"A CONSIDERABLE UNREST": F.O. LOFT AND THE LEAGUE OF INDIANS

Peter Kulchyski

INTRODUCTION

The latter part of the nineteenth century was a period that dramatically transformed the position of Native people[1] in Canada. The decline of the fur industry and the consolidation of non-Native power over much of the land worked to severely undercut Native economic strategies to the point where they were much less viable. While in the early nineteenth century Native people could wage their political struggle with some semblance of an economic base through their position in the fur trade, by the early twentieth century that base had been substantially eroded. As a result, through most of our century the primary thrust of Native people's struggle has been in the political sphere. This shift reflected a marked change in attitude toward Native people: in the earlier period they were seen as important allies or respected enemies, in the later as 'wards' in need of protection. More importantly, the shift reflected a change in the site of hegemonic power: in the earlier period they struggled against companies, in the later against the State.[2]

In understanding the social, economic and political place of Native people in Canada today the nature and effects of this shift are too often underestimated. As a result, analyses of recent Native activism often fail to fully appreciate the historical constraints that have led to its particular and very specific nature. Although recent attempts have been made to document the struggles of Native people in the early part of this century--Murray Dobbin's work on Metis activists James Brady and Malcolm Norris is worth mentioning in this context[3]--it is still very rare to find an analysis that links these struggles with those of their successors. In the case of Frederick Ogilvie Loft's League of Indians, the few published historical treatments that exist by and large content themselves with illustrating the State's attempts to undermine and attack his efforts rather than drawing out the

importance of the pattern of struggle he initiated and the significance of his own political position.

This paper will focus on the ways in which the League of Indians exemplifies an important moment in the political history of the Native people of Canada. With the inception of the League the struggle of Native people takes place firmly in the realm of the political. The League's struggle took place in the period of early State hegemony: it is sandwiched between the period in which the State takes over in the late nineteenth century and the later period when the State's strategy itself shifts from coercive to ideological. This later shift is marked by the 1951 Indian Act amendments, when many of the most flagrantly coercive aspects of the Indian Act were dropped. As well, the League's struggle represents an early attempt at structured, non-violent opposition to the Canadian State, and can be seen as a predecessor to the national Native political organizations that currently exist. This analysis will review the history of the League, focussing on Loft's own words and actions as well as those of the Department of Indian Affairs in opposing him. Before doing so, however, it is worth briefly mentioning one other popular idea that is contradicted by the historical record.

THE MYTH OF THE OUTSIDE AGITATOR

It is a commonplace assumption that Native political activism as we know it today began or "resurged" in the early 1960s. That a resurgence of Native activism occurred in this period is beyond question. A number of reasons have been presented to explain this resurgence: the extension of the franchise, the federal government's community development program of the early 1960s, the influence of the American civil rights movement, and so on. The problem with these assumptions are two fold; firstly, they ignore the intense struggles carried on by Native people prior to the 1960s; secondly, they tend to imply that non-Native forces were responsible for the birth of Native activism. The following account, by J. Rick Ponting and Roger Gibbins, serves as a good example:

> . . .the sixties witnessed the initial stirrings of Indian activism both in Canada and in the United States. The American civil rights movement indirectly called into question the legal segregation of Canadian Indians through the Indian Act, and civil rights advocates in Canada began to pay increased attention to the plight of Indians. Many Canadians felt that advances in civil rights, such as the provisions of the new Bill of Rights outlawing discrimination on the basis of race, colour or creed, should apply equally to Indians as to other Canadians. Politically, a new Liberal government led by Pierre Trudeau, with his promise of a 'just society', was elected in 1968 and Canadians within and outside the government tried to reconcile the promise of the 'just society' with the conditions faced by Canadian Indians.4

What is noticeably absent from this account is the influence of the great Indian activists of the first half of the twentieth century, whose struggles laid the groundwork from which recent activism emerged and, more crucially, outlined the dynamic, the framework, and the terrain of struggle. The sixties did not witness the "initial stirrings of Indian activism" so much as a culmination of at least forty years of intense struggle. The danger of not understanding the role of early Native activists is clear; it implies that recent activism is an import from "outside" radicals and troublemakers, a position often held by those bureaucrats responsible for managing the "Native problem." That kind of argument refuses to acknowledge that conditions were sufficient for indigenous radicals to emerge among Canadian Native people and that their struggle, their victories and defeats, are an important, if as yet largely ignored, part of our history.

