



*The Indigenous Peoples' Justice Initiative  
University of Saskatchewan*

and the

*Indigenous Bar Association of Canada*

*present*

**"THE MÉTIS PEOPLE IN THE 21ST CENTURY"**

**A CONFERENCE AT THE UNIVERSITY OF SASKATCHEWAN**

**JUNE 18-20, 2003**

**Radisson Hotel Saskatoon  
Saskatoon, Saskatchewan, Canada**

***The Conference***

The objectives of the conference emerge from some of the goals envisioned by proponents of the newly established Indigenous Peoples' Justice Initiative (IPJI) at the University of Saskatchewan, including *"To foster interdisciplinary and transdisciplinary research connected with the theme of indigenous peoples and justice, in providing a congenial environment for Aboriginal and non-Aboriginal scholars from Canada and other countries..."*

The conference, which is presented jointly by the IPJI and the Indigenous Bar Association of Canada, will bring together, for cooperative, formal and informal discussion and debate, eminent scholars from various disciplines, policy analysts, authors, artists, senior government officials, and Métis people with specialized knowledge. The agenda has been designed to allow

ample opportunity for all conference participants to participate in both formal and informal debates with speakers and panelists. Students and other researchers will have the opportunity to interview participants and engage in informal discussions. The conference will provide a multidisciplinary forum for discussion and debate, and possibilities of collaborative research, about the place of the Métis people in Canada in the 21st century. Papers presented at the conference will be published by the *Saskatchewan Law Review* and the *Native Studies Review*.

The conference will be complemented by some unique events. There will be a videotaped evening session where panelists will exchange views with the audience on the question of Louis Riel's status as hero and symbol in the 21st century. This question has been the subject of contested and impassioned views in various recent national initiatives, including several Bills in Parliament to "pardon" Riel, and a controversial CBC televised "retrial" of Riel in October 2002. There will be a gala dinner and dance, showcasing Métis culture with art, music and clothing shows and displays. Métis musical artists will revive the Métis national anthem, "La Chanson di Bois Brules" created by Pierriche Falcon on 19 June, 1816.

### **The Focus of the Conference**

The 1982 Constitutional amendment that expressly included the Métis people in the provision that recognized and affirmed the undefined rights of the Aboriginal peoples of Canada was the focus of intense political debate for a decade. A series of subsequent Constitutional reform conferences of First Ministers and Aboriginal leaders did not decide the nature of Métis rights, nor who has them. At the beginning of the new century, the focus is now on litigation that will develop a judicial theory of Métis rights. The questions that have been raised in public and academic debates and in the courts, have not been answered easily even among the people who identify themselves as Métis. These people now include a significant number of individuals all across Canada, as well as the descendants of "Louis Riel's people" of western historical fame. Legal analysts and policy makers struggle to find applicable theoretical foundations and practical responses appropriate for their goals as they face the surging census figures that are generated by individual self-declarations of identity that are not tied to personal circumstances or acceptance by the communities or governments.

The conference is timely. The first two cases dealing with substantive Métis issues will be heard by the Supreme Court of Canada in March, 2003, following two decades of litigation in lower courts. Métis policy-making is still overshadowed by uncertainty and contention, including its political and Constitutional aspects. Some of the most contentious issues arise around questions of identity and definition, and about the legitimacy of political representation.

The focus of the conference proceedings will be on the historical, social and constitutional foundations of Métis identity and rights; and on the policy and practical dimensions of negotiating and maintaining an appropriate place for the Métis people in the life and public institutions of Canada.

The conference will emphasize the participation of Métis people in its proceedings and structure. This reflects an emerging appreciation of the significance of the participation of Aboriginal people in the development of law, scholarship, and policy in Canada. This trend is evident in principles that have been recently articulated by the Supreme Court of Canada in aboriginal rights cases. It was a fundamental principle in the final report of the 1996 Royal Commission on Aboriginal Peoples. It is basic to the goals of the Indigenous Bar Association, and one of the foundational principles of the IPJI.

