Viewed in the above fashion, the December and February risings on the part of the English are a reflection, for Pannekoek, both of the country born's racial and religious antagonism towards the métis, and of their antagonism towards the métis because the latter were preventing the realization of the country born goal of union with Canada. Both movements failed, however--fell short of their goal

of deposing Riel--because of a lack of leadership for the country born, a quantity the métis possessed in Riel and the Roman Catholic clergy.⁶

Even this brief summary of Pannekoek's position is sufficient to indicate the points of disagreement between him and myself. First, I find little evidence, as my Chapter II has demonstrated, to support the contention of the unqualified desire of the country born, indeed of the English in general, to confederate with Canada. That there were some English who held this view I do not doubt; but, like those métis, such as William Dease, who supported the Canadians, I think that such individuals were few in number. Second, I find no evidence whatsoever of racial or religious hatred of the métis on the part of the country born; the English in general did not want to fight the métis (cf. Chapter II, note 80 above) but did so only when they felt legally bound (as in early December) or legally justified (as in February when it was perceived that Riel had broken his promise to release the prisoners).

However, if the novelty of Pannekoek's interpretation is not sufficient to sustain it, more traditional views as well exhibit their difficulties. In this chapter I should like to demonstrate this with reference to the accounts of the rebellion given by G. F. G. Stanley and W. L. Morton.⁷ These two are not, of course, the only interpretations available,⁸ but they do seem to exhibit the characteristics of a theme, upon which most other views that I have found are variations.⁹

In the first section of this chapter I will examine Stanley's account. This discussion will be relatively brief, for as I will suggest, the primary value of this thesis seems to be as an apologetic for the contemporary situation of the métis in Canada. My discussion of Morton in Section II, however, will be somewhat more prolonged as I use his analysis as a critical foil against which to not only put forth my own understanding of the object of the métis struggles, but to raise certain questions to which I will address myself in Chapter IV.

I: G.F.G. Stanley: "Civilization" v. the "Primitive"

For Stanley, the Red River rebellion was "In essence . . . the manifestation

of the traditional problems of culture conflict, of the clash between civilized and primitive people."¹⁰

By character and upbringing the half-breeds, no less than the Indians, were unfitted to compete with the whites in the competitive individualism of white civilization, or to share with them the duties and responsibilities of citizenship. They did not want to be civilized; they only wanted to survive.¹¹

Now in the first place, the conceptual couple "civilization/primitive" poses problems in the definition of their objects (what cultures are "civilized" or "primitive") because of the necessity of situating all social forms along a linear, evolutionary continuum of "Human" development.¹² However, in the last analysis, Stanley seems to locate the essential "primitiveness" of the métis culture in their nomadic prairie life. The advent of "civilization", in the form of Canada, would bring with it increasing agricultural settlement, and with the latter, the conditions of existence of plains life would be destroyed:

With the advent of the Canadians in Red River the day of the buffalo hunter and the small freighter was at an end. A primitive people, the half-breeds were bound to give way before the march of a more progressive people. It was the recognition of this fact and the gradual realization of their inability to adjust themselves to the new order that kindled the spark of half-breed resentment into the flame of insurrection.¹³

As such, the object of the rebellion reduces itself to the prohibition of large scale agricultural settlement so as to maintain their "primitive" existence as plains dwellers: the Red River rebellion was a struggle "... between plough and prairie."¹⁴

The evidence, however, does not bear this out. The logical conclusion of his argument is that the métis rejected Canada in toto; Canadian acquisition of the territories was permanently renounced by the métis ("They did not want to be civilized . . ."). However, even Stanley does not wish to go this far; he himself recognizes that the métis were only trying to delay the transfer until such time as more acceptable terms could be negotiated between themselves and Canada.¹⁵ Such terms, however, seem to be understood as ones which

would permit a delay in the advance of "civilization". In the second List of Rights Stanley sees,

... Riel's anxiety to protect the lands, the local customs, the usages and languages of the people of his native country. Here would be solid guarantees against a too violent change once the country should become part of Canada.¹⁶

On the one hand, while I cannot deny that this list, or any of the others, reflected a desire by Riel to protect these various aspects of the social makeup of the people, it is quite difficult to understand how this desire marks the response of a "primitive" people. Should it, we remain faced with the reductio ad absurdum that every instance of struggles to protect existing customs and rights designate the response of a "primitive" people. On the other hand, given that Stanley seems to find the essential "primitiveness" of the métis in the fact of their prairie life, the implication here is that at least some of the "solid guarantees" refer to demands, the purpose of which would be the maintenance of such a lifestyle by holding back the advance of the agricultural frontier. Yet, clause 11 of this list demands

That there shall be guaranteed steam communication to Lake Superior, within five years; and also the establishment, by rail, of a connection with the American railway as soon as it reaches the international line.

In this clause Stanley sees only the "... open recognition of the fact that if the Settlement was to become part of Canada it could not, indefinitely, depend on the United States for its communications."¹⁷ Apart, then, from ignoring the subclause demanding rail links with the United States, he more profoundly ignores the implications of this clause: with the opening of transportation lines, increased economic intercourse with "civilization" would indubitably result, and the generally held view of the time was that the economic development of the territories was to be agricultural.¹⁸ As such, the métis do not seem to have feared agriculture, but encouraged it: five years would seem to have been a minimal period to have produced steam links, and the demand for rail links with the United States was one that was to be realized as soon as it was possible for such linkages to be made.

If we were to leave the discussion of Stanley at this, we might justly conclude that his whole discussion, and the terms in which it was effected, had no basis in the evidence whatsoever. However, I think that it is the case that Stanley retains the "civilization/primitive" thesis not because of what the métis wanted, but because of his interpretation of why they made such demands in the first place. In other words, Stanley opines that the métis had qualms about ("feared") the advance of Canada,¹⁹ but it is his interpretation as to why the métis feared Canadian expansion that indelibly marked them as "primitive."

To explain this, let us first examine how Stanley seems to account for the divergence and similarities between the métis and the country born with respect to the positions adopted towards the transfer. The argument is made, that despite their cultural differences, the métis and the country-born retained an essential homogeneity,²⁰ basically reduced to an aversion to "change":

Different as these men might be in ethnic background, temperament and language, they all had one thing in common: dislike of change. They did not want to face new problems and new adjustments. They sought no more struggles and wrenchings. They were still too close to the basic fundamentals of wresting their living from a grudging land and an inhospitable climate, still too close to the floods and the plagues and the knife-edge of famine.²¹

Thus, for all, the expansion of Canada meant the introduction of unwanted change. However, while this accounts for the basically negative response of all towards Canada,²² the métis were more affected by this change, for the more agrarian country-born would not feel the negative effects of the advancing agricultural frontier to the same extent as would the métis:

The métis, forming the largest and most homogenous section of the population were strongly suspicious by nature of change, exasperated by the actions of an aggressive Canadian minority, and left in complete uncertainty as to the future of their nationality and their livelihood. This feeling was naturally strongest among the French half-breeds. Their social and economic interests were more affected by Canadian expansion than those of their English-speaking kindred. Not only were the latter English speaking and Protestant, but they were, as we have observed in Chapter One, for the most part

agriculturalists, not hunters and, therefore, less likely to suffer from the economic dislocation which was bound to follow any rapid influx of white settlers.²³

In short, the "simple", "static", "primitive" society of Red River was faced with a crisis, for

... there could be no place for this almost static society in the competitive civilization of the North American continent. The half-breeds, particularly of the hunting class, were doomed to economic absorption. Neither their racial consciousness, nor their primitive economy was strong enough to maintain the separate identity of the half-breed "nation" in the midst of an overwhelming white immigration and a competitive nineteenth-century civilization. Herein lay the basic cause of the half-breed rising in 1869. The métis leaders and their clergy realized that the rapid influx of settlers, which was bound to follow the transfer of the country to the Dominion of Canada, would lead to the loss of their lands and their livelihood, the breakdown of their society, and the eventual effacement of their race. Resistance was therefore inevitable.²⁴

Now, on the one hand, it is clear the argument that the mixed-bloods did not like "change" is somewhat curious as an account of the rebellion, for the description given as to their way of life certainly suggests to me that it was one in which any "change" could only be for the better: "wresting" one's living "from a grudging land and inhospitable climate" does not sound like an altogether congenial existence. However, if we look to the next two passages quoted, this aversion to "change" becomes much more understandable, for history was already written; and that history was one of absolute devastation. The reason for this, I suggest, and the reason for the mixed bloods' aversion to "change" was because they, as a "primitive" people, were unable to adapt to the consequent changes: the mixed bloods were unable to "... adjust themselves to this new order..." As hunters, the métis would feel the effects of this innate capacity more than would the country born, and this presumably accounts for the divergent responses.²⁵

Now I admit a certain trepidation in advancing this reading of Stanley, for

nowhere, besides the immediately preceding passage, can I find this proposition made explicit. Nevertheless, we are constantly reminded of the "sociological truism" that the meeting of "primitive" and "civilized" cultures generally results in the total destruction of the former--not only the "cultures", but the people themselves: "In almost every part of the civilized world are to be found examples of the human wreckage resulting from the sudden impact of civilized upon primitive cultures."²⁶ Thus, this inevitability of "human" destruction seems only accountable to the extent that those "humans" are unable to reap the "benefits" of "civilization". This, of course, is not surprising, given that the concepts of "civilization" and the "primitive" refer, as I have already noted, to the poles of a continuum of "Human" evolution. In sum, it would appear that Stanley's interpretation of the fears of the *métis* as fears based upon an inability to adapt to the new order constitute the basis for his labelling them as "primitive" for the purposes of analysing the rebellion.

However, while I cannot deny that the *métis*, or the settlement as a whole, were in many ways fearful of Canadian expansion, it is equally clear that this fear was not based upon an inability to "adjust" to the new situation. As Riel rhetorically asked during the February debates:

As to this question of a Province, let me ask, is it not possible for us to settle our affairs in a satisfactory manner? Cannot we make dispositions of our lands?... I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion.²⁷

Rather, what the *métis* feared in 1869 was that they would be unable to exercise this "good sense", for without a struggle, the political power in the territories would rest in Canadian hands, and, "It is in the disposition of Canada to cheat."²⁸ As such,

For my (Riel's--RB) part I would like to see the power of Canada limited in this country. That is what I want.

I (Riel--RB) want this country to be governed for once by a Local Legislature. Our Country has been hitherto differently governed and they

were within an ace of selling us. But now, I say, let the authority of the Legislature be everywhere, and influencing everything. 29

Thus, the métis were truly fearful of the consequences of Confederation, but it was a fear stemming from their distrust of Canada to act in the best interests of any but itself, and not one emanating from an innate incompetence to be "civilized".

Stanley has thus, on all accounts, failed to come up with a satisfactory account of the rebellion. He has instead, followed an ethnocentric tradition of categorizing all peoples who fail to exhibit the characteristic traits and values of western capitalism as "primitive". More specifically, he follows--and it appears with a degree of naive innocence--the standard conception of the métis contained in contemporary descriptions of them. We have seen, in Chapter I, that the Canadian party considered the buffalo hunters to be a modern day anachronism. However, as Owsram has pointed out in an article of much value, all contemporary description of the métis--when they were mentioned at all--

... was in a manner that portrayed them as rather quaint and undisciplined individuals whose habits and character were drawn from their wilderness environment. . .

With such characteristics it was generally believed that the future of the Métis within a European framework was, at best, limited. The assumption was that they would only partly adapt to the on rushing civilization and would thus be relegated to the bottom end of the socio-economic scale. 30

More significantly, Canadian incomprehension of the rebellion was not, as Stanley would have us believe, a result of the failure of the authorities to understand the uprising as one of a "... small, primitive native community against economic and racial absorption by an unfamiliar, aggressive civilization." 31 It was, on the contrary--and this is one of the major points of Owsram's article--precisely because the Canadians thought of the métis as ignorant savages that they were forced to invent various conspiracy theories--the Company, the clergy, the Americans; all at times were seen as the instigators of the rebellion--to account for the métis struggles. Considered as ignorant, rude, and far from

having attained the intellectual capacities of a "civilized" people, the Canadians could not conceive of the métis as having acted on their own:

Only by portraying the Métis as puppets in the hands of artful manipulators, whose real purpose was not being revealed, were they (the Canadians--RB) able to find an explanation satisfactory to their own presuppositions.³²

On the other hand, and this brings us to the "bottom line", as it were, of Stanley's position, the métis were well aware of the function played by the label "primitive" or "barbaric". As Riel noted in the "Protest of the Peoples of the North-West" (Appendix II), the Canadians, "In order to ruin us, and raise themselves on our ruins . . . have always held us to be barbarians." Stanley, of course, has no such plans, but his position serves admirably as a post hoc apologia for the undeniable marginalization of the métis in contemporary Canadian society--and, for that matter, for the "human wreckage" found in "almost every part of the civilized world." The history of the métis people was closed before it began, for as a "primitive" people, intrinsically unable to withstand or adapt to, the inevitable onrush of "civilization", their fate was sealed. Contemporary marginalization of the métis is explained and justified, for it could be no other way. Yet, if history is closed, it is with a nostalgic look at a time inevitably passed for it is true, as Weinstein says, that accounts such as Stanley's "mourn" the passing of the "noble savage".³³ Like Rousseau's man in the state of nature in which property was held in common, it is not hard to feel a tinge of regret that this "Eden"³⁴ of the métis has passed into the pages of history. But, like Rousseau's natural man who was tricked into signing a contract introducing private property and all its evils, the métis of Stanley's account were doomed to extinction in the face of a superior intelligence. However, the point is not to close history, but to make it; and I think that this depends on a different interpretation of the past than that which we have received from Stanley.

II: W. L. Morton: Corporate rights v. Orange Ontario

For Morton, the rise of the métis in 1869/70 was not the struggle of a

"primitive" people attempting to withstand the advance of "civilization"--a point upon which he explicitly disagrees with Stanley--but was the struggle of a nation whose purpose was to ensure its continued existence: "The métis . . . were seeking to safeguard their survival as a people, to perpetuate the 'new nation' within the new order of Confederation." (31)³⁵ The motivation for this struggle seems to be understood in both a negative and a positive sense.

On the one hand, the New Nation was specific in Red River as a community which had produced no "professional middle class":

... the métis had given no priest to the Church, no lawyer to the courts of Assinaboia, no doctor to practice among his people. . . . Thus, the "new nation", even more than Red River as a whole, was ill-equipped to fit itself into any new order which might follow union with Canada. And now the dwindling of the buffalo herds was being acutely felt, the railway was pushing north from St. Paul, and the terms of the transfer of the North-West had been settled in London (16).

However, if the métis were, "even more than Red River as a whole", to experience a crisis of adaptation to the new order, Morton, unlike Stanley, considers that the métis were fully aware of this and prepared to make the transition: the New Nation was

... not unaware both of its uniqueness and of its dependence on the old way of life, and also of its need to adapt itself to the changes which had been foreseen for at least a decade before 1869 (23).

Nevertheless, the characteristics which Morton sees lacking in the New Nation do not seem to play a major role in his account of why the métis rose in 1869. Perhaps because he views the métis as adaptable, perhaps for other reasons, Morton nevertheless tends to see the motive force behind the métis insurgence in a more positive sense: the New Nation rose to protect that of which its very foundations consisted.

The New Nation, according to Morton, entailed a unique "reality" composed of Indian rights and "civilization":

The métis, one half of its (i. e. Red River's--RB) people, were unique. . . in that they thought of themselves as a "new nation", a "peculiar people"

as Riel termed it. Neither French nor Indian, but intermediate, they claimed to unite the civilization of their fathers with the rights of their mothers' people in a new nationality of the North-West. The "new nation" was a unique ethnic and political reality, sprung from the continental fur trade... (3)

As such, in 1869, while claiming as their "... birthright the civil and political rights of British subjects," (2) rights which the Canadian government was quite willing to grant in due course, the métis were as well claiming specific collective rights which the Canadian government was unaware existed. The Canadian authorities

... had no idea that (they were) dealing with a corporate entity, a "nation" by sentiment and by their own claim. It is in this conflict between the half-articulated demand for corporate rights by the métis and the intention of the Canadian authorities to grant individual rights in due course, that the true character of the Resistance is to be found (3).³⁶

The character of the New Nation, and the rights which it claimed in 1869, were a function of the specific development of the métis community in the northwest. The métis had their origins "from the lowest ranks of the fur-trade" and "had also been far more deeply immersed in the sea of Indian blood and custom", a function both of the low ranks which their fathers had held in the trade, and of "the French gift of intimacy with the savage mind and savage customs." (15). Because of all these "accidents and qualities" the métis had been willing to "identify themselves with the North-West", an identification fostered by the NWC during the period of competition:

It (the NWC--RB) had encouraged them to claim title to the lands of the North-West as a birthright from their Indian mothers, and to think of themselves as a "new nation". The nation métisse had never lost this original sense of identity... (15).

The sense of community felt by the métis was nurtured and sustained by their isolated development: "... the 'new nation' of the half-breeds remained a community apart in the larger community of Red River." (15) The differentiation

of the métis from the rest of the people of Red River stemmed from many sources: it was "kept alive by Canadian leaders" such as Louis Riel, père; by the free trade struggles of the 40s; by the buffalo hunt, "The all but exclusive function of the métis"; and confirmed by the specific defensive function played by the métis in the colony (15+16). Thus segregated from Red River as a whole, the métis had preserved the culture of their French Canadian ancestors in the lands of the northwest.

The French were the first explorers and the first settlers of the North-West. There they had preserved, in the wilderness and in the subordinate ranks of the fur-trade, their language, their faith and their traditions. In the Red River they had formed, and were recognized as forming, a community within the community (30-31).

The "corporate rights" claimed by the métis of Canada in 1869/70 were thus those of this "unique reality" which was the New Nation.

On the one hand, the métis, like the country born, ". . . claimed a share (of the land--RB) through their Indian mothers." (29) On the other hand, the métis were a French community within the larger community of Red River, and they wished to retain this cultural specificity in the new order of Confederation. It is here that we find the major motivation for the métis insurgence and the demands made, for it was precisely this cultural specificity which was threatened by the transfer. It was Orange Ontario which had historically had the most interest in Canadian westward expansion, and it would be settlers from here, for the most part, that would soon flock to the territories. As such,

What the métis chiefly feared in 1869 was not the entrance of the agricultural frontier of Ontario into Red River--and they would have welcomed that of Quebec--but the sudden influx of immigrants of English speech and of Protestant faith. (2 N2)

Given this, Morton considers that

What the métis and their clergy wanted to obtain from the new régime, was not only some assurance of the grant of individual political rights, but also safeguards for the perpetuation in the new era of their distinct position of a community within a community. In short, they wished to obtain for themselves a position in the

North-West similar to that which the French of Quebec had won for themselves in Canada... The métis ... were seeking to safeguard their their survival as a people, to perpetuate the "new nation" within the framework of the new order in the North-West (31).

Specifically, then, as Morton reads the rebellion, the major object of the clergy and Riel, their "prime purpose", was

... the preservation of the French element in Western Canada... the preservation of their "nation" on a block of land exclusively their own... (xix).

I would begin my discussion of Morton by acknowledging his fundamental insight as to the importance of the New Nation in the Red River rebellion. Moreover, I think he is quite correct in so far as he states that one object of the métis struggles was to secure guarantees that their specificity as a French community would be protected within the new political order. In the List of Rights, for example, can be found a few articles, some of which were embodied in the Manitoba Act, demanding concessions as to language and religious rights.³⁷ Moreover, his evidence that the métis wished a collectively held tract of land upon which the French could live as a community seems incontestable (cf. 137 N1). Nevertheless, I do think that there are certain points upon which to criticize Morton's understanding of the rebellion.

i: The "new nation"

First, I would suggest that Morton's understanding of what was entailed in the New Nation is fundamentally incorrect, though even in his own terms, the concept is problematic; his original definition of it as a "unique ethnic and political reality", a union of "the civilization of (the métis's) fathers with the rights of their mothers' people" is not consistently maintained. To reference a passage already quoted (above 85), we find that the NWC "had encouraged (the métis) to claim title to the lands of the North-West as a birthright from

their Indian mothers, and to think of themselves as a 'new nation'. Here, the "rights of their mothers' people" is clearly distinct from that which is understood by the New Nation, the latter at this point in the text being reduced to the "original source of identity" instilled into the métis by the NWC which the "nation métisse had never lost." Further, it is clear that this "original" identity was not original at all, but merely the community specificity of the métis defined by the "language", "faith", and "traditions" of their French ancestors which had been "preserved, in the wilderness and in the subordinate ranks of the fur trade." The New Nation appears to become, in other words, a mere reproduction of the French Canadian Nation which had emerged in the French/English conflicts characterizing the history of the Canada's during the nineteenth century.³⁸

Though I can make no conclusive statements, it does seem possible that the inconsistencies in Morton's text with respect to the use of the word "new nation" are a function of his desire to read the Red River rebellion as a mere extension of the French/English conflicts of the Canadas, to read into the rebellion "the prejudices of Old Canada", as Stanley would put it.³⁹ While I do not say that Morton is totally incorrect, I do think, as will be argued below, that Morton tends to over-state his case somewhat when he sees no more in the rebellion than a desire on the part of the métis to protect their French corporate unity, on a block of land or by other means.

What, then, Morton specifically means by the "new nation" is quite ambiguous but this point is moot, for regardless of the inconsistencies in the use of the term in the text, one aspect of the definition remains unaltered: the members of the New Nation were, according to Morton, limited to the French halfbreed community. However, I think that here Morton makes an error of fact for, from the perspective of the métis, the members of the New Nation were not limited to the halfbreeds of French extraction, but comprised the halfbreeds as a whole. As the Montreal Herald reported, the métis

... claim to be a nation already along with the English half-breeds whom they claim as their

bretheren, in possession of this country, and entitled under the Act of Confederation to a status similar to that conceded to the other Provinces respecting their entrance into Confederation (emph. added).⁴⁰

Thus, if it was the case that the major object of the métis struggles in 1869/70 was the preservation of their corporate unity, their status as a "community within a community", this cannot be equivalent to the proposition that their major purpose was the preservation of the New Nation for the members of the latter were not limited to the métis.

ii: The object of the métis

The second and, for the present purposes, more important point that I would like to make in the following, is that Morton has somewhat overstated his case when he suggests that the "prime purpose", the major object, of the métis in 1869 was the "preservation of the French element in western Canada", whether it be on a block of land "exclusively their own" or by any other means. Rather, I would argue, that the major object of the métis was to secure for the population of Red River as a whole, and the halfbreeds in particular, sufficient autonomous political power within the context of union with a larger political body, in order to ensure the future welfare of all and specifically that of the halfbreeds. In other words, as I understand the rebellion, the major object of the métis in 1869/70 was of a generalized nature, encompassing the protection of the rights of all, their concern to protect their French community specificity being subsumed within the terms of this general object. It is not so much, then, a question of rejecting Morton's thesis completely, but of suggesting that he is incorrect in limiting the object of the métis struggles to their own collective self interest. With these remarks in mind, then, let me now proceed to elaborate on the above points.

ii(a): The land claims of the métis

We might begin the discussion of Morton by clarifying the nature of the land

claims made by the métis in 1869/70. Morton suggests that "Both the métis and English half-breeds claimed a share (of the land--RB) through their Indian mothers,"⁽²⁹⁾ and that share claimed by the métis was to land which belonged to them alone. The métis

... were challenging the authority of Canada to conduct any survey at all anywhere in the North-West, and particularly in that block of land between the Assiniboine and the border which the métis regarded as belonging by custom to their "nation". (46-47; cf. Note 38 above)

It is to be noted first that this latter statement is somewhat inconsistent with the first in the sense that Morton here considers the métis to be opposing the survey party because of their Indian title to land but fails to consider why the country born would not do likewise. Dennis, we recall (above 43), gave assurances to the settlement that his surveys would disturb no private titles, and these assurances assuaged the country born, more generally the English population as a whole, but failed to diminish the métis opposition to the surveys. Yet, if the country born were making claims to land similar to those of the métis, the conclusion reached is that the country born should not have been pacified by Dennis's assurances, but should have continued their opposition to the surveys as did the métis.

This conclusion is, however, based upon faulty premises, for the fact remains that, contra Morton, the country born were not making any claims under Indian title. On the other hand, if the country born were making no such claim, that made by the métis was not in the name of their "nation" as Morton reads it--they were not made in the name of the French halfbreeds--but in the name of the halfbreeds as a whole. Both points are registered by Thomas Bunn in his testimony to the 1874 Canadian Select Committee inquiring into the rebellion:

The French Metis claimed for all the half-breeds a right to the lands of the country generally; but the English did not put forth that claim. They did not claim the right because there was no action by the surveyors in the neighbourhood of the territory which they occupied. I have no doubt that if the surveyors had gone there some action would have been taken by the English half-breeds...

I understand that the French Metis claimed that the country belonged to the half-breeds under the same kind of title by which Indians claim, namely by birth residence and occupation.

They claim no transfer from the Indians. The English half-breeds do not make this kind of claim, as I have said, they probably would have taken some action if the surveyors had come into their neighbourhood.⁴¹

Clearly implied here is that the only ownership relation the country born considered as existing between themselves and the land, and the only one with which they were concerned, was in terms of private property. This implication becomes more of a statement of fact when we examine one part of the debates during the Convention of 40.

Presenting Article 15 to the Convention, that section of the second List of Rights dealing with Indian land claims, Riel raised the question of whether or not "... the article as it stood was too general", for it did not make mention of any collective halfbreed title to the land. James Ross, however, did not think that there was any question whatsoever, for as "civilized" men, the halfbreeds could not make any claims to land under Indian title, but only claims which "... civilized men in other countries claim":

As a Halfbreed of this country, I am naturally very anxious to get all rights which properly belong to Half-breeds. I can easily understand that we can secure a certain kind of right by putting ourselves on the same footing as Indians. But in that case, we must decide on giving up our rights as civilized men. The fact is, we must take one side or the other--we must either be Indians and claim the privileges of Indians--certain reserves of land an annual compensation of blankets, powder and tobacco (laughter)--or else we must take the position of civilized men and claim rights accordingly. We cannot expect to enjoy the rights and privileges of both the Indian and the White man. Considering the progress we have made, and the position we occupy, we must claim the rights and privileges which civilized men in other countries claim.⁴²

The above considerations thus account for why the country born did not

continue to oppose Dennis's survey after being assured that their private titles would not be disturbed. More importantly, however, it shows that while the métis may have wanted the land claimed under Indian title to be separately possessed by each of the collective halfbreed communities, this desire to maintain the French community on a block of land exclusively its own was inextricable from their desire that the rights of all the halfbreeds to the land be recognized.

ii(b): Political power

While, then, the securance of collective title to land for the halfbreeds as a whole was one object of the métis, it remains the case that I consider that the major object of the métis was to secure to the local population of the territories (relatively) autonomous political power within the context of union with a larger political unit, particularly in order to ensure the protection of the rights and interests of the halfbreed population. The métis concern with political power against that of the central government is evident throughout the February debates. However, this concern is most evident during those debates focusing about provincial status and the annulment of the Deed of Surrender.

As a Territory, the Convention of 40 had resolved to demand maximum control over local affairs. While governed by a Canadian Lieutenant Governor until the "exceptional period" of territorial status had passed, clause 6 of the second list specified that the only interference that would be tolerated was that "allowed in the other provinces. . ." Moreover, while the Lieutenant governor would have veto power over legislation passed by the local legislature, the latter would, by a two-thirds majority, be able to over-ride the former (clause 7). However, what territorial status could not guarantee was financial power, especially that stemming from control over the disposition of lands.

The List of Rights demanded that direct taxation be imposed only by the local legislature, and that the lands lying within a circle whose centre was Fort Garry and whose radius was that distance from Fort Garry to the American border be subject to local control. (clause 2 and 18 respectively).

