

CHAPTER 1

1840-1896

*Development of
Canadian federalism*

PART 6

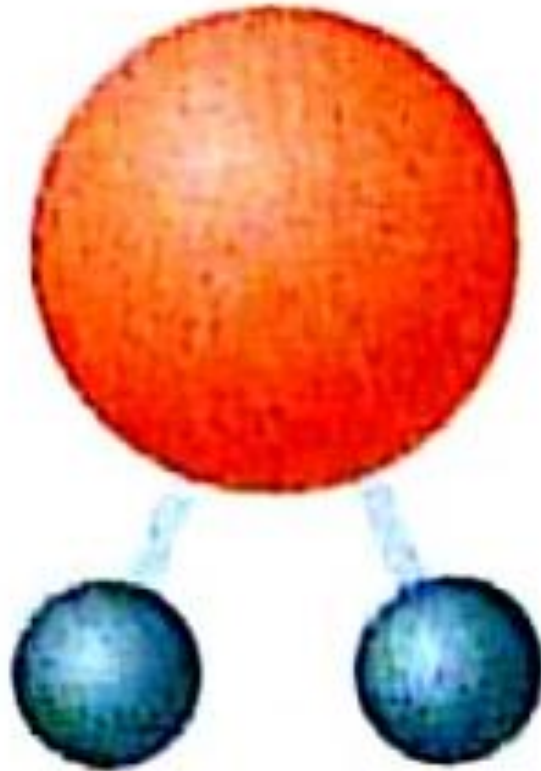
Federal-provincial relations

Areas of jurisdiction

Under the ***British North America Act (BNA Act)*** of 1867:

- Canadian **federalism** was very centralized, with the federal government holding a lot of power in matters affecting the whole country, whereas the power of provincial governments was generally limited to local matters.
- It outlined the **distribution of powers** between the federal government and the provincial governments.

Centralized federation



Legend



Unitary or federal power



Regional or provincial power

Federal and provincial government jurisdictions (division of power)

Federal Powers	Shared Powers	Provincial Powers
<ul style="list-style-type: none">✓ <i>Indian affairs (Indigenous peoples and territories)</i>✓ <i>Trade</i>✓ <i>Defense and military</i>✓ <i>Criminal law</i>✓ <i>Customs duties</i>✓ <i>Currency and banking</i>✓ <i>Navigation and shipping</i>✓ <i>Postal service</i>✓ <i>Taxes</i>✓ <i>Power of disallowance</i>✓ <i>Any RESIDUAL POWERS</i>	<ul style="list-style-type: none">✓ <i>Agriculture</i>✓ <i>Communications</i>✓ <i>Economic development</i>✓ <i>Fishing</i>✓ <i>Immigration</i>✓ <i>Income taxes</i>✓ <i>Prisons and justice</i>✓ <i>Public works</i>✓ <i>Transportation</i>	<ul style="list-style-type: none">✓ <i>Civil law (e.g. marriage, labour, family, consumer law)</i>✓ <i>Education</i>✓ <i>Municipalities</i>✓ <i>Natural resources and raw materials</i>✓ <i>Health (hospitals, asylums and charities)</i>✓ <i>Public lands</i><i>And other local matters</i>

Areas of jurisdiction

The power of disallowance:

