

Justifying the End of Official Bilingualism: Canada's North-West Assembly and the Dual-Language Question, 1889-1892¹

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Introduction

In the months preceding the opening of the first North-West Assembly on October 31, 1888, and then again during the assembly's initial sessions, the territorial newspapers assailed the French language and official bilingualism, praised the ascendancy of the English language and the British heritage, and appealed for the creation of a homogeneous Canadian nationality.² The newspaper editors, like the assembly members and the territorial population as a whole, were predominantly Ontario-born immigrants, recently arrived in Canada's North-West and strongly imbued with the vision of a united English-speaking Canada. Very few realized, at first, that the French language enjoyed official status in the North-West Territories and had done so, at least on a formal basis, since 1877. This reality struck home, however, when—to the shocked disbelief of the newly elected legislators—Lieutenant-Governor Joseph Royal delivered his first speech from the throne in both English and French. Assemblyman Hugh Cayley, a Toronto-born lawyer, then-owner and editor of the *Calgary Herald*, subsequently

1 I am grateful to my colleague Claude Couture and the JOURNAL's anonymous referees for challenging me to place this study in the context of English-Canadian nationalism and its historiography, and then generously suggesting ways that this might be done.

2 See, for example, Manoly R. Lupul, *The Roman Catholic Church and the North-West School Question: A Study in Church-State Relations in Western Canada, 1875-1905* (Toronto: University of Toronto Press, 1974), 42-50.

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raised the "dual language question" at the next legislative session and, after a brief debate, the assembly resolved overwhelmingly to petition the federal government for its abolition. Benjamin Richardson (Wolsley), a teacher-turned-farmer born in York County, Ontario, reported that "the sentiment of the country was strongly in favour of one language and one nationality."³ Thomas Tweed (Medicine Hat), a former textile manager from Kingston, Ontario, concurred: "There was a sentiment throughout the country that the abolition of the dual language should take place. . . . We should aim at having one Canadian nationality."

The resulting controversy was, in the words of Donald Creighton, "as prolonged and bitter as anything in Canadian history."⁴ English-Canadian nationalists, regardless of party or region, were alarmed by the undeniable evidence that Confederation had failed to bring about either national unity or cultural homogeneity.⁵ Quite the opposite: French-speaking identity appeared stronger than ever in Quebec and, worse yet, was expanding rapidly into New Brunswick, Ontario, Manitoba and the North-West.⁶ D'Alton McCarthy, Conservative member of parliament (1876-1898) for the Ontario riding of Simcoe North, and an outspoken champion of English-Canadian nationalism, led a vociferous campaign against any such signs of French-speaking expansion

3 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

4 Donald Creighton, *Towards the Discovery of Canada: Selected Essays* (Toronto: Macmillan, 1972), 82. This conclusion is repeated elsewhere in the same collection, notably on pages 241 and 264.

5 Carl Berger has described the various strands of Canadian nationalism within the imperialist movement and clearly documented their aspirations for a united English-speaking nation (Carl Berger, *The Sense of Power: Studies in the Ideas of Canadian Imperialism, 1867-1914* [Toronto: University of Toronto Press, 1970]). Others have convincingly argued that this nationalism, burgeoning in numbers but thwarted in achievement, provided fertile ground for the subsequent eruption of a national crisis. See, for example, A. I. Silver, *The French-Canadian Idea of Confederation, 1864-1900* (2nd ed.; Toronto: University of Toronto Press, 1997), 250-51; also J. R. Miller, *Equal Rights: The Jesuits' Estates Act Controversy* (Montreal: McGill-Queen's University Press, 1979), 183-84.

6 Goldwin Smith's troubled description of Canada and its political situation exemplified these concerns: "[a] large part of her is French. Not only is it French, but it is becoming more French daily, and at the same time increasing in magnitude. . . . The French are shouldering the British out of the city of Quebec . . . they are encroaching on the British province of Ontario, as well as overflowing into the adjoining states of the Union . . . the work of conquest has been undone" (Goldwin Smith, "The Political History of Canada," *The Nineteenth Century* 20 [1886], 14-160). See also Smith, *Canada and the Canadian Question*, intro. by Carl Berger (Toronto: University of Toronto Press, 1971), 168-70. Relevant extracts from these two works are reprinted in Carl Berger, *Imperialism and Nationalism, 1884-1914: A Conflict in Canadian Thought* (Toronto: Copp Clark, 1969), 13-21.

Abstract. During a three-year period beginning in 1889, Canada struggled through a bitter identity crisis as militant English-Canadian nationalists rallied support for their vision of a homogeneous English-speaking country. In the eye of this storm was a North-West Legislative Assembly determined to abolish official bilingualism and assimilate its French-speaking minority. This article examines the origins of the North-West's "dual language question" and critically evaluates justifications given for the suppression of the French language. In their debates, the North-West legislators grappled with enduring issues of national unity, economic efficiency, majoritarian democracy and political legitimacy.

Résumé. Entre 1889 et 1891, la lutte menée par les nationalistes canadiens-anglais en vue de faire accepter leur vision d'un Canada exclusivement anglophone a plongé le pays dans une amère crise d'identité. La volonté de l'assemblée législative du Nord-Ouest d'abolir le bilinguisme officiel et d'assimiler la minorité francophone constitua l'élément central de cette crise. Cet article analyse les origines du débat sur le dualisme linguistique dans le Nord-Ouest et procède à une évaluation critique des arguments invoqués en vue de justifier l'élimination de la langue française. Il montre que, dans le cadre de leurs débats, les législateurs du Nord-Ouest ont été confrontés aux problèmes de l'unité nationale, de l'efficacité économique, de la démocratie majoritaire et de la légitimité politique.

or encroachment, in Ontario or elsewhere. In a particularly celebrated speech, delivered to his constituents on July 12, 1889, McCarthy declared: "This is a British country, and the sooner we take in hand our French Canadian fellow subjects and make them British in sentiment and teach them the English language, the less trouble we shall have to prevent."⁷ He targeted his province's French-speaking minority in particular, and demanded that "the schools of Ontario must be English schools."⁸ With "burning shame," he also confessed that he had only recently learned of a Canadian law establishing French as an official language in the North-West, even though this law had been "twice re-enacted" during his term in parliament. "I can only redeem myself by moving at the earliest occasion next session in Parliament that this law be wiped from the statute books." Three weeks later, speaking in Portage la Prairie, Manitoba, he repeated most of his earlier remarks, once again condemning Ontario's French schools "of which there were over fifty, contrary to the public school law."⁹ This time, however, he also praised the Manitoba government for its reported plans to abolish the official use of French. Joseph Martin, the

7 J. S. Willison, *Sir Wilfrid Laurier and the Liberal Party: A Political History*, Vol. 2 (Toronto: George N. Morang, 1903), 53. McCarthy also added, near the end of his speech: "Now is the time when the ballot box will decide this great question before the people; and if that does not supply the remedy in this generation bayonets will supply it in the next."

8 "Mr. McCarthy's Speech," *The Toronto Mail*, July 13, 1889.

9 "McCarthy's Speech," *Manitoba Weekly Free Press* (Winnipeg), August 8, 1889. Extracts from this speech have been conveniently reprinted in Lovell Clark, *The Manitoba School Question: Majority Rule or Minority Rights?* (Toronto: Copp Clark, 1968), 36-38.

attorney-general, hesitantly confirmed this, and then went on to explain that "he was an Englishman" and "this was an English country," that French was "a foreign language" and "we should speak the language of the country." As a minister, his most disagreeable task was "that of signing documents and vouchers for public documents and statutes printed in a foreign language." Sometime later, in New Brunswick, Herman Pitts similarly attempted to rally English-Canadian opinion in support of his campaign to exclude French Catholics from political power and to create a homogeneous English-speaking country.¹⁰

Unfortunately, in spite of its historical importance and current relevance, scholars have largely ignored the North-West Assembly and the various debates that led to its abolition of official bilingualism. Of course, no historical study of Canadian politics could fail to mention the issue, but invariably such studies have focused on the Parliament of Canada rather than the territorial assembly, on the national controversy rather than the territorial conflict, on the federal implications rather than the territorial concerns.¹¹ In this, most analysts have simply reflected the Ontario- and Quebec-centred views of the times, then as now.¹² Oddly, scholars have carefully scrutinized other major issues in North-West politics, notably responsible government and separate schools, so why not official bilingualism?¹³ Some, like Peter Waite,

10 Pitts enjoyed temporary success in 1892 when his nationalist programme was adopted by the opposition party. Three years later, however, the A. G. Blair government, a coalition of English and French, Protestants and Catholics, inflicted a crushing electoral defeat on the opposition and its policies. See Michael Hatfield, "H. H. Pitts and Race and Religion in New Brunswick Politics," *Acadiensis* 4 (1975), 46-65; also, J. I. Little, "New Brunswick Reaction to the Manitoba Schools' Question," *Acadiensis* 1 (1972), 43-58.

11 Historians have instinctively categorized the North-West language question as a national issue rather than a territorial problem. For example, Gerald Friesen's study of Western-Canadian history conspicuously omits any mention of it (Gerald Friesen, *The Canadian Prairies: A History* [Toronto: University of Toronto Press, 1984], esp. chap. 10, "The North-West Territories, 1870-1905: War and Politics").

12 Frank Oliver rightly complained that the parliamentary debate on the North-West language question had little to do with the North-West: "It was the rights and privileges of Quebec that were being attacked on the one hand and defended on the other—not the rights and privileges of the Northwest. . . . On no other grounds can the amount of rot—looked at from a Northwest standpoint—that was talked during the debate be accounted for." "The Debate," *Edmonton Bulletin*, March 8, 1890.

13 There are two outstanding examples of such studies: Lewis Herbert Thomas, *The Struggle for Responsible Government in the North-West Territories, 1870-97* (2nd ed.; Toronto: University of Toronto Press, 1978); and Lupul, *The Roman Catholic Church*. Kenneth Munro, in explaining the historical backdrop to language controversies, noted that "the study of the question of language in

may have mistakenly believed that “the French language was not an important issue in the Territories.”¹⁴ A more likely explanation is simply that the North-West language question touched on such fundamental issues of Canadian nationhood that it provoked a bitter national crisis, and the original territorial concerns were quickly overshadowed. This occurred quite naturally since, ultimately, the Parliament of Canada retained constitutional responsibility for the territories and their language policy. In contrast, Manitoba, torn by a similar language dispute, enjoyed greater decision-making autonomy by virtue of its provincial status.