However, should the northwest enter Confederation as a province, these demands would be superfluous for both were guaranteed to every province by section 92 of the British North America Act;⁴³ indeed, sect. 92(5) gave the provinces complete control over the lands within their boundaries, rather than the control over a mere portion of the lands within the territories which the second list demanded. Thus, when arguing as to the benefits of entering Confederation as a province rather than as a territory, section 92, especially subsection 5, was ". . . alluded to (by Riel--RB), as one of the most important, as far as we are concerned":⁴⁴

As to this question of a Province, let me ask, is it not possible for us to settle our own affairs in a satisfactory manner? Cannot we make regulation for outsiders, with reference to the sale and disposition of our lands? This land question, and that of our means of raising money, constitute perhaps the principle points in the whole provincial arrangement.⁴⁵

Now, it is true that Riel did not push this matter of provincial status as strongly as he could have:

As to ourselves, I do not say that it is for our own good to go in as a province; but I think it a fair matter for the consideration of the Convention. On the whole I think that the position of a Province might suit us better than that of a Territory, but found it difficult to decide.⁴⁶

To account for the lack of force in Riel's argument can be nothing more, of course, than speculation. Nevertheless, it seems reasonable to assume that the counter-arguments to provincial status, especially those pointing out the financial benefits which would accrue to a territory because of its territorial status⁴⁷ had an effect. More importantly, however, it would seem that the temporary nature of the territorial arrangement made immediate provincial status less than a priority. However, if provincial status was not of immediate and pressing concern, the annulment of the Deed of Surrender was, for that was something which could not be changed later.

The Company, as Riel pointed out, would be in a position of great power should the bargain between it and Canada be left to stand, for their land holdings would put it on an unequal footing with others in the territories (including, it might be noted, the local territorial legislature). Referring to the clause in the Deed of Surrender which gave the Company one-twentieth of the fertile belt, Riel noted that

It meant 5 acres out of 100, and is, in my opinion, altogether too large. With greatly increased influence, what would be the result?⁴⁸

Riel himself answered this rhetorical question in no uncertain terms. The Company, he argued, had always looked out for its own interests despite, and even because, of their conflict with those of the resident population:

Again, on a late occasion, they tried to sell us. There was never a parallel case. A Company of strangers, living beyond the ocean, had the audacity to attempt to sell the people of the soil ... To serve their interests and purposes, they endeavoured to subvert ours... Throughout, the Company has pursued a course which can only be called detestable; and it is our business to prevent them getting more influence (cheers). We, in this Settlement, must get control of all the lands in the North-West, or stipulate to enter as a Province shortly, in order to get that control (cheers).⁴⁹

The emphasis which Riel put on this demand is, of course, only underlined by the vehement response which he made consequent upon its failure to pass at the Convention, indicative passages of which were given in Chapter II.

The major object of the métis struggles in 1869/70, then, was to secure autonomous political power for the local government against that of the central government. As Riel said, in two passages already quoted (above §1),

For my (Riel's--RB) part I would like to see the power of Canada limited in this country. That is what I want.

I (Riel--RB) want this country to be governed for once by a Local Legislature. Our Country has been hitherto differently governed and they were within an ace of selling us. But now, I say, let

the authority of the Legislature be everywhere,
and influencing everything.

And the "influence" of the Local Legislature was to be for the benefit of all the "people of the country",⁵⁰ and not only the métis.

ii(c): British subjects

At one level, the purpose of the métis struggles appears to be the protection of the common good of all the local population of Red River in a new political order. As Riel said, "All our efforts have been directed to the benefit of the whole country . . ." ⁵¹ Throughout the November debates Riel consistently stressed this and, as we have seen, closed the Convention by vehemently chastizing the English for leaving the burden of the struggle on the shoulders of the French when the latter were struggling for the rights of the former as well. Riel reiterated this position at the close of the January 20th meeting. Obviously in a much more congenial frame of mind than he had been at the close of the last official meeting between the English and French, he pointed out that

We are not yet enemies (loud cheers) but we came very near being so. As soon as we understood each other, we joined in demanding what our English fellow subjects in common with us believe to be our just rights (loud cheers). I am not afraid to say our rights, for we all have rights (renewed cheers). We claim no half rights, mind you, but all the rights we are entitled to. Those rights will be set forth by our representatives, and what is more gentlemen, we will get them (loud cheers). ⁵²

The results of the Convention of 40 bear Riel out. The second list of rights, like the one preceding it and the two following it, contain demands whose concession would affect not only the métis but the "people of the country as a whole." ⁵³

If Riel and the métis, then, sought concessions of political power from Canada sufficient to ensure the common good of the settlers under the new order,

the discursive rationale for this seems to be that it was as British subjects, and not only French halfbreeds, that the métis rose in 1869 in order to protect the rights of the settlers accruing to them as British subjects. The population, states the published Declaration of December 8th (Appendix II), had developed to the extent where it now "commands a place amongst the colonies", and thus the métis rose to protect ". . . all the privileges so liberally granted by the Crown of England to any English colony whatsoever."⁵⁴ Specifically, reported the Montreal Herald, the métis demanded the ". . . British right of self government."⁵⁵ "Our cause," wrote Riel in the "Protest of the People of Rupert's Land", "is that of a British colony," and ". . . peace, our British rights," Riel told the Portage party, "we want before all."⁵⁶ Canada, however, sought to impose upon the people of the Northwest, a ". . . despotic government still more contrary to our rights and interests as British subjects . . . " that had been the one of the Company.⁵⁷ The self aggrandizing Canadians, those "false British subjects", had, however, forgotten one thing:

... the policy of a government having to concern itself with the general interests of society, without distinction of language, of origin, without distinction of religious belief, is always incompatible with the restricted view of individual interest, when the latter, in place of imposing itself on the former, is not entirely subordinate to it. They should have known it: the sole means of assuring the existence and extension of the Confederation is to place on the same equal and generous footing all the provinces of British North America. If it is true that the Hudson's Bay Company has neglected the political advancement of their country, the people themselves, as soon as they could, have had to act. They have formed a government, and this government which calls itself provisional does not wish that the North-West enter into Confederation until in this country all claims of civilized men shall have received a guarantee of being on the same noble footing of equality.⁵⁸

Who, it might be asked, could argue with this claim; Canada was but ". . . that other British colony . . . "⁵⁹ and should thus not consider itself able to be lord and master over the people of the territories.

ii(d): "The people of the country"

Thus, at one level of the métis discourse, they waged their battle as British subjects, opposing the entrance of Canada in the name, and for the benefit, of all the other British subjects of the colony. However, at another level of discourse, it is clear that the métis did not consider the "people of the country" to be only subjects of the British Crown; they were something more than this, and demanded that this specificity be protected.

Riel noted that "I, too, am an English subject; but I do not wish to be so to excess."⁶⁰ Rather, "As a principle of action," Riel continued,

... we must seek to do what is right, and at the same time have a special regard to the interests of the people of this country. We must seek to preserve the existence of our own people. We must not by our own act allow ourselves to be swamped... In this connection, all outsiders are to be looked upon as strangers--not merely Americans, but Canadians, English, Irish and Scotch. All are strangers in the sense that they are outsiders, that they do not appreciate the circumstances in which we have, and are not likely to enter fully into our views and our feelings. Though in a sense British subjects, we must look on all coming in from abroad as foreigners, we must at the same time respect ourselves. The circumstances of our country are peculiar; and if therefore we do anything peculiar, looking at analogous cases, it must be explained on the principle that we are a peculiar people in exceptional circumstances. (emphasis added)⁶¹

The strength of this determination to protect this self-proclaimed uniqueness is, moreover, only underlined by the effect it had on Riel when it came to weighing it against the economically egalitarian principles upon which he thought the franchise should be based.

In line with the above proclaimed need to protect the "people of the country", Riel argued that the franchise should carry a three year residency requirement for all emigrants to the north west. When it was proposed instead that the requirement be only one year, but include a householder requirement, however, it was the notion that the franchise carry any property qualification whatsoever⁶²

that Riel attacked:

In my opinion, the original motion is better than the amendment. We cannot look on property as the best test of title to vote. In this country, in fact, the poorer we are, the more honest we are; and to say that only the rich are to be entitled to exercise this right, is a slander on our people...

I think... it is unjust that a man should be required to be a householder before he can vote... To advocate a property qualification is to speak in the interests of the rich as against the poor. Are there more honest men among the rich than among the poor? Are we not honest, though poor?⁶³

However, Riel's concern for the "people of the country" was strong enough that it could even overcome his egalitarian principles. Ross, to argue that the franchise should carry a three year residency requirement as well as a householder requirement for emigrants, countered Riel with his own logic:

Take the population at present here, I would be quite willing to look upon them as having an interest in the country, even though they had not a shilling or a house. But in view of emmigration, we ought to provide that a man shall have some material interest in the country before he be allowed to vote.⁶⁴

After a short consultation with Ross, Riel agreed with the latter, and advocated what was to become the final form of the clause: emigrants were to be resident for three years in the territory and own a house before they would be allowed to vote, still a broadly distributed franchise by Canadian standards.⁶⁵

The métis, then, wanted the local population, the "people of the country", to have (relatively) autonomous political power against that of a central government within the terms of union with a larger political entity not only because it was their right as British subjects, but because the "people of the country" were unique, and predicated of unique rights and interests which had to be protected against the malevolent incursions of all those "foreign" to the country. However, I think that we must understand the meaning of the "people of the country" to entail a dual significance. At one level, the "people of the country" is equivalent

to all those who could be considered the "local" population; viz, those who considered themselves as and were considered by others to be part of the Red River community as a whole, putting the interests of the country and its people above those of other political units from which they may have, in the first instance, emigrated. However, at another level, I think that we must see the "people of the country" as meaning the halfbreeds alone, for it is clear that the métis considered the halfbreeds as such to be a unique people distinct from all others. As Riel wrote in the *Protestation des Peuples du Nord-Ouest*:

Des peuples que le progrès et la civilisation
remplissent d'un côté nous environent
et de l'autre de nombreuses nations sauvages qui
vivent dans l'attente et l'appréhension. Le
peuple de la Rivière-Rouge est né de ces deux
grandes divisions pour servir d'intermédiaire.
En effet nous sommes liés avec les deux par
le sang et les habitudes.⁶⁶

It is clear from this passage that Riel considered the halfbreeds to be an irreducible unity, distinct from all other peoples of the world. The concepts of "civilization" and the "primitive" or, in this case the "savage", are beset, as we have seen, with certain difficulties with respect to an explanation of the rebellion. However, as a principle of classification they are of infinite utility to Riel. The "civilization/primitive" couple exhaustively dichotomizes the social world into mutually exclusive categories. The halfbreed people, however, born "de ces deux grands divisions" are neither one nor the other but simultaneously both, a conception which admirably serves to differentiate them from all other peoples of the world. Thus, it is the rights and interests of the halfbreeds which I consider Riel and the métis to have been concerned to protect against the malevolent incursion of all those "foreign" to the country. The major object of the métis struggles, then, seems to be consisely summarized by Riel when he asserted that "... the truth of it is, the Halfbreeds of the country must govern, with the other portion of the people if they are together."⁶⁷

In sum, then, while I cannot agree with Morton's understanding of the New Nation, I am in full accord with him to the extent his thesis is modified to read

that one of the objects of the métis struggles in 1869/70 was the protection of their corporate unity, for I do not think that the major object, the "prime purpose" of the métis struggles was so limited. Rather, I am of the opinion that what the métis wanted to secure was political power in order to protect the rights and interests of all the "people of the country", in particular those of the halfbreeds. The protection of the cultural specificity of the métis was an object subsumed within the terms of this more general purpose: Morton's thesis is thus not rejected outright, but subsumed within the terms of my own.

This in turn seems to give more logic to Riel's consistent attempts to unify the settlement under one provisional government. As Begg notes:

One fact is noticeable in the history of the troubles (of 1869/70--RB), that Riel never deviated from his plan of forming a provisional government; and, in order to make this a success, his whole aim seemed to be to induce or compel the English settlers to join it. This idea, apparently, was that, were the settlers once united under a government which they could call their own, they would be in a proper position to demand those rights which were felt to be necessary for the happiness and future prosperity of the country. ⁶⁸

Clearly, then, the struggle for community solidarity was foremost in Riel's mind throughout the course of the struggle against Canada, but to suggest that the latter struggle was explicitly for the protection of rights specific to the métis would seem to compromise its rationality. On the one hand, if the métis were only out for their own interests, it would seem highly unlikely that so much energy would be spent co-opting the unwilling English, when the battle with Canada could be--as ^{it} was--waged without their help. It was the métis who were the military power in the settlement, and this is only underlined by the occurrence of the rebellion itself. On the other hand, if, as Riel argued, "Union is strength", ⁶⁹ part of that strength would be symbolic: if it could be demonstrated that the concessions demanded of the Canadian government were approved by the people that they would affect, bargaining leverage during these negotiations would thereby be increased. If the concessions demanded were to only affect the métis, there would appear no reason to gather support from the

recalcitrant English. However, as O'Donohue pointed out during the Convention of 40, the English should be obliged to join the Provisional government, for, "It must be borne in mind that the French party took action not for the benefit of any one section, but of the whole country."⁷⁰

It could of course be argued that all statements to the effect that the métis struggles were for the good of the "people of the country" were just so much propagandistic gloss to cover up their "real" underlying motives, a "pretext" as Hargrave put it:

Working on the dislike felt towards these Canadians and the unsettled state of people's minds in the prospect of impending changes, Louis Riel, assisted by the (illegible) voice of the priesthood, has had no difficulty in organizing a revolt, the pretext for which is the attainment of popular rights.⁷¹

On the one hand, we might ask why the métis had to construct this "pretext", for such subterfuge would only be necessary should the goal of their "real" motives be in some way contradictory to the interests of the rest of the population. On the other hand, to consider as a "pretext" the "attainment of popular rights" fails to consider the possibility, which I maintain to be the case, that the object of the métis to protect their specific rights was subsumed under the more general goal of ensuring the protection of the rights and interests of all the "people of the country", part of whom were the métis.

ii(e): Some Additional Questions

If the métis considered the "people of the country", in particular the halfbreeds, to have unique rights and interests which demanded political power for their protection, it appears that it was only they who thought in this fashion. Moreover, putting the protection of these rights and interests at the forefront of their struggle, the métis were not willing to let any considerations of loyalty to the Crown of England stand in the way of realizing their object.

As to the first point, I would begin by recalling that in the case of the franchise (above ¶7) Ross took Riel's arguments as to the need for the protection of the "people of the country" even farther than the latter was willing

to do at first. It must be underlined, however, that this was an infrequent instance of any of the English demanding the same, or more of Canada, than the métis. In general, the English argued against the métis on every clause which entailed demands for direct financial contributions or demands which would augment the political power of the local population viz a viz that of the central government. As Louis Schmidt recalled more than 40 years later:

The most striking fact of these debates (i.e. during the Convention of 40--RB), and that of which I especially retain the impression, was the timidity of the English in their demands upon Canada. They found almost all our terms excessive, and it was often irritating for our representatives to have to make such efforts to demonstrate to them the legitimacy and justice of our demands. ⁷²

A conception of the specificity of the rights and interests of the local population, in particular the halfbreeds, thus seems to have been limited to the métis, for it was they alone who sought to maximize the political power and autonomy of the "people of the country" within the terms of Confederation.

Moreover, if Riel and the métis wanted to protect the halfbreeds, I am of the opinion that they would not let considerations of loyalty to the Crown of England prevent them from realizing this goal. ⁷³ Generally, the position taken by the métis throughout the rebellion was that their actions did not contradict the authority of the Queen--that they were, as noted above, in fact defending their British rights from contradiction by the "false British subjects"--and that Canadian Confederation was preferable to American annexation in order to retain allegiance to the Throne. However, there is evidence to suggest that the métis would not let their status as British subjects interfere with the attainment of their goals.

For example, during the first session of the November Convention Riel asserted that "we have never refused to obey the authority of the Queen of England." ⁷⁴ Upon agreeing with the Convention that Governor MacTavish was a "worthy representative" of Her Highness, ⁷⁵ a proclamation by the former was read urging the métis to lay down their arms and to quit Fort Garry. Riel's response is telling:

After having heard the reading of the Proclamation of Mr. W. McTavish--Ross says: I am sure that our French compatriots will obey now that the will of the governor is known and that he orders them in his capacity as governor to leave the Fort. I hope that they are going to do it for their own benefit and the satisfaction of their relatives and friends the English of the colony. --There is silence. --Ross rises and says that he awaits with confidence the evacuation of the Fort by the French of the colony. Riel:--not yet--Ross, -- You can no longer protest ignorance. --Riel, -- A Proclamation, however emphatic, still does not remove what is just in our pretensions.⁷⁶

The commands of a "worthy representative" of the Queen were thus apparently not binding on the métis.

Even more emphatically than this did Riel deny the ultimate sovereignty of the Queen. It will be recalled that in December the English were apparently still confused as to the purposes of the provisional government. Riel responded to the question in the following manner:

The object of the Provisional Government to be to arrange for the future welfare of the settlement and to make terms for Annexation to some government whichever may be found as most advantageous to the settlers as a body. (emphasis added)⁷⁷

Thus, while I would not disagree that Riel and the métis wanted to remain loyal subjects of the Queen by confederating with Canada, this desire was not compulsive. They did not feel bound to the Throne, or to anyone else besides themselves, and would seek the best terms of alliance possible with any other political body. I think, then, that we must agree with A. S. Morton when he writes that

... Riel's sentiments were distinctly British. His policy was to continue his efforts to bring the English and French together so that a solid people would negotiate with Canada for recognition of their rights. Should that fail, and Canada attempt to crush him by military force, he would then appeal to the American public for assistance and, perhaps, for the cession of the North West into the republic.⁷⁸

Given the above, then, I would raise two further questions of the Red River rebellion. The métis alone, as I understand them, had a conception of the specificity of the "people of the country" predicated of specific rights and interests which had to be protected against the malevolent incursions of all those "foreign" to the country. The "people of the country", however, seem to entail a dual significance, at one level meaning all the local population of the settlement, and at another meaning only the halfbreeds of the territories; and it would appear that it was the halfbreeds in particular whose welfare the métis were struggling to secure within the terms of a new political order. Given the emphasis on the halfbreeds as such, then, I would ask why the métis considered themselves and the country born to be so unique such that the protection of their well-being was of paramount importance to the métis. On the other hand, apart from the Americans in the settlement, it would appear that the métis alone were willing to consider union with a larger political entity not necessarily within the British Commonwealth; if the future welfare of the "people of the country" had to be secured, the métis would not let considerations of loyalty to the Crown of England stand in their way.⁷⁹ I would thus like to raise the question of why the métis did not feel necessarily constrained by loyalty to the British Crown. I will leave my answers to these questions until Chapter IV, but for the present, I should like to conclude this chapter by examining Morton's answer to the question of rebellion as such.

iii(a): The Question of "Rebellion"

At the beginning of this Chapter it was suggested that despite a generalized negative reaction by the settlement to the transfer, the métis alone rose to contest it because they alone did not consider their actions to be illegal. I thus raised the question of rebellion as such, or why they did not consider their actions to be constitutive of rebellion, but

takes this fact as an unproblematic given.

Morton considers that:

The Provisional Government was in fact illegal, and any acts of its officers were illegal. Legally speaking, Riel and his métis were in rebellion against the properly constituted authorities of the North-West, the Governor of the Northern Department of Rupert's Land and the Governor and Council of Assinabolia. . . From this conclusion, in strict legal reasoning, there can be no mistake. If legal reasoning leads to this conclusion, however, political reasoning does not. The fulfilment of rebellion consists in the throwing off of allegiance, not merely by implication in disobeying the laws and officers of the sovereign, but by explicit repudiation. This Riel and the métis never did nor intended. Their prime purposes were to keep out McDougall and to force Canada to negotiate. This they might have done without interfering with the government of the Hudson's Bay Company, as in fact they did down to November 24. At that point Riel became convinced that the Company's government, if indeed it still existed in law, had forfeited all claim to obedience by its abandonment of its subjects and by its manifest incompetence. On these grounds, of much moral and practical validity, if legally untenable, he proclaimed the Provisional Government (77-78).

For Morton, then, the métis did not consider themselves in rebellion because it is only "legal reasoning" which leads to this conclusion, whereas the "political reasoning" of the métis served to justify the establishment of the provisional government. Indeed, in terms of the latter form of logic, Morton considers that the Declaration of December 8th " . . . is in fact the reasoned statement of (the métis's) grounds for proclaiming a provisional government. "

The government of the Hudson's Bay Company, it was argued, was an adjunct of the fur-trade inadequate for the needs of the people of the North-West, and had become ineffective. That government, moreover, by transferring the people of the North-West to a strange authority without their consent had violated the rights of man, as had Canada by accepting the transfer. The people of the North-West, abandoned by the only government they had known, were therefore justified by the law of nations in proclaiming a provisional government of their own. That government, however, was prepared to treat with Canada for terms of union.

Such was the tenor of the original draft in French in the Archives of the Archbishop of St. Boniface (75-76).

Now, while my reading of the document suggests that rather than the right of man, it was the "Law of Nations" which was contravened by the HBC and Canada when the former made, and the latter accepted, the transfer without any consultation of the local population, the more important point to be made is that to summarize the document in this fashion leaves the most important question open. In other words, if the Declaration was in fact a "reasoned statement" justifying the provisional government, the reader is left wondering why only the métis could agree with the statement. The English saw in the provisional government only an illegal body which contravened the authority of the HBC and were therefore "against a provisional government while the H. B. C. rule is still in force."⁸⁰ The "Law of Nations", then, apparently held sway only with the métis; but Morton does not raise the question as to why this was the case. However, without some answer to this question, I think that the Red River rebellion remains unintelligible: if it was the case, as I have argued, that the transfer of the territories created a feeling of settlement wide discontent, to understand why the métis alone rose to oppose the transfer in the name of the "people of the country" seems to be precisely because the dictates of the Law of Nations were comprehensible only by them.

iii(b): The Question of Resistance

Morton thus does not raise or answer the question of rebellion. That he does not do so is first a function of the fact that he considers the rebellion as such, that is, the formation of the provisional government, to have been a contingent event, a proposition which holds good on two levels. From a long range perspective, Morton considers that the error of the métis was ". . . not so much that they risked rebellion, as that they used this great lever to exact what in due course would have been generously given." (2) Regardless, however, of whether the rights demanded by the métis would have been "generously given" or not, Morton considers that to the extent the métis felt it necessary to struggle for them, this struggle need not have taken the form of rebellion. As we have just seen,

The fulfilment of rebellion consists in the throwing off of allegiance, not merely by implication in disobeying the laws and officers of the sovereign, but by explicit repudiation. This Riel and the métis never did nor intended. Their prime purposes were to keep out MacDougall and to force Canada to negotiate. (78)

Disregarding, then, the questionability of this latter argument,⁸¹ the point to be made is that Morton's failure to raise or answer the question of rebellion as such is first by virtue of the contingency which he attributes to the provisional government.

More fundamentally, however, if he does not question why the métis did not consider themselves in rebellion, it is ultimately a function of the manner in which he defines the object of the métis struggles, viz, the protection of their specific corporate rights. If the métis alone rose in 1869 to contest the transfer, this is, according to Morton, because they alone felt it necessary to rise in order to secure from Canada that which was not guaranteed them by the terms of transfer as originally proposed. In place of the question of rebellion, then, Morton substitutes that of Resistance, or why the métis perceived it necessary to contest the transfer in order to protect their corporate rights. Morton answers this question, as well as that

of why the English did not support Canada, in terms of the "immediate causes" of the resistance.

Morton locates the immediate causes of the resistance first in the lack of official communication as to the ultimate intentions of Canada. The property rights of the settlers, as we have seen, were not fully guaranteed by the Deed of Surrender. More importantly, the lack of clarification as to the tenure of MacDougall's "temporary" appointed administration, led the settlers to question the status of their political rights under the new order of Confederation. As such, a population already disillusioned with Canada had no reason to expend any energy in support of Canada in opposition to the métis. Further, the lack of acknowledgement of the claims of the HBC winterers with respect to their share in the profits from the sales of the Company's chartered rights disposed them not to actually use their influence to gather support for a peaceful conclusion of the transfer. Thus, all the above silences account for the passive support by the settlers of the métis struggle. (28ff.)

The métis as well lacked acknowledgement of their corporate rights, and it was the actions of the Canadians which prompted them to rise in Resistance to secure them. Both dissatisfaction with the wages paid by Snow, and the highly impolitic comments in Mair's letters to Upper Canada, set the métis against Canada. However, Morton suggests that had these men not associated with Schultz, both episodes would have been forgotten (21-22), for the latter had increasingly developed into "... a bête noir both of the métis and of the Catholic clergy." (23) Further, MacDougall had scrupulously avoided including any French Canadians among those chosen to fill administrative positions, reinforcing suspicions that the new government would be dominated by Orangemen, and antagonistic to French culture:

This fear was not unjustified. It was the expectation both of MacDougall, who represented in the Dominion Cabinet the "Clear Grit" wing of Canadian Liberalism--anti-clerical, democratic and uncompromisingly Anglo-Saxon-- and also of the youthful conspirators of the nascent "Canada First" party, who had hailed Schultz as a fellow soul, that the North-West would in fact become an extension of Ontario (23-24).

This fear was cemented by the "boastful" words of the Canadian party, as we have seen, to the effect that they would be the prime candidates for the positions

of power in the new government. Thus,

It is this likelihood of the small and intensely unpopular Canadian party becoming the chief power and established favourite in the new order that more than anything else explains the Resistance of the métis to the transfer of 1869 (13-14).

But, does it?

While I would not deny that it was radical Orangemen who were understood to be descending on the settlement, I do not think it can be argued that it was this characteristic of them which spurred the métis on to ~~arms~~ ^{rebellion}. Morton has stated that the rights for which the métis sought security would have been "generously given" without rebellion. Given that he does not seem of the opinion that such rights would have been guaranteed by the incoming administration, the implication here is that MacDougall et al would have been over-ruled by a superior power, viz, the Canadian or Imperial governments. He, in fact, argues that this is why the English in the settlement did not support the métis, for they put their faith in the higher bodies. If so, then we might ask why not the métis? If all the settlement was worried about their rights in the new order of Confederation, then all things being equal, the response should have been the same.

Morton, of course, considers that all things were not equal, that the incoming administration would pose a specific threat to the religious and language rights of the métis. Yet, we have seen that the Canadian party impressed the people as being out for their own economic self-aggrandizement which, in turn, would be at the expense of the economic interests of the settlement population at large. As Morton himself notes generally, the Canadian party had

... succeeded in making the name of Canada unpopular amongst the great majority of the Settlement, and this fact largely accounts for the hostility or indifference with which the transfer was viewed (13).

As such, it seems reasonable to assume that the possibility of the Canadian party entrenching themselves in positions of power in MacDougall's appointed administration could not but have dismayed the population of the settlement at large, rather than just the métis, an assumption given some support by the

passage from the Montreal Herald quoted at the end of Chapter I (above 44-45) Given that the Canadian party thus seems to have been perceived as a potential threat to their interests by the settlement at large, for Morton to argue that only the métis reacted to this potential threat by rising in armed resistance depends upon an argument to the effect that the métis felt "more" threatened than did the English, and that this difference in degree of perceived threat was sufficient to motivate them to armed resistance. How one would operationalize and test this hypothesis is a question which I cannot personally answer, and Morton himself does not do so. As such, for him to answer the question of the métis resistance in terms of the potential power of the Canadian party in the new order, seems to be a very tendentious argument.

Thus, Morton does not answer the question of rebellion as such basically because he substitutes for it that of resistance which, in turn, is a function of the way in which he understands the major object of the métis struggles. While, then, I would disagree with the importance of the question and his answer to it because we diverge with respect to our definitions of the major object of the métis struggles, in his own terms the answer is unsatisfactory. His answer ultimately rests on the hypothesis that the métis felt more threatened by the Canadian party than did the English, and this hypothesis still remains to be recognized as such, operationalized, and tested.

With these remarks I conclude my examination of previously given interpretations of the Red River rebellion. Neither Stanley nor Morton, it seems to me, have advanced explanations which adequately answer the questions which I have raised. Bearing in mind the critiques which I have made of these two authors, and the conclusions reached on the basis of them, I would like to now advance some considerations which will address those questions which remain open.

