

LOUIS RIEL

A Case Study in Involuntary Psychiatric Confinement*

T.E. FLANAGAN, PH.D.¹

Introduction

Louis Riel's mental condition has aroused interest particularly because his attorneys entered the plea of "not guilty by reason of insanity" when he was tried for high treason in 1885. Riel himself rejected this defence, and the jury which convicted him was also not convinced by it. But the insanity thesis has subsequently carried the day in public opinion at large and especially in medical circles. Every alienist or psychiatrist who has written on Riel's case has affirmed that he was *non compos mentis* in 1885 (3-5, 7, 13-15, 17, 20, 22).

This paper does not seek to revive the old debate about Riel's trial, rather, it raises questions about Riel's other encounter with psychiatry. Between 6 March 1876 and 23 January 1878, he was confined against his will in two different insane asylums in the Province of Quebec. No psychiatrist or forensic expert has made an investigation of this episode. Historians have, by and large, accepted Riel's certification as a *fait accompli*, justified in the circumstances by concern for his own good (28). However, recent concern about the civil rights of mental patients makes it topical to take a closer look at Riel's commitment. This paper examines the facts of the case, using primary manuscripts and documents as source material. It is argued that Riel's civil rights were not properly observed. He was certified on dubious grounds under a vague law which was bent if not broken in his case.

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¹Associate Professor, Faculty of Social Sciences, Department of Political Science, The University of Calgary, Calgary, Alta.

Background

Louis Riel's success in the Rebellion of 1869-70, when he was only twenty-five, persuaded him that he would have a future in Canadian politics as spokesman of the Métis. But his expectations were disappointed. English Canada could not forget the death of Thomas Scott. Riel was elected three times to the House of Commons, but an Ontario warrant for his arrest prevented him from taking his seat. The House of Commons finally expelled him, then granted him an amnesty for all acts committed during the Rebellion, on the condition of five years' banishment from Canada (28).

Riel's character was a volatile compound of idealism and ambition, poorly equipped to suffer such a series of disappointments. Deprived of political success, he sought consolation in the Catholic religion which he had once hoped to serve as a priest. His education had imbued him with a strongly providential view of the world: everything that happened must be part of God's plan. Accordingly, he began to view his reverses in a dual light. They were at once punishment for a youthful "fall," probably his decision not to enter the priesthood, and preparation for an even greater success to come (25).

That triumph would be in religion, if it could not be in politics. Riel began to feel that he had a special "mission" to perform as a religious leader. He and the Métis together would bring about the spiritual renewal of the modern world. He was encouraged in this direction by his contacts with Ignace Bourget, the leading prelate of French Canada and chief of the ultramontane faction of the Quebec church. Riel began to exaggerate Bourget's ultramontane views and to invest his letters with a

mystical, literal significance which had never been intended (10).

By October of 1875, Riel believed that he could work miracles of healing through God's grace (27). In December he began to experience visions and revelations (24). The Holy Spirit repeatedly appeared to him to confirm his mission (23). At that time, he was in Washington, D.C., trying to get help from President Grant for an invasion of Western Canada (2). The visions commenced about the time it became clear that he would make no progress with this ill-conceived plan.

His behaviour changed correspondingly. He became a religious enthusiast in a state of perpetual excitement. He could speak of nothing but his mission. He was, however, still loyal to the Church. He did not propound new dogmas nor talk of founding a new religion — that would come later (10).

Riel's friend Edmond Mallet, with whom he was staying in Washington, thought Riel had suddenly become insane. He persuaded Riel to go and stay with a priest of their acquaintance in Worcester, Massachusetts. At this point Riel entered something akin to a state of private arrest. A man from Worcester was engaged to act as his keeper. Doubtless, Riel could have escaped if he had tried hard enough; but he was used to obeying priests and he had no money of his own. He apparently thought he would soon convince the clergy of the validity of his mission (11).

His excitement and his visions continued. Riel later said that he was "in continual communication with God" at this period of his life (23). Visits to two more priests in New England did nothing to alter his condition. He would keep the whole household awake at night, bellowing, it is said, like a bull. In desperation, his American friends summoned his uncle, John Lee, who took Riel back to his home near Montreal. He too hired a man to act as keeper. It was now February 1876, and Riel's excitement had lasted two full months.

