

Metis Society of Saskatchewan

Metis Commission
on
The Canadian Constitution



December 1991

**METIS SOCIETY OF SASKATCHEWAN
METIS COMMISSION ON THE CANADIAN CONSTITUTION**

TO THE PROVINCIAL METIS COUNCIL:

We are pleased to submit the following report as mandated by your Council in June 1991. We have canvassed the views of the Metis in Saskatchewan and believe that the report is faithful to those views.

In order to explain what Metis self-government entails, we have provided a description of our existing institutions. It is the belief of many of our people, that these Affiliates will form the basis of our self-governing institutions.

The members of the Metis Commission on the Canadian Constitution hope this report will facilitate future discussions on Metis rights. In any event, it should prove useful as a tool for public education.

We want to thank the members of the Council for their cooperation. In particular, we want to thank the many Metis people who contributed to this process. Without their participation, this report would not have been possible. Finally, we want to thank Cathy Littlejohn for compiling some of the research, Ivan Morin for taking some of the photographs and Janice Acoose for assisting in editing the report.

Respectfully submitted on behalf of the Commission,
Yours for Metis self-determination,



Clem Chartier
Chairman



Chairman

Clem Chartier

Clem Chartier, a Metis lawyer and consultant, has been involved in the Metis Society of Saskatchewan in many different capacities for the past two and a half decades. He has extensive experience with Aboriginal rights and constitutional matters. Mr. Chartier has served as national spokesman for the Metis National Council, as well as President of the World Council of Indigenous Peoples. He is originally from Buffalo Narrows.

Commissioner

Leonard Pambrun

Leonard Pambrun, a Metis Elder, has lived and worked in Duck Lake with the Metis all his life. He has served the Metis Society of Saskatchewan in many capacities over the years. Mr. Pambrun has made a significant contribution to the Metis of Saskatchewan in terms of history and the struggle for Metis rights.



Commissioner

Lorna LaPlante

Lorna LaPlante is a consultant and university lecturer. She has worked for Metis Society of Saskatchewan for the past 15 years in various capacities, including a term as Executive Director and as Editor of the New Breed Journal. Ms LaPlante was born and raised in Northwestern Saskatchewan in Pierceland and Cochin.

TABLE OF CONTENTS

I. Purpose	4
II. Introduction	4
III. The Metis in Saskatchewan Today	7
A. Current Conditions.....	10
B. Metis Run Programs and Institutions	10
C. What the Metis in Saskatchewan Told Us	11
D. What is Required Based on What We Heard?	11
IV. How Do We Get There?	62
V. Recommendations Based on the Commission Hearings	63
References	67
Appendices	68

I. PURPOSE

The Metis in Saskatchewan - like the Metis in the rest of the Metis homeland - are a people whose rights to land, self-government, hunting, trapping, fishing and gathering have been denied. We have no legal control over child and family matters and we have few resources for economic activities. However, the current constitutional debate can potentially allow our voices to be heard. The Metis Society of Saskatchewan's Commission on the Canadian Constitution has helped to facilitate this process by recording the concerns, dreams, fears, recommendations, criticisms and suggestions of our people. The Commission will then transmit those expressions to the Provincial Metis Council, which in turn shall communicate our communities' constitutional concerns to the Metis National Council. Finally, the Metis National Council will use the report as the basis for negotiations with the First Ministers and other national Aboriginal organizations.

II. INTRODUCTION

a. HISTORICAL BACKGROUND

The Original Peoples maintained their own organized societies and self-governing institutions prior to the imposition of European rule. As a consequence of foreign domination, the Original Peoples have been severely affected by land dispossession, political disempowerment and economic repression.

In the late 1800s and early 1900s the Metis were stripped of their Aboriginal rights to land via the scrip system.¹ As a result, subsequent governments maintained that the Metis have no rights to land or natural resources. For example, Metis people can no longer hunt and fish, or enjoy the fruits of the land, as previous generations of Aboriginals did. If we assert our rights, we are convicted for violating specific Canadian hunting or fishing laws.

The Metis also suffer other grave effects as a result of colonization, like cultural genocide and institutional racism. Relations between the Canadian government and the Metis reflect this.

Indeed, throughout history the rights of the Metis people have been continually eroded. Any attempts that our ancestors made to politically organize were quickly suppressed. Under these kinds of conditions, the Metis culture was unable to thrive and Metis families were unable to freely transmit their values, beliefs, or traditions to subsequent generations.

Throughout this genocidal era the Metis internalized feelings of inferiority. This process of internalization traumatically undermined Metis pride and culture.

1

The federal government unilaterally imposed a land distribution system on the Metis which supposedly extinguished the Metis Aboriginal title to land. However, the vast majority of this land went to unscrupulous speculators. The government was fully aware that this would happen, and many suspect that they engaged in this scrip process specifically for that purpose.

These kinds of degenerative and deliberate assimilative intentions by colonizing powers are referred to in international circles as cultural genocide. While the government may not have intentionally conspired to physically terminate the Metis it definitely promoted assimilative programs intent on disempowering the Metis and killing Metis nationalism and culture.

To justify land expropriation, the colonial government and its successors constructed myths about the inferiority of Aboriginal peoples. It promoted and perpetuated these myths through educational, legal, religious, social, political, and media institutions.

For example, in the educational institutions many texts still archaically portray Indian and Metis peoples as less human than whites. And, the Metis are even more discriminated against by the general public which merely reacts to the color of skin and therefore does not intellectualize the difference between a Metis or an Indian. Invariably, the Metis are burdened with labels like "drunken Indian" or "savage Indian".

The Metis Nation has perhaps faced the most extreme forms of racism! Not only have we been historically dispossessed of all our Aboriginal rights, we continue to be denied services provided by the federal government to Indian and Inuit peoples. Indeed, we continually suffer severe social and economic conditions and we continue to be burdened with Canadian society's racist attitudes.

Some would argue that this kind of racism is slowly being eradicated. However, there is still a large number of Canadians who exhibit blatantly racist attitudes.

Unfortunately, legislation and constitutional amendments cannot force people to change their attitudes towards Aboriginal peoples. However, legislation and constitutional protection of Aboriginal rights combined with very deliberate and conscious efforts to rebuild our Nations, communities, and peoples may help to destabilize institutional racism and promote a better and stronger country.

Despite all the efforts to disempower our people, the Metis Nation has persevered. In fact, our pride and determination is as strong today as it was during the war of resistance at Batoche in 1885.

b. FAILURE OF THE 1980s

When the Constitution was patriated from Great Britain in 1982, the Aboriginal People's reality was finally recognized and the Aboriginal peoples were encouraged to participate in shaping the future of Canada.

In 1983, the Aboriginal peoples were invited to participate in a constitutional Conference, as dictated by s. 37 of the Constitution Act 1982. By virtue of s. 37, the Prime Minister was directed to invite representatives of the Aboriginal peoples to a conference in order to identify and define the rights of the Aboriginal peoples for the purpose of entrenching them in the Constitution.

However - aside from the limited success of the 1983 First Ministers' Conference - the remaining 1984, 1985, and 1987 constitutional conferences failed to recognize and entrench

the right to Aboriginal self-government.

For the Metis, this was extremely disappointing. Nevertheless, the constitutional conferences set the stage for internal political developments. At the national level, the Metis National Council (MNC) was established in March 1983 so the Metis could be represented at the First Ministers' Conference. With some political and legal maneuvering, the MNC participated at the March 1983 First Ministers' Conference and has continued participating since that time. At the provincial level, our political organization evolved to a Metis-only organization in February 1983 but the actual transition did not occur until 1988.

Between 1985 and April 1987, the Metis in Saskatchewan were engaged in a tripartite process - with the federal and provincial governments - meant to give some definition to Metis self-government. The tripartite discussions also explored the potential for a Metis landbase. However, in April 1987 the constitution conference failed and the tripartite process in Saskatchewan ended (although it continued in Manitoba).

Despite the lack of substantive legal or constitutional developments during the 1980s, we have taken positive measures to rebuild the Metis Nation. In fact, we are now in a favourable position to negotiate for our political, social, economic, civil, legal and constitutional rights in the 1990s.

c. JURISDICTIONAL ISSUE

Metis progress is continually hampered by jurisdictional issues. The federal government maintains that the Metis are a provincial responsibility while they solely have jurisdiction for the Indian and Inuit peoples. On the other hand, all of the provinces (except for Alberta) assert that the Metis are a federal responsibility.

As a consequence, several services offered by the federal government for Native peoples are limited to Indian and Inuit peoples. For example, the Department of National Health and Welfare refers to the issue of federal jurisdiction and therefore excludes the Metis from Native drug and alcohol abuse programs and from programs for Natives dealing with child and family matters.

This jurisdictional issue had a major impact on the tripartite process on Metis self-government in Saskatchewan. After finally convincing the Devine government to once again participate in the process, his government in January 1990 insisted that the federal government acknowledge jurisdiction and responsibility for any necessary legislation flowing from agreements, along with financing Metis self-government. This is a position that the federal government will not adopt.

d. CURRENT CONSTITUTIONAL DEVELOPMENTS

As a result of the failure of the Meech Lake Accord in June 1990, and the renewed interest in reforming the constitution to address Quebec's concerns, the federal government has decided to now deal with the broad interests of all provinces and the Aboriginal peoples.

Based on this, the federal government, in June 1991 invited the Aboriginal peoples - through their National representative organizations - to participate in discussions and

negotiations. Financing was made available to enable the Aboriginal peoples to participate in a meaningful way.

The Metis National Council - as our national representative organization - received a financial contribution and subsequently distributed a portion of it to each provincial member organization.

In an effort to consult the Metis within Saskatchewan, the Provincial Metis Council of the Metis Society of Saskatchewan established the Metis Commission on the Canadian Constitution. (See Appendix 1 for mandate)

e. FEDERAL PROPOSALS

Following the Commissions' hearings, the federal government unveiled its constitutional proposals. These proposals are very specific as they relate to Aboriginal peoples. It is now the task of the Special Joint Committee on a Renewed Canada to take these proposals across Canada for public debate. The Special Joint Committee must report its results to Parliament by the end of February 1992.

As these proposals were not made public at an earlier date, this report will not deal with them. They are left for debate in the subsequent phase of the Organization's constitutional workplan.

III. THE METIS IN SASKATCHEWAN TODAY

Note: Accurate statistics on the Metis population of Saskatchewan do not exist. Although the Statistics Canada 1986 Census Data included some data on the Metis, it can best be regarded as a sample of the population and is therefore not precise. This has been acknowledged by the federal government and negotiations are currently under way for a Metis enumeration. Statistics quoted in this report reflect patterns and trends and substantiate "felt knowledge" of the members of the Metis community. Various types of statistics will be cited: Metis -specific data from the 1986 Census to depict trends; Aboriginal statistics which include Status and Non-Status Indian peoples with Metis people; and statistics pertaining to Northern Saskatchewan (where the Metis form the majority of the population) to provide insight into the lives of Metis communities in the North.

A. CURRENT CONDITIONS

While the Metis have many strengths, the data overwhelmingly show that our people in Saskatchewan are poor, under-educated, and for the most part, are not included in the economic life of the province (see Statistics Canada, 1989; Ross and Shillington, 1989; and Feather, 1991). This evidence is not new to our people who have lived - in our homeland - as marginalized, landless, "road allowance" people since 1885. Our communities are unmistakably poor; our people desperate through lack of education, marketable skills and opportunities.

Our population is young and growing fast. Our youth see others taking for granted things that they can only dream of. We have the diseases of the poor compounded by overcrowding in our inadequate housing.

We are mobile. We move to get jobs or a better education. The Metis find more substandard housing, fewer and fewer jobs available that require our level of skills, and educational opportunities which will leave us with such a debt load that many do not risk going off welfare.

Within our communities we have alcohol, drug and substance abuse, family violence and children in pain. The Metis are denied services by the federal government because we do not fit their criteria for being "Indian" yet we are denied services by the Saskatchewan government because we are deemed by our Indian ancestry to be a federal responsibility.¹

Politically, as Metis people, we are stronger and more unique than we have been in many years. We have regained the vision of our past leaders: Louis Riel, Gabriel Dumont, Jim Brady, Joe Ross, etc. We have come together to turn our problems into solutions and our desperation into hope by our own actions.

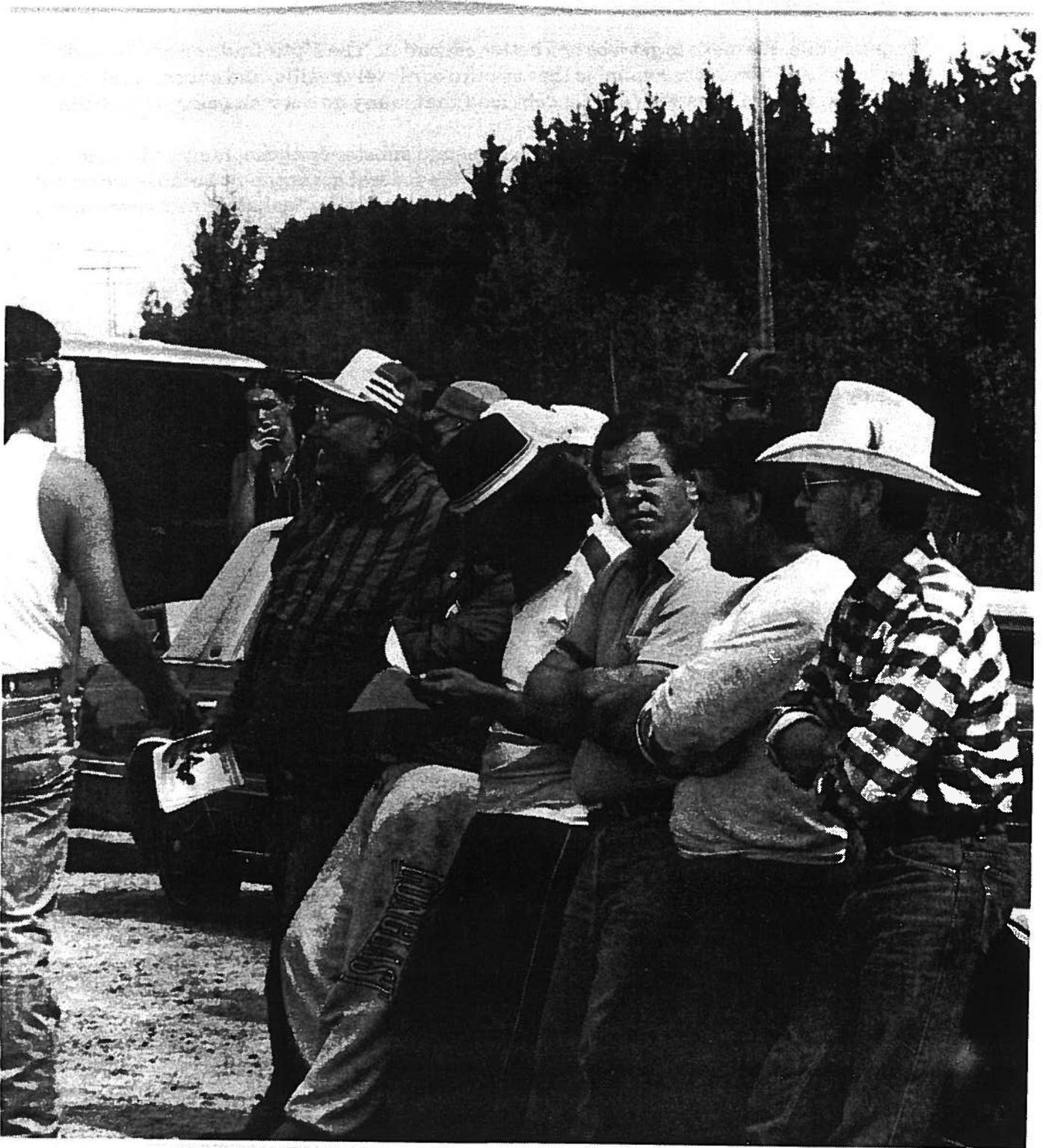
As survivors, we are defining our problems and designing our solutions. We are taking the vision of a Metis Nation and developing institutions, structures and infrastructure which can make us strong.



The following outlines the situation of our people in Saskatchewan today. This is who we are. This is where we begin.

1

The federal government has the jurisdiction to deal with "Indians and the lands reserved for the Indians" under s. 91(24) of the Constitution Act 1867. The Supreme Court of Canada in a 1939 decision ruled that the Inuit fall under that clause. It is generally accepted that the Metis also fall under that general clause, and that the federal government also has the jurisdiction to deal with the Metis.



A. CURRENT CONDITIONS

1. Culture and Identity

We are Metis, a people with a distinct history, culture and experience in this country. We are one of the three Aboriginal peoples of Canada but we do not have the same identity as the other Aboriginal peoples. Our historic homeland encompasses the three prairie provinces, northwestern Ontario, northeastern British Columbia, parts of the Northwest Territories and parts of the United States of America, although some of our people have moved to other parts of Canada.

After the War of Resistance at Batoche in 1885, our people scattered but they carried with them the stories, songs, legends and ways of our people. The government tried to destroy our people but many continued our struggle around campfires and kitchen stoves. The spirit of the Metis was kept alive and remains today in the sound of the Red River Jig, the Metis sash, and the flag of the Metis Nation.

During the winter of 1991, Metis people from across Canada were interviewed about views of Metis culture and the need to preserve the Metis past. The following represent some of the powerful statements that were made.

"Metis people held a sacred trust among each other to preserve these values, customs and places that the next generation would have these things to pass on to other generations such as laws, dances, etc."

"It was the responsibility of each individual to protect things of cultural value and each family."

"The safety of things of cultural value in the family was the responsibility of the

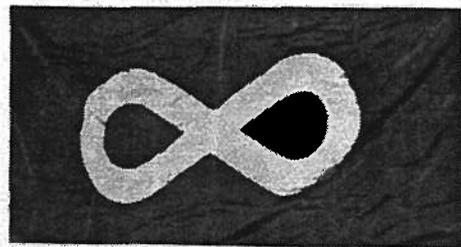
B. METIS RUN PROGRAMS AND INSTITUTIONS WHICH ADDRESS THE NEEDS OF OUR PEOPLE (SEE APPENDICES 2 & 3 FOR ORGANIZATIONAL STRUCTURES)

1. Culture and Identity

Since 1980, the Gabriel Dumont Institute of Native Studies and Applied Research, Inc. has been the only Metis-controlled educational institution in existence. Its mandate involves not only the development of educational programming but a concern for the preservation, development and dissemination of cultural materials. To this end, the Gabriel Dumont Institute offers the following services: contemporary and historical research; Metis Studies; curriculum development; and library and resource centre holdings to support research on Metis people.

