

The Métis in the 21st Century Conference

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Saskatoon

Day 2 – Tape 6

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Lisa Weber: So often when we're talking about Métis political movements in Canada, I really just wanted to point out that Alberta's history is really—I mean there are distinguishing factors, of course, in every province, but what is common between all three Prairie province, and I suppose that adds to why we're all part of this, the Métis Nation or the Métis homeland, certainly it's referred to, is that the common issue that has bound us together historically has been the drive for recognition of land rights. In Manitoba, of course, we had Section 31 in the *Manitoba Act*, Riel's provisional government in Sask-, in Saskatchewan, the Batoche Resistance, which everybody knows about, I assume. In Alberta, also the scrip fraud—it actually, that occurred in all three Prairie provinces, but certainly in Saskatchewan and Alberta, pursuant to the *Dominion Lands Act* there was issues around scrip fraud. In Alberta we have the Métis Association, which was the original association. In fact, the first association in all of the MNC affiliates that formed, organized formally.

But the common issue is land rights, is the point. So the point of my paper and the point of my presentation is that I think that the Métis settlement situation must be considered if we're going to be talking about Métis Aboriginal rights. We can't treat it as something else or it doesn't matter, or it's just this cursory mention, as I said. I think there are three particular reasons why we need to look at the settlements. First of all, obviously Section 35 in Métis land entitlement, pursuant to Section 35. I will try to present, and if I don't effectively communicate it in my presentation, in my paper I certainly have analyzed why I think both the historic and contemporary Métis settlements legislation will affect land entitlement for Métis in Alberta, and specifically for Métis in Alberta. Secondly, I think

political legitimacy is in issue that is at risk. As a result of this legislation, there are two distinct political organizations now in Alberta who both represent Métis people. Lastly, identity. I would propose to say that this entire history, the history of the settlements and the history of Alberta Métis settlement in Alberta, that, that is going to have a profound and does have a profound effect on Métis identity, and Métis identity as part of a nation, as part of whether it's the Métis Nation or just a nation, Métis as a nation, there's a profound effect.

So, as I said before, in the 1930s was when the Métis after Batoche first started to formally politically re-organize itself, and that is referred to by Métis writers in the 1930s, the Métis Association—my French is really bad so I'm not even gonna try that, but it did formally establish. It drew together by the efforts of ground roots people saying, "You know, there's, there's destitution going on here. We're in really bad shape. We need to do something about this." The primary mandate coming together as the Métis Association of Alberta [MAA] was to secure land for destitute Alberta Métis.

So I'll just go for a minute to the relationship between the federal and provincial government at that time. So at this point in time, the relationship between the provinces—not only Alberta—in Canada, but all three Prairie provinces was affected by the Natural Resources Transfer Agreement [NRTA]. I think Lionel, Lionel's presentation, he probably went through what the NRTA was and what it encompassed, but in particular he was talking about paragraph 12, which protected the rights of the quote "Indians to hunt and fish for food." And in this context, paragraph 1, however, also required that the province—in this case I'm talking about Alberta—would provide lands to the federal government if they had to fulfil any outstanding obligations that would exist either then or now. I mean, look at the contemporary situation when modern land claim agreements or specific claims are settled. Whenever there's land involved, the NRTA, Paragraph 1, requires that Alberta transfer or provide the lands to Canada so that it can fulfil its obligations.

Now, at the time in the 1930s when the Métis were organizing and requesting land, there is historic record that the province inquired with the

Dominion government as to what, how, how the Dominion thought it should be involved, or could it be involved, or basically what was the legal situation? And the Dominion's formal response was that in, in its mind scrip had extinguished any land rights that the Métis had. That it had issued scrip and, and that was it. As you heard this morning, they wiped their hands of it. However, the fact of the matter is that if scrip did not extinguish, ultimately, at the end of the day it would be the province, whether it be Alberta, Saskatchewan, or Manitoba, but in this case, Alberta, would be required to provide the land to any group, whether it's First Nations or Métis today. So they knew this legal response of, of the federal government at the time.

So that, however, did not address the fact that in reality, and like I said in the beginning, this is basically a legal analysis, but there are social implications involved. Socially, the province was still faced with these obvious movements towards agitation, if you will, of a very identifiable group that were in really, really bad shape, bad social circumstances. Poverty, destitution, disease—it was just a really bad situation. So what are they gonna do?

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