

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

LOCATION/ENDROIT: TRAVELODGE HOTEL
SASKATOON, SASKATCHEWAN

DATE: WEDNESDAY, MAY 12, 1993

VOLUME: 1

"for the record..."

STENOTRAN

1376 Kilborn Ave.

Ottawa 521-0703

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1 **Saskatoon, Saskatchewan**

2 --- Upon commencing on Wednesday, May 12, 1993 at
3 1:15 p.m.

4 **CO-CHAIR RENÉ DUSSAULT:** Good
5 afternoon. I think before moving further, we should have
6 the opening prayer.

7 **--- Opening Prayer**

8 **CO-CHAIR RENÉ DUSSAULT:** First of all,
9 I would like to introduce myself and my colleague. I am
10 René Dussault, Co-Chair of the Royal Commission on
11 Aboriginal Peoples and Co-Chair with George Erasmus.

12 I am a judge with the Court of Appeal
13 for the Province of Quebec.

14 With me is Viola Robinson. Ms Robinson
15 was, prior to her appointment to the Commission, Head of
16 the Native Council of Canada. She is a MicMac from Nova
17 Scotia and has been involved in Aboriginal affairs and
18 issues for many many years.

19 We are very happy to be given this
20 opportunity to meet with the Metis Society of Saskatchewan
21 and the heads of the various institutions; to be presented
22 a summing up of their doings and also to have an opportunity
23 to really share thoughts and ideas as not only what are
24 the difficulties but how we could, as a Commission, make
25 recommendations that would enable everybody to get a better
26 future.

1 We are very happy to be in Saskatchewan.

2 We are in the third round of public hearings.

3 The Commission was created in late
4 August/early Fall 1991. You all remember that this
5 Commission came about following many years of discussions
6 at the constitutional level that they didn't finalize in
7 terms of results with the four constitutional conferences
8 that followed patriation of the Constitution of 1982.

9 Also it came to life after the Meech Lake
10 discussion, after the event of summer 1990 involving the
11 Mohawk communities and Mohawk nations and people in the
12 Montreal area.

13 This Commission was created because the
14 Government felt that -- the Government of Canada felt that
15 despite the program in place, the effort of the past and
16 the money spent that the problem of the relationship
17 between Aboriginal people and non-Aboriginal people
18 persists and, in many aspects, gets more difficult year
19 after year and the Commission was created to come up with
20 a plan of action and solutions for the future.

21 Its wide mandate, sixteen points, covers
22 everything from self-governments, land claims process from
23 the Metis situation, the Inuit, the Indians living on and
24 off reserves.

25 So, generally speaking, all Aboriginal
26 peoples, Metis, Inuit, Indians, living in urban settings.

1 The whole question of land base but also of an economic
2 base for the self-government. The various social issues,
3 education, health, social services, justice and so on and
4 all the related -- the problems that are associated to
5 it: suicide, abuses of all kinds of substances, family
6 violence and on and on.

7 So the Commission was set up to come up
8 with a plan of action. We realize at the outset that at
9 this time if -- because there was a lot of scepticism about
10 the possibility of recommendations of commissions,
11 parliamentary committees, whatever, to be implemented
12 because in the past most of the task force or committee
13 or working group recommendations were shelved.

14 One of the first things we did was to
15 tour the capitals and the territories, to meet with the
16 Premiers, to meet with the various provincial
17 organizations and we were told at the outset that, this
18 time, the only way to get success was to develop solutions
19 from the communities from the bottom up.

20 Solution could not be designed in Ottawa
21 in offices, bureaucrat offices. It had to come from the
22 grassroots and the bottom line and that people would have
23 to understand them and see where are the trade-offs because
24 we are talking about solutions to problems that concern
25 Aboriginal peoples but also that concern the whole Canadian
26 public.

1 A relationship is always both ways. So
2 there are changes of attitudes that will be necessary from
3 all concerned; all, everybody in this country not only
4 the government and the Aboriginal peoples but the public
5 themselves.

6 The challenge for the Commission is not
7 only to come up with technical recommendations. We have
8 to act as experts in many ways but we -- the challenge
9 is to come up with recommendations that will be assessed
10 from a strategic point of view in order to see where the
11 resistance is; what kind of resistance there is; what is
12 the feasibility, the opportunities of implementation given
13 the administrative situation, the cost involved.

14 So all the aspects have to be taken into
15 consideration. That is the reason why we started such
16 an extensive public participation process.

17 The Commission has to come up with
18 recommendations that will build upon common grounds that
19 exist within Aboriginal communities whether Metis, Indian,
20 Inuit but also exist with the larger public.

21 Of course, we have to be aware of the
22 differences but we will try to tone them down and, at least,
23 to build our recommendations on those common grounds
24 because then they are more likely to be implemented because
25 there will be a push not only by Aboriginal people but
26 also by the larger public.

1 And to do that, it was felt and it is
2 absolutely necessary for us to really get a good grasp
3 of the reality of not only the three major Aboriginal
4 peoples but within each people there are differences.

5 Of course that is true for the various
6 Indian nations but that is also true in a province like
7 Saskatchewan for the Metis situation is not exactly the
8 same as in Manitoba and Alberta.

9 So there is the reason why we visited
10 the three provinces. We went to Metis communities in all
11 the provinces, Metis settlements also in Alberta.

12 Of course, it is difficult to visit them
13 all. I was with Mary Sillott just before Christmas in
14 the end of November, early December. I spent a week with
15 the Commission in Northern Saskatchewan and
16 Ile-a-la-Crosse, Laloche, Buffalo Narrows and we tried
17 to do as much as we can to understand and to appreciate
18 the reality and there is nothing -- we cannot do that alone,
19 we have to do that with you people, with those involved.

20 So this third round of hearings that we
21 are going to have until the end of June and the last one
22 in the fall is really the apex of the public participation
23 process because we are going to receive the briefs that
24 flow from the Intervenor Participation Program chaired
25 by David Crombie for the Commission.

26 We realize that this eight million

1 dollar fund was not sufficient to fill all the financial
2 demands but at least it has enabled the various
3 organizations, mainly Aboriginal but not only Aboriginal
4 organizations, to research and come up with positions.

5 If we are to get some solutions from the
6 public participation stream and from the communities and
7 the organizations, it will be during these last two rounds
8 with the results of this program.

9 Along side of these 142 projects that
10 were funded and that will result in briefs presented to
11 us, we established -- we made contact with over 140 national
12 organizations, non-Aboriginal organizations in all walks
13 of life from trade unions to businesses to the Arts to
14 the universities because we felt that, at the end of those
15 four rounds, we had to have as large a consensus as possible
16 and it was very very important that the non-Aboriginal
17 people participate and give us their best effort as to
18 what the future should be made of.

19 We asked them to -- we met with the head
20 of each of them and we asked them to think about the
21 relationship in terms of a new social contract with
22 Aboriginal people in this country and, of course, taking
23 into account the differences, the distinctions.

24 So we hope that in the fall we will have
25 in hand a good product, a good sense of what is required
26 and what can be done and then we will have to put that

1 together with the results of our research program and the
2 results also of our national roundtables on key policy
3 issues like urban issues.

4 We had one on justice in the fall, one
5 on health and social issues in March in Vancouver. The
6 last one was on economic development.

7 The next one will be on education. Next
8 fall, we are going to have one on the Metis, the Metis
9 Nation in particular. There is one on treaty.

10 So we should be equipped from the fall
11 having all this in hand to produce some interim reports
12 or policy papers because we would like to have feedback
13 before writing our final recommendations in the fall of
14 '94.

15 So we should be able until the end of
16 this year to produce interim reports and policy papers
17 that will enable us to have a more focused precise dialogue
18 as to what should be the options and the directions in
19 many areas: suicide, justice, possibly land claim, the
20 process, the residential school and a few others.

21 So we hope to come up with our final
22 reports within roughly three years of our creation before
23 the end of 1994.

24 We spent the last two days in Regina.

25 We had a kind of similar meeting with the FSIN and we
26 had a full day of hearings yesterday.

1 We heard many many people both
2 Aboriginal and non-Aboriginal people. The Minister
3 responsible for Metis and Indian Affairs presented a brief
4 to the Commission, Bob Mitchell, and we are really looking
5 forward this afternoon to discuss with the Metis Society
6 of Saskatchewan and various organizations and institutions
7 the reality of the Metis Nation here in Saskatchewan.

8 So having said that, I would like to ask
9 my colleague, Viola Robinson, to make some opening remarks
10 and then we will be ready to move to the presentations
11 and the discussion.

12 Thank you. Viola?

13 **COMMISSIONER VIOLA ROBINSON:** Thank
14 you. I am happy to be here in Saskatoon and to be able
15 to sit here and listen to your presentations.

16 There is not an awful lot more that I
17 can add to what the Co-Chair has said except for the fact,
18 I guess, it is a massive undertaking that we have embarked
19 on here and over the past eighteen months, the information
20 that has been gathered.

21 There is more work, I guess, in certain
22 areas than there is in others and I think this Commission
23 is -- we are really interested in hearing from the Metis
24 and what you have to contribute to the solutions of your
25 own problem.

26 I will say that I have always been

1 impressed with the professionalism that you always conduct
2 your business with. I have had occasion to be at some
3 of your meetings and I look forward to hearing from you.

4 I guess it is with special interest that
5 we come here to hear from you because we know that Canada
6 -- the Metis have certainly have had a struggle in the
7 past in recognition but I also want to say that I think
8 you have done a lot on your own.

9 You have certainly made some strides in
10 the work that you have done and I think it is time that
11 the government recognizes and deals with you in a fair
12 and equitable way.

13 There is not really that much more that
14 I can say that has not been said so we will just -- I am
15 interested in hearing from you this afternoon, to hear
16 what kinds of solution-oriented dialogue that we can get
17 going and what contributions that we may be able to extract
18 from your presentations that will help us in formulating
19 the recommendations for solution.

20 So, with that, I am going to just stop
21 and we will get into your presentations. Thank you.

22 **CO-CHAIR RENE DUSSAULT:** Thank you. So
23 I turn the mike to you, Mr. Chartier.

24 **MR. CLEM CHARTIER:** Thank you, Mr.
25 Co-Chair. It is always nice to have you with us again,
26 Viola. I know we have had a lot of interesting meetings

1 in the past and I am sure we will continue to.

2 And I know the respect you have always
3 shown to the Metis Nation whenever we have been at meetings
4 even in your homeland. So thank you for that.

5 I just want to mention that the opening
6 prayer was made by Nora Ritchie who is an Elder with the
7 Metis Women of Saskatchewan. So the Metis Women have been
8 playing, you know, a fundamental role and continue to do
9 so.

10 I want to relay the regrets of the
11 President of the Metis Society, Mr. Gerald Morin, who was
12 to have made the presentation this afternoon. However,
13 he has been detained at a meeting on enumeration which
14 has always been very dear to us. We are trying to grapple
15 with this whole thing of enumerating our people.

16 And, this particular meeting happening
17 in Edmonton as we speak is dealing with that particular
18 issue organized by the Federal Government, the Metis
19 National Council and involving respective provinces from
20 the Metis homelands.

21 So it is a very important meeting and,
22 I guess, people prevailed on him that he should stay for
23 that. But I think we should be able to get by relatively
24 well enough to convey the Metis Society's message today.

25 Just some introductions before I get
26 started. With us, starting to my left, is Cathy LaValley

1 who is with what we call the Metis Pathways Secretariat.
2 It deals with training and employment. She will be making
3 a presentation.

4 Next to her is Lyle Boland who is with
5 SNEDCO, Saskatchewan Native Economic Development
6 Corporation. Unfortunately, he did not make it into the
7 formal presentation part but he will be participating in
8 the open discussion part of it.

9 To my left is Isabelle Impey. Isabelle
10 is the President of the Metis Women of Saskatchewan as
11 well as the Executive Director of the Gabriel Dumont
12 Institute.

13 To my immediate right is Mr. Bruce
14 Flamont. Bruce Flamont is one of our twelve -- well,
15 twelve regional directors -- one of our fifteen provincial
16 Metis Council members so he is a politically elected person
17 within our organization and will participate in the open
18 discussion as well.

19 To his right is Joyce Racette who is the
20 Executive Director of the Metis Addictions Council
21 headquartered in Regina.

22 Next is Earl Pelletier who is with our
23 Health Services Division and Ray Laliberte also working
24 from M.A.C.S.I. but also with our Health Services Division.

25 We are going to be joined later by
26 Alphonse Janvier who is with our Justice and Family

1 Services Institute and he will be making a formal
2 presentation as well.

3 Up against the wall on the left, the
4 person with the red tie is Jeff Campbell who is the
5 Executive Director of our New Breed Magazine. He is doing
6 two jobs: he is trying to capture some of this and will
7 possibly join us for the open discussion if we turn to
8 communications at that time.

9 With that, I would just like -- well,
10 just for the record, my name is Clem Chartier. I am with
11 the Metis Society of Saskatchewan.

12 With that, at our last appearance in
13 October, I think a day after the defeat of the Charlottetown
14 Accord and the infamous referendum as I refer to it, we
15 did make an appearance but we were not sort of overly
16 prepared for it because we were still in the mode of
17 fighting the constitutional battle.

18 However, at that time, we made a strong
19 indication that during the next phase we would like to
20 have a day where we could come and give a holistic view
21 of our organization, I guess, where we have come from,
22 where we are at and where we would like to go.

23 We feel satisfied that we have a half
24 day to do this and satisfied that we will be making some
25 formal presentations and not formal presentations by all
26 of our affiliates but at least we can give you a flavour

1 of it and hopefully in the open dialogue we can cover some
2 of the basis that we have not in the open session.

3 I also want to state that the four
4 touchstones for change as are so characterized by the
5 Commission I think are a good focus. We have no difficulty
6 with that and although initially we wanted to give a broad
7 overview of who we were, at the same time, we do want to
8 touch base with these touchstones and we will do that a
9 bit in the overview.

10 In terms of, of course, final
11 recommendations that of course will not be forthcoming
12 from ourselves until the last opportunity, the last round
13 or the last opportunity to make a formal presentation at
14 the end of the research we are currently engaged in through,
15 of course, resources from the Commission and of course
16 through the Metis National Council.

17 And, as I mentioned, the Metis National
18 Council, at least we in Saskatchewan, the Provincial member
19 in Saskatchewan of the Metis National Council are pleased
20 and want to thank the Royal Commission for striking the
21 relationship that you have with the Metis people, the Metis
22 Nation as represented by the Metis National Council.

23 In particular, we are pleased with the
24 Memorandum of Understanding that has been entered into
25 and the working relationship -- the professional working
26 relationship that has been entered into and of course we

1 are also pleased that this Memorandum of Understanding
2 also provides, as you mentioned, for a roundtable dealing
3 on the Metis Nation.

4 I think as you have travelled,
5 especially yourself Mr. Chairman being new to the Metis
6 Nation -- I know Viola has heard us talking about it time
7 and time again and the people recognized the Metis Nation
8 -- it is something that has been misunderstood and
9 continues to be misunderstood and is something that we
10 have to, I think, bring home quite forcefully to the Royal
11 Commission members, those that are not familiar with us
12 and I believe the roundtable will help do that in addition
13 to all the other things that we are doing.

14 So, as I mentioned Mr. Chairman, Mr.
15 Co-Chair, the Metis Society is comfortable and can agree
16 with the general thrust of the four touchstones but we
17 must strongly emphasize that a Metis land and resource
18 base must be incorporated into the touchstones.

19 Without a return of sufficient lands and
20 resources to our people, there cannot be any meaningful
21 achievement of the four touchstones.

22 As a consequence, it is necessary to
23 address the issue of a Metis land and resource base.

24 And I think you have heard this several
25 times now but we, the Metis, are generally excluded from
26 the land claims processes established by the Federal

1 Government; the exception of course being the Metis of
2 the Northwest Territories.

3 There again, however, their involvement
4 is tied to the Dene Nation and the Metis in the Northwest
5 Territories have consistently stated that they want to
6 proceed in terms of land claims on their own right not
7 having to be engaged with another nation.

8 They feel and we agree that they have
9 a right to stand on their own with respect to land.

10 As well as a matter of information, very
11 recent to us is the Indian Claims Commission chaired by
12 Mr. Harry LaForme.

13 That Commission just concluded hearings
14 in Saskatoon on Friday of last week and it was dealing
15 with the issue of the Primrose Air Weapons Range.

16 This is another sad example of exclusion
17 of our people. The Claims Commission only heard from the
18 Cold Lake and Canoe Lake Indian bands. The Metis who were
19 perhaps more seriously affected by the implementation and
20 the setting aside of this range were not able to make any
21 presentations to the Commission.

22 While the Indian people, of course, did
23 use the range for traditional resource purposes, it had
24 cabins for their traditional resource pursuits, it did
25 nevertheless have permanent homes on their reserve which
26 was outside of the range.

1 However, the Metis on the other hand,
2 many had their homes right in the area where the range
3 now sits and so not only did they get displaced from their
4 cabins that they used in their traditional resource
5 pursuits but got displaced from their homes as well and
6 have not to this day been adequately represented.

7 So you can imagine the frustration and
8 the sense of anxiety faced by our Metis people who have
9 been affected by this when again the Federal Government
10 sets up a commission that looks at claims and looks
11 specifically at the Primrose Air Weapons Range but in fact
12 slams the door in the face of our people. Something has
13 to be done.

14 And it must be remembered and it was
15 printed in the paper last week that -- and by, actually,
16 the communication of the Indian Claims Commission itself
17 that that Commission was set up last year as a result of,
18 I guess, the tension in the country and as a consequence
19 to the four Native pillars that the Prime Minister
20 announced in Parliament.

21 Here again is another example where the
22 terminology is broad. The term "Native pillars" is used
23 but yet when it comes to implementation, the Metis find
24 ourselves excluded.

25 And I think you have heard before that,
26 by generally describing us as Aboriginal peoples without

1 looking at us specifically and directly, often in fact
2 finds us excluded.

3 So I guess the question is: why do the
4 Metis fall off the table when it comes to Federal Government
5 initiatives dealing with land rights?

6 Something that we would like the
7 Commission to come to grips with and maybe give us an answer
8 that, you know, we may understand.

9 But, at the current time, we really have
10 no basis for understanding why that should be the case.

11 A lot of this -- as a judge, you will
12 understand Mr. Dussault, a lot of this is because the
13 Federal Government hides behind repressive legislation
14 and the subsequent unilateral script process by which they
15 now claim that through the supremacy of Parliament our
16 Aboriginal title, Metis title, to our lands has been
17 extinguished.

18 We feel that that should not -- should
19 not be -- that that in fact is not the case. However,
20 these legal technicalities tend to be a road block.

21 Another technical legality that is used
22 against us and which we hope the Commission will come to
23 terms with and hopefully find itself in a position to
24 support us is the whole notion of the jurisdiction of the
25 Federal Government vis-a-vis Aboriginal peoples and, in
26 particular, the Metis under Section 91.24 of the

1 Constitution Act of 1867.

2 I think the Government because they
3 continue to say that we are not under 91.24 is able to
4 come forth with policies, regulations and even legislation
5 by which we are excluded.

6 Here again, they hide behind this and
7 I think that also becomes a factor when they decide not
8 to deal with the same or similar kinds of land conflict
9 resolution that they do for Indian people.

10 In fact, if your Commission is to see
11 any meaningful change in this area, at the very least you
12 must support the position taken during the constitutional
13 process last year and contained in the Charlottetown Accord
14 that the Metis are in fact under 91.24.

15 The amendment that was proposed was not
16 a new amendment -- well, it was a new amendment but it
17 was not something -- creating something new, it was merely
18 an amendment for greater clarity stating that all
19 Aboriginal peoples fall under 91.24.

20 And I can tell you that this was not a
21 political compromise or a constitution amendment creating
22 something new. It was put forward because it was a --
23 finally a clarification of the current status of the
24 Constitution and it had the support of all the signatories
25 to the Charlottetown Accord.

26 In addressing the four touchstones

1 specifically, I just want to mention the following and
2 then we will be giving concrete examples of what our
3 organization has done, what we hope to do and perhaps in
4 our following dialogue, explore what the Commission can
5 best do to assist us in achieving our goals and objectives.

6 In terms of the first touchstone, the
7 new relationship, it is clear that our people, the Metis,
8 the Metis Nation of Western Canada, have had a rocky
9 relationship with the rest of Canada.

10 That is not to say that there were not
11 periods of cooperation in the past. In fact, it was by
12 negotiation that the province of Manitoba entered
13 Confederation at the time that the Metis formed the
14 majority population in that particular part of the
15 geographic area known as British North America.

16 By right and by force, I suppose, the
17 Metis Nation could have decided and, in fact, were being
18 enticed by the United States to join the United States
19 but the Metis opted to remain within the British Empire
20 and hence joined Canada.

21 However, the legacy since then has been
22 less than noble on the part of Canada and, in fact, that
23 cooperation in the past has been overshadowed by the armed
24 conflict between Canada and the Metis most notably the
25 armed conflict at Batoche in 1885.

26 As described earlier, it is also clear

1 that there is an ongoing conflict with respect to the denial
2 of land base for our people.

3 Commissioners, we continue to be
4 marginalized by the governments in a number of ways
5 including the land claims processes and major initiatives
6 dealing with economic development and education.

7 In addition, our people continue to be
8 charged and convicted for wildlife -- for hunting wildlife
9 to feed their families. It does not matter that in many
10 of our communities, particularly in the North,
11 unemployment is running rampant and our people still live
12 a traditional lifestyle.

13 And if the paper is -- if I remember
14 accurately from the paper this morning, the Star Phoenix,
15 the Minister of Indian and Metis Affairs, the Minister
16 of Justice, Mr. Mitchell mentioned that it would be safe
17 to say that unemployment in the Aboriginal community would
18 be about eighty per cent.

19 So it is especially onerous on our people
20 when we cannot make use of our traditional resources to
21 feed our families.

22 However, we agree that there has to be
23 a new relationship. However, we have to play a lead or
24 instrumental role in forging that new relationship.

25 This new relationship cannot just be a
26 mere tinkering with the status quo by way of affirmative

1 action or equity employment.

2 While these are suitable interim
3 objectives, we have to evidence a radical reconstruction
4 of Canada as we know it. The failed Charlottetown Accord
5 could have been a starting point.

6 I want to emphasize that. It has to be
7 a radical reconstruction or a re-alignment of Canada.
8 The two orders of government, the institutions as we know
9 them today of governments in the public and the private
10 sectors cannot remain as they are and have us achieve what
11 is rightfully ours.

12 We cannot achieve those four touchstones
13 if there is not radical change in the make-up of this
14 country and if governments are not prepared to do that
15 then, of course, they are just condemning us to more of
16 the same.

17 As you will see in our presentations,
18 as an organization, we are striving to make inroads in
19 this relationship by examining ways that will enable us
20 to move from our current non-profit corporation status
21 to, as an interim measure, a legislative base under
22 provincial law.

23 We are also looking at the possibility,
24 again as an interim measure, of an amendment to the
25 Saskatchewan Act which would make provision for Metis
26 self-government.

1 With respect to the second touchstone,
2 self-determination through self-government, throughout
3 the past few decades we have been advocating the right
4 of self-determination as a people.

5 This has translated itself in the past
6 constitutional processes as the right of self-government.

7 We have insisted however that as a people we have a right
8 to a homeland, self-government, economic development and
9 the right to determine our own citizenship.

10 Of course, we also have other rights
11 which will find expression through the implementation of
12 self-government.

13 We find it hard to believe that we can
14 forge a new relationship as discussed above if we are denied
15 the right of self-determination and/or self-government.

16 It is important for Canada to note that
17 the movement at the international level has centred on
18 the recognition of the right of peoples. That legal
19 instrument states that all peoples have the right of
20 self-determination. All peoples. It does not say all
21 peoples except Indigenous or Aboriginal peoples have the
22 right of self-determination. All peoples have the right
23 of self-determination.

24 International laws, conventions and
25 declarations speak to such rights. Canada, in fact, is
26 a signatory to many of those instruments.

1 Canada has been playing an active role
2 in current developments at the international level. We
3 must commend them at least for that.

4 These include the United Nations Working
5 Group on Indigenous Populations and the Inter-American
6 Commission on Human Rights of the Organization of American
7 States.

8 These and other forms offer Canada an
9 excellent opportunity to take a leadership role and make
10 internal accommodations which will reflect positively in
11 international forums.

12 This internal accommodation speaks to
13 the return of lands and resources to all Aboriginal peoples
14 along with the full constitutional protection and
15 implementation of the inherent right of self-government.

16 It most certainly means the return of
17 land and resources to the Metis Nation.

18 In terms of economic self-sufficiency,
19 third touchstone, one of the basic right of any people
20 is not to be deprived of the resources by which that people
21 have sustained themselves and their nation.

22 In our case, with the dispossession from
23 our lands and resources and the continuing conviction of
24 our people for living off the land by hunting, trapping
25 and fishing to feed our families, we have been in law and
26 in fact denied this basic and fundamental human right.

1 It is also clear that without economic
2 self-sufficiency, self-government would prove to be a
3 hollow victory especially if our people and nation were
4 to remain dependent on Federal and Provincial governments.

5 The first premise for economic
6 self-sufficiency for our people is the regaining of our
7 lands and resources in such quantities and quality which
8 in fact enables us to move to economic self-sufficiency.

9 With economic self-efficiency, we could
10 then become meaningful participants with both levels of
11 government along with the private sector. As equals, we
12 could enter into various business arrangements with
13 corporations both private and public.

14 With economic growth, our people would
15 be major contributors to the economic and financial
16 well-being of the country as a whole. We would become
17 contributors to government programs and services rather
18 than users of numerous social programs that we currently
19 have to access.

20 This will not happen overnight but it
21 is definitely within reach.

22 While waiting for our land and resource
23 base and the inherent right of self-government, it is
24 imperative that we address economic development issues
25 as an interim measure.

26 There are a number of ways that we can

1 begin to address these economic issues. This includes
2 equitable access to existing government programs including
3 the devolution of those programs to Metis.

4 It also means finding private and public
5 sector corporations or businesses which would be willing
6 to enter into joint ventures with our people.

7 It could also mean resource revenue
8 sharing and royalty payments by governments to Metis where
9 resources are being exploited from traditional Metis
10 lands.

11 It could mean co-management of resources
12 and access to such resources as are necessary to our people
13 for food and other purposes.

14 Through our organization and our
15 affiliate, the Saskatchewan Native Economic Development
16 Corporation, we are currently exploring these and other
17 possibilities while at the same time developing an economic
18 development master plan which we hope will provide real
19 economic growth for our people.

20 In the open forum, perhaps my colleague,
21 Mr. Boland, could explain part of the master plan that
22 we are in the initial stages of developing. Something
23 he thought he was going to do today but got bumped.

24 Anyway, the fourth touchstone is
25 personal and collective healing. It cannot be emphasized
26 enough that the Metis people and nation have received

1 unfair treatment by the Canadian state.

2 This history of abuse of our people's
3 rights has had many detrimental effects. This has
4 invariably led to suicides, high rates of incarceration,
5 racist slurs, poor health, loss of self-esteem, loss of
6 identity or in some cases suppression of Metis identity,
7 alcohol and solvent abuse and the list goes on.

8 This unfair treatment, of course, is
9 rooted in the displacement of the Metis from our lands
10 and resources and the continuing denial of access to our
11 lands and resources.

12 We also mentioned earlier a roundtable
13 on residential schools where residential schools are being
14 addressed.

15 In terms of personal and collective
16 healing, when residential schools is mentioned, it comes
17 to mind right away that the Indian people cannot be
18 forgotten and I am not sure about the history of anywhere
19 else but northern Saskatchewan at Ile-a-la-Crosse.

20 The mission ran a boarding school or a
21 residential school for Metis children from that area of
22 the province and I can assure you that many students that
23 attended that institution suffered both physical and
24 sexual abuse. So it is not something peculiar solely to
25 Indian peoples.

26 In fact, I went to the school for ten

1 years from about five years old to about fifteen years
2 old and I am quite familiar with the residential schools
3 and what it can do to a person.

4 As well, we had a lot some sport
5 activities and I can tell you we all wanted to be on the
6 hockey team or the ball team because occasionally we would
7 have the opportunity to go play the Indian students at
8 the Beauval Indian residential school and we all wanted
9 to be on the team because that happened to be about the
10 only time that we would get a decent meal when we ate at
11 the residential school.

12 So to us, it seem that Indian residential
13 schools were the ideal place to go. Perhaps because of
14 the manipulations of administrators, they just happened
15 to put on a good feed for that particular day but, as
16 children, we did not know that and it seems we had been
17 conditioned from when we were very young, at least again
18 in northwestern Saskatchewan, to see that Treaty Indians
19 had it much better than Metis.

20 And, in fact, you have heard this in your
21 journeys to the north where Metis do not have access to
22 economic and other opportunities and grants that Indians
23 living on reserves have access to. That sort of has been
24 something we have been living with for a long time.

25 It is also a fact that many Metis are
26 subject to racism and abuse because of skin colour. Those

1 that harbour such attitudes do not ask if one has a Status
2 Indian number. Racism is Status and Aboriginal people
3 blind.

4 While healing is a noble quest, it cannot
5 be accomplished just by talking about the problems. There
6 have to be accompanying solutions and that is the purpose,
7 that is what you are trying to do, that is what you are
8 trying to seek.

9 However, we want to emphasize that
10 band-aid solutions are not going to work. Rather, again
11 I mentioned earlier, there has to be full-scale radical
12 changes to the current mindset of the Canadian state if
13 we are going to achieve anything real in this area of
14 healing.

15 And again, legal technicalities cannot
16 be used as shields. Our rights as a people must
17 predominate. We have to be restored to our rightful place
18 within this country regaining what is ours by birthright.

19 We do not want handouts, we merely want
20 what is ours.

21 Until and unless that happens, healing
22 of persons, communities and the nation will not be a
23 reality.

24 Having addressed the four touchstones
25 in a general way, I would now like to give a view of some
26 of our current initiatives which in many respects are

1 complemented by the touchstones.

2 First of all, with respect to the number
3 one touchstone, we, in the Metis Society, several months
4 ago have established a Self-Government Restructuring
5 Committee and in fact Mr. Flamont is one of the members
6 of that restructuring committee and may want to elaborate
7 on it more later.

8 This committee is composed of seven
9 persons. I should mention Isabelle also is on that
10 committee so she may want to elaborate on it.

11 Of the seven people, four are from the
12 Provincial Metis Council, Isabelle sits on it. As well,
13 we have another Metis Woman representative, a Metis youth
14 and a Metis Elder. So we are trying to cover all of our
15 bases.

16 The mandate of this committee is to begin
17 implementing self-government for the Metis Nation within
18 Saskatchewan.

19 We do not want to wait until somebody
20 says: "You have the right to be self-governing". We have
21 decided to begin moving in that direction and implementing
22 self-government to the degree that we are able to.

23 As noted above, we want to move from
24 being a non-profit organization to a legislatively
25 mandated Metis government.

26 As an interim measure, this can be

1 accomplished by provincial legislation and perhaps an
2 amendment to the Saskatchewan Act.

3 Our goal is to try and achieve this
4 objective within five years. We are currently in stage
5 one and we are in the process of consulting our people
6 as to the direction they would like to go and as to the
7 distance they would like us to take self-government.

8 This time frame also fits into the
9 current five year tripartite framework agreement entered
10 into between ourselves, the Province and the Federal
11 Government in February of this year.

12 I move on to the second touchstone,
13 self-government, and this is where we have our tripartite
14 process.

15 As I have just mentioned, we have entered
16 into a five year tripartite negotiation process on Metis
17 self-government. One of the major agenda items relates
18 to Metis self-management structures. That, basically,
19 is the reason why we want to dovetail our five year
20 self-government restructuring so it complements the
21 tripartite process that is in place.

22 We do not want to act in isolation. We
23 want to cooperate as much as possible with other
24 institutions in this country and if we can do that, so
25 much the better.

26 Other agenda items include land and

1 resources. Of course, we are reminded that it is not as
2 of a right but they will deal with it on the basis of
3 economic development and perhaps cultural purposes but
4 not as a right.

5 We are dealing with health as well,
6 enumeration, economic development, housing, justice,
7 social services, education, training and employment.

8 Six sub-committees have been struck to
9 pursue these agenda items. We are currently in the process
10 of setting up our formal negotiating sessions.

11 Although this process is not mandated
12 and is outside of the constitutional process, we anticipate
13 that we should be able to make some progress with respect
14 to greater control by our people over programs and
15 services. This will be accomplished by building on our
16 existing institutional infrastructure and creating new
17 ones where necessary.

18 I also want to mention the Metis Nation
19 Accord. While the Accord may have died with the defeat
20 of the Charlottetown Accord in the October Referendum,
21 we nevertheless continue to pursue the potential of
22 reviving it as a tripartite framework agreement at the
23 Metis Nation level.

