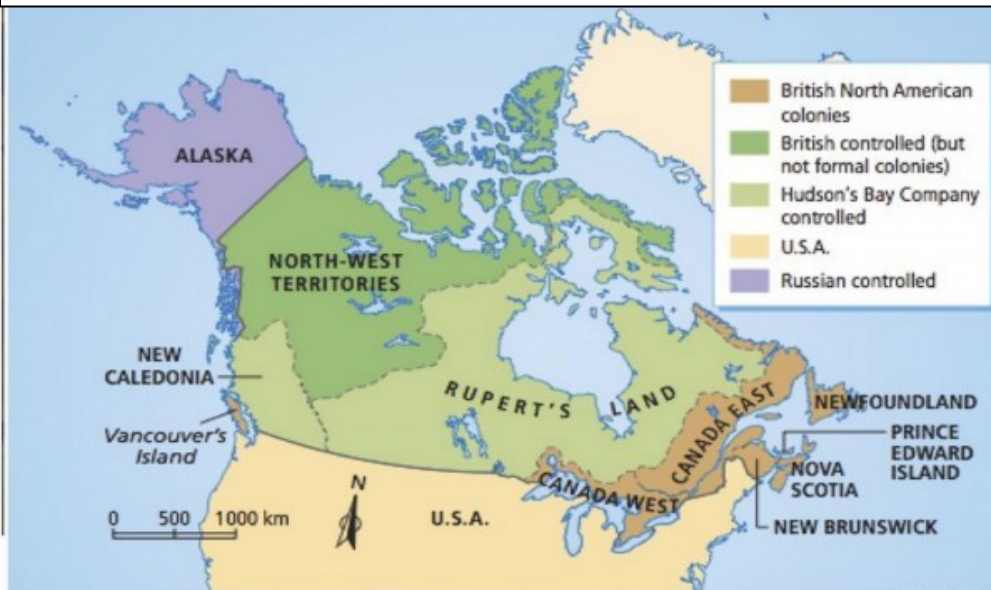


# Impact over Intent: The Fact that the Manitoba Act of 1870 is an Unfulfilled Treaty is Important!!

Sources: Adam Gaudry, Chris Andersen & Georgia Sitara on the Métis

## FIRST: Groundwork & Terms: Drawing from Georgia Sitara's lecture "Red River" & Chris Andersen

- **Métis identity:** does not so much root from being born out of the intermarriages between Indigenous women and French fur traders (though it is important)
  - Identity is rather from the Métis nationhood's **strong sense of self-identity, community & culture**, that is **distinct** from European and Indigenous peoples
- There continues to be debates on who 'counts' in claiming Métis heritage, Chris Andersen makes things clear:
  1. It is **not** up to the Canadian state/settlers to decide who 'counts' as Métis
    1. Settler: anyone who is not Indigenous living on (stolen) Indigenous land
  2. It is up to modern Métis communities & the Métis Federation to decide who's 'in' and who's 'out'
- Chris Andersen outlines **Métis citizenship & identity** as a person who:
  - i) Self-identifies as a member of a Métis community &
  - ii) Is ancestrally connected to historic the Métis community &
  - iii) Is accepted by the modern Métis community



This map will help situate the Manitoba Act's historical context!

Not included in this map: Chris Andersen traces

**The Métis Homeland as:** extending from Northern Ontario to British Columbia and from the North West Territories to beyond the USA border.

## NEXT: Historical Context of the Manitoba Act of 1870:

### Canada, Britain & Hudson's Bay Company POV: Drawing from Georgia Sitara's lecture "Red River"

- **The Rupert's Land Act (RLA) of 1868** : The British empire authorizes the Hudson's Bay Company to sell their 'possession' of Rupert's Land to the newly named nation of 'Canada'
  - **Royal Proclamation Act of 1763:** declares that the British Government must negotiate treaties with Indigenous peoples prior to settling North American lands – *the RLA was authorized by Britain under the impression that Canada would follow this proclamation* (Intent)
    - **How did Britain 'claim' these lands in the first place: The Doctrine of Discovery:**
      - This legal fiction declared Christian explorers as having the right by discovery to claim ownership of Indigenous lands for their own Christian Monarchs
        - In 2014, the Tsilhqot'in Supreme Court Case acknowledges this doctrine as **racist**...
- **Reality:** Canada 'purchases' Rupert's land in 1869 and sends surveyors to map out current-day 'Manitoba' for incoming settlers without the consent or consultation with Indigenous peoples on that land (Impact)
  - **Remember:** "Rupert's land" was (and always will be) Indigenous land. Settlers never 'owned' this land so they had no right to buy or sell it; *especially without prior negotiations*