## **PRELIMINARY AGENDA**

*\*Note: The titles of papers and presentations are, in some cases, working titles assigned to identify the subject matter.*

### **DAY ONE - June 18**

1:00- 1:30

#### **Welcome and Opening remarks**

Ken Coates, Acting Vice President Academic, University of Saskatchewan

Mark Stevenson, President of the Indigenous Bar Association

#### ***Overview of the conference objectives and structure***

#### **Conference Co-Chairs:**

Maria Campbell, College of Arts and Science, University of Saskatchewan

Paul L.A.H. Chartrand, I.P.C., College of Law, and Academic Chair, Indigenous Peoples' Justice Initiative, University of Saskatchewan

1:30- 2:00

#### **Opening Address**

#### **"The Métis People in the 21st Century"**

W. Yvon Dumont, former President, Métis National Council and former Lieutenant-Governor of Manitoba.

2:00- 5:00

#### **"Nurturing Métis Identity Through the Arts"**

**Presented by Maria Campbell with Métis artists and writers:**

Christi Belcourt: "Métis Identity Expression Through Art"

Sherry Farrell-Racette: "Métis Identity and Clothing"

Gregory Scofield: "Identity of Youth in Prose and Poetry"

Diane Falcon: "A Story of Falcon's Song"

Rose Richardson: "Identity and the Environment: Métis Medicinal Plants"

3:00- 3:15      **HEALTH BREAK**

**CONCURRENT SESSIONS**

3:15- 4:45      An audio-visual presentation followed by discussion:  
**"The Geography of Métis Scrip and the Métis Land Claim to Northwest Saskatchewan"**  
Frank Tough, School of Native Studies, University of Alberta, and MatriX

**EVENING SESSION**

7:00 - 8:15      **Moderator: Harry W. Daniels**

**Topic: "Riel as Hero and Symbol in Canada in the 21st Century"**

Each panelist will offer a five minute commentary on the subject, followed by an interactive debate between panelists and the audience.

**Panel:**

Jean Teillet, great grand niece of Riel, lawyer on Powley case (confirmed)  
Rudyard Griffith, Dominion Institute  
Tony Belcourt, Métis Nation of Ontario  
Maria Campbell  
Others to be announced

## **DAY TWO - June 19, 2003**

- 9:00 - 9:10 Introduction to the day's agenda and issues:  
Paul L.A.H. Chartrand
- 9:10- 9:30 **Introduction and Playing of the Métis National Anthem:**  
"La Chanson di Bois Brules" ("The Song of the Métis") created by Pierriche Falcon on 19 June, 1816. Musical artists and special guests introduced by Maria Campbell.
- 9:30-10:00 **Keynote Address**  
**"How 'the Métis people' got into s.35 of the 1982 Constitution Act"**  
Harry W. Daniels, former President of the Native Council of Canada, and of the Congress of Aboriginal Peoples (Introduced by Murray Hamilton)
- 10:00-10:15 **BREAK**
- 10:00-12:00 **Plenary Session**  
Chair: Bradford W. Morse
- 10:00-10:30 **"Defining the Métis People in s.35 of the Constitution Act 1982"**  
Larry Chartrand, Faculty of Law, University of Ottawa
- 10:30-11:00 **"S.35: The Powley Case in the Supreme Court of Canada"**  
Jean Teillet, Pape and Salter, counsel for Powleys.
- 11:00-11:30 **"Are Métis Persons 'Indians' Within the Meaning of the Game Laws Paragraph in the NRTA (Constitution Act 1982)?"**  
Lionel Chartrand, Legal Aid Manitoba, Counsel for Blais.
- 11:30-12:00 Audience and Panel: Questions and Discussion
- 12:00-1:30 **LUNCH** (Luncheon speaker to be announced)
- 1:30-4:45 **CONCURRENT SESSIONS**

### **SESSION A1**

#### **CONSTITUTIONAL AND POLITICAL ISSUES**

Chair: Rae Mitten, LL.M. candidate, University of Saskatchewan

1:30- 3:15

**"Sovereignty, Liberty, and the Legal Order of the 'Freemen' (Otipahemsu'uk) "**

Albert Peeling, Mark L. Stevenson and Associates, Victoria  
Paul L.A.H. Chartrand, College of Law, University of Saskatchewan  
Presented by Albert Peeling

**"Historical and Legal Overview of Métis Definitions"**

John Giokas, Lawyer and Policy Consultant, Ottawa

**"Provincial Jurisdiction and the Métis"**

Mark Stevenson, Lawyer, Commissioner, Law Commission of Canada

**"The Case of the Non-Status Indians, and Métis Definition"**

Robert Groves, legal and policy consultant, Ottawa, and  
Bradford W. Morse, Faculty of Law, University of Ottawa.

