

## Index

- accusation. *See also* colonial accusations;  
 criminal accusation; performance;  
 sociology of accusation; theatres of  
 accusation; *specific topics*
- biopolitics of, 191, 192
- biopolitical criminality and, 168–72
- criminalization and, 169, 170
- of Indigenous individuals, 169–72
- Northwest Mounted Police and,  
 168–72
- categorization of relational events,  
 198–99
- clarity of, 98
- colonial theatres of, 22, 23, 25–26
- violence through, 26
- etymology of, xv–xvi
- exemplary habits of, 134–41
- biopolitics and, 139
- Graburn case, 135–41
- ‘Star Child’ and, 136–41
- intersectional powers of, 179–91
- as biopower exercised, 189
- paradigmatic example of, 189–91
- preliminary extermination and, 95
- pretrial practices of, 2–3
- social malady concealed by, 156–59
- sovereignty and, 84–87
- in Alberta Province, 85–87
- necropolitics and, 86
- Northwest Mounted Police and,  
 85–87
- Pyrrhic defeat theory and, 85
- accusatory theatres. *See also* Justices of  
 the Peace
- altered, 205–6
- biopolitics of, 147–52
- accused individuals
- avowers, 156–64
- biopolitics of, 145–47
- culpable individuals, 156–64
- exemplary biopolitical individuals,  
 147–52
- among Indigenous peoples, 145–46
- moulding of
- accused *personas*, 152–56
- socio-political approach to, 143–44
- paradigmatic examples of, 152
- social malady hidden by, 156–59
- standing before colonial law, 144–47
- truth-telling performances by, 159–64
- accused *personas*, 145–47
- masking and moulding of, 152–56
- moulding of, 152–56
- agrarian capitalism, 3
- agricultural settlement, colonial law for,  
 109–12
- Alberta Province
- accusation and sovereignty in, 85–87
- accusatory performances in, 104–9
- boundaries of, 4
- colonial sovereignty of, 31–34
- criminal accusation in, 3–13, 200
- repressive forms of, 197–98
- routinizing of, 24–25

- Alberta Province (*cont.*)  
 Dominion Law in  
   historical development of, xiv–xv  
   through law-forming spectacles,  
     68–74  
 Justices of the Peace in, 88–90, 104–9  
 law-forming spectacles in, 66–67  
   Dominion law created through,  
     68–74  
   hybrid model of policing in, 71–74  
   Northwest Mounted Police, 68–74  
 “lawlessness” in, 36  
 Northwest Mounted police established  
   in, 4  
   rumour as intelligence in, 65  
 Althusser, Louis, 142  
 American Desperadoes, 69  
 Anthropological Society of London, 61–62  
 Archibald, Adams, 42  
 arrests. *See* powers of arrest  
 “as thick as ants on a hill,” Northwest  
   Mounted Police and, 75–76  
 Assiniboine Nation, 132–33  
 Australia, 121  
 avowers, 156–64
- Bannerman, William, 109  
 Bentham, Jeremy, 119–21, 122  
   panoptic surveillance, 22, 130–31  
 Big Bear (Chief), 11, 12  
 biopolitical crimes, 32, 168–72  
 biopolitical individuals, 32  
 biopolitical sovereignty, 23, 32, 86  
 biopolitical theatres of criminal  
   accusation, 61  
 biopolitics  
   of accusation, 191, 192  
   for biopolitical crimes, 168–72  
   criminalization and, 169, 170  
   against Indigenous individuals,  
     169–72  
   Northwest Mounted Police and,  
     168–72  
   of accusatory theatres, 147–52  
   of accused individuals, 145–47  
   exemplary individuals, 147–52  
 Butler, W., on, 48  
 colonial, 33–34, 38  
   truth-telling performances and, 162,  
     163–64  
 colonial accusation and, 165  
   conceptual approach to, 166–67  
   definition and scope of, 33  
   Dominion Law and, 141–42  
   gendered, 33–34, 38  
   legal contestation and, 179–91  
   racialized, 33–34, 38  
   of settler colonialism, 153  
 biopower, 33, 38–39  
   hybrid-colonial policing and, 117–18  
   intersectional powers of accusation  
     and, 189  
   patriarchal, 38  
   socio-political rationales and, 59  
   racism and, 59  
 Black populations, criminalization of, 18  
 Blackfoot Nations, 46–47  
   Chief Bull Elk, 183–88  
   Chief Crowfoot, 80–82, 155–56, 180–88  
   criminalization of liquor trading and,  
     79–80  
   ration houses and, 179–88  
   Robertson-Ross on, 52–53  
   Three Bulls, 81  
   weapons of, 53  
 Blackstone, William, 119  
 Bob Tail (Chief), 175  
 Bond, William, 82  
 Boys, Constable T. A., 40–41  
   on racism, 40–41  
 Brew, Chartes, 72  
 British North America Act, Canada  
   (1867), 4  
 Bull Elk (Chief), 183–88  
 Butler, Judith, 25–26  
 Butler, William Francis, 36, 41–51  
   on benefits of colonial settlements,  
     47–48  
   on biopolitics, 48  
   on deployment of military law, 50–51  
   on Dominion Law, 58–59  
   on early fur trading, 47  
   on frontier justice, 56–57  
   imperialism of, 47–48  
   on the “Indian question,” 44–45  
   on Indigenous peoples  
     dispossession of, 45  
     legal traditions for, 44, 49–50  
     Métis Peoples, 48  
     Piikani nation, 46  
   nationalism of, 43–44  
   on U.S. genocide of First Nations  
     peoples, 46–47  
   on White supremacy, 48

