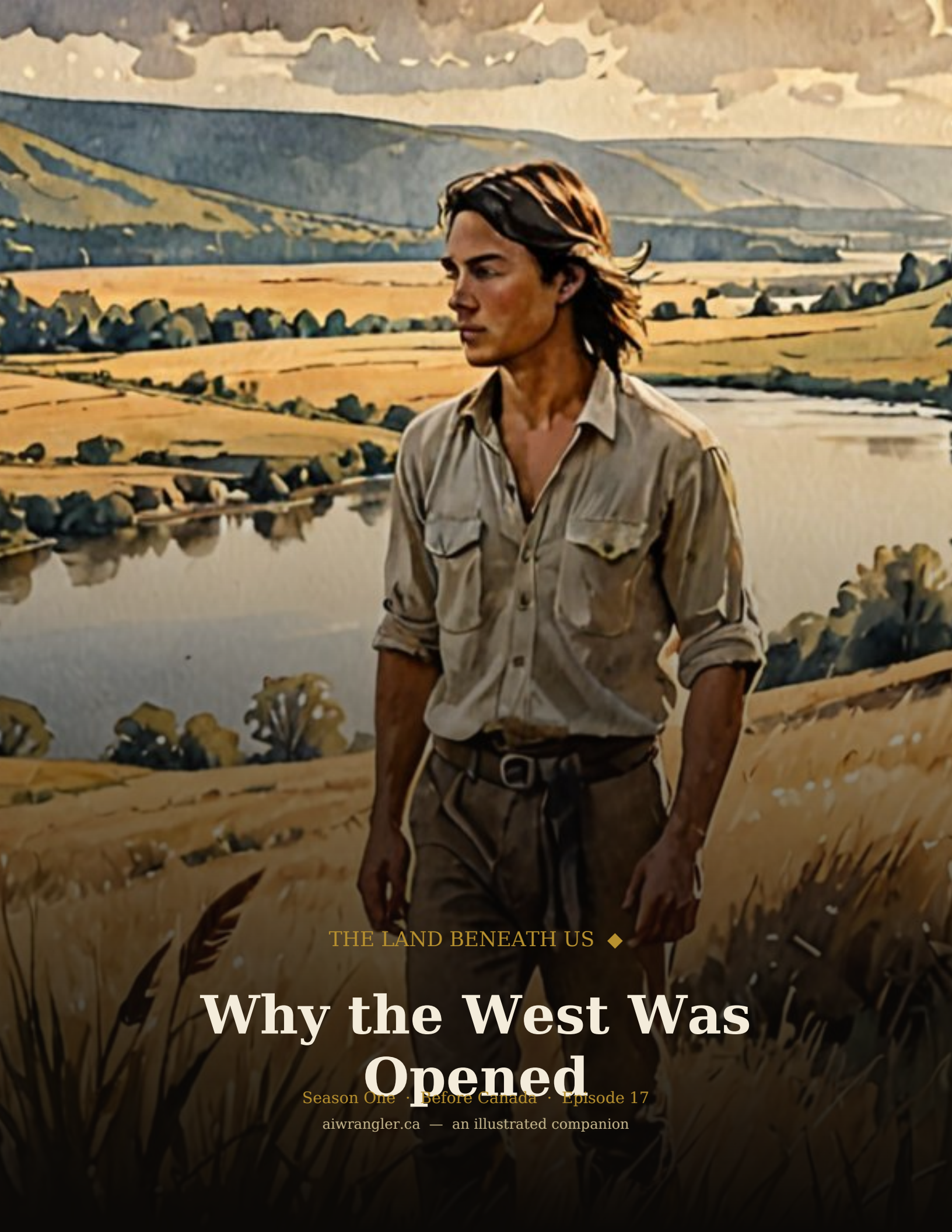


THE LAND BENEATH US ◆

Why the West Was Opened

Season One · Before Canada · Episode 17

aiwrangler.ca — an illustrated companion

Every date, term, and quotation in this series is drawn from the historical record. This companion is the full episode narration, illustrated.







