

The Métis in the 21st Century Conference

June 18-20, 2003

Saskatoon

Day 3 – Tape 2

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Fred Caron: But I, just use two points, I make very briefly, Paul. One, I think is with respect to that question that was asked about the relationship and the failure of the Charlottetown process and so on, and while the Charlottetown process didn't achieve an amendment, I think we have to look at the positive accomplishments of the Constitutional process. One was the recognition of Métis in the Constitution, which was a huge step forward, huge. I mean, I would say before that time they were not on anybody's radar screen in the federal government, that's for sure. And I think the awareness that, that the Métis organizations created among governments and others of Métis issues through that process have been instrumental in, in, in some of the things that we see, some of the achievements that we see today. And so I don't think we should under-, we should undersell that.

I think also from our side it led to the creation of the federal interlocutor's office, and that wasn't as far as the Métis wanted to go, but I can tell you, and this is one of the paid political announcements, that the interlocutor that we have now is rigorous in putting Métis issues before his cabinet colleagues. He may not always get the answers he likes, but I can tell you, and you can ask those cabinet ministers, they're well aware of the issues. And so we have to look, I think, at how far we've, we've come ahead in... The Métis organizations are players on the national scene. They, they are there. They're at SUFA [Social Union Framework Agreement], they're at health meetings, and so on. And so I think those were the positive results of Charlottetown, while it may not have produced an amendment.

My, my second comment, I guess, is on, on the 91(24) event. And I accept Jean's point about the reason that the litigations taking place are so, the Métis want to create space, and I'm not being critical of that. Having said

that, though, I think it's one of the key obstacles to progress that we face so far, is this whole 91(24) debate. And it's because of the way the debate is cast. The debate, the debate, I think especially to this point, has been understood as if Métis are under 91(24), then the federal government's responsible for them. And that's been read almost as a complete responsibility. You know, we heard Mark Stevenson, I think yesterday, discussing 91(24), and outside the core of Indianness, there's a lot of room for application of provincial laws, municipal laws. Fact of the matter is, on the ground, Métis or everyone, responsibly all of us, the government have some involvement with Métis. But the way the debate has been cast is a kind of a all or nothing approach. And I think where we need to get to is along the lines of what I think Jean and Brad were saying, which is we need to talk about the substance of what Métis want to achieve by being under 91(24). And that will make it a lot easier for governments to react. Because of the way the debate has been cast so far, it's been a legal debate. And so when government's gonna make policy, the, the central agencies, finance and so on, are happy to turn to the Department of Justice and say, "There any risks here?"

And, of course, there's always legal risks. And so we get paralysed. And I think the provinces are likely in the same position. They've come to depend on, it's al-, it's almost like shadow-boxing. We're feeling each other when it's power. You know, if we do this, we're going to fall into this trap. I, you know, I think hopefully we're, we're, we're getting beyond that stage. I think if you would have called this meeting twenty-five years ago, you wouldn't have any of these people at the table. They would have, what issues? You know, it's not my problem. And now you actually I think have some cooperation starting to emerge on some of these issues where we have to set aside or at least put aside—nobody's gonna drop their legal position—put it aside at least for the time being, and say these are the things that we can do together to make some progress here. And as I say, I think that the level of turnout you have from governments is quite impressive and hopefully a good sign of the future.

My last point is on Tony's point on, on data, and I think, if you take those kind of points that were made this morning by, by Andy and Evelyn, we need to get behind these figures, no question about it. We need to understand what the data means, and I think we're quite happy, anxious to work with Métis groups in partnership to try and understand that. Those are my points.

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