CHAPTER IV: The Red River Rebellion: A Peculiar People in Exceptional Circumstances

At the beginning of Chapter III, I raised two questions with respect to the Red River rebellion in order to guide the line of inquiry, viz, the question of the object of the métis struggles and the question of rebellion as such, or why the métis pursued this object even though, as Morton would put it, according to "legal reasoning" their actions constituted rebellion. My discussion of Morton led me to the conclusion that the object of the métis struggles was to secure to the "people of the country" political power within the context of union with a larger political entity in order that the future welfare of the Red River community, in particular that of the halfbreeds, be protected against the threat of all those "foreign" to the country. In the context of this discussion, however, I raised two additional questions.

On the one hand, if the "people of the country" were a unique community with specific rights and interests, it appears that it was only the métis who maintained this, for it was they who sought to maximize the concessions which were to be demanded of Canada. The English, as Louis Schmidt put it, were much more "timid" with respect to the concessions which they considered appropriate to demand of Canada. The "people of the country", however, whose welfare the métis appeared to be especially concerned to protect, were, I suggested, the halfbreeds as such and I would raise the question as to why the métis considered the halfbreeds to be a special category of people amongst the Red River population as a whole. On the other hand, apart from the Americans in the settlement, the métis alone were willing to consider other than confederation with Canada and thus retention of the British connexion. While the métis preferred to retain British ties, remaining within the Empire was not a binding condition for them. Only to the extent that the future welfare of the community of Red River, especially that of the halfbreeds, was ensured, would the métis retain the British connexion. The second question that I would raise is therefore why the métis did not consider the retention of British ties to be a binding condition upon the results of their struggles.

If, then, two additional questions have been raised, a third still remains

to be answered, viz, that of rebellion as such. With respect to the question of the object of the métis struggles I did not reject Morton's thesis outright, but considered it subsumed within the terms of my own. However, I suggested at the end of Chapter III that not only was the answer to his own question, viz, that of "resistance" unsatisfactorily answered, but that he failed to raise or answer that of rebellion as such. Three questions, then, remain open at this point, and it will be the object of this Chapter to advance some considerations which will, if not completely, at least adequately answer them.

I: The Particularity of the Halfbreeds

In this section, I will argue that the specific concern which the métis had to protect the future welfare of the halfbreeds was a function of two things. On the one hand, a common racial oppression of the halfbreeds in the years following 1821 established between them a community of interests. On the other, however, the discourse of the métis constructed the unity of the halfbreeds, as a People,¹ an essential and ahistorical collectivity which was Divinely created. Moreover, the specific relation which any People has to a particular tract of land--the patrie of a People--will give us additional insight into the opposition of the métis to the Canadian survey, and the particular disdain in which they held both the Company and Canada.

i: Racism

That the métis should see themselves united with the country-born in defense of common interests is not surprising, for the two sections of mixed bloods had historically been pitted against those "foreign" to the country. Culturally distinct because of differing paternal ancestries, their common native ancestry had been the historical basis of a blatant racism on the part of the Company.

I have already noted that after 1821, the mixed bloods were excluded from

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the more lucrative and influential positions in the fur trade, confined instead to seasonal tripping and labouring jobs for the most part.² That the re-organization of the Company's labour practices which institutionalized these lowly positions was financially inspired, there can be no doubt. However, that it was the mixed bloods of Rupert's Land that suffered the consequences, cannot be attributed to economics alone, but rather to the inferior status in which they were held by virtue of their mixed blood. As Foster notes, the character book of George Simpson, the dominant figure in the fur trade of all of British North America in the years after 1821, "... demonstrates clearly that he was biased against individuals of mixed blood ancestry," for, "to Simpson, it was obvious that their unsteady habits were functions of their 'Indian ancestry'."³ This bias of Simpson's and the other European born officers of the Company was given sanction with the coming of the Protestant clergy who, as Pannakoeck has noted, were

... convinced that the Indian, Méts and Country-born were unfortunately infected by the contagion of barbarism, and irredeemably lost to civilization.⁴

The effects of the coming of the Protestant clergy on the halfbreeds were first, and most evidently demonstrated, with the increasing aversion the HBC officers developed with respect to marriage, whether "à la façon du pays" or in "proper" Christian style, to mixed blood women. The latter were "turned off" with increasing frequency and ultimately disavowed as suitable marriage partners whatsoever.⁵ However, while the increasing racism in the territories most visibly affected marriage practices, it permeated all aspects of colony life,⁶ establishing a community of interests between the halfbreeds as a whole.⁷ Indeed, as Foster notes, the term "halfbreed" used by the whites in a pejorative sense was taken up by the mixed bloods themselves as their category of collective identification whenever they established a common front. Foster himself considers that this choice of terminology "... may have been rather unfortunate" because of its negative connotations.⁸ Unfortunate, perhaps, from one perspective, but I think that the mixed bloods' adoption of the term "halfbreed" was a deliberate assertion of the fact that their commonality of interests stemmed ultimately from their common oppression.

In sum, then, I would suggest that the racial oppression of the halfbreeds, a major ideological contradiction informing the history of Red River in the years after 1821, was the major factor which established between the halfbreeds a community of interests. However, it is clear that racial oppression alone is insufficient to answer the question at hand. Rather, what we are confronted with in 1869/70 is a conception, apparently specific to the métis, of the halfbreeds as a unique category of people amongst all those of the settlement. Confirmed by this common racial oppression, I would nevertheless suggest that it was the métis conception of the halfbreeds as a People that accounts for the uniqueness of the halfbreeds from the point of view of the métis, and thus of the latter's particular concern to ensure the welfare of the halfbreeds within the context of a new political order.

ii: The "People" of the country

To present that which was entailed in the métis conception of the halfbreeds as a People, I would begin by recalling the difference between the métis and the country born (and, indeed, the English in general) with respect to the nature of land claims made by each in 1869/70. Only the métis, I argued in Chapter III (above 77) were claiming collective ownership of land of the territories, albeit in the name of the halfbreeds as a whole. The country born, on the other hand, conceived of the relation of ownership which existed between themselves and the land in terms of private property, and it was only their private titles with which they were concerned to secure. Further, let me here quote a passage, already referenced, from James Ross (above 90), in which he advances his reasons for not making collective claims to land under Indian title:

As a Halfbreed of this country, I am naturally very anxious to get all rights which properly belong to Half-breeds. I can easily understand that we can secure a certain kind of right by putting ourselves on the same footing as Indians. But in that case, we must decide on giving up our rights as civilized men. The fact is, we must take one side or the other--we must either be Indians and claim the privileges of Indians--certain reserves of land and annual compensation of blankets, powder and tobacco

(laughter)--or else we must take the position of civilized men and claim rights accordingly. We cannot expect to enjoy the rights and privileges of both the Indian and the White man. Considering the progress we have made, and the position we occupy, we must claim the rights and privileges which civilized men in other countries claim.

Now, as already mentioned, the limitation of the land claims of the country born to those based on private title seems to account for the ability of Dennis to assuage their opposition and not that of the métis to the Canadian survey. This point is important in itself and I will shortly elaborate upon it. For the moment, however, I should like to examine this speech from Ross in light of the problem immediately at hand, viz, the specificity of the halfbreeds as a unique People from the point of view of the métis.

Ross begins his speech with a conception of the halfbreeds as a specific category of people: the halfbreeds have "rights which properly belong to Halfbreeds" and Ross is "anxious" to protect them. However, as the speech progresses, this specificity is effaced: the opposition "Indian" (i. e. "primitive") and "civilization" comes into play, and Ross firmly situates the halfbreeds, and their "proper" rights, within the latter category:

Considering the progress we have made, and the position we occupy, we must claim the rights and privileges which civilized men of other countries claim.

The specificity of the halfbreeds and their "proper" rights is thus lost in the transition from the type of rights Ross is "anxious" to claim, to those which he "must" claim, a loss only underlined to the extent that he correlates the category of "civilization" with that of "White". The "civilization/primitive" couple is thus exhaustive, and no other discursive space exists within which to situate the halfbreeds. Yet, it was precisely the destruction of this categorical exhaustion by which Riel, as we have seen (above 98), differentiated the halfbreeds as a specific social entity.

This latter consideration seems to give additional support to the argument made thus far that it was only the métis who considered the halfbreeds as such

to be a unique collectivity. It is more than fortuitous, however, that the tendency of the country born to dissolve the specificity of the halfbreeds manifested itself during the debates on the question land claims. If the métis alone claimed collective possession of the soil in the name of the halfbreeds as a whole, this claim was ultimately a function of their conception of the halfbreeds as a unique People.

The métis conception of the halfbreeds as a Divinely created People and as predicated of collective land rights was inextricably bound, for within the general "cosmological"⁹ level of the métis discourse, each People of the world could claim a specific tract of land for God had given each this land at the very moment at which He created them. However, as I understand it, the insertion of the halfbreeds into this cosmology presupposed another level of discourse, in so far as the essential unity of the halfbreeds as a People is not immediately given: while related via their common maternal Indian ancestry, the métis and the country born differed with respect to their paternal ancestries, and this difference which obtained between them had therefore to be effaced. Thus at the first level of the métis discourse, the collective land rights of the halfbreeds are not rights which are given to any People whatsoever by God; the logic of this level serves only to predicate collective land rights of the halfbreeds qua halfbreeds, and the immediate origin of these rights is the common maternal ancestors of the métis and the country born rather than God. Once, then, the land rights of the halfbreeds as such are established, those rights and the halfbreeds themselves can be inserted into the general cosmology: the land rights of the halfbreeds are no more rights granted to the halfbreeds as such by their common Indian ancestors, but are land rights granted to any People whatsoever by God.

Conceived linearly, then, the transition between the two levels is one from the "particular" to the "general": the logic of the first considers

only the halfbreeds and their specific land claims; in the second, the logic considers not the halfbreeds and their land rights alone, but effaces this particularity as the halfbreeds are subsumed under the general category of a People, many of whom exist and all of whom can claim similar land rights. A complex structural process is thus involved in the construction of the halfbreeds as a unique People, and while my linear presentation does not do it full justice, let me take the following lines to elaborate upon the above comments.

At the first level, the ownership claims of the halfbreeds to the lands of the northwest are established on the basis of an hereditary transfer of such rights from their common Indian ancestry.¹⁰ While the literature is quite vague with respect to how these rights were distinguished from those of the Indians--that is, how Indian title became, in the process of transfer, halfbreed title--one such means appears to have been the conception that the land which the Indians had owned was now that of the halfbreeds, for the former had "abandoned" the land. As Morton reports on the 1860 meeting called to discuss the claims

of Peguis that the terms of the 1817 Selkirk Treaty had not been respected:

... it was asserted that the Indians had long since abandoned the region, "(the halfbreeds --RB) are natives; they are the present occupants, and they are the representatives of the first owners of the soil with whom no satisfactory arrangement has ever been made."¹¹

Whether or not this notion of "abandonment" was the major, or only means, by which the métis claimed land through, yet distinct from, their Indian ancestry, is a question which I cannot answer. However, the métis appeared to have no trouble making the claim. As Riel wrote in 1885, the halfbreeds

... étaient des gens qui avaient à eux en propre le territoire du Nord-Ouest. Le sang indien de leurs veines établissait le droit ou le titre qu'ils avaient à la terre. Ils avaient la propriété du sol conjointement avec les Sauvages.¹²

Nevertheless, in whatever manner the above problem of differentiation was resolved, once it was established that the halfbreeds had land-rights which were specifically theirs, such rights, and the halfbreeds themselves, could be inserted into a general cosmology where any question of Indian ancestry disappears. Within the terms of this general cosmology, the rights claimed are those possessed by a People from time immemorial, from their very moment of Creation by God, rather than being mediated by the Indian ancestry of the halfbreeds.

For the métis, any People of the world possessed a tract of land (whose boundaries, are, obviously, quite indeterminate) because all Peoples had received such land as a gift from God. This land was a People's patrie.¹³ The gift, on the one hand, came from God because of His general goodness and benevolence:

Dieu qui est leur Père les dote (le patrie--RB) ainsi, d'abord parce qu'il est bon, et puis parce qu'il veut que la reconnaissance de tous les hommes s'élève à Lui. Enfin, il entre dans ses desseins de charité que chaque peuple soit à l'aise dès son enfance, et qu'il ait de quoi bénir le nom de son Dieu, tant pour les faveurs qu'il reçoit de

Lui à son berceau, que pour les richesses
et l'opulence dont ses travaux et ses
entreprises sont couronnés aux autres
époques de sa vie. ¹⁴

On the other hand, the gift was necessary for the very creation of any peoples.
As Riel spoke at his trial in 1885:

In England, in France, the French and the
English have lands, the first was in England,
they were the owners of the soil and they
transmitted to generations. Now, by the soil
they have had their start as a nation. Who
starts nations. The very one who creates
them, God. God is the master of the
universe, our planet is his land, and the nation
and tribes are members of His family, and
as a father, he gives a portion of this lands
to that nation, to that tribe, to everyone, that is
his heritage, that is his share of the inheritance,
of the people, or nation or tribe... This is the
principle God cannot create a tribe without
locating it. We are not birds. We have to
walk on the ground. ¹⁵

Thus, each People of the world possessed lands which were theirs since their
creation, and this Divine gift is as lasting as are the People who can make
claim to it:

La patrie est la plus importante de toutes
les choses de la terre et, de plus, elle est sainte
par les ancêtres qui la transmettent... la patrie
s'appelle la patrie parce qu'elle est le don de
Dieu notre père; héritage sans prix, je dois
dire plutôt, héritage divin. ¹⁶

However, if each People of the World can claim a patrie, that is, ownership
over specific lands which belongs to that People by virtue of Divine will, the
relation between a People and its patrie must be seen, in a sense, as being of
a dialectical nature. ¹⁷ As a gift of land from God to a People, that People
have rights of ownership of that patrie predicated of it. However, the People
are nevertheless predicated of the soil in the sense that the former is
"produced" from the soil ¹⁸ and thus must be essentially contained within it:
as Riel spoke in a passage already quoted above, ⁽⁹³⁾ the Company had tried to
sell the "people of the soil". On the one hand, the land, conceived of in this

fashion, is the secular point of origin of a People: it is "... son point d'appui dans le monde ou début de son existence ..." ¹⁹ On the other, throughout the historical existence of a People, and this regardless of what stage of "civilization" reached, a patrie is a People's continuing source of the "vital energies" of a People, the perpetual pre-requisite of that People's continuing existence and development. As Riel wrote in 1885, chastizing the Canadians for having stolen the lands of the halfbreeds:

... leur ôter leur pays, c'est démoraliser les forces de leur caractère; en les réduisant à lutter péniblement pour chaque bouchée de nourriture, c'est leur ôter le moyen de faire ces progrès; qu'on y fasse attention, et l'on reconnaîtra que chaque nation, chaque tribu, à l'état de vie même le plus primitif, a des biens que son pays lui fournit en abondance, sans qu'elle ait beaucoup à travailler pour les convertir en articles de subsistance. ²⁰

Thus, more than a gift from God to a People whom He has already created (for a gift to be received, there must obviously be a recipient), a People's patrie appears, in this cosmology, to mediate between that People and its creator; the "junction box" as it were, through which God's powers of creation must pass in order that a People be produced. Sacred (as a gift from God); secular (as a People's this-worldly point of origin, as well as its continuing pre-requisite of existence and development); a patrie is as well simultaneously sacred and secular (as the mediation between God and the People produced). The land was, to the métis, a Fatherland in all these senses.

Thus, it seems to have been via the articulation of the two discursive levels that the specificity of the halfbreeds as a People was constructed. Having established, at one level of discourse, the rights of all halfbreeds to the land by virtue of their common maternal ancestry, the other level, that of the métis cosmology, comes into play. Here, the specific rights of the halfbreeds to the land are "axiomatically" assumed, and their unity as a People is then a given. On the one hand, as each People of the world possesses a patrie, common claims to specific lands coagulate those who can make such claims as a Divinely produced unity. On the other, to claim a specific patrie is to simultaneously denote an essentially common origin from that land. Whichever

way the relation of the halfbreeds to the land is examined however, the conclusion is the same: the halfbreeds were, to the métis, a specific, Divinely created People, distinct from all others. United by this sacred bond with the country born, the métis had, in 1869/70, a particular concern to protect the future welfare of all the halfbreeds within the context of a new political order.

iii: Addendum: "No Sale"

The unity of the halfbreeds as a People thus involved a particular dialectical conception of their relation to the land. However, it is clear that the constructed relation between the halfbreeds and the land had an effect in its own right in the struggles of 1869/70. The métis, we recall, continued their opposition to the surveys because of their collective claims to land ownership. The above considerations, however, enhance our understanding of the way in which the métis conceived this opposition. The Company considered that part of its chartered rights included ownership of the land (below 123) and were thus included in the rights transferred to Canada. However, the métis obviously could not accede to these negotiations in the first instance, for they considered that the halfbreeds, ²⁰and not the Company, owned the land; the latter therefore had no right to alienate the soil. As one métis soldier rhetorically asked, " . . . who gave the Hudson Bay Company the right to sell the land?"²¹ Clearly, the answer, whatever it might be, would not satisfy the métis, for they had the word of the Highest Authority that the land was theirs, and theirs alone. Thus, according to the métis, as Flanagan would put it, " . . . the Hudson's Bay Company had no valid title to Rupert's Land . . . (and therefore it) could not sell what was not its own."²² The métis therefore contradicted no law by denying Canada entrance to the territories for, as the Declaration (F)²³ states:

That by sending an expedition of the 1st of November, ult., charged to drive back Mr. William McDougall and his companions come in the name of Canada, to rule us with the rod of despotism, without previous notification to that effect, we have acted conformably

to that sacred fight which commands every citizen to offer energetic opposition to prevent this country from being enslaved. (emph. added)

More than a defense of divinely sanctioned proprietary rights, however, we must understand the métis as acting in defense of their very selves. The passage quoted immediately above from the Declaration is revealing in its choice of words, for "enslavement" is usually associated with a conception of human bondage. This significance, I would suggest, is contained within the passage: the Company attempt to sell the land to Canada was understood by the métis as a simultaneous attempt to sell the halfbreeds as well. Again, to reference the one métis soldier who seems to have made it into print, we find in response to the question of what the métis wanted, the following answer:

"... we want to be treated as free men. Your Canada Government offered to pay three hundred thousand pounds to the Hudson Bay Company for the Rivière Rouge Territory. Now, what we want to know, and we will not lay down our arms till we know what they mean to buy. Was it the land? If so, who gave the Hudson Bay Company the right to sell the land? When the Canada Government bought the land did they buy what was on it? Did they buy us? Are we the slaves of the Hudson Bay Company?"

"Non!" resounded on all sides.

"No, we are not slaves... Let the Canadian Government come and treat with us as free men, and we will lay down our arms, and go to our homes. 24

If the soldier left certain questions open, Riel himself was clear as to the answers. During the Convention of 40, having made profuse reference to the past malevolence of the Company towards the settlers, Riel continued with respect to the present:

Again, on a late occasion, they tried to sell us. There was never a parallel case. A Company of strangers, living beyond the ocean, had the audacity to attempt to sell the people of the soil. (emphasis added)²⁵

While I have no doubt that the Company, while selling the land, did not consider itself to be selling the people as well, such a conception appears rational according to the relations which I have suggested the métis to exist between a People and

its patrie. Not only do a People own its patrie, but the latter is as well the necessary mediation between God and a People, for His creative powers are exercised through the land. A People and its patrie are thus, from the point of view of the métis, essentially and logically linked, a necessary conceptual unity. As such, to sell the land is to sell its People for they are united as one.

In sum, I am of the opinion that the specific concern which the métis had to protect the future welfare of the halfbreeds was primarily a function of the common racial oppression of the halfbreeds, and the specific unity of the halfbreeds as a Divinely created People constructed within the discourse of the métis. The particular logic by which this latter unity was constructed, moreover, seems to give a more complete understanding of the métis opposition to the surveys and, indeed, the particular disdain in which they held the Company and Canada: not only did both these parties fail to consult the population with respect to the transfer, but in the process, attempted to exchange both land which was the ^{halfbreeds'} by Divine right, and, in a sense, the halfbreeds themselves.

Clearly what I have called the "cosmology" of the métis is much more complex than its general terms which I have presented above. However, a more complete analysis of it is both beyond the scope of this thesis and would require much more information than is available to me at the present. Even the general outlines of this cosmology, however, have served to adequately account for the question raised, and with this in mind, I should like to proceed to Section II.

II: The New Nation

In this section I will begin with a critical discussion of A. S. Morton's apparent conception that the rights claimed by the métis as members of the New Nation were collective rights to the land of the territories. Rather, I shall argue, the New Nation was defined, from the perspective of the métis, as a government, democratically supported by its halfbreed members, and whose jurisdiction extended throughout the territories. As members of the New Nation, then, the métis claimed for the halfbreeds as a whole the right to govern the people of the territories, rather than rights to land. However, prior to

1869, this government had only a de facto existence, for the Divine right which must be predicated of any valid government was possessed by the government of the HBC. In 1869, the Company lost that right by contravening the Divine Law of Nations, and it was only then that the government of the New Nation could legitimately proclaim itself the government of the people of the territories. Moreover, the rights which the provisional government of the New Nation then claimed were sovereign rights.

It is this conception of the provisional government as sovereign which I think answers the two remaining questions I have raised in this thesis.

On the one hand, sovereign in its own right, the métis would divest the provisional government of its sovereignty only when satisfactory terms of union had been negotiated with a larger political entity, and only to such an entity that would concede satisfactory terms. If Canada had not done so, the métis would not have been constrained by considerations of loyalty to the British throne to "accept less than satisfactory terms, and would have looked elsewhere, most likely to the United States. On the other hand, considered by the métis to be a sovereign government, the provisional government defied no law but merely exercised its rightful powers. As such, they considered themselves in rebellion against no one.

i: A.S. Morton: "The New Nation, the Métis"

A.S. Morton suggests that the concept of the New Nation first arose during the period of competition between the HBC and NWC prior to 1821. The HBC had been given the legal opinion that their chartered rights included possession of the land of the territories, and, as Morton notes, the Company thereafter asserted this chartered title, with the immediate purpose in mind of excluding the NWC from the fur trade of the North west.²⁶

Morton continues:

The reply of the North West Company was the attempt to destroy the colony, but this must not be by themselves; it must be by the inhabitants of the land whether Indian or Métis. Accordingly,

while employing the natives, they instilled it into their minds that the land was theirs and that the English Company was taking it away from them...

By the winter of 1815-16 the principle that the land belonged to the Indians and Métis, at first vaguely suggested, had received definite form. At Fort Qu'Appelle the half-breeds were assembled and equipped by Alexander Macdonell for the destruction of the (Red River--RB) colony, as it was put "to prepare for the field."... The movement took on the aspect of a nation preparing to drive the invader out of the land. A Métis flag was unfurled and Alexander Macdonell could write: "The new nation under their leaders are coming forward to clear their native soil of intruders and assassins. Little do they know, their situation last year was but a joke." The slogan evidently was "The New Nation." The issue was what the Northwesters called "The Battle of Seven Oaks," the colonists named it "The Massacre of Seven Oaks." (notes omitted)²⁷

Thus, for Morton, both the source and historical emergence of the concept of the New Nation and of halfbreed title to the land converge. This position, it would seem, leads Morton to consider that the national rights of the métis were those they claimed to land of the territories:

The conception of the Métis as "The New Nation" instilled into them during the struggle with Selkirk's colony never died. Nationalism born of racial feelings and nurtured by a common language and by a community of interests is an undying flame. It may die down in a period of calm, but at the first clash of interests it is fanned up as by a tempest. This belief of the half-breeds that they were a nation, that as the Indian population, depleted by smallpox and drawn off to the more distant posts for their livelihood, left the land vacant, the Métis inherited their vast domain through the mother blood in their veins, held them together as one at every juncture at which they revolted against the domination of the "whites."²⁸

The outward calm of the Red River Settlement must have been deceptive, and subject to

occasional sudden outbursts, for Simpson wrote to John George MacTavish...: "The Brulés are becoming clamorous about their rights and privileges as Natives of the Soil and it required all our most skillful management to maintain the peace of the Colony during the Holidays while rum was in circulation." Apparently, when their minds were inflamed with liquor and their tongues loosened, the New Nation gave vent to their innermost thoughts and feelings. (note omitted)²⁹

With respect to the free trade movement, Morton considers that while

... I have found no document dealing with crisis which could connect it with the feeling of the half-breeds that they were the New Nation and that the country, and therefore its trade, was theirs, there can be little doubt but that their nationalist feelings lay behind their actions.³⁰

Finally and appropriately with respect to the case currently at issue, Morton considers that

There can be no doubt but that the nationalist feeling first aroused by the North West Company, and the conviction that the land was theirs, were the cohesive forces which held together the half-breeds in the disturbances of 1869-70 though they do not figure largely in the documents or in Riel's public utterances. This may be explained by the necessity of putting forward issues that would bring the English-speaking settlers to the support of the movement.³¹

Now, while I am quite inclined to agree with Morton's speculation as to the strategic logic behind the relative lack of mention of the New Nation in 1869/70, I do not think that Morton's understanding of the concept itself is accurate.

First, it is implied that the land rights of the New Nation encompassed the whole of the Northwest: as the New Nation, "the Métis had inherited their vast domain through the mother blood in their veins," thus, they felt that the "country, and therefore its trade, was theirs. . ." Whether or not this was the case prior to 1869, I do not know. However, it is clear that in 1869 the land claims made by the métis in the name of the halfbreeds as a whole did not encompass the whole country, for they recognized the validity of Indian title.

Riel even issued a special proclamation reassuring the "nations sauvages" that the provisional government would ensure that their land claims would be properly dealt with by Canada.³² Thus, the métis did not claim rights to the whole territory, but recognized the Indians as having valid claims in addition to those of the métis.

This latter point is unsurprising given Riel's position that all Peoples are possessed of a divinely given patrie, the stealing of which would constitute the highest sacrilege. As noted above, Riel pointed out that regardless of the level of "civilization" attained, a People's patrie remained theirs alone. Thus, when an advanced People

... have crowded their country because they had no room to stay any more at home, it does not give them the right to come and take the share of all tribes besides them.³³

To do so would, according to Riel be profane to the highest degree possible, for

La patrie est la plus importante de toutes les choses de la terre et, de plus, elle est sainte par les ancêtres qui la transmettent. L'enlever au peuple qu'elle a produit est aussi abominable que d'arracher une mère à ses petits enfants dans le temps qu'ils ont toujours besoin de ses services. Mais la patrie s'appelle la patrie parce qu'elle est le don de Dieu notre père; héritage sans prix, je dois dire plutôt, héritage divin! Le peuple qui prend injustement à un autre peuple sa patrie, commet le sacrilège le plus grand, parce que tous les autres sacrilèges ne me semblent que des parties de celui-là.³⁴

That Morton appears to over-extend the scope of métis land claims is a problem, however, of lesser importance than is his apparent contention that land rights were those claimed by the métis as members of the New Nation. If this is indeed what Morton means, I would suggest that he has ignored the different places of the concepts of the nation and what I have called the "People" in the discourse of the métis. As we have seen Riel speak (above [13]):

God is the master of the universe, our planet is his land, and the nation and the tribes are members of His family, and as a good father, he gives a portion of his lands to that nation, to that tribe, to everyone, that is his heritage, that is his share of the inheritance, of the people, or nation or tribe ... This is the principle God cannot create a tribe without locating it. We are not birds. We have to

walk on the ground. (emphasis added)

As can be seen from this quotation, Riel does not limit claims to land to nations only, but considers that "tribes" and "peoples" as well can make such claims by Divine rights; each of these variously named collectivities thus possess a patrie. Each concept named, then, must have a common denominator and it is this common denominator which I have attempted to name by my use of "People", an irreducible and ahistorical collective unity within the discourse of the métis. The concept of the "People" occupies the same status as "Man" or "Humanity" within humanism, but defines equally created and distinct "units", as it were, of "Humanity" rather than defining an homogeneous essence of homo sapiens. Each People is differentiated from all others by the specific tract of land which it can claim as its patrie and which no one else has any right to take. The People is thus an ahistorical concept for, within the discourse of the métis, it is that which is originally produced and continually reproduced by--and that which can originally and continually claim, regardless of its level of "civilization", as--its patrie. However, if within the métis discourse the concept of the People is ahistorical, the concept of the "nation" is one which has a history; national status is something which a People may attain, the results of an historical process of development. As the Declaration (D) states, the population of the country had been subject to the rule of the HBC which

...was far from meeting the needs of the population actually resident, which in virtue of its energy and devotion, developed, grew and rose to the point at which it deserved, because of its numbers, its civilization and its commerce, a place among the nations.
(emphasis added)

The concepts of the "People" and the "nation", then, are quite different as I understand the métis and thus, I would argue, have different rights predicated of each.

ii: A National Government

The question then remains as to what was the New Nation. It cannot be answered directly, for the fact remains that as far as I am aware there exists

no statement from a métis, whether it be Riel or one of lesser historical status, which makes a definitive statement as to what was actually meant when the "New Nation" was spoken of. Nevertheless, I think that a possible answer can be given on the basis of some considerations as to what we know about the métis society.