During the past few years, the Institute has produced numerous books, booklets, posters, curriculum materials and research papers that examine issues of importance to the Metis community. Sales of the materials produced are made to school boards and individuals across the country making Gabriel Dumont Institute a nationally recognized authority on Metis culture and history.

Also, to reinforce our culture, at the September 1991 Annual Assembly of the Metis Society of Saskatchewan an Elders Senate was formed. The Senate is composed of one Elder from each of the 12 regions of the organization. The Elders are our advisors on issues of critical concern particularly with regard to constitutional and cultural matters.



C. WHAT THE METIS IN SASKATCHEWAN TOLD US

1. Metis Culture and Identity

Metis people have a separate unique identity with our own language and culture that must be recognized and given constitutional protection.

We, as Metis, will tell the government who we are, and we shall determine our own members or citizens of our Nation. We are constitutionally distinguished as "Aboriginal" and therefore we must have our rights protected and respected.

We are a people of Aboriginal ancestry - who identify as Metis - with a shared history and culture.

Many times we are viewed as "Indians" because of our skin color. This is particularly so where racism is involved.

An Elders Council can help us to maintain our identity and strengthen our political organization - the MSS - because they are level headed and can settle disputes that lead to divisiveness. They can also teach us the old ways.



D. WHAT IS REQUIRED BASED ON WHAT WE HEARD

1. Metis Culture and Identity

Our right to determine membership or citizens must be recognized and honoured.

Metis culture and language must be protected in the Constitution of Canada and promoted through the Gabriel Dumont Institute, under the direction of the Metis Elders Senate.

The exercise of Metis culture must be respected. This includes the pursuit of traditional use of resources through hunting, trapping, fishing and gathering. This aspect of Metis culture is also critical for food supplements and a proper diet.



CURRENT CONDITIONS

women of the family. This seemed to be an unwritten law. It was evident that all objects of the family were sacred. I have things that have come down from generation to generation and I still feel a sense of awe when I handle them."

"The past and the present are as one, intertwined one cannot be isolated from the other".

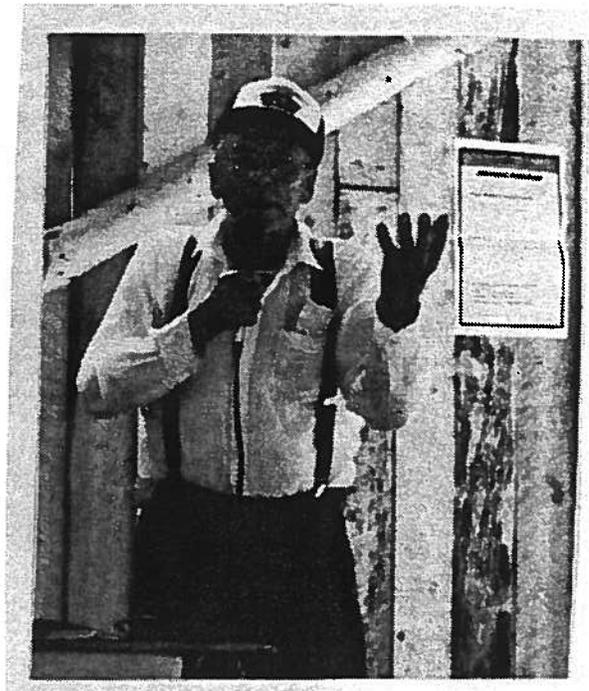
"The past in terms of culture and history have always been an integral part of Metis tradition."

"My personal dream for the protection and preservation of Metis heritage is a Metis Archives and Museum. Laws made by Metis, also regulations the government should fund, should be developed at Batoche. This is my dream and is many Metis people's dreams (Rivard, 1991)".

We are Metis; we know who we are and what is of importance to our cultural well-being as a people. For over one hundred years we have nurtured the Metis spirit through our families and communities. We want to be able to collect it and protect it forever under our stewardship.

We are Metis and our language is Michif. However, in Saskatchewan we speak many languages. These languages hold the secrets of our cultural identity. Our Elders speak of the old ways and provide us with the voices of our ancestors through the languages of our past. Our languages link us to our history, traditions, laws and customs. We sing and celebrate our Metisness in the words of our languages. With each generation however we see our languages eroded and recognize that the time has come to protect, nurture and develop our languages.

A 1972 survey of the Metis people of Saskatchewan revealed that 65% of the respondents spoke Cree as their mother tongue; 10%





CURRENT CONDITIONS

Chipewyan and 15% English (Adams, 1972, 37). The overall finding was that 65% of respondents spoke the language of their ancestors.

A 1991 Saskatchewan Indigenous Languages Committee study examined the state of health of languages spoken in Saskatchewan communities. Two northern Metis communities, Ile a la Crosse and Cumberland House were surveyed. In Cumberland House, the Cree language was deemed to be in a very grave condition. The research concluded that:

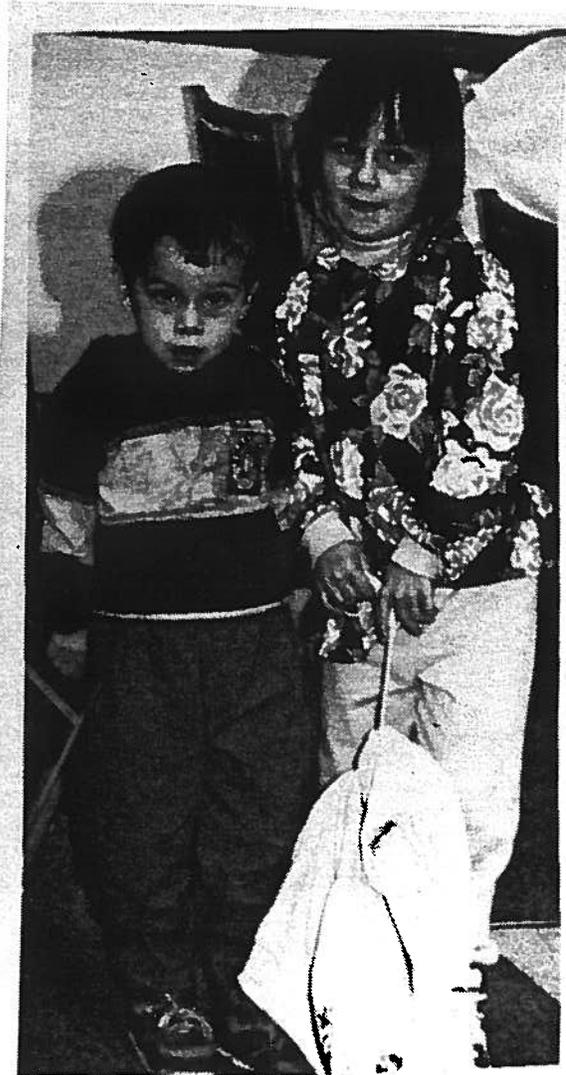
If this community values its Cree language and culture to the extent indicated in the survey, action must be taken immediately to prevent Cree language loss among preschool and school-age children, as well as among young parents. Cumberland House is fortunate to be in the position of being able to recognize and reverse the trend towards the loss of ancestral language. There are still enough fluent speakers of Cree to maintain a dynamic bilingual community if effective measures are taken. (p.44)

The same study found that in Ile a la Crosse, both Cree and Michif are in serious condition. Therefore, Metis people who claim the Michif language as their traditional language must take steps to preserve it.

2. Children, Youth and Families

We are a young, rapidly growing population in Saskatchewan. Two out of every three Aboriginal people in Saskatchewan are under 25 years of age. Statistics for Saskatchewan, as a whole (Statistics Canada, 1989) and for Northern Saskatchewan separately (Feather, 1991) concur that approximately 4 out of every 10 Aboriginal people are under 15 years of age. Furthermore, in Northern Saskatchewan, only 4% of Aboriginal people are over 65 years of age (Feather, 1991). Not only do we have a very young population, we have very few Elders to

METIS RUN PROGRAMS AND INSTITUTIONS



2. Children, Youth and Families

The Metis Society of Saskatchewan established a Metis Childcare Committee in January, 1989. During its existence, the Metis Childcare Committee has been developing a program for Metis child and family services in Saskatchewan. At the moment this is a voluntary committee. Individual members constantly intervene in crisis situations upon request. Also, in this area there are some very good programs at the local level. In August 1990, one such program opened in Prince Albert. The Prince Albert Children's Crisis Centre was jointly established

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



2. Child, Youth and Family Services

We must have control over child welfare and family services. We can best facilitate healing families and in the process allow families to remain intact. Our young people would not lose their identity through a system which removes them from their homes and communities.

There has to be greater cooperation between the government and the Metis, so that we can develop better programs and get more Metis foster homes.

2. Child, Youth and Family Services

Until self-government can be fully realized, there must be an affiliate established which will handle child and family services.

Our youth must be fully involved in the development of the Metis Nation. At the organizational level, it is mandatory that a youth component be established. This will address the need for youth development and leadership building.

Metis children must be guaranteed the rights accorded to the Metis community.

CURRENT CONDITIONS

guide us.

These numbers tell us much about family life for Metis people. It means that one half of the Metis population is dependent - too young or too old to work or support the family. Many of our people are of school-age and there is pressure on all of us to prepare these children for a hopeful future.

Our birthrate is very high. In Northern Saskatchewan, the fertility rate is twice that of the province (Saskatchewan Health. Vital Statistics by Health Region, 1987). The rate of teen pregnancy in Northern Saskatchewan is three times that of the province (Northern Medical Services, 1988).

Families are larger in the North with the average number of children per family being 2.4 as contrasted to 1.3 for the rest of Saskatchewan (Statistics Canada, 1987). Single parent families account for one out of every four Northern homes with children. (Feather, 1991).

In a recent study entitled, Social Health in Northern Saskatchewan, Feather comments,

In a young and rapidly growing population like Northern Saskatchewan's, households are likely to be large; there are more mouths to feed and living conditions are likely to be more crowded. A large family or household can be a source of support and nurturing. But a large family without adequate income, employment, or housing can also mean malnutrition, increased family stress, and insufficient care for the dependent members of the family -- children and the elderly. (p. 31)

The family is the basic structure of society that transmits cultural teachings. Therefore our families must be the foundation of the Metis Nation. We depend on the strength of the families to give our Nation strength.

Unfortunately, as a result of the stresses

METIS RUN PROGRAMS AND INSTITUTIONS

by the Metis Society Local and other community groups. Funding came primarily from fund raising events as well as a contribution from the provincial government.

In 1989, MSS adopted the Policy on Metis Child and Family Services which guides the work of the Committee (See Appendix 4). The ultimate authority for childcare and family services lies at the local level and there must be local involvement in the delivery of services.

In relation to children, youth and family services, the MSS envisages the establishment of an Affiliate to deal exclusively with such issues. There has been an agreement in principle by the former Minister of Social Services for the Metis to have control of Metis child and family services. (Indications are that the new Minister has also accepted that principle). Also, as a means of working towards more direct Metis involvement in Metis child and family services, the provincial government, the Metis Childcare Committee and the Metis Society of Saskatchewan are hosting a joint conference to design a blueprint for future directions in Metis child and family services.

In addition, the MSS is extremely concerned with issues pertaining to Metis youth. As a result, the MSS is participating with the Saskatchewan Human Rights Commission (SHRC) in planning a conference on Metis Youth issues. Plans to explore, in particular, support services required by the province's Metis youth are under way.

WHAT THE METIS IN SASKATCHEWAN TOLD US

Daycare is vital for Metis families to allow parents to get an education or try to work.

There must be Metis control and organizations for dealing with childcare issues.

Metis youth must be involved in the decision-making of the Metis organizations, especially with respect to self-government structures.

The MSS must establish a youth wing that will train future leaders and build up the organization, and create a Metis youth development fund.

The MSS must take steps to improve the social and economic conditions of Metis youth. For example, the MSS could utilize the "Pathways to Success" program to prepare Metis youth for participation in the workforce.



WHAT IS REQUIRED BASED ON WHAT WE HEARD



CURRENT CONDITIONS

placed on Metis families by colonialism, racism, and socio-economic problems, family breakdown and family violence are a fact of life in our communities. We can only guess at the extent of family problems but some Northern health workers and Northern residents suggest that the rate of family violence in their communities is very high (Feather, 1991). Under these circumstances, it is difficult for families to live healthy lifestyles and pass on our culture to the next generation.

Metis children are our primary concern but in our communities too many are deprived of basic things like food, shelter, and safety. Consequently, they grow up feeling emotionally and spiritually deprived.

Our children are our future. They are the parents of tomorrow, the leaders of tomorrow, the future builders of the Metis Nation.

3. Metis Women

Mothers have always been the primary instrument for passing on culture in any society. In Metis communities, Metis women's lives are inextricably bound to children, youth and families.

We have many single parent families that are headed by women. Often Metis women not only have the responsibility for the cultural and emotional stability of families but the financial as well. While the Aboriginal peoples of Saskatchewan are the poorest Aboriginal peoples in Canada (Statistics Canada, 1989), Aboriginal women in Saskatchewan are poorer than Aboriginal men. The following table examines the relationship between the variables of years of schooling, income and gender among Saskatchewan's Aboriginal people.

METIS RUN PROGRAMS AND INSTITUTIONS



3 Provincial Metis Women's Committee

This Committee was formed in January 1987 under the Metis Society of Saskatchewan. At the time of its inception, the primary objective of the Committee was to enable Metis women to become involved with the activities of the Metis Economic Development Foundation. Since 1989, the Committee has broadened its mandate to include social and constitutional issues. This includes taking an active role in matters concerning women and children, particularly, family violence.

Work of the Committee has been hampered by limited finances. While funding from both governments encouraged assemblies and small projects, funding from the Metis National Council through the MSS has allowed Metis women to participate in the Canadian Constitutional process. Metis people are striving to increase Metis women's participation in the political structures of Metis self-government.

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



3. Women's concerns

Metis women must have equal rights in the workplace and other areas of mainstream society. They must be given equal opportunities in the political system of MSS. Metis women must be given the resources to organize at the local, regional, provincial and national levels so that they have a stronger voice and their special needs and concerns may be heard.

Metis women must work towards having positions of political authority in all levels of Metis and non-Aboriginal governments.

Metis women are very concerned about family violence and other socio-economic manifestations of poverty and racism and thus want support to take control over these areas.

Metis women must have the same rights as men regardless of their marital status. These rights must not be lost by marrying a non-Metis, whether Treaty Indian or Non-Aboriginal.

3. Metis Women

The provincial Metis women's organization must be fully supported by the MSS. It is also critical that the Metis women fully participate in all matters that have an impact on the future of the Metis nation and our provincial developments.

Equality must be ensured for women in all levels of the MSS and affiliates.

Metis women must not lose their rights as Metis regardless of their marital status.

CURRENT CONDITIONS

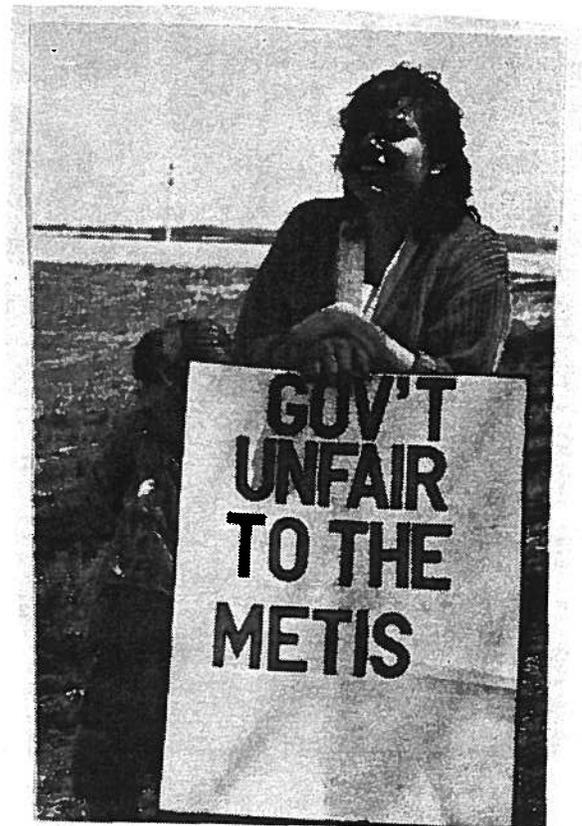
**TABLE ONE
ABORIGINAL PEOPLE 15+ WHO WORKED
IN 1985 BY THE HIGHEST LEVEL OF
SCHOOLING BY INCOME LEVEL BY GEN-
DER**

LEVELS OF SCHOOLING	INCOME AVERAGE	LEVELS MALE	LEVELS FEMALE
All Levels	11,473.	12,730	9,647
Less than Gr.9	9,449	10,026	7,925
Gr. 10 no cert.	9,007	10,644	6,351
Gr. 10 with cert.	6,474	7,738	1,674
11-13 no cert.	9,632	12,259	6,353
11-13 with cert.	11,263	13,305	9,145
Trades	14,992	16,758	11,308
Some Post-sec	11,089	12,218	9,966
Post-sec with cert.	16,033	18,591	14,043
University degree	23,002	25,608	20,772

Source: Adapted by Gabriel Dumont Institute from 1986 Summary Tables CEC Table 20 Native Peoples 15+ who worked in 1985 by the highest level of schooling by count and by 1985 Average Income by Gender - 1986 Census

This table shows very clearly that Saskatchewan's Aboriginal women are paid considerably less than Aboriginal men with the same levels of schooling. The level of disadvantage suffered by Aboriginal women in Saskatchewan society becomes even clearer when it is acknowledged that men of Aboriginal ancestry are paid only 60.2% of the average income of non-Aboriginal men (Saskatchewan Human Rights Commission, 1989).

Table One also demonstrates that income levels for Aboriginal women do not increase in any significant degree until after high school graduation. Paper qualifications appear to be more important to the financial well-being of Aboriginal women than for Aboriginal men. Only by obtaining some kind of certification does a jump in income occur. Training and education are the key to economic security for Aboriginal women in Saskatchewan.



WHAT THE METIS IN SASKATCHEWAN TOLD US

Training programs must be established across the province so that women do not have to leave their communities and family support systems to educate themselves.

Non-Metis spouses must be afforded some of the rights of Metis in order to care for their Metis children.



CURRENT CONDITIONS

We have a high rate of teenage pregnancies and for the young mothers it means drastic changes:

- * young mothers are at high risk of dropping out of school;
- * teenaged mothers are often disadvantaged in the labour force because of limited schooling, experience and competing demands on their energy;
- * teenaged mothers can experience increased stress which is complicated by their immaturity. They have to cope with the difficult transition from childhood to adulthood, and at the same time, the transition to motherhood (adapted from Feather, 1991).

