

either French-Indian or Indian-French. It was only in the Northwest, far from centres of colonial authority, that the mixed bloods had the freedom to develop a sense of separate identity. In the United States, where white settlement, once it breached the barrier of the coastal mountain ranges, developed much faster and on a much larger scale than in Canada, a separate Métis identity never had a chance to emerge. In the American Midwest, a common term in the nineteenth century used to refer to mixed bloods living Amerindian style was "Canadian Cree." Similarly in Latin America, it is cultural conformity rather than biological makeup that is the determining factor, and there is no cultural space for *mestizos* as a separate group. In the Americas, the western Canadian experience is unique.

Payment's grasp of detail, so sure when she is dealing with the Métis, is shakier when she ventures into other fields. When she writes that treaties and land surrenders began in central Canada in 1764, she is overlooking what happened in the Maritimes before that; and when she says that "Huron villages or reserves" were established between 1680 and 1750, she is forgetting about the mission village of Sillery, established outside Quebec City for Amerindians in 1637, and the Abenaki villages established on the South Shore in the 1660s and 1670s. Perhaps more important, for the history student, is the lack of an index.

Such oversights apart, this work makes a substantial contribution to the history of Canada's Métis.

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Metis Lands in Manitoba, by Thomas Flanagan. Calgary: University of Calgary Press, 1991. Pp. 245.

This publication by Professor Flanagan is the last in a series of books and articles critical of the concept of aboriginal rights as they apply to the Métis. Flanagan was a policy strategist for the Reform Party and there is a strong undercurrent of the party's ideology in the book, more specifically in the support of principles of "rule of law" and assimilation into Anglo-Canadian society.

Flanagan's study is a response to the work of D.N. Sprague, *Canada and the Métis, 1869-1885* (Waterloo: Wilfrid Laurier University Press, 1988), for the Manitoba Métis Federation in support of land claims pursuant to the Manitoba Act of 1870. The case of *Dumont vs. Attorney General of Canada and Manitoba* is pending before the courts. In 1990, the Supreme Court of Canada ruled that it should be heard on its own merits, but the federal Department of Justice has been attempting to roadblock the Métis case. In this light, it hired Thomas Flanagan to review and evaluate the existing historical data. Flanagan has been assisted by Gerhard Ens and other academics whose work has brought out evidence against Métis land claims in Manitoba.

The essence of Flanagan's argument is that the Canadian government "fulfilled, indeed overfulfilled its obligations to distribute the 1.4 million acres" (p. 65) to the Métis under section 31 and confirm title to lands occupied under section 32 of the Manitoba Act. Admittedly there were some unfortunate misunderstandings and faults in government policy, and some of its officials were prejudiced against the Métis, but there was no massive fraud or conspiracy. He contends the law was rigorously respected. Furthermore, the government's implementation of the Manitoba Act "produced a veritable cascade of benefits on Metis families." (p. 227) The government was not paternalistic towards the Métis, nor did it limit their inherent right to dispose freely of their lands. Indeed, some Métis speculated themselves and exploited their own. They were not "hapless victims" but disposed freely and knowingly of their property in Manitoba. In addition, speculation in Métis lands was beneficial to the economy of Manitoba, in conformity with the principle of private enterprise and an open-market system. Flanagan's argument is inflammatory discourse which is both cunning and adroit in its attempt to justify conquest and discredit the Métis.

Flanagan opens his case with an emphasis on his use of "facts" and "scholarly objectivity." He reviews and cross-checks many of D.N. Sprague's sources. Upon noting a few inevitable discrepancies and possible errors he concludes that the author is not "accurate" and that he (Flanagan) will proceed with a "fresh" account. However, it does not seem that he has done a great deal of new research. And, contrary to Flanagan's claim, there is no such thing as a "factual story." (p. 10) There are many truths. Flanagan has chosen to tell us one version based on government records (exclusive of Ritchot's diary and some of Riel's writings) and, one might also suggest, on the testimonies of officials such as J.S. Dennis, J.C. Schultz, D. Codd and E.B. Wood, whom he cites and who were acknowledged opponents of the Métis. There is no attempt to incorporate Métis oral evidence or explore the "collective memory" of these events. Yet a Canadian court will have to consider Métis custom and law and deal with both oral and written evidence, on their own merit.