24 This would see the references to
25 constitutional amendments deleted but would retain the
26 non-constitutional provisions which were unanimously

1 acceptable to the proposed signatories.

2 In essence, this would merely be taking
3 to the Metis Nation level the tripartite processes already
4 taking place with individual Metis National Council
5 members at the provincial level.

6 A major difference, however, is the more
7 far-reaching provisions contained in the Metis Nation
8 Accord. If we can achieve even this much at this time,
9 we would be well prepared for the next round of
10 constitutional talks.

11 Just by way of example, the Metis Nation
12 Accord committed governments to devolution of those
13 programs and services that bear directly on Metis.

14 In Saskatchewan, our tripartite
15 framework agreement, of course, does not speak to that;
16 it speaks about trying to carve out some relationships.

17 But a Metis Nation Accord in this respect is much stronger
18 and something which is much more preferable to us.

19 Fourthly, we are working on bilateral
20 processes. While these potential bilateral processes are
21 merely based on policy rather than legal or constitutional
22 rights, there is a potential emergence of a new
23 relationship between the Federal Government and the Metis
24 National Council on the one hand and the province of
25 Saskatchewan and the Metis Society on the other.

26 However, at this time, it is premature

1 to discuss these in detail. Sufficient to state that they
2 are real possibilities which would be helpful in moving
3 the Metis agenda forward and, of course, this, basically,
4 has a bearing on the new relationship that we would like
5 to see forged between ourselves and governments.

6 In closing, as I stated earlier, we are
7 prepared to give some concrete examples of the
8 institutional structure of our organization.

9 While we cannot address all of our
10 affiliates, we have provided for your kits some written
11 information which we would like to see incorporated into
12 today's presentation so that it is part of the formal
13 record.

14 I guess, at this point, rather than
15 answering specific questions and because of time, I prefer
16 that we move to the presentations as set out on the agenda
17 and depending on how you want to approach it, either ask
18 specific questions after each or we can wait until the
19 end and have questions and an open discussion at that
20 particular time.

21 We are trying to give a holistic view
22 of our organization. We do not want it to be overly
23 fragmented otherwise it loses the original objective that
24 we set out to do.

25 So, with that, Mr. Co-Chairman, Madame
26 Commissioner, I thank you for your patience. Thank you.

1 **CO-CHAIR RENE DUSSAULT:** Thank you very
2 much for your very interesting overview.

3 I think we are ready to hear the various
4 presentations and unless there is something very specific
5 that we would want to clarify on the spot, it might be
6 good to go through the presentations and then have an
7 overall discussion on all the aspects.
8 Okay?

9 **MS ISABELLE IMPEY:** Thank you, Mr.
10 Dussault. I would like to, first of all, introduce May
11 Henderson. May Henderson is a Board member at the Gabriel
12 Dumont Institute. May, would you stand please? Thank
13 you.

14 I also want to table some documents when
15 I am finished here. They are not in your kit because I
16 need to do some more editing before I give you the final
17 product.

18 Further to that, we brought some posters
19 for the Commissioners to take back to grace the walls of
20 the Royal Commission. I had an opportunity to visit your
21 office on a number of occasions while I was in Ottawa and
22 you did not have these posters and I think you need to
23 put some Metis posters up among the other precious posters
24 that you have.

25 Added to that, I also have pins from the
26 Gabriel Dumont Institute and other documents including

1 "Mandate for the Nineties", a document on Metis
2 self-government.

3 I believe you have staff here and they
4 are welcome to come and get this information.

5 My task today is probably an easy task
6 because the Gabriel Dumont Institute is a very easy topic.

7 Easy in the sense that we have an opportunity today to
8 brag about successes that occur in Saskatchewan with an
9 institute that is under the authority of the Metis Society
10 of Saskatchewan.

11 I think the Gabriel Dumont Institute
12 successes contribute to several factors in the Metis
13 Society.

14 One factor is that as Metis people, we
15 can take a look at our success and feel quite happy about
16 what we are doing. I think it serves well to the Metis
17 constituents and that they can say: "We can do it. We
18 don't need anyone's permission and we do it successfully".

19 I will address a number of the other
20 issues part of the presentation in order to continue the
21 thought of successful work in Saskatchewan.

22 I notice that we have other presenters
23 here. I may overlap a little bit with the other presenters
24 because of the relationships that they have with the
25 Gabriel Dumont Institute.

26 The mandate of the Gabriel Dumont

1 Institute -- the Metis people of Saskatchewan have an
2 agenda to re-establish Metis self-government and to take
3 hold of the twenty-first century.

4 The mission statement of the Gabriel
5 Dumont Institute is to promote the renewal and development
6 of Metis culture through appropriate research activities,
7 materials to be developed by Metis, collection and
8 distribution of the same material; the design, development
9 and delivery of specific educational and cultural programs
10 and services.

11 Sufficient Metis will be trained with
12 the required skills, commitment and confidence to make
13 the Metis Society of Saskatchewan goal of Metis
14 self-government a reality.

15 We have guiding principles. As the only
16 Metis-controlled post-secondary institution in Canada,
17 the Gabriel Dumont Institute must be involved in the nation
18 building process. Education institutes the need to be
19 a concrete part of that process.

20 With more than a decade of experience
21 in education and research, the Institute will be
22 instrumental in developmental and educating of
23 professional and technical infrastructures for the Metis
24 Nation.

25 And this is not isolated just to
26 Saskatchewan. I think once we have our infrastructure

1 concretely in place, that training can occur in all parts
2 of Canada.

3 Our accreditation and certification.
4 There are three training principles found in every program
5 established and delivered by the Gabriel Dumont Institute.

6 The first is that every course must be accredited and
7 recognized by major post-secondary institutions.

8 We do not train for the sake of training
9 but we have tangible evidence whether through a diploma
10 or certificate that our training is also recognized by
11 the status quo institutions.

12 Quality is also critical. The second
13 training principle is that all the courses must be of the
14 highest quality obtainable in Saskatchewan. To that end,
15 we work with the regional colleges, the Saskatchewan
16 Institute of Applied Sciences and Technology (SIAST for
17 short), the University of Saskatchewan here in Saskatoon
18 and the University of Regina.

19 The third principle is self-government.

20 In all our educational institution programs, training
21 must be directed towards a long term goal of
22 self-government.

23 I want to speak a bit about the success
24 of existing programs. Gabriel Dumont Institute has an
25 incredible record with students in the post-secondary
26 programs that we offer.

1 For instance, at the recent graduation
2 ceremonies for the Business Admin students in Cumberland
3 House, several hours northeast of Saskatoon, nineteen out
4 of twenty-three students received diplomas or certificates
5 from Gabriel Dumont and the University of Regina.

6 At the native Human Justice Graduation
7 Exercises just concluded in Prince Albert, twenty-three
8 out of twenty-five students received certificates from
9 the University of Regina. Ninety-two per cent success.

10 These figures are consistent with what
11 is happening in every program begun by Gabriel Dumont
12 Institute. This is an 87.5 per cent success rate in these
13 two programs that I just mentioned.

14 Lest you think this is unusual, we have
15 kept track of all our students in the Saskatchewan Urban
16 Native Teachers Education Program. Since 1980, when the
17 program began, 222 students have graduated and the average
18 rate of success to 1991 is 85 per cent.

19 If you compare this to the status quo
20 institutions, we look at 30 per cent success rate of Metis
21 people in regional college programs of SIAST courses.

22 Other programs which have been
23 successfully completed within the past year are Health
24 Care Administration and Wild Rice Harvesting and
25 Maintenance in Ile-a-la-Crosse and a Home Care/Special
26 Care Aide in North Battleford.

1 Courses currently under way include a
2 Heavy Equipment course at Batoche, a pilot Housing
3 Administration course in Saskatoon -- I believe a number
4 of students are here just behind me from that program --
5 and a Metis Heritage Survey Program.

6 The reasons for success in Gabriel
7 Dumont Institute are as follows. In providing education
8 and employment training opportunities, which are
9 accessible and are appropriate for the Saskatchewan Metis
10 people, programs run through the Gabriel Dumont Institute
11 have been designed with a number of special features.

12 Gabriel Dumont programs are for most
13 part community based. In essence, that means that courses
14 leading to diplomas normally attainable only by attending
15 classes on campuses of universities and technical colleges
16 are offered in towns and urban centres across Saskatchewan.

17 The program so far selected are all
18 connected in some way with skills necessary for
19 self-government.

20 As we continue to offer courses in
21 communities like Ile-a-la-Crosse and Cumberland House,
22 we recognize that the community is necessary for our
23 students.

24 When you go into a status quo
25 institution, sometimes the racism and discrimination that
26 occurs in those institutions is so difficult that our

1 students cannot remain in those institutions.

2 And, with the high drop-out rate, it is
3 often seen that Metis people are not capable of graduating
4 or completing courses. Gabriel Dumont has proven that
5 to be a myth.

6 Also the family support systems are
7 critical at times where there is a lot of pressure in your
8 life and attending post-secondary programs is not an easy
9 thing to do.

10 Most Gabriel Dumont Institute programs
11 offer a preparatory academic program. This ensures that
12 the students are able to completely pass in a very
13 successful way all the course offerings.

14 Most courses offered also have an
15 applied practicum component to it. This ensures that the
16 students are able to put into practice the skills that
17 they have learnt, they have acquired, through the institute
18 prior to becoming employed.

19 Gabriel Dumont has a five year plan in
20 terms of strategy and rationale on how we accomplish the
21 goals of the institute.

22 The main goal of the Gabriel Dumont
23 Institute is to prepare Metis people for self-government
24 through education.

25 The Gabriel Dumont Institute takes the
26 lead role in educating for self-government and nation

1 building. This includes developing, collecting and
2 distributing materials pertaining to Metis languages,
3 culture, history and self-government.

4 Self-government will allow Metis people
5 to establish programs which will be useful for further
6 development.

7 Statistics show that the Metis
8 population is younger than the non-Native population and
9 is growing faster. It is estimated that by the turn of
10 the century fully one third of all school children of
11 Saskatchewan will be Metis and Indian. This means that
12 the schools must have a Metis and Indian curriculum in
13 place before that time.

14 The Metis have an historical right to
15 their own education system. Treaty #3 indicates that
16 "halfbreeds" have the same rights and privileges as granted
17 to the Indians under that Treaty. That includes the right
18 to schools of instruction when the Indians (that means
19 Metis also) request them.

20 To that end, Gabriel Dumont Institute
21 is developing a comprehensive plan for education from
22 Kindergarten to Grade 12 and post-secondary training.

23 The education equity that is under the
24 Saskatchewan Human Rights Commission does a lot of data
25 collecting annually. Today, nineteen century, close to
26 the end of the nineteenth century, we still have a very

1 very difficult time accepting as Metis people that we have
2 a 95 per cent drop-out rate of Aboriginal students. They
3 are not completing Grade 12.

4 What is happening in the institutions
5 that cannot successfully work with our children, our Metis
6 children?

7 We need to explore that and a serious
8 review of the systems need to be looked at by Gabriel Dumont
9 Institute.

10 It is also critical that the Metis look
11 at immediately establishing a Metis Education Act. I
12 think it is important as part of this plan in assuming
13 more responsibility to successfully complete at least high
14 school by our people.

15 Under a Metis Act, local Metis school
16 boards would be established and Metis schools would be
17 developed in Metis communities.

18 The Gabriel Dumont Institute in keeping
19 with its mandate has formed the Dumont Technical Institute
20 which will be federated with SIAST. It will develop and
21 deliver, in collaboration with the Metis communities and
22 other Metis self-governed structures, courses, strategies
23 and services essential to the goal of self-government.

24 This will include Adult Basic Education,
25 Preparatory, Technical/Vocational programs and agreements
26 with employers to ensure employment of all the graduates.

1 Federation with the mainstream
2 university systems is also proposed. Federation has
3 benefits both for Metis and for the mainstream educational
4 institutions.

5 The Metis bring richness to the
6 university through a Metis language, the Michif language,
7 and other languages including Cree and through the many
8 and varied archives which contain the history and the
9 culture of the Metis and this is the proper history, not
10 the history that we find in the books that students use
11 in schools.

12 It will strengthen the Metis, identify
13 both for Metis and non-Metis students. It will also
14 provide a proper venue for Metis.

15 Today, we should be graduating our
16 university students with a major in Metis Studies not a
17 generalist program under Native Studies as being a part
18 of a generalized program under Native Studies is not
19 adequate.

20 One problem which has emerged which must
21 be addressed is that the mainstream colleges are trying
22 to deliver programs to Northern communities, to Metis
23 people. Regional Colleges in Saskatchewan receive
24 extensive funding from the Provincial Government to the
25 extent that they can provide up to 70 per cent funding
26 of programs.

1 Gabriel Dumont and Dumont Technical
2 Institute have not the financial capability to compete
3 with this.

4 Rather than competing, we should be
5 working together in partnership to deliver these programs
6 rather than through competition which is not serving the
7 Metis people the way they should be served.

8 Inevitably, protocol agreements have to
9 be reached and they must be adhered to by the regional
10 colleges.

11 We must make clear to all levels of
12 government, both provincial and federal government, that
13 programs for Metis should be decided by the Metis and
14 developed and delivered by Metis.

15 A slick package which is adapted to Metis
16 needs is not the same as a program which has Metis heart,
17 soul and control.

18 This is taken from the Gabriel Dumont
19 Strategic Plan.

20 That the past several years the Gabriel
21 Dumont Institute has received annual block funding for
22 training from CEIC through the Third Party Coordinating
23 Group.

24 In 1991/92, the Aboriginal Labour Force
25 strategy entitled "Pathways" was implemented. Under
26 Pathways, Federal funds are now directed towards a regional

1 and six local Metis area management boards.

2 This is excellent because Metis people
3 today now can say what programs they want, where those
4 programs should be delivered, how the programs should be
5 delivered.

6 We are now putting the power of
7 decision-making in the hands of the Metis people.

8 The Gabriel Dumont Institute no longer
9 goes to CEIC for their funding, we now go to the LAM, to
10 the Metis boards so we can deliver programs in their areas.

11 Although the Gabriel Dumont Institute
12 is recognized as the institute of choice, it cannot always
13 be an economically competitive institution as other
14 organizations. Therefore, it must continue to work
15 closely with the RAM and the LAM boards and other agencies
16 including the provincial and federal governments so we
17 can continue with our course offerings.

18 I want to speak a little about
19 cross-cultural training.

20 There has been systemic and attitudinal
21 racism and stereotyping toward Metis since the Hudson Bay
22 Company arrived in Western Canada. The Gabriel Dumont
23 Institute is in a unique position to develop and to deliver
24 cross-cultural training programs which help others to
25 overcome fears and myths about non Euro-Canadian people.

26 We are in the process of putting together

1 a team of people who will deliver programs in various
2 government departments and in the private sector for pre
3 and post employment situations.

4 Although we have developed and delivered
5 a multiplicity of programs whose function is to educate
6 Metis people for employment in today's market, we have
7 to ask the question: what has happened?

8 Our success rate of graduation is not
9 translating into significantly employed people. One of
10 the reasons is the cost of becoming educated today. Metis
11 people by and large do not come from backgrounds which
12 can support students in post-secondary education. This
13 means that students must obtain loans.

14 We have found that many students who
15 enrol in our courses are single parents with one or more
16 dependents. If such a student graduates from our Teachers
17 Training Program for example, we have found that it takes
18 fourteen years to pay off the student loan from the year
19 that they started.

20 That means she is living under the
21 poverty level when she gets her first job because of the
22 level of pay that teachers receive.

23 She cannot provide for her family's
24 needs and the cycle of poverty is maintained. Because
25 of the benefits allowed under Social Assistance, sometimes
26 it is more beneficial for some of these graduated teacher

1 degreed Metis people to go to Social Assistance and get
2 the benefits of subsidies and child care rather than to
3 go in a classroom and teach and it is unacceptable that
4 they are in that position today.

5 Most Aboriginal men are employed in
6 semi-skilled, manual labour areas. The percentage of
7 semi-skilled Aboriginal men is 24.97 per cent as compared
8 to 17.68 in the total work force. The percentage of manual
9 workers amongst Aboriginal men is 16.49 per cent.

10 The women are concentrated in the
11 clerical areas. 67.35 of full-time Aboriginal women
12 workers are clerical staff. Clerical positions for women
13 are often equated with semi-skilled positions for men.

14 Therefore, we can say that Aboriginal
15 women and men are largely employed at the least skilled
16 levels in the employment charts. When we consider that
17 a lower percentage of Aboriginal people graduate from Grade
18 12 than do the non-Aboriginal people, it is not surprising
19 that so few are employed at more financially lucrative
20 positions.

21 This also means that there is little room
22 for advancement in employment. In my document that I will
23 table with you, I will have a number of charts that do
24 the comparison analysis.

25 The Metis people recognizing that
26 education and secure employment is vital to the goal of

1 self-government is working on developing an Employment
2 Equity Development Plan.

3 The primary concern is that well
4 qualified Metis people be employed in direct proportion
5 to the number of Metis served by that employer.

6 For instance, the Department of Social
7 Services, here in Saskatchewan, helps about 34,000 people
8 on Social Assistance. Just over 5,000 of those are
9 declared Metis and Non Status Indians or 14.79 per cent
10 of the total.

11 Statistics also show that only 6.55 of
12 the workers in the Department of Social Services are
13 declared Aboriginal. Employment equity would suggest
14 that in the area where most people are needed that more
15 should be employed.

16 Too many times employers have the idea
17 that employment should be on merit alone. Sometimes you
18 have to make changes to the entrance in order to bring
19 the Aboriginal people to be full-time employed as long
20 as the end result is the same.

21 They do not necessarily take into
22 account the needs of their clients. As a Metis person
23 going for assistance, I think there would be some merit
24 in going to one of your own people to assist you.

25 With the help of the Gabriel Dumont
26 Employment Centre, employers could find well qualified

1 Metis employees who are ready to enter the mainstream
2 market. We have that information. One of the, I think,
3 points that Clem made is well taken: when they did an
4 Aboriginal inventory of employable Aboriginal people in
5 this province and that meant the Status and the Metis,
6 they put the contract out to the Status to do that
7 inventory. They ignored the Metis.

8 And again, that is not acceptable
9 because I think the State should not be promoting that
10 kind of discrimination or racism against one group of the
11 Aboriginal people.

12 And I think in working with
13 cross-cultural issues and presentations to the governments
14 could make a difference.

15 I think Metis with this process are
16 telling their story. A story needs to be told, needs to
17 be heard not just by Metis but needs to be heard from
18 mainstream society and status quo institutions.

19 I do not know how familiar you are with
20 the Federal Public Service who undertook to monitor
21 turnover rates of Aboriginal employees in 1991. I am also
22 attaching the findings of that study.

23 The findings were that termination rates
24 were significantly higher for Aboriginal employees and
25 the reason given for leaving can be summarized as follows:
26 first of all, the people are unable to feel that they

1 are making a meaningful contribution.

2 The lack of challenging opportunities,
3 cultural and attitudinal barriers, tokenism, inhospitable
4 work environment, limited access to advancement.

5 With a lack of meaningful employment,
6 lack of a comfortable work environment and a lack of a
7 reasonable salary, many Metis people are still operating
8 below the poverty level or are on Social Assistance.

9 Since so many Metis people are living
10 below the poverty line, either through lack of decent
11 paid employment or Welfare, there are a great number of
12 health and social problems within the Metis community.

13 With the lack of a stable financial base
14 in the community, it is nearly impossible for Metis people
15 to receive post-secondary education without external
16 assistance.

17 This comes at a high price, sometimes
18 too high.

19 Even with successful completion of
20 courses, the employment market is very competitive. Metis
21 people are sometimes overlooked for employment because
22 employers unconsciously tend to look for people who look
23 like themselves. We know the path labelled unemployment
24 only too well.

25 The history of the Metis people is that
26 change has always been part of our life. Metis adapt to

1 new situations. We know, as Metis people, education and
2 employment is our key.

3 The Gabriel Dumont Institute is moving
4 forward to educate Metis people in Metis ways and is also
5 looking to create meaningful employment in a community
6 situation.

7 Programs which are under way at the
8 moment are: the Metis Family Literacy and Youth Education
9 Strategy funded by the Royal Commission on Aboriginal
10 Peoples.

11 This project has two goals: the first
12 is to investigate Metis family illiteracy in relation to
13 employment and education and the second is to analyze the
14 results to develop a strategy to address the high drop-out
15 rate amongst the Metis students as well as the literacy
16 of Metis families.

17 The second one is the Metis Heritage
18 Survey funded through the Access to Archaeology Program
19 in conjunction with the Western Heritage Services. This
20 is a program which is customizing in a geographic
21 information centre. Its mandate is to map out the Metis
22 homelands and to update the geographic information.

23 The Pinehouse Project is a pilot project
24 to train self-government field workers. Their mandate
25 is to decide on a definition of self-government, develop
26 the mandate for self-government and divide the mandate

1 into objectives, workable objectives.

2 For example, this project will survey
3 the education system already delivered in our community,
4 the Northern community and develop a strategy to implement
5 a Metis school board. The project people will take then
6 is a plan to include this in other communities and use
7 the methodology in order to promote self-government and
8 self-determination in other Northern communities.

9 In conclusion, the education goals of
10 Metis people through the Gabriel Dumont Institute are to
11 develop Metis educational systems positively adapted to
12 the distinct needs of Metis people.

13 The goals are to assist in the
14 development of a Metis Education Act, to coordinate and
15 provide support to the Metis K - 12 Task Force, to provide
16 research and planning support to achieve federation and
17 operationalizing of the Dumont Technical Institute and
18 to provide research and planning support to achieve
19 federated status at the university level.

20 Our main goal is to be economically
21 self-sufficient through a well organized educational
22 system.

23 With that, I will table my documents.

24 **CO-CHAIR RENE DUSSAULT:** Yes, if you had
25 some copies, a couple of copies for -- available for us
26 that would be helpful and I do not know if the other

1 presentations -- we have some materials in our book but
2 it could be useful to follow.

3 When there is an important paper like
4 this one, there is a lot of data and it would be useful.

5
6 So, do we move to the next presentation
7 or what is your ---

8 **MS ISABELLE IMPEY:** Okay, I also will
9 be speaking on behalf of the Metis Women of Saskatchewan.
10

11 I will leave the document here with your
12 staff but I also want to take the liberty of sending more
13 information to your office. We have a lot of information
14 that I did not want to bring for this process.

15 I believe you had a presentation from
16 the Metis Women in Regina as well and this may be
17 overlapping some of that presentation that you heard.

18 I do not want to get into the details
19 of describing a Metis person although it has been an issue
20 that has been looked at closely by the Metis Women of
21 Saskatchewan.

22 It is interesting to look at the new
23 statistics that have come out from Census Canada. In the
24 province of Quebec in comparison from the most recent
25 census on the one before, they have now increased 108 per
26 cent of Metis people identified in that province.

1 I believe the increase is also
2 substantial in the province of New Brunswick where they
3 say they have an increase of 78 per cent of Metis people.

4 And it is going to be, I think,
5 interesting to look at how they describe Metis people in
6 that process.

7 The Metis have a particular culture
8 which, as cultures do, has grown and developed throughout
9 the years. One of the most significant aspects of the
10 Metis culture has been its ability to adapt to significant
11 changes.

12 I also tell everyone they are probably
13 the most adaptable group in Canada.

14 Including, you know, changes that have
15 been brought about by the government conspiracy which led
16 to the Metis Rebellion of 1885 and those changes brought
17 about, you know, through the Metis Accord including the
18 failed Charlottetown Accord of 1992.

19 The Metis formed the nation. There is
20 still a lot of doubt in minds of Canadians that Metis is
21 not a nation. It is. This nation is also self-governing.

22 The Metis Nation has not ceased to be
23 self-governed even after the failed rebellion of 1885.
24 The problem has lain with the lack of recognition by the
25 government of Canada and subsequently the provincial
26 governments.

1 We are not asking the governments to say
2 "Yes, you are a Metis self-governing nation". All we want
3 is for the governments to seriously look at complementary
4 legislation that supports the position that the Metis
5 people have taken.

6 It is up to that particular nation to
7 identify what Metis self-government is. It is not the
8 role of governments.

9 The Metis have renewed their struggle
10 to gain recognition. However, we have taken the position
11 that we will conduct our affairs in a self-governing manner
12 regardless of government recognition.

13 Metis Women have played an integral part
14 of the development of the nation. Aside from the obvious
15 biological functions, Metis Women have been involved in
16 the politics and support services.

17 In the past, the political involvement
18 has been more or less behind the scenes through suggestions
19 and advice to the male leaders. The women have supported
20 these leaders through military battle, political upheaval
21 and societal change.

22 The women have cared for the families,
23 worked to house and feed the families and have watched
24 and advised as the leaders spoke on our behalf.

25 However, today, Metis women speak for
26 themselves and have begun to take leadership positions

1 traditionally held by men in order to speak for the Metis
2 Nation.

3 These leadership positions are
4 primarily appointed. Elected positions are difficult to
5 come by for Metis women as the protection over them is
6 great. Men do not wish to be led by women for a variety
7 of reasons not the least of which is that of employment
8 in a world of little employment opportunities.

9 The inability or unwillingness for men
10 to relinquish or share their power in public leadership
11 positions due to or with women is evident in all different
12 political parts of Saskatchewan.

13 If you take a look at the structure of
14 the Metis Society of Saskatchewan, the political
15 structure, you will find one female. The Metis National
16 Council is the same: there is one female represented.

17 This comment is not intended to slight
18 Metis Society or the Metis National Council. Rather, it
19 is an issue that what we expect from the larger society
20 in terms of equity for women is also what we should be
21 expecting from our parent organizations; nothing less,
22 nothing more.

23 The Metis Women of Saskatchewan are
24 moving progressively towards taking hold of these
25 positions. We are training through our employment,
26 through our organization's developmental seminars and,

1 of course, through our appointments to various boards
2 within the Metis Society and also the government.

3 We have the leadership today in Metis
4 Society that promotes the active involvement by the Metis
5 Women. We continue to sit on the boards probably not in
6 the same numbers as the men do but we certainly have a
7 voice in those boards.

8 It is our understanding -- I want to deal
9 with one national issue here but it also affects Metis
10 women whether it is in an urban centre or in a community
11 -- a northern community or an isolated Metis community.

12 There is our understanding that when
13 women are not present in meetings, degrading remarks are
14 often made about women. Men who are uncomfortable with
15 this form of talk are powerless to speak out against it
16 for fear of loosing their jobs or not being considered
17 one of the boys.

18 Degrading remarks made whether it is
19 Metis men or White men or Indian men eventually translate
20 into family violence because if you take one step, it is
21 natural for step two to occur.

22 I am the first female Executive Director
23 of the Gabriel Dumont Institute. However, most positions
24 with Metis government organizations, that is, the
25 affiliates of Metis Society of Saskatchewan, women tend
26 to hold fewer of the influential positions rather most

1 remain in low paying secretarial jobs. That is the hub
2 of the complaint from the Metis Women of Saskatchewan.

3 They are saying "We are not prepared to
4 continue this because we are just as well educated as the
5 men that hold those positions."

6 Further, Metis women hold the least
7 amount of influence within the status quo feminist
8 organizations. New Canadians, immigrant women, women of
9 colour and Treaty women, Indian women will be considered
10 first for positions and as a resource person to speak on
11 issue for and about women. Metis women are rarely if ever
12 included.

13 Not only are Metis women marginized as
14 women but are so due to our ethnicity. We are not
15 considered a true cultural group and have a lot to explain
16 often and in some cases argue our case.

17 This is not acceptable, not in today's
18 society, not within our Metis society, not within the
19 Indian society or larger society.

20 Our Metis Women of Saskatchewan are
21 saying they will not tolerate that. They are going to
22 have to put strategies in place in how to combat sexism
23 and the issue of the status quo feminist movement.

24 Granted, history lessons tend to
25 misrepresent, overlook or whitewash the Metis Nation and
26 its culture and therefore the people not involved in the

1 culture do not learn about us.

2 I had an opportunity to speak to a
3 Department of Justice seminar about a month ago and people
4 who have lived in Saskatchewan all their lives in fact,
5 were born and raised in Saskatchewan, did not know anything
6 about Metis that are working for that Department.

7 This is what I am saying is totally
8 unacceptable.

9 Metis are now telling their story and
10 it needs to be heard and it needs to be supported by the
11 Royal Commission. That is why it is so important for this
12 Royal Commission on Aboriginal Peoples to take a serious
13 look at mainstream educational curriculums from
14 Kindergarten to university and make sure that Metis are
15 included, well represented with the accurate historical
16 reference.

17 Women form 53 per cent of the Canadian
18 population yet we are considered an interest group. Metis
19 women question this. However, we require specific
20 recognition because we are not considered in the day-to-day
21 negotiation for Metis rights. Our voices are not heard
22 and are not represented.

23 People may say "Well, Metis rights are
24 Metis rights. They are for everybody." but Metis women
25 question this as well because those rights have been
26 defined by men. Whether the men have purposefully

1 neglected the issue of facing women and children or simply
2 they are ignorant with them is not important. What is
3 significant is that due to the lack of representation,
4 women face double barriers within their own communities
5 as women, as caregivers, employers and employees. Metis
6 women also suffer in the mainstream as Metis people.

7 It is due to these reasons that Metis
8 women must speak out for what some think are
9 gender-specific issues. Metis women have had to form
10 support groups and provincial organizations to voice the
11 issues men have neglected and ignored.

12 Due to these gender-specific groups, we
13 cannot officially speak for the Metis Nation. Again, I
14 come back to the people still see us as an interest group.

15 We are contacted to speak only for women
16 within the Metis Nation yet the provincial and national
17 groups structured by men and primarily run by men are
18 official spokespersons for the whole of the nation even
19 though they can only speak for themselves and their needs.

20 When we look at affirmative action and
21 all its downfalls of the quota system, we see that is
22 necessary for Metis people and for women to be in equitable
23 situation with the rest of society and with men. We have
24 to have secured positions in both employment, in elected
25 positions and positions of power.

26 Then, when people are used to seeing

1 Metis people and Metis women in these positions, the quota
2 system can be dropped and we will have an equitable
3 opportunity at gaining these positions through competition
4 or election.

5 Our society has two. We do not have just
6 men, we also have women. And, in order to have a balance
7 in our society, it must be all inclusive, not exclusive.

8 The problem is that although these
9 things can be legislated, we cannot legislate attitudes
10 because it really shakes down to the attitude that occurs
11 in our society.

12 It is generally an attitude about women,
13 about Metis people that require changing and this must
14 begin in the education process, the education system at
15 Kindergarten level and throughout all the education years
16 of young people and adults.

17 I want to make a comment about the Royal
18 Commission from this perspective that I just gave you.
19 The very commission that was designed to deal with the
20 issues of Aboriginal people also has promoted and I suppose
21 through their ignorance that they also oppress the Metis
22 women.

23 When we made an application for funding
24 to the Royal Commission in order to do a major job in
25 identifying the level of family violence that exists in
26 Saskatchewan on Metis women, the Royal Commission said

1 we cannot do that because we already gave the money to
2 the Aboriginal women.

3 The Metis women are legitimate. They
4 have been elected. They are in positions to make a
5 difference to the Metis women and their children and they
6 cannot be addressed through the Aboriginal group in
7 Saskatchewan.

8 I am not saying it to put down the
9 Aboriginal women. I am saying that Metis need to start
10 taking control of the problems and dealing with them and
11 only they can make a change in those Metis communities.

12 Some of these issues that are important
13 to Metis women in their involvement. First of all, Metis
14 self-government is very important to the women and we have
15 done some work with our provincial Metis Women Board.

16 Child and family welfare is critical.

17 We need to explore how we can become closely involved.

18 We are preparing too many of our young Metis children
19 to go through all the institutions and systems in
20 Saskatchewan. Such a high percentage of our Aboriginal
21 women and men are ending up in correctional facilities
22 not because they are all evil or that they have criminal
23 intent but it is because the justice system is not serving
24 us very well and because very few of us are in a position
25 to make a change in our system.

26 Education equity for Metis people is

1 also a critical one. Even though education equity has
2 been in place with the Saskatchewan Human Rights Commission
3 for several years, the high rate of early living is still
4 unacceptable when you are still looking at 95 per cent.

5 Economic and employment equity for Metis
6 people is very important. We have to be able to sustain
7 our families and we are not in a position to do that where
8 we have to go to the State for that support.

9 Social and community development for
10 Metis people is also critical. We have had some very good
11 social systems in place but we have put aside in order
12 to follow mainstream society. I think we need to go back
13 and look at those social systems.

14 The other issue that is a major concern
15 to the women is justice in terms of the housing of the
16 women and the healing lodge and the sentencing of our people
17 through the justice system.

18 That gives you a brief overview and again
19 I will table the document with you. I do not want a
20 misunderstanding. We have a very good working
21 relationship with the leaders of this province. I think
22 they have included us far more now than we have ever been
23 included before but it is still not enough.

