

THE TRIAL AND EXECUTION OF LOUIS RIEL

by

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Transcribed by David Morin

On November 16th Canadians will bow their heads in tribute to the memory of the great patriot and revolutionary statesman the Metis leader Louis Riel who on that day 100 years ago was executed for leading the struggle for the establishment of democratic government in Western Canada. At the young age of 35 when still in the prime of manhood he sacrificed his life for his people and his country the victim of the powerful and greedy landgrabbers (sic) railway sharks the Hudson's Bay Company and other financial interests led by the corrupt Sir John A. MacDonald (sic) then prime minister of Canada. His political views slandered his sanity questioned his religious views distorted and his character vilified and abused by reactionaries of all hues (and by most so called historians today) the name of Louis Riel yet remains dear in a personal way to many thousands of Canadians and especially to the Metis and Indians whose cause he so bravely championed.

The full and true story of the life and times of this remarkable man has still to be written. Cultured well read a gifted orator not only in French but also in English and Cree handsome renowned for his physical prowess as for his intellectual abilities this young man in 1869 when he was 25 years of age led the Metis and other settlers of the Red River Valley in a successful struggle for the establishment of democratic parliamentary government. His articles and speeches and above all his tactics in building a broad people's government showed a brilliant understanding of the bourgeois democratic revolutions then sweeping the world. In the comparatively isolated and small Red River settlement Riel carried on the same battle for freedom waged by MacKenzie (sic) and Papineau in Eastern Canada in 1837. For these activities he was persecuted and hounded and forced into hiding with a price on his head (even while the Member of Parliament from the Manitoba riding of Provencher) and finally sent into exile by the Canadian government. In 1870 at the request of the Metis he returned to Canada this time to lead and combine the efforts of the Metis Indians and white settlers to secure justice in the valley of the Saskatchewan. That struggle ended in the 1885 Rebellion. When armed

resistance was forced upon the Metis they fought back bravely and skillfully under the Brilliant (sic) leadership of the famed and legendary guerilla leader Gabriel Dumont as did the Indians under Big Bear and Poundmaker time and again defeating the superior forces of the N W M P and the Canadian army But the odds were against them and finally at the Battle of Batoche the Metis were defeated and scattered by the overwhelming forces of the Canadian army under General Middleton

That defeat also marked the beginning of the final chapter of Riel's life an account of which is the purpose of this article

Many historians assert that shortly after the battle of Batoche Riel was captured by Middleton (presumably while fleeing or while in hiding) That is false The facts are as follows: After the battle General Middleton sent a written communication to Riel which said:

"I am ready to receive you and your council and protect you until your case has been decided upon by the Dominion Government "

It was then that Riel decided to surrender He gave himself up to army scouts whom he knew personally and who escorted him safely to Middleton Since he could have escaped the question may be asked: Why did Riel surrender? Why did he not flee to Montana as did Gabriel Dumont and others? The answer is that he gave himself up quite deliberately expecting to be treated as a political prisoner and hoping that he would be able even while under arrest and on trial to bring the truth about the Metis and his own leadership of their struggles to the attention of the whole nation While the wisdom of his act of surrender is open to question (it would seem to indicate an underestimation of the ruthlessness of the forces against him) his motives cannot be For him it was a courageous and selfless act made without regard to personal consequences

Riel had hoped that his trial would be held either in the East or in Northern Saskatchewan But these hopes were soon dashed to the ground when the government announced that it would be held in Regina where it began July 15th The government had quite deliberately selected Regina If the trial had been held anywhere in the north it would be in the midst of a population sympathetic to Riel Regina on the other hand was not a center of settlement; it was the capital of the territories and the headquarters of the N W M P and among its inhabitants Riel had little support

When the trial began an English speaking jury of six was selected The government wasn't taking any chances on a jury of 12 nor one which would

include Metis or French Canadians. The Crown also secured the services of the best lawyers in the country; it assembled one of the greatest arrays of legal talent in Canadian history. Clearly it was to be a political trial of the first order.