His stay at the Lees was turbulent. He claimed he was an inspired prophet and demanded to be set at liberty. He tried to

escape out the window, saying he must go to church. He ripped his bedding and clothes to shreds, then allowed himself to be dressed by others like a child. On the one occasion when he was allowed out of the house alone, he caused a commotion in church by rising to speak during Mass. After about a month of this, the Lees no longer felt able to cope with the situation. They arranged for their nephew to be committed to the asylum in Longue Pointe.

The commitment would be involuntary. Lee neither asked Riel's consent nor told him what would happen. Louis was simply taken one day for a carriage ride which ended at the hospital (19).

The Legal Problem

The Lees turned for help to Dr. Emmanuel P. Lachapelle, whom they knew to be a friend of their nephew. Lachapelle had been Riel's classmate in college. He was beginning an illustrious career that would bring him many distinctions, including the presidency of the Canadian Medical Association. He had been one of Riel's confidants ever since the latter had come east in late 1873.

Lachapelle arranged for Riel's admission to Saint-Jean-de-Dieu in circumstances which are not entirely clear today. The records of the hospital are not very informative. They show only that on 6 March 1876, a "Mr. Louis R. David" was admitted with the diagnosis of *folie des grandeurs*, or delusions of grandeur (8).

The pseudonym of "David" was employed because Riel was still under sentence of exile and his presence in Canada was illegal. It was hoped that his true identity would remain known only to the highest administrators of the hospital. The motive for use of this pseudonym by those who certified Riel seems to have been twofold: to protect themselves from public disclosure and embarrassment, and to protect Riel from possible harm if his presence was discovered by the Orange-men of Montreal.

In 1876, the insane asylums of Quebec were operating under the "Act Respecting

Private Lunatic Asylums," passed a quarter-century earlier. The statute specified that admission of a patient was supposed to take place on the application of a relative or friend plus the certification of two doctors. The physicians were not supposed to be "partners or brothers, or father and son"; neither were they supposed to be proprietors of a lunatic asylum, nor close relatives of a proprietor. Each doctor was supposed to make a separate, personal examination of the patient not more than a week prior to admission. The criteria of certification were somewhat vague. A physician had only to certify that a person was "a lunatic (or an insane person, or an idiot, or a person of unsound mind), and a proper person to be confined" (1). There was no stipulation, of the type often found today, that a person had to be a danger to others or to himself. There were no safeguards in the admission process such as a hearing before a judge or jury.

The legal rights granted to the individual by this legislation were minimal, but it is doubtful whether even they were respected in Riel's case. Application would have been made by his uncle, John Lee, and Dr. Lachapelle would have been one of the certifying physicians; but it is not known who the second doctor was, or indeed if there was one. All surviving accounts are silent on that point. The asylum may well have dispensed with a second medical opinion in order to keep Riel's commitment secret. It may also be that a second signature was obtained from a physician employed by the asylum, or from a trustworthy friend. While perhaps technically legal, such an action would have contravened the spirit of the law, according to which the asylum was designed to receive patients, not seek them out.

A Kafkaesque touch was provided by the attitude and actions of Dr. Henry Howard, visiting physician at Saint-Jean-de-Dieu. He was an appointee of the provincial government, whose function was to keep an independent eye on the institution. He was not an employee of the hospital, which had its own medical superintendent and staff. Before Riel was ad-

mitted, Dr. Howard was consulted by John Lee and the Mother Superior of the nuns who ran the institution. Lee reluctantly admitted that the person he wished to commit was none other than Louis Riel. In Howard's words:

I was informed that his excitement was exhibited chiefly when political subjects were introduced, and that his friends were anxious to see him safely guarded till they could get him out of the country. His eccentricities had already produced such animosity amongst certain sections of the people, that fears were entertained for his life should he be left at liberty. I at once cheerfully consented to the proposition to have Louis David Riel admitted into the asylum the following day under the name of Louis R. David, and said I would do all I could to have his secret kept from sisters, keepers and strangers, as if he were insane. . . . (15)

This was an extraordinary charade, to say the least. Dr. Howard, supposedly the public guardian of the institution, agreed to admit as a patient a man he had never met, to hold him for "protection" under a false identity, and to pretend to others that he was insane.