24 We have a contribution that we can make
25 and it is a good contribution and we have waited a long
26 time for that.

1 As well, I will table with you two
2 documents: the one we initially tabled to the Commission
3 and also another one. It is the Metis Child Welfare and
4 Family Service Agency. I also table these two documents.

5 In concluding, I want to make one
6 observation with the Royal Commission. Five years ago,
7 I attended a meeting in Whitehorse, Yukon. At that time,
8 the meeting was for the Canadian Association of Human
9 Rights agencies.

10 At that meeting, I made a presentation
11 where I felt it was critical that a Royal Commission be
12 put in place. It is not the Royal Commission on Aboriginal
13 Peoples that we see today but a Royal Commission and your
14 Commission, I think, can still have the same function.

15 The history of Aboriginal peoples in
16 Canada, I do not think I need to give you a graphic picture.
17 I think everyone in this room knows how serious it is.
18 It is not a very good picture.

19 The very reason why we are in the state
20 that we are in is that Canada's policies for Aboriginal
21 people it must be looked at by this Royal Commission or
22 through another Commission.

23 Canada's policies and laws have been
24 raised on predetermined goals of successful colonial
25 governments.

26 We know that those policies are

1 assimilationist policies or policies for integration.
2 We also know that they are termination and liquidation
3 policies or policies to civilize people that they still
4 think are not civilized and that is referring to Metis
5 and Indian.

6 And they continue to be the basis for
7 Canada's policies and the laws that are respecting the
8 rates of our Indian, Inuit and Metis people, their
9 societies and their communities.

10 For example, when you look at the 1969
11 White Paper Policy, five years to conclude -- deal with
12 the Indian resistance and terminate certain status that
13 they have. Whatever happens to our Indian brothers and
14 sisters happen to the Metis ultimately. Those policies
15 cannot be separated.

16 We look at them and how they treat the
17 Indians, they will treat the Metis probably even more
18 severe because we are seen as people with less rights.

19 Until those policies by government, by
20 the state is clearly looked at by a body, independent bodies
21 such as yours, they will continue and as long as the status
22 promoting an oppression to the Aboriginal people whether
23 it is the Indians or the Metis, we are going to continue
24 to have the problems that we are faced with today.

25 So I would encourage the Royal
26 Commission to look at those policies.

1 I also want to table that document for
2 you. Thank you.

3 **CO-CHAIR RENE DUSSAULT:** So thank you
4 very much. What do you suggest? Should we have a
5 discussion on those two presentations or you still happy
6 with having all the presentations and then the discussions?

7 **MR. CLEM CHARTIER:** Yes, I think we
8 prefer that. I think they would like a little bit of a
9 break, maybe ten minutes?

10 **CO-CHAIR RENE DUSSAULT:** No problem.
11 Ten minute break? Okay? And we will resume with -- okay?
12 Thank you very much.

13 --- Upon recessing at 3:06 p.m.

14 --- Upon resuming at 3:20 p.m.

15 **CO-CHAIR RENE DUSSAULT:** We are ready
16 when you are ready.

17 **MS CATHY LAVALLEY:** Okay.

18 **CO-CHAIR RENE DUSSAULT:** There is no
19 problem. Yes, we are ready now.

20 **MS CATHY LAVALLEY:** Okay. I am here
21 representing the Regional Metis Management Board for the
22 Pathways to Success program in Saskatchewan and I will
23 just start off by giving you a brief outline of the Pathways
24 program for Metis in Saskatchewan. It is rather unique
25 in comparison to the Pathways programs in other provinces.

26 We have the mandate in the province to

1 give Metis people better access to post-secondary
2 education; to give Metis people decision-making power over
3 some of the Federal Government money used in education.

4 The third item in our mandate is to
5 encourage Metis youth to stay in school until they complete
6 Grade 12.

7 Our fourth objective is to meet labour
8 market needs and incorporate into that objective to meet
9 the needs of the Metis Nation in terms of self-government.

10 The fifth item which is the focus for
11 Metis Pathways in Saskatchewan is to encourage education
12 and employment equity and that is both within Metis
13 organizations and within the larger labour market as well.

14 The Pathways to Success program in
15 Saskatchewan, the mandate and jurisdiction is divided into
16 six local boards. Each board is made up of two Metis
17 Society areas and each LAMB (Local Aboriginal Management
18 Board) has a board which has members from the community
19 which are elected or selected by the community which will
20 include Metis women representatives, representatives from
21 the Metis locals; in some case, friendship centres if they
22 are very active in the communities and in the case of the
23 Northern boards, there is representation by Northern
24 mayors.

25 In that way, there is an effort to have
26 local people directly involved in decision-making around

1 education.

2 Each local Aboriginal Management Board
3 selects one person from their board to sit on the regional
4 or provincial Metis Management Board.

5 The Regional Board is mandated to
6 determine budget allocations that will be passed down to
7 local boards and also to do some long term planning and
8 province-wide planning in terms of education, training
9 and employment.

10 The RAMB selects one person out of its
11 membership to sit on the National Board to represent Metis
12 people from Saskatchewan.

13 We have several somewhat unique things
14 in Saskatchewan in terms of the Pathways program. We are
15 the only province in which Metis people have their own
16 board structure and have complete control of money for
17 education and training from Employment and Immigration.

18 In all other provinces, there is an
19 integrated Aboriginal process and in Saskatchewan we have
20 separate Status Indian and Metis processes and this enables
21 the process here in Saskatchewan to meet the needs of the
22 community much more efficiently.

23 I will just go through the programs that
24 are currently under the control of the Pathways boards.

25

26 One is Outreach. As of April 1st of this

1 year, we now have Outreach which is specifically designed
2 and controlled for Metis people in the province and we
3 are actually now turning it into Metis employment and
4 training centres where their mandate will be expanded from
5 the former Outreach Centres which most people are familiar
6 with.

7 The Outreach Centres will provide
8 employment counselling, career interest and aptitude
9 testing, referrals to other agencies whether that may be
10 Employment and Immigration, Social Services, educational
11 institutions, employers and other service agencies.

12 They will provide job information and
13 listings. Most Outreach Centres or Metis Employment
14 Centres will provide resume writing workshops and job
15 search techniques. There will also of course be
16 information available on Pathways educational funding
17 opportunities.

18 There will be a Metis Employment Centre
19 in each of the local board areas and in some board areas
20 there will be several especially in the North where the
21 service of this type is not available in the community
22 prior to this and now there will be new centres that will
23 provide that service.

24 The second program that we are very
25 active in is the Start program. That is part of the Federal
26 Government's Stay in School initiative which there are

1 individuals in all of the local board areas which encourage
2 and provide assistance to Metis students so that they are
3 able to remain in school until they complete Grade 12 and
4 that is done in a variety of ways.

5 There is some one to one counselling,
6 some referral to tutoring, referral to other agencies and
7 just generally a support system.

8 And also, there is initiatives being
9 made to develop a curriculum which is Metis specific and
10 to educate non-Metis persons about Metis culture.

11 The third initiative that we are
12 involved in is the Summer Employment/Experience
13 Development of SEED in which High School or post-secondary
14 students are given employment in the community and this
15 has a twofold purpose: one is to obviously offer students
16 summer employment and the second one is to provide a service
17 to local community groups so that they are able to further
18 develop on the road toward self-government.

19 The final thing that we are able to do
20 through the Pathways program is directly purchase seats
21 and provide education to people in the communities and
22 the emphasis of this education is towards meeting local
23 labour market needs. In other words, we train for
24 employment, we do not train for the sake of training.

25 All the funding that we do provide for
26 education in the local communities is with the idea that

1 there will be a job at the end of it.

2 Now I am going to some of the issues that
3 have come up through the development of the Pathways
4 process in Saskatchewan.

5 One of the major concerns is that we are
6 required to use Employment and Immigration criteria in
7 selecting students and projects that we will be funding
8 and in many cases EIC criteria is not particularly useful
9 to meet the needs of the community.

10 One particular example is the fact that
11 we are restricted in a lot of ways in funding people
12 directly out of High School into post-secondary training
13 institutions. They are currently required to have one
14 full year out of High School before they are able to enter
15 either technical or other sorts of training and we find
16 that that gap in time means that we loose a lot of people
17 where they are no longer interested or able to take further
18 education.

19 And that is one of the major issues that
20 we are interested in having changed so that the criteria
21 better meets the needs of the community.

22 I mentioned the Start program. That is
23 seen as a key to the development of the Metis Nation as
24 a whole. If you keep people in school and have them
25 educated to the same level as the general population, they
26 are much better able to compete for jobs and to provide

1 a service to their community.

2 And in this current fiscal year, the
3 Start program budget was reduced and that has become a
4 great concern. What is happening to these people that
5 were previously being served by the Start program? The
6 youth seem to be left out of the Pathways initiative in
7 many ways.

8 As I said before, there are two separate
9 processes in Saskatchewan: one Indian and one Metis.
10 Having this process allows the Metis in Saskatchewan to
11 develop a self-government-like institution where they have
12 local offices which are determining labour market needs,
13 education needs and doing research on the local community.

14 And, in order to do this, you require
15 sufficient funding to have these activities occur.

16 Currently in this province, there is a
17 funding split between Indian and Metis in terms of Pathways
18 funding. There is currently 60 per cent for the Status
19 Indians and 40 per cent for the Metis.

20 This does not take into consideration
21 historical inequities that have existed in funding for
22 Indian and Metis in terms of education and employment and
23 the fact that our Indian brothers have access to funding
24 from Indian Affairs whereas the Metis people do not have
25 access to that.

26 We have also been informed by Employment

1 and Immigration that in the next fiscal year, 94-95, that
2 they will take into strong consideration the census data
3 from the 1991 census and Aboriginal people survey and it
4 is generally accepted among the community that those
5 figures are not correct for the Metis people in
6 Saskatchewan. They are under-represented in several
7 age categories and most significant is the age category
8 from 15 to 24.

9 The 1991 census showed a significant
10 increase of self-declared Metis people in all other age
11 groups but not in that one which shows a statistical bias
12 or a general problem in the census taking exercise provided
13 by Census Canada.

14 What happened to those people from the
15 ages of 15 to 24?

16 In that way, we are encouraging
17 Employment and Immigration and also the province and the
18 other Federal Government agencies to undertake Metis
19 enumeration.

20 And of course, the Metis Nation Council,
21 the MSS and the provincial and federal governments are
22 working towards that and the Regional Metis Management
23 Board would like to encourage those parties to carry
24 through with that so that Metis people are accurately
25 enumerated and funding can be based on accurate numbers
26 rather than the ones that are currently available.

1 The current Pathways system allows Metis
2 people to approve funding but not to actually enter into
3 contracts directly with educational institutions. The
4 contracts still must be signed between Employment and
5 Immigration and the educational institution.

6 And in order to develop further along
7 the self-government process, it is necessary that the Metis
8 Pathways system be allowed to eliminate the third party
9 in the process which is Employment and Immigration.

10 There is a need to move towards direct
11 contracting between the educational institution and the
12 Metis Society through the Pathways board structure.

13 And there has been some movement towards
14 that through the development of the one agreement model
15 that would allow the Metis Pathways boards to do some of
16 the functions that we foresee as being necessary as part
17 of self-government but that has been a very slow and painful
18 process and as of this particular date, all of the sites
19 chosen as pilot projects in the one agreement model have
20 been Status Indian sites and nothing, no sites have been
21 selected out of the Metis boards in Saskatchewan.

22 That is one other thing that the Regional
23 Metis Management Board would like to emphasize: because
24 we are unique here in Saskatchewan with having a Metis
25 Pathways structure that there should be a Metis -- one
26 agreement model in order to thoroughly test the principle

1 of direct contracting with educational agencies by the
2 Aboriginal groups.

3 I have provided to you some information
4 regarding the board areas, the membership of the boards.

5 The anticipated offices for the Metis Employment and
6 Training Centres, not all of them have been finalized.
7 The ones in the North are only opening up as of June the
8 1st so that information will be forwarded to you as it
9 becomes available.

10 As well, any new and additional
11 information that I feel would be beneficial for the work
12 of the Royal Commission will be provided to you as it is
13 available.

14 I would like to thank you on behalf of
15 the Regional Metis Management Board for the opportunity
16 to speak to the Commission and I am open to any discussion
17 afterwards.

18 **CO-CHAIR RENE DUSSAULT:** Thank you. I
19 guess we will hear from Alphonse now?

20 **MR. ALPHONSE JANVIER:** Good afternoon,
21 ladies and gentlemen and members of the Royal Commission.

22 I have in the past week faxed a copy of
23 developments that are taking place with the Metis Justice
24 and Social Ministry of Saskatchewan. What I have done
25 is that I have taken a brief and prepared a four page brief
26 which I would like to present to the Royal Commission.

1 One of the questions that I have
2 attempted to answer in my brief is: Why is Justice and
3 Social Services a Metis issue?

4 The answer is very simple. We, the
5 Metis people, and our brothers constitute the majority
6 of inmates within the correctional institutions of
7 Saskatchewan. We also constitute the longest line at the
8 Income Security offices in eleven Social Services regions.

9 We also have the highest rate of suicide,
10 highest unemployment rate, the lowest academic achievement
11 rate, the highest substance abuse rate and the list goes
12 on.

13 No doubt the Commission has heard the
14 bleak situation of Metis people throughout Saskatchewan
15 and the rest of Canada. As such, I do not wish to dwell
16 on this any more.

17 The next question is: what can we do,
18 as Metis people, to deal with the Justice and Social issues
19 that face us on a daily basis?

20 Again, the answer is simple. We have
21 been telling governments and bureaucracies that the
22 mainstream system that deals with the so-called Metis
23 problem pertaining to Justice and Social issues does not
24 work. The Legislative/Policy environment in which
25 Justice and Social development takes place does not
26 properly reflect the unique Metis traditions and values.

1 It is time that government and their administrative
2 bureaucracies hear the voices of Metis people.

3 We have been telling governments that
4 the Metis want to take responsibility for the so-called
5 problems and attack these issues from the viewpoint of
6 Metis people. We are prepared to legislate, develop
7 policies, design and implement programs and services that
8 are unique, designed for the Metis people where ever they
9 may live in tackling Justice and Social issues.

10 To accomplish such a goal, the Metis and
11 other governments must develop a new relationship; one
12 that harbours mutual trust, respect as well as generally
13 harmonious and supportive relationship.

14 The barriers of Metis self-sufficiency,
15 self-determination and healing does not rest solely within
16 the non-Aboriginal people. Non-Aboriginal population has
17 demonstrated a great deal of support for the aspirations
18 of Metis and Indian people. This point has been stressed
19 in many previous reports.

20 The most significant and persistent
21 barriers are the many institutions that exist within our
22 society that hamper the proposed developments of the Metis.

23 The institutions that are created on the values of
24 European ideology and have taken many years to develop
25 a resistance to change.

26 But it is imperative that change takes

1 place without delay.

2 These institutions must give way to the
3 alternatives that are being developed which recognize and
4 encompass the unique traditions and values and ideologies
5 of Metis people.

6 In the process of change, mainstream
7 justice and social institutions must develop a supportive
8 attitude and prepare to give up control to the Metis people.

9 The financial barriers that Metis
10 encounter in their proposed development must be given
11 serious considerations by government. Unlike the
12 Treaties' financial obligations to Indians, the Metis must
13 rely on small token financial handouts.

14 This type of financial support for the
15 Metis also must change. The governments in partnership
16 with the Metis must determine the allocation of
17 expenditures in financing Metis Justice and Social issues
18 and be prepared to transfer the money to the Metis
19 government as it develops over the years.

20 In conclusion, the Metis of Saskatchewan
21 are ready to tackle the long standing Justice and Social
22 issues. We are prepared to tackle the issues to a
23 partnership process with governments and the
24 non-Aboriginal communities.

25 The Metis government of Saskatchewan has
26 created a Metis Justice and Social Ministry in an attempt

1 to achieve the goals of the Metis. The Ministry has
2 identified some areas that need immediate attention
3 including Family and Youth Services, Corrections,
4 Probation and Preventive and Alternative Services in both
5 Justice and Social issues.

6 The Ministry is presently in the process
7 of developing provincially based policies in the relevant
8 areas of concern.

9 It is now time to stop blaming one
10 another and start discussing some of the issues at a
11 partnership level. The Metis communities are prepared
12 to take ownership of and responsibilities for the so-called
13 problems pertaining to Justice and Social issues.

14 We now need the support, trust and
15 respect of the institutions that historically exercise
16 so much control over us and above all the Metis Nation
17 must be given the opportunity to heal itself and become
18 a productive and meaningful nation within the Federation
19 of Canadian Nations.

20 With that, I would like to submit some
21 documents that are pertaining to some of the projects that
22 are being proposed by the Justice and Social Ministry and
23 I am prepared to answer any questions during the discussion
24 period.

25 I would like to thank the Royal
26 Commission for giving me the opportunity to present the

1 case for the Metis Nation of Saskatchewan.

2 **CO-CHAIR RENE DUSSAULT:** Thank you.

3 **MS JOYCE RACETTE:** Thank you. First of
4 all, I would like to begin by saying that we also support
5 the political agenda of the Metis Society -- the Metis
6 people of Saskatchewan actually and of Canada in reaching
7 their goal which is self-government.

8 I think every MSS institution including
9 our own clearly supports that as was stated by Clem
10 Chartier.

11 Generally, what I wanted to tell you is
12 that the Metis Addictions Council of Saskatchewan which
13 I will refer to as M.A.C.S.I., is a province-wide program.

14 We, as mentioned, are an affiliate of
15 the Metis Society of Saskatchewan and we are governed by
16 a provincial board of directors which are selected from
17 the twelve MSS area regions. As well, three people from
18 the MSS Board sit on our board and we have representation
19 from the Metis Youth and Metis Women.

20 We are funded by the Saskatchewan
21 Alcohol and Drug Abuse Commission as well as our own fund
22 raising activity as we could not operate our programs
23 efficiently if we did only depend on government funding.

24 At the present time, we employ 49
25 full-time staff and approximately 10 to 15 part-time staff
26 as well and our programs service 3,000 to 4,000 people

1 annually.

2 The mission statement of the Metis
3 Addictions Council is to reduce and eventually eliminate
4 the harmful effects of alcohol and drug abuse among
5 Aboriginal people and to assist communities in restoring
6 a balanced harmonious lifestyle.

7 We believe that the key to overcoming
8 an addiction is to restore harmony, to help a person become
9 whole.

10 Each time a client leaves our programs
11 with a feeling of being whole with an inner peace and
12 equipped with the necessary living skills to continue their
13 journey into sobriety and the ability to assist others,
14 we have achieved our goal.

15 The goal is life-long recovery,
16 mentally, spiritually, physically and emotionally.

17 M.A.C.S.I. operates eight programs
18 throughout the province. The first program is the
19 administration program which is responsible for
20 establishing new programs at the provincial and local
21 levels which is determined by our M.A.C.S.I. Board of
22 Directors.

23 It also endeavours to establish a
24 positive and comprehensive addictions program tying in
25 all social programming at all levels within the province
26 of Saskatchewan which relate to the problems of the

1 addicted Aboriginal family.

2 We have two Out-patient Centres in the
3 province. These services are located in Regina and Prince
4 Albert. The services provided in these centres included
5 intervention, education, client assessment,
6 pre-treatment, relapse prevention, individual and family
7 counselling, family counselling whenever possible. There
8 is group counselling and referrals to other treatment
9 centres or other agencies.

10 We also do a lot of referrals to have
11 our clients move on to housing, get them into proper
12 housing. We refer them on to employment and other -- into
13 life skills or some educational institution that is out
14 there.

15 And we also refer people to A.A.,
16 AL-ATEEN, AL-ANON and N.A. meetings.

17 Then we move on to our field services.

18 Our field services are actually adult services and youth
19 services. The objectives of these programs are to assist
20 the community in creating environments that will foster
21 the development of individuals who have feelings of
22 acceptance and self-worth, where the likelihood of
23 addictive behaviours are minimized.

24 The community program works on a
25 community development type of approach where the community
26 is assisted in looking at itself, evaluating its own needs

1 and marshalling its own supporting resources to meet those
2 needs.

3 Activities or peer counselling,
4 community education, self-help groups, we have provided
5 mobile treatment. We have done education on sexual abuse,
6 suicide prevention, belief construction and
7 reconstruction, intervention, client assessments,
8 individual and family counselling and, of course,
9 referrals to other centres or to shelter; the same referral
10 sources as an Out-patient Centre would take on.

11 Our Youth Services is basically operated
12 on the same premise and the only difference is that their
13 mandate is to service clients 25 years and younger.

14 We presently have throughout the
15 province these field workers and youth workers work from
16 as far away as Regina to LaLoche.

17 And then we have three In-Patient
18 Centres. They are located in Saskatoon, Prince Albert
19 and Regina. The In-Patient Centres are co-ed residential
20 facilities that provide food, shelter and service to
21 clients in a safe supportive chemical-free environment.

22 Treatment is a 28 day structured program
23 designed to deal with the client in the terms of spiritual,
24 mental, emotional and physical functioning.

25 Clients entering our programs can expect
26 a process with four major elements which are: education,

1 group process, individual counselling and skills
2 development.

3 In the kit, you will notice that I put
4 also a history of our organization in there. I will not
5 go through it right now.

6 It has long been recognized that Metis
7 people have special circumstances that make us a harder
8 population to serve than most. This in turn has resulted
9 in inequities in all areas of our lives.

10 Because I work in the addictions field,
11 I have considerable knowledge on the inequities within
12 our programs. M.A.C.S.I., as it is, is the closest
13 affiliate that the Metis Society has to a Health
14 Department.

15 As an addictions program, our main focus
16 should be the addictions and only the addictions. At the
17 present time, we continually struggle with problems that
18 many of our clients face every day in regard to their health
19 and well-being.

20 Our workers are more than just alcohol
21 and drug counsellors. We have become health care
22 providers, court workers, social workers for most of the
23 clients that enter our programs.

24 Our programs, as mentioned, are
25 province-wide. However, with the limited number of staff
26 working, we are hardly able to keep up with the demand

1 for our services. Each year, statistics are showing that
2 700 of our Aboriginal youth are graduating into the
3 addicted adult population and our Board has established
4 that youth will become a priority in our programs within
5 future years.

6 In fact, within the next one to two
7 years, we hope to establish a Youth Treatment facility
8 in Saskatoon hopefully which will be the first In-patient
9 Treatment Centre for Aboriginal youth in this province.

10 When I talk about youth, it will not be
11 only the addicted youth that would utilize those services.

12 We will try to get to the high-risk population as well
13 before they become addicted.

14 If they are assessed to be a high-risk,
15 they certainly can enter our program.

16 Late last summer, the Metis people
17 received notice of a new vision for health in Saskatchewan.

18 A vision called the "Wellness Model". I know that it
19 is imperative at this time that the Metis Addictions
20 Council become a part of this "Wellness Model" through
21 a health care system within the Metis Society of
22 Saskatchewan.

23 Given the community based approach
24 envisioned by the Wellness Model, we contend that it would
25 be well within normal range for a population that is
26 recognized as constitutionally separate to have certain

1 self-determined rights in matters concerning their health
2 and well-being.

3 A health care system for Metis people
4 of this province if it is properly resourced and mandated
5 and Metis controlled can only and will be more productive
6 in serving its own people than will any other mainstream
7 organization attempting to provide those same services.

8 With the health care system such as
9 mentioned, the addictions field would have the support
10 and greater recognition of the problems that we face.
11 Those problems would then be shared with that department
12 leaving us as the Metis Addictions Council to deal with
13 just that: the addictions issue with our clients.

14 Most of our initiatives have come by
15 sheer will power and determination. There has been a lot
16 of powerful people who have worked within the Metis
17 Addictions Council.

18 Our programs were established in 1969
19 which means that next year we will be celebrating our
20 twenty-fifth anniversary; so we are a program that has
21 been around for a lot of times and that is thanks to a
22 whole lot of people who have dedicated a lot of time and
23 effort to helping the addicted people.

24 As Metis people, and I am sure as other
25 cultures, we take pride in our children and given the proper
26 resources we hope that our children will become a great

1 part of the future of this province and in Canada as well.

2 It is our hope that our children will
3 not have to struggle with the vicious cycle of addictions
4 that have plagued most of our parents and grandparents.

5 We believe these factors which so often compromise the
6 health and well-being of our community can be obliterated
7 with increasing cooperation and partnership and a holistic
8 approach to the problem.

9 Thank you very much for allowing me the
10 opportunity to address these concerns to you and thank
11 the Metis Society for having us on the agenda. Thank you.

12 **MR. CLEM CHARTIER:** Mr. Co-Chair, I just
13 want to -- well, two things: I am going to ask our
14 representative from our Economic Development Corporation
15 to maybe do a ten minute overview on the material we have
16 in the kit. It is very key to us at this time.

17 And, I also want to refer you to Tab 8
18 which is dealing with our Metis -- our Provincial Metis
19 Housing Corporation.

20 There is a letter addressed to the
21 Commission in there and we would appreciate and I am not
22 sure what the Commission can do but we are facing some
23 very severe difficulties in terms of housing.

24 In fact, the letter basically states
25 that over the past two years we have seen cutbacks of about
26 65 per cent in some of the programs delivered and there

1 has been announcements over the last couple of days or
2 the past few weeks, in any event, that total programs are
3 going to be eliminated including the Rural Native Housing
4 Emergency Repair program and the Rural Rehabilitation
5 Assistance program as of December 31st.

6 If that is the case, our Provincial Metis
7 Housing Incorporation will no longer be in existence as
8 it is strictly a fee for service organization and if it
9 goes under, then of course, it also affects the social
10 and housing needs of our people.

11 So, if the Royal Commission could pay
12 some particular attention to this, I know the Metis
13 National Council had a press conference Monday in Edmonton
14 and I think there was some press release made here in this
15 province as well but it is a critical issue to us.

16 So, if you could have some specific look
17 at that, please, and -- so we will have Lyle maybe give
18 about a ten minute overview.

19 **MR. LYLE BOLAND:** Thank you, Clem and
20 thank you very much to the Royal Commission for the
21 opportunity to speak here today.

22 I would like to point out that I am here
23 representing Sasknative Economic Development Corporation.

24 Our president, Martin Kline, was not able to come here
25 today so he asked me to speak on his behalf and on behalf
26 of the corporation.

1 I will refer you to two documents. You
2 have in front of you the Sasknative Economic Development
3 information kit. It just gives a very brief overview of
4 the Corporation as it exists today.

5 But, more importantly, you have document
6 in your kits called the "Developing the Metis Economy --
7 A Strategy for Saskatchewan" and in the interest of time,
8 I will skim really quickly through the document in your
9 kit and highlight some of the key issues related to economic
10 development today.

11 As far as the information package that
12 you have in your hands, it identifies Sasknative Economic
13 Development Corporation as it is today. It is an
14 Aboriginal Capital Corporation funded by the Department
15 of Industries, Science and Technology. It has been in
16 operation for approximately five and a half years and it
17 is directed solely at lending to small business.

18 And that is one of the reasons why I will
19 not focus on that today because small business, as
20 important as it is and as entrepreneurial as Metis people
21 are, small business is not meeting the broader objectives
22 of economic development for Metis people in Saskatchewan.

23 The Metis Society of Saskatchewan has
24 asked SNEDCO to help them develop a strategy to address
25 these broader issues of economic development.

26 The programs that are in place now, as

1 I said, are basically directed at small business and they
2 focus on the lending function and that is very common for
3 most of the Aboriginal Capital Corporations in Canada.

4 The Metis Society of Saskatchewan would
5 like to establish new structures to deal with the broader
6 issues of economic development.

7 In your opening remarks, Mr. Chairman,
8 you mentioned the bottoms up solution and you also
9 mentioned some of the differences between Indian peoples
10 and Metis people and I think you will find in this report,
11 this proposed strategy that those differences are
12 recognized and the need for a bottoms up solution is stated
13 very clearly.

14 The objective of this document was to
15 identify a structure or a series of organizations which
16 could be put in place to ensure that economic development
17 is a bottoms up process in Saskatchewan.

18 It talks about establishing Metis
19 economic development authorities both at the local level
20 and at the regional level and then to have a Metis economic
21 development authority to oversee that provincially.

22 This structure will not only provide for
23 community based solutions but will also parallel the
24 structures within the Metis Society as it is today and
25 also parallel initiatives under way with the provincial
26 government here to establish regional economic development

1 authorities in the non-Aboriginal community.

2 The basic goals of economic development
3 as stated by the Metis Society are to allow Saskatchewan
4 Metis to direct and lead their economic development
5 initiatives; to also have equity capital available for
6 investing in the economy; and third, to become active
7 partners in the mainstream Canadian economy.

8 There is a number of principles that are
9 outlined in the brief that is in your kits some of which,
10 I think, are really key and I will just skim through them
11 very quickly.

12 Decentralization of decision-making.
13 Getting that bottoms up approach, having people solve
14 economic development problems at the community level is
15 a key element, key principle that the Metis Society wishes
16 to include in its strategy.

17 At the same time, they are not interested
18 in going it alone. They want to be partners in the
19 mainstream economy and they want to be partners with
20 non-Aboriginal business and with governments at other
21 levels.

22 But a full range of financial resources
23 is required. Economic development will require
24 significant increases in financial assistance and
25 availability of funding not just in terms of grants but
26 also in terms of tying in with other sources of investment

1 capital in the private sector.

2 Parallel developments in education,
3 training, cultural and social support services must be
4 developed. Economic development -- and I noticed in one
5 of your documents the question whether or not social
6 development must take place prior to economic development
7 or whether or not economic development must take place
8 prior to self-sufficiency, self-government.

9 I think in many respects the processes
10 go on simultaneously. Economic development leads to
11 better social conditions in communities and economic
12 development is a key element in building self-government.

13 Now, in terms of the strategy that is
14 in place, it is intended that the Metis Society and the
15 Metis people will become active participants in a variety
16 of sectors of the economy and although in the short term
17 there appear to be some very immediate opportunities in
18 the resource sectors such as mining and forestry, it is
19 desired to also participate in all sectors of the economy
20 and not to be limited only to traditional areas of economic
21 activity for Metis people.

22 Within the document that you have, there
23 is a brief explanation of how this structure of economic
24 development authorities would work, what the role of the
25 regional authorities would be and so on. This process
26 is undergoing further development right now. The

1 Provincial Metis Council will be having a conference in
2 early June to flush out this strategy into a working
3 document that will actually be then presented to both
4 levels of government for support in order to move ahead
5 in a major way with economic development.

6 But I wanted to focus in on a couple of
7 key issues in regards to what is going on now with economic
8 development and government funding and I guess one of the
9 key areas that has been discussed briefly here today and
10 I think the Metis National Council has stressed this and
11 are in the process of preparing a report on economic
12 development, is a level playing field with the Indian
13 community.

14 I believe the Metis National Council has
15 identified approximately \$180 million in Canada that is
16 spent on economic development for Indian people and in
17 comparison, almost nothing being spent on Metis people.

18 So there is a very significant
19 difference between the commitment that the Federal
20 Government has made to support Indian economic development
21 as opposed to Metis economic development and there will
22 be a need to have some significant investments in Metis
23 economic development if it is going to do any more than
24 just scratch the surface.

25 Existing small business programs are
26 totally inadequate. Although they do assist individual

1 Metis to participate in small business, they do not do
2 anything to create an economic base in regions such as
3 Northwest Saskatchewan that need an economic base in order
4 to allow for more small business development.

5 So getting more resources directed at
6 the problem and having local people involved in the
7 decision-making are both key.

8 A recognition of the significant
9 differences between the economic structure in the Indian
10 community and the Metis community not being an Aboriginal
11 person myself but having worked in the Metis community
12 on and off over the last ten years, I see it as, you know,
13 and it is an immediate thing for me. I understand the
14 differences but it is very interesting when I talk to people
15 and I tell them that I work in a Native organization.
16 They say: "Oh, well, what Reserve do you work with? or
17 What bands do you work with?" not recognizing the
18 significant differences.

19 And, I find this is true even within the
20 Federal bureaucracy that there is often an assumption that
21 Metis people have all the same resources and structures
22 that are available to the Indian community and it is a
23 radically different economy out there in regards to the
24 structures that are in place and the lack of structures
25 in some cases.

26 So, I do not know if that is my ten

1 minutes, Clem, but I refer the Commissioners to the brief
2 that was submitted to get a little more detail on that.

3 **MR. CLEM CHARTIER:** Your ten minutes
4 cannot be up. You did not mention land and resources.

5 **MR. LYLE BOLAND:** Well, I know you
6 adequately addressed that earlier, Clem, but obviously
7 when we talk about a level playing field, we are talking
8 about getting substantial equity resources and equity can
9 be in the form of land; it can be in the form of dollars
10 and it can be in the form of rights to resources.