The charge against Riel under an Act passed in 1870 was one of high treason of trying to overthrow the Queen's government. The words of the charge included the following:

"Louis Riel not regarding the duty of allegiance nor having the fear of God in his heart and seduced by the instigations of the devil as a false traitor... together with divers/other false traitors unknown... armed with pistols bayonets and other weapons did malevously (sic) and traitorously attempt and endeavour (sic) by force of arms to subvert and destroy the government of this realm and deprive and depose our said Lady the Queen of and from the style honor and kingly name of the Imperial Crown of this realm in contempt of our said Lady the Queen and her laws to the evil example of all others in like case offending "

(It should be noted at this point that in 1870 Riel was not a Canadian citizen. While in exile in Montana he had taken out American citizenship. Furthermore he was not an official of Ex Ovede (sic) (the name adopted by the Provisional Government set up by the Metis in 1870); he carefully refrained from taking any position or signing documents so that the charge of "foreign agitators" could not be leveled against the democratic forces.)

Riel had planned on conducting his own defence to make sure that the trial would result in an exposure of the injustices visited upon the population of the West by the Canadian government. And there is no question that he was capable of doing a good job. But this plan also was doomed to failure by developments Riel had not foreseen.

A Riel Defence Committee had been set up in the East. It secured the services of three famous lawyers and sent them to Regina. These lawyers had decided to enter a plea of insanity on behalf of their client and to base their whole case on this plea. They weren't at all interested in Riel's plans for his own defence nor were they concerned with bringing the justice of the cause of the Metis into the courtroom. Great was Riel's anger and disappointment on finding this out but in deference to his "friends" in the East he agreed to be "defended" by the three lawyers on condition that he could address the court.

The government of course didn't mind making the question of Riel's sanity the main issue at the trial because this would sidetrack the real issues and its own brutal suppression of the democratic movement of the territories. As for

Riel's "friends" in the East who sent the lawyers there is more than one good reason to question their motives

One of those connected with the group sponsoring the lawyers was none other than Bishop Tache the man who had betrayed Riel and the government of Assiniboia in 1869 and almost caused them to be captured by Wolsely's army Available evidence would indicate that it was the Catholic hierarchy that spread the myth of Riel's insanity and that decided to make this the main issue at the trial Their purpose was to discredit Riel while at the same time pretending to defend him as a means of winning back their lost support among the Métis and maintaining their influence in Quebec Earlier they had excommunicated Riel and threatened similar action against any of Riel's followers but the Métis ignored the threats and stayed with Riel unwaveringly

As the trial developed it became more and more clear that it was a government frame up from beginning to end much of it in collusion with Riel's own lawyers Trumped up evidence and perjured witnesses were freely introduced and the crown stooped to every kind of cheap slander in an attempt to discredit Riel It accused him of leading the struggle of the Métis only because he wanted to enrich himself that he was out for power etc etc

In this connection one of the crown's star witnesses was a man by the name of Charles Nolin He was a cousin of Riel and had been a member of the delegation that travelled to Montana to ask Riel's help Subsequent events proved him to be a traitor and a coward There is evidence that he worked in the top circles of the Métis as a secret agent of the Catholic hierarchy if not also of the police and that he carried on disruptive work under their direction

When in the early stages of the struggle to unite the various democratic organizations in Saskatchewan Louis Riel had proposed a joint demonstration of English and French Métis to impress the government it was Nolin who succeeded in having it turned instead into a day of prayer When the Métis provisional government (Ex Ovede) was formed Nolin was suspected of being a police agent and so was arrested and sentenced to be shot but released later by Riel When Crozier was advancing on the Métis settlements at the head of a police detachment Nolin was selected as a member of a Métis delegation to have a conference with him and to deliver a letter from Riel to Crozier But Nolin didn't deliver the letter and nothing came of the conference Arrested a second time as an informer by Ex Ovede he escaped and made his way to the police who produced him as a witness at the trial

