

RECONSIDERING CONFEDERATION: Canada's Founding Debates, 1864-1999
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Creating New Provinces: Saskatchewan and Alberta

BILL WAISER

Bringing the Prairie West into Confederation was a decades-long struggle that must be understood as a contested process right up until the 1905 creation of the provinces of Saskatchewan and Alberta. The creation of the new western provinces is consequently not simply a story of achievement or celebration, but rather a protracted, at times acrimonious, experience.

Canada Acquires the North-West

The question of Western Canada's entry into Confederation actually had its formal beginnings in 1857, when the British government struck a select committee to consider whether the Hudson's Bay Company should continue to administer and govern Rupert's Land (the land that drained into Hudson Bay) in response to the company's request for a renewal of its exclusive trading privileges in the region (granted by royal charter in 1670). The Province of Canada (Canada East [Quebec] and Canada West [Ontario]) participated in these deliberations by sending a representative to the committee hearings. Since the late 1840s, Toronto *Globe* publisher George Brown had derided the HBC and its charter for standing in the way of westward expansion from the confines of the lower Great Lakes.¹ What lay behind this campaign against the HBC was the urgent need for Canada West to expand. The province, hemmed in by the Canadian

Shield to the north, was running out of agricultural land; if it was not going to stagnate and see its booming population siphoned off by the United States, then its boundaries would have to expand westward beyond Lake Superior. The answer lay to the North-West and the plains of the western interior. Once dismissed as a frozen wilderness, Canadian expansionists extolled the region in the 1850s as an agricultural Eden that would serve as the new home for thousands, maybe even hundreds of thousands, of farmers and provide a profitable western market for the Toronto business community.² Brown and other Reform (Liberal) members of parliament insisted that Canada was the rightful heir to Rupert's Land because the Montreal-based fur trade, especially the North West Company, had been active in the western interior for almost a century, and that this claim had not been extinguished in 1821 when the NWC joined with the HBC.³

The British select committee concluded that "it is essential to meet the just and reasonable wishes of Canada" to provide for the annexation of territory in the southern reaches of Rupert's Land.⁴ This recommendation suggested that the way was clear for Canada to take over the western interior. That transaction, though, was still more than a decade away. Annexing the North-West necessarily meant a new political arrangement—namely, representation by population—that would undermine the equal representation of Canada West (Ontario) and East (Quebec) in the united parliament. Confederation of the colonies of British North America had to be achieved first, with adequate constitutional protections for the future province of Quebec, before expansion westward could become a reality. Even then, some Canadian political leaders were uneasy about assuming responsibility for so much territory—a land empire that would have enlarged the Canada of 1867 by seven times.⁵ Conservative leader John A. Macdonald and his largely Montreal-based supporters subscribed to the old commercial empire of the St. Lawrence, while the drive to settle the British North-West was a Reform plan, spearheaded by George Brown, in order to satisfy Toronto's economic ambitions.⁶ If the Great Coalition of 1864 was to bring about constitutional renewal in place of deadlock, then territorial expansion into the western Prairies had to be a planned feature of the Confederation deal. Section 146 of the 1867 BNA Act provided for the future admission of the British North-West.

Canadian negotiators finally sat down with the HBC directorship in London over the winter of 1868-69. No representatives from Rupert's

Land, including First Nations and Métis Peoples, were consulted, let alone invited to participate. Discussions soon reached a stalemate, largely over Canada questioning whether the company actually owned the territory in question. At this point, British Colonial Secretary Lord Granville, acting as an intermediary, forced a settlement on the two parties. The HBC agreed to surrender its charter rights to Rupert's Land in exchange for £300,000 compensation from the Canadian government. Canada, in return, secured title to Rupert's Land and the British North American mainland that was not drained by Hudson Bay, officially known as the North-Western Territory (literally northwest of Rupert's Land).

Dominion Rule Absolute in the North-West Territories

By occupying and developing the North-West, expansionists insisted that Canada would become stronger, more powerful, but most of all, more secure on a continent now dominated by the aggressive United States. It was therefore imperative that the West be settled and developed as quickly as possible—even if that process conflicted with the interests of the local Indigenous population.⁷ Nor could this task, given the singular importance of the region to Canada's success, be handed over to any territorial or provincial government. Federal oversight, particularly the administration of western lands and resources, was a “national necessity.”⁸ The transfer consequently represented a new beginning in the history of the western interior.

At the same time, despite all the rhetoric about Canada's new western empire and how it would provide the means to greatness for the young dominion, the Conservative government of John A. Macdonald did the minimum possible to incorporate the region into Confederation. Canada planned to assume control of the three-million-square-mile territory on 1 December 1869 by means of a temporary government based in Red River. But the Red River Métis, led by Louis Riel, resented the lack of consultation and forced Ottawa to negotiate the entry of the region into Confederation. The 1869–70 Red River Resistance foiled the Canadian intention to treat the vast land transfer as little more than a simple real estate transaction. It did not, however, prevent the federal government from directing western settlement and development over the next few decades. Manitoba may have joined the dominion as Canada's fifth province on 1 July 1870, but it

was kept deliberately small. It also did not exercise control over its public lands and resources, a provincial right enshrined in the 1867 British North America Act and enjoyed by all other provinces at the time. Instead, Manitoba had to depend on annual federal subsidies that did not always keep pace with the demands of provincial settlement and development.