- Canada. *See also* colonial sovereignty;  
*specific provinces; specific topics*  
 Indian Act, 10  
 Indigenous law in, as myth-based, 24  
 Jurisdiction Act, 94  
 Manitoba Act, 68  
 North-West Territories Act, 95  
 Police Act of 1873, 94  
 provincial boundaries of, 5  
 Rupert's Land Act, 94  
 Canada Jurisdiction Act, Canada (1803),  
 94  
 capitalism, agrarian, 3  
*The Cenci* (Shelly), 207  
 Charles II (King), 92–93  
 Chittick, Thomas, 104–9  
 choreography  
   of summary trials, 100–1  
   cross-examinations, 101  
   guilty pleas, 101  
   in theatres of accusation, 100–1  
 collective responsibility, xvi–xvii  
 colonial accusations, 18–23  
   Justices of the Peace for, 99–100  
   language approach to, 20–21  
   methodological approach to, 19–20  
   paradigmatic examples of, 22–23  
   textual records for, 18–19  
 colonial biopolitics, 33–34, 38  
   truth-telling performances and, 162,  
   163–64  
 colonial criminal law  
   coloniality, 34–36  
   criminalizing powers of, 27–36  
   laws to manage dispossession, 29–31  
   discursive dispossession, 31  
   ordered settlements and, 29–31  
   plural legal fields and, 34–36  
   through racialization of human  
   subjects, 29, 38  
 colonial dispossession. *See* dispossession  
 colonial governmentality, 32–33  
 colonial law. *See also* socio-political  
   rationales  
   accusatory performances under, 109–12  
   for agricultural settlement, 109–12  
   historical contestation of, 12–13  
   Indigenous peoples' dispute of, 172–79  
   enabling buffalo extermination,  
   172–74  
   through legal fields, 177–79  
   in treaties, 176–77  
   legal forms of, 159–64  
   myths and, 57–59, 90–91  
   as non-mythical, 24  
   race under, 60  
   recursive dispossession under, 31  
   social order and, 31  
   standing of accused individuals under,  
   144–47  
   at theatres of accusation, 25–26  
   violence through, 26  
   truth-telling performances under,  
   159–64  
 colonial settlements, Butler, W., on, 47–48  
 colonial sovereignty, of Canadian  
   Dominion  
   in Alberta province, 31–34  
   challenges to, 7  
   criminalization thresholds and, 4–6  
   land organization and, 7  
   policing in, 7–8  
   powers of, 31–34  
 colonial texts, methodological approach  
   to, xiv–xv  
 colonial theatres of accusation, 22, 23,  
   25–26  
   hybrid powers in, 31–34  
   socio-politics of, 31  
 colonialism. *See also specific topics*  
   coloniality as distinct from, 35–36  
   in Manitoba, 43–44  
   metanarratives for, 29  
   settler, 30  
   Justices of the Peace and, 112–13  
 coloniality, 203–4, 209–10  
   colonial criminal law and, 34–36  
   colonialism as distinct from, 35–36  
   within performances of accusation, 36,  
   38–39  
 coloniality of gender, 191  
 Comaroff, Jean, 58  
 Comaroff, John, 58  
 common peace, 92  
 complaints, Justices of the Peace and,  
   96–98  
 contingency of crime, 18  
 Coudin, Charles, 53–54  
 Cree Nation  
   Chief Big Bear, 11, 12  
   Chief Poundmaker, 11, 12  
   Dion and, 41  
   Robertson-Ross on, 52–53  
   Ta-ha-kooch, 54

