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# *Picturing Canada's Native Landscape: Colonial Expansion, National Identity, and the Image of a "Dying Race"\**

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## RÉSUMÉ

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Les études en histoire de l'art ont eu jusqu'à présent tendance à analyser la représentation des Premières Nations dans l'art canadien en se référant au large concept romantique du «bon sauvage». Cette généralisation, cependant, risque d'obscurcir la façon, dans l'histoire canadienne, par laquelle on a imposé aux Premières Nations des stéréotypes concurrents et parfois même contradictoires. En se concentrant sur les premières expositions de la «Ontario Society of Artists», ainsi que sur une série spécifique de paysages exposés à cet endroit, dont l'oeuvre *Lords of the Forest* (1874) de Lucius O'Brien, nous examinerons dans cet article la représentation de l'autochtone comme un exemple d'une race «à l'agonie» ou «en voie de disparition». Nous amenons ici l'argument que le stéréotype

d'une race «à l'agonie», bien qu'aussi courante dans une vision européenne que nord-américaine en général, revêtait une signification particulière au sein de la colonie canadienne à la fois avant et après la Confédération. L'article présente comment tant le stéréotype que l'image visuelle qui l'évoquait constituaient des éléments importants dans le mythe de l'identité nationale au cours des années suivant la Confédération. Nous verrons que le concept d'une nation «à l'agonie» s'associait à des idéologies spécifiquement canadiennes quant à la colonisation, au développement et au progrès culturel. Celles-ci en retour pouvaient être invoquées pour démontrer la supériorité du nouveau dominion par rapport à ses voisins républicains du sud, les États-Unis.

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In *Our Own Country Canada*, a work published in 1889 to celebrate the colonial nation's first two decades of existence, William Withrow described development in the Canadian Prairies—an area that had been opened up for increased white settlement through the 1870s by a series of treaties with the Native tribes of the region. As part of his analysis, Withrow took the opportunity to remark upon what he termed the “doom of the aboriginal population of this continent.” This image of demise, repeated several times by the author, was important to his subsequent comments on the current status of the Native population in the area. Referring to a long history of colonial paternalism that had culminated in the *Indian Act* of 1876 which defined Natives as wards of the government who lacked full citizenship,<sup>1</sup> Withrow continued: “We of the White race are in the position of warders to these weak and perishing

tribes. . . . We are their elder and stronger brethren—their natural protectors and guardians.”<sup>2</sup> And, using a metaphor that had been wielded by Lieutenant-Governor Francis Bondhead in 1836 to rationalize the alienation of huge tracts of land in Upper Canada from three regional tribes more than 50 years earlier, Withrow supported this commentary by observing of Natives in North America: “They are melting away like winter's snow before the summer's sun. Their inherent character is averse to the genius of modern civilization.”<sup>3</sup>

Withrow's attempt to define the country and its population at the end of the nineteenth century has held an important place in the history of Canadian nationalism. Dennis Reid for one has described the jingoism of the text as characteristic of a specifically Anglo-Canadian expansionism in the early years of the Dominion.<sup>4</sup> However, it

is Withrow's image of the Native population as a form of racial "other" in relation to the national polity that provides the problematic touchstone for the following study. It is the concern in the following pages to demonstrate that the construct of difference wielded so prominently in *Our Own Country Canada* was one that played an important role in other forms of colonial discourse within the new nation. Focusing on the early exhibitions of the Ontario Society of Artists, an institution formed in 1872 and commonly viewed by historians as the forerunner of a Canadian art academy,<sup>5</sup> this article examines a specific set of landscape paintings—including Lucius O'Brien's *Lords of the Forest* of 1874—in which the Native within Canada was posed as exemplary of a "dying" or "vanishing race." It is the argument here that this one stereotype, and the visual imagery in which it was evoked, functioned as a significant component in the myths of national identity in the post-Confederation years. The notion of a "dying race," it is contended, worked in relation to specifically Canadian ideologies of settlement, development, and cultural progress. These in turn could be used to argue the superiority of the new Dominion in relation to its republican neighbour to the south, the United States.

#### I.

A review published in 1874 in the Canadian journal *The Nation* registered a complaint about the current display at the Ontario Society of Artists. Confronting some 188 paintings in this second of the Society's annual shows, *The Nation's* critic remarked upon what was taken to be an excessive number of images that took up a Native subject matter.

We are brought full face with *les sauvages* . . . and we in vain try to escape from them. There are Indians in every position that can by any conceivable stretch of imagination be called Picturesque; they are paddling, fishing, shooting, playing; they permeate the whole of the space devoted to oil pictures: so much so that—*pace* the Aborigines Protection Society,—the wearied visitor is inclined to wish them all wiped out—not from existence, but from the canvas.<sup>6</sup>

As the above text makes clear the critic's reference to having *les sauvages* "all wiped out" was held in careful balance within the commentary; it was separated from the world of existence and limited to that of representation, by the writer's punctuated demarcation—a dash. Nevertheless, this evocation of a "vanishing Native," so insidious in its casual irony, did touch upon long-standing debates within the Canadian nation. As contemporary readers might have recognized, the Aborigines Protection Society alluded to in

the passage was a bona fide institution that had played a special role in the affairs of the British colony. As an organization dedicated to "civilizing" Natives to stave off what was perceived as an imminent extinction, the group had been powerful at mid-century and had influenced the British Colonial Office in its policies concerning "Indian Affairs."<sup>7</sup> Yet neither the status of the Native population nor the politics of colonial expansion were the intended focus of *The Nation's* critic. Rather, the review stood as part of an ongoing effort within the journal to characterize a subject matter appropriate to a new Canadian art.

The preceding week, in an evaluation of the same exhibition, *The Nation's* critic had lamented the scarcity of landscape paintings within the show that portrayed a particular facet of the new nation. Providing an inventory of possible subjects to counter complaints "that Canada is barren of the picturesque," the reviewer called for an imagery that would depict a cultivated Canadian scenery, one that registered farming and the exploitation of natural resources so crucial to white settlement within the country:

We are disappointed to see the very narrow range of subjects covered by the exhibition. Little or no attempts are made to depict the varied and picturesque marine life of Canada; none to delineate our farms, our cattle or horses, our sports of fishing, shooting and hunting, our wild animals, our backwoods—full of incident as it is—in the various exciting scenes in the lumberer's occupation.<sup>8</sup>

Taken together, the two reviews in *The Nation* articulated familiar oppositions between notions of the "savage" and the civilized, wilderness and settlement that were common in the discourses that promoted development within the new nation.<sup>9</sup> But these two commentaries on landscape imagery were also part of a broader debate on art's ability to represent the Dominion that had emerged in response to the Ontario Society of Artists early exhibitions.

