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Two Popular Movements for Political Change in the Era of Confederation

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Island Resistance: Two Popular Movements for Political Change in the Era of Confederation

WHEN THE EDITOR OF *ACADIENSIS* ASKED ME to write a review essay on Ian Ross Robertson's *The Tenant League of Prince Edward Island, 1864-1867: Leasehold Tenure in the New World* (Toronto, University of Toronto Press, 1996), he encouraged me to include in the review any other books I thought relevant. In many ways the most relevant book I could think of was my own *The Red River Rebellion* (Winnipeg, Watson & Dwyer, 1996), since it too dealt with a popular uprising of the 1860s. The result is this essay, which is not a conventional review essay so much as it is a comparative essay based upon the two books.

The decade of the 1860s, as Ian Robertson points out in his book on the Tenant League of Prince Edward Island, has traditionally been seen as a decade of transportation and communication improvements, as well as of intercolonial union. In British North America, however, the decade also saw two major extraparliamentary movements for political change, on both the eastern and western flanks of the provinces that became Canada in 1867. One occurred in Prince Edward Island in the mid-1860s. The other took place in the Red River Settlement in 1869-70. Both involved jurisdictions that would join Confederation in the years shortly after Confederation.

At first glance Prince Edward Island and the Red River Settlement do not appear to have very much in common. But further reflection suggests that such a view would be greatly mistaken. In the first place, both jurisdictions were islands, historically insulated from the remainder of the continent and very much on the margins of Empire. We do not often think of Red River as an island, but it was indeed an isolated territory surrounded not by water, but by a veritable ocean of virtually unsettled land for hundreds of miles in all directions. The earlier communications problems that had afflicted Prince Edward Island, especially in winter, still beset Red River in 1869. It took a minimum of two weeks to get a message from the settlement to the nearest railhead and telegraph station, located in Minnesota, and a minimum of two weeks to receive a reply.

In the second place, both Prince Edward Island and Red River had a historic connection with Thomas Douglas, the Fifth Earl of Selkirk, the leading proponent of Highland emigration to British North America in the early years of the 19th century. Selkirk had placed his first Highland settlement on Prince Edward Island in 1803. It had been successful, and it proved extremely influential in the subsequent development of the Island. A few years later, Selkirk attempted to parlay his Island success into an even grander settlement scheme at the forks of the Red and Assiniboine Rivers. This scheme had not been a great triumph, although the "Selkirk Settlers" were by the late 1860s seen in Red River as its "Pilgrim Fathers". Selkirk

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had hoped to employ a Highland soldier residing on Prince Edward Island — Captain John MacDonald — as his first governor in Red River. Only when MacDonald refused to serve did Selkirk make the disastrous appointment of Miles Macdonell.

Perhaps even more profoundly, both Prince Edward Island and Red River had been subjected to the introduction of anachronistic European institutions at the time of their founding. In both cases the continuation of these anachronisms became a major grievance for the settlers. In the case of Prince Edward Island, the anachronism was a proprietorial system of landholding. The Island had been in advance of settlement distributed by lottery to proprietors who were expected to lease their lands to tenant farmers. Both the proprietorial system and the prevalence of leaseholding continued well into the 19th century, where they became the target of public demonstration and uprising. In Red River, the anachronism was a 17th-century trading company, which claimed by its charter sovereign ownership of all the land and a monopoly of all trade. The Hudson's Bay Company had always been uneasily involved with Red River, and it purchased ownership of the settlement from the Selkirk family in 1835. As a result, the Company administered the Red River Settlement — it never became a formal Crown "colony" — under its charter monopoly. The Hudson's Bay Company monopoly not only affected government, trade and the administration of justice, but it also had a profound and continuing influence on landholding patterns.