The North-West Territories, meanwhile, became a separate federal territory in 1870 (sections 35 and 36 of Manitoba Act), but beyond that, “effective government remained almost completely unknown.”⁹ Some might reasonably have wondered whether the imperialism of the HBC had simply been superseded by that of the government of Canada, especially since the territorial government was located outside the region in Winnipeg and headed by the lieutenant-governor for Manitoba. There was not even provision for territorial government staff. The Alexander Mackenzie Liberal government tried to correct some of these deficiencies in the 1875 *North-West Territories Act* (approved 8 April 1875; effective 7 October 1876) by providing for a separate government, based in the territories, and elected council members as the newcomer population increased. But territorial government still offered limited representation and limited voice in running the affairs of the region. It could not, in any sense, be considered responsible government.

Canadian administration of its new western frontier in the second half of the century was based on the desire for order and stability—a desire to implant the best features of British civilization on the northern plains. This vision could only be realized, though, if the defining values and principles of the new society were imposed from outside. There was no allowance for local or democratic initiatives, no recognition that the Indigenous Peoples of the region might foresee a different future. Backing this Canadian plan, moreover, was a supreme confidence—bordering on arrogance—that the re-making of the region would proceed smoothly, if not quickly.¹⁰

The incorporation of the North-West Territories into Confederation was to be achieved through a handful of federal initiatives—collectively known as the national policies. Ottawa arranged for the surveying of the land, established a mounted police force, chartered a transcontinental railway, introduced a protective tariff to promote east-west trade, and negotiated treaties with western First Nations. All of these settlement and development policies encountered problems and/or challenges. The

federal government believed that it knew what was best for the region—that it alone could determine and shape its future—and consequently treated the North-West Territories as little more than a colony with attendant consequences.¹¹

Negotiating with the First Nations

Ottawa had no immediate plans to negotiate treaties with those First Nations bands living west of the new province of Manitoba. The Cree consequently took matters into their own hands—stopping a telegraph construction crew and turning back a Geological Survey of Canada party—and forced Canada to deal with them.¹² If the dominion wanted to guarantee the peaceful, orderly settlement of the region, then Ottawa had to reach an agreement with the Cree for their lands—sooner rather than later. But it drew the line at negotiating with bands from the boreal forest region whose lands were considered unsuited for agriculture.

In making the Numbered Treaties with western First Nations (Treaties 1–7 between 1871 and 1877), Canada was following a British tradition that had been established by the Royal Proclamation of 1763. In recognition of the important role that First Nations had played as allies in the military struggle between Great Britain and France, the British promised not to allow agricultural settlement of First Nations territory until title had been surrendered to the Crown by means of treaties. This policy of negotiating through the Crown for First Nations lands had been followed, albeit imperfectly, in the late eighteenth and early nineteenth centuries and had become well-entrenched by the time Canada acquired its North-West empire in 1870.¹³ The motives underlying the process, though, had changed. Whereas British military officials had been anxious to secure and maintain Indigenous allies in their struggle with an aggressive, expansionist United States, Canadian civil authorities now wanted to avoid costly so-called “Indian” wars over western lands. In other words, negotiation was the cheaper course of action. The merits of this policy were clearly borne out by the experience south of the border, where the United States spent more money fighting Indian wars in 1870 than the entire Canadian budget for the year.¹⁴

The treaty process was also imbued by an imperialist ideology which held that First Nations Peoples would inevitably vanish as a distinct race in

the face of the white man's "superior" civilization, and that it was Canada's duty to remake them into loyal subjects of the Crown. This notion that the Cree and other groups faced certain extinction unless saved by Canadian humanitarian efforts did not jibe with reality. Although the Cree faced a number of difficulties in the early 1870s, they were not a defeated or doomed people. They not only practiced an opportunity-based economy, exploiting a range of resources from season to season and from district to district, but were also an extremely dynamic, resilient people who had faced similar challenges in the past and adapted accordingly. The Cree saw themselves as equals in their dealings with Canada and were prepared to negotiate in order to guarantee their future security and well-being in the region as an independent nation. They had no interest in or need for a Canadian crutch. They recognized, though, that the rapid decline of the bison necessitated a shift to agriculture in order to compete with newcomers. Indeed, they regarded an alliance with the Crown—similar to the relationship that they had enjoyed with the HBC in the past—as the best hope of restructuring their economy.¹⁵

The agreement negotiated at Fort Carlton in August 1876 was the sixth of seven numbered western treaties (from present-day southern Manitoba west to the Alberta foothills). Treaty No. 6 covers some 120,000 square miles in present-day central Saskatchewan and Alberta—lands crucial to Canada's westward expansion. It is also one of the few treaties where the First Nations' perspective has been documented—in this case, by Métis interpreter Peter Erasmus who had been hired by Cree leaders Mistawasis and Ahtahkakoop. The treaty deliberations proved to be a long, at times protracted, process because First Nations negotiators insisted on better terms than those offered in the formal treaty and tried to build on the concessions that had been won in previous agreements. The treaty commissioners, in turn, were under strict orders to concede as little as possible to First Nations and not make any additional or "outside" promises to the original terms. Securing the consent of First Nations leadership, however, was neither straightforward nor certain.