11 So, I stand corrected, Clem.

12 **MR. CLEM CHARTIER:** I just cannot let
13 René get off the hook on this. It always comes back to
14 land and resources.

15 But, that, I guess, concludes our
16 presentations. So we will be all, I guess, willing to
17 answer any questions depending on, I guess, the question
18 and Isabelle Impey thought she should be able to be back
19 at around this time. She had to -- well, she had another
20 engagement she could not get out of but hopefully she will
21 be back soon.

22 **CO-CHAIR RENE DUSSAULT:** Okay, thank
23 you very much for these presentations that are certainly
24 very useful for us and will be in the coming weeks and
25 months.

26 I understand that the purpose of the

1 whole exercise is not only to look at each of those areas
2 but to get the full picture of what is involved, what is
3 done, what are the plans also of the Metis Society of
4 Saskatchewan and I realize with the last speakers that
5 some of those things are plans for the future, others are
6 things that have been operating for twenty-five years or
7 longer.

8 So maybe I might start in -- to make sure
9 that we got the whole picture, there is a chart at the
10 beginning of the briefing book and I think we understand
11 the political structures with the twelve regions and the
12 elected.

13 But, it would be nice to -- it would be
14 useful to know what is the budget of the Metis Society;
15 where does it come from.

16 When we put together -- of course,
17 Gabriel Dumont Institute is something of its own because
18 it is such a huge institution and has teachers, the staff.

19 So, I try to make sure I am doing exactly
20 what you had in mind, to have a holistic picture of the
21 relationship between the various organizations and the
22 Metis Society of Saskatchewan.

23 Maybe I should start by the link that
24 exists between the various institutions and the Society
25 itself because I understand that, for example, Gabriel
26 Dumont is an arms length organization with its own board

1 and is part of the University of Regina. It is an arm
2 of the University of Regina or is it?

3 So that is a specific question because
4 I would like to understand properly when it was said that
5 diplomas are given or courses are credited.

6 So, that is a more technical question
7 but I would like to be sure that we have the whole picture.

8 Under all those institutions is the impetus of the Metis
9 -- Saskatchewan Metis Society.

10 But could you just in a few words try
11 to put together after these presentations -- I know you
12 did it in your remarks that you made at the outset -- but
13 I cannot help -- we had the same kind of discussion with
14 the FSIN and the institutions that are within two days
15 ago and so I would like to see the differences and also
16 the similarities and where things are at the moment.

17 Of course, it does convey a plan for
18 governance and that is the purpose to say we are ready
19 to take charge of many things and we are actually doing
20 things without waiting for governments and legislation.
21 We hope that this will follow suite.

22 So maybe, Clem, you could just give us
23 a wrap-up that would integrate the picture.

24 **MR. CLEM CHARTIER:** I shall attempt.
25 Well, first of all, the Metis Society of Saskatchewan,
26 it is a older organization. It has been organized on and

1 off from basically after the War of Resistance.

2 Isabelle is not here. Whenever I hear
3 "rebellion", I -- she says "No, we did not rebel because
4 we resisted" but we do not all adopt the same terminology
5 yet.

6 But since the War of Resistance, there
7 has been various political movements afoot. In the
8 thirties, of course, there was a big move by the Metis
9 Society of Saskatchewan to acquire land. Some studies
10 were done.

11 In fact, monies were achieved from the
12 provincial government and two lawyers were commissioned
13 to do this study. They came out with the study.

14 Then again, there was a war so most of
15 the Metis leadership went to war and things kind of came
16 down.

17 And, in the sixties, the political
18 revival started again with formalized structures and the
19 Metis Society as we know it today was formally
20 re-structured in 1967 and it has been continuous since
21 then other than for a period of time where the Metis and
22 North Status Indians joined political forces because both
23 had the same kinds of social, political and economic
24 problems.

25 But with the constitutional reform
26 process, the 1982 Constitution defining Aboriginal peoples

1 as Indian, Inuit and Metis and the conferences to define
2 and to acquire Metis rights, we again felt we had to become
3 a Metis solely organization.

4 So until 1976, it was the Metis Society
5 of Saskatchewan. In 1976, it changed to Association of
6 Metis and non-Status Indians of Saskatchewan and in
7 1987-88, it reverted back to the Metis Society of
8 Saskatchewan.

9 During that period of time, particularly
10 in the seventies, we did receive some monies from the
11 Federal Government to do Aboriginal rights research as
12 did most of the Aboriginal organizations.

13 But, in 1981, with the pending deal on
14 the Constitution and Viola is aware of this, Mr. Chrétien
15 -- the Minister of Justice at the time sent us letters
16 that said that by supremacy of Parliament, we have no valid
17 legitimate legal rights to land.

18 So, our funding was discontinued
19 although we were at a stage of just analyzing and preparing
20 to submit our land claims. We did not even get to that
21 stage but the constitutional process took its place.

22 But during that period of time, as well,
23 besides giving us funding for Aboriginal rights research,
24 they also implemented this Aboriginal Representative
25 Organizations program where core funding was given to
26 Aboriginal organizations to enable Aboriginal peoples to

1 get organized politically to represent their people and
2 their interests.

3 So the Metis Society has been receiving
4 core funding from the Federal Government and the Secretary
5 of State, I would think, since the early to mid seventies.

6 At the current time, the level of funding
7 and it is public knowledge -- I think there are documents
8 that circulate -- were in the neighbourhood of five hundred
9 and some thousand dollars. I am not exactly sure of the
10 amount.

11 However, this year, we have experienced
12 a ten per cent cutback with another ten per cent cut back
13 next year.

14 The level of funding that we receive is
15 not sufficient to enable us to operate at full capacity.

16 One of the -- and I should mention that the Provincial
17 Government used to provide core funding as well.

18 However, in 1987, the then government
19 cut off the core funding to the Metis Society and I think
20 to the Provincial Association of Friendship Centres and
21 to a few other agencies and they also, at that time, cut
22 off the Court Worker Program. So we saw half of our budget
23 cut in 1987.

24 Prior to that, of course, our elected
25 leadership who are elected by the ballot box system since
26 1979 are elected to do a job for their people and, as such,

1 as political representative they require a salary to live
2 on, they require expenses to travel and to do the work
3 and that is the base -- the bare minimum.

4 Well, that is all -- that is the minimum
5 and the maximum that they do get. There is no
6 infrastructure at the regional level for offices and
7 administrative support staff.

8 Our regional directors get a salary and
9 get expenses but not lucrative ones, enough just to get
10 by and, of course, the three executives get paid.

11 So until just recently because of that
12 '87 cutback, we have not been able to operate our
13 administrative office to the capacity that we should have.

14 For example, we still do not have a full-time executive
15 director and in the meantime, I am sort of playing the
16 role of acting as such.

17 But we have -- we had until about four
18 months ago, basically, one full-time staff which was a
19 secretary/receptionist and I was hanging around as a sort
20 of an adviser/consultant on a fee for service basis.

21 With the tripartite process in place,
22 we have been able to hire some more administrative staff
23 and some researcher to carry out that part of it but it
24 still does not -- it still leaves a lack of administrative
25 support for the organization itself.

26 So we are a very bare bones organization

1 administratively. We had been hoping with the change of
2 government for core funding from the province but because
3 of their financial situation, they have not been able to,
4 as of yet, contribute so that is sort of the funding that
5 the Metis had to get.

6 Now each affiliate or institution is
7 separately incorporated as you have heard and they get
8 their budgets directly and some of them get quite a bit
9 more than, you know, the political body itself but which
10 is fine. They offer, you know, programs and services.

11 In terms of the Gabriel Dumont Institute
12 itself, I am not totally familiar with every aspect of
13 it and -- but I do know that we are seeking affiliated
14 status with the University of Saskatchewan and I am not
15 sure if we have it. I do not think we have it with --
16 I am not sure whether we have it with the University of
17 Regina or not although they do give accredited degrees.

18 We have, and I am not sure if I caught
19 it today or heard if we have what is called SUNTEP. Under
20 the Gabriel Dumont Institute, we have a separate component.

21 It is the Saskatchewan Urban Native Teacher Education
22 Program and that is operating in three cities: Regina,
23 Saskatoon and Prince Albert.

24 And again, at the end of that, they get
25 a Bachelor of Education but I am not sure exactly -- I
26 think it is by the University of Regina? Here again, I

1 am sorry I am at a disadvantage. If Isabelle gets back,
2 she can fill in those aspects of it.

3 As well, we are currently moving to set
4 up the Gabriel or DTI, Dumont Technical Institute, which
5 will provide the training. It will sort of be like our
6 Metis, I suppose, community college. It would be the
7 closest thing that I could compare it to.

8 So we are moving in quite -- quite
9 significantly in the area of education and training which
10 is buttressed at by the Pathways to Success which is the
11 training and employment component.

12 As was mentioned, previous to this, the
13 Canada Manpower or CEIC would determine who would get the
14 training dollars to train Indian and Metis people. Over
15 the past year and a half, that decision-making now is made
16 by our people as Cathy explained.

17 So our local Aboriginal Management
18 boards who get a set sum of money each year for training
19 can decide who they want to contract to deliver that
20 training and of course we naturally tend to contract it
21 out to our own educational and training institutions.
22 So, in that sense, they interconnect.

23 So basically all of these operate in the
24 same fashion. Our affiliates are autonomous but yet are
25 tied to the Metis Society, to the Metis people and we have
26 instituted about six months ago regular monthly meetings

1 of all the executive directors of the affiliates and of
2 the Metis Society so that we start, you know, acting as
3 one component and we know -- obviously not enough yet --
4 we know what is happening and all the details or most of
5 the details of the other components.

6 And that is just a recent thing that we
7 are moving to.

8 For a while, it seemed that we were
9 getting too isolated from each other having all these
10 separate boards but with this re-structuring that we are
11 going through, we are looking at streamlining not in any
12 way trying to diminish the autonomy and the arms length
13 of the programs and services but to streamline and to see
14 how we could move more effectively forward and also to
15 see what kind of lobbying is necessary.

16 The Metis Society basically has a
17 lobbyist role. We meet, let's say, with SNEDCO or with
18 M.A.C.S.I. and if there is a requirement for meetings at
19 a higher political level, then the Metis Society gets
20 involved where it is needed in order to ensure that the
21 affiliates have their budgets in place and to do the
22 necessary -- well, the necessary lobbying and arm twisting
23 of governments.

24 So we are trying to act as a complete
25 unit.

26 Somebody else may want to add to this

1 if you want.

2 **MS JOYCE RACETTE:** Do you want to know
3 how much our affiliates get for funding annually?

4 **CO-CHAIR RENE DUSSAULT:** Yes, that was
5 another question. I understand better the relationship
6 between affiliates and the Metis Society.

7 Maybe just before moving to that, as you
8 are acting as a push for each affiliate, did you have to
9 set out priorities?

10 For example, because the needs are great
11 in many many areas and so did you -- did it happen that
12 you had to set out priorities where you would put your
13 -- the Metis Society would put its pressure first? Did
14 you have to handle this kind of situation where there were
15 conflicting -- they are conflicting, they are needs that
16 might be conflicting in terms of priorities.

17 **MR. CLEM CHARTIER:** No, unfortunately
18 I think we have all -- most of us have made the point that
19 there really aren't any or too many services that the Metis
20 can actually access, programs and services, particularly
21 at the Federal level and at the Provincial level as well.

22 So in the past, although we have a lot
23 of priority areas, it is not necessarily so that there
24 are programs and services in place to address those
25 priority areas.

26 So, a lot of times, we wait for an

1 opportunity to access the resources to be able to set up
2 the institutions particularly in the past.

3 Now over in the past year, we have
4 decided that we cannot wait until something opens up.
5 We have to push and open it up. So, for example, we have
6 set up the Metis Family Justice Institute.

7 I mean we keep meeting, we keep talking
8 about the need for family services, for justice
9 initiatives. There is no monies for that but we finally
10 said: "Well, let's set one up and let's push and if it's
11 not there, let's have governments create policies and
12 create potential funding for that" and the same thing with
13 the health initiative that we are undergoing now

14 although it is -- well it just happens
15 to be that the province is moving in that direction as
16 well, so those two kind of -- are coinciding.

17 So I think we are trying now to take the
18 proactive approach to put in place what is required and
19 have the government respond to that rather than our
20 responding to available programs and services. But in
21 the past, that is definitely how we have acted.

22 And just one supplementary thing on the
23 relationship. Some of the affiliates are structured a
24 little -- or the relationship is a little different.

25 For example, the Gabriel Dumont
26 Institute because it is -- well it is a massive undertaking

1 -- what was decided I think about eight years ago or so,
2 I cannot remember but a number of years back, it was decided
3 that rather than having our provincial -- like each year,
4 we have an annual general assembly and the Metis Society
5 of Saskatchewan would have delegates from each of the
6 locals and our Provincial Metis Council. They make the
7 political decisions that give direction to the
8 organization.

9 In the past, we had the Gabriel Dumont
10 Institute Annual Assembly at the same time. So we would
11 drop our political hats and take on the educational hat
12 and of course decided at one point that we should separate
13 the two which was done.

14 And so the by-laws and the constitution
15 of the Gabriel Dumont Institute are dictated to through
16 the delegates that go to the Annual General Assembly of
17 the Gabriel Dumont Institute not to the Annual Assembly
18 of the Metis Society of Saskatchewan itself.

19 The other affiliates are dealt with
20 through the general body that make the by-law changes but
21 once the by-law changes are made then the autonomy is still
22 there. They work within that and there might be one or
23 two that have -- the Provincial Metis Council itself has
24 the power to amend the by-laws or ratify by-laws that they
25 want made. So there are various ways that this is done
26 but in the end it is arms length.

1 The one thing though that the Metis
2 Society does have for most of the affiliates in any event
3 is that some of the appointments have to be ratified by
4 the Provincial Metis Council.

5 So there are some built-in mechanisms
6 to ensure that the autonomy of the affiliates is there
7 but it does not become independent as such and you will
8 break away from the Metis people as a whole as represented
9 by the Metis Society of Saskatchewan.

10 **CO-CHAIR RENE DUSSAULT:** As far as
11 self-government is concerned, I understand that it is a
12 kind of interim situation where you are saying "we are
13 acting anyway and we will be ready".

14 But I would like to -- as you know, we
15 are very much interested in models and solutions and if
16 I follow the presentation that was made, I would be led
17 to think that in Saskatchewan, for example, the Metis
18 Society would think in terms a province-wide
19 self-government or with institutional arms and -- but I
20 do not know if I am right in thinking this because I know
21 there is a specific situation in Northern Saskatchewan.

22

23 We were in Ile-a-la-Crosse where the
24 mayor told us we would like to start to put in the boundary
25 of the municipality first and so ---

26 And I know that the Metis National

1 Council will come up with the brief of the organization
2 in early fall but could you tell us a bit more because
3 we are really looking for your thoughts on the kind of
4 model you would see within Saskatchewan for
5 self-government.

6 So is this a direction that we are seeing
7 through this presentation today or is it something just
8 that you are showing what you are doing and that you are
9 -- could you clarify it or expand?

10 **MR. CLEM CHARTIER:** Based on what you
11 heard, your comments are accurate. I did earlier state
12 that we also want to show you where we would like to go
13 and I guess we have not -- this is the point to do it,
14 in the discussion.

15 You are right to say that we had been
16 working provincially and our institutional arms are our
17 provincial arms and that is because again of lack of
18 resources.

19 We do not have -- and I mentioned
20 earlier, our regional directors do not have administrative
21 staff or offices. We barely have it at the
22 political/provincial level but that is our aspiration.

23 We have been hoping and our by-laws state
24 that the areas should incorporate. Most of them have
25 incorporated and they should seek to set up their own
26 institutional infrastructure to deliver programs and

1 services at the regional and community level.

2 So that is in existence now but it is
3 hard to implement because of lack of resources.

4 Now you say, you know, you would like
5 to see a comparison maybe between the Indian people and
6 the Metis and this is a good example. With the Indian
7 communities, of course, there are the reserves and through
8 devolution, the Indian people and rightly so are taking
9 over more control of their own lives and have some budgets
10 to work with probably not adequate enough but budgets to
11 work with.

12 And, in most cases, like on the west
13 side, they have the Meadow Lake Tribal Council which is
14 their regional government or their regional body and they
15 have resources to work with. Again, because they have
16 access to the Department of Indian Affairs various programs
17 and services and also through the province.

18 In fact, in terms of economic
19 development, the province has a budget twice as big for
20 the Indian people as it does for the Metis. So even in
21 the province we are at a disadvantage let alone, you know,
22 at the federal level.

23 So they have that infrastructure and
24 then of course they have the provincial -- the FSIN. Now
25 we have our Metis communities and I should have mentioned
26 that Alphonse is from the LaLoche community you visited

1 in December.

2 But we have these communities and those
3 communities even though they are Metis communities because
4 we are not self-governing, we do not have monies to operate
5 our own services.

6 As we developed or as we grew from Metis
7 communities and living in the bush to being centralized
8 and bringing in water and sewer and all of these things
9 and schools, we also became under more close provincial
10 jurisdiction and where it has evolved to each of the
11 communities having a mandate under the -- I guess it is
12 the pilot Urban Municipalities Act or the Rural
13 Municipalities Act.

14 Anyway, our communities and our
15 municipalities are under provincial legislation and they
16 get a set amount of budget for certain things that they
17 can do.

18 Now that sometimes causes us a bit
19 difficulty. Government sometimes says "Well, we will go
20 to the elected municipal leaders rather than the elected
21 Metis leaders in that community".

22 For example, Ile-a-la-Crosse, the local
23 community authority elected by -- under provincial
24 legislation and it is a provincial body and we have our
25 Local of the Metis Society Local and they are elected by
26 the Metis people and they are fighting for Metis rights,

1 Metis land base, Metis self-government, economic
2 development; all the things we are talking about here
3 today.

4 At the same time, the municipalities are
5 trying to get enhanced programs and services, again, for
6 their constituents which are not necessarily all Metis.

7 What we are hoping to do of course in
8 the long run once Metis self-government is achieved that
9 in our Metis communities if the communities decide that
10 they want to be self-governing because again it is going
11 to be permissive. No Metis community is going to be
12 forced to be self-governing if they choose not to be.
13 They can choose -- they have to have a choice in it. It
14 will not be forced on them.

15 So it will be enabling legislation which
16 will allow people to opt in as they feel comfortable enough
17 to do so.

18 But we are hoping, we have this
19 tripartite process and we have a Land and Resources
20 Committee and under it we have a Northern Project which
21 we have not found any monies for yet but we are hoping
22 to involve the Northern mayors from the Metis communities
23 to sit with us to develop Metis self-governing institutions
24 or infrastructure because either -- well, there is a number
25 of things that can happen: one possibility and it is only
26 a possibility is that communities like LaLoche or

1 Ile-a-la-Crosse, Buffalo Narrows, all of these
2 communities, Pinehouse may go towards -- may in fact become
3 Metis self-governing communities and that would displace
4 provincial legislation.

5 So the Metis people are -- and plus in
6 the round of talks last year, we ensured that there would
7 be room for within Metis self-government other people to
8 participate through public regional government but this
9 would be a Metis government allowing existing people to
10 enjoy their rights to the property and to the franchise
11 within the Metis community but would have to live by sort
12 of Metis rules. Now, that is one possibility.

13 If that does happen, the people in the
14 community would go to an election and they would elect
15 Metis people, I would assume, and at that point there would
16 be no need to have separate elections for our political
17 Metis locals and the government municipal councils.

18 Everybody would run in one and whoever
19 wins the election would be the ones that would run that
20 community. So that is one aspect.

21 The other thing is perhaps the people
22 in Ile-a-la-Crosse would say: "No, we don't want our land
23 and resource base here. We want it across the lake and
24 we want to move there and we will elect our Metis government
25 on this Metis land".

26 I do not know. These are things we still

1 have to work through but I mentioned we have our
2 Re-structuring Self-Government Committee. We are
3 learning by our past experiences. Some may have been
4 negative, some are positive. You have seen a lot of
5 positive stuff here today.

6 Some experiences have been negative.
7 We are building and we want to in fact start building
8 something that is going to be community based. I did not
9 mention it today, we are looking -- we have been talking
10 over the past several months about decentralizing.

11 In fact, some of these affiliates and
12 we have not really discussed it with the affiliates but
13 what we would like to do is decentralized as much as
14 possible to the regional levels a lot of the functions
15 that are taking place at the provincial level.

16 But, again, it takes resources. You
17 cannot take, you know, say a million dollar budget and
18 divide it twelve ways and expect to have, you know, full
19 services. We expect to be able to get more revenue so
20 that people at the regional and community level can
21 operate.

22 But we do want to decentralize. That
23 is a direction that we are attempting to go.

24 **CO-CHAIR RENE DUSSAULT:** I know these
25 things take time to take hold but I think I am conveying
26 the idea of the whole Commission that we know that we are

1 going to -- we have to come up with recommendations in
2 a year and a half from now and that means that we have
3 to think about it much earlier than that and if we are
4 to make some recommendations as to our direction as far
5 as the Metis Nation is concerned and, in particular, in
6 this province, we would need the sooner the better to get
7 your views, the views of the Metis Society of Saskatchewan
8 as to models and -- because otherwise we will be in a
9 situation that is impossible and we know that very often
10 communities are not ready to commit themselves and make
11 a definite -- give a definite answer but on the other hand
12 and that these things will continue to be developed long
13 after we will be gone.

14 But we will certainly need it if we want
15 to have a chance to come up with recommendations that will
16 have an impact and at least will initiate a real change
17 towards something.

18 We will need to give some ideas as to
19 how it is going to work and we cannot do that just in our
20 office. We really need to have your best shot and effort
21 as to -- in 1993, summer 1993 or early fall as to what
22 you see as a proper way because otherwise it will not
23 happen. We will not be able to.

24 That is a very very strong message
25 because if we do not get from this province society and
26 for the Metis, the MNC as a whole, some kind of picture

1 where the community, the regional, the provincial or the
2 whole nation how it would -- could be designed and what
3 would be at least the peripheral or we would be put in
4 an impossible situation because we cannot do that if you
5 do not give us the solution.

6 We see that time is running and we
7 desperately need those ideas as to how it would be -- could
8 be done and even if there are two or three models that
9 have not been decided upon but at least to give -- we would
10 need that because otherwise just talking about
11 self-government for this Commission will not be enough.

12 As a matter of principle, we have at
13 least to give some directions on the financing, on the
14 structure; not the details, obviously. And, a lot of it
15 will have to be negotiated after we are gone but some kind
16 of framework if we want to be effective in convincing the
17 province, the Federal Government, the larger public.

18 But also we have to have something that
19 is what the people who would be concerned want so I am
20 putting this -- I know the discussion is on the various
21 affiliated institutions but it is very central to our --
22 to the success of this Commission that the Metis Nation
23 come up with in each of the provinces or the National level
24 of the Nation come up with some kind of plans that integrate
25 the views of the regions and the community.

26 **MR. CLEM CHARTIER:** Just on that, first

1 at the Nation level, the Metis National Council at the
2 General Assembly in February struck a Metis Elders Council
3 to look at self-government re-structuring and they had
4 their first meeting just a week ago.

5 And so they are going to be holding
6 hearings and report back, I guess, by November to a special
7 sitting of the Metis National Council, I think, November
8 16th in Winnipeg.

9 So at the Nation level, hopefully we will
10 have some of that fleshed out but in terms of Saskatchewan,
11 again, I come back to our five year re-structuring. It
12 is actually implementation. We hope to have within five
13 years implemented self-government to the degree that the
14 state will allow us, I guess unless we want to test them.

15 But we have for your information met on
16 -- in March of this year. An initial meeting where we
17 brought in the affiliates, the Provincial Metis Council,
18 the Metis Women, the Metis Elders and Youth and those
19 presidents that could make it on their own, Local
20 presidents.

21 But it was more a preliminary meeting
22 for us to look at re-structuring, look at the direction
23 we are going to go and explore: do we want to, in fact,
24 move in the area of implementation of self-government?

25 And we also wanted feedback from the
26 affiliates as to whether they were going to kind of pull

1 away from being fully involved in this or whether they
2 embrace it fully and move in that direction.

3 And we had a three day meeting and the
4 people came away from there saying that is the best meeting
5 they have ever had, very positive and wanting to move ahead
6 with respect to self-government implementation.

7 Our next meeting is to bring in our local
8 presidents and the same actors that met in March and to
9 take it, you know, develop the plans further and that
10 probably will take place in July.

11 In the meantime, we are going to hold
12 regional workshops in twelve of our regions to consult
13 the people before the July meeting on implementation of
14 self-government and do they, in fact, want to move in that
15 direction.

16 And so we are in the process of doing
17 that and we should have our Annual Assembly, I would say,
18 some time in the fall where we want to implement Stage
19 1 of our self-government development.

20 So, by the fall, we will have, I guess,
21 the Stage 1 and I cannot say what that is right now because
22 we are in the process of consulting on it and trying to
23 find out what it is going to be, what it is going to look
24 like.

25 In the meantime, we are one of the three
26 organizations -- well, not organizations, the FSI and the

1 Metis Society and the community at Ile-a-la-Crosse have
2 small contracts with RCAP on governance.

3 So the Metis Society, we do have a
4 governance study that we are undertaking and we will have,
5 we expect, a hundred page report they say.

6 So we are bound to say something in that
7 hundred pages about where we would like to go.

8 So, by this fall, you are definitely
9 going to have a lot of options or models or a blueprint
10 as to what we would like to see in terms of this
11 self-governance.

12 So when we do our consultations for our
13 July conference, we will be consulting the people at the
14 same time on the governance study.

15 So we will have that fully fleshed out
16 by the fall in time for your last round of hearings.

17 **CO-CHAIR RENE DUSSAULT:** I think you see
18 the point, the situation we are in because we are
19 desperately at one point even if life will go on, we have
20 to crystallize the work and the ideas coming from the
21 research, coming from the public participation and come
22 up with some kind of action.

23 To do that, we really need to get as much
24 as possible in terms of practical solutions from those
25 concerned and in this case, of course, the Metis Society.

26 **MR. RAYMOND LALIBERTE:** Monsieur

1 Dussault?

2 CO-CHAIR RENE DUSSAULT: Yes.

3 MR. RAYMOND LALIBERTE: I think that --
4 I think that what we -- I think the Commission itself cannot
5 hold us to any kind of model that we will be presenting
6 within -- by fall time.

7 I think it is -- I think it is unfair
8 to the Metis people to come up with different models and
9 stuff. I think that we will probably present various
10 amount of models that we have.

11 I think that we -- as far as direction
12 coming from the Commission itself after its findings that
13 we have been in self-government for hundreds of years now.

14 It just has not been formally recognized by the different
15 levels of government and we will continue to be in
16 self-government for the future.

17 As you said, you know, the sun is going
18 to keep shining after the Commission is done.

19 So I think that we will make
20 recommendations but to be fair to the Metis, I think the
21 Commission has to come out and say that -- make general
22 framework guidelines as you mentioned.

23 On specific things like land base and
24 self-government, those type of models can be -- between
25 here and the fall, can be presented.

26 We have a bottoms up approach. We have

1 Metis Locals and if you see the chart, the chart is not
2 the MSS executive and the provincial twelve people that
3 run the political people. It is the membership of the
4 Metis people in this province that run the political
5 organizations and therefore own all the affiliates.

6 I just want to say that all the
7 affiliates themselves do not work in isolation. They are
8 running on a self-government model and that what I would
9 like to basically talk about generally is the challenge.

10 You talked about a federal challenge and
11 I think the challenge is how do we respect a long term
12 desire position of the Metis people in Canada and the local
13 levels and the provincial level at the same time given
14 the same level of service that everybody else has a right
15 to as Canadians?

16 One of the things that I have been
17 hearing throughout the day is that there is a challenge
18 to come up with some concrete solutions but I am saying
19 the challenges -- our ultimate goal is self-determination
20 and self-government to be implemented into the
21 Constitution.

22 But without having that, this is not the
23 forum for it, what do we do in the interim? And I think
24 that is what we are looking -- that is a challenge by this
25 Commission in terms of how do we -- what do we put in place
26 in the interim because we cannot accomplish what we want

1 to accomplish at this forum which is ultimately our
2 inherent right to all these services that we want.

3 One of the things that I have concerns
4 about is Federal access, the access to Federal programming.

5
6 The area that I work in is in the
7 addictions area and we do not have access the National
8 Health and Welfare programming such as our Indian brothers
9 do; for example, to NADAP.

10 So Federal access is certainly a
11 question, I think, that we can probably -- probably make
12 some progress on.

13 And this afternoon, I was hearing things
14 like "It's us versus the Indians". Well, I do not like
15 those terms because it is not me versus my Indian brothers.
16 It is not the Metis against the Indians.

17 I think what happens is that ultimately
18 it is the Metis versus the Federal policy, the oppressive
19 Federal policy that has thrown Aboriginal dollars into
20 an economic pot or an education pot or a health pot and
21 said "Aboriginal people, go for it and split it how you
22 see fit."

23 And as a result of their experiences,
24 the Metis have come on a loosing end because we are just
25 basically not recognized.

26 Unfortunately, you know, the practical

1 solution is that we are here, we require these rights as
2 Canadians and we will continue to govern ourselves as we
3 -- as we see fit and preferably to the best interest of
4 our children.

5 One of the other comments that you made
6 basically was that common ground that you are striving
7 to look for as a Commission.

8 I have a bit of a problem with the issue
9 on common ground because that brings into the scenario
10 -- I am very cautious of this melting pot concept and I
11 think maybe that is where the Commission is going in that
12 direction.

13 Sure, it is nice to have everybody come
14 together and live happily ever after under a common ground,
15 under a common umbrella but I think that if we get locked
16 in this common ground philosophy, we as Metis, this
17 Commission will do us no justice because we have to be
18 respected for our autonomy, our contribution to this
19 country and our culture the same way our Indian brothers
20 have to be.

21 And every time we make an autonomous
22 organization such as GDI which is being extremely
23 successful but when hard economic times come around and
24 people want to make cuts, they target our institutions
25 and they say that is a duplication.

26 I think that is extremely unfair and I

1 think -- but we always get targeted by mainstream people
2 who are taxpayers and so are we taxpayers and we should
3 deserve that type of autonomy.

4 And, I think that autonomy has to be
5 maintained and even enhanced not cut and I think that is
6 a situation that we find ourselves in.

7 So I have a bit of a problem in terms
8 of the common ground. Maybe you can clarify your comments
9 about that because we cannot take a solution from an
10 economic perspective solution and you mentioned Mr.
11 Crombie's, you know, White Paper or discussion paper and
12 I have a problem to gearing everything to economic
13 development in this country.

14 You know, my learned friend over there
15 from Economic Development said: "What comes first,
16 economic development or social development?" and I think
17 we are not -- we are underdeveloped and we are concentrating
18 autonomously on our own organizations because we have to.

19
20 If we get integrated into the
21 mainstream, we will be an underdeveloped mainstream
22 organization which is probably to be doubly oppressed.

23 So we are doing a honour or a good deed
24 for the taxpayers in this country by actually setting our
25 own institutions and it is proven because of a 90 per cent
26 unemployment rate, 90 per cent drop-out rate.

1 We still have that and we are still
2 fighting with those kinds of things but at least we are
3 ahead than we were in the sixties and the seventies because
4 we have been concentrating on our own memberships.

5 Having said that, as far as being cost
6 effective, we are looking re-structuring in the province.

7 I have been chairing the Health -- the Provincial Health
8 affiliate that Mr. Morin has mandated me to do and we are
9 doing it within our own -- taking on the cause with our
10 own resources, our existing resources.

11 We are being kind of talking with
12 provincial and federal governments for assistance,
13 resource and stuff and they have not been providing it.

14 Well, that has not stopped us. You know,
15 self-determination to me means actually taking the bull
16 by the horns and doing stuff and actually making -- doing
17 what you can do without resources. I think that is the
18 position we have taken so far.

19 Thank you very much for your time.

20 **CO-CHAIR RENE DUSSAULT:** Thank you.

21 Very briefly, just to make sure that there is no
22 misunderstanding, when I was talking about common grounds,
23 I did not have in mind between Indian, Metis or Inuit.

24 What I had in mind is that -- because
25 we know the concerns that many people have with the work
26 of the Commission. Any commission is -- are they going

1 to be implemented this time? Are they going to produce
2 something that will lead to action and not get shelved
3 and give good studies?

4 So what I said is that that is the reason
5 why we are having that kind of public participation
6 process, meeting with the various groups because we know
7 that there are differences and distinctions that have to
8 be appreciated and, for example, I think we have a much
9 better but still not perfect grasp of what the Metis Nation
10 wants and feelings.

11 So we have to do that with the various
12 components. What I had in mind was to try to find ways
13 where the general public and the governments will see their
14 interest at the same time than the Aboriginal people.

15 So that is what I have in mind in trying
16 to find common grounds upon which to build our reasoning
17 for recommendations.