4. Housing/Shelter

Shelter is one of our basic needs and is essential for everyone in Canada; decent housing has always been a matter of grave concern for the Metis people. To get a sense of the conditions under which our people live it is important to look at some data related to Northern Saskatchewan:

- * Northern households are about six times more likely to contain two or more families than households in Saskatchewan in general;
- * 26% of Northern residences contain six or more people--very few Saskatchewan households have this many people in residence;
- * in some Northern towns, 46% of households have six or more people in residence (Feather, 1991, 31-32).

This data is taken from only one of many research reports that reveals the Metis people's crowded living conditions (Kew, 1962; Baily, 1968; Northern Municipal Council, 1977; Kieck,

METIS RUN PROGRAMS AND INSTITUTIONS



4. Provincial Metis Housing Corporation

Provincial Metis Housing Corporation (PMHC) was incorporated in May, 1989. It is an affiliate of the Metis Society of Saskatchewan Inc. The mandate of PMHC requires that we provide services to all "low and moderate income" families in rural and remote areas of the province of Saskatchewan. Within its broad mandate one of the primary objectives is to assist Metis people in the province of Saskatchewan to obtain housing and/or upgrade their existing housing. This is accomplished by the delivery of three housing programs on a fee for service basis: Rural and Native Housing Program; Emergency Repair Program; and the Residential Rehabilitation Program.

PROVINCIAL METIS HOUSING CORPORATION



**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



4. Housing

As Metis have been relocated into centralized communities with government housing, the governments must correctly maintain these houses. It is evident that houses in Northern Saskatchewan, which are occupied by government workers and RCMP, are maintained much better than those of the Metis.

Housing workers must be available to the people who they serve and be in touch with their needs. This could be best facilitated by having workers in all areas of the province. It is particularly vital to have an office in the North, where most of the housing is government owned and occupied by low income Metis families.

Also there are problems with outside southern contractors building houses in the north because it denies northern Metis contractors and other Metis people jobs.

4. Housing

Metis housing programs must continue to serve the needs of our people across the province in both urban and rural settings.

Existing programs must be enhanced and new ones developed in order to better serve the Metis. We must also strive to decentralize the services so that our people can be better served by having easier access to the offices.

There must be Metis control over housing so that the program can be made more effective in terms of maximizing profits. Profits could then be used to help finance Metis self-government initiatives relative to basic housing and shelter.



CURRENT CONDITIONS

1977; Bone, 1983; Bone, 1987). These studies have also addressed the differences in living conditions between Metis people and the general Saskatchewan population.

We know better than most researchers that we live in cramped quarters and housing that is substandard. Metis politicians have implemented community-based housing surveys, urban conditions have been examined, and the need for more and better housing is evident in most Saskatchewan Metis communities.

5. Education and Training

Statistics Canada 1989 reveals that there is a positive correlation among higher levels of schooling, greater participation in the labour force and increased levels of income for Aboriginal peoples. Certainly, we believe that education is the key to social and economic well-being for our people. Only with higher levels of education will our people become part of future economic development in Saskatchewan.

- * by the year 2000, only 1% of all new jobs in Saskatchewan will require less than Grade 12 education. (CEIC, 1989)
- presently 70% of Saskatchewan's Aboriginal people have less than Grade 12 education (Statistics Canada, 1989)
- almost 40% of all Aboriginal people in Saskatchewan's working population have less than Grade nine (Statistics Canada, 1989)
- * by the year 2000, 27% of all new jobs in Saskatchewan will require a minimum of Grade 12 education (CEIC, 1989)
- presently 3.6% of Saskatchewan's Aboriginal population have high school graduation as their highest level of schooling; another 18% have some post-secondary education without certification (Statistics Canada, 1989)

METIS RUN PROGRAMS AND INSTITUTIONS



5. Gabriel Dumont Institute of Native Studies and Applied Research

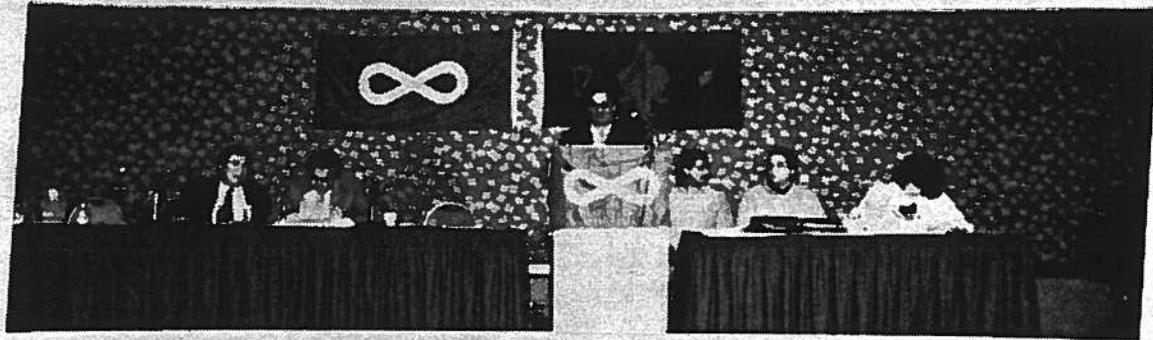
The Gabriel Dumont Institute of Native Studies and Applied Research incorporated in 1980, is an affiliate of the Metis Society of Saskatchewan. An essential element of the Institute is the education and training of Metis students throughout the province. The following are the current university and Saskatchewan Institute of Applied Science and Technology (SIASST) courses delivered by the Institute:

- Saskatchewan Urban Native Teacher Education Program (SUNTEP), offered in Regina, Saskatoon, and Prince Albert
- Business Administration (Regina)
- Human Justice (2 intakes- Prince Albert)
- Business Administration (Cumberland House)
- Health Care Administration (Ile-a-la-Crosse)
- Integrated Resource Management (Buffalo Narrows)
- Home Care/Special Care Aide (North Battleford)
- Business Administration (Meadow Lake)

These programs, combined with the provision of support services and programs to Aboriginal students at the four campuses of SIASST through the Gabriel Dumont Institute, amount to about \$3,900,000 in direct support of Aboriginal students administered through this MSS affiliate.

WHAT THE METIS IN SASKATCHEWAN TOLD US

WHAT IS REQUIRED BASED ON WHAT WE HEARD



5. Education, training and employment

We need more control of programs which will enable us to educate ourselves. Programs like "Pathways to Success" are a start. It will enable Metis to decentralize programs and have more control over training.

It is very difficult for Metis students to get an education. Metis families cannot afford to pay for post secondary education so students take out loans. They are too much to repay.

Metis should enjoy the same educational benefits as the status Indians. There should be a "standardized" treatment for all Aboriginal peoples in all matters.

At present, there are no support services at high school or university levels for Metis students.

Training programs should come to the communities so that Metis can be ready to work when jobs become available.

The MSS - through the Gabriel Dumont Institute - should set up a K-12 Metis system of education, a Metis Technical Institute and a Metis university.

Metis rights to education and educational institutions must be entrenched in the Constitution, including the power to run those institutions.

5. Education, training and employment

There should be standardization of educational funding for all Aboriginal peoples.

Training dollars for Aboriginal peoples need to be decentralized.

Once Metis people are trained, there should be affirmative action programs in place to ensure that they are hired. However, affirmative action must only be used as a short term solution, and not institutionalized.

As part of self-government arrangements, education, training and employment programs, currently administered by governments, should be turned over to institutions of Metis self-government.



CURRENT CONDITIONS

- * by the year 2000, 65% of new jobs in Saskatchewan will require 13-16 years of educational training (equivalent to a degree/diploma from a post-secondary institution) (CEIC, 1989)
- presently only 2% of the Aboriginal peoples of Saskatchewan have university degrees and fewer than 8% have post-secondary diplomas or certificates.

If current trends in schooling continue, the large young Metis population is condemned to a life of poverty. Readily available evidence shows that the Metis people of Saskatchewan have not received equality in education. After 1910, the Metis people were not allowed to attend federal Indian schools and it was not until 1944 that the provincial government in Saskatchewan accepted responsibility for the education of Metis children. It was not until 1954, that every Metis child in Saskatchewan had access to schooling (Littlejohn, 1984).

The fact that about four out of every ten Metis people in Saskatchewan have had less than nine years of formal schooling is no surprise to our people. Even today, of the 26 communities in Northern Saskatchewan, only seven offer schooling to Grade 12; one community offers up to Grade 8; and 16 others have to Grade 9 (Northern Lights School Division #113 Statistical and Information Table).

For many Northern Metis children, obtaining a high school diploma means leaving home and coping with life in a larger, unfamiliar community. Getting a high school education for our older people was even more traumatic. Many Metis students remain the casualties of the provincial school system. Although precise drop-out and push-out figures are guarded by school divisions, it is still perhaps possible to say that of every Grade one class, only two Metis students out of every ten will graduate from high

METIS RUN PROGRAMS AND INSTITUTIONS

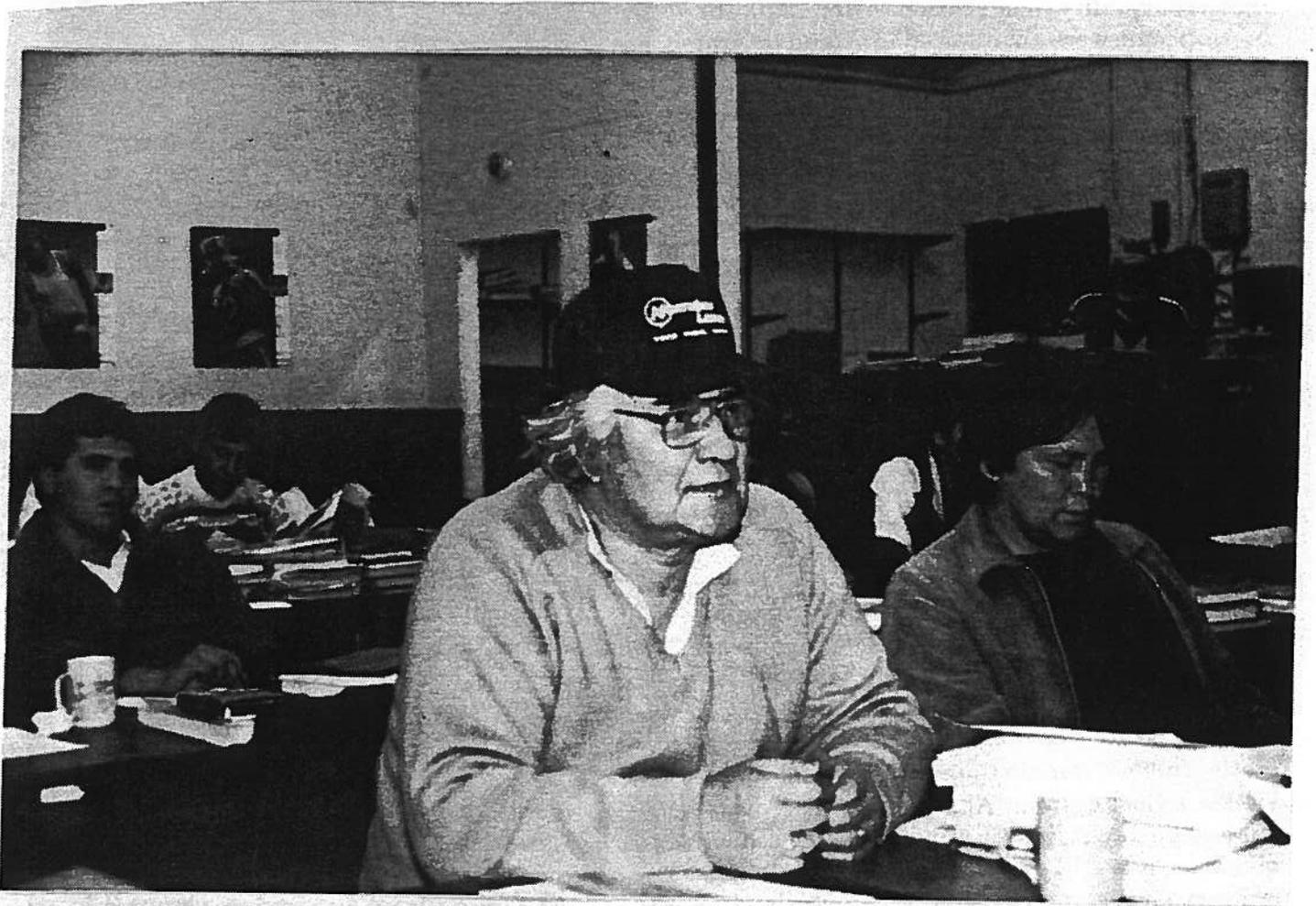
The Gabriel Dumont Institute is currently finalizing with the government of Saskatchewan and SIAST plans for the Dumont Technical Institute, a federated college of SIAST. Efforts are also underway for federation with the Saskatchewan universities for the advancement of Metis control over education and training of Metis people.



WHAT THE METIS IN SASKATCHEWAN TOLD US

Affirmative action must be encouraged in the hiring process at such places as schools, government departments and crown corporations. As well, private business must be given incentive to hire Metis. Perhaps it could be written into government/private sector agreements that Metis be hired.

Racism keeps our people from working. There are some qualified Metis out there, but they are not given the chance to work.



CURRENT CONDITIONS

school with the same students he or she started with in grade one.²

The need to educate our young people and to upgrade the skills of twenty to ninety year olds in the Metis communities is critical for the growth and development of the Metis Nation. Although one of the Aboriginal peoples identified in Section 35 of the Constitution Act 1982, the Metis people do not receive access to education equal to the Indian and Inuit peoples. To receive equal access, the Metis people would have to receive post-secondary education as a right, pre-paid by the land and resources already claimed by other Canadians from the Metis homeland.

In Saskatchewan, the debt presently incurred by Metis students in four years of post-secondary education can be as much as \$50,000. The poorer the student, the greater the debt amassed. Many Metis people decide they cannot afford to go off welfare or leave a job where they earn minimum wage to go into debt for fifteen or twenty years to get a better education. The dividends do not balance the risks for them.

6. Health Issues

Health statistics for the Metis people of Saskatchewan are difficult to produce but the health problems of people of Northern Saskatchewan are good indicators of health problems in the general Metis community.

- * life expectancy is lower in the North for both males and females (Feather, 1991, 6);
- * premature death (before 70 years) is more likely -- the Northern rate of potential years of life lost is twice that of the province as a whole (Feather, 1991, 6);

2

This supposition is based on studies such as the Inner-City Drop-Out Study in the early 1980s which put the drop-out rate at approximately 90% for Aboriginal students in the urban areas.

METIS RUN PROGRAMS AND INSTITUTIONS



6. The Health Portfolio

The Metis Society of Saskatchewan is very concerned about the health conditions of our people. Health issues were indirectly addressed at the Northern Health Conference sponsored by the Northern Health Branch and organized in collaboration with the MSS area director from Ile-a-la-crosse who has the responsibility for the Health Portfolio for MSS. However, this is an area that requires much more attention in the future.

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



6. Health issues

At present, there is not a health care system which adequately addresses Metis health issues. A system must be put in place that is culturally appropriate so that our people could utilize health services. Our people would use a system which had Metis workers who spoke our own languages.

There should be standardized health care for all Aboriginal people. This could involve developing a separate health system for the Metis.

Metis people want to register their children at hospitals as Metis on birth certificates.

6. Health

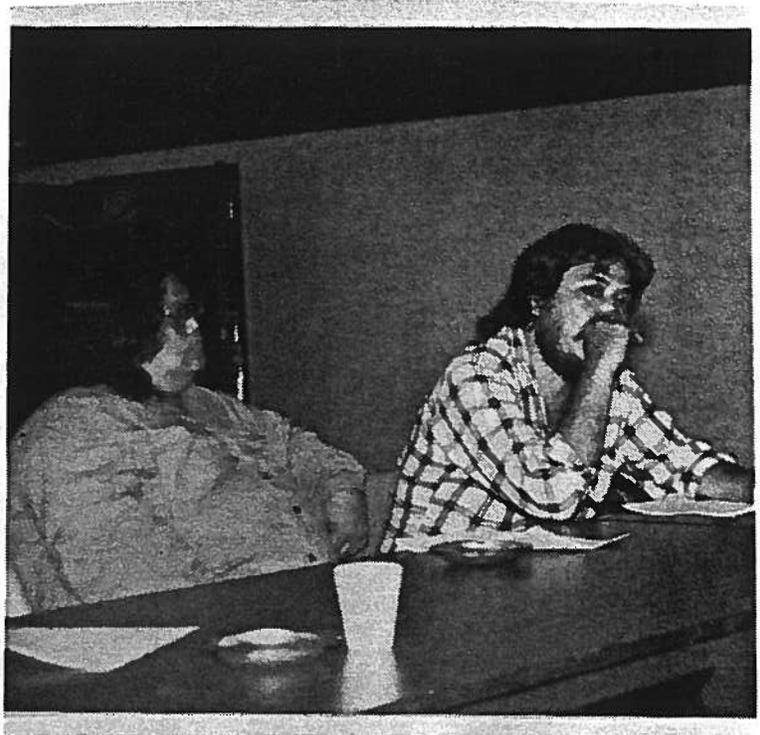
Until self-government is achieved there should be an affiliate established for the purpose of dealing with Metis health.

The MSS health committee should be given the mandate to work towards the establishment of the above affiliate and to assist locals with problems in the area of health.

CURRENT CONDITIONS

- * infant mortality remains higher in Northern Saskatchewan [Saskatchewan Health, Age-Specific Death Rates by Major Causes, Northern Saskatchewan (1974-83) and Saskatchewan (1979)];
- * there are greater incidents of deaths in children under one year of age in Northern Saskatchewan from congenital anomalies or perinatal conditions than generally in Saskatchewan (Saskatchewan Health, Age-Specific Death Rates by Major Causes, Northern Saskatchewan (1974-1983) and Saskatchewan (1979));
- * children of all ages in Northern Saskatchewan are much more likely than other Saskatchewan children to die in a transportation or other accident [Saskatchewan Health, Age-Specific Death Rates by Major Causes, Northern Saskatchewan (1974-1983) and Saskatchewan (1979)];
- * youth between 15-24 not only are more likely to die in some accidental fashion but are almost twice as likely to die of suicide and three times as likely to be a homicide victim, if they are from Northern Saskatchewan [Saskatchewan Health, Age-Specific Death Rates by Major Causes, Northern Saskatchewan (1974-1983) and Saskatchewan (1979)];
- * accidents and suicide are primary causes of death for 25-34 year old Northerners [Saskatchewan Health, Age-Specific Death Rates by Major Causes, Northern Saskatchewan (1974-1983) and Saskatchewan (1979)];
- * alcohol-related and smoke-related diseases claim a disproportionate number of Northerners (Saskatchewan Health, Vital Statistics by Health Region, Northern Saskatchewan, 1987).