A more serious omission, however, has been the generalized failure to evaluate critically the justifications given by the legislators. The North-West Assembly wrestled with basic and enduring questions—national unity, economic efficiency, majoritarian democracy, political legitimacy. These same issues also confronted the Canadian parliamentarians who debated McCarthy’s vision of a united English-speaking Canada and, indeed, the French revolutionaries who, a century earlier, had adopted the abbé Grégoire’s programme for a united French-speaking France.¹⁵ Canadian scholars have, of course, reported on these questions, but they often subscribe too automatically to the persuasive polemics of their favourite national protagonist. Donald Creighton, inspired by Conservative Prime Minister John A. Macdon-

Alberta had largely been neglected” and that “writings have focussed on the Roman Catholic school question rather than language” (Kenneth Munro, “Official Bilingualism in Alberta,” *Prairie Forum* 12 [1987], 37). Munro’s article attempted to rectify this gap but it, too, dealt largely with discussions in Ottawa, rather than debates in Regina.

- 14 Peter B. Waite, *Canada 1874-1896: Arduous Destiny* (Toronto: McClelland and Stewart, 1971), 215. Waite’s conclusion appears to be based on a misreading of Thomas, *Responsible Government*, 185. Lupul has rightly observed that territorial opposition to the French language “reached a fever pitch during the first half of 1889” (Lupul, *The Roman Catholic Church*, 46).
- 15 Grégoire successfully proposed that French be France’s only official language, arguing that multilingualism was an obstacle to effective democracy, public education, political unity and social equality, it would multiply government expenditures while complicating public administration. See the abbé Grégoire, “Rapport sur la nécessité et les moyens d’anéantir les patois et d’universaliser l’usage de la langue française,” *Archives parlementaires* 83 (le 8 pluviôse an II), 290-314; reprinted in Michel De Certeau, Dominique Julia and Jacques Revel, *Une politique de la langue: La Révolution française et les patois* (Paris: Éditions Gallimard, 1975), 300-17. Canadians were not oblivious to the parallels, as a Toronto editorialist made clear in his appeal for an English-speaking Canada: “The National Assembly rendered vital service to France when it extinguished the Nationalism or Particularism of the French provinces by obliterating the different nationalities or communities of which the nation was composed . . . and founding a common nationality under one name and ensign.” See “French-Canadian Nationalism,” *The Toronto Mail*, July 3, 1889.

ald, has argued knowledgeably that the North-West's official bilingualism was inappropriate and unwise, if not illegitimate.¹⁶ Elsewhere, however, not unlike D'Alton McCarthy, he capitalizes on the North-West experience and, with thinly disguised partisanship, warns English Canadians that language dualism lacks historical foundation and moral justification; that it promotes ethnic division and political conflict; and that it incurs social costs and economic disadvantages.¹⁷ David Bercuson and Barry Cooper, among others, have taken this reasoning to its logical conclusion, arguing that English-speaking Canada would benefit from the secession of French-speaking Quebec.¹⁸ Réal Bélanger, on the other hand, echoes Liberal Wilfrid Laurier and passionately berates the English-Canadian assault on North-West bilingualism, denouncing it variously as bigoted, stupid, malicious, destructive, anti-French, disturbing, threatening, baneful and, in sum, a low blow.¹⁹ Richard Clippingdale, with greater forbearance, simply characterizes English-Canadian nationalism as "militant Anglo-Saxon racism," while Joseph Schull appropriately quotes Laurier's remarks on Ontario's proposed abolition of French schools: "It is a thing low and vile and contemptible."²⁰ All this may be true, of course, but such comments rely more on rhetoric than substance.

This article examines the North-West Assembly's decision to end official bilingualism. First, it documents the origins of the dual-language situation, and assesses allegations that this duality lacked legitimacy. Second, it briefly outlines the modalities of the assembly's language debates between 1889 and 1892. Finally, and most importantly, the article critically evaluates the various arguments presented by the North-West legislators in justification of their decision. The legislators considered that official bilingualism was uneconomic and costly, unnecessary and wasteful, divisive and destabilizing, undemocratic and

16 Donald Creighton, "John A. Macdonald, Confederation, and the Canadian West," in Craig Brown, ed., *Minorities, Schools, and Politics* (Toronto: University of Toronto Press, 1969), 1-9. For a slightly revised version, see "Macdonald, Confederation and the West," in Creighton, *Discovery of Canada*, 229-42. See also his *John A. Macdonald: The Old Chieftain* (Toronto: Macmillan, 1955), 533-39.

17 "The Myth of Biculturalism," in Creighton, *Discovery of Canada*, 256-70.

18 David J. Bercuson and Barry Cooper, *Deconfederation: Canada without Quebec* (Toronto: Key Porter, 1991). Bercuson and Cooper contend that official bilingualism has undermined individual rights and subverted majority rule; it has created different classes of citizens, erected a barrier to spiritual unity and saddled taxpayers with enormous costs.

19 Réal Bélanger, *Wilfrid Laurier: Quand la politique devient passion* (Quebec: Presses de l'Université Laval, 1986), 159-64.

20 Richard Clippingdale, *Laurier: His Life and World* (Toronto: McGraw-Hill Ryerson, 1979), 24; and Joseph Schull, *Laurier: The First Canadian* (Toronto: Macmillan, 1966), 240.

authoritarian. The refrain rings familiar because such arguments are integral to the nation-building process. They are heard whenever a dominant, centralizing culture attempts to impose its language on a weaker, peripheral culture.²¹ Are they also true and well-founded, or simply false and self-serving?

The Compact to Establish Official Bilingualism

On May 12, 1870, Canada proclaimed the *Manitoba Act, 1870*, that established and provided for the government of the newly created province of Manitoba. Section 23 formally recognized English and French as the province's two official languages:

Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both these languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any person, or in any Pleading or Process, in or issuing from any Court of Canada established under the British North America Act, 1867, or in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

Section 35 of the same Act provided that the lieutenant-governor of Manitoba would also serve as lieutenant-governor for the North-West Territories, a vast region that included most of present-day Manitoba as well as the future provinces of Saskatchewan and Alberta. The governments of the province and the territory were thereby twinned, and shared a common bilingual administration. The first lieutenant-governor of Manitoba and the North-West Territories, Adams Archibald, a Nova Scotian, was bilingual in English and French, as was his successor, Alexander Morris, chief justice of Manitoba, appointed lieutenant-governor in 1872. The lieutenant-governor was headquartered in Winnipeg where he was assisted by a North-West advisory council, composed largely of Manitoba legislators. In 1873, this council included five French-speaking members, Marc Girard, Pascal Breland, Joseph Dubuc, Joseph Royal and Pierre Delorme. Girard, the senior North-West councillor, was both a Canadian senator and, for a time, the premier of Manitoba. Councillors used both English and French in their meetings, and bills were printed in the two official languages.²² Assiniboia's General Quarterly Court, with its bilingual judges and mixed jury system, was

21 See Stein Rokkan, *Citizens, Elections, Parties* (New York: McKay, 1970), 101-12.

22 Edmund A. Auger, "The Mystery of the French Language Ordinances: An Investigation into Official Bilingualism and the Canadian North-West, 1870 to 1895," *Canadian Journal of Law and Society* 13 (1998), 96.

the North-West's first supreme court; it was later succeeded by the Manitoba Court of Queen's Bench.

Parliament subsequently disjoined the twinned administrations when it adopted the *North-West Territories Act, 1875*, granting the territory its own lieutenant-governor and advisory council, and a capital situated at great distance from Winnipeg—at first Swan River, then Battleford and later Regina. On April 28, 1877, it made further modifications to the North-West's political structure, and formally established English and French as official languages. Section 11 of the *North-West Territories Act, 1877* provided that: "Either the English or the French language may be used by any person in the debates of the said Council, and in the proceedings before the Courts, and both those languages shall be used in the records and journals of the said Council, and the ordinances of the said Council shall be printed in both those languages." In 1880, this provision was altered to read "the Council or Legislative Assembly" and in 1886 it was renumbered, becoming s.110 of a revised statute.

Critics, whether scholars, journalists or politicians, have frequently disparaged these language provisions, contesting both their political legitimacy and their social appropriateness. Donald Creighton, in particular, articulated a reasoned critique that continues to resonate today.²³ In his view, the establishment of official bilingualism in Manitoba and the North-West resulted from "a series of hasty and ill-considered decisions," and the decision-making process was "characterized throughout by accident and improvisation."²⁴ Creighton acknowledged that there was a demand for bilingual government institutions, but concluded that "it was neither a demand that was made by the community at Red River nor a plan proposed by the government of Ottawa. It was a claim exacted by [Louis] Riel's dictatorship."²⁵ Official bilingualism was not, then, the result of a legitimate agreement; it was an inappropriate measure adopted under duress. It was "a mistake" that, from the beginning, lacked popular support and failed to meet social needs. Official bilingualism was neither intended by the Canadian government nor desired by the western community, neither for Manitoba in 1870 nor for the North-West Territories in

23 Creighton was an outspoken opponent of the so-called "bicultural compact theory," and argued that Canada's founders never intended to establish either bilingualism or biculturalism in Canada, and certainly not in Manitoba and the North-West. In 1974, D. J. Hall convincingly defended Creighton's thesis and this seemingly settled the issue. See D. J. Hall, "The Spirit of Confederation': Ralph Heintzman, Professor Creighton, and the Bicultural Compact Theory," *Journal of Canadian Studies* 9 (1974), 24-42. See also, Ralph Heintzman, "The Spirit of Confederation: Professor Creighton, Biculturalism, and the Use of History," *Canadian Historical Review* 52 (1971), 245-75.

24 Creighton, "John A. Macdonald, Confederation, and the Canadian West," 8.

25 Creighton, *Discovery of Canada*, 236.

1877. By no means, then, could it be considered the result of a pact, whether between English-speakers and French-speakers, or between Canadian parliamentarians and western representatives.²⁶

It is clear, as Creighton asserted, that the Canadian government did not originally intend to establish a bilingual administration in what would soon become Manitoba and the North-West Territories. The *Temporary Government Act*, adopted in 1869 to provide for the regions' administrative structure, made no mention of French (or English) language rights.²⁷ Further, the provisional administration, headed by William McDougall, the lieutenant-governor-designate, was composed almost entirely of English-speaking officials with a strongly British and nationalist bent.²⁸ This, however, simply reflected the Canadian government's initial ignorance, and Alexandre Taché, bishop of St. Boniface, immediately alerted it to the fact that: "La langue française est non seulement la langue d'une grande partie des habitants du Nord-Ouest, elle est de plus, elle aussi, langue officielle; et pourtant la plupart des membres de la nouvelle administration ne parlent pas cette langue."²⁹ For almost two decades, civil government in the North-West's District of Assiniboia had been founded on the "working partnership" of both English and French.³⁰ Official bilingualism was an established practice in administrative, legislative and judicial matters; linguistic duality was a guiding principle in administrative, legislative and judicial appointments.³¹

26 During the period under study, opponents frequently used much stronger language to condemn the language provisions and their origins. In 1890, for example, George Bryce argued that the whole agreement was based on "illegality" and "fraud," and that no one in their right senses could maintain that it "binds the people with a treaty obligation" (George Bryce, "Two Provisional Governments in Manitoba," *Transactions of the Historical and Scientific Society of Manitoba* 38 [1890], 6).