The rationale for Howard's action is to be found in his theory of mental deviations, which he published in several books and articles (16). He distinguished between "teratological" and "pathological" mental deficiencies. Both were deemed to be organic. The former were congenitally present, while the latter were acquired as a result of sickness. Idiocy, imbecility, and criminality were teratological in origin, while insanity strictly defined was pathological, that is, a disease. Both classes of defectives were equally irresponsible for their actions, and equally in need of custodial attention. In Howard's view Riel was a criminal because of his role in the execution of Thomas Scott. (Howard apparently was unaware of the amnesty, or did not deem it important.) Riel, like all criminals, suffered from a teratological defect and should be confined in an asylum for his own protection, as well as that of society (15).

Riel's stay at the hospital was turbulent. At the very moment of his admission, he became involved in a violent altercation

when the Sister in charge ripped from his prayerbook a page which had his true name written on it. He subsequently spent considerable time in a strait jacket and in the cells for refractory patients. He struggled with the wardens, and repeatedly tore his clothes to shreds (the most serious offence of all in that thrifty institution!). He exposed himself nude in the corridors to illustrate the innocence of the man who trusts in God. Several times he tried to smash the furniture and sacred articles in the chapel, claiming they were not being kept clean enough (11).

This continuing conflict led to Riel's transfer. Dr. Lachapelle was afraid that his patient would never improve in this atmosphere. The Sisters for their part, were only too happy to get rid of Riel; they had never really wanted him, and were always afraid that his presence would be discovered. On 19 May 1876, Riel was taken from Longue Pointe and sent by steamboat to the asylum in Beauport.

The transfer was more or less clandestine. Dr. Alphonse Deschamps, brother of one of Riel's schoolmates, appeared at Longue Pointe bearing the following note: "I, the undersigned, a practising physician of the city of Montreal, certify that I am leaving on a short trip and that I am taking Mr. L.R. David with me to restore his health" (6). It is not clear whether the Sisters in charge of Longue Pointe knew at this time that Riel was leaving for good. His name was kept on their books until 15 January 1977, when he was officially registered as discharged (8). The net result was a falsification of the records; but at this distance, and in the absence of the original documents, one cannot say who was responsible.

These furtive proceedings were possible because of sympathy in high places. The Provincial Secretary, responsible for the Quebec asylums, was J. Adolphe Chapleau, a friend of Riel's. Chapleau himself, accompanied by Riel's old friend and staunch defender in Parliament, J.O. Mousseau, as well as Dr. Lachapelle and Dr. Deschamps, assisted in putting Riel aboard the steamer that was to carry him down river to Quebec. John Lee, who

witnessed the scene from a distance, reported that it was a pitiful sight. Riel did not want to board the boat; he shouted and struggled with his friends (19). Recalling the incident, Riel later said: "I made myself go limp, and they were hard put to hold me up. I looked at old Mousseau, his face covered with sweat, and I laughed up my sleeve" (12).

Riel was admitted to Beauport as Louis R. David (9). There is evidence that another alias, Larochelle, was also employed, but it is not clear in what circumstances (18). To further conceal his identity, Riel's race was recorded as French-Canadian rather than Métis and his place of residence as Montreal rather than Manitoba. He was also described as "a gentleman without profession" who had "no visible means of support" — words which might apply to many former politicians. Dr. Lachapelle, who filled out the admission certificate, gave this summary of Riel's condition: "He believes himself to be a prophet in religious matters." His condition was attributed to "frustrated ambition" (9).

Riel at first behaved at Beauport as he had done at Longue Pointe. He struggled against authority and begged for his release, but he gradually calmed down, as he perhaps realized the true nature of his position. The only way of gaining his liberty was to convince the doctors of his sanity. Whether sincerely or not, he began to admit that he had been subject to delusions. He finally was released on 23 January 1878, and sent back to the United States.