Health issues in Metis communities are inter-related; the physical, mental and social health of our people affect the health of our communi-





CURRENT CONDITIONS

ties. Violent or accidental deaths of any of our people are tragedies that affect the whole Metis community. Alcohol, drug and substance abuse in our communities and the resultant social and cultural consequences hurt us all. Our communities need healing. We can no longer afford to let our people's suffering continue.

7. Lack of Leisure Activities

According to Statistics Canada 1987, eighty percent of the Aboriginal peoples of Saskatchewan live in rural areas. Also, according to the 1986 Census, 53 communities in Saskatchewan, other than Indian reserves, had more than 9.6% of their populace reporting Aboriginal ancestry.

Some factors relating to life in small rural communities can be compared to life in our Metis communities. For example, the Northern Lights School Division #113 Statistical and Information Table examines 26 communities within the Northern Lights School Division's jurisdiction, many with a large Metis population.

Of the 26 communities:

- * five are accessible only by air;
- * only seven offer up to Grade 12 in the community; one community offers to Grade 8; 16 offer Grade 9;
- * only one half of the communities have medical facilities;
- * 20 communities have stores;
- * 12 have R.C.M.P service in the community;
- * 15 have restaurants;
- * only one community has banking facilities.

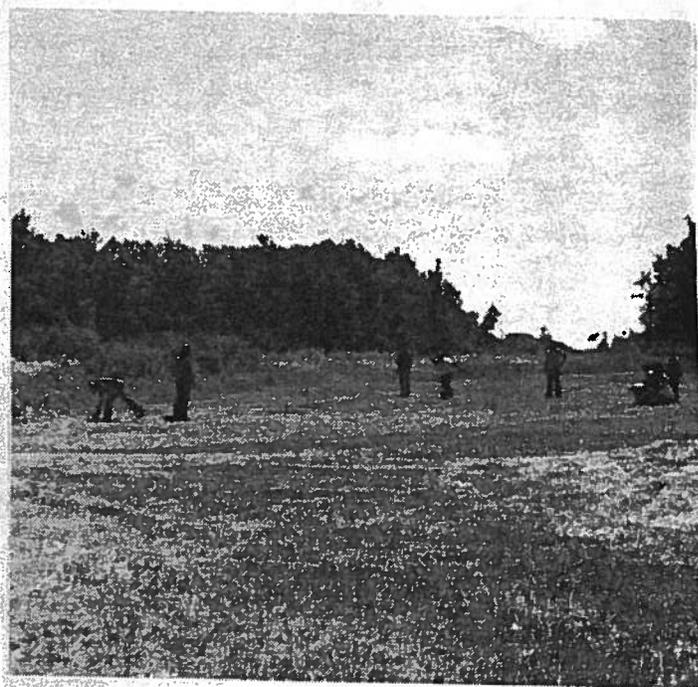
Unlike Southern Saskatchewan, recreational

METIS RUN PROGRAMS AND INSTITUTIONS

7. Saskatchewan Native Recreation Corporation

The Saskatchewan Native Recreation Corporation was incorporated in 1986 but followed a long tradition of MSS involvement in recreation and sports programs. The SNRC provides information services on: clinics, workshops and tournaments to our members and zone directors. As well, SNRC takes responsibility for organizing sports tournaments and the Back to Batoche cultural days.

SNRC is governed by a Board made up of a representative from each of the 12 regions. Its major objective is to develop recreational and sports capacities at the regional level. With its current budget of \$42,000, this goal is but a dream.



WHAT THE METIS IN SASKATCHEWAN TOLD US

WHAT IS REQUIRED BASED ON WHAT WE HEARD

7. Recreation

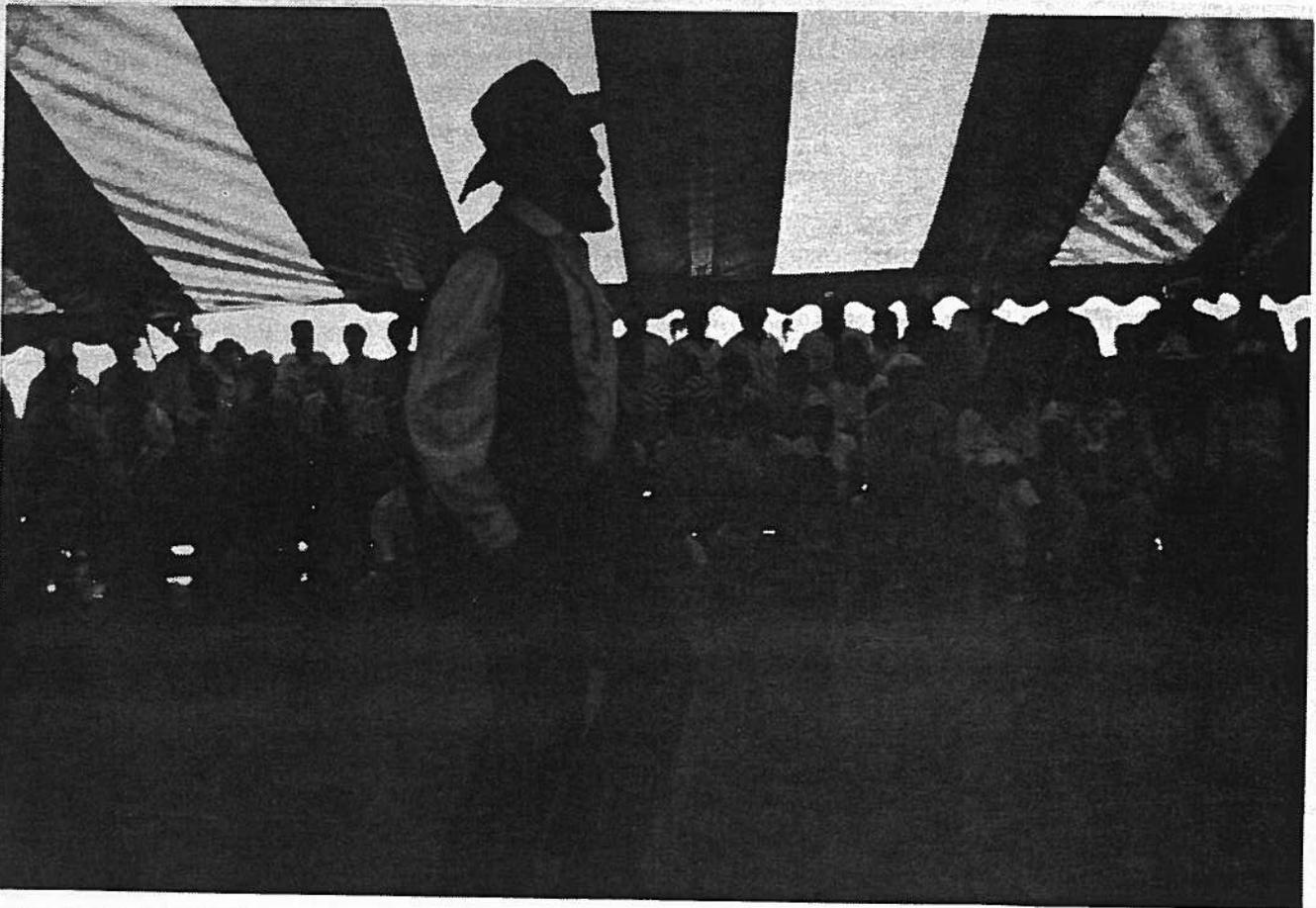
There is nothing to do for Metis children, so many are getting into trouble. We need to build recreation facilities and set up programs that would give children, youth and adults recreational activities.

In Saskatoon, the Metis Society Region would like to have a program where kids could drop in to a centre and are taught things like our culture, science, or other things kids are interested in.

7. Recreation

A higher priority must be set on recreation. More resources must be put into the recreation program so that Metis people have positive recreational activities to occupy their spare time.

The existing recreation affiliate should be strengthened.



CURRENT CONDITIONS

facilities "have not grown and matured" in Northern Saskatchewan, according to a recent report entitled, Northern Strategy for Sport, Culture and Recreation - Direction for the 90's. The report stated that this underdevelopment "limits the northerners' ability to fully access and use the wide range of programs and services currently available to the rest of the province" (p. 7)

The health of small rural communities is a critical problem in Saskatchewan today. Metis communities are no exception. It is difficult to keep communities vibrant and healthy without community-based developments which promote activities that involve everyone. The study, Social Health in Northern Saskatchewan recommended:

For individuals of all ages, more opportunities to participate in meaningful activities in the community resulting in a growing sense of personal control, competence, and self-esteem. (Feather, 1991, 44)

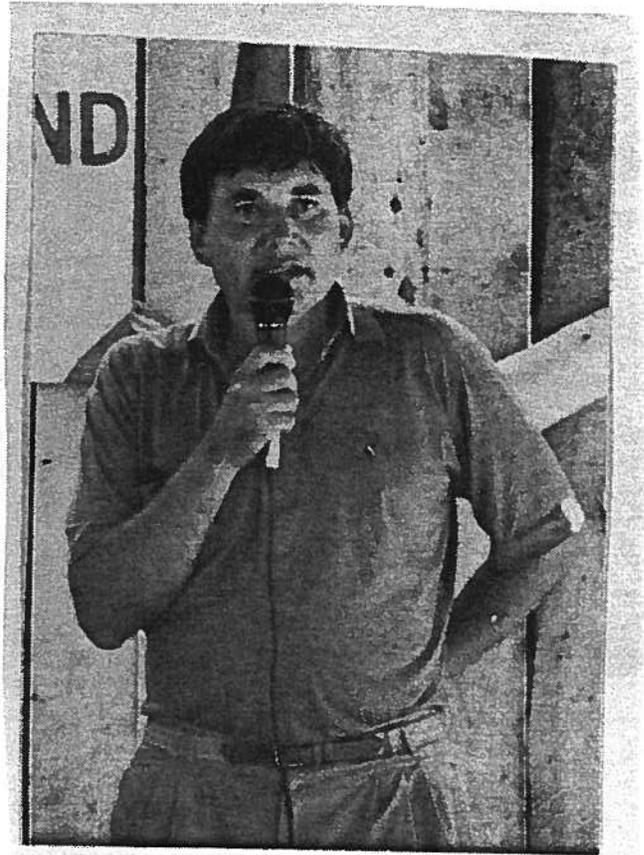
Residents in our Metis communities need these opportunities to have meaningful leisure activities.

8. Alcohol and Drug Abuse

Metis communities recognize that the symptoms of poverty are manifested in various types of substance abuse. To deal with the abuse, many of these communities have implemented community-based solutions. For example, Ile a la Crosse has a Community Health Development Committee. Problems of abuse in Northern communities are described in the brief by the Buffalo Narrows Friendship Centre to the Northern Education Task Force:

Escapes from hopelessness are sought, but often end in the use of alcohol and/or drugs as a means of short-term escape from an untenable life situation. Gas and glue sniffing are commonly found in

METIS RUN PROGRAMS AND INSTITUTIONS



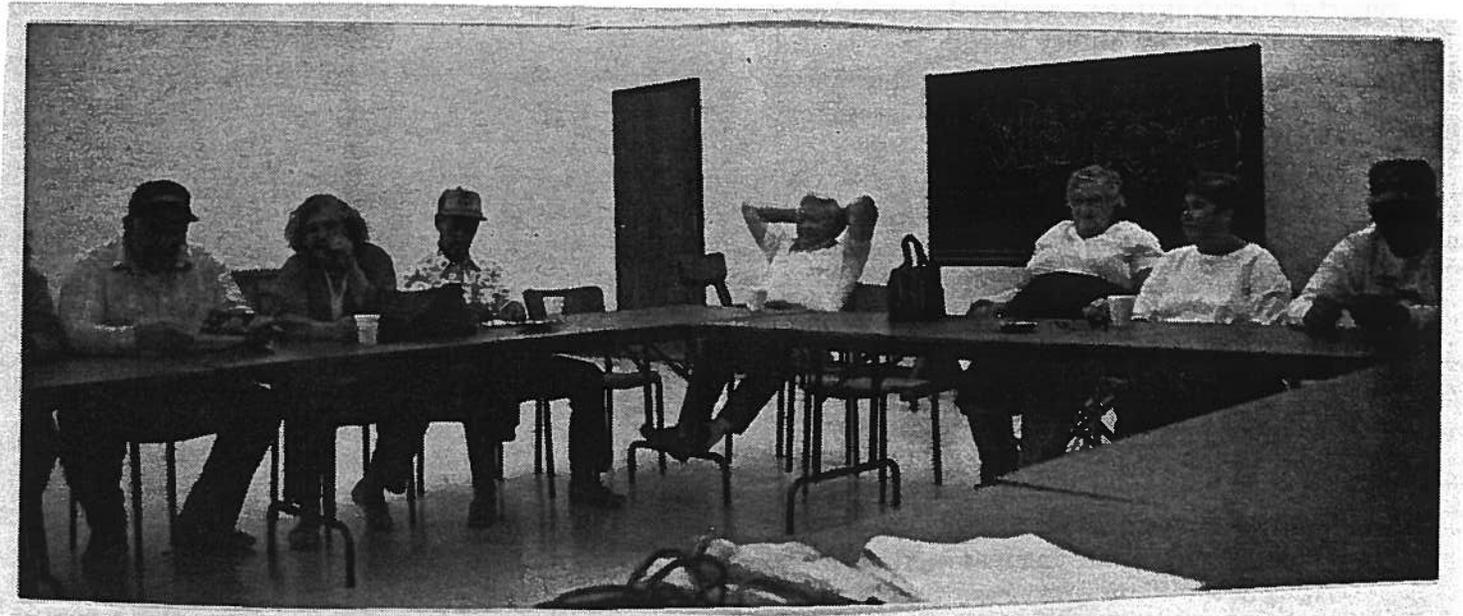
8. Saskatchewan Native Addictions Council Corporation

The mission of this Metis Society of Saskatchewan affiliate is "to reduce (and eventually eliminate) the harmful effects of alcohol and drug abuse among Aboriginal people and to restore communities to living and maintaining healthy and chemical free lifestyles."

The goals are abstinence through counseling, peer support, information and opportunities for spiritual growth and lifelong recovery - physically, emotionally and spiritually. In order to reach these goals, the Corporation concentrates not only on the addicted person but also the conditions that led to the illness.

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



8. Drug and Alcohol programs

Our people are dying from drugs and alcohol. Something must be done to alleviate this problem immediately.

The jurisdictional question makes it impossible to obtain funding to treat Metis people. As a result, we are underfunded and cannot handle alcohol and drug specific problem. The federal government has to start funding our drug and alcohol programs because we too are a part of Canada.

We fall under federal jurisdiction, just like the Indian peoples and should get federal services, like NNADAP funding to fight drug and alcohol abuse.

8. Drug and alcohol programs

Federal funding - under the National Native Alcohol and Drug Abuse Program (NNADAP) - must be changed to accommodate the Metis in order to combat the huge problem of drug, alcohol and substance abuse. In this connection, more resources are required to enhance existing services and establish new ones.

CURRENT CONDITIONS

pre-teens. From this beginning, the escapes are obvious, ending in broken homes, wife and child abuse and alarmingly more frequently, in jail or prison (Northern Education Task Force, Report to the Minister of Education, 1989, 74).

It is difficult to determine the extent of alcohol, drug and substance abuse in Metis communities in Saskatchewan. It is only when an individual's behaviour results in damage to him/herself or others that the circumstances lead to some kind of statistical data. Such data include alcohol-related motor vehicle accidents, other accidents, fires, firearm offenses, deaths by alcohol and drug associated diseases, as well as child and spousal abuse.

Concern in the Metis community comes before the law moves in or before a tragedy. Metis people know that alcohol, drug and substance abuse are slowly killing our people in communities and we therefore want to treat the malaise of the communities that causes people such pain.

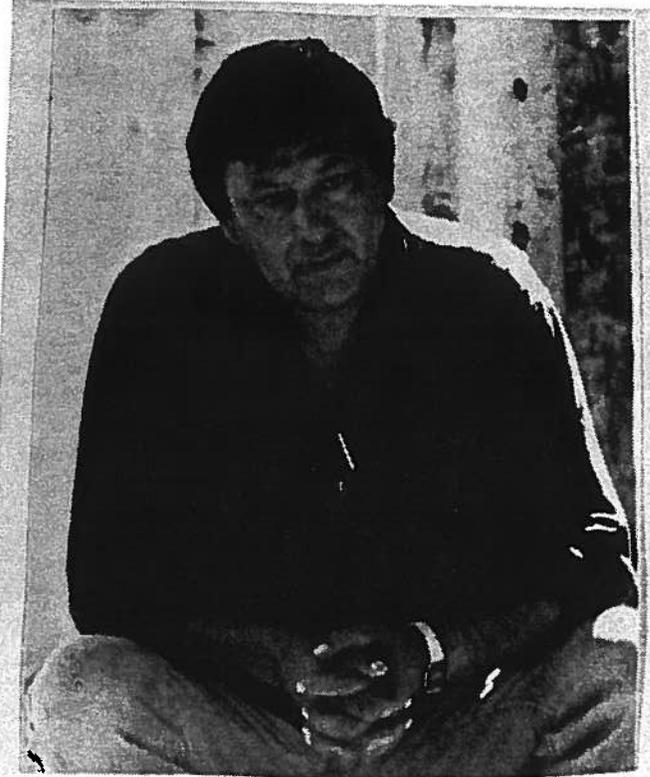
9. Lack of Employment and Business Opportunities

- * the participation rate of Saskatchewan's Metis people in the labour force is unacceptably low -- 53% (Statistics Canada, 1989, Table 8.2);
- * the employment rate of Metis people has been unacceptably low -- 36.2% (Statistics Canada, 1989, Table 8.2);
- * the number of Metis people not participating in the labour force remains unacceptably high -- 46.5% (Statistics Canada, 1989, Table 8.2)

In the area of economic development, the Metis people have received minimal benefits from programs targeted for Aboriginal peoples. The Canadian Aboriginal Economic Develop-

METIS RUN PROGRAMS AND INSTITUTIONS

In total, SNACC operates seven programs throughout the province with a budget of \$1,598,200.



9. Sasknative Economic Development Corporation

Sasknative Economic Development Corporation (SNEDCO) is a Metis owned financial and investment corporation. It provides commercial and business loans to Metis entrepreneurs for business start-up and expansion. SNEDCO also advises its clients on preparing business proposals, accessing other financial programs, and generally about operating businesses.