In their discussion of the evolution of the Indian Act, Ponting and Gibbins refer to "a 1927 ban on political organizing."[5] The 1927 amendment to the Indian Act was not a ban as such, though it had that effect. Section 141 of the Act read:

> Every person who, without the consent of the Superintendent General expressed in writing, receives, obtains, solicits or requests from any Indian any payment or contribution or promise of any payment or contribution for the purpose of raising a fund or providing money for the prosecution of any claim which the tribe or band of Indians to which such Indian belongs, or of which he is a member, has or is

> represented to have for the recovery of any claim or money for the benefit of the said tribe or band, shall be guilty of an offence and liable upon summary conviction for each such offence to a penalty not exceeding two hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding two months. 6

In effect this meant that anyone seeking to represent the interests of an Indian band could not solicit money from any Indians without the written consent of the Superintendent General of Indian Affairs. The rationale given for this measure, interestingly enough, was precisely that of a problem with "outside agitators:"

> On 11 April 1924 Deputy Superintendent-General Scott asked Deputy Minister of Justice E.L. Newcombe for his opinion on adding a clause to the Act to prevent 'lawyers' and 'agitators' from collecting money from Indians to prosecute claims against the Government without first obtaining the Justice Minister's consent. This concern arose over some American lawyers who had solicited funds from the Onieda, St. Regis, Oka and Lorette Reserves to present a claim against the State of New York for lands 'which formerly belonged to the Iroquois Confederacy.' Subsequently, section 149A was added to the Act on 31 March 1927 empowering the Superintendent-General to impose penalties for soliciting funds from Indians without his written consent. 7

However, this amendment undoubtedly had an effect not simply confined to "American lawyers and agitators" and equally undoubtedly was intended to have such an effect. To understand this we need to examine the general state of Native political organization and activism at the time.

THE LEAGUE OF INDIANS

By the early 1920s one early Indian political association was declining in importance while two others were emerging. The Grand General Indian Council of Ontario and Quebec, formed in 1870 and largely a co-operative venture with Indian Affairs, was declining as an effective representative body in the face of competition from the more radical League of Indians.[8] Further west, meanwhile, the Allied Tribes of B.C. had formed in 1915 in

order to support the Nishga Indian land claims.[9] Both the League and the Allied Tribes were remarkable for the quality of their leadership and their foresight in recognizing the needs of Canadian Native people. In these early organizations lay the roots of modern Indian political associations--in some cases the linkage is direct--and the groundwork for the current struggles.

The League of Indians was largely the construct of one man, Frederick Ogilvie Loft. Loft was a Canadian Mohawk who had been a lieutenant in the First World War. As John L. Taylor notes:

> F.O. Loft was undoubtedly a man born before his time. His resources were insufficient to sustain and enlarge the organization he envisaged. He was nearly sixty when he began and he had to maintain full-time employment to support his family. In any case, one person could not have done all that was required. 10

According to his army record Loft was forty-two on enlistment, though Taylor asserts that Loft lied about his age in order to enlist. Loft's own correspondence indicate that he was in his sixties during his politically active years.

There is a sparse but growing interest and literature that deals with the League.[11] Unfortunately, the emphasis has almost exclusively been on the actions of the State in suppressing the League rather than on the League's aims. The story of the League deserves re-examination and careful reconsideration. At a Grand Council Meeting of Mohawks in Oshweken on December 29, 1918 the Oliver Act (on the sale of Indian lands) came under strong criticism and it was decided that a province wide and preferably nation wide political organization was needed to represent Indians. Loft was elected President and charged with building the organization. A founding convention was held in Sault St. Marie in September of 1919. Subsequent conventions were held in June 1920 (Manitoba), in 1921 (Saskatchewan) and in 1922 (Alberta). At this last convention some fifteen-hundred delegates were in attendance, making it no small affair. The League seems to have subsided in Ontario in 1924 (around the time Scott was writing to Newcombe proposing the 1927 amendment)

because of Loft's need to attend to his ill wife. Loft moved to Chicago in 1926 or 1927 to attend to his wife but the League had conventions in Ontario in 1925 and in Ontario and Saskatchewan in 1928.

The League then took root in the west. In 1931 a Convention of the League of Indians was held in Saddle Lake, Alberta at which it was reported that 1,344 Indians from Saskatchewan and Alberta were present. The next year a Western League of Indians Convention was held in Saddle Lake. In the summer of 1933 the Western League held a convention on the Poundmaker Reserve in Saskatchewan, while in the fall of the same year a convention was also held in Duffield, Alberta. Presumably this was when the League broke into Saskatchewan and Albertan chapters. The next summer provincial conventions were held in both Saskatchewan and Alberta. Joe Sampson, President, and David Peter, Secretary-Treasurer, were among the leaders of the Alberta League while Reverend Edward Ahenakew, President, and John B. Tootoosis, Executive Committee member, were among the leaders of the Saskatchewan League.[12] By 1938, according to Wayne Daugherty, conflict between the leaders led to a complete split between the two organizations. While the Saskatchewan branch ceased to exist after 1942, in Alberta the League continued, and in 1939 it reconstituted itself as the Indian Association of Alberta, which still exists.[13]

What is interesting about the League in the early twenties are its goals, as articulated by Loft, its effect in politicizing small, isolated Indian bands and the opposition it bred from the State. Although, as noted above, some documentation of the early history of the League has been attempted, these discussions tend to ignore Loft's goals and his own analysis of the situation of Canadian Indians.