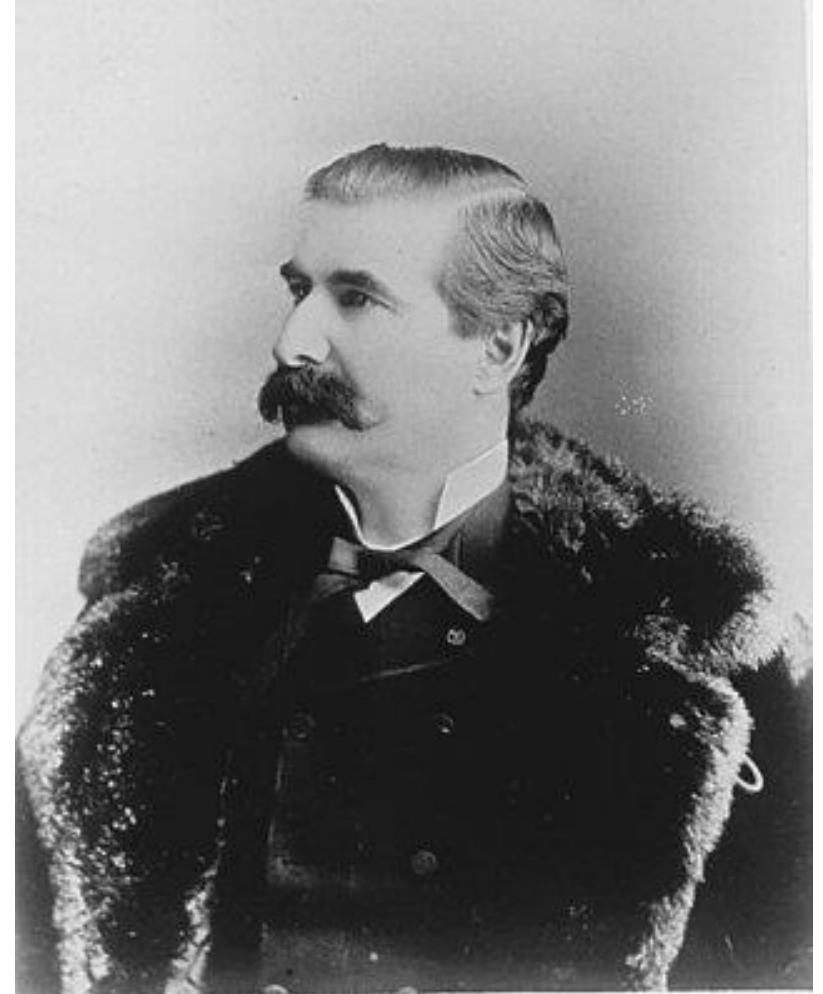
- was a **power of the federal government**
- meant the **right to refuse provincial legislation**
- Prime Minister Macdonald exercised this right many times; he did so 29 times in 10 years to refuse Ontario legislation.

Interprovincial conference



► Ontario Premier
Oliver Mowat

Nationalist
Québec Premier
Honoré Mercier
(1887 to 1891) ►



Interprovincial conference

- They opposed John A. Macdonald's centralist vision.
- They fought for **more provincial autonomy** because they felt that the Canadian Constitution gave the federal government too much power over the provinces.
- In 1887, Mercier organized in Québec City an **interprovincial conference** with the other premiers.
- It was not until the early 20th century that the federal government lessened its centralized control and almost entirely stopped exercising its power of disallowance.

Interprovincial conference

“This province of Québec is Catholic and French and shall remain Catholic and French. All the while asserting our friendship and our respect for the representatives of the other races and religions, [...] we solemnly declare that we shall never renounce our rights that are guaranteed by treaties, by law and by the Constitution.”

– Speech delivered by Honoré Mercier in 1889.

Métis rebellions

- The Manitoba Rebellion/Red River Resistance (1869)
- The Saskatchewan or North-West Rebellion (1885)

Who were the Métis?

- Descends of unions between *coureurs des bois* and Indigenous people
- Mainly French-speaking Catholics
- Were farmers and hunters (e.g. bison)
- 10,000 Métis lived near the Red River in the area South of Lake Winnipeg.



Louis Riel

29 The Dominion of Canada, 1867



Legend

- Provinces of the Dominion of Canada
- British colonies and possessions
- ★ Federal capital
- Provincial capital
- Definite border
- - - Approximate border

➤ REF. p. 402

∇ Does the territory of the Dominion of Canada in 1867 correspond to the present-day territory of Canada?

