

COMMISSION ROYALE SUR  
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON  
ABORIGINAL PEOPLES

MÉTIS NATION SPECIAL CONSULTATION

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SASKATOON, SASKATCHEWAN

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"for the record..."  
**STENOTRAN**  
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Aboriginal Peoples

1 Saskatoon, Saskatchewan

2 --- Upon commencing on Monday, January 17, 1994

3 at 8:30 a.m.

4 **THE CHAIRMAN (JIM BOURQUE, Métis**

5 **Development Corporation):** Good morning, ladies and  
6 gentlemen.

7 We will begin the meeting with the Métis  
8 national anthem.

9 **(Métis National Anthem)**

10 **THE CHAIRMAN:** I would like to now call  
11 on Father Guy Lavallée to lead us in the opening prayer.

12 **(Opening Prayer)**

13 **THE CHAIRMAN:** Thank you very much,  
14 Father Lavallée. Those were indeed words of wisdom.

15 I would like to call upon Georges  
16 Erasmus, Co-Chair, to make some opening remarks.

17 **CO-CHAIR GEORGES ERASMUS:** I would like  
18 to welcome everybody to this Royal Commission consultation  
19 with the Métis Nation.

20 We were encouraged by the Métis to  
21 convene this event some time ago. We of course have had  
22 the opportunity to hear from Métis individuals in the  
23 different provincial arms of the Métis Nation through the

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1 hearings that we have conducted, but we were encouraged  
2 to convene a special event where we would be able to  
3 together concentrate on Métis issues, where we would be  
4 able to deal in some depth and some detail with the kinds  
5 of major issues that are important to the Métis.

6                   Early on we had heard in some of the  
7 hearings that we did not have enough participation by Métis  
8 and through the different rounds of hearings we did deal  
9 with that particular issue. There was more involvement  
10 as time went on. Eventually, we developed a Memorandum  
11 of Agreement with the Métis Nation and this event here  
12 was one of the issues that we agreed to in that memorandum  
13 of understanding.

14                   The work of the Royal Commission is at  
15 an interesting point right now. We have been at this for  
16 something over two years. We have had our hearings  
17 completed now, with something in the range of 2,200  
18 presentations from people all across this country. We  
19 were able to go to virtually every corner of the country  
20 to hear people in all of the different situations that  
21 they find themselves in.

22                   We wanted to make sure that local people,  
23 people that might not normally be involved in day-to-day

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1 activities of the rights of Aboriginal people, had the  
2 opportunity to speak to us, both Aboriginal and  
3 non-Aboriginal, and we have provided that opportunity.

4                   We wanted this Commission to be a  
5 commission that built its recommendations based on a number  
6 of sources of information, and one of the sources which  
7 we thought was extremely important was the individual and  
8 the collective activity of the public, both Aboriginal  
9 and non. So we did make an effort to go to where Aboriginal  
10 people were.

11                   Of course out of that process we made  
12 opportunities for elders, for youth, for women to present  
13 to us, and definitely the Métis.

14                   Our research programs are starting to  
15 provide us with products. Many have come in and many are  
16 now being reviewed and eventually will be circulated.  
17 Much yet needs to be completed but it will be done hopefully  
18 during the next number of months so that it will be able  
19 to be incorporated into our recommendations.

20                   We have begun the work now of sorting  
21 out the broad frameworks in each area of our policies and  
22 we hope to begin the work of the final report by early  
23 summer. We still are quite earnest about completing our

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1 work by the end of this calendar year and putting our  
2 recommendations to the Prime Minister early in 1995.

3           Early on in our work it was very clear  
4 that simply tinkering would not suffice. Whether we were  
5 tinkering with policies or the law, it would not be what  
6 was required. What was needed was some very serious  
7 alterations or change and we expect that we will accomplish  
8 that. But we know it is a very difficult job.

9           Part of the difficulty is to make sure  
10 that we continue to keep with us the support of both  
11 Aboriginal people and non-Aboriginal people. It is  
12 obvious that a large part of what will be needed and has  
13 been needed for quite some time is publication.

14           We know, for instance, that what will  
15 be required will be a dramatic change in the relationship  
16 between Aboriginal people and non-Aboriginal people.  
17 There needs to be a relationship of equality, respect,  
18 integrity, some kind of reciprocal relationship that is  
19 based on looking at each other as equals, with the rights  
20 that Aboriginal people have been seeking for quite some  
21 time recognized and implemented.

22           In closing, in relation to this  
23 particular meeting we encourage people to be frank, to

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1 be open, to participate with us in a way in which your  
2 information, your advice, your suggestions will find their  
3 way into our final work.

4                   We are pleased that we were able to  
5 convene this event and we look forward to the next two  
6 days. For my part and for that of the Commissioners, I  
7 thank you for coming.

8                   I will now hand this over to the  
9 Chairman to add his words.

10                   Jim.

11                   **THE CHAIRMAN:** Thank you very much, Mr.  
12 Erasmus.

13                   I will now ask Mr. Dussault, Co-Chair,  
14 to make some opening remarks.

15                   **CO-CHAIR RENÉ DUSSAULT:** Merci, Jim.  
16 C'est avec beaucoup plaisir que la Commission royale sur  
17 les peuples autochtones se trouve en territoire métis.  
18 We are very happy to be here in Saskatoon and to have an  
19 opportunity to meet with representatives of Métis people  
20 coming from various horizons.

21                   I would like to redo what we do often  
22 to make sure that all Commissioners are household names  
23 but also well known by all of you. At this stage I would

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1 like to introduce the Commissioners, starting from my  
2 right-hand side.

3                   Bertha Wilson. Madam Wilson was a judge  
4 with the Supreme Court of Canada for ten years.

5                   Paul Chartrand, who is from the  
6 University of Manitoba in Winnipeg, is a Métis of course.

7                   Peter Meekison who joined us last June.  
8 Peter is with the University of Alberta in Edmonton.

9                   Viola Robinson, who is a Micmac and who  
10 prior to her appointment was Head of the Native Council  
11 of Canada living in Halifax and Ottawa.

12                   Mary Sillett is an Innu from Labrador.  
13 She was involved for many years with the Women's  
14 Association of the Inuit and also with ITC.

15                   I will be very brief because I think  
16 Georges gave a recap of the Commission's work and where  
17 we are heading.

18                   This special consultation is very  
19 important for the Royal Commission and certainly for each  
20 and every one of you because we are at the point of moving  
21 from getting information to the policy process. The five  
22 questions that are on the agenda are very important. They  
23 are key questions that were discussed with representatives



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1 of Métis from all the provinces, the organizations. Of  
2 course there are different components in these questions.  
3 Some components have to do with the putting together of  
4 views and they are more political in a way, even within  
5 the Métis Nation. And we are pretty much aware of that.

6

7 As Father Guy Lavallée said, it is not  
8 always easy to come with one view and sometimes it is good  
9 to do so after good debate. Other aspects are highly  
10 technical.

11 But overall I think what we heard in the  
12 four rounds of hearings during the last two years is that  
13 though Métis people are labelled as forgotten people in  
14 Canada, they are quite modern and they are coming to a  
15 modern view of themselves and their place in this society  
16 in Canada as a whole, and in the various provinces. The  
17 view they are putting forward is a very important one:  
18 the notion of a Métis Nation parliament, legislative  
19 assemblies, the whole question of the linkage with the  
20 urban situations, the delivery of services to Métis. We  
21 have been told again and again that Métis identity should  
22 be put to the limelight in all the institutions. Also  
23 there is the whole question of the constitutional rights,

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1 and the question of lands of course is very important.

2                   We hope that these two days will give  
3 the Commission an opportunity not only to know the  
4 political views and statements but also that participants  
5 will address the ways and means to achieve their goals.

6                   Of course we are well aware that  
7 financing is a very important component that has to be  
8 addressed. We are also aware that the linkage with  
9 national institutions, the Canadian Parliament, the  
10 assemblies, are also issues that are very important.

11                   We would like to convey on behalf of all  
12 Commissioners that we are genuinely looking for your views  
13 both on the political side but also on the technical side.

14 It is not always easy to attain in the same gathering,  
15 but we hope that with the kind of work that went into the  
16 preparation of these two days of special consultations  
17 that it will be possible to do that.

18                   As Georges said, we are really aiming  
19 at producing a report early in 1995 and that means we want  
20 to be able to give government an overall general final  
21 report at the end of this year or very early in 1995.

22 It is very important that we make those days as beneficial  
23 as possible in all aspects.

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1                   With that in mind and with the help of  
2 the Great Spirit, as Father Guy Lavallée said, I am  
3 convinced that we are going to achieve a lot.

4                   Merci beaucoup; thank you.

5                   **THE CHAIRMAN:** Thank you, Mr. Dussault.

6                   Now I will call on Mr. Gerald Morin,  
7 President of the Métis National Council.

8                   **GERALD MORIN, President, Métis National**  
9 **Council:** Thank you, Mr. Chairman.

10                  I want to welcome all of the  
11 representatives to Saskatchewan. I always consider  
12 Saskatoon to be a significant location in terms of having  
13 Métis forums and gatherings of Métis people and visitors,  
14 and so on, because as you all know, and as someone earlier  
15 pointed out, it was only a few miles from here where the  
16 armed resistance took place between our people and the  
17 Canadian forces, where our people were protecting  
18 basically their way of life, their culture, their rights  
19 to land and resources and their aspirations to  
20 self-government and self-determination.

21                  I think we as Métis today are engaged  
22 in that same struggle. Although we are not taking up arms,  
23 we are still involved in that struggle to get fundamental

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1 recognition and respect for the Métis Nation. We still  
2 have not had addressed our aspirations for a land and  
3 resource base, self-government and self-determination.  
4 So we are still engaged in that struggle.

5 I think in many ways we are still in the  
6 same situation today as we were in 1885 or in 1869 and  
7 1870 in Red River where our people also fought to protect  
8 their way of life. I think that is where we are today  
9 and that is what we have to reflect on. We have to ask  
10 ourselves how do we proceed from here as Métis people,  
11 as representatives of government, to ensure that we can  
12 achieve those objectives and bring fundamental fairness  
13 and justice to our people within Canada because that has  
14 not happened yet.

15 When you see so many developments taking  
16 place internationally -- you talk about the black majority  
17 in South Africa who have been fighting for fundamental  
18 justice for numerous years and you see progressive reforms  
19 taking place between the white minority government and  
20 the majority of blacks in South Africa. They have a new  
21 constitution which basically addresses the aspirations  
22 of the majority of black people in South Africa. You also  
23 see the developments between the Israelis and the

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1   Palestinians where they are trying to achieve peaceful  
2   solutions, where the Palestinians are making significant  
3   progress to establish their land and resource base, to  
4   ensure that they have their self-governing institutions  
5   and achieve self-determination.

6                   We see those developments all over, but  
7   here in Canada we have not yet achieved that. We have  
8   not yet achieved that fundamental fairness and justice  
9   that our people have been struggling to achieve for many,  
10  many generations.

11                   I think the time has come for governments  
12  and for Canadians as well, because Canadians cannot shrug  
13  off their responsibilities as citizens in a free and  
14  democratic society and say that it is government's fault  
15  or it is government's responsibility; they, after all,  
16  elect the governments of this country. So everyone has  
17  to accept responsibility for the state in which our people  
18  find themselves and also have to accept responsibility  
19  for finding the solutions and being part of the solutions  
20  as opposed to the problems.

21                   I think it is important that we reflect  
22  on that seeing as how we are a few miles from Batoche where  
23  our blood was dropped and our people actually died for

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1 their vision of the Métis Nation and their vision of Canada.

2                   It also makes me really happy because  
3 I think we have for the first time in a long time a very  
4 good representation from all of the representatives of  
5 the Métis Nation. Today at this forum we have  
6 representatives of Métis from the Prairie provinces; we  
7 have representatives from the Métis Nation of Ontario;  
8 we have representatives from the Northwest Territories;  
9 we have representatives from all of the Métis associations  
10 in British Columbia. And I am very happy to say as well  
11 that we have very good representation from the Métis  
12 settlements in Alberta.

13                   I think it is fair to say that you have  
14 a holistic and broad representation of the Métis Nation  
15 at this forum in the next couple of days. I am very happy  
16 about that and I think there is something very significant  
17 about that as well too. As Father Guy Lavallée pointed  
18 out, we have come through some difficult times in the past  
19 few months, but also see a lot of positive change and  
20 renewal taking place throughout the Métis homeland in  
21 western Canada. And I think the fact that we have that  
22 kind of holistic representation from our people here in  
23 the next couple of days is something to be noted and

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1 something to be proud of.

2                   We are getting together here at a time  
3 when there are a lot of developments taking place not only  
4 internally but also in our dealings with governments.  
5 Last week we were finally able to get confirmation from  
6 the federal government, for example, that they will  
7 participate in a meeting in Toronto on January 31st with  
8 the provincial Aboriginal Affairs Ministers and the Métis  
9 leadership to talk about a Métis Nation process and a Métis  
10 Nation Accord. That is a significant breakthrough for  
11 our people because since the defeat of the Charlottetown  
12 Accord we have been struggling to revive the Métis Nation  
13 Accord, which is essentially a non-constitutional document  
14 in which we see a national framework to allow us to make  
15 progress as a Métis Nation with other governments in this  
16 country.