27 *Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada*, SC 1869, c.3.

28 In addition to McDougall, the principal officials were: Captain Donald R. Cameron, chief of police; A. N. Richards, attorney-general; J. A. N. Provencher, secretary; Alexander Begg, collector of customs; Colonel John S. Dennis, superintendent of surveys; John Snow, superintendent of public works. Only Provencher, the secretary, spoke French. Mason Wade has described McDougall as a well-known francophobe and noted that, during the annexation debates, he sought "to make the West an extension of English Upper Canada, with a view to dominating French Canada" (Mason Wade, *The French Canadians, 1760-1945* [Toronto: Macmillan, 1955], 395).

29 Alexandre Taché to George-Étienne Cartier, October 7, 1869, quoted in Joseph P. Benoit, *Vie de Mgr Taché, Archevêque de Saint-Boniface*, Vol. 2 (Montreal: Librairie Beauchemin, 1904), 17.

30 William L. Morton, "Manitoba's Historic Role," *Historical and Scientific Society of Manitoba* 19 (1962-1963), 53.

31 Claude-Armand Sheppard, *The Law of Languages in Canada* (Ottawa: Information Canada, 1971), 73-76; George F. G. Stanley, "French and English in West-

Creighton has further claimed that Riel, “an adroit and ruthless dictator,” rejected the “democratically determined” wishes of the North-West population and imposed his own “quite new” terms for union with Canada.³² It is true that Riel’s provisional government proposed a revised list of demands that differed from that adopted earlier by an elected 40-member convention—the new list included, for example, a request for provincial rather than territorial status—but the proposals for official bilingualism were substantially the same. The convention, composed of 20 English-speaking and 20 French-speaking representatives elected from the district’s parishes, and convened at Fort Gary on January 25, 1870, demanded that “the English and French language[s] be common in the Legislature and Courts, and that all public documents and Acts of the Legislature be published in both languages” and, further, that “the Judge of the Supreme Court speak the French and English languages.”³³ Donald A. Smith, chief representative of the Hudson’s Bay Company in Canada and the Canadian government’s special envoy, responded on February 7, 1870 with the assurance that, with respect to each of the language demands: “This will unquestionably be provided for.”³⁴

Smith also revealed that he had been instructed to invite a delegation of two or more members to meet and confer with the Canadian government in Ottawa. Four days later, Louis Riel’s provisional government proposed as delegates: Judge John Black, convention chairman and chief justice of the General Quarterly Court, Alfred H. Scott, convention member and reputed American annexationist and Rev. Noël-Joseph Ritchot, parish priest of St. Norbert. On March 20, it officially commissioned the delegation and distributed a revised “list of rights,” printed in both English and French. The new list reproduced the original language demands and added a third: “That the Lieutenant-Governor, who may be appointed for the Province of Assiniboia, should be familiar with both the English and French languages.” Official bilingualism was, at least in this instance, the result of a pact between the English- and French-speaking populations in Canada’s North-West, negotiated by their elected representatives. In the House of Commons, George-Étienne Cartier

ern Canada,” in Mason Wade, ed., *Canadian Duality* (Toronto: University of Toronto Press, 1960), 320; Janice Staples, “Consociationalism at Provincial Level: The Erosion of Dualism in Manitoba, 1870-1890,” in Kenneth D. McRae, ed., *Consociational Democracy* (Toronto: McClelland and Stewart, 1974), 293.

32 Creighton, “John A. Macdonald, Confederation, and the Canadian West,” 4-5.

33 This list of rights, and two later versions, have been reproduced by William L. Morton, *Manitoba: The Birth of a Province* (Altona: D. W. Friesen, 1965), 242-50.

34 Alexander Begg, *History of the North-West*. Vol. 1 (Toronto: Hunter Rose, 1894), 457-59.

favourably compared the North-West convention to the Quebec conference, held less than six years earlier.³⁵

Armed with this list, and with instructions that 10 of the conditions, including those for language rights, were “peremptory,” the delegates met on April 16 with Macdonald and Cartier. Following intense negotiations, the Canadian government agreed to most of the demands and, on May 2, 1870, Prime Minister Macdonald introduced a bill to that effect in the House of Commons. W. L. Morton has observed that no participant in the debate touched on, much less opposed, the language provisions, although Adams Archibald, the future lieutenant-governor, made “a plea for the need for reconciliation and the acceptance of the Bill as a deed of partnership between French and English Canadians in the development of the North-West.”³⁶ Ten days later, the governor general proclaimed the *Manitoba Act, 1870*.

In the meantime, the convention had provided for the election of a 24-member legislative assembly to assure the interim government of the North-West. This legislature commenced proceedings on March 9 and, almost two weeks later, on March 22, it adopted a resolution proclaiming that “the country hitherto known as Rupert’s Land and the North-West” would henceforth be known as “Assiniboia,” and its elected assembly as the “Legislative Assembly of Assiniboia.” On June 24, 1870, Rev. Ritchot presented his report to the Legislative Assembly of Assiniboia and, according to the minutes: “Hon Mr [Louis] Schmidt seconded by Hon Mr [Pierre] Poitras moved that the Legislative Assembly of this country do now, in the name of the people, accept the Manitoba Act, & decide on entering the Dominion of Canada, on the terms proposed in the Confederation Act—Carried amid loud cheers.”³⁷ The secretary of the provisional government, Thomas Bunn, immediately advised the secretary of state for the provinces, Joseph Howe: “The Provisional Government and the Legislative Assembly, in the name of the people of the North-West, do accept the *Manitoba Act*, and consent to enter into Confederation on the terms entered into with our delegates.”³⁸ The Assembly’s vote thereby confirmed a second pact, this time between Canada and the North-West and adopted by their respective governments. Scholarly critics of this accord have, however, systematically ignored or outrightly denied, the very existence of this legislative assembly.³⁹

35 Canada, House of Commons, *Debates*, May 9, 1870, 1499.

36 Morton, *Manitoba*, xxvii.

37 *Sessional Journal of the Legislative Assembly of Assiniboia, 1870*, Provincial Archives of Manitoba, File MG3 A1 15.

38 The full text of the letter is reproduced in Stanley, *Western Canada*, 124.

39 Nelson Wiseman remarks, with unconscious irony: “It is an amusing comment on the knowledge of the judiciary that when the *Forest* case (challenging a

Creighton has also castigated the *North-West Territories Act, 1877* and its provisions for official bilingualism, arguing that, like the *Manitoba Act, 1870*, it represented neither the true intentions of the Canadian government nor the real wishes of the North-West population. "The grant of legal status to the French language" came about in "accidental fashion," proposed not by the government but "by a private member in the Senate."⁴⁰ It is true that the Canadian government, in initially providing for the North-West's new political structure, failed once again, this time in 1875, to make any provision for official bilingualism. This went largely unremarked until the following year, when the Canadian government announced its appointments to the North-West administration.⁴¹ In so doing, the government repeated the same gaffe committed only six years previously. None of the officials spoke French and none, except for James Macleod, the newly appointed commissioner of the North-West Mounted Police, had any experience in Western Canada. The French-speaking population was indignant, and the editorialist of *Le Métis*, the French-language newspaper founded by Joseph Dubuc and Joseph Royal, both former members of the North-West Council, complained: "la population métisse des territoires du Nord-Ouest, c'est-à-dire les trois quarts de la population n'a pas un seul représentant dans le Conseil Exécutif, législatif et judiciaire de son propre pays. On ignore sa langue, ses habitudes, son caractère; mais on lui fait des lois et on se prépare à le juger et d'une façon singulière comme on le voit."⁴²

Creighton's unnamed "private member" who sponsored the language amendment was, in fact, Marc Girard, formerly the North-West's senior councillor and Manitoba's prime minister, now the only French-speaking westerner in the Canadian Parliament. He took up the issue in April 1877, complaining that North-West affairs were now "in the hands of strangers" and that the territory had been much better off when it was administered from Manitoba.⁴³ Girard hoped to restore Manitoba's earlier role in the North-West's governance, but when he failed to garner support for this option he proposed instead that English and French be entrenched as the official languages of the

unilingual English parking ticket) was heard, the francophone judge in St. Boniface County Court cited the Legislative Assembly of Assinboia—a body that never existed—as having ratified the *Manitoba Act*" (Nelson Wiseman, "The Questionable Relevance of the Constitution in Advancing Minority Cultural Rights in Manitoba," this JOURNAL 25 [1992], 703, n. 23).

40 Creighton, "John A. Macdonald, Confederation, and the Canadian West," 8.

41 David Laird, a Prince Edward Islander, was named lieutenant-governor; Hugh Richardson, Mathew Ryan and James F. Macleod were named stipendiary magistrates and members of the North-West Council.

42 "Le Gouvernement du Nord-Ouest," *Le Métis* (St. Boniface), April 12, 1877.

43 Canada, Senate, *Debates*, April 9, 1877, 319.

North-West Council and the courts. Parliament adopted his amendment on April 28, 1877. Unlike the Manitoba provisions, there was no explicit pact but simply the recognition and continuation of a well-established practice.

In 1905, when two new provinces, Alberta and Saskatchewan, were carved out of the North-West Territories, their constitutions made no direct reference to language rights, although each carried over existing territorial laws and regulations, until such time as the provincial legislatures should see fit to make modifications.⁴⁴ The French-Canadian nationalist and independent Liberal MP, Henri Bourassa, had demanded that s.110 of the *North-West Territories Act, 1886* be inserted directly into both the *Alberta Act, 1905* and the *Saskatchewan Act, 1905*, in order to preserve "the moral agreement entered into in 1870."⁴⁵ Prime Minister Wilfrid Laurier disagreed, arguing that the original guarantee was confined to Manitoba and had not included the North-West Territories. The minister of justice, Charles Fitzpatrick, simply affirmed that "we are perpetuating the rights, whatever they may be, in the North-West Territories with respect to language, leaving it to the legislature to determine hereafter to what extent these rights may be maintained."⁴⁶ The legislatures did not formally make that determination until 1988, when both Saskatchewan and Alberta, responding to the Supreme Court's decision in the *Mercure* case, abrogated the provisions for official bilingualism contained in the *North-West Territories Act, 1886*.⁴⁷

44 Edmund A. Auger, "Language and Law in the Province of Alberta," in Paul Pupier and José Woehrling, eds., *Language and Law* (Montreal: Wilson and Lafleur, 1989), 209.

45 Canada, House of Commons, *Debates*, July 5, 1905, 8848. The parliamentary debate concerning the possible insertion of a language provision in the Alberta and Saskatchewan constitutions is summarized by Munro ("Official Bilingualism," 43-45).