From the episode

WILLOW BORN WITH A TOOTH

I'm standing at The Forks in Winnipeg, where the Assiniboine meets the Red River, in front of the stone archway that is all that remains of Upper Fort Garry — the Hudson's Bay Company's headquarters for nearly everything west of Ontario. This is where a story began that runs under every field, every city block, every reserve, and every rail line across the Canadian West. The question I want to ask today is a simple one: who had the right to make the deal that opened all of it?

SAM CARDINAL

The Hudson's Bay Company received its charter from King Charles the Second in sixteen seventy — nearly two hundred years before Confederation. That charter granted the company what it called sole trade and commerce over all the lands whose rivers drained into Hudson Bay. That was roughly four million square kilometres — nearly half of what is now Canada. The company called it Rupert's Land, after Prince Rupert, the king's cousin and the charter's first governor. Nobody asked the Cree, the Assiniboine, the Saulteaux, the Ojibwe, the Blackfoot, or any of the nations who actually lived there.



WILLOW BORN WITH A TOOTH

So for two hundred years, the Hudson's Bay Company had a piece of paper from a king, and the nations had the land. How did we get from that arrangement to Canada?

SAM CARDINAL

Confederation happened in eighteen sixty-seven, and almost immediately the new country had an appetite. John A. Macdonald understood that Canada could not be a real nation — not in the shape he imagined — without the West. American settlers were pushing north. The great fear in Ottawa was that if Canada did not claim the prairies, someone else would. And the railway was the dream that held everything together: a line of steel from the Atlantic to the Pacific that would bind a scattered country into a single economy. But for any of that to happen, Canada needed the land between Ontario and the Rocky Mountains.



WILLOW BORN WITH A TOOTH

And the land between Ontario and the Rockies was still, on paper, Rupert's Land — property of a private trading company with offices in London.

SAM CARDINAL

In eighteen sixty-nine, Canada and the Hudson's Bay Company agreed on a price: three hundred thousand pounds sterling, plus the company keeping one twentieth of the fertile belt in scattered parcels, plus certain rights around its existing trading posts. The British Crown approved it. The deal closed in London, in offices, by men who had never set foot in most of what they were transferring. The nations whose territory this actually was — the people who had hunted, governed, and marked every river and ridge of that country for generations — were not at the table. Their names do not appear in the documents of the sale.

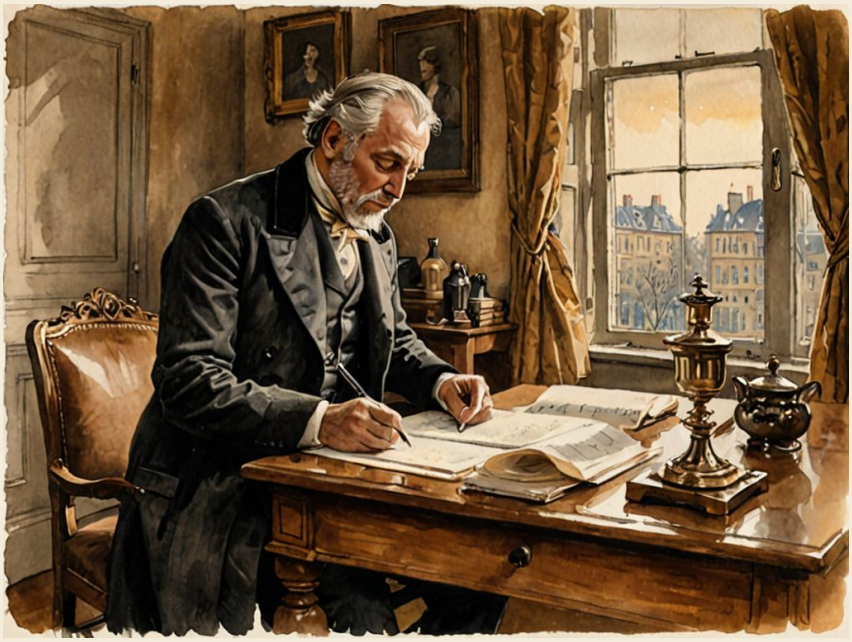


WILLOW BORN WITH A TOOTH

I want to sit with that for a moment. Canada bought the West from a company that got it from a king, and nowhere in that chain did anyone buy it from the people who were living there.