18 On the first aspect, we appreciate that
19 a lot of the details will not all be there because a lot
20 of thought has to be given to various models, formulas.

21 It depends on the democratic process and the various
22 levels. So it will have to be flexible and we
23 will not have all those answers from the groups before
24 presenting our recommendations to the government.

25 What I was saying is that it would be
26 very useful if we could have as best an idea in terms of

1 models. It might be a situation that -- it cannot be across
2 the board but at least to give ideas to the government
3 as to how it is going to -- it might land at the end in
4 twenty-five years and of course leaving the room for the
5 negotiation, for the evolution, for thoughts within the
6 communities themselves.

7 And also, what are the key principles
8 that we should put forward to make sure that at least in
9 a transition toward a goal and a direction but that would
10 be decided to move ahead and whatever the time it will
11 take but at least that there is a will by all governments
12 to move in that direction.

13 And what we feel is that we have to give
14 some indication as to what would happen even if we will
15 not have all the details; that is quite obvious.

16 As much as we could get from the people
17 concerned, the better. That is all we are saying.

18 **MR. RAYMOND LALIBERTE:** I think one of
19 the common grounds that we do have for the Commission to
20 prove to the mainstream Canadian public that it is in their
21 best interest to respect our autonomy, to respect ourselves
22 as a Metis Nation because in the long term, once we get
23 to that level playing field that some of the people
24 mentioned around here, that we will see the benefits of
25 this type of respect.

26 **CO-CHAIR RENE DUSSAULT:** So, just to not

1 close but -- on this, the concern I expressed is that we
2 hope to get as much as possible as to the kind of approach
3 we should take in our recommendations on the principle,
4 on the models during next fall because we have to perform
5 our duties within a certain time frame and we know it will
6 not be the end of it but at least we would like to.

7 Because we know that it is an easy way
8 to push the thing aside saying: "Well, it is a kind of
9 wishful thinking. There is no practical base. We don't
10 know where it is going and we are going to wait until the
11 last coma is brought on the design." and then nothing
12 happens.

13 So that is the concern I was trying to
14 convey.

15 **MR. CLEM CHARTIER:** Well, I can assure
16 you that we will be having models by the fall because we
17 do not expect you to act in a vacuum. So that is
18 forthcoming.

19 I have a couple of questions I want to
20 ask but first of all, Lyle has something.

21 **MR. LYLE BOLAND:** I just wanted to make
22 sure that it was clear in regards to Ray's comment regarding
23 the level playing field in relation to the Indian community
24 because there has been a lot of discussion on this and
25 I think for your records it is very important that you
26 understand where the Metis Society's position is as I

1 understand it from our discussions on economic development
2 and also from the Metis National Council's paper on this
3 issue.

4 It is in no way intended to see resources
5 currently directed to Indian economic development taken
6 away from them so they can be given to the Metis but rather
7 that Federal funding in particular but Provincial funding
8 as well is wilfully inadequate when it comes to economic
9 development for Aboriginal people and that Metis people
10 are demanding that they be recognized and that they get
11 the resources they need to build their economy in no way
12 to take away from Indian people.

13 I just wanted to clarify that.

14 **MR. CLEM CHARTIER:** Yes, I thought that
15 is the sentiment we were portraying as well. Thank you
16 for that.

17 My question relates kind of to these two
18 discussions and for example Ray mentioned NADAP.

19 Through the Metis National Council in
20 the late eighties, I think we have told you this a dozen
21 times, we wrote to try to get -- well, we sent in proposals
22 and so did M.A.C.S.I. to National Health and Welfare for
23 funding for addictions work and also for Child and Family
24 Services programs.

25 The response of the ministers is that
26 because Metis are not under 91.24, the Feds have no

1 responsibility for us or our jurisdiction, we go to the
2 province.

3 So it is very, I think, important for
4 us and we have said it over and over again that you deal
5 with this whole issue of 91.24.

6 Now, I do not know if you are going to
7 do that or how it could be done but -- I guess the question
8 is: are you going to address that issue head on as some
9 kind of decision or some kind of statement going to be
10 made on that?

11 **CO-CHAIR RENE DUSSAULT:** We hope to be
12 able to do that because it is central to this part of our
13 mandate and as you know we have commissioned some research
14 on 91.24 and it might be too early to say what the Commission
15 will do.

16 But certainly we cannot, you know, we
17 cannot come up with recommendations on the Metis without
18 taking a position of 91.24 and what should be done.

19 **MR. CLEM CHARTIER:** So from a more
20 personal side, I can disabuse my mind. I was in Ottawa
21 about a month ago and I was informed, I guess, it must
22 have been just a rumour that both Co-Chairs had already
23 decided that the Metis do not fall under 91.24.

24 So I can disabuse my mind of that?

25 **CO-CHAIR RENE DUSSAULT:** Yes.

26 Certainly. Yes. Well, that is the kind of world we are

1 living in and obviously we -- it is a very very important
2 issue and it is quite central and we are aware that it
3 was central in the constitutional discussion and of course
4 we are not in a position to give legal opinions as the
5 Supreme Court of Canada is.

6 But certainly both on the legal side and
7 the policy, we are going to come up with our own views.

8 I do not see how we could do otherwise as it is central.

9 But at this point, maybe because we heard
10 the various presentations by the affiliates and there were
11 some questions, I understand, on the Gabriel Dumont
12 Institute, the presenter is not back.

13 At one point, she mentioned in the
14 Business Administration that students at Cumberland House
15 there were nineteen out of twenty-three that received
16 diplomas or certificates from the GDI and the University
17 of Regina and the same for the Human Justice area.

18 So it raised the question in my mind as
19 to what was the link between the University of Regina and
20 the Institute itself in terms of diplomation and granting
21 degrees and certificates.

22 **MR. CLEM CHARTIER:** I think the
23 accreditation comes through the university but I do not
24 think we are formally affiliated. That is the distinction
25 I was going make.

26 But they are accredited diplomas and

1 accredited -- what do you call those -- degrees that are
2 given, yes.

3 **CO-CHAIR RENE DUSSAULT:** So your
4 degrees are joint degrees in some areas with the university
5 or?

6 This is what I mean. I am a bit in the
7 dark. Maybe this could be clarified later.

8 **MS CATHY LAVALLEY:** I can shed a little
9 bit of light in that. The Gabriel Dumont Institute acts
10 as some of the other colleges on campus do such as St.
11 Thomas Moore College.

12 If you receive a degree from St. Thomas
13 Moore College, you also receive a degree from the
14 University of Saskatchewan and that is the same with the
15 SUNTEP program.

16 You are recognized as having a degree
17 from the University of Saskatchewan and the Gabriel Dumont
18 Institute is the provider of that education through the
19 University of Saskatchewan.

20 And that is the same with the Cumberland
21 House Business Admin program. That is, the first two years
22 of a University of Regina Administration degree. So they
23 can go, with those two years directly into the final two
24 years of the program at U of R and that is similar to some
25 of the other programs that they have throughout the
26 province.

1 They have developed them as being the
2 first step towards either a full degree or a diploma at
3 another institution.

4 **CO-CHAIR RENE DUSSAULT:** The other
5 question I had on the Institute is the teaching staff,
6 the number and are they all Metis or what is the proportion
7 and on and on.

8 But that could be clarified later.

9 Also it might be in the paper itself but
10 in the presentation, I was not clear on that.

11 The other question was on the M.A.C.S.I.
12 and the budget and the funding and the clientele that you
13 have, is it only Metis? Is it?

14 **MS JOYCE RACETTE:** Through the Metis
15 Addictions Council, we are funded by the Provincial
16 Government through the Saskatchewan Alcohol and Drug Abuse
17 Commission.

18 Our funding is 1.5 million per year.
19 We employ 49 full-time staff which are -- well, the majority
20 of them are Metis. There are some non-Status and there
21 are some Treaty people working.

22 And the clients are usually from the same
23 background. They are Status, Metis and there is a small
24 portion that come through our programs that are non Native
25 as well.

26 We have an open door policy. We do not

1 turn anyone away for treatment.

2 **CO-CHAIR RENE DUSSAULT:** What kind of
3 relationship do you have with the A.A., the Al-Anon? These
4 are existing groups or do you form your own groups? You
5 promote -- no?

6 **MS JOYCE RACETTE:** No, there are
7 existing -- we use the existing A.A. groups and N.A. groups
8 that are in the community.

9 They are invited into our centres to come
10 and share their experiences with our clients or our
11 clients, we take them out to those group meetings.

12 **CO-CHAIR RENE DUSSAULT:** And your
13 staff, what is the qualifications or their field of
14 specialization?

15 **MS JOYCE RACETTE:** Our staff, there are
16 a number of the staff that work for us that have been
17 probably in our program for a number of years who have
18 no formal education.

19 The only requirements a few years ago
20 was that you were a recovering alcoholic or drug addict
21 yourself and the experience that you gained from being
22 an addict and then coming to grips with your life and
23 regaining sobriety was basically the only qualification
24 that a person needed.

25 Nowadays, there is the chemical
26 dependency program that is as well run by GDI that some

1 of our people are getting into and getting the proper
2 counselling that they need -- counselling techniques that
3 they need and that is what we are doing with our staff
4 is slowly trying to get them into that type of training.

5 **MR. EARL PELLETIER:** I should also
6 mention, Mr. Co-Chair, that the structure of the Metis
7 Society is developed as such as whereby there is a lot
8 of integrated programming amongst the affiliates.

9 Like we will many times go and look at
10 what GDI is doing in terms of who are they putting out?
11 Do we have a specific training area that we require?

12 And one of the areas we identified a
13 couple of years ago was chemical dependency and they in
14 turn took that and seeing that there was a gap in services
15 so they in turn started a program to do that very thing.

16 So there is integration not only with
17 the mainstream but integration with our own self-governing
18 institutions that we have set up.

19 So that is integration happening within
20 and without, you know, outside of the organization.

21 **CO-CHAIR RENE DUSSAULT:** I think that
22 is certainly one of the strengths of the structure to
23 reinforce each other and to exchange.

24 Yes?

25 **MR. ALPHONSE JANVIER:** One of the things
26 I would like to clarify as the discussion is going on in

1 terms of GDI, it has been in existence for a number of
2 years. It was first initiated in 1980, January of 1980.

3 The reason why Isabelle no doubt
4 mentioned that the success rate it has in terms of its
5 retention and graduation of students is it distracts all
6 its policy and development work from what Clem mentioned,
7 the General Assembly of Saskatchewan Metis Nation and it
8 bases its development on that and delivers programs with
9 contractual services with the University of Regina or
10 Saskatchewan.

11 You have to keep in mind that the design
12 and implementation of those are -- all programs with the
13 Gabriel Dumont Institute are views that are strongly held
14 by Metis people.

15 **CO-CHAIR RENE DUSSAULT:** On the
16 justice, do I read you right? Essentially, what you told
17 us that there are unique Metis tradition and values that
18 have to be part of the system.

19 Because we hope to be able to -- that
20 we could publish some kind of options paper to test ideas
21 of people on the justice area because a lot was done already
22 by other groups and commissions and are you thinking in
23 terms of adaptation adjustment to the mainstream system,
24 to the present system or are you thinking more in terms
25 of new kinds of systems that could be developed at the
26 community level that would be distinct from the system

1 that is in existence, the mainstream system?

2 I am not clear at this point from what
3 you said where -- again, at one point, it would be certainly
4 interesting to know more about it and certainly the values
5 and traditions that are unique to Metis people and their
6 connection and impact on the justice system.

7 That would be very very useful for us.

8 **MR. ALPHONSE JANVIER:** Well, the
9 directives that have been given by the Metis Justice and
10 Social Development Board of Saskatchewan has been to take
11 a look at the existing system and the system of the other
12 side of our inheritance in terms of Native people, the
13 Indian side, and somehow taking a look -- not somehow,
14 we know that we have unique distinctiveness apart from
15 the Indian people because we have been able to adapt to
16 the system and develop our own unique system.

17 The development that is taking place in
18 terms of the whole organized institution is to take a look
19 at what is available now, what we have to offer the system
20 and how can we change.

21 One of the unique things that has taken
22 place in Saskatchewan was the Urban Sentencing Circle that
23 has only been restricted to Native communities in the past.

24 In the past month, what has taken place
25 was: an offender had requested that he be sentenced in
26 a Sentencing Circle in an urban setting where the Metis

1 community fully got involved as part of the decision-making
2 process of the Sentencing Circle.

3 And to us, that was a very unique
4 situation to participate in a justice system.

5 The communities are saying we have to
6 look at alternatives as well as different ways of looking
7 at how the justice system -- we obviously all know that
8 the revolving door syndrome does not work when it comes
9 to dealing with the Metis population in the justice system.

10 The organization or the institution that
11 I work for has a lot of plans and a lot of good ideas.
12 Unfortunately, when you asked earlier on whether we had
13 a budget, our institution does not have a budget for this
14 coming year.

15 I would really hate to see this go to
16 waste, you know, all these ideas.

17 **CO-CHAIR RENE DUSSAULT:** We know that
18 there was this report Metis justice and Indian justice
19 at that there is a follow-up. You are working on that
20 process with the Provincial Government, are you not?

21 Are you involved in the follow-up that
22 is made as to what should be done with -- as far as the
23 Metis justice is concerned following the report that was
24 tabled a year ago or so?

25 It was a report here in Saskatchewan.
26 There were two reports, separate reports for Indian and

1 Metis.

2 Are you participating in ---

3 **MR. ALPHONSE JANVIER:** A lot of the
4 recommendations by the report are being looked at seriously
5 by the Metis in terms of the devolution of programs and
6 what we should take over in terms of services provided
7 to Metis people.

8 **MR. EARL PELLETIER:** Mr. Chair, I think
9 that -- you talked about relationships earlier and one
10 of the relationships I would like to identify is the
11 relationship between the Metis community whether there
12 be a different level, whatever level it is at, I just call
13 it the Metis community, in terms -- to the mainstream
14 community.

15 I think from my work in the field of
16 addictions, basically this is how it works and I will take
17 you down to a small urban setting like Prince Albert.
18 That is where I work out of.

19 When people immigrate, when Metis people
20 immigrate from Metis communities and/or reserves or --
21 they come to the city and they get involved in the negative
22 side, I guess, of life because of the social and economic
23 conditions that they are faced with.

24 So as they end up, they end up most of
25 the time in our centres. So they go to these mainstream
26 institutions and these mainstream institutions co-operate

1 with us by giving us the respect and say: "Yes, you are
2 of Aboriginal ancestry. I would like to refer you to the
3 Metis Addictions Council." and they come into our centres
4 because we are -- we respect their culture and it is
5 culturally sensitive.

6 I think that is a benefit of the program
7 and that is why we initially set it up and we targeted
8 Aboriginal people.

9 So we treat them, you know, we try to
10 educate them briefly. They go through a detox period then
11 they go to an in-patient period then we follow them back
12 into the community through an out-patient program.

13 But what we give them there basically
14 is some beliefs. We work with their traditions. We work
15 with their attitudes in terms of how they were programmed
16 by European values and we try and concentrate on -- then
17 on Metis values and on Indian values.

18 Then we use, through our programming,
19 Elders, respected Elders.

20 So we use a combination of approaches
21 then we send them back to the mainstream community through
22 self-help. We invite the self-help mainstream societies
23 into our building. We say: "Okay, you have A.A., you
24 have N.A., you have A.C.O.A." different self-help
25 programs.

26 We have a responsibility as Metis

1 Canadians as an ultimate goal of peace in our society and
2 we generally like to play that role by saying that we will
3 do our part to have a multi-cultural mosaic in Canada.

4 By doing that, we will not say that we
5 are an island but at the same time you have to give us
6 an opportunity to get back on the level playing field and
7 that is basically what we are asking the Canadian public.

8 Give us that autonomy that we require
9 to get back on our feet again and we will ensure that we
10 will integrate programs in the mainstream society and
11 ensure that that type of peace and harmony is strived for.

12 **CO-CHAIR RENE DUSSAULT:** Viola?

13 **COMMISSIONER VIOLA ROBINSON:** Thank
14 you. One of the questions that I had has been already
15 asked but I do want to talk about -- I think, Clem, when
16 you were talking during your overview, you were -- you
17 made some remarks about Metis self-management structures
18 that are being worked on now, being developed and you also
19 talked about your land, resource, economic development,
20 culture, health, housing; all the whole thing.

21 But you made a little statement there.

22 You said: "We don't want them not as a right" but as
23 a part of your self-governing structure, I guess.

24 Don't you see your recognition based on
25 the right? On a right? Or do you just see it -- because
26 I get a little confused when you make those statements

1 because on one hand, you also want recognition under 91.24
2 and if you want, that is, would recognition under 91.24
3 solve some of your problems? Would you perceive that as
4 a right?

5 It seems to me because under Section 35
6 and because of the Accord and in the constitutional
7 process, you do view yourself as a people, as a nation
8 of people and based on that you have rights.

9 You talked about international forums
10 as well that have been -- that could be used.

11 I just want to, you know, what you meant
12 by that?

13 **MR. CLEM CHARTIER:** Yes, sometimes I
14 must have mumbled.

15 Actually, what I was trying to explain
16 at that time was the tripartite process that we had engaged
17 in which has just started.

18 **COMMISSIONER VIOLA ROBINSON:** Right.

19 **MR. CLEM CHARTIER:** We signed it in
20 February. And, basically, I was listing off the agenda
21 items and I did mention that it is outside of the
22 constitutional process. It is strictly an administrative
23 kind of arrangement between the Federal Government, the
24 Saskatchewan Government and ourselves to deal with
25 programs and services and an agenda.

26 Well, what we got on the agenda is --

1 and I will just mention that I put Metis Self-Management
2 Structures for a reason: after the failure of the
3 Charlottetown Accord, the Provincial Government got gun
4 shy about the term "self-government" so on their computer
5 they changed "self-government" to "self-management" where
6 ever it appears.

7 So it is basically "self-management"
8 that we are talking about in the tripartite process.

9 One of the first agenda items, the major
10 agenda items is re-structuring in terms of -- or looking
11 at Metis Self-Management Structures. So we are looking
12 at that and we are saying that that will coincide with
13 our internal re-structuring, our implementation of
14 self-government.

15 Now the other agenda item that we were
16 successful at getting on is land and resources but they
17 made sure to add a rider on it saying: land and resources
18 based on economic development and culture.

19 They are saying it is not on there and
20 we are not dealing with you as if it is a right, as a right,
21 as a Metis right. We are dealing with you on the basis
22 of economic development and culture.

23 **COMMISSIONER VIOLA ROBINSON:** Is this
24 tripartite process that you are in, the Federal Government
25 must be included in that; are they?

26 **MR. CLEM CHARTIER:** Yes, in fact ---

1 **COMMISSIONER VIOLA ROBINSON:** Based on
2 -- was is that based on, that process?

3 **MR. CLEM CHARTIER:** Well, essentially,
4 in 1985 with the failure of the First Ministers'
5 Conference, there was -- yes, '85 -- there was a follow-up
6 meeting in Toronto, I think, in June and at that time the
7 Inuit did not come along side to support the amendments.
8 So what was agreed upon was that in order
9 to get Premiers -- like, for example, Mr. Devine at the
10 Conference says: "Well, that is self-government. We
11 don't want to buy a pig and a poke if self-government means
12 the Native people on 20th street, that is in the city,
13 will be self-governing."

14 So in Toronto, what was decided was in
15 order to give Premiers an understanding of what is meant
16 by, in particular, Metis self-government, let's enter into
17 discussions and look at models of self-government.

18 So this is where the tripartite process
19 is started. In Manitoba, it has continued since then.
20 In Saskatchewan, Mr. Devine cut it off in 1987 and we are
21 now just re-entering into the tripartite now and the reason
22 we did not enter it sooner was again 91.24. The Feds wanted
23 -- the province wanted the Feds to agree up front that
24 under 91.24 they would be responsible for financing
25 self-government and for passing legislation on Metis
26 self-government and the Federal Government said: "No, the

1 Metis are under provincial jurisdiction. It has to be
2 provincial led and the province has to be responsible for
3 legislation." That sort of thing.

4 So we are at the point now where we said:

5 "Let's put 91.24 on the back burner and let's just deal
6 with the tripartite process."

7 So the short answer is it was mainly set
8 in place to show models of what we mean by self-government
9 and it has taken on a life of its own now in the absence
10 of the Constitution. We are hanging on to this tripartite
11 process because what it does -- and actually, one of the
12 benefits from -- when we were engaged from '85 to '87,
13 was the enhancement of the Gabriel Dumont Institute because
14 of the six agenda items, education was one of them.

15 So we were able to talk to the Feds and
16 the province, in particular to the province, and to the
17 Federal Government to some degree on what monies are
18 available and what programs can we institute in terms of
19 education.

20 So it has been helpful and this
21 tripartite process, we are looking at developing our Metis
22 Justice Institute through cooperation of the Federal and
23 Provincial governments, economic development, health and
24 land and resources, I will get back to that.

25 They are saying: "It is on the table.

26 We don't have any money to give you to do your own work

1 but we will meet and if you can convince us that you need
2 this land for economic development purposes, we will
3 consider maybe turning it over to you."

4 Another example is Batoche. There is
5 land at Batoche and we are in the process of getting some
6 of that land and so they are saying that land is not ours
7 by right but on the basis of culture because Metis culture
8 is tied to it.

9 So those are the kinds of things they
10 are prepared to talk about.

11 **COMMISSIONER VIOLA ROBINSON:** Would
12 you, for instance, in Alberta they have the Metis
13 Settlement Act, you know, for the Alberta Metis.

14 If that were offered to you, would you
15 view that as part of some kind of settlement or a process
16 that would give you kinds of self-governing authority that
17 you want?

18 **MR. CLEM CHARTIER:** Not fully but we
19 have discussed this with the province in the past prior
20 to the Constitution process starting up and they had
21 agreed, you know, in our political discussions that as
22 an interim measure, we would be prepared to look at a Metis
23 Act of Saskatchewan which would provide for a legislative
24 base for Metis self-government and also hopefully land
25 and resources and also potentially amending the
26 Saskatchewan Act which is part of the Canadian

1 Constitution.

2 And we all agreed that that would be an
3 interim measure and it would be without prejudice to the
4 entrenching of rights in the Constitution where the
5 province said they are committed to the principle of having
6 -- well, they are committed to getting the rights
7 entrenched in the Constitution.

8 But now that we have to have a fallback
9 position, as an interim measure, that is something that
10 we are prepared to embrace.

11 **COMMISSIONER VIOLA ROBINSON:** Do you
12 feel -- yes, well I guess, do you feel that the province
13 of Saskatchewan because they are sort of a "have not"
14 province now and they do not have many resources but if
15 they were like Alberta, do you feel that they would
16 recognize you -- obviously, they are trying to give you
17 some recognition as a self-governing nation.

18 Your ultimate goal is to get Federal
19 recognition; is it not? Getting to the Constitution,
20 constitutionalized form?

21 **MR. CLEM CHARTIER:** Well, yes. The
22 ultimate goal is to get our rights recognized in the
23 Canadian Constitution, to get this issue of 91.24 resolved.
24 The province agrees with us on that one.

25 But we also realize with the transfer
26 of the natural resources in 1930 that the province has

1 a very key role to play in terms of land and resources.

2 So they are a very key actor in this whole thing and the
3 province -- well, they had assured us that they were willing
4 to cooperate with us but after having looked at -- after
5 winning the election and looking at their books, they are
6 sort of dragging their feet on it because of the financial
7 situation.

8 I guess we are hoping that because we
9 are the furthest behind of any people that they should
10 maybe hold their nose and try to find, you know, the
11 necessary budget allocations and transfer of lands and
12 resources that are required, you know, to bring us up to
13 par with other people in the province.

14 I am not sure that they are at that stage
15 but we are still working on them and I mentioned earlier
16 we are working on a bilateral process with the province
17 which basically will be a political recognition process
18 where the government will recognize us as representing
19 the Metis people of the province.

20 We will set in place a forum for
21 scheduled meetings to discuss these issues. They are not
22 agreeing on the substance but we are closer to the stage
23 of having a formalized process to address the substance.

24 **COMMISSIONER VIOLA ROBINSON:** Going
25 back to the relationship and to recognition. Would you
26 view yourselves as a third order of government in the

1 province? Or in Canada?

2 **MR. CLEM CHARTIER:** Well, that is a
3 position that we have maintained from the, I guess, the
4 first rounds of constitutional talks of 1983 that we want
5 to be recognized, the inherent right of self-government
6 as one of three orders of government in this country and
7 that is still the position that we have.

8 **COMMISSIONER VIOLA ROBINSON:** I wonder
9 how the public feels about that because it seems to me
10 the municipalities have some concerns because they are
11 not recognized as a third order of government and you will
12 need support from -- we will need support with our
13 recommendations and that is why we are always trying to
14 educate the public.

15 If we were to say, you know, Aboriginal
16 people have to be seen as a third order of government,
17 just say that, you know, and you have municipalities in
18 this country who really are not viewed as a third -- there
19 is only two orders of government and I think -- it was
20 brought to my attention yesterday in Regina by somebody
21 there from the municipality when the Minister was talking.

22 He sort of alluded to a fourth order of
23 government and she was really upset. She said: "I am
24 from the municipality and that is one of the problems we
25 have" she said "with this whole thing" because they are
26 not being viewed.

1 How do you think that we can begin to
2 address that kind of public relationship? Obviously, that
3 is a relationship between governments and Aboriginal
4 people.

5 **MR. CLEM CHARTIER:** Well, that is right
6 and some of that sentiment was being expressed last year
7 by municipal organizations.

8 But I think -- well, first of all, they
9 are part of the Provincial Government. They are just
10 adjuncts to it or they are part of the administration of
11 the province and they are not constitutionally based.
12 They are based by a provincial legislation which could
13 be, you know, done away with if the province so chose at
14 their own peril of course.

15 But I think what has to be discussed and
16 the focus has to be on the constitutional recognition of
17 government and I think the distinction has to be that
18 Aboriginal peoples who are a colonized people by people
19 from elsewhere who now have their own systems of government
20 have to accommodate Aboriginal people.

21 So I guess we are not -- I would not be
22 too concerned if we said we were one of four
23 constitutionally recognized levels of government or 25
24 constitutionally recognized orders of government as long
25 as we were a constitutionally recognized order of
26 government.

1 But the fact is, there are only currently
2 two constitutionally recognized orders of government:
3 the Federal Government and the Provinces.

4 We are saying as the rightful owners of
5 this country who want to be back at level playing field
6 and back to what is ours that we have to be recognized
7 as one of those constitutionally recognized orders of
8 government.

9 So it does not matter how many there are.
10 We just have to be one of those with our specific rights
11 but it goes back to Mr. Dussault's question about the
12 community of Ile-a-la-Crosse and the mayor. You see that
13 is a municipal government. It is no different than Regina
14 just that one is Metis and one is more, well,
15 non-Aboriginal; one is bigger, one is smaller and the
16 legislative powers might be a little different, the budgets
17 might a little different but they are still an
18 administrative unit of the provincial government.

19 This is a little more tricky to deal
20 with, you know, in our home communities but that is
21 something that we have to deal with internally and I think,
22 you know, we can do that by dialogue.

23 But I think the key is that we are
24 Aboriginal people, this is our homeland and we do have,
25 you know, rights that have to be, you know, recognized
26 if we are going to get to where, as Ray was saying, you

1 know, the rightful place of ourselves in this society.

2 **COMMISSIONER VIOLA ROBINSON:** Just a
3 couple more questions. The gentleman there that was
4 talking about the justice program.

5 The follow-up from these reports, are
6 you discussing a Court Worker Program?

7 **MR. ALPHONSE JANVIER:** We are
8 discussing a number of programs with the Provincial
9 Government and the Federal Government.

10 The Native Court Worker Program is at
11 a stage where a submission had gone to Justice, Treasury
12 Board, the Provincial Treasury Board and it is at that
13 stage right now.

14 **COMMISSIONER VIOLA ROBINSON:** Okay.
15 The other question I had was for the Metis Addictions and
16 you were saying that Aboriginal youth -- you are planning
17 on having an Aboriginal Youth Treatment Centre in
18 Saskatchewan and it will be the first one in Saskatoon.

19 Is it in Saskatoon you are planning for a treatment centre
20 and it will be the first one in Saskatchewan?

21 **MS JOYCE RACETTE:** Yes. Yes.

22 **COMMISSIONER VIOLA ROBINSON:** I just
23 wondered where the funding will come for that and since
24 you called it "Aboriginal Youth Treatment Centre", that
25 will be accessible by all Aboriginal people, Metis, Indian
26 and any ---

1 **MS JOYCE RACETTE:** Yes, it will. What
2 we are hoping to do is we have a treatment centre in
3 Saskatoon here right now. It is an adult treatment centre
4 and with the funding we just hope, you know, just turn
5 it over to youth.

6 We are presently funded for a centre here
7 in Saskatoon already.

8 **COMMISSIONER VIOLA ROBINSON:** Thank
9 you. I think that is all I had for now.

10 **MR. CLEM CHARTIER:** Mr. Dussault?

11 **CO-CHAIR RENE DUSSAULT:** Yes.

12 **MR. CLEM CHARTIER:** Before you sum up
13 if you are going to do that, I mentioned earlier the issue
14 of the Primrose Air Weapons Range and the Indian Claims
15 Commission having hearings.

16 Well, actually it concluded its final
17 legal arguments by both parties last week to the exclusion
18 of the Metis and the next stage for them, of course, is
19 recommendations to Parliament or to the Federal
20 Government.

21 I do not know what those recommendations
22 will be. Whatever they are, it will deal specifically
23 with the two Indian communities and will not refer to the
24 Metis.

25 I guess the question is, first of all,
26 are you going to be in this round or the next round

1 travelling again to Northwestern Saskatchewan?

2 **CO-CHAIR RENE DUSSAULT:** I do not think
3 so.

4 **MR. CLEM CHARTIER:** Okay. Okay, well,
5 alternatively I think what we should do and what I propose
6 is that we would like to get our Metis communities or people
7 from that area develop a brief which could be presented
8 to you, I guess, somewhere in Saskatchewan because we would
9 like to see in the absence of anything else maybe some
10 recommendations coming from your Commission with respect
11 to the displacement of our people from that particular
12 part of the traditional territory.

13 **CO-CHAIR RENE DUSSAULT:** At this point,
14 I would like to say that this third round is the last one
15 where we will be travelling all across the country because
16 in the fall we are going to have three weeks probably of
17 hearings to hear the briefs that not had been presented
18 in the third round coming from the fund, the Intervenor
19 Participation Program and the fund chaired by David Crombie
20 and also to hear non-Aboriginal organizations that we have
21 lined up to present the non-Aboriginal views because the
22 first two rounds we were mainly in Aboriginal communities,
23 Metis, Inuit, Indian.

24 So time is getting very short for us
25 visiting communities outside the main areas in Canada and
26 also at one point we will have to concentrate in a few

1 places to complete the public participation process.

2 That being said, it does not mean that
3 it might not be possible to present briefs in a written
4 fashion and to get some kind of feedback on it.

5 But we are coming to a close of our public
6 participation process and it has to happen at one point
7 and obviously we are aware that we could go at it -- there
8 are a thousand communities in Canada and we will have
9 visited one hundred and twenty, twenty-five.

10 **MR. CLEM CHARTIER:** That answers that.

11 That is fine because we do have the roundtable on Metis
12 Nation Issues. This issue affects the Metis in Alberta
13 as well and we do have, I guess, the final presentation
14 through the Metis National Council and perhaps ourselves
15 again.

16 So, as you know, we are resourceful.
17 We will find a way.

18 **CO-CHAIR RENE DUSSAULT:** Well, what I
19 am saying is that there are still many points of contact
20 but they are going to get more and more focused
21 geographically because of the time constraint and the stage
22 we are in our own process.

23 **MR. EARL PELLETIER:** I would like to
24 speak to Commissioner Robinson's comments about, I guess,
25 the real challenge to reach our ultimate goal of having
26 our rights in the Constitution is to change the 98 per

1 cent of the mainstream to help us to implement those rights
2 and protect them into the Canadian Constitution.

3 I think that is the real challenge. It
4 always has been and it is proven that the public are
5 ignorant because of a variety amount of reasons, many
6 factors.

7 And, the major factor being that
8 mainstream educational institutions as my friend Isabelle
9 was talking about is that they do not put the proper history
10 into the books and it is not -- that is not really taking
11 a position of blaming, it is actually a fact and we are
12 trying to do what little we can with our institutions to
13 educate the mainstream public about where we are actually
14 coming from and what rights we have in this society,
15 historical rights.

16 It is just not you pick a number and you
17 can be an order of government. You know, we have our rights
18 and that is basically what we have to prove to them and
19 we are a very small percentage of the Canadian public and
20 if they say no like, you know, our big parent, paternalistic
21 parent, if they say no, you know, we have to take that
22 opinion because we are only two per cent.