In particular, I think first of the buffalo hunt. Despite, as I have said, the fact that the country born were not alien to it, the métis dominated the hunt and indeed the hunt tended to dominate their lives. While there can be no doubt that some of the métis were more involved with practices less demanding than the hunt--as merchants, farmers, tradesmen, etc.--I think that we must generally agree with Sprenger when he writes that ". . . the Red River Métis relied on the buffalo herds as their major source of subsistence and trade goods."³⁵ In particular, I would draw attention to one of the most outstanding features of the buffalo hunt, its paramilitary organization.³⁶

The buffalo hunt was very efficiently organized along paramilitary lines. The functionaries of the hunt were given military titles: at the head of the party was a captain, and ranged below him were other captains each with a following of 10 soldiers. During the day, the major guide of the party had absolute control in the movement of the hunting party, but during the period of rest, and in the organization of the buffalo chases, the captain of the hunt and his subordinates were in complete control. Getting the party organized for the day's trek, the functionaries of the hunt used their authority unsparingly, and with enviable results; though, as Ross notes, no force whatsoever was entailed:

As a people whose policy it is to speak and act kindly towards each other, the writer was not a little surprised to see the captains and soldiers act with so much independence and decision, not to say roughness, in the performance of their camp duties. Did any person appear slow in placing his cart, or dissatisfied with the order of the camp, he was shoved on one side sans ceremonie, and his cart pushed forward or backward into line in the twinkling of an eye, without murmur being heard. But mark: the disaffected persons are not coerced into order, and made to place their carts in line themselves--the soldiers do it for them, and thus betray their lack of authority; or rather it is their policy to do so, for it would be impossible, in such

cases, to proceed to extremes, as in civilized life. The moment the flag was struck, it was interesting to see the rear carts hasten to close up, the lagging owners being well aware that the last to arrive must take the ground as it happens, however inconvenient. In less than twenty minutes all was in order.³⁷

As if to underline the efficiency of the organization, the hunt in which Ross participated and from which this description was drawn, entailed 1210 carts and 1630 people;³⁸ it would not be a simple task to organize this number of people and vehicles "in less than twenty minutes".

More than organizing the hunt as such, however, the paramilitary structure to be found on the hunt served a defensive purpose as well, for the métis hunters were in constant danger of attack from the hostile Sioux. As a military force, the métis were second to none on the prairies, and while the hunting expeditions were faced with the ever-present necessity of mounting a defense against the hostile plains tribes, their success in this defense was notorious; God indeed seemed to play a great part in the métis victories as Riel suggested:

Les Métis, par leur supériorité sur les tribus indiennes, les dominaient, mais sans abus de force. Quelquefois, à la chasse, les Indiens déclarent la guerre aux Métis ou leur volaient des chevaux.

Satisfaction était demandée. En cas de refus, la nation métisse³⁹ entrait en guerre avec les malveillants. Mais il est à remarquer qu'elle ne fit jamais de luttes agressives. Les combats étaient ceux de la défense ou de la protection du droit. En retour, Dieu aidant, elle est toujours demeurée victorieuse des tribus qui l'attaquaient.⁴⁰

The military superiority of the métis was underlined and finally recognized by their foes when in 1851 at the Grand Coteau a party of less than 70 métis hunters withstood, for two days, incessant attacks by over 5,000 Sioux. Victory, despite the grossly unequal number of troops on the respective sides, nevertheless belonged to the métis; dispatching over 80 Sioux and injuring countless others-- a "heavy defeat", as W. L. Morton notes, "by the standards of Indian warfare"⁴¹-- the métis lost only one man, and this was before the battle proper had begun. As Morton continues, the battle of Grand Coteau

... in fact ended the long warfare of the Métis and the Sioux...

The Métis thereafter were masters of the plains wherever they might choose to march. The action of the Grand Coteau showed that they could fight and move on the plains even in the face of superior numbers of Sioux, perhaps the most formidable warriors of all the North American plains tribes.⁴²

The military capacities of the métis, developed of necessity on the hunt, were of course not limited in their exercise to the protection of hunting parties. The métis were the defenders of the Red-River colony and it was their presence, one might justly assume, that prevented the colony from being demolished by Indian attacks.

What I think is important to stress about the paramilitary organization of the buffalo hunt is the meaning it held for the métis. For, as I understand it, the paramilitary organization of the hunt was more than a means of order and defense as such: it was an effective political organization, a government. Centred in the hunt, the "provisional government" of the métis was conceived by them to exercise its powers throughout the territories, and all the people within its jurisdiction were protected by the "laws of the Prairies" which it produced. One might be misled, for example, when Riel writes that

Comme peuple primitif, simple, de bonne foi, placé par la Providence dans une heureuse abondance de biens et d'ailleurs sans beaucoup d'ambition, les Métis n'avaient presque pas de gouvernement. Cependant, quand ils allaient à la chasse au bison, il se faisait naturellement au milieu d'entre eux une pression d'intérêts. Et, tant pour maintenir l'ordre dans leurs rangs que pour se tenir en garde contre les vols de chevaux et contre des attaques d'ennemis, ils s'organisaient et se composaient un camp.⁴³

Nevertheless, the statements that the métis had no government, that the organization of the camp was purely to maintain order and to protect the hunters from attacks, are clearly disputed by the rest of the article.

The council of the hunt composed of the captains was "un" gouvernement provisoire" which "... faisait des règlements. On les appelait les lois de la Prairie."⁴⁴ Those accused of infractions of the laws came before a tribunal composed of the members of the provisional government⁴⁵ and the punishments inflicted were, in the context of the hunt, potentially disastrous:

For instance. No one was allowed to branch away from the main body of hunters--infraction of this rule has been punished by the destruction of a man's entire outfit--also if a man ran a Buffalo without telling his fellow hunters--the results of the chase were confiscated and given to the poorer of the band.⁴⁶

The government of the hunt was democratically elected at the beginning of each trek, the functionaries being chosen on the basis of the respect they collectively commanded as buffalo hunters. While, in the day-to-day administration of the running of the hunt--as well as in the trials of those accused of breaking the laws of the hunt--the provisional council of the hunt had a free hand, when it came to matters of more than pedestrian import,⁴⁷ the issue was decided by a majority vote of the hunters as a whole:

Dans les affaires ordinaires, le Conseil agissait d'après son autorité telle qu'elle lui avait été confiée; mais, en matière d'importance plus grande il recourait au public et ne basait ses décisions que sur une majorité de tous les chasseurs.⁴⁸

As Stanley writes in general:

Democracy was the essence of the Indian approach to life; and this carried over to their descendants, the Métis. Not democracy in the present day sense of the active participation of an elected few in the government of the many... but democracy in the sense of the government by the consent of the governed. There was no strong social or political hierarchy in the Métis nation and the Métis themselves were still sufficiently close to the Indian pattern of existence to accept authority only and when they were prepared to do so.⁴⁹

Yet, if the government of the hunt displayed the "primitive" democracy of the Indian, it was because métis society was communal in nature, rather than based upon "civilized" individualism centred about private property. As Spry notes:

The Indians and Metis had been used to notably equalitarian society in which all had access to the common riches provided by nature, and in which,

-if disparities in skill, strength, and luck gave some more wealth than others, the difference had been to a considerable extent offset by sharing by the more fortunate of their material means with those in need, in accordance with the strong native tradition.⁵⁰

On the hunt, the communal nature of métis society was most evidently displayed in the practice of "free rides", buffalo runs the produce of which would be distributed to those who were too old or unable for other reasons to hunt for themselves. More generally, the laws of the hunt as well reflected the concern for the general interest, ensuring that all the hunters had equal opportunity to pursue the prey.⁵¹

The provisional government of the hunt, however, was "provisional" only in the sense of its intermittent institutionalization with definite persons elected to fill the constituted roles. On the one hand, whenever the métis collected, as a community *per se* or to fend off threats from whatever source, the "provisional" government once again materialized:

C'était l'état d'un peuple neuf, mais civilisé et jouissant d'un gouvernement à lui, sur les vraies notions de la liberté publique et sur celle de l'équité. Ce gouvernement provisoire, d'un rouage simple, qui ne se formait que pour l'intérêt général ne supportait pas d'émoluments, s'organisait partout où s'agglomérerait une caravane assez considérable et cessait d'exister avec elle s'organisait pareillement dans tout établissement métis ou une assez grande diversité d'intérêts tendait à engendrer des difficultés, où il y avait des dangers à conjurer, des hostilités à repousser.⁵²

On the other hand, like the provisional government which was always present, the laws which it made displayed the same tenacity, for "Les lois de Prairie suivaient les Métis comme les règlements des mines suivent les mineurs dans leurs exploitations."⁵³

Moreover, the laws of the Prairie did not only follow the métis about, but protected all those in the territories; the HBC itself was under their protection and "surrounded" by the government of the métis:

La Compagnie de la Baie d'Hudson était environnée du gouvernement des Métis dans toute la zone fertile.

Elle n'en prenait pas ombrage. Au contraire, ses traiteurs et ses chasseurs, dans les camps, dans les hivernements, dans les établissements métis, faisaient la chasse, la traite, commerçaient sous l'autorité du Conseil de la Prairie et sous la protection des lois métisses. . .

Il eut été impossible à la Compagnie de se maintenir, sans avoir à faire des dépenses continuelles, nécessaires à l'entretien d'une force armée considérable. 54

In short,

Que la Puissance (Canada--RB) se présente à nos portes, elle nous troubla donc le calme. Elle trouva dans le Nord-Ouest non-seulement le peuple métis en bonne condition de vivre sans elle, comme je l'ai montré dans le cours de cet article, mais le peuple métis avec un gouvernement à lui, libre, en paix, fonctionnant et faisant à son compte l'oeuvre de la civilisation que la Compagnie de l'Angleterre n'eût pas pu faire sans des milliers d'hommes de troupe: un gouvernement de constitution définie et dont la juridiction était d'autant plus légitime et à respecter qu'elle s'exerçait sur un sol qui lui appartenait. 55

The organization of the hunt, then, was more than a mere technical expedient from the point of view of the métis. Rather it was an eminently political structure, a government which was democratically supported by its members. If the hunt itself had a government, however, we must see it as being the centre of the entire métis political structure. The jurisdiction of government of the halfbreeds extended over all the lands of the territories, lands which the halfbreeds only "shared", and all those within its jurisdiction were subject to its powers.

It is on the basis of the above considerations that I would define the New Nation in a political sense. Specifically, I consider the New Nation, from the perspective of the métis, as defined by a government, popularly supported by its halfbreed members, and whose jurisdiction extended over all the people of the territories. The national rights claimed by the members of the New Nation were thus not collective title to land of the Northwest, for this they were able to do from their very mythical moment of creation. Rather the halfbreed People had developed into a nation, and its national rights proper were those of

government of the people resident in the territories. However, if all the 'citizens' of the New Nation were the halfbreeds as such, I think that this understanding was limited to the métis. Considering themselves united by a sacred bond with the country born, "citizenship" in the New Nation was necessarily extended to the latter by the métis. However, the historical practices in which the concept of the New Nation had developed--in particular the buffalo hunt--were dominated by the métis alone and, as such, it was only they alone among the halfbreeds who considered themselves as members of the New Nation.⁵⁶

iii: The "New" Nation

However, if the métis considered themselves members of a New Nation whose powers of government were all pervasive in the territories, that government and the laws which it made must be seen as only "de facto"⁵⁷ until March 1869. If the New Nation was considered by the métis to govern the territories, the powers exercised by its government could not claim the right to be respected and obeyed, but were followed by the people within its jurisdiction only because of the perceived benefits which it offered. If the government of the New Nation "surrounded" the Company and put the latter under the protection of its laws, the people of the northwest nevertheless, according to the Declaration (D),⁵⁸ "supported loyally" and "obeyed. . . faithfully" the Company's government even though the latter ". . . was far from meeting the needs of the population actually resident. . . ." Only after March 1869, could the New Nation, having "invoked the God of Nations" proclaim its provisional government as being ". . . the sole legitimate authority today in Rupert's Land and the North-West. . . ." The reason for this is that if the "population actually resident" had developed to the point where it ". . . deserved . . . a place among the nations" because of the effective government which had been established, it could not yet rightfully claim that place.

According to the Declaration, prior to March 1869, the ". . . people of Rupert's Land and the North-West supported loyally the above mentioned

government (of the HBC--RB) and obeyed it faithfully . . . " for the HBC was the "public authority" in Rupert's Land, and "It is admitted as a principle of morality that public authority exists of indubitable right . . . " The Company's government had attained this status in a two-fold manner. On the one hand, it had been ". . . vested with certain powers by His Majesty Charles II . . . " including the rights of governing the country. On the other hand, however, if by virtue of its chartered rights the Company had the power to govern the territories, it was respected by those under its rule only because there was no option available; because of the fact that when the Company set up its government

... there was then... no government which was concerned with the interests of the people already established in the country, need was for that people to resort, in matters requiring judicial settlement, to the officers of that Company: such was the origin of the government which has ruled the country to the present time.

However, for a government to maintain its status as "public authority" and thus able to rightfully command the obedience and respect of those subject to it, certain obligations must be met. Obviously these obligations are quite minimal, for if the people of the territories had "supported loyally" the government of the Company, they did so even though "This government, so accepted, was far from meeting the needs of the population actually resident . . . " Nevertheless, certain obligations do exist, one of which is that the "public authority" cannot attempt to transfer its powers to another without consulting the people under its rule. This the Company had done

... when contrary to the Law of Nations in March, 1869, (it) abandoned them and transferred to Canada, by certain negotiations, which it did not even deign to communicate to its people, all the rights which it had, and those it claimed to have in the country,

and to contravene the Law of Nations was to contravene a Divine decree.

The right of government which the HBC had hitherto held was Divinely given; if the HBC "abandoned" its subjects it did so ". . . in transferring the sacred authority which had been entrusted to it . . . " Held only in usufruct, by "abandoning" its subjects the Company gave up possession of "the sacred

authority" to those hitherto subjected to it for, if it is one fundamental principle that "the public authority exists of indubitable right", it is another

... that a people becomes free, and can henceforth govern itself as it judges fit, when the sovereign to which it was subject abandons it, or subjects it against its will, to a foreign sovereign and maintain, moreover, it transfers no rights to the sovereign to which it subjects that people.

The Divine right which must be predicated of any government which would make legitimate claims to the obedience of those under its rule, thus passed from the Company to the people. The latter, thus "invoking the God of Nations", declared

... that the sole legitimate authority today in Rupert's Land and the North-West is the authority accorded provisionally by the people to us their representatives.

The New Nation was thus "New" in this additional sense for only in 1869 could it rise to claim the rightful place which it deserved among the nations of the world. Its provisional government, hitherto a de facto body, was now possessed of the Divine right to legitimately command the respect of those in the territories. The provisional government of the halfbreeds, which before merely "surrounded" that of the Company, could now rightfully replace the latter as "public authority", and the people of the territories need no longer "suffer in silence" (Declaration (D)) under its self interested yoke. The "laws of the Prairies" could now be codified and presented to the people⁵⁹ as the legitimate commands of the "public authority" of the territories, for the government which had produced them was now sanctioned by God to demand the respect of the people.

iv: A Sovereign Nation

However, more than a national government which was legitimately proclaimed in 1869, I think that we must understand the provisional government as considered by the métis to possess valid sovereign rights of government. If the métis

would negotiate terms of union with a political entity outside the British Commonwealth, I would argue that it was because they were members of a now sovereign nation, and would divest their nation of its sovereign rights only when satisfactory terms of union had been granted, and only to the political entity which would grant such terms. Moreover, I think it is the sovereign powers which the métis considered the provisional government to possess which accounts for why they did not consider themselves in rebellion. As a sovereign government, the provisional government contravened no law, but was merely exercising the powers which was its rights.

Further, it is the sovereign powers which the métis considered the provisional government to possess which, I think most accounts for the lack of mention of the New Nation during the rebellion. While significant examples can be found, most notably in the newspaper of that name established in January 1870, such examples are few in number. As we have seen, some of the métis--I think in particular of Riel's councillors on the Comité (above 49)--and the bulk of the English--as demonstrated by the response to Dennis's call to arms in 1870--considered the Queen to be their this-worldly sovereign.⁶⁰ Moreover, I would not deny that to Riel and his followers the preferable outcome of the struggles of 1869/70 was confederation with Canada, though this was not a necessary result. For all these reasons, then, to proclaim the existence of the New Nation and the sovereignty predicated of it would be politically tactless.

I confess that I advance the position that the métis considered the 1869 provisional government to be possessed of sovereign powers with a certain hesitation. On the one hand, as with the case of the New Nation as such, there exists no direct statement to the effect that the provisional government was considered independent of the Queen. On the other hand, we must remember that while Riel, for example, considered himself a British subject only in a "sense" and not to excess, there still remains this "sense" of subjectivity which he attributed to himself. Clearly, if I am correct in maintaining that the métis considered the provisional government sovereign, this "sense" of British subjectivity would not include subjection to the Queen, an apparent contradiction in terms. Yet, this contradiction does seem to be present, for,

as I have argued, it does not seem that the métis were bound to remain within the Commonwealth and this, as I understand it, is a denial of the sovereignty of the Queen. I have attempted to deal with this contradiction by understanding the "sense" in which Riel and his followers considered themselves to be British subjects as an undeniable "preference" to unite with a member of the Empire, this of course does not solve the problem as much as it underlines it. Yet, if we consider the birth and development of the New Nation, the problem seems to become not how the métis could feel a "sense" of British subjectivity while rejecting the sovereignty of the Queen, so much as it becomes the question of why any identification with the British Throne would be present at all, as a "preference" to unite with a member of the Empire or otherwise.

The New Nation was born out of struggle, first with the Hudson's Bay Company, and then with the Indians of the territories. In all cases, it had triumphed because of the military superiority of the métis. If the jurisdiction of the government of the New Nation extended over all the lands of the territories, lands which it only "shared" with the Indians, "surrounding" and "protecting" even the "public authority" which was the HBC, the scope of its de facto rule was, in the last and first instance, a function of its military strength. The New Nation had thus proven itself superior to all on the prairies and remained subordinate only to God, the "master of the universe" who both "starts" and "creates" nations (Lb. 118).

The HBC was respected by the métis not because of its physical power to subordinate the people, for the métis were the military power in the country and could have deposed the Company at any time. Nor was the Company government respected by the métis because its chartered rights to govern the territories had been granted by the Queen; the Queen as well grants her subjects certain rights, and the rule of the Company had been respected even though it was, as the Declaration (P) states, ". . . contrary to our rights and interests as British subjects . . ." If, then, the Company government itself contradicted the sovereignty of the Queen to the extent that it denied those under its rule British rights, the "loyalty" and "faithful obedience" displayed by those subject to it could not be a function of their deference to the sovereignty of the Queen, for the Company itself had contradicted that sovereignty. Rather, the respect,

paid to the Company government was because it alone had the "sacred authority" which established it as the "public authority". The métis had thus deferred only to God and had deposed the Company only when given the right to do so by Him.

On the other hand, if the Company was the "public authority" in the territories because it held the necessary sacred right, it had come to the country when "there was . . . no government which was concerned with the interests of the people already established in the country" under the auspices of the Throne. The government of the Company was the first in the country and thus by default became "public authority" only because the Throne of England had granted it "certain powers" which allowed the Company to come and fill the governmental vacuum. The Throne was thus inextricably bound with the rule of the Company--the Throne had given the Company, to use the terminology employed with respect to the government of the New Nation, its de facto powers of government--and thus similarly bound with the nature of that rule. Yet, that rule was self interested, for the "chief concern" of the Company was "trade" and its "constitution was largely confined to it" (Declaration (D)). Economically exploiting the population in general, we have seen above that the halfbreeds in particular were negatively affected by this rule because of the racial contradictions which informed the settlement. Given, then, the part played by the Crown of England in this exploitation and oppression, it is surprising, as I say, that Riel would consider himself to be a British subject in any "sense" whatsoever: the lives of the settlers, and in particular those of the halfbreeds, had been adversely affected by the Company rule which was, in the first instance, instigated with the sanction of the Throne.

In short, then, if the provisional government of 1869 was considered by the métis to possess now legitimate sovereign powers of government, this is not surprising given the de facto superiority the New Nation had proven itself to possess prior to being given the right by God to legitimately proclaim that superiority. What is surprising, rather, is why any "sense" of British subjectivity would be held at all. This problem I will leave for others. For the moment I should merely like to advance some considerations which lead me to believe that the métis did in fact claim for the provisional government of 1869 sovereign powers.

First, let us compare a passage from the Montreal Herald and one from Riel's Protest of May 14. In the former, we find that the métis

... claim to be a nation already, along with the English halfbreeds, whom they claim as their bretheren, in possession of this country, and entitled under the act of Confederation to a status similar to that conceded to the other Provinces respecting their entrance into the Confederation.⁶¹

In the Protest it is argued that the Canadians

... have not wanted and do not wish to respect the rights of anyone in a British colony... There is one thing they have forgotten: the policy of a government having to concern itself with the general interests of society, without distinction of language, of origin, without distinction of religious belief, is always incompatible with the restricted views of individual interest, when the latter, in place of imposing itself on the former, is not entirely subordinate to it. They should have known: the sole means of assuring the existence and extension of Confederation is to place on the same equal and generous footing all the provinces of British North America.⁶²

Thus, in both places, the claim is made to equal status viz à viz the other provinces in Confederation, the difference being that in the first the claim is made as a nation, and in the second it is made as a colony of British subjects. The rationale for the latter form of this claim seems to be that by demanding equal status within Confederation the métis were only doing "... all in their power to have respected ... all the privileges so liberally granted by the Crown of England to any English colony whatsoever" (Protest, emphasis added). As such, if as a nation, the métis could make the same claims as could a colony, it would appear that like the Queen, the New Nation was subordinate only to God: if the Crown of England grants "privileges" to its colonies, only God can create nations.⁶³

Second, I think that it is instructive to comparatively examine the two versions of the Declaration of December 8, for, while the overall logic of the texts seems to remain the same, there appear to me to be three major changes. Specifically: In the Declaration (D):

Now it is another principle conceded by all publicists (among whom we could cite Berclay (sic) and Duvoisin) that a people becomes free, and can henceforth govern itself as it judges fit, when the sovereign to which it was subject abandons it, or subjects it against its will, to a foreign sovereign, and that, moreover, it transfers no right to the sovereign to which it subjects that people (note omitted, emphasis added).

The government (of the HBC--RB), so accepted, was far from meeting the needs of the population actually resident, which in virtue of its energy and devotion developed, grew and rose to the point at which it deserved, because of its numbers, its civilization and its commerce, a place among the nations (emphasis added).⁶⁴

That we refuse to recognize the authority of Canada which pretends to have the right to come to impose on us a form of government still more contrary to our rights and to our interests than the government to which we have submitted of necessity until now (emphasis added).

In the Declaration (P):

And, whereas, it is also generally admitted that a people is at liberty to establish any form of government it may consider suited to its wants, as soon as the power to which it was subject abandons it, or attempts to subjugate it, without its consent, to a foreign power; and maintain, that no right can be transferred to a foreign power (emphasis added).

(The government of the HBC was far) from answering to the wants of the people, and became more and more so, as the population increased in numbers, and as the country was developed, and commerce extended, until the present day, when it commands a place among the colonies... (emphasis added).

That we refuse to recognize the authority of Canada, which pretends to have a right to coerce us, and impose upon us a despotic form of government still more contrary to our rights and interests as British subjects, than was that

Government, to which we had subjected ourselves, through necessity, up to a recent date (emphasis added).

Thus, in the Declaration (D) the question is one of a sovereign which has lost its right to command its subjects and the logical conclusion of this is that the people who could "now govern itself as it sees fit" had themselves become a people with the Divine right to exercise sovereign powers of government. Yet, between the drafting of the text and its publishing the word "sovereign" was effaced and substituted by the more ambiguous term "power", a change correlating with the introduction of the presence of the British Crown. In the Declaration (D) it is stated that the people had developed to the point where they deserved a place among the "nations", and that the Company and Canada had contradicted unspecified rights by their actions. In the Declaration (P), however, the people have developed to the point where it could now command a place among the "colonies" and the origin of the rights and interests contradicted by the Company and Canada is now specified to be British. However, despite these changes, both texts retain one thing in common.

While he refers only to the Declaration (D), Morton's comments can be generalized to the Declaration (P) as well when he writes that "Noteworthy . . . is the lack of any allusion to the Queen or the Crown, either in professions of loyalty or repudiations of allegiance."⁶⁵ In other words, as I understand the texts, the status of the provisional government viz à viz the Crown of England is nowhere stated. The Law of Nations upon which the provisional government took its stand is couched in general terms stating fundamental principles applicable to the relation between a government as such and the abstract people who were, and were not now, subject to that government. The Declarations speak only to God, for the Law of Nations is the Law specifying which government may, and which may not, possess the Divine right necessary to legitimately exercise its powers of government.

Both texts argue only that the provisional government is subordinate to God, and both seek to legitimate the government only in His eyes and the rest of mankind: both invoke the "God of Nations"; both declare the responsibility of the provisional government "before God and man" (Declaration (P)) or "before

God and all people" (Declaration (D)), both rely on "Divine Providence" (Declaration (D)) or on "the protection of Divine Providence" (Declaration (P)). Neither text, however, explicitly states the subordination of the provisional government to the Crown of England, and even less do either attempt to validate the existence of the provisional government as conforming to the dictates of the English sovereign.

I would conclude, then, that the changes which I have noted between the drafting and publishing of the Declaration were made in order to mask the proclamation of the sovereignty of the provisional government--a tactic which failed completely. As W. L. Morton writes the Declaration of December 8 was received by many "... then and later on ... as the declaration of independence of the métis, presumably from similarity in phraseology with the American Declaration."⁶⁶ Yet, more than having a similarity in "phraseology", the Declaration of the métis seems to have a similarity of intent with that of the American Declaration. The Declaration of December 8 did not merely seek to state the existence of the provisional government, but to proclaim its legitimate existence. As W. L. Morton himself acknowledges, the Declaration of December 8 "... is in fact the reasoned statement of their (i. e., the métis's--RB) grounds for proclaiming a provisional government."⁶⁷ However, accepting this, the question must arise as to why this "reasoned statement" failed to include any explicit reference of the subordination of the provisional government to the Queen. The only answer which I can come up with--and, as noted, I am not alone when it comes to this--is that the métis did not consider the provisional government of 1869 to be subordinate to the Queen. Rather it was considered to be subordinate only to God who had given the provisional government the right to proclaim its sovereign existence.

In sum, I have argued in this section that the 'New Nation' was defined, from the point of view of the métis, by a government, popularly supported by its halfbreed members, and whose jurisdiction extended over the Northwest. Only in 1869, however, was the government of the New Nation, hitherto a de facto body, granted the right by God to legitimately exercise sovereign powers.

This conclusion, then, serves to answer the two remaining questions of this thesis. On the one hand, if the métis would have negotiated terms of union with a larger political entity not a member of the British Empire should the negotiations with Canada have fallen through, this was because the powers of the provisional government were considered by them to be sovereign. As such, the divestment of the sovereign powers of this government would occur only when satisfactory terms of union could be negotiated, and only to the larger political unit which would grant such terms. While Canada was the preferred choice in order to retain the British connexion, confederation with Canada was not compulsive. On the other hand, the question of rebellion as such is as well answered. Considered by the métis to be legitimately sovereign in its own domain, the provisional government of the métis contradicted no law, for it was only exercising the powers of government which was now its right.