- criminal accusation. *See also* theatres of accusation  
   in Alberta province (1874–1884), 3–13, 200  
   repressive forms of, 197–98  
   routinizing of, 24–25  
   biopolitical theatres of, 61  
   political dimensions of, 4–6  
   in Roman law, 17  
   social dimensions of, 4–6  
   sociology of, 17–18  
   socio-political logic of, 203–5
- criminal justice  
   critical approach to, xv  
   sociology of accusation and  
     in Alberta, 13–14  
     jurisprudence for, 14–15, 16
- criminalization  
   biopolitics of accusation and, 169, 170  
   through colonial criminal law, 27–36  
   hegemonies of, 28–29  
   of Indigenous peoples, 18, 27–28  
   Justices of the Peace as part of process, 96–98  
     as gatekeepers, 93  
   law-forming spectacles and, 67–68  
   Macleod, J. F., on, 170  
   of poor, 18, 121  
   of racialized populations, 18  
   sociology of accusation and, 15–17
- criminalizing powers, of colonial criminal law, 27–36
- cross-examinations, in summary trials, 101
- Crowfoot (Chief), 80–82, 155–56, 180–88
- Crozier, Lief, 81–82, 126, 127, 183, 186–88
- culpable individuals, 156–64
- Cypress Hills massacre, 69
- Darwin, Charles, 62–63
- Deane, Michael, 104–9
- Derrida, Jacques, 26
- Descent of Man* (Darwin), 62
- Dewdney, Edgar, 146
- Dickens, Francis, 179–88
- Dion, Joseph, 41
- direct policing, 119–23  
   industrial capitalism as influence on, 122  
   paramilitary training and, 128
- dispossession  
   colonial, of Indigenous peoples, 27–28  
     Butler, W., on, 45  
     under colonial criminal law, 29–31  
     under colonial criminal law,  
       discursive dispossession, 31  
     history of, 29  
     recursive, 31
- Dominion Law  
   biopolitics and, 141–42  
   Butler, W., on, 58–59  
   creation in Alberta, xiv–xv  
   Imperial governance through, 168–69  
   Indigenous peoples and  
     introduction of Dominion Law, 10  
     use of Dominion Law, 10
- Dominion sovereignty  
   colonial law and, 57  
   law-forming spectacles and, 66–67  
     enforcement of sovereignty, 74  
     projections of sovereignty, 75–76  
   socio-political rationales and, 57
- Douglas, Thomas, 1, 2
- Dowling, Thomas, 150
- Doyle, Alexander, 1, 2
- Dumont, Gabriel, 11–12
- Edward III (King), 92
- Ermine skin (Chief), 175
- examinations. *See* preliminary examinations
- exemplary biopolitical individuals, 147–52
- Fanon, Frantz, 209
- Finlayson, J. A. S., 70–71
- Flanders, Judith, 18
- Fort Edmonton, 54, 76
- Fort Macleod, 82
- Foucault, Michel, 22, 32–33  
   on racism, 59
- French, George, 75–76
- frontier justice, 56–57
- fur trading, Butler, W., on, 47
- gender  
   biopolitics, 33–34, 38  
   coloniality of, 191
- genocide, of Indigenous peoples, 175–76
- Graburn, Marmaduke, 135–41
- grand juries, 24  
   abolition of, 95  
   Justices of the Peace and, 95