Treaty No. 6 negotiations got underway in mid-August 1876 at a traditional camping area, known to the Cree as *pehonanihk* or the waiting place, about a mile from Fort Carlton. There were no photographers present for this momentous event; in fact, despite the widespread use of the camera during this period, no photographs exist of any of the treaty

meetings in the 1870s. From the start, Indian Commissioner Alexander Morris, accompanied by a North-West Mounted Police escort, assured the assembled Cree that the Queen, the so-called “Great Mother,” was genuinely concerned about their welfare and future well-being. “My Indian brothers,” he began, “I have shaken hands with a few of you, I shake hands with all of you in my heart.” He also implored First Nations leaders to take his words seriously and to think of the future: “what I will promise, and what I believe and hope you will take, is to last as long as that sun shines and yonder river flows.”¹⁶

Commissioner Morris, who was also the lieutenant-governor of the North-West Territories and Manitoba, told the Cree that the Queen had no intention of interfering with their traditional form of making a living by hunting, fishing, and gathering. Such activities were guaranteed for future generations. He pointed out, however, that the wild game was disappearing and that First Nations Peoples had to learn how to grow food from the soil if they were to provide for their children and their children’s children. To facilitate this transition to farming, the Canadian government would set aside reserve lands for each band based on the formula of one square mile for every family of five. He then listed the specific agricultural items—from tools and implements to animals and seed—that would be given to the bands to help them become farmers. He also emphasized the cash payment that every man, woman, and child could expect to receive for the life of the treaty. And he promised special gifts for the chiefs and headmen. These presents included symbols of the new order: treaty uniforms, silver medals, and a British flag. “I hold out my hand to you full of the Queen’s bounty,” Morris concluded, “act for the good of your people.”¹⁷

Mistawasis and Ahtahkakoop, the two leading Carlton chiefs, responded that they needed time to discuss the treaty among themselves. The detractors, who were given the opportunity to speak first at the First Nations leadership’s private council, acknowledged the hardship caused by the disappearance of the bison, but placed little faith in agriculture: to trade their land for an uncertain future was an admission of defeat. Mistawasis, on the other hand, could see no other future for his people. “Have you anything better to offer our people?” he directly challenged those who opposed the treaty. “I ask, again, can you suggest anything that will bring these things back for tomorrow and all the tomorrows that face our people?” He went on to argue that the bison would soon disappear and

Pîhtokahanapiwiyn Poundmaker
Cree First Nations Leader (later Chief)

19 AUGUST 1876



“

This is our land! It isn't a piece of pemmican to be cut off and given in little pieces back to us. It is ours and we will take what we want.

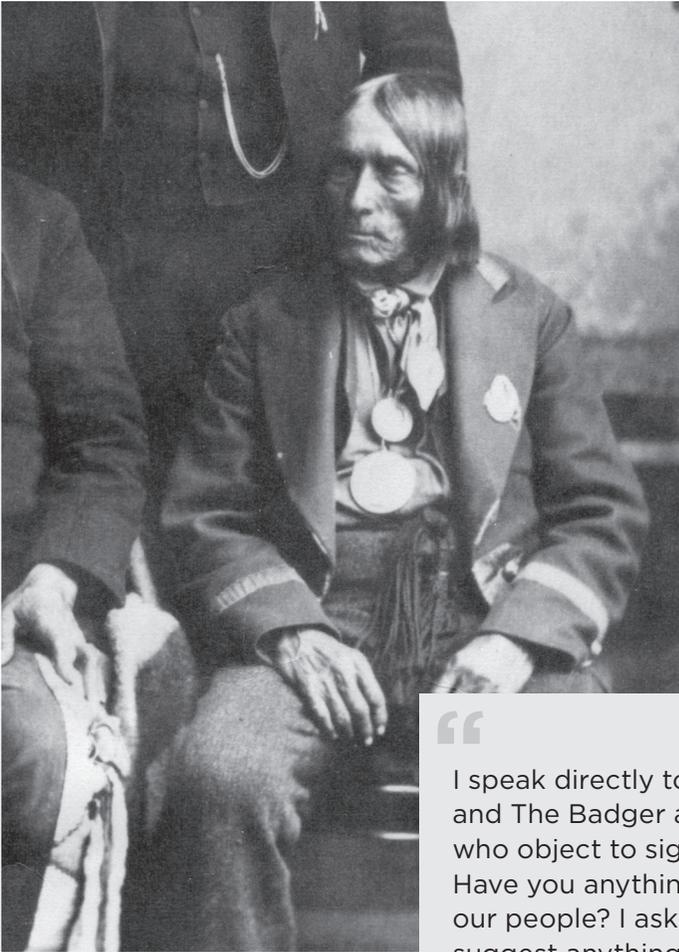
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CONFEDERATION QUOTE 9.1

Quotation from Peter Erasmus,
Buffalo Days and Nights, Calgary:
Glenbow-Alberta Institute, 1976, page 244
Photograph by O.B. Buel, from Library and
Archives Canada, C-001875

Mistawasis (Big Child)
First Nations Chief

21 AUGUST 1876



CONFEDERATION QUOTE 9.2

Quotation from Peter Erasmus,
Buffalo Days and Nights, Calgary:
Glenbow-Alberta Institute, 1976, page 247
Photograph from Saskatchewan
Archives Board, R-B2837

“

I speak directly to Poundmaker and The Badger and those others who object to signing this treaty. Have you anything better to offer our people? I ask, again, can you suggest anything that will bring these things back for tomorrow and all the tomorrows that face our people?

”

that the treaty offered the best protection against future uncertainty. "I for one will take the hand that is offered," he concluded. Ahtahkakoop also voiced his support. "Let us not think of ourselves but of our children's children," he argued. "Let us show our wisdom by choosing the right path now while we yet have a choice."¹⁸ This right path, according to the Cree leader, was the adoption of agriculture. There was no reason that they could not make a living from the soil, especially when the Queen's representatives promised assistance and instruction.