Created in 1872 by a group of artists based primarily in English Canada, the Society had held its first exhibition in Toronto in April of 1873.<sup>10</sup> The emergence of this institution within the province had been greeted with congratulatory reviews in the local press. Revealing a parochial bias in their promotion of Toronto as opposed to Montreal as the new cultural centre of the country, these articles viewed the displays of work by modern artists (albeit primarily of English Ontario rather than Quebec origin) as an important sign of cultural development within the new nation, and as a means of promoting what *The Canadian Monthly* in 1873 termed "national refinement," and what *The Mail* in the same year

designated as a sign of “civilization and progress.”<sup>11</sup> Given a measure of official sanction by the patronage of Lord Dufferin, the Governor-General of the six-year-old Dominion,<sup>12</sup> the organization was also heralded as providing the basis for both a future Canadian academy of art and a national gallery.<sup>13</sup>

The concern with having culture register a new national identity that was an important aspect of such press assessments took on particular significance in relation to landscape painting. From the outset press reviews had been quick to emphasize the great number of landscape images displayed by participants in the Ontario Society of Artists exhibitions.<sup>14</sup> In turn it was suggested that this category of imagery offered up a way of addressing an indigenous subject matter able to mark out the unique and distinctive characteristics of the new Dominion. As one reviewer assessing the 1873 exhibition remarked:

One of the most noticeable charms of the exhibition was its essentially native character; and the general preference shown by purchasers for Canadian, in preference to European, subjects will no doubt contribute still more to the same result in future years. The wooded creeks and river valleys of our neighbourhood had been lovingly visited; and some lovely snatches of characteristic native scenery were rendered with fine effect. . . .<sup>15</sup>

Landscape, however, bears a particular relation to the social world. Mediated through aesthetic conventions and encoded in pictorial form are the ideologies and interests of patrons and publics, artist and viewers.<sup>16</sup> In this respect, the use of Canadian rivers, lakes, and woods as a way of designating the national in fact involved a particular set of complex negotiations. As the catalogues for the early Society exhibitions document, a significant proportion of works displayed on the walls of the annual shows focused on a landscape occupied by Native inhabitants of the country. Some, like Frederick Verner’s *Encampment, Snake Island*, exhibited in 1873, Henry Sandham’s *Micmac Encampment, Gulf of St. Lawrence*, exhibited in 1874, or Lucius O’Brien’s *Indian Summer; a Fishing Party of Rama Indians Outside the Narrows of Lake Simcoe*, also shown in 1874, used titles to designate a specific geographical site within the borders of the nation. Others, like Frederick Verner’s *Shooting the Rapids*, displayed in 1873, were more general in their designations, although still evoking for their urban audience a nature that appeared remote from modern settlement.<sup>17</sup> Many reviewers simply subsumed these images under such generic labels as “landscape with figures” or “native scenery,” implying thereby that the human figures stood as

staffage designed to animate the geographical forms. One critic went so far as to argue in 1875 that these “Indian” subjects served to demonstrate that even the “homely aspects” of Canadian scenery could be transformed by art—suggesting thereby that seeing both nature and the land in aesthetic terms stood as a sign of culture and civilization itself:

We are not disposed to make it a subject of complaint that Indians with their canoes and their wigwams; their paddlings, fishings, and savage-doings in general, form the staple of this Ontario Art Exhibition. We rejoice on the contrary, at every genuine indication of the growth of a native school of art. Among our Canadian lakes and rivers may be found scenery equal to anything that the old world presents to the eye; and the evidence of the familiar study of nature, and a discernment of the poetry which lurks under its most homely aspects, are the truest evidence of that artistic feeling on which all genuine progress must depend.<sup>18</sup> (Emphasis added)

However as one particular image, Lucius O’Brien’s *Lords of the Forest* (Fig. 85), suggests, there were other means by which such Native subjects could be seen as defining the landscape in national terms. Appearing in 1875 in the third of the Society’s exhibitions, the large-scale painting took as its focus the tall and verdant trees of a mature deciduous forest. Passing beneath these and dwarfed by their mass and height, a Native hunter with bow and arrow and skin and leather dress called up a past untouched by modern change.<sup>19</sup> While the watercolour exemplified the painterly skill for which O’Brien was well known, the painting’s interest hinged as well on the subject it displayed. As the title of the work suggested, both aboriginal inhabitant and stately trees were designated as the aristocrats within the woodland domain. The analogy between the two relied on contemporaneous views in which so-called “primitive” cultures were considered as inextricably tied to the natural environment. But in *Lords of the Forest* this affinity between nature and Native enabled a further narrative to be evoked. In the foreground of the image, two fallen trees, the rotted stump of one evoking their death through natural means, provided a foil to the lush greenery of the woodland clearing. Registered here, and through the conventions that demanded of the picturesque landscape that varied pictorial contrasts activate a scene, was that the “lords of the forest”—both hunter and trees—had their own natural cycles of growth, dominion, and ultimate decay.<sup>20</sup> The literary associations of the painting’s title would have added to these connotations. Allusion to the Native population of North America as “lords” or “knights” of the land was not uncommon in the

nineteenth century, and the metaphor evocatively implied a former age of sovereign rule now located in the distant past.<sup>21</sup>

Landscapes that represented Native culture in terms of such decline or wasting away had appeared before on the walls of the Society's exhibitions. In the organization's first show in 1873, another O'Brien landscape, *Passing Away*, had been singled out by *The Mail* for its "poetic sentiment well sustained," and for "beauty of colour and composition." Yet the critic's description of the painting served to underscore the way the representation conjured up an image of Native life as verging on extinction as settlement continued to progress:

Against the clear calm light of departing day stands out in bold relief the figure of one of the last members of the Indian tribes in his canoe, which his squaw is slowly and dreamily paddling. The background shows the remnants of the once grand primeval forest now rapidly disappearing before the settler's axe. The atmosphere of the whole is wonderful, the middle distance splendid, the low tones and clever way in which mass is obtained . . . make up a picture too seldom met with.<sup>22</sup>

In the same year, Canadian artist Frederick Verner exhibited *Uncas*, the title of which made clear its allusion to a similar theme. The painting, described in *The Globe* as "a picture which attracts considerable attention,"<sup>23</sup> represented the Native hero of Fenimore Cooper's *The Last of the Mohicans*, a character who is repeatedly portrayed in the novel as the last remaining survivor of "a noble race," now destroyed as a result of contact with white settlers in the British colonies. First published in 1826, and set in America's pre-Republican past, *The Last of the Mohicans* was a popular work throughout the nineteenth century in both Europe and North America. The title to Verner's painting itself testifies to a broad public familiarity with the story. Described in one press account of the exhibition as "a pleasing representation of a youth of the race now passing from us, being driven off the earth,"<sup>24</sup> the image clearly relied on the sentimental response to Cooper's construct of a culture supposedly vanishing from the continent.

Both *Uncas* and *Passing Away* have been lost subsequent to their public display in 1873, and analysis of their visual configurations must rely on the descriptions of contemporaneous reviewers. However, a series of honours was accorded *Lords of the Forest* in the years following its first exhibition. When first displayed in 1875, the work was marked out as one of the major paintings within the Ontario Society of Artists exhibition. The reviewer for Toronto's *The Mail*, for example, rated O'Brien's painting as "little short of

a masterpiece."<sup>25</sup> The critic for *The Nation*, describing the painting as "a most covetable picture," also noted in a separate review that the work, "a loving study of nature," had been reproduced as a photograph published by the Society.<sup>26</sup> Indeed photography made O'Brien's work accessible to a broader public than those who attended the 1875 display. In November of 1874, the painting had been chosen by the Ontario Society of Artists to be one of the three exhibited works to be made available in photographic form for subscribers to the yearly Art Union lottery.<sup>27</sup> To this end, a monochromatic copy of the painting, now in the collection of the Art Gallery of Hamilton (Fig. 86), had been executed by O'Brien for photographic purposes.<sup>28</sup> Further marks of recognition followed. In 1875 *Lords of the Forest* was among the first group of art works purchased to form a permanent art collection within the province through money provided by the Ontario government.<sup>29</sup> The following year, 1876, the painting was displayed as part of the Canadian exhibition of fine art at the American Centennial Exhibition in Philadelphia that celebrated the Republic's first 100 years of independence.<sup>30</sup>

This public circulation given O'Brien's painting can in some degree be explained by the artist's own status. He was well known and established in 1875 when *Lords of the Forest* was first exhibited, and his acquaintance with both wealthy patrons and prominent government officials in the second half of the decade repeatedly aided his career in these years. By 1879 his reputation was such that he was invited by the Governor-General, the Marquis of Lorne, to act as head of the newly founded Canadian Academy, and his diploma landscape, *Sunrise on the Saguenay*, was given pride of place the following year at the Academy's first exhibition.<sup>31</sup> Yet with both the artist's painterly skill and personal reputation acknowledged, it is the argument here that the attention accorded *Lords of the Forest* owed much to the way in which the image of forest and aboriginal hunter gave form to a particular myth of Native peoples that had a special status within the Canadian colony both before and after Confederation.