Clearly the evidence which I have advanced does not conclusively prove, in any way, that the métis considered the provisional government of 1869 to possess legitimate sovereign powers. However, as noted (above 138), considering the emergence and development of the New Nation this conclusion does not seem surprising. Rather, what is more surprising is that the métis would consider themselves in any "sense" British subjects, a sense which I have understood as a "preference" to unite with Canada, given the inextricable part played by the Throne in the despotic rule of the Company so adverse to the interests of those, particularly the halfbreeds, under that rule.

This, in turn, gives rise to more questions. While the nature of and reasons for the "sense" in which the métis considered themselves British subjects is one, a more important one pertains to the "Law of Nations". In particular, while we have seen that this Law apparently puts certain obligations on a government if it is to remain a "public authority", those conditions appear minimal, as I have said, to say the least. Despite the fact that the métis possessed the military strength to depose the Company, and despite the fact that they had good reason to do so, never once had the métis challenged the right of the Company to exercise its powers of government. The binding force of the Law of Nations on the métis, and the secular antagonisms which it allows to continue smoldering, underlines the obvious influence of the religion of the métis on their nationalism

and their political philosophy, a conclusion which might be generalized to the whole of their culture. If, then, a complete understanding of this "peculiar people" is to be had, it is clear that future research must closely examine the relation between the métis and the Catholic clergy of the northwest, and the form of the doctrines propagated by the latter. For the present purposes, however, it is sufficient to point this out, as such research goes beyond the scope of this thesis.

CONCLUSIONS

I: Summary

At the beginning of this thesis I posed the problem of why the métis rose to contest the transfer of the territories from the HBC to Canada. The considerations advanced in the preceding lines have served to provide a solution which may now be summarized as follows:

The métis rose, in 1869, to forestall a self interested expansion of the jurisdiction of the Canadian state in order to secure the future welfare of the Red River community, in particular the halfbreed section of it--the People of the country. A new political order involving the union of the territories with a larger political unit was inevitable, and this the métis did not seek to prevent, as G. F. G. Stanley would have us believe. Rather, if the advance of "civilization" was inevitable, the métis sought to ensure that the Red River community would reap its full benefits, retaining whatever ". . . well-being they had enjoyed . . ." ¹ under the rule of the Company, and augmenting it under the terms of a new political order. This "well-being" or "welfare", moreover, must not be seen to be limited to economic prosperity, or the protection of cultural rights, but as encompassing both and more: the métis wanted political power in order that the "people of the country" themselves could establish their goals and be possessed of adequate means to attain them. The demand, in short, "self determination" ² within a larger political order.

If the population of Red River had good reason to oppose the transfer--Canada had done nothing to reassure the Red River community that the benefits of Confederation would not be limited to the Upper Canadian mercantilists and the favoured few who could use the privileges of political office in the territories to their own advantage--the métis alone considered themselves fully justified in opposing it. While, as Morton would put it, "legal reasoning" leads to the inevitable conclusion that the métis struggles constituted an act of rebellion, the discourse of the métis

denied this conclusion. The métis rose as members of the New Nation, a nation which was now predicated by Divine decree of sovereign powers of government of the people of the territories. The provisional government, whose ultimate purpose was to negotiate terms of union with a larger political unit, was thus considered by the métis to be a legitimate government which was merely exercising its rightful powers. Moreover, as a sovereign government, its members were subordinate to no one else on this world, and its sovereign rights would be diverted only to a government which conceded satisfactory terms of union. If, then, confederation with Canada was the historic outcome of the métis struggles, it was not the only possible outcome: while preferring confederation with Canada in order to retain the British connexion, had Canada not made sufficient concessions the métis would have looked elsewhere, most likely to the United States, for acceptable terms.

II: The Scope of the Thesis: What lies beyond

At the end of my introduction I put forth some general considerations specifying the limitations of this thesis in its own terms. Particular problems arose during the course of my discussion--I think here in particular of its failure to address the effects of religions on the métis's nationalism, political philosophy, and cultural life in general--whose solutions could have only made the above analysis more complete. Nevertheless, if additional and presently unanswerable questions have been raised, this was only to be expected; and if the reader is of the opinion that these questions are important ones, the mere fact of raising them is of value in itself. What I should like to emphasize here, however, is not the limitations of the thesis in its own terms, but the limited nature of the problem of the thesis itself.

Specifically, I refer to my questioning of the métis alone. The

general problem of the Red River rebellion is not why the métis rose, but why the métis rose and the English of the colony, and the country born in particular, did not. As with most analyses of the Red River rebellion, the country born disappear from the discussion, their particular part in the rebellion negatively defined by exclusion. For Stanley, the métis rose because their "primitive" nomadic life was most threatened by the advance of "civilization". For Morton, the métis rose because their French culture was threatened by an invasion of Orange Upper Canadian settlers. For myself, the métis rose because they alone considered their rising to be justified by virtue of the now sovereign status predicated of the New Nation. However, in terms of these analyses, the country born did not rise because they were not as "primitive" as the métis; because their cultural specificity was not threatened; because they did not consider themselves members of a now sovereign nation.

Yet, to define the particular response of the country born in terms of what they lacked is insufficient; if, according to my analysis, the métis alone rose because they considered themselves members of the now sovereign New Nation, a conception which denied the conclusions of "legal reasoning", the question of why the country born adhered to "legal reasoning" must be addressed in its own right. To say that this was the case because they did not consider themselves members of a sovereign nation serves only to beg the question: why did the country born not consider themselves members of the New Nation; why did "legal reasoning" have an effect on them. The problem of the rebellion, as I defined it, did not entail these questions, and thus they remain unanswered as always and the place of the country born in the rebellion remains an enigma. It is this lacuna in analyses of the Red River rebellion to which Pannekoek explicitly addressed himself; and while I am not in accord with the conclusions he reached, I think that the value of his analysis lies explicitly in being the first to point out this gap in explanations of the Red River rebellion.

While I cannot here explore the question of why the country born did not rise along with the métis, I would point out one important factor which might be later considered. Specifically, I think here of the effect of the Rev. G. O. Corbett upon the country born. As Pannekoek writes:

Corbett convinced the Country-born that their future lay with Protestantism and with the British Empire as a Crown Colony. Crown Colony status implied not merely the rights and privileges of the British constitution but a fellowship of English-speaking folk, for the Empire was always kind of a nationalism stretched overseas. The Country-born came, then, to think of themselves as Englishmen rather than mixed bloods.³

As I read the relations between the métis and the country born, I think that Pannekoek is incorrect in reading into this "fellowship" an English and Protestant exclusivity entailing antagonistic relations between the country born and the métis. However, I think that his point that the country born considered themselves a part of the British Empire (whose sovereign was the Queen) and the reasons he advances to account for this "fellowship" are of prime importance in questioning the role of the country born in the rebellion. If the country-born did not consider the halfbreeds to be a unique People, and if they did not consider themselves to be members of the New Nation, Pannekoek here provides us with the beginnings of an understanding of what the country born did consider themselves to be and why this was the case. Thus, only to the extent that work such as that of Pannekoek is critically examined and more fully developed will a solution to the general problem of the Red River rebellion be advanced. This research, however, I must leave to others.

NOTES TO INTRODUCTION

1. On Lord Selkirk, see Bryce (1909) and Gray (1964).
2. On the period of fur trade competition in the northwest between the HBC and the Northwest Company, and the place of the Red River settlement in this trade war, cf. in particular: Innis (1940, 1970), A.S. Morton (ND, 1930), W.L. Morton (1967), Rich (1967), Ross (1972).
3. MacLeod and Morton (1963: chapter iv) provide the best description of the Battle of Seven Oaks that I have found.
4. Easterbrook and Aitken (1963: 321). On the negotiations for the merger, and the merger of the Companies themselves, see Rich (1960 I) in addition to the references cited in note 2 (above).
5. cf. MacKay (1935: Appendix D).
6. On the practice of country marriages and the origins of the halfbreeds of the territories, cf.: Brown (1974, 1976), Foster (1972, 1976, 1978), Van Kirk (1976, 1977).
7. I follow Foster (1972) in distinguishing between the two halfbreed populations by calling them "métis" and the "country born".
8. This purpose of the Red River settlement is made explicit in the various minutes of the Northern Council of the HBC, and the letters from the London Committee of the Company to Governor George Simpson contained in HBRs (1940). cf. also the references given in note 2 (above).
9. Nor*Wester, 22/10/1869.
10. Census information for the Red River colony is notoriously lacking and what there is cannot be said to be all that reliable. The 1871 census offers the most precise demographic information pertaining to the period about the year 1869. In this census it is recorded that the population of Red River comprised 5720 métis, 4080 country born, and 1600 white settlers (in Stanley, 1963: 8).
11. Cf. Hargrave (1871: 174), Gunn (1857: 382).

12. While there can be no doubt that some of the settlers owned and operated their own carts (cf. Schmidt, *Memoirs of Louis Schmidt*, in Begg, 1956: 460), the majority of the people participating in the freighting business did so as wage labourers (cf. Hargrave, 1871: 59; below 25).
13. cf. Ross (1972: 180, 335), Gunn and Tuttle (1881: 292); Nor*Wester, 1/04/1861.
14. On the buffalo hunt, cf. the references given below (Chapter IV, N. 36).
15. Roe (1935: 172).
16. cf. MacLeod and Morton (1963: 113), Morton (1956: 16).
17. The primacy of the métis in the buffalo hunt and the more agrarian proclivities of the country born seems to be an accepted historical fact (cf. Hind, 1860: 222-223; Sealey and Lussier, 1975: 58; Go man, 1977: 16, as well as all the standard texts used in this thesis (i. e. A.S. Morton, ND; W.L. Morton, 1956, 1967; Stanley, 1961, 1963).
18. Cf. Foster (1972, 1978).
19. Hind (1860: 223). cf. Banks (1979) in which an analysis of Red River census data between the years 1832 and 1849 shows that a few métis were among the major farmers in the settlement.
20. MacLean, quoted in Stanley (1961: 9).
21. It appears that the country born both accompanied the métis on the hunts (cf. Gunn and Tuttle, 1880: 301) and, in some cases, had hunting parties of their own, albeit on a much smaller scale than were those of the métis (cf. Nor*Wester, 15/11/1860).
22. cf. Gunn and Tuttle (1880: 301), Ross (1972: 259), Foster (1972: 206), as well as my comments on racism in the settlement (below, 111 ff.)
23. cf. Anonymous (1872: 306).

24. While Morton (1956: 16) suggests that the French community at Red River included some French Canadians along with the *métis*, I consider that the numbers of the former were most likely too few to make any difference to this thesis. Non-indigenous residents of the settlement would find themselves in the settlement in basically one of two ways: retiring from the Company and then settling at the colony, or emigrating there for its own sake. As to the first, after the 1821 merger native labour was used by the Company to fill the seasonal wage labouring jobs, and the year-round low paying contract positions, and those who were brought into the Company to fill its higher paid and higher status positions (i. e., the ranks of clerk and above) were predominately Scottish, and all European (cf. Judd, 1978, 1979, ND). As such, the possibilities of French Canadians finding themselves in the settlement upon retiring from the Company measurably decreased after 1821. On the other hand, those Canadians who emigrated to the colony seem to have been, for the most part, from Upper Canada. Silver (1976) makes the point that French Canada was quite ignorant of the *métis* and thus, it might be reasonably assumed, of the northwest as a whole, prior to the racial and religious antagonisms raised in Ontario consequent upon the execution of Thomas Scott (below, 70 ff). Census data which I have analyzed elsewhere (cf. Banks, 1979) suggest that the average ages of the French Canadians in Red River tended to consistently increase during the period 1832-1849, suggesting that very few younger people of French Canadian birth were arriving in the settlement, during those years.
25. To be specific, the Protestants of the settlement were both Anglican and Presbyterian, the latter faith adhered to by many of the Scotch, especially those who were descendents of the original Selkirk settlers, who underlined their sectarian specificity at many points in the years after 1821 (cf. Ross, 1972). Nevertheless, for the present purposes, the presence of two Protestant sects in Red River is unimportant.
26. An Act for the temporary Government of Rupert's Land and the North-West Territory when united with Canada, 22/16/1869, in Oliver (1914 II: 972-973).
27. Barthes (1970: 152) notes that the modes of historical writing are three in number: ". . . a metaphoric form (which) tends to become lyrical and symbolic . . .", a metonymic form which

"... tends to become an epic . . ."; and a "reflexive", "strategic" form in which the "... discourse attempts to reproduce the structure of the dilemmas actually faced by the protagonists . . ." I would classify my thesis under the latter category, subject to the provisions noted at the end of this introduction.

28. Should the transfer of the Territories from the Company to Canada have taken place, the political authority of the Company would have been dissolved. However, should Canada itself been unable to establish a government because of the opposition of the métis--a very likely possibility as John Macdonald was aware--International Law would recognize any de facto government established by the people to maintain order. Accordingly, the Imperial authorities were cabled, on November 27, to stop the Transfer (cf. J.A. Macdonald's Memorandum, 16/12/1869, in Begg (1956: 450ff.)).
29. Morton (1956: 78).
30. This definition of ideology and the ideological subject is distilled from Heath's (1979) discussion of the subject.
31. HBCA: B. 239/k/1 (1821-1831), 2 (1832-1850), 3 (1851-1870). The Minutes from 1821-1831 are reproduced in HBRs (1940).
32. HBCA: A. 11/96 (1854-62), 97 (1862-1864), 98, (1865-1868), 99 (1869-1870).
33. HBCA: A. 12/44 (1864-1867), 45 (1868-1870).
34. Riel, Notes, of the November Convention, in Begg (1956: 420-430).
35. U.K. (1857).
36. Canada (1870, 1870A).
37. Canada (1874).
38. Ross (1972), Gunn and Tuttle (1881), Hargrave (1871).

39. Begg (1956).
40. cf. Morton's Preface to Begg (1956) for a general biography of Begg.
41. Riel (1935).
42. cf. in particular: Stanley (1961, 1963), W. L. Morton (1956), A. S. Morton (ND: Chapt. XII).
43. Foster (1972, 1976, 1978), Judd (1978, 1979, ND), Pannekoek (1976), Van Kirk (1976, 1977).
44. Morton (Preface to Begg, 1956: xix).
45. Dugas in Begg (1956: 617).
46. Riel (1935: 434-435).
47. A letter of 28/10/1869 to the Courier de Saint-Hyacinthe is signed by "Deux habitants métis-canadiens de la Rivière Rouge", in Begg (1956: 570-571).
48. Canada, 33 Vic., C. 3, 1870, in Oliver (1914 II: 964ff.).

NOTES TO CHAPTER I

1. A copy of the Charter can be found in U.K. (1857: 408ff.).
2. Easterbrook and Aitken (1963: 355).
3. On Canadian interest in the acquisition of the territories in the years prior to 1860, see Boyce (ND) on whom I have relied heavily in this paragraph.
4. On Canadian Imperialism and the Canada First Party, see Berger (1970, chapter II).
5. U.K. (1857).
6. See Rich (1960 III: Chapt. 24), for an account of the International Finance Society and the negotiations for the purchase of the stock.
7. Simpson to MacTavish, 4/06/22, in HBRS (1940: 410):

Our free traders, Nolin, Forrest & Larante are troublesome also Cadotte at Lac La Plui, no step has yet been taken in regard to them but they must be extinguished.
8. The most prominent mode of co-optation was for the Company to grant special trading licenses to select individuals, buying furs from them at prices exceeding those paid to the Indian trappers (cf. MacLeod and Morton, 1963: 87; Spry, 1979: 15-16). The Company, however, attempted to combine the carrot with the stick, by appointing the popular métis leader, Cuthbert Grant as "Warden of the Plains" in 1828, the purpose of this new office being the control of the illegal trade on the plains (HBRS, 1940: 216).
9. A major reason that Red River produce could, in the years following the merger, find a sufficient market, was that the output of Red River agriculture was very low. As Ross (1872: 114) notes:

Notwithstanding the impetus given to colonial labour after the flood of 1827, agriculture remained in such a backward state, up to the year 1831, or thereabouts, that the

Company could never rely upon the settlers for a sufficient supply of flour, or any other article of consumption.

The buffalo hunt as well had not yet grown large enough to saturate the market with its pemmican produce (cf. Ross, 1972: 165ff.; HBRS, 1940: 19, 21; Spry, 1979: 10; Nor'Wester, 22/10/62).

As such, the competition for the produce market between agriculture and the hunt which was to characterize the Red River economy in the following years, did not yet exist (cf. Morton, 1949; Ross, 1972: 335; Nor'Wester, 1/11/69).

10. Cf. Foster (1972: 244); Howard (1974: 56ff.).

11. One of the major purposes of the Red River colony in the first place had been to establish a local supply of agricultural provisions for the fur trade. (cf. Morton, A.S.: 1930: 105-106; Livermore, 1976: 1). As pointed out in note 9 (above), this purpose was not realized immediately, but by the 1840s, the colony "... became the chief source of agricultural products which were shipped downstream and across the lake (Winnipeg--RB) to Norway House." (Innis, 1970: 303; cf. Harris and Warkentin, 1974: 264; Morton, A.S., 1930: 109; Morton, W.L., 1967: 88). The importance of the Red River hunt had as well increased (Innis, 1970: 303). However, as the Company began to benefit more from the Red River producers, the economic situation of the producers stagnated.

Purchase records of the Company show increases in Red River sales in the years following 1827 but level off after 1839 (cf. HBRS, 1940, for the Northern Council Minutes, 1821-1831; HBCA: B. 239/k/2, for Minutes, 1832-1850; HBCA: B. 239/k/3, for Minutes, 1852-1869). The market was thus becoming saturated as the population grew (Banks, 1979). As such, only limited amounts of both plains and agricultural produce were purchased (cf. Ballantyne, 1916: 87; Gunn and Tuttle, 1880: 240, 257; Klassen, 1963: 5; MacLean, 1849: 302-303). This was most evidently displayed in "... the famous 'guaranteed market' for the settlers' surplus grain, of some eight bushels per annum per man." (Roe, 1935: 176). It thus came to be that,

"Take our produce," is the universal cry
--the universal threatening voice. Nor
is it the voice of the native class alone:
all classes unite in calling aloud for a

market...(Ross, 1972: 336).

and only in times of shortage in one sector or the other did the profitability of the one or the other reach anywhere close to its potential.

12. After the 1821 merger, local labour was basically confined to the newly instituted seasonal tripping--labour focussing about the transportation of furs and supplies throughout the northwest--and low level contract positions within the Company. For the changing nature of Company labour practices, and the exclusion of natives from important positions, see Judd (1978, 1979, ND).
13. Galbraith (1957: 312).
14. In addition to expanding its search and seizure policy (Gunn and Tuttle, 1880: 296; Howard, 1974: 58) the Company began censoring mail (ibid: 58); attempting to control the supply of trade goods (Foster, 1972: 246); cancelling the special licenses to trade (Spry, 1979: 26); and introducing a new land lease in which leasehold privileges were contingent upon, among other stipulations, abstention from trafficking in furs (Bryce, 1900: 436-437; cf. U.K., 1849: 45-47, for a copy of the new lease). The Company finally got the use of Imperial troops who stayed in the colony from 1846-1848, and the profits they brought to the local farmers (cf. Ross, 1972: 364-365; Gunn and Tuttle, 1880: 302-303) account in part for the decline in radicality of the more agrarian oriented country born in the later part of the free trade struggles (cf. Foster, 1972: 252, note 15, below).
15. Foster (1972: 215-216, 252) notes that the métis were always, and became more so, the source of most of the agitation in the free trade struggles.
16. For descriptions of the Sayer trial, see Ross (1972: 372ff). Resigned recognition of the uncontrollable free trade can be seen from the Council of Assiniboia Minutes of 31/05/1849 (in Oliver, 1914 I: 342). Recognizing the causes of the previous weeks "unlawful assemblage" outside the courtroom, viz, the Sayer trial, the Council nevertheless decided that

With regard to free trade in Furs, the Council cannot interfere in the matter, as any alteration can only be effected by the Queen and the two Houses of Parliament.

17. cf. Cowie (1913: 167).
18. Weinstein (1977: 25). The perpetual debt burden held by the métis is noted by Gunn and Tuttle (1880: 270); Hargrave (1871: 167); and Ross (1972: 67-68) among others.
19. Morton, A.S. (ND: 816); Foster (1976: 121).
20. The Nor'Wester, for example, notes the following yearly figures for the free trade between Red River and St. Paul, Minnesota:

1814:	\$1,400
1846:	5,000
1850:	15,000
1865:	300,000
- On the expansion of the trade in general, cf. Innis (1970: 330ff); Spry (1979: 41-42).
21. I. E. in capacities other than as independent producers selling provisions to the fur merchants.
22. cf. Banks (1979).
23. On the decline in fur resources in general, the best source is Innis (1971).
24. Since 1841 the dividend bonus on HBC shares had been cancelled, and though the dividends continued at a rate of 5% in the following years (sporadically reaching 10% in 1842 and 1845) they were paid out of capital stock (McKay, 1936: appendix, E; Innis, 1970: 337). Thus Rich (1960 III: 498) is quite correct to note that dividends are an invalid measure of the Company's true financial situation which, rather, should be discovered in the returns to the shares of the "wintering partners" (the Chief Traders and Chief Factors who ran the fur trade operations in the territories). Between 1853 and 1862 the returns on 1/85th share, that of a Chief Trader, fluctuated wildly, increasing from approximately \$334 in 1853 to a high of about \$872 in 1855, declining thereafter to about \$207 in 1861, and rallying to about \$353 in 1862 (ibid; Innis, 1970: 337). The fur trade, in other words, already threatened by the decline in fur bearers, was becoming less and less profitable for the HBC; it only needed a profitable way out.

25. Easterbrook and Aitken (1963: 346).
26. Nor'Wester, 25/08/66.
27. Head, quoted in Nor'Wester, 25/08/1866.
28. On the history of Canadian negotiations with the Company, see Rich (1960 III: chapt. 29, 825ff.) and Oliver (1914 II: 937ff.) who gives various documents pertinent to the period.
29. Rupert's Land Act, 31-32 Vic, Chapt. 105, 1868, in Oliver, (1914 II: 937-939).
30. Various drafts, letters concerning, and the Deed of Surrender itself can be found in *ibid*: 939ff.
31. Martin (1973: 24), for example, notes that the Company profits from land sales exceeded \$60 million between 1894 and 1930.
32. Dennis to MacDougall, 21/08/1869, in Canada (1870A: 5).
33. Dennis, Memorandum regarding the French opposition to the surveys, 23/10/1869, in Canada (1870: 7).
34. Machray to Young, 18/03/70, in Begg (1956: 505).
35. Of course this dichotomy is a generalization which allows for exceptions. In chapter II I will attempt to draw out the important factions within the French ranks, but it should not be forgotten that some English as well fully sided with the more radical French response to the transfer (cf. Stanley, 1963: 105).
36. The road building project and the survey project (see below 33 ff.)
37. Cf. Hargrave to Sampson, 8/02/1870, in HBCA: A. 11/99, in which Hargrave notes that while the métis and Canadians had a rocky relationship over the past years, "On many occasions in late years hostilities between the French and the clique in question (the Canadians--RB) have been prevented only through the personal influence of the Governor." Pertinent to the following, Hargrave adds that "The whole English community here fully understood the character of these people . . ."

38. Boyce (ND: 150ff.). Boyce also notes that Dr. Schultz as well decided to move to the colony because of Ross's letters.
39. Coldwell and Buckingham remained the sole proprietors from the first issue of the Nor'Wester until February 6, 1860, when Ross joined the partnership. On October 17th of the same year, Buckingham left and on January 18, 1864, Ross sold out. On the 3rd of March in the same year, Schultz joined Coldwell, and on July 7, 1865, Coldwell sold out to Schultz. On July 28, 1868, the paper changed hands for the last time when Schultz sold out to Dr. Walter Bown, a dentist recently arrived from Canada. These ownership changes were found in the appropriate issues of the Nor'Wester.
40. Cf. Begg (1956: 153-154); Machray to Young, 18/03/70, in Begg (1956: 502). Both, of course, were relatively biased observers. Machray as the Bishop of Rupert's Land had a very congenial relationship with the Company (cf. Pannekoek, 1976A) while Begg, though a Canadian, had nevertheless made his way into the ranks of the colony merchants who were on favourable terms with the Company (Morton, W.L., Preface to Begg, 1956: xvi).
41. Alexander Ross (1972: 176), considers the councillors to be "... either sinecurists or paid servants of the Company, (and) they did not carry the public feeling with them..." (1972: 176). Cf. Gunn and Tuttle (1880: 297).
42. For example, Chief Factor Clare, in charge of the Company's Fort Garry post and a member of the Council of Assiniboia, died in 1867 and left a vacant Council position. The Council minutes of 7/03/1867 note the presentation of several memorials praying for the appointment of Dr. Schultz to the vacancy. There was as well one petition in opposition to the appointment. Nothing came of the debate for the Council could merely forward the memorials on to London--probably, of course, with little to recommend Schultz given the latter's opinion of the Council (in Oliver, 1914 I: 573; cf. Hargrave, 1871: 411ff.). For a copy of one of the petitions, signed by many of the influential men in the Settlement--including those who would soon be associated with Begg and most likely in possession of negative opinions with respect to the Canadians as was Begg--see the Nor'Wester, 2/03/70.

The debate over the 1862 petitions which is presented in the immediately following has, of course, relevance to the purpose of this note.

43. One could interpret this constant demand in at least 2 fashions. The métis provided the only military protection for the colony, as they had both the necessary experience and organization from the constant need to be on the defense against the Sioux on the buffalo hunt (cf. MacLeod and Morton, 1963: 113; Morton, W. L., 1967: 63). Thus, while on the hunt, the colony lacked the defensive protection offered by the métis (cf. Council Minutes, in Oliver, 1914 I: 340). On the other hand, there can be no denying that the Company would much prefer Imperial troops to the métis, given the latter's constant opposition to its economic policies.

44. The Nor'Wester of 29/11/1862, in an editorial comment upon the petition debate, states that

The people have been lately called upon to say whether they wanted changes in our government or not, and right nobly has the Protestant section of the community responded in the affirmative... Among our French bretheren, the petitions which carried the day simply asked for troops, without referring to changes at all.

45. Nor'Wester, 29/11/62.

46. The Council stripped Ross of his positions of colony sheriff and postmaster on November 25, 1862 in the midst of debate on the merits of the respective petitions (Council Minutes, 25/11/1862, in Oliver, 1914 I: 514).

47. The Portage was founded in the early 1860s by Archdeacon MacLean so as to escape the rule of the Council of Assiniboia to which he objected (Gunn and Tuttle, 1880: 317). Originally a country born settlement, by the late 1860s the Portage itself was a mixture of country born and Canadian settlers, while High Bluff, about four miles from the Portage, was fully Canadian (Mair to Globe, 28/05/1869, in Begg, 1956: 407).

48. Cf. the highly moralistic article by the Nor'Wester, (12/12/1867).

49. All the above quotes can be found in the Nor'Wester, 15/11/1860.

50. Cf. the editorial reply to "A. M." in which the French halfbreeds are defended against slights by the former, a defense which ends by stating that the hunters have "...been almost (?) as necessary to the Settlement as has... the farmer." (Nor'Wester, 23/11/1869).
51. Nor'Wester, quoted in Charlebois (1975: 28-29).
52. Cf. the Nor'Wester, i. e. 25/08/66. Morton, W. L. (1956: 22) writes that Schultz's "...many acts of unrequited kindness in his profession were acknowledged particularly by the French clergy and the métis."
53. For example, see Canada (1874: 123, evidence of Bannatyne):

The Nor'Wester, a newspaper published there, constantly misrepresented the actions of the Government and the feelings of the people as a whole: this caused such a feeling of annoyance among the settlers, that they got up a petitions contradicting the statements made in that paper, and expressing satisfaction with the existing government of the Territory, which was signed by more than 800 people, both French and English.
54. On the context of the jailbreak, see Hargrave (1871: 423ff.). The Nor'Wester supported Schultz and refused to print a petition countering this stance (Rich, 1960 III: 875). This was an interesting (though unsurprising) about-face, given that when, in 1863, the Rev. G. O. Corbett was forcibly released from jail, and his imprisoned liberators were themselves subsequently liberated in a comparable fashion, the Nor'Wester devoted an editorial decrying the effects of such "anarchy" (Nor'Wester, 20/06/63).
55. On the famine, see the fall and winter issues of the Nor'Wester.
56. Cf. Ibid, 24/10/68.
57. Schmidt, Memoirs of Louis Schmidt, in Begg (1956: 462, hereafter cited as Memoirs).
58. MacTavish to London, 11/11/1868, in HBCA: A. 11/98.