23 So I think education is a way to go and
24 if the Commission wraps up its findings in a year and a
25 half from now or next fall or whatever, I think we can
26 leave that open ended saying that education goes on and

1 we have a right as -- we have an obligation as a Metis
2 institution to educate the mainstream and the mainstream
3 has a right to educate their own people too.

4 So let's get those, what they call
5 "racist books" out of the libraries and that type of stuff
6 and put the right facts into those libraries and into the
7 children's minds and I think over generations maybe this
8 will happen.

9 In closing, I think I met the Commission
10 on its first round in Laronge on a different issue and
11 there was different commissioners also but at that point
12 in time I wondered out loud and I spoke out loud and I
13 said: "Is this another waste of taxpayers' money?"

14 "Are you sure this money that is being
15 spent on this Royal Commission goes directly to the Indian
16 and the Metis people who are suffering at the local and
17 community based level?" That was what I was thinking out
18 loud.

19 And I guess I just wanted to share that
20 with you because I will continue to remain pessimistic
21 because -- but I only hope and I only pray that this
22 Commission will prove me wrong. But, only the future will
23 tell that.

24 Thank you.

25 **COMMISSIONER VIOLA ROBINSON:** Well,
26 your comments are certainly well taken and we hear them

1 quite often and I can understand why people, Aboriginal
2 people, should be pessimistic especially Metis people
3 because your struggle has been so much greater.

4 The part about education is one that is
5 very high priority in Aboriginal people's minds. In all
6 the communities and everywhere we have gone, everybody
7 stresses the importance of education. Education leads
8 to economic development and as well as what you are talking
9 about, the correction of history and changing the -- we
10 have to change attitudes.

11 And we know that. I think we know that
12 better than anybody else. That is the biggest challenge
13 that we are faced with.

14 But I want to just wind up by saying one
15 thing that, you know, once again I am impressed with the
16 calibre of presentations that have been made here today
17 and I sometimes wonder, you known, that sometimes when
18 you had no resource but yourselves and you are very
19 independent and you have to be very innovative and you
20 have to work really hard and you have to really scratch
21 to get to where you are going and when you do get to know
22 where you are going, you know exactly what you are doing.

23 I think, you know, sometimes to be
24 resourced all the time is not the answer. I think the
25 resourcing is needed but it has to come to a time when
26 you are ready for it and I think you are ready for it.

1 I think you have done enough with nothing that if you got
2 something, you would certainly get to where you are going.

3 So I just want to tell you, let you know
4 about that. So thank you.

5 **CO-CHAIR RENE DUSSAULT:** I would like
6 to join Viola Robinson in this last comment. The more
7 so that we are quite aware that the resources are scarce
8 not only in this province but generally speaking in the
9 country and having to meet with all the problems and the
10 difficulties and the needs, it is obvious to us that we
11 will have to find -- everybody will have to find creative
12 ways to do things and we hope that, of course, some
13 additional money could be put into the system with a view
14 that on the long term and maybe not that long term that
15 it would be much more beneficial for everybody to get this
16 playing field that we talked about quite a bit this
17 afternoon.

18 So that is why our recommendations will
19 have to be both principle and also founded on the reality
20 of the communities, the regions and on and on but also
21 strategic in the sense that we have to find a way to get
22 the message across in a fashion that there will be
23 implementation.

24 At this point, I would like to thank each
25 and everyone of you for the presentations you made this
26 afternoon and your colleagues.

1 I think we have got a much better view
2 of the work of the Metis Society of Saskatchewan and its
3 affiliates and I understand certainly quite better than
4 -- Mr. Chartier, when you said at the outset "We are looking
5 as an interim fashion for devolution of powers from
6 provincial governments and others we will want to be ready
7 and -- of course, we have rights and constitutional goals
8 but we are acting in a way where action could take place
9 and we could be ready to administer programs and services"
10 and on and on, it certainly gives us a much better
11 understanding of the whole picture.

12 And, I would like to thank everybody for
13 putting this effort. The papers that were given to us
14 will be looked at carefully not only by us but our
15 colleagues of the Commission and our staff and I hope that
16 in the coming weeks and months this will give us a better
17 base for understanding and coming up with ideas that would
18 be the most appropriate in the circumstances that we will
19 be in during the fall and early '94.

20 So I would like to thank you very much
21 again for putting this effort and contribution. It is
22 very helpful.

23 **CLEM CHARTIER:** Thank you,
24 Commissioners.

25 **CO-CHAIR RENE DUSSAULT:** So I
26 understand we resume at 7:00 o'clock.

1 --- Upon recessing at 5:50 p.m.

2 --- Upon resuming at 7:10 p.m.

3 **MURRAY HAMILTON:** Okay, if we could get
4 started. First of all, on behalf of the Metis Community
5 of Saskatoon, I would like to welcome you to the Royal
6 Commission on Aboriginal Peoples hearings here in
7 Saskatoon.

8 My name is Murray Hamilton. I am an
9 employee of the Gabriel Dumont Institute and I have been
10 asked to act as your moderator this evening.

11 Judging from the crowd, it should be a
12 fairly easy job and I will make sure that the conversation
13 does not get as hot as our weather was today.

14 First of all, I would like to speak very
15 briefly to what we are going to be doing tonight. I suspect
16 that some of the presentations will address a wide variety
17 of topics.

18 This evening we have a presentation from
19 Cliff Wright, Office of the Treaty Commissioner.
20 Secondly, we will have a presentation from Theresa Dust,
21 City Solicitor, City of Saskatoon. Thirdly, we will hear
22 from Robert Doucette, Chairperson, Metis Local #126.
23 Then, number four on the agenda, is Jack Smith, Native
24 Studies, University of Saskatchewan. And certainly last
25 and not least, Mr. Barry Kennedy, First Nations Council
26 of Moose Jaw

1 We will then receive questions from the
2 Commission, questions to each other and certainly
3 questions from other interested people in the room.

4 However, before we go any farther, there
5 is always something that I manage to omit and I think I
6 have to backtrack here a bit and I should introduce the
7 two Commissioners.

8 First of all, Viola Robinson who I had
9 the great pleasure of meeting a number of years ago in
10 another capacity and I will not tell you how long ago
11 because I do not want to embarrass her or myself.

12 The gentleman, Mr. René Dussault, who
13 I have had the pleasure of meeting for the first time this
14 evening. And, no doubt, judging from the work that goes
15 into these matters, he is well travelled, well versed in
16 a lot of topics.

17 So we will get right to the order of
18 business here. I will ask each of the participants to
19 make a succinct and brief presentation.

20 First we will turn to Cliff Wright,
21 Office of the Treaty Commissioner.

22 **MR. CLIFF WRIGHT:** Thank you very much
23 and good evening.

24 I am not entirely sure what my role is
25 here tonight or what parts of my role in the past will
26 be of interest to you.

1 In addition to being the Treaty
2 Commissioner in Saskatchewan which is a position that is
3 jointly appointed by the Federal Government and the
4 Federation of Saskatchewan Indian Nations, I have some
5 previous experience when while I was mayor of the City
6 of Saskatoon, we did negotiate an urban land reserve in
7 Saskatoon with the Muskeg Lake Band.

8 However, Terry Dust is here and is very
9 very knowledgeable about that and will be speaking about
10 that.

11 So perhaps I will stick to the role of
12 Treaty Commissioner and the framework agreement that has
13 resulted from recommendations made by our office to the
14 Federal Government and to the Federation of Saskatchewan
15 Indian Nations.

16 I will not go into too much of the history
17 of it but I think it is important to give a little bit
18 of that.

19 There was an agreement made between the
20 province of Saskatchewan and the Federal Government back
21 in 1977 which settled the basis of land settlement with
22 Treaty Land Entitlement bands on the basis of population
23 that existed on December 31st, 1976. That became
24 known as the Saskatchewan formula.

25 The settlement was made, very little
26 happened except that during the next few years three of

1 the thirty-three lands did receive settlement.

2 Nothing happened in respect to the
3 balance primarily because no land was available. The
4 Resource Transfer Act of 1930 required that the province
5 make available to the Federal Government when required
6 any land to settle Treaty Land Entitlement.

7 But by 1976, there was very little land
8 left available in the hands of the Provincial Government
9 excepting of course in Northern Saskatchewan and most of
10 the Treaty Land Entitlement bands were in the southern
11 part of Saskatchewan.

12 So really nothing happened at all. In
13 1982, I think it was, the Federal Government advised the
14 Federation of Saskatchewan Indian Nations the '76-'77
15 agreement, the Saskatchewan formula, was no longer
16 applicable, that their position with respect to data first
17 survey, however, remained intact meaning that there had
18 suddenly been a change of about a million acres of land.

19 Data first survey, I think, would have given somewhere
20 around three hundred thousand. The Saskatchewan formula
21 was one million three or in that neighbourhood.

22 There was a court case started which
23 became know as the "Mop Case" claiming a breach of agreement
24 but before that got too far down the road, the Federal
25 Government and the Federation of Saskatchewan Indian
26 Nations decided on a bilateral agreement to form an office

1 of Treaty Commissioner in and for the province of
2 Saskatchewan to deal with the matter of Land Entitlement
3 and subsequently as well a secondary mandate of making
4 recommendations to the body -- to the two bodies with
5 respect to education.

6 The agreement required that both parties
7 agree on who would be appointed the Treaty Commissioner
8 and that took some time.

9 Ultimately, I was approached by the two
10 parties and after some discussion with both sides to make
11 sure that in fact both sides were serious about trying
12 to find an agreement and I was not being used to use up
13 another five years of somebody's time, I decided to take
14 the job.

15 I quickly found out that people do not
16 tell you everything that there is to know about a job when
17 they ask you to take it and the first thing I found out,
18 of course, was the discrepancy between the two sides on
19 the number of acres.

20 The second thing I found out was that
21 the Federal Government said: "Do not come in with anything
22 that resembles '76 or we won't accept it." and the
23 Federation of Saskatchewan Indian Nations said: "Don't
24 come in with anything that strays too far from '76 or we
25 won't accept it."

26 Another play in the game was the

1 Provincial Government and they said: "If you are thinking
2 of bringing in any recommendations without a Federal
3 Government Land Acquisition Policy, forget about it
4 because it will not work."

5 And the Federal Government told me that
6 if I brought in anything that had anything that resembled
7 a Land Acquisition Program to the Federal Government,
8 forget about it because they did not have one and they
9 would not have one and it would not be part of it.

10 That latter one, I think, is rather
11 important to remember because from that comes the germ
12 or the seed from which some of the things that we are going
13 to be talking about tonight came.

14 So those were the perimeters that we had
15 to work around: '76, not '76; Land Acquisition Policy,
16 no Land Acquisition Policy.

17 We very quickly came to a formula that
18 we felt achieved a certain level of equity and quite frankly
19 achieved a greater level of equity between bands than the
20 '76 formula did.

21 The '76 formula did not differentiate
22 for loss of use of land; that is, if an Indian band was
23 short one acre of land, they qualified to the same extent
24 that a band that had never received one acre of land.
25 It seemed to me that there was a certain lack of equity
26 there.

1 We finally developed a policy that
2 related to the percentage that they had received and then
3 translated the percentage that they had not received onto
4 a contemporary population.

5 This made some rather substantial
6 differences between '76 and what we are recommending and
7 some bands did see the amount that they were getting go
8 up, up dramatically over '76 and some bands saw it go down.

9 Without getting too much into the
10 technicalities of it, we addressed the issue of bands that
11 were going down by what we referred to as an equity payment
12 which was a payment not necessarily related to land but
13 funds that could be used to develop the land for those
14 bands.

15 I have a copy -- copies of the report
16 that I will leave with you. Those items such as the equity
17 payment are dealt with in there and if you are having
18 trouble getting to sleep tonight, you may want to pick
19 it up and read it and it will probably do the trick.

20 But next came: how would the land be
21 conveyed?

22 There was no point in coming up with a
23 formula to establish how much land there would be if there
24 was no method of conveyance and it had been made clear,
25 first of all by the province, that they did not have the
26 land and could not make it available and secondly, it was

1 made clear by the Federal Government that they were not
2 about to get into an acquisition policy in order to acquire
3 the land.

4 So it was between those two rather
5 divergent positions that we had to find something and we
6 finally arrived at: why should the Federal Government be
7 acquiring the land anyways? Why should they be the people
8 roaming around Saskatchewan looking for pieces of land
9 that are for sale? Why don't we determine what the land
10 entitlement is worth in dollars and then make that as the
11 settlement with the bands themselves able to use those
12 funds for purchasing the land that suited them?

13 In other words, letting them make their
14 own decision.

15 The way we arrived at the dollar value
16 was we computed the average value of agricultural land
17 in Saskatchewan, the average value, and applied that
18 average value to the number of acres that each band was
19 entitled to to come up with an absolute dollar figure.
20 I said this is the money that this band has to acquire
21 their land entitlement.

22 And that formed the base of the report.

23 It kept the government out of a Land Acquisition Policy.

24 It solved the problem of the province not having the land
25 and more importantly, in my opinion, put decision-making
26 where it really belongs and that is with the Indian bands

1 themselves rather than with some federal civil servant
2 dealing with the provincial civil servant trying to decide
3 what piece of land a particular band wanted.

4 This allowed each band to determine what
5 was best for its economic future, what would give it the
6 best opportunities for its band members whether that be
7 agriculture whether that be resort whether that be
8 industrial whether that be commercial. It placed the
9 decision-making exactly where it belongs in my opinion
10 and that is with the particular band who know their own
11 members best and who know the needs of their band best.

12 This all went into the report that was
13 heard on May the 8th, 1990. It was presented to the Federal
14 Government May the 9th. It was presented to the Federation
15 of Saskatchewan Indian Nations on February the 10th. It
16 was given to the Provincial Government.

17 They took some time reviewing the
18 report. The first party to accept it was the province
19 of Saskatchewan. The second party to support it or accept
20 it in principle was the Assembly of Entitlement Chiefs
21 and the third party to accept it was the Federal Government.

22 During this time and shortly after, we
23 were busy as an office going around the various bands in
24 the province explaining what we meant in this report and
25 quite often the question was: what if we want to acquire
26 land in, say, Regina? and our answer was that the money

1 is there to acquire land. Where that land is, it is your
2 decision to make and if that be in downtown Regina, that
3 is fine. If it be in RN, that is fine. If it is around
4 the lake, that is fine. It is your decision and what has
5 to happen is a willing buyer and a willing seller has to
6 come together in the market place and make a deal.

7 I think that essentially that is where
8 a fair amount of the impetus for urban reserves stem from
9 because the various bands recognized, I think, that the
10 future of the band expanding as they are very quickly that
11 other avenues for economic opportunities for their band
12 members had to be found other than straight agriculture.

13 And this did give them the opportunity
14 to do that and I am aware that some bands are very seriously
15 looking at it and also that there are discussions going
16 on on a provincial basis between the task force set up
17 by the Saskatchewan Permanent Municipalities Association
18 and the people from the Federation of Saskatchewan Indian
19 Nations to discuss the actual machinery that would be used
20 and put in place to do just that.

21 In my opinion, there are some concerns
22 that exist. I think they are concerns that stem from a
23 lack of true understanding of the situation. I think they
24 are concerns that can be easily resolved if reasonable
25 people sit down in a reasonable frame of mind looking to
26 resolve what quite frankly is not just a problem for Indian

1 people or Aboriginal people but is a problem for our society
2 and that is establishing a level of equity between various
3 peoples in our society.

4 In Saskatchewan, we have a very quickly
5 growing population of Aboriginal people. You hear various
6 estimates that by the year 2011, twenty-five per cent of
7 all the children in schools in Saskatchewan will be Treaty
8 children. There are other figures that tell you that fifty
9 per cent of all the children in schools by the year 2011
10 will be Aboriginal.

11 This represents a very major portion of
12 the population of Saskatchewan that has to be able to find
13 opportunities to seek personal fulfilment and satisfaction
14 with their life and opportunities to partake in a society
15 that in the past, I think, a person would have to be pretty
16 narrow minded to not admit has been less than equal in
17 extending these opportunities to various people.

18 I will stop there, Commissioners, and
19 be prepared at the end or at any time to answer any questions
20 that you may have but I think it would be well to hear
21 Terry Dust first.

22 **MS THERESA DUST:** I will just pick up
23 from where Mr. Wright left off. What I am here today to
24 talk about on behalf of the City is this Treaty, is the
25 creation of the urban reserves that is resulting from the
26 Treaty Land Entitlement process. I know there are other

1 issues but this is the one that we came to talk about
2 tonight.

3 We are partly here to talk about it
4 because as I understand it this is an experiment that is
5 quite unique in Canada and it may or may not have some
6 relevance or usefulness to other people in this country.

7 The key thing from the City's point of
8 view, as Mr. Wright has explained, is that in Saskatchewan
9 as a result of the Treaty Land Entitlement settlement here
10 which was signed in the fall of last year, bands are
11 receiving cash settlements rather than specific block of
12 lands and will be purchasing land on the open market.

13 The opportunity and the ability to have
14 capital funds to come to the cities to be investors and
15 developers and to be -- and the cities to have this
16 opportunity to have that investment come to them, most
17 of that land -- so the larger cities certainly Saskatoon
18 are expecting new urban reserves to be created within their
19 boundaries as a result of this arrangement.

20 As Mr. Wright alluded to and you may want
21 to ask him about it later, Saskatoon is a bit of a forerunner
22 in this regard because in 1988 when Mr. Wright was the
23 mayor of the City of Saskatoon, an agreement was reached
24 with the Muskeg Lake Band to develop an urban reserve as
25 an industrial park in the City of Saskatoon and it is really
26 as a result of those experiences that we have been kind

1 of following through and putting sort of the day to day
2 practical reality on that working relationship.

3 As I think I said, most of the land is
4 expected to be converted to reserve status and with that,
5 of course, goes a different legal framework and a different
6 working relationship that has to be worked out.

7 I should mention that as part of the
8 Treaty Land Entitlement Agreement, bands that select land
9 in cities will be negotiating with cities on a number of
10 issues as part of the whole framework of the land selection
11 taking place.

12 There are two points that I wanted to
13 make about the urban reserves that are being created.

14 One, I believe that they are quite
15 different from what are considered urban reserves
16 elsewhere in Canada as far as I understand.

17 Most urban reserves or what are called
18 urban reserves elsewhere in Canada are residential and
19 virtually all of them have been established for some
20 considerable time.

21 Most of them are a First Nations
22 community which has been there for ever and is simply --
23 or whenever and is simply adjacent to an urban centre sort
24 of by happens stance.

25 Here, the reserves that will be created
26 are quite different. The FSIN no longer calls them urban

1 reserves. They are calling the urban development centres
2 and I think that is actually a more accurate title because
3 they are not like the traditional model.

4 They will be purchased by bands anywhere
5 in the province. For instance, the Muskeg Lake Band has
6 its reserve in Saskatoon. It is not located anywhere near
7 to Saskatoon. It is some, I think, hundred miles north
8 of here.

9 In other words, their home reserve may
10 be anywhere. They come to the city as Mr. Wright mentioned
11 because the cities are aware what the economic potential
12 is.

13 And so it is not a question of adjacent
14 residential communities to urban reserves.

15 Secondly, we think that they will be
16 primarily either commercial or industrial bases partly
17 because of the cost of land in the city. It is very
18 expensive to be buying residential land.

19 The Muskeg Lake Band, for instance, is
20 an industrial park operated by a band controlled
21 development corporation. Band members do not live on the
22 reserve and there is no intention that they do so. It
23 is a straight economic development sort of opportunity
24 and again, as I understand it, this is different than
25 perhaps what are considered traditional urban reserves
26 elsewhere in Canada.

1 My second point, I think, is that what
2 we are finding and I suppose this would be no surprise
3 to anyone is that the Indian Act which we are working with
4 at present, the legal framework of that, I think, does
5 not really fit what either party is trying to do when they
6 are creating a new urban reserve. It certainly, I do not
7 think, fits from the band's viewpoint in trying to have
8 economic development. It is, as I understand it, very
9 difficult for them to do it and it does not really fit
10 -- I do not think it is really designed for a
11 non-residential economic development centre set down in
12 the middle of an urban city.

13 The result is that what we are in fact
14 doing is we are negotiating agreements that work out a
15 practical relationship and way of doing things between
16 the parties. Some of what is negotiated is very
17 straightforward. Things like sale of services such as
18 sewer and water, garbage removal, fire protection, et
19 cetera.

20 The parcels of land -- the parcel of land
21 that is Muskeg is 35 acres which is not that big. Other
22 bands when they pick a location for an economic development
23 centre may have an even smaller parcel. It is quite
24 unlikely that they are interested in providing their own
25 major services. Rather they purchase them from the city
26 and this itself gives a basis for beginnings of a

1 relationship.

2 Other things that are there to be
3 discussed are taxation and tax compensation. One of the
4 areas that is kind of complicated, more complicated than
5 I think senior levels of government understand is by-law
6 compatibility and by-law enforcement. It is not that it
7 is really complicated between the parties, it is just that
8 the legal framework does not fit it.

9 By-law enforcement is something that is
10 really important in a city. It is things like zoning which
11 control the kinds of uses that are in an area of land.

12 Cities take that very seriously and the
13 band such as Muskeg take it very seriously because what
14 the city zones around them is critical to the success of
15 their operation as well.

16 In other words, you have to have a use
17 on the urban economic development centre and the use of
18 the surrounding land fitting each other but the legal
19 framework, of course, is totally different. The zoning
20 -- as soon as it is declared an urban reserve, the zoning
21 by-law does not apply to the reserve.

22 An example of what we were doing in
23 Saskatoon is making arrangements that Muskeg Lake would
24 have the zoning by-law. The zoning by-law would be similar
25 to the city's and the city in turn would provide the
26 inspection and enforcement services for the bands to ensure

1 that the third parties that lease from the band and come
2 on to the centre are obeying the zoning.

3 Another example is construction
4 standards. Both the band and the city want new
5 construction on the reserve lands to meet all the national
6 building codes, fire safety codes, plumbing codes et cetera
7 but it is not clear at all which laws apply, which
8 jurisdiction this is, who is supposed to enforce it, et
9 cetera et cetera.

10 So as a practical matter, what we are
11 doing is that when the band leases land to people who wish
12 to develop there and build on their land, they will make
13 it a term of the agreement that all the construction must
14 be in accordance with the recognized codes and they do
15 not have the inspectors to enforce that so the city will
16 provide the inspectors to make sure that the construction
17 is built the way the band and the city want it to be built.

18 That is what we are really talking about
19 when we are talking about making practical arrangements
20 to have things work in spite of a legal system that does
21 not really fit what either party is trying to do.

22 There are other things of course such
23 as the physical infrastructures that are important and
24 that where development standards have to be compatible.

25 Again, that is by arrangement between the parties. The
26 sewer and water pipes have to fit, the traffic has to flow,

1 the road system has to bring the cars into the businesses
2 that are there on the reserve, the fire trucks have to
3 be able to get in, the garbage has to be able to be hauled
4 out.

5 And so, you have to have
6 interconnections there that make it all work as a physical
7 functioning part of the city.

8 I think the most important thing that
9 -- the point that we want to make is this is not a simple
10 process. You have two different groups of people working
11 together to build what is really a very complex
12 inter-relationship and something that is very practical
13 that works at a very practical level and it is happening
14 in an urban environment where everything is cheek by jowl,
15 where everything that one does has a direct and immediate
16 effect on the others because you are neighbours and you
17 are so close together.

18 Our experience in Saskatoon is that with
19 Muskeg Lake it has been very positive as the Treaty Land
20 Entitlement process takes place and that is really just
21 happening now that the bands are getting their money and
22 will be able to go out on the market.

23 We expect more urban reserves in
24 Saskatoon. We expect them from bands in various parts
25 of the province and we expect new issues to arise out of
26 that.

1 As Mr. Wright mentioned, there are
2 ongoing discussions between the FSIN and the cities as
3 a group to identify some of those issues and to have some
4 dialogues.

5 But I think what is also happening and
6 that is really important is that there are exploratory
7 discussions or whatever you want to call it taking place
8 in this province right now, city by city, band by band,
9 not officially organized not like a big important thing
10 but just people sitting down together and working out a
11 direct relationship and that, I think, is really important.

12 I would emphasize as to what relevance
13 this has in other provinces that the driving force here
14 is that the First Nations have money to invest. They
15 actually have capital which they have not been able to
16 raise from their traditional reserves in the past.

17 And so they now have the potential to
18 be investors in an urban centre and wherever that potential
19 would exist, I think that the experience here would be
20 relevant.

21 **MR. MURRAY HAMILTON:** Thank you,
22 Theresa. We will now move along and next order of business
23 is Robert Doucette, Chairperson of Metis Local #126.

24 **MR. ROBERT DOUCETTE:** Thank you, Mr.
25 Hamilton. Thank you, Viola and René, for having me here.

26 I have lived in this city now off and

1 on for over six to seven years. I keep coming back to this
2 place because I think it is a good place to live. It has
3 quite a lot of different activities and things that people
4 can do and grow with. I have lived in a lot of cities.

5 I have lived in Prince Albert, Brandon, I have lived all
6 over Canada.

7 I am the Chairperson of the Metis Local
8 #126. There are three Metis Locals in Saskatoon: Local
9 #11 and also Local #165. The present membership level
10 of our Local is approximately 250 people and it is rising
11 by about fifty members every month because people are now
12 realizing that to be Metis is not a shameful thing. It
13 is not a detriment.

14 So we are -- there are many Metis within
15 Saskatoon but if urban self-government is to work, there
16 has to be some radical re-defining, as Mr. Chartier said
17 this afternoon, with the structures that are presently
18 in place on a Federal level, on a Provincial level and
19 on a Municipal level.

20 There are barriers today for the Metis
21 and those are -- I mean there are one and many but I will
22 name a couple.

23 We have a real lack of resources to
24 develop ourselves and our institutions. The public
25 overall does not understand and sometimes I feel they do
26 not care about our problems. And it is because there is

1 a lack of education, that is where that stems from.

2 There is a systemic racism still
3 perpetuated on all levels in this country.

4 So, again, I have to say that we have
5 to re-define the structures because the structures run
6 the whole show. Let me give you an example.

7 On the Federal level, the Federal
8 Government has to recognize that we are people with
9 inherent rights. We are a nation of people , and, in
10 doing so, we can move to the next level of negotiation
11 as equal partners across the table.

12 Also, they could recognize that the
13 Metis potentially fall under 91.24 and in doing so we could
14 access programs and resources like our Indian brothers
15 and sisters who have, it seems to me, a lot more resources
16 than the Metis at their hand right now to develop themselves
17 and their nations.

18 Enumeration. The Federal Government
19 has to engage in that because the present system which
20 says there are only 135,000 Metis in Canada is ridiculous.

21 As Mr. Wright has said, by the year 2011,
22 25 per cent of the children going into schools, is it,
23 are going to be of Treaty ancestry and then you said an
24 additional 25 were going to be Aboriginal. So, who are
25 they? Who are they? They are Metis or they could be
26 non-Status or they could be Inuit but I do not know too

1 many Inuit around here.

2 They have to give us sufficient
3 resources. They have to give us sufficient resources to,
4 again, we have got our own institutions, GDI, now DTI,
5 Metis Family and Child Services, Metis Health Services
6 which all could work hand in hand with the system to provide
7 a better lifestyle for Metis people.

8 On the provincial level, I think that
9 the province has to, again, also recognize that we are
10 a nation of people with inherent rights. They have to
11 engage in sharing the revenues that they receive from the
12 Federal Government i.e. transfer payments that directly
13 affect Metis people. They count us and yet they do not
14 share the resources.

15 They have to start sharing those
16 resources and stop the jurisdictional battle with the
17 Federal Government: who will provide services and
18 resources to the Metis? They have to stop that and that,
19 again, would stop if they -- if they included us under
20 91.24.

21 And also, this is the most important
22 thing: they must work with the Federal Government to give
23 Metis people -- I should say, give back Metis people their
24 land. A land base, that is what Metis people really need.

25 And example of that is the TLE. The TLE,
26 the Treaty people are getting all this money to either

1 buy land or buy into whatever. They can use it as capital
2 investments. We need land. Metis people need land just
3 as much as our Indian brothers and sisters.

4 Again, Mr. Chartier used Primrose Lake
5 as an example and I use it again also because my grandfather
6 and my great grandfather and my uncles trapped that place
7 and yet they were tossed out.

8 And here is an example of the inequity:
9 when they set this up, the Treaty people
10 said -- or the Federal Government -- the Federal lawyers
11 said that they got \$737,000 and the research that I have
12 done on Primrose Lake shows that the Metis got less than
13 non-Aboriginal people. They got less than -- they got
14 something like \$202,000. Some Metis trappers were getting
15 \$150,000 outright and some Treaty people were getting
16 \$2,000 annually so there was an inequity here and that
17 has to be dealt with.

18 On an urban level, I have -- well, I have
19 been put on this subcommittee, Race Relations Committee,
20 and I do not think it is a bad thing but I do not think
21 that Aboriginal people should be ghettoized into
22 subcommittees i.e. Race Relations and that is what is
23 happening as far as I am concerned to date.

24 We have all these other committees and
25 subcommittees that are very important. For example, the
26 Police Commission. I looked on there and I talked to some

1 people and what they told me was it is very disheartening
2 because they keep reappointing the same person over and
3 over again to the Police Commission and we have real
4 problems today all over Canada with minority people and
5 the police forces.

6 Let me give you an example. In one of
7 the cities where -- the areas where it is predominated
8 by Aboriginal people, Riversdale, we have now an
9 experimental "cop shop" and as far as I am concerned they
10 have militarized Riversdale. Why? Because it is
11 predominated by Native people.

12 The question I put to some people in the
13 city government, I said: "Well, why is it that in
14 Riversdale we get an experiment, the "cop shop", but yet
15 a place like Lawson Heights gets a swimming pool with a
16 wave pool. It gets a new library. It gets lighted
17 baseball fields. It gets soccer pitches, a brand new
18 school; new high schools, new elementary schools. Why
19 is it that way?"

20 The only reason and the only conclusion
21 I came to is because Riversdale is predominated by Native
22 people. We have got the poorest services there and
23 accordingly, the people in that area are the poorest of
24 the poor in this City and i.e. we are not good taxpayers
25 so therefore we do not deserve these resources.

26 So we have to come up with some

1 solutions. I think the City has to start sharing the
2 resources that it takes in with the Metis for programming
3 and for taxes because I am a taxpayer. I pay taxes and
4 I think that they should start sharing it.

5 And, what would we do with that money?

6 Well, I will tell you: we would run our own schools.
7 We would build our own schools. We would run our own school
8 boards.

9 Because there is still a bad problem of
10 racism out there although I think Saskatoon is the best
11 city I have lived in. Saskatoon by no means of the
12 imagination does not have a problem of racism.

13 Let me give you an example on a level
14 of Junior High. Last year, we had this Columbus
15 celebrations and one of my friends, her daughter, was in
16 a history class. The teacher was teaching her that
17 Columbus discovered America. Now this girl is only 13
18 years old. She said to the teacher: "No, Columbus did
19 not discover America. The Indians were here first so how
20 could he discover it?" The teacher said: "No, you are
21 wrong. Columbus discovered America." and this went back
22 and forth for about five minutes. Finally, might ruled
23 and she was tossed out of the class because she did not
24 agree with the teacher.

25 The same thing for the Metis. This
26 whole City does not know the difference between Treaty

1 and Metis people. So if we were to have our own resources,
2 we could educate the public. What is the difference
3 between the Treaty and the Metis? Well there is a lot.

4 There are many differences: jurisdictional differences.

5 An example is: my friend over there is
6 talking about capital investments through the TLE. We
7 will never see that unless we get our own resources.

8 One other thing, I guess -- well, there
9 could be many things. We could provide services to Metis
10 people that are coming into the City. We have many Metis
11 people that are coming in from the North. We have many
12 Metis people that do not know the system and if we had
13 our own money, our own resources, we could hire our own
14 people to teach them about the system, to work with the
15 people down here.

16 But as it is, say you get a Metis from
17 Laloche coming down here that speaks predominantly Dene
18 and this happened to me. An eighteen year old guy came
19 and asked me: "What can I do?" "Well, what can I do for
20 you? What are your skills?" He says: "Well, I am --
21 I don't have -- I dropped out of school at Grade 8." Well,
22 the solution was we put him through school but I am saying
23 this is happening more often than not in this City. So
24 we need more resources.

25 I will give you some further proof on
26 why we need our own resources. We did a survey of the

1 Prince Albert region and the Saskatoon region of adult
2 Metis people. 68 per cent of the Metis that answered these
3 surveys said they did not have a Grade 12 and a further
4 32 per cent of that 68 per cent said they did not have
5 a Grade 8. So, how do we deal with this?

6 And we have to deal with it because by
7 the year 2000 to get a decent paying job, you are going
8 to need at least 12.2 years of education and to get a really
9 decent paying job, you are going to need 17 years.