## II.

Numerous stereotypes applied to the Native populations in North America had flourished since the time of the earliest European colonization.<sup>32</sup> However the notion of the indigenous populations as a doomed or a "dying race," one that seemed to be verging on extinction, was current

in Europe and North America from the first decades of the nineteenth century. The origin of the concept evolved out of eighteenth-century efforts to classify racial and cultural groups as a way of accounting for the seeming superiority of white Europeans.<sup>33</sup> When in the early nineteenth century, official studies, ethnological surveys, and missionary reports provided arguments that disease and the effects of white contact had resulted in the decline and in some cases destruction of whole Native populations on the continent, such theories of racial hierarchy could be brought to bear on the issue. Particularly important were theses that held that specific races followed a natural cycle of progression and eclipse.<sup>34</sup> As Brian Dippie has demonstrated in a study of what he has termed the "vanishing American," within the history of the United States, commentators through the nineteenth century could marshal such notions to explain a spectrum of issues. These ranged from the seeming inability of the Native population to cope with new diseases, to what was viewed as reluctance on the part of Natives to give up traditional nomadic patterns to become cultivators once white settlement and expanding agriculture had curtailed access to traditional hunting and fishing grounds as well as fish and game stock.<sup>35</sup>

Reference to the impending extinction of the aboriginal inhabitants of the country was not restricted to official or ethnological debates. Novels like those in Fenimore Cooper's Leatherstocking series, of which *The Last of the Mohicans* was a part, reiterated the idea of the destruction of the "Indian" race as the frontier pushed ever westward.<sup>36</sup> Others, like William Gilmore Simms's *The Cassique of Kiawah* (1859), explicitly conjured up the notion of an inferior Native race that would disappear like the growth of old forest, to prepare the way for white civilization.<sup>37</sup> Magazine journalism also played a role. "The Red Man," appearing in *The Quarterly Review* of London in 1840, comprised a review of three publications on Natives of North America, and made no less than nine specific allusions to the imminent extinction of the continent's aboriginal population. Such references were naturalized through the use of metaphors of nature which described Native culture in terms of "the setting sun . . . rapidly sinking from our view," or as "red brethren [that] everywhere melt before us like the snow."<sup>38</sup> The currency of this theme of demise was also evidenced in the visual arts. As one example, in the United States in 1847 an oil painting by Tompkins H. Matteson, *The Last of the Race* (Fig. 87), was made available in print form to subscribers to the American Art-Union. The

image portrayed a Native American family pushed westward to the coast and grouped against a sunset on the rocks above the Pacific Ocean.<sup>39</sup>

Yet while Lucius O'Brien's *Lords of the Forest* can be viewed as having sentimentalized through the domain of art a stereotype that was familiar within an international and American venue, the "dying race" had a particular significance within Canada's own present and past. Indeed not only did the construct play a central role in the Crown's ability to open up land for settlement and expansion; it facilitated as well a view of the Native population which was manipulated to define the Canadian national polity in terms that stressed its difference from that of the United States.

It has been noted by Richard Slotkin, in his study of the mythology of the American frontier, that in the new Republic a myth of national identity was forged in terms of a narrative of conflict, one in which the Native American functioned as the "savage" and "barbaric" threat to the forces of civilization and progress.<sup>40</sup> In Canada by the nineteenth century, a different history was claimed. As historians of colonial relations have pointed out, in the period following the British victory over the French in 1763, the aid of Native tribes was still essential to the defence of Britain's North American colonies.<sup>41</sup> Both the Royal Proclamation of 1763 which acknowledged aboriginal title to unsettled lands, and the annual giving of presents to Native tribes in recognition of allegiance to the British cause, were important factors in maintaining this alliance.<sup>42</sup> However, as pressures for land increased with the influx of immigrant settlers, British relations with their former allies changed. Thus by 1830, concern with acquiring lands for settlement and immigration, particularly in the western colony of Upper Canada (the present province of Ontario), resulted in a change in British Colonial Office policy. A Treaty system emerged whereby purchase of Native title served as a means of acquiring land for the Crown, with Reserves set aside for Native use and habitation as part of the exchange.

Arguments based on the idea of a race doomed to vanish played a major role in the rationalizations that supported the new system. As studies of this period have shown, administrations in London and the colonies of the Canadas promoted the new Reserves as a means to protect through "civilization" a population whose survival in the modern age was deemed to be under threat.<sup>43</sup> Current theories of racial and cultural evolution, promoted in Britain by the political

lobbying of humanitarian organizations such as the Aborigines Protection Society, played a role in the development of the new Reserve policies. In comparison to hunting or fishing as a means of survival, social systems organized around agriculture and private property were understood to signify a more advanced level of development on the hierarchical scale of civilization.<sup>44</sup> The project of containing nations and tribes within the boundaries of Reserves in the Canadas thus aimed to eradicate traditional nomadic and communal patterns that were part of a hunting and fishing economy. Plans to institute agricultural training on individual plots of Reserve land, to construct fixed dwellings designed for single family units, and to inculcate Christian values were conceived by administrators as a way of facilitating the assimilation of the Native populations into the economic order of the British colonies. As Western notions of the merits of individual enterprise and private property were to be instilled by these initiatives, they could be viewed, as one government official in 1835 succinctly put it, as a way to “prevent the total Extinction of their Race.”<sup>45</sup>

The new Reserve initiatives stood in contrast to the American policy of large-scale displacement of eastern tribes to the interior of the continent that followed the passage of the Removal Act, in Washington, D.C., on 24 April 1830.<sup>46</sup> Still, the programme in the Canadas did serve to justify large- and small-scale land alienation from regional tribes from 1830 on. Even Sir Francis Bondhead, the Lieutenant-Governor of Upper Canada who claimed that the civilization project of previous colonial administrators was a failure, would invoke the paternalistic concerns of the Colonial Office by using the construct of a “dying race” as a rationale for land acquisition. In 1836 Bondhead negotiated two treaties with the Sauking, Chippewan, and Ottawa tribes that gained for the Crown the surrender of more than three million acres of what was described to British Colonial Secretary Glenelg as “an immense portion of the most valuable land.”<sup>47</sup> Created as part of the exchange was the remote Reserve comprised of the Manitoulin Islands in northern Lake Huron. Referring to Natives in Upper Canada as a “doomed race,” and as “melting like snow before the sun,”<sup>48</sup> Bondhead made use of the prevalent humanitarian rhetoric as a way of explicating his advocacy of relocating aboriginal tribes in the isolated region as a form of protection through segregation from European colonists. However, the resulting transfer to the Crown of large tracts of land that could now be opened up for European settlers had both economic and political motiva-

tions. As historian J. S. Milloy has indicated, criticisms of administrative management made by the Reform party in Bondhead’s jurisdiction, and which signaled in turn ongoing economic and class tensions within the colony, were to be held at bay by such attempts to make available more land for colonists and immigrants.<sup>49</sup>

