

**Rupturing the Myth of the Peaceful Western Canadian Frontier:  
A Socio-Historical Study of Colonization, Violence, and the  
North West Mounted Police, 1873-1905**

by

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A Thesis submitted to the Faculty of Graduate Studies of  
The University of Manitoba  
in partial fulfilment of the requirements of the degree of

MASTER OF ARTS

Department of Sociology  
University of Manitoba  
Winnipeg

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*Your file Votre référence*  
ISBN: 978-0-494-70125-6  
*Our file Notre référence*  
ISBN: 978-0-494-70125-6

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## ABSTRACT

Recently there has been more critical attention given to the violent role of the North West Mounted Police (NWMP) in the unfolding of settlement and colonial laws in western Canada. However, few have offered a comprehensive analysis of the violent encounters that are recorded (and missing) in the archival records and correspondence of the NWMP, and other secondary sources. Similarly, few researchers have utilized the ‘past’ experiences of Aboriginal peoples to try and understand the ongoing chasm today between non-indigenous settlers and Aboriginal peoples of Canada. In making the “marginal central” (Fitzpatrick 1989), and simultaneously challenging the dominant colonial narrative, I offer a socio-historical analysis of western Canada during the NWMP era (1873-1905), to show how it was (and still is), like other colonial frontiers, a violent space and time. I explore this argument by situating the violent encounters between the NWMP, white settlers, and Aboriginal peoples within the colonial relations that were structured to maintain the marginalization and dispossession of Aboriginal peoples. Failing to recognize and resist this part of western Canadian history, and the underlying logic behind it, is denial and limits the rationality and potential of non-indigenous Canadian populations to work for, and even conceive of, achieving an authentic reconciliation with Aboriginal peoples.

## **ACKNOWLEDGEMENTS**

From the very early thoughts to the materialization of this project, I am especially grateful to Dr. Russell Smandych, Department of Sociology, who sparked my interest and repeatedly refined its growth and presentation. Russell offered a wealth of information and feedback, and patiently edited and revised many drafts of this paper. My thanks go to Dr. Andrew Woolford, Department of Sociology, for his theoretical insights and engaging comments. Also to, Dr. Jean Friesen, Department of History, for her support and encouragement, and for providing valuable advice, sources and comments. I am very appreciative for the potential opened by this thesis, which each and every one of you has nourished. I should also thank the Faculty of Arts at the University of Manitoba for offering me the J. G. Fletcher Award; without it, I would not been able to conduct my archival research in Ottawa. On that note, I would also like to thank the staff of the Library and Archives of Ottawa who provided me with all the assistance needed and ensured I had most my files retrieved on time. Finally, I would like to thank my mother, father, and sister for giving more meaning for my journey.

## CHAPTER ONE: INTRODUCTION

Nations are imagined communities (Anderson 1996). Scholars critical of colonialism and its effects on indigenous populations have argued that this imagination is forked, as it is never free of its colonial roots (Bhabha 1984: 126). This imagination often mixed with myths and misrepresented ‘facts,’ serves the ideologies of those who have power and who would want that power to seem to be inherently and legitimately theirs (Hildebrandt 2008: 110). One of the most treasured parts of the Canadian imagination revolves around the myth of a peaceful frontier settled by honourable officials of the North West Mounted Police (NWMP), who provided an efficient platform for political governance and economic development (Walden: 1982). Canada stands out from among other colonies in the way it has placed its police force at the heart of its national symbols (Katerberg 2003: 546). As Longstreth argues (1960: 179), “Very rarely, in this ever-changing world, has so small a body of men attained a world-wide fame in so short a while, as the young Force did, and kept it, and even added to it.” Unlike other countries that put the history of their police force on the shelf, Canadians openly boast about it across oceans, as evident in the ample sentimental ornaments of NWMP caricatures and flowery media coverage throughout the Canadian history. The myth around the NWMP is “so influential that even one hundred years later their history is still written from a single perspective – one that only presents the viewpoint of the colonizer” (Hildebrandt 2008: 35). However, this research is not interested in the imagination per se of the NWMP or to replicate what others have said; rather, it is interested, from a critical socio-historical perspective, in what has been excluded from or misrepresented in the imagining of the Canadian community.

Canadian legal-historical research has focused traditionally on topics that can be clearly understood with regard both to subject matter and to a clear research outline (Knafla 1995: 11). Canadian legal-historians therefore have not researched the subject of “violence” as a topic of investigation to any extent. Studies that have touched on the topic have mostly been restricted to writing about violence as it has been defined by criminal law and as it has been prosecuted in the courts. Even those who have studied violence tend to see it as aberrant and not part of western Canadian colonial relations. The question that must be asked is what was the nature of violence on the western Canadian frontier? By answering this question one is able to answer whether or not western Canada really was an exception or part of the rule to the pattern of frontier settlement and violence that existed locally and in other colonial settings, like Australia, New Zealand, and the United States? The purpose of my study will be to investigate this and other related questions about violence and the role of the NWMP on the western Canadian frontier from a theoretically informed sociological perspective.

The frontier is commonly seen as a historical stage of development that progresses from an undeveloped to a developed civilized stage (Knafla 1995: 11). Based on this interpretation, the further development of the frontier entailed a retreat of the colonized (Aboriginal peoples). Moreover, due to this perceived stage of development the frontier is symbolically seen as a meeting or clashing place of peoples in which cultural and geographic borders were not clearly defined (Adelman and Aron 1999: 815). This particular conception of the frontier makes it difficult for researchers to look at violence as part of the colonial relations imposed on indigenous populations who are resistant to it. Even when violence is analyzed and not seen as aberrant, it is not seen as part of the

landscape of the frontier but rather as part of its development and later settlement process (Knafla 1995: 12).

In contrast to this conception of the frontier and the widely accepted and celebrated view of the NWMP, one can conceptualize the frontier as a specific space and time that is part of larger geographical “borderlands” (Adelman and Aron 1999: 816). Borderlands are seen as the contested boundaries between colonizers and the colonized. Eventually, due to colonial laws and their enforcement, borderlands became juridically established as “bordered land” (Adelman and Aron 1999: 816), and consequently inscribed with inclusive and exclusive meanings. The included were given by colonial (British-Canadian) sovereignty, freedom, and autonomy; for the excluded, life within the borders meant the loss of political, social, and individual status (Adelman and Aron 1999: 840). In this thesis, I argue that if this critical sociological conception is adopted, along with a refined postcolonial analysis, one is better able to critically investigate the extent of frontier violence. Drawing on this critical conception of frontiers and bordered lands as constantly contested spaces, the purpose of this thesis is to offer an analysis of the western Canadian frontier, during the NWMP era, to show how the Canadian frontier, like other frontiers, was a violent space and time.

In an effort to rupture the silence and denial around the violence involved in establishing ‘law and order’ in western Canadian this research looks at cases of physical violence recorded (or not) in the archival records of the NWMP crime reports and (other) secondary sources. By utilizing key sociological and theoretical insights, the qualitative-historical research attempts to provide a nuanced understanding of the role of the NWMP and the conceptualization of violence. More importantly, the thesis attempts to radicalize



the common conception of physical violence in western Canada by situating cases of physical violence within a continuum of colonial relations that are not seen as aberrant, but a necessary part of constituting ‘law and order.’ The “rebellion” of the Métis in 1869-70 and then in 1885 was due to the Métis resistance to colonial encroachment on their lands and structured injustices and rationalities that marginalized them. These two events suggest that the Canadian government relied on the use of unrestrained military violence against the Métis and judicial punishments against Aboriginal peoples (in spite of their limited participation in the 1885 events) precisely because the government wanted to maintain their power and ‘order,’ in spite of its ineffective and discriminatory policies. Contrary to classical approaches that look solely at physical violence, this thesis also considers other kinds of violence that are hidden and structured in the very socio-political relationships and interactions that occurred in western Canada. The colonial ‘order’ of the Canadian government did not fully reject them, rather the government benefited from “suspending” the relations with Aboriginal peoples. They were included under the law to be excluded on reserves simultaneously excluding them from Canadian society (Thobani 2007).

The findings of the thesis are also intriguing as they show more recorded cases of violence committed against Aboriginal peoples by white settlers and government officials (mostly farm instructors and ration providers) than by NWMP officials. It was not surprising that many cases of violence committed by Aboriginal people were in retaliation to daily abuses by government officials and policies. The NWMP aided in concluding treaties, ‘legally’ taking most of their lands, among other restrictive laws aimed at dismantling their culture. All of which was done in a “military aura” that shaped

the very rationality of Aboriginal peoples (Hildebrandt 2008: 38). This suggests a need to understand the broader disciplinary mechanisms and systems that limited and controlled the lives of Aboriginal peoples. It also suggests another look at the symbolic or “cultural role” of the police that allowed them to gain the trust of some Aboriginal people and impress upon them their power, and at the same time “wean them from their customs and beliefs by enforcing laws that diminish the Native culture” (Hildebrandt 2008: 36).

In short, this thesis shows that the great powers invested in the NWMP to charge, arrest, and punish (along with their broader system of discipline and surveillance) put them in an extralegal position where “they were the law, not merely its enforcers” (Hildebrandt 2008: 35). The NWMP were just as prepared as other British colonial police forces to “promote and protect their economic interests and cultural values, with force, if necessary” (Smith 2009: 8). Violent incidents involving Aboriginal peoples (including Métis), white settlers, ranchers, farmers, Indian Department officials, NWMP, and American traders existed in various shades. However, it was often more limited to personal rather than collective armed violence. At the same time, there were many cases that could have potentially escalated to bloody fights and killings. On several occasions NWMP officials and Farm Instructors were assaulted, shot at, or threatened, showing that establishing ‘law and order’ was fraught with violence and resistance. There were a number of Aboriginal men who resisted government officials and the policies they enforced. These cases must be seen under the pretext of resisting colonization (see Fitzpatrick 1989: 272). There were also a few cases where white settlers acted as vigilantes like their counterparts south of the 49<sup>th</sup> parallel. Furthermore, the evidence also suggests that the NWMP did abuse the authority vested in them on a number of

occasions. Finally, the thesis argues if the NWMP did indeed rely on less physical force, then it was done not because of their honourable qualities as the myth suggests, but because the government understood the colonial economic relation. Physical imposition of power alone does not breed consent for authority, but could in fact threaten it (Arendt 1970). If the NWMP did not rely more on physical violence, it was due to the fact that Aboriginal peoples' rationalities and practices were being shaped by fear of punishment and restrictive government policies. After all it was clear that the Canadian government could not afford to eliminate the Aboriginal population through relying on physical extermination to the same extent the Americans did. This could have threatened the colonial capitalistic order that was established and maintained by placing Aboriginal peoples on the threshold of inclusion and exclusion. Instead, of relying on the power of physical violence and extermination, which alone do not breed consent and is costly; the NWMP attempted via enforcing exclusionary policies and "intimidation tactics" to establish Canadian sovereignty (Treaty 7 Elders et al. 1996: 137).

The following chapter offers a literature review of the myth of the NWMP, a response to this myth, and other literatures that discuss policing and violence on other colonial frontiers to show that the western Canadian frontier was potentially violent like other frontiers. Chapter Three offers a theoretical interpretation of postcolonial theory and other insights of scholars that aid in better understanding the complex historical factors that shaped colonial relations in western Canada. This theoretical understanding is further enhanced, in Chapter Four, by looking at relevant sociological-theoretical issues in defining and understanding violence. Chapter Five, discusses the research methodology. In Chapter Six, violence around western Canada is discussed; followed by

Chapter Seven, which discusses violence before the arrival of the NWMP. In doing this, a broader understanding of violence and how it shaped the social relations in western Canada is obtained. Chapter Eight, discusses violence in western Canada during the era of the NWMP, 1873-1905. Finally, Chapter Nine, summarizes the results of my research and offers a critical discussion of its implication.

## **CHAPTER TWO: LITERATURE REVIEW**

The purpose of this literature review is to discuss three different types of literature. The first type of literature embodies the view that the Canadian frontier is a peaceful one settled by honorable officials of the NWMP. In response to this myth, the second type of literature argues that the Canadian frontier had instances of violence and its peacefulness is a subject of mythologizing. In support of this critical view, the third type of literature discusses colonial policing in other British colonies. This shows that the Canadian frontier, like other frontiers, may have been inherently violent.

According to the RCMP's official historians, William Beahen and Stan Horrall (1998: 1), "there have been many books written about Mounted Police history [but] very few of these works have dealt with the subject in a scholarly fashion." In fact, very few books have attempted to question issues fundamental to the history, ideology, and actions of the NWMP. More specifically, violence, as I show below, is a common feature of the frontier that is almost completely missing from criminologists', historians', and sociologists' research on the settlement of the western Canadian frontier. What is troubling about this gap is how it seems to have paved the way for the widespread myth of a peaceful Canadian frontier. It is important first to understand this myth before turning to a discussion of the NWMP role on the western Canadian frontier.

### **Mythologizing the Frontier**

According to popular accounts, in 1874 the NWMP marched west and established law and a sense of order on the frontier (Martin 2006: 7). The NWMP were seen as a police force that would guarantee (with minimum amount of violence) that all the people of western Canada, Aboriginal peoples, settlers, and traders, would enjoy the right to live

under a neutrally enforced body of Canadian-British laws. The main duty of the NWMP was to establish and protect law and order in western Canada as part of John A. MacDonald's "National Policy," a larger plan of extending sovereignty from eastern Canada to western Canada, and the Pacific coast (Macleod 1976: 3).

As Greg Marquis (2005: 185) has shown, the NWMP were an armed and mounted force that shared the same British roots as the Royal Irish Constabulary (RIC). Both the NWMP and the RIC were paramilitary forces imposed by colonial government to deal with the legal, security, and bureaucratic administration of territories that could be considered frontiers of the British Empire (Marquis 2005: 186). The NWMP powers were "unparalleled by any other police force in a democratic country" (Macleod 1976: x). Almost all of the NWMP higher rank officers, like other colonial police forces across the British Empire, had previous military careers and tended to emphasize the military nature of the Force (Brown and Brown 1978: 3). A prime example of this is George French who besides being a personal friend of John A. Macdonald was also previously a captain in the Royal Irish Constabulary (Brown and Brown 1978: 14). French became the first commissioner of the NWMP with the honorary military rank of lieutenant colonel in the Royal Artillery. French was instilled with military ideals that included, rank ordered authority and outlook (Martin 2006: 127), and went ahead to pattern the NWMP on "military models" (Brown and Brown 1978: 14). Macdonald wanted French to make the NWMP a paramilitary cavalry force (Morton 1977: 7). The goal of the NWMP was to efficiently impose their British-Canadian laws (Macleod 1976: 8). Unlike English or eastern Canadian police forces of the time, the NWMP were a centrally planned and controlled policing organization (Martin 2006: 7).

The question that needs to be answered is why did the NWMP become, as Mitchel Roth (1998: 713) claims, “ the best-known mounted police in the world and one of the most widely recognized symbols of Canada,” when in fact the Force shared many similarities with other reputedly oppressive colonial police forces in other parts of the British Empire? (Deflem 1994; Knafla 1995; Moses 2005; Nettelbeck and Foster 2007; Rand 2006; Richards 2008).

According to Lorne Brown and Caroline Brown (1973; reprinted 1978), the reason for the NWMP establishment and success is due to the mythologizing of their role on the western Canadian frontier. Brown and Brown (1978) argue that the fundamental premise of this myth is that the government established the NWMP to protect Aboriginal peoples from white whiskey traders and thieves, especially after the 1873 Cypress Hills Massacre (where American whiskey traders murdered several Assiniboine). According to this myth, it was the measures the NWMP took after this massacre that prevented western Canada from undergoing a similar experience to the American West, where lawlessness led to the cruel extermination of many Aboriginal persons (Brown and Brown 1978: 7). As they argue, it is not surprising that most research on the NWMP looks at its history from the romantic “good versus evil” perspective of Western media where the “incorruptible Force” is in a continuous struggle with evil deviants (Brown and Brown 1978: 1).

According to Brown and Brown (1978: 10), although the Cypress Hills massacre of 1873 hastened the organization of the NWMP, it was not the originating reason behind their creation. The establishment of the NWMP had been planned and legitimately approved prior to the Cypress Hill Massacre. The primary reason for establishing the

NWMP was to include Aboriginal peoples under the law and to expand British-Canadian sovereignty over western Canada, with a minimum of expense and bloodshed (Brown and Brown 1978: 10). According to Brown and Brown (1978: 40), the government portrayed the creation of the NWMP in an altruistic manner, to justify its expansion and sovereignty over western Canada and hide its racist attitude towards Aboriginal peoples.

Similar to Brown and Brown (1978), Keith Walden (1982: 3) argues that the image of the NWMP is a “popular fabrication.” He argues that prior to the 1980s almost all public sources of information about the history of the NWMP were intended for a mass audience in North America and Britain. Most descriptions of the NWMP that came out in newspapers, magazines, comics, novels, school books, histories, and movies, lacked any degree of critical scrutiny. Even many academic sources were disposed towards a broad readership (Walden 1982: 3). Researchers collectively overlooked certain characteristics of the NWMP, underplayed others, and highlighted those characteristics that to them looked significant. Although there were a few differences, all researchers described the NWMP with similar consistent “popular” views that became well renowned and acknowledged at face value by most Canadians (Walden 1982: 11). The NWMP were seen as “heroes,” who possessed the qualities and characteristics that encompassed archetypes like honesty, honorability, and incorruptibility (Walden 1982: 211). As a result, Canada’s Mounted Police were seen to share a “feeling of paternal concern for society, rather than self interest” (Walden 1982: 211).

Brown and Brown (1978) and Walden’s (1982) views are substantiated by the references contained in a selected bibliography of published and unpublished histories of the RCMP written to 1984, by Russell Smandych, Catherine Matthews, and Sandra Cox



(1987). This bibliography lists over 97 accounts that mostly fit Brown and Brown's (1978) and Walden's (1982) popular and heroic histories of an NWMP that honourably pacified the western Canadian frontier. A prime example of such influential and over-exaggerated examples of this type of literature is offered in the memoirs of Captain Cecil Denny, who rode out on the historic "march west" with the first contingent of the NWMP in 1874 (McKenna 2006: 81). Denny's memoirs start with the rhetorical statement "Violence was in the saddle over Canada's West". From this, Denny suggested that western Canada, before the arrival of the Mounties, was a lawless place plagued with unrestrained violence among Aboriginal persons and whiskey traders. This changed (almost in a blink of an eye) with the arrival of the heroic NWMP, who brought "law, order, and civilization" with them (Denny 1939: 1, 308). For him, the NWMP were able, "To tame Wild Indian Tribes and Outlaw Whites, through Seas of Grass presently to give place to Seas of Grain" (Denny 1939: v). In doing so, Denny writes, the NWMP with their "daring and resourcefulness," challenged the idea of "lawlessness" and carried "its fame around the world, and brought luster to the name of Canada" (Denny 1939: 4).

Similarly, in 1964, the Commissioner of the Royal Canadian Mounted Police wrote in an introduction of a book on the NWMP that it was the:

... police who made it possible for a pioneer settler to bring his women and his children into this great lone land in safety. It was the presence of the police that permitted him to dip his plow into the prairie's beneficent earth and garner its rich rewards. Seldom in the history of man has such a fantastic empire of new land been opened to peaceful settlement with so little turmoil, so little corruption and, except for 1885, so little of the violence and bloodshed that followed the passage of other great historic migrations (cited in Haydon 1971: xviii-ix).

Based on such accounts the author of this book Haydon (1971: xxiii) argues: “It is time that an authoritative history of the Royal North-West Mounted Police should be added to the regimental records of the British Empire.”

The above approaches to mythologizing the history of the NWMP appear in most written print to the 1980s. Smandych, Mathews, and Cox (1987) offer many other examples. In general, such books typically portray the western Canadian frontier as an enormous unexplored area that offered never-ending potential for those who wished to explore, occupy and settle it. The frontier was seen as an empty or “virgin” land (Macleod 1976: 7), ready to be civilized and pacified by honourable NWMP. Although the NWMP had absolute power in spreading and enforcing the law, historians have rarely discussed the potentially violent encounters that may have resulted from this power. Furthermore, Aboriginal peoples were hardly ever seen as victims of frontier violence carried out by white settlers and other Aboriginal peoples.

This kind of Whig history later came to epitomize the influential work of William Kelly, a former RCMP member, and Nora Kelly (1976). According to them, the need for police on the “great sprawling prairies” was essential because “for some years unscrupulous traders from the United States had been demoralizing the Indians, [and] plying them with whiskey and rifles in exchange for buffalo robes, furs and horses” (Kelly and Kelly 1976: 19). Since Aboriginal peoples were “unused to alcohol, [they] ran wild; [and so] killings were frequent...” (Kelly and Kelly 1976: 19). It is evident that Kelly and Kelly (1976) view the NWMP role of suppressing lawlessness on the frontier as an inevitable progression towards ‘civilization’ and peace. Furthermore, Kelly and Kelly (1976) do not see the violence on the frontier that accompanied civilization.

Unlike Kelly and Kelly (1976), Jerome Stan (1978) does not see the ‘civilizing’ effect of the NWMP solely in terms of stopping whiskey traders, but in terms of its effects on Aboriginal peoples and their way of life. As he argues: “The Indian-white relationship steadily became a relationship of greater imbalance, inequality, and dominance, with scales most often tipped towards white society” (cited in Smandych, Mathews, and Cox 1987: 48). According to Stan (1978: 87), the NWMP had a desire to include Aboriginal peoples under the law and stop the whiskey traders (Stan 1978: 142). But this was accompanied by the desire to engage in “romanticized Noble Savage” battles to capture the “hostile savages.” Stan argues that many of the NWMP officers had never encountered an “Indian” prior to their westward march and thus they were susceptible to frontier myths and stereotypes of Aboriginal peoples. As he says, “the view of the Indian as heathen, savage, uncivilized, and lowly justified all experiments and attempts [against them]” (Stan 1978: 207). For instance Bagley, Fitzpatrick, and Parker were all inexperienced NWMP officers who wanted to get in “scrap[s] with the Indians” (Stan 1978: 87-88). According to Stan (1978: 145), the NWMP, like their society at the time, viewed Aboriginal peoples as part of the “problem on the frontier” that had to be suppressed (Stan 1978: 145). Although Stan (1978) was able to see how the myth allowed to the NWMP to exclude Aboriginal peoples, like Kelly and Kelly (1976), he fails to see how violence could have been part of the inherent nature of the frontier. As Stan (1978: 89) argues “in practice the NWMP rarely resorted to violence and engaged the Indian in fighting as a last and to be shunned resort.”

## **Comparative and Critical Studies on Western Canada**

One of the first attempts to look at the Canadian frontier from a comparative perspective was made by Paul Sharp (1955). According to Sharp, the Canadian policy of the NWMP on the western frontier showed far more success than either the American or Australian treatment of their “hapless” native populations (Sharp 1955: 373). Learning from the experience of violence and abhorrence south of the forty-ninth parallel, the Canadian government considered and implemented an organized, well-planned, and honorable policy (Sharp 1955: 373). As Sharp (1955: 373) puts it:

In part they [the successes of the NWMP] were due to the decision to treat the Indians with honesty and respect, to maintain a system of incorruptible agents, and to recognize that the aboriginals could not be expected to forget centuries of neolithic customs over night. Even more important, the Canadian West was virtually uninhabited by white men, save for a scattering of traders. Unlike the American or Australian experiences, the law arrived before the rush of settlement, thus giving the Indians time to adjust to the sedentary life before white settlement engulfed them.

Although Sharp acknowledges that the NWMP faced grave problems in maintaining their policies when settlers began to arrive (Sharp 1955: 373), he does not question the incorruptibility of the NWMP. More specifically, Sharp does not address the nature and the extent of violence that occurred on the frontier between NWMP, settlers, and Aboriginal peoples and whether the NWMP actually prevented a “repetition of bloodshed” like that on the American frontier (Sharp 1955: 374).

Roderick Macleod (1976) offers a somewhat critical and more focused approach than Sharp (1955) in describing the western Canadian frontier. Macleod critically situates the development of the NWMP from 1873 to 1905 in its broader social and political context. Macleod traced the colonial roots and the military character of the NWMP to the Royal Irish Constabulary (Macleod 1976: 8). In creating this type of police force,

Canada's sovereignty over the area would be maintained without the expensive cost of warfare. As Prime Minister John A. Macdonald viewed the situation at the time, "we are in constant danger of an Indian war, and that commenced God knows where it may end. This may be prevented by the early organization of a Mounted Police" (cited in Macleod 1976: 11). Macleod (1976: 130) also argued that the view of the peaceful Canadian frontier versus the lawless American frontier has an element of cultural chauvinism. Specifically, Macleod (1976: 130) contends: "Obviously there was a good deal of violence in the North-West Territories and equally obviously both police and public expected it to occur." Thus for Macleod (1976) crime was a natural part of the settlement of the Canadian west.

Although Macleod was able to summarize the law enforcement duties of the NWMP he failed to discuss their judicial duties, which he considered to be their most important non-policing function (cited in Martin 2006: 8). Moreover, Macleod's critique was not critical enough in assessing the NWMP role and in questioning its authority. As Macleod argues, "in no instances is there any record of their use [of law] for private gain or public tyranny" (Macleod 1976: x). In spite of acknowledging that the NWMP's powers are unparalleled in a democratic country and that their desire for "adventure" was a highly prominent desire for joining the Force (Macleod 1976: 85), he argues as a matter of fact that the NWMP did not abuse those powers.

Building on Macleod (1976), Desmond Morton (1977) argues that Sharp's (1955) assumption of the lower levels of violence on the Canadian frontier in comparison to the American frontier is "established as one of those self-congratulatory myths which bind a nation together" (Morton 1977: 3). Although Morton for the most part agrees with

Sharp's analysis, he argues that Sharp's interpretation is "overly generous" (Morton 1977: 3). The western Canadian frontier was not as peaceful as Sharp portrays it, and the NWMP roles were not always honorable. Upon closer examination there was little difference between the "blue-clad soldiers below the border and the red-coated Canadian policemen" (Morton 1977: 16). As he argues, "officers in the NWMP often owed their commissions to party patronage and men in the ranks were by no means always the muscular, adventurous paragons of popular imagery" (Morton 1977: 10). Although the NWMP can be given minor credit for avoiding Aboriginal wars in Canada, it was the U.S. Army that demonstrated the "invincibility of white weapons" (Morton 1977: 15). According to Morton (1977: 15), it was simply easier for the NWMP "to mediate the contact of white and Indian when the settlers came in a trickle, not an expected flood." Thus, if there were differences between the Canadian and American frontiers it was not because of the police qualities as mythologized but rather from the difference in time, law and society (Morton 1977: 10).

Morton also questions the myth regarding why the NWMP wore red coats. As he argues, contrary to the myth that Aboriginal peoples had special confidence in the traditional British uniform, the reason for the uniform was to attach a "symbolic distinction between the force and its American counterpart in the eyes of western Canadians, white and Indians alike" (Morton 1977: 10). This symbolic distinction attached to the NWMP, rather than their successful policies or qualities, helped portray them in a more positive light. As he argues, although the "March West was a near-disaster" as a result of NWMP "inexperience and inadequate reconnaissance," the red coats helped to further establish their legendary image (Morton 1977: 10).

In a more recent work, Roderick Macleod and Heather Rollason (1997: 158) also fail to avoid the myth of the lawless frontier that was pacified by the NWMP. Although Macleod and Rollason argue that crime among Aboriginal peoples was in fact lower than crime among white settlers, with the exception of livestock theft, they argued that violence between native bands was widespread because the native bands had yet to come under the authority of the NWMP (Macleod and Rollason 1997: 158).

Macleod and Rollason (1997: 158) also claim that Aboriginal peoples remained “remarkably law-abiding under conditions of severe economic and cultural stress.” Here they do not consider how Aboriginal people might have been forced into abiding by the law and assume that the imposition of Canadian criminal law did not provoke the same strong resistance as in the United States (Macleod and Rollason 1997: 158). This is further evident in their latest work, where Macleod and Rollason (2001), discuss crime rates in the North West Territories yet with no reference to violence on the frontier. The problem with Macleod and Rollason’s research is that they do not extend the scope of their study of crime and violence outside of that reported in the courts and newspapers.

Recently, however, Canadian historians have sought to include more critical insights and grounds to explain the NWMP role and violence on the frontier. Among the first is Louis A. Knafla. In his early works Knafla (1986: 32) argues that most of the work done on the history of law in Western Canada has been mythologized and lacks a critical framework and focus. Unlike past historians of western Canada, who have assumed that western Canada did not have the violence and lawlessness that existed in the American west, recent researchers have revealed that western Canada was not without its element of violence (Knafla 1986: 31). According to Knafla, the NWMP were sent in

1873-4 to western Canada to maintain order and control “in the face of the Métis and Country-born moving out of Manitoba along the northern parklands of the new territories following the Rebellion of 1869-70, and of increasing American aggrandizement in the southern grasslands” (Knafla 1986: 47-48). This law was not always as successful as the myth portrays it to be. As Knafla points out, the Rebellion of 1885 (or the resistance) stands out as an example of the failure of the Dominion government to bring successful and accountable rule to the early western Canada. Aboriginal peoples, who were demoralized by alcohol, the extinction of their lands and the buffalo, and ill-equipped for life on the reserves, suffered from starvation and hardship through the years 1878-1883 (G. Friesen 1987; cited in Knafla 1986: 51). Moreover, legal education and the training of lawyers for practice were loosely structured in western Canada. For instance, “in the early years, those men [including the NWMP] who had already practiced on the Prairies were allowed to continue regardless of their qualifications” (Knafla 1986: 53). Knafla also points out that the reason for the perceived high rate of crime in western Canada is not necessarily from the high conviction rate but rather from the higher growth rate of indictments per capita than in the rest of the country (Knafla 1986: 59).

In a more recent work Knafla (1995) examines the history of violence on the western Canadian frontier from a legal, social, geographic, and demographic context (Knafla 1995: 10). His thesis revolves around how “violence was part of the human landscape of the Western Canadian frontier” (Knafla 1995: 11). Knafla argues that consistent with the notion of the frontier, violence was part of its way of life (Knafla: 10-39). Violence was not part of a historical stage of development that came with the later



settlement process (Knafla 1995: 11). On the contrary violence always existed and was an element of the particular space and time of the Canadian west.

Building on Knafla, Warren Elofson (2004: 80) argues that the Canadian western frontier by its very nature encouraged violence. After looking at violence committed by ranching on the western Canadian frontier, Elofson argues that violence was the norm of the frontier environment. As he maintains, frontiers are wide and open spaces and as such the police cannot secure the entire frontier at any given time. As a consequence it is difficult to police and can result in a large number of crimes that are left unprosecuted (Elofson 2004: 80). This raises issues about the “dark figure” of unreported crime on the frontier (Elofson cited in Martin 2006: 6). In addition, Elofson (2004: 120) argues that the frontiers attracted unsupervised young men, who were prone to lawlessness and violence.

Adopting both Elofson and Knafla’s approach, Roderick Martin (2006) also argues that the Canadian western frontier is inherently violent. According to Martin (2006: 109), when compared to the American frontier the Canadian frontier era and the resettlement of Aboriginal peoples were “conspicuously less violent.” But the Canadian frontier was not as peaceful as the myth portrays it to be. As Martin (2006: 270) notes, “as more settlers migrated to the territories, correspondingly overall crime and statistics increased.” Furthermore, Martin (2006: 183) argues that although the NWMP had established a patrol system, developed a network of informants, and looked for and detained criminals many unreported incidents that might have resulted from violence were resolved without the involvement of the formal legal system.

Martin (2006) is also critical of the judicial records. As he argues, in the beginning era of the NWMP their judicial records are “somewhat incomplete, the

reporting system sporadic, and a detailed knowledge of the NWMP magistrate's activities imperfect" (Martin 2006: 181). Since the laws that the NWMP enforced in their formative years were in the process of being institutionalized, their reporting system was a low priority. For example, the records of the 1874 revealed only five charges and convictions for liquor possession at Fort Macleod (Martin 2006: 181). Here it is evident that a great deal of violence was committed on the frontier without being reported.

In considering reported crimes, Martin argues that the NWMP, unlike other forces, applied their "frontier justice" not only in arresting offenders but also in providing justice where they saw it fit and necessary (Martin 2006: 273). The NWMP had the power to be the "bench and bar" (Martin 2006: 273). Since courthouses were absent on the frontier, Martin (2006: 181) argues that the NWMP barracks were for the most part the most ideal place for their court proceedings. The barracks also allowed the NWMP to easily deliver the prisoners, remanded in their custody, from guardroom to courtroom. As Martin (2006: 180) maintains:

When the NWMP magistrates presided in their courts of first instance they were not equipped nor did they wear judicial robes but presided in their field service uniforms or their full dress uniforms. At their discretion they took cognizance of matters that came before them, heard and determined all criminal and civil matters within their purview.

According to Martin (2006: 269), the NWMP judicial reports reveal from 1874 to 1898 that their magistrates exercised a persistent power over the judicial system because they heard and determined thousands of cases not decided by the superior courts or civilian Stipendiary Magistrates. The first recorded jury trial presided over by the NWMP magistrates was in 1878, which involved the trial of James Brooks, one of the more serious felony cases at Fort Macleod. This trial was presided over by Commissioner

Macleod, accompanied by Superintendent Crozier (Macleod 2006: 181). Macleod noted in his report that “he (Brooks) was tried with the intervention of a jury of six, upon three charges, found ‘guilty’ on two, and ‘not guilty’ on the other, and sentenced to five years’ imprisonment in the Manitoba Penitentiary” (cited in Martin 2006: 182). With such powers in the NWMP hands, which followed a paramilitary model, it is important to be critical of their reports since they might contain biases or omissions.

### **Studies of Colonial Policing and Violence in Other British Colonies**

To further refine our understanding of the NWMP violent role, it is important to situate them with other colonial frontiers. In the following discussion, I turn to some significant published work outside of Canada that would help shed more light on the violent role of policing other indigenous populations.

One example of research on other international frontiers is by Mathieu Deflem (1994), who examines the fundamental characteristics of policing organizations and activities in former British colonies Nyasaland (Malawi), the Gold Coast (Ghana), and Kenya in regards to the common characteristics of British colonialism (Deflem 1994: 45). In his study, Deflem (1994: 48) attempts to examine “the organization of the colonial police forces, the way they operated within the wider realm of political and economic colonial rule, as well as their functions and changing nature overtime.” Based on his critical examination, the author concludes that in all three African countries colonial policing was initially paramilitary in nature and aimed at subjugating Indigenous people through coercive control. However, in each of these colonies, early police forces consisted of both “imposed control units” routinely led by European military-trained

officers and “tribal law enforcement forces” who were typically native police officers “who did not serve in their own region of origin or residence.” (Deflem 1994: 57).

In a manner similar to Deflem (1994), Randall Williams (2003) explores the conditions in Ireland that served as the basis upon which new conceptions of modern policing, repression, and exclusion began to mingle throughout the British Empire. He argues that coercive paramilitary forces have always been the main method by which Indigenous structures of law and justice have been actively undermined since the formation of British colonial policing (Williams 2003: 343). Similar to Williams, Gavin Rand (2006) argues that in South Asia, the sovereign power of the British state was always predicated on the violent subjugation of the Indigenous population. After exploring the apparatus of colonial violence in South Asia, Rand concludes that the organization of the Indian Army reflects the interstitial nature of colonial power. It is important to note that both Rand and Williams argue that policing is colonial in origin, despite significant variation due to local and national conditions, and that its primary purpose was to control the Indigenous population (Williams 2003: 322-323; Rand 2006: 3).

One of the authors who extensively studied the history of colonial policing in New Zealand is Richard Hill (1986; 2005). Hill (2005) argues that in nineteenth century New Zealand tension was endemic between the British who wanted full sovereignty and the Maori who wanted autonomy. Policing has always been “a key site of test and contest” in the troubled boundary between British governance and Maori autonomy (Hill 2005: 175). To solve this problem, the British included the members of the Maori Indigenous population as part of the policing force, where they engaged in a variety of

strategic control measures that relied on overtly coercive forces (direct and physical) and “benignly hegemonic” forces (indirect and hidden).

In a more recent work, Hill (2006: 1) argues that police forces were not formed as commonly assumed to “fight crime.” Instead, they were formed “to impose the will of the controllers of the state upon the populace” (Hill 2006: 1). Police forces were part of a broader organization of social control (of disciplining and punishing). Across colonial empires, police forces were frontier agents for enforcing state requirements upon, repeatedly resistant, indigenous populations. Police forces had the legal authority to enforce, without negotiations, the colonial state’s definition of justice upon indigenous populations (Hill 2006: 2). In other words, “colonial police could normally instruct, detain, discipline, or incarcerate indigenes on a multiplicity of formally defensible grounds” (Hill 2006: 8). According to Hill, the primary purpose of colonial policing was the “coercive control of indigenous peoples [by constantly monitoring and obtaining knowledge from them], and ultimately their exploitation and that of the resources of their territories” (Hill 2006: 2).

Discussing specifically the role of the NWMP, Hill argues that they referred to the law only “in the broadest most paradigmatic sense” (Hill 2006: 9). For instance, two NWMP officers (one in the 1870s and the other in the 1890s) are reported as saying: “We make up the law as we go along” (cited in Hill 2006: 9). Hill (2006) illustrates how the NWMP, like other colonial police forces, had the power not only when police but to prosecute indigenous populations. From Hill’s perspective, placing both policing and judicial powers in the hands of police agents raises concerns about the abuse of power and the extra-legal nature of the role of police on the frontier.

Important research on colonial policing and its impacts has also been completed in Australia. Similar to the myth of the western Canadian frontier, the Australian frontier was also the subject of mythologizing, as evident in Ronald Hartwell's (1955) mythic portrayal of the Australian frontier:

Australia had large tracts of empty grazing country awaiting occupation...the settlement was relatively uncomplicated: the continent was empty, for the unfortunate aborigines offered no serious cultural or economic opposition (cited in R. Evans 2004: 151).

The Australian frontier was perceived not only as empty of an Indigenous population but also of violence. However, since the 1950's, Australian researchers have been able to revisit and critically refute this myth, and in turn to emphasize the omnipresence of frontier conflict.

According to Mark Finnane (1994: 4), from the beginnings of the "new police" in the 1820s and 1830s in Ireland and England, police administrators have been concerned with the production of police officers who would have the ability to use "their extensive powers, even of force or violence, with appropriate discretion and sensitivity to context." The ability for the police to use value judgments in discerning whether or not to break the boundary lines, especially on the frontier, allowed them to be perceived as skilled and honest officers (Finnane 1994: 4). This kind of perception, among other colonial factors, allowed the police in Australia to shift from a locally based and controlled force to a centralized force (Finnane 1994: 5). According to Finnane (1994: 136), in the 1860s and 1870s many recruits "came to the colonial police with the desired background: military or police service in the British Isles or other colonies featured prominently." To him, the police in Australia were:

Acting as agents of a system of state control which was founded on the principle that Aboriginal individuals and society were not the equals of white Australians but instead required a specialized form of government administration (Finnane 1994: 117).

Aboriginal peoples of Australia were among the classes of the population most vulnerable to policing control. As Finnane (1994: 118) notes, “protection was in fact a criminalizing system.” The police were not limited to the powers of surveillance and control that the government granted them to police Australia’s Aboriginal peoples. Although there were a few exceptions, Finnane (1994: 118) argues “the police made criminals out of people in ways that would not be tolerated had they applied to white society.” The police were not impartial agents in dealing with Aboriginal peoples but instead were “agents of government presiding over dispossession and attempting to reconstruct or eliminate by assimilation the whole Aboriginal population” (Finnane 1994: 129).