17                   So I am very hopeful that we can at least  
18 leave Toronto with a process to talk about putting in place  
19 a Métis Nation Accord. I think that is very, very  
20 significant.

21                   As well, we are getting together at a  
22 time when increasingly in our communities when we travel  
23 to visit with our people they are saying we are frustrated

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1 and it is time that we put in place a land and resource  
2 base for the Métis because without a land and resource  
3 base it is going to be very difficult, if not impossible,  
4 to achieve true self-government and self-determination  
5 for the Métis Nation. Without the land and resource base  
6 and a proper economic infrastructure, self-government is  
7 a hollow promise.

8                   Increasingly in the past few months we  
9 have been paying a lot of attention to this whole area.  
10 In Manitoba, of course, they have reactivated their  
11 lawsuit with respect to the claim that the Manitoba  
12 Federation has launched against the federal government  
13 claiming land in the old postage stamp Manitoba, which  
14 involves a lot of land within the city of Winnipeg.

15                   In Alberta as well we see our brothers  
16 and sisters making progress over there with respect to  
17 the establishment of a land and resource base. They have  
18 not totally withdrawn their 21-year or 23-year lawsuit  
19 which they launched many years ago. They have suspended  
20 it. And meanwhile negotiations have taken place and  
21 legislation has been passed and they have made some  
22 significant progress. But they are still in a position  
23 to reactivate that lawsuit if they are not happy with the



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1 way the negotiations are going.

2                   And as well in the Northwest Territories  
3 we saw our people in what is known as the Sahtu Region  
4 of the Northwest Territories, along with the Dené in that  
5 region, negotiate an agreement with respect to land and  
6 resources which should be introduced in this upcoming  
7 sitting of Parliament. It was a big victory for our people  
8 because they held out and said: "We must be recognized  
9 as Métis people as part of this land claim. Our identity  
10 must be intact." And they accomplished that.

11                   In Saskatchewan we have been very  
12 seriously looking at strategies in terms of moving ahead  
13 on the land front, including the idea and the possibility,  
14 the very real possibility, that we will initiate legal  
15 action in the courts claiming Métis Aboriginal title to  
16 land in Saskatchewan.

17                   I think those developments have to be  
18 kept in mind as well, because those are very real  
19 developments and very real concerns for our people.

20                   As well, we are having a news conference  
21 today at 12:30 here at the Ramada Renaissance on the  
22 question of Métis Aboriginal rights to hunt. There have  
23 been some significant developments in terms of cases at

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1 the court level. Of course there is also the Sparrow case  
2 which went to the Supreme Court of Canada, and there was  
3 another case in Alberta.

4 But in Manitoba one of our own Métis  
5 lawyers defended two Métis people who were charged under  
6 the Wildlife Act in Manitoba for hunting out of season.

7 Both the Provincial Court and the Court of Queen's Bench  
8 agreed that we as Métis people have an Aboriginal right  
9 to hunt and that it is protected in the Constitution of  
10 Canada.

11 Those courts there have said that we have  
12 an Aboriginal right to hunt. It is protected in the  
13 Constitution and they have affirmed those rights to the  
14 courts. So we are having a news conference today at 12:30  
15 with the Métis leaders, plus Lionel Chartrand, a Métis  
16 lawyer who represented those two defendants, to basically  
17 unveil our strategy to assert our inherent right to hunt  
18 as Métis people. I think that is very significant.

19 So apart from the internal developments  
20 I think we are in a political atmosphere where there is  
21 a lot of negotiations and a lot of different developments  
22 taking place.

23 But overriding all that, going back to

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1 my earlier comments, I just want to say again that we find  
2 ourselves in the same situation and that our people have  
3 not been accorded fundamental recognition and respect and  
4 fundamental justice and that we must find solutions --  
5 and sooner rather than later -- to the situation that our  
6 people are confronted with.

7                   That is the task that we have as  
8 representatives in this special consultation in the next  
9 couple of days.

10                   Again I welcome you and I wish you well  
11 in the next couple of days, and I hope that the ideas and  
12 views that we bring forward will be heard by the Royal  
13 Commission and will be reflected in their recommendations  
14 and their final report. I certainly hope, as Father Guy  
15 Lavallée has pointed out, that their report and their  
16 recommendations will be a catalyst and will spur the  
17 federal and provincial governments to action to deal with  
18 us fundamentally as a Métis Nation.

19                   Thank you very much.

20                   **THE CHAIRMAN:** Thank you, Mr. Morin.

21                   Good morning. My name is Jim Bourque.

22 I come from Yellowknife, Northwest Territories. I am  
23 a Métis and I have the tremendous honour of chairing the

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1 session for the next two days.

2 All the words of wisdom have been spoken  
3 so we will move right into the program. As we are running  
4 a little late, we will start with an overview and summary  
5 by rapporteur Mr. Rob Milen.

6 **ROB MILEN:** I thank the Chair and I thank  
7 the Royal Commission for Aboriginal Peoples for inviting  
8 me here today. I look over the assembly here and I see  
9 many warm and special friends, and for those of you who  
10 I know and for those of you whom I shall know I want to  
11 tell you it will be an honour to serve you.

12 These next two days have been structured  
13 in such a way as to be user friendly. There will be at  
14 all times four simultaneous workshops going on to address  
15 five principal key issues with a number of subsidiary  
16 questions.

17 Remember at all times that these  
18 workshops will be user friendly. They will be asking  
19 questions which I shall take you through which you shall  
20 see, as time goes on, that you have the power within you  
21 to answer. This is not something that is going to require  
22 rocket science. These are questions that you have faced  
23 before and these are questions that you know. You will

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1 be assisted by a facilitator in these workshops to help  
2 make things user friendly, facilitators who after each  
3 session will come back and report their findings to the  
4 general session here.

5                   When I think of the kind of work that  
6 you are about to embark on in the next few days I think  
7 of the situation in the late 14th century when a new  
8 permanent structure was built at Oxford University,  
9 including the Great Hall. Almost 500 years later there  
10 was a need to restore the roof of the hall and great oak  
11 beams were needed for replacement. The architect retained  
12 went to the woods behind these buildings at Oxford and  
13 found the oak beams in living trees which had been planted  
14 a century earlier for this purpose.

15                   So an anonymous leader's promise had  
16 been fulfilled. The voice and touch of a distant leader  
17 has been joined with the present. And so today you  
18 continue to build an everlasting house for the Métis  
19 Nation. There are no shortcuts or substitutes for  
20 planning and wisdom and foresight.

21                   I will give you a little example. One  
22 of Bill Clinton's favourite authors is a gentleman named  
23 Max Dupris who tells the story that in every year in April

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1 at the Masters Golf Tournament in Augusta the state of  
2 Georgia tries to set up a workshop, these kinds of things,  
3 a whole week effort to try to entice national and  
4 international industrial business leaders to come to  
5 Georgia with the purpose of bringing more business to  
6 Georgia. And at one of the committee meetings during one  
7 of the years there was discussions on how to best impress  
8 the people that were coming forward. Somebody suggested  
9 that perhaps pink ice should be used in the urinals in  
10 toured facilities.

11 Well, with all due respect and despite  
12 good intentions, does this kind of approach really help  
13 attract more industry to Georgia?

14 You are all dedicated and committed  
15 leaders here. I know many of you very well. I have no  
16 doubt that you will be as good as you can be. My only  
17 word of advice is always try to avoid the pink ice. Pink  
18 ice is no solution.

19 In addressing and solving tough  
20 questions sometimes people can perceive that to be  
21 something very intimidating when they are confronted with  
22 questions because sometimes questions sound very  
23 difficult. But let me suggest to you that you all face

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1 many difficult questions and that there is a need to look  
2 beyond the question and focus on the answer.

3                   Let me give you four examples of  
4 questions that on the face of it appear very intimidating  
5 but they are answers that you will know.

6                   For example, if I was to ask you what  
7 involves an understanding of geometry, spacial relations,  
8 algebra, manual dexterity, strategic planning, an  
9 allotment of resources, that sounds like a tough question.  
10 What is the answer? A Métis parent making a dress for  
11 a child.

12                   If I was to ask the question what  
13 involves an understanding of criminal justice, policing,  
14 the court system, family planning, psychology, education,  
15 sociology and economics, again it sounds like a tough  
16 question. That is Métis parents confronting the court  
17 system when they have a child in trouble with the law.

18                   What involves many chemical processes,  
19 as well as arithmetic, timing, aeration, biology and  
20 behaviour of materials? Again that sounds like a very  
21 difficult question. But when you look behind it, the  
22 answer is a Métis parent following a recipe.

23                   Finally, what involves politics,

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1 economics, kinesiology, game strategy, psychology and  
2 sociology? Again it sounds like a difficult question.  
3 But the answer? Métis children playing baseball.

4                   Today and tomorrow you are going to be  
5 confronted by a number of questions that on the surface  
6 of it look hard and they look difficult. But you have  
7 the power within yourself to answer them. You will find  
8 that as you go through the next two days these are questions  
9 that you have answered. Maybe the questions have been  
10 put in different ways. You will be operating in four  
11 simultaneous workshops with facilitator to assist you,  
12 to assist you in such a way that you can express your answers  
13 to the questions how they are important to you, or how  
14 they are important to your neighbours, or how they are  
15 important to your organization. They will be comfortable  
16 and they will be user-friendly, and you should all expect  
17 to operate and to speak in an environment of mutual respect  
18 and trust.

19                   So as you meet today and tomorrow to  
20 address the issues and answer the questions that affect  
21 your lives, what are the five major questions?

22                   The five major questions are set out in  
23 the first five tabs of the information which you received



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1 upon registration and which you may have not had an  
2 opportunity yet to go through. Let me take them through  
3 briefly.

4                   First, you will deal with questions  
5 pertaining to Métis citizenship and identification in the  
6 Métis Nation, questions such as: What are the criteria  
7 of the Métis Nation for defining Métis people? What is  
8 or are the most appropriate means to consolidate  
9 citizenship of the Métis Nation? What are the major  
10 obstacles in achieving this?

11                   These questions are located in Tab 1  
12 along with some related questions which your facilitators  
13 will discuss with you. There are also some technical  
14 questions and some research which relate to questions  
15 regarding registration and enumeration.

16                   The second question is outlined in Tab  
17 2 and it relates to what are the nature and scope of the  
18 Aboriginal rights of the Métis? What about Métis  
19 Aboriginal land rights? What are the obstacles to  
20 realizing Métis Aboriginal rights? And what is the effect  
21 of the federal government's extinguishment policy in  
22 relation to the Métis?

23                   There are some short background papers

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1 which provide a summary of research work done to date,  
2 more particularly as they relate to Métis land rights.

3                   Take time to read them if you can before  
4 each session. They are not lengthy. They take little  
5 time to read. And they will help you focus and direct  
6 your thoughts.

7                   The third question located in Tab 3  
8 relates to your clear vision of the nature and scope of  
9 Métis self-governing institutions. What are the central  
10 or core jurisdictions? How do these institutions relate  
11 to one another? How should these institutions be  
12 empowered? How will they be financed? What is the role  
13 of a national Métis parliament and what about the role  
14 of a provincial Métis legislative assembly?

15                   There are some short background summary  
16 papers which I encourage you to read because they are truly  
17 excellent. There is a summary of a submission by the Métis  
18 Society of Saskatchewan regarding Métis economic  
19 development issues in Saskatchewan. There is a summary  
20 of a presentation by the Manitoba Métis Federation. It  
21 is a report on Métis self-government initiatives in urban  
22 Manitoba. It looks at representations on city councils,  
23 service delivery, education and training, economic

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1 development, housing, child and family services and  
2 financing. There is a summary of a Manitoba Métis  
3 Federation brief to the Royal Commission on Aboriginal  
4 Peoples and similarly a short summary of a submission by  
5 the Métis Nation of Alberta to the Royal Commission.

6                   There is also some work summarized on  
7 Métis governance in the Mackenzie Valley and Northwest  
8 Territories, as well as some work from the Alberta Métis  
9 settlements on governance.

10                   And lastly there is some work regarding  
11 the work of my former employer the Gabriel Dumont Institute  
12 in Regina. This study is certainly enlightening and it  
13 summarizes how a Métis controlled institution can make  
14 a difference for Métis people through community based  
15 programming and community delivery.

16                   The fourth question in Tab 4 relates to  
17 federal and provincial obligations to Métis people. What  
18 intergovernmental mechanisms need to be put into place  
19 to recognize and affirm these relationships? How can the  
20 Métis Nation Accord be used as a foundation to deal with  
21 outstanding issues here? And extracts of two papers are  
22 included dealing with the issue of federal responsibility  
23 for the Métis.

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1                   The fifth series of questions found  
2 under Tab 5 deal with the reforms necessary, if any, to  
3 recognize the existence of the Métis Nation. What kind  
4 of legislative policy program and fiscal areas are  
5 necessary? And more important, how would recognition of  
6 the Métis Nation be reflected in intergovernmental  
7 structures and processes?

8                   The questions are accompanied by a short  
9 summary of MNC recommendations to the Royal Commission.

10                  I suggest a review is essential before  
11 these questions are considered. It is an excellent  
12 submission and an excellent piece of work by the Métis  
13 National Council.