- The Great Lone Land* (Butler, W.), 43  
 guardians of the peace, 92. *See also*  
     Justices of the Peace  
 guilty pleas, 101
- Homer, 201  
 horse theft, 80, 109–12, 155–56  
 Houston, William, 104–9  
 hybrid-colonial policing, 71–74, 116–19  
     biopower and, 117–18  
     political inefficiency of, 117  
     social orders and, 117
- imperialism, 47–48  
 Indian Act, Canada (1876), 10  
 “Indian question,” 44–45  
 Indigenous law, in Canada  
     Butler, W., on, 44, 49–50  
     criminalization of, 18, 27–28  
     denial of, 44  
     legal orders and, 35  
     as myth-based, 24  
 Indigenous peoples, in Canada. *See also*  
     dispossession; Turtle Island  
 accused individuals among, 145–46  
 biopolitical genocide of, 175–76  
 Butler, W., on  
     dispossession of, 45  
     legal traditions for, 44, 49–50  
     Métis Peoples, 48  
     Piikani nation, 46  
 in colonial archives, 10  
 colonial law disputed by, 172–79  
     through Indigenous legal fields,  
       177–79  
     in treaties, 176–77  
     for wild buffalo extermination,  
       172–74  
 criminalization of, 18  
 definition of, 6  
 under Indian Act, 10  
 Robertson-Ross  
     racism of, 53  
     on rumours of disorder, 53–56  
 rumours about criminality of, 44  
     socio-political rationales for, 63–65  
 on sovereignty, 87, 90  
 under Treaty Seven, 10, 76  
 under Treaty Six, 10  
 uses of Dominion law, 8–10  
 indirect police science, 128–34  
     history of, 129  
     information-gathering in, 129–30  
     panoptic surveillance, 130–31  
 indirect policing, 117, 119–23  
 industrial capitalism as influence on,  
     122  
     by Northwest Mounted Police, 121–23  
     socialization mechanisms through, 121  
 industrial capitalism, policing influenced  
     by, 122  
 intelligence  
     for civil forces,  
       military, xvi, 201  
     for political forces,  
       rumour-based, 56  
 intersectional powers of accusation,  
     179–91  
     as biopower exercised, 189  
     paradigmatic example of, 189–91  
 Iron Head (Chief), 175  
 Irvine, A. G., 123, 129, 174
- Justices of the Peace, at accusatory  
     theatres  
 accusatory performances, 103–12,  
     113–14  
     in agricultural settlements, 109–12  
     in Alberta Province, 104–9  
     under colonial law, 109–12  
     preliminary examinations and, 103  
 in Alberta Province, 88–90, 104–9  
 under Canada Jurisdiction Act, 94  
 choreography of summary trials, 100–1  
     cross-examinations, 101  
     guilty pleas, 101  
 for colonial accusations, 99–100  
 complaints and, 96–98  
 criminalization process and, 96–98  
     as gatekeepers in, 93  
 grand juries and, 95  
 guidebooks for, 95–96  
 historical evolution of, 91–95  
     common peace and, 92  
     as gatekeepers to criminalization, 93  
     as sovereign representative, 91  
 juridical sovereignty of, 94–95  
 legal scope of, 89  
 methodological approach to, 88–90  
 as neutral adjudicators, 99, 108–9  
 Northwest Mounted Police and, 91  
 in North-West Territories, 98–100  
 under Police Act of 1873, 94  
 powers of arrest, 98–100