SNEDCO's mandate is to maintain a strong self-sustaining institution dedicated to long-term economic development on behalf of the Metis community of Saskatchewan. The corporation also assists Metis people to acquire equitable shares of wealth by promoting and supporting their involvement in business enterprises in Saskatchewan.

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



9. Economic Development

In Northern Saskatchewan, the Metis should be given land for a development corporation where they could be involved with tourism.

Metis should be getting dollars for strategic investments from revenue sharing.

There should be fewer strings attached to funding agreements for Aboriginal capital corporations. Saskatchewan Native Economic Development Corporation (SNEDCO) should be enabled to hold all of the mortgages of the urban Native housing programs. This would tie economic development with housing and both would be more self-sufficient.

Small and large Metis business development must continue to be encouraged. This could be achieved more easily if Metis business

9. Economic Development

Small and large scale businesses must continue to be funded to encourage socio-economic growth.

Revenue sharing with both levels of government must take place.

Metis capital corporations must be given more control over their programs.

Funding for Metis businesses must be available more quickly.

The Constitution must be amended to enable the Metis to access our resources, both renewable and non-renewable.

Companion arrangements such as co-management of resources, and access to resources

CURRENT CONDITIONS

ment Strategy (CAEDS) is partially delivered through the federal Department of Indian Affairs and Northern Development (DIAND) and it allows only the Indian and Inuit access to those aspects of the program. It does not allow the Metis to access those resources.

Our people are denied access to many federal programs and have been excluded from other employment and economic development opportunities because of various systemic barriers. These facts are documented in numerous studies. The Metis need employment and economic development services and our current situation warrants drastic measures.

The following analysis of the needs of the Aboriginal population of Saskatchewan was presented by the InterGroup Consulting Economists Ltd. in 1984:

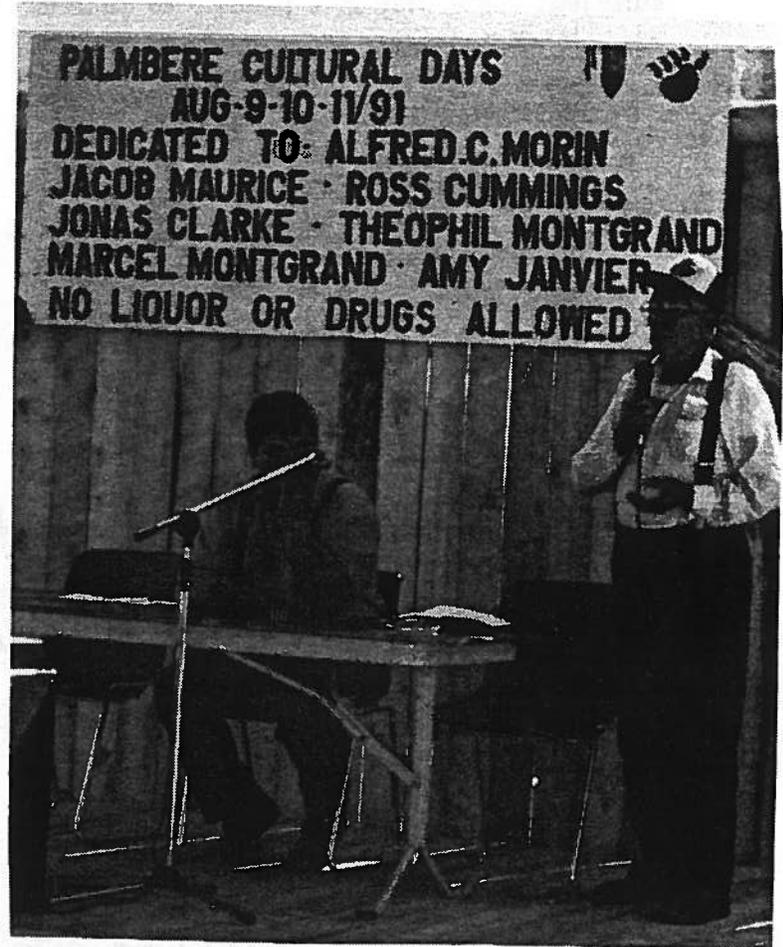
It is reasonable to suggest that between 4,000 and 5,000 new jobs are needed in Northern Saskatchewan during the next decade. Without this number of new jobs, the region's unemployment situation will worsen, exacerbating what is already considered a serious problem in many quarters. Creating an average of 400 to 500 per year for a decade is an immense requirement for a remote and relatively sparsely populated region. In perspective, it would take the equivalent of about twenty new mines commencing production during the next decade to supply the needed jobs [assuming roughly one half of the 400 to 500 jobs per mine go to northerners]. Obviously, many types of new activities will be needed to fill a portion of these jobs. (D. Gullickson, 1984)

10. Conflict With the Law

"We find that a system that seeks to provide justice on the principle that all Canadians share common values and experiences cannot help but discriminate against Aboriginal people, who

METIS RUN PROGRAMS AND INSTITUTIONS

SNEDCO started operations in 1987 with \$5 million capital grant from the federal government through the Native Economic Development Program.



10. Metis Justice Committee

The Metis Society of Saskatchewan established an internal Justice Committee in January 1990. The Committee is mandated to: begin meetings with both levels of government; de-

WHAT THE METIS IN SASKATCHEWAN TOLD US

people could get their funding when opportunities were available instead of after the fact. Metis control of the funds would speed up the process.

How can government expect us to be self-sufficient when they give priority to outside white businesses, over us?

Governments should get rid of income tax for the Metis.

WHAT IS REQUIRED BASED ON WHAT WE HEARD

are also necessary.

Existing government programs, at both levels of government, must become more responsive to and accessible by the Metis, and where desirable should be turned over to a Metis economic institution.



10. Justice

Young Metis people are getting in trouble with the law because there are no opportunities for them.

10. Justice

Until self-government is achieved, MSS must establish a justice affiliate which will have a broad mandate, including the reduction of the incarceration rates of Metis people.

CURRENT CONDITIONS

come to a system with cultural values that differ substantially from those of the dominant society." (Report of the Aboriginal Justice Inquiry of Manitoba, I, 86)

Currently, the Metis Society of Saskatchewan in collaboration with the Government of Canada and the Government of Saskatchewan is investigating the relationship of the Metis communities and the criminal justice system in Saskatchewan. The Metis Justice Review Committee has recently released its interim report but has not drawn any conclusions or recommendations to date. It is becoming clear, however, that the impact of the "Justice" system on Metis people is crushing and complex. Statistics for Saskatchewan are as yet sketchy but the Manitoba Justice Inquiry, studies prepared by Hyde and LaPrairie 1987, and Gabriel Dumont Institute 1989 commonly identified the following:

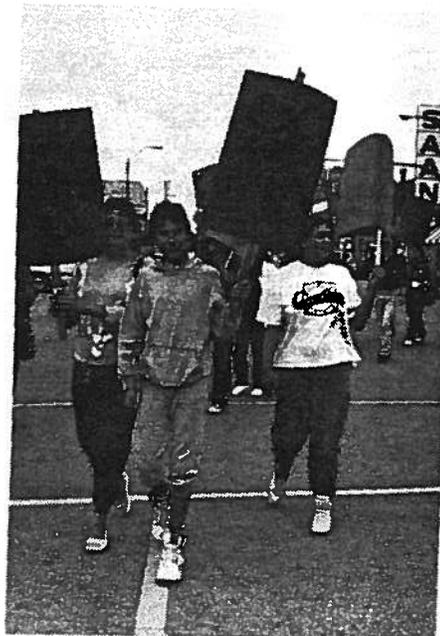
- * Indian and Metis people are disproportionately represented in jail populations;
- * Aboriginal accused persons are more likely to be denied bail;
- * Aboriginal accused persons spend more time in pre-detention than do non-Aboriginal people;
- * Aboriginal people are more likely to be charged with multiple offences than non-Aboriginal people;
- * Aboriginal offenders are more than twice as likely to spend time behind bars;
- * Lawyers spend less time with Aboriginal clients than non-Aboriginal clients;
- * Crime rates are higher in Aboriginal communities than in non-Aboriginal communities;
- * Aboriginal crime is more likely to display a strong relationship between alcohol abuse

METIS RUN PROGRAMS AND INSTITUTIONS

velop proposals to enable MSS to begin developing policies; programs and projects to help move this initiative forward; support the creation of a Task Force/Commission to examine the Justice System and its impact on Metis people; begin work on organizing a provincial conference or workshops with respect to the Metis and the justice system.

After extensive and intensive discussions with the Saskatchewan Department of Justice, the MSS accepted the terms and conditions proposed by the Department for the establishment of a tripartite review committee to investigate justice issues and the Metis people. Two of the members of the seven person tripartite committee are members of the MSS justice committee. An interim report was released on October 28, 1991 - and although MSS is not entirely satisfied with the review - it is regarded as the beginning of what must be an on-going process.

The MSS Justice Committee's mandate includes the establishment of a Metis Justice Institute and a continuing dialogue through conferences and workshops of the Metis people with the justice system.



WHAT THE METIS IN SASKATCHEWAN TOLD US

We need more Metis police, lawyers, judges, and others working in the criminal justice system.

When Metis appear in court, we should be tried in our own language. Many people do not know what they are being charged with and feel that the easiest way to get out of court is to plead guilty.

There is a definite need for the Metis to develop a Metis justice system that can meet our needs.

Relations with the police are often not very good. Something has to be done about this.

WHAT IS REQUIRED BASED ON WHAT WE HEARD

Until the above affiliate is established, MSS must place more Metis in positions of authority in the criminal justice system, which could continue after the affiliate had been established.

The Metis must take full advantage of the new Federal Government's Aboriginal justice program.



CURRENT CONDITIONS

and crime in Aboriginal communities;

- * violent crimes in Aboriginal communities are often aimed at family members.

In recognition of the special needs of the Manitoba Metis communities, the Aboriginal Justice Inquiry for Manitoba made the following recommendation :

The Manitoba Metis Federation and the government of Manitoba establish a forum of elected and technical representatives with a mandate to identify those Metis communities in the province where Metis justice systems can be established;

Metis communities that are identified as such by agreement of the Manitoba Metis Federation and the government of Manitoba be defined geographically through negotiations between the government of Manitoba and the Metis people of each community for the purpose of establishing a Metis justice system;

Our ancestors fought for our rights as Metis; we define ourselves as Metis. We have always been a people with a structured society, governed by community laws. From the days of our Indian forefathers and mothers, we have followed the Laws of the Creator and followed the precepts of the Old Ones as to the ways to live with Our Mother Earth, our brothers and sisters who share this land with us, and amongst ourselves.

It was with the coming of the Newcomers, our other Forefathers and Mothers that we began to organize in other ways. During the days of the Fur Trade we collaborated with the Indian traders and the European traders. We adopted the most appropriate means of organization and appropriate institutions to govern ourselves and those with whom we shared a common future.





CURRENT CONDITIONS

With the Buffalo Hunts our whole communities worked with military precision to accomplish our objectives. Subsequently, as we came to settle, we built our Nation. We set up our government, designated our territories, and established a code of conduct within our boundaries.

The Metis are not a lawless people. We have been dominated by a foreign power and stripped of our ability to govern ourselves. We have been made exiles in our own land and left out of the processes that make laws for all. We have an abundance of laws to respond to but they are someone else's laws not our laws. Our leaders have been exonerated by learned Canadians such as Justices Hamilton and Sinclair of Manitoba. We need the authority and freedom to govern our own communities and establish standards of conduct appropriate for our Metis nation.

11. Land and Resources

The following is the position of the Metis National Council on Metis Land and Resources which is based on Canada and the Metis: A Proposal for Remedies and Reparations presented to Hon. Doug Lewis, Minister of Justice, October 4, 1989.

1. Between 1812 and 1869, the Metis emerged in the Red River region of western Canada as a majority people and organized society. During this time their title was recognized by the Hudson's Bay Company and the British Crown. In 1869, these Metis people were faced with the acquisition of territories they had hitherto governed, by the newly federated colonies of eastern Canada.
2. The Federal authorities at the time ignored petitions from the Metis for recognition of their land rights. This resulted in the Red River resistance of 1869 by a provisional government led by Louis Riel. The Metis were compelled to take this

METIS RUN PROGRAMS AND INSTITUTIONS



11. Metis Society of Saskatchewan Land Policy

The MSS has no formal affiliate to deal with land issues at this time, but the organization's mandate is to pursue a land base. MSS has a formal land policy in place which will form the basis of negotiations. (See Appendix 5)

Under that policy, land has both traditional and modern uses. Traditional use of land deals primarily with the use of surface resources and includes:

- a place to live;
- hunting, fishing, and trapping of animals and birds for food and clothing;
- gathering of fruit and other vegetation for food;
- use of water and water resources for food;
- sacred grounds used for burials;

**WHAT THE METIS IN
SASKATCHEWAN TOLD US**

**WHAT IS REQUIRED BASED ON
WHAT WE HEARD**



11. Land

No nation can survive without land. Land is one of the main rights we must strive for.

Any land that we get should be able to provide us with a living and programs for economic development must be used to promote our self-sufficiency on that land base.

The Metis cannot take no for an answer when negotiating for lands which belong to us, such as the Metis farms.

The Metis must be given pieces of land that cannot be sold. These lands should be the property of the Metis government but used by the people.

The outstanding land rights of Metis veterans must be examined. In Cumberland House, of the 44 veterans, there are only 14 still living.

The Metis have a land base in the urban centres with the housing programs. This should be a part of the land settlement and the lots

11. Land

Land rights for the Metis must be fully addressed by governments and the Metis. This includes lands lost through the scrip process and lands owing to Metis veterans. The objective is to establish a land base upon which the Metis can exercise self-government.

The above land must be inalienable, spread out into all geographic areas of the province and have potential for self-sufficiency.

The land base must include ownership of all resources, both renewable and non-renewable.

CURRENT CONDITIONS

course to focus Ottawa's attention on their political and land rights.

3. Riel's provisional government sought entry into Confederation as a Province, recognition as a distinct society, full legislative control over the management of public lands, and local legislative involvement in treaty negotiations with neighbouring Indian nations.
4. Ottawa agreed to the terms negotiated with the Provisional Government, including the recognition of provincial status and Metis land rights in qualified form. The Federal government promised that in taking and retaining control over all lands and resources in the new Province of Manitoba, it would undertake to grant 1,400,000 acres of land to the Metis of Red River area. This arrangement was confirmed in the Manitoba Act 1870.
5. The Metis people understood that the Federal government would be prepared to confirm their title to lands which had been in their possession, and which they had developed over preceding generations. However, this was not to be. A Metis controlled government was dismantled and Metis land rights were not implemented in the decade that followed. Metis families found themselves being driven off their established farms to accommodate an increasing flow of migrants from Ontario, which was encouraged by the Federal government in order to create a non-Metis majority.
6. By 1880, many of the long established Metis communities had been broken up and dispersed. Numerous families fled to parts of the territories which were later to be added to Manitoba as it expanded from its original "postage stamp" size along the U.S. border and to territories which later became Saskatchewan and Alberta. There they joined previously established Metis

METIS RUN PROGRAMS AND INSTITUTIONS

- communal grounds used for festivals, recreation, and other communal activities;
- land to grow domesticated plants for food;
- harvesting of wood and other vegetation for buildings, as fuel, and other uses; and
- some mining of minerals for use in making tools and for use in artistic pursuits.

Traditional land use requires the knowledge of the people and their technological capacity at any given time. We believe, therefore, that contemporary land rights must be interpreted to include all of the uses to which land can be put based on our current knowledge and technology. Thus, contemporary land rights must include the rights to the following additional uses:

- residential and commercial development;
- use of sub-surface resources, including extracting fossil fuels and all other mining of minerals;
- development of land for tourism;
- commercial development of land for fisheries and other commercial uses of water resources;
- control over use of land for transportation (ground, air, water); and
- any other way land and resources may be utilized in the future.

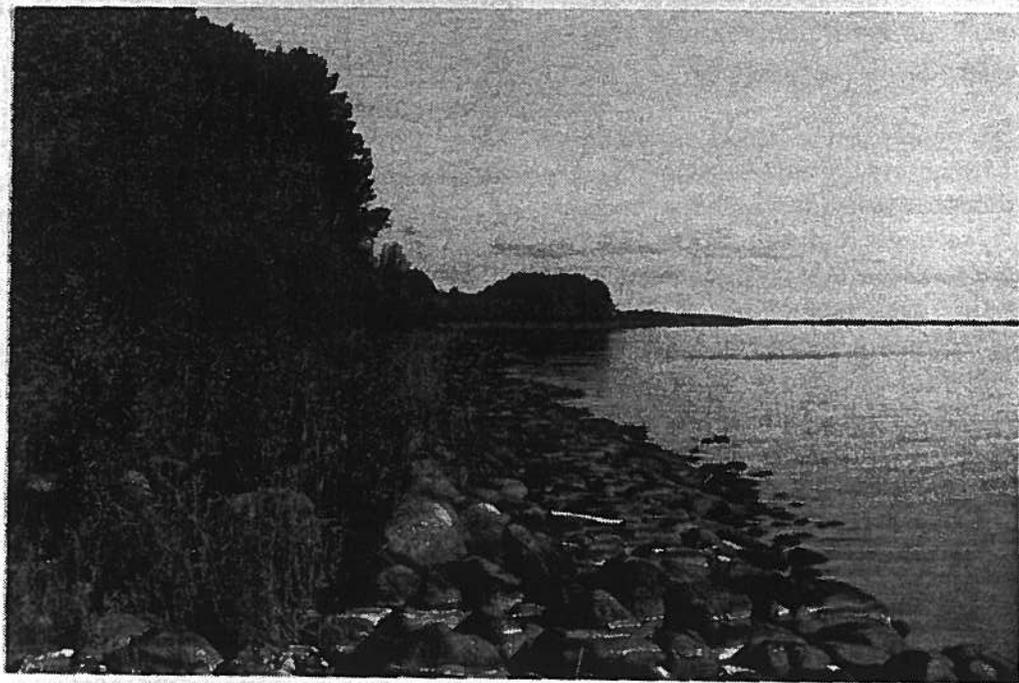
The Metis farms - which were historically established for our people by governments - must be either regained, or retained, and protected by legislation. Specific farms at Mortlach, Lebret, Crooked Lake, Crescent Lake, Green Lake, Cumberland House, and Ile-a-la-Crosse fall into this category. Lands at Batoche are also Metis historic lands and attempts are being made to enhance the existing Metis lands

WHAT THE METIS IN SASKATCHEWAN TOLD US

should become the sole property of the Metis.

We must re-examine the scrip system because our rights were really violated in the past.