Loft's first circular, dated November 26, 1919, was a powerful call to action and is worth careful examination. He began by noting that collective action was far superior to individual action:

> Union is the outstanding impulse of men today, because it is the only way by which the individual and collective

> elements of society can wield a force and power to be heard and their demands recognized. Look at the force and power of all kinds of labor organizations, because of their unions. . .14

He goes on to make the argument that Indians face the same difficulties and therefore need to co-operate: "we as Indians . . . are sadly strangers to each other; we have not learned what it is to co-operate and work for each other as we should; the pity of it is greater because our needs, drawbacks, handicaps and troubles are all similar."[15] Two points are worth emphasizing: First, Loft saw the League as a collective organization based on the model of labour unions and united farmworkers; and second, the basis of collectivity was that for Indians "from one end of the Dominion to the other"[16] their problems were the same.

Loft's circular then went on to outline the goals of the League and to discuss its relationship with the State. In essence he saw the League as a representative body, pressing forward Indian demands:

> The first aim of the League then is to claim and protect the rights of all Indians in Canada by legitimate and just means; second, absolute control in retaining possession or dispensation of our lands; that all questions and matters relative to individual and national wellbeing of Indians shall rest with the people and their dealing with the Government shall be by and through their respective band Councils at all times. . .17

In this short paragraph exists the foundation of modern Native people's demands: aboriginal rights, self-determination, and protection of a land base. In his discussion of the League's relationship with the State, Loft made a passionate appeal for self-determination:

> We will co-operate with the Government, but we must have its sympathy, encouragement and assistance to make good. To force or coerce us will do no good; justice and fair dealing is what we ask for. We are men, not imbeciles; from our view and standpoint we must be heard as a nation when we have to speak for ourselves. . .18

Unfortunately, "sympathy, encouragement and assistance" were the last things that the government had in mind when it came to the League. Loft clearly saw that it was their isolation, separation from each other and the mainstream, that conditioned the situation of Native people. In his November 27, 1919 circular he noted that "we are the forgotten elements in the mad rush for gold and fame."[19] It was this that he was trying to correct by forging a national voice for Canada's Native people.

While Loft did not challenge the assimilationist assumptions of his time--he seemed to think of some form of integration as an ultimate goal of Native people--his circulars posed a drastic challenge to the established order. In effect, they were a call for as much self-determination as anyone might have imagined feasible at the time. Loft essentially argued that Native people should be allowed to run their own lives. While he thought of this self-determination as a strategy that would better help Native people assimilate into non-Native society, the position was radical enough that in another context it could have led to a questioning of assimilation itself. The League therefore posed a problem to the State, which had developed a considerably extensive apparatus for monitoring and controlling Native people. This apparatus included a specific set of coercive legislative powers which were eventually brought to bear against Loft.

"A CONSIDERABLE UNREST"

Loft's efforts certainly had an effect. After the first convention delegates returned to their bands with an agenda of demands and grievances. In some cases this put them into direct confrontation with the Indian Affairs Branch in its local guise of Indian agent. For example, the minutes of one band council meeting for the Sarnia Council House in September of 1919 document in a beguilingly dispassionate style what must have been a fairly stormy meeting. The delegates to the convention reported:

> . . . another matter which he mentioned was that a certain number of white people at the Soo [sic] did not

> want the Indians to unite in the League of Nations for fear the unity of the Indians in this League of Nations might expose the wrong treatment of the Indian race by the Gov't [sic]. 20

Newspaper reports at the time frequently compared the League of Indians to the League of Nations so it is difficult to know if the reference above is a simple error or if the League of Indians saw itself as a League of Indian Nations, which is certainly possible. The report of the delegates continued as follows:

> John Jackson said that the delegates to the League of Nations from the Six Nations and other tribes were wise and clever men and during the session of the League of Nations this fact was brought out that the treaties made to the Indians have been violated and promises were broken . . . the sun is still shining and the river flowing yet but the promise is broken, and the Government has been defrauding the Indian of their timber and it will be brought out later on. (F.W. Jacobs here explained that it is a serious matter to charge the Indian Department of defrauding the Indians and warned these delegates not to make any statements which might create disrespect amongst the Indians against the Indian Department) but both Chief Daniel Otter and John Jackson reiterated their statement. 21

The Department of Indian Affairs had refused to pay the delegates for their expenses to the League meeting, so a vote was taken on whether the band should compensate the delegates from its own funds. The vote passed twenty-one to eleven, indicating substantial support for the "agitated faction." This whole episode was probably repeated, with greater or lesser degrees of intensity, all across the country. League meetings gave delegates who returned from them enough moral support and sense of direction that they could publicly challenge the Indian Affairs Branch and its local representatives.