When the negotiations resumed, Commissioner Morris warned the First Nations leaders that his time was limited. Poundmaker then stepped forward and stated that while his people were anxious to make a living for themselves, he wanted assurances that they would receive adequate help when needed. This request clearly went against what the government was prepared to do at the time. It was also generally assumed that First Nations peoples would be able to learn how to farm fairly rapidly and that the bison would be around long enough to smooth the transition to agriculture. Morris consequently refused, insinuating that the real problem was Indigenous laziness. "I cannot promise . . . that the Government will feed and support all the Indians," he replied. "You are many, and if we were to try to do it, it would take a great deal of money, and some of you would never do anything for yourselves." The Badger then attempted to clarify their motives: "we want to think of our children; we do not want to be too greedy; when we commence to settle down on the reserves that we select, it is there we want your aid, when we cannot help ourselves and in case of troubles seen and unforeseen in the future." When Morris countered that the Cree had to trust the Queen's generosity, Mistawasis responded: "it is in case of any extremity . . . this is not a trivial matter for us."¹⁹

This request for famine relief was one of several counter-demands presented to Morris. The list also included additional tools, implements, and livestock; a supply of medicines free of charge; exemption from war service; the banning of alcohol; and schools and teachers on the reserve. Realizing that the negotiations were in danger of collapse, Morris granted most of the new demands. He agreed, for example, that a medicine chest (medical supplies) would be kept at the house of each Indian agent. He also promised, albeit reluctantly, to add a clause to the treaty providing famine assistance. The Alexander Mackenzie administration later criticized these terms for being too generous. But it is difficult to deny that the

treaty, which settled First Nations claims to several thousand square miles of rich agricultural land, was a good bargain for Ottawa. The majority of the Cree chiefs and headmen, on the other hand, realized they had to adjust to new circumstances and affixed their mark to the revised treaty on the understanding that the Great Mother and her representatives would keep a “watchful eye and sympathetic hand.”²⁰ The references that Morris made to family and kin, then, were not just empty rhetoric to the Cree participants who valued the spoken word. They fully expected and looked forward to a beneficial and meaningful relationship with the Crown.²¹ Little did they realize that the House of Commons had passed the Indian Act in April 1876 that essentially defined First Nations as wards of the state.

Western Grievance Fuels Drive for Constitutional Reform

By the early 1880s, the white settler population was disillusioned, if not thoroughly frustrated, with the federal government and the ponderous pace towards responsible government and eventual provincehood for the North-West Territories. Those Anglo-Canadians who emigrated West in the 1870s and early 1880s had come from a tradition where they enjoyed a popular interest in political affairs and exercised a voice in governing themselves. The reality was a NWT lieutenant-governor who not only had sole control over the territorial budget, limited as it was, but exercised wide discretionary power over many other territorial matters. The 1875 NWT Act did allow for elected representation on the council, but not until there were one thousand people in a district. It was consequently not until 1880 that Lorne, the first electoral constituency in the future province of Saskatchewan, was created in the Prince Albert area. It could actually have been worse. In 1880, Ottawa floated the idea of removing the capital to Winnipeg. Even though it never happened because of a storm of regional protest, the proposal underscored the federal government’s obvious contempt for territorial government.²² Westerners, in turn, complained that federal promotion of immigration and settlement—spoken in terms of the region’s importance to the future prosperity of the dominion—was not being materially supported by the building of infrastructure or the provision of government services.

After the 1885 North-West Rebellion, the campaign for a different political arrangement within Canadian Confederation became essentially a

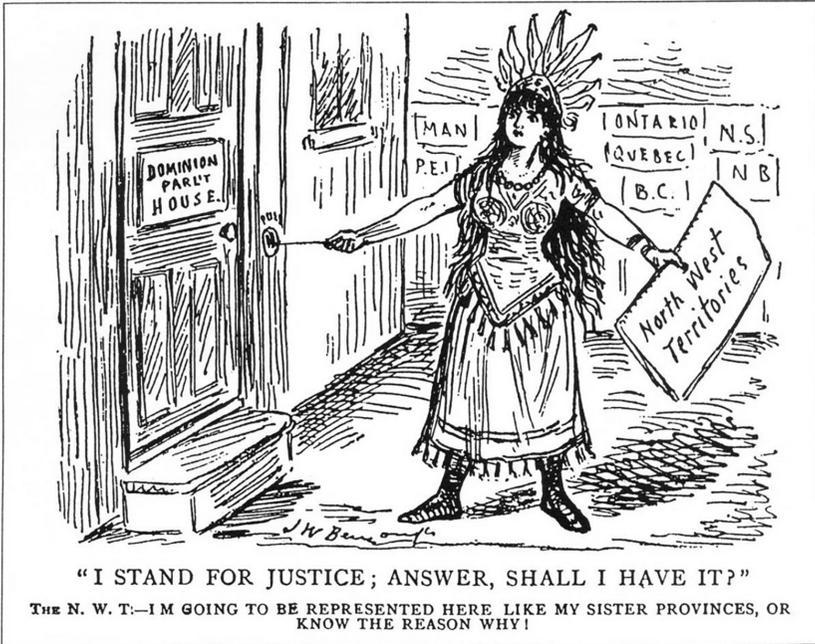


Fig 9.1 The North-West demanding "justice" for the North-West. *The Grip*, November 1883.

white settler movement. Indeed, a new relationship between the territories and Ottawa seemed to be in the offing when the region finally secured parliamentary representation in 1886—a unanimous four seats in the 215-seat House of Commons and two Senate members. There were also more elected members on the Territorial Council—fourteen in 1885—but the lieutenant-governor still administered the federal appropriation. Then, in 1888, the *North-West Territories Act* was finally amended to create a legislative assembly of twenty-two elected members. At best, it was a half-measure. There was still no executive cabinet drawn from the assembly and no assembly control of the annual federal grant.