The point here is not that Bondhead’s isolation policy passed without criticism. Native organizations as well as the Aborigines Protection Society and missionary groups within the colony lodged complaints with the Colonial Office concerning the justness of the land deals and the efficacy of the location of Native populations away from centres of colonial settlement.<sup>50</sup> Such opposition, however, underscores the way in which the civilizing function associated with the Reserve system, relying as it did on proximity to and emulation of Anglo-European models, was viewed—at least by missionary and humanitarian organizations—as a means to counter projections of a fated doom for aboriginal populations. Britain’s Colonial Secretary Glenelg was in fact forced to respond to the complaints concerning Bondhead’s actions by annulling the Treaties in question and by re-asserting in 1838 that British goals were not to isolate the Native population in anticipation of its inevitable demise, but rather “to protect and cherish this helpless Race,” and to “raise them in the Scale of Humanity.”<sup>51</sup>

The Treaty system and the creation of Reserves continued up to Confederation and into the 1870s with the so-called Numbered Treaties that gained for the Dominion the lands of the Prairies and Northwest between 1871 and 1877. Repeatedly in this period these arrangements were presented to both the public and to the Native tribes concerned as a way of protecting the aboriginal population from incoming settlers, and as providing a means of survival by replacing hunting with agriculture as bison stocks on the Prairies rapidly dwindled.<sup>52</sup> While the rhetoric of a vanishing race was avoided in official statements in these later years, the image still was current in more popular descriptions that described the new Dominion. Thus in 1873, a travel narrative, *Ocean to Ocean, Sandford Fleming’s Expedition through Canada in 1872*, written by the young Presbyterian minister George Grant, reiterated accounts of the Natives as a race doomed to “die out,” a fate attributed to indigenous nomadic life as being no longer viable in the face of modern settlement.<sup>53</sup> In turn, William Withrow’s *Our Own Country Canada* of 1889 organized the passages on Prairie settlement and the Indian ward system which were cited at the outset of this

study within a section which actually bore the title, "The Dying Race."

The construct of the "dying race," then, marshalled sentiment and sympathy for what was argued to be a less developed and therefore threatened culture. Thus rationalized, paternalistic care could attempt a form of social management of Native populations within both colonial and then national boundaries. But the "dying race," incorporated in the institutional and ideological structures of the Dominion, could also support a specific national history—one that worked to assert the nation's superiority in relation to the United States. On 8 March 1871, Joseph Howe, the Member of Parliament from Nova Scotia, made a speech to the House of Commons that praised Canada's history of Native relations while criticizing the treatment of aboriginal populations meted out by Americans. The *Report of the Dominion of Canada Parliamentary Debates*, which published précis of speeches in the House of Commons, summarized Howe's argument and the response it earned.

If there was anything which the people and the Government of the country could look back upon with considerable pride, it was their transactions with the Indians within their territory. . . . He threw out this suggestion to the House as timely. When they contrasted the manner in which the Indians in British America had been treated, with that in which those on the other side of the line were, it was impossible to deny that the policy of the British Americans had been not only just and generous, but successful. (cheers).<sup>54</sup>

Howe's address appears to have been in part a commentary on a new policy in the United States effected a few days earlier by President Grant's signing into law on 3 March 1871 a cessation of further treaty-making with Native American tribes in the Republic. Motivated by the threat to unity posed by the recent civil war, and encumbered with the expenses of its ongoing military campaigns against the Plains tribes, the American government was eager to assert its opposition to any threat posed by a group with independent nation status in the Republic.<sup>55</sup> The much-publicized violence and military conflicts with Native Americans in the United States—a subject given public acknowledgment in President Grant's annual message in December 1869 to the Republic<sup>56</sup>—enabled the Canadian Member of Parliament to argue that the Treaty system in Canada was emblematic of the supposedly superior ideals of British justice within the new Dominion. This valorizing of British legal institutions in respect to aboriginal peoples had been an operative aspect of British colonial ideology for some decades,<sup>57</sup> but the subject was particularly current in

the years following Confederation when the links between British and Canadian institutions were repeatedly stressed. It was in such a context that an 1870 address to the Queen from the Canadian Senate and House of Commons at the time of the acquisition of the Hudson Bay Territories by the Dominion promised that "claims of the Indian tribes to compensation for lands required for purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines."<sup>58</sup> Such claims to a just legal treatment provided the basis for other self-serving contrasts with American policy akin to that put forth by Joseph Howe. Thus George Grant's travel account *Ocean to Ocean* of 1873 argued for the superiority of Canadian treaties and land settlements with Natives on the Canadian Prairies by alleging a lack of justice and "mercy" toward Natives in the United States. Grant concluded with a tacit reference to current American conflicts on the Plains: "There are and can be no Indian Wars or difficulties in Manitoba. This is a matter of utmost importance to settlers."<sup>59</sup> A similar contrast was put forth, although more implicitly, in a review in *The New Dominion Monthly*, in the spring of 1875. Citing steps recently taken by the Canadian government to promote settlement on the Prairies, the journal's commentator claimed, "We have concluded a treaty by which *quiet* possession of lands is secured to the settlers therein, at the same time that justice is done to the Indian tribes that have hitherto been the only lords of the plains"<sup>60</sup> (emphasis added). These claims, while clearly ignoring the violences against Native peoples produced within the Canadian system, did have a special import in the country. In an era when incursions from the United States were feared along the 49th parallel and sympathy for Republican values within the new Dominion was considered a threat, both the assertions of the justice of British institutions, and claims to the peaceful opening up of land for immigrants, were important factors in the forging of a Canadian national mythology.

### III.

Paintings like *Lords of the Forest*, *Passing Away*, and *Uncas*, then, marked out an indigenous and national subject matter in complex ways. For the critic writing in *The Nation* in 1875 and cited earlier in this paper, an imagery "of Indians with their canoes and their wigwams . . . and savage-doings in general" could demonstrate that Canadian "scenery" was a rival to that of Europe. But



as this same critic went on to suggest, “the evidence of the familiar study of nature, and a discernment of the poetry which lurks under its most homely aspects” stood also as “the truest evidence of that artistic feeling on which all genuine progress must depend.”<sup>61</sup> As a sign of culture, then, aesthetic conventions—and the picturesque which provided a landscape vocabulary for much of the art displayed in the Ontario Society of Artist exhibitions, stands as an obvious example here<sup>62</sup>—worked to register the presence of the artistically educated and tasteful viewer. Such a viewer, in aestheticizing both the rural countryside and the so-called wilderness, could engage in what both Ann Bermingham and Carole Fabricant have described as a metaphorical or “imaginative appropriation” of the land.<sup>63</sup> Affirming the existence of a culturally refined elite within the country, while also claiming aesthetic proprietorship over the tracks of eastern woodlands and Prairie expanses, these landscape paintings could work to define culture in the new Dominion on a number of levels.

However as this analysis of the “dying race” has also suggested, another set of cultural parameters could also serve to assert these landscapes in national terms. A picturesque imagery of nature’s cycles and dying trees in *Lords of the Forest*, a flowing river carrying a Native family into the sunset in *Passing Away*, or in the case of *Uncas*, the spectacle of an unsettled wilderness of a British colonial North America of a century earlier, could naturalize in aesthetic forms a racial theory that had served to marginalize a population of the country whose presence and title to the land had been at odds with Anglo-European expansion and settlement within the colony. Indeed in this respect it is worth emphasizing that in O’Brien’s *Lords of the Forest*, hunting itself functioned not only as a sign of a mode of subsistence associated with a less advanced culture, but as well could call up a form of nomadic land use that had been argued in English and French legal theory and by government administrators in the Canadas to forfeit any legal claim to proprietorship of the soil.<sup>64</sup>

Such articulation of an aboriginal people’s difference bore a relation to the racial distinction that was ultimately encoded in the British North America Act of 1867 which created the Dominion. As Bruce Clark has noted, the Native population was there identified as the only group within the nation to be classified in terms of race and subjected, as a result, to alternative legal treatment.<sup>65</sup> This assertion of “otherness” within the country served the obvious purpose of evoking a unifying bond within the colonizing com-

munity itself, one that masked over what were in fact a range of divisive ethnic and class factionalizations and antagonisms that persisted throughout the nineteenth century. Yet, as a particular formulation of difference, the “dying race” had other effects. By the 1870s the stereotype was able to assert for an Anglo-Canadian public the mythology of a tradition of humanitarian concern that could be used to claim the superiority of British and Canadian legislative institutions. Indeed, much in the way that the public display of paintings in Canada could be taken to signify cultural development within the country by claiming the existence of a community that shared a willingness to respond to art’s pictorial codes, so the “dying race” in representation could imply the existence of a constituency whose nostalgic sympathy attested to a charitable justice that could be identified with the progressive character of the nation itself.