46 Canada, House of Commons, *Debates*, June 30, 1905, 8634.

47 In 1980, when André Mercure, an Oblate priest, was charged with speeding under the Saskatchewan *Vehicles Act*, he requested that his hearing be delayed until the relevant provincial statutes could be produced in French. He also demanded a French-language trial. The provincial court judge denied his request but, in 1988, two years after Mercure's death, the Supreme Court of Canada ruled in his favour, declaring that s.110 of the *North-West Territories Act* continued to have effect in Saskatchewan (and, by implication, in Alberta) and that "the statutes of Saskatchewan must be enacted, printed and published in English and French and that both languages may be used in the Saskatchewan Courts" (*Mercure v. Attorney General of Saskatchewan*, [1988] 2 WWR 577).

The North-West Assembly and the Dual-Language Question

The 22 assemblymen who attended the first session of the North-West Legislative Assembly in Regina, on October 31, 1888, were all English-speaking; most were Ontario-born, and the great majority had only recently arrived in the North-West.⁴⁸ Fifteen had settled in the North-West during the peak 1882-1884 period, and more than half were sitting in the legislature for the first time. The official status of the French language may have been known to some of them, but its practice and application were largely invisible. The legislature worked almost exclusively in English and, although the proceedings and ordinances would later be translated into French, their distribution was irregular and haphazard. When, however, the newly appointed lieutenant governor, Joseph Royal, read the speech from the throne, first in English and then in French, the unsuspecting legislators were directly confronted with the North-West's official bilingualism.

William Perley, a former member of the North-West Council, blamed this event for "the agitation commenced by the people declaring that they did not want French as an official language":

When I was a member of the Assembly I never heard any fault found about the dual language. There was no question about it at all; I hardly knew that it was on the Statute-book, and there would not have been any fault found with it had it not been that Mr. Royal undertook to force the French language on the people of that country. There were 22 elected members representing the North-West Territories, and not one of them could speak the French language at all. Mr. Royal was conversant with that fact, yet he read his speech in French. Not one of the members of the House understood him, and the ceremony was neither edifying nor amusing.⁴⁹

Senator Bellerose later reported that the North-West legislators had "warned Governor Royal that if he should [again] speak French at the opening he would be insulted."⁵⁰

On October 16, 1889, when Royal opened the assembly's second session, the speech from the throne—read only in English—was followed by an unusual event: "Before the speech was replied to or any other business done, Mr. [Hugh] Cayley of Calgary gave notice of introducing a motion to have a committee appointed to draft a resolution to be submitted to the governor general, to have clause 110 of the Northwest Territories act expunged."⁵¹ Two days later, Cayley moved

48 This information is drawn from "Sketches of the Members," *The Regina Leader*, October 30, 1888.

49 Canada, Senate, *Debates*, April 29, 1890, 632.

50 *Ibid.*, September 3, 1891, 547.

51 "Assembly Notes," *Edmonton Bulletin*, November 2, 1889. The article continued: "Most of the Territorial papers are clamoring for the abolition of the sepa-

the committee's appointment and explained that "owing to the unanimous opinion of the House on this question it was not necessary to make any comments."⁵² His motion was carried. The committee immediately prepared its report, but deferred public discussion for several days in order that Judge Charles Rouleau, one of the assembly's three legal experts, might be present. On October 28, 1889, Cayley presented the committee's request for repeal "on the grounds that the needs of the Territories do not demand the official recognition of a dual language in the North-West, or the expenditure necessitated by the same."⁵³ The assembly adopted the Cayley motion, known thereafter as "the language resolution," by a vote of 17-2.

Three months later, in the House of Commons, D'Alton McCarthy moved the repeal of s.110 of the *North-West Territories Act* as a step "to create and build up in this country one race with one national life, and with a language common to us all."⁵⁴ Although the motion was defeated on the second reading, the issue dominated the parliamentary agenda for several weeks and provoked a national crisis. The minister of justice, John Thompson, proposed a compromise solution: official bilingualism would be maintained in the North-West, but the assembly could determine the language of its proceedings. Parliament adopted this proposal on September 30, 1891 by adding a qualifying clause to s.110:

Provided, however, that after the next general election of the Legislative Assembly, such Assembly may by ordinance or otherwise, regulate its proceedings, and the manner of recording and publishing the same; and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor in conformity with the law, and thereafter shall have full force and effect.⁵⁵

Territorial elections were held about a month later, and the North-West Legislative Assembly was convened on December 10, 1891. Shortly afterwards, the lieutenant-governor called upon Frederick Haultain (MacLeod) to form a four-member executive committee. The committee met for the first time on January 4, 1892 and, the same day, Haultain made an announcement to the assembly:

rate schools, and use of the French [language] as an official language. One significant fact was that the governor's speech was read in English only, while last year it was read in both French and English."

52 "Legislative Assembly," *The Regina Leader*, October 22, 1889.

53 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

54 Canada, House of Commons, *Debates*, January 22, 1890, col. 51.

55 *North-West Territories Act*, RSC 1886, c.50, s.110, as amended by SC 1891, c.22, s.18.

With regard to the Journals he might say that they had not been printed in French for some time past and he could inform the House that it was the intention of the Executive Committee to bring a resolution before the House on this matter, at which time they hoped to be able to give full reasons for their policy of having the Journals printed only in English. (Applause).⁵⁶

Two weeks later, on January 19, 1892, Haultain moved: "That it is desirable that the proceedings of the Legislative Assembly shall be recorded and published hereafter in the English language only."⁵⁷ The Haultain motion was debated and, later that same day, adopted by a vote of 20-4. The lieutenant-governor did not, as required, proclaim the resolution. Nonetheless, the government never again published a French-language version of the assembly's proceedings; the 1890 edition of the *North-West Journals*, already in press, was the last to be printed in that language.

Later the same year, a closely related issue reared its head when the North-West Assembly considered revisions to the *School Ordinance*, including a proposal to make English the sole language of instruction. The school bill had been introduced on August 11, 1892, and examined in committee for more than 10 days, but was still on the order paper when the assembly was prorogued. It was introduced again at the next legislative session and adopted on December 29, 1892. Section 83 provided that: "All schools shall be taught in the English language."⁵⁸ An additional clause, s.83.1, made a small concession to French by permitting school trustees "to cause a primary course to be taught in the French language."

This ended the North-West Assembly's public debate of the dual-language question, although the surreptitious suppression of the French language continued apace. The practice of publishing French-language regulations and reports ended in the 1891 fiscal year, with the printing of 500 French-language copies of the Department of Public Work's annual report, and 300 French-language copies of the Board of Education regulations.⁵⁹ The publication of the French-language ordinances ended in 1894 with the printing of the 1892 edition, although no formal announcement was made and no public explanation given.⁶⁰ Similarly, the *North-West Territories Gazette* published

56 "N.W. Parliament," *The Leader* (Regina), January 12, 1892.

57 North-West Territories Legislative Assembly, *Journals of the Second Legislative Assembly of the North-West Territories, Session 1891-92* (Regina, NWT: R. B. Gordon, Printer to the Government of the North-West Territories, 1892), 110.

58 *School Ordinance*, ONWT 1892, No. 22.

59 Canada, *Report of the Auditor General for the Year ended 30th June 1891* (Ottawa: S. E. Dawson, Queen's Printer, 1892), D226, D229.

60 Aunger, "The Mystery of the French Language Ordinances," 121.

its last bilingual issue on August 15, 1895; thereafter, it appeared exclusively in English.

Economy: Eliminate Public Expenditures on French

Both Cayley and Haultain justified their proposals for an end to official bilingualism with the assertion that it was a simple question of economy. When Hugh Cayley presented his 1889 motion to the North-West Assembly calling for "the discontinuance of two official languages in the North-West," he claimed that the territories did not need "the expenditure necessitated by the same."⁶¹ Frederick Haultain agreed "on the ground of convenience and on the ground of economy." Two years later, when Haultain introduced his own resolution, putting an end to the printing of the French-language proceedings, he explained that "he brought up the question simply as one affecting expenditure and he commended the motion to them as reasonable from the point of economy, convenience and necessity."⁶² James Clinkskill (Battleford) concurred, calling it "a question of economy and necessity," and Thomas Tweed (Medicine Hat) "one of necessity and economy."

Ironically, the legislators were quite uncertain as to the amount of the proposed economy. In response to a question from John Turriff (Moose Mountain) regarding the cost of the French-language ordinances, the previous lieutenant-governor, Edgar Dewdney, had responded:

Ordinances of 1884, 1885 and 1886 are now under contract for translation at a cost of \$1,000; and the printing will probably cost as much more. The sum of three thousand dollars was voted for this purpose at the last session of the Dominion Parliament, and it is hoped that this amount will prove sufficient to cover also cost of translating and printing of the Ordinances of this [1887] session.⁶³

Cayley cited this information, with some exaggeration, during the 1889 debate, describing the cost of the French-language ordinances as "about \$1,000 a year." In fact, the cost was \$605 per year over the three-year period, including \$250 for translation and \$355 for printing (see Table 1). This exceeded, but only moderately, the thirteen-year average of \$581 per year, including \$185 for translation and \$396 for printing. For

61 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

62 "The Assembly!" *The Leader* (Regina), January 26, 1892.

63 North-West Territories Legislative Assembly, "Return showing number of Ordinances printed in French since 1883, number distributed, number on hand, and cost of said printing," *Journals of the Council of the North-West Territories of Canada, Session 1887* (Regina: Amédée E. Forget, Printer to the Government of the North-West Territories, 1887), 101.

unknown reasons, Dewdney had spent an exorbitant amount on translation, paying \$1,000 for the 1884, 1885, 1886 and 1887 ordinances—some 748 pages—when the going rate was only \$1 per page.

The French-language ordinances were the most expensive item, and accounted for most of the North-West's French-language costs, but Haultain's 1892 resolution dealt only with the French-language *Journals*. Haultain informed the assembly that these "had cost \$1,200 to translate and print in French"⁶⁴ but, in fact, they were considerably more expensive. The total cost of publishing the French-language proceedings for the 12 legislative sessions held from 1877 through 1890 was \$1,747, including \$388 for translation and \$1,359 for printing.⁶⁵ This represented \$146 per legislative session, or \$116 for each of the 15 fiscal years.

Public expenditures for French-language services in the North-West during the period 1878-1896 amounted to a grand total of \$16,232, that is, \$854 per year (see Figure 1). The major portion, some \$590 per year, was for printing French-language documents, including ordinances, proceedings, gazettes, announcements, regulations and reports. The remainder, some \$264 per year, was spent on translation, interpretation and related clerical expenses. These amounts represented only 5 per cent of the North-West's printing and clerical costs, and much less than 1 per cent of its total expenditure. However, in 1891, the most expensive year, when the government paid for both past obligations and current business, French-language spending totalled \$4,404, that is, 13 per cent of all printing and clerical costs, but well under 2 per cent of the total budget.