At the trial Nolin was permitted to make the most vile wild and fantastic charges many of them of a personal character against Riel without interruption by either the presiding judge or by Riel's lawyers Riel repeatedly passed questions to his lawyers to be asked of Nolin but they ignored them all Finally Riel could stand it no longer and demanded that he be given the right to cross examine Nolin Both the judge and Riel's lawyers joined in refusing him the right It was almost more than Riel could bear "They have lost three quarters of the opportunities for good questions" he said bitterly of his lawyers (he had prepared over questions none of which was asked of witnesses) and added: "Here I have to defend myself against the accusation of high treason or I have to consent to an animal life in an asylum I don't care much about animal life if I am not allowed to carry with it the moral existence of an intellectual human being "

When all the evidence had been presented and all the witnesses heard Riel's lawyers made their summary to the jury their whole argument being that Riel was insane and therefore not responsible for his actions Evidence was cited that Riel had spent some time in asylums and that he had a religious conviction that he had a mission to perform

It is true that Riel spent some time in asylums but what is concealed by those repeating the slander of the charge of insanity is that after when he was elected as a M P and went east he had to seek refuge in asylums because there was a price on his head and it wasn't safe for him to appear in parliament And that he should seek rest from a nervous breakdown in an asylum after the terrible ordeal of hounding and persecution that he had gone through is also understandable but it is not any ground for the charge of insanity

It is true that Riel did take his religion seriously He believed he had a mission to perform and in a sense considered himself the prophet of a new world But religion for Riel was part and parcel of his passionate striving for social justice for a better world on earth for the people not as a weapon for his own personal advancement or a means to riches and power as it was to many other religious leaders of the day Christianity to Riel was a power for good while for his opponents it was a convenient means to pacify the Indians and the settlers while they robbed them

Bourgeois historians who today repeat the false charge of insanity do so deliberately in an effort to whitewash the criminal actions of the Tory

government of the day and to throw doubt and suspicion upon the rebellion itself

When finally Riel had the opportunity to address the jury he had to give much of his time to disprove the charges of insanity since this had become the main issue at the trial. His was a difficult task. He had to fight not only the whole state apparatus but also his own lawyers. He was determined to disprove the insanity charges at all costs even that of his own life. The human dignity of Riel as a man, his nobility of character, his high moral standards and devotion to principles are nowhere better shown than in his speech to the jury. With deep conviction and great dramatic eloquence he told the story of his life and the struggles he had led for his people.

He answered the various accusations that had been thrown against him such as the one that he was out for his own enrichment:

“For years” said Riel “I have been neglecting myself. Even one of the hardest witnesses on me said that with all my vanity I was not particular about my clothing; yes. Because I have never had much to buy clothing. My wife and children are without means while I am working more than any representative of the North West. Although I am only a guest of the country I worked to better the conditions of Saskatchewan at the risk of my life. I have never had any pay.”

And he went on to tell of the conditions of the Métis. “I found the half breeds” he said “eating rotten pork supplied by the Hudson’s Bay Company. They were deprived of responsible government and public liberties.”

He described his earlier struggles in Manitoba and exposed the reason why the government exiled him.

“I was working in Manitoba first to get free institutions for that province. They now have those institutions in Manitoba and try to improve them while I who obtained them am forgotten as dead. But after I had obtained with the help of others a constitution for Manitoba – when the Canadian government was not willing to inaugurate it at the proper time – I worked till the inauguration took place and that is why I was banished for five years.”

In unmistakable terms he made clear that he would rather choose death by hanging than life in an asylum.

“Even if I am going to be sentenced by you gentlemen of the jury” he said “I have the satisfaction if I die that I will not be reputed by all men as insane as a lunatic.”

Continuing in this vein he cleverly turned the charges of insanity against the government itself saying:

“An irresponsible government is an insane government. If you take the plea of the defence that I am not responsible for my acts, acquit me completely since I have been quarreling (sic) with an irresponsible government. If you pronounce in favor of the Crown and declare that I am responsible, then acquit me all the same. You are perfectly justified in declaring that, having my reason and sound mind, I have acted reasonably and in self defence while the government, my accuser, being irresponsible and consequently insane, cannot but have acted wrong, and if high treason there is, it must be on its side and not my part.”