The foregoing is not to suggest that this one pervasive stereotype of inevitable extinction produced a passive body of subjects. Resistance to such prescriptions was voiced by Native nations throughout the nineteenth century and into the twentieth. Such opposition was also reinforced within various sectors of the colonizing community.<sup>66</sup> However an analysis of the uses made of the “dying race” does reveal some of the mechanisms at work in the representations—textual and visual—of Canada’s colonial history. At the outset of this paper, the passages quoted from the reviews of landscape displayed in the exhibitions of the *Ontario Society of Artists* indicated that images of township and rural settlement, and those of Native culture within the so-called wilderness or natural landscape, were considered to function as antithetical representations. Clearly the very construct of a wilderness nature itself served the interest of colonial ideology by ignoring Native culture’s economies and jurisdictions in relation to the land.<sup>67</sup> However, the argument here, that Anglo-European notions of progress were the implicit subject of representations of the Native population as a “dying race,” also serves to emphasize the symbiotic and interdependent relationship of such oppositions within the discourses of the new nation.

The preceding analysis also suggests reasons why a painting like Lucius O’Brien’s *Lords of the Forest* was purchased by the Ontario Government in 1875 and exhibited at the American Centennial Exhibition in Philadelphia in 1876. It was not only that the image figured a theme that was central to colonial settlement in the province and westward expansion in the Dominion. Called up as well by this large-scale representation of a na-



tive primeval forest and aboriginal hunter was an icon of the modern nation itself. Nostalgic concern for a doomed race could evoke at once the myths of inevitable progress and humanitarian justice that were central to colonial rule. Like the image's picturesque landscape forms and impressive demonstration of painterly skill, these signs of culture, as much as any image of cultivation or settlement, could register an Anglo-European presence in the country and so work to claim the land in national terms.

#### NOTES

\* This paper is the result of a research project carried out in the summer of 1991. Ann Dunlop of the Masters' programme in Fine Arts at the University of British Columbia acted as Research Assistant for the study. Both her careful survey of nineteenth-century press and periodical literature and her interest in this topic have been of much assistance and are gratefully acknowledged here.

- 1 E. Brian Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver, 1986), 11. For an analysis of legal definitions of the aboriginal population in this period see also Bruce Clark, *Native Liberty, Crown Sovereignty: The Existing Aboriginal Right of Self-Government in Canada* (Montreal, 1990), passim.
- 2 W. H. Withrow, *Our Own Country Canada, Scenic and Descriptive; An Account of the Extent, Resources, Physical Aspect, Industries, Cities and Chief Towns of the Provinces of Nova Scotia, Prince Edward Island, Newfoundland, New Brunswick, Québec, Ontario, Manitoba, The North-West Territory and British Columbia. With Sketches and Adventure* (Toronto, 1889), 489 and 490.
- 3 Withrow, *Our Own Country Canada*, 489. For Bondhead's remark see Bondhead to British Colonial Secretary Lord Glenelg, 30 November 1836, quoted in R. J. Surtees, "Indian Reserve Policy in Upper Canada, 1830-1845" (unpublished M.A. thesis, Carleton University, 1966), 42, n. 56. Bondhead's negotiations are discussed below.
- 4 Dennis Reid, *Our Own Country Canada; Being an Account of the National Aspirations of the Principal Landscape Artists in Montreal and Toronto, 1860-1890* (The National Gallery of Canada, 1979), especially the "Introduction," 2-8. Reid's analysis has made the important point that French-Canadian traditions were effectively effaced by such presumptive characterizations of "our country" in terms of British institutions and cultural forms.
- 5 See Reid, *Our Own Country Canada*, passim.
- 6 "The Ontario Art Exhibition," *The Nation*, 25 June 1874, 135. My attention was first drawn to this review by a reference in Reid, *Our Own Country Canada*, 230. It should be noted that this commentary in *The Nation* was stimulated in part by the number of paintings depicting Native subjects exhibited by the artist F. A. Verner, whose career has been the subject of the study by Joan Murray, *The Last Buffalo: The Story of Frederick Arthur Verner, Painter of the Canadian West* (Toronto, 1984). However, as the catalogue, *Ontario Society of Artists: Second Annual Exhibition of Works by Members and Others* (June 1874) (unpaginated), clearly indicates, the 1874 exhibition featured examples of Native subjects by other artists including Lucius O'Brien and Henry Sandham. Complaints concerning the number of "Indian subjects" exhibited in these shows were not limited to 1874. See, for example, the comments of the critic for *The Nation*, 14 May 1875, 226, quoted below.
- 7 For a discussion of the Aborigines Protection Society, see Philip D. Curtin, *The Image of Africa: British Ideas and Ac-*

*tion, 1780-1850* (Madison, 1964), 299 and 329-30; John L. Tobias, "Protection, Civilization, Assimilation: An Outline of Canada's Indian Policy," in *Sweet Promises: A Reader on Indian-White Relations in Canada*, ed. J. R. Miller (Toronto, 1991), 128, first published in *The Western Canadian Journal of Anthropology*, vi, 2 (1976); R. J. Surtees, "The Development of an Indian Reserve Policy in Canada," *Ontario History*, LXI, 2 (June 1969), 90; and L. F. S. Upton, "The Origins of Canadian Indian Policy," *Journal of Canadian Studies*, VIII, 4 (November 1973), 58.