IO Situate in time and space

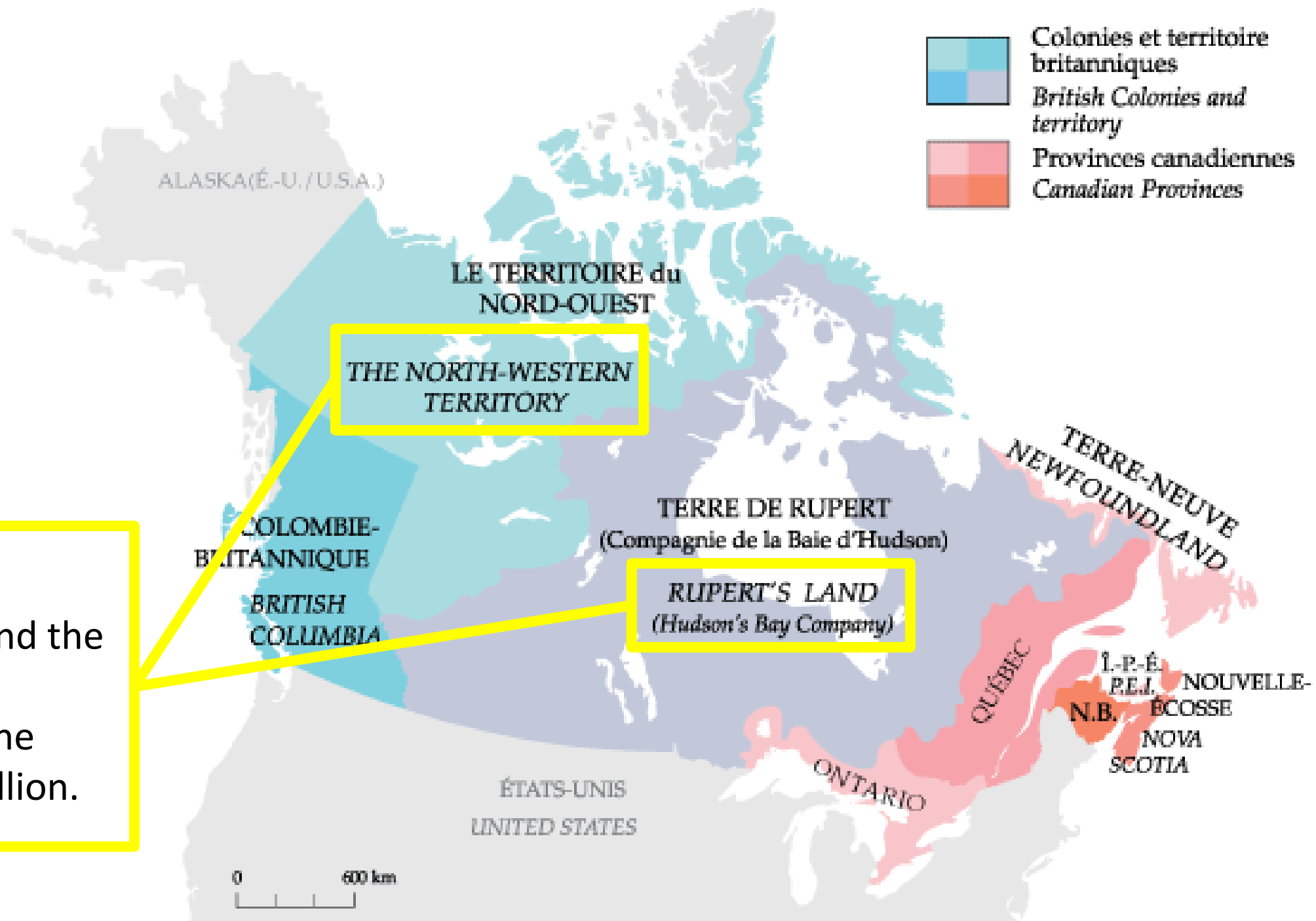
Why did the Government of Canada want to acquire lands in the West?

3 reasons:

1. To offer new Canadians a place to settle.
2. To expand Canada's domestic market and fuel its economic development.
3. To protect the undefended lands of the West from American occupation and annexation.