- Justices of the Peace (*cont.*)  
 on the prairies, 90–95  
   bare sovereign forces, 90  
 preliminary accusations and, 95  
 preliminary examinations, 101–3  
   accusatory performances and, 103  
   for competency, 102  
 removal from office, 93  
 under Rupert's Land Act, 94  
 scripts for, 90, 95–96, 113  
 settler colonialism and, 112–13  
 terminology for, 90  
 transcription of criminal information,  
   96–98  
 wide legal authority of, 101, 113
- Kafka, Franz, 16
- King, Peter, 116
- Knox, Robert, 60–61  
   on moral anatomy, 61  
   on social evolution, 61–62
- Lauder, John, 180
- law. *See also specific topics*  
   social lore translated into, 103, 144,  
     205
- law and order, for agricultural  
   settlements, 109–12
- law-creating violence, 74–84
- lawfare, 109
- law-forming spectacles  
   in Alberta Province, 66–67  
     Dominion law creation in, 68–74  
     hybrid model of policing in, 71–74  
     Northwest Mounted Police formed  
       in, 68–74  
   American Desperadoes, 69  
   through colonial policing, 68–74  
     hybrid models, 71–74  
     Royal Irish Constabulary as influence  
       on, 72–73  
   criminalization and, 67–68  
   Cypress Hills massacre, 69  
   Dominion sovereignty and, 66–67  
     enforcement of, 74  
     projections of, 75–76  
   law-creating violence and, 74–84  
   by Northwest Mounted Police, 67–68  
     formation in Alberta Province,  
       68–74  
     legislative authority of, 74  
     organizational structure of, 73  
     policing powers of, 73  
     social history influenced by, 69  
   Simpson on, 66  
   lawlessness, in Alberta province, 36  
   LeFrance, Charles, 185  
   legal contestation, biopolitics and,  
     179–91  
   legal forms of life, in colonial law,  
     159–64  
   legal orders, 35  
   legal pluralism, xvi–xvii, 206–7, 208–9  
     colonial criminal law and, 34–36  
     coloniality and, 34–36  
   Leveille, Gabriel, 138–39  
   Leveille, Louis, 138–39  
   liquor trading  
     Macleod, J. F., enforcement against,  
       79–84  
     theatres of accusation for, 77–84  
       Blackfoot Nation, negotiations with,  
       79–80  
     eradication strategies, 78, 79–81  
     Northwest Mounted Police response  
       to, 79–84  
     racialized biopolitics, 83
- Little Hunter case, 189–91
- Macbeth, Roderick, 69
- Macdonald, John A., 6, 7, 68, 72
- Macleod, James F., 73, 76, 77, 125, 170  
   on criminalization, 170  
   enforcement against liquor trading,  
     79–84  
   Graburn case and, 139–40
- Macleod, R., 71, 123, 125
- Maminonatan (Chief), 175
- Manitoba Act, Canada (1870), 68
- Manitoba Province. *See also* Butler,  
   William Francis; Robertson-Ross,  
   Patrick  
   civil police force in, 55  
   colonial settlement of, 43–44  
   establishment of, 42
- masking, of accused *personas*, 152–56.  
   *See also* moulding, of accused  
   individuals
- Maunsell, E. H., 139–40
- McGuire, Thomas, 96, 97–98
- McLachlin, Beverley, 197–98
- Métis Peoples, 11–12, 48, 80
- military and legal forces. *See* paramilitary  
   training; policing