Territorial politicians did, however, take steps to reinforce the Anglo-Canadian character of the region by trying to do away with French language and separate school guarantees. French had been employed in territorial government business as early as 1874 when the NWT Council

published a consolidation of its ordinances in both French and English. But it was not given official recognition in the 1875 *North-West Territories Act*. Nor did the Alexander Mackenzie government plan to include French language rights in the 1877 modifications to the act until Francophone Marc-Amable Girard, a former Conservative premier of Manitoba, introduced an amendment during the third reading of the bill in the Senate that called for the use of either French or English in territorial debates, council publications, and territorial courts. This last-minute amendment passed without division—but not before Interior Minister David Mills sarcastically observed that since “almost everyone in that part of the country spoke Cree . . . [it] should be chosen for that purpose.”²³ Separate schools, by contrast, were part of the 1875 NWT Act. The religious minority in any district (Catholic or Protestant) could establish a separate school and support it through self-assessment. This system was formalized by the Territorial Council in 1884 through the establishment of a board of education with distinct Roman Catholic and Protestant sections responsible for the supervision of their own schools. An unusual feature of the ordinance was that the public school in a school district could be either Catholic or Protestant, depending on the religious majority, and that the separate school was formed by the minority.

These aspects of territorial life had generated little controversy—hardly any comment—up until 1885. But any toleration quickly evaporated after the rebellion as the Anglo-Canadian majority moved to affirm the British character of the North-West. The general mood was that separate schools and the use of French had been foisted on the region by Ottawa and were not representative of the wishes and interests of the dominant society. There was also a widespread belief that French Canadians had failed the country because of their sympathetic support of the Métis “traitor” Riel, while Roman Catholics could not be trusted because they owed their allegiance to Rome and the Pope.²⁴ The territorial government in Regina was expected to set things right. “One nation, one language” should be the territorial motto, urged the Qu’Appelle *Vidette* in 1888, and the surest way to promote a unity of purpose and a true national identity was to abolish the use of French in the government, the courts, and schools. Legislators responded in 1889 by preparing two petitions to parliament—one calling for the repeal of French as an official territorial language, the other the repeal of separate schools. During the debate over the resolutions, the vocal

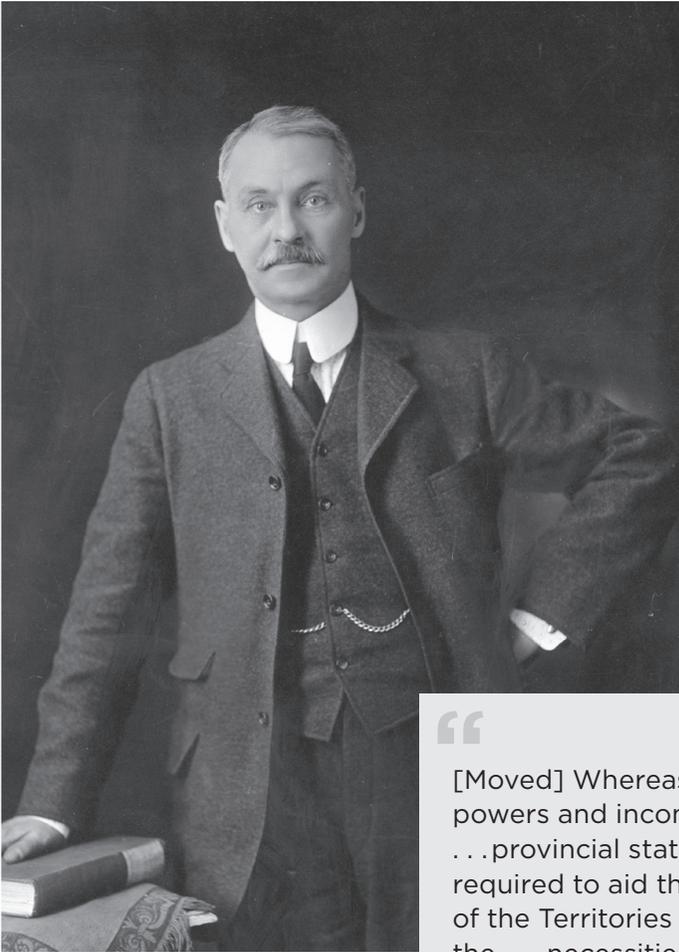
majority questioned the legitimacy of official bilingualism and separate schools, repeatedly pointing out that local opinion had never been taken into consideration. Those few brave enough to oppose the measures countered that French had been a distinctive feature of the North-West since fur trade days. Nothing was done at the federal level, though, because politicians in Ottawa were already grappling with the thorny Manitoba schools question and did not want more controversy. The simmering issues were simply dropped back in the lap of the territorial government, effectively leaving it up to Regina to take action. That it did in early 1892, when the territorial government passed resolutions abolishing the official use of French and discontinuing the religious control of schools in favour of a single government-run Council of Public Instruction (replaced by a Department of Education in 1901).²⁵

What the language and school controversy demonstrated to westerners was that the Regina government lacked political independence in keeping with the British parliamentary system. In fact, it had reached the point by the late 1880s, in the words of a Qu'Appelle merchant, where the region was “not prepared to accept dictation from Ottawa.”²⁶ There had been several steps towards responsible government since the 1877 *North-West Territories Act*. But westerners objected to the glacial pace—and the fact that Ottawa had to be repeatedly prodded. What ultimately brought the campaign for constitutional reform to a successful conclusion was the election of Wilfrid Laurier Liberals in 1896. When responsible government finally took effect the following year (1 October 1897), Frederick Haultain was appointed the territory's first and only premier. He quickly found, though, that having control over government spending did not mean much if the legislature did not have much to spend, especially since any revenue from North-West lands and resources went to the federal treasury.