59. Hargrave (1871: 450).
60. Nor*Wester, issues of 24/11/68, and 22, 26/12/68.
61. Ibid: 5, 12/12/1868. In terms of the 1871 census figures given above (Introduction, note 10), the percentage of the Red River population requiring relief assistance thus ranged between 21.2% and 21.6%.
62. Ibid: 22/12/1868.
63. Cf. Ibid: 12/12/1868; MacTavish to London, 11/11/1868, in HBCA: A.11/98.
64. Begg (1871: 17).
65. Morton, W.L. (1956: 19).
66. Begg (1871: 17); Riel, Memoir by Louis Riel on the Course and purpose of the Red River Resistance, in Begg (1956: 602), hereafter cited as Memoir.
67. Hargrave (1871: 541).
68. Mair's letters, and the response by L.R. (probably Louis Riel) to the third of them, can be found in Begg (1956: 395-402).

Hargrave (1871: 455-456) notes that,

The French & half-breed population, at which the remarks chiefly quoted by me were levelled, were highly indignant at the terms in which they and their hunting and tripping proclivities were touched upon...

The female part of the population got very angry. One lady pulled the poet's nose, while another used her fingers rudely about his ears.

Hargrave as well suggests that an even more derogatory letter was thankfully, for Mair's sake, not published (ibid: 456).

69. MacTavish to London, 11/06/68, in HBCA: A.12/45.

70. Morton, W. L. (1956: 64). In December, for example, after the French provisional government had been established, Machray wrote Col. Dennis and in a somewhat after the fact fashion, suggested that an open line of communication between Governor MacDougall and Governor MacTavish would help matters, as "I for one am to this moment perfectly ignorant of the character or policy of his (i. e. MacDougall's--RB) Government." (Machray to Dennis, 6/12/1869, in PAC: RG6, vol. 316, f. 995/69). Cf. Machray to Young, 18/03/70, in Begg (1956: 505); Montreal Herald, 10/12/1869; Begg (1871: 84).
71. Cf. Dennis to MacDougall, 27/10/1869, in Canada (1870: 11).
72. In Oliver (1914 II: 944), cf. Nor'Wester, 1/05/1869.
73. I think here in particular of Dennis's explanations as to the purposes of the surveys (below, 43) and of the Canadian position as presented by Donald Smith at the January 19 and 20, 1870, public meeting (below 61).
74. Machray to Young, 18/03/1870, in Begg (1956: 504).
75. Bryce (1900: 352); Hind (1860: 190).
76. Hargrave (1871: 309).
77. Cf. above, note 14.
78. U. K. (1857: 95, question 1836ff., evidence of George Simpson).
79. Cf. Hargrave (1871: 309).
80. The prevalence of squatting in Red River has been oft-times noted (cf. Gunn and Tuttle, 1880: 283; Ross, 1972: 199; Hind, 1860: 189).
81. Cf. above, note 14.
82. U. K. (1857: 84, question 1801ff., evidence of George Simpson). I suggest that the Company perhaps encouraged this practice because of the answer given by Simpson to the following question:

Is it possible that a squatter should settle under distinct terms of understanding with the Company, even though he does not pay for his land?--Yes, very likely a man without means would say, "Where can I settle?" We should point out a certain district of country which we thought desirable, and the best situation for settlement. (ibid: question 1825).

83. A copy of the Treaty can be found in Smith, (ed) (1975: 197-198).
84. Nor'Wester, 14/02/1860.
85. Rich (1960 III: 914).
86. Ibid: 915.
87. Nor'Wester, 14/03/60.
88. Morton, A. S. (ND: 857).
89. The river lots of the settlers extended back from the water to a distance of two miles. Extending the boundaries yet another two miles, the land now circumscribed would be the settler's hay privilege. For a given period of time during the harvesting season, the laws of the Council of Assinaboia granted the settler exclusive cutting privileges to the grasses which grew on his privilege, a right abrogated after a fixed period, or after hay cutting on the surrounding prairie began. On the hay privilege, see the Council Minutes, in Oliver (1914 I); W. L. Morton (1967: 64); Hargrave (1871: 101); Harris and Warkentin, (1974: 101); PAC: MG9 E8: 135ff.
90. Cf. PAC: MG 9 E8: 136).
91. I say that the land claims of the Saulteux in 1869 were likely the same as those made in 1860 on the basis of two pieces of evidence. On the one hand, the métis were making collective land claims (below 87) which, if Dennis's recording of their extent is correct (above 26), would therefore be in contradiction with those made by the Indians in 1862. On the other hand, the Saulteux

of St. Peter's parish were among the most adamant and "enthusiastic" supporters of Canada in 1869 (below, Chapter II, N. 60). Thus, the antagonism of the Saulteux to the métis could be in part a function of conflicting land claims, and would explain the special proclamation issued by Riel on March 23, 1870 precisely to assure the "nations sauvage" that their land claims would be fairly dealt with (Riel (Public Archives of Canada Library: 1870, 49).

92. "An Act for the Temporary Government of Rupert's Land...", June 22nd, 1869, in Oliver (1914 II: 972-973).
93. Quoted in Morton, A.S. (ND: 874).
94. *ibid.*
95. Cf. MacDougall's Instructions, 28/09/69, in Oliver (1914 II: 878-879).
96. Again, immediate and full political representation was a key part of the métis platform, as I will have occasion to demonstrate in a later part of the paper. The English were, however, displeased with the form of government to be imposed (Begg, 1956: 174; Machray to Young, 18/03/1870, in *ibid.*: 505; Morton, A.S., ND: 878).
97. Cf. Nor'Wester, 28/09/69.
98. See the Nor'Wester numbers of 17, 28/09/1869, and 22/11/1869.
99. Morton (1956: 32).
100. MacTavish to Smith, 10/08/1869, in HBCA: A.12/45.
101. Morton, W.L. (1956: 32).
102. Dease was a staunch supporter of the Canadians during the rebellion.
103. MacTavish to Smith, 10/08/1869, in HBCA: A.12/45.
104. Dugas to Taché, 29/08/1869, in Begg (1956: 569), writes with respect to Dennis:

Son plan a mis le pays en feu... Dans le cours de la semaine il vient de recevoir plusieurs autres lettres des différents parts de la colonie, lui faisant les même defenses. Les Anglais du bas de la Riv. sont encore plus excités que les Métis, et veulent, nous dit-on, chasser cet arpenteur ainsi Schultz qui est l'âme de toute la société.

Dennis himself was aware of the turmoil the survey had caused almost immediately upon his arrival. He made this clear to MacDougall on the 21st, prophetically suggesting that it would be the French who, if anyone, would give trouble (Dennis to MacDougall, 21/8/1869, in Canada, 1870: 17).

105. Cf. Hargrave (1871: 175).
106. Cf. Morton, W.L. (1949).
107. Cf. Canada (1870A); Martin (1973: 16ff.).
108. Stanley (1961: 56-57).
109. Nor'Wester, 31/08/1869; Dennis to MacDougall, 28/08/1869, in Canada (1870: 7-8); Dennis to Globe, 12/01/1870.
110. Dennis to Minister of Public Works, 12/02/1870, in Canada (1870A: 16-20).
111. Cf. Begg (1956: 157).
112. Charlebois (1975: 29).
113. MacTavish to Smith, 10/08/69, in HBCA: A.12/45.
114. Cf. Riel and Lépine (1926: 138).
115. Begg (1871: 24-25). Not willing to be outdone, I suppose, Begg himself entered into the land staking trade (cf. Nor'Wester, 31/08/1869). It might be noted that regardless of the thinly veiled reference to Schultz, the good doctor did eventually turn a fair profit in the speculation business (cf. Naylor, 1975 II: 4).

116. Begg (1956: 157) even suggests that Dennis's intimacy with Schultz was the cause of all opposition to the surveys.
117. PAC: MG 24 B29 vol 31: 180; Montreal Herald, 9/11/1869.
118. Cf. Schultz to MacDougall, quoted in Stanley (1972: 54-55); Montreal Herald, 31/13/1869; MacTavish to Howe, 14/05/1870, in PAC: RG6 vol 212.
119. Montreal Herald, 31/12/69.

NOTES TO CHAPTER II

1. Riel, quoted in Morton, W. L. (1956: 33-34).
2. "Deux habitants métis-canadiens de la Rivière Rouge" à Le Courier de Saint-Hyacinthe, 28/10/69, in Begg, (1956: 570-571).
3. Morton, A. S., ND: 876-877. The date of the Comité formation is given as the 16th of October by Stanley (1972: 61) and Morton, W. L. (1967: 119). I agree with the minority position, however, given that on the 21st of the month the letter prohibiting MacDougall's entrance was written and the roadblock at St. Norbert was set up (below). As the plans for the Comité had been in the works for quite a while, it seems reasonable that the métis would lose no time in taking these steps, viz, it seems reasonable that they would occur the very next day, rather than 5 days later.
4. Stanley (1961: 69).
5. Morton, A. S. (ND: 878).
6. Council of Assinaboia Minutes, 25/10/69, in Oliver, (1914 I: 617).
7. Ibid: 618.
8. Council of Assinaboia Minutes of 30/10/69, in Ibid: 619.
9. MacDougall to Howe, 5/11/69, in Canada (1870: 19). A copy of the message can be found in Ibid: 11.
10. Morton, A. S., (ND: 881).
11. Montreal Herald, 13/12/69, in Begg (1956: 434).
12. Nor'Wester, 26/10/69. Morton, W. L., (1956: 45) notes that in early October a meeting was held in St. Andrew's parish and attended by Riel and Bruce who could not persuade those in attendance to oppose the government of Canada. I do not know whether this is the same or a different meeting.
13. For example, Dennis notes that John Fraser and John Sutherland tried and failed to convince the French to change their tactics (Dennis to MacDougall, 28/10/69, in PAC: MG 27 IC6).
14. Both petitions can be found in PAC: MG 27 I F3.
15. Montreal Herald, 22/11/1869. cf. Montreal Herald 27/11/1869.
16. Begg, (1956: 160) cf. Montreal Herald, 27/11/1869:

It was agreed by all the representative men at the board (i. e. the Council of Assiniboia --RB) that the great bulk of the Settlement was quite indifferent about Canadian rule, and the pervading feeling was that, as the business had not yet come before them, they would decline to enter danger at the hands of their fellow settlers in defense of a body of officials, in the appointment of whom they had no voice, and in support of a Government hitherto known to them only by report.

17. MacTavish to Smith, 2/11/1869, in HBCA: A. 12/45.
 18. A copy of the invitation can be found in Begg, (1956: 164).
 19. On the Convention, see Riel, Notes, in Begg, (1956: 420ff, hereafter cites as Notes).
 20. Ibid: 423.
 21. Red River Pioneer, 1/12/1869. In the early days of the rebellion, the inability of the English to comprehend the content of the métis demands-- i. e., the "rights" which the métis continually said they were protecting--was quite pervasive (cf. Montreal Herald, 13/11/1869, 10/12/1869; MacTavish to Taché, 4/9/69, in Canada, 1874: 10, evidence of Taché; Begg, 1871: 76, 78; 1956: 238).
 22. Red River Pioneer, 1/12/1869.
 23. Riel, (Notes: 426-427).
 24. The provisional government was first declared on December 8th but it is clear that it existed de facto as of the 24th of November (cf. Riel's oath of office upon assuming the presidency of the new Assembly in March, in New Nation, 8/04/1870).
- For the demands/proposals presented to the English delegates, see Red River Pioneer, 1/12/1869.
25. Red River Pioneer, 1/12/1869.
 26. Begg, (1871: 47).
 27. Begg, (1956: 183-184).
 28. Ibid (184); Paanekoek, (1976B: Appendix, p. 148).
 29. Montreal Herald, 19/11/1869.

30. Ibid: 17/12/1869.
31. Morton, W.L., (1956: 63).
32. Grant to Dennis, 24/11/69, in Canada, (1870: 66-67).
33. cf. Pannekoek, (1976B: Appendix, p. 148); Begg, (1956: 190).
34. Begg (1956; 1871) perhaps because of his dislike of the Canadian party, perhaps because of a personal dislike of Ross, provides much information as to the fluctuating state of the latter's politics.
35. Begg, (1956: 190).
36. On November 27th, the Committee reported a muster of 302 men, and 203 guns (Pannekoek, 1976B: Appendix, 149). On the 29th, drilling began at Lower Fort Garry (HBCA: B. 303/a/1) and by the 30th, companies formed by the country born were drilling for emergency purposes (Begg, 1956: 190).
37. Morton, A.S., (ND: 889) notes that on the 28th, Thomas Bunn met 200 men from the Northern parishes marching to protect the government pork. An assurance that it was safe, however, sent them all home.
38. Begg, 1956: 184: "... the general opinion of the English side is against the provisional government while the H. B. C. rule is still in force."
39. Ibid (185).
40. Ibid (185-186).
41. Ibid (187).
42. Ibid (188, 189).
43. Ibid (190).
44. Howe to MacDougall, 6/11/69, in Canada (1870: 14).
45. MacDougall to Howe, 29/11/1869, in Ibid (64).
46. Howe to MacDougall, 17/12/1869, in Ibid (14). This changed to "great anxiety" when MacDougall's actions were confirmed (Howe to MacDougall, 24/12/1869, in Oliver, 1914 II: 908). A copy of the Proclamation can be found in Ibid (898-900).
47. Howe to MacDougall, 17/12/1869, in Canada (1870: 14). It might be added that MacDougall's secretary who had drawn up and signed the proclamation was not yet even officially appointed. (PAC; MG 24 B29 vol. 31: 191).

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49. The cable was sent by Sir John Young on Nov. 27th (Morton, ND: 888). For the full particulars of this cable, including Canadian rationale for the delay of the transfer, see the memorandum by John A. Macdonald, 16/10/1869, in Begg (1956: 450ff.).
50. cf. MacDougall to Howe, 2/12/1869, in Canada (1870: 69-71).
51. A copy of Dennis's commission can be found in Oliver (1914 II: 896-898). By its terms, MacDougall stated that he did,
- ... hereby authorize and empower you as such to raise, organize, arm, equip and provision, a sufficient force within the said Territories, and with the said force, to attack, arrest, disarm, or disperse the said armed men so unlawfully assembled and disturbing the public peace... (897).
52. HBCA: B.303/a/1.
53. Begg (1956: 192). It seems clear that the settlement as a whole first took the document to be genuine (cf. MacTavish to Smith, 11/12/1869, in HBCA: A.12/45; Elliot and Browkovski, 1874: 72, 73, evidence of Bannatyne).
- As for Riel himself, there exists statements to the effect that he did not believe that the document was valid (cf. Montreal Herald, 27/01/1870; Dennis, Memorandum to McKay, in Canada, 1870: 124). However, Ross in his Journal (in Begg, 1956: 437, hereafter cited as Journal) says that Riel joined the Convention in admitting the validity of the document and "Riel said it staggered him much." Riel's own notes of the Convention do not offer any indication one way or the other, though he does refer to the proclamation in very irreverent terms, viz:
- Riel examine le document, et dit en riant, que c'en a bien l'air. En remettant la feuille à Monsieur Bannatyne, il lui dit: take that big sheet (pronançant tres brèvement le double e)" (French original of Notes, in Begg, 1956: 577).
54. Cf. Canada (1874: 116, evidence of Thomas Bunn); *ibid.* (124, evidence of Bannatyne); Begg (1956: 210); Riel (Notes: 577). Ross (Journal: 437) offers a more qualified account, however:
- We (the English delegates--RB) pointed out a good many of the objections, but as passing of them depended on a majority, of course, all passed. And we did not care much, for we were ready to ask anything, almost.

55. A delegation was proposed to be comprised of two French and two English, who would present the demands to MacDougall to see if he could secure them, if he could not, an Act of Parliament would be demanded (Canada, 1874: 116, evidence of Thomas Bunn; *ibid*: 124, evidence of Bannatyne; Begg, 1956: 210; Ross, Journal: 437). Thomas Bunn (Canada, 1874: 116, evidence of Thomas Bunn) suggests that because the English knew that MacDougall did not have such powers, they would agree to the delegation. Both John Bruce (Elliot and Brokovski, 1874: 61, evidence of Bruce) and Ross (Journal: 437), however, suggest that the English were opposed to the delegation and its purpose in principle and not merely for pragmatic reasons; which seems to be more accurate given that an Act of Parliament would be demanded and the delegation would therefore not be wholly redundant.
56. Ross (Journal: 438).
57. Riel (Notes: 428).
58. For example, on November 27th, MacDougall received an anonymous address which reads, in part, as follows:
- Sir--We, the influential members of the English speaking population and loyal subjects of the British Crown, have heard that you are appointed Governor of this Territory, but we have had no certain or official information that such is the case, in fact we don't even know officially that any change has taken place in the constitution of this country. Under these circumstances, there is no certainty of movement or any chance of co-operation. (in Canada, 1870: 71)
- cf. Montreal Herald, 10/12/1869; Begg (1871: 84, 160).
59. Dennis (to MacDougall, 2/12/1869, in Canada, 1870: 77-78), on the basis of conversations with William Hallet and others, "...gathered . . . that there was little doubt that public sentiment would now sustain a movement to put down (sic) by force of arms the refractory French." Cf. Dennis, (Report, 1-9/12/1869 in *Ibid* (100-107), hereafter cited as Report).
60. Boulton (1886: 78-79).
61. Cf. Montreal Herald, 28/01/1870; Stanley (1972: 62); MacTavish (to MacDougall, 30/10/1869, in Canada, 1870: 24), suggested that MacDougall need not worry, "...there happily being even among the French half-breeds a considerable element of well-disposed persons."
62. Dennis (Report: 107).

63. cf. Montreal Herald, 28/10/70; Begg (1956: 198, 209).
64. ibid (198).
65. Dennis (Report: 109).
66. Dennis to Schultz, 4/12/1869, in Canada (1870: 109). The support given by the St. Peter's Indians to the "loyal" forces under Dennis was apparent from the outset. On December 1, Dennis assembled them in the Lower Fort, and read MacDougall's proclamation:
- They all seemed loyally disposed, cheering heartily for the Queen, and those of them who had guns, firing them off with evident enthusiasm. (Dennis, Report: 1870: 108).
- The extent of such support is underlined when the 10 days, which the Indians spent drilling, is compared to the average of 4 for the whole settlement (Dennis to MacDougall, 17/12/1869, in Canada: 1870: 125).
67. Dennis (Report: 112).
68. Dennis to MacDougall, 9/12/69, in Canada (1870: 97). On December 9th, Dennis issued a proclamation calling for his past supporters to lay down their arms (in ibid: 122-123).
69. Ross (Journal: 439).
70. Dennis (Report: 107).
71. The fluctuating strength of the Canadians in Fort Schultz is taken from PAC: MG 29 C112: 6-7. From the first indications Dennis had received as to the Canadian plans to protect the supplies, he had counselled moderation and warned the Canadians not to risk a confrontation (cf. Dennis to Grant, 25/11/69, in Canada, 1870: 67-68). When informed that the Canadians had locked themselves in Schultz's house, he sent orders for them to withdraw--orders which were interpreted by the Canadians as telling them to exercise their own judgement, and they thus remained adamant in their project. Dennis reiterated his orders to withdraw on the 6th (Dennis, Memorandum of Orders, 4/12/1869, in Canada: 1870: 116; Boulton to Dennis, 4/12/1869, in Ibid: 119; Boulton, 1886: 80-81).
72. On December 5th, Graham records in his diary that the besieged Canadians were awaiting reinforcements from Dennis (PAC: MG 29 C112: 7). Dennis apparently did not search for assistance until December 7th when he found "... that the requisite force would not be forthcoming. Indeed, there appeared to me to be an entire absence of the ardour which existed previously." (Report: 111). Graham's diary also records the daily increase in the number of French surrounding the house.

73. PAC; MG 29 C112: 7.

74. The Canadians were ordered "... to surrender in fifteen minutes, or they (the métis--RB) would fire upon us from the Fort. We held a hasty council of war, when it was decided best to surrender." (Ibid). W.L. Morton (1956: 74) suggests that the cannon were located outside the house, rather than in Fort Garry, as Graham's diary seems to suggest.

75. Throughout the month of November, reports to MacDougall from Red River suggested that the ranks of the French were only tendentiously united, and that it would be very easy to destroy the solidarity completely. The English support was gauged as being so strong that when, as he was continually urged to do, MacDougall issued his proclamation, it would "be responded to by 500 men." (Mair to MacDougall, 8/11/1869, in Canada, 1870: 39) and MacDougall would then be able to "come fearlessly down" to the colony (Snow to MacDougall, 9/11/1869, in Oliver, 1914: 889). This might have been the case--if it had been a legal proclamation that MacDougall had issued (cf. below 56). However, as suggested below, the Canadians misread the nature of the English position with respect to Canada: the English would support MacDougall if they were legally obliged to, but they were not prepared to risk themselves for Canada unconditionally. For the various letters and dispatches sent MacDougall by the Canadians in Red River, see Canada (1870).

MacDougall, in hindsight, diplomatically admitted to Howe the inaccuracy of his information with respect to the French (MacDougall to Howe, 13/12/69, in Canada, 1870: 92).

76. Reverend Gardiner, having happened upon the meeting, listened to Ross's exhortations, and

...was shocked at some things he said & left the room--after a while I went in agⁿ. I found that they had passed resolutions to go and take the Fort & 40 sledges & abt 100 escort were pledged to go. I protested abt this. The people I know are not prepared for this & suggested that they shd form a Comm of Safety for self defence. (Pannekoek, 1976B: Appendix, 148).

We should recall that these plans stemmed from the object of protecting the government pork (above, 50).

77. Begg (1956: 221) says that the companies were disbanded in the English parishes on December 8th, but the settlers were ready to regroup if necessary. On December 11th, a meeting at St. Andrew's parish resolved

to secret away arms and ammunition left by Dennis ". . . where it could be got at readily in case of need." (ibid: 229).

78. Stanley (1963: 74, note omitted).
79. Dennis to MacDougall, 9/12/1869, in Canada (1870: 97) cf. Gunn and Tuttle, (1886: 367).
80. That the English felt no personal animosity towards the French is suggested from a wide variety of sources (cf. James Wallace, Notes between 4th and 22nd November, 1869, in Canada, 1870: 61; Dennis to MacDougall, 27/10/1869, in Ibid: 11; Canada, 1874: 1, evidence of John MacTavish; McKay, quoted in Sealey and Lussier, 1974: 103, and quoted in Stanley, 1963: 105). Ross, for his part, did not want Dennis to start a fight between the French and English even after the Proclamation had been issued (Journal: 437, 439).
81. Boulton (1886: 77).
82. ibid (77-78).
83. Begg (1956: 197).
84. Bryce (1900: 457) discounts allegations of cowardice on the part of the English (cf. Joseph MacDonald to MacDougall, 8/12/1869, in Canada, 1870: 97) and suggests that the reason for the lack of English support was that ". . . they had no assurance that their efforts would be given even the colour of legality." (Cf. Begg, 1871: 160; Stanley, 1978: 81).
85. Begg (1956: 225).
86. Begg (ibid: 197-198) says that the newspaper closures occurred on the 2nd, while Graham (PAC; MG.29 C112: 6) says that it was the 1st.
87. Begg (1956: 225). On the day previous, a search of Schultz's house turned up a large cache of arms (ibid: 223).
88. ibid (233).
89. ibid. Dennis had left the colony to join MacDougall on the 11th and on the 18th, both left Pembina (Dennis to the Minister of Public Works, 12/12/70, in Canada, 1870: 128).
90. Begg (1956: 236).
91. On December 24th, William Fraser told Riel that he knew little of the ". . . feelings of his neighbours exactly except that they would like to know the intents & purposes of the Provisional Government." Riel responded that its object was to arrange and secure terms favourable to the settlement, upon which an "Annexation to some Government would be made." Fraser

said that he would state the matter to the English. (Begg, 1956: 238).

92. On the 5th of January, Begg (1956: 251-252) reports that John Sutherland, and William and Robert Tait were to begin to convince the English to join the provisional government. Though Begg suggested that "... they will have a hard piece of work to do . . .", these men and Begg were now fully convinced that the provisional government was the appropriate means of treating with Canada (ibid: 252). Five days later, again favouring the continuation of the HBC rule,

... the only difference to be that the people shall elect their representatives to the Council. This is all very well but cant (sic) be done and only goes to show how vac(c)illating the English people are..." (Ibid: 257).

This opinion was still prevalent 4 days later, though the adherents would be willing to join an autonomous government should the Company decline to re-take the reins of government (ibid: 260). In the meantime, the St. John's and Kildonan parishes had met and resolved to join the provisional government with the Company at its head, and to inform the other parishes of their decision. Regardless, "It is not generally believed the H. B. C. will resume the sovereignty of the country again." (ibid: 259).

93. On January 6th; the Canadian prisoners were told by Miss McVicar

... that we have very few friends outside of Jail. That the Scotch Half breeds are badly scared and not very favourable to Canada, and that Ross has sworn allegiance to Riel (PAC; MG 29 C112: 10).

94. Begg (1956: 204).

95. MacTavish to Smith, 25/12/69, in Begg, 1956 (455, 456).
The take was £1090.45.

96. Begg (1956: 237).

97. Cf. Note 61 above.

98. Begg (1956: 238, 240). I would still think that Begg somewhat overstates the case with Lépine. He was the métis adjutant general, a position comparable to the Captain of the buffalo hunt, and must therefore have been held high in esteem by Riel. The importance of this position is attested to when it is considered that Lépine was the chair of the tribunal which sent Thomas Scott to his death (below H).

99. Begg (1956: 239). For Bruce's explanation of the situation, see his evidence at Lépine's trial (Elliot and Brokovski, 1874: 62-63, evidence of John Bruce).
100. Begg (1956: 252).
101. Morton, W. L. (1956: 89). Smith's commission can be found in Oliver (1914 II: 907-908). To whom, and to what extent, bribes were distributed, is debateable but it does seem clear that they flowed quite freely (cf. Schmidt, Memoirs, in Begg, 1956: 469, hereafter cited as Memoirs; Stanley, 1974: 9).
102. Smith, Report to Joseph Howe, 12/04/70, in Oliver (1914 II: 920, hereafter cited as Report).
103. *ibid* (934-935).
104. *ibid* (921).
105. Morton, A. S. (ND: 899).
106. Smith (Report: 922); Begg (1956: 261ff). Begg recounts that, returning to Fort Garry on the 18th, Riel, who had come up to attempt to reclaim the documents,

... attempted to pass and go on but a man sprang before his horse and he was ordered to stop--he refused whereupon Laveiller (sic) told him he would make him. Riel on this jumped out of his cutter and told them that he would die first before they would compell him. Laveiller on this went up to him (Riel) and took him by the throat. Riel struggled with him--when Laveiller drew his revolver and was in the act of putting (it) at Riel's head when one or two stepped in prevented it. (*Ibid*: 264).
107. *ibid* (265).
108. Smith (Report: 923).
109. The most concise account of the meeting is in the New Nation, 21/01/1870, the important parts of which are reprinted in Begg (1956: 265ff).
110. Riel engaged in a good deal of filibustering with respect to the presentation of Smith's documents to the assembly, indicating insecurity with respect to the effects which these documents would have on the crowd.

At the end of the meeting, Begg (1956: 270) notes that,

... Mr. John Burke jumped up and demanded the release of the prisoners. Mr. Riel said not just now. Some in the (sic) cried out yes! yes! On this the French flew to their arms and there was a general skidaddle amongst a good many of the English--the act was premature on the part of Burke--but everything was quieted down and the meeting separated quickly.