SAM CARDINAL

That fact did not go unnoticed. The Métis people of the Red River settlement understood exactly what was happening, and they acted before the transfer had even formally taken place. When Canadian surveyors arrived in the fall of eighteen sixty-nine to begin laying out townships — already moving as though the land had changed hands — Louis Riel and the Métis stood in front of the survey chain and stopped it. The resistance that followed was a signal that Ottawa could not ignore. The West was not empty. It was not a blank map waiting to be filled in. There were people there with their own councils, their own land relationships, their own idea of who had the right to speak for that ground.



WILLOW BORN WITH A TOOTH

The resistance forced Canada to actually negotiate Manitoba into Confederation in eighteen seventy rather than just absorbing it. What did that teach the government about the larger West that was still out there?

SAM CARDINAL

It taught them that you cannot simply survey and settle a country with hundreds of thousands of people in it without some kind of agreement — and not only for moral reasons, but for legal ones. The Royal Proclamation of seventeen sixty-three was still in force, and it held that Indigenous peoples had to consent to the surrender of their lands before the Crown could open them to settlement. That proclamation existed precisely because the British had learned from costly conflicts in the American colonies that rushing past Indigenous title created instability. Canada needed a mechanism to make settlement legally defensible. The numbered treaties were that mechanism.



WILLOW BORN WITH A TOOTH

So the numbered treaties — the whole series that would eventually stretch from Manitoba to the Rockies and beyond — those were Canada's answer to a legal and political problem, not simply a humanitarian gesture.

SAM CARDINAL

That is a fair and important distinction, and it matters for understanding everything that followed. The pressure was real and it was building: settlers and railway surveyors were ready to move, or already moving, into territory where no agreement existed yet. What the government devised was a system — go to each nation, negotiate a written agreement, secure what Canada considered a surrender of the broader territory in exchange for reserves, annual payments, and certain tools and support for the future, then number each treaty in sequence, move west, and repeat. It was deliberate. It was methodical. And for the nations who sat across the fire from the Crown's commissioners, it was the most consequential negotiation their people had ever faced.



WILLOW BORN WITH A TOOTH

Here is what I keep coming back to: when the Crown's commissioners sat down across that fire and the nations sat down across from them, were they actually negotiating the same agreement?

SAM CARDINAL

That gap is what the whole series lives in. The Crown's commissioners were working from an English property law concept: fee simple surrender — the outright transfer of title, permanently removing Indigenous ownership in exchange for compensation. That is how London real estate works. But for the Cree, the Saulteaux, the Assiniboine, and many others, the land was not a commodity that a people could surrender the way you surrender a claim in court. It was the basis of life, of identity, of nationhood. A treaty, in the Indigenous understanding, was an agreement about how to live alongside one another — to share the territory, to set the terms of a lasting relationship. When the elders said these agreements would hold as long as the sun shines, the grass grows, and the rivers flow, that was not ceremonial language. That was a statement that the relationship had no end date and no full stop.

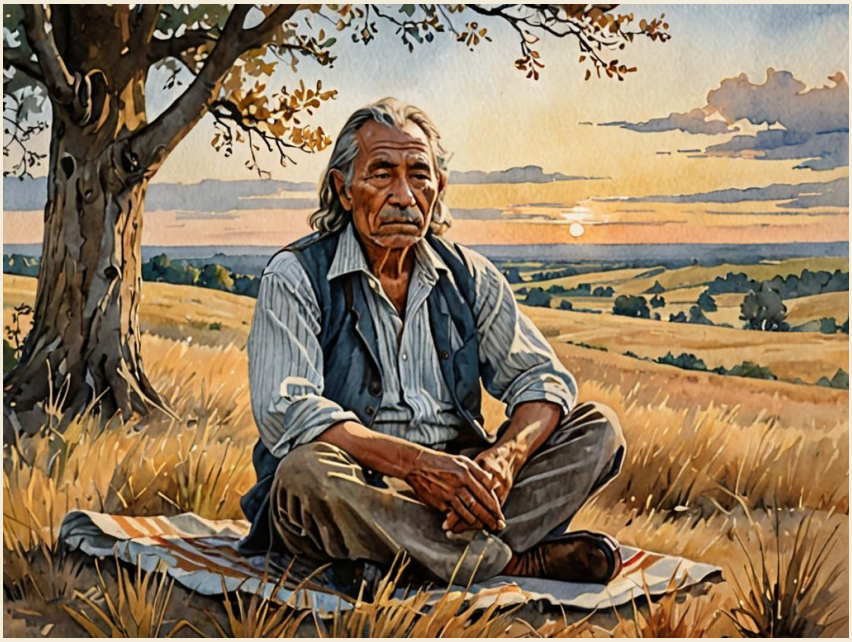


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So Canada understood it was buying. And the nations understood they were agreeing to share.