This financial need became more acute with the immigration and settlement boom of the late 1890s. Now that the United States had exhausted its homestead land, the great agricultural promise of the Canadian North-West was finally being realized—albeit, almost three decades late—and the territorial government simply did not have enough money to meet the growing service and infrastructure demands. There appeared to be only one solution. In May 1900, the territorial government submitted a petition to the Laurier government reviewing the constitutional evolution of the

Frederick William Alpin
Gordon Haultain
Premier, NWT

4 APRIL 1902



CONFEDERATION QUOTE 9.3
Quotation from Northwest Territories,
North-West Legislative Assembly,
4 April 1902
Photograph from Saskatchewan
Archives Board, R-B446

“

[Moved] Whereas the larger powers and income incidental to . . . provincial status are urgently . . . required to aid the development of the Territories and to meet the . . . necessities of a large and . . . increasing population. Be it resolved, that this House regrets that the Federal Government has decided not to introduce legislation . . . granting provincial institutions to the Territories.

”

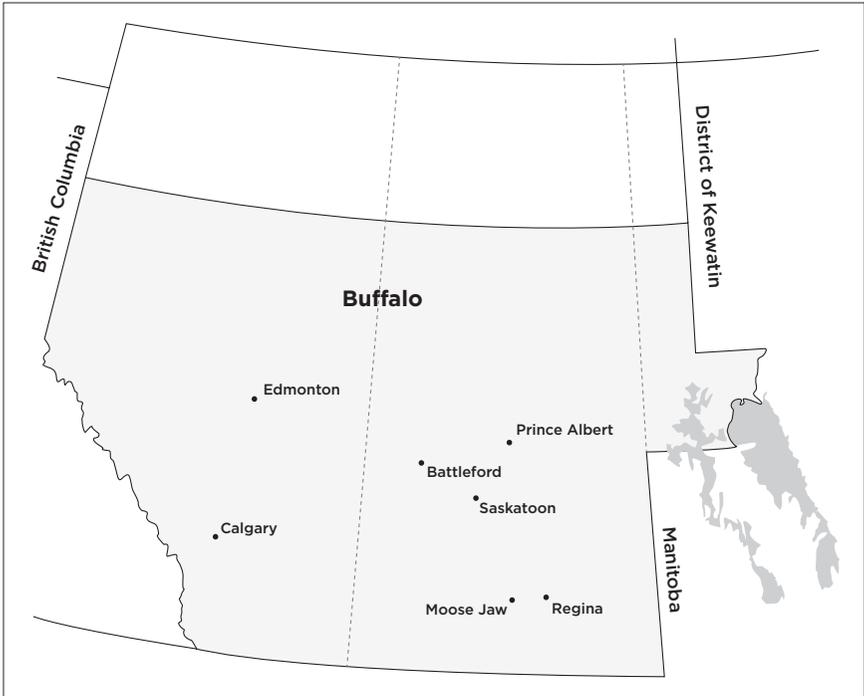


Fig 9.2 The proposed province of “Buffalo.” Reproduced with permission from Bill Waiser, *Saskatchewan: A New History* (Calgary: Fifth House, 2006).

region and calling for the next logical step—namely, drafting the terms for provincehood. Ottawa turned down the request as premature, a position it repeated twice more in response to similar petitions.²⁷

One of the stumbling blocks to finding common ground was Premier Haultain’s dream of one large western province, to be called “Buffalo,” between Manitoba and British Columbia and the 49th and 54th parallels.²⁸ Some argued that a western super province would upset the balance of Confederation, while others insisted that the territorial provisional districts (created in 1882 for administrative purposes) should be provincial material. Calgary, for example, had ambitions to be a territorial capital—as did Prince Albert. What also made Liberal negotiation with Haultain difficult was his decision to actively campaign on behalf of the federal Conservative party in the 1904 general election. It was a serious lapse in judgement and one that crippled his future political career. From his first

days in territorial government, Haultain's strategy for securing concessions from the federal government was to adopt a non-partisan approach and speak with a single, territorial voice. Unfortunately, he had become so disillusioned with the Liberal government's intransigence that he cozied up to federal Conservative leader Robert Borden who not only promised provincehood for the West, but local control of lands and resources. These actions turned the autonomy question into a party issue—ironically, something that went against Haultain's own philosophy of putting territorial interests before political considerations.²⁹

Securing Provincehood

By January 1905, the prime minister could no longer hold off autonomy because of the unparalleled success of federal immigration policy and invited Haultain to Ottawa to discuss the entry of the region into Confederation. The territorial leader outlined his vision of a single province with full constitutional powers. But the federal government had other plans and was confident of western support, especially given the strong Liberal showing in the November 1904 general election (seven of the nine territorial seats in the House of Commons were held by Liberals). Prime Minister Laurier personally introduced autonomy bills to create two roughly equal, north-south provinces, Saskatchewan and Alberta, on 21 February 1905.