Thus in both Prince Edward Island and Red River, the critical public issue was intimately bound up in the question of land tenure and ownership. Sixty-one percent of Island land occupiers in 1861 were either tenants or squatters. Squatters could get legal standing either by 20 years' uninterrupted, uncontested occupancy, or by accepting a lease. Most leases were for 999 years, with the usual rent one shilling (sterling) per acre per year. Tenants had perpetual tenure if the rent was paid, but if it was not, they became liable to eviction, the spectre of all tenants. Many proprietors refused to sell freehold title to tenants, and they set high prices to discourage sales. In Red River, it was impossible to get documentary evidence of the tenures under which various settlers held their land. Some settlers had received grants in fee simple from Selkirk or his successors; a few others had bought land from the Selkirk estate. But most were subject to the deed offered by the Hudson's Bay Company after 1844. This document was not a deed in fee simple, but of 1,000 years peppercorn tenure, based upon a whole series of collateral prohibitions and obligations which amounted to a civic contract with the Hudson's Bay Company. The settler agreed not to evade the Company's trading monopoly or trade in furs or sell spirituous liquors. Settlers also agreed to contribute to the expenses of all public establishments and to help with roadworks for up to six days per year. They could not alienate any part of their land without the permission in writing of the Governor and Company. The deed was not valid if not registered in six months, and any violation of its terms abrogated the agreement and rendered the land subject to forfeit. By comparison with this feudal retrogression, leasehold in Prince Edward Island was quite straightforward. Not surprisingly, few Red River settlers applied for a deed, and most were regarded by the Company as simply squatters, as Sir George Simpson explained patiently to a parliamentary investigation in 1857. The Company also set artificially high prices for land under deed in outlying parts of the settlement, in an attempt to discourage the spread of population, which would be hard and expensive to govern.

Further complicating landholding in Red River was the question of aboriginal title.

The Company was prepared to regularize landholding only for two miles on either side of the Red and Assiniboine Rivers. This was the territory that Lord Selkirk had ostensibly purchased from the aboriginal inhabitants by treaty in 1817, a purchase that was disputed by the chiefs of the local tribes. The vast bulk of the population of the settlement, however, were mixed bloods, who claimed aboriginal rights to all the land of the West by virtue of their descent from the first inhabitants. One mixed blood spokesman in 1860 argued that "seeing no satisfactory arrangement has yet been made for the lands, I think it not unlikely that the 'Halfbreeds' of the country — representatives of the Crees and other tribes — might put in a good claim. They are natives; they are present occupants; and they are the representatives of the first owners of the soil, with whom...no satisfactory arrangement has ever been made".

Both Islanders and Red River settlers had attempted unsuccessfully to petition the Colonial Office for reform. But both the Island proprietors and the Hudson's Bay Company were too powerful to be undercut by local initiatives with popular support. In 1839 William Cooper on behalf of the Island's legislative assembly had gone to London to attempt to arrange for a court of escheat on the Island, but Lord John Russell had refused to see him. Subsequent legislative efforts in the early 1850s to gain royal assent for tenant compensation bills and taxes on the nominal rentals of landlords failed. In 1847 a petition signed by 977 Métis of Red River was brought by Alexander Isbister before Colonial Secretary Earl Grey. The petition had three requests. First, the petitioners asked to be governed according to the principles of the British constitution. Secondly, they wanted the liberty of trade which prevailed elsewhere in the Empire, so that they would not continue to be "reduced to a kind of slavery". (Prince Edward Island rhetoric also was filled with talk about "a kind of slavery".) Finally, they wanted land sold to new immigrants, with the proceeds used to improve transportation. "We are near the boundary line; we can go over to the neighbouring territory", the petition concluded, "but we admire the wisdom of the British Constitution, and we desire its privileges". A second document, generated by a committee of English-speaking mixed bloods, had as its first section "That several individuals are complaining that the Company have obliged them to pay for lands without giving them any contract in legal form, and in spite of their will, the officers of the Company retaining upon the wages of their servants the price of the same lands, which price has been placed, not in the municipal bank, but in that of the Company. Is it then, that the Company might have the property of the lands? This appears to us inseparably united to the rights of the Crown". Isbister simplified these two statements to one request: "That all lands sold to settlers should be legally secured to them". This was the first of a whole series of Red River attempts to become a Crown Colony, all of which were ignored by the Colonial Office.

If there were underlying similarities between the situations of Prince Edward Island and Red River in the 1860s, there were also more similarities between the popular uprisings of that decade than might have been imagined. In both places Confederation lurked in the background of the popular agitation. On the Island at the same time that the Tenant League was emerging popular sentiment was mounting against the idea of union with Canada. Islanders recognized that, given the small population of the colony, it was unlikely to have much clout in the new union. There was little or no evidence that Canada would be helpful in solving the Land Question, which seemed far more pressing than union. In Red River, of course, the settlement

had been sold as part of Hudson's Bay Company territory to the government of Canada in 1869. The local inhabitants had not been consulted or even informed about the transfer, and they understood quite correctly that they were to be governed initially as a colony of Canada. Red River was to enter Confederation, but hardly on its own terms.