Deputy-Superintendent General Duncan Campbell Scott began receiving reports from across the country from concerned Indian agents about the Native's 'growing restlessness.' For example a Sergeant Enright reported from the Piegan reserve near Brocket, Alberta in December 1919 that Loft's circulars "are causing considerable unrest amongst the Indians of this Reserve." The

concern of local Indian agents with this agitation was further evidenced by their willingness to supply Scott with whatever evidence and information they could obtain. The "agitation" of the League probably served to undermine the position of local agents. The conflict between Scott and Loft detailed below was undoubtedly reproduced in many different ways between local Indian leaders and Indian agents. Thus the agents seemed to have little sympathy for the League, as this 1921 report from an agent in Griswold, Saskatchewan indicates:

> Quite a number of the older Indians are busy having meetings over letters that they have received from some man in Toronto who calls himself Chief Loftus or Loftee. I understand from the Indians that he is trying to organize all the Indians in Canada so that he can take their grievances to the Department at Ottawa. . . . I only know what the Indians have told me about it. He certainly has got them worked up about it. I think this should be looked into. 22

Another Indian agent, writing from Fort Frances in December of 1919, was more succinct about the League, noting that "it looks like the I.W.W. or O.B.U. or Balshevick [sic]."[23]

All of this indicates, in the least, that amongst Natives at the time there was a desperate need for some kind of organization to present their grievances. The growing number of delegates to the League's conventions are a further indication of the support Native people gave it. Loft's early circulars had an electrifying effect on his constituency: meetings were held in reserves all across the country, particularly in Ontario and the prairie provinces, to discuss Loft's goals and to raise the five-dollar entry fee and five-cents per person dues. Loft seems to have carried on extensive correspondence with local Indian leaders across the country. A large part of it was probably taken up with the numerous difficulties and grievances local bands had with Indian Affairs. For many bands, the League represented an opportunity to articulate the fact that Indian Affairs was a part of the problem, not the path to a solution.

SCOTT AND LOFT

The State's treatment of the League is an interesting aspect of its early history and has received a good deal of attention, though again it is worth reviewing. Initially, the Department of Indian Affairs was fairly apathetic about the formation of the League and even relieved that this was not further activity on the part of an American "agitator."[24] The Department went so far as to approve an expense claim for delegates to the September convention in Sault St. Marie. However, when Loft's aims became known and when it became clear that the League was not going to be another Grand Council, the Department began refusing expense claims and even asked for the one they had approved to be returned.[25] Deputy Superintendent General Scott seemed to take Loft's activities personally, and very soon all his dealings with Loft were marked by unrelenting hostility. In late December he wrote to one of his agents noting, "I took particular interest in this fellow's [Loft's] daughter and we strained ourselves to give the girl advantages at Toronto University and this is the sort of thanks one gets for it."[26] Apart from whatever personal reasons Scott had for disliking Loft, the fact that Loft's activities created some of the first serious bad publicity for the Department and the fact that there was now a Canadian Indian travelling across the country denouncing the Department's rigid control of Indian affairs, must not have endeared Loft to him.

Loft's strategy in the fall of 1919 seems to have been a carefully thought out plan to stay away from lobbying Ottawa or the Department until the League built up his strength. In November of that year he wrote to a supporter in the west:

> Just at the present I am not bothering much with Ottawa people as I think it is best to be a bit shy until we get strong. I might say however I have sent a protest to the Minister against the 56th [clause] of the Indian Act which gives power to Mr. Scott to locate Indians who have been to war on Indian land, take a mortgage on a loan, without any reference to Indian Councils. I consider this to be a very unjust thing and rather highhanded I am not against the soldier, but I object to any law that [precludes] the people and council from their rights. . .27

A few things are worth noting here. First, Loft was willing to go outside the Department to lobby on important issues. That would undoubtedly enrage the top level bureaucrats whose job was to assure the politicians that the Indians were "under control." Second, as noted above, in the fall of 1919 Loft was waiting until his organization grew in strength to begin the real struggle with Ottawa. Third, the particular issue he wrote to the Minister about was an important one: the Soldier Settlement Act of 1919 gave the government the right to force bands to surrender reserve land for the use of individual veterans. Lastly, Loft is here again protesting the Department's political control over local Indian affairs.

By the next summer the situation had progressed to the point where Loft was trying to lobby politicians and the Department was growing more concerned. In mid-June Scott wrote: "it would seem essential that the Department should as far as possible curb or at least keep informed as to Loft's activities."[28] In August of 1920 the Toronto Star Weekly quoted Loft as saying: "if anything is responsible for the backwardness of the Indians today it is the domineering, dictating, vetoing method of the Indian Department."[29] It is not surprising that the next fall saw Scott determined to use all his powers in order to limit or undermine Loft's activities.

Early in October of 1920 Scott had written to Major Gordon Smith, the Indian Superintendent of Brantford, noting that "it has occurred to me that Mr. F.O. Loft . . . should be eligible for enfranchisement under the provisions of the Indian Act as amended last session of Parliament."[30] Just over a month later a letter was drafted informing Loft "that the Department is considering the question of your enfranchisement, under the recent amendments to the Indian Act."[31] The letter was not sent immediately, but it certainly was sent within a few months, because by February of 1922 Loft was passionately lobbying for his Indian status.