Metis have a right to a portion of resource revenues - not just the federal and provincial governments - based on our inherent right to land and resources.



CURRENT CONDITIONS

communities in an effort to preserve their identity as a distinct nation.

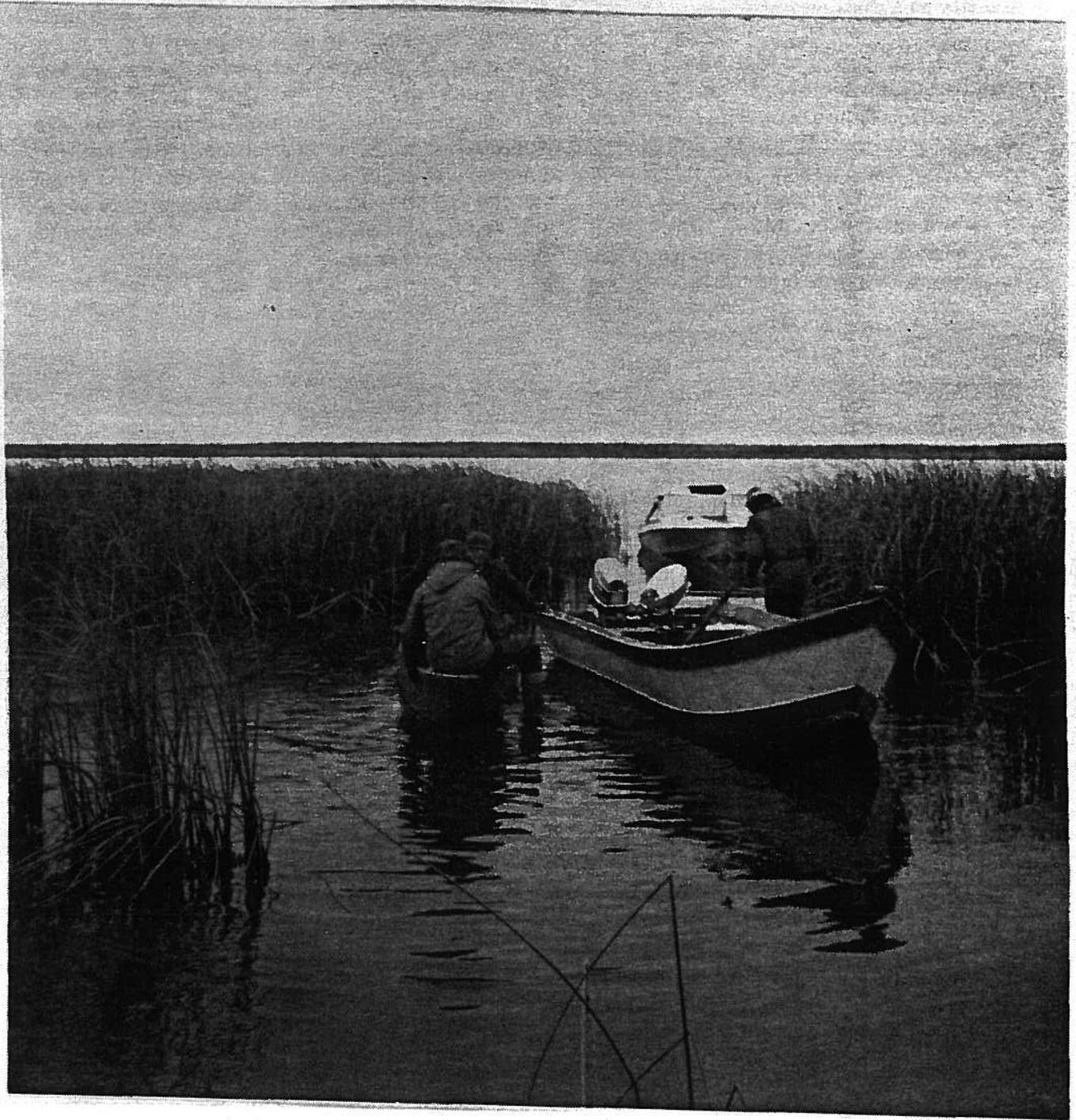
7. In 1879, the system of Metis land grants that had been established in Manitoba was applied to the rest of the Northwest by passage of the Dominion Lands Act. One of the purposes of this Act was to extinguish the Aboriginal title of Metis in what is now the expanded Province of Manitoba. (This applied to the rest of the Territory which was later to become the newly created Provinces of Saskatchewan and Alberta.) Much the same pattern of fraud, intimidation and expropriation followed the Metis to these areas.
8. In 1884, the pressures exerted on the Metis had reached the breaking point. In desperation, the Metis recalled Louis Riel from exile in the USA and asked him to intervene on their behalf. Riel found all avenues to negotiations closed and the Metis adopted resistance as the only recourse open for the assertion of Metis rights.
9. Following a couple of successful skirmishes with Canadian military forces, the Metis fought a final battle at Batoche in 1885. Riel's diary notes in those final days show that he hoped a truce would be offered and negotiations would be possible. In the final encounter, the Metis were dispersed and Riel taken prisoner for a later date with the scaffold.
10. Riel's unhappy confrontations with Canadian authorities between 1870 and 1885 have tended to obscure the essential facts that, as an Aboriginal people, the Metis hold a recognized Aboriginal title to their lands which never was fulfilled. Subsequent legislative measures by the Federal government and the Provinces have not diminished the legitimacy of the Metis claim to land. (pp. 10-11)

METIS RUN PROGRAMS AND INSTITUTIONS

at Batoche. Lands for economic development are being sought in various parts of the province, along with co-management of resources.

Metis individuals and communities are presently involved in disputes with government for their land rights. Most notable of these is the Green Lake case (this community is involved in a court case based on their right to 12 townships of land).





CURRENT CONDITIONS

The issue of land is the key concern of the Metis people. We are a landless people in Saskatchewan. Recently, the Saskatchewan government transferred several thousand acres of land called "Metis Farms" to community based Metis authorities with the condition that these lands be turned over to individual Metis in ten years. However, at the same time, the same government sold holdings - that the Metis people of Green Lake considered theirs - to a non-native corporation. Clearly, no commitment to Metis self-government or the Metis nation is evident in Saskatchewan's approach.

Land and resources are essential to a people who are a Nation. Our land rights have yet to be negotiated, defined, or settled.

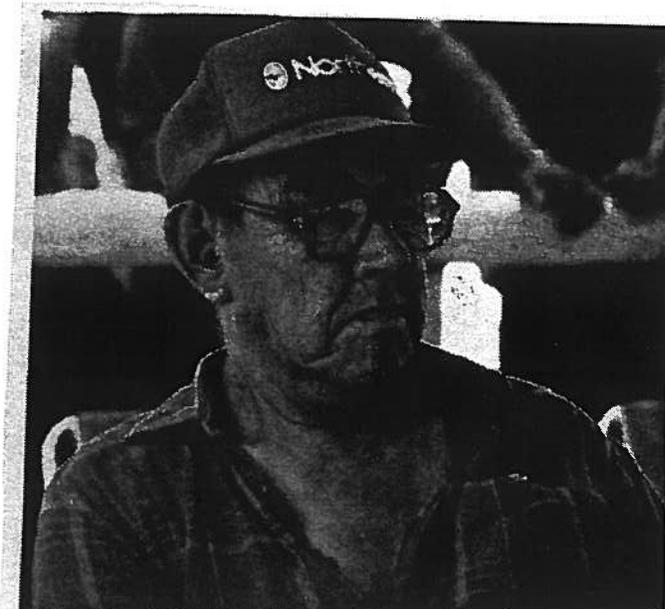
12. Lack of Control and Access to Resources

The Metis people of Saskatchewan have neither control or access to our own resources. The imposition of different views of hunting, fishing and trapping have resulted in layers upon layers of laws, policies, regulations and procedures being heaped on the Metis people. Consequently, Metis people are forced to conceal it when they hunt, fish or trap, as part of their way of life or for the survival of their families. Unlike their Indian cousins, the Metis cannot exercise hunting and fishing rights as Aboriginal rights and risk prosecution for doing so.

The Metis people of Saskatchewan are the descendants of people who efficiently managed natural resources from time immemorial. Our people have always had a connectedness to the land. We didn't take our knowledge from books; it was taken from practical experience gained through centuries of living on this part of Mother Earth. Our Indian ancestors passed down this knowledge to our Metis ancestors.

Until very recently, the Metis people of the North made a living by hunting, fishing, trapping and gathering. We found it necessary to practice conservation and make responsible decisions about reaping the harvest of the land.

METIS RUN PROGRAMS AND INSTITUTIONS



12. Traditional resource users.

There are several traditional resource users organizations, which have Metis members. These organizations promote their respective industries and make recommendations to regulatory agencies which are aimed at enhancing and protecting their livelihoods in these areas. They are basically advocates of traditional resource use who understand that traditional lifestyles are vital to the Metis and Indian nations.

In this context, the MSS has for the past several years been an active supporter of the Northern Fur Conservation Areas Trappers Association (NFCATA). This support has included assisting in the organizing of meetings and acquiring funding for their activities.

The traditional resource users are working towards equitable prices, fair markets for their produce, and conserving the natural resources for generations to come. The NFCATA are concerned individuals willing to volunteer their time. As mentioned above, the NFCATA receives funding from time to time for specific projects such as conferences and workshops, but it has no funding for continuous research and administration. The MSS hopes to continue assisting these traditional resource users to regain control of the resources.

WHAT THE METIS IN SASKATCHEWAN TOLD US

WHAT IS REQUIRED BASED ON WHAT WE HEARD



12. Traditional Harvesting

The depletion of natural resources is a serious problem for the Metis and other Northerners. When the Aboriginal peoples lived by their own laws, there were fewer problems because they understood the ways of nature through living in the wilderness.

The Metis should be able to make laws for traditional harvesting on our own land. This includes receiving any monies for licenses which we could use for various programs.

Metis should be involved in the law-making process for the province - at least until we get our landbase - because many Metis rely on traditional harvesting for food, culture and an income supplement, if not their entire income.

Many Metis people are excluded from having cabins in the bush because we have to be able to prove that we derive an income from use of the cabin and many only engage in traditional activities on a part time basis. While these people who have lived in the area all their lives are denied such an important right, outsiders from the south or even out of country prove that they are using the land for outfitting and take up precious Metis land.

12. Traditional resource use

Metis must be involved in conservation strategies so that we may save our resources and maintain our lifestyle and culture. The best method at this stage is co-management with the responsible government departments.

Traditional resource harvesters should be treated in the same manner as harvesters of agricultural products and subsidized for their contributions to the economy.

There should be standardization of traditional resource use for all Aboriginal people.

Until self-government is achieved, an affiliate should be established to address the above.



CURRENT CONDITIONS

However, during the last half century, control and management of the resources has been taken from us and put in the hands of outsiders. During this time, we have been cut off from our traditional use of the land. As a consequence, the fish stocks are so depleted that it is almost impossible to make a living from fishing. Animal rights advocates have virtually destroyed trapping as a way of life. Hunting, trapping and fishing are allowed only in seasons determined by outsiders. We are not even allowed to hunt or fish for food in the off-seasons. There are now even restrictions on gathering wood for our fires.

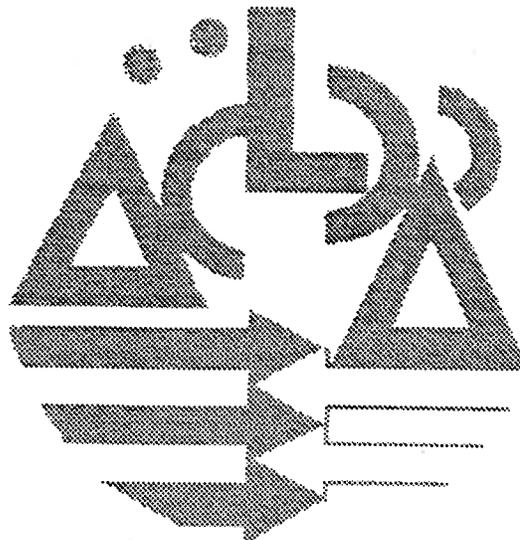
At the same time, our lands are being leased, sold and parcelled out for resource development and recreational enterprises with little or no benefit to our people; outsiders receive the benefit of our land's resources. We are forbidden to build cabins for recreational purposes where we have camped for generations. Outsiders now have that exclusive right. Our people cannot prove that they derive their living from the land as well as capitalistic outfitters can. Our traditional livelihood is disappearing and with it our right to live on the land of our forefathers.

13. Information Flow

Accurate information for/about Metis people and our communities is critical. Particularly, it is important as we enter into the discussions about defining a new place for our people in Canada. The portrayal of the Metis people in the history and contemporary life of Canada has - for the most part - not represented the Metis people from the Metis perspective. Stereotypical representations have had a detrimental effect on our self-image.

The Metis people need accurate, current information on contemporary issues. We need to see ourselves portrayed in a way that rings true for us. We need to see our own actors, newscasters, reporters and performers of all kinds celebrating Metis life. We need to know that Metis people are the writers and creators of the

METIS RUN PROGRAMS AND INSTITUTIONS



13. Saskatchewan Native Communications Wheta Matowin Corporation

The Saskatchewan Native Communications Corporation (SNCC) was formed in 1981 as a communications corporation that would serve the needs of the Metis Nation in Saskatchewan. The primary objective of SNCC is to support the social, economic and personal development of Metis people. Its purpose has been and is pursued through the following:

1. Informing Metis people on issues related to Aboriginal rights and constitutional reform;
2. Ensuring that Metis people are informed of their rights as citizens and of the services and resources that are available to them;

WHAT THE METIS IN SASKATCHEWAN TOLD US

The Metis would like to have a fur program whereby the government would subsidize them like they do the farmers of the prairies and fishermen of the Maritimes.

The government should pay attention to resolutions passed at conventions of traditional resource users and use them for policy development.

Metis people should enjoy the same right to traditional harvesting for domestic use as do the status Indians.

Traditional resource use is an important part of Metis culture and tradition. We must have the right to practice our culture so that we can teach our grandchildren.

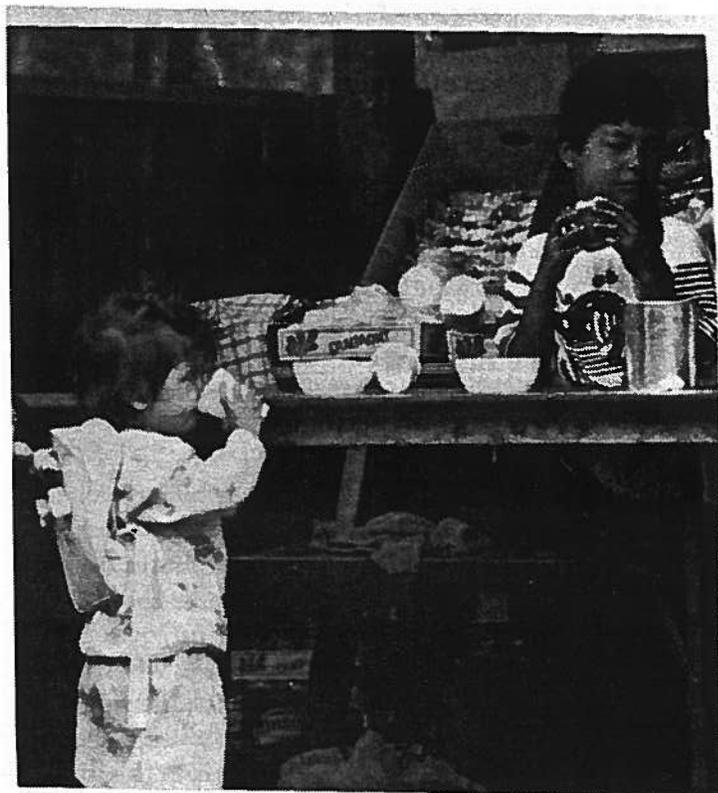
We have a problem with the Saskatchewan/Northwest Territories boundary, as the Metis can no longer exercise hunting rights in the NWT. Only the Dene are allowed to cross over and hunt in the NWT.

13. Communications

We need an appropriate communications program that allows us to communicate with one another.

The New Breed does not reflect the views of the Metis people as well as it should because they are forced to cater to advertisers.

WHAT IS REQUIRED BASED ON WHAT WE HEARD



13. Communications

More resources must be made available for our Metis communications affiliate so that it can branch out into areas of communications other than the print media. In so doing, it will be able to offer extensive coverage of events that pertain to Metis.



CURRENT CONDITIONS

images that others in Canada receive about our people's hopes, fears, concerns and triumphs.

An informed electorate is one of the cornerstones of democracy. Our people must be in a position to access the knowledge base available to other Canadians. At this point in the history of Canada, we must be able to access facts pertaining to constitutional issues, Metis rights, Aboriginal rights issues in general, land claims data, negotiating positions, and so forth. Such information may need to be presented in all the languages of the Metis community over various media. Right now our Metis communities greatly need more information services.

14. Political Control/Self-Determination

Over one hundred years ago, our legally constituted Provisional government politically controlled the Red River area. Subsequently, our territory was invaded by a foreign power and our government dismantled. In its place, the foreign power established sovereignty; we were driven from our lands and deprived of our rights as a sovereign people.

Our lands were taken by rules legislated by the subsequent government of Canada. The government of Canada did not treat the Metis people as it would have treated another sovereign government. We were stripped of control of our land, our resources, our economy, our own democratic government, our laws and all of the foundations of our Nation and our society.

We even lost control of our right to call ourselves Metis. Canadian government documents reveal that we, the Metis had to declare ourselves either White or Indian. We could no longer identify ourselves as members of the Metis Nation, as a separate Aboriginal people with a culture, heritage, traditions, customs and laws that were distinctly ours.

As Metis people we were stripped of the power to make decisions on our own behalf. We were excluded from the processes which gave

METIS RUN PROGRAMS AND INSTITUTIONS

3. Providing information exchange between Native and non-Native members of the province; and
4. Assisting Metis people to become more aware of their social circumstances and of resources available to them.

Until recently SNCC provided information to Native and non-Native people through its radio and print media. At this time SNCC operates only its print medium, the New Breed.

14. Metis Society of Saskatchewan and the Metis National Council

The Metis Society of Saskatchewan is the political body which represents the Metis in Saskatchewan. The structure is such that the 100-plus Locals within 12 Regions give direction to the 12 Regional Directors through the Local Presidents. The Local Presidents and Regional Directors form Regional Councils which give direction to the Provincial Metis Council; which is comprised of the 12 Regional Directors and 3 Executive members: President, Treasurer and Secretary.

The Metis Society of Saskatchewan meets once a year in a General Assembly and the Provincial Metis Council reports on its activities and progress.