Acquiring lands in the West (1869)

- In July 1869, Canada purchased Rupert's Land and the North-Western Territory from the Hudson Bay Company for \$1.5 million.
- In July 1870, this new territory officially became a part of the Dominion of Canada. It was named the “**Northwest Territories**”.
- **The Canadian government did not consult with Métis and First Nations populations who had long been living there.**



Canada bought
Rupert's Land and the
North-Western
Territory from the
HBC for \$1.5 million.

Métis rebellions

- The Canadian government divided the Red River area into townships **for white colonists to settle.**
- Feeling under attack, the Métis rallied together **to defend their lands.** They formed a **provisional government.** **Louis Riel** was their leader.



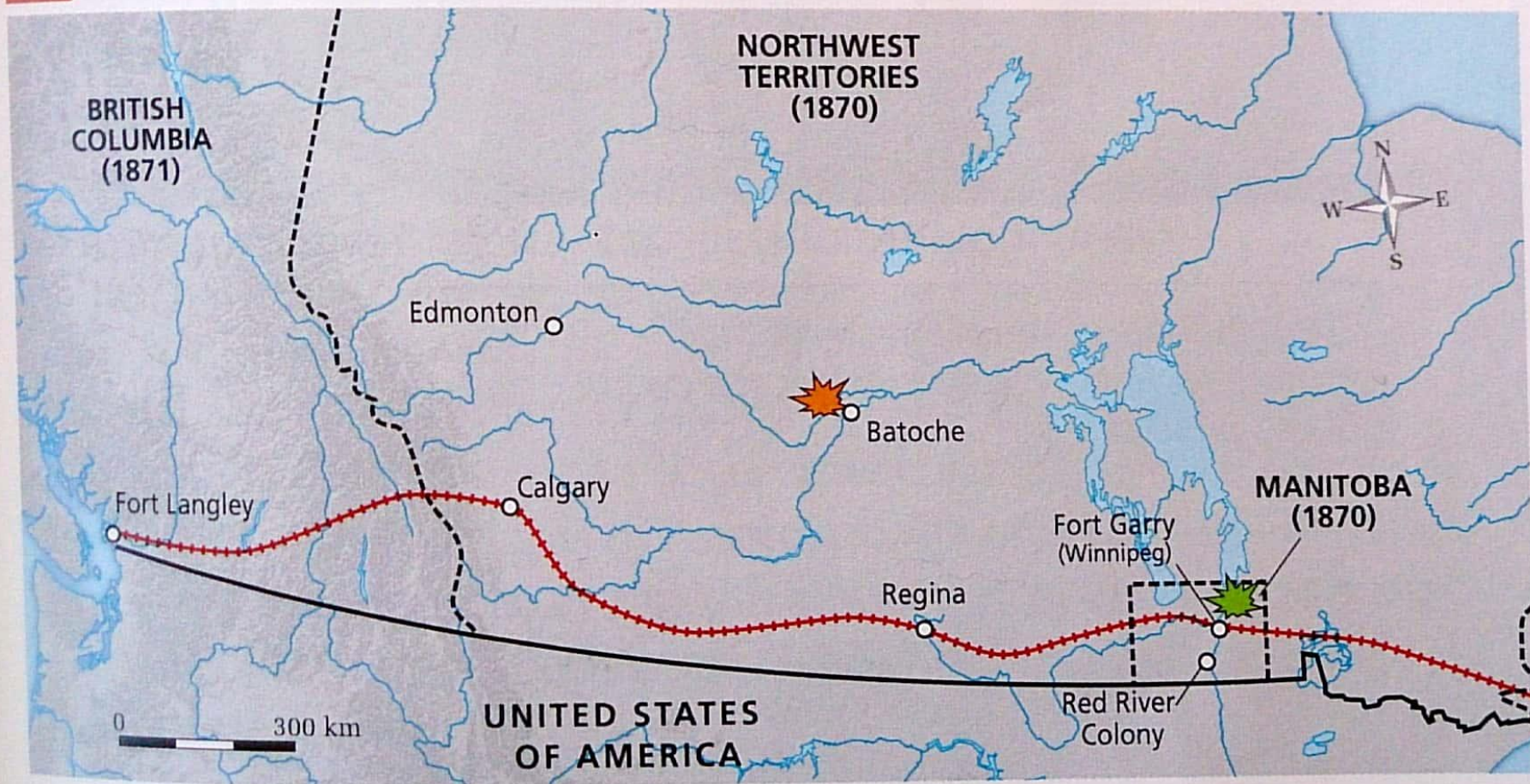
Métis rebellions

The Manitoba Rebellion/Red River Resistance (1869):