14                  The sixth tab outlines other  
15 information, short summary, which I think may be beneficial  
16 and useful to you in your discussion. They deal with  
17 issues such as Métis involvement in the Northern  
18 Saskatchewan mining industry, the health and social  
19 services problems of the Métis in Winnipeg, Métis health  
20 issues, problems facing the establishment of an Aboriginal  
21 economic base in Winnipeg.

22                  The report notes that only the Manitoba  
23 Métis Federation has been able to develop an institutional

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1 capacity for economic planning and development backed up  
2 with resources. Overall, this report provides a  
3 statistical profile of the socio-economic conditions of  
4 Aboriginal people in Winnipeg.

5                   And finally there is a short extract of  
6 education and employment conditions of the Métis people.

7                   This sounds like a lot, but they are  
8 questions that you have dealt with. And as I say, you  
9 will be working with facilitators who will help take you  
10 through these questions. So as you continue the work of  
11 building a house for your nation for the future, it will  
12 involve your ongoing collective wisdom, foresight and  
13 planning. You will seek answers to tough questions facing  
14 the Métis, ones which face real solutions, questions which  
15 avoid the pink ice.

16                   So let your promise for the future be  
17 fulfilled. Let others in the future look back on this  
18 day and on tomorrow as the day in which your voice and  
19 your touch join with the future.

20                   I will speak again to you tomorrow at  
21 the close of this great assembly when I have the honour  
22 to sum up your proceedings. I look forward to reporting  
23 to you on the outstanding progress I know you will be

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1 making.

2 Thank you.

3 **THE CHAIRMAN:** Thank you, Mr. Milen.

4 At this stage I would like to invite Tony  
5 Belcourt to give us a review and background of Question  
6 1.

7 After Mr. Belcourt's presentation we are  
8 going to take a short break and hopefully at around 10  
9 o'clock or shortly after we will break into our discussion  
10 groups.

11 I would ask the facilitators Clem  
12 Chartier, Bill Hainault, Garth Wallbridge and Marc LeClair  
13 to help the delegates find the rooms. If we can do that  
14 after the short break, I think that will help us on our  
15 way.

16 I believe all the facilitator have a copy  
17 of the list of delegates and where they are supposed to  
18 be going.

19 Mr. Belcourt.

20 **TONY BELCOURT, Métis Nation of Ontario:**

21 Thank you very much, Mr. Chairman.

22 My task is to give you some food for  
23 thought before we break out to deal with Question No. 1.

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1 Question no. 1 is:

2 "What are the Métis Nation's criteria for defining the  
3 Métis people and what is the most  
4 appropriate means to consolidate  
5 the citizenship of the Métis  
6 Nation? What are the major  
7 obstacles in achieving this?"

8 The Métis Nation has long advocated the  
9 right of the Métis Nation to determine its own citizenship.  
10 Entrenchment of Métis self-identification criteria would  
11 place the definition of the Métis community beyond the  
12 power of politicians to tamper with it. That, therefore,  
13 is an essential goal of the Métis Nation.

14 The Métis Nation Accord confirms the  
15 right of the Métis Nation to define its membership and  
16 sets out criteria for Métis citizenship identification.  
17 Essentially the Accord uses criteria of  
18 self-identification and community acceptance. The MNC  
19 definition put forward during the Canada Round underwent  
20 several wording revisions but is essentially based upon  
21 the criteria of self-identification and community  
22 acceptance.

23 These conditions are consistent with

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1 U.N. criteria set out in the various declarations for  
2 indigenous people, criteria mirrored by the World Council  
3 of Indigenous Peoples as well as the International Labour  
4 Organization.

5                   It is important to note that the MNC put  
6 forward a definition to cover the people of the Métis Nation  
7 only. The definition of the Métis Nation Accord was not  
8 legally intended to define the definition of Métis in  
9 section 35 of the Constitution. People outside the Métis  
10 Nation who considered themselves Métis would not have been  
11 affected by the definition of the Accord for that matter.

12                   The question of definition for us,  
13 especially at a meeting like this, is in itself a difficult  
14 one because, first of all, we hold that we are the ones  
15 who should only be the ones to deal with the definition  
16 of the Métis. When it comes to the definition of the Métis  
17 you have to ask yourselves for what purpose. What is the  
18 context of this definition? Is this definition being used  
19 in the context of land claim settlements? Is it being  
20 used for a Métis Nation Accord? Or what is the context  
21 for this definition?

22                   Dealing with the definition is  
23 irritating to us because it has in fact always been our



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1 experience that it is a way to deflect other issues. We  
2 end up talking about a definition over and over and spend  
3 hours and hours on that and never get on to other issues.

4                   The question of a definition to the Métis  
5 Nation is not an issue. It is only an issue when we are  
6 dealing with other people. In that sense the Royal  
7 Commission could help us to make something clear other  
8 than coming up with a definition that might serve all  
9 purposes.

10                   What is desperately lacking in Canada  
11 is a realization that the Métis are a people. We are not  
12 some biological curiosity. We are a people. The  
13 emergence of the Métis Nation in western Canada is an  
14 historic fact. The Métis Scrip Commissions were an  
15 elemental enumeration which provided a key foundation for  
16 proving the recognition of the Métis.

17                   Today the Métis Nation's national body  
18 is made up of six affiliates. Each has its own way of  
19 expressing who the Métis are. But throughout the Métis  
20 Nation, and therefore embodied within the Métis National  
21 Council, there are three common fundamental elements:  
22 self-identification as a Métis; proven genealogical  
23 Aboriginal ancestry; and community acceptance.

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1                   This is the criteria we use. Proof that  
2 a person is a Métis is likewise straightforward. Those  
3 who are recognized in the Métis Nation are required to  
4 produce historical or legal proof that he or she is Métis.

5       An example of how we deal with that is in this definition  
6 of historical or legal proof which is found in the bylaws  
7 of the Métis Nation of Alberta.

8                   By the way, this is just an example.

9                   Historic proof: evidence of an  
10 ancestor who received a land grant or a Scrip grant from  
11 the Manitoba Act or Dominion Lands Act, or who is recognized  
12 as a Métis in other government, church or community records  
13 or documents.

14                  Legal proof: a statutory declaration  
15 declared by a legally responsible person attesting that  
16 he or she has personal knowledge that a given person is  
17 a Métis, setting out the grounds relied on.

18                  That is an example of how one of our  
19 organizations deals with historic proof and legal proof.

20                  A fundamental tenet of any people who  
21 are self-determining and who have an inherent right of  
22 self-government is that they themselves are the only ones  
23 who can define their citizens. The priority for us is

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1 to facilitate the enumeration of the Métis Nation. The  
2 most appropriate means to consolidate the citizenship of  
3 the Métis Nation in terms of process is to complete an  
4 enumeration and registry.

5                   There are a number of options for an  
6 enumeration: door to door enumeration, snowball method  
7 using lists from Métis organizations, mass mailouts to  
8 households by Canada Post, or a combination of these  
9 methods.

10                   Major obstacles to consolidating the  
11 Métis Nation: persistent inattention to recognizing the  
12 Métis as a people; confusion by others outside the Métis  
13 Nation about definitions which serve to deflect the  
14 question of recognition; lack of a land base and access  
15 to resources; unjust disregard and neglect of our rights;  
16 government predilection for maintaining double standards  
17 in dealing with Aboriginal Peoples; prejudice against the  
18 Métis.

19                   In your kits the staff of the Royal  
20 Commission have put together a number of related questions  
21 on this topic. When you go to your rooms the facilitators  
22 will read these related questions, and they may be helpful  
23 in terms of the discussion as well.

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1                   This concludes my remarks about the  
2 subject that we are to be dealing with this morning.

3                   The process now is for everyone to take  
4 a break and to go then afterwards to the meeting rooms  
5 which are outside, which are all on this floor. The  
6 delegate lists for each one of the breakout rooms is also  
7 outside so you will know which room you are to go to.

8                   Thank you, Mr. Chairman.

9                   **THE CHAIRMAN:** Thank you, Mr. Belcourt.

10                  There is one change. Mr. Bernie Wood  
11 will replace Clem Chartier as facilitator this morning.  
12 Clem will provide another function later on this morning.

13                  As Mr. Belcourt said, all the lists are  
14 posted on the doors of each room. The four rooms are on  
15 this floor. That is Salon C, Naples, Florence and Venice.

16                  If you check on the doors, your name will be there. If  
17 you need any assistance, I would encourage you to call  
18 on your facilitators.

19                  The discussion sessions will be in place  
20 and the discussions will be from 10 o'clock to 12 o'clock,  
21 at which time the plenary reconvenes here to hear the  
22 facilitators' reports. We will break for lunch at 12:30  
23 to 2 o'clock and reconvene here at 2 o'clock.

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1                   We will adjourn this plenary now until  
2 12 o'clock.

3 --- **Hearing adjourned for breakout discussions at**  
4       **9:50 a.m.**

5 --- **Upon resuming at 12:15 a.m.**

6                   **THE CHAIRMAN:** Welcome back. Are the  
7 facilitators prepared to report?

8                   Mr. Wallbridge.

9                   **GARTH WALLBRIDGE, Métis Nation of the**  
10 **Northwest Territories:** Thank you, Mr. Chairman.

11                   The process we had decided upon to report  
12 back to this group coming out of these four smaller groups  
13 was to have one of the facilitators -- and they will change  
14 for each of the five sessions -- come back and give a report  
15 on what happened in their group.

16                   At the same time we were hopeful -- and  
17 we managed to do a part of that in the last few minutes  
18 -- to input some material into my presentation from the  
19 other groups. Despite that, when I am finished I would  
20 expect that the other three facilitators might stand up  
21 individually and bring forward some ideas that have not  
22 been captured here that were specific to their group.  
23 We thought that would be best.

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1                   One thing that does is that all four  
2 facilitators will not be giving a full report, because  
3 we are quite certain that many of the same themes will  
4 follow through.

5                   Moving into the report itself, right off  
6 the bat we decided that we had to recognize that there  
7 were some Métis people who were not represented at this  
8 event today and tomorrow, and that is the people from  
9 Labrador, Atlantic Canada and Quebec. We accepted that  
10 this was the Métis National Council's Special Consultation  
11 and that those people were not here. I can tell you  
12 that some of the other groups decided amongst themselves  
13 in their sessions that in fact those people were not Métis.  
14 So I may ask after I am finished that some of the background  
15 material on that may be presented by the other  
16 facilitators.

17                   We moved from there to deciding as a  
18 group collectively -- a consensus was reached -- that the  
19 Métis people themselves had a right to define who they  
20 were; that the Métis people are obviously a distinct  
21 Aboriginal people and that it was their right to come up  
22 with that definition. There was a lot of discussion about  
23 how in the past governments and other groups had come up

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1 with definitions and that was not to be the case in the  
2 future but rather the Métis people had that right.

3                   One of the components of definitions was  
4 that as contained in the Métis Nation Accord, and the  
5 reference there typically is to the territorial and  
6 provincial organizations that make up the membership of  
7 the Métis National Council.

8                   In terms of identity a Métis person, it  
9 was agreed upon amongst the group that there were four  
10 components to identify who was a Métis. We added one from  
11 the normal three, which are the first three that I will  
12 get into.

13                   The first one is self-identify. A  
14 person who has inherited and does in fact self-identify  
15 as a Métis is number one. Second was community acceptance.  
16 There was an expressed need to define the community.  
17 The third one was Aboriginal heritage, and there was no  
18 need felt to define exactly what that might mean, certainly  
19 nothing to do with percentages of blood.

20                   The fourth one was taking it a little  
21 further from the idea of the community, needing to define  
22 what the community is. Our group felt very specifically  
23 that the community was defined as being at the local level,

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1 be that the locals as we define them within the various  
2 Métis organizations which typically represent, for  
3 instance, in the city just a small portion of the city;  
4 more typically in a small village or hamlet the local  
5 organization. That is the community. It was not felt  
6 that that was the responsibility in terms of, for purposes  
7 of definition, coming up with a regional or national  
8 community from which to define that community acceptance  
9 aspect.

10                   We move from there to agreeing, I think  
11 unanimately, that something that has been requested by  
12 the Métis National Council that was a part of the Métis  
13 Nation Accord, being a registry and enumeration -- more  
14 properly, I suppose, those would be the other way around;  
15 that an enumeration of Métis people across the country,  
16 across the Métis homeland, was necessary and that from  
17 there would form the basis for a registry system that could  
18 be built upon over time and expanded so that there was  
19 some document, some place where people were properly  
20 recognized and so they do not fall through the cracks.

21                   Moving from there, we decided that we  
22 had to decide what was the purpose of defining Métis.  
23 There were many items that were discussed including



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1 self-government negotiations and actual self-government,  
2 citizenship within the Métis Nation. The third item was  
3 for the purposes of land claims. Then there were benefits  
4 such as education, tax exemptions.

5                   The last item that we discussed  
6 specifically under the purposes of definition was to ensure  
7 the hunting and fishing rights.

8                   We moved from there to discuss the Métis  
9 Nation, that in fact there is a concept of nationhood.  
10 There is the homeland as we Métis people refer to it that  
11 matches with the definition of the groups within the Métis  
12 National Council's provincial and territorial  
13 organizations.