The legislators were ignorant of these costs, and of most other budgetary matters and, until this time, had shown no interest in potential government economies. This was not surprising since, generally, the North-West Assembly was never consulted and rarely informed about public expenditures. Lieutenant-Governor Dewdney, acting as the agent of the minister of the interior, had prepared the estimates for submission to Parliament, and then had administered the spending of the public appropriations. The new lieutenant-governor, Joseph Royal, offered to consult the assembly but was warned by his legal advisor, D. L. Scott, in 1889, that:

64 "North-West Assembly," *Edmonton Bulletin Supplement*, February 6, 1892. See also, "The Assembly!" *The Leader* (Regina), January 26, 1892.

65 Unless indicated otherwise, figures for North-West spending are from the Canadian public accounts, including the appropriation accounts. See Department of Finance, *Public Accounts of the Dominion of Canada* (Ottawa: Maclean, Roger and Co., published annually from 1868 until 1947); and Office of the Auditor General, *Report of the Auditor-General on Appropriation Accounts* (Ottawa: Maclean, Roger and Co., published annually from 1880 until 1973).

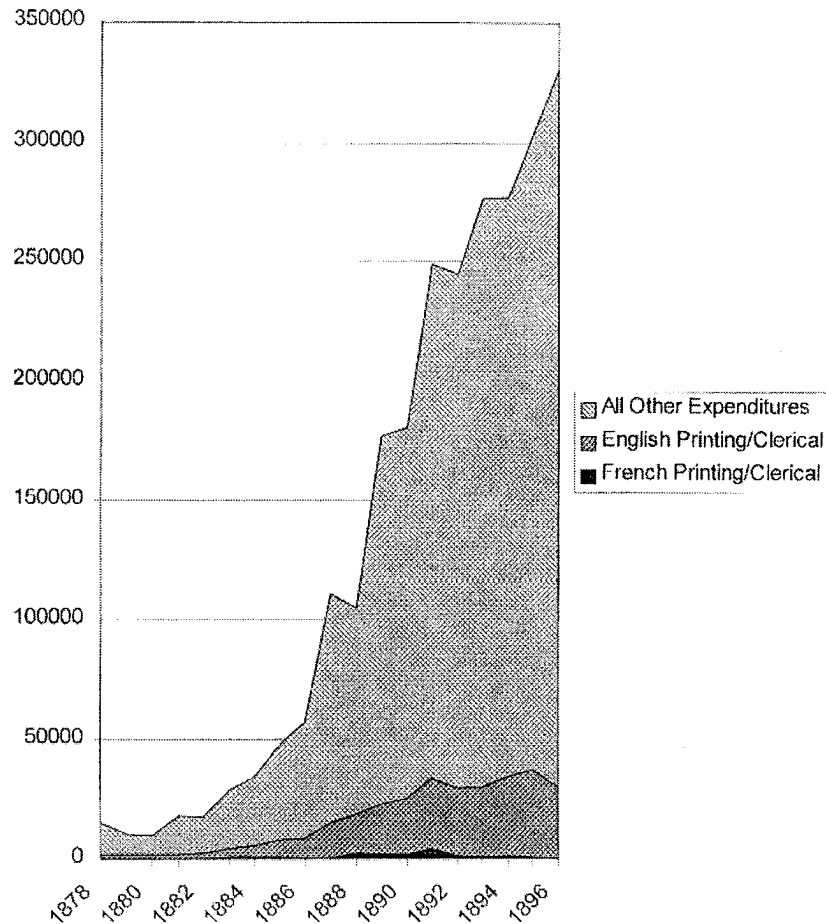
TABLE 1

Expenditure for Printing and Translation of North-West Ordinances, 1878-1892 (by legislative session)

Session/ Language	Imprint Date	Fiscal Year	Copies Printed	Printing Cost	Translation Cost/Pages
1878					
French	1879	1880?	200	\$ 213	\$50
English	1879	1879?	?	?	50 pp.
English	1884	1884	750	\$ 108	61 pp.
1879					
French	1879	1881?	200	\$ 201	\$38
English	1879	1879?	?	?	38 pp.
English	1884	1884	750	\$ 194	46 pp.
1881					
French	1881	1883?	300	\$ 396	\$74
English	1882	1883?	?	?	74 pp.
English	1886	1886	500	\$ 248	74 pp.
1883					
French	1883	1884	500	\$ 300	\$88
English	1883	1885	?	\$ 832	82 pp.
1884					
French	?	1889?	200	\$ 323	\$250
English	1884	1885	?	\$ 571	184 pp.
1885					
French	?	1888	500	\$ 463	\$250
English	1885	1887	2,000	\$ 985	138 pp.
1886					
French	?	1889?	200	\$ 278	\$250
English	1886	1887	2,000	\$1558	245 pp.
1887					
French	?	1889	200	\$ 212	\$250
English	1887	1888	2,000	\$1184	191 pp.
1888					
French	1888	1891	200	\$1606	\$540
English	1888	1890	4,000	\$5084	526 pp.
1889					
French	1890	1890	300	\$ 132	\$91
English	1890	1890	2,500	\$ 582	91 pp.
English	?	1891	?	\$ 125	?
1890					
French	1890	1891	500	\$ 306	\$88
English	1890	1891	2,700	\$ 609	88 pp.
1891-92					
French	?	1893	200	\$ 318	\$189
English	1892	1892	2,000	\$ 996	189 pp.
1892					
French	?	1894	200	\$ 401	\$246
English	1893	1893	2,000	\$ 650	246 pp.

Source: Edmund A. Aunger, "The Mystery of the French Language Ordinances: An Investigation into Official Bilingualism and the Canadian North-West, 1870 to 1895," *Canadian Journal of Law and Society* 13 (1998), 102, 106, 113.

FIGURE I
Expenditures for Printing and Clerical Services in Canada's North-
West, 1878-1896 (in dollars and by fiscal year)



Source: Expenditure figures are principally from the annual reports of the Department of Finance, *Public Accounts of the Dominion of Canada* (Ottawa: Maclean, Roger and Co., 1868-1947) and the Office of the Auditor General, *Report of the Auditor-General on Appropriation Accounts* (Ottawa: Maclean, Roger and Co., 1880-1973).

These moneys are not voted to the Territories, but to the Dominion Government for the expenses of the government in the Territories and by the terms of the supply bill a detailed account of the expenditures must be laid by it before the House of Commons at the next session. . . . The Lieutenant-Governor in whose hands that money has been placed is therefore the officer of and subject to the control of the Dominion

Government and in the expenditure of these monies he merely acts as its agent.⁶⁶

In short, as Prime Minister Macdonald bluntly reminded the North-West legislators, "the printing of the ordinances was no matter of concern to the assembly."⁶⁷

This did not sit well with those legislators who sought greater autonomy for the North-West Assembly, including control of federal expenditure. Judge Rouleau's comments, in criticizing the Cayley resolution were particularly irksome: "Then there was the question of expense. Ah, that sounds well, takes well with the people. But what does it amount to? In three or four years it cost \$1,000 for printing the ordinances in French. Among 4,000,000 people that was a twentieth part of a cent each." Frederick Haultain reacted immediately: "There are not 4,000,000 in the North-West. We pay that." Rouleau, however, corrected him: "No, the Dominion pays it. Quebec pays her share."⁶⁸ Also problematic was the fact that the Canadian Parliament voted an itemized grant rather than a lump sum. Thus, money saved on printing or translation could not be transferred, or carried over to the next fiscal year. Haultain himself later observed, in a private communication, that "of the moneys voted by Parliament for the Territories for the fiscal year 1891-92, no less a sum than \$19,027.10 lapsed."⁶⁹

In any case, if the legislators were truly concerned about government expenditures, they could have directed their attention to more important examples of profligate spending. Antonio Prince (St. Albert) lamented that the very first act of Haultain's new executive committee in 1892 was to halt publication of the French-language *Journals*, in order to save about \$150 a year, when "there were larger and more important questions affecting thousands of dollars, such as for instance the liquor question."⁷⁰ The reality was, however, that patronage considerations were a much more important priority than fiscal prudence. Certainly this was the case with the printing budget where significant savings could have been realized with no effect on quality. Government printing contracts, often for excessive amounts, were usually awarded to the Regina Leader Publishing Company, owned by Nicholas Flood Davin, the federal MP for Western Assiniboia. In 1890, the minister of the interior advised Royal that "all the contracts

66 D. L. Scott to Joseph Royal, October 29, 1889, quoted in Thomas, *Responsible Government*, 172.

67 "Telegraphic," *Edmonton Bulletin*, February 22, 1890.

68 "Legislative Assembly," *The Leader* (Regina), November 1, 1889.

69 Frederick Haultain, for the Executive Committee, to Lieutenant Governor of the North-West Territories (February 4, 1893), Saskatchewan Archives Board, File R-201.1.80.

70 "The Assembly!" *The Leader* (Regina), January 26, 1892.

for the printing of the Territories to be paid for out of the appropriations made by the Parliament of Canada should be awarded after public competition."⁷¹ Royal responded by warning that, if this were done, then the contract for "printing of Ordinances and Journals in French and English" would then be "given to Printing Offices situate outside the Territories" and that, already, the existing printing plant "stated to have cost some \$10,000.00" was forced "to lie idle for a large portion of the year."⁷² The North-West government continued to award the contracts to Davin's company at what one competitor enviously described as "private prices."⁷³

This suggests that "economy" was not the principle reason for the North-West Assembly's determination to end official bilingualism. Cayley admitted as much when, after introducing his resolution and pointing to the potential savings, he refused to give a fuller explanation: "When a question of this sort, which might hurt the feelings of some of the residents of the country, came up it was best that members should not state all their private reasons."⁷⁴ The economic argument had broad appeal, and it could be sold to the population—perhaps even to French-speakers—while other explanations might be divisive and inflammatory. Nevertheless, as many legislators made clear, any expenditure on French-language services, no matter how small, would be too great. William Sutherland (North Qu'Appelle) revealed as much, in spite of himself, when he defended the proposal to end the French-language *Journals*: "It was brought up as a matter of principle, and it made no difference whether the amount involved was \$150 or two or three thousand dollars. It was brought in as an economic measure in the interests of the people."⁷⁵ Later the same year, James Dill (Wolseley) was even more direct, when he justified his support for English-only schools with the declaration that "he did not believe in voting public money for teaching children French in an English colony."⁷⁶

71 John R. Hall, Secretary, Department of the Interior, to Robert B. Gordon, Secretary to the Lieutenant-Governor of the North-West Territories (August 29, 1890), National Archives of Canada, File RG 15-226484, 564.