The author adheres to the principle of colonial rule and conquest. The Métis of the Red River Settlement were subservient to the authority of the Hudson's Bay Company, and the Métis of Manitoba were subject to British, and subsequently Canadian, law. There is no acknowledgement or consideration of the traditional Métis relationship to land, which is cosmocentric rather than anthropocentric. In a cosmocentric world view, land is intrinsically linked to one's harmonious existence and cannot be sold, its inherent right extinguished or ceded. This cultural perspective can be expected to have had some impact on Métis actions in the face of aggressive, acquisitive and pecuniary newcomers and their institutions in the 1870s. There is oral and written evidence to support the argument that the Métis wanted bloc settlement or a home base to maintain a distinctive community life. This was not available in Manitoba under the government's interpretation and implementation of the Manitoba Act. The Métis were dealt with unilaterally through legislation and orders in council, and the negotiated settlement achieved by

Riel's provisional government was not respected. Flanagan's statistical analyses of records of land grants and land sales (chapters 5 and 6) may be used to support and defend government actions, but they only tell part of the story. The data are incomplete, as many Department of the Interior files were "stripped" before transfer to the archives, and there are many discrepancies in the "paper trail." Métis oral and written testimonies about land claims and scrip attest to fraud, coercion, and discouragement in the face of uncertainties and delays. One need only speak to elders in the Batoche area to document the enduring view: "*on m'a volé mon scrip*" (for example, Mme Délia Régnier McDougall as told repeatedly to her daughter, now in her 80s and living in St. Louis). Poverty was also a factor, especially in the selection of money rather than land scrip. The *gens libres* did not want to be subjected to the restrictive paternalism applied to the Indians and insisted that scrip be negotiable. But they did not have the legislative or judicial power to uphold their interests. One of Flanagan's collaborators acknowledges that some dispossession resulted from the aggressive capitalism pursued by the Canadian government and that the prejudice and intolerance of Canadian newcomers influenced the Métis to leave Manitoba (G. Ens, "Dispossession or Adaptation?: Migration and Persistence of Manitoba Metis, 1835-1890," *Canadian Historical Association Papers* (1988): 120-44). Ultimately, the most incriminating evidence is that the Métis failed to benefit from the Manitoba Act and did not obtain a land base in Manitoba as intended, whether they sold their land voluntarily or involuntarily.

Perhaps a key issue in this argument, as stated by Flanagan, is the different Métis and government understandings of the Manitoba Act. Riel and his principal negotiator, l'Abbé Joseph-Noël Ritchot, wanted to secure a land base for the Métis and entrench political, linguistic and religious rights. The respect of the agreement or "treaty," as Riel and the Métis called it, would have ensured Métis control and a gradual political and economic transition in Manitoba. But the Macdonald government and Canadian business wanted to "unlock" the land for Euro-Canadian settlement and investment. It was this view that was upheld and implemented.

A "balanced" evaluation of Métis and Canadian government responses to the Manitoba Act will have to consider moral as well as legal issues, from both cultural perspectives. Two important recent publications will assist in this task. They are Samuel E. Corrigan and Lawrence J. Barkwell, *The Struggle for Recognition: Canadian Justice and the Métis Nation* (Winnipeg: Manitoba Métis Federation, 1991), and Paul L.A.H. Chartrand, *Manitoba's Métis Settlement Scheme of 1870* (Saskatoon: University of Saskatchewan Law Centre, 1991). Louis Riel has finally been recognized as a founder of Manitoba, although not *the* founder. Hopefully the next step will be the vindication of his people as the founders of Manitoba.

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