14                   We spoke about the rights of citizenship  
15 within the Nation in terms of how those would be defined.

16                   One component of that which was brought  
17 up very properly and strongly was the role of women and  
18 how they fit into that.

19                   Some of the components of nationhood  
20 that we felt were those common elements that defined the  
21 Métis Nation included a common history, a flag, other  
22 symbols of culture, the need for enabling legislation,  
23 a constitution, and that that in fact could be a document

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1 created by the Métis Nation, political development. It  
2 included the evolution of the Nation, the expansion of  
3 the Nation.

4 I notice in my notes that there are some  
5 comments from the other facilitators and I will go through  
6 them, although we may get another report from them.

7 The other groups spoke about the  
8 recognition within that concept of nationhood or the dual  
9 biological origin, material culture, symbols, and the  
10 legal factors linked to land rights based on the Dominion  
11 Lands Act and the Manitoba Act.

12 From there and getting back specifically  
13 to our group, we had one of the delegates indicate to us  
14 that from those components of nationhood indeed the first  
15 recognition of Aboriginal people by the Canadian  
16 government in western Canada was in fact in the Manitoba  
17 Act where the purpose was to settle. The word "treaty"  
18 was used in that document. It was to settle with the half  
19 breeds.

20 A couple of ancillary items we  
21 discussed. We had someone at our table from the Métis  
22 settlements. They have a very comprehensive agreement  
23 in place now, a self-government agreement. What they did

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1 in terms of defining their membership -- that was their  
2 second step. Their first step -- and it was urged upon  
3 those of us in the Métis Nation that we ought to strongly  
4 consider pursuing the same process -- was to get the rights  
5 recognized first -- and that was the right to define who  
6 you are, amongst others -- and then to actually go out  
7 and define it. Rather than ask to define, which is  
8 something so often asked of Métis people -- rather than  
9 define first who we are with a view that someone then might  
10 agree, another level of government might agree, here it  
11 was felt that in the Métis settlement situation they had  
12 the rights recognized and then they went out and defined  
13 who they were.

14 My final point was someone else from the  
15 Métis settlement area who was concerned about the  
16 exclusionary process by which some Métis organizations  
17 define who are their citizens. That was a concern in terms  
18 of all nations have a right to define who they are, but  
19 it was felt by this one person that perhaps we need to  
20 be more inclusionary rather than exclusionary.

21 Those are my remarks. There are three  
22 other facilitators and I am assuming they are all in the  
23 room. Specific items that I have not mentioned or that

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1 need elaboration from what your groups discussed would  
2 be appropriate at this point.

3                   Bernie, I see there is a microphone in  
4 front of you if there is anything that you might like to  
5 add to that.

6                   **BERNIE WOOD, Manitoba Métis Federation:**

7                   No. I think you have pretty well covered it all.

8                   **GARTH WALLBRIDGE:** Bill, are you here?

9                   **BILL HAINAULT, Métis Nation of Alberta:**

10                  Just a few things.

11                    Aside from what you have pointed out,  
12 our group particularly from the Métis participants did  
13 express a fair amount of frustration at even being asked  
14 to define who we are. They really felt that we are a people  
15 and therefore we did not have to define who we are; we  
16 know who we are.

17                    They also felt that our identity comes  
18 from our communities and from being born as Métis and living  
19 in our communities and how we grew up and that that identity  
20 will be carried wherever we go; it is mobile. Therefore,  
21 there does not need to be any type of a regional type of  
22 definition or a national definition but that it is  
23 community driven.

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1                   There was also some suggestions as to  
2 what the Royal Commission could do with regard to the first  
3 question and I think the suggestion was that they could  
4 play an educational role in terms of rather than focusing  
5 on trying to define who the Métis are and what the obstacles  
6 to consolidating the Métis citizenship was, they could  
7 point out some of the positive things or models, such as  
8 the Métis settlement model, things like that. They should  
9 play more of an educational role in terms of the first  
10 question.

11                   Third, I would like to point out that  
12 there were some recommendations that in terms of Question  
13 1 maybe the Métis National Council itself should adopt  
14 a Métis Citizenship Act and use that as a means of getting  
15 over this stalling tactic that some people felt was being  
16 put in place of the Métis in terms of trying to define  
17 us.

18                   Those are some of the other points that  
19 came out of our group.

20                   **GARTH WALLBRIDGE:** Thank you, Bill.

21 There is one other facilitator here, Marc LeClair.

22                   **MARC LECLAIR, Métis National Council:**

23 Again, Garth, there was a strong feeling that the Métis

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1 have the right to define their own citizenship. But when  
2 we got past that question and got into the elements,  
3 self-identification was critical, universal. And  
4 community acceptance was the other key factor.

5                   Where we started to go there was to  
6 define what are the boundaries of the community, and we  
7 got into things like whether or not Atlantic Canadian  
8 people out there who self-identify as Métis are part of  
9 our community or not. We discussed that.

10                   We talked about the frontier on the  
11 Indian side and the problems that have been caused on that  
12 side of the community with Bill C-31 and we got into a  
13 bit about some people who have always been Métis,  
14 self-identified as such, culturally participate in the  
15 organizations, yet they have taken advantage of the  
16 opportunity to register as C-31 Indians for the purpose  
17 of benefits. We talked about those people a little bit.

18                   But there was one point that was very  
19 important and it dealt with the shifting of identity to  
20 meet the needs or to take advantage of a certain situation.

21                   One of the very important points was that if there were  
22 a level playing field of rights, of benefits, and so on,  
23 there would not likely be the shifting of identity and

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1 that we would more likely come up with a much clearer  
2 concept of what Métis meant.

3                   Again we, like the others, said that  
4 because of the cultural mosaic of Métis it was better for  
5 the local association or the community, the community at  
6 the grassroots level, to be involved in determining who  
7 was accepted by the community. That was important.

8                   The issue of exclusion also came up.  
9 I guess once you accept the fact that you are defining  
10 a nation as a group, there are going to be exclusions.  
11 We talked about whether or not certain individuals who  
12 are part of the historic Métis Nation could identify with  
13 other people from outside that historical reality and  
14 whether or not they were one and the same.

15                   But a good part of the solution for  
16 everybody was that we need to get on with the enumeration  
17 and the registry. And I think there is quite a degree  
18 of sympathy for ensuring that nobody is excluded. That  
19 was the biggest overriding concern, that people ought not  
20 to be excluded. I don't know that it was voiced but in  
21 most of the orientation the question is whether or not  
22 it is being too restrictive. That was the nature of the  
23 concern, the sort of latent concern in the group, that

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1 people not be excluded.

2 I think that is about it, Garth.

3 **GARTH WALLBRIDGE:** Thank you, Marc.

4 Mr. Chairman, that would complete the  
5 facilitators' reports.

6 **THE CHAIRMAN:** Thank you very much, Mr.  
7 Wallbridge.

8 We are starting to slip into our lunch  
9 time, but before we break for lunch I would like to take  
10 this opportunity to thank you for the way in which you  
11 went to your rooms. I think we lost about eight minutes,  
12 by my calculation, from the time we were supposed to be  
13 in the rooms and the time you were really there.

14 It is no use for me to tell you how  
15 important it is for you to get there on time. This is  
16 a very important issue and we should take every opportunity  
17 we can to be there on time and to do the kind of work that  
18 has to be done to finish this exercise.

19 We are going to break for lunch and we  
20 will be back here at 2 o'clock. At 2:15 we go to our rooms  
21 again. We will be finished at 4 o'clock and back here  
22 at 4 o'clock to listen to our rapporteur.

23 I think Commissioner Chartrand has a few



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1 words to say.

2 **COMMISSIONER PAUL CHARTRAND:** Mr.

3 Chairman, I would like to make a very quick comment on  
4 a mistake of fact that was reported from one of the groups.

5 If I heard you correctly, in reference  
6 to the Manitoba Act, the Constitution of Manitoba, the  
7 argument was made that it was a treaty, I presume, and  
8 your statement is that the word "treaty" is used in that  
9 document.

10 I think that is a mistake of fact. I  
11 have more than a passing acquaintance with the document,  
12 and if someone can show me the word "treaty" in it I would  
13 be happy. I think the argument can be made that it might  
14 be a treaty for some purposes, but I think that argument  
15 cannot hang on the express term itself.

16 I just wanted to mention that.

17 **THE CHAIRMAN:** Thank you.

18 Mr. Wallbridge?

19 **GARTH WALLBRIDGE:** Thank you, Mr.

20 Chartrand. I may have misunderstood and the notes may  
21 have been incorrect on the word "treaty". I am not  
22 certain. One of the delegates, I believe, had used that  
23 word.

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1                   **THE CHAIRMAN:** One other announcement.  
2     Dinner will be served at 7:30 and I believe there is a  
3     limit to how many people can attend the dinner. All the  
4     other people at this gathering are welcome to attend the  
5     cultural event starting at 9 o'clock.

6                   I hope to see all of you back here at  
7     2 o'clock so we can get on with business. Thank you very  
8     much for your patience.

9     --- Luncheon recess at 12:35 p.m.

10    --- Upon resuming at 2:10 p.m.

11                   **THE CHAIRMAN:** Ladies and gentlemen, if  
12    you would take your chairs we will get on with this  
13    afternoon's program.

14                   I will ask Clem Chartier to give us an  
15    overview background on Question 2.

16                   **CLEM CHARTIER, Métis Society of**  
17    **Saskatchewan:** Thank you, Mr. Chairperson. Good  
18    afternoon.

19                   The question is contained in Tab 3 of  
20    your briefing book. It is called "Fundamental Question  
21    Number Two".

22                   I should say that it is crafted in a way  
23    that you would think it is a lawyer's conference, but as

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1 Rob mentioned this morning you know the answers to these  
2 questions and I think you will have to discuss them in  
3 your own way in the workshops.

4 The question is:

5 "What are the nature and scope of Métis Aboriginal rights,  
6 particularly rights to land? What  
7 are the obstacles to realizing  
8 these? What is the effect of the  
9 federal government's  
10 extinguishment policy in relation  
11 to the Métis? What is the  
12 significance of the doctrine of  
13 extinguishment for Aboriginal  
14 self-government and other rights  
15 such as hunting, trapping and  
16 fishing?"

17 So you can see it is a very extensive  
18 and very broad question. One of the things you may want  
19 to discuss is what in fact does Métis Aboriginal rights  
20 mean to you? What does it mean and what does it cover?  
21 What is its nature and its scope? You may want to  
22 emphasise it with respect to land or you may want to look  
23 at land related resources as well, or rights, such as

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1 hunting, trapping or fishing rights, gathering rights.

2                   There was a press conference here during  
3 the noon hour with respect to a recent Court of Queen's  
4 Bench decision in Manitoba centred around the issue of  
5 hunting. You may want to discuss that some more and what  
6 does that mean to you or to ourselves in the community.

7                   You may also want to talk about what are  
8 some of the obstacles for us realizing our Aboriginal  
9 rights to land as well as hunting, trapping and fishing,  
10 or with respect to our Aboriginal inherent right of  
11 self-government. That is something else you may want to  
12 discuss in terms of child welfare, justice issues.

13                   It is quite broad.

14                   There is the whole topic of  
15 extinguishment, and I suppose a whole session could be  
16 devoted to that particular topic. But has in fact the  
17 policy of extinguishment by the government operated so  
18 as Métis Aboriginal rights or title to land have been  
19 extinguished, or that hunting and trapping rights have  
20 been extinguished? Has in fact our inherent right of  
21 Aboriginal rights been extinguished? That is the question  
22 that is being posed.

23                   In the background it basically states

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1 that there has been in terms of land an historical  
2 relationship between the Métis people and the Government  
3 of Canada. It says that the Métis state that there has  
4 been a fiduciary responsibility -- in other words, kind  
5 of a trust responsibility -- between the federal government  
6 and the Métis and that in fact that obligation or duty  
7 on the part of the federal government to ensure that the  
8 Métis retained a land and resource base has not been  
9 honoured; that it has been broken by the government; that  
10 the provisions under the Manitoba Act for 1.4 million  
11 acres, or some such number for the Métis has not been lived  
12 up to; it has been undermined. People may want to discuss  
13 the Manitoba court case that is currently in the Court  
14 of Queen's Bench in Manitoba dealing with the  
15 unconstitutional action of the government in terms of the  
16 Métis land base in Manitoba.

17                   For the rest of the Métis outside of that  
18 original province of Manitoba, which is 150 miles by 50  
19 miles -- what is known as the postage stamp province --  
20 the Dominion Lands Act provided for dealing with Métis  
21 land rights. You may want to discuss that, particularly  
22 those that may be aware of the Scrip system, and see if  
23 in fact that system did extinguish the land rights of the

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1 Métis. Did it extinguish the Aboriginal title of the Métis  
2 to land? Did it go even further and extinguish the  
3 Aboriginal rights of the Métis to all these other things  
4 like the inherent right of self-government, the right to  
5 hunt, trap and fish?

6                   There are related questions. There is  
7 terminology used in this one-page document. It contains  
8 a lot. It is an important page. I am not actually sure  
9 who drafted it up so I can't ascribe any motives to anybody,  
10 because I don't know who the author was.

11                   In dealing with terms and concepts it  
12 is very important what terminology we adopt to use. In  
13 here there are several that jump out at least at me.