The tabling of the two autonomy bills precipitated the longest debate in Canadian parliamentary history. It was so acrimonious that the date of entry for the new provinces had to be pushed back two months—to 1 September 1905—because the legislation did not receive royal assent until after the original entry date had passed. The source of the furor was the educational clauses. In the draft bills, the ambiguous phrase, “existing system,” suggested that Laurier wanted to revive the old territorial dual school system and thereby secure legislative protection for Catholic minority rights. Members of the House on both the government and opposition benches reacted angrily to this seemingly blatant attempt to turn back the clock on educational matters, when the largely Protestant population of the territories had been moving towards secular education and public schools. Faced with a spiraling crisis—including the abrupt resignation of his Interior minister Clifford Sifton—that threatened to tear apart the administration and arouse latent Ontario-Quebec animosities, Laurier



Fig 9.3 Laurier as the proud father of two provincial “twins.” *Montreal Daily Star*, 23 February 1905.

unceremoniously backed down and allowed a re-drafting of the offending clauses to bring them in line with current practice in the territories.³⁰

The heated controversy over the educational clauses deflected attention away from the fact that Saskatchewan and Alberta were not full partners in Confederation. They, along with neighbouring Manitoba, were treated differently. Under the terms of the 1867 British North America Act, provinces exercised control over the public lands and resources within their

boundaries. But that right was denied Manitoba in 1870, and it was denied Saskatchewan and Alberta in the autonomy bills. Clifford Sifton justified federal retention of western lands on the grounds that they were needed to promote immigration and settlement and that provincial control “would be ruinous . . . disastrous” to this national endeavour. “Do not yield,” he admonished Laurier.³¹ The prime minister, for his part, took a different tack in defending his government’s policy. “Those lands were bought by the Dominion government,” he reminded the House of Commons about the HBC deal in 1870, “and they have remained ever since the property of the Dominion government and have been administered by the Dominion government.”³² Ottawa attempted to make up for the loss of revenue by awarding the new provinces generous subsidies based on population. Haultain, however, wanted no part of the compensation package—he considered it “a matter of expediency”—and demanded the same right as other provinces in Canada.³³ He was gamely supported by the *Calgary Herald* which decried federal control of lands and resources as “Autonomy that Insults the West.”³⁴

Once the autonomy bills became law, the Liberal party turned its attention to securing power in the new provinces. In Alberta, over the protestation of the new provincial Conservative leader (and future Canadian prime minister) R.B. Bennett and other fellow Calgarians, Edmonton was named temporary capital until confirmed by a vote in the new Alberta legislature. It was no coincidence that the city was a Liberal stronghold. Or that Liberal G.H.V. Bulyea was appointed Alberta’s lieutenant-governor and that he called on new provincial Liberal leader A.C. Rutherford to become premier.³⁵ A similar charade was played out in Saskatchewan. Despite Frederick Haultain’s defining role in defending the interests of Western Canada, his opposition to the autonomy bills made him a liability and he was passed over as premier or lieutenant-governor. As one western historian remarked, “the territorial premier was almost as much an embarrassment to Laurier and his cabinet as the Métis leader [Louis Riel] to [Prime Minister J.A.] Macdonald and the Conservatives.”³⁶ In Haultain’s place, A.E. Forget, a lifelong Liberal who had first come West in 1876 as clerk for the North-West Territories Council, was retained as lieutenant-governor. He, in turn, invited Walter Scott, a Liberal backbencher in the House of Commons and the new provincial Liberal leader, to serve as premier. So confident were the Liberals of their hold on Saskatchewan

that Prime Minister Laurier went to Edmonton first for Alberta's inauguration. Haultain's fall from power and influence, meanwhile, was so complete and so precipitous that he was not asked to speak at the delayed Regina ceremonies.³⁷

Full Provincial Rights

Provincial control of public lands and resources for Saskatchewan and Alberta was still a quarter century away. At first, not wanting to lock horns with the friendly Laurier administration in Ottawa, the Scott and Rutherford provincial governments quietly pocketed the generous federal subsidy they received in lieu of their lands. But when the new Borden government extended the northern boundary of Manitoba, Ontario, and Quebec to Hudson and James Bays in 1912 (making the central provinces much bigger than Haultain's "Buffalo" province), Saskatchewan and Alberta began demanding control of their resources. Repeated attempts to hammer out an agreement foundered over the question of compensation for lands that had already been alienated. In 1927, for example, Premier Jimmy Gardiner claimed that Saskatchewan's right to compensation should date back to 1870. These demands delayed settlement of the matter until 1930. It was only then—sixty years after the region became part of the new Dominion of Canada—that Saskatchewan and Alberta secured full provincial rights.