### Métis and Red River residents POV: Drawing from Georgia Sitara's lecture "Red River" & Adam Gaudry

- Up to date, the Métis & Red River residents are concerned with the colonial land sale as :
  - They did not consent to **the Métis Homeland being 'sold'**
  - **On the ground:** Red River (now known as 'Winnipeg') was occupied and settled by the Métis and the Assiniboine, Dakota, Cree and Anishinaabeg (Ojibwa), generations before this land sale
- The Métis & Red River residents **refuse** the validity of this land sale & **reassert** their authority over their lands during: **the Red River Resistance of 1869-70:**
  - **Oct 11, 1869:** a group of Métis led by Louis Riel successfully block government surveyors from mapping Métis land
  - **Nov 2, 1869:** a group of Métis led by Louis Riel, seize Fort Garry & successfully block the first appointed governor from their territory; gaining military control over Red River
  - According to Adam Gaudry, **the Métis form a provisional government** chosen by the entire community & on **Dec 8, 1869:** send the *Declaration of the People of Rupert's Land and the North-West* to the Canadian government:
    - This Declaration *openly refused* to recognize Canada's *imposed* authority on Métis land & offered to negotiate an agreement (Treaty) with the government
- **Result:** The government of Canada replies to the declaration: recognizing the Métis peoplehood as the political power over Red River & invites representatives to negotiate in Ottawa

**Representatives from Red River and Canada, two distinct 'nations', meet and negotiate an agreement (Treaty) with one another...**

**Gaudry describes Two Manitobas emerging from the negotiation:**

**1. A Treaty Manitoba - the Fundamental & Original Agreement (Intent)**

- The Red River representatives make a deal with the Canadian government to allow their territory to ‘legally’ become part of confederation as the province of ‘Manitoba’. In exchange, the Canadian government guaranteed that the new province would protect:
  - 1. Métis religious and language rights:**  
*-‘Manitoba’ would be a bilingual province to ensure equal political representation for the French speaking Métis*
  - 2.Guaranteed Métis landholdings and set aside an additional 1.4-million-acre land reserve for Métis children:**  
*-The reserve land would be governed by the Métis to ensure it would remain under Métis ownership for future generations*
- When the Manitoba Act is enacted and it came time for the provisional government to transfer power over to the province, the possibility of this Treaty Manitoba goes awry because of the destructive settler actions...

**2. A Settler Colonial ‘Manitoba’ - Enacting The Manitoba Act of 1870 (Impact):**

- **Wolseley Expedition:** Sir Garnet Wolseley, a British imperial soldier, accompanied by two Canadian military battalions, go to Red River to assure there isn’t lawlessness when transitioning the provisional government into the province
  - **Reality:** The Canadian military runs the provisional government out of Fort Garry & appoints a ‘temporary’ settler colonial government
- The Wolseley expedition eventually leaves but **Canadian soldiers stay and become the first settlers.**
- **A reign of terror follows their settlement:** According to Georgia Sitara’s Lecture on “Red River”
  - Members of the provisional government are murdered; Métis families are forcibly pushed from their lands and outside of Manitoba; & **the 1.4 million acres of Métis reserve land are left unprotected from settler occupation**
    - Historians estimate that by 1874, **90% of this land ended up in settler hands...**
- Gaudry says that this IMPACT (the militarized transfer of power and the reign of terror that followed) made Manitoba a settler colonial province
  - **Settler Colonialism:** system that relies on stealing Indigenous land and replacing Indigenous people with settlers to gain power
  - Had the Canadian government followed through on their INTENT (for a Treaty Manitoba), the province could look completely different – **and it still can**

**Learning about the history of The Manitoba Act of 1870, in particular the negotiated Treaty, is important because:**

- **For one**, this history exemplifies how ‘Canada’ **has** (and **continues to be**) challenged by Indigenous peoples for the nation’s ongoing so-called ‘land claims’
  - **Beginning in 1981**, after years of petitioning for the government of Canada to step up, the **Manitoba Métis Federation (MMF)** took the federal government of Canada to Court for the non-fulfillment of the Manitoba Act
    - Both the lower court and court of appeal ruled against the MMF but...
- According to Andersen, **In 2013, the Supreme Court of Canada agreed that the federal government had not fulfilled the 1.4 million acres promised** to be protected for future Métis generations:
  - **KEY:** What justice will come from this decision is a question our generation will have to resolve
- **This history matters**, according Adam Gaudry, because the obligations in the original agreement (for a Treaty Manitoba) provides a good framework of how the Métis peoplehood and Canada can begin repairing their relationship
- **The justice and restitution that comes from this decision is** according to Gaudry, **up to:**  
*“Both the Canadian people and the Métis nation [who] have an obligation do to something about it.”*

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