- military intelligence, xvi, 201. *See also*  
 Butler, William Francis
- Mills, David, 117–18
- Milner, Alfred, 43
- moral anatomy  
 colonial law and, 59–61  
 Knox on, 61  
 socio-political rationales and, 59–61
- Morris, Alexander, 70
- Moss, Joseph, 147–48, 149, 153–54
- moulding, of accused individuals  
 accused *personas*, 152–56  
 conceptual approach to, 143–44
- myths  
 colonial law and, 57–59, 90–91  
 as non-mythical, 24  
 Indigenous law based on, 24  
 of positive laws, 58
- nationalism and imperialism, of Butler,  
 W., 43–44
- necropolitics, 23, 33, 86
- Nevitt, R. B., 76
- New Zealand/Aotearoa, 131, 205–6
- Nichols, J., 10
- Nietzsche, Friedrich, 4
- Northwest Mounted Police, 124. *See also*  
 policing  
 accusation and sovereignty under, 85–87  
 in Alberta province, 4  
 “as thick as ants on a hill” and, 75–76  
 biopolitics of accusation and, 168–72  
 under British North America Act, 4  
 expansion of, 133  
 indirect policing by, 121–23  
 Justices of the Peace and, 91  
 lack of discipline among, 125  
 law-forming spectacles by, 67–68  
 in Alberta Province, 68–74  
 legislative authority of, 74  
 organizational structure of, 73  
 policing powers of, 73  
 social history influenced by, 69  
 liquor trading and, 79–84  
 Macleod, R., on, 125  
 mission of, 8  
 moral influence of, 118–19  
 paramilitary training for, 123–28  
 direct policing and, 128  
 discipline and, 126  
 economic class as influence on, 123  
 uniform standards, 126
- routes taken by, 9
- Royal Irish Constabulary as influence  
 on, 123
- North-West Territories, 42. *See also*  
 Justices of the Peace  
 Justices of the Peace in, 98–100  
 policing and enforcement initiatives  
 in, 141
- North-West Territories Act, Canada  
 (1875), 95
- oath-based truths, 160, 161
- Odyssey* (Homer), 201
- Oliver, Frank, 125
- ordered settlements, 29–31
- ordinary language and colonial  
 accusations, 20–21
- Origin of Species* (Darwin), 62
- Oxarast, Michel, 111–12
- panoptic surveillance, 22, 130–31
- paradigmatic examples  
 of accused individuals, 152  
 Blackfoot Nation ration house case,  
 179–88  
 of intersectional power of accusation,  
 189–91
- paramilitary police brutality, 204
- paramilitary training, 123–28  
 direct policing and, 128  
 discipline and, 126  
 economic class as influence on, 123  
 uniform standards, 126
- Parker, William, 81
- patriarchal biopower, 38
- Pearce, Donald B., 149–51
- Peel, Robert, 71
- performance, accusation as, 23–27.  
*See also* truth-telling performances  
 coloniality within, 36, 38–39  
 Justices of the Peace and, 103–12, 113–14  
 in agricultural settlements, 109–12  
 in Alberta Province, 104–9  
 under colonial law, 109–12  
 preliminary examinations and, 103  
 legacy of, xvi  
 in theatres of accusation, 24–27  
 in colonial theatres, 25–26  
 definition of theatre, 24, 26–27  
 grand juries, 24  
 Stone Peters on, 25, 27  
 staging of, 27