SAM CARDINAL

In broad terms, yes — and within that broad truth, every nation and every negotiation brought its own specific understandings, its own pressures, and its own outcome. But the structural gap was present from the beginning, written into the design of the process. The printed treaty text that the commissioners carried from signing to signing was an English legal document. The spoken conversations at each fire were conducted through interpreters working across languages that did not map neatly onto each other, translating legal concepts that had no equivalent in Cree or Ojibwe and spiritual obligations that had no equivalent in English contract law. The gap between what the paper said and what the people believed they had agreed to — that gap is real, it is documented, and it is still being argued in Canadian courts today.



WILLOW BORN WITH A TOOTH

Before we follow the numbered treaties west, I want to stay here in eighteen seventy and ask what Canada actually controlled on the ground when it made this plan — because there is a difference between owning something on paper and governing it.

SAM CARDINAL

A very honest question, and the honest answer is: very little. West of the new province of Manitoba, Canada had no meaningful police presence, no courts, no administrative offices, no army that could operate effectively in the field. The North-West Mounted Police would not be created until eighteen seventy-three. The railway was still only a plan and a promise. The nations of the interior — the Plains Cree, the Blackfoot Confederacy — were organized, numerous, and still governing their territories according to their own laws. Canada, on the ground in the early eighteen seventies, was largely an ambition. The nations were the reality.



WILLOW BORN WITH A TOOTH

And yet the surveyors were already moving. Settlers were coming. Some of them were crossing land where no treaty yet existed.

SAM CARDINAL

That pressure was constant, and the nations understood it clearly. Some leaders made the calculation that negotiating now — while Canada still needed their formal agreement and had something to offer — was wiser than waiting for a moment when they might have less leverage. Some negotiators were reluctant, watching carefully for what each agreement would actually mean for their people's future. And more than a few made the pointed argument that the Hudson's Bay Company had never held the land in the first place — that the company had sold a legal fiction, that a charter from a distant king did not constitute ownership of territory that nations had governed since before Europeans arrived, and that any real agreement had to come from the people who actually held the ground. That argument was legally and morally coherent. It is still being made.

WILLOW BORN WITH A TOOTH

That is the place where the numbered treaties begin: Canada holding a paper it bought from a company, the nations holding the land, and everyone knowing that something has to be worked out.

SAM CARDINAL

The transfer of Rupert's Land created a question. The numbered treaties were Canada's answer — its attempt to move from a paper claim to an actual working relationship with the nations of the West, nation by nation, across decades. Whether each of those treaties genuinely resolved what the London transaction had assumed, or whether they deferred a reckoning that is still ongoing, is something the courts and the nations are still sorting through. The land beneath you, wherever you stand in the Canadian West, carries one of those agreements in its legal title. It was made at a specific fire, at a specific moment, with specific words spoken in at least two languages — and the words were not always the same.

WILLOW BORN WITH A TOOTH

We are going to follow that trail — treaty by treaty, nation by nation, fire by fire — across this whole series. But for now it is enough to know where it started: a company, a charter, a country that needed a West, and nations who had always been there and would not simply be absorbed into someone else's plan.

SAM CARDINAL

These were not abstractions. Behind the design of the numbered treaty system were real nations facing a turning point that would shape their children's lives and their grandchildren's lives. The people who came to those negotiations came with their own law, their own history, their own idea of what a solemn agreement meant and what it would require of both sides. Canada arrived with a plan. The nations arrived with a country. What was made between them — what was promised, what was written, what was remembered, and what gap sits between those three things — that is the story of the land beneath us. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

And I'm Willow Born With a Tooth. The nations never left, and neither did the agreements — even the promises that never made it onto the page. We'll be back for Treaty One.

Sources & Notes

The Land Beneath Us is built on the historical and documentary record. Where that record is contested, we say so.

References & further reading