Whatever the political resonances, land rights were clearly at the heart of both popular uprisings. A land commission had reported unanimously in 1861 on the Land Question on Prince Edward Island, recommending that most tenants be given the right to purchase their leaseholds from landlords, with long-term arrearages forgiven. To settle the purchase price, the commission advised a form of compulsory arbitration. The proprietors convinced the British government to reject these recommendations. Instead, 12 proprietors agreed to allow the Island legislature to pass a Fifteen Years Purchase Bill in early 1864, which set a price (15 years rent plus arrears) popularly regarded as much too high. Frustrated with the conventional political process, Island farmers organized the Tenant League on 19 May 1864. Its goal was to end the leasehold system by extrapolitical means, mainly through organized withholding of rentals and social ostracism. The pledge taken by League members was "to resist the distraint, coercion, ejection, seizure and sale for rent and arrears of rent".

In Red River, the Métis had began their opposition to the Canadian takeover by forcing the Canadian surveyors, who had begun surveys of land before the actual transfer to Canada had occurred, to cease their operations. The Company's governor in the settlement had already warned his superiors that "It is unfortunate that any Survey should be commenced till the Canadian Government was in authority here, as the whole land question is fruitful of future troubles which it will take much time and great labour to settle". He added, "I expect that as soon as the survey commences the Halfbreeds and Indians will at once come forward and assert their right to the land and probably stop the work until their claim is satisfied". When John S. Dennis, the head of the Canadian survey team met on 1 October 1869 with a spokesman for the Métis, a young man named Louis Riel, the discussion revolved around the intentions of the Canadian government regarding the extinction of Indian title and the disposition of the land already occupied within the Red River settlement. Riel did not accept Dennis' assurances that the Canadian government sought only to provide proper deeds for occupiers. The Métis soon organized a "national committee", and because of the unusual circumstances of the takeover, their resistance became much more general. The insurgents blocked the arrival of the new Canadian officials (leading Canada to refuse to take possession of the territory until it was pacified), organized a provisional government, and eventually negotiated with Canada for their rights.

As was usually the case in 19th-century British North America, in both Prince Edward Island and Red River the system of law enforcement quickly proved incapable of coping with popular protest movements. The problem was that there were few professional policemen, and those temporarily conscripted often supported the protesters. At the first signs of armed resistance, the government of the Island requested British soldiers, since it feared that local volunteers and militia were too sympathetic to the Tenant League. The British military authorities at Halifax were reluctant, but two companies of troops were sent. The presence of the military, Ian Robertson reports, killed the Tenant League as a formal organization. The British military had also been employed on several occasions by the Hudson's Bay Company,

most notably in 1846 when a regiment of Royal Canadian Rifles had been dispatched to Red River to keep the local population of Red River under control. But there were no troops in Red River in 1869, and those dispatched in 1870 ended up more as an army occupying the territory than as a force serving only to assist the civil authorities.

Finally, both of these movements of extraparliamentary political resistance were at least qualified successes. Did the Tenant League help to achieve the rapid demise of leasehold tenure on Prince Edward Island? Most Island historians and many contemporaries have implicitly argued that it did not, by virtually ignoring the League as an important factor in Island politics. Ian Robertson's case is circumstantial, but convincing. The leasehold system was not disappearing of its own accord, and indeed in 1864 the Island was only reaching the point when leasehold would become really economically attractive to landlords. A number of critical estates were sold to tenants during the heyday of the Tenant League agitation, probably less because of direct pressure than because the landlords could themselves see the long-term difficulties of asserting their rights in the face of organized public opinion. In Red River, the Métis uprising was at first glance much more demonstrably successful. The provisional government headed by Louis Riel sent delegates to Ottawa in the spring of 1870, who successfully negotiated the entrance of Red River into Confederation as the province of Manitoba, with a substantial land reserve set aside for the Métis. Such a resounding success was only superficial, however. Canada took possession of its new province at the point of a gun, backed by an army. Riel and the other leaders of the provisional government were not allowed to become the leaders of the new provincial government, but were instead hounded for years by the authorities as fugitives from justice because of their involvement with the execution of Thomas Scott. The Métis land reserves became a quagmire of political controversy. Within 15 years the Métis were again challenging Canada in armed rebellion, this time with visibly tragic results.

Despite some very real underlying similarities the ultimate shape of the popular uprisings in Red River and Prince Edward Island proved to be quite different. The reasons for these differences are complex, but are clearly related to three points: perceptions of the nature of "the people" in the two jurisdictions; questions of leadership; and real differences in the employment of violence in the two movements.