10 So there has to be a re-distribution,
11 I guess, a radical re-distribution of the resources that
12 this country brings in and the systemic racism has to be
13 dealt with.

14 I guess I could let it go on to my friend
15 here but I used to think that I wanted to be like the average
16 Canadian but I doubt that any more. The average Canadian
17 is very wasteful; they waste too much energy. They eat
18 too much. We are one of the most wasteful countries in
19 the world so I do not want to be like the average Canadian.

20 I want to be treated with respect though. I want my share
21 of the resources that come out of this country and I want
22 people to know that we are a proud group of people and
23 that we deserve what is coming to us.

24 So with that, Viola, René, I will
25 entertain questions later on.

26 **MR. MURRAY HAMILTON:** Thank you, Mr.

1 Doucette. We will now hear from Jack Smith, Native Studies
2 Department, University of Saskatchewan.

3 Good evening, Jack.

4 **MR. JACK SMITH:** Thanks, Murray. The
5 first thing I am going to do is explain my presence here.

6 I am quite surprised at the formality
7 of this. I thought I was coming to a mini roundtable which
8 was not formal in any sense of the word and so I have not
9 come prepared to speak per se on behalf of the views of
10 the Department of Native Studies at the University of
11 Saskatchewan but I will be speaking personally to some
12 of the issues that come up from time to time.

13 In my capacity at the University, I work
14 in the Department of Native Studies as a sessional
15 lecturer. I have an opportunity to meet students in that
16 capacity and have an opportunity to speak about many of
17 the concerns they have whether they are Aboriginal people
18 who are Inuit, Metis, Status, Non-Status, et cetera.

19 I am also -- my main function rather at
20 the University is working as a research officer for the
21 Native Law Centre and in that capacity I have an opportunity
22 to look at those sorts of issues including such things,
23 recent issues as gaming, the economic development
24 prospects, legal issues in membership and that sort of
25 thing.

26 And once again, we also work with the

1 program of Legal Studies for Native People which many of
2 you will know that as a program that has been quite
3 successful in the development of greater numbers of
4 Aboriginal lawyers in Canadian society.

5 But in both those capacities as an
6 instructor and as a research officer who does some work
7 for the program of Legal Studies for Native People in the
8 summertimes, I have the opportunity to speak to many
9 students and most of the students I speak to are students
10 who are grassroots people. They come from their people.

11 There are some who come with leadership experience, et
12 cetera. For the most part they come with problems and
13 issues that they experienced not as leaders and so on.

14 And some of the recent issues that I have
15 been confronted with of late and often do not have answers
16 either by way of looking at the legal text and so on concerns
17 the plight of urban or off-reserve Indians and very
18 recently I have had a number of calls in part due to the
19 recent signing of the Treaty Land Entitlement Agreement,
20 the framework agreement and not to say that that is bad,
21 it is just that I think that the Treaty Land Entitlement
22 Agreement is very much bringing to the force some of these
23 issues that people did not speak to in the past perhaps
24 for one reason or another because now the people who are
25 off-reserve have the opportunity to have somewhat of a
26 say in whether or not, for instance, Treaty Land

1 Entitlement will be accepted by the band those who have
2 voting privileges.

3 But the concern is that with respect to
4 that, the Treaty Land Entitlement for instance, that their
5 input stops there, that the off-reserve Indian does not
6 have input beyond that to speak to or provide their views
7 on how some of the capital will be invested for instance.
8 They have little say in what choice of lands will be made
9 by certain specific bands.

10 And I am saying this because I hear this
11 and, in fact, I could be wrong on some of the facts and
12 I stand to be corrected if I am. So let me present that
13 caveat.

14 Other concerns is that they have little
15 say in the management of trust dollars, trust funds. There
16 is also the concern posed by the regulatory regime of the
17 Indian Act which does not allow them even the input in
18 the democratic process that is predominant in, say, our
19 living in municipalities. We get to vote on who is our
20 mayor, who is our city counsellor, our alderman, et cetera.

21 Yet when the Indian on the reserve moves
22 away from the reserve, there is that famous clause in the
23 Indian Act, I cannot remember what section it is in, that
24 refers to the residency of the person.

25 And I had a call recently from a woman
26 who lived for a great many years on a reserve and she moved

1 to Saskatoon to be with her son who was attending school,
2 post-secondary school. Her stay here was less than eight
3 months yet she was no longer eligible to vote in the band
4 elections and her concern was that: well, she was not
5 allowed to vote yet someone -- and I will use the term
6 because she used the term -- a Bill C-31 was allowed to
7 vote in the election and have a say.

8 And it seems that there is no
9 consistency to what we can tell these people. I do not
10 work as a lawyer and very often what I will ask the person
11 to do is to have a look at the kind of membership codes
12 they have and check on the kind of band council resolutions
13 that might have affected any voting privileges. You also
14 have to check and see whether or not the band is one which
15 practices customary band government or whether it is band
16 government of the Indian Act and of course the residency
17 clause will certainly have a detrimental affect on many
18 people like this person.

19 But these are some of the concerns that
20 are being brought forward and one of the answers to that
21 was if -- by way of offering a small solution, I do not
22 know how the process would work for it but there is the
23 opportunity within the Indian Act itself to actually go
24 ahead and pursue the matter of having customary band
25 elections.

26 Yet I am told that the actual process

1 of putting that into place is very slow. That is a concern
2 but I think there is also a bias in that and that it is
3 up to the band to decide as to -- to go ahead with the
4 customary government and the make-up -- the members of
5 the band are not going to have the input of those or, you
6 know, in the election or the referendum, whatever it would
7 be that would be required to pass a sort of a resolution
8 re-instating customary band government and so on the people
9 are not eligible to vote who are most affected.

10 Now, many people expressed the concern
11 that it is okay for us. We are off-reserve. Many of us
12 are having some success here within the larger Canadian
13 society and so on. However, we are concerned also for
14 our children who may want to go back to the reserve and
15 yet they will have less of an opportunity to be a part
16 of that.

17 So I just raise that as an issue as
18 something that has been concerning many people who I have
19 had the opportunity to speak to and I think that the
20 solution or part of the solution would be the
21 re-introduction of certain customary law.

22 But, first of all, we must have the input
23 of off-reserve people to that. So that is one problem
24 I see.

25 I would also like to take an opportunity
26 at this time to talk a little bit about some recent

1 developments at the University of Saskatchewan that have
2 occurred with respect to the development of a mission
3 statement at that school.

4 And when I talk to this, I am not going
5 to say -- I am not going to talk on behalf of the many
6 groups who were involved in that process but I am only
7 going to bring it forward to address some of the issues
8 that I see that result from it and that are applicable,
9 I think, across the country in respect of post-secondary
10 education at the very least.

11 Recently, the University of
12 Saskatchewan decided that it needed a mission statement
13 and the process of governance at the University to pass
14 a mission statement that would be developed involved the
15 passage of the mission statement itself by two levels of
16 government at the University. The final level being the
17 Senate, the first level -- I am not sure what they call
18 the first level but it is the -- I think it is the Faculty
19 -- the Faculty must approve it and so on.

20 And there are certain bodies which are
21 represented within that group such as certain student
22 political groups et cetera who have input into the process
23 as well.

24 At any rate, it became evident that there
25 was going to be very little mention made of the pursuit
26 of Aboriginal -- greater Aboriginal access, greater

1 Aboriginal equity in the final draft of the mission
2 statement. The mission statement went through a couple
3 of drafts by a committee that was appointed by the
4 University and, in the first draft, there was inclusion
5 of certain or a greater degree of Aboriginal -- recognition
6 of Aboriginal issues and so on.

7 At a later time, however, there was --
8 I cannot recall if it was a good part of the mission --
9 of part of the statement was dropped and, in fact, U of
10 S in the end came out with a mission statement which said
11 more about their landscaping and the beauty of the
12 University than it did about the actual recognition of
13 Aboriginal rights as far as access and equity in education
14 and so on were concerned.

15 And what came about because of that, a
16 number of Aboriginal programs on campus met and this is
17 the part I want to stress not so much what actually went
18 on at the U of S but the fact came out that we realized
19 that we had very little power or very little input at the
20 policy-making levels of the University and I am certain
21 that this is something that probably occurs at universities
22 across the country and so on.

23 In our talks as well about many of the
24 programs, we spoke to ownership of programs such as the
25 one that funds my position at the Native Law Centre which
26 is part of the College of Law and we found that many of

1 the programs at the University were soft funded and easily,
2 I think on that account, probably manipulated and so on.

3 But when the mission statement was to
4 reach its final stage and was to be passed by the Senate,
5 we realized that in this large Senate there were only two
6 members of the Aboriginal community who might possibly
7 vote on the passage of that mission statement and as it
8 were, you know, it may be that one or both of those members
9 may not be in attendance at the particular time that the
10 mission statement was to pass.

11 As a result, there was very little that
12 we could do to halt the progress of this mission statement
13 which would be in place for years and years and so on.

14 So I guess what that highlights for me
15 is that -- is the recognition of the issue that exists
16 that we have very little say in input into the development
17 of these programs at least at the policy-making level.

18 This is particularly important, I think,
19 in a province like Saskatchewan where a good proportion
20 of the people in the province are Aboriginal.

21 So I am speaking to the
22 under-representation. I mean, we have access programs
23 to different colleges and so on. That is important to
24 continue and that is recognized.

25 We also have the unique relationship
26 though to the various levels of government in this country

1 that sets us apart from other minorities and gender issues
2 and so on.

3 And there is no way that we could or we
4 were not empowered in any way to bring our views forward,
5 I felt, and I felt that we were butting our heads against
6 accomplishing what we really wanted which was a solid
7 amendment to the mission statement.

8 Nonetheless, it did bring us together
9 and perhaps that is a start but I venture to say that this
10 is probably a problem Canada wide.

11 I will stop there. I really wanted to
12 have the opportunity to say something like that. I have
13 not really said that as loud as I could in the past so...

14 **MR. MURRAY HAMILTON:** Thank you, Jack.

15 I think it is if not one of our traditions it is certainly
16 a Canadian tradition that if you say it long enough and
17 loud enough, sometimes they will listen.

18 The last presenter on our agenda is Barry
19 Kennedy, First Nations Council of Moose Jaw and we will
20 hear from Barry now.

21 **MR. BARRY KENNEDY:** Good evening.

22 First off, I would like to thank for the invitation to
23 come to this table to talk on behalf of my community and
24 the direction that we have taken.

25 The First Nations Council of Moose Jaw
26 was established in the latter part of 1992, September 15th

1 to be exact. It started, I guess, in defence.

2 The First Nations community wanted to
3 defend themselves from all levels of government. It seems
4 as though all levels of government wanted to use them as
5 numbers when it came time to funding arrangements -- to
6 making funding arrangements, new funding arrangements for
7 population or head counts and then they are completely
8 forgotten about.

9 Well, in our community, there was a
10 protocol agreement that was put in place in, I believe,
11 1989 between the Metis Society of Saskatchewan and the
12 Federation of Saskatchewan Indian Nations that they would
13 control all monies coming into the province which was
14 directed for them two peoples.

15 We had applied for funding for one
16 particular program and we were told no simply because our
17 population base was not big enough. This was an insult
18 to our community. This insult came from the own First
19 Nations' government of this province. We felt that this
20 was a direct threat upon our well-being of trying to
21 maintain a lifestyle in an urban community.

22 So we took the position of going through
23 a process of elections which is a process that is given
24 to us by the treaties. Because we do not reside on a
25 reserve or receive any type of funding from the Federal
26 Government, we do not have to abide by the Indian Act.

1 A lot of our people for leaving their
2 reserves felt that this was an escape to go to a community
3 where they can create a better life, a better way for
4 themselves and their family members. But yet, all
5 levels of government still use them as head count figures.

6 So this had to stop. We went through
7 the process of elections to defend ourselves not only from
8 the Provincial Government, the Federal Government but also
9 the Aboriginal Government of this province.

10 We got away from the Indian Act. We
11 called it a very discriminatory document. We felt also
12 that there was too fine of a line in that act between
13 assimilation and annihilation.

14 It was a document that was originally
15 created for the country of Canada to protect the rights
16 of the First Nations people, to protect the culture, the
17 language, the religion; to give it certain rights within
18 Canadian society.

19 We took a good look at it and found it
20 doing the exact opposite. The Indian Act creating a higher
21 incarceration rate, a higher suicide rate, a higher
22 drop-out rate. This, we felt, had to be stopped and in
23 order to stop it somewhere a community had to stand up.

24 A group of people had to stand up in defense of themselves.

25 We do not try and defend other urban communities, we are
26 trying to set an example. I believe we have.

1 Prior to our elections when we went
2 through our membership, we had 421 members in Moose Jaw.

3 To this date, to date we are running well over a thousand
4 of people who feel the same way, of people who are trying
5 to get away to create a better life, a better way.

6 We are sitting here tonight, we hear
7 about Treaty Land Entitlements. Cities negotiating with
8 bands -- who now want to negotiate with bands. Before,
9 they did not have any money, they did not want to negotiate
10 with them.

11 We are seeing a whole new type of racism
12 being directed at our Aboriginal people, our First Nations
13 people. It is called economic racism: if you do not have
14 no money, stay in the back.

15 This is what is being done to our people
16 today not only to the First Nations people but to the Metis
17 people of this province also.

18 We have a place in this community and
19 our community has taken that stance. We have went out
20 and negotiated with a number of corporations, with a number
21 of different countries.

22 I am trying to set up some type of
23 economic development base for our own people. We started
24 with a population of 421; we have grown to well over a
25 thousand. We have negotiated with other corporations
26 throughout Canada, Hong Kong and Saudi Arabia.

1 We have raised -- when we knock on the
2 doors of government, they slammed the door on us, did not
3 recognize us. Well, we knocked at other countries' doors,
4 the door was open. They asked us to come in.

5 To this date, we have raised in our
6 community, the First Nations organization has raised
7 \$742,000. We have a number of investment groups who are
8 now standing behind us. We have a corporation who is --
9 has subsidiaries across five provinces who has put 50,000
10 shares of their company behind us.

11 We are not limited as the Indian Act
12 limits our brothers and sisters on the reserve. We are
13 not limited to the boundaries that the Federal/Provincial
14 and Aboriginal governments set upon themselves.

15 We are a people here. Using an example
16 of a German who comes to Saskatoon, he wants to develop
17 a business for him and his family, he does not have to
18 come and negotiate a treaty; he does not have to come and
19 negotiate. He is like anybody else. He can come in here.

20 He can buy a business and he can develop but our people
21 cannot. We have to come and then negotiate.

22 What you are seeing here tonight, what
23 is being presented by the City of Saskatoon is another
24 Indian Act created for the year 2000 with terms and
25 conditions: you can come into our cities, you can spend
26 money. You can spend all your money here but you have

1 to live this way.

2 This is what the Indian Act did to our
3 people in the past. This is what is being presented for
4 the future.

5 For what we have done, we stand proud
6 in our community. We are recognized by our community.
7 The mayor and council have said: "Yes, this is a viable
8 organization. This is an organization who wants
9 self-sufficiency for themselves, who want to stand next
10 to a non-Aboriginal with pride."

11 Our community like any other community
12 had a drug and alcohol problem in the Aboriginal community.
13 Today, our drug and alcohol problem is zero. Our people
14 do not stagger down the streets. Our people do not stand
15 in the Welfare lines. We create jobs. We have taken the
16 initiative.

17 We even went as far as to take the
18 Department of Indian Affairs to court to get funds to put
19 people to work; to put people to work for their own welfare.

20 People want to work but they are never given the
21 opportunity in the urban centres.

22 One of the things that I did not mention
23 earlier that was created by the Indian Act and which is
24 very visible today in the urban centres is ghettos;
25 ghettos which our people reside in.

26 This is why we stood up. This is why

1 we said: "No, no more. This has to stop." We have people
2 sitting at this table who had taken decisions from the
3 lesser of the population, the First Nations population.
4 57 to 63 per cent of the First Nations population reside
5 off-reserve but yet we have a provincial First Nations
6 government who represents 368 people calling all the shots
7 for the entire province.

8 The Federation is not allowed within a
9 ten kilometre radius of Moose Jaw. We can negotiate for
10 ourselves. We feel that we are very capable of talking
11 for ourselves and we have done so by electing a spokesperson
12 and headman's positions or headperson's positions, sorry.
13 We have one female who represents the community.

14 It seems to me, year after year, we go
15 through these commissions, these hearings. This is the
16 second for us. We went through one last year. We still
17 have not heard from them, the Aboriginal Child Care. That
18 went through.

19 "We will respond within a year" they told
20 us. A year has come and gone, we are still waiting for
21 a response.

22 An Elder told me once when the European
23 first came here they called us "Red"; we had red skin and
24 I think that was true. We were vibrant, full of life but
25 because of oppression and depression and because of all
26 the negotiating that we have done over the years, our skin

1 has lost its colour.

2 The First Nations community of Moose Jaw
3 are a proud community and they are going to show it by
4 having a celebration this year. We put together what we
5 feel is a world class event. We went out and we raised
6 all our own monies by not banging on government doors.

7 After the Provincial Government and
8 Federal Government find out that we are real, find out
9 that we are here, that this is going to happen, they come
10 knocking on our doors: "What can we do to help?"

11 The response they got from our
12 department was: "We don't need your help." and we are
13 hoping that that is a voice that we can continue to say
14 in the future.

15 We cannot continue to abide by the
16 boundaries that have been set out by the Indian Act. Every
17 few years, we go through a process of electing a government.

18 Every few years, we go through a process of a new
19 government creating a way of life.

20 First Nations people always had a way
21 of life, a life that was given to them by the Great Spirit.

22 This was taken away by a document, by a piece of paper,
23 by a government saying: "No, this is how you have to live.
24 In your own country, this is how you have to live."

25 I was honoured. My great grandfather
26 was with me until he was 115 years old. He passed away

1 in 1975. He had seen the changes. He used to talk about
2 a hundred year debt that the First Nations people -- the
3 Aboriginal people owed to the Great Spirit. We have lived
4 through that hundred year debt and now you are starting
5 to see Aboriginal grow -- Aboriginal people grow within
6 their communities within this country and will continue
7 to see that.

8 Right now we wait for government
9 approval, government decision. In the future, we will
10 not have to wait. The settlement brought up birth rate
11 issues. By the year 2011, 55 per cent of the voting
12 population of Saskatchewan will be Aboriginal.

13 If the Metis Society and First Nations
14 continue to play the games that the Federal Government
15 and Provincial Government want them by continuously
16 bickering over dollars, we will not be able to use those votes
17 in the future.

18 But yet, once we recognize that and move
19 in one direction, one direction that is positive for all
20 our people not ourselves and nor our families but all our
21 people and then we will be recognized. We will be a
22 population that will need to be reckoned with also.

23 I thank you for giving me the time.

24 **MR. MURRAY HAMILTON:** Thank you, Mr.
25 Kennedy. Whether by intent or by design, I do not know
26 because I was not given a script this evening, we have

1 been looking at a number of urban issues pertaining to
2 Aboriginal people talking about access to opportunity,
3 about empowering people.

4 Mr. Cliff Wright gave us a brief
5 background to the difficulties the First Nations people
6 have had with Land Entitlement and a formula that was
7 finally arrived at.

8 Theresa Dust speaking on behalf of the
9 City of Saskatoon has talked about questions that they
10 have with respect to urban reserves: the question of
11 taxation, building codes compatibility.

12 I think those all raised very
13 interesting questions.

14 Mr. Doucette talked about equality for
15 Metis people under Section 91.24 and I think he spoke quite
16 well. Metis people do not have that equality although
17 they face some of the same social economic conditions.

18 Mr. Smith talked about the University
19 of Saskatchewan's mission statement and the lack of access
20 of opportunity.

21 Mr. Kennedy talked about some of the
22 solutions that they are proposing within the City of Moose
23 Jaw.

24 In all the cases, we are dealing with
25 urban issues, the access to opportunity, different
26 solutions for empowering people to come up with their own

1 solutions.

2 But in all cases, we are talking about
3 a double standard for Aboriginal people in this country.

4 We are going to take a very short five
5 minute smoke/stress break, whatever you want to call it.

6 I request that, particularly the people who have made
7 presentations this evening remain here and then when we
8 come back, hopefully, we will have some lively debate so
9 the Saskatoon Star Phoenix will have something to print
10 tomorrow. Thank you.

11 --- Upon recessing at 8:26 p.m.

12 --- Upon resuming at 8:38 p.m.

13 **MR. MURRAY HAMILTON:** Once again, I
14 would like to thank Commissioners Viola Robinson and René
15 Dussault.

16 At this time, I am going to ask if there
17 are questions from the Commission and I suspect that that
18 means that there may be questions from the two
19 Commissioners. Am I right in this respect? Madame
20 Laplante?

21 **CO-CHAIR RENE DUSSAULT:** Thank you.
22 First of all, I would like to thank each and every one
23 of you for putting the effort of coming to meet with us
24 and share some of your experience and thought on the
25 situation that Metis and Indian people live in urban
26 settings.

1 Of course, we were aware of the Treaty
2 Land Entitlement deal that was reached last fall here in
3 Saskatchewan. It was very interesting to go to see the
4 short historical root and to see the link with this Treaty
5 Land Entitlement and the creation of urban reserves.

6 Of course, we knew that the Muskeg
7 Reserve was there for a few years but obviously there is
8 a trend for the future with the money that was made
9 available.

10 There are quite a few questions and I
11 would not like to take too much time but some are obvious:
12 the taxation problem or question.

13 What happened of the municipalities, of
14 course, there is the City of Saskatoon but I suspect that
15 across the provinces when the lands are bought by the bands,
16 the twenty-seven bands, and if this land is declared
17 reserve then there is a lack of taxation toward the
18 municipalities concerned and were they part of the deal
19 to be compensated in a way or...?

20 And also the other question I asked in
21 the intermission was: was it part of the deal that the
22 land that would be acquired or bought would be declared
23 reserve or did it come after? Or, was it part of the Treaty
24 Land Entitlement as such?

25 So could you expand on that?

26 **MS THERESA DUST:** I will start and maybe

1 Mr. Wright can fill in as we go along.

2 There is a specific section of the Treaty
3 Land Entitlement Agreement that spells out -- it is called
4 "Article 9" -- that spells out urban reserves and one of
5 the conditions there is that when land is declared a reserve
6 as a result of Treaty Land Entitlement then a tax
7 compensation must be negotiated.

8 There is a separate whole arrangement
9 with the rural municipalities also for tax loss
10 compensation to be paid.

11 So there were arrangements for tax loss
12 compensation.

13 What is interesting in the urban
14 reserves is, like Muskeg, is that you have an area where
15 non-Aboriginal businesses may very well locate and you
16 have the band as the taxing authority once it is declared
17 a reserve.

18 You see because Aboriginal -- there are
19 Aboriginal businesses in the City and people can buy land
20 however they want. That has nothing to -- no agreement
21 is required whatsoever, of course, for that.

22 What triggers negotiations with the City
23 is the declaration of the reserve because that, of course,
24 takes it virtually out of the City's jurisdiction and
25 creates a separate jurisdiction right within the City.

26 So, for instance, the Muskeg Lake Band

1 has passed its own taxation by-law. They would be the
2 taxing authority on -- for any business that moved onto
3 their reserve.

4 **CO-CHAIR RENE DUSSAULT:** So that means
5 that the taxing authority instead of the municipal ---

6 **MS THERESA DUST:** That is correct.

7 **CO-CHAIR RENE DUSSAULT:** But what about
8 provincial and federal taxes? If they become reserves,
9 what is the situation?

10 **MR. CLIFF WRIGHT:** If it becomes a
11 reserve -- sorry -- the very first meeting I had with the
12 Muskeg Band, I raised the question -- well, I do not --
13 why are you here because you can go ahead and acquire that
14 land development and you do not need anybody's approval?

15 And they said: "But we want to turn it
16 into a reserve." And I said: "Well, fine but what is
17 the advantage of a reserve over you just taking the land
18 and developing it?" And they were -- they were very clear
19 and it was because their band members would be able to
20 work in that development exempt from Federal Income Tax.

21 **CO-CHAIR RENE DUSSAULT:** That is one
22 thing but what about the businesses that could be
23 non-Aboriginal and get established? I understand they
24 are exempt from the Municipal tax and would be taxed by
25 the band.

26 But there is no -- there is nothing in

1 terms of status for Corporate Income Tax or from the
2 provincial or -- this, I have never been into a discussion
3 to try to create some kind of tax haven.

4 **MS THERESA DUST:** You see, we only get
5 involved at the Property Tax level. We do not get involved
6 in Sales Tax so I am not sure how much I can answer.

7 There is a whole separate question of
8 taxation of non-Aboriginal businesses on reserve land but
9 I think if you have followed B.C., it has certainly been
10 an issue in B.C. and there was in fact the separate Act
11 passed by the Provincial Government to sort of sort that
12 out.

13 That has not been entirely clarified by
14 the Province yet. Muskeg Lake has passed its taxation
15 by-law and there is an expectation that it would be the
16 sole taxing authority there.

17 But we are talking about Property Tax
18 only. What the arrangements are with the Province on other
19 kind of taxes, I could not really speak to.

20 The City has raised with Muskeg the issue
21 of if a non-Aboriginal business is on the reserve, that
22 the amount that they would tax as the taxing authority
23 would be similar to what the City would tax off-reserve.

24 In other words, that there is an equivalency there.

25 I think the Muskeg Lake Band would
26 respond that yes they could see that but also the City,

1 you know, can change its taxes and they would expect an
2 equivalency there and that is just an example of the kind
3 of discussion that goes on when you have, really, two
4 separate entities in one area.

5 **CLIFF WRIGHT:** At the time when we first
6 started to discuss it, was that which would apply to the
7 individual who is a Treaty Indian who is working on that
8 reserve.

9 There was no contemplation at that time
10 of anybody escaping Corporate Tax or non-Treaty people
11 escaping Income Tax but merely for the benefit of the
12 individual members of the band.

13 **MS THERESA DUST:** I might add as well
14 that I think what you are looking at here is the structure,
15 a legal structure again that does not really fit.

16 The urban land does not have to be
17 declared reserve of course. That is entirely up the band.

18 It is our understanding from the FSIN
19 that the majority of urban land will be declared reserve
20 but that is because of the control or legal jurisdiction
21 or whatever that, as limited as it is, that that gives
22 them.

23 In other words, they have to -- the
24 reserve, as I understand it, creating it reserve,
25 dedicating reserve triggers their ability to have more
26 control over it as an organization and then, of course,

1 there are all kinds of subsequent results to that and they
2 are not necessarily saying they want all of those it is
3 just that you either are a reserve or not. It is a whole
4 package.

5 **CO-CHAIR RENE DUSSAULT:** And I
6 understand that this question of those lands being declared
7 reserves, this came afterward? It was not part of the
8 proposal as such of the deal itself?

9 **MR. CLIFF WRIGHT:** No, they were
10 perfectly clear from day one that they had claimed this
11 land which in fact was a piece of land declared surplus
12 by the Federal Government and it was their intention to
13 establish it as an urban reserve.

14 **CO-CHAIR RENE DUSSAULT:** And the
15 Federal Government accepted that from the beginning?
16 Well, what I am trying to see is whether there is ---

17 **MR. CLIFF WRIGHT:** There was long
18 negotiations. There was about an hour negotiation that
19 went on between myself and the Band which set the parameters
20 of how the discussion would go and then it was negotiated
21 between the Band and the City. They probably could have
22 wrapped it up in a month but because of the involvement
23 of the Federal Government, it took a year and a half.

24 There was really no -- no areas of
25 confrontation between the City and the Band at all. It
26 was when the Federal Government decided to say: "Well,

1 you can't do this and you can't do that and you can't do
2 something else" that created the problem.

3 **MS THERESA DUST:** Well, on the wider
4 issue of Treaty Land Entitlement, I am not sure, you would
5 have to talk to the people who were actually at the table
6 and the cities were not at the table in the actual framework
7 agreement.

8 Urban reserves, I think, are almost --
9 they were not like a major part of the negotiations. They
10 are almost like a by-product of it. It was just that once
11 it was realized, I think, or made clear that land was to
12 be purchased in the cities and that it was intended to
13 be dedicated as reserve then Article 9 was added and that
14 is basically is where before it is dedicated as reserve
15 by the Federal Government, there must be some negotiation
16 with the city involved as to things like tax compensation,
17 et cetera.

18 But it is the dedication of the reserves
19 that triggers the agreement otherwise it would just be
20 a just straight business deal.

21 **MR. CLIFF WRIGHT:** Do you have a copy
22 of the framework agreement?

23 **CO-CHAIR RENE DUSSAULT:** Yes, we do.
24 Thank you.

25 Just a last question on the legal
26 framework. When you say it is difficult to work, the

1 examples you gave on the zoning by-laws, the construction
2 standards, what is the difference between a municipality
3 duplicating the Highway Code or a provincial legislation
4 for its own purpose if the Band -- if there is an agreement?

5 And, I understand at this point that the
6 Band duplicates the City by-laws and the enforcement or
7 the inspection, there is a service contract for the
8 inspection services.

9 So is there -- is it working? Because
10 you mentioned that this was not a proper frame work. What
11 did you have in mind?

12 If this Commission was to come up with
13 some recommendations dealing with the urban reserves,
14 would there be recommendations that you would see or
15 technical things that you would like to see changed?

16 Because you said: "We would need a
17 different framework. It would be much easier." I am
18 talking for the City. I have to see what the Bands think.

19 If you had practical proposals in mind,
20 that would be useful for us certainly.

21 **MS THERESA DUST:** I think what I was
22 trying to explain was that we make this work as a practical
23 reality between ourselves.

24 It is my impression that the Indian Act
25 was not designed for this kind of scenario and that it
26 does not really work for the Band and it does not really

1 work for us.

2 So we work around what is there but I
3 think if you took the two parties and started from scratch
4 and said: "You know, you make an arrangement that works
5 between the two of you given that you are separate
6 entities", I think they might come up with different ways
7 of going about it.

8 What I am saying is what you are getting
9 is a work around of what is there.

10 **MR. CLIFF WRIGHT:** I think, and Terry
11 can add to this, the experience was that it would have
12 been much easier to do if the Federal Government had not
13 been involved; if it had just been two parties coming
14 together each representing their own interests, it would
15 have wrapped up very quickly.

16 And it is the type of things contained
17 in the Indian Act and insisted upon by the Federal
18 Government that act as an impediment to an early agreement.

19 We would agree -- the two of us would
20 agree on something and the Feds would come along and say:
21 "You can't do that. You can't agree on that."

22 Well, I think if it is going to work,
23 there has to be two willing partners coming together to
24 make a deal on something that is going to be mutually
25 beneficial and if that is the playing field that they are
26 on, it is going to work. It is going to work fairly well

1 in most places.

2 But if we keep throwing in impediments
3 in the way, it is not going work.

4 **MS THERESA DUST:** The only other comment
5 I would make is that -- and this I assume will change over
6 time -- but what happens in an urban reserve is the Band
7 is in fact regulating non-Band members or non-Aboriginal
8 businesses et cetera and you have to have some kind of,
9 like, legal framework to do that.

10 Certainly in Saskatchewan it is my
11 understanding from the FSIN that given that most of the
12 reserves are residential reserves where Band members
13 reside but that is not something that has been occupying,
14 you know, their mind or structure because they did not
15 need it for that kind of -- they were not a landlord of
16 people that they did not know.

17 There are some examples like the Park
18 Royale Shopping Centre in West Vancouver where you have
19 the Squamish Band very much a landlord of third party
20 businesses but I think that is kind of new here.

21 So you immediately are saying to the
22 Band: "Well, you need laws, you need a law enforcement
23 system, you need inspectors." and I think that is something
24 that needs time to develop.

25 **COMMISSIONER VIOLA ROBINSON:** I just
26 have, I think, one question and that is: when you talk

1 about -- there were comments made that in Saskatchewan
2 there is a good -- with the settlement in cash going to
3 the bands, it would allow them to purchase lands wherever
4 they wanted and for whatever purpose they wanted.

5 I sometimes wonder about that because
6 Indian Affairs will probably tell them how, when and where
7 again.

8 **MR. CLIFF WRIGHT:** Sorry, that was
9 specifically put into that recommendation for the purpose
10 of having Indian people of having self-determination.

11 And it has been accepted and it is part
12 of the agreement that exists in Saskatchewan. It was very
13 deliberately put in there.

14 **COMMISSIONER VIOLA ROBINSON:** I guess
15 my question is: for instance, the Muskeg Band had bought
16 the land. Who determines the market value of the land?

17 **MR. CLIFF WRIGHT:** That is what I
18 mentioned. The willing buyer and the willing seller coming
19 together in the market place with the market place
20 performing as it should which again is one of the things
21 that I think is an advantage in this particular settlement
22 for this particular province.