Similar to Finnane, Raymond Evans (2004: 154) emphasizes the “ubiquity” of frontier conflict. After analyzing the views of white participants, observers, and commentators on the frontier, Evans (2004: 154) argues that the nature of the Queensland frontier was fundamentally “conflictual.” He goes on to argue that the nineteenth century Queensland frontier was “one of the most violent places on earth” (R. Evans 2004: 167). According to Evans (2004: 166), it was not just the colonial institution of the Native Police that engaged in violent and horrific actions against the Indigenous people, “private settlers, alone or in vigilante parties, undoubtedly killed many more.” As Evans (2004: 168) maintains:

Many thousands in total of Aboriginal, European, Asian, and Melanesian people were killed and wounded in the process...[b]ehind a veneer of dismissive euphemism, mass destructive process ground inexorably on. Despite all the

slaughter, the rapes, the child theft, the floggings, and the general brutality that occurred, no Queenslander was successfully prosecuted for any crime against an Aboriginal person until 1883.

Furthermore, Evans (2004: 166) argues that although there are also reported incidences of violence inflicted on white settlers by the Indigenous people, one has to be critical of such reports. As Evans (2004: 166-167) maintains, numbers could possibly be exaggerated due to “missing” colonists who have been considered killed by Aboriginal peoples when they were not. Similarly, the violence inflicted on Aboriginal peoples could have been equally underestimated “because of cases in remote areas remaining unrecorded as well as the inadequacy of present primary research” (R. Evans 2004: 167).

In another recent work, Finnane (2005) argues that the reality of colonial expansion during the second British Empire was the continual exclusion of Indigenous populations (Finnane 2005: 54). This was done and maintained by the criminalization of the Indigenous people, by law or by historically mythologized arguments like that of the Australian historian Keith Windshuttle. The premise of Windshuttle’s argument is that the history of the extent and nature of colonial violence against Australia’s Indigenous peoples has been greatly exaggerated and fabricated (cited in Finnane: 2005: 43). Windshuttle argues that even when settlers were violent their cause was justified by the need of self-defense. Windshuttle also claims that things would have been worse if non-British “masters” colonized Australia’s Indigenous peoples (cited in Finnane: 2005: 43). In response to these claims, Finnane (2005) argues that Windshuttle’s argument is based on the indifference to the historical experiences and imperial realities pertaining to the colonized Indigenous peoples of Australia (Finnane: 2005: 54). To avoid Windshuttle’s “amateur criminology,” Finnane argues that violence has to be understood by adopting a



comprehensive historical account that takes into account culture, time, and place (Finnane 2005: 55). In doing this, Finnane (2005) is able to show how the colonial violence inflicted, and which continues to be inflicted, on Australia's Indigenous people contributes to their criminal behaviours.

Similar to Finnane (2005), Julie Evans (2005: 59) argues that local and British authorities of South Australia claimed to impose the rule of law on both sides of the frontier in their search for "unlawful" violence. This rule of law was solely colonial and was disguised by the discourse of impartial justice. Although the law should prosecute violence especially that committed by police officials, in the critical period of occupying the South Australian frontier it did not. When law was not yet established, dispossession and acts beyond the law were essential if the expansion of British sovereignty was to succeed (Evans 2005: 59-60). In comparison to the white settlers, the Indigenous subjects did not enjoy an equal protection from coercion (Evans 2005: 57-58). As she (2005: 60) says:

Bringing Indigenous peoples more fully within the protective pale of English law, and thereby helping realize the sovereignty Britain already claimed to possess, simply mediated different modes of [exclusionary] coercion, effectively rendering them prey to force in another guise as their lands were being transferred.

Moreover, although individual settler violence was more obviously unlawful, the trouble of securing convictions given the limits of the law beyond its government's boundaries (ignoring the exclusionary politics of the colonial-Indigenous encounter) did not maintain equal protection for Indigenous persons (Evans 2005: 71).

For Evans (2005: 69), British colonists justified the suppression of the Indigenous people of South Australia through the creation of the myth of the 'rule of law'. This myth at once presupposes and authorizes the Indigenous peoples' suppression. In doing this,

South Australia's officials were able to impose exclusive sovereignty, property rights, and a market economy (Evans 2005: 59). It is also important to note what transpired when a crisis or an emergency occurred outside the jurisdictional boundaries of the colony. One such incident was the *Maria* massacre that involved the killing of the shipwrecked passengers of a transport vessel. In this case the Indigenous people were nonetheless assumed accountable for the killings although it occurred outside the formed boundaries of the colony. Since this incident was formally beyond the reach of law it was considered an emergency state and justified the use of military force and summary justice. This emergency state paved the way for "the creation of [a] new juridico-political order from the [perceived] disorder and chaos of the frontier" (J. Evans 2005: 69).

Similar to Finnane (1994, 2005), R. Evans (2004), and J. Evans (2005), Tracey Banivanua-Mar (2005) argues that incidents of violence in Queensland and on the frontier of other settler societies must be seen as part of the same "significant [colonial] link" regardless of whether or not they received high attention or relative silence. As she argues, each incident had at its center a "negotiation of colonial relations that revolved around race [othering] and violence" (Banivanua-Mar 2005: 303). The role violence played in colonial rule is more adequately understood if conceived of in terms of this negotiation and not as part of colonial practices and imperatives, which have been characterized as either naturally functional or accidental (Banivanua-Mar 2005: 305). In other words, violence must not be conceptually separated from the colonial 'civilization' project, by being isolated as the product of the chaos and the lack of rationality on the frontier (Banivanua-Mar 2005: 307). Contrary to this mythic view, Banivanua-Mar (2005: 305) argues:

[Violence must be seen as] structurally implied in the very activities of contact and negotiation that established colonial occupation and hegemony in Queensland. As such colonial dissent, humanitarianism and emergent notions of welfare, 'protection', and equality served to further enable and embed the violence that so prominently dominated the cultures of contact and invasion that grew up on colonial frontiers.

Based on this view, violence is seen as part of the inherent nature of the frontier, where negotiations between the colonizers and the colonized took place. Moreover by adopting this view on violence, its effects on the Indigenous peoples in different countries can be understood "despite [the] vast historical, social, geographical, and ideological heterogeneity" (Banivanua-Mar 2005: 316).

Similar to Banivanua-Mar (2005), Amanda Nettelbeck and Robert Foster (2007) argue that in order for police officers and settler society to include Aboriginal peoples in South Australia they criminalized them. This paradoxical logic recognized Aboriginal peoples as British subjects, but also excluded them and justified violence against them (Nettelbeck and Foster 2007: 3). The authors illustrate this by looking at the role of Mounted Constable William Willshire, whose career centered in the Northern Territory during the 1880s and 1890s then administered by South Australia. He controlled the Central Australian corps of Native Police, at first under South Australian administration and afterward under the Northern Territory administration. According to the authors, Willshire in the name of the law justified the use of force and violence against Aboriginal peoples. This is evident in his 1891 trial in which he was unsuccessfully charged with the murder of two Aboriginal men (Nettelbeck and Foster 2007).

In his most recent work Foster (2008) argues that to justify violence on the Australian frontier, rhetorical strategies were regularly employed, officially and unofficially, to pass on the idea that the rule of law and not violence was the norm of the

frontier (Foster 2009: 1). As an example of one of these rhetorical devices, Foster shows that colonial officials and white settlers used the word “dispersed” instead of “shoot” when referring to violent attacks against Aboriginal peoples (Foster 2009: 7). In addition to this “rhetoric of concealment,” Foster argues that colonial officials also did not report crimes at times especially on the frontier when they were beyond surveillance (Foster 2009: 4). To substantiate this, the author critically analyzes official and settlers’ accounts and writings on how they often engaged in violent actions against Aboriginal peoples that were beyond the rule of law, and how these actions were concealed with language. These “codes of silence” reveal that a ‘secret’ “war was being levied against Aboriginal peoples to dispossess them of their lands and ensure their subjugation” (Foster 2009: 4).

Similar to Foster (2009), in a recent study of colonial policing in Queensland, Jonathan Richards (2008) argues that frontier violence was justified by rhetorical strategies. For example, Richards (2008: 3) shows that “knocked him over,” meant on the Queensland frontier that the police had shot an Aboriginal person. According to Richards (2008: 4), the Native Police functioned as part of a “widespread campaign of frontier racial violence in colonial Australia in general, and in Queensland in particular.” The Native police also played a key role in the suppression and dispossession of Aboriginal people from their land, the almost complete obliteration of Aboriginal law, and the degeneration of Aboriginal families (Richards 2008: 5). The colonial agents and settlers tended to see Indigenous peoples, “the colonized,” as potential law-breakers and outlaws unless they immediately and convincingly accepted European culture (Richards 2008: 6). But even then Indigenous peoples were not safe because their laws clashed with the white settlers’ laws (Richards 2008: 7).

Richards (2008) also stresses the military nature of the police. As he argues, “a number of officers in the Native Police were former members of British armed forces, and fought in other parts of the Empire” (Richards 2008: 7). The Native Police was an “exceptional military force” whose purpose was to suppress Indigenous resistance to colonization (Richards 2008: 8), even if it entailed using force and summary justice on their own discretion. Finally, in discussing violence on the frontier, Richards argues that “the frontier violence inflicted upon the Aboriginal people in Queensland was a refinement of practices in southern colonies and a tradition of violence migrated north with landseekers. Colonialism is inherently violent” (Richards 2008: 10). As he maintains, even most European settlers supported the killing of Aboriginal people, and confessed they had killed out of fear, hatred and distrust (Richards 2008: 208). For these European settlers, the Native Police continued existence and its secret war was, for them, a “question of necessity” (cited in Richards 2008: 208). Against this background, the Native Police can be seen as a product of its time, but the European members of the force in general knew they had to conceal their actions to escape prosecution or discharge (Richards 2008: 208).

### **Summary of Literature**

As discussed above, there are basically two interpretations of policing on the western Canadian frontier. One is based on the myth that the Canadian frontier was a peaceful frontier with honorable red-coated Mounties in comparison to the lawless American frontier that was policed by rowdy vigilantes. The other interpretation of the frontier is based on a critical response to this myth, which argues that the Canadian frontier like the American frontier was inherently violent. After situating the Western

Canadian frontier with other international frontiers, there seems to be some overlap in colonial trends and impacts. In every British colony where colonial police forces paved the way for the law and settlement, it was established and maintained by excluding the Indigenous population. As the literature shows, police forces across the British Empire were on the frontiers with the potential to use violence when needed. The literature also shows that the role of police forces must be critically assessed as there are often unreported cases of violence due to the biases of the police and due to the nature of the open frontiers they had to secure.

### **Research Questions**

The purpose of my thesis is to explore the following questions: What is the current popular discourse and cultural-historical representation of violence and the role of NWMP during the frontier period of prairie settlement? To what extent is violence recorded in historical records and official reports? What was the scope and nature of physical violence on the Canadian frontier? To what extent are there incidents in the historical records of Aboriginal peoples as victims of frontier violence carried out by the NWMP, white settlers, and other Aboriginal peoples? What do these incidents from the 'past' tell us about the present violent experiences of Aboriginal peoples in Canadian society today and how can these social injustices be reconciled?

I propose to offer answers or at least partial answers to these questions en route to a more adequate understanding of violence during the frontier period of prairie settlement. Because I approach the subject from a sociologically informed perspective that is more concerned with exploring the nature of violence on the frontier, I do not deal extensively with the everyday policing duties of the NWMP. Instead, I intend to shed

light on instances of inter-racial violence, and in particular violent encounters between the NWMP and Aboriginal peoples.

### CHAPTER THREE: THEORETICAL CONSIDERATIONS

From the above discussion on the mythologized accounts of the NWMP and their role, it is clear that misrepresentation is involved in official dominant history. To avoid repeating the bias in interpreting the results, it is essential to provide a theoretical-sociological framework to use as a ‘tool’ or ‘map’ to analyze and criticize such colonial mythic accounts without getting caught up in the same colonial logic. While there is more than one theoretical approach that can be utilized, for the purpose of this research I chose to adopt what is often labeled as a postcolonial perspective imbued with key concepts like hybridity (Homi Bhabha), state of exception, homo sacer (Gorgio Agamben), and governmentality (Michel Foucault).

Traditional approaches of looking at laws, policing, and settlements revolve around colonial Euro-centric interpretations and exclusionary liberal discourses that often justify “the expansion of Anglo-Canada and drives the nation-building model in Canadian historiography” (Smith 2009: 12). In spite of their appeal to humanitarian virtues, these approaches often ignore the “contradictory affair” involved in the colonial “ordering strategies” that managed a diverse population over large expanses of territories (Smith 2009: 12). The western gaze involved in traditional Euro-centric interpretations overlooked or misrepresented the Indigenous population who resisted colonialism and its violent effects on them. These biased and racist perspectives often suggest that Indigenous populations have been the docile (and at times ‘grateful’) receivers of ‘progress’ and ‘civilization.’

A more critical perspective that looks at colonialism from the perspective of the colonized is what is known as postcolonial theory. Postcolonialism today is “the main



mode in which the West's relation to its 'other' [the Indigenous peoples] is critically explored" (Fitzpatrick and Darian-Smith 1999: 4). Although there are many different definitions offered by researchers to describe what postcolonial theories revolve around, Edward Said (1978: 45) defines postcolonialism as an attempt to take a "retrospective reflection on colonialism," or as Brigs and Sharp (2004: 662) would say "breaking away from the colonizing attitudes of the past." To further elaborate, Banerjee and Prasad (2008: 91) argue that postcolonialism is a way "to critique and analyze the complex and multifaceted dynamics of modern Western colonialism and to develop an in-depth understanding" of the "contestation of colonial domination and the legacies of colonialism" (Loomba 1998: 12). In doing so, postcolonial theory begs more attention "not only to political and economic issues, but also to the cultural, psychological, philosophical, epistemological and similar other aspects of (neo-) colonialism" (Banerjee and Prasad 2008: 92). More specifically, some argue that postcolonial theory is a way to:

Interrogate European discourse and discursive strategies from its position within and between two worlds [European and Indigenous]; to investigate the means by which Europe imposed and maintained its codes in its colonial domination of so much of the rest of the world. Thus the reading and the rewriting of the European historical and fictional record is a vital and inescapable task at the heart of the post-colonial enterprise (Ashcroft et al. 2002: 221).

In this sense there is not a single (British-Canadian) history but a "multiplicity of histories" (Jorge de Alva cited in Loomba 1998: 13). One often-suppressed view is that of the Indigenous peoples, who are often colonized and silenced. Thus, even when 'other' views are missing, postcolonial theory criticizes such gaps and attempts to fill the silences. In this way, postcolonial theory is critical of the language, the author, and the sites of knowledge that are involved by default in producing and maintaining history (or the authority of who wrote the history). All discourses (symbols and practices) are

ideological means of subordination and of identity formation. A prime example of this is the ground breaking work of Said (1978: 2), who examines western Orientalism regarding Arabs in the Middle East, and argues that Western colonial domination went hand in hand with the construction of a complex hierarchy of binary oppositions juxtaposing a deep (non-essential) “ontological and epistemological distinction” between the Occident and the Orient.

According to Said (1978), western colonialism creates and maintains a violent hierarchy of misrepresentation between the Occident, the ‘civilized’ or inherently ‘good’, and the Orient, the inferior ‘barbaric’ and ‘backward.’ By challenging the Western gaze, Said (1978) argues that western discourses not only justify western colonialism as a liberal and paternalistic enterprise, but also take arbitrary natural qualities of identities and structure them in hierarchies based on ontological supremacy and inferiority (cited in Banerjee and Prasad 2008: 92).

Building on Said’s postcolonial framework, Homi Bhabha (1994) argues that the antagonistic and biased western discourses/representations imposed by the hierarchy of difference between the colonizers (Occident) and the colonized (Orient), create an ambivalent in-between ‘hybrid.’ To understand what Bhabha means by hybrid it is important to “see the cultural not as the *source* of conflict – different cultures – but as the *effect* of discriminatory practices – the production of cultural *differentiation* as signs of authority” (Bhabha 1994: 114; emphasis in original). In this way, the hybrid or “hybridity” for Bhabha is a:

Problematic of colonial representation and individuation that reverses the effects of the colonialist disavowal, so that other ‘denied’ knowledge[s] enter upon the dominant discourses and estrange the basis of its authority – its rules of recognition... Hybridity intervenes in the exercise of authority not merely to

indicate the impossibility of its identity but to represent the unpredictability of its presence (Bhabha 1994: 162-163).

While the notion of hybridity in its most explicit sense refers to a “process or condition of cultural [or racial] mixture,” Bhabha uses it in a “language *against* the exclusionary implications of race” (cited in Lund 2006: 3; emphasis in original). By dissecting western colonial discourses, Bhabha’s postcolonial analysis on hybridity “confronts the official discourses that constitute the coloniality of power with themselves: that is with their own essentially ambivalent nature” (cited in Lund 2006: 43). In short, Bhabha’s approach went another step on Said’s by looking not only at the Occident and the Orient (non-essentialist qualities attributed to a fixed hierarchy), but also at the hybrid space (in discourse and practice) simultaneously created by their interaction together. In essence then, hybridity refers to the outcome of a suspended relation (a ‘third space’ ruptured between the spaces and identities of the colonizers and the colonized) that is on the border of Occi(dent)/Orient, or as Bhabha (1994: 122, 128) puts it “almost the same, but not quite...almost the same but not white.” If such mixed identity can occur (or have the potential to be one or the other), then it is a misrepresentation to structure one (white dominant one) over the other.

By using a postcolonial framework, the colonial cloak over western discourses is unveiled revealing the violence implied in creating and maintaining them (also see Walter Benjamin 1986). The implication of this is clear: the official history of the NWMP and of violence must be critically approached and examined by keeping in mind the potential of the silenced voice. The official history is not to be taken for granted as fixed in reality, but rather, it must be seen as a subjective slice of it that is misrepresented as superior in the hierarchy of relations to justify colonialism. However, since my thesis mainly looks

at cases of physical violence and not necessarily the violence of language, I intend on refining this postcolonial approach by utilizing some of the philosophical-sociological concepts of Giorgio Agamben. I do this, by taking into account Bhabha's notion of hybridity with Agamben's notion of the homo sacer and the state of exception. By doing so, I offer another alternative approach to Bhabha that "totalize[s] the [broad and diffuse official] discourse[s] by locating it within the boundaries of an explicit defined camp [or state logic]," an approach that Bhabha avoided (cited in Lund 2006: 47). This step is taken to avoid falling prey to the flaw of seeing colonization strictly as a system of domination imposed on others within the boundaries of an explicit defined camp, as Agamben (1998) does. On the contrary, this perspective is adopted and juxtaposed along with Bhabha's approach to understand power within the camp and outside of it in society. Only in doing so, one is better able to explain what is being repeatedly resisted.

For Agamben (1998), the "state of exception" is a limit-concept (like hybridity) that places the "homo sacers," those whose death have no sacrificial value and whose killing do not count as a crime, in a (colonial hybrid) space that is on the threshold between exclusion and inclusion, or life and death (Agamben 1998: 9). As Agamben puts it:

What had to remain in the collective unconscious as a monstrous hybrid of human and animal, divided between the forest and the city – [the homo sacer or] the werewolf – is, therefore, in its origin the figure of the man who has been banned from the city [put in suspension] (Agamben 1998: 109).

Being a hybrid (Diken and Laustsen 2005: 24), or stuck in the "zone of indistinction" between the paradox of being included and at the same time excluded, homo sacers have no rights to protect them because they are seen as a threat against the state (Agamben 1998: 9). This gives the state the power and potential to engage in autocratic 'legal'

actions against those deemed as homo sacers. Thus, what originally seemed to have started with a temporary state of exception becomes permanent. In and outside the state of exception, the state has the potential to reduce the homo sacers' lives to the level of living-dead or "bare life" (Agamben 1998: 9). To reiterate this in Bhabha's (1994: 156) words:

The place of difference and otherness, or the space of the adversarial, within such a system... is never entirely on the outside or implacably oppositional. It is a pressure, and a presence, that acts constantly [as hybridity], if unevenly [here citizen, there homo sacer], along the entire boundary of authorization.

To further this argument (or to localize discourse in its totality), Agamben refers to the Nazi camps as the ideal type of the state of exception. Here Agamben suggests that the Jews were excluded and annihilated in the camps only after being deemed as a threat by Hitler's state. Following this "emergency," the camps became a permanent part of society. Thus, Jews were excluded not only inside the camps but also outside the camps. Agamben argues that the ability of the state in making the exception permanent is the indication of a suspended relation that constitutes the law (Agamben 1998: 18).

In general terms, Agamben is suggesting that when the state deems someone as 'non-citizens' or threat to its sovereignty their very lives are at stake. This exclusion of the 'other' or the "exalted" is what the state tries to maintain (see Thobani 2007). When the state is unable to do so, it relies on raw military power in seemingly aberrant moments in history. Taking together these scattered moments Agamben tries to highlight an inclusive/exclusionary technique of state power where law is intimately connected to violence (as a rule). In essence, Agamben is suggesting that for the state to maintain a legal relationship with the 'others,' it includes them by excluding them (i.e. banning or abandoning them). This suspended relation is exemplified by the hybrid space of the

camp where the difference between legality and illegality (i.e. their inclusion and exclusion) is not clear. Here it is important to emphasize, as Agamben does:

What is excluded in the exception maintains itself in relation to the rule in the form of the rule's suspension. *The rule applies to the exception in no longer applying, in withdrawing from it.* The state of exception is thus not the chaos that precedes order but rather the situation that results from its suspension [which is wholly connected to law] (cited in Thobani 2007: 36); emphasis in original).

In this sense, the banned or the homo sacers embody the fundamental structure of the law or the “nucleus of sovereignty” (Agamben 1998: 6). Thus, when a state includes someone by excluding them, it maintains itself by putting the very life and death of its exalted subjects in limbo. Without the exception, the rule ceases to exist (unless it finds another reference to withdraw from). This is why Carl Schmitt, the major influence on Agamben, said, “The exception is more interesting than the regular case. The latter proves nothing; the exception proves everything. The exception does not only confirm the rule; the rule as such lives off the exception alone” (Agamben and Heller-Roazen 1999: 162). As Hard and Negri (2000: 38) explain:

Interventions are always exceptional even though they arise continually, they take the form of police actions because they are aimed at maintaining an internal order [the rule]. In this way intervention is an effective mechanism that through police deployments contributes directly to the construction of the moral, normative, and institutional order of Empire.

From a postcolonial perspective then, Agamben's concepts can be utilized to understand colonization and how it is maintained through a suspension of relation where violence is legally meted out in certain strategic moments or interventions.

By utilizing Agamben and Bhabha's approach one can see the impact of hybridity within and beyond spaces. While Bhabha's offers a “psychoanalytical account of ambivalence” (Lund 2006: 48), Agamben looks at the arbitrary nature of the law in its

application and constitution in declaring the state of exception. Thus, what we have here is an ambivalence-within-ambivalence. For instance, as I show below, the Canadian government included Aboriginal peoples under the law and constituted them as its inferior subjects (creating a symbolic ambivalence). At the same time, Aboriginal peoples were put in ambivalent in-between spaces (reserves) where the relations with them were abandoned, by their inclusion. This ambivalence ought to be considered when looking at official reports and violence.

Recently scholars have been utilizing Agamben's insights to look at state or police violence against indigenous populations. One prime example is offered by Deirdre Tedmanson (2008: 142), who "finds utility and relevance in applying Agamben's theories of the camp, state of exception and homo sacer, to extend postcolonial understandings of contemporary Indigenous contexts." Tedmanson applies Agamben's approach to show how the death of Mulrunji, a Palm Islander man, in police custody was an exercise of sovereign power; a state of exception that was expanded into a declaration of a state of emergency to suppress the protests that followed and justify the use of excessive violence (Tedmanson 2008: 143; cited in Banerjee and Prasad 2008: 94).

In the Canadian context, Sunera Thobani (2007) utilized Agamben's approach to show how British-Canadian laws exclude or "exalt" Aboriginal populations. Thobani (2007: 37) also criticizes Agamben, by pointing out that:

[His] Eurocentric focus... does not allow him to recognize that colonialism (which predated his analysis of the concentration camp as the paramount site of exception) has been central to the development of western forms of sovereignty as racialized forms of power through the *institution of the law within modernity*. Nor does it allow him to recognize that quintessential zone of exception, the reserve, which long proceeded the concentration camp and has endured far longer, indeed, by a number of centuries (emphasis added).

Perhaps in recognizing the institution of the law(s) within western discourses Thobani, like Bhabha, avoided totalizing western discourses within the boundary of the camp, as Lund (2006) argued above. Foucault (1984: 380) explains this clearly when he says:

This sort of power is absolutely localized, it's a formula invented at a given moment; it has produced a certain number of results, has been experienced as totally intolerable or partially intolerable, and so on, but it is clear that it does not adequately represent all power relations and all possibilities of power relations. Power is not discipline; discipline is a possible procedure of power.

In addition to considering the structuring of the relations from above, Bhabha's hybridity model, unlike Agamben, also considers the "individualization" of subjects, which looks at how subjects self-govern themselves from below; making them participants in their own subordination (Foucault 1979). Bhabha, like other scholars as Smith (2009) indicates, have moved from studies that:

[Look] at territorial expansion by direct and explicit political, military, and economic control to consideration of 'informal' means of empire. These scholars investigate the imposition of imperial values on colonized subjects by what might be seen as the less overt means of missionaries, businessmen, and settlers, among others, who were supported [as perceived] only when necessary by military intervention (Smith 2009: 7).

Similarly, another concept that opposes and compliments Agamben's approach revolves around Foucault's notion of governmentality, which is often used to analyze the colonial governance and surveillance of indigenous populations and the cultural inscription implicit to the colonial enterprise. For Foucault governmentality revolves around a political rationality in which power works not by being imposed on others "but through the construction of a subjectivity normatively experienced [i.e. enabling/restraining] as the source of free will and rational, autonomous agency" (cited in Scott 1995: 201). Instead of looking solely at state governance from above, governmentality also looks at it from below. In broader terms, by changing the rationality of the individuals and limiting



their range of action and practice to a certain means and ends they are “turned from being opponents of civilization into being its vehicles” (Freud 1928: 11) or as others say “physic the mind, and the body will need no physics” (Frankl 1965: 11).

More recently some have utilized Foucault’s notion of governmentality within a postcolonial perspective, as Scott (1995) argues:

[C]olonialism can no longer seem to consist in the mere historical reiteration of a single political rationality whose effects can be adequately assessed in terms of the "more or less" of force, freedom, or reason. And in such a refigured narrative, the formation of colonial modernity would have to appear as a discontinuity in the organization of colonial rule characterized by the emergence of a distinctive political rationality – that is, a colonial governmentality – in which power comes to be directed at the destruction and reconstruction of colonial space so as to produce not so much extractive-effects on colonial bodies as *governing-effects on colonial conduct* (Scott 1995: 204; emphasis added).

Applying Foucault’s perspective to looking at capital punishment and mercy sentences in British Columbia, Tina Loo (1996: 107) argues that punishment inflicted on the bodies of Aboriginal peoples were “less evident after the eighteenth century, [because] they were displaced by other modes of discipline aimed at ‘governing the souls’ of deviants rather than just their bodies.” From this perspective, Loo argues in more detail that:

Capital punishment was thus an historically specific form of state control that must be read in the context of other disciplinary regimes, which, in the case of the indigenous peoples of Canada, included reserves, residential schools, and the regulation of land use and fishing and hunting through licensing. As these were developed and economies of scale came into play, capital punishment became less central to the colonization of Native peoples, and other forms of control, including mercy – itself an expression of power and an instrument of control – became more frequent (Loo 1996: 107).

This shift from governing the body to the ‘soul’ was done not out of the “rise of a humanitarian impulse that accompanied society’s march towards modernity,” but because it became less needed and more efficient to do without it (Loo 1996: 107).

Using Foucault's framework of governmentality to study the governance of Aboriginal peoples of western Canada (1870 to 1890), Hogeveen (1999) argues that while Canadian liberalism of the nineteenth century promoted humanitarian ideology, the same rationality emphasized the exclusion of Aboriginal peoples. Hogeveen (1999: 302) sheds light on the practices, techniques, and rationality of the government designed "to structure the possible field of actions of the aboriginal peoples."

In spite of the usefulness of Foucault and Agamben's concept in allowing us to understand colonial domination at work, they remain limiting. In fact, a main criticism that can be directed against them is the complete omission of how to resist the totality that indigenous populations are forced to live. Agamben's perspective on the homo sacer in the state of exception offers no space for resistance. The homo sacer is killed without being sacrificed (and apparently without resisting). Similarly, Foucault's notions either perceive individuals as the passive or docile recipients of power, or as the active transporters of power, where they are complicit in their own domination. Regardless of the calculated bio-politics to reduce Indigenous populations into rational subjects that can be monitored and controlled, the potential for resistance is never completely buttressed: "There is always a line of flight" (Diken and Laustsen 2005: 170) or room for "regeneration," "restitution," and "resurgence" (Alfred 2005: 151). This is why Deleuze (1988: 89) says that the "final word on power is that *resistance comes first*" (emphasis in original). It is important then, when attempting to discuss theories of domination to also discuss resistance or emancipation because, as Peter Kulchyski (1992: 173) explains:

[A] theory that focuses exclusively on the former falls prey to a reinscription of the very power it seeks to critique through a reification of that power. There is always room for some kind of resistance, struggle or praxis to totalization. Native people in Canada, for example, have resisted these processes with a good measure

of success for a long time. One of the jobs of theory is to decode this struggle, to read the strategies of resistance to power with as much attention as we devote to reading the strategies of power.

Thus, it is important to understand that totalization or (colonial) domination is intertwined with resistance; they are inseparable (Kulchyski 1992: 178). Aboriginal people resisted domination and were not simply passive receivers of ‘civilization.’ This resistance took place not only through direct opposition to colonial government, but also “through subverting the structures and signs employed by totalizing [or hegemonic] power” (Kulchyski 1992: 193). By subversion, Kulchyski (1992) is referring to the ability of resisting within the structure yet against it. For instance, he provides examples where Aboriginal people use the “language [or symbols] of power to represent (a hybrid) something other than power but this form of subversive gesture is not itself that other and, perhaps, not even that other language.” (see Kulchyski 1992). It is important to note, Kulchyski (1992) seems to be touching on the same issue as Bhabha, and that is the ambivalence that the colonized stand for, which challenges the ‘fixed’ order. Bhabha (1984) argues in his article “*Of Mimicry and Man*” that mimicry, as a form of subversion and disguise in the colonial encounter, allows the Indigenous hybrid to imitate the colonizer. In doing so, mimicry produces ambivalence that challenges the authority of colonial power by representing something similar, but not quite the same (Bhabha 1984).

The very existence of Indigenous populations in spite of the odds directed against them is a form of resistance that always provides the potential to challenge the power that excludes them. This continual resistance to becoming-homo sacers ought to be seen within the potential offered by the *multitude* (Hardt and Negri 2000; emphasis in original). Hardt and Negri (2000: 366) refer to multitude as the:

[N]etwork of individuals who are productive, creative, hybrid and nomadic subjectivities without forming a ‘people,’ to a ‘universal nomadism formed in constellations of events and transindividual singularities that cannot be flattened onto systemic logics [in that it provides a possibility of resistance] (cited in Diken and Laustsen 2005: 151).

Going further in explaining the multitude (as the theoretical twin to the homo sacer) Diken and Laustsen (2005: 151) argue, “If the naked life of homo sacer is the negative limit of the human togetherness (via the state of exception) and is constituted through human passivity, [then] *multitude* signifies the potentiality of naked life” (emphasis in original). That is the power that “naked life could become” by resisting (Hardt and Negri 2000: 366). Thus, with the concept of the multitude in mind, Aboriginal peoples not only resisted their colonization (or becoming homo sacers), but also continue to have the potential to resist. This is also why Fitzpatrick (1989: 272), situates crime of indigenous population within the (multitude of) resistance to the colonial situation. However, it is important to note, Hardt and Negri’s (2000) notion of the multitude has been rightfully criticized by some, like Camfield (2007: 23), for ignoring or undermining the socio-economic foundations in societies, which continually shape the limits for people to form networks of resistance.

Although the above discussed theoretical concepts have been used to interpret Aboriginal(s)/British-Canadian relations my study is not limited by them. My research is inductively driven primarily by the findings of the archive and secondary research. I use the postcolonial analysis and relevant theoretical-sociological concepts outlined above mostly to aid in a more critical and refined analysis of the findings, and of policing and violence in general. As Meredith (1998: 3) argues, “I do not posit this conceptual perspective within a political and cultural vacuum nor do I celebrate a false sense of

liberation from the continued influence of the historical colonial encounter. What I do argue though is the need for...” another approach that could shed more light on a deeply misrepresented issue. In the following chapter, this theoretical perspective is developed partly through a more detailed discussion of relevant sociological reflection on the meaning and manifestations of violence.

## CHAPTER FOUR: ON VIOLENCE

While the above discussion has explained the violent relation imbedded in colonization by utilizing the insights of postcolonial theory and other relevant concepts, it is important now to explain the relation of violence to itself. This chapter discusses issues pertaining to defining and conceptualizing violence and its different facets to offer a more comprehensive and critical look at the violence that is involved in colonization. Regardless of how critical an approach on colonization can be, it remains vulnerable to biases if violence and what is referred by it is not addressed.

History, especially of colonization (or the colonization of history), never happened without blood, torments, sacrifices, “coercion and [the] renunciation of instinct” (Nietzsche 1997: 38; Freud 1928: 7). For Walter Benjamin (1986), like the sociologist Max Weber, every legal resolution no matter how seemingly peaceful it is, must rest on an agreement or a contract between its members that if broken, entails the use of violence in some form or another against the member(s) who breached the agreement. As Benjamin (1986: 288) argues, “a totally nonviolent resolution of conflicts can never lead to a legal contract.” Anyone engaged in thinking about history and politics cannot remain oblivious of the role violence plays in social (and bio-political) affairs (Arendt 1970: 8), especially between ‘members’ and indigenous ‘non-members.’ Put more recently in Richards’s (2008: 16) words: “The truth is, European [like British] colonies were mostly born in and ‘enveloped’ in violence.” Unfortunately today and the future (as the issue of understanding violence is not only of conceptualization but continuous state misrepresentation), “violent action as we find in a variety of forms... remains in all its complexities one of the least understood fields of human social life”

(Aijmer 2000: 1). In the social (and other) sciences, violence is generally considered as the consequence of chaos (Aijmer 2000: 1). Violence and “its unauthorized [illegal] forms in particular [is seen] as anomalous, irrational, senseless, and disruptive – as the reverse of social order, as the antithesis of ‘civilization’....” (Blok 2000: 23; Banivanua-Mar 2005: 307). Violence is seen as empty of meaning, stemming from passion and not historical factors, and violent act(s) because of their asocial nature and destructive character are seen as associated with dysfunction and anomaly. As a result, a peaceful society is seen as devoid of violence (Creighton & Shaw 1987: 2-3). But as Johan Galtung warns, this kind of understanding is a case of “obscurum per obscurius [explaining an obscurity by something still more obscure]” (Galtung 1969: 167). As he elaborates, thinking of peace as the absence of violence:

Is in agreement with common usage [of violence] *and* defines a peaceful social order not as a point but as region - as the vast region of social orders from which violence is absent. Within this region a tremendous amount of variation is still possible, making an orientation in favor of peace compatible with a number of (self-justifying) ideologies outlining other (colonial) aspects of social order (Galtung 1969: 168, emphasis in original).

Violence has been defined mostly in legalistic terms as the “use of force that has been prohibited by law” (Riedel & Welsh 2002: 3). For the victims and witnesses, violence represents a strong negative connotation, the unacceptability and illegitimacy of harming behaviour (Riches 1991: 286). In broader legal terms violence is defined as:

The actual or threatened, knowing or intentional application of statutory impermissible physical force by one person directly against one or more other persons outside the contexts both of formal institutional or organizational structures and of civil or otherwise collective disorders and movements for the purpose of securing some end against the will or without the consent of the other person or persons (Weiner, 1989: 37–38).

Although a variety of instances are included in this legal definition, it is problematic because it considers only legally prohibited behaviours (Haan 2007: 27), which serves to reinforce state visions of “law and order” (Galtung 1969: 184), disregarding the voices of the Indigenous populations. In addition, legalistic definitions of violence fail to acknowledge that actions (law-making or law-preserving) by state agents, usually considered legitimate, can involve intentional (and unintentional) physical hurt (and other forms of violence) (Spierenburg 2007: 24). What we understand to be violence varies depending on factors such as context and perspective. Violence can either be considered immoral, illegal or accepted, and condemned or be perceived as moral, legal and functional (Haan 2007: 28). However, as some like Benjamin (1986) and Derrida (1990) argue, the distinction between legal and illegal violence is imposed a priori, through laws, and not necessarily known before hand. Furthermore, focusing on legal definitions of violence ignores sanctioned violence committed by state officials, like the police and the military.

Even when we consider non-legalistic definitions of physical violence, they remain restrictive. Violence usually denotes “harm-giving between human beings (in which perpetrators, through damaging an opponent, secure social advantage, and recipients, their agency thus jeopardized, suffer)” (Riches 1991: 282). This kind of violence is evident when one individual attacks another. In this classical example the actor (who is inflicting harm), the effect of the act (the visible harm) on the other subject of violence, and the process of the actor hurting the subject are all identifiable and traceable.



However, in reality, it is not as easy to define violence “because as a phenomenon it is multifaceted [varies by form], socially constructed [varies by social conditions] and highly ambivalent (can be legal, illegal, or natural)” (Haan 2007: 28). According to Scheper-Hughes & Bourgois (2004: 1), “violence can never be understood solely in terms of its physicality –force, assault, or the infliction of pain – alone.” Adopting such a conception of violence would be problematic: “Violence is not a simple act of will [intent], but needs for its realization certain very concrete preliminary conditions, and in particular the [physical and symbolic] implements of violence” (Fanon 1963: 35). As Galtung explains: “If this were all violence is about, and peace is seen as its negation, then too little is rejected when peace is held up as an ideal. Highly unacceptable (colonial) social orders would still be compatible with peace” (Galtung 1969: 168). Furthermore, focusing on physical violence alone excludes the psychological, symbolical, and structural violence (discussed below) that results from colonialism. To reemphasize Galtung’s point, looking solely at physical aspects of violence:

Misses the point and transforms the project into a clinical, literary, or artistic exercise, which runs the risk of degenerating into a theatre or pornography of violence in which the voyeuristic impulse subverts the larger project of witnessing, critiquing, and writing against violence, injustice, and suffering (Scheper-Hughes & Bourgois 2004: 1).

Unfortunately, defining violence in terms of physical force has dominated most scholarly research; indeed, even when scholars have tried to discuss non-physical forms of violence their approaches and conceptualizations of violence have been limited and restricted. A prime example of this is Riches (1991: 295), who offers a more inclusive view of violence by discussing invisible (as in witchcraft) and psychological kinds of violence. However, in the end, he still insists on giving priority to physical kinds of violence,

“contestably rendering physical hurt.” Similar to Riches, recent authors, who in spite of acknowledging other forms of communicative violence, still implicitly agree with the limitation of violence to physical hurt. As Jon Abbink for instance says in the second line of the preface of his recent book: “Violence is a human universal: in no known human society or social formation is interpersonal aggression, physical threat, assault, or homicide and armed conflict completely absent or successfully banned” (in Aijmer & Abbink 2000: xi; Spierenburg 2007: 15). Even Louis Knafla, who considered violence outside the courts and who arguably offers one of the most comprehensive accounts of violence in Western Canada, was unable to see the socio-political importance behind “the use of violence to nurture a law-abiding mentality” for the very reason that he focused on physical (i.e. “military activity, federal intervention in local affairs, direct extermination of First Nations...”) and not symbolic manifestations of violence (Knafla 1995: 30). According to such views on violence, instances or “interactions in which physical hurt is either absent or not readily apparent, even if it may have been intended or implicit, is not violence” (Nangengast 1994: 111).