72 Robert B. Gordon, Secretary to Lieutenant Governor, to Secretary, Department of the Interior (September 6, 1890), National Archives of Canada, File RG 15-226484, 566-67.

73 "The Assembly Fight," *Edmonton Bulletin*, January 3, 1891.

74 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

75 "The Assembly !," *The Leader (Regina)*, January 26, 1892.

76 "The Legislature," *The Leader (Regina)*, August 22, 1892.

Utility: No Need for French-Language Services

The argument that there was neither need nor demand for French-language services was essentially a corollary of the economic justification. Clearly, if there was no need, the expenditure was a waste of money. Frank Oliver (Edmonton) proffered this explanation when he justified the Cayley resolution to his electors: "This resolution was not aimed—as many people suppose—against the official use of the French language, but solely against its official abuse in causing a great deal of expense to be incurred in the indiscriminate printing of unimportant and often useless documents in that language."⁷⁷

The "useless documents" in question were mainly the French-language ordinances. During the 1889 debate, Haultain had claimed that "large bales of French ordinances" delivered to the government buildings were never distributed: "The Territories were saddled with this large expense and the printing was altogether useless."⁷⁸ The assembly clerk later confirmed this when he reported, in a return to the House of Commons, that the French-language printings of ordinances adopted during the 1884, 1885, 1886 and 1887 sessions had been delivered in 1888, but had never been made public: "There has been no demand for them, and their circulation then would have been misleading."⁷⁹ This startling revelation certainly seemed to indicate profligate waste, but the fault did not lie with official bilingualism, as Haultain implied, but with a delinquent administration.

Lieutenant-Governor Dewdney had published the English-language ordinances promptly enough, but had completely neglected the French-language versions; it was not until 1887, near the end of his term, that orders were given for their preparation. Consequently the ordinances adopted at the 1884 legislative session, for example, and published in English the same year, were not available in French until four years later. By that time, the North-West Assembly had completely revised and consolidated the territorial ordinances, rendering all previous versions obsolete. What possible use could there now be for the 1884 ordinances, whether in French or in English? The government's own wilful incompetence had destroyed the value of the French-language printings. Significantly, Haultain did not mention that in earlier years, such as 1878, 1879 and 1881, when the French-language ordinances had been published more punctually, the volumes

77 "To the Electors of Edmonton," *Edmonton Bulletin Supplement*, October 31, 1891.

78 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

79 Canada, House of Commons, "Return showing by Years, the Cost of Printing the Ordinances and Other Official Papers and Publications in the French language from the Time of the Passage of the North-West Territories Act of 1877," House of Commons *Sessional Papers* (1890) No. 1890-33, 3.

had been, according to the clerk, "practically all distributed."⁸⁰ Similarly, Lieutenant-Governor Royal had ensured the speedy publication of the 1889 French-language ordinances and, shortly afterwards, the assembly clerk reported that 38 per cent of the English copies, and 49 per cent of the French copies, had already been distributed.⁸¹

During the 1892 debate, Haultain marshalled similar, but largely unsubstantiated, arguments against the printing of the French-language *Journals*. He announced that: "The Executive Committee, in considering this question, had come to the conclusion that the Journals, not being very widely distributed, even in English, and being very rarely asked for, might very well be printed in the English language only."⁸² To this he added the claim that "two or three numbers of the Journals had been printed in French and had not been distributed at all," and then challenged the two French-speaking members, Antonio Prince and Charles Nolin, to say whether they had ever seen a French-language copy. Both replied that they had, and they were further supported by Hillyard Mitchell (Mitchell), a long-time resident of the territories, who claimed that: "Mr. Haultain's statement that the French Journals were not distributed was wrong, because he [Mitchell] had distributed a large number to people in his district who wanted to read the proceedings of the House."⁸³ Since no distribution figures were ever released, this question was inevitably stalemated by conflicting but unverifiable assertions.

Several members took a different tack, arguing that the French-speaking population, if at all literate, certainly understood enough English to nullify any need for French-language services. This was Frank Oliver's view: "Speaking for his own constituency (Edmonton) he claimed that it did not contain a man who was unable to read English if he read at all. Therefore there was no necessity in that constituency for the dual printing." Haultain ventured that "the Journals were rarely, perhaps never, needed by any person who was unable to read them in English." These were bold statements based on dubious evidence. Only two years earlier, Judge Rouleau had observed that he knew the North-West thoroughly and that "everywhere he found people who could not understand English." Whatever the truth, did a knowledge of English, when it existed, necessarily eliminate the "need" for French-language documents? Rouleau admitted that he

80 Ibid.

81 North-West Territories Legislative Assembly, "Return showing the Number of Revised Ordinances that have been printed in each, the English and French languages," North-West Legislative Assembly *Sessional Papers* (November 20, 1890), Saskatchewan Archives Board, File Micro R-2.91.

82 "The Assembly!" *The Leader* (Regina), January 26, 1892.

83 Ibid.

had training in English, but still preferred to read the law in his first language: "If it was hard for a professional man, it was still harder for an ordinary individual to read the law in English."⁸⁴

Implicitly, the legislators presumed that the flood of English-speaking immigrants from Ontario would soon swallow up the French-speaking minority, and thereby erase any future need for French-language services. Since, according to the 1885 census, more than two thirds of the French-speaking population were Métis, and perhaps illiterate, English-language education could be expected to hasten their disappearance (see Table 2). William Sutherland (North Qu'Appelle) claimed that in his riding: "A great many spoke French, but couldn't read, and they wanted their children brought up in English, which ought to be the universal language of the world."⁸⁵ Three years later, he again argued that the suppression of French-language publications would have no negative effect, because few of his French-speaking constituents could read in French: "He was glad to say they were being educated in the English language far more than in the French; in fact French was scarcely being taught at all. (Hear, hear)."⁸⁶

Nevertheless, the much heralded disappearance of the French-speaking minority, facilitated by oppressive language legislation, proved to be an illusion. Observers noted the proportionate decline of the French-speaking population, as it plummeted from three quarters of the non-Native population during the 1870s, to only 17 per cent in 1885, and lower still in subsequent years, but they consistently overlooked its substantial growth in absolute numbers (see Table 2). The French-speaking community survived, in part through its own determined efforts, but also because of a continuous influx of reinforcements from Quebec.⁸⁷ Nevertheless, for more than a century, gloomy prognosticators continued to make their dire predictions. Richard Joy, for example, concluded in 1972 that "the French-speaking population of the West appears well on the way toward final disappearance."⁸⁸

84 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

85 *Ibid.*

86 "The Assembly!" *The Leader* (Regina), January 26, 1892.

87 See, for example, Edmund A. Auger, "Les communautés francophones de l'Ouest: la survivance d'une minorité dispersée," in Joseph Yvon Thériault, ed., *Francophonies minoritaires au Canada: l'état des lieux* (Moncton: Éditions d'Acadie, 1999), 283-304.

88 Richard Joy, *Languages in Conflict* (Toronto: McClelland and Stewart, 1972), 21.

TABLE 2

French-speaking Population in the Future Provinces of Alberta and Saskatchewan, 1870-1991 (relative to the non-Native population and to the total population, in percentages)

	Alberta			Saskatchewan			Both provinces		
	N	non-Native	Total	N	non-Native	Total	N	non-Native	Total
1870 ^a	1,650	80	15	-	-	-	1,650	75	7
1881	750	53	4	2,079	50	11	2,854	51	8
1885 ^b	1,982	29	12	2,925	14	9	4,907	17	10
1901 ^c	6,600	13	11	9,500	12	11	16,100	12	11
1931	28,145	4	4	42,283	5	5	70,428	4	4
1961	42,276	3	3	36,163	4	4	78,439	4	4
1991	64,755	3	3	24,295	3	3	89,050	3	3

Note: The nineteenth-century censuses (with the exception of the 1891 census) reported national and ethnic origin, and it is assumed that this was relatively congruent to first language. Thus those whom the census identified as French, French Métis or French Canadian are classified here as French-speakers. Nevertheless, many of these figures must be considered as approximate due to various measurement difficulties, not the least being the matching of census divisions and subdivisions with future provincial boundaries. The data reported for 1931 and subsequent years are based directly on first language and thus, for example, the non-Native population is defined as persons not speaking a Native language.

a The estimates of the English and French Métis population in 1870 are taken from D. N. Sprague, Barry Kaye, D. Wayne Moodie, "Dispersion des Métis du Manitoba et Rébellion du Nord-Ouest, 1870-1885," in R. Louis Gentilcore, ed., *Atlas historique du Canada*, Vol. 2: *La transformation du territoire 1800-1891* (Montreal: Presses de l'Université de Montréal, 1993), 35. The estimates of Native peoples, including the Blackfoot, Sarcee and Beaver in Alberta, the Cree, Assiniboine and Chippewyan in Saskatchewan, are calculated from "Table of the Aboriginal Population of Canada," in *Censuses of Canada, 1665 to 1871* (Ottawa: I. B. Taylor, 1876), 67-68.

b These data are for the organized territories, that is, the settled and enfranchised regions that made up most of the two future provinces. The unorganized territories were not included in this census. See *Census of the Three Provisional Districts of the North-West Territories 1884-5* (Ottawa: Maclean, Roger and Co., 1886).

c These data are for the organized territories only. The 1901 census counted the Métis population but did not distinguish between French and English. I have distributed the Métis evenly between the two language groups; the 1885 census, however, listed 70 percent of the Métis as French.

Source: *Census of Canada*, unless otherwise indicated.

Unity: One Language and One Nationality

While Frederick Haultain, the leading member of the Legislative Assembly, continually insisted that the dual language question was

simply a matter of economy, many of his colleagues revealed that their primary motivation was the creation of a common English-speaking nation. Daniel Mowat (South Regina) was relatively clear on this point when, during the 1891 election campaign, he urged his electors: "With reference to languages, I say let this be an English speaking country and let us do away with having the Ordinances, etc. printed in any other language, and thereby save expense."⁸⁹ Benjamin Richardson (Wolseley) had already voiced a similar refrain when, during the assembly's language debate, he had declared that "the sentiment of the country was strongly in favour of one language and one nationality."⁹⁰ The same theme re-emerged during discussions of educational reform. Frank Oliver, who was also publisher of the *Edmonton Bulletin*, editorialized that a common school system using a single language was necessary "to build up a strong nation, having a national sentiment, that will be purely Canadian."⁹¹ When Mowat defended his school bill's provision that "all schools shall be taught in the English language," he argued that "we would never have true patriotic feeling in the country until there was one language."⁹²

French-speakers vehemently objected to this line of reasoning. They argued that official unilingualism was not a necessary requirement for national unity and, on a more personal level, that they were loyal and patriotic citizens. Judge Rouleau, for example, countered that "language did not make nationality" and that "the dual language was only a matter of convenience, not a matter of nationality."⁹³ Antonio Prince insisted that unilingualism would not increase patriotic feelings: "As to language French people were not foreigners. They were the first Canadians, they loved their language and would teach it to their children, but were not the less loyal citizens and true Canadians as had been proved on many a battle field."⁹⁴

The national unity argument was undoubtedly the central issue in the dual-language debate. D'Alton McCarthy, more than any other, made this explicit when he asserted incessantly that Canada would never be united unless it adopted English as its common language. If French-speakers could be assimilated, political violence would be avoided: "we have the power to save this country from fratricidal strife, the power to make this a British country in fact as it is in name."⁹⁵ McCarthy's conclusions were buttressed by the scholarly

89 "Elections," *The Leader* (Regina), November 3, 1891.