- personas*. *See* accused *personas*  
 Peters, Stone Judith, 23, 25, 27  
 Piercy, William, 151  
 Piikani Nation, 46, 64–65  
 Plains Indians, assimilation of, 76  
 Plato, 1  
 pluralism. *See* legal pluralism  
 Pocock, Roger, 88. *See also* Justices of the Peace  
 police accusers  
   methodological approach to, 115–16  
   social ordering and, 115–16, 117  
 Police Act of 1873, Canada, 94  
 police science. *See* indirect police science  
 policing, police forces and. *See also*  
   Northwest Mounted Police; police accusers  
   Bentham on, 119–21, 122  
   in colonial sovereignty, 7–8  
   direct, 119–23  
     industrial capitalism as influence on, 122  
     paramilitary training and, 128  
   governmentality and, 118  
   guidebooks for, 128  
   hybrid-colonial, 71–74, 116–19  
     biopower and, 117–18  
     political inefficiency of, 117  
     social orders and, 117  
   indirect governance, 117, 118, 119–23  
     industrial capitalism as influence on, 122  
     by Northwest Mounted Police, 121–23  
     socialization mechanisms through, 121  
   indirect police science, 128–34  
     history of, 129  
     information-gathering in, 129–30  
     panoptic surveillance, 130–31  
   law-forming spectacles through, 68–74  
     hybrid models, 71–74  
     Royal Irish Constabulary as influence on, 72–73  
   in Manitoba Province, 55  
   in North-West Territories Province, 141  
   under Police Act of 1873, 94  
   sovereign politics and, 118  
 the poor, criminalization of, 18, 121  
 positive laws  
   mythology of, 58  
   sociology of accusation and, 15  
  
 Potts, Jerry, 79, 80  
 Poundmaker (Chief), 11, 12  
 powers of arrest, for Justices of the Peace, 98–100  
 preliminary accusations, Justices of the Peace and, 95  
 preliminary examinations, 101–3  
   accusatory performances and, 103  
   for competency, 102  
   Justices of the Peace and, 103  
 pretrial practices, of accusation, 2–3  
*Principles of Sociology* (Spencer), 62–63  
 Pyrrhic defeat theory, 85  
  
 race, racism and  
   biopolitical categories and, 59–61  
   in Boys' poem, 40–41  
   under colonial law, 60  
   Foucault on, 59  
   Knox on, 60–61  
   socio-political rationales for, 59–61  
 racial differences, socio-political  
   rationales for, 59–61  
 racialization, of human subjects, 29, 38  
 racialized biopolitics, 33–34, 38  
   liquor trading and, 83  
   socio-political rationales and, 57, 59–61  
   race and racism, 59–61  
   racial differences and, 59–61  
   in theatres of accusation, 83  
 Raikes, Harry, 96–97  
 Rathwell, John, 96–97  
 rebellions, 7  
 resistances, 7  
 Riel, Louis, 7, 11–12  
 Robertson-Ross, Patrick, 36, 41–42, 51–56  
   on Blackfoot nation, 52–53  
   on civil police force, 55  
   on Cree nation, 52–53  
   on Indigenous peoples  
     racism towards, 53  
     rumours of disorder among, 53–56  
   on installation of military presence, 52–53  
 Roman law, criminal accusation in, 17  
 Royal Irish Constabulary, 72–73, 123  
 rumours, about Indigenous criminality, 44  
   Butler, William, on, 42, 44, 50–51  
   intelligence based on, 56