The Provincial Metis Council meets as necessary to discuss strategy and progress to achieve the goals of the Metis in Saskatchewan, as expressed by the membership. All members of the Provincial Metis Council are voted in democratically by a ballot box system (all members of MSS 16 years of age and over may vote). The Executive members are chosen at large by province wide vote and the Regional Directors by the Metis members in their respective Regions.

WHAT THE METIS IN SASKATCHEWAN TOLD US

WHAT IS REQUIRED BASED ON WHAT WE HEARD



14. Metis government

A. Internal matters to be dealt with now

1. Metis Society of Saskatchewan

The MSS must reactivate, build up membership, and strengthen the locals. Self-government must begin at the local level and work its way upward.

MSS must be empowered to achieve the goals of the Metis within Saskatchewan. At the same time, they must be committed to strive for these goals.

The affiliates must be tied more closely to the MSS locals and Board.

MSS must educate Metis at the local level on issues as important as the Canadian Constitution.

The general public should be educated about Metis issues, so that we may gain their support or at least understanding.

MSS must undertake an enumeration of our people in Saskatchewan.

All Metis in Saskatchewan must have their interests represented in any negotiations on behalf of the Metis.

14. Metis government

A. Internal

The MSS must build up its membership and become more responsive to the Metis people. The manner by which this will be achieved will have to be decided by the General Assembly, after receiving the report of the MSS Constitution Commission which is mandated to consult the membership and report to the Assembly.

The MSS must prepare itself to administer self-government in Saskatchewan, with its affiliates developing their capacity to fulfil their roles as the institutions of Metis self-government at the program and service levels.

The MSS must begin to enumerate and prepare our people for self-government administration as soon as possible.

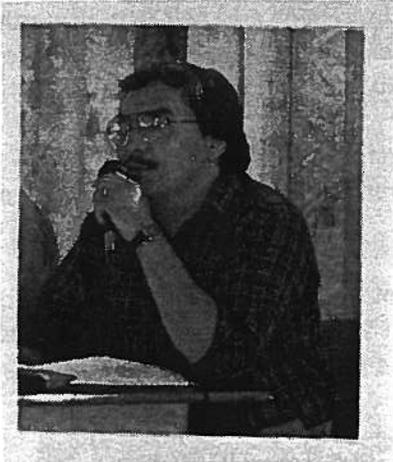
The MNC must be restructured so that it is more representative of the Metis Nation. The question of leadership came up too many times in our consultation process to be ignored. The leader of MNC must be elected democratically by the members of the Metis Nation through the ballot box and must serve in this office on a full-time basis with no other positions to occupy their time.

CURRENT CONDITIONS

rise to laws, regulations and practices which affected our people. Outsiders made the decisions and the effects of the decisions often made conditions worse instead of better for our people.

The current state of poverty, under-education, unemployment and despair in Metis communities are the result of decisions made by outsiders attempting to solve "our problems". Our communities have suffered from generations of federal and provincial officials who refused to acknowledge that it was their power over us that was our "real" problem.

For generations, Metis leaders have struggled to regain power in order to make decisions for our own people. Yet only recently the vision of Metis self-government has been given serious consideration by other Canadians. Our people are ready to assume responsibility.



METIS RUN PROGRAMS AND INSTITUTIONS

Metis National Council

The Metis National Council (MNC) is the political representative body of the Metis Nation. The President of the MSS along with the Presidents of the Metis political organizations of Manitoba, Alberta, and British Columbia make up the MNC Executive. In 1988 an Interim National Spokesperson was elected from the members of the Executive. Due to various delays, the MNC still has only an Interim Spokesman; however, the MNC remains in the process of electing a full-time leader.

The MNC has a General Assembly each year where the representatives of the Councils or Boards of the member organizations give direction to the MNC Executive on matters of program policy and constitutional issues. However, the MNC's legal structure allows the provincial Presidents - who are the sole members and directors that have authority - to carry out the functions of the MNC, as well as make amendments to its legal structure (letters patent and by-laws).



WHAT THE METIS IN SASKATCHEWAN TOLD US

The MSS must be restructured so that it would be more representative of the Metis people. Basically, we want a shift from status as a service organization to a government. This can be achieved through a change of attitude on the part of our people, and all others concerned. In addition, we must draft a new MSS constitution which recognizes the political structure as the government of the Metis of Saskatchewan and grants it the powers of a government.

This proposed system could be similar to the province of Saskatchewan, whereby the Local Presidents could have the power of members of the legislative assembly and they could pass legislation at assemblies to be held at least twice a year. In addition, the affiliates would be decentralized to the local level, and women and youth could be included in the government. Regional Directors and Executive members could be given portfolios. An Elders Senate could be recognized and exercise certain authority.

The structure of MSS is fine, but it requires support from the membership. However, it must work harder for the people. Government must be made to recognize it as the governing body of the Metis within Saskatchewan.

Metis legislation in Saskatchewan could be passed setting out Metis criteria, an infrastructure and economic programs.

We have to set up our own self-government infrastructure. We already have Gabriel Dumont Institute, SNEDCO, SNACC and so on.

2. Metis National Council

The leadership of the MNC must be determined by an Assembly of Local Presidents from the four member organizations, or at least the Regional Directors of the provinces.

The ballot box system should be used for electing MNC leadership if economically feasible.

WHAT IS REQUIRED BASED ON WHAT WE HEARD

MNC must have any decisions made in negotiations at First Ministers Conferences ratified by the Metis Nation. This is the same process which the provinces and federal government must adhere to.

B. External - Goals for constitutional entrenchment and self-government.

The Metis must be included in negotiations with the federal and provincial governments, including full participation in any future First Ministers Conferences on the Constitution.

The Metis enjoy inherent rights by virtue of our Aboriginality and our unextinguished Aboriginal title. These inherent rights must be recognized and entrenched in the Constitution of Canada. The principal rights are a land base and self-government. Although we can articulate what a land base and self-government entails, the final determination must be made by the Metis members.

The Metis, as an Aboriginal people should enjoy the same rights as the Indians and the Inuit.

The Metis will deal with the provincial government insofar as it will not interfere with negotiations with the federal government.





WHAT THE METIS IN SASKATCHEWAN TOLD US

The leadership of MNC should be a full time position. This person should not hold any other political office simultaneously.

Any deals made by the MNC at First Minister's Conferences or any other crucial matters, must be ratified by the people of the Metis Nation at their respective annual assemblies.

B. Goals for constitutional entrenchment and self government

The two founding nations concept is flawed.

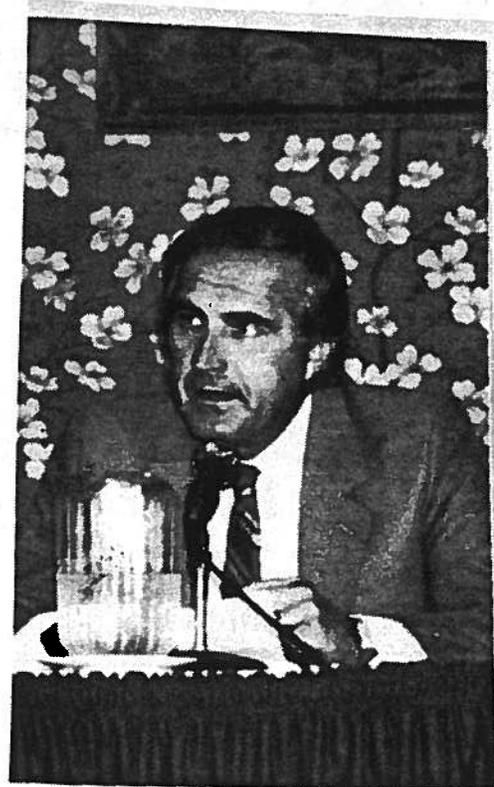
The Metis must be included in any further First Minister's Conference and discussions on the Constitution of Canada as well as Quebec. The Metis within Saskatchewan are willing to support Quebec as far as Quebec is willing to support us.

The negotiations for entrenchment of Metis rights can take place in the multi-lateral forum, but if necessary, there must be Metis specific negotiations. There cannot be a power of veto by one Aboriginal people over another.

The inherent rights of the Metis must be recognized and entrenched in the Canadian Constitution. This could be implemented under a Metis Act or under a standardized Aboriginal Act for all Aboriginal peoples.

The definition of our membership must be left up to us.

Recognition of the inherent right of the Metis to self-government is essential. We have prepared a position on what that means and government should recognize it as a parallel to the autonomous forms of government which they enjoy. When Canada brought home the Constitution in 1982, they were exercising self-government and when the Saskatchewan Act was passed in 1905, that was self-government. The Metis wish to be considered a third level of government not to withdraw from confederation. This is the only way in which Canada will





WHAT THE METIS IN SASKATCHEWAN TOLD US

operate harmoniously.

There are many possibilities for the funding of self-government. Of course, we hope to achieve total self-sufficiency, but that is not always possible as in the case of the "have not" provinces. Some funding possibilities are listed below. It is likely that all of them will have to be employed.

- revenue sharing from resources
- receipt of dollars from taxation of Metis people
- government equalization payments
- affiliates supporting each other. For example, the holding of mortgages for the Urban Native Housing programs by Aboriginal Capital Corporations could realize enough interest income to fund one "have not" affiliate.

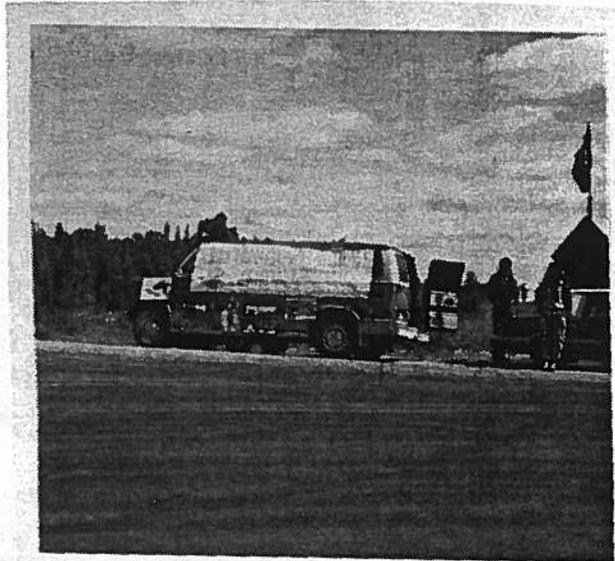
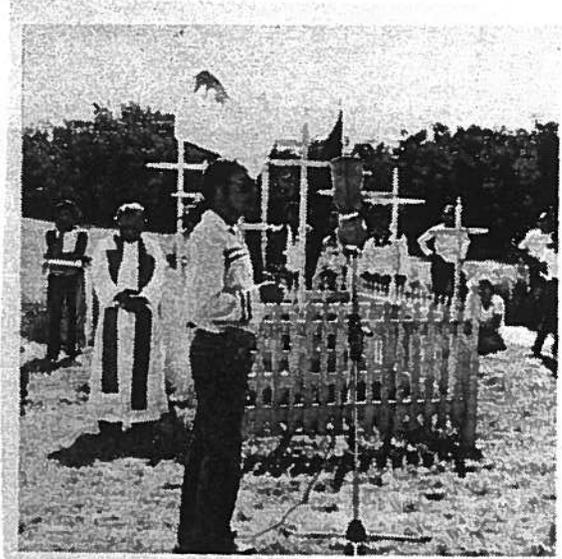
As Aboriginal people, the Metis are a federal responsibility. It was the federal government who dealt with us originally in 1870 and in subsequent times through the scrip process (which fraudulently dispossessed us of our land). Also, the federal government recognizes us as one of the Aboriginal peoples under the Constitution Act 1982.

The Metis could put into place agreements with the provincial governments - under a new notwithstanding clause which could be placed in the Canadian Constitution. These agreements would therefore not take away from our rights with the federal government.

The Metis should enter into tripartite talks with the federal and provincial governments because the two levels of government have divided responsibilities. It may be that tripartite agreements and cost sharing will be necessary to implement self-government.

The Metis within Saskatchewan are split on the idea of guaranteed representation in Parliament and the legislature.

We do not rule out legal action to achieve our goals.



IV. HOW DO WE GET THERE?

A. Internal

In order to move ahead we must heal and nurture, as individuals, as a people, and as a nation. We must also make a determined effort to continue building positively.

This includes strengthening and enhancing our provincial organization and the Metis National Council. An integral part of this process is the full involvement of Metis Elders, women and youth. We therefore must strengthen the Elders Council, the Provincial Metis Women's Committee and establish a Metis Youth Council.

In order to accomplish this, we have to concentrate on our people at the local and area levels. We must coordinate our efforts to fully involve our people at the community level. In this connection, we have to make it clear that positive developments - with respect to rights - affects the daily lives of our people. In addition, we must stress our rich history and ensure that current efforts are for the benefit of our children and future generations.

B. External

The greatest security for the recognition of our Nation and rights is through an amendment to the Canadian Constitution by way of the general amending formula contained in s. 41 of the Constitution Act 1982. That section requires the consent of seven provinces which make up over 50% of the Canadian population, along with the federal government.

These amendments must contain our basic and fundamental rights, such as the recognition of our inherent rights to land and self-government. At the very least, the amendments must reflect the rights as contained in the Statement of Principles adopted by the Provincial Metis council. (See Appendix 6)

It is also critical that we deal with the jurisdiction and enumeration issues. Basically, where does the Metis Nation fit within the Canadian legal scheme? How many citizens are there within the Metis Nation? In this context we have to determine the scope of s. 91(24) of the Constitution Act 1867, along with conducting a census of our people. This census must be a joint and cooperative effort between the federal government and the Metis Nation.

Failing the entrenchment of rights through section 41, we should also examine the potential of entrenching Metis rights through other sections of the Act. The next best approach to entrenchment is s. 43. This section allows for an amendment by one or more provinces (where the subject matter only affects one or more provinces, but not all of them) and the federal government. As the Metis Nation only falls within a certain geographic part of Canada, this section could be used to entrench Metis rights. Alternatively, Metis rights could lead to a checkerboard recognition of rights, varying from one province to another.

A third approach open to the Metis is through amendments to the provincial Constitution, the Saskatchewan Act 1905 which is permissible under s. 45. This section of the Canadian Constitution allows provinces to make some changes to its provincial Constitution. While this is a possibility, it certainly does not provide the greatest security for the recognized rights.

To achieve constitutional entrenchment, the Metis Nation must have full and direct par-

ticipation in all constitutional discussions with Premiers, the Prime Minister and federal ministers and with First Ministers in national forums.

It is also critical that the Metis Nation participate actively in discussions and forums with the other Aboriginal Nations through their legitimate representative organizations.

We must not forget that there are international rights and issues which also must be addressed. In this case, we must encourage dialogue with the Ministry of External Affairs and participation in international forums such as the United Nations and the Organization of American States.

As interim measures, we also must deal with immediate needs and concerns of our people. In this context governments (federal and provincial), in the tripartite and bilateral forums must begin the process of decentralizing targeted programs and services to our Affiliates. In addition, we should be looking at direct participation in governments through appointments to various organs of government including seats on commissions, crown corporation boards and senior management positions.

We must make it clear however that enhanced services and participation with governments are not and never will be, substitutes for the recognition, entrenchment and exercise of our inherent rights.

V. RECOMMENDATIONS BASED ON THE COMMISSION HEARINGS

A. Recommendations requiring constitutional amendment.

1. LAND

Recognition of the Metis right to land and resources.

2. SELF-GOVERNMENT

Recognition of the inherent right of Metis self-government, both on and off a landbase.

3. MEMBERSHIP

The Metis Nation's right to determine its own citizens.

4. JURISDICTION

Clarification that the Metis fall within federal jurisdiction and that the federal government will exercise its fiduciary responsibility for all Aboriginal peoples, including the Metis.

5. TRADITIONAL RESOURCE USE RIGHTS

Recognition of the Metis right to hunt, trap, fish and gather, with corresponding power to regulate those rights.

6. WOMEN AND CHILDREN

That the rights of the Metis be clearly guaranteed and enjoyed equally by Metis women and children.

7. CULTURE AND LANGUAGE

The right of the Metis to exercise our traditional heritage, including the use of our languages and the practice of all forms of our culture.

8. EDUCATION

The right of the Metis to full educational benefits, without discrimination towards the Metis (as opposed to Indian or Inuit).

9. REPRESENTATION IN FEDERAL AND PROVINCIAL INSTITUTIONS

Coupled with the right of self-government, the Metis must fully participate in the institutions of the other two orders of government so as not to become isolated and marginalized.

10. FIRST MINISTERS' CONFERENCES

The Constitution must guarantee a permanent place at the constitutional table for the Metis, along with First Ministers Conferences (FMC) where the agenda item may have an impact on the rights of the Aboriginal peoples.

11. AMENDING THE CONSTITUTION

- a) That no amendments can proceed from agreements at FMCs until the proposed amendments have been ratified by the Annual Assemblies of the member organizations of the Metis National Council.
- b) That no one Aboriginal people have the de facto right to veto constitutional amendments which are agreed to by other Aboriginal people. (However, such amendments would not refer to all Aboriginal peoples, but would be specific to the Aboriginal people or peoples which desire such an amendment or amendments).

12. AMENDING FORMULA

That Metis rights be entrenched through the existing formula (requiring the approval of the federal government and seven provinces which make up over 50% of the Canadian population). However, failing that, section 43 remains an option, as it only requires one or more provinces and the federal government where the amendment does not affect all provinces. In this case the Metis Nation could make changes by province, or by the preferred approach which would involve all the provinces and Northwest Territories, which now cover the Metis homeland.

13. UNFINISHED BUSINESS

- a) That an entrenched constitutional process must continue to address the unfinished business contained in the 1983 constitutional accord, along with other agenda items which may be identified. (See Appendix 7)
- b) This unfinished business must include international issues which were formerly side-tracked to a separate process and which never came to life.

B. Recommendations not requiring constitutional amendment.

I. EXTERNAL CHANGES REQUIRED.

1. Enumeration

That a comprehensive census of the Metis be undertaken through a joint effort of the Metis National Council and the federal government.

2. Programs and services

As an interim measure on the road to the exercise of self-government, Metis people should be eligible for programs and services available to the other Aboriginal peoples.

3. Traditional resource use

Governments should encourage and support the Metis people's traditional livelihoods, including harvesting resources for domestic use and subsidies for commercial purposes.

4. Organizational capacity

As currently constituted, the Metis Society is severely restricted in its capacity to grow, due to the narrowness of the Non-Profit Corporations Act under which the Society is registered. In order to enjoy a greater degree of flexibility and recognition, as an interim measure, specific legislation providing the legal basis for the Metis Society of Saskatchewan should be enacted.