14                   The first one is: What are the nature  
15 and scope of Métis Aboriginal rights? It connects  
16 Aboriginal right to Métis or Métis to Aboriginal rights.

17                   Later in the first paragraph, the first  
18 related question states: What is the nature of Métis  
19 title? Is that different than asking what is the nature  
20 and scope of Métis Aboriginal rights?

21                   What is Métis title? I guess that is  
22 something we have to come to grips with.

23                   For those who are familiar with court

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1 cases, in the past courts have used terminology such as  
2 "Aboriginal title", "Indian title" or "native title" to  
3 describe what it is that the indigenous or Aboriginal  
4 Peoples have in terms of rights to land. Those three terms  
5 have been used interchangeably. But nowhere has "Métis  
6 title" been used, at least up to this point in time.

7 Does that introduce a new concept? Is  
8 somehow the title to land that the Métis have different  
9 to Indian title or Aboriginal title or Native title that  
10 the Inuit and the Indian people have? That is something  
11 that has to be looked at, I think.

12 Then there is a question: "Is Métis  
13 title separate and distinct from Indian title?" There  
14 again, as I stated, the courts have been using "Indian  
15 title" interchangeably with "Aboriginal title". Are we  
16 going to start using "Indian title" as something different  
17 than "Aboriginal title" and do we have Aboriginal title  
18 and not Indian title?

19 These are the kinds of questions that  
20 we have to look at.

21 I suppose one of the reasons that this  
22 is on here, it is probably a joint agreement between the  
23 Métis National Council and RCAP, I would think. And I

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1 would think RCAP has put it on here to try to get to the  
2 issue of: Are they in fact distinct? And I guess the  
3 MNC wants to address that issue.

4 I know personally that this question is  
5 important because some of us in the Métis National Council  
6 have been made privy to some of the Indian people within  
7 the Royal Commission in the policy development field that  
8 are coming forward with this new -- well, I don't know  
9 if it is new, but are coming forward with this proposition  
10 that Métis title is inferior to the title held by Indian  
11 people; that the title to land has to be dealt with between  
12 the Indian people first and the Crown, and once that is  
13 done then the Crown can deal with the Métis people and  
14 come to agreements with the Métis people. But even before  
15 anything is concluded it still has to have the recognition  
16 and consent of the Indian people.

17 That is a concept that is newly being  
18 developed and it is finding its way in the Royal Commission.  
19 Do we as Métis people accept that or do we have something  
20 else to say on this matter?

21 It is important that we discuss this.

22 In terms of title, in the research that  
23 we have done in the past there are orders in council and



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1 other documentation in the late 1800s that state that  
2 Indian title -- not Indian title, but state that Indian  
3 and Métis rights are co-existent and that you can by treaty  
4 extinguish or deal with the Indian title put forward by  
5 the Indian people, but if you don't deal with the Métis  
6 then the Métis right of Indian title continues to exist  
7 and has to be dealt with.

8                   The point there is it states that they  
9 are co-existent. "Is one stronger than the other" is the  
10 question we have to ask.

11                   In the Métis homeland, the traditional  
12 homeland of the Métis, at the current time the Indian  
13 peoples have entered into treaties. And if in fact the  
14 government is right -- and I don't know that they are and  
15 I am not saying that they are -- they have stated that  
16 Indian people have extinguished their title to the lands  
17 by treaty. If they are right, then of course it does not  
18 leave any conflict where we say that as Métis our rights  
19 have not been dealt with yet.

20                   Again that is another thing that we have  
21 to look at.

22                   There are of course various pieces of  
23 legislation that apply to the Métis homeland. I mentioned

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1 the Manitoba Act earlier. The Manitoba Act is part of  
2 the Constitution. It was constitutionalized in 1871.  
3 There is a constitutional right.

4                   The Dominion Lands Act, for those who  
5 are not aware, is a piece of federal legislation that was  
6 passed by the Canadian Parliament. That is different than  
7 the Manitoba Act because one is part of the Constitution  
8 and the other one is mere federal legislation. So that  
9 has some bearing.

10                   There are arguments, however, put  
11 forward by Métis scholars and other lawyers that in fact  
12 the rights of the Métis outside of Manitoba have also been  
13 constitutionalized through section 146 of what was known  
14 as the British North America Act of 1867, which is now  
15 the Constitution Act of 1867, where it provided for  
16 admitting the Rupert's Land and North-Western Territory  
17 into confederation and that the order as passed and  
18 addresses under it would be deemed to be part of the  
19 Constitution. Of course the Rupert's Land Order in 1870  
20 provides for dealing with the interests of the Aboriginal  
21 Peoples.

22                   So there is an argument that the rights  
23 of the Métis and Indian people covered by the Rupert's

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1 Land and North-Western Territory Order have become  
2 incorporated into the Constitution and therefore have the  
3 status of a constitutional right.

4 That is another argument, but that is  
5 more of a technical nature.

6 We have to look at that and we have to  
7 look at obstacles as well. Is the fact that the federal  
8 government treating the Métis as a political football with  
9 the province is an obstacle? Is it an obstacle that they  
10 say we are not covered by 91(24), which is going to be  
11 another question dealt with later?

12 This comes to the last thing that I want  
13 to mention, which is that the Métis, except basically for  
14 the Métis in the Northwest Territories, are excluded from  
15 the land claims processes. We are excluded from the  
16 comprehensive claim except for the Métis in the territories  
17 on a federal opinion of 1981, which basically some of us  
18 feel was not a justified one and was premature, stating  
19 that whatever rights or title we have to land have been  
20 extinguished.

21 We do not believe that that is correct,  
22 and we believe that was a premature opinion on the part  
23 of the Federal Justice Department. As a consequence, we

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1 cannot access the comprehensive claims. There is a  
2 specific claims process but that is limited to only bands,  
3 to Indian people, under the Indian Act. So we are excluded  
4 from that process.

5                   About two years ago an Indian Claims  
6 Commission was set up to deal with refusals under the  
7 specific claims. Again, it is only dealing with Indian  
8 people and with bands so there again we are excluded,  
9 although under specific claims and under the Indian claims  
10 basically the federal government are saying that they are  
11 prepared to deal with Indian peoples whose rights have  
12 been extinguished but where they have been treated unfair.

13 I suppose the reason they are willing to do that is because  
14 those people fall within section 91(24) of federal  
15 jurisdiction and authority. If we were to fall under  
16 91(24) as well with the federal government, even if they  
17 maintained that our rights were extinguished if they are  
18 going to deal with this unfairness or unjust proposition,  
19 would they be willing to re-look at the Métis in terms  
20 of land and resources?

21                   That is another question. Is that an  
22 obstacle?

23                   There is a whole range of other questions

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1 that I think you could come up with as you are discussing  
2 this in your working groups.

3 That is it, Mr. Chairman.

4 **THE CHAIRMAN:** Thank you very much, Mr.  
5 Chartier.

6 The facilitator for this afternoon's  
7 workshops are Bill Hainault, Garth Wallbridge, Marc  
8 LeClair and Tony Belcourt.

9 We will break out now into our working  
10 groups. You know the rooms. We have put bigger signs  
11 up and it would be great if you could report back here  
12 at 4 o'clock so we could get on with the program.

13 Is there a question?

14 **DAVID CHARTRAND:** Mr. Chairman, I have  
15 some concern here with respect to if we are allowed to  
16 still discuss the morning session dealing with  
17 enumeration. There is an issue that has caused me some  
18 questions in respect to if that particular process is going  
19 to be followed I heard the individual who gave sort of  
20 a briefing of what took place use the term "consensus"  
21 quite often.

22 The concern that I have is that there  
23 is an issue that is arising throughout that morning

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1 session. When I heard the potential concern of Métis that  
2 may not belong to the particular Métis homeland or may  
3 not belong to certain parts of the province and may not  
4 fit the criteria.

5                   The concern I had is if we are to look  
6 at that enumeration process that they put in place and  
7 if the issue is that the Métis National Council would be  
8 the ones who would facilitate the entire process and are  
9 the ones that the Royal Commission would take forward as  
10 a body that is accepted by the participants as a whole,  
11 my concern is that if they are to run it, what happens  
12 to individuals who do not support the Métis National  
13 Council? Do they then get left out of enumeration?

14                   Right now I am not in any way a politician  
15 for my province, an advocate for the Métis people of my  
16 province. I first of all was not invited here. I am just  
17 in fact invading your meeting. But I am quite concerned  
18 with respect to the constitutional issues that are  
19 occurring within our own organization.

20                   If that is the case, my concern was if  
21 the Métis National Council -- which I do support at this  
22 point in time but I do have a lot of reservations about  
23 their constitution and the future, where they are going.

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1 I, however, have concerns on the delivery. This was never  
2 discussed at all this morning, how this particular process  
3 would take place.

4 Are we allowed to still discuss this  
5 somewhere along the line?

6 Even listening to Clem, I almost asked  
7 Clem to repeat himself after he introduced himself. What  
8 did he say? There is a cumbersome amount of issues here  
9 and to try to deal with everything in half a day is going  
10 to be quite difficult.

11 Are we allowed to bring that particular  
12 topic back to the floor at some time? I don't want to  
13 leave here without voicing my position that I am concerned  
14 on some issues and then all of a sudden it is left that  
15 there was a consensus that we accepted that the Métis  
16 National Council would run it their way. As I indicated,  
17 I do have a concern in the operation of their way at this  
18 point in time, as a Métis person from my province.

19 I am just trying to see if there is a  
20 possibility that we are allowed to bring these back to  
21 the floor, or what?

22 **THE CHAIRMAN:** We are trying to make  
23 room for a period where there can be questions generally

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1 from the floor. I talked to someone about it this morning  
2 before lunch. As you see, our schedule is fairly tight  
3 and I think we have to touch on every one of these issues.

4 But also I think it would be appropriate  
5 to have some time set aside to be able to address questions  
6 from the floor.

7 What I am going to ask is that we now  
8 break into our workshops to deal with Question no. 2 and  
9 that we start tomorrow morning at 8:00 and work a little  
10 longer than we anticipated.

11 **BILLYJO DE LA RONDE:** Mr. Chairman, just  
12 a reminder of this question that you are sending us out  
13 to discuss.

14 I would like your opinion on what do you  
15 think of Pejeeto Lake? What do you think of Pejeeto Lake?

16 Exactly my point.

17 Who in the hell knows what section 91(24)  
18 or 35(1) means here? What we should be discussing at this  
19 workshop is questions that are fundamental to what we need  
20 as Métis people. We have experts, both Métis and  
21 non-Métis, to discuss issues like 91(24) and what those  
22 rights mean. I think what we should expand here is what  
23 do we as Métis people want.



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1                   **THE CHAIRMAN:** I was under the  
2 understanding that the Métis National Council had some  
3 input on the questions posed before you. So I think we  
4 will stick to that agenda.

5                   Thank you very much.

6                   We will break now until 4 o'clock and  
7 be back here then. We will try in the meantime to make  
8 up time and have a period where we can have some discussion.

9                   **--- Hearing adjourned for breakout discussion at**  
10                   **2:35 p.m.**

11                   **--- Upon resuming at 4:25 p.m.**

12                   **THE CHAIRMAN:** Let's reconvene this  
13 plenary. Are the facilitators ready to report?

14                   Mr. Wallbridge, please proceed.

15                   **GARTH WALLBRIDGE:** Thank you, Mr.  
16 Chairman.

17                   The group of facilitators as we were  
18 meeting over the last few minutes in trying to pull together  
19 a summary of what the general consensus amongst the group  
20 was, we had a lot of difficulty in doing that because in  
21 fact it would appear that most of the groups went off in  
22 fairly noticeably different directions. We have been able  
23 to pull together a bit of a summary.

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1                   As I did this morning, I will give  
2 comments that were specific to the group that I was in  
3 and at that point ask the other facilitators to go from  
4 there as need be.

5                   The source of the right was discussed  
6 in most of the groups. Initially, it is felt that that  
7 right is based on Indian ancestry by some of the people.  
8 Components of the source include long-term occupation  
9 of land, the practise of politics, nationhood. All that  
10 goes into the concept of being a nation.

11                   The question in one of the groups was  
12 raised: Was it from European or Indian heritage? And  
13 in fact it was decided that that is not the question to  
14 be asked even; rather, it is from a distinct Aboriginal  
15 heritage.

16                   One of the group suggested that there  
17 is no question within the Commission that the Métis are  
18 an Aboriginal people, but it is a question as to whether  
19 in law and policy the Métis are accepted as an Aboriginal  
20 people.

21                   More on sources included the standard  
22 recognized legislation, the Manitoba Act, the Dominion  
23 Lands Act, the treaties. In the end the multiplicity of

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1 sources is I think the most common theme that went through  
2 the four groups.

3                   The people in most of the groups, as I  
4 understand it, moved from there to dealing with the idea  
5 that the actual exercise of the right depends on a number  
6 of different things. Once you get to that point then it  
7 becomes a question of trying to articulate what the nature  
8 of those rights are.

9                   A full and all encompassing bundle of  
10 rights, as it was put in one group, and not only is it  
11 a full and all-encompassing bundle of rights, but it is  
12 up to governments who might try to deny that those rights  
13 exist to prove that they don't, or that any specific one  
14 does not; rather, we say we have the rights. That's it,  
15 unless someone cares to prove otherwise.