90 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

91 "School Question," *Edmonton Bulletin*, December 7, 1889.

92 "The Legislature," *The Leader* (Regina), August 18, 1892.

93 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

94 "Legislative Assembly," *Edmonton Bulletin*, August 22, 1892.

95 "McCarthy's Speech," *Manitoba Weekly Free Press* (Winnipeg), August 8, 1889.

research of Edward A. Freeman, Regius Professor of Modern History at Oxford University.⁹⁶ Freeman held that language defined the nation (“where there is not community of language, there is no common nationality”) and that “a government and a nation should coincide.”⁹⁷ While linguistic homogeneity was the norm in Western countries, where language minorities had already been assimilated, linguistic diversity still existed elsewhere, notably in Eastern countries. Freeman reasoned that this diversity invariably led to political instability: “The only way in which national feeling can show itself is by protesting, whether in arms or otherwise, against existing political arrangements.”⁹⁸ Such views are still widely held today, although discredited by modern comparative research. Joshua Fishman, for example, in summarizing a multivariate analysis of 130 states, concludes: “The widespread journalistic and popular political wisdom that linguistic heterogeneity *per se* is necessarily conducive to civil strife has been shown, by our analysis, to be more myth than reality.”⁹⁹

In Canada’s North-West, the rallying cry “one language and one nationality,” and an accompanying threat to make English the exclusive language, constituted a direct, but usually veiled, attack on the French-speaking minority. The legislators did not overtly express anti-French animosity, yet there was a constant undercurrent of antagonism. During the 1889 legislative session, Hillyard Mitchell asked repeatedly “What harm had the French language done?” but received no response. Judge Rouleau contested the explanation that the rationale was solely economic: “There is something behind this. Some people think that they are giving a slap at a certain class. (No, no.)”¹⁰⁰ The image of physical assault recurred throughout both the language debate and the separate school issue. In 1892, for example, Haultain reproached the French-speaking legislators for defending their schools:

96 J. R. Miller, “‘As a Politician He is a Great Enigma’: The Social and Political Ideas of D’Alton McCarthy,” *Canadian Historical Review* 58 (1977), 43.

97 Edward A. Freeman, “Race and Language,” in *Historical Essays* (3rd series, 2nd ed.; London: Macmillan, 1892), 206. These essays were first published in 1879. See also, Edward A. Freeman, *Comparative Politics* (2nd ed.; London: Macmillan, 1896).

98 *Ibid.*, 226.

99 Joshua A. Fishman, *Language and Ethnicity in Minority Sociolinguistic Perspective* (Clevedon: Multilingual Matters, 1989), 622. For related studies, see Joshua A. Fishman, “Some Contrasts between Linguistically Homogeneous and Linguistically Heterogeneous Polities,” *Sociological Inquiry* 6 (1966), 146-58; Joshua A. Fishman, “Bilingualism and Separatism,” *Annals of the American Academy of Political and Social Science* 487 (1986), 169-80; and Joshua A. Fishman and Frank R. Solano, “Cross-Polity Linguistic Homogeneity/Heterogeneity and Per-Capita Gross National Product: An Empirical Exploration,” *Language Problems and Language Planning* 13 (1989), 103-18.

100 “Legislative Assembly,” *The Regina Leader*, November 1, 1889.

“What the bill contemplated was that English should be the ordinary language of the school. He deprecated the sensitiveness of the hon. member for St. Albert and his friends, who were continually shrinking as if some one were going to hit them.”¹⁰¹

The English-speaking majority swore repeatedly that no harm was intended the minority and, indeed, angrily accused the French of trying to turn the debate into an ethnic dispute. When Prince introduced an amendment to the 1892 Haultain resolution, and cited the important role played by the French-speaking minority in the North-West, he was immediately criticized by several legislators, including Haultain himself, for using “contentious” and “sectional” arguments. Oliver, in particular, was incensed:

He referred to the objectionable tone taken by the member for St. Albert [Antonio Prince] in intimating that the motion of the member for Macleod [Frederick Haultain] was an attack on the French people. He for one denied that there was any such attack. It might be good policy for him (Mr. Prince) to make out that an attack had been made in order that he might pose as the champion and defender of the French people, but while that might be the best course for himself it was not the best course for the country.¹⁰²

Several months later, when it was suggested that imposing English-language instruction on French schools “would cause irritation,” Oliver again responded by implying that any blame would lie with the French themselves: “He claimed that it was an irritation that in this English speaking country children should be deprived of an English education, as was shown in the case at St. Antoine, in the Batoche district. . . . Mr. Oliver mentioned that at the separate school in Edmonton it had been found necessary to fight to have the English language taught.”¹⁰³

Outside the walls of the Legislative Assembly, public debate was less constrained, and English-Canadian jingoism flourished uninhibited. Unmasked, proponents of national unity were revealed to be crusaders for English domination. When the Canadian parliament permitted the North-West Assembly to end official bilingualism, Cayley’s *Calgary Herald* bluntly revealed “the real issues” and called “a spade a spade.”¹⁰⁴ It triumphed: “The country knows, the French members know, that there has been administered a knock down blow to French pretensions, a great discouragement and mortification to the French race throughout Canada.” The editorialist regretted, somewhat gal-

101 “The Legislature,” *The Leader* (Regina), August 22, 1892.

102 “The Assembly !” *The Leader* (Regina), January 26, 1892.

103 “The Legislature,” *The Leader* (Regina), August 22, 1892.

104 “The Commons Debate,” *Calgary Daily Herald*, February 24, 1890.

lantly, that unity and patriotism required a winner and a loser. However:

Men may do this [express their regrets] while refusing to yield their conviction of the absolute necessity of securing for the English language in Canada that supremacy which British arms, British blood, British courage, British ideas, British institutions may fairly claim, at the close of this nineteenth century in a country over which the British flag has waved for a century and a quarter. The Northwest will part and part forever with a system which prevents national unity, encourages race strife, promotes national disintegration and is a standing menace to the integrity of British institutions and the permanence of British power in this half of the North American continent.¹⁰⁵

In private communications there was further evidence of nationalist prejudice, if not outright antagonism. On November 20, 1889, only a short time after the North-West legislature had called for an end to both official bilingualism and separate schools, Vital Grandin, bishop of St. Albert, wrote to Elzéar Taschereau, archbishop of Quebec, seeking the support of the Quebec-based clergy.¹⁰⁶ He accused the North-West legislators of making war on the French Catholic minority and of treating its political protests with "studied contempt." He also alleged that English Protestant "fanaticism" was sweeping across the territories in epidemic proportions. When the letter's contents were made public, some two months later, they created a furor. Frank Oliver published a point-by-point rebuttal and repeated his earlier declaration that "the assembly did not demand the abolition of the French language."¹⁰⁷ Rather, he maintained, the assembly had "demanded that they should no longer be compelled to waste the public money by printing in French documents that were never distributed."

Oliver's public protestations notwithstanding, there is ample evidence that anti-French prejudice was rampant in government circles. Joseph Royal's appointment as lieutenant-governor revealed the first sparks; his decision to address the North-West Assembly in French fanned the flames. When Prime Minister Macdonald advised Lieutenant-Governor Dewdney concerning the appointment of his successor, Dewdney replied, "I shall be very sorry to see a Frenchman here and it will create a very bad feeling," and he immediately recommended that "if a Frenchman is to come here" his powers be reduced as soon as possible.¹⁰⁸ Rumours of the impending appointment were, according to

105 Ibid.

106 The letter was made public two months later, translated and reprinted in the English-language newspapers. See, for example, "Bishop Grandin's Letter," *Edmonton Bulletin*, February 8, 1890.

107 "Bishop Grandin's Letter," *Edmonton Bulletin*, February 15, 1890.

108 Dewdney to Macdonald (April 11, 1877), quoted in Thomas, *Responsible Government*, 160.

Lewis H. Thomas, enough to arouse “a considerable volume of adverse comment in the territorial press, much of it motivated by prejudice against French Canadians.”¹⁰⁹ The North-West legislators were sufficiently well-mannered to avoid violent public harangues, but the French-speaking minority could easily decipher the catch-phrase “one language and one nationality.”

Democracy: The Majority’s Right to Rule

The North-West Assembly had few real powers and to pretend otherwise, as the assemblymen sometimes did, was in Thomas Tweed’s words “a solemn farce.”¹¹⁰ The legislature was constantly embroiled in a struggle for responsible government and local autonomy, and this struggle was naturally entwined with the dual-language question. The North-West legislators argued that they should be the sole authority in most matters—including language use—and that the federal government had no right to impose constraints. In this way, the fight to end official bilingualism was integrated seamlessly into a more general question: the right of the North-West population to make its own decisions. If it won this right, there was no doubt, of course, as to its position on the French language. The *Calgary Herald* candidly admitted that official bilingualism would then “be disposed of by a court whose mind is already made up.”¹¹¹ In the meantime, the legislators would mobilize political support around the bywords “democracy” and “autonomy.”

On the eve of the 1889 language debate, Nicholas Flood Davin mapped out the appropriate strategy: “On this question too we say that the statesmanlike—the workmanlike thing is not to give an opinion whether we should or should not have the dual language—but to insist on the Assembly—or the North-West Parliament having the power of saying whether or not we shall have it and then let the people decide.”¹¹² Haultain, in particular, adopted this tack, and he subsequently declared that “they were only asking for the power to deal with the [dual language] question themselves, without any restrictive clauses.” Oliver agreed: “The clause [s. 110] mentioned therein was an injury because it imposed certain restrictions. . . . The Assembly was the best judge as to whether the expenditure was necessary and it should be in their power to control it.” James Ross (Moose Jaw) voiced the same opinion: “They should take up the question as to their right to deal with it, and he believed they should have the power to

109 Thomas, *Responsible Government*, 160.

110 “Legislative Assembly,” *The Regina Leader*, December 11, 1888.

111 “The Commons Debate,” *Calgary Daily Herald*, February 24, 1890.

112 “Dual Language,” *The Regina Leader*, October 22, 1889.

deal with it."¹¹³ This inevitably focused debate on a broader issue, majority powers and minority rights.