While definitions of violence in terms of what is physically manifested might be helpful to prosecute offenders more efficiently in the courts, it is not inclusive and leaves much violence unnoticed. A more critical definition is offered by Johan Galtung, who sees violence as “avoidable insults [including threats] to basic human needs, and more generally to life, lowering the real level of needs satisfaction below what is potentially possible” (Galtung 1969: 168; 1990: 292). Galtung (1990: 292) identifies four classes of basic needs: 1) survival needs (negation: death); 2) well-being needs (negation: misery or morbidity); 3) identity/meaning needs (negation: alienation); and 4) freedom needs

(negation: repression). While Galtung himself acknowledged that this definition is problematic (see Gronow & Hilppo 1970), he argues that nevertheless this “*extended concept of violence is indispensable*” (Galtung 1969: 168; emphasis in original). It is also important to note that the needs of individuals and their own lives are shaped by factors from above as in political, social and economic factors, and by factors from below as in individual rationalization and practice. Thus, the need and right for any group could differ on the context authorized and must not be assumed a priori.

Similar to Galtung, many other researchers have looked on violence and its meaningfulness in society in a broader and more inclusive way that is beyond what is necessarily physical or illegal (cf. Haan 2007). Contrary to previous assumptions that violence is aberrant or devoid of meaning, recent authors suggest that violence is meaningful and is in fact constructive. As Aijmer (2000: 1) argues, there is “ample evidence that violence in its endless manifestations is part and parcel of human existence and in all likelihood a constituting element of human society used as a cement in processes of social aggregation [and segregation].” Instead of defining violence “a priori as senseless and irrational” that is present or absent in society, many researchers are looking at violence and its complex ties to shaping social relations, legal/illegal or natural ones (Nagengast 1994: 111). Violence is seen as an alternative people (and states) use to deal with human problems “as a changing form of interaction and communication” (Blok 2000: 24). As Nagengast (1994: 111) elaborates:

Going beyond the mere presence or absence of violence challenges us to locate it within a set of practices, discourses, and ideologies, to examine it as a way to deploy power within differential social and political relations, or as a means that states use to buttress themselves and to maintain power.

One of the leading authors who locate violence within social relationships is Pierre Bourdieu, who includes both physical and symbolic aspects in his conception of violence. For Bourdieu, it is important to look at symbolic kinds of violence because direct physical violence is “a crude, uneconomical, and unnecessary mode of domination. It is less efficient and... it is certainly less legitimate” (cited in Scheper-Hughes 2002: 31).

According to Bourdieu, in contrast to overt physical violence, symbolic violence refers to a kind of violence that is implicit in social relationships and practices. According to Bourdieu, symbolic violence is “a gentle, invisible violence, unrecognized as such, chosen as much as undergone, that of trust, obligation, personal loyalty, hospitality, gifts, debts, piety, in a word, of all virtues honoured by the ethic of honour” (Bourdieu 1990, p. 127). In simpler terms, symbolic violence is the subtle form of exercising power “*upon a social agent with his or her complicity*” (Bourdieu and Wacquant 2004: 272; emphasis in original). This complicity is a result of “*misrecognition,*” or accepting something (like their subordination) as normal when in fact it is arbitrary (Bourdieu and Wacquant 2004: 272; emphasis in original). In this sense, the social agents accept legitimacy of authority without imposition. As Hanagan (2003: 121) comments on Bourdieu, symbolic violence carefully follows a well-defined script and is endorsed by state officials, such as a “monologue,” where officials address a public and only a choreographed consent is expected (otherwise it would be deemed as illegal or immoral) (Hanagan 2003: 121). Symbolic violence is the violence enacted during a given relation between those who exercise power and those who submit to it. This violence stems not from the mere symbols and words, but more importantly from “the belief in the legitimacy of words and of those who utter them.” This legitimacy and the violence embedded within it becomes

misrecognized to the point where social agents are not able to challenge them, and are thus overlooked and accepted simultaneously (see Bourdieu and Wacquant 2004).

In this sense, symbolic violence allows the state “to obtain the equivalent of what is obtained through (physical or economic) force,” with less resistance (Bourdieu 1991: 170). Symbolic violence is a notion of violence in which those to be dominated do not challenge the arbitrary imposition of the dominant world view, but are encouraged to participate in their own domination with the illusion that they are free willing agents (Bourdieu 1991). For this reason, Bourdieu argues: “Of all forms of hidden persuasion, the most implacable is the one exerted, quite simply, by the *order of things*” (Bourdieu and Wacquant 2004: 272; emphasis in original). As Bourdieu explains, “*symbolic violence accomplishes itself through an act of cognition and of misrecognition that lies beyond - or beneath – the controls of consciousness and will*” (Bourdieu and Wacquant 2004: 273; emphasis in original). In other words, symbolic violence constructs the parameters for rational action in a way that makes it difficult to discuss, or even to imagine, things outside of these narrow parameters (cited in Woolford 2004: 118).

Symbolic violence influences people by making them internalize dominant perceptions of the world into their own self-understandings and practices, even though these perceptions (knowingly or unknowingly) contribute to the maintenance of their own socially inferior positions. Symbolic violence revolves not around a political instance, but a political structure and relationship. Symbolic violence also refers to the so-called “threats of violence,” economic obligations, and other social constraints designated under this term (Bourdieu 1990, p. 127). For Bourdieu, examples of symbolic violence are evident in racism or sexism. Racist or Sexist individuals see their thinking and actions as

the nature of things and not necessarily ways to benefit them over other races and genders. In a similar vein, victims of racism and sexism also see things as given and do not want to know that they are subject to it. Thus they are complicit in their own oppression. As Bourdieu argues, gender roles are taken as given, yet across cultures there is a great elasticity as to what constitutes a feminine or a masculine role. Accepting gender roles, which are arbitrary in essence, as given, puts females under males, even if they were able to outperform them. To be a female is not simply to be dominated by a male, but to live under a socially constructed reality and to embody that reality in a way that puts males over them by default (Bourdieu 2001).

Adopting Bourdieu's view, a state's law is seen as violent even if it was not imposed by physical violence. As Bourdieu explains, law is the example "par excellence of the symbolic power of naming and classifying that creates the things named, and particularly groups" (Bourdieu and Wacquant 2004: 273). Law is able to protect one group and exclude another based on arbitrary classification, specifically because this exclusion is "*recognized*, that is, misrecognized as arbitrary" (Bourdieu 1991: 170; emphasis in original). As Tuitt (2000: 106) elaborates, law is embedded in violence: "Far from being 'innocent' in the systemic violence of racism, the law serves to breach the gap between 'liberal principles of freedom and equality and a practice that was radically different [i.e. utter exclusion].'" Thus, it is important when looking at official violence to consider symbolic types of violence.

Contrary to the Weberian conceptualization of state power as resting only with its monopoly over legal physical violence, Bourdieu argues that state power is also attributed to its "*monopoly of legitimate symbolic violence*" (Bourdieu 1991: 239:

emphasis in original). This monopoly is maintained not only through coercion or hegemony but, more importantly, through structuring and ordering of relations of domination and subordination. As long as individuals are included by their own exclusion in a social relationship, the symbolic violence they experience becomes part of the “every day violence,” or as Benjamin would say “terror as usual” (cited in Scheper-Hughes 2002: 30). Everyday violence is routine violence of daily social interactions that oppress those who are colonized or marginalized by the state. Due to the repeated occurrence of violence on the bodies, minds, and the environment of the colonized, they become further dehumanized making the society numb and incapable of responding to injustices against them. This constant dehumanization experienced by the colonized, allows for structural and genocidal violence to be committed against them (see Scheper-Hughes 2002: 30).

In considering symbolic kinds of violence, one could see how sovereignty asserts its power by limiting, rather than over relying on, the use of physical force or the “most flagrant manifestation of power” (Arendt 1970). Power need not to be meted out by force to be effective, since real power is to be able to have authority without the need to physically enforce it; thus power is internalized, yet in no less disciplinary fashion (Arendt 1970: 10). Arendt goes further to say that physical violence, by itself, is “utterly incapable” of creating power. As she succinctly explains: “Violence can always destroy power; out of the barrel of a gun grows the most effective command...What never can grow out of it is power” (Arendt 1970: 53). Although Arendt (1970) did not refer specifically to symbolic forms of violence, her analysis cannot be complete without it. It is precisely because of the efficacy of symbolic violence that a powerful state relies on

physical violence only when it is deemed necessary or a “state of exception” (Agamben 1998).

It is important to note that by no means are there only two rigid categories of violence (physical and symbolic) as there are other forms of violence that are interrelated in a complex web with them (see Galtung 1969; Riches 1991; Haan 2007). Almost every violent action or physical constraint, gesture, or symbol is communicative and as a result can inflict psychological damage on its victims and witnesses like “assaults on the personhood, dignity, sense of worth or value of the victim” (Henry 2000: 2). Violence also includes structural violence, which is the violence that is caused by socio-economic institutions (which also involve symbolic repression). Institutions are the “rules of the game,” which are the patterns of interaction that govern and constrain the relationships of individuals (cited in North et al. 2009: 15). Institutions consist of “formal rules, written laws, formal social conventions, informal norms of behaviour, and shared beliefs about the world, as well as the means of enforcement” (North et al. 2009: 15). They are restraints on the behaviour and mental realization of individuals and how they view other individual behaviours. An example of this is how there is a general view among white settlers that would see colonization not as violence against Indigenous people, but as something that is essential and needed for them to be ‘civilized.’ Psychological, emotional, and sometimes verbal violence are intertwined with physical, symbolic, and structural violence (Aijmer 2000: 9). In this sense, the intent behind violence lies not only in the perpetrator’s action but, more importantly, in the “catastrophic form of misrecognition, which so devalues a population that assimilation is assumed to be a matter of their general welfare” (Woolford 2009: 91-92).



By also considering symbolic forms of violence, the NWMP's role could be understood more critically. In the archival records, physical instances of violence are limited to those who comment on them. As a result if there were no instances reported by NWMP officers then one could prematurely say the western Canadian frontier was peaceful. As shown above, this is an "exercise in absurdity," Canada's existence and maintenance as a nation, like all the other British colonies, is not possible without some sort of violence, no matter how benign it may appear to be (Thobani 2007: 43). As Tina Loo (1994: 5) says:

Canada's past may not have been characterized by Indian wars of the American kind, but it was marked by violence as well as perhaps less than honourable treaty process and the passage of the Indian Act, both of which are considered acts of judicial genocide by many.

In order then to fully understand the NWMP interactions with Aboriginal peoples, the symbolic and other kinds of violence need also to be considered. The NWMP patrols, rituals, and powers in paving the west for settlements and signing the treaties, were and still are, part of the "rituals performed as a kind of metaphor and symbolic warning" (Nieburg 2009: 94). With the very arrival of the NWMP, inequality and deception are already present in their very symbol. The very presence of the NWMP involved a "performative act" (Blok 2000: 27); they were not only doing things but also where expressing things and threatening to do things, even without saying. All symbolism, communication, or rituals associated with the NWMP actions (or the lack of) paved the way for creating and maintaining relations that privilege them over Aboriginal peoples. This also helped them to recognize certain social, racial, economic, and political goals with minimum amount of risk.

In line with these observations on violence, one is able to critically assess violence on the western Canadian, specifically that committed by the NWMP. The awareness of the complexity of the means of violence also helps one to avoid repeating the bias of other researchers. Violence is not aberrant to 'law and order,' but complementary and constitutive of it. Violence does not only include physical actions or threats by one individual or those committed by organized groups like the police, but it also includes psychological, symbolic, and structural kinds of violence that were influenced (and created) by the social, economical, and political environment (see Hanagan 2003: 136). In this thesis, instances of physical violence are discussed as openings that provide for a space to challenge the NWMP's rarely challenged positive reputation. It is important to note, the emphasis is on physical rather than other kinds of violence simply because it makes the task more practical not that other kinds of violence are less important (Ross 2004: 3-4).

## **CHAPTER FIVE: METHODOLOGY**

### **Description of Sample**

The methodology for this research study is qualitative and relies on both secondary and primary sources. Secondary sources, which include both previously published and unpublished studies, are used mainly to situate my research problem within the current literature. This has allowed me to develop a comprehensive descriptive approach to violence in western Canada, and also allowed me to build on the existing literature. In addition, the use of secondary sources has enabled me to undertake an analysis of how and why discourses around the NWMP are mythologized.

Primary sources, unlike secondary sources, are original documents pertaining to an incident or subject of investigation, like a firsthand or eyewitness account of an event. These are important to study in order to get a more accurate picture of how frontier violence was perceived straight from the writer's perspective (and biases), without being reinterpreted and filtered by other authors. The key primary sources accessed for this research were obtained from the archival collections of the National Archives and Library in Ottawa. While the following study draws mainly on data included in the NWMP Record Group (RG 18), the archival collections including the Record Group of the Department of Indian Affairs (RG 10) and the Federal Department of Justice (RG 13) were also consulted. I traveled to Ottawa to access and photocopy the documents identified that could not be obtained on microfilm or online. My trip and research expenses were funded by a research award given to me from the Faculty of Arts at the University of Manitoba, entitled the J. G. Fletcher Award.

The crime reports that I focus on mainly relate to the western Canadian frontier, which includes most of the southern and central parts of Manitoba, Saskatchewan, and Alberta (Nettelbeck and Smandych 2010). The dates covered are the years between 1873, the year the NWMP was founded, and 1905, the year the NWMP was renamed to the Royal North West Mounted Police. Throughout this era the entire region was part of the North West Territories. However, from early in its history, the jurisdiction of the NWMP also extended into the eastern interior part of present day British Columbia and the more northern territory of the Yukon (Nettelbeck and Smandych 2010). In the NWMP reports victims and aggressors were categorized into three groups (excluding themselves): Aboriginal peoples (“Indians”), Métis (“Half-breeds” or “Mixed Bloods”), and white settlers. Also to note, Aboriginal women were often referred to as “Squaws” by government officials. All these terms merely illustrate that the NWMP could not avoid the discriminatory attitudes widespread in their language and society at the time.

### **Sampling Method and Analysis**

To help critically understand the knowledge that is available in the primary and secondary sources, a qualitative-historical data analysis is relied upon. By this the methodology is inductive, and like the works of historical sociologists, it lets the facts speak for themselves, but at the same time it is critical of these facts, the complex historical factors that affect them, and who authorized them. In doing so, the methodology “stress[es] the portrayal of given times and places in much of their rich complexity and pay[s] attention to the orientations of the actors as well as to the institutional and cultural contexts in which they operate” (Skocpol 1984: 371). My research took several phases to complete. The first phase of my research involved

undertaking a comprehensive on-line search of key Record Groups that are searchable using the National Archives and Library website to identify additional documents that dealt with the topic of violence and crime in general (using search terms including violence, crime, murder, assault, deaths etc.). Before getting there it became clear that terms referring to violence, massacre or slaughter were very few. For instance each of these terms only got 3 references online. On the other hand, words like crime and murder got more than 600 references each. However, after going through them and other terms, I noted less than 100 relevant references to be examined when I got to the archive. At the same time, I sought help from archivists via email and 'online chatting' who were kind and helpful in guiding me through my questions and concerns. I was also able to request 10 volumes of records so they would be there on my arrival date, 6<sup>th</sup> of November 2008 (every other day I was able to receive an additional 10 volumes). After getting to the archive and going through the first volumes, I found that fewer and fewer cases actually dealt with physical violence. And in very few cases, some of the files I was not able to retrieve as they were missing or on hold with another client. In the hope of finding more cases, I would scan through the entire volumes (boxes) to check for other cases that might have not been noted. But even then, physical violence was not as common in the archival records, with few exceptions relating to Aboriginal offenders who defied arrest as noted by historians like Dempsey (1979).

After going through about 60 volumes within my two-week stay in Ottawa, I ordered all my files, which were numbered by then, as evident in the references below. The files were scanned and then shipped to me in Winnipeg about four weeks later. After receiving my files, I sorted them out chronologically based on how they are relevant to

physical violence and against who the violence was committed and by whom. While it has already been noted that instances of physical violence were not as common, this is more the case for the earlier years of the NWMP. I have attempted to crosscheck my findings from the RG 18 primary sources with other record groups and secondary sources, to identify patterns of violence and voices missing from the archival records. Unlike the primary sources, many more cases of physical violence surfaced in the secondary sources.

The finding that should be noted from the very beginning is the lack of physical violence in the archival records. This objective observation has to be highlighted for future researchers interested in pursuing an archival research on violence. While this might not seem like a surprising finding for some, given that it is the colonial-archive, what is startling here is that the silence is not “entirely silent” (Coleborne 2005: 99), and as I show below it may amount to a more refined approach and potentially a new one to the field of study (by providing a space to recognize and challenge the dominant one-sided view of the NWMP’s version of history). For now it is suffice to say, my initial findings echo those of Stoler’s work on the colonial archives who argues, “the colonial/imperial archive through its omissions also embodies ‘documents of exclusions’” (cited in Coleborne 2005: 98).

To conclude, I intend to do the work of the historian by looking at the NWMP crime reports and the work of the sociologist by relying on sociological concepts and theory that aims at critically looking at history. This more interdisciplinary approach allows me to go beyond traditional approaches of dividing the undivided, Sociology and History (see Smandych 1999).

### **Limitation of data**

Besides the conceptual problems with looking at violence discussed above, researchers studying violence and criminal-historical records face the continuing problem of reliable data or how to avoid misrepresenting reality (Waite 2003: 53). This is especially the case when one factors in the potential of having missing 'dark figures' on violence. In the primary records, the NWMP officials were writing back to higher officials. It remains always a possibility that the NWMP officials filtered out from their writing what would damage their image or controversial incidents to maintain their prestige, and ultimately their job with the force. Even without intending to alter details, the officer's subjectivity remains one that is based on a limited version of reality and rationality. In this sense, the distinction between primary and secondary sources is not always clear.

Research guided with a postcolonial framework would argue that the crime reports in the archives (like most secondary sources) do not offer a voice to Aboriginal peoples. Indeed, as victims or perpetrators of violence, Aboriginal peoples were often spoken for. When their views were recorded, they were often translated via interpreters, which raise the possibility of misinterpretation. Even when Aboriginal peoples' views were correctly translated, one ought to factor in the Euro-centrism of the NWMP that might have affected the interpretation. This is an issue of not mere translation, but language, the science of translating, and the archive itself (a more in depth discussion of the archives is offered below).

Some of the limitations outlined above show the methodological unfeasibility of capturing an accurate Aboriginal account of history. As Waite (2003: 53) explains:

In frontier areas, where law enforcement and any form of centralized government were just forming or largely absent, accurate figures are lacking. The reliability of criminal data remains an issue of debate even to the present date in the most populated and extensively policed urban centers.

It is important to note, while the NWMP crime reports can be utilized to give a space for the Aboriginal voice to speak they remain largely silent themselves. This thesis tries to offer a space where Aboriginal peoples can speak; it does not claim to speak completely for them.



## CHAPTER SIX: VIOLENCE AROUND WESTERN CANADA

Besides discussing violence in other British colonies, two things remain to be discussed, albeit briefly, before looking at violence in western Canada. First, a discussion of violence in the broader area of western Canada is offered followed then by a more localized discussion of violence in western Canada during the Hudson's Bay Company (HBC) period prior to 1873. In doing so, a more comprehensive picture of violence in western Canada is offered.

From the very origins of the United States in the 1760s to the 1960s, there has been ample evidence showing that the region had faced a "kaleidoscope of uninterrupted criminal activities and collective acts of violence" (Knafla 1995: 11). Until the 1920's, legal authority was given to traders to hire "gunslingers" to drive off anyone, mostly Indigenous people, who were considered an obstacle to the capitalistic exploitation of the land. Such authority contributed to the notorious vigilante movements in the United States, and the use of weapons for offensive as well as defensive purposes (Knafla 1995: 28). It has been recorded over and over that vigilantism in the United States has contributed to too many massacres. There was 'no law' south of the forty-ninth parallel:

It was a dog-eat-dog existence, where no great value was placed on human life, particularly on the life of an Indian. Disputes and murders among the traders themselves were relatively commonplace, and nothing was done either to prevent these acts or to punish the wrongdoers (Dempsey 2002: 166).

For instance, in Montana alone there were more than thirty massacres involving Indigenous people after 1860 (Crutchfield 1992: 45-57). According to Russell Weigley, between 1866 and 1895 there was "943 military engagements in the American West" (cited in Morton 1977: 3). Around the same time, in the Idaho Territory frontier violence was very prevalent and unchecked, as a newspaper reported, "something like two

hundred have been hurried into eternity during the last eight years at the hands of violence – a large proportion being downright murders” (cited in Martin 2006: 107). These figures show that violence on the American frontier was a “persistent reality” that Indigenous people and settlers experienced in their encounters (Martin 2006: 107).

By the late 1860’s, nearing the end of its first century, the United States was faced with a “bloody civil war” (Wallace 1997: 3). As a result, the spotlight was directed westward to be able to expand and have better chances. Even though most of the land in the west was still in the possession of Indigenous tribes who had no desire to give it up to the newcomers, the American army with the aid of the settlers took the land in a succession of extended “Indian Wars” (Wallace 1997: 3). The Indigenous population was regarded as a threat to be excluded or “destroyed” (Wallace 1997: 3). This led to numerous atrocities, according to an 1894 census, “the more than 40 Indian wars from 1775 to 1890 claimed the lives of some 45,000 Aborigines and 19,000 white people” (Heritage Community Foundation: 2005). For instance, the Sioux in Minnesota went through the Dakota Conflict of 1862, Red Cloud’s War in 1866-68, and the Great Sioux War of 1876-77. In the last war at Little Big Horn, the Sioux were able to inflict “a crushing defeat” upon General George Custer and his Seventh Cavalry, where they almost got completely annihilated (Constable Dickens cited in Carter 2003: 38). The United States finally put an end to this opposition in 1890 by slaughtering “The Ghost Dancers” at Wounded Knee. By the end of the century, the Sioux had been excluded on reserves (McCrary 2006: 1).

Similarly, the U.S. in 1870 put an end to the Piegans’ resistance in Montana, after Colonel Baker’s military expedition killed a large number of them in what came to be

known as the Baker Massacre. Since the Piegans were part of the Blackfoot Confederacy in Canada, this destroyed the ability of the Blackfoot to put up any type of organized resistance to invaders – white, Métis, or Cree (Dempsey 2002: 222).

Looking at the American side of the border it is clear from the brief evidence provided and from other newspapers and books that violent incidents of shoot-outs and vigilante actions were prevalent, with little done to prosecute the offenders (Waite 2003: 53). It is not surprising that one scholar concludes:

America has always had a violent past, and the frontier in a way has stood for this country as its most violent. Without exceptions, the history of every Western state is replete with lawlessness, from the arrival of the early Mountain Men to the appearances of the twentieth-century Minutemen. In between we find a range of individual types claim jumpers, miners cowboys, cattle rustlers, Indian haters, Border ruffians, Mexican banditti, mule skimmers, railroad workers, highwaymen, racial bigots of various colors, professional outlaws, homicidal maniacs, and hired gunslingers. Each group had more than a speaking acquaintance with violence, for the rough life on the frontier prior to 1900 produced scant recognition of the law as law (Hollon 1974: vii).

Perhaps because of the readily available evidence of violence on the American frontier, the Canadian frontier was conveniently seen as a more peaceful frontier. However, while there may have been a higher level of violence on the American frontier, it was definitely present on the Canadian frontier, as shown below.

Canada's close proximity to the United States made it inevitable for violence to spill over its frontier in British Columbia (see Fisher 1981: 49). It is imperative to understand, when discussing the Canadian frontier and the American frontier that the borders between them were still more fluid; Aboriginal peoples, whiskey traders, ranchers, etc. were able to move back and forth resulting in a major policing issue for both countries. If Canada is seen solely based on its geography, violence was far from absent (Beare 2007: 325). As June Callwood says, "the country is illogical: it runs east

and west whereas the rivers, mountains, commerce, and people flow north and south” (cited in Beare 2007: 325). The very term “Indian” in itself unquestionably attests not only to the historical misrecognition of geography, but also “encodes the continuing “epistemic and ontological violence that upholds” the rule of the Canadian government (Thobani 2007: 50).

Upon a closer look at the region around western Canada, violence appears to have been just as common as in the United States. For instance, in the 1700s, monetary reimbursements were offered for scalping Aboriginal peoples in Nova Scotia (Thobani 2007: 42). As Governor Cornwallis of Nova Scotia announced in 1749:

His Majesty’s Council do promise a reward of ten Guineas for every Indian Micmac taken or killed, to be paid upon producing such Savage taken or his scalp (as in the custom of America) if killed to the Officer Commanding at Halifax, Annapolis Royal or Minas (Neu and Therrien 2003: 30).

It is not surprising that Nova Scotia “matured” throughout its pre-1847 history in the middle of almost continual colonial warfare (McNaught 1970: 74-75). The outcome of such violence created more turmoil in the region. Halifax was a city that had a high level of violence through killings and sexual assaults (Knafla 2003: xv).

Similar to Halifax, Ontario also had incidents of violence. One distinguished example occurred in January 1832, where some starving Aboriginal persons killed and mutilated nine white residents at the HBC’s post of Hannah Bay and then took their items. Later in March a few men of John McTavish, Chief Factor in charge of the post at Hannah Bay, “shot on the spot, without inquiries” six Aboriginal men suspected of the crime (Foster cited in Knafla 1995: 15).

Even if one looks at the farthest distance from Halifax, to the far west of Canada, in British Columbia, violence was also prevalent. According to Fisher (1981: 32)

violence in the British Columbia region during the years of early settlement was as common as that in the United States. In the nineteenth century Ottawa's influence, even after the colony became a province of Canada in 1871, was at best limited. It is argued that this lack of influence coupled with the encroachment of settlement before the arrival of the NWMP in British Columbia, made it very similar to that of the region in the United States. Indeed, from the early decades of European settlement between 1840s and 1870s, "individual attacks and murders were common enough in both British Columbia and Washington Territory" (Fisher 1981: 33). In 1860, for instance, Colonel Moody of the Royal Engineers became concerned that inter-tribal conflict within the Squamish was threatening white settlers. He blamed and threatened, "to wipe out the entire Squamish Tribe with gunfire" (cited in Roine 1996: 13). Attitudes and threats like these often had the potential to cause bloodshed between Aboriginal peoples and white settlers. It is important to note, in the 1850-60 period similar accounts came from the Yukon district in British Columbia. For instance Morrison (1985: xix) argued that the Yukon district almost "sunk into semi-anarchy in the style of California."

In another notorious incident called the "Bute Inlet massacre," which occurred in 1864, a group of Chilcotin Aboriginals assaulted and killed 21 white laborers building a trail from Bute Inlet into the interior (Loo 1994: 113; Foster 1994: 71). On the run they murdered a settler and ambushed a pack train. According to Foster (1994: 71-72), the patterns of killings indicated that the perpetrators wanted war, not simply murder. In the middle of August 1864, five Chilcotin Indians were charged with the murder of the laborers and shortly after they were all hanged. This severe punishment emphasizes the similarity between Canada and the United States (Loo 1994: 113). The Chilcotin were

seen as savages who were disrupting civilization by committing massacres instead of killings. This kind of discourse categorized Aboriginal peoples as a threat and obstacle in the path of ‘civilization,’ and further justified the use of violence against them.

Although there was no consensus among Aboriginal groups, violent action against white settlers and officials was discussed without doubt as a method of retaliation (Fisher 1981: 32-33). And with the later development of transportation and settlement in British Columbia violence remained prevalent. This violence especially affected the marginalized, “aboriginals, mixed bloods, and Orientals,” who faced especially cruel laws as both victims and offenders. Especially as victims, they had no recourse against the extralegal or racist measures used to subdue them. They did not have the knowledge or resources to defend themselves, and faced swift repression when they took actions that publicized their plea (Knafla 1995: 19). As Swainger argues, “From the Klondike gold rush of the 1890s through the era of World War II, lawlessness was rampant as the local press turned a blind eye” (cited in Knafla 2003: xvii). In the absence of government officials the people of the Kootenays firmly believed in the notion of frontier justice, like the vigilantes on the American side. Moreover, white miners were well armed, knew how to use their weapons, and more notably “were not cowed by the threat of death” (Knafla 1995: 21). For these reasons violence and “human tragedy” became a widespread element of the British Columbia region, “[o]ften bodies were found floating down the rivers of the Kootenays, and often the cause of death was never examined” (cited in Knafla 1995: 24).

While the above discussion is not comprehensive enough to provide firm conclusions about the extent of violence in the region surrounding the western Canadian frontier, one main point is clear. Violence around the western Canadian frontier was

present, if not widespread, to an extent that reflected similar trends in the United States, the notoriously violent frontier.

## **CHAPTER SEVEN: VIOLENCE BEFORE THE ARRIVAL OF THE NWMP**

In addition to discussing violence around the western Canadian frontier, it is necessary to look at violence and the history of the previous relations in the region during the fur trade period of the Hudson's Bay Company (HBC). In doing so, one is able to understand how the violence on the western Canadian frontier during the era of the NWMP era, has its roots in the historical-material competition created by the fur monopoly of the HBC. By taking into account the specific regional history of the western Canadian frontier, incidents of violence on the Canadian frontier are not taken out of context. After all, since the HBC were "Here Before Christ" and the Mounties (Loo 1994: 18), it remains crucial to at least trace these relations.

In most of western Canada, the HBC established the first link between Aboriginal peoples and merchant capitalism (Macleod 1992: 91). It was during the HBC's time that "the initial links between law and economy were forged - links that would be elaborated on [enforced and institutionalized] in the colonial period" (Loo 1994: 12). Even though before the early nineteenth century all of the lands west of Canada were often referred to as "Indian Territory," Rupert's Land that was given, by Charles II in 1670, to the HBC was legally separate (Foster 1990: 2). Rupert's Land was a "foreign plantation," but the Indians Territories, first defined by the Royal Proclamation of 1763, were not (Foster 1990: 4).

The vicinity of Rupert's Land was immense; as such, the HBC could not accomplish controlling the entire region. It is "mere fiction" to assume that the HBC had power over all this area (Macleod 1992: 92). In fact, outside the precincts of the company posts, the HBC's authority was very limited. For this reason, during the HBC period there



was almost no interference in Aboriginal crimes. If one Aboriginal killed another of the same or different band the HBC officials would not interfere, as long as no one worked for the company (Smadych 2005: 128). However, if an HBC employee was involved, they often resorted to using the traditional Aboriginal methods of dealing with disputes like “blood for blood,” where the offended party (under certain conditions) was entitled to killing the other member in retaliation (Foster 1990: 1).

To control its members, HBC officials relied on the British law, in theory, when it was convenient. As Foster explains (1990: 1), “If there was to be commercial exploitation of the Indian country, it had to at least appear to be lawful and orderly.” But in practice, there was rare reference to law in the colony; “men settled matters by their own hands” (Knafla 1986: 36). Therefore, it was useful for a company factor to be “handy with his fists” (Macleod 1992: 92). The HBC documents (letters, instructions, reports, accounts, and field journals) provide evidence that the attitudes and conduct of HBC’s officials and the American mountain men are not significantly different. Furthermore, evidence from HBC documents “does not give much support to the familiar black-and-white picture of law-and-order northern frontier, peaceful and policed, compared to the lawless violence on the frontier to the South” (Reid 1992: 46). Both HBC and American officials engaged in very individualistic behaviours and used violence, with excess, at times. As Reid (1992: 46) explains:

Certainly in the crucial matter of disciplining Indians, or taking vengeance against them, the supposedly bridled company people acted much as did the American free-lance trappers who, also supposedly, were loose in the mountains without restraints. There were incidents where the HBC officers were remarkably violent – to the surprise, even the wonder, of Americans.

To establish some sort of control within the posts, the HBC relied on a combination of economic pressure, physical intimidation and the racist attitudes prevalent at the time to control its employees and Aboriginal peoples (Macleod 1992: 92; Adams 1989: 23). These techniques of corporate interest and norms of customary procedure produced a social and even “legal behaviorism” that internally influenced the company officials (Reid 1992: 31). In this sense, the HBC helped the Canadian government in its future administration of justice by instilling a kind of respect/fear for authority (Foster 1990: 4). This is a unique connection that Canada had established in its colony, unlike its neighbor to the south and other colonies across the globe.

In its first century the HBC was very successful in monopolizing the fur trade, but things started to change in the 1770’s when the competition provided by the North-West Company, established in Montreal, increased rivalry and “violent competition” in the region (Foster 1990: 5; Knafla 1986: 36). This, along with the decline of the market in Europe, put a huge strain on the HBC’s capital, exhausted its fur supply, and negatively affected Aboriginal peoples and traders; in fact, during periods of high competition the trade “promoted violence” (Macleod 1992: 95). On more than one occasion disputes over furs caused traders to kill each other (Foster 1990: 6, 32). Although traders were willing to pay compensation to avoid blood when they were at fault, if they saw themselves as the wronged party they were more inclined to put their trust in retaliation (Foster 1994: 53). In other words, incidents arose where HBC officials “met violence with violence” (Macleod 1992: 94).

The history of European settlement and legal institutions in the West dates from the creation of a Scottish colony of 116,000 square miles along the Assiniboine and Red

Rivers, which the HBC granted to Thomas Douglas, fifth Earl of Selkirk, in 1811 (Knafla 1986: 36). According to Foster (1990: 23), if Selkirk had not established this colony at Red River, violent incidents might have remained isolated occurrences. However, the new colony threatened the North West Company's supply routes and further provoked their members contributing to the "worst period of violence to date" (Foster 1990: 23). Trade wars, battle, killings, kidnappings, assaults, and theft occupied the officials not only of Upper and Lower Canada, but also of Westminster and Whitehall (Britain) (Knafla 1995: 13).

In some cases, confrontations escalated to mass killings. A prime example of this is the incident at Seven Oaks in 1816, where Métis affiliated with the North West Company killed twenty-one of the Scottish settlers brought to Red River by Lord Selkirk (Macleod 1992: 92). It is important to note that instead of viewing the Métis as a distinct group fighting against outside encroachment (Beal & Macleod 1994: 14), this event became deeply rooted in the mindset of later generations as the myth of a "massacre" by Métis 'savages' (Knafla 1995 12-13; Barkwell et al. 2001). Like other kinds of discourse, Knafla (1995: 13) argues that this was created to allow the Canadian government to further justify dispossessing the Métis of their lands in 1869-70 (refer below for a more detailed discussion of this violent episode).

In 1821, the HBC and the North West Company put an end to their rivalry by merging together. As a result, the Crown gave the HBC exclusive control of trade over the whole of the Northwest, but without openly giving it the sort of legislative and judicial powers that it had in Rupert's Land (Foster 1990: 33). While things went better for the company (in the short term), it was getting worse for Aboriginal people in general.

In fact, the HBC immediately began imposing severe restrictions and oppressive conditions to further exclude Métis and Aboriginal peoples. The renewed monopoly of trade kept many Aboriginal persons in perpetual debt to the HBC, economically and psychologically (Horse 1979: 48). Since the trade route was longer now, the likelihood a trader could face violence increased. This coupled with the lack of consideration of Aboriginal peoples, made the time period between 1821 and the late 1860's, "an era in which murder in the Indian Territories was generally left unpunished by English law" (Foster 1990: 47).

The violence exhibited in the fur-trade era, however, should not be seen as imposing entirely new codes of conduct on Aboriginal peoples' communities. Violence between Aboriginal groups was also common during this time. After all, many were competing to trade. Relations between the Cree and Blackfoot, for example, were volatile in the region. Violent encounters were not limited to hunters; sometimes Cree and Blackfoot raided and stole horses from each other, often leading to many deaths on both sides (Ahenakew & Buck 1995: 35-37).

There was also ensuing violence caused by the movement of natives in the United States, like the Sioux, who moved back and forth across the open frontiers after 1821 (McCrary 2006: 10). The Sioux relations with the Métis were volatile, "alternating between war and peace" (McCrary 2006: 11). As McCrary (2006: 14) explains, "Peace was never universal but was sometimes achieved by paying compensation for the dead or by voluntarily extending kinship relations to members of the deceased individuals' families." Small HBC trading posts were also not immune to threat of Sioux attack (McCrary 2006: 13).

Regardless of the violence, the British-Canadian government via the HBC's trade monopoly was able to gain more knowledge of the area and establish a firmer footing, especially since they were not ready to open the west in the 1820's. The British-Canadian government "had enjoyed a sort of imperialism on the cheap, a way to maintain order and sovereignty without laying out cash" (Foster 1990: 33). However, since the HBC's charter was commercial and did not have legislative authority over all the Indian Territories, its legal authority was in doubt especially since there was no firm indication of the land and its native inhabitants (Knafla 1995:12). When the Dominion of Canada in 1867 purchased Rupert's Land from the HBC, the Métis were not considered civilized enough to take part in the negotiations for Manitoba. Concerns about the illegality of the HBC's charter caused the relations between the government and the Métis to further deteriorate. Settlers continued to swarm Métis land, undermining Métis rights and worsening their conditions. This pressured the Métis, justifiably, to fight against the government's encroachment of their land (see Horse 1979). It was a great relief, therefore, in 1869 when the Colonial Office administered the transfer of title to and responsibility for Rupert's Land from the HBC to the newly confederated Dominion of Canada. However, soon after this transfer the Red River 'Rebellion' in 1869-70 (Winnipeg) broke out (Foster 1990: 33).

Although it seems that after the 1869 resistance the Métis were able to pressure the government and establish Manitoba as a province, another plan was unfolding for them in Ottawa and London. At the same time that federal officials were negotiating with provisional government and making promises, behind the scene, the Red River Expeditionary Force (RREF) that consisted of 1,000 soldiers were being organized for a

military expedition and sent to deal with the Métis conflict in 1870 (Horse 1979: 57). The RREF through a “will to violence” threatened and inflicted many acts of violence against Métis; specifically “[a]ssaults, ‘outrages,’ murder, arson and assorted acts of mayhem were practiced on the Métis anytime they came near Fort Garry” (Shore 2001). The same observation was later echoed by Lawrence (2004: 34), who argued that “[The Canadian government] sent police and settlers to harass and persecute local Métis. Many of them fled west.” The early 1870s were so turbulent for the Métis that it has led some historians to label that period as a “reign of terror” (Adams 1989: 58; Shore 2001). What is striking to note is that the RREF, like the NWMP, was organized by the Canadian government to “establish Canadian sovereignty in the Northwest and to maintain law and order” (Shore 2001).

During the same period, conditions for Aboriginal peoples did not seem any better. In 1869 the latest in a long series of smallpox epidemics spread through western Canada, killing a high percentage of Aboriginal peoples exposed to it. Researchers have thoroughly documented the awful cost of diseases, such as smallpox, on Aboriginal peoples. In addition to the large initial mortality from the disease itself, there were many more deaths due to starvation and exposure. To make things worse, the rapidly diminishing buffalo population caused competition and tension to increase (see Dempsey 2002). It is important to note here, that this ‘natural’ violence must be seen as part of the colonial relations between the Canadian government and Aboriginal people. ‘Natural’ or environmental disasters affecting Indigenous populations have other non-material costs attached to it. Aboriginal peoples’ livelihood was (and is) spiritually and socially attached to their nature, many saw (and still see) themselves as an inseparable part of it. Thus,

affecting the environment of Aboriginal peoples, directly or indirectly, is also a form of structural and cultural violence that severely affected their livelihood and self-determination by maintaining their exclusion and making them more dependent on government aid.