16                   The rights to self-determination as a  
17 self-determining people are established in international  
18 law, and it is to international law that the Métis people  
19 can reasonably look to be able to help articulate the  
20 rights.

21                   The list of rights is so extensive, or  
22 more correctly is so all-encompassing, that there is no  
23 need to list them. They are simply there. So rather than

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1 have a Charter of Rights, a listing of rights, it just  
2 enough to say that they exist. We just know what they  
3 are.

4                   Some of the rights, a part of the nature  
5 of those rights is recognizing that they are both in some  
6 instances individually and collectively held, not based  
7 on historical analysis of how in Métis communities it was  
8 acceptable and the standard, the norm, to own both land  
9 by yourself individually and there was also collective  
10 land, not unlike most other societies.

11                   One of the groups spoke of the  
12 territorial dimension of a hunting right and that is a  
13 question that needs to be answered: how portable it is  
14 outside of the traditional territory.

15                   In the group I was in it was suggested  
16 -- and I suppose in a like nature to an event that happened  
17 here at lunch time -- in terms of hunting rights that  
18 co-management agreements would be a good way to deal with  
19 hunting rights today.

20                   Some people suggested that the right to  
21 hunt for Métis people is more limited in terms of  
22 geographically. Some suggested that it might be  
23 throughout the homeland as we know it from a part of Ontario

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1 west through B.C. and up into the Northwest Territories.  
2 Others suggested that that right geographically might  
3 not be restricted at all but rather be one that could  
4 reasonably be said to exist for Métis people throughout  
5 the entire country of Canada.

6                   The issue of extinguishment of rights  
7 as it was put in one of the questions intended to initiate  
8 discussion, the point was brought up that the Royal  
9 Commission has already said that there is an inherent right  
10 to self-government. It has not been extinguished. It  
11 is existing and applies to the Métis.

12                   In the group that I was in, when people  
13 talked about extinguishment and what the consequences are,  
14 it was felt at the present time the policy of extinguishment  
15 as would be set out by the position of the federal  
16 government has resulted in poverty and a lack of  
17 opportunity.

18                   The idea of the fairer treatment model  
19 was discussed in different fashions. In 1870 it was set  
20 out that the Métis people were entitled to fair treatment.

21 As of today this has yet to be accorded, and it must be.

22 It is simply a question of equity of fair treatment.

23 Fairness equates to achieving a position in society as

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1 would have been achieved if the original deal were to be  
2 honoured.

3                   The point was raised that the fair  
4 treatment included treatment perhaps the same as a company  
5 was given -- and that company was the Hudson's Bay Company.

6     And by comparison to the deal that the Hudson's Bay Company  
7 got in 1870, the deal that the Métis got and the fact that  
8 it has not yet been honoured shows that there certainly  
9 was not fair treatment.

10                   From there, if you want to characterize  
11 it in another fashion, there is unfulfilled contractual  
12 obligations. One of the lawyers raised the idea that there  
13 of course was no informed consent. That is an issue that  
14 has been raised many times in discussions of the treatment  
15 of Aboriginal people and their rights in various forms  
16 in this country.

17                   It was felt at this point in time by some  
18 of the people it is necessary that Métis people simply  
19 assert our rights. There is a discussion ongoing as to  
20 how that should be accomplished, but the feeling was at  
21 the same time it might be best to negotiate that there  
22 was perhaps the need to simply go out and do certain things.

23                   A specific comment that one of the

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1 delegates raised was that in his opinion and for the people  
2 that he represents a third order of government, Aboriginal  
3 self-government, is not the answer for fear that all that  
4 happens then is the bureaucracy has been changed to a broad  
5 bureaucracy. And it is felt that that would not  
6 necessarily be a good choice.

7                   From a present legal standpoint within  
8 the various geographic areas within the homeland, the  
9 provinces and territories, the issue was raised that the  
10 need to get out from under provincial and territorial  
11 societies acts is a first step just by virtue of the fact  
12 that no longer are some Métis people prepared to accept  
13 that they must organize themselves under someone else's  
14 law.

15                   It was I think generally agreed that  
16 self-government is envisioned in many different ways but  
17 in a general sense that it will be exercised by way of  
18 control at the community level -- and the community meaning  
19 just that, a particular town, whatever. So the control  
20 is there. But despite that, or in addition to that more  
21 correctly, there would be the organizations that exist  
22 today, such as the Métis Nation of the Northwest  
23 Territories and the Métis National Council, with a view

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1 to dealing with bigger issues than can reasonably be dealt  
2 with at the community level.

3 I have two final comments. One comment  
4 to attribute to one of the delegates is that the Métis  
5 rights together, all encompassing, would be as follows:  
6 a right to the traditional land base and to a new way  
7 of life on a land base with resources, education, economic  
8 development, all of this through self-government at the  
9 individual community level where the control would rest.

10 The only other comment specific to one  
11 of the delegates, having gone through all of this exercise,  
12 was that in his opinion the only right that the Métis people  
13 have today is the right to welfare.

14 Finishing with that, I would call upon  
15 the other facilitators, if they would like to step up to  
16 the microphone and raise some of the points that we did  
17 not get a chance to summarize in here that would be of  
18 interest to this group.

19 Tony, please go ahead.

20 **TONY BELCOURT:** In our group one of the  
21 points that was raised concerns the question of the  
22 doctrine of extinguishment. It was pointed out that the  
23 Royal Commission has issued a paper and a statement that



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1 the inherent right of self-government exists. Within the  
2 inherent right of self-government are the rights obviously  
3 which still exist and which have not been extinguished.

4 That was something we want to make sure was pointed out  
5 in the report.

6 In terms of our group, the focus is on  
7 establishing a process to acquire the land and resource  
8 base. You have already mentioned some of the reasons for  
9 people wanting to have a settlement of their rights  
10 manifest in a land and resource base for reasons of pride,  
11 for maintaining and restoring a way of life, managing the  
12 resources better, for a basis of self-sufficiency, but  
13 that getting a process to establish a land and resource  
14 base and settlement of claims is necessary.

15 **BILL HAINAULT:** Aside from what you  
16 said, Garth, and what Tony has said, our group focused  
17 primarily on the nature and scope of Métis rights. In  
18 that discussion there was a lot of concern with regard  
19 to the idea or concept of extinguishment or loss of those  
20 rights, particularly Métis lands or land base. In that  
21 context it was thought that we needed a form of  
22 constitutional protection particularly for the land base  
23 of the Métis settlements in Alberta. Although there has

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1 been some attempt to provide that constitutional  
2 protection, there seems to be some fear that if the  
3 government changes there may be a possibility somehow of  
4 the lands of the Métis people in Alberta being taken back.

5 They really feel that there has to be  
6 constitutional protection for any land base.

7 **GARTH WALLBRIDGE:** Thank you, Bill.

8 I am not certain if Marc has anything  
9 that he wishes to add to that.

10 **MARC LECLAIR:** No.

11 **GARTH WALLBRIDGE:** Thank you, Mr.  
12 Chairman. That is the facilitators' report, then.

13 **THE CHAIRMAN:** Thank you very much.

14 There are a couple of announcements that  
15 I would like to make at this time.

16 There is a board out front. Please  
17 check the board because you may have some messages.

18 As far as supper tonight is concerned,  
19 the seating arrangement is open. There is no particular  
20 spot for anyone. Just pick a chair and wait for your meal,  
21 I guess.

22 What we would like to do now is open the  
23 floor to discussion and questions. What I would like to

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1 do is caution you a bit.

2 I have been a Métis ever since I was born  
3 and I know how Métis work. Sometimes we like to get  
4 involved in internal politics. Let's try to keep the  
5 internal politics of the Métis Nation to the Métis Nation  
6 and not discuss it at this forum.

7 If we could have comments or questions  
8 to the issue that we are dealing with, we will try to find  
9 someone in the room to respond to them. Certainly I can't  
10 because I don't have enough authority.

11 What we will do is open the floor to  
12 discussion, and I would ask that you keep the discussion  
13 to the issues at hand. As far as internal politics, if  
14 somebody wants to challenge Mr. Morin you can do that the  
15 day after tomorrow.

16 The floor is now open for discussion.

17 **GARY BOHNET, Northwest Territories:**

18 Jim, I just wanted to add something that came out of our  
19 working group. One of the things is we wanted to see the  
20 Royal Commission make a specific recommendation regarding  
21 claims policies; that any claims policy and changes to  
22 claims policy have the full involvement of the Métis.

23 We know in the Liberal red book they are

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1 talking changes to the extinguishment policy. We are  
2 hearing changes to claims policies. But nowhere have  
3 we heard yet of Métis involvement in development of those  
4 particular policies, and I think we have to demand that  
5 we are part of that particular process.

6 I would hope that that could be a  
7 recommendation that could be looked at.

8 Another thing that we focused on in our  
9 particular workshop is that we felt the way the question  
10 was worded -- and we are not going to get into that --  
11 we could have put it a lot more simply. The simple thing  
12 is: How do the Métis regain control over their lands and  
13 resources?

14 That is the fundamental issue that we  
15 are dealing with and have been dealing with.

16 **THE CHAIRMAN:** Thank you, Mr. Bohnet.  
17 That is just a comment.

18 Is there anyone else that would like to  
19 step forward? Going once, going twice.

20 **MARC LECLAIR:** When we talked about  
21 Aboriginal rights we got into the very specific instance  
22 of hunting rights, and we discussed this for about half  
23 an hour, forty-five minutes. It is sort of a timely topic

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1 because at lunch today the Métis leaders were here holding  
2 a press conference about the recent decision in Manitoba  
3 which seems to suggest that the Métis have an Aboriginal  
4 right to hunt.

5                   The question that came up was: If you  
6 got an Aboriginal right to hunt, where does that apply?  
7 Can a Métis go here and to Algonquin Park into Algonquin  
8 Indian territory and exercise that right?

9                   We had a couple of different viewpoints  
10 on this. Some were very clear to say that it applies to  
11 a defined territory. Some of the group, including myself,  
12 said: Well, it depends on the Métis homeland. There were  
13 others though that said: No, this right is portable and  
14 it is exercisable throughout Canada, whether it is in  
15 Newfoundland or Vancouver.

16                   Then the question came up: Well, what  
17 about the Aboriginal people that are indigenous to this  
18 other territory, like the Algonquins? So we got into that  
19 a little bit. It came up in the context of what is the  
20 source of the right in trying to find whether the source  
21 would lend any light to the question as to the portability  
22 of a hunting right.

23                   Anyway, we did not come to a conclusion

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1 on it but we did realize that you have to separate the  
2 source of the right from its expression and its  
3 implementability. Hunting rights is a very good example  
4 because we have to regulate the hunt. We have to regulate  
5 for conservation measures and manage the species properly.  
6 You may have the right but its exercise is largely  
7 dependent upon an environment which is much different than  
8 the environment which Métis faced at the turn of the  
9 century.

10                               What it said to us was that in  
11 determining what Aboriginal rights are, it is very  
12 important to define and negotiate what those might be.  
13 They are in many cases what you make them and what you  
14 negotiate them to be because it is a much more complex  
15 environment that we live in.

16                               But we first had to deal with the litmus  
17 issue as to whether or not you are entitled to have those  
18 rights, never mind what they might be, as a Métis who is  
19 -- where does it come from? Does it come from your European  
20 heritage? Does it come from your Indian heritage? We  
21 had to deal with that fundamentally. The point was made  
22 that it comes from neither; it comes from the very existence  
23 of the people and of the Métis Nation itself. As a people,

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1 the people possess a certain bundle of rights. However,  
2 they have yet to be defined.

3 I think that was an important point, and  
4 I raise it because Aboriginal rights are such an amorphous  
5 topic. But it is pretty much what you believe in and what  
6 you define and what you negotiate. It was a very thin  
7 discussion but we are basically dealing with the  
8 fundamental issues as to source, and we came to the  
9 conclusion again that as a distinct group of Aboriginal  
10 people we possess a certain bundle of rights.

11 I guess the next questions 3, 4 and 5  
12 over the next couple of days will be: What exactly are  
13 they and what do you want? And that is going to set the  
14 table for the next three questions.

15 **THE CHAIRMAN:** Thank you very much,  
16 Marc.

17 Is there anyone else who would like to  
18 give us some advice?

19 **HARRY DANIEL:** Yes. Mr. Chairman, I  
20 have a problem here and it is a problem a lot of Métis  
21 people are having in this room and not talking about because  
22 perhaps they are reluctant to mention it.

23 I am not sure where this is going and

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1 what the purpose of those whole exercise is. If what you  
2 are reporting to the Commission is a result of these  
3 meetings here, then some of the rapportage does not really  
4 reflect what happens in most of the groups. Once the  
5 Commission does hear what is happening here and in other  
6 fora, of course -- they have had other people make  
7 presentations -- what kind of recommendations are they  
8 going to be making to the federal government on our behalf  
9 and how are we going to monitor that and in what way to  
10 see that those recommendations really reflect what is  
11 happening in Métis country and the wants and desires of  
12 the Métis people. That bothers me because it has not  
13 been explained very well to me, to my satisfaction anyway.  
14 I could be the only totally obtuse person in this room,  
15 but I don't think that is the case.