Although it is not a point that he makes explicit, it is clear from Robertson's account that the popular uprising on Prince Edward Island — unlike its counterparts in Ireland, Scotland and indeed Red River — was not linked with any "national" aspirations by those who were involved. Certainly in both Ireland and Scotland, the Land Question had become inextricably connected with what some scholars have labelled "romantic nationalism". Landholding patterns in the Celtic portions of the British Isles were intimately bound up with culture, language, political rights and ancient traditions. On Prince Edward Island, landholding patterns were pretty much perceived as simple economic exploitation by a tenantry which had the vote and which did not represent a single ethnic or confessional group. There appears to be no evidence that the Tenant League or its members had any cultural, linguistic or political aspirations beyond the achievement of freehold tenure. There was not even any public invocation of the distinctiveness of the Island. Certainly the Red River Métis, in contrast, did conceive of themselves as a historic people, and their resistance was, curiously enough, more comparable to Irish and Scottish protest of the 19th

century than was the very limited agenda of the Tenant Leaguers. The Métis were not entirely united in religious and cultural terms, but they certainly saw themselves as a distinct people, a "nation", and their protest had profound political overtones quite apart from the peculiar power vacuum in which they found themselves able to operate.

One suspects that a large part of the difference in the leadership component of the two extraparliamentary movements is related to their quite disparate aspirations. The Tenant League's goals were sufficiently modest that it could operate on the basis of a leadership without major commitment or visibility. A ten-member Central Committee appears to have been headed by three individuals who were not tenant farmers, but none were particularly prominent, either as Island residents or League leaders. The secretary, Alexander McNeill, gained publicity because he was a schoolmaster who came under attack by the Board of Education for his Tenant League involvement; he ultimately disavowed his support of the League. George F. Adams appears to have left the Island by the time of the 1866 elections. When the Island government sought to suppress the organization, it was difficult to establish who actually was in charge. In Red River, on the other hand, a charismatic leader had quickly appeared in the person of Louis Riel. At first Riel had operated behind the scenes, using a Métis named John Bruce as a front man. But by the time of the creation of the first provisional government in December 1869, Riel had emerged as president. His power grew substantially over the following months, backed as it was by the only organized armed force in the settlement.

The whole question of the use of force and recourse to violence ultimately appears quite different on Prince Edward Island than in Red River. To some extent these appearances are deceptive. It is true that the worst personal violence that Tenant League supporters ever produced was the broken arm of a deputy sheriff. Islanders pulled back from serious bloodshed. Their display of arms and manifestations of force were highly ritualistic. As Robertson notes, "No one on either side during the Tenant League disturbances appears at any time to have fired a weapon with the intent of hitting someone". Interestingly enough, despite a good deal of military posturing, the same observation could almost be made about Red River. Small armies marched back and forth across the territory, men were arrested and imprisoned, and executions were threatened. But virtually no serious injury had been done to anyone on any side until that fateful day in March when Thomas Scott was executed. An escaped prisoner got frostbite and lost some toes. A young man was shot by a prisoner attempting to escape confinement at Kildonan in February and later died. His parents successfully pleaded with the settlement not to make the death the occasion for a bloodbath. His killer was roughed up by the crowd which speedily recaptured him, and he too subsequently died. Most contemporaries regarded these two fatalities as accidental rather than calculated, and in any event they were incidents away from the main flow of the action. It was upon the death of Thomas Scott that all attention became focused. Scott's execution led directly to the outlawing of Louis Riel and excused — in the minds of many Ontarians — the fairly heavy-handed military occupation of Red River in the late summer of 1870.

In a sense, the Island attitude towards violence to some considerable extent explains the public over-reaction to the death of Thomas Scott. A ritualistic treatment of violence really was the norm in both disturbances. Occasionally ritual got a bit out of hand, and it was only fortuitous that no lives were ever accidentally lost in the

melees surrounding the Tenant League agitation, as they were in Kildonan in February 1870. But deliberate killing was different. Thomas Scott himself probably put his finger on the key point when he told one eyewitness, "This is a cold-blooded murder" and exclaimed to another, "This is horrible! This is cold-blooded murder. Be sure to make a true statement". For the "murder" of Scott, Ontario and the Canadian government could never quite forgive Louis Riel and the provisional government. Riel died in 1885 as much or more because of Scott than because of Duck Lake.

Two islands, two "successful" popular uprisings in British North America in the era of Canadian Confederation. One of the uprisings is virtually unknown; the other has been much misunderstood. Together they can tell us a good deal more about the margins of the new nation than most Canadian historians have ever suspected.

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