23 You have, in the past, had Indian bands
24 making claims on land and somebody having to declare what
25 an offset was.

26 The Muskeg Lake Band probably was a piece

1 of government land. It was worth more than agricultural
2 land would have been and there was an offset declared.
3 It was worth so many acres.

4 Now, nobody other than the Indian people
5 themselves decide what that offset should be.

6 **COMMISSIONER VIOLA ROBINSON:** Thank
7 you.

8 **MR. CLIFF WRIGHT:** And, again, in my
9 opinion, that is the way it should be.

10 **COMMISSIONER VIOLA ROBINSON:** And I
11 have one other question for yourself over the facts, Mr.
12 Smith of the University of Saskatchewan and you were
13 talking about a lack of involvement in the policy-making.

14 And you talked about Indian programs
15 rather than Native programs in that university. Those
16 must be externally funded; are they?

17 **MR. JACK SMITH:** From my discussions,
18 I gather that many of the programs -- all the programs
19 receive much funding from outside of the university itself.

20 For instance, at the Native Law Centre,
21 I think -- I do not know the figures exactly but we received
22 several grants from Law Societies across Canada.

23 For instance, I go to find specific
24 aspects of the Native Law Centre and so when I -- I think
25 I used the term "the University taking ownership of the
26 program" i.e. we, as this post-secondary education

1 institute have this program in place. It is our program.
2 We have been very successful with this program in
3 introducing Aboriginal people into the field of law, for
4 instance, that kind of thing goes on.

5 Yet most of the policy-making that is
6 done with respect to, you know, many of these programs
7 is ---

8 **COMMISSIONER VIOLA ROBINSON:** I guess
9 ---

10 **MR. JACK SMITH:** --- or administration
11 of those kind of programs is done outself of, you know,
12 the particular office of that program.

13 **COMMISSIONER VIOLA ROBINSON:** I think
14 you answered my question and I was just going to ask a
15 follow-up question to that.

16 What is the university putting into
17 those programs?

18 **MR. JACK SMITH:** That is a good
19 question. I really cannot answer that question. I do
20 not know. I would be speculating. I have an idea but
21 I would be speculating.

22 **MR. MURRAY HAMILTON:** Those programs
23 actually of them are externally funded and in fact bring
24 revenue into the university.

25 And in terms of providing anything to
26 those programs, I guess the utmost that could be said is

1 they provide some space.

2 Okay. I want to thank you. We are
3 going to open it up now to other questions that people
4 may have of the presenters.

5 I caution people that it is getting late.

6 I think we are already over our time and that if we could
7 be as brief and as concise as possible.

8 So we will proceed.

9 **MR. CLIFF WRIGHT:** I wonder if I could
10 make one comment because I think it is important.

11 Mr. Kennedy indicated that the Indian
12 people having to negotiate with the cities was another
13 act of racism.

14 In actual fact -- and he mentioned if
15 a German came in, he would not have to negotiate with the
16 City.

17 If a German business came in and an
18 Indian came in and bought a business in Saskatoon, there
19 is no difference whatsoever between the two of them and
20 there are all kinds of Indian-owned businesses in
21 Saskatoon. There are hotels, there are warehouses.
22 There are all kinds of things and there is no impact at
23 all.

24 Where the negotiations do have to take
25 place is when it is being changed to a reserve status and
26 of course that opportunity does not exist for anybody but

1 Indians so there is no differentiation at all between
2 groups.

3 There is no discrimination for
4 businesses in this City and I would certainly hope that
5 there never is.

6 **MR. MURRAY HAMILTON:** Mr. Kennedy,
7 would you like the opportunity to respond?

8 **MR. BARRY KENNEDY:** I would like the
9 opportunity to respond.

10 If you take a look at the Treaty zones
11 that are based -- that were designed by the Federal
12 Government that were accepted and adopted by the Federal
13 Government, you will notice that where the cities are
14 located, they are located inside of Treaty zones already
15 today.

16 I mean I have a map of the Treaty zones
17 with me. A lot of the cities and the towns came after
18 the Treaty zones were created.

19 **MR. CLIFF WRIGHT:** Or should ---

20 **MR. BARRY KENNEDY:** As a Treaty person,
21 my Treaty rights are portable. They come with me wherever
22 I go. Is that not correct?

23 **MR. CLIFF WRIGHT:** I would assume that
24 whatever Treaty rights pertain to an individual in fact
25 do, yes.

26 **MR. BARRY KENNEDY:** Okay. And I guess

1 the Treaty zones that are out there are recognized both
2 by the Province and by the Federal Government?

3 **MR. CLIFF WRIGHT:** I would assume that
4 as well.

5 **MR. BARRY KENNEDY:** So any of the -- my
6 needs and aspirations as a Treaty person even in the
7 development of a business should also be free to me within
8 those zones.

9 **MR. CLIFF WRIGHT:** They are. They are.

10 **MR. BARRY KENNEDY:** So ---

11 **MR. CLIFF WRIGHT;** And they should be.

12 **MR. BARRY KENNEDY:** So then what is the
13 negotiation process? Why is it for one individual band?
14 Are you setting precedence here in Saskatoon for the
15 entire country?

16 I mean, if you are, I will be grateful.

17 If you are trying to take a step around the Indian Act
18 because that then totally annuls the Indian Act.

19 **MR. MURRAY HAMILTON:** Excuse me
20 gentlemen, I think what is at issue here is not so much
21 the issue of whether our Treaty rights are transferable
22 or portable.

23 I think Mr. Wright's comments were
24 originally that an Aboriginal business person would be
25 as acceptable in all respects to do business in the City
26 of Saskatoon as opposed to somebody of another ethnic

1 extraction.

2 I think that is a matter of opinion on,
3 you know, that could be debated for, you know, if you throw
4 the element of racism into there, I think you will have
5 a lot of Aboriginal people who would say: "No, there is
6 not an open door policy as opposed to somebody, you know,
7 say somebody of Asia -- Pacific extraction.

8 So I do not know that we would get far
9 on that one and I do not want to curtail discussion but
10 -- Mr. Doucette?

11 **MR. ROBERT DOUCETTE:** Thank you, Mr.
12 Hamilton. I would like to ask Mr. Wright about a potential
13 scenario that could arise.

14 With this TLE and the money being given
15 to the bands and say they invest something, some money,
16 in a business in a city, in an urban centre and they do
17 not declare it a reserve zone and the business falters,
18 what happens to that business? Will the City foreclose
19 on them?

20 **MR. CLIFF WRIGHT:** Well, the City is
21 pretty slow. Sorry, Terry.

22 **MR. ROBERT DOUCETTE:** No, but I do not
23 ---

24 **MR. CLIFF WRIGHT:** Cities by their
25 nature are pretty slow. Every other creditor would beat
26 the cities to the door by some considerable period of time,

1 I think.

2 But the question you are raising is
3 correct. If it is not a reserve, it has the same status
4 in law as any other piece of land in the City regardless
5 of who it is owned by.

6 So if the taxes were not being paid, the
7 City would go after it to get taxes. If there was a
8 mortgage on it and it was not being paid, the mortgage
9 company would collect on the mortgage.

10 **MR. ROBERT DOUCETTE:** Not to cast any
11 aspersions on you or on any of the people around the table,
12 but I do not like being treated like an investment.

13 I have heard a lot of talk about
14 development tonight but I have not heard about the human
15 part of it.

16 I have heard: "Yes, come to our doors
17 if you have got the dough but if you do not have the dough,
18 well then, you are going to take a back seat" and I think
19 that is what Mr. Kennedy is alluding to and this what I
20 feel is a problem within these urban centres.

21 And if Metis people as a specific
22 reference do not get the resources to develop, I think
23 they are going to be ghettoized. Really I do and I do
24 not think that they are going to be as welcome as a, say,
25 Muskeg Lake who is going to bring two million dollars to
26 the coffers of the City of Saskatoon.

1 **MR. CLIFF WRIGHT:** Well, again, I guess
2 you did not come here to hear a debate take place but when
3 I was mayor which ended in '88, I think there was one Local
4 at that time; am I right? Eleven? Eleven was the only
5 Local?

6 **MR. ROBERT DOUCETTE:** Yes, that is
7 correct.

8 **MR. CLIFF WRIGHT:** Right?

9 **MR. ROBERT DOUCETTE:** Yes.

10 **MR. CLIFF WRIGHT:** And for twelve years,
11 they had access to that office and used that access on
12 a regular basis, sometimes twice a month, in the twelve
13 years to discuss housing, to discuss recreation programs,
14 to discuss all kinds of things that we did together and
15 they did not -- they were not able, as you well know, to
16 show that they had a lot of bucks with them but they had
17 total access to that office any time they wanted.

18 **MR. ROBERT DOUCETTE:** Well, access,
19 this is one thing but equality is another.

20 Okay, like I -- the example of Lawson
21 Heights versus Riversdale is a prime example.

22 Having access to an office and using
23 somebody's telephone is okay. All right? But when it
24 comes to developing a human being, within any structure
25 there has to be some equality.

26 In Saskatoon you say that for twelve

1 years Local 11 had access. Why is it that the City even
2 people on the street still do not know anything about Metis
3 people? Why is it that our adults only have a Grade 8
4 education? Why is it that we are still being shunted to
5 the peripheries and treated like peons?

6 **MR. CLIFF WRIGHT:** Well, I think that
7 ---

8 **MR. ROBERT DOUCETTE:** That is my
9 question to you.

10 **MR. CLIFF WRIGHT:** And I wish I could
11 answer that question to you.

12 There is no -- there is no question at
13 all that if we are to establish equality in this country
14 there has to be equality of opportunity in education.
15 There has to be education that is made meaningful for
16 various people.

17 There has to be dramatic changes taken
18 in the whole area of education and you are not going to
19 get any arguing out of me if you are suggesting that that
20 has been deficient in the past and it has to be addressed
21 in the future.

22 You will get no argument from me
23 whatsoever. I could not agree more.

24 **MR. MURRAY HAMILTON:** Other questions?

25 **CO-CHAIR RENE DUSSAULT:** Yes. I would
26 like to get back to the University situation that was

1 described for us in the process of getting the mission
2 statement and one of the things that we have had to live
3 with up to this point as a Commission is the following:
4 we have not been very successful to this point to bring
5 the universities as an institution to participate into
6 the hearings of the Commission.

7 Either universities that are -- that do
8 not have in the Eastern part of Canada many Aboriginal
9 people, Indian, Metis or Inuit as students to think about
10 the relationship and present briefs to the Commission.

11 It is coming up but it is difficult.
12 The university tends to send professors but that speak
13 on their own names and are interested various areas which
14 are close to Native studies or -- so it is a reality that
15 we are putting a lot of effort to try to get the university
16 as institutions thinking about the relationship and also
17 their role as far as Aboriginal people are concerned.

18 So when you said that -- when you
19 described the process, I was not overly surprised. I just
20 want to say that we tried to get more and more people to
21 come as institutions and we are going to get more of them
22 in the fourth round in the fall.

23 Some of them in this country have
24 committed themselves to do some thinking as an institution
25 and to do some institutional research and give the results
26 to the Commission.

1 But it is a very important area because
2 it is one thing at the level of departments and faculties
3 and schools but it is another thing when you get up in
4 the hierarchy.

5 **MR. JACK SMITH:** Well, I for one and I
6 am sure there are others who are very happy to hear that
7 and that is coming.

8 I think that one thing that the
9 Commission might note that when this comes to pass and
10 the universities begin parading the programs that they
11 have before you, that in some instances we have to be weary
12 of the padding that is done in relation to what we have
13 to offer by way of programs at a specific university.

14 For instance, one university that I am
15 aware of, for instance, will have listed a service or
16 program dealing with Aboriginal people. The name of the
17 program, the director of the program, another title for
18 a person in the program, in fact it might be only two people
19 in the total program, so those kinds of things that might
20 look like a lot is being done or has been done or is in
21 place but that is there.

22 But I am happy to hear that you are
23 encouraging for that institutions to come forward and speak
24 with on behalf of the programs they have.

25 **MR. MURRAY HAMILTON:** I would like to
26 offer a few brief comments so that perhaps Mr. Dussault

1 has some further information to fall back on.

2 I think it would be very relevant and
3 helpful if in the final reports of the Royal Commission
4 that it is know that the Aboriginal people of Saskatchewan
5 are very interested in having more say over what happens
6 in respect to educational initiatives.

7 The current controversy at the
8 University of Saskatchewan regarding the mission statement
9 arose because the University Council voted down the mission
10 statement which made any reference to accessibility not
11 only for Aboriginal people but for women, for visible
12 minorities and for other groups.

13 And this was in turn fought and it was
14 the University Council or Senate also turned it down.

15 And so it leaves Aboriginal people in
16 Saskatchewan to say: "These are the thinkers. These are
17 the academics of Saskatchewan. These are supposedly the
18 progressive people and these are the people who talked
19 about -- who teach about Aboriginal self-determination
20 in their Sociology classes and in their History classes
21 at the same time taking a hypocritical view that no
22 Aboriginal people should not have more control.

23 Both the Indian people and the Metis
24 people of this province currently have before the
25 University proposals for federated status and one of the
26 ways that even the conservative -- and I say small "c"

1 conservative -- all elements, all ideologies in
2 Saskatchewan and all different groups would agree that
3 one means of empowerment is through education.

4 So it comes as quite as blow to both
5 Aboriginal groups in Saskatchewan that the universities
6 would take this stand and I concur with Mr. Smith that
7 we hope that the Commission makes note of that.

8 I apologize for -- are there other
9 questions that?

10 Mr. Doucette?

11 **MR. ROBERT DOUCETTE:** I would like to
12 ask either Viola or René to answer a question for me if
13 they may and maybe if I could be allowed to just do a little
14 wrap up to that.

15 I wanted to know, in their travels across
16 Canada, have they heard whether or not Aboriginal rights
17 -- some groups think that urban self-government will be
18 a reality and have anybody really come up with a concrete
19 model of how it would work?

20 **CO-CHAIR RENE DUSSAULT:** If I may, at
21 this point, the discussion has been more around
22 institutions like school boards, hospital boards and the
23 debate has been between the Status blind versus
24 distinctiveness, Treaty people and the Metis but on the
25 other hand, the people involved in the services keep
26 telling us: "Keep us outside at arms length from the

1 politicians.

2 **MR. ROBERT DOUCETTE:** M'hm.

3 **CO-CHAIR RENE DUSSAULT:** We know that
4 many bands have created within their reserves independent
5 boards to manage the services, the social services and
6 so on.

7 So, really, there are two streams of
8 thoughts and quite opposite to keep it at the level
9 rationally of services.

10 And normally, the front line people in
11 the services delivery talk about Status blind and others,
12 of course, speak about the essential relationship between
13 the delivery of services and some larger form of
14 government, political form of government.

15 But we have not heard as of yet specific
16 recommendations or models as to how a political government
17 for Aboriginal people either Metis or Inuit would work
18 with the City Council for example.

19 We have heard a lot about more
20 participation in the city institutions not only in a race
21 relations committee but in various organizations to get
22 -- to have a say and so we heard a lot about that.

23 But maybe Viola could add to this but,
24 for one, I have not heard a specific model at this point.

25 None was given to us and we are really asking for it because
26 we know it is a very very difficult issue and it is not

1 as easy as when there is a land base.

2 So the phenomenon of urban reserves
3 creating a land base to this point I understand that it
4 was done more for economic purposes than political purposes
5 and residential purposes. So we are not there yet.

6 But we were not presented with the kind
7 of models as to how it could work and what kind of
8 relationship it might have with city councils.

9 Maybe?

10 **COMMISSIONER VIOLA ROBINSON:** I have
11 not heard either of any specific model. There has never
12 been a model that is clearly defined or defined, you know,
13 how it could work in urban situations.

14 But in going to the urban centres, just
15 like Mr. Dussault says, is that there is a large population
16 there. There is a lot of service delivery groups but there
17 is nobody taking responsibility for supporting them or
18 resourcing them.

19 There is a lot people in the urban
20 centres who are falling through the cracks with no
21 political representation.

22 So we have not really been given a model
23 for -- and that is -- we are really concerned about that
24 because that is an area where we have been told to look
25 at and do something about to make some recommendation on
26 but we have not --

1 Maybe we will. I am hoping we will.
2 We have got a lot of people out there doing work for us
3 and hopefully by this fall, somebody will produce some
4 kind of a model for us.

5 **MR. ROBERT DOUCETTE:** I think one of the
6 ways that we could do it, deal with this -- one thing,
7 just for the record, it seems funny 107 years later on
8 May 12th at a little town, a Metis town of Batoche that
9 was taken over by the Canadian Imperial Forces, we are
10 still struggling with how Metis people are going to fit.

11 This is the day that Batoche fell to the
12 Canadian army.

13 I think that one of the ways that we can
14 do this is re-write the City Charter, you know.

15 And, the Metis in this City, our Local
16 in particular, are defining ourselves in how we -- and
17 that is why tonight I did not really come to the table
18 with a total thing for you but we can get it as we develop
19 ourselves.

20 But I do not rain on anybody's parade.

21 I do not think urban self-government is going to work
22 because we do not have the resources. It will not work
23 and money makes the world go round and that is the bottom
24 line.

25 Unless we get the same amount of
26 resources or resources according to the population and

1 that is why enumeration is important in this City, once
2 we know how many Metis people live in the City, then as
3 we find out and we re-write this Charter to ensure that
4 we get our share of the money, then these people will not
5 fall through the cracks.

6 But I think, unless Canadians in
7 general, the average Canadian is willing to change their
8 lifestyle, unless they are willing to do that then I do
9 not think this is going to work; really I do not.

10 And that is why, I think, you are having
11 problems across Canada with people, Aboriginal groups in
12 particular, in defining what Aboriginal self-government
13 is because quite frankly they do not have the resources
14 and they do not have any real direction in terms of this
15 because of the jurisdictional problems.

16 **MR. MURRAY HAMILTON:** Thank you, Mr.
17 Doucette. Very quickly on that ---

18 **MR. BARRY KENNEDY:** If I can interject
19 here? Just responding to my friend here who sits next
20 to me.

21 I honestly believe that Aboriginal
22 people can in the urban centres thrive in economic
23 development.

24 As long as processes such as what
25 Saskatoon is going through now and getting back to economic
26 racism, it is also designed to suit individuals. You

1 cannot -- in the treaties themselves, there was a treaty
2 created with a group of people but within that group of
3 people there was also individual rights.

4 I mean, we have here a band who has been
5 very successful but yet can an individual approach this
6 City -- a First Nations individual approach the City and
7 get the same terms and conditions as the band has?

8 And that is what I was trying to get to
9 earlier. Yes, there is economic racism and we are finding
10 it more and more blatant day by day as economic despair
11 runs rampant through our communities; as governments
12 develop affirmative action programs.

13 When the Federal Government says the tax
14 holiday is over for our First Nations people, that is
15 economic racism. That is economic racism that is being
16 directed at the Aboriginal people and that is what I was
17 trying to get to earlier. Thank you.

18 **MR. MURRAY HAMILTON:** Thank you, Mr.
19 Kennedy.

20 Any further questions?

21 **CO-CHAIR RENE DUSSAULT:** Yes, I still
22 have a question about the customary band election.

23 I just tried to understand what you said
24 earlier. The Indian Act leaves the discretion to each
25 band, as you know, to play according to the Act or to go
26 to custom. So that is the decision of the bands.

1 The difficulty is that as more and more
2 people leave the band to go off-reserve then the decision
3 is still made by the band and it was made once and is not
4 modified. Those people who are getting out cannot
5 influence the vote.

6 Well, what did you propose? Did you
7 propose to enforce customary laws or?

8 I am not sure I have a good grasp of what
9 you said about it because it is a reality and a problem
10 that is raised again and again during our public hearings
11 across the country.

12 Did you have a suggestion?

13 **MR. ROBERT DOUCETTE:** My suggestion was
14 that a solution was reversion to customary election
15 processes or customary governance whatever that might have
16 been for a particular First Nation and the band involved.

17 But the Indian Act stymies a move that
18 way by allowing the person to vote for that must be a member
19 of the band as you say. A person who moves away loses
20 their right to vote on this matter because of their
21 residency requirement, et cetera. I mean, they cannot
22 vote in elections. They have got to be part of that whole
23 process and very often will not have a say in whether or
24 not customary law will be reverted to.

25 And, customary law, to my knowledge has
26 been only reverted to in a few instances. Now the longer

1 we are a band governed by the regulation in the Indian
2 Act, the further we go away from our roots and so on and
3 the greater the danger that, well, by living the status
4 quo we do not want to revert to customary procedures perhaps
5 and thereby denying people input into a lot of decisions
6 which affect their rights, their Treaty rights, if they
7 are indeed portable because they will not have a say about
8 things that come along like Treaty Land Entitlement
9 specific final agreements and so on.

10 And, I only use Treaty Land Entitlement
11 as context because that is giving rise to concern by a
12 number of people who have a vote, for instance, on
13 finalizing the initial agreement with their band yet beyond
14 that have little input.

15 And this is the kinds of concerns that
16 they are coming forward with and I think had this meeting
17 not been held tonight, there is another informational
18 session being held by the Saskatoon First Nations and
19 Treaty -- I am not sure of the name -- which I would have
20 much enjoyed to attend to see what many of these issues
21 that are going to be discussed at that one are.

22 But a lot of them will have to do with
23 not being able to have input into questions like that but
24 also not have representation really in decisions which
25 are affecting them.

26 For instance, the Federation of

1 Saskatchewan Indian Nations, a strong organization which
2 represents these bands for instances in Treaty Land
3 Entitlement agreement but they do not represent all the
4 people in the urban centres or off-reserve. Okay? There
5 is a problem with that.

6 And the problem even goes to the extent
7 of the institutions which say: "Well, we have Aboriginal
8 participation in our Senate" for instance. "We have
9 someone from the Metis Society, we have somebody from the
10 Federation of Saskatchewan Indian Nations" yet that
11 representation does not represent some of the people who
12 work in the programs or who partake of the programs or
13 who partake of post-secondary education and so on.

14 So there is problems at a whole number
15 of levels, I guess, right from band government to
16 participation in activities that affect their Treaty
17 rights and so on.

18 So, the suggestion that I brought
19 forward earlier was really one, only one, that is plausible
20 under the present regime and that is if there is a reversion
21 to customary law, if you are recognized as a band member,
22 you are eligible to participate in decisions that the band
23 makes regarding things like distribution of monies,
24 investment and capital, et cetera, that arise in Treaty
25 Land Entitlement also distribution of capital with respect
26 to education, health and welfare, extension of Treaty

1 rights off-reserve, et cetera.

2 The one problem I do foresee is there
3 is going to have to be some arrangement made, I guess,
4 or negotiated outside of the Indian Act to even provide
5 the context for successful kind of meeting of the minds
6 with respect to whether or not off-reserve Indian people
7 should have rights to and privileges such as voting on
8 reserve especially when they are affected, those rights
9 are affected.

10 **CO-CHAIR RENE DUSSAULT:** Well, there is
11 no doubt that the reserve system and benefits attached
12 to being on the reserve create all kinds of difficulties.
13 I think everybody appreciates that.

14 Of course, the solutions are not easy
15 and as a matter of principle they might seem clear but
16 then the final implications are quite great.

17 One of the things that struck us, we were
18 in the U.S. earlier this fall for nine or ten days and
19 we were struck by the fact that the band -- there was quite
20 a distinction with the situation in Canada where when
21 people leave the reserve, you just forget about them.
22 That was really clear cut and we were -- for one, I was
23 struck by that because it is not the situation in Canada
24 and Treaty people, I like to think that a person is a person
25 what ever he or she goes.

26 But I do not know if you -- it struck

1 me that the board of the reserve was even stronger in many
2 of the areas we were because we tried to see what was the
3 situation of off-reserve urban Aboriginal people in the
4 U.S. and of course we would have liked -- we would have
5 had to go within the cities themselves obviously and this
6 was not the main purpose of the trip.

7 But trying to learn about it from the
8 reserves was impossible.

9 Well, I am not raising a question but
10 I am just sharing the experience we had because I suspect
11 that here somebody would come and meet the bands on the
12 reserve and will hear much more about off-reserve people
13 that there.

14 So that makes the urban situation not
15 easy also in terms of studies because we realize that while
16 there have been many many studies in the past and
17 recommendations, this one area has been overlooked and
18 the trend for the future is there. It is obvious that
19 it is going to get bigger and bigger in terms of numbers
20 and so it is a very very important area for the work of
21 this Commission.

22 We realize that as you -- when you ask
23 me are there many models or solutions that were brought,
24 we are not totally there yet in terms that people are
25 starting to wrestle with from various angles.

26 **MR. MURRAY HAMILTON;** The gentleman at

1 the back.

2 **CO-CHAIR RENE DUSSAULT:** You have to
3 speak into the mike. You just press the light. It is
4 not working? So you join us.

5 **MR. TERRY MOUNTJOY:** It is a long way
6 to ask a question.

7 I am wondering if I can ask Commissioner
8 Wright whether or not he would be prepared to use his
9 experience as Treaty Land Commissioner to talk about the
10 issue of resource base in urban centres for Metis?

11 The principle that you were talking
12 about and obviously supporting with the principle of
13 providing a fairly large amount of capital into the hands
14 of Indian people, do you see any possibilities or any --
15 have you thought at all about how that may or may not apply
16 in terms of Metis issues related to urban self-government?

17 **MR. CLIFF WRIGHT:** First of all, I do
18 want to say that we keep talking about these large amounts
19 of capital. For the most part, that money exists for one
20 purpose and that to acquire the land that has never been
21 acquired.

22 There are some exceptions to that but
23 it is not -- and I do not feel qualified quite frankly
24 to comment beyond the level -- I was given a fairly closed
25 type of operation to look at, treaties that existed, they
26 said certain things and working within that framework,

1 we came up with this and I do not feel qualified quite
2 frankly to go beyond that.

3 I do not know that I would have felt
4 qualified at that time if there was not the closed set.
5 I am not a student of the subject. I have not made a life
6 long study of it. I am not an expert but we were given
7 something that did have some parameters so -- I am sorry.

8 **MR. TERRY MOUNTJOY:** I appreciated that
9 and it is a difficult question and position.

10 Can I also ask a quick question for the
11 Commission?

12 I know that Donovan Young is undertaking
13 some research related to urban self-government issues and
14 what not.

15 Could you tell me whether or not his
16 parameters would include, say, other Aboriginal or
17 indigenous people in other countries, first of all and
18 whether or not he might be looking at some of the issues
19 that say -- they are the models that, say, in Afro-Americans
20 have developed in the United States in terms of some wards
21 being reserved for Blacks in their election process and
22 that sort of thing?

23 Do you know or are you familiar with the
24 terms of his research?

25 **CO-CHAIR RENE DUSSAULT:** We would have
26 to check. We are doing a lot of work on the international

1 aspect and comparative aspect.

2 I do not know if we are doing it on the
3 urban situation. I will have to get back to you on that
4 because I cannot, off the cuff, say so.

5 It has a ring. It is possible that we
6 are trying to -- I do not think we are doing it on --

7 For example, we had discussions with the
8 Minister of Justice of New Zealand who visited and we had
9 a discussion about the Maori situation in the cities and
10 there is a kind of -- there is no special structure.

11 But I would have to really -- in terms
12 of research as such, that is a concern because we try to
13 get the solutions or elements of them whenever we can from
14 all sources and external sources could be a good one.

15 I cannot go further.

16 **MR. MURRAY HAMILTON:** Do we have any
17 further questions? Everybody is holding their fingers
18 and saying "Please, no."

19 If there are people here who have written
20 presentations, I have been asked to announce that Gordon
21 is going to be accepting them.

22 We are, I think, well over our time and
23 if there are no further questions, I want to close by --
24 with a few very brief words for the Commission.

25 Largely tonight, we have been talking
26 about some urban issues and that is by all means not the

1 only issues facing Aboriginal people in Saskatchewan.

2 Generally, all across this country, we
3 are talking about, again, access to opportunity and
4 empowering people for their solutions and whether that
5 is reserve business, urban reserve business or access to
6 the University of Saskatchewan and the University of
7 Calgary, it is all very important.

8 From a Saskatchewan perspective, I want
9 to say that I would be alarmist if I said we are having
10 -- getting close to a crisis situation but in some Northern
11 communities and in some communities, I will not say
12 Northern or where they are located, we are in a crisis
13 situation and to use words such as "Fourth World, Third
14 World Status" are not necessary.

15 But when you have situations where
16 people are 95 per cent unemployed, where the suicide rate
17 is six or seven times the national average and you have
18 probably heard these comments right from Victoria to
19 wherever you have been.

20 In Saskatchewan, I am not going to say
21 it is a crisis but there is a great sense of urgency and
22 I want to speak very quickly to the question of education
23 because I see education as a key to empowering people.

24 In this province, the Aboriginal birth
25 rate is on the rise -- statistics have been thrown out
26 tonight -- and despite all efforts in this province, the

1 attrition rates in the high schools remain very high; in
2 most cases, as high as 85 per cent.

3 What this is going to result in is that
4 we are going -- very soon in the next ten to fifteen years,
5 we are going to have a very young population who have no
6 marketable skills and there is a certain amount
7 inevitability to all of these problems that we are going
8 to face and always the question of racism compounds these
9 issues.

10 But there is a real inevitability to all
11 this. Whether it is Indian, Metis people or
12 non-Aboriginal people, as taxpayers and I do not want to
13 reduce everything to sheer economics because it should
14 be, we cannot afford the situation, the impending
15 situation.

16 We cannot afford to keep building jails.
17 We cannot afford to keep people on Welfare. The cost
18 is simply too much. Twelve million dollars alone last
19 year for the community of Laloche. Twelve million
20 dollars.

21 We spent twelve million dollars on
22 Welfare in one community. We cannot -- we do not have
23 one program in this province that produces whether it is
24 Treaty or Metis for people to pursue post-graduate studies.

25 Indian Affairs does not provide for it, nobody provides
26 for it, not the FSIN, not the Metis Society. There is

1 not a trust fund out there or nothing.

2 We talk about access to university. If
3 our students are failing in the K to 12 system at 85 per
4 cent, we do not have to worry about access to university.

5 There are some things that are terribly
6 wrong out there. They are not going to be easy to deal
7 with.

8 I do want to say for those people,
9 Aboriginal people working with the Royal Commission though
10 I do want to say I welcome the opportunity to be here this
11 evening and I want to say though that for you people it
12 must be terribly frustrating at some time to travel across
13 the country and to hear all of the sad scenarios that are
14 taking place.

15 But I want to close with some encouraging
16 words: despite all of the problems that we face, I believe
17 that the First Nations and the Metis people of this province
18 have always been leaders throughout this great land. They
19 have come up with some remarkable solutions and there have
20 been a great many accomplishments that have taken place.

21 We have a lot of people -- I do not know
22 what the number is -- attending university. We have
23 developing housing programs. We have developed business
24 programs. We are certainly far ahead than we were twenty
25 years ago. We have made, you know, a lot of progress.
26 Some people would say not enough on the political front.

1 For the Metis people, the existing
2 rights as set out in Section 35.2 of the 1982 Canada Act,
3 the Existing Rights -- not only for Metis people but for
4 all Aboriginal people, what the hell does that mean? "The
5 Existing Rights"? Existing when?

6 And when are we going to get down and
7 define what those rights are?

8 Because if you do not define the rights
9 and we are all hung up about programs, I mean, if we do
10 not nail down these rights, the programs really do not
11 matter.

12 So I think there are a lot of complex
13 issues that have to be dealt with and I hope that we are
14 able to continue a dialogue whether it is Royal Commissions
15 or what have you because I think that is the only sensible
16 way. I would not have said that twenty years ago in the
17 exuberance of my youth but I suppose that is the only way
18 to go.

19 So I do believe though that what
20 Aboriginal people across Canada are seeking is access to
21 opportunity and I think, you know, it is finally that some
22 people are coming to accept that the solutions are not
23 going to be found in the Royal Commission, they are not
24 going to be found in the City Council.

25 The answers are right in our own
26 communities and what is really lacking is the political

1 will to allow people to make the changes that directly
2 affect them.

3 In almost every instance where people
4 have tried to deliver programs, direct people, it has
5 always been found that the Aboriginal people can do it
6 for themselves. They do not need the paternalism of
7 government or that sort of thing.

8 So that is a lot to digest, I guess, and
9 you have heard it all before and with that I would like
10 to thank you all for coming out and I hope that everybody's
11 small part that they played here tonight will bring some
12 positive change for the Aboriginal community, not only
13 in Saskatchewan but throughout Canada.

14 Thank you.

15 **CO-CHAIR RENE DUSSAULT:** Thank you very
16 much for your contribution.

17 **COMMISSIONER VIOLA ROBINSON:** Thank
18 you.

19 --- Whereupon the Hearing was adjourned at 9:53 PM to resume
20 on Thursday, May 13, 1993 at 9:00 AM