

CHAPTER TWO

The Confederation Plan and the Red River Rebellion

When Great Britain dropped its preferential trade agreement with the Canadian colonies in the mid-1850s, it left Canadian merchants and manufacturers with two options,¹ either to try to penetrate the American market or to create a market of their own by expanding trade to the Canadian West. The latter course of action, however, would require extensive political negotiations involving eventual nationhood and importing hundreds of thousands of immigrants to people the Canadian West.

The Americans were expanding their western frontiers at an incredible rate. With this expansion, and the concomitant immigration from Europe, came prosperity. American industry was booming. The construction of massive railway systems, the creation of hundreds of western settlements and the transportation of large amounts of grain to international markets seemed to indicate permanent prosperity. In 1849, the state of Minnesota had fewer than five thousand people; by 1860, it had a population of 172,000.²

For decades the Montreal merchants had attempted, without success, to penetrate this lucrative American frontier market, and by 1860, it was clear that the Canadian commercial system could not compete with that of the Americans.³ In addition, reciprocity with the United States had failed to provide markets for Canadian industry. Even during good trading times, Canadian raw materials such as lumber, fish, furs and other primary staples were shipped out of the country, either to England or America, in return for manufactured goods. Pre-Confederation Canadian industry had remained underdeveloped.

Canadian commercial entrepreneurs had learned some valuable lessons from the American frontier experience: for example, they recognized that prosperity was tied to immigration. But Canadian attempts to attract immigrants during the 1850s had failed. By 1860, New York was receiving seven immigrants to every one immigrant arriving in Quebec.⁴ In fact, Canada was having difficulty retaining many of its own compatriots. Thousands were emigrating each year to the United States. It was in this

context of severe economic stagnation that the Confederation plan was developed.

By the 1850s, the Montreal merchants had abandoned the fur trade and were directing their efforts towards the formation of an agricultural investment frontier in the Canadian West.⁵ Before this could be accomplished, however, a transcontinental railway would be required. This project would be very expensive and would require massive foreign capital, supported by government guarantees — certainly there was not enough private capital in the colonies to accomplish such a monumental task. In addition, before such a railway could be built, a Canadian political constitution would have to be established in order to pass the necessary legislation and to provide the necessary tax base.

Great Britain was not likely to block the creation of a Canadian nation; establishing such a nation would enhance, not hinder, the advancement of British commercial interests. The new nation could expand to the Pacific Coast, using public monies to guarantee the success of private capital for the construction of a transcontinental railway. Once British Columbia's loyalty was obtained, the British would have access from Canada's West Coast to the lucrative China trade, and could thereby compete for it on an equal footing with the Americans. There were other advantages as well. The railway would enable the British to people the northern half of the continent with their own kind, thus reducing the risk of an American takeover of the Canadian West. Finally, construction of a railway would provide an investment bonanza for British bankers. Clearly, Britain had much to gain through Canadian confederation.

Although a plan for confederation was not formally implemented in the Canadian Parliament until 1879, it had slowly taken shape over the years prior to confederation. This plan, popularized as the National Policy, by Sir John A. Macdonald after 1879, had been developed informally during the 1860s and 70s. The noted Canadian historian Vernon C. Fowke wrote:

The British North America Act of 1867 established the political constitution, the first step needed for the elaboration and implementation of the national policy, and created the federal government, the major instrument by means of which the plan was to be carried out.⁶

Central to the goals of the confederation plan was the creation of an agricultural colony in the Canadian West. The plan was designed so that Canadian industry, protected by high tariffs, could expand in a lucrative captive market. Capital would be generated in the West to finance eastern Canada's entry into the industrial revolution that had been taking place in Great Britain and the United States throughout the nineteenth century.