According to Mike Mountain Horse (1979: 49), the Blackfoot Confederacy fought a major battle with the Crees in 1870, after being devastated by smallpox. Seizing this opportunity of weakness some Crees raided a Blackfoot camp around the area of Fort Whoop Up. The raid escalated to battle that took place in St. Mary's, near Lethbridge. While the Crees initially outnumbered the Blackfoot, the case was reversed when more Aboriginal peoples came to help the Blackfoot. After killing a large number of the Crees, the Blackfoot fighters forced them down a steep cut-bank into the river. According to Horse (1979: 51), this is where "a fearful massacre occurred, the water of the river turning crimson with blood." At this stage, the Crees were cornered into the river. They were so crowded that some Blackfoot said, "you could shut your eyes and hit a Cree" (cited in Horse 1979: 51). In the end, only few Crees survived (Horse 1979: 51).

Violence involving Aboriginal peoples within and among different bands, and other traders was an "ever-present reality" at places like Fort Whoop-Up, Fort Hamilton in Alberta (Dempsey 2002: 73). The alcohol trade was having a deadly toll on Aboriginal peoples. Besides the victims of addiction and abuse to alcohol, according to various accounts of Blackfoot (and other Aboriginal groups), the trade increased violence sharply in the winter of 1871-72. While Dempsey discusses several cases, he says these "were just the tip of the iceberg, for only one event, usually involving a leading chief, was recorded for each year while scores of other deaths were unreported" (Dempsey 2002:

84). Evidence has shown clearly the many fights and brawls ensued from intoxication, where Aboriginal peoples were victims and perpetrators (Dempsey 2002).

A noteworthy example that surfaced from my archival research, in the year just prior to the official march of the NWMP, is the case where a local policeman in Winnipeg shot and wounded an Aboriginal man. In August 10, 1872, the year just before the establishment of the NWMP, Deputy Superintendent Geul submitted a copy of a letter from Indian Commissioner N. M. Simpson to the Deputy Staff Judge Advocate in Ottawa. Simpson reported that he had commenced a trial against a local policeman for shooting at and wounding a young Aboriginal man in Fort Garry, Winnipeg, who seems to have had “the expectation of being quiet and orderly.” Simpson entrusted this case to Mr. Gornish “one of the most competent lawyers.” According to Simpson, it seems that about ten intoxicated Aboriginal persons close to town “were shooting and making a noise.” Besides noise, they “were not apparently doing any harm.” However, the situation erupted when:

Some policemen, undistinguishable by uniform of badge from other civilians approached the spot, and at the same time, two Indian lads, hearing the noise, came up to see what was going on. Some attempt was made to arrest these latter but they turned to run away, on which one of the policemen fired his revolver at the Indians, and having sniped with the first shot, fired a second time and wounded the Indian on the side. A third shot was fired but it has not yet appeared at whom. The policeman says that the Indian had a tomahawk but all the Indians have been able to gather on the subject tends to substantiate the Indians account which was that he was a mere spectator, and was at some distance from the policeman at the time of the shot, that he was endeavoring to escape for fear of being locked up – a thing of which Indians have a great horror – and that he never held a tomahawk in his hand in his life. He admits having had a burnt rocket stick which he had picked up and which can hardly be called an offensive weapon.

Simpson described the actions of the policeman as “totally unnecessary and unjustifiable, and has caused considerable disruption amongst the Indians” (Library and Archives



Canada (LAC), Royal Canadian Mounted Police (RCMP), RG 18, 1872, Volume 28, File: 1059).

Throughout the late 1860s and early 1870's whiskey continued to be sold to the "hapless" Blackfoot peoples, who were becoming more devastated every day. Life for them had "deteriorated into a benumbing and chaotic routine of killing buffalo, selling the hides, buying whiskey, and killing each other or dying from the effects of the whiskey in their prairies lodges" (Dempsey 2002: 151). The traders were systematically debauching Aboriginal people with liquor (Wallace 1997: 12). Even trade relations with Cree people in the early 1870's, which were relatively more stable than that with the Blackfoot, were becoming worse. The pattern of white settlement started to restrict Aboriginal peoples' life and land, and the buffalo were noticeably diminishing. In 1870 alone, it was estimated that twelve hundred people had died, not including Blackfoot-speaking people (Beal and Macleod 1994: 52).

By 1873, Fort Whoop-Up became known as "one of the toughest camps now existing in the Rocky Mountains." Violence among traders and Aboriginal peoples was common, and many criminals tried to seek refuge there (Dempsey 2002: 152). In May, animosity between some Aboriginal peoples and a group of American wolfers culminated in the Cypress Hills Massacre, in what is now southern Alberta and Saskatchewan. This event became known as one of the most violent landmarks of the early period on the prairies west of Manitoba (Mayfield 1998: 21). After accusing some Assiniboines for stealing a horse, which they did not steal that time, the wolfers wrecked the Assiniboine camp and shot the survivors killing about fifty of them (McKenna 2006: 90). The only ones who survived were a few women; unfortunately, however, they were raped by some

of the wolfers (Wallace 1997: 18). At least four Canadians were among the gang of wolfers who perpetrated the atrocity of the Cypress Hills Massacre (McKenna 2006: 94).

An examination of the Cypress Hills Massacre, beside Fort Whoop-Up suggests that “violent personal relationships and occasionally anarchy” had accompanied direct contact between Aboriginal peoples of western Canada and Canadian and American trade in this region as it had on other colonies (Mayfield 1998: 21). A more critical analysis shows that violent events, like the Cypress Hills Massacre, allowed the government to justify extra restrictions and the implementation of physical force. This was done in a state of emergency, such as the “lawless” West exemplified by the Cypress Hills Massacre, which further went to justify the need for having the NWMP (assumingly they would reduce violence by ‘law and order’) and the ‘protection’ of Aboriginal peoples from the vicious traders (Hubner 1998: 56). It is important to note, although the Cypress Hills Massacre was seen as a further justification for sending the NWMP, Sir John A. Macdonald authorized sending the NWMP before the event happened. Even before the 1869-70 ‘rebellion,’ an expedition force was seen as necessary by Macdonald’s Conservative government at the time.

The above brief discussion of violence in Canada before the NWMP were established illustrates, by tracing the origin of violence to the fur monopoly of the HBC, that the western Canadian frontier had its fair share of violence, just like the American frontier. Violence has deep historical roots in Canada, as elsewhere; it is not something new or aberrant, but was part of the very frontier life before and after settlement (Knafla 1995). More recently, after discussing violence during the HBC period, Knafla (2003:

xiii) suggests that Canada is as violent as Australia, New Zealand, and Western Europe.

As Knafla (2003: xiii) explains:

From the violence of the early fur trade era, the British conquest of Quebec and expulsion of the Acadians in Nova Scotia, to the rebellions of the late 1830s, and an era of imaginary criminals in the popular press, 1880s-1930s, the country's history is marked by sensational trials often reported as representative of a morally unfit and criminal class. But on the ground, a world of petty crimes and confidence schemes, often linked to gambling, alcohol, drugs, and prostitution, persisted in the first century of confederation.

Similarly, Ross (2004: 3) argued, "Canadians both commit and experience a considerable amount of violence." Keeping this in mind, the following chapter looks at violence during the NWMP in western Canada.

## **CHAPTER EIGHT: VIOLENCE DURING THE ERA OF THE NWMP**

Through utilizing both secondary and primary sources, in what follows I offer a discussion on the recorded incidents of physical violence that occurred between white settlers, Aboriginal peoples, and NWMP. These cases are historically and chronologically discussed in the following two chapters. The first part of this chapter discusses violence from the time the NWMP arrived in 1873 till the year 1885. And the second part discusses violence from the year 1886 and onwards till 1905. The reason for choosing the year 1885 as the dividing point is made for few reasons: The first reason revolves around the fact that the events, which took place during the year 1885-86, were particularly violent. While this observation may not be surprising for those familiar with the 1885 Métis “rebellion,” there are many scholars who did not assess it critically in spite of the fact that these events dominated the history of western Canada. The second reason has to do with dismantling a common vision among historians who see the events of that year as an exception to the socio-political relations on the western Canadian frontier. As I show below, the violence committed against Aboriginal peoples and the Métis during and immediately after the ‘rebellion’ constituted part of the “suspended” relations with the Canadian government (Agamben 1998). The third reason for choosing the year 1885 as the dividing point revolves around juxtaposing the common image of pre and post 1885, or as Longstreth (1960: 151) calls it the “Iron Age” and the “Golden Age,” to be able to offer a more comprehensive picture that reaches beyond this imaginary boundary and to show violence on a continuum (not as aberration). Here it is sufficient to note, while Longstreth did not suggest it explicitly, his categories are revealing because having two

distinct ages, implies that in between those two ages there was a “hybrid” transition (Bhabha 1994), or a state of exception (Agamben 1998).

### **Violence in Western Canada 1873-1885**

To ensure state power and control of the west, the government intended a full-fledged incorporation of Aboriginal peoples in western Canada to be able to dispossess them of their lands and society. Of course, on the surface of the political agenda, the Canadian government emphasized not subjugation (or inclusion by exclusion), but its stance to “preserve the peace” that has been disrupted by whiskey traders and crime on the frontier (Sheehan & Oosten 2006: 17). They wanted to do so by enforcing consent (and content) to Canadian law over the region, which was paved by the inherited “good will” with Aboriginal peoples established by the HBC over the preceding decades (Wallace 1997: 122).

The initial objective of the NWMP as it proceeded westward on its highly mythologized march in 1874, which almost ended in “near disaster” from their inexperience and losing direction, was to secure Fort Whoop-Up and the other “whisky forts” (Corbin 2006: 44). Whoop-Up in the previous years was a hot spot for whiskey trade and violence (as shown above). As a further justification to send in the NWMP, the government in Ottawa further exaggerated the perceived threat from the violence that occurred at Whoop-Up.

In anticipation of facing hostile American whiskey traders, the police marched armed with “two 9 pounder Mark I muzzle loading field guns for the task... [And] two 5.63 calibre brass mortars” (Beahen & Horrall 1998: 229), these weapons were necessary to show their military might. However, when the NWMP arrived to Fort Whoop-Up there

was “nobody at home” (Dickens cited in Nicol 1989: 74). The region was “undefended, the existence of other forts greatly exaggerated, and the whiskey traders either back across the border, or transformed into respectable businessmen overnight” (Beahen & Horrall 1998: 229). The big weapons of the NWMP were kept at Fort Macleod as a deterrent mostly used in ceremonial functions (Beahen & Horrall 1998: 229), the few cases they were used are noted below. It is clear that by using the pretext of ‘chaos’ (and the ‘necessary’ need for ‘order’) created by the whiskey traders, the government further justified sending in the NWMP troops.

The presence of the NWMP did not immediately, if at all, stop traditional forms of inter-band conflict among Aboriginal peoples. On 24 September 1874, a mixed group of Kooteny and Pend d’Oreille Aboriginals from southern British Columbia camped next to a fort owned by Fred Kanouse, two miles from the Oldman River and near Fort Macleod (Dempsey 2002: 177). Across from where they camped was a camp of Piegans, Bloods and Siksikas. According to Dempsey (2002: 177-178), while the Blackfoot tribes were friendly with the Kooteny, they did not welcome the Pend d’Oreilles, who they considered as competitors for their hunting grounds. Kanouse refused to serve the Pend d’Oreilles to avoid the Blackfoot’s retaliation; however, soon after the Pend d’Oreilles attacked the fort. The Blackfoot came to help the white settlers at the fort, who were by then a man named Kanouse, his wife, and three other men, but they were outnumbered by the Pend d’Oreilles. Following the confrontation, most of the Blackfoot “fled from the onslaught,” but one exception was a Siksika warrior named Axe, “who kept fighting until his revolver jammed. He was then killed along with two women from the tribe” (cited in Dempsey 2002: 178). It seems that Kanouse did not get involved, until a bullet struck his

wife in her chest and killed her. Kanouse and his men “opened fire and killed three” of the Pend d’Oreilles, forcing them to withdraw (Dempsey 2002: 178). As a result of the fight, the Blackfoot and Kootenays were again at war, and the western tribes retreated across the mountains (Dempsey 2002: 179).

There is also evidence of continuing conflicts between whiskey traders and Aboriginal peoples. On a fort at the Elbow River, west of Calgary, there were several heated conflicts between the whiskey traders and the Bloods similar to those at Whoop-Up. For instance, in the winter of 1874 a warrior named Old Woman’s Child shot and killed a trader, William Berry, and then took his scalp. A NWMP officer Cecil Denny, was most probably referring to this case when he said:

They [the whiskey traders] had been attacked by Blackfeet their horses run off and one of their numbers killed and several wounded. Mr. Davis who was trading whisky a few miles above, had loaned them horses and they had all gone south. The Indians sacked the stores and burnt them to the ground (Dempsey 2002: 155).

Although Old Woman’s Child was not arrested, he was stabbed and killed by members of his tribe while he was sleeping. It seems that Old Woman’s Child was killed with the same knife that he had used on Berry (Dempsey 2002: 178).

At another fort called the second Fort Kipp, on 1 February 1874, Calf Shirt, who was the Blood’s war chief at the time, went to Fort Kipp demanding whiskey without paying for it (Dempsey 2002: 157). This got Calf Shirt in an argument with Joe Kipp, which ended after an exchange of bullets, with Kipp shooting Calf Shirt in the shoulder. At the same time the bullets were heard, six traders who were playing poker went outside and saw Calf Shirt with his gun trying to leave. According to Dempsey (2002: 158):

They [the 6 traders] immediately opened fire, causing the chief to stagger but he kept on going. Outside, he walked for about 100 yards, then fell headlong into a

hole that had been dug when the men were taking out sod for the fort's roof. When Kipp got to the body, he found it peppered with sixteen bullet holes.

In spite of the arrival of the NWMP and their enforcement of laws to prevent the traders from selling alcohol to Aboriginal peoples, the violence in the Fort Whoop-Up area “continued unabated – murder was common, whiskey sales remained unchecked, and the traders were completely uncontrolled” (Dempsey 2002: 160). In February 1874, for instance, reports show that Americans at Bow River, Alberta, “had once again made a number of Assiniboine drunk and had killed 55 of them” (Public Archives of Manitoba cited in Mayfield 1998: 18).

Eventually, to avoid the NWMP, most of the traders from the United States who came from Montana went back. While this helped lower the short-term impacts of alcohol in western Canada, it “spelled chaos” for Piegans living in Montana (Dempsey 2002: 201). In addition, many Aboriginal peoples continued to die from the whiskey trade, as Dempsey (2002: 1) sums it up between the years 1870-1875:

Hundreds of Indians died as a result of the noxious trade, either killed in drunken quarrels, shot by whisky traders, frozen to death while drunk, or felled by the poisonous effects of the whisky itself... Wives were killed in drunken frenzies, lifetime friendships were destroyed over a keg of whisky, and children suffered abandonment and neglect.

The reality was that the apparent “peace and security” endorsed by the British-Canadian “law and order” to justify its colonization was indeed violent and escalated conflicts at times (Mayfield 1998: 26). By securing the area the NWMP changed the power dynamics that already existed between the Blackfoot and other Aboriginal peoples. As Mayfield (1998: 26) argues, “Continual warfare between the Cree, Assiniboine, Sioux and Blackfoot peoples had traditionally secured the Blackfoot country from such half-breed encroachment.” In other words, while ending the whiskey trade helped some Aboriginal



groups by preventing further violence from being committed against them by white traders, establishing NWMP authority influenced hunting limits and escalated conflicts among and within Aboriginal groups, threatening the self-determination of groups. Blackfoot Chiefs lost respect of their band, “inter-tribal disputes arose as drunken killing resulted in acts of revenge, and people were afraid to meet each other on the trail” (Dempsey 2002: 223).

Besides effects of the whiskey trade, Aboriginal peoples had other serious concerns relating to their utterly marginalized conditions. They were poor and hungry, with many continuing to die from starvation and diseases. It was an “unprecedented” situation for Aboriginal people who lived free and in abundance of resources in the past (Harring 1998: 259). Furthermore, the NWMP, without consultation of any group from the Blackfoot Confederacy, started building permanent posts in 1875, as an encouragement for White settlement. This confirmed the Canadian government’s priority for expansion over ‘prevention’ (Mayfield 1998: 27).

By the summer of 1875 strong Aboriginal bands, like the Blackfoot, were no longer able to control entry and activities in what they considered as their own country. The Blackfoot watched in dismay as Cree people and Métis entered their traditional hunting grounds exempted from punishment or retaliation (Wallace 1997: 122). It is also worthy of note, by 1875 the NWMP, following the British tradition that established the Royal Proclamation of 1763 (surrendering all Aboriginal land to the Crown), aided with concluding three more significant treaties. This allowed the government to gain a firmer footing in the western region of Canada and paved the way for concluding two more

treaties by 1877, thus formally surrendering to the Crown all Aboriginal peoples' claims to land in most of western Canada (Alberta, Manitoba, Saskatchewan).

There was almost an “ugly incident” during construction of a fort at Cypress Hills, now named Fort Walsh (Constable Dickens cited in Carter 2003: 32). In 1875, a group of Sioux refugees (Natives from United States) came into the camp and were surprised to find the NWMP officials wearing parts of uniforms from the U.S. Calvary, “which had been purchased to replace the Mounted Police uniforms worn out” from the march west (Carter 2003: 32). After the Sioux made “threatening gestures” Inspector Walsh warned them “if they attempted violence they would be dealt with by more Redcoats” (Carter 2003: 32). It seems that the pressure was high, however the Sioux “dispersed” when a large band of Cree, “their enemies,” appeared on the hills to the east of the camp (Carter 2003: 32). While no blood was shed here, the threat impressed on the Sioux to prevent further retaliation must not be underestimated because it is the same kind of military threat used by the authorities in the United States, which had the potential to escalate into massacres (Lawrence 2004: 43).

In 1876, the NWMP were very concerned that the seemingly more prevalent violence between white and American natives in the United States could escalate events in western Canada. Indeed on 25 June 1876, Sioux and other American natives under the leadership of Sitting Bull defeated and almost annihilated Colonel George Armstrong Custer's 7th United States Cavalry (Elofson 2004: 77). Sitting Bull's Sioux had no other option but to escape across the border to Canada and settle temporarily in the Cypress Hills, in the hope of escaping the wrath of the U.S. military. However, the Sioux faced further problems in Cypress Hills, since it was adjacent to the hunting grounds of their

traditional enemies the Blackfoot and the Crees (Wallace 1997: 178). As Beal & Macleod (1994: 60) explain:

The gathering of so many natives, many of whom harbored violent jealousies against one another, was an explosive situation in anyone's view, with the Blackfoot in particular vocally complaining that the Sioux had driven the Buffalo away from them.

However, the issue involving the Sioux goes beyond their altercations with the surrounding Aboriginal peoples of Canada. The arrival of the Sioux is considered an important episode in the early history of the NWMP and their management of Aboriginal peoples. As Nettelbeck and Smandych (2010) argue, the NWMP wanted to ensure that movement across the Canadian-American border is monitored and restricted. When the Sioux arrived, it was crucial for the NWMP to establish and maintain a sense of control and authority over them, not only to avoid further conflict that may result on their side, but also to maintain the view that those who are law-abiding would be offered protection. In doing so, the NWMP tried to shape the rationality of Aboriginal peoples, those who already signed treaties and those who were about to sign them. Of course, this perception did not hold up given the government's denial of Aboriginal rights. In short, the ability to monitor and control the outcome of the Sioux migration, who stayed for almost 5 years in Canada till about 1881, showed the overwhelming Aboriginal population and white settlers, who feared the mention of the Sioux for the defeat they inflicted on the U.S. troops (Anderson 2000: 73), that the NWMP had a firm footing in the region. In return this, arguably, generated more respect for them.

To prevent Aboriginal peoples from mingling with white settlers or in other words to limit their movement, the government started imposing in 1876 the Indian Act or as some would call it the "apartheid system" of Canada (Lawrence 2004). The Indian Act

legalized the term “Status Indian,” and allowed this category to be given only to Aboriginal peoples who signed the treaties, thus excluding those who refused. This enforcement of a “rigid and imaginary colonial agenda” on a fluid Aboriginal identity gave the government the authority to decide who could be granted Indian status and who would be “pushed towards psycho-spiritual annihilation through the loss of such status” (Thobani 2007: 51). As Lawrence (2004: 1) explains:

Arrogating the power to determine which Native persons were/are Indian, and which/are to be denied this status, their legal classification into Indian, Métis, half-breed, non-status, and so on by the state established and consolidated a calamitous hierarchy of authenticity among them.

Such legislated classifications disrupted “older indigenous ways of identifying the self in relation not only to collective identity, but to the land” (Lawrence 2004: 1). By having an “Indian status,” implied that some would not have this status. Consequently, “Non-Status Indian” was assigned by default for those not registered according to the Act’s requirements. This meant for Non-Status Indians that they did not qualify for the rights and benefits accorded to persons designated as “Status Indians” (Thobani 2007: 51). Consequently, the Indian Act organized ‘Indian’ status in an arbitrary manner that had nothing to do with whether the individual was actually of Aboriginal descent, it was driven primarily by the goal of eliminating Aboriginal populations (Thobani 2007: 49).

Not surprisingly, the racist Indian Act and broken promises negotiated via the treaties damaged any NWMP reputation it might have created from eliminating the whiskey trade or from good relationships that might have been established. Many scholars looking at the Canadian west have argued that the land cession treaties established through the 1870s with Aboriginal peoples fell far short of their promises. These treaties soon allowed Aboriginal peoples’ limited rights to give way into

“oppression, land theft and starvation” (cited in Nettelbeck & Smandych 2010). These treaties constituted a broader disciplinary mechanism to legally dispossess Aboriginal peoples from their lands, and to allow them to be more malleable to authority. It is important to note, while the Métis were not seen as ‘Indians,’ they were not more fortunate. As Adams (1989: 61) argues: “Reduced to halfbreeds (or ‘hybrids’ between Aboriginal and White), they were not placed on reserves but were confined on farm colonies and rural ghettos.”

While Aboriginal peoples did in action ‘sign’ the treaties, most were forced into it by socio-economical changes on the frontier, and by symbolic violence as shown below. Of course, the government tried to mask these pressures under the pretext of ‘protection’ and ‘civilization,’ which initially led prominent bandleaders to have bad faith in the treaties (Thobani 2007: 48). The government, with the aid of the NWMP, betrayed the “original intent and spirit” of the treaties (Treaty 7 Elders et al. 1996).

In May 1877, 250 South Assiniboines from the United States, under Crow Dance, camped about 15 miles from Fort Walsh, Saskatchewan, besides a Saulteaux camp. According to Wallace (1997: 180), conflict erupted when Crow Dance claimed authority over the entire Cypress Hills. When the Saulteaux Chief, Little Child, refused to accept Crow Dance’s authority, the latter attacked the Saulteaux camp, wrecking lodges and threatening women and children (Wallace 1997: 180-181). Crow Dance even warned that if a NWMP official came to his camp he would “cut his heart out and eat it” (Wallace 1997: 181; Anderson 2000: 117). Soon after hearing of this, Inspector Walsh went into the Saulteaux camp at night and arrested Crow Dance and then took him to Fort Walsh. The following day, Assistant Commissioner Irvine sentenced Crow Dance to six months

of hard labour (Wallace 1997: 181). While this incident did not escalate to violence, what is significant about it is the fact that the “[t]he very foundation of the law the NWMP was responsible for enforcing throughout the North-West Territories was at stake” (Anderson 2000: 119). The NWMP couldn’t afford to ignore this incident because failure to do so would “spread across the prairies like a grass fire... If any Mountie backed down even once, none of them would be able to carry out any of these duties again” (Anderson 2000: 119).

Besides being busy with concluding treaties and making sure that violence among Aboriginal peoples and settlers did not interrupt the expansion of settlements and railway construction, the NWMP were busy with some of its own members of the force. As Wallace (1997: 179) notes: “There were a surprising number of ex-policemen arrested for bringing whiskey into the territory and many serving members among their customers.” The diary of Mounted Police Sergeant S. Clarke, who was stationed at posts in Macleod and Calgary between the years 1876 and 1886, “illustrates beyond doubt that illegal whisky, gambling, and prostitution were regularly enjoyed by the men of the force” (Elofson 2004: 68). Such behaviour got the NWMP in violent incidents, especially with Aboriginal women, as shown below.

In 1879 famine threatened not just the Sioux, but also most of Aboriginal peoples in western Canada (Wallace 1997: 204). Many of the Cree, Blackfoot-speaking bands, and Sioux went to American territory, hoping for a better fate. However, conditions were not much better there, and they faced constant hostility from U.S. ranchers, soldiers, and Natives. Soon after, this forced them to return, starving, across the border.

Throughout the western Canadian frontier, famine and diseases ravished Aboriginal peoples. For instance, in Calgary some of the Blackfoot were so destitute that they were “even resorting to eating grass” (cited in Wallace 1997: 210). As Dickens reported that year, “It is sickening to see these proud people scavenging in our refuse bins and swill buckets” (cited in Nicole 1989: 168). Also at Blackfoot Crossing, Commissioner Macleod and Edgar Dewdney of the NWMP reported that: “they found thirteen hundred destitute Indians, emaciated and weak. Most of them had traded their horses and firearms, eaten their dogs and were now searching for gophers and mice” (Wallace 1997: 211). For these reasons, throughout the years, large numbers of Aboriginal peoples went to the new territorial capital of Battleford to pressure officials, to demand food, and to respect their treaties (Marquis 2005: 62).

On November 17 1879, a NWMP Constable, Marmaduke Graburn, was murdered near Fort Walsh. Graburn was the first serving member of the NWMP to lose his life by violence (Wallace 1997: 209). This was considered one of the most serious cases and created a “furor” across western Canada, and even provoked Commissioner Macleod to write a letter to his wife Mary over the incident (Martin 2006: 183). In the letter Macleod writes:

We had the most frightful occurrence here which has shocked us all very much. One of the men, young Grayburn [sic]... was shot while out on the land... I think there is little doubt that it was a couple of Indians who did the dastardly act... At present the whole thing is a mystery - there is little clue and no cause can be given for the act... [T]his place is as miserable a whole [sic] as ever, and I am heartily sick of it. I am looking forward and counting the hours to the time when I shall turn my back upon it (Glenbow Archives 1879, M776, letter of 20 Nov. cited in Martin 2006: 238).

It seems that Constable Graburn was accustomed to daily visits from a small band of Bloods that were constantly begging for food. One of the Bloods, named Star Child, was

a major source of irritation for Graburn, as he was a “persistent beggar” (Wallace 1997: 209). On one occasion after Star Child insisted on getting more food, Graburn yelled at Star Child to get out, calling him a “miserable dog,” immediately after which Star Child left (Wallace 1997: 209; Carter 2003: 50). Soon after, Graburn failed to return after going on a patrol near the Cypress Hills detachment (Martin 2006: 183). Immediately after hearing the news, Superintendent Crozier, at Fort Walsh, ordered a search. After persistent searching, Grabun’s body was found at “the bottom of a bush filled coulee with a bullet hole in the back of the neck. A search failed to locate Star Child who was an immediate suspect” (Wallace 1997: 209; Carter 2003: 56). Star Child was not arrested until the year 1881. It was believed that Graburn had arrested three horse thieves, and was bringing them into the Fort when he was killed (Martin 2006: 222). On October 18, 1881, Star Child was tried by a jury of six before former Commissioner and now civilian Stipendiary Magistrate Macleod, assisted by Superintendent Crozier acting in his capacity as a Justice of the Peace. The record suggests the two magistrates presided over a fair and impartial trial, instructed the jury on their responsibilities, and after deliberating for over twenty-four hours returned a verdict of “not guilty” because they had been unable to satisfy themselves of his guilt (Martin 2006: 183). However, soon after Star Child was later sent to the penitentiary on a charge of horse theft. In an interview many years later, the son of Louis Leveille (a NWMP guide who was on the case) recalled that his father believed that a white man had killed Graburn (Wallace 1997: 230).

In the winter of 1879-1880, a Cree trapper named Swift Runner, living north of Edmonton, killed and ate his wife and children. Swift Runner seems to have been a “Windigo,” which is thought to be by some Aboriginal peoples as an “evil” or a



“cannibal spirit” that could inhabit the body of an individual, causing them to kill even members of their own family (Harring 2003: 75). For these reasons, a person who got identified as a Windigo would be immediately excluded from the band, often by killing them. Swift Runner was tried for murder before Magistrate Richardson in Edmonton on August 8, 1879, and hanged shortly after (Harring 2003: 94; Wallace 1997: 222).

The following year in 1880 two young Bloods suspected of horse stealing escaped from custody at Fort Walsh. While the NWMP arrested them for horse stealing, they were identified as having been near the scene of Constable Garburn’s death. On their way to the Blood camp they met their wives who handed them, “Winchester rifles and ammunition belts” (Wallace 1997: 209). Shortly after Superintendent Crozier, Inspector Cotton, and later joined by some mounted men sent by Superintendent Steele, arrested them. The police “overtook the two within half a mile, defied their raised rifles and soon had them back in cells” (Wallace 1997: 209). The account does not provide more information on how the arrest took place and whether or not the police resorted to physical force or the threat of it.

In the House of Commons in April 1880 Joseph Royal, a Manitoba Member of Parliament (MP), claimed that the NWMP was accused of “disgraceful immorality” all over the West. The MP provided evidence that at one of the police posts that winter there had been “an open quarrel between an officer and one of the constables for the possession of a squaw [a discriminatory term referring to Aboriginal women]... and the one officer slapped another in the face on account of a squaw.” The MP had been informed that many members of the force were living with Aboriginal women, whom they had “purchased from their parents and friends” (cited in Ray, Miller & Tough 2000: 152). On

another occasion that year, a NWMP Christmas celebration “deteriorated into drunkenness and debauchery,” after midnight when drunken NWMP officials, who were accompanied by their partners, began fighting (Elofson 2004: 187-188). This was not the only time the NWMP fought amongst each other. For instance, on September 22, 1893 Fred Nicholls a NWMP officer physically and verbally attacked another officer Corral in the recreational room. According to Corral, officer Nicholls “meticulously assaulted me in the face with his fist, and did also use obscene language towards me by calling me a son of a bitch and a bastard” (LAC, RCMP, RG 18, 1893, Vol. 2485). The reason for their fight was not mentioned in the report.

During the summer of 1880 James Walsh noted in a newspaper interview that the Blackfoot and the Yanktonais (American Sioux) came into frequent conflict with few deaths occurring (McCrary 2006: 99). In October of that year, Joseph Culbertson, the son-in-law of the Yanktonai leader, named Black Horn, reported that the Milk River country, Alberta, is “full of war parties and that the Blackfoot had killed three Yanktonais” (McCrary 2006: 99). A clash in February 1880 resulted in the death of at least one Assiniboine and Yanktonais (McCrary 2006: 99). Also that year, at Fort Calgary, Inspector Denny reported the murder of a Cree, by a Blood or Blackfoot (Wallace 1997: 221).

In October 1880, the *Saskatchewan Herald* celebrated the successful arrest and conviction of two Cree men, William Gladieu and I-ah-pee-coo-cah, at Frog Lake for assaulting a farm instructor named Delaney (Gavigan 2008: 26). After completing about two-months of his sentence, I-ah-pee-coo-cah’s wife Margaret gave an Information and Complaint, on 12 January 1881, before William McKay, HBC factor and Justice of the

Peace. It seems that Margaret on 7 January asked her husband for permission “to go to the Indian farm instructor for provisions for their child who was crying from hunger” (cited in Gavigan 2008: 26). Margaret’s husband agreed, but then told her “if she did not get provisions she should not come into the house again” (cited in Gavigan 2008: 27).

According to Gavigan (2008: 27):

As she [Margaret] was about to leave, her husband jumped up, tried to find something to use as a weapon and, settling for a chisel, threatened to kill her. His brother who was there tried to restrain him, but he made several attempts to stab her. She was able to run into her mother’s house, and other men kept him from following her and striking her. In her Information and complaint, she asked that he be placed on a peace bond, with sureties, citing his threats and her fear that he would injure her.

Gavigan (2008) concludes this case by looking at how I-ah-pee-coo-cah’s violence against his wife was triggered indirectly by the suggestion of Delaney. As Gavigan (2008: 27) argues: “Delaney would have been the farm instructor to whom Margaret would have had to go ask for provisions for their hungry child – undoubtedly a galling prospect for her husband who had just served a jail sentence for assaulting him.”

By the 1880’s it seemed that most Aboriginal people and the Métis were more or less dealt with (excluded socially and politically) and settlements were becoming more secure. For the Métis, the denial of their rights along with the exploitive and violent conditions imposed on them in the early 1870’s by the encroachment of new Ontario settlers and the military force resulted in most of them to leaving their homeland by 1880 (Shore 2001). In the terms of Bhabha (1994), the “hybridity” of the Métis, who were not only a racial mix (as the NWMP would emphasize), but also a cultural one that symbolized a threat to the ‘purenness’ of white society. As for Aboriginal people, the

“human obstacle” to white ‘civilization,’ they had been “herded into reserves and colonies where oppression, misery, and death plagued them” (Adams 1989: 96, 68).

To exacerbate the disastrous impacts on Aboriginal societies, the government did not increase funding or provide food for the starving Aboriginal peoples, instead it did the opposite – it cut rations and increased its spending on and supplies of the NWMP. As Adams (1989: 68) explains, “There seemed to be an endless supply of Mounted Police at native settlements, but although the federal government could provide scores of Mounties it could not provide funds or food for the starving Indians.” The Canadian government often relied on tactics of withholding rations, to “starve out” those who refused to return to their reserves or who crossed the international boundary (McCrary 2006: 110). In this way, it was lack of action rather than taking action, which fragmented Aboriginal peoples and allowed for the Métis “agitation to accelerate” (Adams 1989: 85), to a full fledged ‘rebellion’ as shown below.

According to Hildebrandt (1994: 47), whether or not the government intended to incite bloodshed it could not have succeeded in a better or more efficient way. The NWMP enforced, “the laws and government Native policy that unfortunately, even as they had observed, were no longer in touch with the circumstances on the reserves” (Hildebrandt 2008: 47). Starvation of Aboriginal peoples allowed the Canadian government to do what they could not do by physical force alone, especially given their smaller military budget. Based on such conditions and its impact on Aboriginal peoples’ self-determination, many rightfully saw the Canadian government’s “subjugation policy...just as devastating as the extermination method employed in the United States” (Adams 1989: 68).

The year 1881 was a year that marked a great “shock” for Aboriginal peoples, “for the first time in living memory, the buffalo had failed to appear north of the boundary!” (Stonechild & Waiser 1997: 27). Without food they were at the mercy of unsympathetic white officials, backed by the Macdonald’s Conservative government that was prepared to use widespread hunger to subjugate Aboriginal peoples (Stonechild & Waiser 1997: 27), and to forcibly evict several begging Aboriginal peoples from undesired locations (Knafla 1986: 34).

More of Aboriginal peoples started protesting in 1881. For instance, in August, Poundmaker’s young Cree men circled their Fort Walsh camp in anger, “war cries sounded and guns blazed” (Stonechild & Waiser 1997: 27). Others responded to curtailment of rations by crossing the borders to get what food they could in the United States (McCrary 2006: 110). Hugh Dempsey (2002) also notes that when Chief Crowfoot of the Siksika Nation in Alberta and his people settled at Blackfoot Crossing, following their return from the United States in 1881, there were regular public confrontations with Departmental officials over what they saw as inadequate and humiliating rations. Crowfoot and others personally confronted the farming instructor when rations were being issued. In December the same year, several Blackfoot men fired shots at the ration house while the farming instructor was issuing food (Satzewich 1996: 200).

In an embarrassing and dehumanizing episode in 1881 Farm instructor, John Delaney, laid false charges against an Aboriginal man, Stand Fly, so that he could cohabit with his wife. Delaney had first claimed that Sand Fly “had struck him with a whip, and when this charge did not result in the desired jail sentence, Delaney claimed that the man had beaten his wife” (Ray, Miller, & Tough 2000: 28). While Stand Fly was in prison,

Delaney lived with his wife. Even the NWMP acknowledged: “Mr. Delaney had the man arrested in order to accomplish his designs” (Ray, Miller, & Tough 2000: 28). Delaney’s abuses got him later killed at Frog Lake in 1885. It is important to note, as it has often been ignored, that there were frequent alleged assaults on Aboriginal women, but “on most of the occasions that Aboriginal women laid charges against policemen for assault or rape, their claims were hastily dismissed as defamation or blackmail” (Hildebrandt 2008: 62; Carter 2008).

It was not surprising that the growing abuses and frustrations forced some Aboriginal individuals, like Lean Man, to threaten to shoot a farm instructor in 1881 for “forcibly evicting several begging Indians from his house” (Stonechild & Waiser 1997: 51). In a lot of these cases, “The insult of poverty and starvation was added to the injury of violence and the threats and harassment of criminal prosecution” (Gavigan 2008: 28).

In August 1881, Constable Dickens was involved in an incident at the Blackfoot Crossing, Southern Alberta. It started, like many incidents at the time, over a stolen horse. As Dickens notes:

A white man working for the Cochran Ranch Company went looking for his missing horse and accused two Blackfoot youths of having threatened him with loaded rifles. I took few police with me and arrested the two Indians. We were immediately surrounded by an overwhelming number of Indians who demanded the release of the prisoners (D. Carter 2003: 56; Nicol 1989: 216).

Dickens and his men were fortunate because Chief Crowfoot had helped them from the “anxious encounter” (Carter 2003: 56). Dickens here notes that the NWMP official reports are not accurate because they always read: “Coolness and tact had again saved a ticklish situation,” when in fact they almost got into grave danger (Carter 2003: 56). As Dickens explains: “That may be the official comment but...my men and I were damnably

scared and very pleased to get away from the spot” (Carter 2003: 56). What Dickens says here about the coolness of the NWMP reports must be highlighted, as most of the NWMP reports compiled at the archives reflect the same attitude.

Similarly, on 2 January 1882, the year “truly began with a ‘bang’” (Dickens cited in Carter 2003: 58; also see Adams 1989: 76). Constable Dickens and his men came to another near violent encounter at the Blackfoot Crossing. It seems that an Indian Department official had cheated Chief Bull Elk over beef rations. The latter then attempted to steal some of the rations and was caught by another Indian official, Charles Daly. Dickens notes that “feelings ran high,” and Bull Elk who left in anger “fired his old flintlock in the direction of Daly” (Carter 2003: 58). Upon hearing the news, Dickens went with three men to the scene where the incident had taken place. While Dickens and his men were able to arrest Bull Elk in spite of having his “weapon raised in defiance,” they found themselves in a more anxious encounter than what they experienced a few months ago (Carter 2003: 58). On their way back to the post, “I [Dickens] had to draw my revolver,” because they were surrounded by “almost seven hundred warriors all armed with Winchester rifles” (Carter 2003: 58). As Dickens adds:

Their weapons were far superior to our rifles and of course, we were outnumbered seven hundred to thirteen! The Indians verbally abused and taunted a policeman on sentry at the stable and storeroom. They kept trying to provoke us and taunted us to fire at them. If we done so I’m certain we all would have been killed. It was a very tense situation! (Carter 2003: 58).