It is not clear how sincere Riel's admission was. Almost in the same breath, he said that his delusions were not wholly banished, that they returned if he allowed himself to become excited (11). The medical superintendent at Beauport thought that Riel was only "cured more or less" at the time of discharge (21).

After his release, Riel continued to admit that he had been insane. Yet it can be documented that he was having visions and praying for miracles to be performed within a month of his discharge (26). If he had ever given up belief in his divine

mission, it came back almost immediately. But now there was a difference; he kept it secret, confiding only in his private papers. He remained silent until the outbreak of the North-West Rebellion in 1885, when he openly established his new religion at Batoche.

Conclusion

This review of the evidence shows a number of possible illegalities in Riel's certification. There is no record of the signature of a second physician at either asylum. The visiting physician at Longue Pointe, Dr. Howard, played a questionable role. A false name for Riel was used at both asylums. His date of departure from Longue Pointe was falsified in the records of that institution; and false, or at least misleading, information was entered into his file at Beauport. All this time, furthermore, Riel's presence in Canada was illegal. At least one member of the Quebec cabinet was aware of the facts but participated in the cover-up.

One additional point should be considered, even though it does not involve an illegality per se. Riel was certified because he allegedly needed treatment for his delusions. Dr. Lachapelle specifically denied that Riel had ever harmed himself or others, although he did say Riel had made threats against others (9). These threats would seem to have been made in the period of Riel's private arrest and involuntary commitment. Thus they are dubious evidence of unprovoked dangerousness to others. Riel also struggled physically with the staff of the two asylums, but this again is ambiguous proof of dangerousness. There is no evidence that Riel ever made an attack upon the person or property of another when he was at liberty, except in the course of the rebellions of 1869-70 and 1885. But opposition to the state, even to the extent of sedition or treason, is not what is usually meant by "dangerousness to others" in the context of certification proceedings.

All of this suggests that the conventional historical picture of Riel's commitment is in need of revision. It has been portrayed as

help given to one who had lost his mind. It would be more accurate to describe it as the coercive and legally questionable repression of Riel's emerging role as a prophet.

Riel, it seems, was committed because he had become an embarrassment to others. The novelty of his ideas about his mission, the role of the Métis, and the reform of Catholicism put him sharply at odds with the conventional thinking of his French-Canadian relatives and friends. Suddenly, he who had been a symbol of their racial and religious goals was no longer behaving appropriately. Persuaded that they were helping Riel, they took away his liberty.

Summary

Louis Riel was confined against his will in insane asylums from March 6, 1876 to January 23, 1878. Psychiatrists and historians have generally interpreted his certification as an act of benevolence to Riel at a time when he was *non compos mentis*. However, detailed study of surviving records and manuscript sources shows that the commitment was legally suspect in a number of ways: proper signatures were lacking, pseudonyms were used, records were falsified, and so on. Moreover, while Riel was clearly a religious enthusiast with eccentric ideas, there was no proof that he was dangerous to himself or others at this time. We may thus wish to revise our interpretation of Riel's certification. It was not an act of benevolence but an illegal and unjustifiable deprivation of liberty.

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Résumé

Louis Riel fut interné contre son gré dans des institutions pour malades mentaux du 6 mars 1876 au 23 janvier 1878. Généralement, les psychiatres et les historiens ont vu son internement comme un acte de bienveillance à son égard, à un moment où il était "non compos mentis". Cependant, si on examine en détail les archives qui ont survécu et les sources manuscrites, on constate que son internement fut douteux, au point de vue légal, de plusieurs façons: les signatures appropriées étaient absentes, des pseudonymes furent utilisés, les archives furent falsifiées, etc. De plus, même si Riel était clairement un exalté religieux qui avait des idées excentriques, il n'existait aucune preuve qu'à ce moment-là, il ait été dangereux pour lui-même ou pour les autres. Ainsi, on pourrait peut-être désirer réviser notre interprétation de l'internement de Riel. Ce ne fut pas un acte de bienveillance, mais une privation illégale et injustifiable de sa liberté.