This aspect of the struggle is particularly interesting. It illustrates the cynicism with which the Department viewed

enfranchisement: one of its purposes was to remove troublemakers and educated Indians from the ranks of Indians as a whole. The League lobbied against legislation proposing to automatically enfranchise returned soldiers. Loft fought with grim determination for his own Indian status, writing to Senator Sir James Lougheed, then Superintendent General, that:

> It is my desire most respectfully to submit to you my most earnest dissent and disapproval of being enfranchised, on principle and ethics of it which involves denationalization. To be branded as an outcast from the bosom of my kin and native heath, would be to inflict a stigma on my conscience that could never by expiated. . . . For the sake of my race I hold exceptional pride in my present status. . . . we should be encouraged rather than discouraged by being made alien by force of law to foreswear our nationality. 32

Lougheed sent a copy of Loft's letter to Scott, who wrote back saying "I have perused the attached letter from Mr. F.O. Loft. I fail to see wherein the sentimental and racial considerations upon which he lays so much stress, constitute a reason why he should remain a ward of the Crown."[33] Scott also noted that in 1905 Loft had applied for enfranchisement and that the Department would give ample opportunity for Loft to discuss his case with it directly. Loft in the end won his struggle to maintain his Indian status, largely with the support of his own band, and thus warded off this particular attack on him by the Department.

INDIAN AFFAIRS AND THE LEAGUE OF INDIANS

A crucial phase of the League's dealings with the Department occurred in the fall of 1921. Loft wrote to W.M. Graham, the Indian Commissioner for western Canada, about two complaints that had been directed his way. One reserve complained to Loft that surveyors had been working on their land without explaining why they were there. Another reserve complained that its timber was being sold at far below its market value. Graham replied to Loft a few days later and provided Loft with the information he sought: the surveyors were dividing the land to assist Indians in using plots of it for farming and the local Indians had been so

informed; the timber had been sold for the highest price offered. On the same day, Graham wrote Scott that "I did not wish to start a correspondence with this man . . . . Still, I cannot ignore his letters."[34] Scott had his assistant, McLean, write to Loft: "I have asked Mr. Graham to send any further communication of yours to headquarters for action . . . . the matters to which you refer are being dealt with by the Department."[35] At the same time, Scott wrote to Graham:

> I think it would be advisable to send all communications addressed to you by Mr. F.O. Loft to headquarters without even acknowledging them, and we could send the necessary reply. . . . This educated Indian is one of a small number who are trying to gain prominence and perhaps a little extra cash from organizing a society and posing as friend of the Indians, and from the first I have refused to allow him to thrust himself into the administration of the Department. 36

What is important about this exchange is that it determined Loft's ability to act as a representative of Native people to the Department and to present their grievances to it. By deciding to ignore him the Department was undercutting his ability to act for his people. They were also forcing him to go outside the Department to effect changes, a strategy Loft was already using.

The exchange of letters was not over, however. Loft replied to the letter from McLean as follows:

> This notice I may say is quite satisfactory to me, for it is absolutely immaterial to me which official or branch of the Department deals with the matters embraced in the subject of my letter to him. . . so long as I may be supplied with the information I have corteously [sic] asked for. . . . I trust you will be so kind and condescending as to enlighten me upon the subjects more clearly than is at my command at the present moment. 37

The final blow in this particular struggle came from McLean on November 25, 1921: "the Department is unable to recognize you as the channel of communication demanding information in regard to the Department's administration of the affairs of the bands referred to."[38] Loft should hardly have been surprised. He must have known that the Department was not sanctioning his activities

through their refusal to pay expenses of delegates to League conventions. He also must have known that his public criticisms of the Department would not have made him popular with it. Still, it was a major strategic loss for him: one important activity the League could perform, presenting grievances to the Department for action, was denied him.

As this exchange was taking place the Department began to consider another counter-attack on Loft. In late November Graham wrote to Scott about a meeting of six-hundred Indians Loft had organized in Battleford, Saskatchewan, suggesting: "would it not be advisable to prohibit this man from visiting Reserves, for meetings of such a nature must tend to unsettle the Indians?"[39] A number of Indian agents made the same suggestion. Scott did not think it was legally possible to restrict Loft's movements. Loft was by all accounts a powerful orator and a fairly popular media figure, which also may have influenced Scott's caution in this regard. Instead he had League meetings carefully watched, kept Loft under surveillance, and seemed satisfied to have extra Mounted Police on patrol at reserves where League meetings took place.[40]

Loft had already devised a strategy for circumventing the Department by appealing directly to Parliament. This aspect of the League's history is interesting because it prefigures the tactics of later political organizations representing Native people. Loft had appeared before a Committee of the House of Commons on Indian Affairs in 1920, and must have felt there was room to maneuver through direct access to Parliament. In late February, 1921 he wrote to Lougheed requesting the latter set up a Standing Committee of the House of Commons on Indian Affairs.[41] Lougheed referred the matter to Scott, who reiterated his feelings that Loft was simply self interested and suggested to Lougheed that "what he ought to get is a good snub."[42]

A year later Henry Jackson, an Indian on the Grand Council of Ontario, wrote to Scott inquiring about the League and noting Loft's claim that "the League of Tribes deals direct to parliament which will be more satisfactory to the Indians."[43] McLean

responded to Jackson by stating that "the Department has in no way recognized Loft's pretensions as a representative of any group of Indians in Canada." He went on to request that Jackson provide the Department with "tangible evidence" of Loft's activities for their "consideration and guidance."[44] Jackson responded to this with his minutes of Loft's address to a meeting in Parry Sound, Ontario the preceding June.