There was little, if anything, it seemed, in the British North America [BNA]

Act that was designed to set up a free and democratic society in Canada. Unlike the American Constitution, the BNA Act contained no provision to guarantee the rights of the common people of the colony. There was nothing in it to guarantee the rights of workers and farmers to either “life, liberty or the pursuit of happiness.” And there was nothing in it to guarantee the rights of the Natives. It did, however, provide a structure that guaranteed Great Britain’s continued political domination of the colony.⁷ And it did allow the Canadian Government to put forward a prime minister who could obtain concessions from Parliament for the Canadian merchants and industrialists. The BNA Act decreed that:

- (1) Executive authority over Canada resided in the British Crown.
- (2) The Queen was the Commander In Chief of the army in Canada.⁸

Under the terms of the BNA Act, the governor general, appointed by the Queen, appointed the members of the Privy Council, who held their appointments for life. The governor general appointed the members of the upper house, that is, the Senate. Only members of the lower house (the House of Commons) were to be elected. The BNA Act provided that the provinces would be under the direction of lieutenant governors, who would be appointed by the governor general. The powers of the governor general at the time of confederation were real and effective, not merely symbolic as is the case today.

It is significant that the constitution guaranteed that the rich and powerful of both Canada and Britain would continue to hold a monopoly of political power over the working classes, farmers and small entrepreneurs in the colony. In order to be eligible for appointment to the upper house (where real power resided), potential members had to be British subjects, aged thirty or over, who owned lands valued at \$4,000, clear of debt.⁹ (It should be noted that \$4,000 represented substantial wealth in 1867, more than an ordinary working person was likely to accrue in his or her lifetime.)

The BNA Act also controlled the colony’s legal system, since it was maintained through appointments. The lieutenant governor of each province appointed the provincial attorney general and the judges. Clearly, the colony remained under the control of the British Crown. Yet, this division of power was welcomed by the Montreal merchants and Toronto manufacturers because it provided them with their own state apparatus that would enable them to implement their plans for the creation of their own internal colony in the West. The plan was not complicated.

A transcontinental railway would be built, immigrants would be brought in, and a new staple economy — wheat — would replace the old fur staple of Rupert’s Land. The West would be systematically underdeveloped in much the same way as Rupert’s Land had been by the HBC. Local industry would

not be allowed to flourish. The farmers would be forced to buy their machinery from eastern manufacturers at high prices which would be protected by a system of tariffs. As well, the banks and the merchants would be able to earn fortunes from land speculation and later, through the grain marketing system. The Dawson-Hinds expedition of 1857 had evaluated the agricultural potential of the West.¹⁰ The results of the expedition indicated that the northern fringe of the prairies was best suited for agricultural purposes, and ten years before confederation, plans were already afoot to settle these areas. The southern regions were thought to be too desolate to support large communities. Only one sizeable community existed in the prairie West at the time of confederation. The Red River Settlement had a population of just under twelve thousand when the first census was taken in 1870. Of this population, 1,565 were white (people of European extraction), 558 were Indian, 5,757 were French-speaking Metis and 4,083 were English-speaking Halfbreeds.¹¹

By 1868, the Red River Settlement was desolate. Grasshoppers had stripped the country bare and starvation threatened the people of the colony. The federal government, as a measure of "relief," had started a road-building project which was designed to connect the colony at Red River to the Canadian East. Known as the Dawson Road, it was significant because it was the road that later made possible the dispatching of Garnet Wolseley's troops to Red River when, in 1870, the Canadian government took control away from Louis Riel's provisional government. It was here, at Red River, that the first organized, popular resistance to the government's policy for the West occurred.

By 1869, the HBC had completed its bargaining with the federal government over the sale of Rupert's Land to Canada for £300,000. Title was to have been transferred by October 1, 1869, but was delayed to December 1. The Canadian government sent William McDougall, its designated lieutenant governor of the North West Territories, to Red River in September, well in advance of the anticipated date of the official takeover. When McDougall attempted to cross the Canadian-American border near Pembina, he was stopped by a party of Metis and refused entry. For months prior to the lieutenant governor's premature attempt at taking over the settlement, the people of Red River had watched in dismay as Canadian government surveyors trespassed across their land holdings.

On October 11, 1869, the youthful Louis Riel stopped a party of government surveyors who had started to run a line across his cousin André Nault's property at Red River. On October 20, Riel and the Metis met at the home of Magistrate John Bruce and formed a committee to deal with the impending crisis. The committee was to be made up of an equal number of French and English people from the community. Bruce was placed at the

head of the committee so as to lend it prestige and credibility with the English, while Riel, as the secretary, provided the real leadership.