16 Who wants to know all these things and  
17 why has to be answered, and where is it going to go and  
18 how do we monitor it once it gets out of our hands and  
19 into that domain. I thought we had political  
20 organizations or quasi political organizations to handle  
21 that. And I am not picking on any particular organization,  
22 Indian, Métis or Inuit.

23 We talked about points of history and



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1 points of law here. I wonder how you decided what people  
2 to invite here. There are a lot of people that I would  
3 like to see here, like Tom Berger. I don't see Antoin  
4 Lucier here, Bruce Sealey, Dr. Alan McKay, Maureen Davies.  
5 People who have done a lot of work in this area are not  
6 here to advise us or help lead these groups.

7 I see papers written as source documents  
8 by people I don't even know or have never heard of. I  
9 made a long list that I was going to bring up here of people  
10 that I would like to have seen here to help guide some  
11 of our discussions. The criteria for getting people here  
12 I don't know.

13 One thing that really bothered me at the  
14 very beginning of this whole session was that we have a  
15 Métis Commissioner, Mr. Paul Chartrand, who has been  
16 published in many, many journals, who did a very good work  
17 on the Manitoba settlement scheme. I don't see him making  
18 a presentation here or offering any views. Has he become  
19 divorced from the Métis Nation? Why did he not make a  
20 presentation yesterday morning? Why is he not now  
21 talking? Is he muzzled because he is on this Commission?

22

23 I would like to hear him speak to us at

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1 this forum as a Métis Commissioner on what he thinks is  
2 happening here and how he sees it going forward. If that  
3 is not too much of an imposition, I would like to see Paul  
4 Chartrand speak here.

5 **THE CHAIRMAN:** Mr. Daniel, you posed  
6 that in the form of a question? I don't know how to answer  
7 you. But the objectives of this exercise --

8 **HARRY DANIEL:** I request that Paul  
9 Chartrand have something to say here.

10 **THE CHAIRMAN:** The objectives of this  
11 exercise are all published in the material. I need some  
12 help from someone to answer Mr. Daniel's question and I  
13 am not sure who can do that.

14 Tony, you are going to do that?

15 **TONY BELCOURT:** I am one of the members  
16 of the Advisory Committee. Each member of the MNC's  
17 affiliates, along with the Métis National Council itself,  
18 appointed a person to sit on the Advisory Committee to  
19 plan for this, and I was one of the people. I was  
20 representing Ontario.

21 The Métis National Council last year  
22 made representation to the Royal Commission to say to the  
23 Commissioners: "We want you to focus on Métis issues."

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1 One way that it was decided to do that was to have this  
2 round table. There are many different kinds of forums  
3 and structures that you can have for a round table. Partly  
4 because of the dictates of the amount of money available  
5 this structure was decided. And it was the idea that there  
6 would be small groups get together and have discussions,  
7 bring the Commissioners together along with  
8 representatives from each of the Métis Nation affiliates  
9 -- and it is the Métis Nation affiliates that chose their  
10 delegations. Bring the Commissioners together with our  
11 people along with a select group of academics and experts,  
12 and we tried to put together the list of the people that  
13 we would like to get here. Unfortunately, people like  
14 Justice Berger were not available, and so on.

15 I do not have the list of all of the  
16 people that were invited but there was an attempt made  
17 to try to get all the people who were quite knowledgeable and  
18 who might be able to contribute to us. I am very pleased  
19 we were able to get the distinguished group that we do  
20 have.

21 One of the objectives is to contribute  
22 to the education of the Canadian public and to inform the  
23 Royal Commission on Aboriginal Peoples about the Métis

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1 Nation. That is one of the purposes. I think that in  
2 the two sessions that I was at today in each session there  
3 were different members of the Royal Commission who were  
4 sitting there, and I thought that we were going through  
5 a process of informing and having dialogue with Royal  
6 Commissioners who were there.

7 I think it is really important for us  
8 to do that sort of thing, and hopefully this is what we  
9 are achieving.

10 Another objective was to examine forward  
11 looking solutions directed at the political, economic and  
12 social development of Métis people. And here again I  
13 sincerely believe that is what we are doing; looking to  
14 forward looking solutions. That is what we are trying  
15 to come up with.

16 To examine what institutions, including  
17 self-government models, and what program initiatives  
18 should be developed to facilitate the self-sufficiency  
19 of Métis people. That is on the agenda for tomorrow.

20 To explore the evolution of Métis  
21 political systems and their relationships with the  
22 Canadian governments. To explore the nature and scope  
23 of Métis Aboriginal rights including options for realizing

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1 those rights by way of a Métis land and resource base,  
2 and to advise the Royal Commission on Aboriginal Peoples  
3 as it develops its recommendations on issues affecting  
4 the Métis Nation.

5 That is by way of trying to give you some  
6 background on how this came about and what it is we are  
7 trying to achieve. That is the stage we set.

8 **THE CHAIRMAN:** Thank you, Mr. Belcourt.

9 I will recognize the mike.

10 **BILLYJO DE LA RONDE:** Thank you. I just  
11 have a couple of items.

12 One is the discussion we had in our group  
13 as far as self-government and self-determination. I think  
14 some of our member said that that should be determined  
15 by each of the respective communities and each of the  
16 respective provinces as to what that means to them. It  
17 might be good for the settlements of Alberta but it might  
18 not be good for my community. I appreciate that kind of  
19 approach instead of from the top down imposing the same  
20 thing for everybody.

21 The question that I have for the  
22 Commissioners -- and certainly Mr. Belcourt attributes  
23 this to you and I believe you have made this statement

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1 -- is that Aboriginal people have the inherent right to  
2 self-government.

3                   What does that mean when the  
4 Commissioners made that statement? What were they saying  
5 not only to Aboriginal people but to Métis people  
6 specifically?

7                   In addition to that question, if the  
8 Métis people as an Aboriginal people have the inherent  
9 right to self-government, does that not also follow that  
10 they have the inherent right to self-taxation?

11                   **THE CHAIRMAN:** Thank you very much.

12                   Does anyone want to attempt to answer  
13 that question?

14                   **COMMISSIONER PAUL CHARTRAND:** Did you  
15 ask me if I was going to answer that question or did you  
16 provide me with an opportunity to speak?

17                   **THE CHAIRMAN:** Well, provide you with  
18 an opportunity to speak, sir, on that question or --

19                   **COMMISSIONER PAUL CHARTRAND:** I did not  
20 wish to deal with the answer to that particular question.

21 I was wondering if I might have an opportunity to respond  
22 to the general invitation to say something.

23                   **THE CHAIRMAN:** Sure.

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1                                   **COMMISSIONER PAUL CHARTRAND:** Thank  
2 you. I won't take very long, unaccustomed as I am to public  
3 speaking. It is a good time for me to speak because  
4 everyone is tired and wanting to go away and freshen up  
5 before the dinner and the evening's program. Perhaps I  
6 might take about 33 seconds to make some comments in  
7 response to the invitation to say something.

8                                   We are indeed, as you have pointed out,  
9 dealing with the issues of the Métis people, and I being  
10 a Métis on this Commission do indeed take particular  
11 interest in the issues of the Métis. It was emphasized  
12 this morning in the meeting that we had as Commissioners  
13 that the purpose of this particular meeting was to test  
14 that which was provided to us by way of research and by  
15 way of the public hearings.

16                                  That process is not over. And this is  
17 in response to some of the concerns that were raised just  
18 now. The process is not over. And I think you are  
19 apprehensive about the future process.

20                                  My understanding is that there will be  
21 future seminars. There is to be at least a further testing  
22 seminar to offer an opportunity to people to comment on  
23 our developing recommendations. Indeed it is important

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1 to hear from all sides. When I look at the way in which  
2 this Commission has operated, I think it has set a precedent  
3 for being very open. In fact, I was taken aback a couple  
4 of times in how open this Commission was in hearing people.

5 I remember being in a hearing somewhere  
6 and we had a Commissioner of the day who was there in the  
7 morning and I noticed in the afternoon that Commissioner  
8 of the day making a presentation to us in the afternoon.

9 I read another time a transcript from  
10 one of the employees on our staff making a submission.

11 So indeed that demonstrates that this  
12 Commission has been rather flexible, if I might put it  
13 that way, in hearing all sides.

14 I will be very keen myself to see how  
15 the further testing, the further handling of what we hear  
16 today is dealt with in this Commission. Certainly we have  
17 not heard everything yet. I don't think so. Certainly  
18 all the views have not been presented. I don't think so.

19 I notice myself, as you say, in some of  
20 the things I have written, for example, they are ignored  
21 or contradicted in some of the materials that we have before  
22 us. So it is not over. We are not done yet. I hope I  
23 will have the opportunity, I will insist on having the



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1 opportunity to present my views. I hope and I invite all  
2 those who believe that they have views that ought to be  
3 heard to make them heard to the Commission in its formal  
4 structures or, if you wish, informally to me. You can  
5 phone me. As long as you are paying the bill I will be  
6 more than happy to communicate with anybody on that score.

7 I want you to know that at the end of  
8 the day I will be satisfied only in signing a report that  
9 in my mind will do the best that it can do in respect to  
10 Métis issues, indeed in respect to all issues.

11 In reflecting upon that task I have had  
12 in mind the historic assistance that indigenous people  
13 have had in writing things, in holding the pen. We have  
14 seen the cases where Indian bands were coerced to sign  
15 documents which they say they did not totally comprehend.

16 What happened? Well, they said, someone signed for us.  
17 They said: "Just touch the pen and we will sign for you."  
18 And they were defrauded.

19 I know that for many of my people, the  
20 Métis people, I have seen the historic documents on which  
21 their signatures appear but with an X, his mark. I was  
22 joking with some friends of mine and I said: "Well, I  
23 am contemplating signing my final report with X, his mark."

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1                   The point is, the only thing I can show  
2 you is that when I sign the final report that I think is  
3 adequate, there will be no one holding the pen for me.

4                   Thank you.

5                   **THE CHAIRMAN:** Are there any further  
6 questions?

7                   **JEAN TEILLET:** This is not actually a  
8 question but more a comment on what I see as a conceptual  
9 problem that we are dealing with at all levels of all of  
10 these discussions. I think it is the problem that Marc  
11 is talking about, trying to separate the source of the  
12 right from the portability of it and the problems we had  
13 this morning with defining who are the Métis and our  
14 reluctance to even want to do that.

15                   I think some of it stems from this  
16 problem of always wanting to narrow down definitions.  
17 I am reminded of something that I was taught once, which  
18 we used to call Chapman's Dog, which is basically: When  
19 is a dog a dog? If you cut his ears off, he is still a  
20 dog. If you spay the dog, she is still a dog. She is  
21 still a she. If she has no legs, she is still a dog.  
22 When is it that it is suddenly magically becomes not a  
23 dog?

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1                   What I am trying to get at is: When is  
2 an Aboriginal right an Aboriginal right? When is a Métis  
3 a Métis? When is an Aboriginal person an Aboriginal  
4 person? We will never find that one magical chromosomal  
5 link that will define these things for us.

6                   What I am trying to say is that I think  
7 some times some way around all this is to always ask why  
8 we are asking, or for what purpose we are asking this  
9 question rather than try to come to overall definitions  
10 of whether we have Métis rights or Aboriginal rights and  
11 what they are.

12                   I think that also applies to our concepts  
13 of self-government. In the group we were in there was  
14 a lot of fear I heard from the people about this concept  
15 of self-government, feeling that it was being imposed from  
16 the top down on to other people. I want to tell you what  
17 I think self-government is is exactly what is going on  
18 in this last two days. It is a process of talking, of  
19 evolving, of figuring it out, of learning how to share  
20 our resources.

21                   That is the other big word that I wanted  
22 to mention, sharing. If we talk about co-existence of  
23 title between Aboriginal peoples, what some people call

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1 overlapping claims, all that means to me is that people  
2 share the resources of the land. Sharing is a good thing.  
3 It means the land is rich. It means there are resources.  
4 The issue is the equity of breaking up the pie. It is  
5 not the problem of the fact that more than two people claim  
6 or more than three or four different peoples claim that  
7 pie.

8                   So when you talk about portability of  
9 whether Métis have Aboriginal hunting rights that are  
10 portable across this country, what I want to say is that  
11 sure those rights might be portable but only with consent  
12 of the other people whose lands you go into. If we want  
13 other people to respect our land and our jurisdictions  
14 and our rights, we have to respect theirs and we have to  
15 ask their consent of the other Aboriginal peoples who live  
16 there before you can do that.

17                   In the end I think there is a wonderful  
18 description by Judge Lambert in the Delgamout case about  
19 rights. He uses what is a canoe analogy. He says so say  
20 these people make canoes and that is what they have always  
21 done. They have always made canoes out of big trees.  
22 Is the Aboriginal right the right to make canoes or is  
23 it the right to cut down that specific tree to make the

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1 canoe, or is it the right to have the same hammer that  
2 they have always used, or is it in fact the right that  
3 they have that resource and they can do whatever they need  
4 or want to do with it?

5 I think we have to bear all those things  
6 in mind instead of trying to define our rights in terms  
7 of narrow descriptions and our self-government in terms  
8 of narrow descriptions.