- 8 "The Ontario Art Exhibition." *The Nation*, 18 June 1874, 143.
- 9 See, for example, D. M. R. Bentley, "Savage, Degenerate, and Dispossessed: Some Sociological, Anthropological and Legal Backgrounds to the Depiction of Native Peoples in Early Long Poems on Canada," in W. H. New, *Native Writers and Canadian Writing* (Special Issue, *Canadian Literature*) (Vancouver, 1990), 76-91; Brian S. Osborne, "The Iconography of Nationhood in Canadian Art," in *The Iconography of Landscape: Essays on the Symbolic Representation, Design and Use of Past Environments*, ed. Denis Cosgrove and Stephen Daniels (Cambridge, 1988), 162-78; Margot Northey, "Canadian Prototype: Wacousta," in *The Haunted Wilderness: The Gothic and Grotesque in Canadian Fiction* (Toronto, 1976), chap. 2, 18-26; and J. M. Zezulka, "The Pastoral Vision in 19th Century Canada," *Dalhousie Review*, LVII, 2 (1977), 224-41.
- 10 As Reid, *Our Own Country Canada*, 16-20, has demonstrated, exhibiting societies which featured Canadian artists had been organized in Montreal since 1860 and had promoted at various times a Canadian subject matter. On the Ontario Society of Artists and its import see Reid, *Our Own Country Canada*, 196-202.
- 11 "A new pleasure has been found for us, with its welcome evidence of growing culture and progress, in the opening of the first Exhibition of the Ontario Society of Artists. . . . [A]n annual exhibition of paintings constitutes one of the most valuable means of national refinement. It educates the eye, develops the taste, and creates a higher standard. . . ." ("The Fine Arts in Ontario," *The Canadian Monthly* [June 1873], 545). "The Ontario Society of Artists" (in *The Mail*, 15 April 1873, 2) made a similar observation concerning the first show of the Society: "Art is necessarily an outcome of civilization. In this new civilization of ours, we are making commendable progress. Lowering and demoralising tastes are to be destroyed or improved by the presentation of higher models. Such an exhibition as that now open on King street is of great public virtue. It cannot fail to exercise a large and healthy influence." Two years later in 1875 this educative function of the exhibitions was still being stressed. See *The Nation*, 14 May 1875, 226.
- 12 Reid, *Our Own Country Canada*, 278.
- 13 See "The Ontario Society of Artists," *The Mail*, 15 April 1873, 2; "Art in Canada: The Ontario Society of Artists," *The Canadian Monthly* (March 1873), 261; "The Fine Arts in Ontario," *The Canadian Monthly* (June 1873), 545-46; and "Ontario Society of Artists: Third Annual Exhibition," *The Mail*, 5 May 1875, 4, where the members of the Ontario Society of Artists are described as forming "our Canadian Academy."
- 14 See, for example, "The Fine Arts in Ontario," 545; "The Ontario Society of Artists," *The Mail*, 15 April 1873, 2; "Ontario Society of Artists: Third Annual Exhibition," *The Mail*, 4; "The Art Union Exhibition," *The Canadian Monthly* (June 1874), 85. Not all critics saw the concern with landscape in positive terms. See the complaint about landscape registered in "Exhibition of the Ontario Society of Artists," *The Canadian Monthly* (June 1875), 558.
- 15 "The Fine Arts in Ontario," 545. See also "The Art Union Exhibition," 85.

- 16 For analyses of landscape, aesthetics, and ideology see Carole Fabricant, "The Aesthetics and Politics of Landscape in the Eighteenth Century," in *Studies in 18th Century British Art and Aesthetics*, ed. Ralph Cohen (Berkeley, 1985), 49-81; and Carole Fabricant, "The Literature of Domestic Tourism and the Public Consumption of Private Property," in *The New 18th Century: Theory, Politics, Literature*, ed. Felicity Nussbaum and Laura Brown (London, 1987), 254-313; and Ann Bermingham, *Landscape and Ideology: The English Rustic Tradition, 1740-1860* (Berkeley, 1986), passim.
- 17 Titles in the catalogues of the *Ontario Society of Artists* for the years 1873, 1874, and 1875.
- 18 *The Nation*, 14 May 1875, 226.
- 19 The most extensive discussion of *Lords of the Forest* is provided by Dennis Reid who in his recent catalogue, *Lucius O'Brien: Visions of Victorian Canada* (Art Gallery of Ontario, 1990), 32, describes the image as "a scene evoking Canada's mythical past," and as an attempt to forge a "distinctively Canadian image," that played upon "a Paul Kane icon, the noble savage, the natural inhabitant of the primeval forest in Canada's Golden Age of Innocence." The catalogue, *Art Gallery of Ontario, Selected Works* (Art Gallery of Ontario, 1990), 245, suggests that "The popularity of the subject matter, which O'Brien exploited throughout the 1870's, [is] in part derived from the success of the *Leatherstocking Tales* of the American novelist Fenimore Cooper." I am grateful to Dennis Reid and to Micheline Sainte-Marie, *Les textes Au Point* (Montreal) for bringing this latter publication to my attention.
- 20 Concerning the picturesque, see the discussion in Bermingham, "The Picturesque Decade," *Landscape and Ideology*, chap. 2, 57-85. It should be noted that equations between Native populations and forest growth were not uncommon in the nineteenth century. For example, Henry Highland Garnet, in *The Past and Present Condition and the Destiny of the Colonial Race: A Discourse Delivered at the Fifteenth Anniversary of the Female Benevolent Society of Troy, New York, Feb. 14 1848* (Miami, 1969), 25, quoted in Brian Dippie, *The Vanishing American: White Attitudes and U.S. Indian Policy* (Middletown, Conn., 1982), 87, notes: "The Red men of North America are retreating from the approach of the white man" and "They have fallen like trees on the ground in which they first took root, and on the soil which their foliage once shaded." See also William Gilmore Simms, *The Cassique of Kiawah* (New York, 1859), 513-14, quoted in Roy Harvey Pearce, *The Savages of America: A Study of the Indian and the Idea of Civilization* (rev. ed.: Baltimore, 1965), 220: "He [the Native] hath a pioneer mission, to prepare the world for a superior race; this duty done, he departs and even as one growth of forest when hewn down, makes way for quite another growth of trees, so will he give place to another people. Verily the mysteries of Providence are passing wonderful."
- 21 Fenimore Cooper, in *The Last of the Mohicans*, has Chingachnook refer to his tribe as "lords of the salt lake." Similarly, the Native tribes of the Prairies were termed "lords of the plains," in an article on recent Treaty settlements in "Review of the Times," *The New Dominion Monthly* (January-June 1875), 316. (I am indebted to Ann Dunlop for locating this article and quotation.) Painter George Catlin, quoted in Hugh Honour, *The New Golden Land, European Images of America from the Discovery to the Present Time* (New York, 1975), 236, described the Native Americans whom he depicted in his art as "knights of the forest whose lives are lives of chivalry and daily feats. . . ." More paternalistic appellations were also current. Anna Jameson, in *Winter Studies and Summer Rambles in Canada* (London, 1838), 26, had noted following her first contacts with the Native population, "all my previous impressions of the independent children of the forest are for the present disturbed." The Reverend George M. Grant, in *Ocean to Ocean, Sandford Fleming's Expedition through Canada in 1872; Being a Diary Kept during a Journey from The Atlantic to the Pacific* (Toronto, 1873), 94-95, refers to Natives as both "the old lords of the soil" and as "the simple children of the forest and the prairie."
- 22 "Winter Exhibition of the Ontario Society of Artists: Third Notice," *The Mail*, 17 April 1873, 2. This reading was not an isolated one, as the reminiscences of a member of the OSA, Robert Gagen, indicate. Concerning the early exhibitions of the group, he noted of O'Brien's painting: "*Passing Away*, an Indian in a canoe, gliding in calm water past an Islet, at the close of the day was greeted with: 'How full of sentiment!' 'How delicate!' 'How one feels his days are numbered!' . . ." See Robert Gagen, "Ontario Art Chronicle," typescript, c. 1919, in the Art Gallery of Ontario Archives, quoted in Reid, *Lucius R. O'Brien*, 25. *Passing Away* was also discussed by the critic for *The Canadian Monthly* ("The Fine Arts in Ontario," 545). "Among younger native artists, Mr. L. O'Brien had more than one Indian scene of great beauty. His *Passing Away*, for example, representing an Indian guiding his canoe among the reeds and rushes of a lovely lake, into the shadows of a quiet sunset was replete with the true poetry of art."
- 23 *The Globe*, 16 April 1873, 2. As the catalogue for the 1872 show indicates, *Uncas*, like *Passing Away*, was marked at a comparatively high price in relation to the other paintings in the show and this may have played a role in the "attention" each work elicited.
- 24 "Winter Exhibition of the Ontario Society of Artists," *The Mail*, 15 April 1873, 2. The quotation continues: "The boy [Uncas] sits undazzled on a lofty crag in an easy attitude, and the colours of his deer-skin garments harmonise effectively with the surroundings." The work was an oil painting.
- 25 *The Mail*, 8 May 1875, 2.
- 26 *The Nation*, 14 May 1875, 226; also *The Nation*, 30 April, 1875, 203, where the full quotation reads: "Mr. O'Brien's work, 'Lords of the Forest,' will be recognized by many as the original of the charming Photograph which the Society has published. It shows a loving study of nature, and combines finish with largeness of thought."
- 27 Reid, *Lucius O'Brien*, 32 and n. 23. See also Reid, *Our Country Canada*, 231.
- 28 The monochrome version is discussed in Andrew J. Oko, *Canada in the 19th Century: The Bert and Barbara Stitt Family Collection* (Art Gallery of Hamilton, 1984), 44, #77, and illustrated, 74.
- 29 Reid, *Lucius O'Brien*, 33.
- 30 Reid, *Lucius O'Brien*, 33.
- 31 Reid, *Lucius O'Brien*, 45.
- 32 For examples of some of the constructs marshalled in the nineteenth century, see Robin Fisher, "The Image of the Indian," first published in *Contact and Conflict: Indian European Relations in British Columbia, 1774-1890* (Vancouver, 1977), 73-94; also L. F. S. Upton, "The Origin of Canadian Indian Policy," *Journal of Canadian Studies*, VIII, 4 (November 1973), 51-55.
- 33 See John C. Greene, "Some Early Speculations on the Origins of the Human Races," *American Anthropologist*, LVI (1954), 31-41; Philip R. Sloan, "The Idea of Racial Degeneracy in Buffon's *Histoire Naturelle*," in *Studies in Eighteenth Century Culture: Racism in the Eighteenth Century*, ed. H. E. Pagliaro (Cleveland, 1973), 293-321; and Michele Duchet, *Anthropologie et histoire au siècle des lumières: Buffon, Voltaire, Rousseau, Helvetius, Diderot* (Paris, 1971), 157-214.
- 34 For analyses of racial theory in the nineteenth century, see Michael Banton, *The Idea of Race* (London, 1977), and Curtin, *The Image of Africa*, passim. Specific discussion of racial theory in relation to Native Americans in the nineteenth century is provided in Bruce G. Trigger, "The Historian's Indian: Native Americans in Canadian Historical