- Robertson-Ross on, 53–56
- socio-political rationales for, 63–65
  - in Alberta Province, 65
  - military intelligence and, 64
- Rupert's Land Act, Canada (1868), 94
- Salteaux Nation, 132–33
- Samson (Chief), 175
- Schurz, Carl, 117–18
- Scott, Thomas, 7
- scripts, for theatres of accusation, 90, 95–96, 113
- settler colonialism, 30
  - Justices of the Peace and, 112–13
  - social evolution and, 61–62
- Shelly, Percy Bysshe, 207
- Simpson, Audre, 32, 66, 84
  - on sovereignty, 86, 87
- Sitting Bull (Chief), 117–18
- Siwiyawiges (Chief), 175
- Smith, Donald, 42
- Smith, Linda Tuhiwai, 19, 29
- social evolution
  - Knox on, 61–62
  - socio-political rationales as influence
    - on, 57, 61–63
    - through development of civilizations, 62
  - settler colonialism and, 61–62
- social lore, xv, 3
  - as criminal law, 18
  - transition into law, 103, 144, 205
- social malady, 156–59
- social order, 31
  - hybrid-colonial policing and, 117
- socialization mechanism, through
  - indirect policing, 121
- sociology of accusation, xvi, 3, 13–18, 199
  - anthropological discourses and, 17
  - contingency of crime and, 18
  - on criminal accusation, 17–18
  - criminal justice and
    - in Alberta, 13–14
    - jurisprudence for, 14–15, 16
  - criminalization and, 15–17
  - positive laws and, 15
- socio-political rationales, colonial law
  - and, 56
  - biopower and, 59
  - racism and, 59
  - criminal accusation in, 203–5
  - Dominion sovereignty and, 57
  - frontier justice and, 56–57
  - moral anatomy and, 59–61
  - mythical grounds of, 57–59
  - racialized biopolitical categories and, 57, 59–61
    - race and racism, 59–61
    - racial differences and, 59–61
  - rumour as intelligence, 63–65
    - in Alberta Province, 65
    - on Indigenous peoples, 64–65
    - for military intelligence, 64
  - social evolution promoted through, 57, 61–63
    - development of civilizations, 62
    - settler colonialism, 61–62
- Socrates, 1
- sovereignty. *See also* colonial sovereignty
  - accusation and, 84–87
    - in Alberta Province, 85–87
  - necropolitics and, 86
  - Northwest Mounted Police and, 85–87
    - Pyrrhic defeat theory and, 85
  - biopolitical, 23, 32, 86
  - Indigenous concepts of, 87, 90
  - of Justices of the Peace, 94–95
  - Simpson on, 86, 87
- Spencer, Herbert, 62–63
- standing before colonial law, accused
  - individuals and, 144–47
- “Star Child” case, 136–41
- Starblanket, Gina, 138
- Stark, Heidi Kiiwetinepinesik, 138
- Steele, Sam, 124
- summary trials, choreography of, 100–1
  - cross-examinations, 101
  - guilty pleas, 101
- Ta-ha-kooch, 54
- Taylor, Harry “Kamoose,” 82
- theatres of accusation. *See also* Justices of the Peace
  - choreography in, 100–1
  - colonial, 22, 23, 25–26
    - violence in, 26
  - for liquor trading, 77–84
    - by Blackfoot Nation, 79–80
    - eradication strategies, 78, 79–81
    - Northwest Mounted Police response to, 79–84
  - racialized biopolitics, 83
  - performances in, 24–27, 92–93

246

*Index*

- theatres of accusation (*cont.*)
  - in colonial theatres, 25–26
  - definition of theatre, 24, 26–27
  - grand juries, 24
  - Peters on, 25, 27
  - staging of, 27
  - racialized biopolitics in, 83
  - scripts for, 90, 95–96, 113
  - thresholds for, 22
- Thebo, Charles, 111–12
- Theory of Legislation* (Bentham), 119
- Three Bulls, 81
- thresholds
  - etymology of, 3
  - as theatres of accusation, 22
- Treaty Seven, 10, 76
- Treaty Six, 10
- The Trial* (Kafka), 16
- truth-telling performances
  - by accused individuals, 159–64
  - colonial biopolitics and, 162, 163–64
  - under colonial law, 159–64
  - oath-based truths, 160, 161
- Turtle Island, for First Nations, 4.
  - See also* Alberta
- United States (U.S.)
  - American Desperadoes, 69
  - genocide of First Nations peoples, 46–47
- veridiction, 165
- violence. *See* law-creating violence
- Wallace, Alfred, 61–62
- William (Chief), 175
- Wilson, Emily, 201
- Wittgenstein, Ludwig, 26, 197
- Woodpecker (Chief), 175
- Worsley, Garnet, 7–8