According to Wallace (1997: 231) this was the first time the Blackfoot resisted. For some time, the Mounties did not ‘get their man,’ Dickens was forced to agree to have Bull Elk placed in the custody of Chief Crowfoot until he could be brought to trial. Bull Elk remained free, until Superintendent Crozier visited the Blackfoot camp. Upon attempting

arrest, Crowfoot approached Crozier and asked him if he intended to fight, Crozier replied: “certainly not, unless you commence” (cited in Carter 2003: 59). Crozier arrested Bull Elk and brought him to the Blackfoot Crossing, Alberta. Then, acting as a magistrate, Crozier conducted a preliminary examination of the witnesses, and later took Bull Elk to Fort Macleod (Carter 2003: 59).

In 1882, Councilor Fine Day of Battleford Reserve reported that most Aboriginal peoples in the reserves are in there against their wishes, for them: “It was either come in, or starve to death” (Adams 1989: 76). A clear evidence of this is succinctly given by Indian Agent Allan Macdonald’s report from Fort Walsh in 1882, when he writes: “The Indians look very bad, I know they are not getting enough flour but I like to punish them a little, I will have to increase their rations, but not much” (cited in McCrady 2006: 110). In another incident, Chief Crowfoot and his wife complained that the farm instructor on their reserve demanded sexual favors from a young girl in return for rations, and when an investigation proved this to be the case the man was dismissed. It is clear that many government officials on reserves abused their positions of authority (Ray, Miller, & Tough 2000: 26).

In May 1882, there were increased tensions in the Fort Walsh area. Big Bear and Wandering Spirit of the Cree from the North Saskatchewan country camped with one hundred and thirty lodges near the fort and demanded an increase in rations. Métis in the area made similar demands. Rations were not given to Big Bear because he was a non-treaty Indian – “no assistance could be given to non-treaty Indians” (Carter 2003: 60; Beal & Macleod 1994: 60-61). However, Big Bear threatened that if ample provisions were not forthcoming they would acquire them by force. As a result, fearful white settlers



barricaded themselves and brought supplies and ammunition into the fort, most notably are the “Two seven-pounder guns... readied in the fort bastions.” While shots were fired by both sides “it was all only a demonstration and eventually quieted down” (Carter 2003: 60). Also that month a battle almost erupted between two hundred “well-armed” Bloods and Cree. According to Charles Dickens, “One Cree was killed by eight gunshot wounds, three knife stabs, [and] then scalped for good measure!” (Carter 2003: 60). In the same year the authorized strength of the NWMP was increased from 300 to 500 men (Beahen & Horrall 1998: 225). The great number of “destitute nomadic aboriginals wandering the plains was considered a sufficient emergency” and more rations were given (Wallace 1997: 231).

Another really violent incident occurred in 1882, when a white man named Bowles refused to help some Fort Macleod citizens fight a prairie fire. In retaliation, “after the boys got it out, they went to the creek where Bowles camped, took him out and hanged him” (Elofson 2004: 79; McKenna 2006: 200). Cases like this have caused both Elofson (2004) and McKenna (2006) to point out that citizen action in law enforcement in western Canada, even though “rare,” was employed more often than has generally been acknowledged.

On 18 February 1884 the “Yellow Calf incident” occurred, where about twenty-five armed Aboriginal men, led by Yellow Calf, raided the government storehouse and assaulted the “uncooperative” farm instructor Keith (Stonechild & Waiser 1997: 54). A few days later, when a party of NWMP officials reached the reserve to arrest the offenders they found that they had barricaded themselves in a house, prepared to defend the food with violence if necessary. After tense negotiations, where Yellow Calf said that

his people were starving and had been “forced to help themselves to provisions because of Keith’s repeated refusals, and that they were taking only what rightfully belonged to them,” the rations policy was reinstated (Stonechild & Waiser 1997: 54). However, nothing was said to further solve the hunger problem. Later, Constable Dickens wrote that incidents like this, where Aboriginal peoples resisted government official policy, provided a “strong evidence of the degree of unrest” in the Saskatchewan region (Carter 2003: 67).

A few months later, on 7 June, more than two thousand Cree had gathered at Poundmaker’s reserve in Alberta for a ceremony (Thirst Dance) and council, and other Aboriginal people went to Battleford, Saskatchewan, to stage a Hungry Dance (Beal & Macleod 1994: 91). On 17 June 1884 as the Cree were preparing for their Thirst Dance, two Aboriginal men went to see the farm instructor, John Craig, on Little Pine’s reserve around Battleford, Saskatchewan. According to another farm instructor, Robert Jefferson:

They had come while he [Craig] was in the storehouse and demanded food; which demand he had refused with appropriate gestures. He could speak no Cree; they, no English. Craig seems to have lost his head, since the controversy culminated in his pushing the men out. One of the intruders [Kawechetwemot] then took an axe-handle that was near the door and struck Craig on the arm with it (cited in Beal & Macleod 1994: 92-94).

However, Craig’s arm was not badly injured, and soon after he reported the case to the police (Beal & Macleod 1994: 94). A five-man police detachment under Corporal Ralph Sleigh went to the main Cree camp that was between the Little Pine and Poundmaker reserves. Upon their arrival, Chiefs Big Bear and Poundmaker told them that Aboriginal peoples “would rather fight than allow anyone to be arrested” and challenged Corporal Sleigh to try to arrest the chiefs. This pressured the police to withdraw and report to Battleford (Beal & Macleod 1994: 94).

On June 18 NWMP Superintendent Leif Crozier, Indian Agent Rae, along with thirty people headed with all “coolness and boldness” to the Cree camp to negotiate Kawechetwemot’s arrest (Hildebrandt 2008: 45). In defense, Kawechetwemot said that “he was sick and wanted provisions for himself and a sick child when Craig threw him out of the house, as such he felt justified in attacking him” (Beal & Macleod 1994: 96). Regardless of Kawechetwemot’s plea, Crozier insisted on making the arrest. At this moment, Chief Poundmaker rushed at NWMP Inspector William Antrobus, a policeman whom he particularly resented, and “threatened him with a pukamakim, a war club with three butcher knives imbedded in its head” (Beal & Macleod 1994: 97). Immediately the other NWMP officials pulled Antrobus back and surrounded Poundmaker with their rifles. At the same time this happened, Poundmaker and a few other Aboriginal persons “rushed to a policeman who had become separated from his comrades, knocked him to the ground, and took his rifle” (Beal & Macleod 1994: 97). Having been in a close proximity to some armed “angry warriors spoiling for a fight,” Crozier suspended the rules and issued rations before leaving (Stonechild & Waiser 1997: 56-57). Commenting on the dangerous confrontation they were in Crozier says: “Had a shot been fired by either the Police or Indians, I fear it would have been the signal for engagement, and when that had taken place, it is hard to foretell what the consequences to the country would have been” (Beal & Macleod 1994: 97).

While Aboriginal people in some cases were able to force officials to give them more rations, the general policy of “starving the Indians” or limited rations remained enforced (Beal & Macleod 1994: 75; Hildebrandt 2008: 45). The Indian Department had decided that its Indian policy was too costly and only caused Aboriginal people to be

more dependent; as a result, rations were cut to starvation levels in order to force them to work as small farmers. Not surprising, many Aboriginal people “sickened and died” and those who survived saw their “culture and political life destroyed by what was in effect, at least of them, a policy of starvation” (Beal & Macleod 1994: 101). For this reason, Haring (2005: 96) argues that events around the Métis resistance constituted a “watershed in NWMP/Indian relations,” which exposed the weaknesses in its policy toward Aboriginal peoples (also see Knafla 1986). In legal terms, assisting in enforcing rations put a law-enforcement burden on the NWMP that involved a “cruel and unworkable” plan – imposing order on starving people (Haring 2005: 96).

Another law-enforcement burden that the NWMP and the Department of Indian Affairs were involved in was the outlawing of Aboriginal dancing (Backhouse 1999: 66). In 1884, the Canadian government passed criminal laws prohibiting Aboriginal ceremonies like the Potlatch (Backhouse 1999: 63). This federal legislation, of making Aboriginal dancing a crime, was first introduced by the Conservative prime minister John A. Macdonald, who did not hesitate in the House of Commons to advance the racist argument against the Potlatch by calling it “debauchery of the worst kind” (Backhouse 1999: 65). Backhouse (1999: 68) refers to a number of cases where Aboriginal people who violated this law were arrested by NWMP officers and Indian Department officials in western Canada. It is important to note, that in banning Aboriginal dancing, Aboriginal peoples ability to resist via their culture was seriously undermined and thus the government was able to further impose its cultural superiority and by default its power (see Kulchyski 1992: 184). The devastating cultural and psychological impact of this amendment was summed up years later by an Ojibway elder, named Standing Through

the Earth, who argues that it caused many Aboriginal people to lose meaning in life (cited in Pettipas 1994: 186). As *Standing Through the Earth* argues, “because the traditional ceremonies and rituals were no longer practiced, many of [Aboriginal] people do not know their language or the value life gives to everyone” (cited in Pettipas 1994: 186).

As resentment and desperation escalated, altercations between Aboriginal people on reserves and Indian Department officials increased. Respected elders were forced to beg Indian Department officials for extra food to feed their starving and diseased children. It was not surprising that the Indian Department’s refusal was “met not infrequently with violence as individual Indians took law into their own hands, striking officials or stealing food” (Harring 2005: 96). For instance, the year 1884-85 witnessed a number of documented assaults on Indian agents and employees of the Indian Department. In one case, Chief Big Bear’s father-in-law, Yayakootyawapos, after failing to hunt anything in winter went to the Indian Department official, John Delaney, on the reserve (in Saskatchewan) and begged for food to feed his family. However, Delaney “brusquely” turned Yayakootyawapos down, grabbing him by the arm and forcing him out of the ration house (Harring 2005: 114). At this moment the latter pulled a knife, but Delaney ran out and locked him in until the NWMP arrived. Yayakootyawapos was sentenced to two years in the guardhouse at Battleford. According to Harring (2005: 114), “This harsh sentence represents the use of criminal law to defend agent-dominated social order on the reserves.” Indian Department officials, like Delaney, were often “physically threatened” by starving Aboriginal people who pressured them to distribute food (Harring 2005: 108). For instance, as shown below, some later killed Delaney.

Another incident occurred in 1884 where members of a raiding Aboriginal band near Saskatchewan shot and killed a Métis named Paul, in an attempt to steal livestock. The offending parties were never caught (Canada Sessional Papers, 18:3, 1884, n. 153, 8-13: Report of the Commissioner cited in Elofson 2004: 78). There were also two cited incidents involving white settlers, as victims and perpetrators. In one incident, reported in Canada's Sessional Papers (16:11, 1884, n. 125, 9-10: Report of the Commissioner, 1 January 1884), two white settlers named John and George Stephenson murdered and robbed another settler, named John McCarthy, near Qu'Appelle, Saskatchewan. Both were sentenced and executed (cited in Elofson 2004: 74).

According to Breen (1973: 67) the summer of 1884 was a particularly turbulent one, as he explains: "Accounts surfaced that the entire region from the American border to Calgary, 150 miles to the north, was divided into two hostile camps [already existing ranchers and new settlers], and others warned the government" of the potential violence. On one hand, the ranchers wanted extensive landholdings and an unfenced range, which went against the increasing number of new settlers who wanted more land. In Calgary the "situation remained tense for over a decade and on several occasions violence threatened" (Breen 1973: 68). Breen adds that "armed resistance" was seen as the only solution to get the government to open leases for more land (Breen 1973: 68). In addition, tension grew on the Reserves as food shortages became ever more acute and agriculture, the government's sponsored plan, was failing to supply even a subsistence-level (Hildebrandt 2008: 47; Carter 1993). Adult Aboriginal warriors were forced to "stand idly by and watch their families starve" (Harring 1998: 271).

Outside or inside the reserves, Aboriginal peoples found themselves ever more marginalized in relation to the increasing numbers of white settlers and NWMP officials. All this was done under the government's assimilation policy. For instance, Prime Minister John Macdonald in the House of Commons in 1884 said: "I think we must, by slow degrees, educate generation after generation, until the nature of the animal, almost, is changed by the nature of the surroundings" (cited in Miller 2008: 12). How did Macdonald go about this plan? By a systematic ontological attack on the identity in the Aboriginal child that was initiated by plucking them away from their families and putting them in a totalitarian structure, named the "Residential School," to unlearn their "Indian" ways (see Milloy 1999). In Bhabha's (1994) words, the Residential schools are places where hybridity is formed and maintained. Putting Aboriginal children in a flux of identities and rationalities undermined the roots of Aboriginal society. Even when they were able to fully acquire the European cultures and traditions they remained as a threat to that very same culture they practiced. For that reason the implicit message they got was that even if they fully felt, thought, and spoke white, they would never be accepted as part of the white society. Their perceived inferiority was always structured in their colonial relations with the white society.

In the winter of 1884-85 frustration and fear among the Métis in the Fort Carlton-Prince Albert-Batoche area over economic crisis, encroachment of Europeans, and the security of land tenure along the South Saskatchewan River prompted them to recall the exiled Louis Riel from Montana to serve as a leader (Knafla 1995: 14). Riel, as the successful leader of the 1869-70 Red River resistance, was a hero to many of the Métis (Stonechild & Waiser 1997: 57). Riel was seen as the last hope of the Métis to pressure

the government to compensate them for the “loss of their aboriginal title and formal recognition of their existing land holdings” (Stonechild & Waiser 1997: 57). As shown below, the Canadian government’s answer was strictly militarily.

Even if the Canadian government tried to help it was not seen as a priority during this time as Ottawa itself needed economic aid. The government’s solution to this was in controlling and bureaucratizing the western Canadian frontier. The most efficient method of achieving this control was a military invasion. Since this is a drastic measure, the government sought to make it “appear to be necessary for the sake of law and order” (Adams 1989: 85). To do so, Adams (1989: 85) argues that the Canadian government “obviously” allowed the problems of Aboriginal people and Métis to further escalate and “possibly even encouraged them so that conditions would result in violence.” In fact, a full year before things escalated 1884-85, the government in Ottawa recruited more soldiers and NWMP in anticipation (Adams 1989: 81). According to Adams (1989: 81):

The Prince Albert *Times* reported in March 1884 that a circular was published calling for 5,000 recruits to do army service. In April 1884, 200 additional police had been recruited. In the following month... [the *Times*] reported that 20 additional police and 150 militia were sent to Fort Carlton.

By early 1885 “western Canada looked like a military camp; the police force at Battleford had been doubled, while that of the Prince Albert area had been tripled” (Adams 1989: 82). The expansion of the NWMP, army, and militia indicated that a “state of war” existed (Dion 1979). Aboriginal people and especially the Métis, the government’s “scapegoats,” were under the constant threat of a military offensive (Adam 1989: 82).

The Métis peaceful protest against government inefficiency had turned violent after the government further prolonged the investigation of Métis claims. Riel responded by seizing arms and ammunition at Batoche on 18 March 1885 (Knafla 1995: 14-15).



Consequently, on 21 March 1885, John A. Macdonald publicly announced to Canadian citizens that Métis had taken up arms. The Métis refused to leave their homes and run away, instead they planned to stay and defend themselves by counter attacking (Adams 1989: 90).

On 26 March 1885 at Duck Lake, Gabriel Dumont, adjutant general of Métis forces, confronted the police, who were also accompanied by an English-Métis scout named Tom McKay. It seems that Dumont approached the police, in spite of being warned: “If you don’t stop, I will kill you.” In response Dumont said “I’ll kill you first,” then he “leapt at the sleigh and knocked the policeman from his seat with the barrel of his gun” (Beal & Macleod 1994: 155). As Dumont lifted his gun, it accidentally went off, which made things tenser. Dumont told McKay who was warning him to be careful, “You’d better be careful yourself, or I’ll blow your brains out...I’ll slaughter you” (Beal & Macleod 1994: 155). The police retreated and although the Métis wanted to chase them, Dumont let them go.

On the same day, 26 March, Crozier came to Duck Lake outside of Batoche, Saskatchewan, with about one hundred police and civilian volunteers from the area to confront Dumont. As soon as Crozier spotted twenty-seven Métis horsemen led by Dumont, he quickly took a defensive position, as did the Métis. On the side of the heated scene, there was a notoriously nearsighted man named Assiyiwin, and McKay, an “irascible” police interpreter (Stonechild & Waiser 1997: 67). Assiyiwin, unarmed, was walking towards his reserve near Duck Lake and had passed by the heated confrontation. McKay insisted that Assiyiwin must return from where he came from, as there will be “trouble” (Stonechild & Waiser 1997: 66). Assiyiwin was upset that the police had

intruded on his reserve and was preparing to fight and refused to move (Stonechild & Waiser 1997: 67-68). McKay threatened Assiyiwin that if he crossed he would be shot. At the same time, Isidore, the brother of Dumont, came to talk and calm things with McKay and Cozier. Isidore was a bit late, and by this time Assiyiwin had grabbed McKay's rifle and tried to take it away from him. A fight followed, in which McKay shot Assiyiwin and Isidore. Isidore was shot in the head, and the Assiyiwin was fatally wounded in the stomach (Stonechild & Waiser 1997: 68).

Immediately at the sound of gunfire, shooting erupted from both sides – the Métis “Rebellion” had officially begun for the government. In the battle that lasted for less than an hour, the NWMP were forced to retreat (Adams 1989: 90). In an attempt to surround the police, Dumont and 15 Métis pursued them. However, after Riel's plea, Dumont did not pursue the “badly mauled force” (Stonechild & Waiser 1997: 69). In the end, 10 died and one was wounded from the NWMP side, and the Métis lost five (Stonechild & Waiser 1997: 69). Four of the five Métis killed had been close relatives of Gabriel Dumont, so when he arrived back at Duck Lake he “almost killed all the prisoners in revenge;” however, Riel stopped him again from further bloodshed (Beal & Macleod 1994: 159). It is clear that Crozier's force advanced in a “reckless and naïve manner” in spite of their knowledge that they would encounter an armed resistance (Stonechild & Waiser 1997: 69). Following more exaggerated accounts on Métis “lawlessness,” the government was able to have more soldiers to volunteer (Adams 1989: 91).

On March 30, 1885, a group of Stoney approached Farm Instructor James Payne, who worked on the Mosquito reserve, and shot him after he refused to give them flour. According to Itka, the Aboriginal who shot Payne:

[I] asked Payne for some shot and flour; he would not give me any; my son wanted to go shooting; then my heart got bad and Payne got vexed and I told him not to get vexed, he said he would not give me flour for ten days; I went away and got my gun and came back; then the instructor took hold of my arms, and I said he had better loose me or I would kill him; I got my arms free and shot Payne” (cited in Beal & Macleod 1994: 183).

Payne, like other farm instructors, was often bold and uncompromising with Aboriginal people and known for his “violent temper,” which caused many of them to resent him (Ray, Miller, & Tough 2000: 27). On one occasion, Payne had beaten Itka’s daughter and threw her out of his house for not knocking on the door before visiting his Aboriginal wife at home. Itka’s “terrified and shaken” daughter got sick and died soon after (Ray, Miller, & Tough 2000: 27; Stonechild & Waiser 1997: 98). Itka blamed Payne’s violence for his daughter’s death; thus his death marked “the end of a long-standing feud” (Beal & Macleod 1994: 183). Itka pleaded guilty, without legal counsel, “to his murder before Magistrate Rouleau and a justice of the peace on October 9 and was hanged with his fellow a Stoney Aboriginal man named, Man Without Blood, and six Cree warriors from Frog Lake, at Fort Battleford on November 27, 1885” (Gavigan 2008: 20). It has been noted that Payne’s “tenacity had exacted a devastating human toll. By the eve of the rebellion, the Mosquito band population had dropped by almost two-thirds” (Stonechild & Waiser 1997: 97-98).

After Payne’s death, the group of Stonies set off for Battleford to join the Cree. The following day they came across Barney Tremont, a white settler. It was known that Tremont “hated Indians and would threaten them whenever they came near his ranch” (Beal & Macleod 1994: 183). When the Stonies arrived on the evening on 30 March, Tremont reported:

Man Without Blood met the white man on the road near his house; the Man with the Black Blanket told me to kill him; I said I would; I saw him leaning on a wagon... My brother asked, "Why don't you go and kill him?" I got his gun and loaded it and walked over and killed the white man (cited in Beal & Macleod 1994: 183-184).

To make sure he was dead, the group of Stonies put another "bullet in the head of the lifeless body and an arrow in the heart" (Beal & Macleod 1994: 184). According to Stonechild & Waiser (1997: 101), Tremont's and Payne's "cold-blooded murder," were not indiscriminate killing: "In both cases, the victims had offended Indian sensibilities, and when the opportunity arose, the men were struck down." These violent actions had nothing to do with the Métis resistance; it was simply a case of a father's revenge (Stonechild & Waiser 1997: 98). Unfortunately however, the Canadian government tried to link these cases to the Métis 'Rebellion' to justify its military expedition.

In a similar manner, on 1 April 1885, Wandering Spirit killed agent Quinn. On the morning of that day, Chief Wandering spirit and several younger warriors decided to seize hostages at Frog Lake and help themselves to what they found, including alcohol, after supplies were denied to them (Stonechild & Waiser 1997: 115). Then they ordered all the hostages to go to Chief Big Bear's camp, which they did. Quinn was one exception, and insisted on going back to his house, thus increasing tension (Stonechild & Waiser 1997: 116). Here, Wandering Spirit responded: "You have a hard head. When you say no, you mean no, and stick to it. Now if you love your life you will do as I say. Go to our camp" (Beal & Macleod 1994: 198). When Quinn again refused, the war chief said: "I don't know what kind of a head you have that you do not seem to understand. I may as well kill you" (Beal & Macleod 1994: 198). With that Wandering Spirit shot Quinn in the

head. Quinn's body was later found mutilated. According to Beal and Macleod (1994: 198), it was badly mutilated because Aboriginal people were resentful.

As a result of Quinn's stubbornness what began as a hostage taking turned quickly to a bloody confrontation (Stonechild & Waiser 1997: 116). After Quinn died, Wandering Spirit spotted Charles Gouin, an Indian Agency Carpenter, who was walking towards him. Soon after Wandering Spirit ordered Bad Arrow to shoot Gouin. Then according to Bad Arrow, "[I] raised my gun and fired where I would not kill him; I shot him in the shoulder and he fell and lay on the ground; I asked him if I had killed him and he shook his head; I made him a sign to close his eyes and sham [sic] dead" (Beal & Macleod 1994: 198). However it seems Gouin did not die until an Aboriginal named Miserable Man shot him again.

Unfortunately, more died that day besides Gouin and Quinn. About fifty meters north of Delany's house Wandering Spirit, Bare Neck, Walking the Sky, Kawechetwemot (the man who assaulted Farm Instructor Craig a year before) and other men killed the despised Farm Instructor Delaney, two priests named Father Marchand and Fafard, Fafard's assistant John Williscraft, the husband of Teresa Gowanlock, and two traders, George Dill and William Gilchrist (Beal & Macleod 1994: 198-199). In discussing these killings Stonchild & Waiser (1997: 177) said, "It was as if they [Wandering Spirit and the other Aboriginal people] were trying to lash out against years of deprivation, abuse, and wounded pride." In the end of what constituted the Frog Lake Killings, nine whites were killed (Beal & Macleod 1994: 199).

Since the Frog Lake Killings and other Aboriginal conflicts came within the same duration of Métis resistance, the government tried to incriminate Aboriginal peoples. As Stonechild & Waiser (1997: 170) explain:

Coming within days of the Duck Lake Clash, the nine tragic deaths not only suggested that Big Bear looked to Louis Riel for leadership, but that the Cree were wild, ruthless savages who would do anything as their part of the alliance.

However, the Frog Lake Killings were “an isolated, spontaneous incident perpetrated by men spurred to action by hunger, frustration, and alcohol” (Stonechild & Waiser 1997: 170). To support this argument, Stonechild & Waiser (1997: 174) argue that other Aboriginal bands, like that of Chief Pakan of the Whitefish Lake reserve, did not want to join Wandering Spirit and were “loyal [to the Queen] till death.” In fact, on one occasion they shot dead one of Wandering Spirit’s messengers to confirm their refusal to join him (Stonechild & Waiser 1997: 174). Many Aboriginal people knew very carefully that having their name implicated in the killings would only further worsen their situation. However, some Aboriginal people did resist against what they saw as broken promises and abuse by the government. Early in 1885, some Aboriginal people had thought they could stop the advancement of settlement and authority: “If we are to be mastered by the whites,” and continue to “receive only the crumbs from their tables, it is better for us to be killed by bullets than to starve ignominiously” (cited in Dempsey 1979: 86).

The white settlers at Battleford felt threatened as soon as the news on the Métis uprising reached them. Their feelings were not reassured when they heard the news of the Frog Lake Killings and the killing of the other farm instructors. In fact, fear of a Métis resistance accompanied by Aboriginal people’s support, who the settlers thought were far more “treacherous and bloodthirsty” than the Métis, meant grave danger to them (Beal &

Macleod 1994: 188, 206; Carter 2003: 71). Such fears led white settlers to besiege themselves for the two weeks at the beginning of April, leaving their homes and town open for some desperate Aboriginal people who took the opportunities to take supplies (Beal & Macleod 1994: 206). On 1 April, the settlers fired a cannon shell from the fort to disperse three Cree men, who were trying to take supplies (Beal & Macleod 1994: 188). Shots were also fired on 8 April, assumingly killing three of four Aboriginal people (Beal & Macleod 1994: 206).

On 10 April 1885, two weeks after the ‘rebellion’, Macdonald introduced a motion in the Commons to increase the establishment of the NWMP from 500 to 1,000 men (Beahen & Horrall 1998: 11). A few days after, on 14 April 1885, some Cree from Big Bear’s band shot and killed NWMP Corporal David Cowan, and wounded another officer by accident after being surprised and anxious for crossing paths with them. In return three Cree were killed during this confrontation (Carter 2006: 208; Stonechild & Waiser 1997: 122). As Constable Dickens later reported:

Suddenly my returning men happened upon the Cree and made a dash for the fort. Two were shot, the third escaped in the bush. The one man, Cowan was dead, the other Loasby feigned death, was robbed and then crawled to the perimeter of our sadly misnamed ‘fort’ Pitt. Later young bucks took Cowan’s body, cut out his heart and ate of it, raw! We put up a stout defense, we opened fire on the attackers; four Indians were killed and several wounded (Carter 2003: 72).

Following the heated incident the NWMP left Fort Pitt, in order to avoid further retaliation from the Cree. According to Morton (1977: 13), “timid” Inspector Dickens allowed civilian men, women, and children to surrender to Aboriginal people and then fled down the river with his men. While some government officials have seen this incident as a proof implicating Aboriginal people in supporting Riel, others like Stonechild & Waiser (1997: 126) argue:

The sad truth at the time was that the Cree were just as frightened and bewildered as the townspeople cowering within the fort. Far from joining the rebel cause, as events in late March had implied, the local bands had anxiously gathered on the Poundmaker reserve, near Cut Knife Creek, seeking emotional support and spiritual guidance.

The Cree were in Battleford for defensive reasons, fearing that the government would punish them for what happened at Frog Lake and Battleford (Stonechild & Waiser 1997: 126). Again, it was the government's lack of responsible governance that left matters to escalate (Knafla 1986).

It is also arguable that the destitute conditions could have led to the killing of a "Windigo" on the 13 April 1885 (Harring 2003: 182). On that day, it was reported that an old delirious Aboriginal woman announced at Big Bear's band, in Battleford, that unless someone kills her she would turn into a Windigo. Immediately, three Cree warriors were chosen by the band to kill her. The three men took the old woman away from their camp where they beat her to death in a ritualistic manner: "Charlebois struck her in the head with a club. [Then] Bright Eyes shot her three times as Dressy Man cut off her head with a saber and threw it off into the bush" (cited in Harring 2003: 82). These three men were later tried on November 27 before Judge Charles Rouleau. The jury convicted Bright Eyes of manslaughter, and Charlebois and Dressy Man of murder. Judge Rouleau sentenced Bright Eyes to 20 years and the other two to death by hanging, but the two death sentences were later commuted to life. Harring (2003: 83) seems to suggest that this case would not have made it to trial, if it were not for the presence of white prisoners at Big Bear's camp (also see Beal & Macleod 1994: 212-213).

On the evening of 21 April, Frank Smart, a young NWMP official who was "scouting with a companion" about five kilometers south of Fort Pitt, was shot and killed



by an Aboriginal “lying in ambush” (Beal & Macleod 1994: 240). The following day, 22 April, a number of the troops leading Lieutenant Colonel Otter’s column exchanged bullets after they ran into some Aboriginal men who were killing a cow. Aboriginal men fired few shots, but in return one of them was injured by the NWMP (Beal & Macleod 1994: 240).

On Thursday 23 April 1885, General Middleton and his force comprised of 1,000 soldiers marched north, from Qu'Appelle Valley to Batoche, to crush the Métis resistance (Stonechild & Waiser 1997: 155). Ottawa’s troops began to converge at Batoche with their cannon and Gatling gun. It was only a matter of time before the government’s forces would be firing on the Métis community. In anticipation, on 24 April, Dumont positioned 130 men in a deep ravine near Fish Creek, a few miles from where Middleton’s soldiers had camped at Batoche. As soon as Middleton’s soldiers were in range, about 400 of them, the Métis tried to ambush them. While the ambush failed, the small band of Métis was able to scatter Middleton’s soldiers, kill seven, and wound more than 40 more of them. In return, the Métis lost only four men and two injured. On 25 April the victorious Métis, of what came to be known as the Battle of Fish Creek, returned to Batoche (Adams 1989: 92).

In addition to the troops, Ottawa also sent a ship to control the Saskatchewan waterways (Adams 1989: 92). On its way past Gabriel’s Ferry Crossing, the Métis under Dumont were able to set its surface on fire, and then “[n]ative snipers on the bank fired on the men who came on deck to put it out, and four were killed” (Adams 1989: 93). The burning boat with its crew, supplies, and the troops hidden below the deck coasted helplessly down the river (Adams 1989: 93).

By the end of April 1885, the Métis and some Aboriginal people appear to have achieved a few significant “victories over their white colonizers” (Adams 1989: 97). While the Métis were able to capture Fort Carlton and North Battlefort and defeat Middleton’s Troops and the NWMP at the battles of Duck Lake and Fish Creek, some Aboriginal people were able to get Fort Pitt (Adams 1989: 97). It seemed that the Métis resistance was spreading quickly and the first actual attempt to stop it had been unsuccessful by the NWMP and the military. Under such pressure, Middleton was forced to abandon his initial plan of leading “one grand sweep” through the Métis resistance, and sent Lieutenant Colonel Otter with a separate column (Beal & Macleod 1994: 236-237). However, Colonel Otter’s luck was not much better than Middleton’s. On 2 May at Cut Knife Hill, Otter and more than 300 soldiers, who were equipped with two cannons and a Gatling gun, decided to rush an attack on Aboriginal people at Chief Poundmaker’s reserve, but were forced to retreat (Beal & Macleod 1994: 243; Ahenakew and Buck 1995: 175). Otter’s soldiers had walked into a trap where a number of Aboriginal people surrounded them and “poured a rapid cross-fire upon the soldiers as they lay exposed upon the hill” (Adams 1989: 97). After a few hours, Otter was forced to withdraw with his injured and exhausted troops. In the outcome: “fourteen [from Otter’s] men had been wounded and eight killed... The Indian dead numbered around five” (Stonechild & Waiser 1997: 143). Otter and his men would have been all “wiped out,” repeating what happened at Little Big Horn on the American frontier, if it was not for Poundmaker’s intervention, which stopped the Cree warriors (Stonechild and Waiser 1997: 142). In addition to Otter’s soldiers, some of Constable Dicken’s NWMP men were involved and were forced to retreat along with Otter’s soldiers. According to Dickens, “In this

engagement, Constable Sleigh [who headed the detachment at Frog Lake] was shot through the head and died” becoming the first of Otter’s force to die (Carter 2003: 73).

In early May, after the defeats the Canadian government experienced and more exaggerated accounts on the spread of the ‘rebellion,’ more troops were sent to the region. Adam’s (1989:93) estimated that:

Eight thousand Canadian troops [most of them coming from Manitoba and eastern Canada via the railway] covered the Northwest Territories from Winnipeg to Fort Macleod, Alberta – an area of more than a million square miles of land occupied by fewer than 45,000 people. There was one soldier or policeman equipped with the latest weapons for every five persons in the Northwest, including women and children.

As for the Métis in Batoche, they were no more than “four hundred men, including fewer than sixty Indians from the Beardy, One Arrow, and Whitecamp reserves” (Stonechild & Waiser 1997: 162). Again, this proved that Aboriginal peoples had very limited participation in the Métis resistance.

On 8 May 1885 Middleton surrounded Batoche and instigated a military offensive. The battle lasted days, on the fourth day Middleton pushed for a final blow to the Métis, which they would never recover from. Although Middleton knew that the Métis were short on ammunition and could have offered terms of surrender, he instead “pounded the town with rifle, machine-gun, and cannon fire. The troops sprayed the Métis homes with bullets, although they knew that only women and children were in the houses” (Adams 1989: 93). On 12 May Dumont wrote an account on the dead:

Jose Ouellet, 93 years of age, Jose Vandal, who had both arms broked first and was finished off with a bayonet, 75 years; Donal Ross, first fatally wounded and speared with a bayonet, also very old; Isidore Boyer, also an old man; Michel Trottier, Andre Batoche, Calixte Tourond, Elzear Tourond, John Swan and Damase Carriere, who first had his leg broken and whom the English then dragged with a rope around his neck tied to the tail of a horse (Adams 1989: 93-94).

Adams (1989: 95) adds that the Métis could have defeated Middleton, if it wasn't for their desperate conditions during that year. In this engagement, the Métis were able to shoot and kill a Captain named French, who was at the time of the battle "firing from an upstairs window in Batoche's house" (Beal & Macleod 1994: 275). The fall of Batoche was the first victory for the Canadian government in suppressing the Métis, and did a lot to restore confidence in Middleton. It also marked the end of the Métis provisional government, along with Riel who surrendered on May 15 to be taken to court (Stonechild & Waiser 1997: 163). Although Riel was a U.S. citizen, he was charged with treason, "a violation of allegiance to the sovereign," and later hanged (Adams 1989: 109). As for Dumont, he fled to the United States (Beal & Macleod 1994: 73). It is important to note, Riel (like the Métis) was not simply a man who resisted the law; he was a 'great criminal' who threatened the Canadian 'sovereignty' because his actions had the potential to change the laws (Benjamin 1986). Louis Riel was and still is "the 'great' criminal [who] however repellent his/her ends may have been, has aroused the secret admiration of the public" (Benjamin 1986: 281). Riel did so because he threatened sovereignty by establishing other laws in spite of the official ones. Thus, Riel's execution went beyond punishing him for his act, the Canadian state sought to preserve itself: "in the exercise of violence over life and death more than in any other legal act, law reaffirms itself" (Benjamin 1986: 286). As Desmond Morton (1977: 22) succinctly puts it:

[Prime Minister Macdonald was right] Riel's death would warn agitators [Métis and Aboriginal people] not to meddle in Canada's west... Riel's death ended thoughts of rebellion [or challenging the Canadian state]. For Métis and Native peoples, the aftermath may have been tragic; for Canada it was tranquil. Canada's sovereignty was unchallenged from Kenora to Esquimalt.

In other words, the excessive violence the government imposed on the Métis and Aboriginal people (in spite of their limited involvement) in 1885 went to limit any future mass-resistance against it. In doing so, the government was able to maintain a legal monopoly over the use of violence and at the same time tried to keep Aboriginal peoples in a marginalized position. The 1885 ‘rebellion’ went further to establish the rule of excluding Aboriginal people and Métis as inferior subjects on the threshold of ‘humanity’ and ‘barbarity.’ This threshold was easily noticeable by the reaction to the Métis, who were in between being white and Aboriginal. This ‘hybrid’ space/identity/rationality was further structured into the relationship by the 1885 events, which did little to contravene and more to constitute the norms of relations (this point is explored just below).

The final concern for the government in the western region was the Frog Lake Aboriginal people who were “apparently in rebellion” north of Fort Pitt (Beal & Macleod 1994: 276). In the weeks after the Battle of Batoche, Middleton was able to direct all his military forces against Aboriginal warriors, mainly under Chief Poundmaker and Big Bear. While Poundmaker was arrested on 26 May, it took more time to capture the latter (Adams 1989: 96). As Macleod (1992: 187) explains, by now many Aboriginal people were “tired, starving, and despondent. But like hunted animals, they had to keep moving to avoid the reach of soldiers.” It is important to note, by now even the most violent protestors, like Wandering Spirit, had no intention to fight. They were mainly concerned with defending themselves and waiting for the wrath of the government.

To try to capture Big Bear, General Middleton sent Major General Strange, a commander of the Alberta Field Force, to Alberta. However, Strange, like Otter, with his bitter attitude and actions further escalated conflicts. A prime example of Strange’s

attitude towards Aboriginal peoples is summed up on one occasion where he asked the police guarding his ranch “to shoot any Indian *on sight!*” (Stonechild & Waiser 1997: 179; emphasis in original). On 28 May, Chief Big Bear engaged Major General Strange and his troops at Frenchman’s Butte, and forced Strange to retreat with almost 200 soldiers. It seems that only one Cree was killed. Even though Big Bear’s force was weak and fragmented by Wandering Spirits actions and the general conditions of the band, the troops that consisted of the “largest manhunt” in Canadian records could not capture him (Adams 1989: 97; Macleod 1992: 189). Soon after this, Strange sent NWMP Superintendent Sam Steele with about seventy mounted men to “keep in contact” with Aboriginal peoples (Beal & Macleod 1994: 286). It is important to note that earlier in 1870 Sam Steele had joined the Red River Expedition against the Métis.

In another incident on the 26-27 May Superintendent Steele’s men cut off about 13 Aboriginal warriors who were heading to Fort Pitt to steal hoses, and in the following exchange Maymenook, a Saddle Lake Cree, was shot dead. Maymenook’s body was badly mutilated, apparently in revenge against him for being implicated in the Frog Lake Killings (Stonechild & Waiser 1997: 183).

On June 3, Steele’s forces surprise attacked the Cree, who were camping near Loon Lake, forcing them to retreat. From an elevated area Steele “swooped down” on the Cree camp with “gun blazing – much like Colonel Otter had done at Cut Knife” (Macleod 1992: 189). In the process, five Cree warriors were killed, including one of the Woods Cree Leaders, Chief Seekaskootch, and two NWMP officials seriously wounded (Macleod 1992: 187; Carter 2006: 209). However, other reports indicate that almost “fifteen Indians” died (cited in Macleod 1992: 189). Officially this was the last battle that

took place that year – concluding the Métis resistance. By now Big Bear and most of the Cree had surrendered and the Métis had left their homes.

By the end of 1885, nine Aboriginal warriors were executed, 49 Aboriginals and Métis were killed in military action, 23 Aboriginals and 21 Métis were sentenced to prison, and over hundreds of Aboriginal people and Métis were wounded during battles (Adams 1989: 188). As indicated from the numbers, more Aboriginal people were sentenced to prison than Métis although they were not involved to the same extent as the latter. These overly punitive measures towards Aboriginal peoples, and the myth of an ‘Indian rebellion’ further “intensified colonial racial categorization” (Carter 2006: 211). Aboriginal people were viewed as a threat to settlement and were pressed to remain on reserves. Similarly the Métis, who had two resistances by now, were further perceived as a dangerous influence that needed to remain suppressed (Carter 2006: 211). As Macleod (1992: 192) explains: “Canadian authorities keenly appreciated that Riel’s activities had handed them a club, and they were determined to use it to beat into the ground – once and forever – all remaining vestiges of Indian autonomy.” Any traces of resistance, especially which related to treaty rights, were suppressed by their apparent involvement in the ‘rebellion.’ Instead of admitting its part in escalating conflicts, the Canadian government failed to provide a responsible rule and placed more restrictions on Aboriginal peoples. They soon constituted more than twice the number of Métis convictions, as if they “and not Riel and his followers, were the culprits” (Macleod 1992: 192-193). Moreover, the government utilized widespread fear among white settlers, to further justify judicially defeating the Plains Cree diplomats, like Poundmaker and Mistahimusqua, in order to “disperse” some bands, and intimidate many reserve communities in the south (Ray,

Miller, & Tough 2000: 200). This “intense campaign of attrition being waged in western Canada” by the government forced many Cree to flee to the United States, taking their chances with the “Indian wars” to the south (Lawrence 2004: 35). Here it is clear that the western Canadian frontier, at moments in history was as violent as its American neighbour, if not more.