Although these minutes are from an admittedly antagonistic source they seem to accurately represent what must have been Loft's strategy at the time. According to Jackson, Loft had said:

> The League of Indians aim to secure legislation from the Government over the Dept.[sic] of Indian Affairs. The League of Indians through political influence will introduce a bill in Parliament next Session to create a Committee of the House of Commons to deal with Indian questions of which Mr. Scott is doing everything to block. 45

Loft claimed success in gaining the right to make representation for Indians before the Committee and in "adjusting" problems of hunting rights for Indians in British Columbia. He also argued that the League was more useful than the Grand General Council precisely because it dealt directly with Parliament and not, as in the case of the latter, with the Indian Affairs Department.

THE END OF LOFT'S LEAGUE

The final chapter of the League's history has essentially to do with Loft's declining activity and the Department's final assault on the League. After 1924 the League began to reduce its activities when Loft had to attend to his wife's health problems. Loft moved to Chicago, his wife's home, for four years in the late twenties.[46] Loft's greatest failure seems to have been his inability to find a group of Indian leaders in Ontario who could work with and ultimately replace him. In 1931 he returned to Toronto and made one last attempt to struggle for the rights of Canadian Indians.

Meanwhile the Indian Affairs Department was busy. In 1924 Scott began inquiring about the possibility of an amendment to the

Indian Act forbidding people from soliciting funds from Indian bands without the Department's express consent. Scott continually attempted to imply that Loft was an opportunist, primarily out to gain "a little extra cash" from his political activities. Certainly from the copies of the early circulars that Scott had he could take note of Loft's appeal that "money is always required to pay for paper, stamps and other expenses."[47] In 1927 section 141 of the Indian Act was added making it illegal to solicit funds from Indians or bands without the permission of the Department.

In the early thirties Loft returned to Toronto with a plan to take a legal test of Provincial hunting laws that were restricting Indian hunting rights to the Privy Council in Great Britain. He wrote a circular asking bands to contribute money for himself and a lawyer to go to England.[48] On receipt of a copy of the circular Scott immediately proposed prosecuting Loft in accordance with the 1927 amendment to the Indian Act. He asked Indian agents and the RCMP to try and obtain a copy of the circular that had been sent to someone closer to Toronto, so a witness closer to the court where Loft would be prosecuted would be available.[49] Loft, meanwhile, had written to a friend in the west that:

> I am not going to ask your people or other members of The League for any more dues. I make you and all honorary [sic] members. All I ask of you is your good-will and reasonable respect in my attempts to serve my race honestly and with a clear conscience. 50

The response to Loft's last circular was not encouraging, perhaps because Loft did not have the resources and strength necessary to personally travel and galvanize support for his cause. He might also have been afraid of prosecution.[51] Scott made a good effort at doing so. He had copies of Loft's last circular sent from across the country. In the end, however, Loft was not prosecuted. Scott may have realized that Loft no longer posed a serious threat, since by then the latter was in his seventies.

CONCLUSION

In the end, Loft's League of Indians was a failure. He did not develop a national representative political organization for Canadian Indians. The reasons for this are partly his own: he does not seem to have been successful at involving a strong group of leaders who could eventually succeed him at the national level. Undoubtedly the League's failure is also due in large part to the systematic antagonism the Department displayed towards it. It is also worth noting here the structural difficulties encountered by Loft: he was attempting to organize very diverse peoples scattered across the country in the face of organized opposition and minimal resources.

However, the League left many important legacies, not least of which was to lead the struggle for Native rights at a time when there was no formal or institutional mechanism to allow for it. In the 1960s the very influential Survey of the Contemporary Indians of Canada by H.B. Hawthorn, commissioned by the federal government, noted that Native political activity was absent prior to World War Two. Hawthorn argued that "the basic reason for the absence of Indian pressure on governments for most of the post-confederation period is simply that they were formally outside the federal and provincial political systems."[52] This influential view is simply incorrect. The political struggle of Native people prior to their formal incorporation into the political system--through enfranchisement--was not an easy one, as the history of the League attests, but it did take place on the initiative of Native people and it did have some lasting results.

On the one hand, it led directly to the formation of the Western League and a political organization in Alberta that still exists. Loft's example served to galvanize some of the Indian leaders who would follow him. His tactic of circumventing the bureaucrats and dealing directly with Parliament was important and a lesson to those who came after. As Richard R.H. Luegar has pointed out, "Loft was the first Indian leader to successfully use public relations as a means of promoting his cause to a broad audience."[53] Loft put pressure on both the Department and

Parliament and achieved many of his immediate objectives. He made the upper echelons of the Department aware that their control over Canada's Indians was not total, that they had to think more seriously of the demands of their "wards."