However, the Metis were not the only people who were organizing to fill the political vacuum in Red River. Dr. John Schultz and Charles Mair were organizing the Protestant factions of the community into a para-military, political unit called the Canadian party.¹² Schultz was a major landowner in Red River, and he controlled the local newspaper, *The Nor'Wester*, which he used to inflame the passions of the English resident Protestants against the French Catholic Metis. Despite Schultz's efforts, however, the majority of the Scots and English Halfbreeds in the region remained neutral.

Taking the initiative, Louis Riel and one hundred Metis suddenly seized Fort Garry from the ailing HBC Governor McTavish, fearing that if they did not occupy the fort, the Schultz faction might seize it first. Riel, with the tacit support of the HBC governor, simply walked in and took over; it was a bloodless military operation.¹³

The Canadian party retaliated by circulating a petition calling for McTavish to oust the Metis, promising him adequate help to do so. McTavish refused, creating a stalemate. In late November, Louis Riel invited the English-speaking residents of Red River to join the Metis in establishing a provisional government. They refused. Some of them trusted Riel and his organization more than they trusted Schultz's and Mair's, but they were simply unprepared to take such a drastic measure.

By December 2, word reached Riel that the Canadian party had plans to seize Fort Garry and assassinate him. Within a few hours, three hundred Metis were rushed to the fort for Riel's protection. In the meantime, Dr. Schultz had refused to listen to the moderate delegations of citizens asking him to stop the impending civil war. He was eventually cornered in a storehouse, along with forty-five of his followers, by Ambrose Lepine and his Metis militia. Schultz surrendered passively. When Riel's men entered the storehouse, they discovered no fires burning, though it was a cold day, and it was fortunate that they did not try to light one, for plugged into the stovepipes, into cupboards and closets, was a quantity of gunpowder sufficient to blast the building and themselves into eternity.¹⁴ Such was the treachery of the Canadian party.

It was by now known throughout the district that McDougall's proclamation had been a bluff and that he had no real claim over the colony. Riel took action to break up the Canadian party. A guard was placed at Pembina on the border in case McDougall attempted another armed entry. Certain members of the Canadian party were told to leave within the fortnight, while its most dangerous members were incarcerated along with their leader, Dr. Schultz.

On December 1, HBC Governor McTavish laid aside his authority over Rupert's Land, and the Metis were the only people sufficiently organized to

seize power. The ailing governor wrote to Riel: "Form a government for God's sake."¹⁵ The first Metis provisional government was declared on December 8, 1869. On December 10, the fleur-de-lis replaced the old HBC flag over Fort Garry. Cannons were fired in salute. A band played and speeches were made. The Metis provisional government was legitimately put in place without the loss of a single life. One of its first actions was to give amnesty to the political prisoners, provided that they would swear loyalty to the new government.

Some members of the Canadian party, including Thomas Scott and Charles Mair, who had been captured with Schultz, escaped on December 16. On January 23, they were followed by Schultz himself, who made his escape by fashioning a rope from his buffalo robe and dropping from his second-storey prison window. Schultz, Mair and Scott immediately began organizing the countryside to overthrow the provisional government.

In the meantime, the provisional government had prepared a list of rights to be presented to Ottawa. The list was given to Donald Smith, former Chief Commissioner of the HBC, now an emissary of the federal government. Smith felt that the government's reaction would be favourable, and suggested sending delegates to Ottawa with the list of rights to meet with the Canadian government. The list of rights contained nineteen demands, essentially for responsible government. The document contained a specific demand that the North West Territories enter Canadian confederation as a province, governed under the terms of the BNA Act. There were demands that all existing property rights be respected, that French schools be separate from English schools, and that both French and English languages be used in the legislature and the courts of the province. There were suggestions on limiting taxation, and about tax sharing between governments. Finally, a demand was made for amnesty for all members of the provisional government.¹⁶