By the end of the 1885 the Canadian state was able to further expand its power and territory. The NWMP men were distributed into 10 divisions, the railway transported increasing numbers of settlers, and the Aboriginal numbers and political organizations were decreasing – becoming increasingly part of ‘history.’ Having made an example of Aboriginal people and eliminating any hope of a Métis resistance, the NWMP role for the most part was to maintain the smooth flow of economy and settlers (Beahen & Horrall 1998: 11, 151). As Dempsey (1979: 86) argues, “Within weeks the white soldiers had descended upon them [Aboriginal people] like an endless hoard of locusts. The battles had been lost, the chiefs jailed or forced to flee, and the superiority of the white man confirmed forever.”

As shown above the first decade of the NWMP had its fare share of violence. While most of the violence was on a small scale, the 1885 Métis resistance is seen as an exception. It was an exception in terms of physical violence and this is easily noticeable by the large floods of police and troops sent to deal with the uprising (and its physical outcomes). However, if one takes a broader look and considers the years just prior to the arrival of the NWMP, then the events of 1885 seems to stand hand in hand with the military violence taken against the Métis in the 1870’s. While previously it has been suggested that events during 1885 constituted an exception in the ‘peaceful’ relation



between the Canadian government and the Métis/Aboriginals, the evidence provided here challenges this view. Although it is important to note that if one relies solely on the archival records then one would get an almost rosy picture that goes along with the myth of a peaceful colonization. As shown above, prior to 1885 there are, with perhaps few exceptions of white settlers murdered by others between 1875 and 1889 (which I was not able to retrieve), relatively no recorded cases of physical violence were reported in the NWMP archival reports. On the contrary, the evidence from the secondary sources here suggests that the events during 1885 were not unique to the region. The Canadian government limited the use of physical violence to the year 1885 to legally punish and control Aboriginal peoples' resistance in the most effective manner. While the government tried to situate the year 1885 as an exception to its 'orderly' rule in western Canada, the evidence here suggest that it was part of the very rule the NWMP were promoting. The excessive military violence relied on by the government went to further establish its roots and maintain the rule of using violence not only when things go wrong, but when things are 'necessary' to go in a certain way that maintains the exclusive/inclusion position of Aboriginal peoples (a point that will be explained further below).

Furthermore, if one considers the reserves, the numbered treaties, the banning of Aboriginal spiritual and cultural ceremonies, the residential schools, the common abuses and violence committed by government officials and white settlers here and there, the exploitation of their natural and social resources, and the famine and diseases that killed many Aboriginal people and affected their social organizations, then the events of 1885 seems to be part of the ongoing suspended relations with Aboriginal peoples (and

arguably it was inevitable). Looking only at the year 1885, a critical look situates the death of Louis Riel and the other Métis and Aboriginal people executed not as ‘rebels’ who got killed for their defiance, but as individuals who resisted becoming homo sacers. They were severely punished precisely because they continued to challenge the power and authority of the Canadian state (also see Bruyneel 2008), and arguably because they represented a possibility from the multitude (of the Aboriginal networks) to resist power (Diken and Laustsen 2005: 151). In plain and simple words, the Canadian government sought after including Aboriginal people and the Métis under its laws to legally structure their identity in exclusive socio-political spaces, limiting their resistance. The utter deprivation, starvation, diseases, and imprisonment on reserves that Aboriginal people had to face and suffer its physical and cultural impacts reflected a suspended relation, a “sovereign ban” (Agamben 1998: 8), with the government. The ration system was not necessarily a means to lower or increase the potential of life and opportunity for Aboriginal peoples; the system was put into place to maintain the state of exception or the vulnerabilities of ‘bare life’ that they had to experience inside the reserves (and by default outside of the reserves). Above all, if one considers the relations that the Canadian government had with Aboriginal peoples it was not based on mere exclusion, but one of exclusive/inclusion (or governing by exclusions).

### **Violence in Western Canada 1886-1905**

By 1886, within a year of the Métis resistance, it was clear that the Canadian government had established its sovereignty more concretely over Aboriginal peoples “with a ruthless and absoluteness more in keeping with a totalitarian state. It would brook no dissent” (Macleod 1992: 235). The government was able to prove once again, as in

1869-70, that through military strategies (not peaceful negotiations) they were able to put an end to any Métis or Aboriginal resistance. The government maintained this agenda by utilizing discourses pertaining to the lack of ‘civility’ and criminal tendencies of Aboriginal people, to shun itself from criticisms and to further legitimize the limits placed on them (Ray, Miller, & Tough 2000: 147). Some of the criticism levied by Liberal MP Malcolm Cameron and other opponents of John A. Macdonald’s Conservatives included: “evidence of neglect, injustice, and incompetence and were delighted to add immorality to this list” (Carter 2000: 65). Indeed, the NWMP military operations in 1885 brought “little glory” (Morton 1977: 13). For instance, Inspector Dicken, in the opinion of some, had disgraced the force after escaping with his men, leaving behind women and children in the hands of their attackers. In another incident Inspector W. Morris used his telegraph wire to send “piteous appeals for help” when his fort at Battleford was “jammed with able-bodied men” (Morton 1977: 13). Perhaps because of these criticisms that the NWMP had to face, and the resentment by new settlers (from Europe and the U.S.) against the imposition of liquor laws, “the police found themselves in a very difficult situation in which they could not properly perform their other routine duties because of their unpopularity [among new settlers]” (Lin 2007: 16-17).

Following the events of the Métis resistance government officials as well as the NWMP justified imposing more repressive measures to keep people on their allocated reserves. The “pass system” was imposed on Aboriginal people, which meant that they could no longer leave the reserve without permission from an official. However, for Aboriginal people it was more than asking permission. The pass system had no legal

foundation, because it was added after the treaties, which promised freedom of movement on Aboriginal peoples' lands, were signed (Carter 1993: 153). In doing so, the government tried to ensure that the starving Aboriginal people remained on their reserves. According to Beal & Macleod (1994: 342) because of the pass system, "The death rate on the reserves climbed rapidly and the native population of western Canada declined until the 1940s."

Some have noted that a main purpose of the pass system was to keep away Aboriginal women of "abandoned character" from white settlers (Ray, Miller, & Tough 2000: 158). Women who were found by the NWMP to be without passes and without means of support were arrested and ordered back to their reserves. A policy like this sheds more light on the sobering issues with treaty implementation, which southern Aboriginal people had to experience in the 1880s and 1890s (Ray, Miller, & Tough 2000: 201). For instance, in March of 1886 the NWMP of Battleford took an Aboriginal woman to the barracks and cut her hair off because she refused to leave the town. Two years later, the Battleford paper reported:

During the early part of the week the Mounted Police ordered out of town a number of squaws who had come in from time to time and settled here. The promise to take them to the barracks and cut off their hair had a wonderful effect in hastening their movements (cited in Ray, Miller, & Tough 2000: 159).

Aboriginal women became increasingly the targets of violence by white settlers, NWMP officials, and Aboriginal men. The physical and symbolic mutilation (or marking) of the bodies (and minds) of Aboriginal women can also be seen as a "weapon of individual and social abjection" (Diken and Laustsen 2005: 101), which the NWMP were complicit in. Cutting or threatening to cut Aboriginal women's hair, physical molestation, and rape is not, as Dicken and Laustsen (2005: 101) would argue, 'just' a "deplorable casualty" of

confrontations provoked by “spontaneous frustrations” of NWMP and other white settlers, but can be seen as part of the (colonial) relations that sought to abandon the Aboriginal women by their inclusion under the law. I will elaborate on this below and discuss more cases of violence including Aboriginal women.

In 1887 a settler named ‘Crackerbox’ Jones shot Sergeant Gordon in Calgary. Jones was arrested earlier that day, outside of Calgary, along with a man named Gallagher for suspicious reasons not known (Elofson 2004: 74). On the way to Calgary they stopped for supper and the men pleaded with the officer to remove their handcuffs so they could eat. The Sergeant complied, and Jones “promptly plucked the revolver from the policeman’s holster, shot and disabled him and then escaped with his companion” (L. Kelly cited in Elofson 2004: 74-75).

In another incident that year (1887) two ranchers one of them named Thompson, followed a party of three Blackfoot who had broken into his house and stolen a few items. When the two ranchers got to the Blackfoot camp they were attacked, but before retreating they were able to wound one of the Blackfoot, named Trembling Man (LAC, RCMP, Record Group 18, 1887, Vol. 1085, File 544). Trembling Man later died, and for a time his band were agitated. While there were talks among some of the Blackfoot to kill Thompson, they knew the consequences that followed. It was exactly this sort of situation south of the border, which in the absence of effective police action, so often escalated into major ‘Indian Wars’ (Breen 1973: 174).

According to Morton (1998), throughout the ranching frontier the case involving Thompson is the only incident recorded by the NWMP of a rancher shooting an Aboriginal person. However, there are some like Elofson (2000 & 2004) who show that

ranchers were involved more than is implied in the NWMP records. For instance, in August 1887 a rancher near High River, Alberta, caught two Blackfoot killing his cattle. A gunfight erupted in which the rancher shot and killed one of the Aboriginal persons and fatally wounded the other (Macleod Gazette, 30 August 1887 cited in Elofson 2004: 78). According to Elofson (2000: 114), the fact that the media expressed little dismay about the killings “suggests that there was a general and widespread value system that inclined cattlemen to use the gun to protect their stock from Natives whenever necessary.” For instance, a year later in 1888 white settlers near Canmore (Alberta), “enraged by the shooting death of one of their neighbours, formed a posse and hunted down and lynched” two Kootenai men (Elofson 2000: 114).

In 1888, Constable Alfred Symonds of the NWMP detachment of Stand Off was accused of “feloniously killing and slaying” a Blood woman by the name of Mrs. Only Kill by administering on her a fatal dose of iodine (Macleod Gazette, 18 July 1888 cited in Carter 1997: 189). A year prior to that (1887), Lieutenant-governor David Laird warned NWMP commissioner James Macleod that reports of immoral conduct involving members of the force were in circulation:

I fear from what reports are brought me, that some of your officers at Fort Walsh are making rather free with the women around there. It is to be hoped that the good name of the Force will not be hurt through too open indulgence of that kind. And I sincerely hope that Indian women will not be treated in a way that hereafter may give trouble (E. Morgan cited in Carter 1997: 168).

A year later, in Calgary 1889, a Cree woman named Rosalie, identified as a prostitute, was killed by a white settler named William “Jumbo” Fisk. More disturbing in this case is that most of the settlers did not sympathize with the death of the woman who they saw as

a “squaw,” but sympathized and supported the killer (Herald Sunday Magazine, 23 July 1989, 13 cited in Carter 1997: 189-190).

In addition to Elofson, Dempsey (1998) offers a detailed account of a chain of violent events revolving mostly around two Blood Aboriginals, Big Rib and The Dog, and their encounters with ranchers, NWMP, and other Aboriginal people. Both Big Rib and The Dog were cousins from the Many Children Band, one of the most warlike families among the Bloods. Tired of their destitution and the restrictions placed on them by government officials, Big Rib and The Dog decided to leave their allocated reserves without permission (Dempsey 1998: 72). Towards the end of April in 1887, Big Rib and The Dog along with 4 other Bloods (Rainy Chief, Real Man’s Shirt, Coming Singer, and Small Eyes) headed on foot towards Montana. On their way, they were attacked by a Cree war party that forced them to escape east into the Cypress Hills. Soon after, on the 27 April 1887, the Bloods came across Abram Adist’s ranch (Dempsey 1998: 73). While trying to cut the cords of the barn to steal some horses the rancher’s son, Clad, woke up:

[He] picked up his rifle and opened the cabin door just as the Indian had finished cutting the rope. The rancher yelled aloud and fired wildly into the night as the raiders dashed for cover. One of the bullets went through Small Eye’s coat, but he was not wounded. A short time later, The Dog returned, angrily firing two shots at the ranch house and threatening to kill the occupants (Dempsey 1998: 74).

By this time, Real Man’s Shirt refused to keep going with Big Rib and The Dog’s “madness” and decided to go back home along with one of the young Bloods (Dempsey 1998: 74).

Soon after the encounter between the Bloods and the ranchers was reported to the NWMP post in Regina, a patrol under Corporal Birtle was sent out from Maple Creek to search for the offenders. Following the trail the Bloods took, the NWMP were able to

cross paths with them again. Instead of hiding, the Bloods “boldly showed themselves and defiantly fired several shots in the direction of the patrol” (Dempsey 1998: 74). Corporal Birtle not knowing the number of the Bloods retreated to his detachment and sent out an alarm, “Indians were on the warpath!” (Dempsey 1998: 74). As a consequence of this exaggerated warning, three patrols were sent to search for the Bloods: a patrol under Inspector Mills that consisted of fifteen heavy armed men; another under Inspector Moodie from Medicine Hat; followed by a third patrol under Sergeant Major Lake with twenty-five men from Lethbridge to head off the Bloods in case they were withdrawing back to their reserve.

Few days later, the Bloods went to the Seven Persons Coulee at the railway town of Medicine Hat (Alberta) where they raided a small group of Crees. However, Big Rib and The Dog not being “satisfied” with the raid went out again, this time closer to Medicine Hat where they took two horses unguarded in the corral of a rancher named Robert Watson (Dempsey 1998: 74-75). On their way back to their reserve they ran into a Cree man on foot where they shot at him before escaping with the horses. According to Dempsey (1998: 75), “The Cree, frightened, but unhurt, carried the electrifying news to the towns people of Medicine Hat that a raid had taken place almost in their back yards.”

In the meantime, the Bloods pleased with their newly acquired horses and their boosted pride headed to their tribe without encountering the NWMP patrols. It is important to note that many of the Bloods, especially the elders, did not appreciate the efforts of Big Rib and The Dog in raiding the farms of white settlers. As Dempsey (1998: 75) explains, the Bloods “remembered how their relatives, the Piegans, had been



massacred in Montana when a white rancher was killed several years earlier.” They feared to experience a similar fate under the NWMP.

As soon as news reached the NWMP that the Bloods had returned, a patrol under Inspector Gilbert Sanders was sent out from Fort Macleod to arrest Big Rib and The Dog. On the morning of May 13, 1887, the NWMP patrol, with the help of a Métis scout, arrested Big Rib and The Dog. Following the arrest, many Bloods were angry, in fact as Dempsey (1998: 75) reports: “one old warrior even going so far as to urge the younger men to attack the redcoats.” However, the NWMP were able to take Big Rib and The Dog to the Fort Macleod guardhouse, where James Macleod charged them with horse stealing. Both of the Bloods were sentenced to five years in Stony Mountain Penitentiary, making them come to the conclusion that although no shooting charges were laid, they were being punished for them. As Dempsey (1998: 75) explains the harsh punitive measures against stealing property from white settlers: to steal from other Aboriginal people was one thing, but “to shoot at the police and take the white man’s horses was an entirely different matter.”

Putting Big Rib and The Dog in prison, grieved and distressed their tribe who had gathered for the trial. Imprisonment for Aboriginal people is like a “death sentence,” many “could not survive the cold dank cells and died there of tuberculosis” (Dempsey 1998). In fact, as Big Rib and The Dog were moved from the courtroom, an elderly woman “tried to stab them so they would not suffer in prison” (Dempsey 1998: 75). Before being escorted to the Stony Mountain Penitentiary, Big Rib and The Dog were able to escape and managed to avoid the NWMP for months.

On September 11, the NWMP Sergeant Williams and two constables were able to find Big Rib (Dempsey 1998: 76-77). In the process of arresting him, a number of Bloods, led by minor chief Eagle Ribs, tried to stop the constable, but he “fired a shot that killed an Indian horse, and in the wild confusion, Big Rib disappeared” (Dempsey 1998: 77).

According to Dempsey (1998: 77), as the months passed the respect among the Bloods for Big Rib and The Dog grew and made it harder for the NWMP to find them. Not until a year later in September of 1888 did a NWMP spot The Dog, only when the latter decided “in sheer bravado” to visit the NWMP in their own town, Fort Macleod (Dempsey 1998: 77). However, other Bloods again stopped the NWMP officer from making the arrest. It seems that the officer was put to the ground, while he had his revolver in his hand. At this time, another NWMP officer arrived and shot twice at The Dog as he tried to escape, but he was not hit (Dempsey 1998: 77).

In the meantime, an unrelated incident occurred in the summer of 1889, when one white man named Kautoner allegedly killed and buried another white man named John Ero near “Finland Colony,” Saskatchewan. After an investigation conducted by the NWMP in 1892 (three years after the incident happened) the case not surprisingly remained unresolved. Later, a NWMP Inspector concluded, “I have doubts whether such a murder was ever committed.” Whether this case actually occurred or not, is not as important as the evidence provided of the potential of having unreported cases or, as in this example, cases reported late and that remained unresolved (LAC, RCMP, RG 18, 1892, Vol. 1254, File: 307).

It was not until late March of 1890 that Big Rib and The Dog were put in prison, only after Red Crow, the head chief of the Bloods, and The Dog's father interfered. The police re-imposed the original sentence, of horse stealing, and late in March of 1890, Big Rib and The Dog were admitted to the prison at Stony Mountain (Dempsey 1998: 77-78).

In 1890, there were also two incidents reported in the NWMP crime reports. In one case an Aboriginal man shot at NWMP Constable Pierce, division "K," who was on his patrol from Pen d'Oreille to Willow Creek, Saskatchewan. According to Constable Pierce's report, while patrolling he came across two Aboriginal men on horses armed with rifles, after a shot was fired at him, he tried to pursue them but failed and went back to report the incident (LAC, RCMP, RG 18, 1890, Vol. 1194, File: 382).

In another case in 1890, NWMP Inspector Thomas reported that a white man named John Edward Macauley had shot and killed an Aboriginal man and wounded another at the south End of Montreal Lake, Saskatchewan. According to Macauley's testimony:

In the evening after dark I was coming to my camp accompanied by a Cree Indian named "White Day light" when we met three strange Indians who did not speak the Cree language. One of them rushed in front of me and caught hold of my shot gun he did not speak – I told him twice to let it go but still he did not speak – another of these Indians then snapped his gun twice at me but the gun would not go off...I was struggling for possession of the gun I pulled the trigger, but the gun would not go off I succeeded at last in getting my gun and had to strike the Indian who held my gun in the face with my fist. I saw at once that these strange Indians intended to do me harm, so I took "White Day Light's" gun which was loaded with small shot and fired it in the direction of the Indians they all three then ran away (LAC, RCMP, RG 18, 1890, Vol. 1193, File: 369).

Macauley was not sure if he was able to shoot any of them because "it was dark and in the bush." He also stated that these "strange Indians" were not from his area because they did not talk Cree, which he claims to be familiar with. The following day Macauley states

that he tried to track them with three Cree men but was unsuccessful in his attempt. Although Inspector Thomas stated in his inquiry that he informed Macauley “to be very careful in the use of firearms and only where life is endangered would he be justified in taking the actions he did,” he still saw his actions as justified (LAC, RCMP, RG 18, 1890, Vol. 1193, File: 369). Whether Macauley’s actions were in self-defense or not, this case sheds light on how the encounters between white settlers and Aboriginal people could have been violent.

Two years later, on 12 April 1892, an Inspector named White-Fraser reported to Superintendent Steele of the Macleod District that an Aboriginal man near Pincher Creek had been murdered. It seems that a white man named Mr. Christie, accompanied by a Nez Perce Aboriginal woman, reported the murder to White-Fraser. Upon seeing the body White-Fraser said he “was convinced [that] he [the Aboriginal man] had died from violence” (LAC, RCMP, RG 18, 1892, Vol. 65, File: 313). Immediately, without further investigation, White-Fraser arrested all of the members of a small band, two men and three women, at Pincher Creek. Ironically after arresting them, White-Fraser notified Coroner Meade, “who took proper steps, at 2 p.m. an inquest was held the verdict being willful murder against Nez-Perces ‘Sam’ and his two eldest boys” (LAC, RCMP, RG 18, 1892, Vol. 65, File: 313).

Big Rib and The Dog were released from prison, because of good conduct, after serving only fourteen months of their sentence. However, both of them would later get in trouble again. In September 1893, The Dog stabbed a NWMP officer, from the St. Mary’s detachment, who was drunk and had tried to molest his wife. It is important to note, at that time, The Dog was working with the same NWMP detachment as a scout. In

court, The Dog defended himself by pleading that his actions were to defend his wife (Dempsey 1998: 78). However, neither The Dog's defense nor his position as a scout helped him. As Dempsey (1998: 79) explains: "the word of an ex-con did not carry much weight with the courts. He was found guilty of assault causing grievous bodily harm, sentenced to two years in Stony Mountain, and this time he stayed there for the full time." After The Dog was released he was suffering from tuberculosis and died the following spring in 1895. It is worth noting that the NWMP conveniently were able to ignore The Dog's defiant past when they hired him as a scout, but not when he was accusing one of their men.

Big Rib, on the other hand was walking into trouble; he was always getting drunk and abusing women (Dempsey 1998: 79). In May of 1893, he was accused of raping a girl named Takes a Gun Woman during a drinking party, but was not found guilty from the lack of evidence. While Big Rib was later arrested after someone informed the police on him, he was released after providing evidence at trial that sent six of his fellow Bloods to jail. After two years Big Rib, like The Dog, joined the NWMP as a scout for few years (Dempsey 1998: 80-81).

On 6 March 1893, the NWMP Commissioner at Fort Macleod reported a violent incident between a farm instructor and two Aboriginal men from the Piegan reserve. As reported:

Mr. Nash, the Farm Instructor on the Peigan Indian Reservation, heard a noise in or about his stables and upon going out to see what the trouble was, he was attacked by two Indians, one of whom fired a shot on him from close distance... presumably [with] a revolver, Mr. Nash struck the revolver with his hand and threw the shot off, the bullet hitting him in the finger. The other Indian made a stab at Nash with a knife, inflicting a flesh wound on his face... Mr. Nash fired on the Indians and he thinks hit one of them, they not withstanding both got away.

After further probing by the NWMP, Mr. Nash said, “Ever since I took decided action of stopping the issue of rations to the Indians, on the occasion of the robbery of the beef from the ration house, they have been down on me.” Charged feelings against Nash further escalated after the two Aboriginal men who assaulted him got punished with one-year imprisonment (LAC, RCMP, RG 18, 1893, Vol. 1281, File: 296).

Also in March of 1893, an unidentified white citizen wrote the Commissioner in Regina complaining about the conduct of two NWMP officials, who “ridicule (sic) some of the citizens simply from selfish motives.” He adds, “in this country the Police [are] welcomed in society kindly so long as they conduct themselves properly.” What is interesting to note is that the citizen went on to recommend that a “secret investigation” to be carried out, if needed to prove things, for he did not want to create any “ill feelings” – in line with the governments political agenda of dealing with problems (LAC, RCMP, RG 18, 1893, Vol. 1281, File: 307).

In 1894, an Aboriginal named Tom Lemac, “a former interpreter, guide and special constable” for the NWMP, shot and killed another man named Oskinaway after riding together drunk at night from Fort Qu’Appelle, Saskatchewan, back to the reserve (Gavigan 2008: 47; Superintendent Wilson cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). Lemac was convicted of murder and was sentenced to death, but later his sentence was commuted to life in imprisonment, and was released in 1906 (see Gavigan 2008: 47-49).

It is important to note, in spite of the cases discussed, it seems that after the events involving the Métis resistance in 1885, instances of actual physical violence meted out were very limited in the records. For instance, the two years immediately following the

'rebellion' (1886-87), based on what is recorded, there are no reported cases of physical violence. Violent cases after that with few notable exceptions, and seem to have been on an individual bases and therefore less threatening for the NWMP. By the 1890's, the "new order" was more in effect (Hildebrandt 2008: 34). In other words, the government solved the Aboriginal 'problem,' by having taken their lands and placing them on reserves via the treaties; they were completely marginalized and dependent on the government to live. Some, like Longstreth (1960: 151), have gone on to say that after 1886 (after the Métis 'rebellion' during the "Iron Age") the NWMP were in the "Golden Age." As he argues: "No more would half a dozen Mounted Policemen have to face a howling tribe in war-paint" (Longstreth 1960: 151). However, as the evidence suggest, it was Aboriginal people who often faced 'howling' NWMP officers. While the years after 1886 certainly did not experience the 'iron hand' on Aboriginal peoples to the same extent as in the previous year, it is not accurate to categorize them as two distinct times. This distinction paints a rigid image of contrasts and ignores the fact that the police force, even in the most 'golden' moments, had the potential to be 'iron fisted.' The term 'Iron,' while accurate in highlighting the military function of the NWMP, also ignores the implicit ways of governing rationality, which proved more efficient for the government. As I show below, not only are these terms misleading (the NWMP were simultaneously Iron/Golden), but also because the NWMP relied on excessive violence at times to arrest wanted Aboriginal men. Furthermore, what stands out as Golden is only relative from the government's perspective, if we considered the Aboriginal peoples' marginalized position and the violence they and the Métis have experienced then it would seem more accurate to categorize the time before and after 1885 as a "wretched" Age that abides by

the rule of the exception (Fanon 1963). This age is manufactured as golden only for economic and socio-political expansion of the state, which is easily noticeable by the railway and settlements expanding from east to west (also see Graybill 2007). The only difference after 1885 is that the Canadian government's power was more ingrained only because many Aboriginal people and the Métis had very limited chances of successfully organizing and resisting the facts on the grounds. As Dempsey (1979: 86) explains, following a similar logic of Fanon (1963), "beneath the surface there still simmered frustration and anger; the Indians were (forced on the threshold of being) like caged animals, ready to (resist and to) explode in rage but aware of the hopelessness of any action [against the government]." However, as shown below, some of Aboriginal people resisted and expressed their frustrations above the surface.

While the NWMP did indeed have a better control over the region after 1885, from 1895 to 1900 there were some particularly violent incidents that challenged this view. In 1895, an incident occurred on the Siksika Reserve, Calgary, which showed that physical violence was still threatening to erupt (Carter 2008: 216). Things escalated when a Blackfoot man named Scraping High, shot and killed Frank Skynner, the ration issuer on the Blackfoot reserve and an ex-corporal in the NWMP. It seems Skynner, like the above mentioned ration issuers, was particularly "hard-nosed, abusive and arbitrary" when it came to issuing rations to residents at Blackfoot Crossing (Satzewich 1996: 200-201). On one night, devastated by his son's death from tuberculosis after being released from the residential school, Scraping High went to Skynner and shot him in the head (Dempsey 1979: 41; Carter 2008: 216). After killing Synner, Scraping High ran to the cemetery where his son was buried and waited there for the police to attack him. For



almost two days he stayed by the grave and refused to surrender until he was shot and killed by a member of the NWMP. According to Dempsey, it was a “tragic, senseless killing” (cited in Carter 2008: 216). Interestingly, Elofson (2004) offers a different account of how events transpired later. It seems that after Scrapping High ran away, he was hunted down at Blackfoot Crossing by a group of “enraged and trigger-happy citizens” led by some NWMP officials. For Elofson (2004: 78), this case constituted a near “vigilante killing.”

Also in 1895, Sergeant Colebrook of the NWMP was shot and wounded by a Cree man named Almighty Voice. After being arrested and placed in the guardroom at Duck Lake for “killing a cow for a wedding feast,” Almighty Voice escaped. Few days later, when Colebrook was trying to make an arrest again, Almighty Voice shot and killed Colebrook who by then had his gun withdrawn. Almighty Voice was able to remain free regardless of threats, pleas, and a \$500 reward (Dempsey 1979: 42).

In addition to these violent incidents in 1895, the Canadian government passed another amendment to the Indian Act that further went to directly attack Aboriginal ceremonies, like the potlatch and the sun (or thirst) dance (Kulchyski 1992: 181; Pettipas 1994: 95). The 1895 amendment was more comprehensive than the 1884 amendment to the Indian Act (because Aboriginal peoples were more excluded by then) (Kulchyski 1992: 181). According to the 1895 amendment, any Indian or “other person” participating, and even assisting, in Aboriginal festivals, dances, and ceremonies would be liable to imprisonment (Indian Act 95-96 cited in Kulchyski 1992: 182; Backhouse 1999: 63). This federal legislation remained, for the most part, intact until 1951 (Backhouse 1999: 63). Arguably because of this more comprehensive and exclusive

amendment to the Indian Act it is “estimated that between 1900 and 1904 [alone] there were fifty arrests and twenty convictions for dancing in contravention of the Indian Act” (cited in Backhouse 1999: 69). However, as Backhouse (1999: 69) argues “virtually none of the records of such criminal proceedings survives.”

In doing so, Aboriginal peoples’ ability to resist via their culture was seriously undermined and thus the government was able to further impose its cultural superiority and by default its power (see Kulchyski 1992: 184). The devastating cultural and psychological impact of this amendment was summed up years later by an Ojibway elder, named Standing Through the Earth, who argued that it caused many Aboriginal people to lose meaning in life (cited in Pettipas 1994: 186). As Standing Through the Earth argues, “because the traditional ceremonies and rituals were no longer practiced, many of [Aboriginal] people do not know their language or the value life gives to everyone” (cited in Pettipas 1994: 186).

On July 8, 1896 Inspector John Allan reported to Superintendent Moffatt at Prince Albert on troubles ensuing between a white rancher and some Aboriginal people. It seems that the Rancher, Henry Shannon, complained “some Indians threatened violence to himself and family as well to drive off his cattle unless their demands were complied with.” Three days later, Commissioner Herchmer reported “two Indian Chief men of a Band of Indians now living near Lake Lenore, and named ‘Pawnesse’ and ‘Beardyman’ were brought in from that District by a party of our men, and sentenced to six weeks imprisonment each.” Herchmer boldly goes on to say that those arrested were members of a larger band of about thirty, which have been causing them “a good deal of trouble lately. They are in a destitute condition and are a source of dread to the French settlers in

that District” (LAC, RCMP, RG 18, 1896, Vol. 123, File: 418). Herchmer wanted the band to be taken immediately to the reserve, showing complete lack of sympathy to their destitution and starvation.

In response to reports of growing Blackfoot frustration and threat of violence to the surrounding settlers in 1896, Sergeant Z. Wood said:

The Indians know we are short of men, and they also know that the Indian officials are feeling anything but safe; they are taking advantage of these two facts in my opinion and unless something is done at once to show them that they are not the masters of the situation as they seem to think, serious trouble will ensue... (LAC, RCMP, RG 18, 1896, Vol. 122, File: 333).

Similar to the year 1885, the Constable here took the opportunity to “strongly recommend” more enforcements “at least thirty men” to be sent to the reserve and “allowed to remain there some time” (LAC, RCMP, RG 18, 1896, Vol. 122, File: 333).

In another incident on the 29 of February 1896 at Fort Saskatchewan, Superintendent A. H. Griesbach reported the killing of an Aboriginal person by a white man named Clarke, at Fort Vermillion on the Peace River. It seems that Clarke had stabbed and killed the Aboriginal man in self-defense after taking the knife away from him (LAC, RCMP, RG 18, 1896, Vol. 120, File: 353). Also that year, an interesting account is given by an English man named Simpson who came to Calgary and described the setting: “Coming from an upper-class Victorian family... and seeing all this wild country around me, and meeting hardened railroaders, rum-soaked remittance men, horse thieves, and Indians would be too much for most teenagers...but this was just the crowd I liked.” However, it seems that on the “very first day” after an interaction with some of the settlers, Simpson was shot and killed by a drunken white man (Elofson 2004: 76).

The following winter of 1896-97, a Blood man, who became notoriously known as Charcoal, from a southern Alberta reserve defied the NWMP and killed a few people. First it is reported that Charcoal killed another Blood man named Medicine Pipe Stem in the summer after he caught him sleeping with one of his wives, Pretty Wolverine (Carter 2008: 217). Following that incident Charcoal shot and injured a farm agent on the reserve named McNeil. According to Horse (1979: 130), it was not the first time that Charcoal had shot at McNeil. After these two incidents, Charcoal stayed on the run away from the NWMP. However, Charcoal's bad record with the NWMP did not end there, on a different occasion he had shot and wounded Corporal Armour inside his stable (Horse 1979: 150). The situation involving the NWMP really heated up when Charcoal after raping an Aboriginal woman shot Sergeant Wilde of the NWMP who tried to arrest him (Horse 1979: 129; Dempsey 1979: 138-140).

All the events involving Charcoal agitated the NWMP, who considered his defiance as a threat to their authority. The NWMP already had Almighty Voice on the run, having another one was thought to have undermined the NWMP credibility (Beahen & Horrall 1998: 230). In order to pressure Charcoal to surrender, Steele arrested twenty-six members of his family, including women and children, and locked them up at the Macleod guardhouse, without being charged. As Dempsey (1979: 124) explains, "Such youngsters as five-year-old Sacred Dagger and one-year-old Singing Kit Fox were apparently considered by the major to be a threat to the security of the community." However, in spite of this effort and organizing a massive man hunt where they had Charcoal outnumbered one "hundred to one," he was able to evade being captured five times, sometimes with the help of his tribe. In fact, it is argued that if Charcoal's brother

did not inform the police on his hiding place, he would have remained free (Dempsey 1998: 150). On 16 March 1897, Charcoal was hanged at Macleod (For similar accounts of the story refer to Harring 1998: 205 and Carter 2008: 217).

Interestingly, the NWMP crime reports on Charcoal add more light and colour to the picture. On 6 February 1897, a few days before Charcoal was going to be hanged, Superintendent Steele wrote to the Commissioner in Regina in regards to rumours that Charcoal's sentence would be commuted. Steele warned that there is more than the reputation of the NWMP at stake. If the sentence is commuted:

Incalculable mischief will be wrought, the result in all probability being that other ambitious young 'Bucks' would follow his lead by running a muck...it is not all improbable that an attempt would be made to 'lynch' him, which attempt would be taken part in by the majority of the most respectable settlers in the District (LAC, RCMP, RG 18, 1897, Vol. 125, File: 571).

The implications here are clear, Charcoal must be made an example of, to show that no one is 'above the law.' Also interesting here is Steele's admission of "respectable" white settlers taking the law into their hands; if Charcoal was not punished by the NWMP they would vigilantly kill him. The need to punish Charcoal was also expressed on 14 November 1896 in a comment in the Calgary Tribune, "It is said that a number of other Indians have become affected by Charcoal's success and have made threats against the Police. The greatest precaution and discretion must now be exercised by the officers in charge to prevent further bloodshed in the South." (cited in LAC, RCMP, RG 18, 1897, Vol. 125, File: 571). As Dempsey explains (1979: 42-43), "after the troubles involving Scraping High and Almighty Voice, "Charcoal's people reemerged from their months of passivity to challenge the authority" of the NWMP (Dempsey 1979: 42-43). However, unlike the NWMP report that attributes this unrest to Charcoal's defiance, Dempsey

attributes this unrest to chance, as Charcoal's arrest coincided with the disappearance of cattle that year. The NWMP reports seemed more willing to exaggerate the violence again to justify stiffer punishments and protect their image. In fact, in the face of criticisms against not capturing Charcoal, a sick-middle aged Aboriginal man, Steele lied saying that the police were shot at by Charcoal a few times before he escaped, but according to the chief scout, Green Grass, Steele was the one who fired first at Charcoal, knowing that he was armed (Dempsey 1979: 74-75).

A few months after Charcoal was executed, Almighty Voice (discussed above) faced the same fate only in a more military fashion. In May 1897, Almighty Voice was surrounded with two of his cousins in a renowned bluff 17 miles from Duck Lake. In a "bloody battle" that left two NWMP officials and one civilian dead, the NWMP bombarded Almighty Voice using two heavy guns, the same used against the Métis at Duck Lake in 1885, which brought Almighty Voice's "heroic stand to a tragic end" (Beahen & Horrall 1998: 230; Dempsey 1979: 41-42). Almighty Voice and his cousins were "run to earth" by cannon shells (Beahen & Horrall 1998: 230).

It is important to note while Charcoal's case might have been "more individualistic and less tribally supported" than Almighty Voice's case, both cases were famous and "left lengthy archival records" (Harring 1998: 245). In both cases, the NWMP organized massive and costly manhunts to make the point that those who offend should expect a severe punishment in retaliation by the NWMP, especially if they chose to kill or defy Canadian law (Harring 1998: 245). While the punishment was intended to be swift and immediate, as shown above, it was not always the case.

In 1897, NWMP Superintendent Commanding at “G” Division (Fort Saskatchewan) reported that an Aboriginal woman had been found dead close to Stony Plain Agency (Alberta). In the report, Constable Harding is cited as saying that “the woman was dead and from the indications where the body was lying, a struggle had evidently taken place, and judging from the appearance of the body the woman had been struck about the head and choked to death” (LAC, RCMP, RG 18, 1897, Vol. 1401, File: 231). The results from the autopsy confirmed that the woman was strangled to death. A Métis man, named “Muskego” or Swampy, was suspected of having committed the crime. It is noteworthy to point out that although there is no evidence given to show that the suspected Aboriginal man was in fact the murderer, the Superintendent seemed determined that it “evidently” was him (LAC, RCMP, RG 18, 1897, Vol. 1401, File: 231).

On June 1898 a white settler named T. Quigley near Red Deer, Alberta, was arrested on a charge of murdering his brother-in-law, Nelson Hagel (Superintendent Wilson’s report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). In another case in the winter of 1898 a Windigo incident took place in a Cree camp near Little Slave Lake, northern Alberta. A Cree named Moostoos was killed outside his camp after he convinced the others around him that he was going to be a Wendigo and kill his children and them if no one kills him (Harring 2003: 83). A Cree named Napasoosee was later charged with manslaughter (Harring 2003: 84).

In 1899 one E. A. Harris of Calgary shot and wounded his partner (Canada, Sessional Papers 34:12, (1900), n. 15, 85: Report for E Division, 30 November 1899 cited in Elofson 2004: 75). The following year James S. Huggard, a rancher at Nose

Creek, was found murdered near his hay camp. He had a bullet hole in his head and another in his chest, and had also been “battered with an axe” (Canada’s Sessional Papers 35:11 (1901), n. 28, 51: Report for E. Division, 1 December 1900 cited in Elofson 2004: 75). In November 1901, F. Smith was charged with the murder of Huggard, but was later acquitted (Superintendent Sanders’ report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). Also that year John Morrison murdered five members of a family in the Regina area and then attempted to “ravish” the remaining one, a fifteen-year-old girl. He was arrested, tried for murder, and hanged (Canada’s Sessional Papers 44: Report for Regina Division, 10 December 1900 cited in Elofson 2004: 75).

According to a NWMP report retrieved from the archives there were a few cases of murder in 1901, where the NWMP “were instrumental in bringing guilty parties to justice.” On January 17, 1901, John Morrison at Moosomin, Saskatchewan, was hanged for killing five persons with an axe (Superintendent Wilson’s report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). In April 1901, someone by the name of Chas Bullock murdered Leon Stainton, and was later executed in March 1902 at Fort Saskatchewan (Superintendent Constantine’s report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). Following that incident, on 18 June 1901 Arthur Bioletti killed his brother-in-law, David Kerr, at Innisfail-Alberta, but was later acquitted (the reason was not indicated) (Superintendent Sanders’ report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167).