3:15-3:30

**HEALTH BREAK**

**SESSION A2**

Chair: Wanda McCaslin, Native Law Centre, University of Saskatchewan

3:30- 4:45

**"Membership Codes of Métis Political Organizations"**

Jason Madden, Legal Counsel, Métis National Council

**"The Saskatchewan Métis Definition and Registration Experience"**

Murray Hamilton, Gabriel Dumont Institute

**"Alberta's Métis Settlements"**

Lisa Weber, Faculty of Law, University of Alberta

**SESSION B1**

**HISTORICAL AND CONTEMPORARY ASPECTS OF IDENTITY**

Chair: Ron Laliberte, Department of Native Studies, University of Saskatchewan (to be invited)

1:30-3:15

**"Cores and Peripheries: Métis Identity Issues in Historical Writing"**

Jennifer S. H. Brown, University of Winnipeg, Department of History and Director, Centre for Rupert's Land Studies

**"Proto-Métis Community Formation and the Rise of the Métis People"**

Heather Devine, Museum and Heritage Studies Program,  
University of Calgary

**"Métis Identity in the First Half of the 20th Century:  
Oral Accounts of Métis Women Farm Workers in  
Ste-Eustache, Manitoba"**

Nicole St-Onge, Department of History, University of  
Ottawa

**"The 19th Century Métis Community at Ile-a-la-  
Crosse"**

Brenda Macdougall, Department of Native Studies,  
University of Saskatchewan

3:15-3:30

**HEALTH BREAK**

**SESSION B2**

Chair: TBA

3:30-4:45

**"Métis Identity in the Contemporary Urban Context"**

Chris Anderson, School of Native Studies, University of  
Alberta

**"Selkirk Settler and Lagimodiere/Gaboury Myths"**

Ruth Swan, Ph.D. Candidate, University of Manitoba

**"Concepts of Métis Identity"**

Fred Shore, University of Manitoba

**EVENING SESSION**

**DINNER, MÉTIS MUSIC, ART DETAILS: To Be Announced**

**DAY THREE - JUNE 20, 2003**

9:00- 12:30

**"Implementation of Métis Rights"**

Chair: Paul Chartrand

9:00-9:05

Overview of agenda for the day  
The Chair

## **SESSION 1**

### **BACKGROUND PAPERS**

*Background papers prepared especially for the conference will be summarized by the authors.*

9:05-9:20            **"Métis Urban and Rural Residence Patterns"**  
Professor Evelyn Peters, Department of Geography and  
Canada Research Council Chair, University of  
Saskatchewan

9:20-9:35            **"Métis Statistics from the 2001 Census:  
Implications"**  
Andy Siggner, Chief of Aboriginal Statistics Section,  
Statistics Canada

## **SESSION 2**

### **DEBATING MÉTIS POLICY:**

Subjects to be discussed may include:

- Provincial and federal jurisdictional issues in a federal system;
- Government responses to judicial decisions on Constitutional issues and to the final report of the Royal Commission on Aboriginal Peoples (1996)
- Political representation and group rights;
- Implications of Constitutional recognition for government recognition policy

9:35- 10:35            **Panel Debate**  
**Senior Government Officials and Scholars, and**  
**Métis Representatives**  
Panelists will address several key questions to be selected and distributed in advance of the conference. The chair will facilitate the debate among panelists, who will be seated in a semi-circle in front of the audience. Some panelists may provide papers at the conference.

#### **Panelists:**

Fred Caron, Deputy Minister, Aboriginal Affairs  
Secretariat, Privy Council Office, Ottawa

Harvey Bostrom, Deputy Minister, Aboriginal Affairs,  
Manitoba

Donovan Young, Assistant Deputy Minister,  
Intergovernmental and Aboriginal Affairs, Saskatchewan

Paddy Meade, Deputy Minister, Aboriginal Affairs, Alberta  
Deputy Attorney-General and Deputy Minister Responsible  
for Native Affairs, Ontario (invited)



Prad Khare, Assistant Deputy Minister, Ministry of  
Community, Aboriginal & Women's Services, British  
Columbia

Professor Brad Morse, Faculty of Law, University of  
Ottawa

Tony Belcourt, Métis Nation, Ontario

Jean Teillet, Pape and Salter, Vancouver

10:35-10:50

**BREAK and CONVENE IN SMALL DISCUSSION  
GROUPS**

10:50-11:30

**DISCUSSION GROUPS**

Discussion will focus on the questions debated by the  
panel. There will be a facilitator for each group, and also  
a university student recorder who will summarize the  
main points of discussion

11:30-12:20

**PLENARY SESSION**

Reports from groups will be followed by plenary  
discussion

*\*A summary of the debate and discussions will be  
published with the conference proceedings*

12:20-12:30

Acknowledgments, Closing Remarks, Playing of the  
national anthems

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*(Courtesy of the Indigenous Bar Association of Canada)*