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NOTES

- 1 J.M.S. Careless, *Brown of the Globe*, v. 1 (Toronto: Macmillan 1959), 230.
- 2 See W.L. Morton, “The Geographical Circumstances of Confederation,” *Canadian Geographical Journal* 70, no. 3 (1965): 74–87.
- 3 Arthur S. Morton, *A History of the Canadian West to 1870–1871* (London: Thomas Nelson 1939), 827–31.
- 4 Great Britain, *House of Commons*, Report from the Select Committee on the Hudson’s Bay Company, 1857, iii.
- 5 What changed Macdonald’s reluctance and that of others was the apparent threat of American encirclement. On 30 March 1867, only one day after Queen Victoria had signed the British North America Act (effective 1 July 1867), the United States and Russia reached an agreement for the purchase of Russian Alaska. Even before Confederation became a reality, then, the United States seemed to have been manoeuvring to outflank the new dominion and threaten its future takeover of the North-West.
- 6 See Donald G. Creighton, *John A. Macdonald: The Young Politician* (Toronto: University of Toronto Press, 1952).
- 7 Douglas Owram, *Promise of Eden: The Canadian Expansionist Movement and the Idea of the West, 1856–1900* (Toronto: University of Toronto Press 1980), 4–5, 101–02.
- 8 Chester Martin, *Dominion Lands Policy* (Toronto: McClelland and Stewart 1973), 9.
- 9 John A. Bovey, “The Attitudes and Policies of the Federal Government Towards Canada’s Northern Territories, 1870–1930,” Master’s thesis, University of British Columbia, 1957, 27.
- 10 Owram, *Promise of Eden*, 137–38.
- 11 Bill Waiser, *A World We Have Lost: Saskatchewan Before 1905* (Markham: Fifth House Publishers 2016), 439–527.
- 12 John L. Tobias, “Canada’s Subjugation of the Plains Cree, 1879–1885,” in *Sweet Promises: A Reader in Indian-White Relations in Canada*, ed. J.R. Miller (Toronto: University of Toronto Press 1991), 216.

- 13 See J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press 1989), ch. 4–5.
- 14 Rod C. Macleod, *The North-West Mounted Police and Law Enforcement* (Toronto: University of Toronto Press 1976), 3.
- 15 This notion of reciprocity is examined in Jean Friesen, “Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest 1869–76,” *Transactions of the Royal Society of Canada* series 5, vol. 1 (1986): 41–51.
- 16 Quoted in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (Saskatoon: Fifth House 1991), 199, 202, reproduced by *The Confederation Debates*, http://hcmc.uvic.ca/confederation/en/Morris_Chapter_09.html.
- 17 Quoted in Morris, *The Treaties of Canada*, 205, 208, reproduced by *The Confederation Debates*, http://hcmc.uvic.ca/confederation/en/Morris_Chapter_09.html.
- 18 Quoted in Peter Erasmus, *Buffalo Days and Nights* (Calgary: Glenbow Museum 1974), 247, 249–50, reproduced by *The Confederation Debates*, <http://hcmc.uvic.ca/confederation/en/Erasmus.html>.
- 19 Quoted in Morris, *The Treaties of Canada*, 210–13, reproduced by *The Confederation Debates*, http://hcmc.uvic.ca/confederation/en/Morris_Chapter_09.html.
- 20 Quoted in Morris, *The Treaties of Canada*, 212, reproduced by *The Confederation Debates*, http://hcmc.uvic.ca/confederation/en/Morris_Chapter_09.html.
- 21 See J.R. Miller, “The Aboriginal Peoples and the Crown,” in *The Crown and Canadian Federalism*, ed. D.M. Jackson (Toronto: Dundurn Press, 2013), 255–69.
- 22 Lewis H. Thomas, *The Struggle for Responsible Government in the North-West Territories, 1870–97* (Toronto: University of Toronto Press 1956), 94, 98–9, 108–9.
- 23 Canada, *House of Commons Debates*, 27 April 1877, 1872.
- 24 Arthur Silver, *The French-Canadian Idea of Confederation, 1864–1900* (Toronto: University of Toronto Press, 1982), 67–217; J.R. Miller, “Anti-Catholic Thought in Victorian Canada,” *Canadian Historical Review* 66, no. 4 (1985): 474–94.
- 25 Manoly R. Lupul, *The Roman Catholic Church and the North-West School Question: A Study in Church-State Relations in Western Canada, 1870–1905* (Toronto: University of Toronto Press 1974), 21–79.
- 26 Thomas, *The Struggle*, 180.
- 27 Douglas Owrām, ed., *The Formation of Alberta: A Documentary History* (Calgary: Historical Society of Alberta 1979), xxiv–xxxix.
- 28 Quoted in Thomas, *The Struggle*, 258.
- 29 James W. Brennan, “A Political History of Saskatchewan, 1905–1929,” PhD diss., University of Alberta, 1976, 28–32.
- 30 David J. Hall, “A Divergence of Principle: Clifford Sifton, Sir Wilfrid Laurier, and the North-West Autonomy Bills, 1905,” *Laurentian University Review* 7, no. 1 (November 1974): 11–19.
- 31 Quoted in Owrām, ed., *The Formation of Alberta*, 270.
- 32 Quoted in Owrām, ed., *The Formation of Alberta*, 279.
- 33 Quoted in Owrām, ed., *The Formation of Alberta*, 293.

- 34 Quoted in Owram, ed., *The Formation of Alberta*, 333.
- 35 Charles C. Lingard, *Territorial Government in Canada: The Autonomy Question in the Old North-West Territories* (Toronto: University of Toronto Press 1946), 232–51.
- 36 Lewis G. Thomas, *The Liberal Party in Alberta: A History of Politics in the Province of Alberta* (Toronto: University of Toronto 1959), 3.
- 37 Brennan, “A Political History of Saskatchewan, 1905–1929,” 49, 56; J.T. Saywell, “Liberal Politics, Federal Policies, and the Lieutenant-Governor: Saskatchewan and Alberta,” 84, 87–8; J. Courtney and D.E. Smith, “Saskatchewan,” in *Canadian Provincial Politics*, ed. M. Robin (Toronto: Prentice-Hall 1978), 285; Archer, *Saskatchewan*, 136.