9 Thank you.

10 **THE CHAIRMAN:** Thank you very much.

11 **DAVID CHARTRAND:** Thank you, Mr.  
12 Chairman.

13 I brought up a question before we broke  
14 for the plenary session regarding enumeration and how that  
15 particular process would work, and I never got an answer  
16 yet on that particular issue.

17 As you are aware, the points were  
18 addressed of the need for such a task to take place, but  
19 again there were concerns on individuals being left out  
20 or maybe not belong to particular bodies and all of a sudden  
21 not being enumerated. So the process of how that would  
22 take place I think is very important. I don't know if  
23 that direction was given to the Royal Commission to write

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1 down and I don't want them to arbitrarily make a decision  
2 by themselves to put that particular point into form in  
3 a document.

4 I definitely support the need for that  
5 to take place, as a Métis. However, I am concerned on  
6 how and who would deliver this. First guaranteed  
7 government should not be determining this; it should be  
8 Métis people. It should also be independent of our  
9 political infrastructures and structures that we have  
10 throughout western Canada and possibly eastern Canada.

11 In dealing with this the formation of  
12 some kind of body needs to be established, and how that  
13 should be established and who should establish it is  
14 important. For instance, in our province when we have  
15 elections sometimes people are not on the list to vote;  
16 we have taken that Métis' right away from them. They have  
17 disappeared all of a sudden either by a computer error  
18 or some error by an individual.

19 Those are concerns. Given the dynamics  
20 of our political organizations, the register is going to  
21 be very important on every election and who controls the  
22 register can also control who wins.

23 That is what I see as important and I

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1 don't want Métis people to be left out. But I have not  
2 heard yet how that would be determined. Do we leave here  
3 two days from now and the Métis National Council will maybe  
4 demand a meeting with the Minister requesting finances  
5 to undertake this task according to the rules and ways,  
6 and all of a sudden it is not the concern or the views  
7 of certain provinces or regions or locals?

8 I think we need to discuss that further.  
9 It can't be just left hanging there. That concerns me,  
10 unless it is not of interest to others. But to me it is  
11 a strong interest.

12 **THE CHAIRMAN:** Thank you very much. I  
13 think that was put in the form of a question that you wanted  
14 some feedback on.

15 Is anybody prepared to add to that  
16 question? Does anybody want to speak to that? Anybody  
17 from the Métis National Council?

18 Marc.

19 **MARC LECLAIR:** David raises a good point  
20 about the need -- and I think it follows on the discussion  
21 this morning -- to have community control of that  
22 enumeration process and to be separated from the political  
23 units that make up our existing structure.

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1                   But I think if David looks closely at  
2 the report, or even the summary of the report, he will  
3 see that in fact this proposed registry of Métis is intended  
4 to be an independent body. There is still some work to  
5 do on it, and we are intending to do it along with all  
6 of the provincial associations because we are developing  
7 a model to enumerate the Métis which builds on the existing  
8 membership lists, which of course requires us by definition  
9 to work with the associations.

10                   I think his point is well taken that  
11 there needs to be community control of that process,  
12 because we are dealing with the entitlement of rights and  
13 benefits perhaps and it needs to be very closely held by  
14 the community but at the same time divorced from the  
15 political process.

16                   So David's point is taken.

17                   **THE CHAIRMAN:** Thank you, Marc.

18                   I recognize the mike.

19                   **RAY LALIBERTE:** Thank you, Mr.

20 Chairman.

21                   One of the things that we have continued  
22 to run into for the day we have been here is that sometimes  
23 we get into a political discussion. We get into issues



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1 that should have been given to Gerald or to somebody that  
2 I have elected to speak on my behalf on issues. Those  
3 are issues that I think should be in a political forum.

4                   The point I want to make is I wonder if  
5 RCAP went to the federal government and said "here is how  
6 you settle land claims", I wonder if the federal government  
7 would follow your recommendations. I sit back here and  
8 I figure if all of the millions of dollars that have been  
9 spent on this Commission could have been better spent on  
10 front-line issues of Métis socio-economic conditions.

11                   I have been sitting back here ever since  
12 RCAP has been announced wondering whether those federal  
13 dollars should have been sent to Buffalo Narrows or Isle  
14 le Crosse or to fight the Green Lake land claim.

15                   I still feel sceptical. I have said it  
16 from the beginning. But I guess time will tell whether  
17 or not my scepticism goes away or not and whether we are  
18 successful in some of the areas.

19                   At the same time, we have to go on  
20 practical things. We can't put a wish list down. My  
21 concern in the meantime while we are talking and have been  
22 talking for the past 15 years since I have been involved,  
23 we have been talking about land claims. Multinationals

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1 are up in my part of the country in northern Saskatchewan  
2 taking the trees. They are taking the fish out of the  
3 lakes. And that continues to happen.

4                   So RCAP has to realize when they are  
5 making their recommendations: What can we do in terms  
6 of a process for a solution in the interim? What can we  
7 do with the immediate situation that is happening and at  
8 the same time have a long-term, possibly a political  
9 solution being recommended?

10                   And what can we do for compensation?  
11 One of the gentlemen this afternoon in our briefing said  
12 that we are victims. We are victims of the Manitoba Act  
13 and the Dominion Lands Act; we were cheated. So we were  
14 actually a victim of a crime. I think that is something  
15 that RCAP can recommend to the federal government for  
16 compensation for the Métis to put us on a level playing  
17 field, to give us the type of development and the dollars  
18 that were rightfully ours at one time but were never  
19 actually distributed to us.

20                   To put us on that level playing field,  
21 to get us to that stage of development that everybody else  
22 is at, and provide us with those resources. But don't  
23 give it to us as a donation. Give it to us as something

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1 that was cheated from us, that was supposed to be ours  
2 in the first place.

3 Thank you.

4 **THE CHAIRMAN:** Thank you very much for  
5 those comments.

6 **BILLYJO DE LA RONDE:** As I said this  
7 morning in one of the groups I am in the same enviable  
8 position as Kim Campbell; I am not elected to anything  
9 so I can pretty well say what I wish.

10 Perhaps I should make my question more  
11 specific and perhaps Mr. Dussault could answer it, or Madam  
12 Wilson.

13 The Commission put out this statement  
14 that Aboriginal people have the inherent right to  
15 self-government. What does that mean for Aboriginal people  
16 and specifically what does it mean for Métis people?

17 The second part of the question is: If  
18 that is an inherent right, does it follow that  
19 self-taxation would also be part of that inherent right  
20 to self-government?

21 **THE CHAIRMAN:** Does anyone want to  
22 tackle answering that question, or can we do it today?

23 Mr. Dussault?

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1                   **CO-CHAIR RENÉ DUSSAULT:** Very briefly.

2       The first thing I would like to say is that we made a  
3       very clear caveat in the preface that the source of the  
4       inherent right of self-government was not all contained  
5       in section 35 of the Constitution Act; that there are other  
6       sources, international law, national law, and on and on.

7       The Commission is doing research in these areas that will  
8       compliment what was done in partners where we dealt more  
9       particularly with the present constitution and the  
10      amendment that was brought in section 35.

11                   I wanted to repeat that.

12                   The second thing is that we said that  
13      we think there are good, if not persuasive, reasons to  
14      think that it is already covered in section 35 and we asked  
15      for feedback from various horizons in the country. We  
16      got some from legal circles. We know it is a question  
17      that has been debated. If it ever happened that the  
18      Supreme Court has to come down with a decision on that,  
19      we took the stand as a Commission that there were pretty  
20      good reasons, both legal and historical, to think that  
21      it was covered in existing rights that were given  
22      constitutional protection in 1982.

23                   The other part of your question -- what

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1 does this mean -- we just entered into that field talking  
2 about a core and periphery in terms of rights in things  
3 that are vital to the community, to the immediate concerns  
4 of the people living in the community were much more likely  
5 to form the core of self-government, like education, like  
6 social policies, family relations, certain aspects of the  
7 justice system, and so on. Obviously we are aware that  
8 there is additional reflection and discussion that will  
9 have to take place.

10                   We said there was a right of initiative  
11 on the core areas, but we hasten to say that it will be  
12 more successful if done through negotiation. On what we  
13 call the outer limits it had to be done through negotiation.

14                   As to the link with land, we did not  
15 establish it in partners. We said that the case is more  
16 obvious when there is a land base, that there is a right  
17 to self-government, but we did not preclude that it did  
18 exist in urban settings. What we said is really that there  
19 has to be a collective will to live as a community, and  
20 that could occur in an urban setting.

21                   So there is additional research that is  
22 done to cover the whole spectrum. We felt at the time  
23 that it was time to do that.

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1                   On the other issue that was raised of  
2                   taxation, I think everybody agrees, at least  
3                   theoretically, that if we move to self-government the  
4                   taxation power should be there to Aboriginal government  
5                   to use or not to use at their discretion. That remains  
6                   to be seen. But it seems obvious that taxation power goes  
7                   with self-government.

8                   The objective I think of most people in  
9                   this country is to move to a situation where a much greater  
10                  measure of economic self-sufficiency will be there from  
11                  resources, from whatever means to make sure that this is  
12                  real. We agree that self-government would be only a new  
13                  word for the present system if there is no fundamental  
14                  change to support the right to self-government.

15                  That is about what could be said.

16                  As Paul Chartrand said earlier, we have  
17                  not finished our putting together the information from  
18                  all the streams, particularly the research side. But it  
19                  is coming along. We plan later on during the year to test  
20                  some options.

21                  That brings us back to our friend and  
22                  the question that was put forward earlier. We plan to  
23                  be able to test some options and then you will be able

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1 to see whether the Commission got it right in terms of  
2 what we heard from the Métis people, as for other groups  
3 or Aboriginal people in this country.

4                   But nevertheless at the end of the day  
5 Commissioners will have to take their own responsibility  
6 as Commissioners and come up with their best  
7 recommendations to government. And in doing so they will  
8 act on their own behalf as Commissioners.

9                   So we will not be a mouthpiece for  
10 everybody. We hope we will be a good mouthpiece for  
11 Aboriginal people and non-Aboriginal people and bring them  
12 together. But technically we are not acting as a  
13 representative body of Aboriginal people in this country.  
14 This is done by the political organizations.

15                   The purpose of a special consultation  
16 like this is to help us to focus on the key issues that  
17 are of concern for the Métis people and to try to get the  
18 best out of it as to the solutions. But we know there  
19 are many, many issues involved. But we hope we will be  
20 able to go to the jugular and to address the fundamental  
21 issues that will give a direction that will be the right  
22 one and a path to reach the goal. That is certainly what  
23 a Royal Commission like ours could do, the best that we

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1 can do.

2                   We need the help of everybody. We are  
3 aware of the problems much more than we were two years  
4 ago. We are aware also that there are different views  
5 and it is a part of the reality. It is as true with an  
6 Aboriginal or Métis society as it is with the  
7 non-Aboriginal societies. That is a fact of life.

8                   We will try to cut across the major  
9 issues and to come up with a report that will be both  
10 principled and feasible and seen a feasible by those who  
11 have the responsibility to implement it. But public  
12 education is certainly a very important component of it.  
13 There is a lot of misunderstanding and it will take a  
14 few months and years after we are gone, but we hope to  
15 be able to give the push.

16                   Obviously, the negotiations on the  
17 Constitution gave a tremendous push to all those issues.

18 All the discussions we had with regard to the Métis Nation  
19 Accord were very important in terms of public education.

20 The Royal Commission is there but it will not be the end  
21 of the process.

22                   **THE CHAIRMAN:** Thank you very much, Mr.  
23 Dussault.



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1                   If there are no further questions, I  
2 would like to call our spiritual leader to lead us in  
3 prayer.

4                   While he is coming up here, I want to  
5 tell you a bit of a story. I am kind of a story-teller.  
6 Inevitably every time we meet we talk about wildlife,  
7 wildlife management and environment. That is very near  
8 to our heart. While I was a Deputy Minister one year  
9 I went up to the Central Arctic to a small community called  
10 Johaven. I arrived there with all my entourage. I had  
11 my Director of Wildlife with me and we had this public  
12 meeting. It was an Inuit community and this Innu got  
13 up and said: "We want a muskox quota on King William  
14 Island." I said: "My Director of Wildlife will answer  
15 that question for you, sir." So our Director of Wildlife  
16 got up and said: "We did a total survey of King William  
17 Island" -- which is about as big as the Island of England.  
18 He said: "We did a total survey and there is only one  
19 muskox on that whole island." And this guy said: "Yeah."  
20 He said: "Do you mean to tell me that you want to kill  
21 the last muskox there is on King William Island?" "Well",  
22 he said: "What is the use? We can't have any more. There  
23 is only one."

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1                   What can you say to that? So he thought  
2 it out very carefully before he asked whether or no he  
3 could have the quota for one.

4                   Father Guy Lavallée, would you lead us  
5 in prayer.

6                   **(Closing Prayer)**

7                   **THE CHAIRMAN:** We will adjourn for the  
8 day. I hope to see everyone here at 8 o'clock tomorrow  
9 morning. We have a busy day tomorrow and we want some  
10 time to go over the issues.

11 --- **Whereupon the hearing adjourned at 5:35 p.m.**  
12 **to resume on Tuesday, January 18, 1994 at**  
13 **8:00 a.m.**