Opponents of Cayley's language resolution called it an infringement of minority rights, and cast doubt on the majority's trustworthiness: "Mr. Justice Rouleau said that perhaps the mover of the resolution did not consider the difficulties of the question, the protection of the minority. . . . The house wanted to give the power in the hands of the majority and it would very likely be abused."¹¹⁴ Rouleau lectured the assembly on legal foundations, particularly those in the Treaty of Paris, that had granted French language rights in every part of Canada: "We have a right acquired by centuries. It is a matter of law."¹¹⁵ Charles Nolin (Batoche) made the same case two years later when, addressing the assembly in French, he asserted that French-language rights had been recognized since 1763 and reaffirmed by subsequent British and Canadian legislation.¹¹⁶

Several legislators emphasized the moral debt owed to the French-speaking population for opening up the West. Prince's proposed amendment to the Haultain resolution demanded the continuation of French-language services "in consideration of the services rendered to this country by the first Canadian *voyageurs* and missionaries who evangelized, civilized and settled there at the cost of many lives."¹¹⁷ Nolin claimed that his French-speaking constituents were worthy of more consideration because "if it had not been for the fact that the Halfbreeds had been here for the last 100 years there would have been no Assembly today." Two years earlier, Hillyard Mitchell, a long-time Hudson's Bay employee, had accused the assembly of abandoning fair play, justice and common sense when it asked "for a law to deprive the oldest residents of the country—the pioneers—from reading their own language."¹¹⁸

At a later date, Frank Oliver acknowledged that the constitutional guarantees accorded separate schools might permit the French Catholic minority "to protect itself in educational matters from a possibly intolerant majority."¹¹⁹ More generally, however, during both the 1889 and the 1892 debates, he and other English-speaking members reacted with angry indignation to any talk of minority rights. In their view, this constituted an unfair and unwarranted attack on the good judgment of the assembly. Oliver felt personally affronted by such

113 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

114 "Assembly Notes," *Edmonton Bulletin*, November 16, 1889.

115 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

116 "The Assembly!" *The Leader* (Regina), January 26, 1892.

117 *Ibid.*

118 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

119 "Legislative Assembly," *Edmonton Bulletin*, August 22, 1892.

“attacks” and he offered a pledge to the minority: “He believed in the majority ruling but not to the injury of the minority. He would guard the rights of the majority as long as they were not wrong.”¹²⁰ He also strenuously denied that Cayley’s language resolution intended “to have a slap at any portion of his countrymen,” and offered the wise counsel that “it was in the highest degree necessary that every nationality should have the fullest confidence in the good will of the majority.”¹²¹ He similarly assured his constituents, at a public meeting in Edmonton, that if the North-West Assembly won political power over the language question “the feelings and interests of the French speaking citizens of the Northwest would be respected in the matter as much as ever.”¹²²

The question of minority rights was raised again when, immediately after adoption of the Haultain language resolution, the assembly debated a school bill that would transfer control of separate schools to the North-West government. Prince observed that “the supporters of Separate Schools here were almost entirely French speaking” and that it was therefore “absolutely necessary the inspectors should be conversant in the French language.”¹²³ He proposed that, if the French-speaking community was to lose control of its schools, then the new *School Ordinance* should guarantee that “these inspectors should be competent in the French language.” Haultain refused to give any such guarantee but, in a deprecating reprimand, declared that “the hon. gentleman ought to give the Executive credit for being willing to exercise a certain amount of common sense and unwillingness to do anything that would call forth the condemnation of every fair minded man in the House.” A few months later, the issue was largely irrelevant; the assembly had voted to make English the sole language of instruction.

In his letter to Monseigneur Taschereau, Bishop Grandin had made an acrimonious attack on this fair-mindedness when he condemned the assembly for depriving “the French Catholic party” of its rights, and concluded that “we, the minority, must submit to being of no consequence socially, and should only be too glad if we are allowed to live as conquered outcasts.”¹²⁴ Frank Oliver berated the bishop’s comments and denied that French Catholics were ill-treated:

It must be evident that being so much fewer in numbers than the English and Protestant population they cannot hope to wield the same proportionate influence as in former days when they constituted half or

120 “Assembly Notes,” *Edmonton Bulletin*, November 16, 1889.

121 “Legislative Assembly,” *The Regina Leader*, November 1, 1889.

122 “Public Meeting,” *Edmonton Bulletin*, June 7, 1890.

123 “The Assembly,” *The Leader* (Regina), February 9, 1892.

124 “Bishop Grandin’s Letter,” *Edmonton Bulletin*, February 8, 1890.

more than half of the whole. To say that because they, a minority, are not allowed to rule they are treated with contempt, is to say that the majority, whose right it is to rule, should be treated with contempt.¹²⁵

In the end, it came down to that: English Protestants were a majority and they had the right to rule, including the right to impose their views, their values and, indeed, their prejudices. John Betts (Prince Albert) stated as much, with striking simplicity: "Mr. Betts said he had a sincere regard for the welfare of his country. Although a small minority might suffer by the taking away of this language it was for the good of the country."¹²⁶

The majority's numerical strength gave it access to political power and a legitimizing ideology. These were effective weapons in the battle between English-speakers and French-speakers. Bishop Grandin had complained that the Canadian government denied French Catholics representation in the North-West Assembly by gerrymandering their main population centres.¹²⁷ The following year, Senator Marc Girard (St. Boniface), speaking for the French-language minority, proposed a remedy that included splitting the existing two-member Edmonton constituency. Senator James Lougheed (Calgary) responded, in no uncertain terms, that the North-West population and its elected assembly were completely opposed to any such change and, in these matters, "the representations of the people's representatives and of those appointed by the government should certainly prevail over representations from private parties."¹²⁸ Electoral numbers talk, and as long as the French-Catholic population was a minority, it would have little political influence in Canada's North-West. In his appeal to Monseigneur Taschereau and the Quebec bishops, Grandin lamented: "If even one-fourth of those who emigrated from your Province during the past ten years had come to us, we would still constitute the majority, or would at all events be a powerful minority which would have to be taken into account and against which none would think of enacting extraordinary laws."¹²⁹

Conclusion

English-Canadian nationalism provided the chief impetus for the decision to end official bilingualism in Canada's North-West. It exalted the ideal of a united English-speaking nation, and glorified the qualities of a British-based culture. Its rallying cry was "one language and one

125 "Bishop Grandin's Letter," *Edmonton Bulletin*, February 15, 1890.

126 "Legislative Assembly," *The Regina Leader*, November 1, 1889.

127 "Bishop Grandin's Letter," *Edmonton Bulletin*, February 8, 1890.

128 Canada, Senate, *Debates*, April 29, 1890, 636.

129 "Bishop Grandin's Letter," *Edmonton Bulletin*, February 8, 1890.

nationality," and it sought to make this vision a reality by suppressing the French language and its official status. In the ensuing battle, each language group called upon a variety of resources, including a most effective weapon, political power. English-speakers controlled the North-West Assembly by virtue of superior numbers and an accommodating electoral system.¹³⁰ French-speakers possessed an important counterweight, at least for a time, when Joseph Royal was appointed lieutenant-governor in 1888. They lost this asset, however, on November 1, 1893, when Charles Mackintosh succeeded Royal, and executive authority devolved to the leading assemblyman and subsequent premier, Frederick Haultain. The 1893-1894 fiscal year witnessed the last French-language printing of territorial ordinances, and marked the formal death of the dual-language regime.

Nationalist legislators, in justifying the end of official bilingualism, marshalled a variety of rational arguments. Haultain, the executive leader, championed economic efficiency, insisting that there was no demand for French-language services and that consequently these were an unnecessary expense and a profligate waste. In fact, the demand was real and the cost was minor but, of course, any expenditure could be judged excessive if it furthered an undesirable objective. (For similar reasons, the French revolutionary Grégoire advised that it was senseless to support financially languages that he wished to see banished.¹³¹) Hugh Cayley used his newspaper platform, the *Calgary Herald*, to plead for national unity, while simultaneously condemning the French presence as a barrier to harmony and homogeneity. His jingoistic odes to the English language and to British culture did little to advance brotherhood and understanding; he was more hawk than dove, his cry more bellicose than peace-seeking. Frank Oliver, Edmonton's assembly member and newspaper publisher, advocated liberal democracy and defended the English-speaking majority and its right to rule. Electoral victory entitled the majority to exercise political power; British tradition required it to be fair-minded and just. Dissenting minorities who claimed otherwise were deemed insulting and disrespectful.

The North-West legislators were doubtless sincere in their reasoning, but they were also practical in their politics. They sat in a legislative assembly that was newly created and largely powerless; they risked being ignored. By playing the language card, they effectively awakened the populace, attracted its attention and mobilised its support.¹³² (In Manitoba, the provincial government also capitalized on

130 The fact that Native peoples did not possess the franchise gave English-speakers an obvious electoral advantage.

131 Grégoire, "Anéantir les patois," 303, 310.

132 As the 1889 session drew to a conclusion, the *Edmonton Bulletin* noted, with a hint of satisfaction: "Owing to the importance of the two questions [language

the dual-language issue and, in the ensuing crisis, successfully evaded charges of corruption and failure.¹³³) At the same time, the legislators were eager to appear statesman-like and, at all costs, to avoid touching off a prairie fire that might destroy everything in its path. Once majority support was guaranteed, minority opposition needed to be quelled. By portraying the language question as an economic matter, political leaders could better control the sparks and douse the flames.

Frank Oliver represented a constituency with a large French-Catholic minority and he resisted direct appeals to ethnic and religious prejudice. At a public meeting in Edmonton, for example, he claimed that "he did not desire to receive credit from one section of the electors for having acted the part of a fanatic, and he hoped he would not be condemned by another section as having acted the part of a bigot."¹³⁴ French-speakers, like other electors, were also concerned about issues such as fiscal restraint and prudent management. As Oliver explained: "He felt that he could not justify this waste of the public money to either French or English constituents, for it was the money of both and the interest of both depended that it be spent to advantage and not uselessly."¹³⁵

and separate schools] they have occupied more time and attracted more attention than all the other work of the assembly" ("Assembly Notes," November 16, 1889). As a whole, the territorial newspapers gave headline treatment to the dual-language question. *The Regina Leader*, which carried the most detailed coverage, typically featured it as an "Important Subject."

133 J. R. Miller, "Dalton McCarthy, Equal Rights, and the Origins of the Manitoba School Question," *Canadian Historical Review* 54 (1973), 372; and William L. Morton, "Manitoba Schools and Canadian Nationality, 1890-1923," in Craig Brown, ed., *Minorities, Schools, and Politics* (Toronto: University of Toronto Press, 1969), 11.

134 "Public Meeting," *Edmonton Bulletin*, June 7, 1890.

135 *Ibid.*