A peaceful transition based upon reason, however, was not to be. Schultz, Scott and Mair had meanwhile organized a military party of settlers from Portage la Prairie. By February 20, they were on the march under the command of Major C. A. Boulton, their stated reason for armed intervention being the freeing of the political prisoners held in Fort Garry by the provisional government. Discovering that the prisoners had already been freed after swearing allegiance to Riel's government, the party, instead of disbanding, continued its march to the fort, its urge for a fight clearly undiminished. On the way, a tragic incident occurred. Norbert Parisien, a young Metis lad who had been taken prisoner by the Canadians, escaped and snatched up a double-barrelled shotgun before fleeing across the frozen Red River. As he crossed the ice he saw Hugh John Sutherland, son of a prominent settler, coming towards him on horseback. The Metis lad aimed, fired twice, and Hugh John pitched from his horse into the snow, spraying it

with his life's blood. Parisien was soon overtaken by his pursuers who, seeing the mortally wounded Sutherland, took a terrible revenge by kicking the young Metis to death.

The military party from Portage la Prairie was quickly captured and imprisoned by a group of Metis under the command of Lepine and an Irish Fenian named Bill O'Donoghue, the secretary of Riel's provisional government. In prison, the Portage la Prairie party was given the option of signing an oath of allegiance or facing the firing squad. Thomas Scott refused to sign despite repeated efforts by his captors to compromise with him. Scott frequently attacked his captors, calling them cowards and traitors, and on March 1, Scott and Murdock McLeod broke out of their cell and attacked a guard. This was the last straw. In a fit of anger the Metis guards told Riel that if Scott were not executed they would shoot Riel himself.¹⁷ Reluctantly, Riel agreed to Scott's execution, but not without one last attempt to reason with him. In that final meeting with Riel and Lepine, the truculent young Irishman struck Riel full in the face. Scott was executed by a Metis firing squad on March 4 and his body was secretly buried. Riel must have realized that a martyr had been created. Indeed, from that day onward both Riel and Scott became symbols around which a century of passion and ill feeling was to develop. Schultz and Mair spent months travelling through Ontario stirring up Protestant hatred against Riel over the execution of Scott.

The federal government eventually resolved the conflict by putting forward the Manitoba Act, which was passed on May 10, 1870. The act incorporated nearly all of the demands contained in the list of rights, with an ominous omission. There was no word on amnesty for the members of the provisional government. Instead, a "peace-keeping" force was dispatched from the East under the command of Garnet Wolseley, a seasoned British officer who had crushed guerrilla movements in India and Africa. The men of this peace-keeping force were determined to kill Louis Riel and all others involved in the execution of Scott. As they neared Red River, their true purpose was discovered by Metis scouts.

When the troops arrived in a downpour of rain on August 24, 1870, Riel was still suffering from a fever that had nearly taken his life. Weakened by his illness and the strain of the previous year, he now saw that much of what he had struggled for through the democratic process was to be taken away by force. Suddenly a friendly Canadian government representative, one James G. Stewart, arrived at Riel's residence at full gallop and shouted: "For the love of God, save yourself. The troops are only two miles away and the soldiers' only topic of conversation is slaughtering you and yours."¹⁸ As Riel made preparations to leave for the safety of Montana, he met one last time with Bishop Taché. He told the bishop: "What happens now matters little. The Manitoba Act has passed, and Metis rights are assured. Their religion and their language. That is what I wanted. My mission is complete."¹⁹

The Red River struggle held some important lessons for both the Metis of the North West and the federal government. As far as the Metis were concerned, the federal government could not be trusted. And the federal government learned some valuable lessons about the Metis. Not only did the Metis present a sizeable military force in the West, but they could also produce brilliant political leaders capable of sophisticated diplomacy.

Never again would plans to exploit the West take on the same crude approach as that applied by Lieutenant Governor McDougall in 1869. Instead, the government created the Department of the Interior to ensure the systematic exploitation of the West and to implement the plans that eventually coalesced as the National Policy in 1879. In 1873, local "government," namely the North West Council, was created in the West. It was an appointed body of the federal government and was designed to take over from the old HBC Council of Assiniboia. Like the Council of Assiniboia, it was to play the dual role of colonial administrator and instrument for the co-optation of regional discontent. The members of the council, all federal appointees, included Donald A. Smith and John C. Schultz.²⁰ The council, controlled by the federal government's Department of the Interior, was clearly designed to act as a colonial administration for the implementation of the National Policy. The inclusion of Smith and Schultz as council members indicated unmistakably that this administration would not be friendly to the Metis.