- The Métis occupied Fort Garry (present-day Winnipeg).
- They demanded recognition of their territorial, linguistic and religious rights.
- In 1870, the Canadian passed the ***Manitoba Act*** which created the **province of Manitoba** (5th Canadian province) on Métis land.
- The *Manitoba Act* recognized:
 - the land rights of the Métis
 - the right to a bilingual provincial parliament
 - the right to French Catholic schools.

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The Métis uprisings of 1869 and 1885









Legend

- 1869 uprising
- 1885 uprising
- Railway (completed in 1885)
- Definite border
- Approximate border



Legend

- | | | | |
|---|---|---|--------------------|
|  | Provinces and territories of the Dominion of Canada |  | Federal capital |
|  | British colony and possessions |  | Provincial capital |
| | |  | Definite border |
| | |  | Approximate border |

From 1870 to 1873,
Canada expanded:

- In **1870**, the Northwest Territories entered the Canadian federation. The province of Manitoba was created.
- In **1871**, British Columbia joined the Dominion. The federal government promised to build a railway line to link it to the other provinces and take over its debts.
- In **1873**, Prince Edward Island, also indebted, agreed to join the federation.

➤ Compare this map with the map of the Dominion of Canada in 1867, on page 51. What main difference do you notice?

Métis rebellions

The Saskatchewan or North-West Rebellion (1885):

- In 1870, Louis Riel ordered the execution of white settler Thomas Scott who had threatened to kill him. This angered white Protestants in Ontario who wanted Riel to be hanged while French-Canadians supported the Métis' cause.
- Despite its promises, the Canadian government continued to colonize the Red River area, forcing the Métis farther west into the Batoche region (present-day Saskatchewan).
- **Again, in Batoche, the federal government claimed Métis land to build settlements and a railway.**

Métis rebellions

“These impulsive half breeds have got spoilt by their émeute (uprising), and must be kept down by a strong hand until they are swamped by the influx of settlers.”

– John A. Macdonald, 1870.



Métis rebellions

The Saskatchewan or North-West Rebellion (1885):

- Louis Riel returned from exile in the USA and organized a second rebellion in Batoche.
- **The rebellion was crushed by federal soldiers in 1885.**
- **Despite French-Canadian opposition, Louis Riel was captured, tried, sentenced to death for high treason and was hanged on November 16, 1885.**





The Riel affair **divided Canada**. **French Canadians** saw Louis Riel as a hero and were outraged by his fate. **English Protestants in Ontario** wanted him hanged.