On 16 March 1902, a white settler named George Scouten got in a “fistic encounter” with another man named Arthus Simpson in a hotel in Calgary. Scouten apparently got the worst of it, as his adversary tried to leave he withdrew a revolver, fired



two shots, and killed him (Superintendent Sanders' report cited in LAC, RCMP, RG 18, 1903, Vol. 386, File: 167). Scouten was later tried for murder (Elofson 2004: 75).

On June 20, 1902 Nals Johanson, a white settler from Hay Lakes, confessed to Sergeant Belcher his killing of another white man from Bittern Lake, Peter Johnson. It seems that after a quarrel about work, Nals Johanson killed Peter Johnson, allegedly, in self-defense. According to Nals Johanson's testimony:

On the road home when about two miles from my house Peter took me by the throat, I picked up the axe and struck him on the upper part of the cheek, Peter then took hold of the rifle and I also took hold of it near the muzzle, and swung the muzzle round towards Peter's head and it went off... About a month ago I took the body up and buried it about two miles distant from my house. I believe it is there now (LAC, RCMP, RG 18, 1902, Vol. 238, File: 564).

Although the account was validated when Sergeant Belcher, Sutherland, and Johnson retrieved the body, the Supreme Court of Justice of the North-West Territories found Johnson not guilty. In response to this verdict, on the 21 July 1902, Superintendent C. Constantine wrote a report to the Commissioner of the NWMP in Regina saying "in my opinion the verdict was a gross miscarriage of Justice." This will "be prejudicial to the maintenance of law and order in the Wetaskiwin District." Constantine also wrote to the Officer Commanding in Edmonton saying, "I fail utterly to understand on the evidence adduced at the Preliminary, how, at the very least the prisoner was not convicted on the lesser charge of 'Manslaughter' " (LAC, RCMP, RG 18, 1902, Vol. 238, File: 564). What is interesting in this case is how a possible murder was acquitted, which raises the question: would the decision of the Supreme Court have been different if the subject was an Aboriginal person?

On the 8 of March 1904, Superintendent R. Burton Deane signed a charge against Reg. No. 3989 Const. J.E. Stevenson and Reg. No. 3996 Const. E. J. Clifford of "A"

Division. This charge was given to the constables because they had committed a breach of discipline where they: did use unnecessary violence towards a prisoner, and second while acting as escort to the prisoner they left him in a public street and entered a hotel. The constables were given imprisonment for 2 months with hard labour. In addition to this sentence, the two constables were “dismissed from the Force at the expiration of their imprisonment” (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

From the witness stories, it seems that the white prisoner, John James Shay, was arrested by Sergeant W. J. Redmond in a town in Maple Creek for “a charge of mischief.” The Sergeant then phoned the barracks for a team and escort. Constables Stevenson and Clifford arrived and escorted Shay back to the barracks. According to the J. J. Shay’s testimony on the way to the barracks:

I remember them [Constable Stevenson and Clifford] leaving the horse and rig in the hands of some stranger – a citizen I believe – and going into the hotel. They didn’t stay there very long and then we drove in a zig-zag way towards the barracks. Stevenson said to me ‘you are a fighting man’ and they pulled me out of the rig after we got out of the town away- and thumped me- they thumped me also when I got back into the rig. I was struck on the jaw and on the mouth and eye. The blows seemed to be coming from the left side – I sat in the middle – Stevenson sitting on the left side driving the horse and Clifford on the right. Part of the time Clifford held the lines. A man on a horse saw them thumping me (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

In his defense, Constable Stevenson claimed that constable Clifford and him escorted the prisoner, who was “under the influence of liquor and had to be put into the buckboard.”

In contrast to what the prisoner Shay testified, constable Stevenson said that he stayed outside, while Clifford went in to the hotel. When Clifford came back, Stevenson gave the reins to a civilian and went in “for not more than two minutes” to the hotel. After Stevenson came out, he saw Clifford “wrangling in the rig” with the prisoner to stop him from getting out, and eventually he got in and drove off. Stevenson claimed that they had

to stop one more time before they reached the barracks because “the prisoner was all this time quarrelsome” and tried to get out of the rig. Stevenson also added after being cross-examined that the prisoner’s bruises on his face, which he had after being escorted, were due to him being drunk and falling off the rig. In Stevenson’s words, “he was so drunk that he had to be helped into the rig” (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

Similar to Stevenson’s testimony, Constable Clifford claims that he asked Stevenson to take charge of the prisoner while he went in and had a “glass of beer.” While Clifford was cross-examined he was asked as to why he did not wait until he dropped the prisoner to have his beer and how could he leave a prisoner for a beer. Clifford answered, “to speak the truth I was ignorant of the order against men going to take a glass of beer” and that he had left the prisoner with another constable not alone. Towards the end of his defense, Clifford also claimed like Stevenson “the prisoner must have got the mark on his face by hitting it on the buckboard or on the ground” (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

In contrast to Stevenson and Clifford’s testimony, a witness named Harry Oswald Kellett, the civilian who had to watch over the rig while the constables went into the hotel, said that both constables went in together. They came out shortly after he was trying to keep the prisoner from staying in the rig. Based on another witness named David Burgess:

It was about 6 pm yesterday that I was going from one of the hotels in town to where I live. I saw three men about 300 yards East of where I live. I live at the East end of Town. They were close to a road that goes down to Pia-Pot and Hay Creek... I had previously seen these two Constables and a prisoner in front of the Commercial Hotel and I supposed them to be the same three men... When I saw the men near the Pia-Pot trail they were wrestling around a little and the other

[constable] was standing around. He [the prisoner] might have hold of the reins I could not tell I was too far off. They finally straightened up and the three of them got into the rig and drove off (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

Sergeant Major Flintoff, who was at the guardroom when the constables arrived with the prisoner, gave other testimony. According to Flintoff:

I saw that the prisoner was in an awful looking state and Const. Stevenson said they had a great time with him keeping him in the rig. His face was bruised and his clothing was muddy and dirty. He was very drunk - I supposed he was – he could not walk steadily and it was as much as constable Clifford could do to get him over the snow back (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

In addition to these three testimonies, four other testimonies were given that described the events in a manner similar to what the constables described. Even though some hinted that violence might have been used, not one testimony recorded put the blame on the NWMP officers involved. Violence in these testimonies is left for the reader to deduce.

Superintendent Deane concluded the hearing by saying:

Constables Stevenson and Clifford I consider that you are two very useless constables. You are worse than useless because your bad example influences others. It is men like you that bring disgrace on the police force. The public talks freely about your disgraceful episode in town, although when any civilians find themselves in the witness box they endeavor to say as little as possible (LAC, RCMP, RG 18, 1904, Vol. 274, File: 365-04).

This incident is important for two reasons. First, the case shows that the NWMP officers were not always honourable and did use illegal violence against white settlers. Perhaps this is why Superintendent Deane placed more emphasis on the image of the NWMP than on using violence against the prisoner. Deane condemned the actions of the constables and called it disgraceful because it ultimately opened a space where the NWMP authority could be challenged. Morally condemned actions that are unjustifiable undermine the NWMP's authority. That is why the constables were punished. Not only did punishing

them seemingly restore law, but it also takes the spot light away from the power invested in them that allows for such abuses to happen. It was clearly convenient for the NWMP to blame the individual attributes of the officer and not the power invested in them.

Second, and more problematic, is that all of the above testimonies brought up in court refer to the two constables using a gentler-ambiguous form of force in controlling the prisoner; it was not referred to as unnecessary violence. It seems that white settlers tried to please the justices by saying a limited version of the ‘truth’ under oath. They also seemed to please their own police by not portraying them as violent and thus more criminal. The question that remains to be asked here: If the NWMP engaged in violence against fellow Europeans, would they refrain from using violence against other Aboriginal people, who were perceived to be inferior to them?

To conclude here, one must note that the incidents of physical violence discussed above are of the kinds of ordinary criminal offences described elsewhere by Louis Knafla as the “grist of the law” (Knafla 1986: 69). These violent incidents must not be seen as aberrant to the frontier, but “part of everyday life” in the contested region of western Canada (Knafla 1995: 11). Violent encounters on the frontier “are fully embedded in historical [material] process and are modified, transformed, or generated by the encroachments of an expanding state” (Ferguson 1990: 237). An explanation of this is offered along with the analysis of the findings in the following section.

## CHAPTER NINE: SUMMARY AND DISCUSSION

The findings show that violence was present in western Canada, at times more often than has been admitted. Indeed, western Canadian was far from peaceful. Violent incidents involving Aboriginal peoples (including Métis), white settlers, ranchers, farmers, Indian Department officials, NWMP, and U.S. traders and Natives all existed in various grades and levels. In many instances on the frontier, physical violence was often resorted to in dealing with perceived or actual problems, and it was often met with its kind, at times with little reference to the law. However, my findings, like those of Fisher (1981: 32), Knafla (1995), Gurr (2004: xxxii), and McKenna (2006: 95), show that personal violence was much more common than collective violence of the sort related with the horrors and clashes of American vigilantism and the “Indian Wars” (Native vs. Non-Natives). While collective violence, sanctioned and unsanctioned, existed on the western Canadian frontier, it was limited to specific times and events. In other words, an open history or a tradition of active armed violence, with few exceptions discussed below, was missing from the Canadian experience. The low number of violent incidents was also reflected in the low-recorded crime rates in the NWMP Annual Reports published in Canada’s Annual Sessional Papers and patrol reports (Macleod 1976: 46; Betke 1988: 98). For instance, while there were “943 military engagements in the American West between 1866 and 1895; in the Canadian Northwest, there were only six or seven comparable clashes” (Weigley cited in Morton 1977: 3-4). Almost all of the organized armed clashes in Canada were *concentrated* to moments in history that were deemed as necessary, like the 1885 Métis ‘Rebellion’ or the capture of wanted Aboriginal men, a point that will be discussed below.

From the onset of the NWMP ‘arrival,’ or their “continuance of the colonial and imperial enterprises” (Hildebrandt 2008: 110), it seems based on the evidence recorded in the NWMP reports that physical violence was not common. Most accounts of unrest and violence prior to their ‘march west’ were exaggerated. Physical violence from these reports is almost completely missing especially in the earlier years, where physical violence should be more common as predicted by many scholars who look at the raw contact between the police and the indigenous populations (see Benjamin 1986). Similarly when looking at crime in the NWMP Annual Reports it is clear that crime was rarely recorded (Betke 1988: 98; Macleod 1976: 48). Even in the secondary sources where there is more evidence of physical violence recorded, actual cases of the use of physical violence are not as common with important exceptions. Indeed it seems that the NWMP “did not have to fire a shot in anger through the whole of their first decade in the West” (Macleod 1992: 101). The NWMP seems to have been “safe from revenge” (Longstreth 1960: 161); it was not until 1879 that the first constable died on duty (Ray, Miller, & Tough 2000: 152). Ironically, as discussed above, the NWMP took two years to arrest the suspect, Star Child, who was not prosecuted because of a lack of evidence. Moreover, the NWMP suffered minimum casualties. With the exception of the NWMP officer killed in 1879, no one was killed until 1885 when about 13 died. After 1885 there are only four recorded deaths in the NWMP’s ranks, one officer was killed in 1895, 1896, and another two were killed in 1897. Similarly, a small number of white settlers were killed. With the exception of the Frog Lake Killings and the number of volunteer white citizens killed while helping the NWMP in 1885, there were few white settlers killed by

Aboriginal people. The only recorded killing was in 1874, and another assault occurred in 1882.

Interestingly there were fewer white settlers killed by Aboriginal people than by other white settlers. It seems the ‘brother’ posed more of a threat than the ‘enemy’ at times. The most noteworthy incident where a white settler was killed, and presumably the first recorded, happened in 1882 where a settler was hanged for not helping others to put out a fire. Cases like this show that settlers in western Canada did on occasion vigilantly take law into their own hands more often than has been acknowledged (Elofson 2004; McKenna 2006; Mavromichalis 1995). And as shown above, in 1884 ranchers who wanted large open fields were at odds with new settlers who wanted more land. These settlers considered armed resistance against the government to open more leases for land (see Breen 1973). Other violent incidents involving one-to-one confrontations occurred between white settlers were reported in 1884, 1889, 1896, and 1899. In addition four incidents involving white settlers were recorded in 1901 and 1902, two in each year. A few years later in 1904, a NWMP official was reported to have beaten a white settler in custody.

Even armed confrontations between the police and Aboriginal peoples were not as common, and almost all of them happened in the 1880’s. Between the years 1880-84, there were about seven confrontations, five of these confrontations occurred in the two years prior to the Métis Resistance in 1885. This is not surprising given that things were escalating, culminating in the notorious bloody confrontations of the Métis ‘Rebellion.’ After 1885, there were about five confrontations in 1887 (4 of these involved Big Rib and The Dog), and one incident in 1888 and 1890. After these confrontations there were only



three more recorded ones. Two were in 1893 and 1896, where an Aboriginal assaulted a NWMP officer, and one was in 1903 where a Métis almost killed a rancher. It is important to note that many of the heated confrontations between NWMP and Aboriginal people escalated when the former were attempting to place the latter under arrest. Contrary to the heroic-myth boasted in most history books; in many of these cases the NWMP failed to get their man and were often pressured to retreat. Capturing one offender often involved more than one near-explosive attempt, and in some cases it took years to complete an arrest. This was proof that many resisted the authority of the NWMP and undermined their ability in completing arrests.

While there are relatively few NWMP officials who actually got physically attacked, many more Indian Department officials were attacked and threatened. This is not surprising given that Aboriginal people were in destitute conditions that were made worse by rigid and racist white officials, who gave them insufficient rations and sexually harassed their wives, a deed among others also attributed to the NWMP. It was clear that the Department of Indian Affairs had the ability “to deny ‘privileges’ like the provision of foodstuff for any manner of supposed affronts to DIA objectives” (Smith 1999: 73). For instance, between the years of 1880-84 about six Farm Instructors were assaulted. In the year 1885 three Farm Instructors got killed, while all of the Farm Instructors killed had previously offended Aboriginal sensibilities, these killings came also under a larger umbrella of dispossession for many of them. After 1885, with the exception of assaulting a Farm Instructor in 1893 and killing another in 1896, there were no major altercations recorded between Aboriginal peoples and Farm Instructors. Of course keeping in mind,

many Aboriginal persons were resentful of the destitution that was often exacerbated due to the actions of some Farm Instructors. As Adams (1989: 97) explains:

It seems obvious that the Indians chose their victims according to their oppressiveness. Their war was against those white men who held them in subjugation, and not against white people in general. It was not an accident that they disposed of Quinn, the Indian agent, and Delaney, the farm instructor, and the two priests. This was not an act of revenge [or an aberration]; it was a struggle against colonization, a historical development.

The Department of Indian affairs, like the NWMP, wanted to restrict Aboriginal people to their reserves in the interest of non-indigenous settlers (Smith 2009: 70). Smith also suggests that the DIA were part of the Canadian government's larger 'matrix of control' created to "de-Indianize" Aboriginal peoples (Smith 2009: 51). Perhaps it can be argued that if it was not for the role of other government officials (Farm Instructors, Ration providers, Scots, etc.) to further manage and monitor Aboriginal peoples, more NWMP would have been assaulted and possibly killed. This finding also highlights the fact that a traditional way of looking at sovereignty may not apply to western Canada, as Indian Department officials, missionaries, and provincial police in some cases equally shared the burden of controlling and surveillance (see Smith 2009). A point I explore further below.

The findings show, not surprisingly, that Aboriginal peoples were more often the victims of violence than government officials and white settlers; however, even these incidents were less common in the earlier years. Indeed, it seems there are no recorded incidents of Aboriginal persons killed by NWMP officials until 1885. As shown above, a military/police campaign was held against the Métis for their 'rebellion' and Aboriginal peoples under the guise of the Frog Lake Killings. After a series of battles it is estimated that at least 50 Aboriginals died (half were Métis), excluding the wounded and the imprisoned. In addition, a number of Aboriginal persons were killed in 1894, 1895,

and 1897. Most notably was the use of excessive violence by the NWMP to capture Almighty Voice, who killed alone a total of three policemen.

In addition to Almighty Voice, others like Charcoal, Big Rib, and The Dog were exemplified by their defiance and by the severe punishment imposed on them. Cases of this sort of resistance show clearly a lack of sensitivity and discrimination on the part of the government toward Aboriginal peoples (Hildebrandt 2008: 35). Similarly, for others, these cases “added to continuing anxieties about frontier difficulty” (Marquis 2005: 199-200). As Foster (1994: 48) explains:

[Homicide and murder] excites the deepest feelings about due process and just punishment, and which has the greatest potential for achieving symbolic significance [fear of authority and punishment]. For this reason it is homicide that tends to leave the largest traces in written, if not the oral, record of ‘crime’” (Foster 1994: 48).

However, what is really at stake here is the NWMP law and power itself. As Benjamin explains, those who defied the law and were successful, in the short term, aroused the image of the “great criminal,” and managed to arouse the “the secret admiration of the public” (Benjamin 1986: 281). It is not necessarily Charcoal or Almighty Voice’s actions that made them ‘great’ or admired by some, but the symbol their actions stood for – the lawmaking character of law (and the resistant to it). Indeed, this is why some Aboriginal persons who defied the police and escaped from arrest, like Big Rib and The Dog, were celebrated and even supported to evade arrest, in some cases by the very same elders who protested their defiance (Dempsey 1979: 76). In a sense, if Almighty Voice or Charcoal were not captured and hanged, more and more Aboriginal people might have come to the realization that there is other ways of obtaining their needs if legal ways did not work. Even better they might see the oppression that others are resisting against. For this

reason, the NWMP ensured these offenders were chased down regardless of the heavy blows they received to their budget and short-term image. While some of the deeds committed were indeed individualistic and at times related to immediate short-term goals, defiance of police overall had the potential to threaten the colonial capitalistic enterprise. It is important to note again, the cases are not “spectacular aberration” as some like Beahen & Horrall (1998: 151) claim because this abolishes any claims of resistance against the government that perhaps creates and maintains such aberrations. After all, killings and other crimes by Aboriginal people against non-Aboriginals were committed in opposition to a “backdrop of increasing appropriation of the former’s land and resources by the latter” (Foster 1994: 48-49).

As argued above, the ‘greatest criminal’ and paradoxically the greatest hero of all time during the NWMP era is Louis Riel. Without doubt, if one looks at the amount of effort and violence levied against Riel and consequently all of the Métis and Aboriginal people, there would be is no parallel to this in the entire era of the NWMP (1873-1905). However, the condensed violence in 1885 struck a similar chord to the violence that occurred in 1870 against the Métis by the Red River Expeditionary Force (RREF) and that was levied against Aboriginal peoples in the United States. More repressive measures were imposed on the Métis for what the government saw as a ‘rebellion,’ when in fact the Métis were resisting racist policies that aimed at taking their social, economic, and political will away. Ironically, Aboriginal people, who for the most part were not involved in the Métis Resistance, suffered equally from these repressive measures, as is evident with the high number of Aboriginal people imprisoned and executed (along with the loss of their culture).

Besides violence by the NWMP against the Métis and Aboriginal people, there were many more casualties resulting from white settlers' violence against them. For instance in 1874, in an incident similar to that of the Cypress Hills Massacre the year before, 55 Assiniboine were slaughtered by U.S. trader. However, this was the only incident recorded that culminated in mass bloodshed on this scale. Other cases of white settlers' violence against Aboriginal people were more individualistic, erupting from a retaliation to harm done, stopping theft, and in other cases from pure drunkenness and racism. For instance, in the same year 1874, seven traders opened fire on an Aboriginal who demanded to take whiskey. However, after this case there were no recorded deaths until 1885 where white settlers killed a number of Aboriginal persons. In addition, between 1887-90 four deadly confrontations with white settlers resulted in a number of Aboriginal persons dead. The last recorded killing of an Aboriginal person by white settlers, recorded in the NWMP reports, was in 1896 that occurred in self-defense. The evidence here seems to echo that of McKenna (2006: 103) who argued that:

Evidence will show that settlers in Western Canada were no more tolerant and understanding of the Native peoples than their American counterparts. In settled areas, such as Calgary, anti-Indian attitudes were at times more violent than in rural areas, but animosity toward Natives can also be discerned among members of the ranching community.

White settlers did not want Aboriginal peoples to 'wander' around their property. Aboriginal peoples' sickness, diseases, and 'wretched' conditions were all seen as their inherent qualities rather than as a result of historical colonial factors that the settlers had themselves contributed to. As Foster (1994: 48-49) argues:

Traders were incensed by what they perceived as the Indians' penchant for stealing axes, horses, and other items of personal property, and nearly always responded, often violently. These same traders seem never to have considered that their own consumption, without permission, of wood, fish, and game animals may

have appeared just as felonious to the chiefs and tribes whose traditional resources these were.

Unfortunately, there were also a number of cases where Aboriginal persons killed others either in small groups or in one-to-one interactions. Most of the group conflicts were the result of smaller scale inter-tribal raids between Cree and Blackfoot, and “International” cases (Foster 1994: 91), which involved Aboriginal groups from across the border, like the Sioux, or from other nations within Canada. There were three near-violent international cases in the mid 1870’s. Only one incident in 1880 resulted in a few deaths, when some Blackfoot killed three Yanktonais from the United States.

In addition, there were also a number of cases where Aboriginal persons killed each other, a few of them in the years prior to and after 1885. In 1885, when violence was more common, there were only two recorded cases where other members of the band killed individuals from the same band, one of which was a ‘Windigo.’ However, cases that involved Aboriginal persons against each other were more individualistic, committed on the basis of retaliation to a harm perceived or actually inflicted on them. What also should be noted in cases involving Aboriginal persons against others is the violence experienced by women, who were often double victimized by white settlers and government officials. Besides the violence that Aboriginal women experienced from having been banned from white settlement (and the accompanying violence from resisting this ban) many Aboriginal women experienced “intimate (patriarchal) violence, especially that by men against women” (Bright 2003: 124). They were assaulted and raped by their men or others, although again many went unreported (see Carter 2008). Two recorded incidents where another man raped an Aboriginal woman were recorded in 1893 and 1897.

The evidence above suggests that physical violence, over all, did exist on the western Canadian frontier. While it may seem that the physical violence was not as common as the United States, there certainly were a number of cases that if it didn't result in violence, had the potential to lead to it. There were a number of Aboriginal men who resisted government officials and their laws; and there were a few cases where white settlers acted as vigilantes like those south of the 49<sup>th</sup> parallel. As shown, on several occasions NWMP officials and Farm Instructors were assaulted, shot at, or threatened, indicating that the "prevalence of violence made law enforcement hazardous indeed" (Knafla 1995: 22). Furthermore, the evidence also suggests that the NWMP did and had the potential to abuse their authority on a number of occasions. Even in terms of conduct some reflected the common behaviour of 'lawlessness' among rough white settlers most evident in the cases of drunken behaviours and sexual harassment of Aboriginal women. Again these cases taken on their own can stand to resemble an abnormality in the relations between Aboriginal women and white society; however, when one considers the legal exclusion of Aboriginal women from white society, these cases reflect the logic of the "state of exception" (Agamben 1998). Using the words of Diken and Laustsen (2005: 104), "the rape of (Aboriginal) women, and thereby the impotence of their men to protect them, stand as a symbol of (becoming) a defeated community." The violence women experienced (perceived as spontaneous but that confirm the rule of prohibition against them) at times inflicted traumas and limited their social bonds (see Diken and Laustsen 2005: 101). This is why many Aboriginal women resisted.

While it may be the case that there was less physical violence between Natives and non-Natives in western Canada than in the United States, violence between

Aboriginal peoples seem to have been left unabated, and arguably made worse. According to Dempsey (2002: 201), the “eradication of the whisky trade on the Canadian side of the border spelled chaos” among bands in Canada and Montana. This suggests that while the police might have reduced violent confrontations between white settlers and Aboriginal people, they contributed to more hostilities among other Aboriginal bands. In terms of Aboriginal peoples then, the arrival of the NWMP seems to have contributed at times to physical violence, contrary to what has been suggested in the myth. Similarly the enforcement of laws by government officials was certainly faced by many assaults, threats, and killings. The massacre in 1874 where 55 Aboriginals were killed and the bloodshed in 1885, along with the few notorious judicial executions of wanted Aboriginal men illustrate clearly that the inclusion of Aboriginal peoples under the law was fraught with moments of violence. Unfortunately, because there are many incidences that have not been reported, it is difficult to evaluate the extent of the increase in violence among Aboriginal peoples after the NWMP arrived.

From the above findings it has been argued that violence did exist on the western Canadian frontier more often than traditionally presented. While the research also shows that excessive violence was inflicted on Aboriginal peoples by the NWMP and the military, these incidents were deemed as exceptional – an aberration in the history of their relationship. Similarly, there were more cases where individuals took justice into their own hands, like the vigilantism in the south, but these cases were not seen as part of the colonial process. Not surprising, more recently, many conclude after looking at evidence of recorded physical violence on the western Canadian frontier that it was indeed common, but on a smaller scale compared to the American frontier. However,



while this approach seems to be a critical conclusion; it remains a limited one and implicitly denies the overarching power structure that bureaucratized and legitimized Aboriginal peoples' dispossession, which resulted in "depressingly similar" outcomes to those in the United States (Fisher 1981: 32; Katerberg 2003: 546). As I elaborate below, no matter how refined an analysis of physical violence is, it remains limited to one layer of violence and could lead research astray. More importantly, it leaves open a fundamental question: how were a few members of the NWMP with minimal expenses and casualties offer the government more control and help spread settlement over the region without the frequent use of physical violence? To answer this entails going beyond physical violence and the specificity of the NWMP history along with the traditional assumptions of sovereignty.

### **Theoretical Analysis**

Broadly speaking, policing is an expression of national sovereignty, the ability of the state to monopolize the use of legal coercive force within its territories (see Bowling & Foster 2002: 10). However, in practice, the over reliance on physical violence is not always helpful for the ends the state is trying to achieve and maintain, especially if a government is not able to justify to its public the perceived threat behind the use of violence. To further support this argument, it is important to echo a statement by Hannah Arendt (1970: 10):

The amount of [physical] violence at the disposal of any given country may soon (like in some cases in the past) not be a reliable indication of the country's strength or a reliable guarantee against destruction by a substantially smaller and weaker power.

An abundance of (physical) violence threatens power and can erode rather than secure it (Arendt 1970: 10). Agamben (1998) explains this by saying that an excess of violence

goes beyond maintaining the suspension of relations with the colonized to threatening the state itself. Without the exception, the rule no longer applies. The Canadian military and NWMP budget of ‘securing’ land was nowhere close to the American budget associated with the strictly military imposition of laws. The Canadian government wanted to avoid an open history of the costly “Indian wars” in western Canada. As Stonechild & Waiser (1997:7) explain:

This was 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 that year. The young dominion feared that the First Nations, as ‘savage’ races, could explode with violence... The process was also imbued by an imperialist ideology that held that the Indian 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.

While the U.S. was able to subjugate its indigenous peoples through sheer violence, they suffered a lot of expenses and casualties. Even if funds and troops for the NWMP magically appeared during crisis, the aim was for an efficient broader economic-judicial bureaucratic rule, which entailed a more managed and self-disciplined environment. A more recent example in history might shed more light, according to Arendt (1970: 54):

If Ghandi’s enormously powerful and successful strategy of nonviolent resistance had met with a different enemy – Stalin’s Russia, Hitler’s Germany... instead of England – the outcome would not have been decolonization, but massacre and submission. However, England in India (like in western Canada) had good reasons for their restraint.

While “ifs” in history are hard to evaluate, the point here to be made is that rule by sheer violence is forced into play when power is being lost, and “the price is very high; for it is not only paid by the vanquished, it is also paid by the victor in terms of his own power” (Arendt 1970: 54), as the colonial relations south of the Canadian border show. Especially in the case of western Canada, where the government came to enjoy

“domestically the blessings of constitutional government” (Arendt 1970: 54-55; also see Benjamin 1986), sheer violence is counter-productive for a long term legal management of colonial relations. As recently put by Hildebrandt (2008: 1), “The mystery and romanticized military image of the NWMP served the function of force, but force is not the most efficient way to run a society, nor is it the cheapest.” It is important to note, although Arendt discussed the use of excessive military violence by a state as a weakening of power, she was referring to the end of totalitarian states after the second World War - not the beginning of one in western Canada. However, Arendt’s (1970) insights remain helpful to understand that violence need not be meted out for it to be operative. Violence can act in more internalized ways, yet with the same, if not more effective ability in disciplining and punishing (see Foucault 1979). As Albert Camus (1960: 9; emphasis added) said “the secret of any victory... contrary to what we sometimes used to think, the spirit is of no avail against the sword, but that the *spirit together with the sword* will always win out over the sword [or the spirit] alone.”

By 1878, only a few years after the NWMP had officially arrived in the west, they managed to obtain for the government the legal entitlement to most of the land in western Canada via treaties. By including Aboriginal peoples under the law, the government was also able to marginalize them on reserves, zones of exclusion which tried to mark their physical and cultural extermination. Aboriginal peoples in the reserves came to resemble “a site of exception to the law” (Thobani 2007: 51), and that is why many Aboriginal persons resisted. Under such “exaltation,” repressive measures against Aboriginal peoples were justified and imposed ‘legally’ (Thobani 2007). The treaties, along with the implementation of the Indian Act, were a constitutional land theft, a blessing that

protected the NWMP, unlike their American counterparts, by making dispossession legal. The pass system legitimized the imprisonment of 'status Indians' in reserves under white government officials supported by the NWMP and the military. It was the Canadian government's policy to locate reserves on inhabitable and non-agricultural land, and use the NWMP to enforce this policy in order to pave the way for settlement and smooth growth of the railway (Lawrence 2004; Thobani 2007).

In return, Aboriginal people who signed treaties received almost nothing for their land and resources and were placed on reserves. When the power balance is unequal, negotiations satisfactory to both Aboriginal people and the Canadian government are not a viable option (Adams 1989). An authoritative force accompanied the treaties; if they were not signed the NWMP would have been expected to intervene by force – a paramilitary force carries more than pens, papers, and European rationality. Aboriginal peoples for the most part were politically weak:

They did not speak English, they were seriously divided, and they were economically dependent; they were on bended knee in supplication to the white negotiator... To most Indians who were forced to attend these spectacles it was an agonizing experience of final surrender to the colonizer. Politically, they were unable to disagree with the terms that white officials dedicated to them, but they were not fooled by beautiful speeches about the greatness of reserves or by promises of government charity and protection (Adams 1989: 63).

More and more, Aboriginal people eventually recognized that the economic conditions on reserves would mean a slow death (Adams 1989: 68). Of course, the government was able to maintain Aboriginal destitution and destabilization through insufficient rations and help. In doing so, the government was able to cut its costs and ensure that the Métis and Aboriginal people would not be able to organize a mass resistance against it.

According to Andreas Eckert, a state rarely has at its disposal all-conquering forces of superior strength when it spreads the borders to include other Indigenous inhabitants (Shillington 2005: 257). In this light, the treaties were crucial to establish firmer footing for the government. As Eckert argues:

In the beginning, the colonizers usually concealed their numerical inferiority by pursuing a *policy of selective terror*. The practice of massacre seemed to be the best means for the colonizer to achieve maximum intimidation with minimum use of resources (cited in Shillington 2005: 257; emphasis added).

These tactics of selective terror and “intimidation tactics” (Treaty 7 Elders et al. 1996: 137), enabled colonial forces, like the NWMP, to demonstrate their absolute domination and establish their own monopoly of power with utmost efficiency in conquering bodies and minds. When the NWMP first arrived they were outnumbered and often secluded in desolated posts away from more backup or help if needed. Maintaining an offensive stance would not have been in the government’s best interest. The attempts to reduce the whiskey trade for instance, in the early years of their arrival, was primarily to promote respect and fear of their authority without resorting to large numbers of men (see Hildebrandt 2008: 45; Wallace 1997: 122). As Longstreth (1960: 180) explains, the NWMP “knew that the superior numbers of Indians could wipe them out in a very short time.” Prime evidence is offered in the diaries of NWMP Constable Dickens (1989: 217):

We in the Force must depend entirely on bluffing, in order to win, as we have been given too few chips to play for higher stakes. One day these people – the Indians, the halfbreeds – are going to call out bluff, and old Crowfoot won’t be there to slip me an ace.

Instead of resorting to physical force at all times, which they often could not afford, the NWMP tried to cultivate and bring to mind an image that threatened and a rationality that did not question them (see Foster & McLaren 1992: 8). Therefore, this image required

limiting the use of excessive physical violence to moments or events deemed as a ‘crisis’ or an emergency. In doing so, the Canadian government was able to legally punish who resisted it and maximized its resources in terms of economic and human capital. To justify such illegal and excessive measures, the Canadian government (as evident in mythic accounts of the ‘rebellions’) increased the perceived threat against it. Under this pretext, the Canadian government ensured that its legality is unquestioned by emphasizing the need to act against the threat. For Agamben (1998), a crisis is not a situation deemed as an exception to the norm, but one that constitutes and maintains the norm by excluding it through its inclusion. In this way, a ‘crisis’ or a ‘state of emergency’ is not an aberration deemed necessary to establish order, but it is part of the very same order that it seemingly threatens. Through a paradoxical inclusion/exclusion of Aboriginal peoples by the laws, the only rule of the state is the maintaining of arbitrary enforcement of violence in emergency situations deemed as a ‘crisis.’ As Nietzsche (1997: 170) explains this:

Now, after states have been founded everywhere, that urge of War of all against is concentrated, from time to time, into dreadful clouds of war between nations and, as it were, discharges itself in less frequent but all the stronger bolts of thunder and flashes of lightening. But in the intervals, the concentrated effect of that [war], turned inwards, gives society time to germinate and turn green everywhere, so that it can let the radiant blossoms of genius sprout forth as soon as warmer days come.

For Nietzsche (1997: 172), the ‘geniuses’ are the archetype of the state’s military/intelligence complex. For the Canadian government, the NWMP were presented to be the ‘geniuses’ of their time. By relying on them the government achieved with minimum expense the opening of western Canada and allowed it to prosper by benefiting from the exclusive/inclusion of the inhabitants. The excessive armed measures relied on

by the military and the NWMP during the 1885 'rebellion' and the repressive measures after it were not an exception to the on going relations with the government, but constituted part of the historical relations with it. As shown above the government tactics in settling conflict in 1885 were previously relied on in 1869-70. The RREF and the 'reign of terror' it inflicted on the Métis in 1870, paralleled 15 years later the sending of military and NWMP officials to fight the Métis and Aboriginal people. The government "quashed the rebels harshly and with bloodshed" (Knafla 1995: 15), all in the name of restoring 'law and order.' Those who survived were judicially punished, demonstrating the Canadian government's monopoly on the legal use of physical violence. In Nietzsche's words:

In order for them to achieve the full effect of their selfish aims through the medium of the state, it is now, above all, essential for the state to be completely freed from those terrible, unpredictable outbreaks of war, so that it can be used rationally; and so, as consciously as possible, they strive for a state of affairs where war is impossible (Nietzsche 1997: 170-171).

While the above qualitative analysis of historical data tried to show how the western Canadian frontier could have been more violent, given the rational policy of the use of concentrated violence and starvation, it remains incomplete. It only partly explains how a small number of NWMP officials were able to establish the government's power. As Arendt (1970) explained above, physical violence and fear of punishment alone does not create power; in fact they can threaten it. For these reasons, it is important to look at the specific context of the western frontier and the broader symbolic exclusionary measures and structures that helped the Canadian government and the NWMP subjugate Aboriginal peoples.

From the onset of their arrival, the NWMP benefited from having the HBC before them. Not only did this give them a better sense of the region by gaining information on the land and its inhabitants, but also allowed them to build on some of the mutual relations that already existed from trade. In doing so, arguably, the HBC helped reduce the impact from the raw contact between whites and Aboriginal peoples, unlike on other frontiers (Hogeveen 1999; Graybill 2007). Even if the HBC didn't reduce the impact, it certainly was a convenient economic authority in the region and an inheritance that the government appreciated. In addition, the NWMP were able to continue with a ritual of symbolic exchange that was started by the HBC through trading posts. In this sense, Aboriginal peoples already encountered some white traders and were able to exchange items, and began rationalizing and arguably fearing authority. When trading and exchanging gifts it was not only about the exchange of items, but about customs, privilege, and virtues. The HBC's white traders, like other NWMP officers and white settlers, felt that and acted as if they were essentially superior to the Aboriginal 'savages.' Besides the potential for unmonitored violence on the open frontier, this superiority could filter through the exchanging of items and then be transferred in the item itself. For instance, one could consider the act of an Aboriginal trading some fur for a gun. This gun by its powerful and efficient usage in hunting or killing, instilled some fear from the makers of this weapon. At the end of the day an arrow is not a bullet, and wood is not iron. Thus, in a sense, discipline or "self-constraint" (Elias 1998), was starting to breed in the minds of Aboriginal peoples before the arrival of its enforcers and institutions. At the same time, the trade provided information on the region and its Aboriginal inhabitants to the Canadian government. For this reason, it could be argued that the NWMP had an



easier time including/excluding the Aborigines under the law, because the door to the west did not need a key, it was already opened by the HBC. This could be argued, even if the HBC was not interested in imposing laws per se during that time. The HBC were able to provide more information on the land and Aboriginal inhabitants, who otherwise would have been completely foreign to the NWMP officials.

When the NWMP arrived in the west it seems that physical violence was not as common because the hammering has been done for them by the RREF that was sent earlier to the region in the early 1870's to violently deal with the Metis. Those who survived from clashes with the government had to deal with starvation, diseases, whiskey traders, and inter-tribal conflicts that were eradicating Aboriginal people and the Métis, not only in terms of numbers, but also in terms of their material and social conditions (see Dempsey 2002). Against such destitution that was made worse by encroaching settlements, broken promises, and rigid officials it is not surprising to find lower instances of organized political masses.

Recently, Nettelbeck & Smandych (2010) have suggested that perhaps the potential for unrest was suppressed because of the NWMP system of surveillance and curtailment. By patrolling, monitoring, and the expansion of posts in the region (especially after 1885) the NWMP tried to establish a broader mechanism of discipline and management that went beyond the vicinity around their posts. The NWMP also relied on the assistance of the Department of Indian Affairs (DIA) to confine Aboriginal people on reserves and cross border cooperation with the United States to further suppress and "contain" Aboriginal autonomy (Nettelbeck & Smandych 2010; Smith 2009). In doing so, "the Mounties carried an enormous coercive power with them, including the power to

remove [not only suspects but] even the witnesses from the band to faraway guardhouses for months at a time” (Harring 2003: 96). In taking into account this over arching disciplinary system by the government, with the use of selective terror when it was deemed necessary, one could understand how the NWMP role was indeed violent even without the use of physical violence and the coercive use of law at all times. As Hildebrandt (2008: 32) explains:

With the establishment of Anglo-Canadian culture and its legal systems [after 1885], the use of physical force was no longer as urgent and Aboriginal populations could be controlled by less crude means...Thus, the tools for controlling behaviour effectively became cultural and the reliance on overt presence of force decreased.

The NWMP were part of a “greater coercive” force that further excluded Aboriginal people (Hildebrandt 2008: 32). This greater coercion was achieved explicitly by the enforcement of its laws (like the Pass System), and implicitly by “entertainments” such as the minstrel shows where the NWMP’s power is often celebrated (Hildebrandt 2008: 62). Through coercion Aboriginal peoples were marginalized and “othered” into categories that led to their exclusion from the mainstream Canadian culture in which white settlers were being welcomed to share (Hildebrandt 2008: 62).