There is something else absolutely crucial to recognize about the League's history. What Loft attempted to organize was a self-supporting, independent organization representing Indians. It was to be financed by dues placed on local bands. In this way it would be totally self-sufficient and totally outside of the control of government. The League was finally undone by a law expressly prohibiting that kind of organization. Indians could be politically organized--there was no law prohibiting that--but their organizations could not be based on subscriber funding. When we deal today with the issue of state funding for Native groups and the common complaint that Indians "bite the hand that feeds them" we should remind ourselves of who did the biting first, of who set the terms that allowed Natives no other options and who consciously used all of its good offices to prevent a thoroughly independent national Native political organization from developing.[54]

The League of Indians represents an early attempt by Canada's Native people to voice their opposition to the control over their lives that had been given to the Department of Indian Affairs. Its existence is evidence that during the early part of the twentieth century they were not silent, passive observers of their destiny but rather actively struggling for a place as Native people in Canada. The League was not just one person, though the records left behind force us to focus on that aspect of it. The League was fifteen-hundred Indians attending a convention in the summer of 1922. It was Indians from all across the country returning to their reserves with moral support for their local struggles against Indian agents. It was Native people meeting each other in an "agitated state" to discuss new ideas and begin to enumerate their grievances. It was an idea well ahead of the time when it would become a reality though not at all ahead of the time it was needed. It was certainly "a considerable unrest."

It is also important to acknowledge that the nature of the struggle the League fought was primarily defensive. It seems to have largely been reactive rather than able to grasp the initiative: not surprising given the context. The issues it spoke to--forced enfranchisement of returned soldiers, erosion of traditional hunting rights, control over land--were issues precisely because the State was attempting to implement or initiate a policy. All of these issues fall under the rubric of self-determination broadly speaking and help provide us with the beginnings of a historical context for defining that term. That is, the broader issue was one of political control: the League maintained that Native people, not the State, should have control over who is an Indian, where Indians can or cannot hunt, and whether Native lands can be sold. The Department maintained that Indians were wards of the State whose ultimate goal should be to become equal, assimilated, enfranchised Canadians. Loft himself does not seem to have questioned the basic premise that Native people should eventually be assimilated, but this did not prevent him from struggling for rights for Native people as Native people. This was the core of the League's existence and the idea that it would pass on to succeeding generations.

NOTES

[1]In recent years the term "Native" has come to be used as a broad category that includes status and non-status Indians. In the 1920s, and in Loft's writings, the word "Indian" is used in this broad fashion. As a result, in this paper I use the term Indian interchangeably with Native rather than as a specific designation for status Indians.

[2]It is important to emphasize that the shift we are postulating is of a general nature. Exceptions can easily be found in which groups of Native people in the twentieth century struggled on the economic terrain and with an economic base. Nor can the terms "economic" and "political" be seen as mutually exclusive. The recent political struggles obviously have economic implications and an economic side. Similarly, earlier struggles for economic benefits during the fur industry period had immediate and powerful political aspects. However, inasmuch as there is a major thrust to those struggles it is worthwhile pointing to a shift in the relation between these two terrains. As noted above, the shift is symbolized by the fact that in the recent period it is the

State, rather than private capital or merchant wealth, that has become the primary oppressor of Native people.

[3]Murray Dobbin, The One-and-a-Half Men (Vancouver: New Star Books, 1981). A number of biographies of Native leaders have made the first move at filling this gap.

[4]J. Rick Ponting and Roger Gibbins, Out of Irrelevance (Toronto: Butterworth and Company, 1980), p. 25. For a similar account, see Sally M. Weaver, Making Canadian Indian Policy (Toronto: University of Toronto Press, 1981), p. 13.

[5]Weaver, p. 13.

[6]Department of Indian and Northern Affairs Canada, Indian Acts and Amendments: 1868-1950, 2nd Edition (Ottawa: 1983), p. 142. A case can be made that the amendment was also directed at the Nishga Land Committee and the Allied Tribes of British Columbia.

[7]John Leslie and Ron Maguire, eds., The Historical Development of the Indian Act (Ottawa: Indian and Northern Affairs Canada, 1984), p. 120.

[8]Wayne Daugherty, A Guide to Native Political Associations in Canada (Ottawa: Indian and Northern Affairs Canada, 1982), p. 13.

[9]Ibid., p. 13. For a more detailed analysis of the situation in British Columbia, see Paul Tennant, "Native Political Organization in British Columbia, 1900-1969: A Response to Internal Colonialism," B.C. Studies, No. 55, (Autumn, 1982), pp.3-49.

[10]See John Leonard Taylor, Canadian Indian Policy During the Inter-War Years, 1918-1939 (Ottawa: Indian Affairs and Northern Development, 1984), pp. 167-185.

[11]By John Leonard Taylor and by Wayne Daugherty. As well, two recent biographies have chapters on Loft. These are: E. Brian Titley, A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada (Vancouver: University of British Columbia Press, 1986), an excellent review of the League's history which focusses on Scott's attempts to undermine it, and Norma Sluman and Jean Goodwill, John Tootoosis: A Biography of a Cree Leader (Ottawa: Golden Dog Press, 1982) which situates Loft's struggle in the western Canadian context. I am indebted to Linda Jaine for calling my attention to the former.