111. Ibid.
 112. Begg (Ibid: 277) notes that "The meeting was very orderly throughout and towards the end good feeling between all parties broke out in noisy joyous demonstrations at the prospect of a speedy union of the whole settlement. On the 21st, tensions between the Riel and Leveiller factions had decreased to the extent that both agreed to retain only a skeleton guard at the Fort. (Ibid: 278).
 113. above, 60.
 114. above, 58.
 115. On the 18th, Smith stated confidently,

Riel's men were now falling away from him, while the loyal party expressed their determination no longer to be guided in the matter either by him or by Père Lestanc and his associates. They were full of hope, and confident that the following day would bring with it complete success to the cause of Canada (Report: 923).
 116. Leveiller to the editor of the New Nation, 27/05/1870.
 117. The date on which the re-unification of the French forces took place is somewhat ambiguous. At the January 27th sitting of the Convention, Smith stated the extent of his powers to act alone (New Nation, 28/01/1870). This is probably not the date referred to in Leveiller's letter for on February 5th, the factions within the French ranks still existed (below, note 128). However, to the extent that Riel could make threatening demands for the removal of the Leveiller forces on this latter date, and to the extent that he could, with impunity, imprison MacTavish, Cowan and Bannatyne (below, note 128) on the same day, it would appear to be the case that the opposition, of whatever nature, to Riel from among the métis had significantly decreased.
 118. The only full transcription of the proceedings of the Convention are those available in the New Nation, numbers of 28/01/1870, 4, 11, 18/20/1870, and it is basically from here that the following description of the Convention is derived. I will thus only reference direct quotes.
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Begg's Journal (1956) contains daily commentaries on the Convention proceedings, but I find that his dating practices differ from those of the New Nation. The HBC Archives as well contain minutes of the Convention (HBCA; 4M17 e9/1) but these are very sketchy.

119. New Nation, 11/02/1870.
 120. *ibid.*
 121. *ibid.*, 18/02/1870.
 122. *ibid.*
 123. Elliot and Brokovski, (1874: 80, evidence of John Sutherland).
 124. New Nation, 18/02/1870.
 125. cf. Ross, in *Ibid.*
 126. Schultz had escaped on January 23rd. (Charlebois, 1975: 61).
 127. Begg (1956: 303).
 128. The day the motion on the annulment of the Deed of Surrender was lost, Riel seems to have carried his anger to Cowan and MacTavish. He demanded that Leveiller's 10 men in the Fort be removed, else he would have both Cowan and MacTavish shot. Later that night Riel arrested both Cowan and MacTavish, Cowan being put in a cell, and MacTavish being put under house arrest because of failing health. (Hargrave to Sampson, 8/02/1870, in HBCA: A.11/99).
- Bannatyne was caught scaling the Fort walls that night attempting to see the Governor and was told to keep away from the Fort. Nevertheless, Bannatyne was imprisoned the next day.
129. That martial law was imposed is suggested by a comment from Begg (1956: 369).
 130. *ibid* (243, 278, 302-303); Lestanc to Riel, 26/01/70, in PAC: MG 27 I F3 vol. 1.
 131. Begg (1956: 251).
 132. Morton, A.S. (ND: 904); Boulton (1886: 92-93); Begg (1956: 257).
 133. When (Thomas) Scott escaped from his prison he came to Portage la Prairie for safety and was warmly welcomed by the people. He gave graphic accounts of his imprisonment and escape, and

once more the question was raised to organize a party to effect the release of the other prisoners. (Boulton, 1886: 101).

Knowing a bit of Scott's character we could perhaps judge his "graphic" account to be a touch overdone. Graham's diary, however, records no evidence of maltreatment of the prisoners; in fact, on Christmas Eve, "One of the boys got a violin and tonight there is music and dancing, some of the guard came in and danced with our boys." (PAC: MG 29 C112).

134. Boulton, (1886: 102-103).
135. *ibid* (105).
136. Morton, A. S., (ND: 904); cf. Boulton, (1886: 106).
137. *ibid* (100);
138. *ibid* (105-106).
139. *ibid* (106).
140. cf. my comments on Pannekoek in Chapter III.
141. cf. Begg, 1956: 307, where it is noted that "A good deal of discontent is felt among the English speaking people at the non-release of the prisoners according to promise."
142. The prisoners were to be released upon the signing of the document saying that they would respect the provisional government--that is, those who did not have to leave the country. Apparently, however, a misunderstanding occurred whereby some of them were under the impression that the document obliged them to be conscripted into the service of the provisional government. (cf. New Nation, 18/02/1870; Begg, 1956: 308).
143. A copy of this note can be found in Boulton (1886: 115-116).
144. Begg (1956: 310).
145. Boulton (1886: 111).
146. *ibid*.
147. *ibid*.
148. New Nation, 18/02/1870. I might briefly note that it was on the Portage expedition that two of the three deaths of the rebellion occurred. Near dusk, on the 15th, Norbert Parisien, a young and somewhat mentally immature

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metis was captured, suspected of being a spy. The next morning he escaped with a gun, and as Hugh Sutherland was riding up, fired it and killed Sutherland. Sutherland died the next day. Parisien died some days later as a result of the wounds suffered at the hands of those who re-captured him (cf. Stanley, 1963: 106).

149. Boulton (1886: 117).
150. Smith (Report: 928).
151. ibid (929).
152. ibid (930).
153. cf. Morton (1956: 106ff); Taché to Howe, 11/03/1870, in Begg (1956: 497).
154. note 141, above.
155. Smith (Report: 928).
156. Begg (1956: 315).
157. Smith (Report: 157).
158. Begg (1956: 158).
159. This solidarity throughout the settlement and behind the provincial government was noted by Taché upon his arrival in March; he also notes that the divisions among the French had been mended (Taché to Howe, 11/03/1870, in Canada, 1874: 499).
160. Recall that the November Convention had adjourned on the 18th and 19th so that the sessional court might sit. Scott and some fellow workers were tried on the 19th for ducking Snow in a pond in a pay dispute. Scott and another were fined £10 each (Begg, 1956: 173).
161. ibid (212).
162. see note 133, above.
163. cf. Schmidt (Memoirs: 474); Smith (Report: 929, 932); Riel (1925: 228 N1, 230, N2).
164. Begg (1956: 326).
165. Riel, Memoir by Louis Riel, on the course and purpose of the Red River Resistance, in Begg (1956: 541, hereafter cited as Memoir); Riel (1925: 231).

166. Spence (ND: 108, in PAC: MG 29 E2).
167. Elliot and Brokovski (1874: 46, evidence of George Young).
168. It might be added here that given the differences which existed between the Scott trial and that of Boulton (i. e. the former was present at the trial, and his conviction could not be overturned, while neither of these conditions held for Boulton), it seems plausible to assume that Boulton never had been "tried" and was never in danger of execution. Rather, it would appear that Riel used the drama as a means of convincing the men of influence in the settlement to attempt to "re-unite" it.
169. Pope (1894: 750, 751).
170. Such an amnesty was promised by Sir John Young in his proclamation of December 6, 1869 (in Oliver, 1914 II: 900-901). Taché believed that the offer still held in March 1870 (New Nation, 18/03/1870) and continued to believe that one was justified, even though it was never granted (cf. Taché, 1898).
171. Boulton (1886: 138ff).
172. "Circular letter to the People of Rupert's Land", 7/04/1870, in Begg (1956: 522).
173. Begg, (1956: 353).
174. A copy of the Proclamation can be found in Oliver (1914 II: 918-919).
175. Canada, 33 Vic., Chapter 3, 1870, in Oliver (1914 II: 904-972).
176. New Nation, 1/07/1870.
177. Oliver (1914 II: 939ff).
178. cf. Wolseley's proclamation, in New Nation, 23/07/1870; Pope (1894: 419); Sir John Young to the Canadian parliament, in New Nation, 27/05/1870.
179. The George Dennison Papers (PAC, MG 29 E29, Vol. 32) contain various newspaper accounts of the anti-métis rallies held in Ontario.
180. Wolseley, in Begg (1956: 562-564).
181. New Nation, 11/03/1870.
182. Cf. Stanley (1963: 155-156).
183. cf. Riel (Memoirs: 537-538).

NOTES TO CHAPTER III

1. Taché to Howe, 11/03/1870, in Begg (1936: 501).
2. Pannekoek (1976A: Chapter VIII; 1976B; 1976C).
3. Ibid: (1976A: 238).
4. cf. ibid (1976C: 83, 86).
5. ibid (1976B: 134).
6. cf. ibid (1976A: 249, 253, 254).
7. Stanley's thesis of the conflict between "civilization" and the "primitive" can be found elaborated in various texts, including (1947; 1961; 1963; 1974; 1978). With respect to Morton, I limit myself to his introduction to Begg (1956), for in other works, despite his explicit disagreement with Stanley in the former one, he seems to tend more towards a position similar to Stanley (cf. 1967).
8. I think here, in particular, of the relevant portions of A. S. Morton's A history of the west to 1870 (ND: Chapt. xii) and two recent analyses from a general marxist perspective (Weinstein, 1977; Bourgault, 1979). I find a good deal of affinity with many statements of Morton's but a definitive analytical framework is quite difficult to discover. The texts by Weinstein and Bourgault, on the other hand, are quite clearly marxist in orientation. However, I find numerous difficulties with marxist theory in general, and I feel that a proper theoretical critique would detract from the present purposes. On the other hand, both papers are concerned with a broad conceptualization of the history of the métis, beginning before 1821 and ending with contemporary métis history. As such, their analyses of the rebellion are quite undeveloped, and thus substantively I would have very little to say about them.
9. Stanley (1961: x), for example, suggests that even in 1961 the thesis which he first elaborated in 1936 (the date of the first edition of the Birth of western Canada) was still basically accepted. While I think that this may perhaps be an overstatement with respect to 1980, there is no doubt that some still hold to his interpretation. In fact, a recent book published by the métis themselves (Sealey and Lussier, 1975) holds to Stanley's interpretation. Given my own opinion of it, the fact that the métis themselves would put forth a similar account only underlines, for me, the necessity of addressing Stanley, however briefly.
10. Stanley (1974: 3).
11. ibid (1961: vii).

12. cf. the excellent etymology of the word "civilization" contained in Williams (1976: 48-50).
13. Stanley (1961: 49).
14. ibid (1974: 7).
15. cf. ibid (1963: 65-66).
16. ibid (1963: 93).
17. ibid.
18. As the date of the prospective transfer came closer, the Northwestern increased its propaganda with respect to this.
19. Stanley (1961: 49).
20. cf. ibid (1961: 10).
21. ibid (1963: 9).
22. cf. Pannekoek (1976B: 133).
23. ibid (1961: 49).
24. ibid (18).
25. I stress here that this "presumably" accounts for the divergent responses for, while immediately below I note the trepidation I feel in advancing the hypothesis that Stanley considered "primitives" in general to have an innate capacity to adapt to "civilization", I must admit that I feel a good deal of trepidation in advancing any discussion of Stanley whatsoever. As I noted at the outset the terms "civilization" and the "primitive" encounter difficulties when it comes to locating their object. Stanley, however, does not help any. The métis are in places labelled "primitive" (i. e., 1961: 49); in places they are only "semi-primitive" (i. e., 1963: 61); and in other places, they are not "primitive" at all, but like the country born, leading a life which was "... a simple one, uncomplicated rather than primitive." (ibid: 10), and this despite the fact that somewhere else the whole of Red River society was "simple" and "primitive" (1961: 17). However, I have attempted to instill some logic into my reading of Stanley, basically in order to reach the point where it becomes comprehensible as to why the mixed bloods were averse to "change", for it is here that I find the apologetic function of this position to be centred. While I am relatively satisfied that I am correct with respect to the latter, I nevertheless leave the whole discussion open to others who might understand him differently.
26. ibid (1947: 428).

27. Riel, quoted in New Nation, 11/02/1870.
 28. Riel, in *ibid.*
 29. Riel, in *ibid.*, 04/02/1870, and 11/02/1870.
 30. Owsram (1978: 182).
 31. Stanley (1961: 88).
 32. Owsram (1978: 163).
 33. Weinstein (1977: 35).
 34. Stanley (1974: 5).
 35. All bracketed page references in this section shall be taken from Morton (1956).
 36. On the use of the term "Resistance" by Morton, cf. below (103 ff).
 37. In the first and second Lists, it is demanded that the Judge of the Superior Court be bilingual, and that both French and English be the official languages of the Local Legislature. In the third, the additional demand is made that the Lieutenant Governor of the Province be bilingual. In the fourth list, the one which apparently ultimately accompanied the delegates to Ottawa (cf. Stanley, 1963: 126; Bryce, 1900) denominational schools are demanded, a demand apparently added at the instigation of Bishop Taché (cf. Stanley, 1963: 126; Morton, editorial note to the Third List of Rights, in Begg, 1956: 517). The Manitoba Act granted denominational schools and made both French and English the official languages of the Province's Legislature and courts (Can. 33 Vic., c. 3, 1870).
 38. Morton's ambivalence with respect to the shifting meaning of the "new nation" within his text correlates with his inconsistencies with respect to his understanding of the métis opposition to the surveys. On page 39-40 the account given is as follows: Both the clergy and Riel had been assured by Dennis that his purpose was not to disturb existing proprietary rights and thus both "... must have realized. . . that the Canadian surveyors had no intention of unsettling existing holdings or claims." Nevertheless, "in the survey party, because of its "... wholly Protestant and Upper Canadian composition . . . " was confirmed "... their fears of an immediate rush of settlers from Ontario," and it is this which "... explains their duplicity . . ."
- Specifically, to stymie the threat entailed in the Protestant invasion, Riel and the clergy had to not only question the right of the surveyors to make

... these particular surveys, but the right of Canada to make any survey at all before the transfer was completed. If that right were conceded, there would be no ground on which to challenge the transfer itself and to demand that it take place only after the people of Red River had been consulted and their terms of union granted.

However, the logic entailed in questioning the right of Canada to make surveys anywhere in the territories was much too complex for the average mind: "The point . . . was too subtle for popular agitation . . ." As such, the "duplicity" of Riel and the clergy consists in the subterfuge of Riel when, fully aware of Dennis's assurances that no existing land titles would be disturbed, he

... accordingly . . . said, what succeeding historians have been naive enough to copy, that the proposed surveys were a violation of existing property rights in land.

Now this thinly veiled reference to Stabley (cf. 1961: 56-57) serves only to mask the inconsistencies between this account of the métis opposition to the surveys and the next (below) which correlate with that which I have remarked upon with respect to Morton's definition of the "new nation": As in the case where the "new nation" becomes in the text equivalent to the French cultural specificity of the métis, any question of Indian titles to land is absent from the logic of the above account. The object of the opposition to the surveys is to deny the right of Canada to survey at all, not because Indian title had not been extinguished, but because the transfer had to be opposed in order that it be renegotiated anew by the people of the settlement. Presumably, from the point of view of the métis and clergy, this renegotiation would get safeguards to forestall the potential threat entailed in the upcoming invasion of Protestant, English-speaking, Upper Canadians. What is more, if the underlying motive for Riel and the clergy to oppose the surveys had nothing to do with Indian title, the means by which they aroused their "non-political and apathetic people" (40) who were, it is implied, "naive" as have been "succeeding historians", was to engage in "duplicity" by spreading the rumour that Dennis was indeed to violate existing private property rights even though the latter made it clear that this was not his intent. In sum, in this account of the opposition of the métis to the surveys, as in the place in the text where the "new nation" becomes equivalent to the French cultural specificity of the métis, any notion of Indian title, "the rights of their mothers' people", disappears.

However, a few pages farther in the text, the account undergoes a fundamental alteration:

The first overt act of the Resistance of the métis was not the result of indignant natives

running out to stop an alien survey of their individual holdings... (The métis) were challenging the authority of Canada to conduct any survey at all anywhere in the North-West, and particularly in that block of land between the Assiniboine and the Border which the métis regarded as belonging by custom to their "nation".

Thus, in the course of a few pages, the métis in general seem to have become more attuned to some of the "subtleties" involved in challenging the surveys; if Morton does not state that they had understood the challenge to the surveys as necessary to halt the transfer, he does suggest that they now knew that the challenge was not of the right of the surveyors to make "these particular surveys", but it was a challenge of "the right of Canada to make any survey at all." Further, there is here no question of "duplicity" on the part of Riel or the clergy, for the métis in this account are not concerned over their "individual holdings" which Dennis was not intending to disturb, but made their stand on the basis of collective title to the lands, the land which belonged to their "nation" in particular. Thus, "the civilization of their fathers and the rights of their mothers' people" are re-united in the text, and we return to the first definition of the "new nation" presented by Morton.

39. Stanley (1963: vii).
40. Montreal Herald, 27/11/1869.
41. Canada (1874: 115, evidence of Thomas Bunn).
42. New Nation, 4/02/1870.
43. British North America Act, U.K. 30 & 31 Vic., chap. 3, 1867.
44. New Nation, 11/02/1870.
45. ibid.
46. ibid.
47. cf. in particular the points made by James Ross, in ibid.
48. ibid.
49. ibid.
50. I put the phrase the "people of the country" within quotation marks in my text because of the dual significance contained within the word as I understand it, and how this dual significance pertains to the emphasis

put, by the métis, on the protection of the future welfare of the halfbreeds in particular though generally seeking to protect the future welfare of the people of the Red River community as a whole (below, 96 ff.).

51. New Nation, 11/02/1870.
52. New Nation, quoted in Begg (1956: 276).
53. cf. note 37, above, for the qualifications to this statement.
Also, in the third List, clause 19 demanded an amnesty for all those involved with the Provisional government be granted an amnesty, a concession which would, of course, be most applicable to the métis, especially the leaders.
54. "Protest of the Peoples of the North-West".
55. Montreal Herald, 22/11/1869.
56. Riel to the Portage party, 16/02/1870, in Riel (1925: 227 N1).
57. Published version of the "Declaration of the People of Rupert's Land and the North-West".
58. "Protest of the Peoples of the North-West".
59. "Circular Letter to the People of the North-West", 7/04/1870, in Begg (1956: 522).
60. New Nation, 11/02/1870.
61. ibid.
62. Riel's insistence on principles of economic egalitarianism is underlined when it is considered that, regardless of economic status "there is scarcely a native who is not a householder . . ." (ibid, 25/02/1870) for the simple reason that houses in Red River did not entail a great financial investment. For example, in 1856, fully 43% of the houses in Red River were valued at only £12. (U.K., 1857: 364).
63. New Nation, 11/02/1870.
64. ibid.
65. In Nova Scotia at the time of Confederation, the franchise required \$150.00 of real property, or \$300.00 in personal property; in New Brunswick it was £25 in free hold, or £100 in personal property or annual income; in the Canada's between \$200.00 and \$600.00 in real property was necessary for the right to vote, depending on which province and what type of area one lived (Garner, 1969: 35, 69-70, 112, ff.).

66. "Protestation des Peuples du Nord-Ouest", French original of the "Protest of the Peoples of Rupert's Land", in Begg (1956: 399).
67. New Nation, 11/02/1870.
68. Begg (1871: 193). If it seems strange that Riel had to, as Begg puts it, continually "induce or compell" the English to join the métis in a struggle for the common good, we must remember that the means by which Riel wages this struggle--i.e., by the formation of the provisional government--were unacceptable to the English until Governor MacTavish had sanctioned the government.
69. Riel, in New Nation, 18/02/1870.
70. O'Donohue, in *ibid*.
71. Hargrave to Sampson, 8/02/1870, in HBCA: A. 11/99.
72. Louis Schmidt, *Memoirs*, in Begg (1956: 472).
73. I would stress that not all the métis were willing to disavow loyalty to the British Crown, for it is clear that the métis were not an ideologically homogeneous community. For example, we must remember that it was precisely the fear of being in rebellion against the Queen that Riel had to placate in order that his councillors agree to the formation of the first Provisional government (above, 49). Further, in more general terms, we must remember that not all the métis were willing to follow Riel's lead whatsoever, for example, William Dease, John Bruce, Nolin, Harris, and Klyne. Nevertheless, it cannot be denied that Riel commanded much support among the métis and thus, to the extent that he was willing to disavow allegiance to the Crown, it would seem that his position was shared by many of the French halfbreeds.
74. Riel, Notes, in Begg (1956: 421).
75. *ibid*.
76. *ibid* (422).
77. Begg (1956: 238).
78. A. S. Morton (ND: 896-897).
79. Indeed, rumours that American annexation was the course pursued by the métis were current throughout the rebellion. By December 26th, Begg considered that the American influence was strong and undeniable: "It appears to be the intention of Riel to declare for independence--be recognized by the United States and afterwards be admitted into the Union as a Territory." (1956: 240). Such rumours were undoubtedly strengthened by Riel's evident preference for the American political system (Cf. Riel,

Notes: 423, New Nation, 11/02/1870) and by the strong pro-Annexationist stance taken by the New Nation during its first issues.

Further, let me emphasize that the statement that, apart from the Americans, the non-métis in the settlement were not willing to make a break with the British Empire is as much of a generalization susceptible of exceptions as was the statement that the métis were willing to disavow allegiance to the Crown (above, note 7). For example, A. G. B. Bannatyne made it a condition of his joining the provisional government in January as Post Master that should union with Canada or Great Britain (as a Crown colony, presumably) be detrimental to the good of the settlement, union with another political unit should be attempted:

Mr. Riél again met Mr. Bannatyne and after a long conversation on various subjects the latter gentleman consented to accept the offices offered to him on condition that it was understood that the object of the Provisional Government was to treat if possible with Canada for a just union with that country or England--failing these two to look elsewhere. . . It is to be understood that Annexation to the States is not the direct policy of the Provisional Government--Mr. Bannatyne declares himself a loyal subject of Great Britain but if utterly ignored by that country he is feady to follow the general voice of the people in whatsoever direction is found to be for the good of the settlement (Begg, 1956: 253).

Why Bannatyne, and others perhaps like him, were willing to disavow their allegiance to Britain is a question which I shall not address in this thesis. However, given that Bannatyne was one of the settlement's more prominent merchants, it might be argued that here marxist economic reductionism might have some value.

In conclusion it might be added that to the extent Bannatyne's conditions were accepted by the métis, additional support is given to the argument that the métis were willing to break with the Crown in order to realize their object.

81. I would question his argument because it seems to me that the "intent" which Morton attributes to the métis committed them to a path of rebellion. For example, if the métis wished to "keep out McDougall and... force Canada to negotiate", it seems to follow that by definition the métis would be defying the chartered rights of the Company to govern the territories. It was upon the basis of their chartered sovereign rights, that the Company negotiated and gave up their territorial sovereignty so that Canada could assume control over the territories. By forcing Canada to negotiate anew, it seems to me that the métis denied the validity of the original negotiations and the rights of the parties, in particular, the Company, to negotiate. As such, regardless of when the métis officially established the Provisional Government, it seems to me that a comparable act was inevitable according to the way Morton interprets their intent.

NOTES TO CHAPTER IV

1. The métis myth of creation saw not one homogeneous entity "Man" or "Humanity" in general being put on the face of this earth, but a series of discrete units of humanity each, as shall be shown, with a tract of land Divinely given it. I use the term "People" (with a capital "P") to name this concept which exists within the métis discourse.
2. Above, Chapter I, Note 12.
3. Foster (1978: 87).
4. Pannekoek (1976A: 51).
5. The works of Van Kirk (1976, 1977) are especially pertinent with respect to the effects of racism on marriage practices in the northwest.
6. Cf. Pannekoek (1976A).
7. In the late 1830s, William Hallett, a country born, was rejected as a suitable marriage partner to a white woman by the latter's guardian, "... the chief officer in Red River..." Ross's account is telling:

... this gentleman (i. e. the guardian--RB) sent for the half-breed, and reprimanded him for aspiring to the hand of a lady accustomed, as he expressed it, to the first society. The young man, without saying a word, put on his hat and walked out of the room; but being a leading man among his countrymen, the whole fraternity took fire at the insult. "This is the way," said they, "that we half-breeds are despised and treated." From that moment they clubbed together, in high dudgeon, and joined the French malcontents against their rulers; so that for years afterwards this spirit of combination and hatred give rise to plots, plans, and unlawful meetings among them, which threatened, and threatens, in a more or less degree, to this moment, the peace and tranquility of the settlement. (1972: 239)
8. Foster (1978: 87).
9. I would stress that what I refer to as the "cosmology" of the métis will be seen to be little more than the skeletal framework of what might be properly called a cosmology.

10. cf. Gunn and Tuttle (1880: 283); Sealey and Lussier (1975: 71). It might be noted that during the debate on Indian land claims during the Convention of 40, Riel argued that the halfbreeds claimed land by right of conquest over the Indians, rather than by virtue of their Indian ancestry (New Nation, 4/02/1870). As will become apparent, this is in explicit contradiction with all the rest of the métis discourse as it addresses the question of collective land rights. Given the context of the statement--Riel was arguing against the possibility of the halfbreeds claiming any collective title to land--it would appear that Riel was, because of the situation, merely attempting to get agreement that the halfbreeds had collective title to land without concern for the origin of that title.
11. A.S. Morton (ND: 856).
12. Riel (1935: 435).
13. I will retain, in the following usage of patrie rather than translating it to "fatherland" or "native land" for, as will be seen, the significance which the word carries is quite complex, better expressed I think in the original French of the author who locates this concept.
14. Riel (1935: 441). As Professor J. Chevalier has remarked, commenting upon an earlier draft of this thesis, a patrie can be considered to be the private property of a collective subject, i. e., a People. No one individual member of that collectivity would privately own any of the land, but considered as a whole, the collectivity had private possession of the land viz à viz other such collectivities. (MacPherson's (1978: 4-6) comments on corporate and state property have a certain relevance with respect to this conception of the private property of a collective subject.) We might contrast this with, i. e., Locke's (1978: 17ff.) liberal conception of private v. common property in land. According to this perspective, God gave Man as such the lands of the world as a common possession and the only way any of this land can be privatized, that is, taken out of the category of common lands, is by the individual's mixing of his labour with the land.
15. Riel, quoted in Flanagan (1980: 37-38).

16. Riel (1935: 442).
17. That is, a conception entailing a union of opposites.
18. Riel talks of ... (une patrie d'un) peuple qu'elle a produit... "
(1935: 442).
19. *ibid*: 441.
20. *ibid*.
- 2DA. While for simplicity's sake I speak here only of the halfbreeds and their Divine claims to land, it should not be forgotten the halfbreeds only "... avaient la propriété du sol conjointement avec les sauvages" (above 17). The HBC attempt to sell the land did thus not only contradict the Divinely given proprietary rights of the halfbreeds, but of the Indians of the Territories as well.
21. Globe, 17/01/1870, in Begg (1956: 490).
22. Flanagan, (1980: 39).
23. Appended to this thesis are two versions of the Declaration of the People of Rupert's Land and the North-West which was published by the French provisional government on December 8, 1869. The first, a draft version of the document (Appendix II) I will refer to in the thesis as the "Declaration (D)". The second (Appendix II) is the text which was published on December 8, and I will refer to it as the "Declaration (P)".
24. Globe, 17/01/1870, in Begg (1956: 490).
25. New Nation, 11/02/1870. cf. Taché to Howe, 11/03/1870, in Begg (1956: 501).
26. A. S. Morton (1939: 137ff.).
27. *ibid* (139).
28. *ibid* (140).
29. *ibid* (141).

30. ibid (142).

31. ibid (144).

32. The proclamation was published on March 23, 1870
(Riel (Public Archives of Canada Library: 1870, 49).

33. Riel, quoted in Flanagan (1980: 38).

34. Riel (1935: 442).
35. Sprenger (1972: 29).
36. On the buffalo hunt, cf. Bryce (1882: 201ff.); MacLean (1849: 298ff.) and esp.: Howard (1974: 299ff.); MacLeod (1957); Nor^WWester, 15/11/1869; Riel (1935); Ross (1972: 241ff.)
37. Ross (1972: 251).
38. ibid (244).
39. Riel uses "métis" to refer to the halfbreeds as such (1935: 434).
40. ibid (434).
41. W. L. Morton (1978: 61).
42. ibid.
43. Riel (1935: 438).
44. ibid (439).
45. ibid.
46. Macleod (1957: 130).
47. For example, the Nor^WWester (15/11/1869) reports that the hunters collectively decided upon the direction the party would take, a decision affecting the length of time remaining before the party returned to the settlement.
48. Riel (1935: 439).
49. Stanley (1978: 76).
50. Spry (1976: 41).
51. cf. the list of laws given by Ross (1972: 249).
52. Riel (1935: 439-440).