In *Discipline and Punish*, Foucault (1979: 30) argues that disciplinary institutions, exemplified by the prisons, allow for a “technology of power over the body” to shape and influence the “soul” of delinquents. This technology aims at shaping the rationality (and in effect the practice) of individuals. Here, the desired end of power is reached through the prisoners’ own complicity. From this perspective, the “soul is the prison of the body” (Foucault 1979: 30), that allows the functioning of power to be automatic by rationalizing it (Smith 2009: 5). The parallel here with Aboriginal people first on reserves and later in

prisons is worth highlighting. The government tried to Aboriginal people into bodies to be manipulated, categorized, and disciplined in the reserves by farm instructors, Christian priests, and formal laws to ensure that their discipline and subjugation (also see Loo 1996: 107). In doing so, the Canadian government via the NWMP was able to breed a kind of discipline that is independent of the efficiency and 'justice' of laws, and rooted solely in punishment and normalization, 'killing the Indian' in the child (see Smith 2009). A form of symbolic violence becomes entrenched in the very relationship between Aboriginal peoples and the NWMP, structuring and re-creating them, thus maintaining their domination. For instance, if we consider legal punishment, as Foucault (1979: 272) does, it is not "simply about keeping illegalities in check but provides a general 'economy' ... Legal punishments are to be resituated in an overall strategy of illegalities [domination]." It is out of this complex and ambiguous logic, as Foucault (1979) points out, that Aboriginal peoples today, although a minority, are overly represented in the prisons and continue to be discriminated against. Similarly Agamben (1998) would argue that the reserves as a space (of power and knowledge), where laws are suspended, shaped the very lives of Aboriginal peoples. Many Aboriginal people were treated as homo sacers inside and outside the camp. The government tried to impose this suspended state of affairs as a 'rule.' Indeed, a critical look at the rations system would show that the government's failure to support Aboriginal peoples was structured in a way (regardless of intent) to maintain their dependency and exclusion. Thus, "Sometimes doing nothing (like the failure to provide sufficient rations) is the most violent thing to do" (Zizek 2008: 217). In spite of this, many Aboriginal people continued to resist government policies and abuses by officials.

After 1885 the evidence above indicates that the NWMP rarely resorted to the use of guns in carrying out their duties (Beahen & Horrall 1998: 223). The NWMP fulfilled vital ceremonial duties or “cultural roles,” which would be the prerogative of the military (Hildebrandt 2008: 37). As the symbolic representatives of the power of the state the NWMP appeared at important community rituals and of course concluded a number of treaties. As on other frontiers, police with military technology were used as a symbol of the state’s superiority and its weapons. They were the ‘geniuses’ of their time not just for their ability to use brutish force, but because they instilled fear without striking: “The red coats, lances and military equipment of the NWMP announced power: the power to act in the name of the law, to call in reinforcements and to embark on punitive expeditions” (Hildebrandt 2008: 1). As Fanon (1963: 4-5) argued:

In the colonial countries...the policeman and the soldier, by their immediate presence and their frequent and direct action maintain contact with the native and advise him by means of rifle-butts and napalm not to budge. It is obvious here that the agents of government speak the language of pure force. The intermediary does not lighten the oppression, nor seek to hide the domination, he shows them up and puts them into practice with the clear conscience of an upholder of the peace; yet he is the bringer of violence into the home and into the mind [and rationality] of the native.

According to Friesen (1987: 169), the NWMP “social power was immense: the very embodiment of the gentleman class, they ensured that the ‘better element’ would set the tone of western Canadian society” (Friesen 1987: 169). To be this ‘better element’ they had to be distinguished from their peers; thus a lot of expenses and calculations went into the small details of the very outfit of the NWMP that bright “Scarlet Tunic” (Sheehan & Oosten 2006: 365). The NWMP outfit, according to Constable Dickens, was “calculated literally to knock the Indians into a cocked hat” (cited in Nicol 124-125). Not only did the outfit distinguish the NWMP along with their British predecessors from the rough

Americans, but also it outwardly expressed a “sign of a certain desirable social status” (Beahen & Horrall 1998: 212). As Constable Dickens explains succinctly:

The fact remains that we British do know how to deck ourselves out so grandly as to make the barbarian feel that his submitting to us is something of a privilege... They [the Americans] have had to resort to using the sword against their Indians, while our remains sheathed in its scintillating and imperious scabbard, Excalibur ruling abroad, too dreadful to be drawn except to salute the Lady of the Lake, or the Great Mother whose resplendence is utterly inconceivable (Nicol 1989: 146).

In frustration Dickens also adds:

I feel that I really ought to be in the Emperor Franz Josef’s imperial ballroom, swirling in a waltz with some dark Bavarian beauty whose décolletage twirls the waxed ends of my moustache. Instead, I am gorgeously festooned like this solely to impress a grubby lot of redskins who don’t even invite me to their dances (Nicol 1989: 145-146).

The prestige and pride that the NWMP embodied along with their weapons made them “I must admit, a sight to behold as we rumbled” (Dickens cited in Nicol 1989: 135). According to Dickens, the plan was to “drill with them in clear view of the Indians, who will be sobered at once, seeing that we may dispatch them to H—l as Shish Kabobs” (Nicol 1989: 18-19).

Not surprisingly many Aboriginal persons felt threatened by the mere idea that the NWMP were going to be present at a given place. Chief Big Bear once dreamed in the early 1880’s: “I saw a spring shooting up out of the ground. I covered it with my hand, trying to smother it, but it spurted up between my fingers and ran over the back of my hand. It was a spring of blood” (Stonechild & Waiser 1997: 40). This was not someone’s hallucination, but arguably a kind of violence meted out on the psyche of individuals. For this reason, it was “once said that fifty men in red would be better than one hundred in any other colour” (cited in Sheehan & Oosten 2006: 365). In spite of the criticisms documented on the uniform regarding its high cost and its lack of durability in harsh

weather conditions, the uniform was not revamped until the early nineteenth hundreds. Today the traditional dress is only worn on parades, special events, and formal duties (Sheehan & Oosten 2006: 366). Even from recent events one can clearly see how the Mounties dress code “realize perceived benefits” and could impress even their cynical audiences by the show of power and security (Roth 1998: 718).

Having the power in image and the ability to manifest it in action made the NWMP a threatening force in general; in spite of the challenges they faced at certain times discussed above. For instance, if we considered that at the treaties signed in the 1870’s the NWMP were always heavily armed bringing at times a few cannons with them (Wallace 1997: 187). Here is how Constable Dickens described the signing of Treaty 7 in 1877:

The signing of the treaty took place in a large marquee tent with the Union Jack floating above. We formed a guard of honour with fifty Mounted Police all decked out in our scarlet uniforms with our spiked helmets and steel spurs flashing in the sun. A salute was fired from one of our nine-pounder guns. We even had a band, which played ‘The Maple Leaf Forever,’ and ‘God Save the Queen.’ It was a most impressive event! (Carter 2003: 39-40).

The official history of the force implies that it was the very presence of the NWMP in their orderly/military attitude that overawed the Cree and other Aboriginal people. The role of the NWMP in these early encounters was without a doubt “to establish the authority of the government party, and to show the Natives who was in control and who held ultimate power” (Hildebrandt 2008: 37). Furthermore, as Dickens explains, “much of the function of the NWMP is to impress upon... [Aboriginal peoples] the (misrecognized) fact that we are the *last* to draw a weapon (unless the situation deemed necessary) (Nicol 1989: 49; emphasis in original).” Even though at times the NWMP did not hesitate to draw a weapon when Aboriginal people resisted, many of the latter were

being shaped to accept (or not question) the NWMP as the legal brokers between them and the government. Under this symbolic violence, Aboriginal people signed the treaties in spite of the fact that foreign-white men with guns were threatening to shoot them if they resisted. By having a military threat accompanying the treaty signing the NWMP were able to intimidate and present an image of control and authority. Even if the NWMP did not necessarily have the ability to exercise physical violence at all times, their appearance achieved the same threatening outcome. Indeed during signing of the treaties some Aboriginal people were scared and others like Chief Crowfoot were wondering, “If he [the Treaty commissioner] really wants to make peace, he first has to disarm all his cannons, that one facing me and aimed at me” (Treaty 7 Elders et al. 1996: 136). In many instances then, the NWMP did not need to draw their guns to impose the law on Aboriginal people, having been there the meaning was deduced.

It was through intimidation and broken promises along with the larger colonial disciplinary system that was shaping the rationalities of the inhabitants that a few red-coated Mounties were able to coerce Aboriginal people to stay on the reserves. If it was not for this, the NWMP would have needed more investment in the ongoing-armed engagements, which they could not afford thus jeopardizing the entire colonial enterprise. Most Aboriginal people recognized that even if the NWMP were not able to “destroy” them, they were able to push them on the side to starve (Stonechild & Waiser 1997: 166). By the late nineteenth century Aboriginal peoples interactions’ with the dominant ‘white society’ routinely involved elements of coercion and compulsion. As Jennings (1998: 50) explains:

They were compelled by the Police to stay away from cattle rangers; they were compelled by Indian agents, through the threat of the loss of their rations, to work

at the occupation of farming for which both they and the land were not suited; they were compelled to send their children to school which they did not like; they were compelled to remain on their reserves unless given a pass by the agent.

All this compulsion, along with the presence of the police, was a form of “symbolic threat intended to influence behaviour at minimum risk” (Nieburg 2009: 94). Similarly, Haring (2005: 117) sees such compulsive tactics as “official lawlessness” that is structured and institutionalized in the very relationships involving Aboriginal peoples.

### **Implications of the Study**

Any responsible sociological inquiry that takes research as a means to alleviate human suffering, resist colonization, or at least provide some form of awareness to scholars and the public must address the social, political, and ethical ramifications of such inquiry and situate it within a historical context, especially when the research is dealing with core issues revolving around colonial history, violence, and the role of policing. As LaRocque (2006: 398) explains, to “study any kind of human violation is, *ipso facto*, to be engaged in ethical matters... These destructive attitudes, unabashed biases, policies, and violence that we footnote cannot be mere intellectual or scholarly exercises.” Violence has to be brought to the surface to allow us to understand the injustices that Aboriginal peoples have experienced and to show how their violent past is repeatedly shaping their present today.

The violent cases discussed above are not simply past occurrences, but they are constitutive of Canada’s present, and its projected future. As William Faulkner (1951) says “the past is never dead. It’s not even past.” In colonies, like Canada, the past frequently interferes with the present. Colonization is a process of events, not a single event in time, which continuously creates and recreates itself. The current thesis has



contributed to providing a basis to respond to Canada's legacy of colonialism from a postcolonial academic framework. This remains a crucial endeavor given the utter lack of literature on an Aboriginal viewpoint of violence and the role of the NWMP police.

From Aboriginal peoples' experiences of colonization and their resistance to it, I have tried to challenge colonization by writing back (from the multitude) to "the empire" (Ashcroft et al. 2002: 2). In following similar footsteps to Ashcroft et al. (2002: 7), my research has tried to open the potential to challenge, especially non-Native scholars, to get rid of "the weight of 'antiquity' with respect to hegemonic canonical assumptions, which continue 'to dominate cultural production in much of the postcolonial world.'" This thesis challenges scholars to re-examine Euro-centric methods of interpretation and data collection, with special attention to their predisposition of not including violence (or the view of the colonized) in their discussion. The potential heuristic value of this more sociologically informed postcolonial theoretical approach is clear, as McNaught (1970: 74) explains:

The disservice performed by an historical interpretation that depicts Canada as less committed to the employment of as much military violence in maintaining her interests as it has been conveniently possible to arrange is obvious. Such an interpretation belies the facts and thus obscures our historical vision. It suggests that our post-World War II military spending within a new imperial alliance system is somehow new in kind as well as new in size. A history which minimizes the functional role of a major historical belief-force to the point of distortion and which also fails adequately to analyze objective changes in conditions that underlay previous policy assumptions is of little service to the present.

In 1990, Aboriginal peoples from Kanesatake (Quebec) "provoked a rash of demonstrations and blockades across the country" by resorting to physical force to "defend their blockade against efforts by the municipality of Oka to seize control of land embraced by a land claim" (Miller 1991: 461). These seemingly "spontaneous actions

were proof, if any more were needed, that” the relations with Aboriginal peoples across Canada are still suspended (Miller 1991: 462). Today in a time where the world is heading to a militarized-economic complex, the findings of this thesis ought to be highlighted. Canada has been increasingly sending troops on missions to countries in Asia, and recently in Latin America, under the pretext of ‘aid.’ The fundamentally violent nature of the colonization was (and is) not only denied in Canada, but also in other countries. For instance, one example is Canada’s current military involvement in the occupation of Afghanistan. As Mercredi (2007) explains:

What the Canadian military is doing, by sending in more trained killers to suppress the people of Afghanistan, needs to be looked at from the perspective of its colonial roots. Killing Indigenous people in order to pave the way for Canadian expansion was the first order of business for the Canadian military once Canada had confederated. It was an *‘errand of peace’* that sent the Canadian military in to the Red River Valley to suppress the sovereignty of the Métis. Fifteen years later [during the Métis resistance], the military would be sent in once again to suppress the displaced Métis and the Cree of the area. It was this mission that killed many Cree, locked up Chiefs Poundmaker and Big Bear in prison, and hanged Louis Riel, the leader of the Métis. The creation of the NWMP.... was the creation of a military occupation force to deal with Indigenous people and to expand and enforce on them the colonial sovereignty of Canada [as is happening overseas]. (Mercredi 2007: 21; emphasis added).

In the past and the present sending troops (and institutions) to control other Indigenous inhabitants and take their lands, has been the unofficial logo of the Canadian government. Even when the Canadian military was not involved, Canada has been supportive and complicit in the occupation of other peoples (see McMahon 2010). From the very foundation of the Canadian government, it seems that the only history lesson the Canadian government had learnt with dealing with Aboriginal peoples, is how to efficiently colonize others and limit their resistances. This thesis has attempted to scratch the thick surface of denial around the inherently violent role of the Mounties in ‘opening’

western Canada and to literally flip the image of the NWMP on its head. Only in doing so one could genuinely begin to envision reconciliation and peace for the Indigenous people of Canada and other colonies.

The NWMP legacy of police management has been so prominent, as noted above, that even after a century later history, as if time is broken, is still written from a “single perspective – one that only presents the viewpoint of the colonizer. It is a voice unable to show sympathy for the aspirations of those peoples who lived in the West before the police arrived” (Hildebrandt 2008: 35). This inflexible and romanticized “formative myth” has become “a historical artifact rather than a continuing, adapting, cultural tradition” (Walden 1982). As a result, the capability of Canadian society to understand and change its own institutions is limited. Put in other terms, the rationality of the average Canadian citizen, does not allow them to see, never mind challenge, the myth that has been stewing for a century. According to the Treaty 7 Elders et al. (1996: 408):

One need only look at the continuous misrepresentation of the Native point of view in the Canadian media to see that there is a serious need to educate and inform people about this important event in our history. Many of these misconceptions continue to have a damaging effect on the attempts of Native peoples to define ourselves in the face of the newcomer society, which will not listen to or only selectively hears what we have to say about our history.

Even though many scholars probed and questioned the image of the NWMP and the mythology surrounding their ‘peaceful’ settlement of western Canada, it remains intact as powerful as ever (see Nettelbeck & Smandych 2010). The government, the media, and other agencies help perpetuate the same biased history over and over again (Sheehan & Oosten 2006). One recent example is the 2010 Olympics in Vancouver, where the Royal Canadian Mounted Police proud in their red tunics were made a spectacle of for Canadians and the world to see. Giving them such honour and prestige in the present

washes away the violence the Aboriginal peoples experienced by them, and structures the rationality of the average Canadians and newcomers to see them for what they did not authentically symbolize.

Given the systematic denial revolving around the past and the effects of colonization, it is not surprising that the “present-day elders feel that their people were betrayed by missionaries, treaty commissioners, government officials, and even the NWMP, all of whom were initially welcomed and trusted” (Treaty 7 Elders et al. 1996: 324). Only in understanding the past within the current context of the Aboriginal peoples experiences of and resistance to colonization, the government and non-Aboriginal population can responsibly acknowledge the injustices committed (and still is) against them. This “symbolic recognition” along with “material redistribution” could help bring about a real change in the relations between Aboriginal peoples and the Canadian government (Woolford 2004: 130). This will not only attempt to reconcile the scars of colonization, but also attempt to question the government’s local and foreign policies in order to think and act more equitably.

Again it should be noted, the marginalization of Aboriginal peoples in Canadian society today has its roots in Canada’s past. The violence they experience today is not aberrant to their historical relationship with the government, but part of its socio-political development and maintenance (see McNaught 1970; Kelly and Mitchell 1981). In understanding the violence that Aboriginal peoples experienced in the past, one is able “to understand the [social and political] undercurrents and antagonisms present in our [Canadian] social fabric [today]” (Kelly and Mitchell 1981: 10). Failing to recognize the violence of western Canadian history is denial, and will not allow us to get to “the place

called reconciliation” (cited in Havemann 2005). This is more important especially today when “official, historical and cultural modes of denial are manifest at the organizational level and imbricated into the state order” (Havemann 2005: 57). Thus, future research should embark on ways that seek to understanding violence of colonialism and make a socially responsible place out of the Aboriginal “placelessness” by seeking approaches to de-naturalize, de-normalize, and de-legitimize the silencing of Aboriginal peoples (Havemann 2005: 57). In other words, the violence against Aboriginal peoples has to be rendered visible by being brought to the surface of “consciousness and conscience” of Canadian society (Havemann 2005: 57). However, unlike Havemann (2005), some like Taiiake Alfred (2005: 151) have argued that “reconciliation” and even “resistance” are (for the most part) not feasible by working within the colonial relations established in society, due to the fragmentation of the Aboriginal peoples’ identities and political organization today, along with the persistent inflexibility of the government to genuinely change. Instead, Alfred (2005: 27) argues for a more proactive and radical approach that highlights the “need for morally grounded defiance and non-violent agitation combined with the development of a collective capacity for self-defense, so as to generate within the Settler society a reason and incentive to negotiate constructively in the interest of achieving a respectful coexistence.”

### **The Archive – A Site of Knowledge and Production**

After discussing the role of the police and the unequal power structure they help establish and maintain, it remains crucial to examine the practical and theoretical considerations that arose from my archival research. Upon analyzing the archives for violence in western Canada, one is struck by the lower degree of violence and the relative

coolness with which the NWMP were able to impose laws. However, as Nettelbeck & Smandych (2010) have noted, up to this date with few minor exceptions “Canadian legal and police historians have given little attention to scrutinizing this type of evidence.” This task, although immense and complex, is important to be discussed for future research that seeks to explore the potential and implication of post-colonial theory and methodology (Coleborne 2005: 92).

Traditionally, an archive might refer to a site that holds ‘primary sources,’ which are assumingly of some cultural and national significance. While crime commentary can be especially revealing of who the law-abiding population think themselves to be (Loo 1994: 113), it does not necessarily reveal how those ‘othered’ by the law feel. This conceptualization of the archive is very limiting, especially for those who seek to look at the victims of violence, an equally limited subject in history. Beside questions concerning the rationale behind commencing archival research, scholarship is confronted “with having to deal with Western-controlled education, language, cultural production, and history” (LaRocque 2006: 398). With such institutions and writing, an impersonal consciousness of administration was (imposed and) allowed to exist, which was no longer conveyed and transmitted solely within the immediate relationships of the living (Debord 1994: 96). An obvious example is the euro-centric assumption of the colonial archives to be objective, while Native-based information and oral history to be subjective. Pettipas (1994) argues in the Foreword of her book *Serving the Ties that Bind*:

In their writing on First Nations history, traditional historians tend to miss the forest for the trees. They read endless reams of official documents in the archives, but few have been able and willing to try to examine the overriding cultural and spiritual issues. Often they disregarded any information that is not written (or recorded in the archives). This creates a nagging dilemma – how to account for

the fact that First Nations history on the Canadian prairies, as expressed by Aboriginals ourselves, was essentially an oral phenomenon.

LaRocque (2006: 399) further adds:

Not only are such accusations glaringly ironic given the degree of bias, inflammatory language, and barely concealed racism evident in much of early Canadian historical and literary writing on Native peoples, but they are also adversarial. Native scholars contribution to contemporary scholarship is significant, for, in a sense, we bring “the other half” of Canada into light.

The over credibility of non-native approaches and methodology to history, further contributes to the “*private ownership of history (and the present)*” (Debord 1994: 97; emphasis in original).

By default the archive’s limited purpose would imply that many crimes went unrecorded. As Elofson (2004: 80) explains, because western Canada was “so large, open, and difficult to police, a great number of crimes must have gone unsolved and, as with a number of the episodes mentioned, were never recorded in the surviving court records.” This raises the question of the ‘dark figure’ of unreported crime on the frontier (also see Martin 2006: 183; Knafla 1995: 27). Moreover, members of the NWMP themselves looked into any complaint about the forceful behaviour or misconduct, and this may have “functioned to cover up or to mitigate such allegations” (Ray et al. 2000: 152). For instance, on most of the few occasions that Aboriginal women laid charges against policemen for assault or rape, their claims were speedily dismissed as defamation or blackmail (Ray et. al 2000: 154; Carter 2008). Waite (2003: 53) sums this problem:

Scholars studying crime and violence face the continuing problem of sources. In frontier areas, where law enforcement and any form of centralized government were just forming or largely absent, accurate figures are lacking. The reliability of criminal data remains an issue of debate even to the present date in the most populated and extensively policed urban centers.

While the problem with sources and unreported crime opens fundamental questions regarding the archival scholarship, the problem with the archive is beyond the data and their interpretations. The problem is the archive in itself and its authority to exist as a site of knowledge and power.

Archives are not only the outcome of a historical process, but they are also simultaneously the very condition for the production of knowledge. As Dirks (2002: 59) explains, “The state literally produces, adjudicates, organizes, and maintains the discourses that become available as the primary texts of history.” In this sense the ‘primary’ sources (keeping in mind officials’ bias in reporting and maintaining information) are “always a secondary trace of historical discourse” (Dirks 2002: 59). The archives are not just ‘factual’ records of the colonial state, but also the “instantiation of the state’s interest in history” (Dirks 2002: 63). The archives are the “repository of the sources for an imperial history whose public was in the metropole rather than the colony” (Dirks 2002: 63). The archives gathered knowledge on the area and its inhabitant simultaneously creating power for those governing or who authorized the existence of the archives itself. In bolder terms, the modern archives are as much about the “destruction” as it is about the preservation of history (Posner cited in Dirks 2002: 61). As Dirks (2002: 57) illustrates, “If the British failed to see history as a fundamental attribute of Indian culture, it is no coincidence that they established their rule on the ruins of a political (and socio-historical) order that they had aggressively conquered, [and] destroyed...” Similarly Stoler (2002: 89) has argued that colonial archives, because of the silences in them, also symbolize “documents of exclusions and monuments to particular configuration of power.” In other words, “writings are the [repressed] thoughts of the



state...and archives are its [repressed] memory” (Debord 1994: 96; also see Freud 1928). While the state has archivists to collect data, the state also hires many more ‘security’ officials whose job and duty are to censor, ignore, and destroy information that challenges its reputation in a manner that it cannot accommodate to. This is done under the same banner of ‘democratic’ governance (see Herman and Chomsky 2002). Even when there are no apparent traces of state or official repression in the thoughts and memory of the archives, they remain to function under and as part of the colonial rationalities and economies. The knowledge gained by institutions, like the archives, on the subjects of the state is at the same time produced within a certain configuration of technology and discourses that ultimately help the very power it might seem to undermine at times (see Foucault 1979: 27-28).

One cannot help but ask when confronted with the over bureaucratization and securitization of the archives: what is really being preserved, the tenderness of old paper or the tenderness of the image that is maintained by having the archives at once a site of maintenance and production of knowledge? (For an ethnography of the daunting experience in entering the threshold of the archives, see Dirks 2002 and Derrida 1995). Furthermore, when most of the government funds are going into archives and museums as opposed to Aboriginal oral history, implicitly the archives no longer appear to provide a balanced account regardless of how accurate they actually were. The same observation can be made in regards to the history and role of the NWMP that is presented in the secondary literature, which clearly show a dearth of an Aboriginal voice in almost all of the accounts (for one exception that proves the rule to this, see Treaty 7 Elders et al. 1996). Perhaps a future consideration could be to situate the modern archives within the

“power of normalization and the formation of knowledge” (Foucault 1979: 308). Through this lens the archives can be seen as part of a “political technology deployed to maintain (or re-produce) the historical fabrication of the modern [white] subject” in the service of the colonial order (Thobani 2007: 8, 12). In doing so, one is able to understand better how the archives as a “technology of rule” (Stoler 2002: 83), like other institutions and specializations, contribute, limit, and influence the attainment of knowledge to scholarship and the public. One only has to visit the institution of knowledge, the archive, to see how instead of gaining more insights to the margins of society, one is literally “forced to the centre, a location both metaphorical in its control of authority and geographical in its physical presence” (Hooks 1990 cited in Briggs and Sharp 2004: 665-666). Given this dark side of the archives, some like Dirks (2002: 48) argue: “The time has come to historicize the archive.” In other words, Dirks (2002) is suggesting going beyond ‘opening spaces’ in the archives to be able to understand how the archives are involved in “(re)figuring what is happening” (Hamilton et al. 2003: 7). This argument echo’s stronger when one considers the historicization of the subjects of knowledge, the Aboriginal peoples, intended to be understood or transformed. Thus, as Stoler (2002) succinctly argues, “Scholars need to move from archive-as-source to archive-as-subject... [and] view archives not as sites of knowledge retrieval, but of knowledge production, as monuments of states as well as sites of state ethnography.” In this way the right that authorizes the inscribing of information in the archives is scrutinized (see Derrida 1995), allowing us to understand how such sites of knowledge production are continuously shaping and recreating individual consciousness and public will in society within a certain socio-political paradigm or rationality. At the same time, one could try to find

“archival solutions to the dilemmas of locating all voices *within* the spaces of records” by “framing records *within* social provenance and a ‘community of records’” (Bastian 2006: 270; emphasis added). In other words, Bastian (2006: 269) suggests that scholars need to adopt a way of situating archival records in a broader, more comprehensive context and social constructs, yet with a more critical theoretical understanding of the role of the archives. In addition, the role of the archivists as an activist have to be critically assessed in “providing access points for society into the archives” to challenge social injustices by “preserving records that fly in the face of the hegemonic narrative” (Stinnett 2009: 13, 15). Even more challenging, scholars and archivists should aim to locate voices from without by trying to include the remnants of Aboriginal peoples’ oral histories and its intricacies.

In addition, future research could embark on a comparative approach, not only of the role of policing, but also of the archives in sustaining an image and silencing another. As Fleras and Elliott (1992), stressed in the preface of their book: “The appeal of the comparative method lies in its ability to transcend the limitations inherent in theorizing about and analyzing a single society.” This is more crucial today because there is a myth of the archives themselves (as spaces of liberation). Especially, in places en route to democratization some have levied the archives as a ‘hallmark of democracy.’ After all not many, if at all, dictatorship regimes have archives on their police accessible to scholars and the general public, never mind ‘international’ students. However, as this thesis has shown the archives not only maintain the moral authority of the police indirectly by showing a less violent image, but also the image and sovereignty of Canada as a ‘democratic’ country by having information on its most ‘treasured’ force.

A final methodological point should be noted and that is pertaining to the geography of the western Canadian frontier and how it ought to be considered in the future. While this thesis offered a broad scope of the region, looking at its uniqueness within the provinces would be worthwhile. Some, like Breen (1973: 75) for instance, warn against viewing the western Canadian frontier “as a homogeneous unit.” As Breen explains:

By fixing their eyes on the path of the Canadian Pacific railway and confining their view to the thin band of farm settlement that followed on either side of the track, they have, like the railway, ignored the southwestern portion of the Canadian Great Plains region (Breen 1973: 75).

To be able to offer a more comprehensive look at violence, one must factor in the important regional variations within the prairie region itself. Indeed as the evidence show above more violent cases were recorded in Saskatchewan and Alberta than in Manitoba, of course there are certain time frames were the difference was not as stark and at times in reverse.

In addition there are few theoretical considerations that need to be discussed. First, is pertaining to the very fluid conception of violence. As this thesis tried to allude to, looking solely at physical violence without considering the implicit kinds of violence could lead the research astray, or even worse could contribute to the same silencing force that the research claims to fight against. However, this thesis focused on physical violence because rarely has this kind of violence been discussed. The second theoretical issue revolves around proving (independent of archival results) that the origin of European law in western Canada, as in other colonies, was not a peaceful project. As shown above when one is looking at physical violence on the western Canadian frontier, taking the year 1873 (the year the NWMP was created) as the starting point would

portray a less violent picture than if the year 1869-70 (the year the RREF annihilated the Métis) was included. Perhaps a future goal could revolve around looking at the violent role played by the RREF along with the NWMP and other government officials in forming a broader system of control and intimidation. Including these early years is informative, as the record show a reign of terror committed against the Métis.

### **Conclusion**

Having the benefit, and misfortune, in standing in the future of the NWMP, it is safe to say that the NWMP paved the way for a powerfully managed Canada (from east to west) that is to be feared especially by its remnants, the Aboriginal people who dare challenge Canadian sovereignty. Today, inspite of the increasing attention of scholars to violence on the western Canadian frontier, the image of the NWMP remains as strong as in the past frozen in time. This proves for fact that national mythologies are “not built on single utterances,” or going to end in some distant or near future, but rather they are built on repeated [misrepresent] statements (McMahon 2010), which provides a certain euro-centric rationality in seeing and believing things. The continual repition of the myth via routinized spectacles of the mounties and its insitutionalization as ‘objective history’ places white society and its imagination simultaneously within and above that of Aboriginal peoples’ societies. As George Orwell (1949: 37), who was also a previous member of the Indian Imperial Police in Burma, once said in one of his novels: ““Who controls the past...controls the future: who controls the present controls the past’... Whatever was true now was true from everlasting to everlasting.” The myth is repeated not only outside of average Canadians as a “social fact,” something irreducible that exists in and of itself (Durkheim 1972: 62), but also inside them through their rationality,

practices, and wishes. Thus, the task at hand is to criticize not only the myth of the peaceful NWMP, but the rationality of the average Canadian that allows and generates the colonization of Aboriginal peoples. As Kelly and Mitchel (1981: 10) explain:

The conscious and unconscious perpetuation of the peaceable kingdom myth also accounts, to a large extent, for the current tendency in private, political, and academic circles to react to contemporary expressions of conflict [or violence] with a good deal of shock. It has also led to the acceptance of certain misplaced conclusions about the undercurrents present in our own society...

In doing so, the myth allows the Canadian government to further justify the colonization and settlement of western Canada, and seals it from criticisms against its sovereignty and responsibility to acknowledge the injustices committed, and still is, against Aboriginal peoples. While many nations are “in love with their army; fondness for a police force is so rare as almost a perversion” (Morton 1977: 19), or “patriotic hysteria” (Steiner 1984: 230). Along with such twisted logic some, like Morris Longstreth in his book *The Scarlet Force*, have said:

Very rarely, in this ever-changing world, has so small a body of men attained a world-wide fame in so short a while, as the young Force did, and kept it, and even added to it. Canada’s Mounted Police are known throughout the civilized world. Let us suppose that some foreigner, from Mars, if you like, was astounded by the praise this comparatively small body of men, and asked the first Canadian boy, or girl, he met if the Mounted Police really deserved their fame. What should he be told? (Longstreth 1960: 179).

The answer to this, in the mythologized literature, was a view that shows the Mounties as the ‘geniuses’ of their time who through their honourable conduct brought forth a peaceful and orderly frontier, a task that might otherwise have seemed unattainable (Macleod 1992). This view is still endorsed today by the Canadian government who sees that the NWMP “had a right to their celebrity” (Longstreth 1960: 179). However, after

looking at violence on the western Canadian frontier the evidence suggests that this view must be revised as it is only rooted in an exclusive colonialist logic.

Violence on the western Canadian frontier did exist and was “at least equal to that of North American Society” (Knafla 1995: 28), if not more violent than it. As Elofson (2000: 77) explains: “The use of various kinds of violence in the post-Confederation West proved, once again, not only that such means could be successful but that violence and a readiness to advocate violence were integral to the country’s political system.” It may be true that the western Canadian frontier did not have an open history of wars between Aboriginal peoples and the government or white settlers, however the fate of Aboriginal peoples in Canada was not much different. Those who did not die from physical violence, diseases, starvation, and the whiskey trade had to be forced by the NWMP and government officials to live imprisoned on reserves unable to practice their traditional and sustainable way of living. The colonization of the Aboriginal peoples tried to shape their bodies, minds, spirits, and their earth (see Sawatsky 2009: 143). According to Haring (1998: 270):

The NWMP, at best, constituted a liberal, authoritarian, and paternalistic legal institution, officered by eastern Canadian and British gentlemen under strict orders to protect the interest of the Queen’s Indian ‘children’ from avaricious settlers and Americans. At worst, the NWMP was a racist and paramilitary organization charged with the task of quieting the Indians with the most judicious use of violence possible under the circumstances.

In either representation, the NWMP officers acted as “police, prosecutor, judge, jury, and executioner, imposing a form of Canadian law unrecognizable in Ontario or Quebec on the Indians and Métis of the prairies” (Haring 1998: 270-271). Especially to Aboriginal peoples, the NWMP were not “ambassadors of goodwill” sent to protect them, but they were the colonizer’s occupation forces a “source of oppression and agitation, much

disliked by the native people” (Adams 1989: 78). As Adams explains, “The volumes written about how helpful and understanding the Mounties are towards native people are sweetheart myths written by ‘WASP’s [White Anglo-Saxon Protestant] who have never experienced insult, beatings, and bullets from a Mountie” (Adams 1989: 78).

In essence the very political traditions the NWMP symbolized were one deferential to pre-existing authority (Harring 2005: 96; Hildebrandt 2008). As Nietzsche (1997: 58) says, “Whoever can command, whoever is a master by nature, whoever appear violent in deed and gesture – what is he [sic] going to care about contracts [or Treaties]!” The Canadian government in its colonial nature was interested more in its sovereignty and settlements than in Aboriginal peoples’ well-being. The NWMP were “answerable to an authority that was far away,” Hildebrandt (2008: 35) adds, “[they] bore little relationship to the Natives in spite of claims in their own histories to the contrary. The great powers of the police put them in the position where they were the law, not merely its enforcers.” Even if the NWMP did not rely on physical violence to impose a law, their presence and threat often aided them in subjugating Aboriginal peoples. Only in understanding how the NWMP (like other British forces) have “*always* used the threat of warfare and its attendant starvation south of the border to control” Aboriginal peoples in Canada, one is able to fully grasp how the Canadian government were able to subjugate and dispossess Aboriginal peoples “of half a continent on a virtually nonexistent military budget” (Lawrence 1994: 30; emphasis in original). Due to the central development of the United States, the Canadian government enforced ‘Indian’ law(s), “a genuine machinery of colonial repression” (Hall 2003: 494), as the only (rational) means through



which more repressive colonial control could be enforced on Aboriginal peoples (Lawrence 1994: 30). As Lawrence (1994: 30) explains:

In a sense Canada piggybacked off of American Manifest Destiny, using the starvation and territorial limitation brought about by the destruction of the buffalo and the Indian wars to the south to force treaties on captured populations in the north, all the while maintaining a posture of innocence and denial about the fundamentally violent nature of the colonial process in Canada.

In the end, one might be “unsettled” from within (Regan 2006) or without, and pose a question, not out of resentment but perhaps out of a pre-set rationality, as it has been posed to me indirectly while presenting this thesis, “Is an ideal set up or destroyed here?” (Nietzsche 1997: 65-66). To this Nietzsche replies:

But have you ever asked yourself properly how costly the setting up of every *ideal* on earth has been? How much reality always had to be vilified and misunderstood in the process, how many lies had to be sanctified, how much conscience had to be troubled how much ‘god’ [or state] had to be scarified every time? If a shrine is to be set up, a shrine has to be destroyed: that is the law – show me an example where this does not apply! (Nietzsche 1997: 65-66).

For those who insist on the contrary by citing the NWMP as an example, this thesis has shown that such a perspective is grounded only in a colonialist logic and remains an exercise in absurdity (see Agozino 2003). The current public’s indifference and Eurocentrism “towards what should otherwise evoke national outrage and mass demonstrations” can only be explained by “the geographical isolation of aboriginal peoples in scattered pockets of misery [reserves]” (Fleras & Elliott 1992: 9), and from the myth of the peaceful governance of western Canada that excludes Aboriginal peoples perspectives and violent experiences. The NWMP failed to include Aboriginal peoples of Canada ‘equally under the law.’ The colonization of one people regardless of how seemingly peaceful it can be forced to appear is still deeply rooted in violence and unsustainable without it, regardless how rare it might seem to be. The Canadian

government limited the violent outburst of military violence on the western Canadian frontier to efficiently colonize Aboriginal peoples. As I tried to show above, just because there is not ample proof of physical violence, does not preclude the fact that other forms of violence were left unchecked to ravish Aboriginal peoples in the metropolis and margins. If violence was not directly meted out then it was through ‘gentle’ reminders of who has the power and authority by giving out fines or gifts. If it was not intentional then it was inherent in structuring sets of relationships and rationalities that were based on the denial of Aboriginal peoples’ self-determination. Even when the Canadian government had its way violence was used as a rule. If it was not in 1869, then it was in 1885 where the government proved once again through military power that its sovereignty is not to be challenged over the entire territory from East to West of Canada. If Aboriginal peoples did not have to resist being pushed to annihilation or put under a certain colonial structure and bureaucracy that ensured relations with them are suspended, Canada would not have grown and blossomed. In other words, signing treaties to pave the way for ‘legal’ land theft and displacing Aboriginal peoples on reserves with limited rations, along with banning their movement, social organization, and key aspects of their culture (like the potlatch), are sufficient only to put them in a state where having self-determination and the potential to prosper was (and remains) not only put on hold, but perpetually impossible.

Any denial of the violent role of colonization in western Canada is not only an “insult to those who suffered and survived the assaults in the first place,” but also maintains the exclusion of the remnant Aboriginal peoples from Canadian society, and “exacerbate the excesses” of white dominance (Bright 2003: 125; Tedmanson 2008: 160).

Today, Aboriginal peoples face high levels of welfare dependency, “unemployment, undereducation, violent death, imprisonment, and ill health [and abuse that] outstrip those of other Canadians in virtually all age brackets” (Frideres & Gadacz 2001: 8; Fleras & Elliott 1992: 8). This climate of violence in Canada (and outside of it with other Indigenous populations) is “no more rigorous than that which we have experienced through most of our history” (McNaught 1970: 84). The violence Aboriginal peoples experience daily, or here and there, is part of the same violence that excluded them when the NWMP and settlement arrived in western Canada. The colonization of Aboriginal peoples is not an abstract event that happened ‘once upon a time,’ but as part of their experience today, “woven into the fabric of Canada’s national history in an unbroken [colonial] thread from past to present” (Regan 2006: iii; also see LaRocque 2009). Failure to acknowledge the violent part of western Canadian history and its impact on Aboriginal peoples in the present closes any potential left for meaningful dialogue (and affinities) between them and non-Aboriginal peoples (Tedmanson 2008: 160), and will make us “all fated to be homo sacer” (Havemann 2005: 79; also see Fitzpatrick 1989: 280).

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