II. INTERNAL DEVELOPMENTS REQUIRED

1. Self-determination

- a) That the Metis within Saskatchewan continue rebuilding their place within the Metis Nation by strengthening their Metis-only organizational capacity, upon the principle that only the Metis can represent themselves and with the objective of establishing a democratic political Metis government structure which will promote Metis rights at the provincial level, while respecting the autonomy of the Metis at the community and regional levels. This could include the establishment of a Metis legislative assembly - as currently being advocated by some members of the Metis Society. Such a body could be provided for on an interim basis by specific legislation, rather than remaining under the Non-Profit Corporations Act.
- b) That the Metis within Saskatchewan continue building its self-government institutions, by strengthening existing affiliates, establishing new ones, and by making such institutions accountable to the Metis within Saskatchewan through their sole representative organization, the Metis Society of Saskatchewan.
- c) That the Metis Society of Saskatchewan and the Metis National Council conduct more political and community awareness programs at the community level, particularly with respect to issues related to the Canadian Constitution.

2. Metis Nation

- a) That the national organization of the Metis Nation be restructured.

- b) That a democratically elected national leader, serving on a full time basis be an immediate objective of the Metis National Council. As an interim measure, this election could be achieved through a special assembly composed of the regular MNC Assembly delegates, and the Local Presidents of the member organizations. Eventually, the national leader could be elected by the ballot box system of one person - one vote.
- c) That the restructuring eventually establish a Metis Parliament that would meet several times a year.

3. Metis Elders

There must be a prominent and meaningful role for the Metis Elders within the Metis Nation, and its various institutions.

4. Metis women and youth

- a) That Metis women and youth must be enabled and encouraged to play a larger role within the Metis political organizations, at both the provincial and national levels. This includes supporting and assisting the Metis women with their organizing efforts, and through the creation of a Metis youth council.
- b) That a Metis youth development fund be established.

5. Programs and services

That real efforts be made by the Metis Society and its Affiliates to decentralize its programs and services.

6. Affirmative action

As an interim measure on the road to self-government, that affirmative action be pursued as a means to secure training, education and employment in both the private and public sectors.



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APPENDIX 1

MSS COMMISSION ON THE CANADIAN CONSTITUTION

TERMS OF REFERENCE

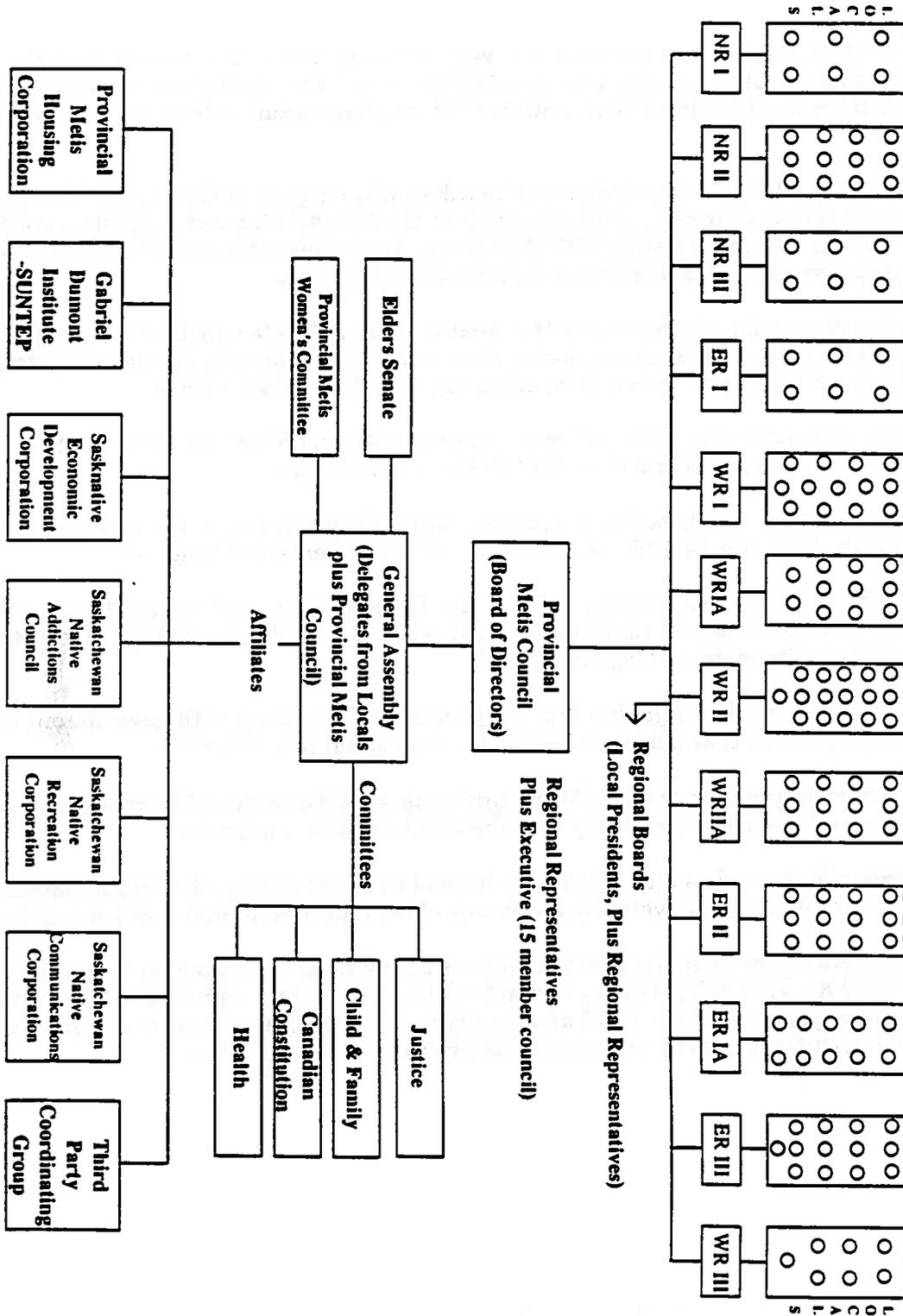
1. To solicit the views of the Saskatchewan Metis with respect to the Metis Nation, Metis rights, and Canada's Constitution.
2. To solicit Metis views with respect to the current Canadian national unity debate, with special emphasis on the Metis Nation's place within Canada.
3. To solicit Metis views with respect to Metis self-government and self-governing institutions, including current and future internal models of self-government for the Metis at the local, regional, provincial and national levels.
4. To bring the membership up-to-date on recent developments on constitutional discussions and the unity debate, including the reports of the Edwards/Beaudoin Parliamentary Committee and the Spicer Commission.
5. To solicit Metis views on guaranteed representation in the federal parliament and the provincial legislature.
6. To prepare and distribute documentation to the Locals on the objectives of the Commission, along with relevant discussion papers.
7. To receive written briefs, letters, resolutions or other forms of communication from the Metis people within Saskatchewan.
8. To solicit views from Metis women on issues of importance to Metis women.
9. To hold hearings in the MSS Regions.
10. To present an interim report to the MSS Annual Assembly, September 28-29, 1991.
- * 11. To present a final report to the Metis National Council by October 15, 1991.

* This time frame was changed due to the proposals subsequently introduced by the federal government. This first final report is based on general consultations. The next and last final report will be based on the federal proposals and will be completed by mid-February 1992.

APPENDIX 3

ORGANIZATIONAL STRUCTURE

METIS SOCIETY OF SASKATCHEWAN



APPENDIX 4

MSS METIS CHILD AND FAMILY SERVICES POLICY

Because Metis Child and Family Services is a very pressing issue, it is agreed that the Metis Society of Saskatchewan shall initiate a course of action. A cornerstone to this mandate is that the ultimate authority rests at the local level, and that the emphasis shall be local involvement in the delivery of services.

It is also agreed that a holistic approach must be taken with respect to this area. This includes assuring the cooperation of existing Affiliates such as the Gabriel Dumont Institute, the Native Alcohol Council, MEDFO and the other MSS Affiliates. Initiatives with respect to the Metis child and family cannot expect to be successful if it proceeds in isolation.

The Organization shall take action towards the creation of an Affiliate which will deal with Social Services. This will cover areas such as: foster care, adoptions, training, young offenders, child abuse prevention, group homes, prevention, advocacy and other related areas.

In pursuing this initiative, the MSS will work closely with the Working Group set up at the January 1989 Annual Assembly and the MNC National Committee.

As an initial step the MSS shall establish a process which should result in the creation of a fully functional Affiliate. This process will have an internal and an external function.

Internal: This will involve activity within the Organization and its Affiliates, with consultation and direction coming from the local level. This will also include interaction with the MNC and its member Organizations.

External: This will involve engaging in a co-operative relationship with government and other relevant agencies that deal with areas that impact on this initiative.

The Organization, in cooperation with the Working Group, shall be responsible for identifying and securing the financial resources necessary to make this initiative a success.

As this is an area which touches and affects the lives of so many people, the Organization shall proceed on an urgent basis and devote the necessary effort and time to make this a success.

The Organization shall also be mandated to organize a provincial workshop on Metis Child and Family Issues in 1990. This will provide a forum for both the political representatives and Metis persons currently engaged in Metis child and family projects/programs and in our Affiliates to further explore policy development and assess the progress of the initiative.

APPENDIX 5

INTERIM MSS LAND POLICY RESOLUTION

Whereas We, the Metis of Saskatchewan, are part of the Metis Nation of Western Canada;

And Whereas We, the Metis of Saskatchewan, have always centered our struggle around the issue of land and are seeking to reclaim part of our original homeland;

And Whereas We, the Metis people of Saskatchewan through our Organization, the Metis Society of Saskatchewan, have expressed our views with respect to the land issue through various means;

And Whereas, the Organization has been given the mandate to develop a provincial land policy for the purpose of carrying forward the negotiations necessary for the acquisition of land in a manner that will forever protect Metis lands once acquired;

And Whereas the Organization on November 5, 1986 adopted a policy which places control of future negotiations on land and self-government rights at the community level;

Therefore be it Resolved that the Provincial Metis Council adopt the following as forming the basis of the MSS PROVINCIAL METIS LAND POLICY until such time that it can be further elaborated and ratified by the general membership in Assembly or Summit.

PRINCIPLES WITH RESPECT TO METIS LANDS WITHIN SASKATCHEWAN

1. Metis lands must be collectively owned and held in order to prevent loss of lands as occurred through the scrip system.
2. The Metis governments on acquired lands shall have the collective ownership, along with the control of developments on that land, in addition to determining who is eligible to form part of the collective.
3. The Metis ownership of the land must include all resources, both renewable and non-renewable to insure its viability to be self-sufficient and in order to enable the local Metis government to provide services to its members (services which are equivalent in quality to those available to Canadians generally).
4. Collectively owned Metis land could be capable of being owned by members of the collective, if so decided by the particular Metis government, however the sale of the land at fair market value could only be to a member of the collective or to the particular Metis government land department.
5. Local Metis governments may also pursue negotiations for the use of land and resources surrounding their local land base. The land could be collectively held and controlled under local Metis government jurisdiction for the purposes of hunting, trapping, fishing, gathering and various modern economic development initiatives involving both renewable and non-renewable resources. This could include arrangements with respect to royalties, resource revenue sharing, percentage of taxation and lease payments currently made to the provincial government and joint-ventures on resource development.

6. In order for progress to be achieved with respect to the acquisition of Metis lands, local and/or regional committees will be established and where already established will be assisted by the provincial body to begin the necessary research and meetings which will be required in order to conduct forceful negotiations with the federal and provincial governments.

Be it Further Resolved that on the basis of the above policy, the Provincial Metis Council is prepared to enter into a land negotiations process at the tripartite level. These negotiations will begin upon agreement between the federal and provincial governments and MSS as to which tracts of land (communities or groups of communities or unoccupied lands) will be selected for this process. These initial tracts will be used as models, with a view to bringing other communities into the process as it progresses.

Be it Finally Resolved that the Provincial Metis Council enter into negotiations with the provincial government for the return of the Metis farms and that assistance be given to communities affected, in order to enable them to undertake the required research and organizing necessary for successful negotiations.

ADOPTED BY THE PROVINCIAL METIS COUNCIL ON JUNE 28, 1989.

APPENDIX 6

METIS SOCIETY OF SASKATCHEWAN

STATEMENT OF PRINCIPLES

The following principles capture the essence of our people's inherent rights as members of the Metis Nation, one of the many Original Nations within North America. These inherent rights are proposed to be exercised within the context of Canadian confederation.

1. The right of self-determination as a people.
2. The right to a landbase.
3. The right to self-government.
4. The right to determine our own membership.
5. The right to represent ourselves.
6. The right to our culture, languages, and heritage.
7. The right to our education and health.
8. The right of equal treatment for all Aboriginal peoples.

ADOPTED IN PRINCIPLE BY THE PROVINCIAL METIS COUNCIL NOVEMBER 1991

APPENDIX 7

1983 CONSTITUTIONAL
ACCORD ON ABORIGINAL
RIGHTS

Whereas pursuant to section 37 of the Constitution Act, 1982, a constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces was held on March 15 and 16, 1983, to which representatives of the aboriginal peoples of Canada and elected representatives of the governments of the Yukon Territory and the Northwest Territories were invited;

And whereas it was agreed at that conference that certain amendments to the Constitution Act, 1982 would be sought in accordance with section 38 of that Act;

And whereas that conference had included in its agenda the following matters that directly affect the aboriginal peoples of Canada:

AGENDA

1. Charter of Rights of the Aboriginal Peoples (expanded Part II) including:
 - Preamble
 - Removal of "Existing", and expansion of Section 35 to include recognition of modern treaties, treaties signed outside Canada and before Confederation, and specific mention of "Aboriginal Title" including the rights of aboriginal peoples of Canada to a land and water base (including land base for the Metis)
 - Statement of the particular rights of aboriginal peoples
 - Statement of principles
 - Equality
 - Enforcement
 - Interpretation
2. Amending formula revisions, including:
 - Amendments on aboriginal matters not to be subject to provincial opting out (Section 42)
 - Consent clause,
3. Self-government
4. Repeal of Section 42(1)(e) and (f)
5. Amendments to Part III, including:
 - Equalization) Resourcing of
 - Cost-sharing) aboriginal governments
 - Service delivery)

6. Ongoing process, including further first ministers conferences and the entrenchment of necessary mechanisms to implement rights

And whereas that conference was unable to complete its full consideration of all the agenda items;

And whereas it was agreed at that conference that future conferences be held at which those agenda items and other constitutional matters that directly affect the aboriginal peoples of Canada will be discussed;

NOW THEREFORE the Government of Canada and the provincial governments hereby agree as follows:

1. A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces will be convened by the Prime Minister of Canada within one year after the completion of the constitutional conference held on March 15 and 16, 1983.
2. The conference convened under subsection (1) shall have included in its agenda those items that were not fully considered at the conference held on March 15 and 16, 1983, and the Prime Minister of Canada shall invite representatives of the aboriginal peoples of Canada to participate in the discussions on those items.
3. The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the Northwest Territories to participate in the discussions on any item on the agenda of the conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.
4. The Prime Minister of Canada will lay or cause to be laid before the Senate and House of Commons, and the first ministers of the provinces will lay or cause to be laid before their legislative assemblies, prior to December 31, 1983, a resolution in the form set out in the Schedule to authorize a proclamation to be issued by the Governor General under the Great Seal of Canada to amend the Constitution Act, 1982.

5. In preparation for the constitutional conferences contemplated by this Accord, meetings composed of ministers of the governments of Canada and the provinces, together with representatives of the aboriginal peoples of Canada and elected representatives of the governments of the Yukon Territory and the Northwest Territories, shall be convened at least annually by the government of Canada.
6. Nothing in this Accord is intended to preclude, or substitute for, any bilateral or other discussions or agreements between governments and the various aboriginal peoples and, in particular, having regard to the authority of Parliament under Class 24 of section 91 of the **Constitution Act, 1867**, and to the special relationship that has existed and continues to exist between the Parliament and government of Canada and the peoples referred to in that Class, this Accord is made without prejudice to any bilateral process that has been or may be established between the government of Canada and those peoples.
7. Nothing in this Accord shall be construed so as to affect the interpretation of the Constitution of Canada.



Indian and Northern Affairs Canada Affaires indiennes et du Nord Canada

• Published under the authority of the
Hon. John C. Munro, P.C., M.P.
Minister of Indian Affairs and
Northern Development,
Ottawa, 1983.

QS-3316-000-BB-A1

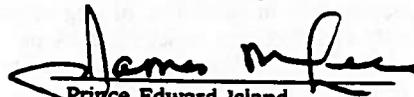
Signed at Ottawa this 16th day of March, 1983 by the Government of Canada and the provincial governments:


Ontario

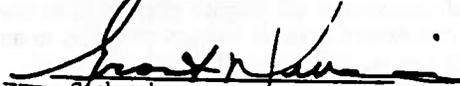

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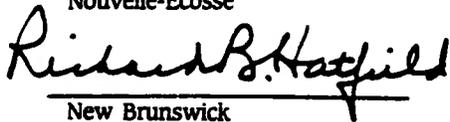

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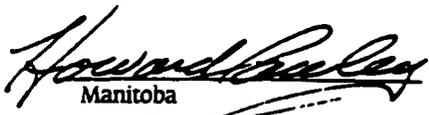

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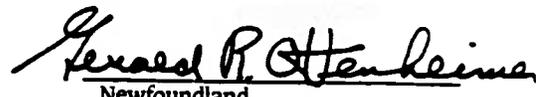

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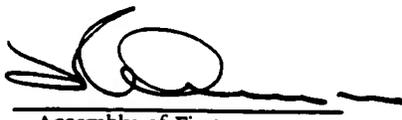

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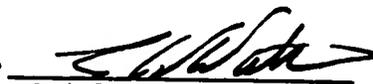

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Manitoba

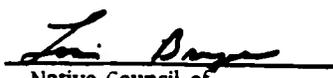

Newfoundland
Terre-Neuve

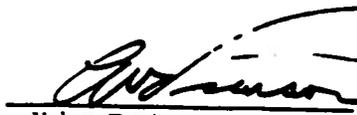
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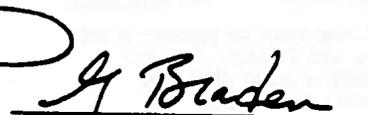

Assembly of First Nations
Assemblée des Premières Nations


Inuit Committee on National Issues
Comité inuit sur les Affaires nationales


Métis National Council
Ralliement national des Métis


Native Council of Canada
Conseil des Autochtones du Canada


Yukon Territory
Territoire du Yukon


Northwest Territories
Territoires du Nord-Ouest