88 Honoré Mercier's position on the execution of Louis Riel

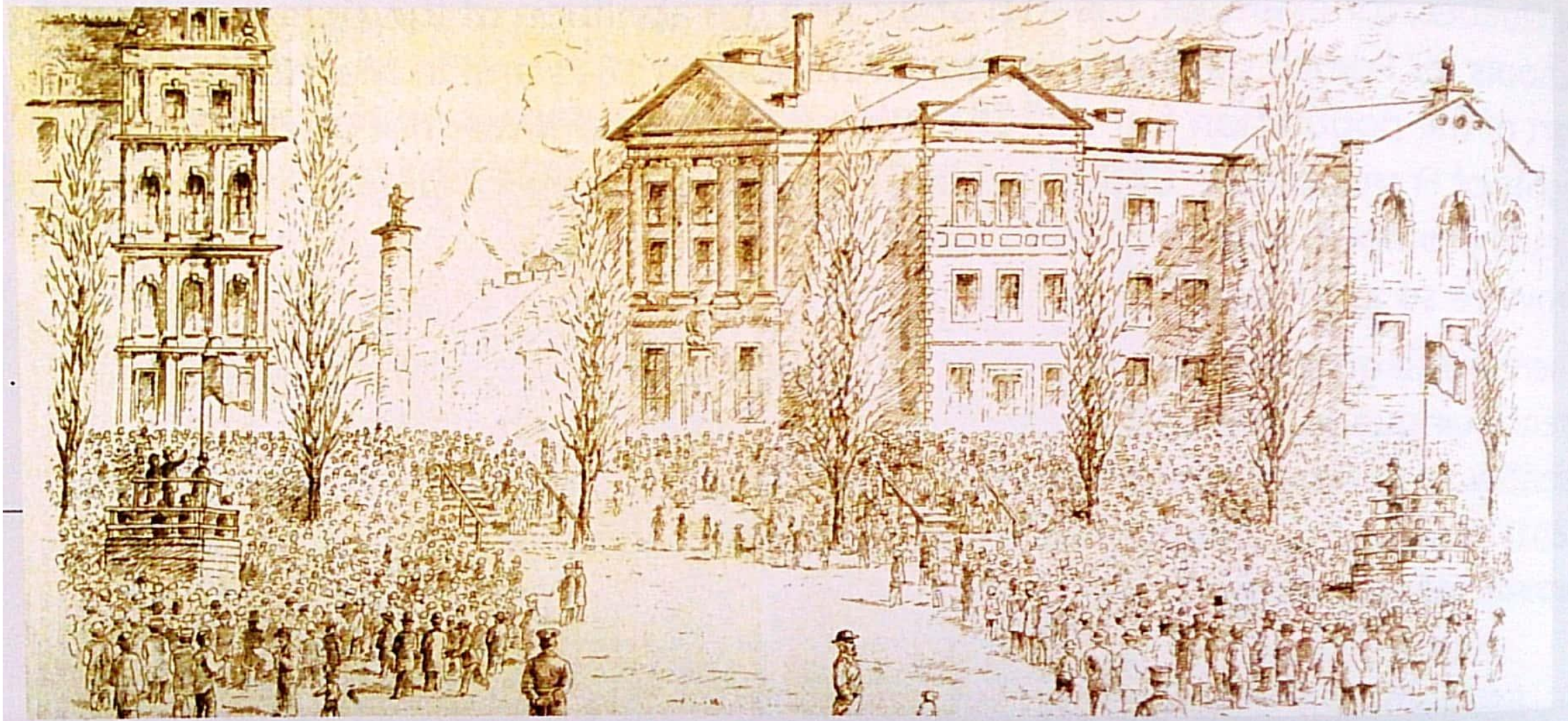
On November 22, 1885, a crowd gathered at Champ-de-Mars, in Montréal, to protest the hanging of Louis Riel. Honoré Mercier gave a speech.

“Riel, our brother, is dead. . . . By killing Riel, Sir John [John A. Macdonald] has not only struck at the very heart of our race,* but especially at the cause of justice and humanity All those who join together, today . . . , belong to the same race, speak the same language, kneel at the same altars, share the same blood; they are all brothers! . . . This death, which was a crime committed by our enemies, will become a rallying cry and an instrument of salvation** for us. . . .”

* Race: At the time, the word “race” was used to refer to groups of people who shared similar characteristics.

** Salvation: The state of being saved or protected from danger.

Excerpt from the speech by Honoré Mercier at Champ-de-Mars,
November 22, 1885 [translation].



Artist unknown, November 22, 1885.

Some 50,000 people gathered at Champ-de-Mars, in Montréal,
to show their **solidarity with Louis Riel.**

French Catholic schools outside Québec

- After 1867, the francophone population outside Québec witnessed the **gradual disappearance of French schools**:
 - In 1871, **New Brunswick** passed a law stating that public schools must be non-denominational (secular)
 - In 1873, French schools were banned in **PEI**
 - In 1890, **Manitoba** eliminated funding for French Catholic Schools.
- **Québec was outraged** and called on the Canadian government to uphold the Constitution to protect French-speaking and Catholic minorities outside Québec (their rights were being violated), but **their appeals were disregarded**.