The jury was out only half an hour before it brought in its verdict of guilty, with a recommendation for mercy. Insanity to them seemed to be the issue; Riel was clearly sane and was the responsible leader of the Métis. Riel's speech and his whole conduct at the trial had made (sic) a deep impression on them and they spent their half hour out in debating how most to help Riel effectively – for him they had only sympathy. As one of them was quoted as saying some years later:

“He seemed to us no more insane than any of the lawyers and they were the ablest in Canada. He was even more interesting than some of them.”

“We were in sympathy with the Métis because we knew they had good cause for what they did. We often remarked during the trial that we would like the Minister of the Interior in the prisoner's box, charged with inciting the Métis to revolt by his gross neglect and careless indifference. We developed a liking for Riel too, although we had never seen him until the trial began.”

One of the other members of the jury said, “This man is in a bad hole. I wish we knew a way to help him out.” That was the common concern of all of us. There was no division or difference of any kind. We just couldn't believe the man was insane.”

“We were in a dilemma. We could not pass judgement on the Minister of the Interior who was not on trial; and we had to give our finding on Riel according to the evidence. We refused to find him insane. The only thing we could do was to add the clause to our verdict, recommending mercy. We knew it wasn't much, but it was not an empty formal expression, and it expressed the serious desire of every one of the six of us.”

Riel heard the verdict without flinching. He took advantage of his right to speak before sentence was passed, declaring:

“The court had done the work for me. Up to the present moment I have been considered by one party as insane, by another as a criminal, and by another as a man with whom it is doubtful whether to have intercourse. By the verdict of the court one of

these three situations has disappeared. Now I will cease to be called a fool and for me that is a great advantage. If I have a mission – and I say ‘if’ for the sake of those who doubt, but for my part it seems ‘since’ – since I have a mission, I could not fulfill that mission as long as I was looked upon as insane.”

And again he traced the history of some of the struggles he had led, asking that a commission be set up to investigate the whole question.

But the just case of the Métis, Riel’s impassioned plea for them and the jury’s recommendation for mercy – all these had no effect on the judge. He had his orders, and sentenced Riel to be hanged on September 11th.

After he was sentenced, Louis Riel was kept isolated from all contact with the outside world. Meanwhile a great campaign for his release developed that twice succeeded in securing a postponement of the execution and which reached far beyond the borders of his native West. It was particularly strong in Quebec, although petitions for clemency also came from the U.S.A., England, France and Ireland. In Quebec the movement for Riel’s release assumed such proportions as to constitute a mass revolt against the Tories. Two days before the execution, Quebec Tory M.P.’s wired John A. MacDonald (sic) protesting the proposed execution and threatening to withdraw from the party. So strong was the feeling in favor of Riel that the Quebec Liberals, by supporting it, were able to gain sufficient strength to oust the Tories from Quebec, and it should be added (sic) the Tories have never been able to regain the loss.

But MacDonald (sic) was determined to see Riel executed; for him it meant the support of the Ontario Tories. And so the decision to execute Riel was made, not on the basis of Riel’s activities, but to forward the political and financial fortunes of John A. MacDonald (sic) and the reactionary forces he represented. It was a political murder of the first degree.

On November 11th, Louis Riel mounted the gallows in Regina. He went to his death fearless and unafraid to the end. He had wanted to make one final speech from the gallows but was persuaded from doing even this by the Catholic priest who accompanied him. He died as he had lived, a brave man. His last words were:

“Do not fear. I shall not shame my friends or rejoice my enemies by dying a coward. The thought of passing my life in an insane asylum or penitentiary fills me with terror and I accept death with joy and gratitude.”

So died a great man, brave, sincere, incorruptible and completely devoted to his people. We in the labor and progressive movement who inherit and carry

forward the best traditions of those who came before us need to do much more to make known the true story of such people's heroes as Louis Riel. His life will be an inspiration to all those who today struggle for peace, democracy and socialism. How closely bound the past is with the present is shown by a letter I received from the grandson of a Métis patriot who actively supported Riel both in the Red River and Saskatchewan Rebellions:

"Our Métis people made a great contribution to the democratic struggle. We have seen the passing of the buffalo and the autocrats of the Hudson's Bay Company and the passing of our traditions to the militant labor movement of our time which is the true inheritor of our traditions of democratic struggle. We know that with its help we shall see the passing of the monopolists of the 19th century."

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