53. ibid (440).

54. ibid.

55. Riel (1935: 441). My thanks to Fern Callan for her assistance in the translation of this passage.

56. Clearly, of course, there were other factors which prevented the country born from considering themselves members of the New Nation, indications of which I shall give in my Conclusion (below 147 ff.)

57. While "de facto" is hardly the appropriate term to use, I can think of no other to indicate the status of the government of the New Nation, and the laws which it produced, prior to 1869.

58. As noted (above N. 23), there are actually two versions of the Declaration of the People of the North-West and Rupert's Land. While there are certain fundamental changes made between the drafting and the publication of the text, changes which I will have occasion to examine (below 141 ff), the overall logic remains unaltered. As such, I am following the Declaration (D) in the following, and the following quotations will be taken from it. I urge the reader to examine both texts carefully for the following summary which I present is by no means self-evident.

59. Stanley (1963: 61)

60. Given the importance of the buffalo hunt in the development of the New Nation, I would suggest that those métis who considered the Queen, rather than the provisional government, to be their this-world sovereign, were those less attached to the hunt and the general way of life which went along with it. As noted (above 4), while the métis in general were dependent on the hunt, not all were an integral part of this way of life.

61. Montreal Herald, 27/11/69.

62. Protest of the Peoples of the North-West, 14/05/1870, a copy of which can be found in Appendix III.

63. Riel, quoted in Flanagan (1980: 57).

64. While I emphasize the word "nation" here because
I copy from a translation, in the original French text nation is
italicized (in Begg, 1956: 579).
65. W. L. Morton (1956: 76).
66. *ibid* (75).
67. *ibid*.

NOTES TO CONCLUSIONS

1. "Protest of the People of the North-West".
2. McKay (1979: 28) uses the phrase "self determination" to generally summarize the object of the métis struggles.
3. Pannekoek (1976C: 83).

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APPENDIX I: The Four Lists of Rights.
(source: Bryce, 1890: Appendix)

The first List of Rights was drawn up unilaterally by the first métis provisional government, and presented to the English at the December 1, 1869 sitting of the November Convention. The second List of Rights was drawn up jointly by the French and the English at the Convention of 40 which occurred in late January and early February, 1870. The third and fourth Lists were modifications of the second, the changes being unilaterally made by Riel and other métis. The most significant changes made in the third list are demands for provincial status and the annulment of the bargain made between the HBC and Canada (clauses 1 and 10 respectively), both proposals having been presented by Riel to the Convention of 40 and defeated; and the demand for an amnesty for the members of the provisional government, as well as those who supported it (clause 19). The most significant change in the fourth List is the demand for a separate school system (clause 7) added, apparently, at the request or suggestion of Bishop Taché (cf. Morton, W.L., editorial note to the Third List of Rights, in Begg, 1956: 517). The fourth List is apparently the one which accompanied the delegates to Ottawa (cf. Bryce, 1890).

The First List of Rights.

Proposed to be sent to Governor McDougall, Dec 1st, 1869

(See *Beag's Creation of Manitoba* p 110)

1. The right to elect our own Legislature.
2. The Legislature to have power to pass all laws local to the Territory, over the veto of the Executive, by a two-third vote.
3. No act of the Dominion Parliament (local to this Territory) to be binding on the people until sanctioned by their representatives.
4. All sheriffs, magistrates, constables, etc., etc., to be elected by the people—a free homestead pre-emption law.
5. A portion of the public lands to be appropriated to the benefit of schools, the building of roads, bridges and parish buildings.
6. A guarantee to connect Winnipeg by rail with the nearest line of railroad—the land grant for such road or roads to be subject to the Legislature of the Territory.

7. For 4 years the public expenses of the Territory civil, military and municipal, to be paid out of the Dominion treasury.

8. The military to be composed of the people now existing in the Territory.

9. The French and English language to be common in the Legislature and Council, and all public documents and acts of Legislature to be published in both languages.

10. That the Judge of the Superior Court speak French and English.

11. Treaties to be concluded and ratified between the Government and several tribes of Indians of this Territory, calculated to insure peace in the future.

12. That all privileges, customs, and usages existing at the time of the transfer be respected.

13. That these rights be guaranteed by Mr. McDougall before he be admitted into this Territory.

14. If he have not the power himself to grant them, he must get an act of Parliament passed expressly securing us these rights, and until such act be obtained, he must stay outside the Territory.

15. That we have a full and fair representation in the Dominion Parliament.

The Second List of Rights

1. That in view of the present exceptional position of the Northwest, duties upon goods imported into the country shall continue as at present (except in the case of spirituous liquors) for three years, and for such further time as may elapse, until there be uninterrupted railroad communication between Red River settlement and St Paul, and also steam communication between Red River settlement and Lake Superior.

2. As long as this country remains a territory in the Dominion of Canada, there shall be no direct taxation, except such as may be imposed by the local legislature, for municipal or other local purposes.

3. That during the time this country shall remain in the position of a territory, in the Dominion of Canada, all military, civil, and other public expenses in connection with the general government of the country, or that have hitherto been borne by the public funds of the settlement, beyond the receipt of the above mentioned duties, shall be met by the Dominion of Canada.

4. That while the burden of public expense in this territory is borne by Canada, the country be governed by a Lieutenant Governor from Canada, and a Legislature, three members of whom being heads of departments of the Government shall be nominated by the Governor General of Canada.

5. That after the expiration of this exceptional period, the country shall be governed as regards its local affairs, as the Provinces of Ontario and Quebec are now governed, by a Legislature, by the people, and a Ministry responsible to it, under a Lieutenant Governor appointed by the Governor General of Canada.

6. That there shall be no interference by the Dominion Parliament in the local affairs of this territory, other than is allowed in the provinces, and that this territory shall have and enjoy in all respects the same privileges, advantages and aids in meeting the public expenses of this territory as the provinces have and enjoy.

7. That while the Northwest remains a territory, the Legislature have a right to pass all laws local to the territory, over the veto of the Lieutenant Governor by a two third vote.

8. A homestead and pre-emption law.

9. That, while the Northwest remains a territory, the sum of \$25,000 a year be appropriated for schools, roads and bridges.

10. That all the public buildings be at the expense of the Dominion treasury.

11. That there shall be guaranteed uninterrupted steam communication to Lake Superior, within five years; and also the establishment, by rail, of a connection with the American railway as soon as it reaches the international line.

12. That the military force required in this country be composed of natives of the country during four years.

[Lost by a vote of 10 yeas to 20 nays, and consequently struck out of the list.]

13. That the English and French languages be common in the Legislature and Courts, and that all public documents and acts of the Legislature be published in both languages.

14. That the Judge of the Supreme Court speak the French and English languages.

15. That treaties be concluded between the Dominion and the several Indian tribes of the country as soon as possible.

16. That, until the population of the country entitles us to more, we have three representatives in the Canadian Parliament, one in the Senate, and two in the Legislative Assembly.

17. That all the properties, rights and privileges as hitherto enjoyed by us be respected, and that the recognition and arrangement of local customs, usages and privileges be made under the control of the Local Legislature.

18. That the Local Legislature of this territory have full control of all the lands inside a circumference having upper Fort Garry as a centre, and that the radius of this circumference be the number of miles that the American line is distant from Fort Garry.

19. That every man in the country (except uncivilized and unsettled Indians) who has attained the age of 21 years, and every British subject, a stranger to this country who has resided three years in this country and is a householder, shall have a right to vote at the election of a member to serve in the Legislature of the country, and in the Dominion Parliament, and every foreign subject, other than a British subject, who has resided the same length of time in the country, and is a householder, shall have the same right to vote on condition of his taking the oath of allegiance, it being understood that this article be subject to amendment exclusively by the Local Legislature.

20. That the Northwest territory shall never be held liable for any portion of the £300,000 paid to the Hudson's Bay Company or for any portion of the public debt of Canada, as it stands at the time of our entering the confederation; and if, thereafter, we be called upon to assume our share of said public debt, we consent only, on condition that we first be allowed the amount for which we shall be held liable.

The Third List of Rights

1. That the territories heretofore known as Rupert's Land and Northwest, shall not enter into the confederation of the Dominion, except as a province, to be styled and known as the Province of Assiniboia, and with all the rights and privileges common to the different Provinces of the Dominion.

2. That we have two representatives in the Senate and four in the House of Commons of Canada, until such time as an increase of population entitles the Province to a greater representation.

3. That the Province of Assiniboia shall not be held liable at any time for any portion of the public debt of the Dominion contracted before the date the said province shall have entered the confederation, unless the said province shall have first received from the Dominion the full amount for which the said province is to be held liable.

4. That the sum of eighty thousand dollars be paid annually by the Dominion Government to the Local Legislature of the Province.

5. That all properties, rights and privileges enjoyed by the people of this Province up to the date of our entering into the confederation be respected, and that the arrangement and confirmation of all customs, usages and privileges be left exclusively to the Local Legislature.

6. That during the term of five years, the Province of Assiniboia shall not be subjected to any direct taxation, except such as may be imposed by the Local Legislature for municipal or local purposes.

7. That a sum of money equal to eighty cents per head of the population of this Province be paid annually by the Canadian Government to the Local Legislature of the said Province, until such time as the said population shall have increased to six hundred thousand.

8. That the Local Legislature shall have the right to determine the qualifications of members to represent this Province in the Parliament of Canada, and in the Local Legislature.

9. That in this Province, with the exception of uncivilized and unsettled Indians, every male native citizen who has attained the age of twenty-one years, and every foreigner, being a British subject, who has attained the same, and has resided three years in the Province, and is a householder, and every foreigner, other than a British subject, who has resided here during the same period, being a householder and having taken the oath of allegiance, shall be entitled to vote at the election of members for the Local Legislature and for the Canadian Parliament. It being understood that this article be subject to amendment exclusively by the Local Legislature.

10. That the bargain of the Hudson's Bay Company in the respect to the transfer of the government of this country to the Dominion of Canada be annulled so far as it interferes with the rights of the people of Assiniboia, and so far as it would affect our future relations with Canada.

11. That the Local Legislature of the Province of Assiniboia shall have full control over all the public lands of the Province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the Northwest, now called the Province of Assiniboia.

12. That the Government of Canada appoint a commissioner of engineers to explore the various districts of the Province of Assiniboia, and to lay before the Local Legislature a report of the mineral wealth of the Province within five years from the date of our entering into confederation.

13. That treaties be concluded between Canada and the different Indian tribes of the Province of Assiniboia by and with the advice and co-operation of the Local Legislature of this Province.

14. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years.

15. That all public buildings, bridges, roads, and other public works be at the cost of the Dominion treasury.

16. That the English and French languages be common in the Legislature and in the Courts, and that all public documents, as well as all acts of the Legislature, be published in both languages.

17. That whereas the French and English speaking people of Assiniboia are so equally divided as to numbers, yet so united in their interests, and so connected by commerce, family connections, and other political and social relations, that it has happily been found impossible to bring them into hostile collision, although repeated attempts have been made by designing strangers, for reasons known to themselves, to bring about so ruinous and disastrous an event.

And whereas after all the trouble and apparent dissensions of the past, the result of misunderstanding among themselves, they have, as soon as the evil agencies referred to above were removed, become as united and friendly as ever, therefore as a means to strengthen this union and friendly feeling among all classes, we deem it expedient and advisable.

That the Lieutenant-Governor, who may be appointed for the Province of Assiniboia, should be familiar with both the English and French languages.

18. That the Judge of the Superior Court speak the English and French languages.

19. That all debts contracted by the Provisional government of the territory of the Northwest, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion treasury, and that none of the members of the Provisional government, or any of those acting under them, be in any way held liable or responsible with regard to the movement or any of the actions which led to the present negotiations.

20. That in view of the present exceptional position of Assiniboia, duties upon goods imported into the Province shall, except in the case of spirituous liquors, continue as at present for at least three years from the date of our entering the confederation, and for such further time as may elapse until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

The Fourth List of Rights

First published by Archbishop Tache in the Daily Free Press of Dec. 27th, 1889.

1. That the territory of the Northwest enter into the Confederation of the Dominion of Canada as a province, with all the privileges common with all the different provinces in the Dominion.

That this province be governed:

1. By a Lieutenant-Governor, appointed by the Governor-General of Canada.

2. By a Senate.

3. By a Legislature chosen by the people with a responsible ministry.

2nd. That, until such time as the increase of the population in this country entitle us to a greater number, we have two representatives in the Senate and four in the Commons of Canada.

3. That in entering the Confederation the Province of the Northwest be completely free from the public debt of Canada; and if called upon to assume a part of the said debt of Canada, that it be only after having received from Canada the same amount for which the said Province of the Northwest should be held responsible.

4. That the annual sum of \$80,000 be allotted by the Dominion of Canada to the Legislature of the Province of the Northwest.

5. That all properties, rights and privileges enjoyed by us up to this day be respected, and that the recognition and settlement of customs, usages and privileges be left exclusively to the decision of the Local Legislature.

6. That this country be submitted to no direct taxation except such as may be imposed by the local legislature for municipal or other local purposes.

7. That the schools be separate, and that the public money for schools be distributed among the different religious denominations in proportion to their respective populations according to the system of the Province of Quebec.

8. That the determination of the qualifications of members for the parliament of the province or for the parliament of Canada be left to the local legislature.

9. That in this province, with the exception of the Indians, who are neither

civilized nor settled, every man having attained the age of 21 years, and every foreigner being a British subject, after having resided three years in this country, and being possessed of a house, be entitled to vote at the elections for the members of the local legislature and of the Canadian Parliament, and that every foreigner other than a British subject, having resided here during the same period, and being proprietor of a house, be likewise entitled to vote on condition of taking the oath of allegiance.

It is understood that this article is subject to amendment, by the local legislature exclusively.

10. That the bargain of the Hudson Bay Company with respect to the transfer of government of this country to the Dominion of Canada, never have in any case an effect prejudicial to the rights of Northwest.

11. That the Local Legislature of this Province have full control over all the lands of the Northwest.

12. That a commission of engineers appointed by Canada explore the various districts of the Northwest, and lay before the Local Legislature within the space of five years a report of the mineral wealth of the country.

13. That treaties be concluded between Canada and the different Indian tribes of the Northwest, at the request and with the co-operation of the Local Legislature.

14. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years, as well as the construction of a railroad connecting the American railway as soon as the latter reaches the international boundary.

15. That all public buildings and constructions be at the cost of the Canadian Exchequer.

16. That both the English and French languages be common in the Legislature and in the Courts, and that all public documents as well as the acts of the Legislature be published in both languages.

17. That the Lieutenant-Governor to be appointed for the province of the Northwest be familiar with both the English and French languages.

18. That the Judge of the Supreme Court speak the English and French languages.

19. That all debts contracted by the Provisional government of the territory of the Northwest, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion treasury, and that none of the Provisional government, or any of those acting under them, be in any way held liable or responsible with regard to the movement or any of the actions which led to the present negotiations.

NOTE.—Archbishop Tache explains in a letter, in the Free Press, Jan. 15th, 1890, that the sheet on which clause 20 was written had been lost sight of.—G. B.

APPENDIX II: "The Declaration of the People of Rupert's Land and the North-West," published December 8, 1869.

Draft Version:

(source: Begg, 1956: 447 - 450, notes omitted)

[Translation]

It is admitted as a principle of morality that public authority exists of indubitable right; as it is also acknowledged that a people which has no government is free to adopt one form of government rather than another; to accept or refuse that which is proposed for it: it is on the ground of these two principles that the people of Rupert's Land and the North-West were called to suffer in silence, and to bear the kind of servitude in which peculiar circumstances which surrounded their cradle had placed them.

A company of adventurers, known under the name of the Hudson's Bay Company, and vested with certain powers by His Majesty Charles II had established themselves in Rupert's Land and in the North-West to carry on the fur trade. That Company consisted of an aggregation of men who had need of a constitution. But as the chief concern was trade that constitution was largely confined to it. As there was then, however, no government which was concerned with the interests of the people already established in the country, need was for that people to resort, in matters requiring judicial settlement, to the officers of that Company: such was the origin of the government which has ruled the country to the present time.

This government, so accepted, was far from meeting the needs of the population actually resident, which in virtue of its energy and devotion developed, grew and rose to the point at which it deserved, because of its numbers, its civilization and its commerce, a place among the nations.

Always moved by the principles set out above, the people of Rupert's Land and the North-West supported loyally the above mentioned government and obeyed it faithfully; when contrary to the law of nations in March, 1869, that government abandoned them and transferred to Canada, by certain negotiations, which it did not even deign to communicate to its people, all the rights which it had, and those it claimed to have in the country.

Now as it is another principle conceded by all publicists (among whom we could cite Berclay [sic] and Duvoisin) that a people becomes free, and can henceforth govern itself as it judges fit, when the sovereign to which it was subject abandons it, or subjects it against its will, to a foreign sovereign, and that, moreover, it transfers no right to the sovereign to which it subjects that people.

We, the representatives elected by the people, assembled in council at Fort Garry, after having invoked the God of Nations, relying upon these fundamental moral principles, declare solemnly, in the name of our constituents and in our own names, before God and before men:

1. That from the day on which the Government, which we have always respected, has abandoned us in transferring to a foreign power the sacred authority which had been entrusted to it, we are of right free and released from all obedience to it, and that the sole legitimate authority today in Rupert's Land and the North-West is the authority accorded provisionally

by the people to us their representatives.

2. That we refuse to recognize the authority of Canada which pretends to have the right to come to impose on us a form of government still more contrary to our rights and to our interests than the government to which we have submitted of necessity until now.

3. That on the first of November last, when we despatched a delegation to conduct beyond the limits of our country His Honour William McDougall and his companions, who were advancing on our territory in the name of Canada without prior warning on his part, and in spite of a prohibition intimated to him by us, to come and govern here as an autocrat,¹ we have only acted in conformity with the sacred right of all citizens to oppose themselves vigorously to the subjection of their native land.

4. That we continue and will continue to oppose Canada with all our energies, and the entry of the Canadian government in our country, under the form announced, and in case of persistence on its part to come to trouble us with warlike incursions, we protest beforehand against these unjust acts and declare it to be responsible before God and before all people for the incalculable misfortunes which would be the result of its ambitious rashness. Let it know that before seeing our country enslaved, we shall contrive to use the means of defence that Providence has put in our hands, and it is not to see it invaded by strangers that we have so often defended it, at the price of our blood, against the hordes of barbarians today become our friends and allies.

5. That notwithstanding the Dominion of Canada will always find us ready to enter with it on negotiations favourable to its enlargement and to our prosperity.

In support of these declarations, relying on Divine Providence, we commit by oath our lives our fortunes and our honour.

Given at Fort Garry December 8, 1869.

JOHNY [sic] BRUCE, PRESIDENT
L. RIEL, Sec.

Published Version.
(source: Canada, 1870: 99 - 100)

Whereas, it is admitted by all men, as a fundamental principle, that the public authority commands the obedience and respect of its subjects. It is also admitted, that a people, when it has no Government, is free to adopt one form of Government, in preference to another, to give or to refuse allegiance to that which is proposed. In accordance with the above first principle, the people of this country had obeyed and respected the authority to which the circumstances surrounded its infancy compelled it to be subject.

A company of adventurers known as the "Hudson Bay Company," and invested with certain powers, granted by His Majesty (Charles II), established itself in Rupert's Land, and in the North-West Territory, for trading purposes only. This company, consisting of many persons, required a certain constitution. But as there was a question of commerce only, their constitution was framed in reference thereto. Yet, since there was at that time no Government to see to the interests of a people already existing in the country, it became necessary for judicial affairs to have recourse to the officers of the Hudson

Bay Company. This inaugurated that species of government which, slightly modified by subsequent circumstances, ruled this country up to a recent date.

Whereas, that Government, thus accepted, was far from answering to the wants of the people, and became more and more so, as the population increased in numbers, and as the country was developed, and commerce extended, until the present day, when it commands a place amongst the colonies; and this people, ever actuated by the above-mentioned principles, had generously supported the aforesaid Government, and gave to it a faithful allegiance, when, contrary to the law of nations, in March, 1869, that said Government surrendered and transferred to Canada all the rights which it had, or pretended to have, in this Territory, by transactions with which the people were considered unworthy to be made acquainted.

And, whereas, it is also generally admitted that a people is at liberty to establish any form of government it may consider suited to its wants, as soon as the power to which it was subject abandons it, or attempts to subjugate it, without its consent to a foreign power; and maintain, that no right can be transferred to such foreign power. Now, therefore, first, we, the representatives of the people, in Council assembled in Upper Fort Garry, on the 24th day of November, 1869, after having invoked the God of Nations, relying on these fundamental moral principles, solemnly declare, in the name of our constituents, and in our own names, before God and man, that, from the day on which the Government we had always respected abandoned us, by transferring to a strange power the sacred authority confided to it, the people of Rupert's Land and the North-West became free and exempt from all allegiance to the said Government. Second, That we refuse to recognize the authority of Canada, which pretends to have a right to coerce us, and impose upon us a despotic form of government still more contrary to our rights and interests as British subjects, than was that Government to which we had subjected ourselves, through necessity, up to a recent date. Thirdly, That, by sending an expedition on the 1st of November, ult., charged to drive back Mr. William McDougall and his companions, coming in the name of Canada, to rule us with the rod of despotism, without previous notification to that effect, we have acted conformably to that sacred right which commands every citizen to offer energetic opposition to prevent this country from being enslaved. Fourth, That we continue, and shall continue, to oppose, with all our strength, the establishing of the Canadian authority in our country, under the announced form; and, in case of persistence on the part of the Canadian Government to enforce its obnoxious policy upon us by force of arms, we protest beforehand against such an unjust and unlawful course; and we declare the said Canadian Government responsible, before God and men, for the innumerable evils which may be caused by so unwarrantable a course. Be it known, therefore, to the world in general, and to the Canadian Government in particular, that, as we have always heretofore successfully defended our country in frequent wars with the neighbouring tribes of Indians, who are now on friendly relations with us, we are firmly resolved in future, not less than in the past, to repel all invasions from whatsoever quarter they may come; and, furthermore, we do declare and proclaim, in the name of the people of Rupert's Land and the North-West, that we have, on the said 24th day of November, 1869, above mentioned, established a Provisional Government, and hold it to be the only and lawful authority now in existence in Rupert's Land and the North-West which claims the obedience and respect of the people; that, meanwhile, we hold ourselves in readiness to enter in such negotiations with the Canadian Government as may be favourable for the good government and prosperity of this people. In support of this declaration, relying on the protection of Divine Providence, we mutually pledge ourselves, on oath, our lives, our fortunes, and our sacred honor, to each other.

Issued at Fort Garry, this Eighth day of December, in the year of our Lord One thousand eight hundred and sixty-nine.

JOHN BRUCE, Pres.
LOUIS RIEL, Sec.

APPENDIX III: "Protest of the Peoples of the North-West,"
issued May 14, 1870, never published.
(source: Begg, 1956: 524 - 527)

[Translation]

The present state of excitement against us in certain parts of Canada [amended to "of certain Canadian parties against us"] gives us a fitting occasion to demonstrate the difference between their principles and ours. Is it true, that so many Canadian newspapers and so many people who approve them exercise themselves against us simply and sincerely in the interest of the Confederation? Is it in the interest of England? If it is so, how is it that Snow, Dennis, McDougall, and so many other recipients of sympathy principally in Upper Canada, should have chosen ways so tortuous, and should have sought so deviously to deceive the people to throw them into an agitation as great as it is general? The men of Upper Canada, with whom we have avoided all sorts of frays during the last six months, have sought to divide us, to arouse us one against the other, to bring us to the horrible collision of a civil war! Has not civil war been proclaimed in our midst? And those who have dared to do so, have they not usurped, in an infamous manner, the name of Her Majesty? As many outsiders as we have been constrained, at different times, to make prisoners, have they not been generously set at liberty again, when we knew that they would hasten to do against us the evil that they are raising to-day in Upper Canada, perjuring themselves the while? And because one of those who through obstinacy continued to trouble the public peace, which they alone had put in jeopardy amongst us, and which we made so many efforts to keep in the North-West, has forced us to make an example of him by which others might learn, they wish to declare war on us, while Sir John A. Macdonald, the Prime Minister, is compelled in justice to say that Canada has no jurisdiction in the country. No, those people have not worked and are not working in the interest of England! They concern themselves with the Confederation only so far as they believe it necessary to the success of their plans, of which the aims are too personal and too exclusive to be just! These persons through a great lack of honesty and loyalty have thought to impose on us a supremacy altogether to be condemned, to achieve which these false British subjects have not wanted and do not wish to respect the rights of anyone in a British colony. They flattered themselves with the shameful hope of being able to combine their selfish projects with those of Imperial policy in British North America. There is one thing they have forgotten: the policy of a government having to concern itself with the general interests of society, without distinction of language, of origin, without distinction of religious belief, is always incompatible with the restricted views of individual interest, when the latter, in place of imposing itself on the former, is not entirely subordinate to it. They should have known it: the sole means of assuring the existence and extension of the Confederation is to place on the same equal and generous footing all the provinces of British North America. If it is true that the Hudson's Bay Company has neglected the political advancement of their country, the people themselves, as soon as they could, have had to

act. They have formed a government, and this government which calls itself provisional does not wish that the North-West enter into Confederation until in this country all claims of civilized men shall have received a guarantee of being on the same noble footing of equality.

In the month of October last, when the first representatives of the people of Red River had first publicly assembled to take, in the name of their constituents, the title and function of "Protectors of the rights of the people," they declared:—

1. That they were loyal subjects of Her Majesty the Queen of England.
2. That they were beholden to the Hudson's Bay Company for the well-being they had enjoyed under its government, whatever the nature of that government.
3. That the Hudson's Bay Company being about to lay down the government of the country they were ready to accept the change involved. But at the same time being settlers, having lived on the lands which they had assisted the Hudson's Bay Company to open up, the people of Red River, having acquired in that fashion indisputable rights in the country, proudly asserted those rights.
4. That the people of Red River having up to this time upheld and supported the government of the Hudson's Bay Company, under the Crown of England, Snow and Dennis have disregarded the law of nations in coming to carry out here public works in the name of an alien authority without paying the respect owing to the authority then existing in the country.
5. The Colony of Red River having always been subject to the Crown of England, having been developed in isolation, through all the hazards of its situation, these representatives declared in the name of their constituents, that they would do all in their power to have respected, on their behalf, all the privileges so liberally granted by the Crown of England to any English colony whatever.

These principles have been published in Canada in the month of November last.¹ They are still as they were then the line of conduct of the Provisional Government. The English flag which floats over our heads displays fully to the eyes of the world its grand testimony in our favour. Filled with confidence in these principles which are our strength, we do not consider that they are loyal subjects of Her Majesty the Queen of England who have wished to make war on us up to now, and who would wish still to wage it on us, because of the way we have conducted ourselves under these resolutions. In order to ruin us, and raise themselves on Old Wives' tales, they have always held us to be barbarians. However, the magnitude of our great difficulties has never led us to call to our aid the dangerous element of the wild Indian tribes. On the contrary, while we have spared ourselves no effort to keep them quiet, these others have just sent across our country where their government has no jurisdiction, some agents for the criminal purpose of creating enemies for us among the Indians. But we hope that Providence will aid us to complete the pacification of the North-West; we hope that the authority of the Crown of England will assist the solution of the great complications which have been caused by a major political impudence. [Our cause is that of a British colony!] Our cause is that of liberty! God and the world know how we have been outraged.

People whom progress and civilization fill with ambition border us on one side and on the other numerous wild tribes who live on the alert and in apprehension. The people of Red River is sprung from these two great divisions in order to serve both as intermediary. In effect we are bound to both by blood and by custom.

The Province of Ontario in arresting our delegates that the Federal Government had invited by three special commissions has just committed an act against which we protest in the name of all the peoples of the North-West. We denounce the opprobriousness of such a proceeding to all civilized people; we appeal to the law of nations which Upper Canada has always disregarded where we are concerned, which the Federal Government has not done itself the honour to uphold, but which we claim before God and before men in every way open to us and in every way which shall be open to us.

LOUIS RIEL

PRESIDENT

(In script)

Seat of the Provisional Government,
Fort Garry, May 14, 1870.

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