[12]Information on League conventions was compiled from Public Archives of Canada (PAC), Record Group (RG) 10, Volume 3212, File 527, 787-4.

[13]Wayne Daugherty, p. 17.

[14]PAC, RG10, Vol. 3212, File 527, 787-4, F.O. Loft, November 26, 1919.

[15]Ibid.

[16]Ibid.

[17]Ibid.

[18]Ibid.

[19]PAC, RG10, Vol. 3212, File 527, 787-4, F.O. Loft, November 27, 1919.

[20]PAC, RG10, Vol. 3212, File 527, 787-4, Sarnia Council House Minutes, September 25, 1919.

[21]Ibid.

[22]PAC, RG10, Vol. 3212, File 527, 787-4, Indian Agent McDonald to W.M. Graham, January 13, 1921.

[23]PAC, RG10, Vol. 3212, File 527, 787-4, Indian Agent J.P. Wright to D.C. Scott, December 20, 1919. The International Workers of the World (IWW) and One Big Union (OBU) were important socialist movements at the time. "Balshevik" refers to the Bolshevik party in Russia which had just secured its power base following the revolution in 1917.

[24]See J.L. Taylor, pp. 173-174. For more information on Chief Thunderwater, the agitator referred to, see Titley, pp. 97-100.

[25]Ibid.

[26]PAC, RG10, Vol. 3212, File 527, 787-4, Scott to Wright, December 31, 1919.

[27]PAC, RG10, Vol. 3212, File 527, 787-4, Loft, November 25, 1919.

[28]PAC, RG10, Vol. 3212, File 527, 787-4, Scott, June 16, 1920.

[29]Toronto Star Weekly, Saturday, August 28, 1920.

[30]PAC, RG10, Vol. 3212, File 527, 787-4, Scott to Major Gordon Smith, October 8, 1920.

[31]PAC, RG10, Vol. 3212, File 527, 787-4, J.D. MacLean to Loft, November 20, 1920.

[32]PAC, RG10, Vol. 3212, File 527, 787-4, Loft to Senator Sir James Lougheed, February 14, 1921.

[33]PAC, RG10, Vol. 3212, File 527, 787-4, Scott to Lougheed, February 18, 1921.

[34]PAC, RG10, Vol. 3212, File 527, 787-4, Loft to W.M. Graham, November 9, 1921; Graham to Loft, November 14, 1921; Graham to Scott, November 14, 1921.

[35]PAC, RG10, Vol. 3212, File 527, 787-4, McLean to Loft, November 19, 1921.

[36]PAC, RG10, Vol. 3212, File 527, 787-4, Scott to Graham, November 19, 1921.

[37]PAC, RG10, Vol. 3212, File 527, 787-4, Loft to McLean, November 22, 1921.

[38]PAC, RG10, Vol. 3212, File 527, 787-4, McLean to Loft, November 25, 1921.

[39]PAC, RG10, Vol. 3212, File 527, 787-4, Graham to Scott, November 29, 1921.

[40]PAC, RG10, Vol. 3212, File 527, 787-4, For example, see C.W. Kirby to Scott, May 26, 1922 asking for an extra detachment of RCMP officers during the League meeting in Hobbema, Alberta and Scott's positive reply, June 5, 1922.

[41]PAC, RG10, Vol. 3212, File 527, 787-4, Loft to Lougheed, February 14, 1921.

[42]PAC, RG10, Vol. 3212, File 527, 787-4, Henry Jackson to Scott, February 23, 1922.

[43]PAC, RG10, Vol. 3212, File 527, 787-4, Scott to Lougheed, February 21, 1921.

[44]PAC, RG10, Vol. 3212, File 527, 787-4, McLean to Jackson, March 6, 1922.

[45]PAC, RG10, Vol. 3212, File 527, 787-4, Loft, June 1921, as quoted by Jackson, letter to D.C. Scott, March 20, 1922.

[46]Taylor, p. 168.

[47]PAC, RG10, Vol. 3212, File 527, 787-4, Loft, November 26, 1919.

[48]PAC, RG10, Vol. 3212, File 527, 787-4, Loft, March 31, 1931.

[49]PAC, RG10, Vol. 3212, File 527, 787-4, Scott, April 29, 1931.

[50]PAC, RG10, Vol. 3212, File 527, 787-4, Loft, March 25, 1931.

[51]As suggested by Titley, p. 109.

[52]H.B. Hawthorn, editor, A Survey of the Contemporary Indians of Canada, Volume 1 (Ottawa: Indian Affairs Branch, 1966), p. 364.

[53]Richard R.H. Luegar, A History of Indian Associations in Canada (1870-1970), Unpublished, MA Thesis, Carleton University, 1977, p. 139.

[54]The same point is made, in a different way, by Douglas Daniels in "The Coming Crises in the Aboriginal Rights Movement: From Colonization to Neo-Colonialism to Renaissance," Native Studies Review, Vol. 2, No. 2, (1986), see especially pp. 101-103.