- Writing from Charlevoix to the Present," in Robin Fisher and Kenneth Coates, *Out of the Background: Readings on Canadian Native History* (Mississauga, 1988), 19-44, and Dippie, *Vanishing American*, 82-88.
- 35 Dippie, *Vanishing American*, especially "He Can Be Saved: Agriculture and Education," chap. 8, 107-21.
  - 36 Richard Slotkin, in *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization* (New York, 1985), has discussed the function of the wilderness and frontier paradigms in Cooper's novels in relation to westward settlement and the ideologies of paternalism and individualism in nineteenth-century America.
  - 37 Quoted in n. 20 above.
  - 38 "The Red Man," *The Quarterly Review*, LXV (March 1840), 384-422; quotations are from 418 and 405. This lengthy essay on what was termed "the gradual extinction of the Indian race" was occasioned by the review of three publications on Native life in the United States: *Callin's Indian Gallery and Representations of the Manners and Customs of the North American Indians* (1840), Reverend Jedediah Morse's *A Report to the Secretary of War of the United States on Indian Affairs* (1822), and William L. Stone's *Life of Thayendanega* (1838).
  - 39 39:3.4" × 50-1/16". The New York Historical Society, New York; gift of Edwin W. Orvis on behalf of his family, 1931. For a discussion of the painting and related visual representations of the "doomed race" in the United States, see Julie Schimmel, "Inventing the Indian," in *The West as America: Reinterpreting Images of the Frontier* (National Museum of American Art, Smithsonian Institute, 1991), 168-74. See also William H. Treuttner, "Ideology and the Image," in *The West as America*, 44, which assesses John Mix Stanley's *Last of their Race*, 1857 (oil on canvas, 43" × 60" in the Buffalo Bill Historical Center, Cody, Wyoming), another depiction of a group of Natives pushed westward to the shores of the Pacific.
  - 40 See Richard Slotkin, *Regeneration through Violence: The Mythology of the American Frontier, 1600-1860* (Middletown, Conn., 1973), and Slotkin, *The Fatal Environment*, passim. For a recent analysis of the role of the Native American in the history of American myths of westward expansion, see the essays in the catalogue, *The West as America*.
  - 41 Surtees, "The Development of an Indian Reserve Policy in Canada," 87; Upton, "The Origins of Canadian Indian Policy," 51; and John L. Tobias, "Protection, Civilization, Assimilation," 127-28.
  - 42 On British presents to Native nations and tribes see Upton, "The Origins of Canadian Indian Policy," 55-56.
  - 43 Surtees, "The Development of an Indian Reserve Policy in Canada"; John S. Milloy, "The Early Indian Acts: Developmental Strategy and Constitutional Change," in *Sweet Promises*, 145-54; Upton, "The Origins of Canadian Indian Policy," passim; and Tobias, "Protection, Civilization, Assimilation," passim.
  - 44 The significance of agriculture to theories of civilization in the mid-nineteenth century is discussed in Dippie, *Vanishing American*, 107-21; see also Curtin, *Image of Africa*, 64. This role given to agriculture was also registered in legal theory; see n. 64 below. On the paternalistic claims of humanitarian groups including the Aborigines Protection Society in Britain, which argued that civilization would accrue to less advanced societies once both Christianity and the merits of agricultural subsistence were imparted, see Curtin, *Image of Africa*, 299 and 329-30. For the role of such organizations in Canada, see Surtees, "The Development of an Indian Reserve Policy in Canada," 90; and Upton, "The Origins of Canadian Indian Policy," passim.
  - 45 Captain T. G. Anderson, Report, 24 September 1835, sent to British Colonial Secretary Lord Glenelg, 22 January 1836, quoted in Surtees, "Indian Reserve Policy in Upper Canada, 1830-1845," 50, n. 77. Anderson's comment was in reference to a Reserve project initiated in 1830 on Manitoulin Island, designed to give "protection" to Indian allies while also encouraging "the exercise of civilized life."
  - 46 For a discussion of some of the debates both for and against the enforced removal, see Dippie, *Vanishing American*, 68-69. As Dippie points out the American removal policy was supported by arguments that Native American survival would be facilitated by such actions.
  - 47 Bondhead to British Colonial Secretary Glenelg, 30 November 1836, quoted in Surtees, "Indian Reserve Policy in Upper Canada, 1830-1845," 44 and n. 59. See also Peter A. Cumming and Neil Michenberg, eds., *Native Rights in Canada* (Toronto, 1972), 113-14.
  - 48 Bondhead to British Colonial Secretary Glenelg, 30 November 1836, quoted in Surtees, "Indian Reserve Policy in Upper Canada, 1830-1845," 42. The metaphor of melting like snow was one that had been common since the first decade of the century as a way of expressing a paternalistic sympathy for an inferior culture. Dippie, *Vanishing American*, 13, lists several examples that date from the period 1815-26.
  - 49 J. S. Milloy, "The Era of Civilization: British Policy for the Indian of Canada, 1830-1860" (unpublished D.Phil., Oxford, 1978), 165-230, cited in R. J. Surtees, *Indian Land Surrenders in Ontario 1763-1867* (Ottawa, 1984), 92 and n. 8.
  - 50 See Upton, "The Origins of Canadian Indian Policy," 58-59, and Surtees, *Indian Land Surrenders*, 93.
  - 51 Glenelg to Sir George Arthur, 22 August 1838, quoted in Upton, "The Origins of Canadian Indian Policy," 59.
  - 52 Tobias, "Protection, Civilization, Assimilation," 127-44, has argued that the pre-Confederation Treaty and reserve system developed in Upper Canada in the 1830s provided a basis for subsequent policy in the nineteenth century. Civilization through agriculture was particularly at issue in the 1870s with the Numbered Treaties that acquired land in the Prairies and the Northwest for the Dominion. Severe depletion of the bison made survival from hunting an impossibility for the tribes in the region and this factor played a role in forcing several tribes into acquiescing to federal terms. On some of the issues that played a role in these treaties see Tobias, "Protection, Civilization, Assimilation," 127-44, and Milloy, "The Early Indian Acts: Developmental Strategy and Constitutional Change," 145-54. See also John L. Tobias, "Canada's Subjugation of the Plains Cree, 1879-1885," in *Sweet Promises*, 212-40.
  - 53 Grant, *Ocean to Ocean*, 33 and 96.
  - 54 Speech, House of Commons, 8 March 1871, *Dominion of Canada Parliamentary Debates*, 4th session, 34, Ottawa, 1871 at 341. Also cited in part in Cumming and Michenberg, eds., *Native Rights in Canada*, 73.
  - 55 See also Dippie, *Vanishing American*, 144.
  - 56 See Charles Lowe, "The President's New Indian Policy," *Old and New*, III (April 1871), 497. Lowe also discusses the Indian Wars (500-501).
  - 57 See, for example, "The Red Man" in the London-based *Quarterly Review*, 384-422. This lengthy article, in which the demise of the aboriginal population in North America is repeatedly asserted, begins with a homage to British justice: "There exists no trait more characteristic of that innate generosity which has always distinguished the British nation than the support which an individual in proportion as he is weak, friendless, and indeed notwithstanding his faults, has invariably received from it whenever he has been seen under any circumstances, ruined and overwhelmed in a collision with superior strength" (384). Following an extended analysis of the aboriginal population of North America in terms of the current theories of imminent extinction, the article ends with a paean to the particular qualities of British justice rendered by the British colonial system: "Throughout our possessions on the continent of America, we have, from

- the first moment of our acquaintance with them to the present hour, invariably maintained their rights. . . . Their respect for our flag is unsullied by a reproach, their attachment to our sovereign is second only in their breasts to the veneration with which they regard their 'Great Spirit'" (421-22).
- 58 Cumming and Michenberg, eds., *Native Rights in Canada*, 73.
- 59 Grant, *Ocean to Ocean*, 96 and 93. Grant also implies that American policy derived from that used in the Canadas and the Dominion and commends the recent initiatives of President Grant in developing a strategy that promoted the "civilization" of Native American tribes as a means of ending the tacit extermination of aboriginals in that country.
- 60 "Review of the Times," 316. I am indebted to Ann Dunlop for locating this passage. It should be noted that comparisons between American and Canadian systems were also produced in the United States. See, for example, "The Indian Systems of Canada and the United States," which appeared in the American journal *The Nation*, 6 September 1877, 147-49. The article responded to a recent speech by an unnamed Canadian official "in praise of the Indian system of that Government." The anonymous author, comparing the "Indian Wars" in the United States with the "Indian troubles" in Canada, noted that a major distinction between the two systems lay in the history of British treatment: "The plighted faith of Great Britain and its present American colonies, once made to the Indian tribes, has never been violated. The red men can trust the Crown and the promise of any of its authorized agents, knowing that whatever is seriously wrong will be amended without insufferable delay, and therefore are as loyal as any other British subjects."
- 61 *The Nation*, 14 May 1875, 226.
- 62 For discussions of the picturesque in relation to the landscapes exhibited at the Ontario Society of Artists shows, see *The Nation*, 18 June 1874, 143; *The Nation*, 14 May 1875, 226; and *The Nation*, 21 May 1875, 237.
- 63 The phrase is Ann Bermingham's and occurs in a discussion of the picturesque in *Landscape and Ideology*, 72; see also Fabricant, "The Literature of Domestic Tourism," 267, who discusses the way in which aesthetics enable the viewer of landscape to "take possession of a country."
- 64 In 1836 Sir Frances Bondhead had asserted in a speech to the Chippewa and Ottawa tribes that hunting differed from an agricultural use of the land. While the latter constituted a form of proprietorship that could be defended by the British administration, hunting posed no such claims of ownership. See Bondhead, speech of 9 August 1836, quoted in Cumming and Michenberg, eds., *Native Rights in Canada*, 114. The *Report on Affairs of the Indian in Canada*, of 1844-45, quoted in Surtees, "The Development of an Indian Reserve Policy in Canada," 89, had used a similar argument in order to rationalize containment of the Native population within a smaller area, while supporting colonization and immigration that would promote cultivation of the soil. Aboriginal hunting as a way of life, the *Report* argued, designated no legal claim to land ownership.
- For discussions of the European legal tradition that argued that hunting and gathering did not constitute a valid occupation or proprietorship of the land, see Cornelius J. Jaenen, "French Sovereignty and Native Nationhood during the French Regime," in *Sweet Promises*, 24-26 and 34, n. 38; also Curtin, *Image of Africa*, 280 and n. 49.
- 65 Clark, *Native Liberty, Crown Sovereignty*, 3, 6, and 20-21.
- 66 See, for example, the responses to Sir Francis Bondhead's prophecies of doom for Native people cited in Surtees, "Indian Reserve Policy in Upper Canada, 1830-1845," 44-50, and Upton, "The Origins of Canadian Indian Policy," 58-59.
- 67 This point is discussed by Marcia Crosby in an unpublished graduate seminar paper, "Discovery and Property: A Critical Look at the Journey of de la Perouse" (Department of Fine Arts, University of British Columbia, April 1991).

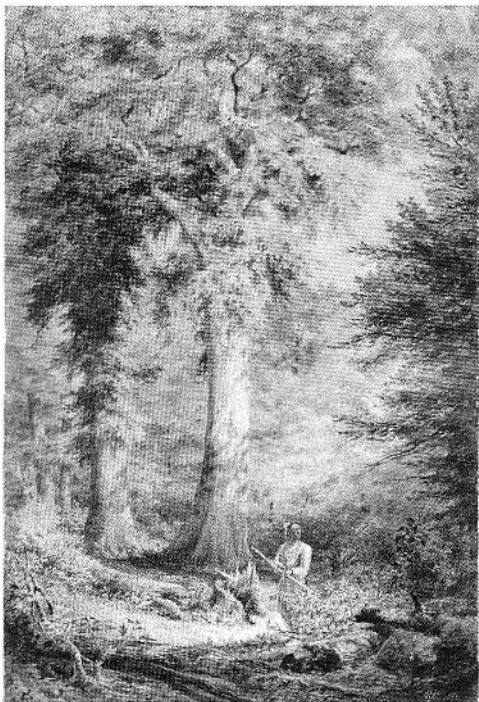


FIGURE 85. Lucius O'Brien, *Lords of the Forest*, 1874. Watercolour on paper, 74.3 × 49.8 cm. Art Gallery of Ontario, Toronto; gift of the Government of the Province of Ontario, 1972 (Photo: Art Gallery of Ontario).



FIGURE 86. Lucius O'Brien, *Lords of the Forest*, 1874. Watercolour on paper, 67.2 × 46.6 cm. Art Gallery of Ontario, Toronto, The Bert and Barbara Stitt Family Collection, The Bert and Barbara Stitt Family Collection (Photo: Art Gallery of Hamilton).



FIGURE 87. Tompkins H. Matteson, *The Last of the Race*, 1874. Oil on canvas, 100.9 × 127 cm. (Photo: Courtesy of the New York Historical Society, New York City).